

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

**RPC
Representatives**

Bethany:
Mary Shurtleff
(Secretary)

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Peter Goletz

Hamden:
Richard Szczypek

Madison:
Christopher Traugh
(Chair)

Meriden:
David White

Milford:
Mark Bender

New Haven:
Kevin DiAdamo
(Vice Chair)

North Branford:
Douglas Combs

North Haven:
James Giulietti

Orange:
Paul Kaplan

Wallingford:
Vacant

West Haven:
Christopher Suggs

Woodbridge:
Peggy Rubens-Duhl

AGENDA

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Agenda for Thursday, May 9, 2013 RPC Meeting, 5:15pm @ SCRCOG
Offices: 127 Washington Avenue, North Haven, CT 06473

1. Administration

1.1. Minutes of the April 11, 2013 RPC Meeting **1**

2. Statutory Referrals – May Action Items

2.1. Town of Hamden: Proposed Zoning Regulation Amendments to Flood Plain Zones and Special Flood Hazard Areas. Submitted by: Town of Hamden. Received: April 12, 2013. Public Hearing: June 11, 2013. **3**

2.2. Town of Southington: Proposed Zoning Regulation Amendments to Section 2-01.A.5 and Section 2-18R (*Definitions*). Submitted by: Town of Southington. Received: April 24, 2013. Public Hearing: June 4, 2013. **21**

3. Other Business

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, April 11, 2013 Meeting

Present: Christopher Traugh, Kevin DiAdamo (2.3), Mary Shurtleff, Charles Andres, Christopher Suggs, Mark Bender, Doug Combs, Robert Roscow, David White, Peter Goletz (2.1), Eugene Livshits

1 Administration

1.1 Minutes of the March 14, 2013 RPC meeting.

Motion to accept the minutes as presented: Mark Bender. Second: Doug Combs. Vote: Unanimous.
Abstentions: Robert Roscow, Mary Shurtleff

2 Statutory Referrals

2.1 Town of North Haven: Proposed Zoning Regulation Amendment to add Section 2.4.1.3 – Medical Epicenter Elderly Residential Zone

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Charles Andres. Second: Christopher Suggs. Vote: Majority. Abstain: Peter Goletz

2.2 Town of Prospect: Proposed Zoning Regulation Amendment to Section 2.4.4 – Expansion of Nonconforming Structure

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Mark Bender. Second: Mary Shurtleff. Vote: Unanimous.

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

2.3 Town of Bethany: Proposed Zoning Regulation Amendment to add Section 23 – Bethany Open Space Housing District

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Christopher Traugh. Second: Peter Goletz. Vote: Unanimous. Abstain: Mary Shurtleff

2.4 City of Milford: Proposed Zoning Regulation Amendments to Definitions (Article XI) and Minimum Off-Street Parking Requirements (Figure 1)

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Peter Goletz. Second: Christopher Suggs. Vote: Unanimous.

Motion to Adjourn: Peter Goletz. Second: Charles Andres. Vote: Unanimous.

Referral 2.1: Town of Hamden

Subject:

Proposed Zoning Regulation Amendments to Flood Plain Zones and Special Flood Hazard Areas

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Hamden has proposed amendments to Sections 430 (*Flood Plain Zones and Special Flood Hazard Areas*) and Section 830 (*Defined Terms*). In Section 430.1, *Applicability*, references have been added to the latest Flood Insurance Study for New Haven County (dated July 8, 2013) and related Flood Insurance Rate Maps. Three definitions in Section 830 have been edited: Special Flood Hazard Area, Substantial Damage, and Substantial Improvement. The Special Flood Hazard Area definition now references the Flood Insurance Rate Maps dated July 8, 2013. The Substantial Damage definition has been edited to allow for the 50% damage threshold to be met by flood-related damages occurring on two separate occasions during a 10 year period (the cost of repairs in each event, on the average, would have to meet or exceed 25 percent of the market value of the structure prior to the damage occurring). The Substantial Improvement definition now clearly states that the cumulative cost of repairs must equal or exceed “50% of the market value of the structure before the start of construction of the improvement.” The exclusion of alterations of historic structures has been expanded to state that the “alteration will not preclude the structure’s continued designation as a historic structure.”

The changes are a result of a review by the State of Connecticut’s National Flood Insurance Program (NFIP) Coordinator and many of them are required in order for the Town to be eligible to participate in the NFIP. Greater detail regarding the proposed changes can be found in the background section.

Communication: In researching this proposal, I notified the adjacent municipalities in the South Central Region.



Town of Hamden
Planning and Zoning Department

Hamden Government Center
2750 Dixwell Avenue
Hamden, CT 06518
Tel: (203) 287-7070
Fax: (203) 287-7075



April 11, 2013

Carl Amento, Executive Director
South Central Regional Council of Governments
127 Washington Ave. 4th Floor West
North Haven, CT 06473-1715

Dear Mr. Amento;

Enclosed is the Proposed Zoning Regulation Amendment 13-938, Proposed Amendment of the Zoning Regulations concerning Flood Plain Zones and Special Flood Hazard Areas, per Title 44 Code of Federal Regulations Section 60.3.(d) and requested or recommended by DEEP. The Public Hearing date for this application is June 11, 2013.

Please address any comments to the Hamden Planning Office, Attention Town Planner.

Sincerely yours,


Daniel W. Kops, Jr.
Assistant Town Planner

Enclosures



RECEIVED
TOWN OF HAMDEN

APR 10 2013

PLANNING AND
ZONING DEPT.

Date of Filing 4/10/13
Fee Exempt
Date Paid _____
Receipt # _____
Application # 13-938

**TOWN OF HAMDEN
APPLICATION TO AMEND THE ZONING REGULATIONS**

Pursuant to Sections 702 – 702.12 of the Hamden Zoning Regulations

APPLICANT Hamden Planning & Zoning Commission TELEPHONE 203-287-7070
(Name)

ADDRESS Planning and Zoning Dept., Hamden Gov't. Center, 2750 Dixwell Ave, Hamden CT 06518
(Street No and Name) (Town and State) (Zip Code)

EMAIL ADDRESS OF CONTACT PERSON: DKOPS@HAMDEN.COM

REGULATION TO BE: AMENDED ADDED or DELETED:
Article Number IV & VII Section _____ Group Use _____
Flood Plain Zones & Special Flood Hazard Areas

CURRENT LANGUAGE SEE ATTACHMENT

PROPOSED LANGUAGE SEE ATTACHMENT

REASON FOR PETITION FOR CHANGE SEE ATTACHMENT

Have there been any previous petitions for same or similar amendments? YES NO

If YES, list name of applicant Town of Hamden amended the regulations governing Flood Plain Zones & Special Flood Hazard Areas, per FEMA guidelines effective 12/17/10.

SIGNATURE OF
APPLICANT _____


(Name)

TELEPHONE NO. 203-287-7070

MAILING ADDRESS Planning & Zoning Dept., Hamden Gov't. Center, 2750 Dixwell Ave, Hamden CT
06518

(Street No. and Name)

(Town and State)

(Zip Code)

If you require additional space to complete any of your answers, please attach to this document.

ATTACHMENT

PROPOSED AMENDMENT OF THE ZONING REGULATIONS CONCERNING FLOOD PLAIN ZONES AND SPECIAL FLOOD HAZARD AREAS

Proposed Language Submitted April 10, 2013, Revised April 30, 2013

For Public Hearing on June 11, 2013

Explanation for Change

In 2010 the Planning and Zoning Commission revised the Zoning Regulations regarding Floodplains and Special Flood Hazard Areas. Hamden was required by the Federal Emergency Management Agency (FEMA) to make the changes in order to remain a participant in the National Flood Insurance Program (NFIP). The changes went into effect on December 17, 2010, coinciding with the effective date of the new Flood Insurance Rate Map (FIRM) released by FEMA.

FEMA recently completed a revised Flood Insurance Study (FIS) and Flood Insurance Rate Map, which will become effective on July 8, 2013, and has notified Hamden officials that the Town must adopt modified floodplain management measures that are consistent with Title 44 Code of Federal Regulations Section 60.3.(d) and have been approved by FEMA, by the same date.

The State of Connecticut Department of Energy and Environmental Protection's State NFIP Coordinator has once again analyzed Hamden's Zoning Regulations and identified modifications necessary to comply with federal regulations, thus maintaining Hamden's eligibility to participate in FEMA's National Flood Insurance Program, as well as some recommended changes.

The proposed text amendment incorporates all of the required and recommended changes. It also includes a proposed change to the definition of a Special Flood Hazard Area so that it references the Jul 8, 2013 FIRM. The revised text does not alter the basic requirements found in the current Zoning Regulations.

Note: The proposed changes to the Zoning Regulations submitted on April 10, 2013 are highlighted in boldface type. The additional proposed changes recommended by DEEP or FEMA after its initial review are highlighted in boldface type and contained within brackets. Any italicized text is included for explanatory purposes only.

Current and Proposed Text

Page 42 Remove the following text:

726.4 Flood Damage Prevention Variances

To hear and decide variance in accordance with Section 430 (Flood Plain Zones and Special Flood Hazard Areas) of the Hamden Zoning Regulations, adopted on December 7, 2009, effective January 1, 2010, as amended. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. For variances which are granted allowing the construction of fully enclosed areas below base flood elevation (BFE), the resulting structure must conform to minimum federal standards of the National Flood Insurance Program cited in 44 CFR 60.3 (c) (5) for such areas below BFE. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation (BFE), and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation.

Section 726.4 incorrectly appears both here and in its proper place in Article VII.

430 Flood Plain Zones and Special Flood Hazard Areas: 430.1 Applicability

Current Text:

These regulations shall apply to all Special Flood Hazard Areas within the jurisdiction of the Town of Hamden. These regulations shall apply to all special flood hazard areas (SFHA) within the jurisdiction of the Town of Hamden. The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated December 17, 2010, with accompanying Flood Insurance Rate Maps (FIRM), dated December 17, 2010, and other supporting data applicable to the Town of Hamden, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The SFHA includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

Proposed Text:

These regulations shall apply to all **Special Flood Hazard Areas (SFHA)** within the jurisdiction of the Town of Hamden. The **Special Flood Hazard Areas** identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **July 8, 2013**, with accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0294J, [09009C0429J], 09009C0432J,**

09009C0433J, 09009C0434J, 09009C0451J) and December 17, 2010 (**Panels 09009C0280H, 09009C0283H, 09009C0284H, 09009C0290H, 09009C0291H, 09009C0292H, 09009C0293H , 09009C303H, 09009C311H, 09009C426H, 09009C427H, 09009C431H**), and other supporting data applicable to the Town of Hamden, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The SFHA includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

Note: The changes to the FIRM Map date and panels are required by DEEP to ensure proper reference of the latest maps issued by FEMA, which will become effective July 8, 2013. The capitalization of Special Flood Hazard Areas is a recommendation of Planning and Zoning staff, intended to emphasize the term.

430.3.1. General Standards

Current Text:

430.3.1 General Standards:

When any new development or substantial improvement is located wholly or partially in a designated flood plain zone as shown on the Zoning Map of Hamden, or wholly or partially within a Flood Hazard Area, Zones A, A-I through 30, as shown on the Community Flood Insurance Rate Map, all new construction and/or substantial improvements shall be constructed:

Proposed Text:

430.3.1 General Standards:

When any new development or substantial improvement is located wholly or partially in a designated flood plain zone as shown on the Zoning Map of Hamden, or wholly or partially within a Flood Hazard Area, Zones **[A and AE]**, as shown on the Community Flood Insurance Rate Map, all new construction and/or substantial improvements shall be constructed:

FEMA no longer uses the A1 – A30 designation.

Section 430.5 Application, subsection e.

Current Text:

e. F.E.M.A., the D.E.P., adjacent communities and the Regional Planning Agency must be notified of any alteration.

Proposed Text:

e. F.E.M.A., the **[D.E.E.P.]**, adjacent communities and the Regional Planning Agency must be notified of any alteration.

The Department of Environmental Protection, D.E.P., is now the Department of Energy and Environmental Protection, D.E.E.P.

Section 726.4 Flood Damage Prevention Variances

Current Text:

726.4 Flood Damage Prevention Variances

To hear and decide variance in accordance with Section 430 (Flood Plain Zones and Special Flood Hazard Areas) of the Hamden Zoning Regulations, adopted on December 7, 2009, effective January 1, 2010, as amended. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. For variances which are granted allowing the construction of fully enclosed areas below base flood elevation (BFE), the resulting structure must conform to minimum federal standards of the National Flood Insurance Program cited in 44 CFR 60.3 (c) (5) for such areas below BFE. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation (BFE), and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation.

Proposed Text:

726.4 Flood Damage Prevention Variances

To hear and decide variance in accordance with Section 430 (Flood Plain Zones and Special Flood Hazard Areas) of the Hamden Zoning Regulations, adopted on December 7, 2009, effective January 1, 2010, as amended. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. For variances which are granted allowing the construction of fully enclosed areas below base flood elevation (BFE), the resulting structure must conform to minimum federal standards of the National Flood Insurance Program cited in 44 CFR 60.3 (c) (5) for such areas below BFE. Any applicant to whom a variance is granted **[, except a variance allowing a fully enclosed area below base flood elevation,]** shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation (BFE), and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation.

FEMA noted that a variance for a fully-enclosed area below the base flood elevation would not incur an increase in insurance rates, since FEMA allows this type of construction. Hamden doesn't allow it and requires a variance.

Section 830 Defined Terms:

Current text:

Basement: A story of a building wholly or partially below grade and having a clear floor-to-ceiling height of not less than 6½ feet.

Current Text:

Basement: A story of a building wholly or partially below grade and having a clear floor-to-ceiling height of not less than 6½ feet. **[For Floodplain management purposes, any area of the building having its floor subgrade (below ground level) on all sides.]**

Change requested by FEMA.

Current Text:

Special Flood Hazard Area: The land in the flood hazard areas within Hamden subject to a 1% or greater chance of flooding in any given year as delineated on the Flood Insurance Rate Maps dated June 15, 1979, as revised.

Proposed Text:

Special Flood Hazard Area: The land in the flood hazard areas within Hamden subject to a 1% or greater chance of flooding in any given year as delineated on the Flood Insurance Rate Maps dated **July 8, 2013**, as revised.

Note: This change was not originally mentioned by DEEP but is recommended by Planning and Zoning staff in order to make the definition explicitly consistent with the prior change.

Current Text:

Substantial Damage: Damage of any origin to a structure where the cost of restoring the structure to its before-damage condition would exceed 50% of the market value of the structure before the damage occurred

Proposed Text:

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. **“Substantial Damage” also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.**

Note: This change is recommended but not required. As currently defined, substantial damage has to occur in only one flood event for a property owner to file an Increased Cost of Compliance (ICC) claim through his or her flood insurance policy. This text change allows for a cumulative substantial damage definition where two separate flood events with damage below 50% can be added together to reach the 50% threshold.

Current Text:

Substantial Improvement: Any combination of repairs, re-construction, alteration, or improvements to a structure taking place over a 1-year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure. For purposes of this definition, “Substantial Improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either: any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to insure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

The cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor’s estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor’s overhead; contractor’s profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

Proposed Text:

Substantial Improvement: Any combination of repairs, re-construction, alteration, or improvement to a structure taking place over a 1-year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure **before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed.** For purposes of this definition, “Substantial Improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: any project for improvement of a structure to **correct** existing State or local health, sanitary, or safety code specifications which **have been identified by the local code enforcement official and which are the minimum** necessary to **assure** safe living conditions or any alteration of a **“historic structure”** listed on the National Register of Historic Places or a State Inventory of Historic Places, **provided that the alteration will not preclude the structure’s continued designation as a “historic structure”**.

The cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor’s estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and

fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

Note: This change is required.



January 7, 2017

Leslie A. Creane
Town Planner
Hamden Government Center
2750 Dixwell Avenue
Hamden, CT 06514

RE: Review of the Town of Hamden’s Flood Plain Zones and Special Flood Hazard Areas Regulations (Section 430), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New Haven County, Connecticut

Dear Ms. Creane:

On October 30, 2011, the Federal Emergency Management Agency (FEMA) presented your community with revised preliminary Flood Insurance Rate Map (FIRM) panels associated with the coastal re-delineation project for New Haven County. **These revised map panels will become effective on July 8, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town of Hamden must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Hamden on January 8, 2013 outlining these requirements. In order to assist the community in this map revision process, the CTDEEP has reviewed your community’s existing floodplain management regulations. Comments or words written in **bold type** indicate the changes needed for minimum compliance with program standards. Text in italics is for explanation purposes.

Please update Section 430 with bold text provided below.

These regulations shall apply to all special flood hazard areas (SFHA) within the jurisdiction of the Town of Hamden. The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **July 8, 2013**, with accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0294J, 09001C0429J, 09009C0432J, 09009C0433J, 09009C0434J, 09009C0451J)** and December 17, 2010 (**Panels 09009C0280H, 09009C0283H, 09009C0284H, 09009C0290H, 09009C0291H, 09009C0292H, 09009C0293H, 09009C303H, 09009C311H, 09009C426H, 09009C427H, 09009C431H**), and other supporting data applicable to the Town of Hamden, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The SFHA includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

It is optional to update the definition of "Substantial Damage" in Article VIII Definitions and Abbreviations, Section 830 with bold text provided below. As currently defined, substantial damage would have to occur in only one flood event for a property owner to file an Increased Cost of Compliance (ICC) claim through their flood insurance policy. This text change allows for a cumulative substantial damage definition where two separate flood event with damage below 50% can be added together to reach the 50% threshold.

Substantial Damage – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. **"Substantial Damage" also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.**

Please update the definition of "Substantial Improvement" in Article VIII Definitions and Abbreviations, Section 830 with the bold text provided below.

Substantial Improvement -- Any combination of repairs, re-construction, alteration, or improvement to a structure taking place over a 1-year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure **before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage", regardless of the actual repair work performed.** For purposes of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: any project for improvement of a structure to correct existing State or local health, sanitary, or safety code specifications which **have been identified by the local code enforcement official and which are the minimum** necessary to assure safe living conditions or any alteration of a **"historic structure"** listed on the National Register of Historic Places or a State Inventory of Historic Places, **provided that the alteration will not preclude the structure's continued designation as a "historic structure"**.

Once these revisions are made to Hamden's floodplain management regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Hamden will be fully compliant with program standards. Please provide this office with a draft copy of the revised regulations at least one month prior to formal adoption by the town. With those revisions, please provide a schedule for public hearing and adoption. Once the revised regulations are adopted, this office will need a certified copy to forward to FEMA Region I.

Thank you for your attention and cooperation in this matter. If you have any questions regarding this review or the specific requirements discussed in this letter, please contact me by telephone at (860) 424-3537, or by email at diane.ifkovic@ct.gov.

Sincerely,

Diane S. Ifkovic
Environmental Analyst III
State NFIP Coordinator
Inland Water Resources Division



FEMA

MAR 25 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Scott D. Jackson
Mayor, Town of Hamden
Hamden Government Center
2750 Dixwell Avenue
Hamden, Connecticut 06518

RECEIVED
TOWN OF HAMDEN

APR 02 2013

PLANNING AND
ZONING DEPT.

Dear Mayor Jackson:

I commend you for the efforts that have been put forth in implementing the floodplain management measures for the Town of Hamden, Connecticut, to participate in the National Flood Insurance Program (NFIP). As you implement these measures, I want to emphasize the following:

- a Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed for your community;
- the FIS and FIRM will become effective on July 8, 2013; and
- by the FIS and FIRM effective date, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office is required to approve the legally enforceable floodplain management measures your community adopts in accordance with Title 44 Code of Federal Regulations Section 60.3(d).

As noted in FEMA's letter dated January 8, 2013, no significant changes have been made to the flood hazard data on the Preliminary and/or revised Preliminary copies of the FIRM for New Haven County. Therefore, the Town of Hamden should use the Preliminary and/or revised Preliminary copies of the FIRM as the basis for adopting the required floodplain management measures. Final printed copies of the FIRM for the Town of Hamden will be sent to you within the next few months.

If you encounter difficulties in enacting the measures, I recommend you contact the Connecticut Department of Energy and Environmental Protection. You may contact Diane Ifkovic, the NFIP State Coordinator, by telephone at (860) 424-3537, in writing at 79 Elm Street, Hartford, Connecticut 06106, or by electronic mail at diane.ifkovic@ct.gov.

The FEMA Regional staff in Boston, Massachusetts, is also available to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for the Town of Hamden and will ensure its participation in the NFIP. The Regional Office may be contacted by telephone at (617) 832-4712 or in writing. Please send your written inquiries to the Director, Federal Insurance and Mitigation Division, FEMA Region I, at 99 High Street, Sixth Floor, Boston, Massachusetts 02110.

The Honorable Scott D. Jackson

MAR 25 2013

Page 2

You may have already contacted the NFIP State Coordinator and/or the FEMA Regional Office, and may be in the final adoption process or recently adopted the appropriate measures. However, in the event your community has not adopted the appropriate measures, this letter is FEMA's official notification that you only have until July 8, 2013, to adopt and/or submit a floodplain management ordinance that meets or exceeds the minimum NFIP requirements, and request approval from the FEMA Regional Office by the effective date. Your community's adopted measures will be reviewed upon receipt and the FEMA Regional Office will notify you when the measures are approved.

I appreciate your cooperation to ensure that your community's floodplain management measures are approved by the FEMA Regional Office by July 8, 2013. Your compliance with these mandatory program requirements will enable your community to avoid suspension from the NFIP.

Sincerely,



David H. Stearrett, CFM, Chief
Floodplain Management Branch
Federal Insurance and Mitigation Administration

cc: Paul Ford, Acting Regional Administrator, FEMA Region I
Diane Ifkovic, NFIP State Coordinator, Connecticut Department of Energy and
Environmental Protection
Leslie A. Creane, AICP, Town Planner, Town of Hamden

Public Water Supply Watershed/Aquifer
Project Notification Form
For The
South Central Connecticut Regional Water Authority

REQUIREMENT:

All applicants before a municipal Planning and Zoning Commission, Inland Wetlands Commission, or Zoning Board of Appeals for any project located within a public water supply watershed are required by Public Act 89-301 (Sections 8-3i and 22a-42f of the Connecticut General Statutes) to notify the affected public water utility by certified mail within 7 days of the application.

GENERAL INFORMATION:

Maps showing the location of Regional Water Authority (RWA) watershed boundaries are on file with municipal planning and zoning, and inland wetlands staff, and Town Clerks. The applicant's notification to the RWA should include the information requested on pages two and three. The RWA may request additional information if it is determined that a more detailed review is necessary. Any questions should be directed to (203) 401-2741, or (203) 401-2743.

Please mail this completed form and attachments to:

Environmental Analysts
Environmental Planning Department
Regional Water Authority
90 Sargent Drive
New Haven CT 06511

RWA Watershed/Aquifer Project Notification Form
Page 2

1. Applicants are requested to submit any information that was included in the application to the municipality including: site plan, project narrative, sediment and erosion control plan and drainage calculations if applicable.

2. Project address Townwide Town Hamden

3. Application for: Planning and Zoning Inland Wetlands Zoning Board of Appeals

4 Project Description: No project proposed. Amendment to the Zoning Regulations #13-938 re Flood Regulations submitted on behalf of the Hamden Planning and Zoning Commission

5. Waste Water Disposal: Septic System Public Sewer None N/A

6. Water Supply: Private Well Public Water N/A

7. Heating Fuel: Oil Gas Other _____ N/A

Applications involving additions or modifications to single family residences or applications with no site disturbance and no storage or use of hazardous chemicals skip to item 18.

8. Total acreage of project site _____

9. Total acreage of area to be disturbed including structures, additions, paving, and soil disturbance

10. Percent of existing impervious surfaces including buildings, roads and pavement _____

11. Proposed increase in impervious surfaces _____

12. Number of **existing and proposed** floor drains or sump pumps and their point of discharge e.g. sanitary sewer, holding tank, or ground

13. Are there any wetlands or watercourses on the property? If so, describe

14. Brief description of **existing and proposed** stormwater management system, including roof drainage, paved areas etc., and discharge points e.g. municipal system, drywells, streams, vegetated areas, detention basins etc. Attach drainage plans and calculations if available _____

15. List of **existing and proposed** underground or above-ground storage tanks including age, capacity and contents

16. List of potentially harmful chemicals stored or used on property (**existing and proposed**) and typical onsite volumes, including but not limited to petroleum products, lubricants, solvents, detergents, and pesticides

17. Describe any wastes generated and their means of disposal

18. Contact Information:

Name: Daniel W. Kops, Jr., Assistant Town Planner

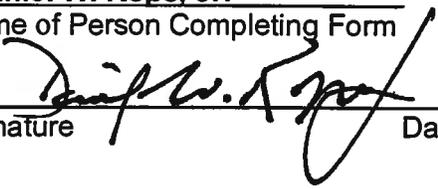
Company: Hamden Planning & Zoning Department

Address: Planning and Zoning Dept., Hamden Gov't. Center,
2750 Dixwell Ave, Hamden CT 06518

Phone: 203-287-7070

Email: dkops@hamden.com

Daniel W. Kops, Jr.
Name of Person Completing Form


Signature

4/10/13
Date

Referral 2.2: Town of Southington

Subject:

Proposed Zoning Regulation Amendments to Section 2-01.A.5 and Section 2-18 R (*Definitions*)

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Southington has proposed Zoning Regulation Amendments to Section 2, *Definitions*. Under the Residential Zones section of the Accessory Use or Building definition (2-01.A.5), the storage of recreational vehicles subsection has been expanded to allow for the parking of recreational vehicles (1) in the side yard when insufficient space is available in the rear yard and (2) In the front yard on the driveway for a maximum period of 48 hours over a seven day period. The recreational vehicle must still be a minimum of 5 feet from any property line. As part of this amendment, a definition for Recreational Vehicle has been added to the Regulations (2-18 R): “a motor home, travel trailer, truck camper, or camping trailer with or without motive power designed for human habitation for recreational or emergency occupancy.”

Communication: In researching this proposal, I notified the adjacent municipalities in the South Central Region.

PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER - 196 NORTH MAIN STREET
SOUTHINGTON, CONNECTICUT 06489

Phone: (860) 276-6248 - Fax: (860) 628-3511

April 23, 2013

RPC Referral
South Central Regional COG
127 Washington St., 4th Fl
North Haven, CT 06473



RE: Proposed Zoning Regulation Amendment – Section 2-01.A.5 and 2-18 R (ZA #572)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision submitted by the Town of Southington PZC proposing a revision to Sections 2-01.A.5 and 2-18 R of the Zoning Regulations.

The Planning and Zoning Commission anticipates opening the public hearing on this item on June 4, 2013. The complete file is available for review in the Planning Department, the Town Clerk's office and on the web page. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,


David Lavalley
Acting Town Planner

enclosures

I:\Planning and Zoning\regs folder\revisions\ZA #572\referral letter.docx

Please mail to:

Re: RPC Referral
South Central Regional COG
127 Washington Avenue, 4th Floor West
North Haven, CT 06473

RPC Referral Submission Form

South Central CT Regional Planning Commission

1.) General Information:

Date Sent: 4/23/13

Subject: 2A 572 - proposed revisions to Sec. 2-61A-5 and 2-18R

Applicant Name: Town of Southington

Property Address (if applicable): n/a

Town/City: Southington

- Referral is from a private individual
- Referral is from the Town/City Planning Department or the P & Z Commission

Public Hearing Date: _____

2.) Statutory Responsibility:

- Application involves a subdivision of land within 500 feet of a town/city border
- Application involves a proposed change to a town/city zoning regulation
- If neither, applicant requests a voluntary RPC review for informational purposes
- Material is for informational purposes only; an RPC resolution is not necessary
- Other: _____

3.) Process:

- Material sent via email "~~Return Receipt Requested~~" (as required by law)
- Information on proposed change included
- Existing language included (if applicable)

4.) Preferred contact regarding this RPC referral:

Name: Dave Lavallee

Telephone Number: 860-276-6203

E-mail Address: LAVALLEED@southington.org

Comments: _____

Questions: (203) 234-7555
South Central Regional Council of Governments | <http://www.sccog.org>

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

DEFINITIONS

2-01 A

ACCESSORY USE OR BUILDING - A use or building customarily incidental and subordinate to the principal use or building which is located on the same lot as such principal use or building, or on a contiguous lot under the same ownership subject to the following conditions:

A. In Residential Zones, the following uses shall be considered accessory uses:

5. ~~*[The storage of recreational vehicles, including boats, when located in the rear yard a minimum of 5 feet from any property line:]*~~

The parking of recreational vehicles, including boats, when located a minimum of 5 feet from any property line:

a) In the rear yard

b) In the side yard when insufficient space is available in the rear yard

c) In the front yard on the driveway for a maximum period of 48 hours over a seven day period

2-18 R

ROOMING HOUSE - See "Boarding House"

RECREATIONAL VEHICLE- ***Recreational Vehicle is a motor home, travel trailer, truck camper, or camping trailer with or without motive power designed for human habitation for recreational or emergency occupancy.***