

**PLANNING & ZONING REGULATIONS SUBCOMMITTEE MINUTES, 21 AUGUST 2018 AT 6:30 PM,
CITY HALL AUDITORIUM, 110 RIVER STREET**

- A.** Call to Order
- B.** Roll Call: J. Grant, S. Marlow, J. Quish, P. Kearney, D. Sulkis, S. Harris, M. Greene
- C.** Approval of Minutes of 1 May 2018; approved unanimously.

D. Discussion of Status of Pending Regulation Changes

Summary: Discussion began on individual amendments, but because all amendments on the agenda were part of Section 5.8 Flood Hazard and Flood Damage Prevention Regulations, they are subject to state review. Therefore the consensus of the Subcommittee was that all the proposed changes below should be submitted to the CT Department of Energy and Environmental Protection (DEEP) for review and guidance prior to them being sent to the Planning and Zoning Board for circulation; specifically Amendments 13-18, 14-18, 15-18, 16-18, 17-18.

E. Proposed Changes to Existing Regulations (proposed by J. Grant):

- Amendment # 13-18 Article 5, Section 5.8 Flood Hazard and Flood Damage Prevention Regulations

DISCUSSION:

Mr. Sulkis said staff was concerned that the proposed language might create an opportunity to inadvertently waive a state statute. He asked Mr. Grant to submit new language spelling out that an architect's drawing would not be required

Mr. Marlow said he wanted to consider rewording the revision so as not to conflict with the state statute.

- Amendment #14-18 Article 5, Section 5.8.6 Use Requirements: 5.8.6.8 Flood and Erosion Control Works

DISCUSSION:

Mr. Sulkis said staff was concerned that the wording differed from the state's definition. He said he would like to consult DEEP.

Mr. Harris asked where the definition was sourced, saying he couldn't find it on the state or FEMA websites. He said the state definition was much more precise. He said some of Milford's language in Section 5.8 dates from 1978 and the state has since crafted draft regulations that would create a brand new baseline to update the whole section, rather than revising it piecemeal.

Mr. Marlow expressed concern that the wording might be too broad.

Mr. Grant said he thought he had taken the definition from FEMA's online technical definitions. He said there was a need for a definition because the term was used but not defined in the regulations. He agreed that it should be sent to DEEP via staff.

Mr. Quish asked if the "as is" draft should be sent to DEEP; **Mr. Sulkis** and **Mr. Harris** agreed that it should. **Mr. Quish** and **Mr. Sulkis** discussed sending the entire section to DEEP for critique, rather than piecemeal. **Mr. Sulkis** said the review would encompass the individual regulation changes being reviewed by the Regulation Subcommittee.

Mr. Grant expressed concern that too few regulations are being circulated for regional review. A discussion of the pros and cons of advertising in a weekly versus a daily paper ensued. **Mr. Sulkis** said he thought 3 of the 5 changes Mr. Grant was concerned about had been circulated regionally.

Mr. Quish discussed other issues with a broader perspective, such as regulations for green energy. **Mr. Grant** referenced California regulations that require a certain percentage of solar energy be used in new construction. **Mr. Sulkis** pointed out that support for solar may be required by state statute there.

Mr. Grant said he felt there was urgency to clearing the backlog of proposed regulations for circulation. **Mr. Quish** said he wanted at least one Regulation Subcommittee meeting held per month. **Mr. Sulkis** and **Mr. Grant** discussed issues with submitting agendas in order to hold the meetings. The need for dedicated resources ensued. **Mr. Sulkis** also noted that the 2022 Plan of Conservation and Development (POCD) will be due and resourcing that effort should be considered now as well. He said the last revision of the POCD in 2012 was not as extensive as it might have been and that if a major overhaul of the POCD is needed, a consultant should be retained as was the case in 2002. **Mr. Quish** said he would send a document from the regional council that he thought would be helpful. Discussion ensued on the possibility of updating the regulations in a comprehensive way and of the overall purpose of regulations. Discussion also ensued on how the previous 2 POCDs were produced and the associated costs.

- Amendment # 15-18 Article 5, Section 5.8.12.1 Anchoring: (2) (a) & (2) (b) Manufactured Homes (A and AE Zones)

TABLED PENDING CT DEEP REVIEW.

- Amendment # 16-18 Article 5.8.13 Sec. 5.8.13.1 Residential Construction

TABLED PENDING CT DEEP REVIEW.

- Amendment #17-18 Article 11, Section 11.2 Other Terms: Flood Control Works

TABLED PENDING CT DEEP REVIEW.

- Adjournment was at 7:26

Attest:

M.E. Greene, Board Clerk