

## *Floodplain Management and Wetland Protection*

**(24 CFR 55, Executive Order 11988, Executive Order 11990)**

### **Background**

HUD regulation 24 CFR Part 55 implements Executive Order 11988, “Floodplain Management.” The purpose of EO 11988 is “to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modifications of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” Project sites located within a special flood hazard area (SFHA) are subject to EO 11988 and any actions outside the SFHA that directly or indirectly impact the floodplain are subject to EO 11988. The relevant data source for the SFHA is the latest issued FEMA data or guidance, which may include advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps (FIRMs).

The purpose of Executive Order 11990, “Protection of Wetlands” is to avoid to the extent possible the long and short term adverse impacts associated with wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative. Under the executive order, HUD must avoid financial support for covered activities, unless it can demonstrate that there are no practicable alternatives outside the wetlands. Where wetland-free sites are available within the community or housing market area, these are considered practicable. While National Wetlands Inventory (NWI) maps are the primary screening tool, any indication or evidence of a wetland's presence should be investigated and a determination should be made according to the wetlands definition of Classification of Wetlands and Deepwater Habitats of the United States, U.S. Fish and Wildlife Service.

### **24 CFR Part 55.1 (c)**

No HUD financial assistance may be approved for the following:

- Any action, other than a functionally dependent use, located in a floodway;
- Any critical action (refers to hospitals, nursing homes, Emergency Operation Centers, power-generating facilities, etc.) located in a coastal high hazard area (V-zone); or
- Any non-critical action located in a coastal high hazard area, unless the action is designed for location in a coastal high hazard area (V-zone compliant) or is a functionally dependent use.

Any proposed actions within the V zone must comply with the construction standards outlined in HUD Regulations 24 CFR Part 55.1 (c) (3).

## **DOH Approach**

In applying EO 11988, EO 11990 and 24 CFR Part 55, DOH's approach is to avoid adverse impacts to the floodplain and wetlands as a result of the Proposed Actions to the extent possible.

The Federal Emergency Management Agency (FEMA) issued revised digital flood insurance rate map (DFIRM) coastal panels to 31 municipalities in Connecticut's four coastal counties that went into effect February 6, 2013 for Middlesex County, July 8, 2013 for Fairfield and New Haven Counties, and August 5, 2013 for New London County. Municipalities within Connecticut must adopt these new panels in order to be considered to be in compliance with National Flood Insurance Program (NFIP) regulations. If the new mapping were to not be adopted by a particular city or town, no one in that community would have access to federally backed flood insurance. Flood Insurance Rate Maps can be viewed at [www.msc.fema.gov](http://www.msc.fema.gov).

The State of Connecticut Department of Housing (DOH) is the administrating agency for the State of Connecticut Disaster Recovery Programs including the Owner Occupied Rehabilitation and Rebuilding Program (OORR), the Scattered Site Rehabilitation and Rebuilding Program (SSRR) and the EXP/Hurricane Sandy Business Disaster Relief Program (EXP). For all structures funded by OORR and SSRR, if in, or partially in, the 100-year floodplain as shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance; and for structures funded by EXP, for the term of the grant [24 C.F.R. 58.6 (a) (1)]. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.

All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes]; these activities must also adhere to HUD's 24 CFR Part 55 for compliance with EO 11988. Flood Management Certification, administered by the State of Connecticut Department of Energy and Environmental Protection's (DEEP) Bureau of Water Protection and Land Reuse's Inland Water Resources Division, requires Department approval of a certification, or an exemption from such approval, for all State actions in or affecting floodplains or natural or man-made storm drainage facilities. DOH and DEEP staff are working together to streamline the Flood Management Certification process for Disaster Recovery Program activities. In development of this process, DEEP will consider whether the proposed activities: are consistent with state standards and criteria for preventing flood hazards to human life, health or property and with the provisions of the National Flood Insurance Program (NFIP) and municipal floodplain regulations; do not adversely affect fish populations or fish passage; and do not promote intensive use and development of flood prone areas. This expedited Flood Management

Certification process for Disaster Recovery Program activities that would meet the State's Flood Management requirements is currently in development.

All Disaster Recovery Program activities will comply with Sections 25-68 of the Connecticut General Statutes which classifies a residential structure as a "critical" facility.

In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest (most recent) FEMA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer or architect to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.3 (e) as required by HUD Regulation 24 C.F.R. Part 55.1 (c) (3).

All Applicants for financial assistance will be evaluated for eligibility, in accordance with HUD guidelines. The Programs will follow Federal policies which ensure that no person may be excluded, denied benefits, or subjected to discrimination on the basis race, color, national origin, religion, sex, familial status, and/or physical and mental handicap under any program funded in whole or in part by Federal CDBG-DR funds. CDBG-DR funds from the HUD disaster appropriation may be used for eligible CDBG-DR activities that meet the State CDBG program regulations. However, any appropriation covered by this Action Plan (Public Law 113-2) shall be reviewed for compliance with duplication of benefits guidelines at 42 U.S.C. 5155, which specifically prohibit the use of funds for activities reimbursable by, or for which funds have been made available by FEMA, the Small Business Administration (SBA), or other Federal or State sources. Funds may also be used as a matching requirement, share, or contribution for any other Federal program, provided all activities are CDBG-DR eligible and in compliance with duplication of benefit guidelines.

**DOCUMENTATION  
FOR  
AREAWIDE COMPLIANCE PROCESS**

**Executive Order 11988 – Floodplain Management  
Executive Order 11990 – Wetlands Protection**

**Fairfield, New Haven, Middlesex and New London Counties;  
and the Mashantucket Pequot Indian Reservation, Connecticut**

**Effective Date: February 7, 2014  
State of Connecticut Disaster Recovery Program**

**Owner Occupied Rehabilitation and Rebuilding Program (OORR);  
Scattered Site Rehabilitation and Rebuilding Program (SSRR); and  
EXP/Hurricane Sandy Business Disaster Relief (EXP)**

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## **AREAWIDE COMPLIANCE PROCESS**

**Executive Order 11988 – Floodplain Management**

**Executive Order 11990 – Wetland Protection**

**State of Connecticut Department of Housing**

**U.S. Department of Housing and Urban Development**

**Community Development Block Grant - Disaster Recovery**

**Owner Occupied Rehabilitation and Rebuilding Program;  
Scattered Site Rehabilitation and Rebuilding Program; and  
EXP/Hurricane Sandy Business Disaster Relief**

**Fairfield, New Haven, Middlesex and New London Counties; and  
the Mashantucket Pequot Indian Reservation, Connecticut**

**February 7, 2014**

This Areawide Compliance Process document addresses the requirements of Executive Order 11988, “Floodplain Management” and Executive Order 11990, “Wetland Protection” and has been completed in anticipation of numerous unspecified housing properties (1-4 units) and small businesses participating in the U.S. Department of Housing and Urban Development (HUD) State of Connecticut Department of Housing (DOH) Community Development Block Grant – Disaster Recovery (CDBG-DR) Owner Occupied Rehabilitation and Rebuilding (OORR) , Scattered Site Rehabilitation and Rebuilding (SSRR), and EXP/Hurricane Sandy Business Disaster Relief (EXP) Programs. This document pertains to the applicants who are proposing an activity that is located in the Special Flood Hazard Area (SFHA) as defined by FEMA, or its successors, pursuant to the National Flood Insurance Program (NFIP), or a successor program, whether advisory, preliminary, or final.

The HUD-funded housing programs, administered by DOH, were established as a grant award to provide financial assistance to owners of 1-4 unit residences damaged by Superstorm Sandy, in order to rehabilitate, reconstruct, elevate or mitigate housing units within the four counties most affected by Sandy (i.e. Fairfield, New Haven, Middlesex and New London Counties; and the Mashantucket Pequot Indian Reservation [geographically located within New London County], Connecticut).

The EXP Program was established to provide assistance to eligible small businesses that suffered direct physical damage as a result of Superstorm Sandy with the financial resources needed to continue the rebuilding process. Grants may be provided to small businesses, including non-profit organizations for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed

as a direct result of the storm. This program requires eligible applicants to have operations located within the four counties most affected by Sandy (i.e. Fairfield, New Haven, Middlesex and New London Counties; and the Mashantucket Pequot Indian Reservation [geographically located within New London County], Connecticut). Grant assistance may be used for structural repair or replacement of damaged property and construction or leasehold improvements.

All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut’s Flood Management Program [Sections 25-68 of the Connecticut General Statutes].

**Step ONE: Determine if a Proposed Action is in a wetland or in the 100-Year Floodplain**

**Owner Occupied Rehabilitation and Rebuilding Program; Scattered Site Rehabilitation and Rebuilding Program; and EXP/Hurricane Sandy Business Disaster Relief**

The State’s housing recovery programs including the OORR and SSRR programs are in response to the severe coastal flooding and high wind damage caused by Superstorm Sandy on October 29, 2012 and are designed to meet the unmet housing needs of communities most impacted by the storm including the costs of repairs, reconstruction and new construction that insurance, FEMA and any other sources of funding does not cover. These program activities address the State’s need for housing, especially safe, decent, and affordable housing. The programs will provide funding for property owners directly affected by Superstorm Sandy within the four most impacted counties (i.e. Fairfield, New Haven, Middlesex and New London Counties; and the Mashantucket Pequot Indian Reservation [geographically located within New London County]). Eligible owners of 1-4 unit residential properties that were damaged by Superstorm Sandy will receive assistance for replacing and rehabilitating their properties, which may also include mitigation enhancement and improved resilience measures, while restoring their buildings/residences.

Per the State of Connecticut Disaster Recovery Action Plan, the best available data indicates that approximately 38,200 homes were damaged by Superstorm Sandy in Fairfield, New Haven, Middlesex and New London Counties. After calculating insured losses, FEMA and the U.S. Small Business Administration (SBA) financial assistance and other benefits, the remaining unmet need is represented by approximately 7,400 units. Of the 7,400 units currently estimated to have unmet housing needs, approximately 1,900 are estimated to be ineligible for CDBG-DR funding leaving a balance of 5,500 units. The expected breakdown of those 5,500 homes with unmet needs is provided in the following table:

Type of Assistance	Unmet Need Units	Per Unit Average Estimated Cost	Total Estimated Cost
Rehab Assistance Only	3,700	\$5,000	\$18,500,000

– Insured			
Rehab Assistance Only – Uninsured	1,300	\$25,000	\$32,500,000
Mitigation Assistance – FEMA Leveraged	200	\$10,250	\$2,050,000
Mitigation Assistance – Not FEMA Leveraged	100	\$41,000	\$4,100,000
<b>TOTAL UNMET NEED</b>	<b>5,500</b>	<b>\$10,391</b>	<b>\$57,150,000</b>

At this time, the exact locations of all the properties that would participate in the housing assistance programs are unspecified. Connecticut has over 250,000 acres of FEMA mapped Special Flood Hazard Areas (SFHAs) within the state. Below is a table showing the breakdown of total mapped SFHAs per county in the four most impacted counties.

<b>Estimated Acreage of Special Flood Hazard Areas Per County</b>	
<b>County</b>	<b>Acreage based on DFIRM Data</b>
Fairfield	47,680.87
New Haven	52,900.98
Middlesex	34,628.95
New London (includes Mashantucket Pequot Indian Reservation)	44,664.12

The EXP/Hurricane Sandy Business Disaster Relief Program is also in response to the damage caused by Superstorm Sandy and is designed in part to meet the unmet needs of small businesses related to structural damage in communities most impacted by the storm (i.e. Fairfield, New Haven, Middlesex and New London Counties; and the Mashantucket Pequot Indian Reservation [geographically located within New London County]) including the costs of structural repair or replacement of damaged property and construction or leasehold improvements. This program is intended to contribute to the long-term recovery and economic revitalization of the affected area by providing expanded economic opportunities through improved accessibility to local businesses. Eligible owners of small businesses (not more than 100 employees) will receive assistance through a matching grant utilizing CDBG-DR and State grant funds.

Per the State of Connecticut Disaster Recovery Action Plan, data gathered by SBA and FEMA and insurance claims data obtained by the State, unmet small business needs for structural repairs total approximately \$5.1 million. Local governments identified at least twelve structural repair projects for businesses totaling \$5.3 million.

The following is a summary of the unmet needs related to structural damage reported by eligible jurisdiction and North American Industry Classification System (NAICS; the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy):

<b>Jurisdiction</b>	<b>Municipality</b>	<b>Number</b>	<b>Amount</b>	<b>NAICS Classification</b>
Fairfield County	Fairfield	1	\$1,300,000	Other Amusement & Recreational Activities
Fairfield County	Fairfield	1	\$900,000	Child Daycare Services
Fairfield County	Fairfield	2	\$900,000	Hotels (Except Casino Hotels)
Mashantucket Pequot Reservation		1	\$10,888	Hotels (Except Casino Hotels)
Mashantucket Pequot Reservation		1	\$92,000	Casino Hotels
Fairfield County	Fairfield	2	\$900,000	Limited Service Restaurant
Fairfield County	Fairfield	1	\$450,000	Beer, Wine & Liquor Stores
Fairfield County	Stamford	1	\$75,000	New Car Dealers
Fairfield County	Stamford	1	\$25,000	Beauty Salon
Fairfield County	Stamford	1	\$75,000	Marina
New Haven County	Milford	1	\$100,000	Marina
Fairfield County	Stratford	3	\$100,000	Restaurant
Fairfield County	Stratford	1	\$80,000	Plumbing, Heating and Air-Conditioning Contractors
New Haven County	Milford	1	\$50,000	Sports & Recreation
<b>Subtotal</b>		<b>18</b>	<b>\$5,057,888</b>	<b>(Classified Only)</b>
<b>Jurisdiction</b>	<b>Municipality</b>	<b>Number</b>	<b>Amount</b>	
New Haven County	Waterbury	--	\$160,000	
Fairfield County	Danbury	--	\$35,000	
Subtotal			\$195,000	
<b>TOTAL</b>			<b>\$5,252,888</b>	

Many of the impacted businesses were either on or close to the shoreline, including a high percentage in the 100-year floodplain. The unmet needs in the table above do not reflect potential mitigation or resiliency costs. Data regarding such costs will be gathered through the application and project cost estimating process.

All sites will be evaluated for the presence of wetlands in accordance with State of Connecticut Department of Energy and Environmental Protection (DEEP), Inland Wetlands and Watercourses Act (IWWA, sections 22a-36 through 22a-45 of the General Statutes of Connecticut) and the U. S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) maps, and if necessary, an on-site wetlands inspection and delineation will occur. If project work on a specific site will impact a wetland, appropriate permits will be obtained, in compliance with Executive Order 11990.



Documentation in the site specific environmental review file shall include the local and USGS Wetland Map showing the project location; for new construction, a copy of written approval from Inland Wetlands body; and evidence of the 8-step decision making process as described in 24 CFR Part 55.

A site assessment of each eligible property will be conducted by DOH or its agent and a determination made as to whether the property needs moderate or major rehabilitation, reconstruction, or mitigation. Once an Applicant applies for the grant award, DOH or its agent will determine if the project parcel is located in a wetland or in the floodplain as part of the individual Statutory Checklist review.

The following review of each property will be conducted:

- Determine whether the project parcel is located within the 100-Year Floodplain either by searching the FEMA Map Service Center at <https://msc.fema.gov> or by consultation with local municipal engineering office.
- Determine whether the project parcel is located within a wetland either by searching the U.S. Fish and Wildlife National Wetlands Inventory (NWI) at <http://www.fws.gov/wetlands/Wetlands-Mapper.html>, by selecting the Map Catalog link to view Soil Inland Wetland maps by town at <http://cteco.uconn.edu> or by consultation with local municipal engineering office or Inland Wetland regulatory body.

### **Step TWO: Early Public Review**

A 15-day “Notice for Early Public Review of Proposed Activities in a 100-Year Floodplain and Wetland” was published in The Connecticut Post (Bridgeport), The New Haven Register, The Day (New London), and The Advocate (Stamford), on November 27, 2013 and in La Voz Hispana on November 28, 2013. The 15-day period expired on December 13, 2013. The ad targeted local residents, including those in the floodplain. The notice was also sent to the following Federal and State agencies on November 27, 2013: U.S. Department of Housing and Urban Development; U.S. Environmental Protection Agency; U.S. Fish and Wildlife Service; U.S. Army Corps of Engineers, U.S. Federal Emergency Management Agency; Connecticut Department of Agriculture; Connecticut Department of Transportation, Connecticut State Historic Preservation Office; Connecticut Department of Economic and Community Development; and Connecticut Department of Energy and Environmental Protection. The notice was also sent to all Chief Elected Officials (CEOs) within the impacted area (i.e. Fairfield, New Haven, Middlesex and New London Counties) as well as Tribal Council Chairs of the Mashantucket Pequot Tribal Nation. The notice was posted on the DOH website at <http://www.ct.gov/doh> . (See **Exhibit 1** for the advertisements, notice to Federal and State

agencies, and e-mail to CEOs) DOH received zero (0) public comments on this notice. See **Exhibit 4** for documentation confirming no comments received.

**Step THREE: Identify and Evaluate Practicable Alternatives to Locating in the Base 100-year Floodplain or Wetland**

There are three practicable alternatives on a programmatic level. They are: 1) buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state; 2) reimbursement of rehabilitation and/or mitigation activity that has already been completed; 3) take no-action.

These alternatives will be discussed in turn.

1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state. This process will use grant funds to purchase properties from willing sellers affected by Superstorm Sandy. Once acquired improvements on the property such as single and multi-family homes will be removed. The vacant land will then revert to its natural state. Structures would either be reconstructed away from the shore or sellers would be free to utilize the sale proceeds to purchase pre-existing residences elsewhere.

2) Reimbursement of rehabilitation and/or mitigation activity that has already been completed. This alternative would offer assistance in the form of reimbursement to homeowners and small businesses that have been able to address their own immediate needs as a result of damage caused by Superstorm Sandy.

3) Take no-action. This alternative would mean that homeowners and small businesses would not receive any assistance under the State of Connecticut Disaster Recovery Program Action Plan. As a result, these homeowners and small businesses may not be able to recover from the impacts of the storm events or make preparations to mitigate future storm damage. Reimbursements would not be made available for eligible homeowners or small businesses who have already engaged in repairs prior to applying for the program, resulting in a negative effect on the local economy. Homeowners and small businesses in future storm events may be dissuaded from making immediate and necessary repairs to their homes and property by encouraging them to wait for a possible recovery program. Therefore, the No Action alternative would not address the State's need for safe, decent, and affordable housing, the need to restore our small business economy along the shore, and it would prevent some homes within the floodplain from being elevated to the highest standard for flood protection. Under the No Action alternative, the damage caused to the entire Connecticut shoreline would remain unabated. Hundreds of residences would not be rehabilitated and will deteriorate without the use of CDBG-DR funds.

No public comments were received.

## **Step FOUR: Identify indirect or direct impacts of Proposed Actions on the Floodplain or Wetland**

The Proposed Actions will provide assistance to owners of 1-4 unit residential structures and small businesses whose properties were damaged by Superstorm Sandy within the four most impacted counties (i.e. Fairfield, New Haven, Middlesex and New London Counties; and the Mashantucket Pequot Indian Reservation [geographically located within New London County]). Eligible homeowners may receive assistance to rehabilitate, reconstruct, elevate or mitigate housing units. Eligible small business owners may receive assistance to alleviate the costs of structural repair or replacement of damaged property, and construction or leasehold improvements. The Proposed Actions contain measures to reduce flood damage and the overall impacts of floods. Flood impacts include human risk, environmental damage, property damage, flood insurance claims, displacement of residents and burden on community infrastructure and services.

### **Housing Programs**

The HUD-funded OORR and SSRR programs are for rehabilitation, reconstruction, elevation and/or other mitigation activities on previously developed parcels in the floodplain. Rehabilitation is defined as the repair or restoration of housing units in the disaster-impacted areas to applicable construction codes and standards. Substantially damaged structures will be deemed to be in need of major rehabilitation. A substantially damaged structure is one where the cost of restoring the structure to its pre-storm condition equals or exceeds 50% of the market value of the structure prior to the storm. A building's classification of substantial damage relates to its damage as of the day of the storm. Any eligible structure that is determined to be "substantially damaged" must be rehabilitated in compliance with current building codes and elevated above base flood. The OORR and SSRR programs will incorporate resilience measures into the rehabilitation of a property if the property is substantially damaged.

Homes will be eligible for reconstruction in cases where the property has been completely destroyed, demolished, or where the estimated cost to repair the structure to municipal and program standards would be more expensive than reconstruction. For the purpose of determining priority, homes meeting these criteria will be considered as "destroyed or severely damaged". Reconstruction is defined as demolition and re-building of a stick-built or modular housing unit on the same lot in substantially the same footprint and manner.

New construction is defined as a replacement home that substantially exceeds the original footprint on the existing lot (if permitted) or the construction of a new home in a new location. Although new construction is an eligible and fundable activity, it is not anticipated that new construction of any 1-4 unit properties will be conducted in either the OORR or SSRR Program with this funding allocation. If under extraordinary circumstances a new construction project is proposed, an Environmental Assessment shall be prepared in accordance with Subpart E of Part

58 [from 24 CFR 58.36 and 24 CFR 58.40]; for construction in a new location, site selection outside of the floodplain would be the top priority.

#### Business Assistance Programs

The HUD-funded EXP program is in part for the renovation of facilities that were damaged or destroyed on previously developed parcels in the floodplain. The grant award for each small business ranges from \$10,000 to \$50,000. Eligible expenses are those not covered by insurance, FEMA or any other sources of funding. It is anticipated that the majority of applications will consist of requests for reimbursement for physical improvements already completed and for other eligible program expenses such as costs for ongoing or new training, working capital, acquisition or purchase of machinery and equipment, relocation within the State, or other business related expenses authorized by the Commissioner of the Department of Economic and Community Development and consistent with 24 CFR Part 570.3 through 570.203.

If a home or business is deemed substantially damaged by a flood, repairing or rebuilding the structure will require meeting the NFIP building standards for new construction. This means elevating a home or flood-proofing commercial buildings to or above the base flood elevation (BFE). All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes]; these activities must also adhere to HUD's 24 CFR Part 55 for compliance with EO 11988. HUD regulations limit what actions can be considered under the CDBG-DR programs, including any construction in the floodway. The structures are required to be elevated to the elevation height standards in accordance with State statutes. The only exceptions to this requirement are historic structures that are listed on the State or National Registers of Historic Places, which will have elevation height requirements considered on a case-by-case basis. For the vast majority of projects, Proposed Actions that include the rebuilding of structures will be based on the buildings' original footprints and current locations.

Potential Impacts: Adverse effects to the floodplain and wetland may include modifying the function or value of the floodplain and wetland, and encouraging the occupancy of the floodplain and wetland.

A discussion of the impacts of OORR, SSRR and EXP program activities does not involve increased development in the floodplain and wetland but the continued human occupation of these areas which potentially affects the natural and beneficial functions of the water resources of the Connecticut coast. First it is important to understand the natural functions and resources of the floodplain and wetland as they pertain to flood events.

A position paper prepared by the Association of State Floodplain Managers (ASFPM), a non-profit professional organization, entitled *Natural and Beneficial Floodplain Functions: Floodplain Management –More than Flood Loss Reduction* ([http://www.floods.org/PDF/WhitePaper/ASFPM\\_NBF%20White\\_Paper\\_%200908.pdf](http://www.floods.org/PDF/WhitePaper/ASFPM_NBF%20White_Paper_%200908.pdf)) provides particular information regarding the environmental characteristics of floodplains and coastal areas as described below.

Flooding is a natural process that forms and maintains floodplains and coastal zones. Periodic flows of water that overtop the banks of a river and that encroach upon coastal areas are the lifeblood of the riparian corridors, marshes, beaches and other natural areas. The seasonal variability of flow, incessant wave action, and intermittent extreme events all combine to determine both the physical structure and the biological diversity of floodprone areas.

Finding the delicate balance between human needs and environmental sustainability is a difficult undertaking. Successful sustainable flood hazard reduction solutions need to be based on the forces at work in floodplains and coastal zones and also on the resources these floodprone areas provide. These processes and attributes can be categorized as (1) hydrologic and hydraulic processes (2) geomorphic processes, and (3) biologic processes. These processes have interrelated functions, which in their natural state provide numerous resources and benefits to society.

Flooding from hurricanes and storms is the key process in providing such tangible benefits as increased soil fertility, wetland creation, rejuvenation of spawning gravel, creation of barrier islands, promotion of aquatic habitat, transportation of large woody material that provides fish habitat and bank stability, promotion of plant establishment, and the evolution of channels and shoreline features such as dunes.

Hydrologic and Hydraulic Processes: Both river and coastal ecosystems are shaped and nurtured by the characteristics of the water, including where it originates as well as flows and levels. The seasonal and storm-generated variations in water flow, including periodic flooding, are part of the normal function of the floodplain zone. These variations mold streambanks, keep erosion and accretion in equilibrium, replenish soils, recharge groundwater, and filter impurities. In coastal areas, water differences are based on tides, currents, wave action and storm surges – all of which form shorelines, coastal wetlands, dunes, barrier islands, and estuaries. High flows are critical to maintaining vegetation because they transport sediment and nutrients from the river, ocean, or lake to the connecting floodplain.

Geomorphic Processes: The dimensions and configuration of a stream channel or coastline are determined by ongoing geomorphic processes. For example, the natural transport of sand and sediment dictates the migration of channels, shorelines, dunes and barriers. This process, in turn, is influenced by the geological composition of the landforms; the caliber, rate and volume of sediment movement; and the presence or absence of vegetation. Although the geomorphology of waterways and shorelines is constantly changing, in their unaltered state they exist in dynamic equilibrium, which cannot be disturbed without consequences.

Biologic Processes: Floodplain and coastal vegetation helps to stabilize the shoreline and river banks, provide habitat for terrestrial and aquatic wildlife, control erosion and sedimentation, and improve water quality by filtering pollutants. Healthy riparian corridors often provide the highest concentrations of plant and animal communities in a watershed, providing a stable source of biodiversity.

The variable flows of water in riparian and coastal areas have resulted in uniquely adapted species of aquatic and terrestrial organisms – they depend on variation in water conditions for spawning, seed dispersal, elimination of competing vegetation, and nursery areas for their young.

The ecological integrity of floodplain vegetation depends on the supply of water, sediment and nutrients; the dynamic stability of the system; the methods of plant colonization; rates of growth and decay; and the contribution of organic matter to the water body.

Natural functioning riparian and coastal areas are the product of a tightly interconnected system of all of the processes described above. The ecosystems sustain themselves by means of these ongoing processes. Human activity, especially urbanization and alteration of the flooding process as a means of controlling and/or storing water, interrupts these natural processes and thus disturbs the functions and overall health of the ecosystem.

Continued human occupation of the floodplain may lead to attempts to transport runoff and flood waters efficiently through the watershed. Structural interventions such as jetties and seawalls may interrupt or modify the natural hydrologic, hydraulic, geomorphic and biologic processes of the floodplain. Construction may disturb the ground surface and natural vegetation. The structures change the natural movement of water by altering the speed, restricting movement across the floodplain, and changing sediment loads. Floodwalls increase flow discharge and elevation by constricting high flows into a narrow path. Changing the frequency of floodplain inundation can encourage invasive species to supplant the native vegetation. Most coastal animal species are specifically adapted to the flow patterns and other characteristics of their

native habitat. This makes them vulnerable to disruptions in the flow and water levels. Construction or rehabilitation of these types of intervening structures is not a component of any of the Proposed Actions (OORR, SSRR and/or EXP programs).

Projected changes in climate may bring about considerable transformation to existing coastal areas, flood regimes and fragile ecosystems. A rising human population may increase pressure to continue development adjacent to water resources. In contrast, that population will also expect minimized flood risk and demand open spaces and natural areas. Continued occupation of the floodplain and wetland may result in the degradation of these water resources.

Programmatic and environmental review procedures have been developed for the Proposed Actions that address flood loss reduction and the conservation and protection of the State's coastal area considering the impacts to the coastal ecosystem. Site-specific projects within the designated coastal zone per local Coastal Boundary Map must be consistent with the Connecticut Coastal Management Act [CGS 22a-100(b)]. Consultation with local Planning/Zoning Commissions or Zoning Board of Appeals (ZBA) to determine need for Coastal Site Plan Review application is required. Site-specific projects located at waterfront properties with sandy beaches require consultation with the Natural Diversity Data Base (NDDB) and completion of a Request for NDDB State Listed Species Review form with attachments. Activities waterward of Coastal Jurisdiction Line (Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f]) and/or within tidal wetlands (Tidal Wetlands Act [CGS 22a-28 through 22a-35]) require authorization from the CT DEEP Office of Long Island Sound Programs (OLISP) Permitting section. For activities within inland wetlands or watercourses [CGS 22a-42] consultation with local inland wetlands agencies is required. Many local agencies have established setback or buffer areas that require review and approval of activities within these upland areas adjacent to inland wetlands or watercourses. Proposed Actions must adhere to local regulations and obtain appropriate permits. Various municipal zoning approvals required by Planning/Zoning Commissions or ZBA must be obtained. Most importantly, for Floodplain Management of site specific projects [24 CFR 55; 58.5 (b); and E.O. 11988], requirements include: completion of the 8-Step Decision Making Process (areawide); consultation with an Engineer and notation of the Floodplain Flood Zone; and specific adherence to cited laws and regulations. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes]. Flood Management Certification [CGS 25-68] is required for any state action in the floodplain. DOH and CT DEEP are developing a special process for this certification so that the Proposed Actions are reviewed in a thorough yet timely manner. For projects adjacent to floodplains, sensitivity is required to indirect impacts stemming from flood and drainage or similar activities.

The Proposed Actions allow homeowners to rebuild residential structures, based on the structure's original footprint and its current location, but requires that the home be rebuilt at

substantially higher elevation requirements than Base Flood Elevation for most residential buildings. This will require that the home be elevated to the strictest elevation requirements in the relevant regulation or code, as described above. This will provide significant protections for these homes inside the floodplain. All Applicants will also be required to maintain flood insurance up to the NFIP maximum amount as part of this program. Overall, this has a more beneficial impact on the floodplain than the No Action alternative.

As a result of the requirement that homeowners whose houses were substantially damaged and wish to rebuild will be required to elevate their homes to the strictest standard, it is extremely unlikely that there will be a net increase in floodplain development in comparison to pre-Sandy conditions as a result of these programs. In addition, the proposed Action Plan Activities would not likely increase floodplain occupancy, as the proposed Action Plan Activities would enable people to return to their homes, but would generally not expand the housing stock relative to conditions prior to Hurricane Sandy.

DEEP provided each coastal community with a regulatory review letter at least six (6) months before the revised DFIRM coastal panels became effective outlining the regulatory changes required for compliance (See **Exhibit 2**). A major change on the revised coastal map panels was the inclusion of the Limit of Moderate Wave Action (LiMWA) boundary. Model LiMWA language was developed by DEEP and municipalities had the option to adopt and regulate construction in this area.

For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance [24 C.F.R. 58.6 (a) (1)]; and for structures funded by EXP, for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.

In summary, based on the requirement that homeowners whose houses were substantially damaged who wish to rebuild, will have to elevate their homes to the strictest standard, it is extremely unlikely that there will be a net increase in floodplain or wetland development in comparison to pre-Sandy conditions as a result of this program. In addition, the proposed OORR, SSRR, and EXP projects would not increase floodplain or wetland occupancy, as the proposed projects would enable people to return to their homes and businesses, but would not expand the housing or commercial stock relative to conditions prior to Superstorm Sandy. The anticipated impact on the floodplain or wetlands should be minimal since the majority of activities are limited to the pre-storm building footprint.

No public comments were received.



**Step FIVE: Identify methods to minimize the potential adverse impacts within the floodplain or wetland and to restore and preserve its natural and beneficial values.**

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. A floodplain is an area that has frequent or periodic flooding issues. For regulatory purposes, all areas within the limits of the 100-year floodplain as designated on the Flood Insurance Rate Maps (FIRM) published by the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) are considered as floodplains. For critical activities such as hospitals, housing/residences and schools the regulations are more stringent and include areas within the 500-year floodplain. To be eligible for OORR, SSRR or EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas shall meet Flood Resistant Construction requirements of the State Building Code including provisions of both the International Rehabilitation Code and the International Building Code.

1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage;
3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 C.F.R. 58.6 (b)].

In summary, homeowners participating in these programs would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:

1. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes];
2. For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the

assistance [24 C.F.R. 58.6 (a) (1)]; for structures funded by EXP, for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.

3. In the case of “Coastal High Hazard” areas (“V” or “VE” Zones on the latest [most recent] FEMA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer or architect to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.3 (e) as required by HUD Regulation 24 C.F.R. Part 55.1 (c) (3). Therefore, the requirements of the OORR and SSRR Programs will help ensure a minimal adverse impact to the floodplain.

The State of Connecticut’s Flood Management Program requires elevation of all substantially damaged structures in the floodplain. When followed, these regulations will reduce the threat of flooding damage to the homes located in the floodplain. The latest (most recent) elevation levels, which applicants are required to adhere to when considering reconstruction of their substantially damaged home, represent the best available data and are assumed to advance floodplain management efforts in the four program area counties.

The programs will implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters. Soil compaction will be minimized by controlling project activities in vegetated areas, including lawns.

#### **Step SIX: Re-evaluate Alternatives**

The State of Connecticut intends to consider all activities eligible under the federal guidelines for CDBG-DR funding, and has not rejected any such activity. However, due to limited funding, some alternatives will be considered as a lesser priority than others and will only be considered if funds continue to be available after having addressed those higher priorities.

Alternative activities which will be considered at a later date due to priority include:

- 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state: Connecticut is one of the older states in the nation with very limited land resources. This places a high value on all property within the state. This limitation of land availability and high property values will continue to encourage the reuse of land and structures in areas vulnerable to flooding. Local land use regulations and ordinances have done much to curb unregulated development within flood hazard areas. If the homes damaged and destroyed by Superstorm Sandy were reconstructed away from the shore, it would be simply replacing the use of one scarce resource for another. In addition, the cost of acquiring

this limited resource would significantly impact the availability of funds to assist homeowners in meeting their unmet needs. This cost would be far greater than the cost of repairing and rebuilding in the existing developed parcel. This alternative will be considered only after other priorities have been met.

2) Reimbursement of rehabilitation and/or mitigation activity that has already been completed. DOH recognizes the need to return individuals and families back to their homes and get businesses back in business by addressing immediate unmet needs. To this end, providing reimbursements to homeowners and small businesses that have been able to address their own needs without immediate assistance will be considered only after other priorities have been met.

3) Take no-action. A No Action alternative would mean that homeowners and small businesses would not receive any assistance under the Action Plan. As a result, these homeowners and small businesses may not be able to recover from the impacts of the storm events or make preparations to mitigate future storm damage. The No-Action alternative would not address the State's need for safe, decent, and affordable housing; it would not contribute to the long-term recovery and economic revitalization of the affected area; and it would not allow the provision of expanded economic opportunities by improving accessibility to local businesses. The No-Action alternative would prevent some homes within the floodplain from being elevated to the highest standard for flood protection and would prevent flood-proofing of some commercial buildings leaving properties more vulnerable to future flooding conditions, negatively impacting the floodplain. With a No-Action alternative, reimbursements would not be made available for eligible homeowners or small businesses who have already engaged in repairs prior to applying for the program, resulting in a negative effect on the local economy. Homeowners and small businesses in future storm events may be dissuaded from making immediate and necessary repairs to their homes and property by encouraging them to wait for a possible recovery program. Under the No-Action alternative, the damage caused to the entire Connecticut shoreline would remain unabated. Hundreds of structures would not be rehabilitated and will deteriorate without the use of CDBG-DR funds. Therefore the proposed OORR, SSRR and EXP programs are the preferred Alternatives.

The impacts of these alternatives have been reevaluated; no public comments were received.

### **Step SEVEN: Issue Findings and a Public Explanation**

It is DOH's determination that there is no practicable alternative than to provide funding for the Proposed Actions in the floodplain or wetland. This is due to: 1) the need to provide safe, decent and affordable housing; 2) the desire to avoid displacing residents; 3) the desire to restore our small business economy along the shore; and 4) the ability to mitigate and minimize impacts on human health, public property and floodplain values. A "Notice of Policy Determination" will be published in accordance with 24 CFR 55, for a 7-day comment period. The notice will state

the reasons why the project must be located in the floodplain and/or wetland, a list of alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

All comments received will be considered.

**Step EIGHT: Implement the Action**

Step eight is implementation of the proposed action. DOH or its agent will ensure that all mitigation measures prescribed in the steps above will be adhered to.

**EXHIBIT 1**

**Copy of Notice Transmitting Notice of Early Public Review and Proof of Publication**

**EXHIBIT 2**

**CTDEEP Regulatory Review Letters for Coastal Communities with Revised DFIRM Coastal Panels**

**EXHIBIT 3**

**Copy of Notice Transmitting Notice of Final Public Review**

**EXHIBIT 4**

**Public Comments Received and DOH Response**

## **Exhibit 1**

### Copy of Notice Transmitting Notice of Early Public Review and Proof of Publication

#### **EARLY NOTICE AND PUBLIC REVIEW OF PROPOSED ACTIVITIES IN A 100-YEAR FLOODPLAIN AND WETLAND**

November 27, 2013:

To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Orders 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential effect that its activity in the floodplain and wetland will have on the human environment for Community Development Block Grant – Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities under Title I of the Housing and Community Development Act of 1974 (PL 93-383).

The State has prioritized that its first allocation of the CDBG-DR funds, as specified in the State of Connecticut Disaster Recovery Program Action Plan (\$71,820,000 in total) will be directed to meet unmet needs of individuals and families for housing and business assistance affected by Superstorm Sandy as well as assisting local governments in repairing, rebuilding, and making more resilient their infrastructure and public facilities and planning for rebuilding and resiliency of infrastructure and public facilities at the State and local level. As most of the damage caused by Superstorm Sandy was to residential structures, getting individuals and families back into their homes is a top priority for the State. The best available data suggests that 7,400 homes, 1,298 multifamily low and moderate income (LMI) units, 34 infrastructure projects, 88 public facilities, 12 business structural repair projects, and repair and replacement of business equipment remains with unmet needs as a result of the damage caused by Superstorm Sandy in Fairfield, New Haven, Middlesex, and New London Counties and the Mashantucket Pequot Indian Reservation.

Though the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. There are approximately 47,680.87 acres in Fairfield County; 59,200.98 acres New Haven County; 34,628.95 acres in Middlesex County; and 44,664.12 acres in New London County which is inclusive of the Mashantucket Pequot Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FIRMs) may be viewed at [www.msc.fema.gov](http://www.msc.fema.gov).

#### **Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs**

These programs will serve 1-4 unit residences predominately within the floodplain, in Special Flood Hazard Areas.

#### **Multifamily Programs**

The State has developed multifamily programs to restore quality, affordable rental housing through rehabilitation, rebuilding and mitigation within the floodplain, and rehabilitation, relocation and new construction outside the floodplain.

### **Infrastructure and Public Facilities Programs**

The State will assist rehabilitation or reconstruction of infrastructure and/or public facilities particularly in areas primarily serving primarily LMI persons and in a manner that supports energy conservation/efficiency objectives and responsible growth as well as transit-oriented development.

### **Economic Revitalization Programs**

The State will provide business assistance through acquisition, relocation, new training, working capital, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings, structures, and other real property equipment and improvements, including railroad spurs or similar extensions to Superstorm Sandy Storm affected businesses.

### **Acquisition and Acquisition of Real Property**

Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.

### **American Disability Act Improvements**

Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons. These activities may be incorporated into other State of Connecticut Disaster Recovery Program activities.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public education tool. The dissemination of information about floodplains and wetlands can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains and wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by DOH on or before December 13, 2013. DOH encourages electronic submittal of comments to [CT.Housing.Plans@ct.gov](mailto:CT.Housing.Plans@ct.gov). In the alternative, comments may be submitted on paper to: Hermia Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2<sup>nd</sup> Floor, Hartford, CT 06106 by December 13, 2013 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at <http://www.ct.gov/doh>

Evonne M. Klein, Commissioner, DOH



PROBATE NOTICES

NOTICE TO CREDITORS

ESTATE OF Alexander McGraw
The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden, in the Probate District, by decree dated September 6, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Christine L. Panso, Chief Clerk

The fiduciary is: Deborah McGraw, c/o Vincent R. Falcone, 334-336 Main Street, P.O. Box 463, West Haven, CT 06615

PROBATE NOTICES

NOTICE TO CREDITORS

ESTATE OF Kathryn Winter
The Hon. Clifford D. Hoyt, Judge of the Court of Probate, Derby Probate District, by decree dated October 21, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Patricia Chase, Clerk

The fiduciary is: Andrew Winter, c/o Lawrence J. Greenberg, Esq. Barnhill & Greenberg, 142 Temple Street, New Haven, CT 06510

PROBATE NOTICES

NOTICE TO CREDITORS

ESTATE OF Bruce Bertram
The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden, in the Probate District, by decree dated November 6, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Valerie A. Dondi, Clerk

The fiduciary is: James Bertram, 10 Middle Street Bridgeport, CT 06604

FORECLOSURES

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV11-6021388-S
Case Name: CONNECTICUT HOUSING FINANCE AUTHORITY
vs. BOLCEACQUA, MARIA D., ADMINISTRATRIX OF THE ESTATE OF LEUIS E. BOLCEACQUA, ET AL
PROPERTY ADDRESS: 473 Strong Street East Haven, CT
PROPERTY TYPE: RESIDENTIAL
Date of Sale: DECEMBER 7, 2013
Committee Name: ROGER GALATRA, ESQ., Committee

182649

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV11-6011611S
Case Name: NATIONSTAR MORTGAGE, LLC
vs. ELIZABETH A. WAMBOLI, ET AL
PROPERTY ADDRESS: 8 CRESTVIEW TERRACE WALLINGFORD, CT 06492
PROPERTY TYPE: Single Family Residential
Date of Sale: December 7, 2013 at 12:00 PM
Saturday, December 7, 2013 at 12:00 PM
Committee Name: Kristen M. Brandt, Esq.
Committee Phone Number: (203) 234-9330
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

168956

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV12-6026369S
Case Name: OWEN vs. SCOTT SMITH AKA ET AL
PROPERTY ADDRESS: 72 NORTHWOOD ROAD MADISON, CT
PROPERTY TYPE: Residential
Date of Sale: DECEMBER 7, 2013 at 12:00, NOON
Committee Name: JASON G. DEGENERAO, ESQ.
Committee Phone Number: (203) 543-4101
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

168958

STATE OF CONNECTICUT

DOCKET NO. NNH-CV13-6041716-S SUPERIOR COURT
JEFFERSON WOODS COMMUNITY, INC : JUDICIAL DISTRICT OF NEW HAVEN
v. : AT NEW HAVEN
LUCIANO ALFARO, ET AL : OCTOBER 12, 2013

ORDER OF NOTICE

NOTICE TO LUCIANO ALFARO, IF LIVING, AND IF NOT LIVING, HIS WIDOW, HEIRS, REPRESENTATIVES AND CREDITORS, AND ALL UNKNOWN CLAIMING OR WHO MAY CLAIM, ANY RIGHTS, TITLE, INTEREST OR ESTATE IN OR LIEN OR ENCUMBRANCE UPON THE REAL PROPERTY DESCRIBED IN THIS COMPLAINT, ADVERSE TO THE PLAINTIFF, WHETHER SUCH CLAIM OR POSSIBLE CLAIM BE VESTED OR CONTINGENT.

The Plaintiff has named you as party defendant in the complaint which it is filing to the above named court seeking a foreclosure of the premises at Unit 216, 216 Monticello Drive, Jefferson Woods Community, Branford, Connecticut, for nonpayment of common expense assessments. This complaint was returned on September 24, 2013, and is pending thereon.

The Plaintiff has represented to the said Court, by means of an affidavit annexed hereto, that despite all reasonable efforts to ascertain such information, it has been unable to determine the whereabouts of the Defendant, if living, or the identity or residence of his widow, his heirs, representatives or creditors of LUCIANO ALFARO, if not living.

The subscribing authority finds that the defendant, LUCIANO ALFARO, has moved to parts unknown, if living, and that all reasonable efforts to give notice have been made and have failed.

Now, Therefore, it is hereby ORDERED that notice of the institution of this action be given to LUCIANO ALFARO, if living, if not living to his widow, heirs, representatives or creditors, by some proper officer causing a true and attested copy of this order to be published in the New Haven Register, once a week for two (2) successive weeks, commencing on or before November 21, 2013, and that return of service be made to the Court.

Michael G. Maronich, Judge Superior Court, 13, of New Haven at New Haven October 28, 2013

Notice of Permit Application

Town(s) New Haven

Notice is hereby given that PSEG Power Connecticut LLC (the applicant) of 600 Connecticut Avenue, New Haven, CT 06512 will submit to the Department of Energy and Environmental Protection an application for a permit for a Title V source under section 22a-174 of the Connecticut General Statutes, and section 22a-174-33 of the Regulations of Connecticut State Agencies which are regulated under the Federal Clean Air Act. Specifically, the applicant proposes to renew its Title V Permit No. 117-0265-TV. The proposed activity will take place at 600 Connecticut Avenue, New Haven, CT 06512. The proposed activity potentially will affect air resources. Interested persons may obtain copies of the application from Sally Kruse, PSEG Power Connecticut LLC, 600 Connecticut Avenue, New Haven, CT 06512, 203-974-5055. The application will be available for inspection at the Department of Energy and Environmental Protection, 79 Elm Street, 5th Floor, Hartford, CT 06106-5127, 860-424-4152, from 8:30am to 4:30pm, Monday through Friday. Please call in advance to schedule review of the application.

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV12-604109S
Case Name: Bank of America, N.A. (Nationstar Mortgage, LLC), Substituted Party Plaintiff
vs. Anne W. Kinkadee, et al
PROPERTY ADDRESS: 136 Perry Drive Guilford, Connecticut
PROPERTY TYPE: Residential
Date of Sale: Saturday, at 12:00pm noon on the premises
Committee Name: Katy J. Armenia, Esq.
Committee Phone Number: (203) 245-6130
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

184681

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV11-6022449-S
Case Name: Webster Bank, N.A.
vs. Pasquale P. Marcarelli, et al.
PROPERTY ADDRESS: 264 Litchfield Turnpike Bethany, CT
PROPERTY TYPE: Residential House
Date of Sale: December 7, 2013
Committee Name: Katherine S. Godbody, Attorney at Law
Committee Phone Number: 203 773-3637
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

183453

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV11-6022449-S
Case Name: Webster Bank, N.A.
vs. Pasquale P. Marcarelli, et al.
PROPERTY ADDRESS: 264 Litchfield Turnpike Bethany, CT
PROPERTY TYPE: Residential House
Date of Sale: December 7, 2013
Committee Name: Katherine S. Godbody, Attorney at Law
Committee Phone Number: 203 773-3637
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

183955

EARLY NOTICE AND PUBLIC REVIEW OF PROPOSED ACTIVITIES IN A 100-YEAR FLOODPLAIN AND WETLAND

November 26, 2013; To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Orders 11988 and 11996, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management. To determine the potential effect that the activity in the floodplain and wetland will have on the human environment for Community Development Block Grant - Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities under Title I of the Housing and Community Development Act of 1974 (PL 93-363).

The State has prioritized that its first allocation of the CDBG-DR funds, as specified in the State of Connecticut Disaster Recovery Program Action Plan (\$71,800,000 in total) will be directed to meet unmet needs of individuals and families for housing and business assistance affected by Superstorm Sandy as well as assisting local governments in repairing, rebuilding, and making more resilient their infrastructure and public facilities and planning for rebuilding and reconstruction and public facilities at the State and local level. As most of the damage caused by Superstorm Sandy was to residential structures, getting individuals and families back into their homes is a top priority for the State. The best available data suggests that 7,400 homes, 1,282 multifamily low and moderate income (LMI) units, 34 infrastructure projects, 88 public facilities, 12 business structural repair projects, and repair and replacement of business equipment remains with unmet needs as a result of the damage caused by Superstorm Sandy in Fairfield, New Haven, Middlesex, and New London Counties and the Mashantucket Pequot Indian Reservation.

Though the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. There are approximately 47,000 acres in Fairfield County; 52,000 acres in New Haven County; 34,628.95 acres in Middlesex County; and 44,664.12 acres in New London County which is inclusive of the Mashantucket Pequot Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FIRMs) may be viewed at www.msc.fema.gov.

Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs. These programs will serve 1-4 unit residences predominantly within the floodplain, in Special Flood Hazard Areas.

Multifamily Programs. The State has developed multifamily programs to restore quality, affordable rental housing through rehabilitation, rebuilding and mitigation within the floodplain, and rehabilitation, relocation and new construction outside the floodplain.

Infrastructure and Public Facilities Programs. The State will assist with the reconstruction of infrastructure and/or public facilities particularly in areas primarily serving primarily LMI persons and in a manner that supports energy conservation/efficiency objectives and responsible growth as well as transit-oriented development.

Economic Revitalization Programs. The State will provide business assistance through acquisition, relocation, new training, working capital, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings, structures, and other real property equipment and improvements, including railroad spurs or similar extensions to Superstorm Sandy Storm affected businesses.

Acquisition and Acquisition of Real Property. Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.

American Disability Act Improvements. Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons. These activities may be incorporated into other State of Connecticut Disaster Recovery Program activities.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information. Second, an adequate public notice program can be an important public education tool. The dissemination of information about floodplains and wetlands can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains and wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by DOH on or before December 13, 2013. DOH encourages electronic submittal of comments to CT.Housing.Plans@ct.gov. In the alternative, comments may be submitted on paper to: Dennis DeLaRe, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 508 Hudson Street, 2nd Floor, Hartford, CT 06106 by December 11, 2013 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at http://www.ct.gov/doh. Evonne M. Klehn, Commissioner, DOH 183197

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV12-6031664 S
Case Name: Bank of America, N.A.
vs. Luz Rivera, et al
PROPERTY ADDRESS: 11 Botte Drive West Haven, CT
PROPERTY TYPE: Residential
Date of Sale: December 7, 2013
Committee Name: Richard W. Callahan
Committee Phone Number: 203-287-8160
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

180488

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV-09-5029511 A
Case Name: JP Morgan Chase Bank, N.A.
vs. Ivelize Echevarria, Et Al
PROPERTY ADDRESS: 11 Essex Street West Haven, CT
PROPERTY TYPE: Single Family Dwelling
Date of Sale: December 7, 2013 at 12:00 Noon
Committee Name: Attorney Gerald M. Still
Committee Phone Number: (203) 865-1309
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

184890

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV13-6038405S
Case Name: Captain's Walk Planned Unit Development Association, Inc.
vs. Robert PUGLIO, Et Al.
PROPERTY ADDRESS: 269 Capt. Thomas Blvd., Unit 7 West Haven, CT
PROPERTY TYPE: Residential
Date of Sale: December 7, 2013 at 12:00 PM
Committee Name: Stephen R. Katalineck
Committee Phone Number: 203-832-2225
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

182686

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV12-6029512-S
Case Name: PNC Bank National Association
vs. Judy Al-Aim a/k/a Judy Al-Aim II, et al
PROPERTY ADDRESS: 19 Manilla Ave. Hamden, Conn.
PROPERTY TYPE: Residential
Date of Sale: 12/7/13 @ 12 noon on the premises
Committee Name: Jerome Pagter
Committee Phone Number: 203-772-9000
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

180634

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV10-6010308 S
Case Name: Bank of America, N.A.
vs. David S. Swanson, et al
PROPERTY ADDRESS: 15 Great Meadow Drive North Haven
PROPERTY TYPE: Residential
Date of Sale: December 7, 2013 at 12:00 p.m.
Committee Name: Anthony M. Solomine
Committee Phone Number: 203-281-2700
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

180474

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.: NNH-CV12-6027227 S
Case Name: CONNECTICUT HOUSING FINANCE AUTHORITY
vs. VENICE L. WALTERS, ET AL
PROPERTY ADDRESS: 711 CIRCULAR AVENUE HAMDEN, CT
PROPERTY TYPE: RESIDENTIAL
Date of Sale: Saturday, DECEMBER 7, 2013 12 noon
Committee Name: VINCENT CERVOINI
Committee Phone Number: 203-265-5789
See Foreclosure Sales at www.jud.ct.gov for more detailed information.

167725

NEW HAVEN REGISTER 11/27/2013



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### Public Notices

**EARLY NOTICE AND PUBLIC REVIEW OF PROPOSED ACTIVITIES IN A 100-YEAR FLOODPLAIN AND VETERAN**  
November 26, 2013

To all interested Agencies, Groups & Individuals  
This is to give notice that the State of Connecticut Department of Housing (DOH) is holding a public hearing on November 27, 2013 at 10:00 AM at the location listed below. The purpose of the hearing is to receive comments from the public regarding the proposed activities in a 100-year floodplain and veteran. The hearing will be held at the location listed below. The hearing will be held at the location listed below.

The State has received the first allocation of the FEMA-1339-DR-13-0001 grant as specified in the State of Connecticut Disaster Recovery Program Act (21-213a) and is holding a public hearing on November 27, 2013 at 10:00 AM at the location listed below. The purpose of the hearing is to receive comments from the public regarding the proposed activities in a 100-year floodplain and veteran. The hearing will be held at the location listed below. The hearing will be held at the location listed below.

Through the confirmation of site locations currently in progress, the proposed projects will be located in the following four counties or the Metropolitan Region (New London, Middlesex, Windham, and Washington Counties). There are approximately 200,000 people living in the four counties. The hearing will be held at the location listed below. The hearing will be held at the location listed below.

**Multi-Family Programs**  
The State has developed multi-family programs to restore quality, affordable rental housing. The programs include: Rehabilitation, Renovation and Modernization of Existing Multi-Family Housing; Construction of New Multi-Family Housing; and Construction of New Multi-Family Housing. The programs are designed to provide assistance to multi-family housing owners and developers. The programs are designed to provide assistance to multi-family housing owners and developers.

**Acquisition and Acquisition of Real Property**  
Acquisition (including leasehold) of real property for public use on an existing structure. The acquisition is for the purpose of providing public use. The acquisition is for the purpose of providing public use. The acquisition is for the purpose of providing public use.

**American Disability Act Improvements**  
Special projects directed to the removal of physical and architectural barriers that restrict the mobility of and access to by older and handicapped persons. These activities may be financed through either State or Federal Disaster Recovery Program activities.

**There are three primary purposes for this notice. First, people who may be affected by the proposed activities and activities and those who have an interest in the production of the public information should be given an opportunity to express their views and provide information to those agencies. Second, an adequate public notice program can be an important public relations tool. The dissemination of information about the proposed activities and the availability of public information can help to build a positive relationship between the State and the public. Third, the public notice program can help to ensure that the proposed activities are carried out in a manner that is consistent with the public interest.**

**Written comments must be received by DOH on or before December 13, 2013. DOH does not accept electronic comments. Comments should be submitted to the address listed below. Comments should be submitted to the address listed below. Comments should be submitted to the address listed below.**

**Evanna M. Klein, Commissioner, DOH**  
16209  
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**INITIATION TO BID**  
Proposals are invited by low price for the construction of the following project:  
1. **111 - Stacey Foster - Old Town, Suffolk, and**  
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**AVISO TEMPRANO Y REVISIÓN PÚBLICA DE LAS ACTIVIDADES PROPUESTAS SOBRE TERRENOS INUNDABLES Y HUMEDALES EN UN PERIODO DE 100 AÑOS 26 DE NOVIEMBRE DE 2013**

A: Agencias interesadas, grupos y personas

Por este medio se informa que el Departamento de Vivienda de Connecticut (Connecticut Department of Housing (DOH)), ha llevado a cabo una evaluación, tal como requerido por las órdenes ejecutivas 11988 y 11990, de acuerdo con las regulaciones de HUD 24 CFR 55.20 Subpart C de los procedimientos para el manejo de terrenos inundables llamados "Procedures for Making Determinations on Floodplain Management", con el fin de determinar el efecto potencial que sus actividades en el manejo de terrenos inundables y humedales tendrá en el entorno humano para el Community Development Block Grant - Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program bajo el Title I del acta de vivienda y desarrollo comunitario Housing and Community Development Act de 1974 (PL 93-380).

El Estado ha decidido que la primera asignación de los fondos CDBG-DR, tal como está especificado en el programa de acción State of Connecticut Disaster Recovery Program Action Plan (en total \$71,820,000) sea destinado a responder a las necesidades no resueltas de personas y familias cuyas viviendas y negocios fueron afectados por la tormenta Sandy, así como para asistir a los gobiernos locales, en la reparación, reconstrucción y el mejoramiento de la infraestructura de las instalaciones públicas y la planificación de la reparación, reconstrucción y el mejoramiento de la infraestructura de las instalaciones públicas, a nivel estatal y local. Como la mayor parte de los daños provocados por la tormenta fue a la estructura residencial, conseguir que las personas y las familias vuelvan a sus hogares es una prioridad para el estado. Los mejores datos disponibles indican que 7,400 hogares, 1,298 unidades multifamiliares de bajos y medianos ingresos (LMI), 94 proyectos de infraestructura, 88 instalaciones públicas, 12 proyectos de reparaciones de negocios y la reparación y reemplazo de equipo de negocios todavía no se han resuelto y son el resultado de los daños causados por Sandy en los condados de Fairfield, New Haven, Middlesex y New London y en la reserva de Mashantucket Pequot Indian Reservation.

Aunque está en curso el proceso de confirmar la ubicación exacta de los lugares, los proyectos propuestos estarán ubicados en los siguientes condados o en la reserva Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. Hay aproximadamente 47,860.87 acres en Fairfield County; 59,200.96 acres en New Haven County; 34,628.95 acres en Middlesex County; y 44,664.12 acres en New London County, que es parte del mapeo de áreas con riesgo de inundación (SIFA) de la FEMA para la reserva Mashantucket Pequot Indian Reservation y pueden ser consultadas en: [www.msc.fema.gov](http://www.msc.fema.gov).

**Programas de propiedades ocupadas por sus propietarios y rehabilitación y reconstrucción de lugares diseminados**  
Estos programas están destinados a 1 hasta 4 unidades residenciales especialmente dentro de áreas de inundación (Special Flood Hazard Areas).

**Programas multifamiliares**  
El Estado ha desarrollado programas multifamiliares, para rehabilitar viviendas de alquiler de calidad y a precio asequible, mediante la reconstrucción, rehabilitación y mitigación del plan de trabajo contra inundaciones, así como nuevas construcciones en el contexto del mismo plan.

**Programas de infraestructura de instalaciones públicas**  
El Estado ayudará en la rehabilitación o reconstrucción de la infraestructura de instalaciones públicas, particularmente en áreas habitadas por personas de bajos y medianos ingresos (LMI), cuidando de seguir objetivos ambientales, de conservación y uso eficiente de la energía, de crecimiento responsable y de desarrollo orientado al tránsito.

**Programas de revitalización económica**  
El Estado proveerá ayuda a los negocios, mediante adquisición, reubicación, formación profesional, capital de trabajo, construcción, reconstrucción, rehabilitación o instalación de edificaciones comerciales o industriales, estructuras, equipo de trabajo, incluyendo espaldones de vía férrea o extensiones similares, a negocios afectados por la tormenta Sandy.

**Adquisición y adquisición de bienes inmuebles**  
Es la adquisición (que incluye arrendamiento) o apropiación de, o préstamos con garantía de una estructura existente, o la adquisición (que incluye arrendamiento) de un terreno baldío siempre que la estructura o el terreno adquirido, financiado o apropiado sea destinado al mismo uso.

**American Disability Act Improvements (Acta de mejora de entorno para discapacitados)**  
Son proyectos especiales, destinados a remover material y obstáculos arquitectónicos que dificultan la movilidad y accesibilidad de las personas mayores y discapacitadas. Estas actividades pueden ser incorporadas en otras iniciativas del programa State of Connecticut Disaster Recovery Program.

Este aviso tiene los objetivos principales. Primero, que las personas que pueden ser afectadas por las actividades de manejo de terrenos inundables y humedales y aquellas personas interesadas en la protección del entorno natural, tengan la oportunidad de manifestar sus preocupaciones y de proveer información sobre esas áreas. Segundo, un aviso público bien hecho, puede ser un útil medio de educación pública. La difusión de información sobre terrenos inundables y humedales, puede facilitar y mejorar los esfuerzos federales para reducir los riesgos asociados con la ocupación y modificación de esas áreas especiales. Tercero, por una cuestión de justicia, cuando el gobierno federal determina participar en actividades que tienen lugar en terrenos inundables y humedales, debe informar a quienes pueden estar expuestos a riesgos mayores o permanentes.

Comentarios escritos pueden ser recibidos por DOH, a más tardar el 13 de diciembre de 2013. DOH sugiere el envío electrónico de comentarios a: [CT.Housing.Plans@doh.gov](mailto:CT.Housing.Plans@doh.gov). Alternativamente, se pueden enviar comentarios en papel, dirigidos a: Hemia DeLair, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2nd Floor, Hartford, CT 06106, a más tardar el 11 de diciembre de 2013, entre las 8:30 am y las 4:30 pm. Mayor información se puede encontrar en la página Web del Departamento: <http://www.ct.gov/doh>  
Evyonne M. Klein, Commissioner, DOH

LaVOZ  
11/28/13

**PLOMERIA Y CALEFACCION**

Solucionamos sus problemas de plomería y calefacción de inmediato y al mejor precio. Trabajos garantizados y altamente calificados. excelentes referencias. Comuníquese con Jorge Sotomayor al  
**203-675-4480**

**DUÑO VENDE CASA DE UNA FAMILIA EN HAMDEN, CT**

Hermosa casa en 81 Victoria Court, situado al fin de la calle, de una familia con 2 niveles, 3 habitaciones, sala, comedor, cocina, 1 baño y medio.  
Aire acondicionado central y calefacción y estufa de gas. El sótano está completamente terminado. Tiene un garaje terminado para un auto.  
La propiedad cuenta con un lote de 6,098 pies cuadrados. \$250,000 o mejor oferta. Para más información llame: 203-376-0664 o 203-687-1984.

**SE ALQUILA 6 APARTAMENTOS TOTALMENTE RENOVADOS EN HARTFORD (cerca del hospital y Park St.)**

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**EXHIBIT 2**  
**CTDEEP Regulatory Review Letters for Coastal Communities with Revised DFIRM**  
**Coastal Panels**

January 7, 2013

Janice A. Plaziak, P.E.  
Town Engineer  
Town of Branford  
1019 Main Street  
Branford, CT 06405

RE: Review of the Town of Branford's Floodplain Management Ordinance, revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New Haven County, Connecticut

Dear Ms. Plaziak:

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 Branford must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Branford 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.

*It is optional to update the definition of "Substantial Damage" in Section 161-5B 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% 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 Section 161-5 B with the bold text provided below.*

**SUBSTANTIAL IMPROVEMENT** –

- (1) Any combination of repairs, reconstruction, alteration or improvements to a structure taking place during a one-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.** The market value of the structure should be: (a) The market value of the structure

prior to the start of the initial repair or improvement; or (b) In the case of damage, the value of the structure prior to the damage occurring.

- (2) For the 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 any project for improvement of a structure to **correct existing violations of 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.

*Please update Section 161-7 with bold text provided below.*

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0463J, 09009C0464J, 09009C0466J, 09009C0467J, 09009C0468J, 09009C0469J, 09009C0488J, 09009C0576J, 09009C0577J, 09009C0581J, 09009C0582J, 09009C0601J)** and December 17, 2010 (**Panels 09009C0454H, 09009C0458H, 09009C0459H, 09009C0461H, 09009C0462H, 09009C0486H**), and other supporting data applicable to the Town of Branford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for Norwalk. BFEs provided on a Flood Insurance Rate Map (FIRM) are 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 Section 161-19A. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

161-19 A. All new construction or substantial improvement shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Branford's floodplain management ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, Branford 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Anthony DaRos, First Selectman, (w/o attachments)  
Anthony Cinicola, Building Official (w/o attachments)  
Christopher Markesich, FEMA Region I (w/o attachments)  
File: Branford NFIP File: Ordinance/Regulations



January 7, 2013

Jon Urquidi  
Engineering Supervisor  
City of Bridgeport  
City Hall  
45 Lyon Terrace  
Bridgeport, CT 06604

RE: Review of the City of Bridgeport's Flood Damage Prevention Ordinance (Chapter 15.44), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Fairfield County, Connecticut

Dear Mr. Urquidi:

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 Fairfield 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 City of Bridgeport must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the City of Bridgeport 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 flood damage prevention ordinance. Comments or words written in **bold type** indicate the changes needed for minimum compliance with program standards. Text in italics is for explanation purposes.

*It is optional to update the definition of "Substantial damage" in Section 15.44.040 Definitions 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" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (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 Section 15.44.040 Definitions with bold text provided below.*

"Substantial improvement" means any combination of repair, reconstruction or improvement of a structure taking place during a one-year period in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure:

1. Before the **"start of construction"** of the improvement or repair is started, or
2. If the structure has been damaged and is being restored, before the damage occurred. For the



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 the alteration affects the external dimensions of the structure.

**This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed.**

The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications **which have been previously identified by the local code enforcement official and** which are **the minimum** necessary to assure safe living conditions, or
2. 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”.**

*Please update section 15.44.060 Basis for establishing the areas of special flood hazard with bold text provided below.*

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **July 8, 2013**, and the accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09001C0429G, 09001C0433G, 09001C0436G, 09001C0437G, 09001C0438G, 09001C0439G, 09001C0441G, 09001C0443G)** and June 18, 2010 (**Panels 09001C0426F, 09001C0427F, 09001C0428F, 09001C0431F, 09001C0434F, 09001C0442F**), and other supporting data applicable to the City of Bridgeport, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this chapter. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIS and FIRM are on file in the City Engineer’s office, Room 216, City Hall, 45 Lyon Terrace, Bridgeport, Connecticut.

*Please update section 15.44.140 Variance procedures, A. 7. with bold text provided below.*

15.44.140 Variance procedures.

A. Appeal Board.

7. The city engineer shall maintain the records of all appeal actions and report any variances to the **Federal Emergency Management Agency (FEMA) upon in its biennial report.**

*It is optional to update section 15.44.150 Provisions for flood hazard reduction, C. 1. a. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

15.44.150 Provisions for flood hazard reduction.

C. Coastal High Hazard Area.

1. Location of Structures.

a. All new **construction**, buildings, structures or substantial improvements shall be located landward of **the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Bridgeport's flood damage prevention ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, Bridgeport 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: William Finch, Mayor, City Hall Annex, 999 Broad Street (w/o attachments)  
Dennis Buckley, Zoning Administrator (w/o attachments)  
Peter Paajanen, Building Official (w/o attachments)  
Michael Nidoh, Director, City Planning (w/o attachments)  
Scott Applesby, Director, Emergency Management (w/o attachments)  
Christopher Markesich, FEMA Region I (w/o attachments)  
File: Bridgeport NFIP File: Ordinance/Regulations



November 15, 2012

Jon Urquidi  
Engineering Supervisor  
City of Bridgeport  
City Hall  
45 Lyon Terrace, Room 216  
Bridgeport, CT 06604

RE: Review of the City of Bridgeport's Flood Damage Prevention Ordinance (Chapter 15.44), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Fairfield County, Connecticut

Dear Mr. Urquidi:

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 Fairfield County. **These revised map panels will become effective on May 16, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the City of Bridgeport must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the City of Bridgeport on November 16, 2012 outlining these requirements. In order to assist the community in this map revision process, the CTDEEP has reviewed your community's existing floodplain management ordinance. 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 15.44.060 with bold text provided below.*

Section 15.44.060 Basis for establishing special flood hazard areas.

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **May 16, 2013**, with accompanying Flood Insurance Rate Maps (**FIRM**), dated **April 16, 2013 (Panels 09001C0429G, 09001C0433G, 09001C0436G, 09001C0437G, 09001C0438G, 09001C0439G, 09001C0441G, 09001C0443G)** and June 18, 2010 (**Panels 09001C0426F, 09001C0427F, 09001C0428F, 09001C0431F, 09001C0434F, 09001C0442F**), and other supporting data applicable to the City of Bridgeport, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this chapter. Since mapping is legally adopted by reference into the chapter, it must take precedence when more restrictive until such time as a map amendment is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE are also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a 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. The FIRM and FIS are on file in the City Engineer's Office, Room 216, City Hall, 45 Lyon Terrace, Bridgeport, Connecticut.

*Please update Section 15.44.140 with the bold text provided below.*

Section 15.44.140 Variance procedure.

A. 7. The city engineer shall maintain the records of all appeal actions and report any variances to the **Federal Emergency Management Agency (FEMA) in its biennial report.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Bridgeport's flood damage prevention ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, Bridgeport 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: William Finch, Mayor (w/o attachment)  
Michael Nidoh, Director of Planning (w/o attachment)  
Peter Paajanen, Building Official (w/o attachment)  
Dennis Buckley, Zoning Administrator (w/o attachment)  
Christopher Markesich, FEMA, Region I (w/o attachment)  
File: Bridgeport NFIP File: Ordinance/Regulations

January 7, 2013

Jeremy Ginsberg, Director  
Planning & Zoning  
Town of Darien  
2 Renshaw Road  
Darien, CT 06820

RE: Review of the Town of Darien's Flood Damage Prevention Zoning Regulations (Section 210 and Section 820), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Fairfield County, Connecticut

Dear Mr. Ginsberg:

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 Fairfield 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 Darien must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Darien 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 flood damage prevention zoning 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.

*It is optional to update the definition of "Substantial Damage" in Section 210 Definitions 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:** For the purposes of Section 820, substantial damage is 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% of the market value of the structure (exclusive of land value) 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 Section 210 with the bold text provided.*

**Substantial Improvement:** For the purpose of Section 820, any repair, reconstruction or improvement of a structure, taking place over the previous three year period (as calculated from the issuance of the Certificate of Occupancy), the cumulative cost of which equals or exceeds 50 percent of the market value of the structure itself, exclusive of land value either:

- a. Before the **"start of construction" of the improvement** or repair is started; or
- b. If the structure has been damaged and is being restored, before the damage occurred.

**This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed.**

For the purpose 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 **the minimum** necessary to assure safe living conditions **and have been previously identified by the local code enforcement officer** or any alterations 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.**

*Please update Section 822 with bold text provided below.*

Section 822 Inventory of Regulated Areas.

- a. Regulated areas are identified as special flood hazard areas by the Federal Emergency Management Agency in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **July 8, 2013**, with accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09001C0517G, 09001C0528G, 09001C0529G, 09001C0536G, 09001C0537G) and June 18, 2010 (Panels 09001C0507F, 09001C0509F, 09001C0526F, 09001C0527F)**, and other supporting data applicable to the Town of Darien, 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 the chapter, it must take precedence when more restrictive until such time as a map amendment is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. The determination of flood hazard areas shall be based on the flood elevations shown on the FIRM maps in conjunction with an up-to-date and accurate topographical survey of the property. Areas of special flood hazard 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 a 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 Section 825 Permitting of Regulated Activities within Regulated Areas, f. (1) with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

**825. f. (1) All new construction shall be located landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning

regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Darien's flood damage prevention zoning regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Darien 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Jayme Stevenson, First Selectwoman (w/o attachment)  
Karl Kilduff, Town Administrator  
David Keating, Zoning Enforcement Officer (w/o attachment)  
Peter Solheim, Acting Building Official (w/o attachment)  
Robert Steeger, P.E., Director of Public Works (w/o attachment)  
Christopher Markesich, FEMA, Region I  
File: Darien NFIP File: Ordinance/Regulations

January 7, 2013

Kevin White  
Town Engineer  
Town of East Haven  
461 North High Street  
East Haven, CT 06512

RE: Review of the Town of East Haven's Flood Damage Prevention and Control Ordinance, revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New Haven County, Connecticut

Dear Mr. White:

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 East Haven must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of East Haven 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.

*It is optional to update the definition of "Substantial Damage" in Section 2.0 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 pre-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 Section 3.2, Basis for Establishing the Special Flood Hazard Areas (SFHA), with bold text provided below.*

The Special Flood Hazard Areas (SFHA) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for **New Haven County, Connecticut**, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0442J, 09009C0444J, 09009C0453J, 09009C0463J, 09009C0557J, 09009C0576J)** and December 17, 2010



**(Panels 09009C0452H, 09009C0454H, 09009C0461H, 09009C0462H)**, and other supporting data applicable to the Town of East Haven, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. ...

*It is optional to update Section 5.3.2.1 with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

**5.3.2.1 All new construction, substantial improvement and repair to structures that have sustained substantial damage shall be located at least 25 feet landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 foot breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to East Haven’s flood damage prevention and control ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, East Haven 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Joseph Maturo, Mayor, Town of East Haven, 250 Main Street, East Haven (w/o attachments)  
James Bassett, Building Official, 250 Main Street, East Haven (w/o attachments)  
Frank Biancur, Jr., Zoning Enforcement Officer, 250 Main Street, East Haven (w/o attachments)  
Christopher Markesich, FEMA Region I (w/o attachments)  
File: East Haven NFIP File: Ordinance/Regulations



February 4, 2013

William Mulholland  
Zoning Official  
Town of East Lyme  
108 Pennsylvania Avenue  
Niantic, CT 06357

RE: Review of the Town of East Lyme's Flood Hazard Areas Regulations (Section 15), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Mr. Mulholland:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town of East Lyme must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of East Lyme on February 5, 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.

*It is optional to update the definition of "Substantial Damage" in Section 15.1 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" means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty (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 Section 15.1 Definitions with the bold text provided below.*

"SUBSTANTIAL IMPROVEMENT" means any repair, reconstruction, or improvement of a structure, taking place over a ten year period, the cumulative cost equals or exceeds 50 percent of the market value of the structure either: 1. Before the **"start of construction" of the improvement or repair is started**, or 2. If the structure has been damaged and is being restored **to its condition** before the damage occurred. **This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.** For the 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: 1. Any project for improvement of a structure to **correct existing violations of 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 2. Any alteration of a “**historic structure**”, **provided that the alteration will not preclude the structure’s continued designation as a “historic structure”**.

*Please update Section 15.2.2, Basis for establishing the areas of special flood hazard, with bold text provided below.*

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013 (Panels 09011C0459J, 09011C0467J, 09011C0477J, 09011C0478J, 09011C0479J, 09011C0481J, 09011C0483J, 09011C0486J, 09011C0487J)** and July 18, 2011 (**Panels 09011C0309G, 09011C0316G, 09011C0317G, 09011C0318G, 09011C0319G, 09011C0328G, 09011C0336G, 09011C0337G, 09011C0338G, 09011C0339G, 09011C0457G, 09011C0476G**), and other supporting data applicable to the Town of East Lyme, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIRM and FIS are on file in the Town Hall, East Lyme, Connecticut.

*It is optional to update Section 15.5.3 A. 1. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

#### A. Location of Structures

1. All buildings or structures shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within

the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to East Lyme's flood hazard areas regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, East Lyme 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Paul Formica, First Selectman (w/o attachments)  
Joseph Smith, Building Official (w/o attachments)  
Gary Goeshel, Director of Planning (w/o attachments)  
William Scheer, Town Engineer (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: East Lyme NFIP File: Ordinance/Regulations

December 14, 2009

James R. Wendt  
Assistant Planning Director  
Town of Fairfield  
Sullivan Independence Hall  
725 Old Post Road  
Fairfield, CT 06824

RE: Comprehensive Review of Fairfield's Zoning Regulations (Section 32 Flood Protection)

Dear Mr. Wendt:

On September 22, 2008, the Federal Emergency Management Agency (FEMA) presented your community with new preliminary Flood Insurance Rate Maps (FIRM). **These maps are currently scheduled to become effective on June 18, 2010.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), Fairfield must adopt revised regulations for development in designated FEMA floodplains that meet or exceed the minimum federal standards of 44 CFR 60.3 and new state requirements prior to the effective date of the community's new FIRM. FEMA will be issuing a Letter of Final Determination (LFD) to Fairfield (anticipated date of LFD is December 18, 2009) outlining these requirements and providing the exact new effective map date.

In order to assist the community in this map revision process, the CTDEP has reviewed your community's existing floodplain management regulations for compliance with 44 CFR 60.3 and new state requirements. The review indicated that revisions to the community's existing floodplain regulations are needed in order to maintain minimum compliance with the NFIP minimum standards and recently enacted state floodplain management requirements.

The following comments were generated as a result of the recent review and are presented in the order of your current regulations. Some revisions are recommended, others are required for compliance. Comments or words written in **bold type** indicate the definition, section, or wording is required for minimum compliance with FEMA regulations and recently adopted state floodplain management requirements. Text in italics is for explanation purposes.

### **Section 2.12 Flood Management**

*Please replace the current Section 2.12 with the bold text below since several changes have been made. The effective date of the Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) are currently scheduled to become effective on June 18, 2010. The exact, final effective date of both the FIRM and FIS will be provided to Fairfield by FEMA in its Letter of Final Determination (LFD), which is anticipated to be issued on December 18, 2009. The effective map date provided in the LFD is the date that must be used in the update of this section if different from the June 18, 2010 anticipated date.*

**The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated June 18, 2010, and accompanying Flood Insurance Rate Maps (FIRM), dated June 18, 2010, and other supporting data applicable to the Town of Fairfield, 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 area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a**

**FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a 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. The FIS and FIRM are on file in the Office of the Town Clerk.**

*Please remove strike-through text from Section 32 below.*

32.0 General Proposed uses, buildings, structures, in flood prone areas as delineated on the Flood Insurance Rate Map ~~and Flood Boundary and Flood Way Map~~ shall conform to the following standards:

*Please update current text in section 32.1, 32.1 a and 32.2 c and replace with bold text provided below.*

32.1 In all special flood hazard areas, **designated A, AE and VE Zones**, the following provisions shall apply:

32.1 a. Proposed development shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal Water Pollution Control Act and all other local statutes, regulations and ordinances. **Proposed development shall be reviewed to determine whether proposed building sites will be reasonably safe from flooding.**

32.2 c. In riverine situations, the applicant shall notify adjacent communities and the **Connecticut Department of Environmental Protection** prior to any alteration or relocation of a watercourse and submit copies of such notifications to the Zoning Enforcement Officer and the **Federal Emergency Management Agency**.

*Based on language in Section 2.5 (Trailers) which prohibits the use of trailers, mobile homes or similar vehicles as dwellings, and that no language is currently included on manufactured homes within the flood hazard areas within section 32.0, CTDEP has assumed that manufactured homes are prohibited in the flood zone. If this is the case, then a statement needs to be added stating this requirement. Language is provided below. If this is not the case, the Town of Fairfield should contact this office to discuss options and obtain the correct language to include.*

**32.2 e. Manufactured Homes and Manufactured Home Parks and Subdivisions are prohibited in all special flood hazard areas, designated Zones A, AE and VE.**

*Please update current text in section 32.3, 32.3 e., 32.4 and 32.5 replace with bold text provided below.*

32.3 In all special flood hazard areas designated as **Zones A and AE**, the following additionally shall apply:

e. Recreational vehicles placed on sites within **Zones A, AE or VE** shall either . . . or (3) meet all the general standards of **Section 32.1** and the elevation and anchoring requirements of **Section 32.3 for A or AE zones or 32.5 for VE zone**.

32.4 In the floodway as delineated on the **Flood Insurance Rate Map**, any encroachments, including fill, new construction, substantial improvements, and other development that would result in any **(0.00 feet)** increase in flood levels within the community during occurrence of the base flood discharge shall be prohibited. **The provision of proof that there shall be no (0.00 feet) increase in flood levels during occurrence of the base flood discharge due to the proposed construction or encroachment shall be**

**the responsibility of the applicant and shall be based on hydrologic and hydraulic studies, performed in accordance with standard engineering practice, and certification, with supporting technical data, by a Connecticut Registered Professional Engineer.**

32.5 In coastal high hazard zones, designated as **VE**, the following provisions shall additionally apply:

a. The applicant shall obtain the elevation, in relation to mean sea level, of the bottom of the lowest structural member of the lowest floor, excluding pilings or columns of all new and substantially improved structures, and whether or not such structures contain a basement. **A record of all such information shall be maintained with the Zoning Enforcement Officer.**

*Sections must be added that address abrogation and greater restrictions, and a disclaimer of liability. Language is provided below. These two sections may be easily added as 32.9 and 32.10, but may be included in any section of the regulations the town deems appropriate.*

#### **ABROGATION AND GREATER RESTRICTIONS**

This regulation is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this regulation and another ordinance, regulation easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

#### **WARNING AND DISCLAIMER OF LIABILITY**

The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages. This regulation shall not create liability on the part of the Town of Fairfield or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made thereunder. The Town of Fairfield, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Fairfield.

*A section on Statutory Authority could not be located anywhere within the zoning regulations. This may be included in another document. Sample language is provided below if this does not currently exist, and should be added at the appropriate location.*

#### **STATUTORY AUTHORIZATION**

The Legislature of the State of Connecticut has in Title 7, Chapter 98, Section 7-148(c)(7)(A) and in Title 8, Chapter 124, Section 8-2 of the General Statutes delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the [**Governing Body**] of the Town of Fairfield, Connecticut, does ordain as follows:

*New state requirements require language on Compensatory Storage and Equal Conveyance. The sections may be logically placed as 32.4 c. and d. However, the municipality can choose to place this language in any logical location within the flood protection regulations.*



**Equal Conveyance.** Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

**Compensatory Storage.** The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

*The following four sections are optional to add into your current regulations but these changes are recommended by CTDEP to assist the community with clarification of frequently occurring issues.*

**Aboveground Storage Tanks** - Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.

**Portion of Structure in Flood Zone** - If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.

**Structures in Two Flood Zones** - If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

**No Structures Entirely or Partially Over Water** - New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.

### **Section 32.8 Definitions**

*Please add the following required definitions to Section 32.8.*

Base Flood Elevation (BFE) - means the elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

Building – means see the definition for “Structure”.

Existing Manufactured Home Park or Subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date, August 15, 1978, of the floodplain management ordinance adopted by the community.

Expansion to an Existing Manufactured Home Park or Subdivision - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA) - is the federal agency that administers the National Flood Insurance Program (NFIP).

Flood or Flooding – means a general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Study (FIS) - means the official report provided in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map (FIRM) and water surface elevation of the base flood.

Historic Structure - means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

Manufactured Home – means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term also includes park trailers, travel trailers, recreational vehicles and other similar vehicles or transportable structures placed on a site for one hundred and eighty (180) consecutive days or longer and intended to be improved property.

Manufactured Home Park or Subdivision – means a parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

*For the definition of “Market Value” below, Fairfield must choose one of the desired methods it will accept for this determination. Please choose accepted method and delete all others from definition.*

Market Value - means the market value of the structure shall be determined by (***an independent appraisal by a professional appraiser; the property’s tax assessment, minus land value; the replacement cost minus depreciation of the structure; or the structure’s Actual Cash Value***) prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

New Manufactured Home Park or Subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date, August 15, 1978, of the floodplain management regulation adopted by the community.

Sand Dunes - means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Structure – means a walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Substantial Damage – means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Variance – means a grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

Violation – Failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation – means the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

*Please revise the following existing definitions in Section 32.8. The changes needed are in bold text. Please remove any text with strike-through.*

a. Administrator – means the **Federal Emergency Management Agency**, to whom the Secretary has delegated the administration of the Program

*The definition for Base Flood references a Town of Fairfield datum. Since the datum has changed on the flood maps from NGVD to NAVD, Fairfield should re-calculate how this change affects measurement from the town datum and enter the appropriate figure, measured in feet, to the current definition.*

b. Base Flood – means the flood having a one percent chance of being equaled or exceeded in **any given** year as designated on the Flood Insurance Rate Map and measured in accordance with the **North American Vertical Datum (NAVD) of 1988** – is expressed and measured on a vertical scale that corresponds to **???.? feet** below Town of Fairfield datum.

f. Coastal High Hazard Area – means the area of **special flood hazard** subject to high velocity waters, including, but not limited to hurricane wave wash, or tsunamis. The area is designated on a FIRM as Zone **VE**.

g. Development - means a man-made change to improved or unimproved real estate, including, but not limited to, **the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.**

n. Functionally Dependent Facility - means a facility which cannot be used for its intended purpose unless it is located in close proximity to water. **The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.**

*The definition for Mean Sea Level references a Town of Fairfield datum. Since the datum has changed on the flood maps from NGVD to NAVD, Fairfield should re-calculate how this change affects measurement from the town datum and enter the appropriate figure, measured in feet, to the current definition.*

q. Mean Sea Level – means the average height of the sea for all stages of the tide and is to be considered elevation zero (“0”), **North American Vertical Datum (NAVD) of 1988** – is expressed and measured on a vertical scale that corresponds to **???.? feet** below Town of Fairfield datum.

*Fairfield should consider adding a cumulative time period (e.g., over a one year period or over a ten year period) to its current definition. A specified time period eliminates a loophole for applicants who may otherwise take out multiple permits in succession, with each one equaling less than 50 %, but cumulatively said permits would equal more than 50 % of the building’s value. See example below:*

**Substantial Improvement** – means any repair, reconstruction, or improvement of a structure, **taking place over a one year period**, the **cumulative** cost of which equals or exceeds 50 percent of the market . . .

*Please remove the definition for “Flood Boundary and Floodway Map” since it is no longer used with the issuance of the new Flood Insurance Rate Maps.*

*The definitions below for “Cost” and “Finished Living Space” are optional, and can be added at the discretion of the municipality. They are not required federal definitions. However, these definitions do help clarify other areas of the regulations that are federally required.*

**Cost** – means, as related to substantial improvements, 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.

Finished Living Space – means, as related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

Once these revisions are made to Fairfield's zoning regulations and the community formally adopts these revisions and the new effective FIRM and FIS, municipality 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 in order to check that all required revisions have been made.** 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, or would like an electronic version of our model floodplain regulations from where the language for the above stated comments had been cited or a copy of our higher regulatory standards developed for use with the model floodplain regulations, please contact me by telephone at (860) 424-3537, or by email at [diane.ifkovic@ct.gov](mailto:diane.ifkovic@ct.gov).

Sincerely,

Diane Ifkovic  
State NFIP Coordinator  
Flood Management Program  
Inland Water Resources Division

cc: Kenneth Flatto, First Selectman  
Joseph Devonshuk, Planning Director  
Denise LaVallee, FEMA, Region I  
File: Fairfield Community File: Ordinance/Regulation



January 7, 2013

James Wendt, Assistant Director  
Town Plan & Zoning  
Town of Fairfield  
John J. Sullivan Independence Hall  
725 Old Post Road  
Fairfield, CT 06824

RE: Review of the Town of Fairfield's Flood Management Regulations (Section 2.12) and Flood Protection (Section 32.0), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Fairfield County, Connecticut

Dear Mr. Wendt:

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 Fairfield 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 Fairfield must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Fairfield 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 flood management and flood protection 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 the paragraph below contained in Section 2.12 Flood Management with bold text provided.*

## 2.12 Flood Management

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09001C0418G, 09001C0419G, 09001C0436G, 09001C0438G, 09001C0556G, 09001C0557G)** and June 18, 2010 (**Panels 09001C0404F, 09001C0406F, 09001C0407F, 09001C0408F, 09001C0409F, 09001C0412F, 09001C0416F, 09001DC0417F, 09001C0426F, 09001C0428F, 09001C0437F**), and other supporting data applicable to the Town of Fairfield 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 the chapter, it must take precedence when more restrictive until such time as a map amendment is obtained from FEMA.

The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a 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. The FIRM and FIS are on file in the Office of the Town Clerk.

*It is optional to update Section 32.5 b. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

32.5 b. All new construction shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101**, with the exception of accessory uses **necessary for riparian access such as docks, ramps and piers.**

*It is optional to update the definition of “Substantial damage” in Section 32.8 Definitions 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.*

hh. Substantial Damage - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-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 Section 32.8 Definitions with the bold text provided below.*

ii. Substantial Improvement – means any repair, reconstruction, or improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure either (1) before the **“start of construction”** of the improvement or repair is started, or (2) if the structure has been damaged, and is being restored, before the damaged occurred. **This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed.** For the purpose 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 shall include the cumulative cost of any repairs, reconstruction or improvement for which less than one year has transpired between issuance of a certificate of occupancy and the issuance of a subsequent permit. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications **which have been previously identified by the local code enforcement official and** which are **the minimum** necessary to assure safe living conditions, or (2) 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.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is optional at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose

floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Fairfield's flood management and flood protection regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Fairfield 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Michael Tetreau, First Selectman (w/o attachment)  
Joe Devonshuk, Director of Town Plan & Zoning (w/o attachment)  
Joe Bienkowski, Coastal Planner (w/o attachment)  
William Hurley, Engineering Manager (w/o attachment)  
James Gilleran, Building Official (w/o attachment)  
Thomas Steinke, Conservation Director (w/o attachment)  
Christopher Markesich, FEMA, Region I (w/o attachment)  
File: Fairfield NFIP File: Ordinance/Regulations





August 2, 2012

Marilyn Ozols  
Zoning Enforcement Officer  
Borough of Fenwick  
580 Maple Avenue  
P.O. Box 126  
Old Saybrook, CT 06475-3034

RE: Review of the Borough of Fenwick Floodplain Construction Zone Regulations (Section 7.7), revised Flood Insurance Rate Map (FIRM) panels and Flood Insurance Study (FIS) associated with the coastal re-delineation project for Middlesex County, Connecticut

Dear Ms. Ozols:

On September 22, 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 Middlesex County. **These revised coastal FIRM panels will become effective on February 6, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Borough of Fenwick must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Borough of Fenwick on August 6, 2012 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 7.7.3.2, 7.7.7.1 (c) and 7.7.7.4 (d) with bold text provided below. Remove any strike-through text.*

#### 7.7.3.2 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS (SFHA)

The Special Flood Hazard Areas (SFHA) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for **Middlesex County, Connecticut, including** the Borough of Fenwick, dated **February 6, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), **dated February 6, 2013**, and other supporting data, 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 Section 7.7 it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. . . . .

7.7.7.1 (c) The Building Official/Zoning Enforcement Officer shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) **in its biennial report.**

7.7.7.4 (d) 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 the elevation~~, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation, **up to amounts as high as \$25 for \$100 of insurance coverage.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once the required revisions are made to Fenwick's floodplain construction zone regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Fenwick 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 Borough. 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Ethel Davis, Borough Warden (w/o attachment)  
David LeLeeuw, Building Official (w/o attachment)  
Thomas Metcalf, Town Engineer (w/o attachment)  
Christopher Markesich, FEMA, Region I (w/o attachment)  
File: Borough of Fenwick NFIP File: Ordinance/Regulations

February 4, 2013

Seamas Quinn  
Zoning Official  
Groton Long Point Association  
44 Beach Road  
P.O. Box 3737  
Groton Long Point, CT 06340

RE: Review of Groton Long Point Association's Flood Damage Prevention Zoning Regulations (Sections 1 and 10), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Mr. Quinn:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Groton Long Point Association must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Groton Long Point Association on February 5, 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 the definition of "Substantial Improvement" in Section 1, Definitions, with the bold text provided below. Remove any strike-through text.*

1.42 Substantial Improvement: "Substantial improvement" means any reconstruction, rehabilitation, alteration, addition or other improvement to a structure taking place within a ten (10) year period, the cumulative cost ~~or increase in market value~~ of which equals or exceeds 50 percent of the market value of the structure either:

- 1) before the **"start of construction"** of the improvement or repair is started, or
- 2) if the structure has been damaged and is being restored, before the damage occurred. **This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.**

(such market values for determination of substantial improvement shall be as appraised by a licensed appraiser having professional experience in Groton Long Point.)

**For the 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: 1) any project for improvement of a structure to **correct existing violations of 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 2) any alteration of a **"historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".**

*It is optional to update the definition of “Substantial Damage” in Section 10 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.*

10.2.22 “Substantial Damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (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 Section 10.3.2, Basis for establishing the areas of special flood hazard, with bold text provided below.*

10.3.2 The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013**, and other supporting data applicable to the Groton Long Point Association, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The Flood Insurance Study is on file.

*It is optional to update Section 10.5.3.1 (1), Location of Structure, with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

10.5.3.1 (1) All buildings, structures or substantial improvements shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to

consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Groton Long Point Association's flood damage prevention zoning regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, the Groton Long Point Association 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 community. 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: John Tuohy, President (w/o attachments)  
Sue Birge, Association Administrator (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: Groton Long Point Association NFIP File: Ordinance/Regulations



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Affirmative Action/Equal Opportunity Employer

January 7, 2013

Diane Fox, Director  
Planning & Zoning  
Town of Greenwich  
Town Hall  
101 Field Point Road  
Greenwich, CT 06830

RE: Review of the Town of Greenwich's Flood Hazard Overlay Zone Regulations (Division 10, Section 6-139.1), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Fairfield County, Connecticut

Dear Ms. Fox:

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 Fairfield 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 Greenwich must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Greenwich 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 hazard overlay zone 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.

*It is optional to update the definition of "Substantial damage" in Division 10, Section 6-139.1 (c) Definitions 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.*

(39) Substantial Damage - means 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% 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" within Division 10, Section 6-139.1 (c) Definitions with the bold text provided below.*

(40) Substantial Improvement – means any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during the life of a structure, in which the cumulative costs **equals** or exceeds fifty percent of the market of the structure. The market value of the structure should be (1) the appraised value of the structure (using the cost approach to value) prior to the **"start of**

**construction”** of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. **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 (after 8/19/86) of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the extended dimensions of the structure. The term does not however, include any improvement project required to comply with existing health, sanitary, or safety code specifications **which have been previously identified by the local code enforcement official and** which are **the minimum** necessary to assure safe living conditions. Separate conditions govern any alteration of a **historic** structure listed on the National Register of Historic Place **or** the State Inventory of **Historic** Places.

*Please update Division 10, Section 6-139.1 (d) General Provisions (2) with bold text provided below.*

Sec. 6-139.1 (d) (2) The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), **dated July 8, 2013 (Panels 09001C0493G, 09001C0494G, 09001C0511G, 09001C0512G, 09001C0513G, 09001C0514G, 09001C0516G, 09001C0518G, 09001C0606G, 09001C0607G, 09001C0626G) and** June 18, 2010 (Panels **09001C0343F, 09001C0344F, 09001C0363F, 09001C0476F, 09001C0477F, 09001C0478F, 09001C0479F, 09001C0481F, 09001C0482F, 09001C0483F, 09001C0484F, 09001C0491F, 09001C0492F, 09001C0501F, 09001C0503F, and 09001C0504F**), and other special flood hazard areas as defined in Sections (c)4 and (c)36, and other supporting data applicable to the Town of Greenwich, 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 the chapter, it must take precedence when more restrictive until such time as a map amendment is obtained from FEMA. . . . .

*It is optional to update Division 10, Section 6-139.1 (f) Provisions for Flood Hazard Reduction, (12) Coastal High Hazard Areas, (A) with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

6-139.1 (f) (12) (A) All new construction or substantial improvement shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Greenwich's flood hazard overlay zone regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Greenwich 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Peter Tesei, First Selectman (w/o attachment)  
John Crary, Town Administrator (w/o attachment)  
Katie Blankley, Deputy Director, Planning & Zoning (w/o attachment)  
William Marr, Building Official (w/o attachment)  
Christopher Markesich, FEMA, Region I (w/o attachment)  
File: Greenwich NFIP File: Ordinance/Regulations



January 14, 2011

Michael J. Murphy, AICP  
Director of Planning & Development  
Town of Groton  
Town Hall Annex  
134 Groton Long Point Road  
Groton, CT 06340

RE: Comprehensive Review of the Town of Groton's Flood Protection Regulations (Section 6.6)

Dear Mr. Murphy:

On July 2, 2009, the Federal Emergency Management Agency (FEMA) presented your community with new preliminary Flood Insurance Rate Maps (FIRM). **These maps are currently scheduled to become effective on July 18, 2011.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town of Groton must adopt revised regulations for development in designated FEMA floodplains that meet or exceed the minimum federal standards of 44 CFR 60.3 and new state requirements prior to the effective date of the community's new FIRM. FEMA will be issuing a Letter of Final Determination (LFD) to the Town of Groton (anticipated date of LFD is January 18, 2011) outlining these requirements and providing the exact new effective map date.

In order to assist the community in this map revision process, the CTDEP has reviewed your community's existing floodplain management regulations for compliance with 44 CFR 60.3 and new state requirements. The review indicated that revisions to the community's existing floodplain regulations are needed in order to maintain minimum compliance with the NFIP minimum standards and recently enacted state floodplain management requirements.

The following comments were generated as a result of the recent review and are presented in the order of your current regulations. Some revisions are recommended, others are required for compliance. Comments or words written in **bold type** indicate the definition, section, or wording is required for minimum compliance with FEMA regulations and recently adopted state floodplain management requirements. Text in italics is for explanation purposes.

### **Section 2 Definitions**

*Please add the following required definitions to Section 2.*

**COASTAL HIGH HAZARD AREA:** An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal High Hazard Areas are designated as Zone VE on a Flood Insurance Rate Map (FIRM).

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before April 15, 1977, the effective date of the floodplain management regulations adopted by the community.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA):** The federal agency that administers the National Flood Insurance Program (NFIP).

**FLOOD or FLOODING:** A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

**HISTORIC STRUCTURE:** Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after April 15, 1977, the effective date of the floodplain management regulation adopted by the community.

**SAND DUNES:** Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

**SPECIAL FLOOD HAZARD AREA (SFHA):** The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. 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. SFHAs include, but are not necessarily limited to, the land shown as Zones A, AE, AO, AH, and the Coastal High Hazard Areas shown as Zone VE on a FIRM. The SFHA is also called the Area of Special Flood Hazard.

**STRUCTURE:** A walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

**SUBSTANTIAL DAMAGE:** Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**VARIANCE:** A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

**VIOLATION:** A failure of a structure or other development to be fully compliant with the community's floodplain management ordinance. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION:** The height, in relation to the **North American Vertical Datum (NAVD) of 1988** (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

*Please revise the following existing definitions in Section 2. The changes needed are in bold text. Please remove any text with strike-through.*

**DEVELOPMENT:** Any man-made change to improved or unimproved real estate, including, but not limited to **the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.**

**FUNCTIONALLY DEPENDENT FACILITY:** A facility which cannot perform be used for its intended purpose unless it is located in close proximity to water. **The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.**

**FUNCTIONALLY DEPENDENT USE:** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, **port facilities** that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. **The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.**

**LOWEST FLOOR:** The lowest floor of the lowest enclosed area (including basement). **An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such an area meets the design requirements specified in Section 6.6-3 G. of this regulation.**

**MEAN SEA LEVEL:** Means, for purposes of the National Flood Insurance Program, **the North American Vertical Datum (NAVD) of 1988, or other datum** to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

*Please remove the definition for "FLOOD BOUNDARY AND FLOODWAY MAP" since this map is no longer applicable with this new map change.*

*The definitions below for "Cost", "Finished Living Space" and "Market Value" are optional, and can be added at the discretion of the municipality. They are not required federal definitions. However, these*

*definitions do help clarify other areas of the regulations that are federally required.*

**COST:** As related to substantial improvements, 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.

**FINISHED LIVING SPACE:** As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

**MARKET VALUE:** As related to substantial improvement and substantial damage, the market value of the structure shall be determined by the appraised value of the structure using the cost approach to value method prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

*Sections need to be added to the regulation addressing abrogation and disclaimer of liability. Sample language is provided below. This might easily be added to Section 6.6-1 Purpose, but may be added anywhere in the regulation.*

#### **ABROGATION AND GREATER RESTRICTIONS**

**This regulation is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this regulation and another ordinance, regulation easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.**

#### **WARNING AND DISCLAIMER OF LIABILITY**

**The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages. This regulation shall not create liability on the part of the Town of Groton or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made thereunder. The Town of Groton, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Groton.**

#### **Section 6.6-2 Identification of Areas**

*Please replace the current Section 6.6-2 with the bold text below since several changes have been made. The effective date of the Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) are*

*currently scheduled to become effective on July 18, 2011. The exact, final effective date of both the FIRM and FIS will be provided to the Town of Groton by FEMA in its Letter of Final Determination (LFD), which is anticipated to be issued on January 18, 2011. The effective map date provided in the LFD is the date that must be used in the update of this section if different from the July 18, 2011 anticipated date.*

**Flood Hazard Areas include all special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated July 18, 2011, and accompanying Flood Insurance Rate Maps (FIRM), dated July 18, 2011, and other supporting data applicable to the Town of Groton, 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, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a 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. The FIRM and FIS are on file with the Town Clerk, Planning Office and Building Office.**

#### **Section 6.6-3 Flood Hazard Areas**

*Please add bold text below to the beginning of part A. In part G., please remove reference to A1-30 zone since this designation is no longer used by FEMA.*

**A. Permit applications will be reviewed to determine whether proposed building sites will be reasonably safe from flooding.** Proposed development shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required . . .

G. Within the A and **AE** zones, new construction or substantial improvements that include fully . . .

#### **Section 6.6-4 Flood Hazard Areas – A Zones**

*Please add and correct part C. with bold text provided below. Please replace current text in part E. with new language provided below.*

C. In riverine situations, the applicant shall notify adjacent communities and the State Coordinating Office (**Department of Environmental Protection, Inland Water Resources Division**) prior to any alteration or relocation of a watercourse and submit copies of such notification to the **Federal Emergency Management Agency**.

**E. All manufactured homes to be newly placed or undergoing a substantial improvement shall be elevated so that the bottom of the lowest floor is at or above the base flood elevation. The manufactured home must also meet all the construction standards per Section 6.6-3. This includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing manufactured home park in which a manufactured home has incurred substantial damage as a result of a flood. All manufactured homes shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation,**

lateral movement and hydrostatic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors. All manufactured homes shall be installed using methods and practices that minimize flood damage. Adequate access and drainage should be provided. Elevation construction standards include piling foundations placed no more than ten (10) feet apart, and reinforcement is provided for piers more than six (6) feet above ground level. Recreational vehicles placed on sites shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet all the general standards of Section 6.6-3 and the elevation and anchoring requirement of listed above for a manufactured home. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

#### **Section 6.6-5 Flood Hazard Areas - AE**

*Please correct section title and language given below. FEMA no longer uses the AI-30 zone designation. Also correct part B as provided below.*

In all special flood hazard areas designated as **zone AE**, the following additionally shall apply:

B. All new construction and substantial improvements of non-residential structures 1) have the lowest floor (including basement) elevated ~~or flood-proofed~~ to or above the base flood elevation; or 2) **in lieu of being elevated, dry flood-proofed to or above the base flood elevation provided that**, together with attendant utility and sanitary facilities, ~~be designed so that~~ **the area of the structure** below base flood elevation ~~the structure~~ is water-tight and with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

G. When base flood elevations have been determined within Zone AE on the community's flood insurance rate map but a regulatory floodway has not been designated, the Town must require that no new construction, substantial improvements or other development, including fill, shall be permitted which will increase the water surface elevation of the base flood more than one (1.0) foot at any point within the community when all existing and anticipated development is considered cumulatively with the proposed development.

#### **Section 6.6-6 Floodway**

*For part A, please replace all existing text with new text provided below. In part B, remove text with strike-through.*

A. **No encroachments, including fill, new construction, substantial improvements, and other developments shall be permitted unless certification, with supporting technical data, by a Connecticut registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge published by FEMA. Fences in the floodway must be aligned with the flow and be of an open design.**

B. The placement of any manufactured home, ~~except in an existing manufactured home park or manufactured home subdivision,~~ shall be prohibited.

### **Section 6.6-7 Coastal High Hazard Zones**

*Please remove zone VI-30 in opening sentence of this section. Please correct and add new text to part E.*

In the coastal high hazard **zone VE**, the following provisions shall additionally apply:

E. The placement of manufactured homes, except in existing manufactured home parks and manufactured home subdivisions, is prohibited. Placement of manufactured homes in existing manufactured home parks and manufactured home subdivisions shall meet the standards in **Section 6.6-7** of these regulations. **Recreational vehicles shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet all the standards of Section 6.6-3, the VE Zone construction requirements of Section 6.6-7. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.**

### **Section 6.6-8 Specific Situation Variance**

*In Part B. 3., please delete text with strike-through at the end of the section.*

B. 3. Any applicant to whom a variance is granted shall be . . . The Town shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency ~~upon request~~.

*New state requirements require language on Compensatory Storage and Equal Conveyance. The municipality can choose to place this language in any logical location within the flood hazard regulations.*

**Equal Conveyance. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.**

**Compensatory Storage. The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.**

*The following four sections are optional to add into your current regulations but these changes are recommended by CTDEP to assist the community with clarification of frequently occurring issues.*

**Aboveground Storage Tanks** - Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.

**Portion of Structure in Flood Zone** - If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.

**Structures in Two Flood Zones** - If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

**No Structures Entirely or Partially Over Water** - New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.

Once these revisions are made to Town of Groton's flood protection regulations and the community formally adopts these revisions and the new effective FIRM and FIS, municipality 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 in order to check that all required revisions have been made.** 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, or would like an electronic version of our model floodplain regulations from where the language for the above stated comments had been cited or a copy of our higher regulatory standards developed for use with the model floodplain regulations, please contact me by telephone at (860) 424-3537, or by email at [diane.ifkovic@ct.gov](mailto:diane.ifkovic@ct.gov).

Sincerely,

Diane Ifkovic



State NFIP Coordinator  
Flood Management Program  
Inland Water Resources Division

cc: James L. Streeter, Mayor, Town Hall, 45 Fort Hill Road, Groton, CT 06340  
Mark R. Oefinger, Town Manager, Town Hall, 45 Fort Hill Road, Groton, CT 06340  
Denise Lavallee, FEMA, Region I  
File: Town of Groton Community File: Ordinance/Regulation

February 4, 2013

Barbara Goodrich  
City Planner  
City of Groton  
295 Meridian Street  
Groton, CT 06340

RE: Review of the City of Groton's Flood Protection Zoning Regulations (Article 4, Section 4.7) and Definitions (Article 7), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Ms. Goodrich:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the City of Groton must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the City of Groton on February 5, 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 Article 4, Section 4.7, subpart 4.71 with bold text provided below.*

The provisions of this Section are adopted to fulfill requirements for participation by the City of Groton in the National Flood Insurance Program. The provisions of this section, as well as those of the ordinance concerning floodplain management, shall apply to the areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013**, and other supporting data applicable to the City of Groton, and any subsequent revisions thereto, are adopted by reference and declared to be a part of these Regulations. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The provisions of this section shall apply to areas of special flood hazard, determined by the FIRMs provided to the City of Groton by FEMA, as well as the provisions of the ordinance concerning Flood Plain Management adopted.

*It is optional to update Article 4, Section 4.77 b. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

b. All new construction or substantial improvement shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

*It is optional to update the definition of “Substantial Damage” in Article 7, Definitions, 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 7, Definitions, with the bold text provided below.*

**Substantial Improvement** - Any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during a one-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 which have incurred “substantial damage”, regardless of the actual repair work performed.** The market value of the structure should be (1) the appraised value of the structure prior to the “start of construction” of the initial repair or improvement; or (2) in the case of damage, the value of the structure prior to the damage occurring. For the 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 any project for improvement of a structure to correct existing violations of 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.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is optional at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 foot breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within

the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to City of Groton's flood protection zoning regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, the City of Groton 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 city. 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Marian Galbraith, Mayor (w/o attachments)  
Carlton Smith, Building Official (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: City of Groton NFIP File: Ordinance/Regulations



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February 4, 2013

Michael Murphy  
Director, Planning & Development  
Town of Groton  
Town Hall Annex  
134 Groton Long Point Road  
Groton, CT 06340

RE: Review of the Town of Groton's Flood Protection Regulations (Section 6.6), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Mr. Murphy:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town of Groton must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Groton on February 5, 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 6.6-2 Identification of Areas with bold text provided below.*

Flood Hazard Areas include all special flood hazard areas (SFHA) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013 (Panels 09011C0363J, 09011C0364J, 09011C0388J, 09011C0389J, 09011C0502J, 09011C0504J, 09011C0506J, 09011C0507J, 09011C0508J, 09011C0509J, 09011C0516J, 09011C0517J, 09011C0526J, 09011C0527J, 09011C0528J, 09011C0536J )** and July 18, 2011 (**Panels 09011C0368G, 09011C0369G**), and other supporting data applicable to the Town of Groton, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIRM and FIS are on file with the Town Clerk, Planning Office and Building Office.

*It is optional to update Section 6.6-7 B. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

**B. All new construction shall be located landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

*It is optional to update the definition of “Substantial Damage” in Section 6.6-9 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 pre-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 Section 6.6-9 Definitions with the bold text provided below.*

**SUBSTANTIAL IMPROVEMENT:** Any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during a one (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 which have incurred “substantial damage”, regardless of the actual repair work performed.** The market value of the structure should be (1) the appraised value of the structure using the cost approach to value method, prior to the start of the initial repair or improvements, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the 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 (1) any project for improvement of a structure to correct existing violations of 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 (2) any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is optional at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The

LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Town of Groton's flood protection regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, the Town of Groton 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Heather Bond Somers, Mayor, Town Hall, 45 Fort Hill Road (w/o attachments)  
Mark Oefinger, Town Manager (w/o attachments)  
Matthew Davis, Manager of Planning Services (w/o attachments)  
Deborah Jones, Environmental Planner (w/o attachments)  
Kevin Quinn, Manager Inspection Services (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: Town of Groton NFIP File: Ordinance/Regulations



January 7, 2013

James Portley, P.E.  
Town Engineer  
Town of Guilford  
50 Boston Street  
Guilford, CT 06437

RE: Review of the Town of Guilford's Flood Damage Prevention Ordinance (Chapter 174), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New Haven County, Connecticut

Dear Mr. Portley:

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 Guilford must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Guilford 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 flood damage prevention ordinance. Comments or words written in **bold type** indicate the changes needed for minimum compliance with program standards. Text in italics is for explanation purposes.

*It is optional to update the definition of "Substantial Damage" in Section 174-5 Definitions 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** -- Means 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% 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 Section 174-5, Definitions.*

**SUBSTANTIAL IMPROVEMENT** – Any combination of repairs, reconstruction, alteration or improvements to a structure taking place during a one-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.** The market value of the structure should be the appraised value of the structure prior to the start of the initial repair or improvement or, in the case of damage, value of the structure prior to the damage occurring. For the 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 any project for improvement of a structure to correct existing violations of 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.**

*Please update Section 174-7, Basis for Establishing Areas of Special Flood Hazard, with bold text provided below.*

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0487J, 09009C0488J, 09009C0489J, 09009C0491J, 09009C0492J, 09009C0493J, 09009C0494J, 09009C0601J, 09009C0602J, 09009C0606J)** and December 17, 2010 (**Panels 09009C0336H, 09009C0337H, 09009C0338H, 09009C0339H, 09009C0345H, 09009C0476H, 09009C0477H, 09009C0478H, 09009C0479H, 09009C0481H, 09009C483H, 09009C484H, 09009C486H**), and other supporting data applicable to the Town of Guilford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this chapter. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for Norwalk. BFEs provided on a Flood Insurance Rate Map (FIRM) are 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 Section 174-19A with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

174-19 A. All new construction or substantial improvement shall be located 25 feet landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Guilford's flood damage prevention ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, Guilford 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Joseph Mazza., First Selectman, 31 Park Street, Guilford (w/o attachments)  
Mark Damiani, Assistant Town Engineer (w/o attachments)  
William Thody, Building Official (w/o attachments)  
George Kral, Town Planner (w/o attachments)  
Christopher Markesich, FEMA Region I (w/o attachments)  
File: Guilford NFIP File: Ordinance/Regulations



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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Scott D. Jackson, Mayor  
Robert Labulis, Building Official  
Holly Masi, Zoning Enforcement Officer  
Christopher Markesich, FEMA Region I  
File: Hamden NFIP File: Ordinance/Regulations



79 Elm Street • Hartford, CT 06106-5127

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Affirmative Action/Equal Opportunity Employer

January 7, 2013

Michael Ott  
Director of Public Works  
Town of Madison  
8 Campus Drive  
Madison, CT 06443

RE: Review of the Town of Madison's Floodplain Management Ordinance, revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New Haven County, Connecticut

Dear Mr. Ott:

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 Madison must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Madison 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 ordinance. Comments or words written in **bold type** indicate the changes needed for minimum compliance with program standards. Text in italics is for explanation purposes.

*It is optional to update the definition of "Substantial Damage" in Section 9.5 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* means damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed fifty (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 Section 9.5 Definitions with the bold text provided below.*

*Substantial Improvement* means any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a one-year period, in which the cumulative cost equals or exceeds fifty (50) percent of the current market value of the structure **before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.** The market value of the structure shall be based on the latest

Town assessment adjusted to current value by a factor determined in the latest issue of the Marshall Valuation Services Comparative Cost Multiples published by Marshall and Swift. In the event the aforementioned publication is no longer available an alternative factor may be developed by the Town Engineer's office. For the 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 any project for improvement of a structure to correct existing violations of 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.**

*Please update Section 9.7 with the bold text provided below.*

- (1) The Special Flood Areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0492J, 09009C0494J, 09009C0512J, 09009C0513J, 09009C0514J, 09009C0516J, 09001C0518J, 09009C0631J) and December 17, 2010 (Panels 09009C0334H, 09009C0335H, 09009C0342H, 09009C0344H, 09009C0345H, 09009C0363H, 09009C0481H, 09009C0482H, 09009C0483H, 09009C0484H, 09009C0493H, 09009C0501H, 09009C0503H, 09009C0504H, 09009C0511H)**, and other supporting data applicable to the Town of Madison, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this Ordinance.
- (2) Since mapping is legally adopted by reference into this Ordinance it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for Madison. BFEs provided on a Flood Insurance Rate Map (FIRM) are 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 Section 9.34 (1) with bold text provided below. The federal minimum required language is "located landward of the reach of mean high tide". Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

- (1) All new construction or substantial improvements shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 foot breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to

consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Madison's floodplain management ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, Madison 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Fillmore McPherson, First Selectman (w/o attachments)  
Vincent Gardfaio, Building Official (w/o attachments)  
John DeLaura, Zoning Enforcement Officer (w/o attachments)  
Christopher Markesich, FEMA Region I (w/o attachments)  
File: Madison NFIP File: Ordinance/Regulations



January 11, 2010

Emmeline Harrigan  
Assistant City Planner  
Milford City Hall Annex  
70 West River Street  
Milford, CT 06460

RE: Comprehensive Review of Milford's Flood Hazard and Flood Damage Prevention Regulations  
(Section 5.8)

Dear Ms. Harrigan:

On September 22, 2008, the Federal Emergency Management Agency (FEMA) presented your community with new preliminary Flood Insurance Rate Maps (FIRM). **These maps are currently scheduled to become effective on September 29, 2010.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), Milford must adopt revised regulations for development in designated FEMA floodplains that meet or exceed the minimum federal standards of 44 CFR 60.3 and new state requirements prior to the effective date of the community's new FIRM. FEMA will be issuing a Letter of Final Determination (LFD) to Milford (anticipated date of LFD is March 29, 2010) outlining these requirements and providing the exact new effective map date.

In order to assist the community in this map revision process, the CTDEP has reviewed your community's existing floodplain management regulations for compliance with 44 CFR 60.3 and new state requirements. The review indicated that revisions to the community's existing floodplain regulations are needed in order to maintain minimum compliance with the NFIP minimum standards and recently enacted state floodplain management requirements.

The following comments were generated as a result of the recent review and are presented in the order of your current regulations. Some revisions are recommended, others are required for compliance. Comments or words written in **bold type** indicate the definition, section, or wording is required for minimum compliance with FEMA regulations and recently adopted state floodplain management requirements. Text in italics is for explanation purposes.

*Please replace the current Section 5.8.2 with the bold text below since several changes have been made. The effective date of the Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) are currently scheduled to become effective on September 29, 2010. The exact, final effective date of both the FIRM and FIS will be provided to Milford by FEMA in its Letter of Final Determination (LFD), which is anticipated to be issued on March 29, 2010. The effective map date provided in the LFD is the date that must be used in the update of this section if different from the September 29, 2010 anticipated date.*

**5.8.2 Zoning Applicability:** Flood Hazard and Flood Damage Prevention Regulations shall apply to all lands, buildings, structures, structural alterations and uses in any Zoning District where lands, buildings, structures, structural alterations and uses are, or are proposed to be located, below the regulatory flood protection elevations as defined herein. The areas of special flood hazard identified by the **Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated September 29, 2010, and accompanying Flood Insurance Rate Maps (FIRM), dated September 29, 2010, and other supporting data applicable to the City of Milford, 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 area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a 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.

*Please add the bold text below to Section 5.8.4 and remove any text with strike-through.*

**Section 5.8.4.3 Duties and Responsibilities of the Zoning Enforcement Officer for the City of Milford:**

(1) Review all development permits to determine that the permit requirements of this Section 5.8 have been satisfied as approved by the Planning & Zoning Board **and to determine whether proposed building site will be reasonably safe from flooding.**

(2) Review all development permits **to assure that all necessary** if specific State or Federal permits **have been received that** are specifically required as a condition of approval as imposed by the Planning & Zoning Board.

*In the current section 5.8.4.4, delete the second paragraph entirely, and add the text below in its place.*

**Section 5.8.4.4 Use of Other Base Flood Data:**

**When BFEs have been determined within Zones A and AE on the community's FIRM but a regulatory floodway has not been designated, the Zoning Enforcement Officer must require that no new construction, substantial improvements, repair to structures which have sustained substantial damage or other development, including fill, shall be permitted which will increase the water surface elevation of the base flood more than one (1.0) foot at any point within the community when all existing and anticipated development is considered cumulatively with the proposed development.**

**The Zoning Enforcement Officer may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the municipality's request or not), the community shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1.0) foot at any point within the community.**

*Please remove text with strike-through in Section 5.8.4.5.*

**Section 5.8.4.5 Information to be Obtained and Maintained:**

Obtain and record the actual elevation in relation to mean sea level of the lowest ~~habitable~~ floor . . .

*Please change current text in Section 5.8.4.6 (1) to bold text below.*

**Section 5.8.4.6 Alteration of Watercourses:**

(1) Notify adjacent communities, the South Central Regional Council of Governments and the Greater Bridgeport Regional Planning Agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the **Federal Emergency Management Agency.**

*Please add the following section on Abrogation and Greater Restrictions as Section 5.8.5.3.*

#### **5.8.5.3 Abrogation and Greater Restrictions:**

**This regulation is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this regulation and another ordinance, regulation easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.**

*Please add or change current text to the bold text below to current Section 5.8.12.1.*

#### **5.8.12.1 (2) Manufactured Homes (A and AE Zones):**

**(a) All manufactured homes placed or substantially improved in A and AE Zones, including “mobile” homes and recreational vehicles placed on a site for 180 consecutive days or longer, shall be elevated so that the lowest floor is above the base flood elevation. This includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing manufactured home park in which a manufactured home has incurred substantial damage as a result of a flood;**

**(b) Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the manufactured (mobile) home will be at or above the base flood elevation. For elevation on pilings, piling foundation must be placed in stable soil no more than 10 feet apart and reinforcement must be provided for pilings more than six feet above the ground level. Lots must be large enough to permit steps.**

**(c) All manufactured homes shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors.**

**(d) Adequate surface drainage and access for a hauler must be provided;**

**(e) Recreational vehicles placed on sites within A and AE Zones shall either be on the site for fewer than 180 consecutive days, and be fully licensed and ready for highway use, or meet all the standards of Section 5.8 and the elevation and anchoring requirement of Section 5.8.12.1 (2) (a) (b) (c) and (d). A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.**

*Please alter the current section 5.8.13.3 to read as follows. Please remove current Section 5.8.13.3 (4) which state that manufactured homes can be placed in the floodway in an existing mobile home park or subdivision. It is against current FEMA regulations to place a manufactured home, or other structure, in a floodway unless appropriate hydrologic analysis has been performed by a licensed engineer showing that no increase will occur to the base flood discharge associated with the obstruction.*

#### **5.8.13.3 Manufactured Mobile Homes (VE Zones):**

**(1) All manufactured (mobile) homes placed or substantially improved in a coastal high hazard area (VE zone) shall be anchored in accordance with Section 5.8.12.1. Adequate surface drainage and access for a hauler must be provided.**

**(2) No manufactured (mobile) homes shall be placed in a coastal high hazard area (VE Zone) except in an existing manufactured (mobile) home park or subdivision.**

**(3) Manufactured (mobile) homes placed or substantially improved in VE Zones in an existing manufactured (mobile) home park or subdivision shall be elevated so that the bottom of the lowest**

horizontal structural member is at or above the base flood elevation (BFE). The manufactured home must also meet all the construction standards for VE Zones as per Section 5.8.14.

(4) Recreational vehicles placed on sites within VE Zones shall either be on the site for fewer than 180 consecutive days, and be fully licensed and ready for highway use, or meet all the general standard of Section 5.1, the V Zone construction requirements of Section 5.3.2, and the elevation and anchoring requirement of Section 5.3.3.1, 5.3.3.3, and 5.3.3.4. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

*Please correct section 5.8.13.4, by replacing “X” with “A” for the correct zone designation.*

5.8.13.4 The following section shall apply to residential or non-residential buildings in an A or AE zone only, not VE zones.

*Please add bold text and remove strike-through text in section 5.8.15 Floodways. Please remove Section 5.8.15 (3) which state that manufactured homes can be placed in the floodway in an existing mobile home park or subdivision. It is against current FEMA regulations to place a manufactured home, or other structure, in a floodway unless appropriate hydrologic analysis has been performed by a licensed engineer showing that no increase will occur to the base flood discharge associated with the obstruction.*

5.8.15 Floodways:

(1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification, **with supporting technical data**, by a registered professional engineer or architect is provided demonstrating, **through hydrologic and hydraulic analyses performed in accordance with standard engineering practice**, that encroachments shall not result in any **(0.00 feet)** increase in flood levels during the occurrence of the base flood discharge. **Fences in the floodway must be aligned with the flow and be of an open design.**

*New state requirements require language on Compensatory Storage and Equal Conveyance. The sections may be logically placed as Section 5.8.16 and 5.8.17. However, the municipality can choose to place this language in any logical location within the floodplain management ordinance.*

**Compensatory Storage.** The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

**Equal Conveyance.** Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

#### **ARTICLE XI - DEFINITIONS**

*Please add the following required definitions to Article XI - Definitions.*

**BASE FLOOD ELEVATION (BFE)** – The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)** - The federal agency that administers the National Flood Insurance Program (NFIP).

**FUNCTIONALLY DEPENDENT USE OR FACILITY** – A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

**HISTORIC STRUCTURE** – Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

**MANUFACTURED HOME PARK OR SUBDIVISION** – A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

*For the definition of “Market Value” below, Milford must choose one of the desired methods it will accept for this determination. Please choose accepted method and delete all others from definition.*

**MARKET VALUE** - The market value of the structure shall be determined by **(choose one of the following: an independent appraisal by a professional appraiser; the property’s tax assessment, minus land value; the replacement cost minus depreciation of the structure; the structure’s Actual Cash Value)** prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

**SPECIAL FLOOD HAZARD AREA (SFHA)** – The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. 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. SFHAs include, but are not necessarily limited to, the land shown as Zones A and AE and the Coastal High Hazard Areas shown as Zones VE on a FIRM. The SFHA is also called the Area of Special Flood Hazard.

**SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**VARIANCE** - A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

**VIOLATION** – Failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

*Please revise the following existing definitions in Article XI - Definitions. The changes needed are in bold text. Please remove any text with strike-through.*

**BASEMENT** – A story in a building located partly underground, but having less than one-half of its clear floor to ceiling height below the average level of finished grad adjoining the exterior walls of the building. **For floodplain management purposes, a basement is any area of the building having its floor subgrade (below ground level) on all sides.**

**COASTAL HIGH HAZARD AREA** - The area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms, hurricane wave wash or tsunamis. The area is designated on a FIRM as Zone ~~V1-30~~, VE or V.

**CONSTRUCTION, NEW** – Structures for which the “start of construction” commenced on or after September 29, 1978, the effective date of Section 5.8, and includes any subsequent improvements to such structures.

*Please add the bold text below to the end of the current definition.*

**CONSTRUCTION, START OF** – Includes substantial improvement, and means the . . . dwelling units or not part of the main structure. **For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.**

**DEVELOPMENT** - Any manmade change to improved or unimproved real estate, including but not limited to, **the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or**

**removal of public or private sewage disposal systems or water supply facilities.**

**FLOOD INSURANCE RATE MAP** – The official map on which the **Federal Emergency Management Agency (FEMA)** has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY** – The official report provided in which the **Federal Emergency Management Agency (FEMA)** has provided flood profiles, as well as the **Flood Insurance Rate Map** and the water surface elevation of the base flood.

*The current definition for “Improvement, Substantial” has some serious deficiencies. The standard FEMA definition relates a substantial improvement to 50% of the market value of the structure, not 50% of the square footage of the structure. Also, a time frame, such as a ten year period which is used as the example in the definition below, should be added to calculate cumulative cost. At a minimum the time frame should be a one year period. The maximum time frame would be the life of the structure. The municipality can choose the timeframe they wish to use to administer this requirement.*

**IMPROVEMENT, SUBSTANTIAL** – Any repair, reconstruction, or improvement of a structure, **taking place during a ten year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure as determined at the beginning of such ten year period. 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: (1) Any project for improvement of a structure to correct existing violations of 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 (2) Any alteration of a “historic” structure, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.**

**MANUFACTURED (MOBILE) HOME** – A structure transportable in one or more sections, built on a permanent chassis and is designed for use with or without a permanent foundation, when connected to the required utilities. **The term also includes park trailers, travel trailers, recreational vehicles and other similar vehicles or transportable structures placed on a site for one hundred and eighty (180) consecutive days or longer and intended to be improved property.**

**MEAN SEA LEVEL** – The average height of the surface of the sea for all stages of the tide, usually determined from hourly readings during any given period. For the purposes of these regulations, means sea level shall be deemed to be an elevation of 0.0 feet (USGSS datum, MSL). **For floodplain management purposes, the North American Vertical Datum (NGVD) of 1988 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map (FIRM) are referenced.**

*Please add the following bold text to the end of the current definition.*

**STRUCTURE** – Anything constructed or erected . . . height other than retaining walls. **For floodplain management purposes, a walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.**

**VEHICLE, RECREATION** – Vehicle Recreation is any towed or self-propelled residence, coach, trailer, truck body converted for residential occupancy primarily designed or utilized for seasonal and/or vacation use. **For floodplain management purposes, a recreational vehicle is any vehicle which is: (a) built**

**on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.**

**WATER SURFACE ELEVATION** – means the height, in relation to the **North American Vertical Datum (NAVD) of 1988** or other datum where specified, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

*Please remove the existing definition for “Habitable Floor” since it is no longer used by FEMA.*

*The definitions below for “Cost” and “Finished Living Space” are optional, and can be added at the discretion of the municipality. They are not required federal definitions. However, these definitions do help clarify other areas of the regulations that are federally required.*

*Cost* means as related to substantial improvements, 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.

*Finished Living Space* means, as related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

*The following four sections are optional to add into your current regulations but these changes are recommended by CTDEP to assist the community with clarification of frequently occurring issues.*

**Aboveground Storage Tanks** - Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.

**Portion of Structure in Flood Zone** - If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.



**Structures in Two Flood Zones** - If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

**No Structures Entirely or Partially Over Water** - New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.

## **SUBDIVISION REGULATIONS**

*Please add the bold text to current Section 3.16 of Milford's Subdivision Regulations.*

### **SECTION 3.16 FLOOD PROTECTION**

The plan shall include measures consistent with the need to minimize flood damage. Public utilities and facilities shall be located and constructed to avoid damage from flooding. Drainage shall be designed to minimize the occurrence of flooding. **Base flood elevation data shall be provided by the applicant with all subdivision proposals, including manufactured home parks and subdivisions. Where base flood elevation data is not available, the applicant shall provide a hydrologic and hydraulic engineering analysis performed by a licensed professional engineer that generates base flood elevations for all subdivision proposals and other proposed development, including manufactured home parks and subdivisions.**

Once these revisions are made to Milford's Flood Hazard and Flood Damage Prevention Regulations and the community formally adopts these revisions and the new effective FIRM and FIS, municipality 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 City in order to check that all required revisions have been made.** 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, or would like an electronic version of our model floodplain regulations from where the language for the above stated comments had been cited or a copy of our higher regulatory standards developed for use with the model floodplain regulations, please contact me by telephone at (860) 424-3537, or by email at [diane.ifkovic@ct.gov](mailto:diane.ifkovic@ct.gov).

Sincerely,

Diane Ifkovic  
State NFIP Coordinator  
Flood Management Program  
Inland Water Resources Division

cc: James L. Richetelli, Jr. Mayor, City Hall, 110 River Street, City of Milford  
Denise Lavalley, FEMA, Region I  
File: Milford Community File: Regulations/Regulation



January 7, 2013

Emmeline Harrigan  
Assistant City Planner  
Milford City Hall Annex  
70 West River Street  
Milford, CT 06460

RE: Review of the City of Milford's Flood Hazard and Flood Damage Prevention Regulations (Section 5.8), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New Haven County, Connecticut

Dear Ms. Harrigan:

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 City of Milford must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the City of Milford 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 5.8.2, Zoning Applicability, with bold text provided below.*

Flood Hazard and Flood Damage Prevention Regulations shall apply to all lands, buildings, structures, structural alterations and uses in any Zoning District where lands, buildings, structures, structural alterations and uses are, or are proposed to be located, below the regulatory flood protection elevations as defined herein. The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0526J, 09009C0528J, 09009C0529J, 09009C0531J, 09009C0532J, 09009C0533J, 09009C0534J, 09009C0536J, 09009C0537J, 09009C0551J)** and December 17, 2010 (**Panels 09009C0414H, 09009C0418H, 09009C0419H, 09009C0527H**), and other supporting data applicable to the City of Milford, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for Milford. BFEs provided on a Flood Insurance Rate Map (FIRM) are 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 Section 5.8.14.1 with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

5.8.14.1 Location of Structures: All **new construction, substantial improvements**, buildings or structures shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101**.

*Please update the definitions for “Improvement, Substantial” in Article XI, Definitions with bold text provided below.*

IMPROVEMENT, SUBSTANTIAL –Any repair, reconstruction, or improvement of a structure, taking place during a ten year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure **before the “start of construction” of the improvement**, as determined at the beginning of such ten year period. The term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed. . . . .

*It is optional to update the definition of “Substantial Damage” in Article XI, Definitions 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 pre-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.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Milford’s floodplain management regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Milford 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Benjamin G. Blake, Mayor, City Hall, 110 River Street, Milford 06460 (w/o attachments)  
David Sulkis, City Planner (w/o attachments)  
Thomas Raucci, Building Official (w/o attachments)  
Gary Wassmer, City Engineer (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: Milford NFIP File: Ordinance/Regulations

January 7, 2013

Daniel O'Neill  
Deputy Building Inspector  
City of New Haven  
165 Church Street  
New Haven, CT 06510

RE: Review of the City of New Haven's Flood Damage Prevention Ordinance, revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New Haven County, Connecticut

Dear Mr. O'Neill:

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 City of New Haven must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the City of New Haven 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.

*It is optional to update the definition of "Substantial Damage" in Section 2Definitions 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.*

2.1.37 Substantial Damage - damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty percent (50%) 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 Section 2 with the bold text provided.*

2.1.38 Substantial Improvement – any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during the life of a structure, in which the cumulative cost equals or exceeds fifty percent 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.** The market value of the structure should be (1) appraised value of the structure using the cost to approach value prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. 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 any project for improvement of a structure to correct existing violations of 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.**

*Please update Section 3.2, Basis for Establishing the Areas of Special Flood Hazards, with bold text provided below.*

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0429J, 09009C0433J, 09009C0434J, 09009C0437J, 09009C0439J, 09009C0441J, 09009C0442J, 09009C0443J, 09009C0444J, 09009C0453J, 09009C0557J)** and December 17, 2010 (**Panels 09009C0426H, 09009C0427H, 09009C0428H, 09009C0461H, 09009C0556H**), and other supporting data applicable to the City of New Haven, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIS and FIRM are on file with the city/town clerk.

*It is optional to update Section 5.3.4.01 with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

**5.3.4.01 All new construction or substantial improvement shall be located 25 feet landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to New Haven's flood damage prevention ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, New Haven 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: John DeStefano, Mayor (w/o attachments)  
Karyn Gilvarg, Executive Director, City Planning (w/o attachments)  
Joy Ford, City Planner (w/o attachments)  
Andrew Rizzo, Building Official (w/o attachments)  
Richard Miller, City Engineer (w/o attachments)  
Christopher Markesich, FEMA Region I (w/o attachments)  
File: New Haven NFIP File: Ordinance/Regulations



February 4, 2013

Harry A. Smith  
City Planner  
City of New London  
111 Union Street  
New London, CT 06320

RE: Review of the City of New London's Flood Plain Management Zoning Regulations (Section 830), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Mr. Smith:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the City of New London must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the City of New London on February 5, 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 830 B. with bold text provided below.*

B. Flood Hazard Areas. This regulation shall apply to all areas of special flood hazard within the City of New London. The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013 (Panels 09011C0363J, 09011C0364J, 09011C0501J, 09011C0502J, 09011C0503J, 09011C0504J, 09011C0511J)** and July 18, 2011 (**Panel 09011C0482G**), and other supporting data applicable to the City of New London, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are 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 Section 830 E. 1) with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

**(1) All new construction or substantial improvements shall be located landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

*It is optional to update the definition of “Substantial Damage” in Section 830 H. 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.*

**15) Substantial damage means 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 Section 830 H. with the bold text provided below.*

**16) Substantial improvement means any repair, reconstruction, or improvements of a structure, taking place over a ten year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure either, (1) before the “start of construction” of the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. **This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed.** For the 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 (1) any project for improvement of a structure to **correct existing violations of 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 (2) any alteration of a “historic structure”, **provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.****

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is optional at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 foot breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within

the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to New London's floodplain management regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, New London 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 city. 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Daryl Justin Finizio, Mayor, City Hall, 181 State Street, New London (w/o attachments)  
Kurt Kripas, Building Official (w/o attachments)  
Michelle Johnson, Zoning Enforcement Officer (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: New London NFIP File: Ordinance/Regulations



February 4, 2013

William Mulholland  
Zoning Enforcement Officer  
Noank Fire District  
P.O. Box 9202  
10 Ward Avenue  
Noank, CT 06340

RE: Review of the Noank Fire District's Flood Protection Zoning Regulations (Section 15.2 and 18), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Mr. Mulholland:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Noank Fire District must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Noank Fire District on February 5, 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 15.2.1 with bold text provided below.*

15.2.1 The purpose of this Section is to establish special procedures for controlling development in areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013**, and other supporting data applicable to the Noank Fire District, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. Definition of terms referred to in this Section 15.2 as follows shall conform to definitions established by the Federal Emergency Management Agency.

*It is optional to update 15.2.13 a) with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

a) All new construction or substantial improvement shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

*It is optional to update the definition of “Substantial Damage” in Section 18 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.*

18.2.85 **Substantial Damage** - Damage of **any** origin sustained by a structure whereby the cost of restoring the structure to its pre-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 Section 18 with the bold text provided below.*

18.2.87 **Substantial improvement** - Any repair, reconstruction, or improvements of a structure, taking place during a ten year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure either a) before the **“start of construction” of the improvement** is started, or b) if the structure has been damaged and is being restored, before the damage occurred. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. For the 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.

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to the Noank Fire District's flood protection zoning regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, the Noank Fire District 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 community. 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Frank Socha, Chair, Executive Committee (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: Noank Fire District NFIP File: Ordinance/Regulations



January 7, 2012

Jonathan Bodwell  
Town Engineer  
Town of North Haven  
18 Church Street  
North Haven, CT 06473

RE: Review of the Town of North Haven's Flood Damage Prevention Ordinance (Chapter 121), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New Haven County, Connecticut

Dear Mr. Bodwell:

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 North Haven must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of North Haven 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 ordinance. Comments or words written in **bold type** indicate the changes needed for minimum compliance with program standards. Text in italics is for explanation purposes.

*It is optional to update the definition of "Substantial Damage" in Section 121-5 Definitions 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" Section 121-5 Definitions.*

**SUBSTANTIAL IMPROVEMENT** - Any combination of repairs reconstructions, alterations or improvements to a structure, taking place over a ten year period in which the cumulative cost equals or exceeds fifty percent (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.** The market value of the structure should be the appraised value

using the cost approach of value to the structure prior to the start of the initial repair or improvement or, in the case of damage, the value of the structure prior to the damage occurring. For the 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 **any project for improvement of a structure to correct existing violations of 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.**

*Please update Section 121-7, Basis for establishing areas of special flood hazard, with bold text provided below.*

The areas of special flood hazard within the Town of North Haven are identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **July 8, 2013**, accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0294J, 09009C0313J, 09009C0432J, 09009C0434J, 09009C0451J, 09009C0453J)** and December 17, 2010 (**Panels 09009C0292H, 09009C0311H, 09009C0312H, 09009C0314H, 09009C0431H, 09009C0452H, 09009C0454H**), and other supporting data applicable to the Town of North Haven, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

Once these revisions are made to North Haven's flood damage prevention ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, North Haven 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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



cc: Michael J. Freda, First Selectman  
Arthur Hausman, Zoning Enforcement Officer  
Alan Fredricksen, Land Use Administrator  
Elio Floriano, Building Official  
Christopher Markesich, FEMA Region I  
File: North Haven NFIP File: Ordinance/Regulations

January 7, 2013

Michael Greene  
Director, Planning & Zoning  
City of Norwalk  
125 East Avenue  
Norwalk, CT 06856-5125

RE: Review of the City of Norwalk's Flood Hazard Zone Regulations (Section 118-1100), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Fairfield County, Connecticut

Dear Mr. Greene:

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 Fairfield 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 City of Norwalk must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the City of Norwalk 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 flood hazard zone 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.

*It is optional to update the definition of "Substantial damage" in Article 110 Flood Hazard Zone, Section 118-1100B. Special Definitions 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 pre-damaged condition would equal or exceed fifty percent (50%) 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 110 Flood Hazard Zone, Section 118-1100 B. Special Definitions, with bold text provided below.*

**SUBSTANTIAL IMPROVEMENT** – Any repair, reconstruction or improvement of a structure, the cumulative cost of which equals or exceeds fifty percent (50%) of the market value of the structure either before the **"start of construction"** of the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred, including the cumulative cost of improvements taking place over the previous ten (10) years. **This term includes structures that have**

**incurred “substantial damage”, regardless of the actual repair work performed.** For the purpose 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 have been previously identified by the local code enforcement official and** which are **the minimum** necessary to assure safe living conditions nor 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.**

*Please update Article 110 Flood Hazard Zone, Section 118-1100 C. (1) and (6) (a) with bold text provided below.*

C. Regulations for development.

(1) Flood Zones. All references to flood zones in this section refer to the areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09001C0529G, 09001C0531G, 09001C0532G, 09001C0533G, 09001C0534G, 09001C0537G, 09001C0541G, 09001C0542G)** and June 18, 2010 (**Panels 09001C0389F, 09001C0391F, 09001C0392F, 09001C0393F, 09001C0394F, 09001C0526F, 09001C0527F**), and other supporting data applicable to the City of Norwalk, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation as cited in Section 118-200. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for Norwalk. BFEs provided on a Flood Insurance Rate Map (FIRM) are 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 Section 118-1100 C. (6) (a) with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

(6) (a) All new construction **and substantial improvements** shall be located landward of the reach of **the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can

potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Norwalk's flood hazard zone regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Norwalk 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Richard A. Moccia, Mayor (w/o attachments)  
Dori Wilson, Senior Planner (w/o attachments)  
William Ireland, Building Official (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: Norwalk NFIP File: Ordinance/Regulations

November 27, 2007

Christina M. Costa  
Zoning Enforcement Officer  
Old Saybrook Town Hall  
302 Main Street  
Old Saybrook, CT 06475

RE: Comprehensive Review of Old Saybrook's Floodplain Management Ordinance

Dear Ms. Costa:

Recently, the Federal Emergency Management Agency (FEMA) presented your community with new preliminary Flood Insurance Rate Maps (FIRMs). In order to remain eligible to participate in the National Flood Insurance Program (NFIP), Old Saybrook must adopt a revised ordinance for development of flood prone areas that meet or exceed the minimum federal standards of 44 CFR 60.3 and new state requirements by the date determined by FEMA upon which your new maps will become effective. This office contracts annually with FEMA to serve as state coordinating agency for the flood insurance program and to provide technical assistance to participating communities. In that capacity, we have been asked to review your community's floodplain ordinance for compliance with program standards.

CTDEP is in receipt of and has reviewed your community's existing floodplain management ordinance for compliance with 44 CFR 60.3 and state requirements. Our review indicated that the ordinance was generally in good condition with regard to meeting the minimum requirements of the NFIP.

The following comments were generated as a result of the recent review. Some revisions are recommended, others are required for compliance. Comments are listed in the order of your ordinance under Part One: Current Ordinance, with comments regarding required new sections presented under Part Two: Required Sections to Add to Current Ordinance. Comments or words written in **bold** type indicate the definition, section, or wording is required for minimum compliance with FEMA regulations and recently adopted state floodplain management requirements.

Part One: Current Ordinance

Ordinance: Section 3.2. Basis for Establishing the Special Flood Hazard Areas:

Please update the dates of your Flood Insurance Study and Flood Insurance Rate Maps (with the date to be determined by FEMA in its *Letter of Final Determination* it will issue to the town) and include the following:

“...in its Flood Insurance Study for the town of Old Saybrook dated *[to be determined by FEMA, please state date in ordinance once issued]*, with accompanying Flood Insurance Rate Maps dated *[to be determined by FEMA, please state date once issued]*, and any subsequent revisions thereto, are adopted by reference and declared to be part of this regulation. Since mapping is legally adopted by reference into the regulation it must take precedence when more restrictive until such time as a map amendment is obtained.”

Ordinance: Section 2. Definitions:

Please revise the following definitions to provide additional clarification and detail within the definition (suggested language is cited from the state’s model floodplain regulations):

1. **Base Flood Elevation (BFE)** – The elevation of the crest of the base flood (100-year flood). The height in relation to mean sea level (NGVD of 1929) expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.
2. **Coastal High Hazard Area** – An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal High Hazard Areas are designated as Zones V, V1-30 and VE on a Flood Insurance Rate Map (FIRM).
3. **Flood Boundary and Floodway Map (FBFM)** – The official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated the limits of the regulatory floodway and 100-year floodplain.
4. **Mean Sea Level (MSL)** – The North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map (FIRM) are referenced.
5. **Special Flood Hazard Area (SFHA)** – The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. 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. SFHAs include, but are not necessarily limited to, the land shown as Zones A, A1-30, AE, AO, AH, and the Coastal High Hazard Areas shown as Zones V, V1-30, and VE on a FIRM. The SFHA is also called the Area of Special Flood Hazard.

6. **Start of Construction** – please add the following sentence to the end of your current definition:

**For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.**

Please add the following required definitions (suggested language is cited from the state's model floodplain regulations):

1. **Cost** – As related to substantial improvements, 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 components, structural components, 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.
2. **Federal Emergency Management Agency (FEMA)** - The federal agency that administers the National Flood Insurance Program (NFIP).
3. **Finished Living Space** –Finished living space can include, but is not limited to, a space that is heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace. A fully enclosed area below the base flood elevation (BFE) cannot have finished living space and needs to be designed for exposure to flood forces. This space can only to be used for parking, building access or limited storage.
4. **Historic Structure** – Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily

determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

5. **Market Value** – Market value of the structure shall be determined by [**an independent appraisal by a professional appraiser; the property’s tax assessment, minus land value; the replacement cost minus depreciation of the structure; the structure’s Actual Cash Value** – Old Saybrook should choose one of the methods presented here and state it in the definition].
6. **Sand Dunes** – Naturally occurring accumulations of sand in ridges or mounds landward of the beach.
7. **Violation** – Failure of a structure or other development to be fully compliant with the community’s floodplain management [**ordinance/regulations**]. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is resumed to be in violation until such time as that documentation is provided.

Ordinance: Section 5.2. Standards for Streams without Established Base Flood Elevation, Floodways, and/or Flood Mapping:

Please note that citation 5.2.5 is only a requirement for communities with AH or AO designated zones. If your community does not have either of these zones designated on your FIRMs, please remove this requirement. If the town wishes to keep this requirement as a general requirement for a designated A or AE zone, please remove the AH or AO zone wording and modify the requirement to fit the desired designated zones.

Part Two: Required Sections to Add to Current Ordinance

Please add the following required sections to your ordinance (suggested language is cited from the state’s model floodplain regulations):

1. **Severability Section** – Copy of ordinance received for review did not have this section. The following is suggested language cited from the state’s model floodplain regulations for use in developing said section:



If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect; and to this end the provisions of this ordinance are hereby declared to be severable.

1. **Compensatory Storage** - The water holding capacity of the floodplain, except those areas that are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction, or substantial improvements involving an increase in footprint to the structure shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.
2. **Equal Conveyance** - Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.
3. **Aboveground Oil Tanks** - Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.
4. **Portion of Structure in Flood Zone** - If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.

Town: Old Saybrook  
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5. **Structures in Two Flood Zones** - If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)
6. **No Structures Entirely or Partially Over Water** - New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water.

Once these revisions are made to Old Saybrook's *Floodplain Management Ordinance*, and the community formally adopts these revisions to its floodplain management ordinance along with the new effective FEMA FIS and FIRMs, Old Saybrook will be fully compliant with program standards. Please provide this office with a draft copy of the revised ordinance 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 new ordinance updates are adopted, this office will need a certified copy to forward to FEMA, Region I. Final adoption should take place no later than the date that FEMA will provide the town in its upcoming *Letter of Final Determination*.

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, or would like an electronic version of our model floodplain regulations from where the language for the above stated comments had been cited or a copy of our higher regulatory standards developed for use with the model floodplain regulation document, please contact me by telephone at (860) 424-3779, or by email at [karen.michaels@po.state.ct.us](mailto:karen.michaels@po.state.ct.us).

Sincerely,

Karen A. Michaels  
Environmental Analyst  
Flood Management Section  
Inland Water Resources Division

cc: Michael A. Pace, First Selectman, Town of Old Saybrook  
Sam Bell, FEMA, Region I  
Carla Feroni, CTDEP  
File: Old Saybrook Community File: Ordinance/Regulations

February 4, 2013

Ann Brown  
Zoning Enforcement Officer  
Town of Old Lyme  
52 Lyme Street  
Old Lyme, CT 06371

RE: Review of the Town of Old Lyme's Flood Hazard Zoning Regulations (Section 4.4), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Ms. Brown:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town of Old Lyme must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Old Lyme on February 5, 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 4.4.2 Identification of District with bold text provided below.*

4.4.2 Identification of District. The Flood Plain Zone is the area identified as the "Special Flood Hazard Areas" (SFHA) by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013 (Panels 09011C0451J, 09011C0452J, 09011C0453J, 09011C0454J, 09011C0458J, 09011C0459J, 09011C0461J, 09011C0462J, 09011C0464J, 09011C0466J, 09011C0467J, 09011C0468J, 09011C0486J)** and July 18, 2011 (**Panels 09011C0456G, 09011C0457G**), and other supporting data applicable to the Town of Old Lyme, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIRM and FIS are on file in the Old Lyme Town Clerk's office.

*It is optional to update the definition of “Substantial Damage” in Section 4.4.3 Definitions 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.*

gg. Substantial Damage means 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.**

*It is optional to update Section 4.4.6.5 a. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

4.4.6.5 a. Location. All Buildings and Structures shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is optional at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Old Lyme’s flood hazard zoning regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Old Lyme 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Bonnie Reemsnyder, First Selectwoman (w/o attachments)  
Ron Rose, Sanitarian (w/o attachments)  
John Flower, Interim Building Official (w/o attachments)  
Kim Groves, Land Use Technician (w/o attachments)  
Kim Barrows, Land Use Technician (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: Old Lyme NFIP File: Ordinance/Regulations

August 2, 2012

Christine Nelson  
Town Planner  
Town of Old Saybrook  
Town Hall  
302 Main Street  
Old Saybrook, CT 06475-1741

RE: Review of the Town of Old Saybrook's Flood Plain Management Ordinance (Chapter 128), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Middlesex County, Connecticut

Dear Ms. Nelson:

On September 22, 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 Middlesex County. **These revised coastal FIRM panels will become effective on February 6, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town of Old Saybrook must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Old Saybrook on August 6, 2012 outlining these requirements. In order to assist the community in this map revision process, the CTDEEP has reviewed your community's existing floodplain management ordinance. 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 Article III, Section 128-7 with bold text provided below. The underlined text in the second paragraph below is optional and can be added at the discretion of the community.*

Article III General Provisions, 128-7. Basis for establishing special flood hazard areas.

The special flood hazard areas (**SFHA**) identified by the Federal Emergency Management Agency in its Flood Insurance Study (**FIS**) for **Middlesex County, Connecticut**, dated **February 6, 2013**, with accompanying Flood Insurance Rate Maps (**FIRM**), dated **February 6, 2013 (Panels 09007C0341J, 09007C0342J, 09007C0343J, 09007C0344J, 09007C0353J, 09007C0361J, 09007C0362J, 09007C0363J, 09007C0364J)** and August 28, 2008 (**Panels 09007C0333G and 09007C0334G**), and **other supporting data**, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this chapter. Since mapping is legally adopted by reference into the chapter, it must take precedence when more restrictive until such time as a map amendment is obtained **from FEMA**.

**The SFHA includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. 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 a 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.** Also included in the SFHA are areas of potential, demonstrable or historical flooding, including any area contiguous with, but outside the SFHA identified by FEMA, and where the land surface elevation is lower than the base flood elevation (BFE) as shown in the FIS, and the where the area is not protected from flooding by a natural or man-made feature. **The FIRM and FIS are on file in the Land Use Office, Town Hall, Old Saybrook.**

*Please update Article VII, Section 128-25 D. with the bold text provided below.*

Article VII Variance Procedures, 128-25. Criteria for variances.

D. The Town Engineer shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (**FEMA**) **in its biennial report.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the Coastal AE Zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once the required revisions are made to Old Saybrook's floodplain management ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, Old Saybrook 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Carl P. Fortuna, First Selectman (w/o attachment)  
Christina Costa, Zoning Enforcement Officer (w/o attachment)  
Don Lucas, Building Inspector (w/o attachment)  
Geoff Jacobson, Town Engineer (w/o attachment)  
Christopher Markesich, FEMA, Region I (w/o attachment)  
File: Old Saybrook NFIP File: Ordinance/Regulations



January 7, 2013

Richard Talamelli  
Environmental Planner  
City of Stamford  
Government Center  
888 Washington Boulevard  
Stamford, CT 06901

RE: Review of the City of Stamford's Flood Prone Area Regulations (Section 7.1), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Fairfield County, Connecticut

Dear Mr. Talamelli:

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 Fairfield 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 City of Stamford must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the City of Stamford 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 flood prone area 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.

*It is optional to update the definition of "Substantial damage" in Article III, Section 7.1 Flood Prone Area Regulations, B. Definitions 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.*

42. Substantial Damage means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-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 III, Section 7.1 Flood Prone Area Regulations, B. Definitions with the bold text provided below.*

43. Substantial Improvement means any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a five (5) year period, the cumulative cost of which equals or exceeds fifty percent (50%) of the market value of the structure as determined at the beginning of such five (5) year period. The market value of the structure should be (1) the appraised value of the

structure prior to the “**start of construction**” of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. **This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed.** For the 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 any improvement project required to comply with existing health, sanitary or safety code specifications which are **the minimum** necessary to assure safe living conditions **and which have been previously identified by the local code enforcement official.**

*Please update Article III, Section 7.1 Flood Prone Area Regulations, C. General Requirements, 2. Basis for establishing special flood hazard areas with the bold text provided below.*

2. Basis for Establishing Special Flood Hazard Areas. Special flood hazard areas are identified utilizing the base flood elevation data developed by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09001C0512G, 09001C0516G, 09001C0517G, 09001C0518G, 09001C0519G, 09001C0536G) and June 18, 2010 (Panels 09001C0344F, 09001C0363F, 09001C0364F, 09001C0365F, 09001C0366F, 09001C0368F, 09001C0369F, 09001C0501F, 09001C0502F, 09001C0503F, 09001C0504F, 09001C0506F, 09001C0507F, 09001C0508F, 09001C0509F), and other supporting data**, and other supporting data applicable to the City of Stamford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this Section. 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. Special flood hazard areas are determined utilizing the base flood elevation (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a 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. Special flood hazard areas include: . . . . .

*It is optional to update Article III, Section 7.1 Flood Prone Area Regulations, D. Provisions for Flood Hazard Reduction, 3. Provisions Applicable to Coastal High Hazard Areas, a. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

a. Location Landward of **the Connecticut Coastal Jurisdiction Line.** All new construction or substantial improvement shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can

potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Stamford's flood prone area regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Stamford 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Michael Pavia, Mayor (w/o attachment)  
Norman Cole, Acting Director, Planning & Zoning (w/o attachment)  
Robert DeMarco, Building Official (w/o attachment)  
Christopher Markesich, FEMA Region I (w/o attachment)  
File: Stamford NFIP File: Ordinance/Regulations

February 4, 2013

David Atkinson  
Zoning Enforcement Officer  
Borough of Stonington  
P.O. Box 95  
26 Church Street  
Stonington, CT 06378

RE: Review of the Borough of Stonington's Flood Protection Regulations (Section 1.3 and 3.3.2), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Mr. Atkinson:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Borough of Stonington must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Borough of Stonington on February 5, 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.

*It is optional to update the definition of "Substantial Damage" in Section 3.3.2.2 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.*

z. 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 fifty percent (50%) 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 Section 3.3.2.2 Definitions with the bold text provided below. A similar definition of "Substantial Improvement" is also included in Section 1.3. Please update the definition in Section 1.3 to read the same as the text below.*

aa. Substantial Improvements: Any combination of repairs, reconstruction, alteration or improvements to a structure taking place over a three-year period in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure **before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless**

**of the actual repair work performed.** The market value of the structure should be: (1) the appraised value of the structure prior to the “**start of construction**” of the initial repair or improvement; or (2) in the case of damage, the value of the structure prior to the damage occurring. For the 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 any **project for improvement of a structure to correct existing violations of 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.**

*Please update Section 3.3.2.3, Identification of Flood Hazard Areas and Flooding Elevation, with bold text provided below.*

Flood hazard areas (areas of special flood hazard) and flood elevations shall be identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013**, and other supporting data applicable to the Borough of Stonington, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIRM and FIS are on file in the office of the Borough Clerk.

*It is optional to update Section 3.3.2.6 e. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

e. All construction in a V zone shall be landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Borough of Stonington's flood protection regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, the Borough of Stonington 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 borough. 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Paul Burgess, Warden, P.O. Box 328 (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: Borough of Stonington NFIP File: Ordinance/Regulations



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February 4, 2013

Larry Sullivan  
Town Engineer  
Town of Stonington  
152 Elm Street  
Stonington, CT 06378

RE: Review of the Town of Stonington's Flood Hazard Overlay District Regulations (Section 7.7) and Definitions (Section 1.2), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Mr. Sullivan:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town of Stonington must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Stonington on February 5, 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.

*It is optional to update the definition of "Substantial Damage" in Section 1.2.2 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 fifty 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 Section 1.2.2 with the bold text provided below.*

**Substantial Improvement.** Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a one (1) year period, in which the cumulative cost equals or exceeds fifty percent of the market value of the structure **before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.** The market value of the structure shall be (1) the appraised value of the structure prior to the **"start of construction"** of the initial repair or improvement, or (2) in the case of

damage, the value of the structure prior to the damage occurring. For the 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 any project for improvement of a structure **to correct existing violations of 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.**

*Please update Sections 7.7.1, 7.7.2.1, and 7.7.2.2 with bold text provided below.*

7.7.1 The base flood elevation and Special Flood Hazard Area shall be identified by the **Federal Emergency Management Agency (FEMA) in its** Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013 (Panels 09011C0389J, 09011C0414J, 09011C0526J, 09011C0527J, 09011C0528J, 09011C0529J, 09011C0531J, 09011C0532J, 09011C0533J, 09011C0534J, 09011C0536J, 09011C0551J, 09011C0552J, 09011C0553J, 09011C0554J)** and July 18, 2011 (**Panels 09011C0387G, 09011C0391G, 09011C0392G, 09011C0393G, 09011C0394G, 09011C0411G, 09011C0412G, 09011C0413G**), and other supporting data applicable to the Town of Stonington, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

7.7.2.1 Flood Hazard Areas shall be those identified on the Flood Insurance Rate Maps for New London County, Connecticut, Federal Emergency Management Agency, dated **August 5, 2013 (Panels 09011C0389J, 09011C0414J, 09011C0526J, 09011C0527J, 09011C0528J, 09011C0529J, 09011C0531J, 09011C0532J, 09011C0533J, 09011C0534J, 09011C0536J, 09011C0551J, 09011C0552J, 09011C0553J, 09011C0554J)** and July 18, 2011 (**Panels 09011C0387G, 09011C0391G, 09011C0392G, 09011C0393G, 09011C0394G, 09011C0411G, 09011C0412G, 09011C0413G**), and any revision thereto.

7.7.2.2 The Floodway and Floodway Fringe shall be those areas identified on the Flood Insurance Rate Maps (FIRM), New London County, Connecticut, Federal Emergency Management Agency, dated **August 5, 2013 (Panels 09011C0389J, 09011C0414J, 09011C0526J, 09011C0527J, 09011C0528J, 09011C0529J, 09011C0531J, 09011C0532J, 09011C0533J, 09011C0534J, 09011C0536J, 09011C0551J, 09011C0552J, 09011C0553J, 09011C0554J)** and July 18, 2011 (**Panels 09011C0387G, 09011C0391G, 09011C0392G, 09011C0393G, 09011C0394G, 09011C0411G, 09011C0412G, 09011C0413G**), and any revision thereto.

*It is optional to update Section 7.7.8.3.1 with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

7.7.8.3.1 All new construction or substantial improvement shall be located 100 feet landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**



These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to the Town of Stonington's flood hazard overlay district regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, the Town of Stonington 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Edward Haberek, Jr., First Selectman (w/o attachments)  
Wayne Greene, Building Official (w/o attachments)  
Joe Bragaw, Director of Public Works (w/o attachments)  
Joe Larkin, Zoning Enforcement Officer (w/o attachments)  
Candace Palmer, Zoning Enforcement Officer (w/o attachments)  
Keith Brynes, Town Planner (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: Town of Stonington NFIP File: Ordinance/Regulations



January 7, 2013

Gary Lorentson  
Planning & Zoning Administrator  
Town of Stratford  
Town Hall  
2725 Main Street  
Stratford, CT 06615

RE: Review of the Town of Stratford's Flood Damage Prevention Ordinance (Chapter 102), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Fairfield County, Connecticut

Dear Mr. Lorentson:

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 Fairfield 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 Stratford must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Stratford 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 flood damage prevention ordinance. Comments or words written in **bold type** indicate the changes needed for minimum compliance with program standards. Text in italics is for explanation purposes.

*It is optional to update the definition of "Substantial damage" in Section 102-5 Definitions 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 pre-damaged condition would equal or exceed fifty (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 Section 102-5, Definitions with the bold text provided below.*

**SUBSTANTIAL IMPROVEMENT** – Any combination of repairs, reconstruction, alteration or improvements to a structure taking place over a one (1) year period in which the cumulative cost equals or exceeds fifty (50%) percent of the market value of the structure. The market value of the structure should be the appraised value of the structure using the cost approach to value method prior to the **"start of construction"** of the initial repair or improvement or, in the case of damage, the value of the structure

prior to the damage occurring. **This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed.** For the purpose 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 shall include the cumulative cost of any repairs, reconstruction or improvement for which less than one year has transpired between issuance of a certificate of occupancy and the issuance of a subsequent permit. The term does not, however, include any improvement project required to comply with existing state or local health, sanitary or safety code specifications **which have been previously 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.**

*Please update Section 102-7, Basis for establishing areas of special flood hazard with the bold text provided below.*

Section 102-7. Basis for establishing areas of special flood hazard.

The areas of special flood hazard are identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate **Maps (FIRM)**, dated **July 8, 2013 (Panels 09001C0434G, 09001C0441G, 09001C0442G, 09001C0443G, 09001C0444G, 09001C0451G, 09001C0452G, 09001C0453G, 09001C0461G, 09001C0463G) and June 18, 2010 (Panels 09001C0294F, 09001C0313F, 09001C0314F, 09001C0431F, 09001C0432F, 09001C0433F)**, and other supporting data applicable to the Town of Stratford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this chapter. Since mapping is legally adopted by reference into the chapter, it must take precedence when more restrictive until such time as a map amendment is obtained from FEMA. The areas of special flood hazard include any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFE’s provided on a FIRM are only approximate (rounded up or down) and should be verified with the BFE’s published in the FIS for a specific location. The Flood Insurance Study and Flood Insurance Rate Maps are on file in the Town Hall, Stratford, Connecticut.

*It is optional to update Section 102-19 Coastal high-hazard area, A. Location of structures with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

- A. Location of structures. All **new construction, substantial improvements**, buildings or structures shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has

developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Stratford's flood damage prevention ordinance and the community formally adopts these revisions and the new effective FEMA FIRMs, Stratford 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: John A. Harkins, Mayor (w/o attachment)  
John Casey, Town Engineer (w/o attachment)  
Brian Donovan, Building Official (w/o attachment)  
John Rusatsky, Zoning Enforcement Officer (w/o attachment)  
Christopher Markesich, FEMA Region I (w/o attachment)  
File: Stratford NFIP File: Ordinance/Regulations

February 4, 2013

Thomas Wagner  
Planning Director  
Town of Waterford  
15 Rope Ferry Road  
Waterford, CT 06385

RE: Review of the Town of Waterford's Flood Hazard Area Regulations (Section 25.3), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New London County, Connecticut

Dear Mr. Wagner:

On November 15, 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 London County. **These revised map panels will become effective on August 5, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town of Waterford must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Waterford on February 5, 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.

*It is optional to update the definition of "Substantial Damage" in Section 25.3.2 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.*

26. Substantial Damage - means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-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 Section 25.3.2 with the bold text provided below.*

27. Substantial Improvement - means any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during the life of a structure in which the cumulative cost equals or exceeds fifty percent of the current market value of the structure **before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.** The market value of the structure should be 1) the market value of the structure prior to the **"start of construction"** of the initial repair or improvement as

determined by the cost approach, or 2) in the case of damage, the value of the structure prior to the damage occurring. For the 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 any project for improvement of a structure **to correct existing violations of 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.**

*Please update Section 25.3.3 C. with bold text provided below.*

C. These regulations shall also apply to areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated **August 5, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), dated **August 5, 2013 (Panels 09011C0361J, 09011C0362J, 09011C0363J, 09011C0364J, 09011C0477J, 09011C0481J, 09011C0483J, 09011C0484J, 09011C0491J, 09011C0492J, 09011C0501J, 09011C0503J, 09011C0511J) and July 18, 2011 (Panels 09011C0336G, 09011C0337G, 09011C0339G, 09011C0341G, 09011C0342G, 09011C0343G, 09011C0344G, 09011C0482G)**, and other supporting data applicable to the Town of Waterford, 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a **Coastal High Hazard Area**. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are 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 Section 25.3.5 Design Standards, G. Coastal High Hazard Areas, 7. with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

G. 7. All new construction or substantial improvements shall be located at least 25 feet landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Waterford's flood hazard area regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Waterford 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Daniel Steward, First Selectman (w/o attachments)  
Michael Glidden, Zoning Official (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: Waterford NFIP File: Ordinance/Regulations



August 2, 2012

Meg Parulis  
Town Planner  
Town of Westbrook  
Town Hall  
866 Boston Post Road  
Westbrook, CT 06498

RE: Review of the Town of Westbrook's Floodplain Management Area Zoning Regulations (Sec. 5.00.00), revised Flood Insurance Rate Map (FIRM) panels and Flood Insurance Study (FIS) associated with the coastal re-delineation for Middlesex County, Connecticut

Dear Ms. Parulis:

On September 22, 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 Middlesex County. **These revised coastal FIRM panels will become effective on February 6, 2013.** In order for your community to remain eligible to participate in the National Flood Insurance Program (NFIP), the Town of Westbrook must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Westbrook on August 6, 2012 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 5.04.02, with bold text provided and removing strike-through text.*

5.04.02 The Floodplain Management Area shall consist of the Special Flood Hazard Areas (SFHA) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Middlesex County, **Connecticut and Incorporated Areas, dated February 6, 2013**, and accompanying Flood Insurance Rate Maps (FIRM), **dated February 6, 2013 (Panels 09007C0317J, 09007C0336J, 09007C0337J, 09007C0338J, 09007C0339J, 09007C0341J, 09007C0343J) and August 28, 2008 (Panels 09007C0310G, 09007C0326G, 09007C0328G, 09007C0329G, 09007C0333G)**, and other supporting data, 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.

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At



this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 feet breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to adopt VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality's ordinance or regulations upon request to add the necessary LiMWA language.

Once the required revisions are made to Westbrook's floodplain regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Westbrook 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Noel Bishop, First Selectman (w/o attachment)  
Nancy Rudek, Zoning Enforcement Officer (w/o attachment)  
Roger Zito, Building Official (w/o attachment)  
Christopher Markesich, FEMA, Region I (w/o attachment)  
File: Westbrook NFIP File: Ordinance/Regulations



January 7, 2013

Harry S. Eberhart  
Assistant City Planner  
City of West Haven  
355 Main Street, 3<sup>rd</sup> floor  
West Haven, CT 06516

RE: Review of the City of West Haven's Floodplain Management Zoning Regulations (Article 7, Section 70), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for New Haven County, Connecticut

Dear Mr. Eberhart:

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 City of West Haven must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the City of West Haven 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 70.3, Floodplain Management District Maps, with the bold text provided below.*

The Floodplain Management District is an area of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated **July 8, 2013**, accompanying Flood Insurance Rate Maps (FIRM), dated **July 8, 2013 (Panels 09009C0437J, 09009C0439J, 09009C0443J, 09009C0551J, 09009C0552J)** and December 17, 2010 (**Panels 09009C0428H, 09009C0436H, 09009C0438H, 09009C0441H, 09009C0556H**), and other supporting data applicable to the City of West Haven 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 until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a coastal high hazard area. Areas of special flood hazard 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 a Flood Insurance Rate Map (FIRM) are 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 Section 70.10 Definitions 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 pre-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 Section 70.10, Definitions with the bold text provided below and remove any text with strike-through.*

**SUBSTANTIAL IMPROVEMENT:** Any repair, reconstruction, or improvement of a structure, taking place over a one year period, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure (as determined by the cost approach to value, the quantity survey method, the segregated cost method or the square foot method) as determined at the beginning of such one year period before the **“start of construction”** of the improvement or repair ~~is started~~, or if the structure has been damaged and is being restored, before the damage occurred. 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 any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimension of the structure.) The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of 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 (2) any alteration of a **“historic structure”**, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

*It is optional to update Section 70.16, subpart 2., with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

2. All new construction or substantial improvement shall be located landward of the reach of the **Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.**

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 foot breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to West Haven's floodplain management zoning regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, West Haven 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: John M. Picard, Mayor (w/o attachments)  
Meredith L. Allen, Commissioner, Planning & Development (w/o attachments)  
Frank Gladwin, Building Official (w/o attachments)  
Abdul Quadir, City Engineer (w/o attachments)  
Christopher Markesich, FEMA Region I  
File: West Haven NFIP File: Ordinance/Regulations



January 7, 2013

Laurence Bradley, Director  
Planning & Zoning Department  
Town of Westport  
Town Hall  
110 Myrtle Avenue  
Westport, CT 06880

RE: Review of the Town of Westport's Flood Plain Regulations (Section 31-11), revised Flood Insurance Rate Map panels and Flood Insurance Study associated with the coastal re-delineation for Fairfield County, Connecticut

Dear Mr. Bradley:

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 Fairfield 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 Westport must adopt revised regulations that include the new date for these panels. FEMA issued a Letter of Final Determination (LFD) to the Town of Westport 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.

*It is optional to update the definition of "Substantial damage" in Section 5, Definitions 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 fifty (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 Section 31-11.2 with bold text provided below.*

#### Section 31-11.2 Location

All land, buildings, structures and uses located within the 100 year Flood area shall be subject to the provisions of these regulations:

The Special Flood Hazard Areas (**SFHA**) are those identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **July 8, 2013**, and accompanying Flood Insurance Rate Maps (**FIRM**), dated **July 8, 2013 (Panels 09001C0411G, 09001C0413G, 09001C0414G, 09001C418G, 09001C0532G, 09001C0551G, 09001C0552G, 09001C0553G, 09001C0556G)** and June 18, 2010 (**Panels 09001C0392F, 09001C0394F, 09001C0403F, 09001C0404F, 09001C0412F, 09001C0416F, 09001C0534F**), and other supporting data applicable to the Town of Westport, 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 the chapter, it must take precedence when more restrictive until such time as a map amendment is obtained from FEMA. . . . .

*It is optional to update Section 31-11.3.5 (a) with bold text provided below. The federal minimum required language is “located landward of the reach of mean high tide”. Communities should determine if the new Connecticut Coastal Jurisdiction Line (CJL) is at least as restrictive as mean high tide in their community for regulatory purposes. If this is the case, the CJL may be easier to use for permitting purposes.*

31-11.3.5 (a) All New Construction **and Substantial Improvements** shall be located landward of the reach of **the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101**, except for accessory **docks, landings, ramps and piers**.

These revised coastal panels will now also depict the Limit of Moderate Wave Action (LiMWA) boundary line, the landward limit of waves 1.5 feet in height, also termed the coastal AE zone. Beginning in 2012, the LiMWA will be shown on all future coastal FIRM panels in Connecticut. The CTDEEP has developed the attached guidance document for coastal municipalities that explains the LiMWA and contains model regulatory language which is **optional** at this time for inclusion in local floodplain zoning regulations or ordinances. This model language can be included if the community chooses to regulate construction in the LiMWA area to VE zone building standards. At this time, FEMA does not impose floodplain management requirements or special insurance ratings based on the LiMWA delineations. The LiMWA is provided by FEMA for informational purposes only. Because the 1.5 foot breaking wave can potentially cause foundation failure, FEMA and the CTDEEP are encouraging coastal communities to consider adopting VE zone building standards for new construction and substantial improvements within the LiMWA zone. The CTDEEP is available to review your municipality’s ordinance or regulations upon request to add the necessary LiMWA language.

Once these revisions are made to Westport’s floodplain management regulations and the community formally adopts these revisions and the new effective FEMA FIRMs, Westport 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](mailto:diane.ifkovic@ct.gov).

Sincerely,

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

cc: Gordon F. Joseloff, First Selectman (w/o attachment)  
Michelle Perillie, Planning Assistant (w/o attachment)  
Alicia Mozian, Director of Conservation (w/o attachment)  
Peter Ratkiewich, Town Engineer (w/o attachment)  
Stephen Smith, Building Official (w/o attachment)  
Christopher Markesich, FEMA Region I (w/o attachment)  
File: Westport NFIP File: Ordinance/Regulations

### **Exhibit 3**

## **Copy of Notice Transmitting Notice of Final Public Review of Proposed Activities in a 100-Year Floodplain and Wetland**

### **Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland**

January 30, 2014:

To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activities in the floodplain and wetland will have on the human environment for Community Development Block Grant – Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities as described below under Title I of the Housing and Community Development Act of 1974 (PL 93-383).

#### **Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs**

These programs will serve 1-4 unit residential properties predominately within the floodplain, in Special Flood Hazard Areas.

#### **EXP/Hurricane Sandy Business Disaster Relief Program**

The State will provide business assistance for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed as a direct result of the storm.

Though the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. There are approximately 47,680.87 acres in Fairfield County; 59,200.98 acres New Haven County; 34,628.95 acres in Middlesex County; and 44,664.12 acres in New London County which is inclusive of the Mashantucket Pequot Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FIRMs) may be viewed at [www.msc.fema.gov](http://www.msc.fema.gov).

In accordance with the process at 24 CFR 55.20 Subpart C, DOH has made a final determination that there is no practicable alternative to locating the proposed activities



in the floodplain or wetland as summarized in this notice. This notice satisfies 24 CFR Part 55.20 (g), Step 7 of the eight-step decision process.

### **Reasons why the Proposed Actions Must be Located in the Floodplain**

The OORR, SSRR and EXP Programs will provide funding to repair or rebuild on previously developed parcels. These programs are designed to recover the primary and rental residences, (up to 4 units), and small businesses that were damaged by Superstorm Sandy. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements. Many owners of 1-4 unit residences and small businesses (not more than 100 employees) do not have the resources to repair, reconstruct or mitigate their properties. Without financial support, the damaged properties will continue to deteriorate, which will do further harm to the communities in which the properties are located. Small businesses within the impacted counties will continue to experience loss of revenue especially during the busy summer season. Summer tourism revenues sustain coastal communities and many restaurants, lodgings, and retail establishments year-round. Many residents are dependent on seasonal and year-round employment in the tourism and hospitality industry. With program assistance, homes within the floodplain may be elevated to the highest standard for flood protection and flood-proofing of commercial buildings in the floodplain may be conducted leaving properties less vulnerable to future flooding conditions.

### **List of the Alternatives Considered**

The State of Connecticut intends to consider all activities eligible under the federal guidelines for CDBG-DR funding, and has not rejected any such activity. However, due to limited funding, some alternatives will be considered as a lesser priority than others and will only be considered if funds continue to be available after having addressed those higher priorities.

Alternative activities include: 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state: The limitation of land availability and high property values in the State will continue to encourage the reuse of land and structures in areas vulnerable to flooding. The cost of acquiring this limited resource would significantly impact the availability of funds to assist homeowners in meeting their unmet needs. This alternative will be considered only after other priorities have been met. 2) Reimbursement of rehabilitation and/or mitigation activity that has already been completed; DOH recognizes the need to return individuals and families back to their homes and get businesses back in business by addressing immediate unmet needs. To this end, providing reimbursements to homeowners and

small businesses that have been able to address their own needs without immediate assistance will be considered only after other priorities have been met. 3) No-action. Homeowners and small businesses would not receive any assistance under the State of Connecticut Disaster Recovery Program Action Plan. As a result, these homeowners and small businesses may not be able to recover from the impacts of the storm events or make preparations to mitigate future storm damage. A No-Action alternative would not address the State's need for safe, decent, and affordable housing, nor the need to restore our small business economy along the shore, and it would prevent some homes within the floodplain from being elevated to the highest standard for flood protection. Under the No Action alternative, the damage caused to the entire Connecticut shoreline would remain unabated. Hundreds of residences would not be rehabilitated and will deteriorate without the use of CDBG-DR funds.

### **Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Beneficial Values**

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. To be eligible for OORR, SSRR or EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas shall meet Flood Resistant Construction requirements of the State Building Code including provisions of both the International Rehabilitation Code and the International Building Code.

1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage;
3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 C.F.R. 58.6 (b)].

In summary, property owners participating in these programs would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:

1. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes].
2. For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance [24 C.F.R. 58.6 (a) (1)]; for structures funded by EXP, for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.
3. In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest [most recent] FEMA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.3 (e) as required by HUD Regulation 24 C.F.R. Part 55.1 (c) (3). Therefore, the requirements of the OORR, SSRR and EXP Programs will help ensure a minimal adverse impact to the floodplain.

Written comments must be received by DOH on or before February 6, 2014. DOH encourages electronic submittal of comments at [CT.Housing.Plans@ct.gov](mailto:CT.Housing.Plans@ct.gov). In the alternative, comments may be submitted on paper to: Hermia Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2<sup>nd</sup> Floor, Hartford, CT 06106 by February 6, 2014 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at <http://www.ct.gov/doh>

Evonne M. Klein, Commissioner, DOH

### PROBATE NOTICES

#### NOTICE TO CREDITORS

ESTATE OF  
Harriet G. Rashba

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 4, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

**Christine L. Panzo,**  
Chief Clerk

The fiduciary is:

Rachel Berman  
c/o Mario J. Zangari, Esq.  
Zangari, Cohn,  
Cuthbertson, P.C.  
59 Elm Street, Suite 400  
New Haven, CT 06510  
Susan Engelhardt  
c/o Mario J. Zangari, Esq.  
Zangari, Cohn,  
Cuthbertson, P.C.  
59 Elm Street, Suite 400  
New Haven, CT 06510  
Norman H. Rashba  
c/o Mario J. Zangari, Esq.  
Zangari, Cohn,  
Cuthbertson, P.C.  
59 Elm Street, Suite 400  
New Haven, CT 06510

### PROBATE NOTICES

#### NOTICE TO CREDITORS

ESTATE OF  
Josephine S. Feustel, AKA  
Regina Feustel

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated September 25, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

**Christine L. Panzo,**  
Chief Clerk

The fiduciary is:

Michael Feustel, c/o  
William S. Colwell, Esq.  
One Hamden Center  
2319 Whitney Avenue  
Suite 1D  
Hamden, CT 06518

### PROBATE NOTICES

#### NOTICE TO CREDITORS

ESTATE OF  
Leonard E. Rubin

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 24, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

**Valerie A. Dondi,** Clerk

The fiduciary is:

Bruce I. Okrant,  
c/o William S. Colwell, Esq.  
One Hamden Center  
2319 Whitney Avenue,  
Suite 1D  
Hamden, CT 06518  
205275

### PROBATE NOTICES

#### NOTICE TO CREDITORS

ESTATE OF  
Henry L. Kraybill

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 31, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

**Valerie A. Dondi,** Clerk

The fiduciary is:

Robert H.G. Kraybill, c/o  
Whitney M Lewendon Esq.  
Coan, Lewendon, Gulliver & Miltenberger, LLC,  
495 Orange Street,  
New Haven, CT 06511  
April R. Cervero, c/o  
Whitney M Lewendon Esq.  
Coan, Lewendon, Gulliver & Miltenberger, LLC  
495 Orange Street  
New Haven, CT 06511  
206236

### PROBATE NOTICES

#### NOTICE TO CREDITORS

ESTATE OF  
Agnes Madden

The Hon. Clifford D. Hoyle, Judge of the Court of Probate, Derby Probate District, by decree dated December 24, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

**Deborah Meshell,**  
Asst Clerk

The fiduciary is:

Loretta Powers,  
c/o Timothy P. Dillon, Esq.,  
Sheehy & Dillon,  
303 Wakelee Ave,  
Ansonia, CT 06401  
205279

### PROBATE NOTICES

#### NOTICE TO CREDITORS

ESTATE OF  
Mary Ellen Tarrant

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 13, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

**Valerie A. Dondi,** Clerk

The fiduciary is:

Steven P. Ciardiello, Esq.  
2840 Whitney Avenue  
Hamden, CT 06518

### PROBATE NOTICES

#### NOTICE TO CREDITORS

ESTATE OF  
Wanda Werner

The Hon. Beverly Streit-Kefalas, Judge of the Court of Probate, Milford - Orange Probate District, by decree dated December 16, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

**Elizabeth Davis,** Clerk

The fiduciary is:

Gary Werner, c/o Shelby  
L. Wilson, Esq., Berchem,  
Moses & Devlin, P.C.,  
75 Broad Street  
Milford, CT 06460  
205271

### LEGAL NOTICE

#### TOWN OF GUILFORD

#### INVITATION TO BID #26-1314

#### CONSTRUCTION OF

#### CHITTENDEN PARK TRAILHEAD BOARDWALK

The Town of Guilford is seeking competitive bids to construct Chittenden Trailhead boardwalk to the Town beach located off Seaside Avenue. Sealed Bids will be due on Thursday February 13, 2014 at 2:00 p.m. at the office of the First Selectman, on the second floor of Town Hall, 31 Park Street, Guilford, CT 06437 at which time they will be opened publicly. Bids received after this date and time will be rejected. Sealed Bid envelopes (including overnight packaging) should be clearly labeled with bid number, bid title and marked "time sensitive". Printed bid specifications may be obtained in the Office of the First Selectman, for a non-refundable purchase price of \$50.00 by check made payable to the Town of Guilford or by compact disc (CD) (to be printed by bidder) for purchase price of \$10.00.

A mandatory pre-bid site visit will be held at Chittenden Park on Thursday February 6, 2014 at 10:00 a.m. Any questions regarding the specifications may be directed, in writing only, to [maynardr@ci.guilford.ct.us](mailto:maynardr@ci.guilford.ct.us) the Director of Parks and Recreation Department with a copy to the Purchasing Department at [millmanp@ci.guilford.ct.us](mailto:millmanp@ci.guilford.ct.us).

Each bidder will be required to submit to the Office of the First Selectman, their original proposal with one (1) copy and a bid bond or cashier's check in the amount of ten percent (10%) of the base bid. Each bidder shall honor the bid price for ninety (90) business days from the date of the bid opening, without modification. Upon award of the bid, the winning bidder shall be bound by the bid proposal price throughout the contract period.

The Town of Guilford reserves the right to reject any or all bids; or to waive defects in same, if it deems such to be in the best interest of the Town.

Joseph S. Mazza, First Selectman

214310

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### PROBATE NOTICES

#### NOTICE TO CREDITORS

ESTATE OF  
Russell Hitchcock, AKA  
Russell R. Hitchcock

The Hon. Mark J. DeGennaro, Judge of the Court of Probate, West Haven Probate District, by decree dated January 23, 2014, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

**Gail Carroll,** Clerk

The fiduciary is:

Andrew J. Campbell, Esq.  
The Law Offices of  
Andrew J. Campbell  
1052 Main Street, Suite 14  
Branford, CT 06405  
213220

### PROBATE NOTICES

#### NOTICE TO CREDITORS

ESTATE OF  
Albert P. Lehman

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 20, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

**Valerie A. Dondi,** Clerk

The fiduciary is:

Ann P. Lehman, c/o  
Ronald C. Osach, Esq.  
Silverstein & Osach, P.C.  
P.O. Box 1727  
234 Church Street,  
Suite 903  
New Haven, CT 06507  
205258

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\$950. Vet chk'd. 203-219-8886.

**ALL BREEDS PUPPIES**  
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203-795-9931 / ORANG

**Cockapoo Pups.** Vet. Checked.  
Shots. \$800. (e) 203-219-8886.

Ready for Valentine's Day,  
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\$1500. Call 203-410-9345.

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**Refrigerator,** 6mos. old, white. Amana, perfect working condition. 28x62 1/8x29 3/4. \$250. or best offer. Must pick up. Call (203) 228-0112

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**Elec. outdr.grill \$50.** 2 wrought iron chairs \$50(e), nite stnd + lamp \$50.sew.mach.w/tbl \$50. Henredon drum tbl \$50. 78" rec plyr+tbl \$50. 203-453-6141

**Traditional Cherry Curio Cabinet,** 3 shelves, glass, 3 drawers, w/light. 6 1/2 ft. high x 2 1/2 ft. wide. \$450. Excellent condition. Call 203-469-4800.

### PASSENGER CARS

**Buick Century,** 2001, 4 dr sedan, 6 cyl, 117K mi, new brakes, tires, tune up, wipers, brand new AM/FM stereo, runs well. \$3000. 203-228-0075.

**NISSAN MAXIMA - 2000.** 4 dr sedan. AT, 6cyl, 152k mi., silver, sunroof, leather, newer tires, check eng. light on. needs TLC. \$2200. Call 203-892-2400.

### LEGAL NOTICES

**Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland**  
January 30, 2014:  
To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activities in the floodplain and wetland will have on the human environment for Community Development Block Grant - Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities as described below under Title I of the Housing and Community Development Act of 1974 (PL 93-383).

**Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs**  
These programs will serve 1-4 unit residential properties predominately within the floodplain, in Special Flood Hazard Areas.

**EXP/Hurricane Sandy Business Disaster Relief Program**  
The State will provide business assistance for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed as a direct result of the storm.

Though the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. There are approximately 47,680.87 acres in Fairfield County; 59,200.98 acres New Haven County; 34,628.95 acres in Middlesex County; and 44,664.12 acres in New London County which is inclusive of the Mashantucket Pequot Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FIRMs) may be viewed at [www.msc.fema.gov](http://www.msc.fema.gov).

**Reasons why the Proposed Actions Must be Located in the Floodplain**  
The OORR, SSRR and EXP Programs will provide funding to repair or rebuild on previously developed parcels. These programs are designed to recover the primary and rental residences (up to 4 units), and small businesses that were damaged by Superstorm Sandy. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements. Many owners of 1-4 unit residences and small businesses (not more than 100 employees) do not have the resources to repair, reconstruct or mitigate their properties. Without financial support, the damaged properties will continue to deteriorate, which will do further harm to the communities in which the properties are located. Small businesses within the impacted counties will continue to experience loss of revenue especially during the busy summer season. Summer tourism revenues sustain coastal communities and many restaurants, lodgings, and retail establishments year-round. Many residents are dependent on seasonal and year-round employment in the tourism and hospitality industry. With program assistance, homes within the floodplain may be elevated to the highest standard for flood protection and flood-proofing of commercial buildings in the floodplain may be conducted leaving properties less vulnerable to future flooding conditions.

**List of the Alternatives Considered**  
The State of Connecticut intends to consider all activities eligible under the federal guidelines for CDBG-DR funding, and has not rejected any such activity. However, due to limited funding, some alternatives will be considered as a lesser priority than others and will only be considered if funds continue to be available after having addressed those higher priorities.

Alternative activities include: 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state: The limitation of land availability and high property values in the State will continue to encourage the reuse of land and structures in areas vulnerable to flooding. The cost of acquiring this limited resource would significantly impact the availability of funds to assist homeowners in meeting their unmet needs. This alternative will be considered only after other priorities have been met. 2) Reimbursement of rehabilitation and/or mitigation activity that has already been completed; DOH recognizes the need to return individuals and families back to their homes and get businesses back in business by addressing immediate unmet needs. To this end, providing reimbursements to homeowners and small businesses that have been able to address their own needs without immediate assistance will be considered only after other priorities have been met. 3) No-action. Homeowners and small businesses would not receive any assistance under the State of Connecticut Disaster Recovery Program Action Plan. As a result, these homeowners and small businesses may not be able to recover from the impacts of the storm events or make preparations to mitigate future storm damage. A No-Action alternative would not address the State's need for safe, decent, and affordable housing, nor the need to restore our small business economy along the shore, and it would prevent some homes within the floodplain from being elevated to the highest standard for flood protection. Under the No Action alternative, the damage caused to the entire Connecticut shoreline would remain unabated. Hundreds of residences would not be rehabilitated and will deteriorate without the use of CDBG-DR funds.

### Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Beneficial Values

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. To be eligible for OORR, SSRR or EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas shall meet Flood Resistant Construction requirements of the State Building Code including provisions of both the International Rehabilitation Code and the International Building Code.

1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage;
3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 C.F.R. 58.6 (b)].

In summary, property owners participating in these programs would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:

1. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes].
2. For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance [24 C.F.R. 58.6 (a) (1)]; for structures funded by EXP, for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.
3. In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest [most recent] FEMA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.3 (e) as required by HUD Regulation 24 C.F.R. Part 55.1 (c) (3). Therefore, the requirements of the OORR, SSRR and EXP Programs will help ensure a minimal adverse impact to the floodplain.

In accordance with the process at 24 CFR 55.20 Subpart C, DOH has reevaluated the alternatives to building in the floodplain and has made a final determination that it has no practicable alternative to locating the proposed activities in the 100-yr floodplain as summarized in this notice. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This notice hereby satisfies 24 CFR Part 55.20 (g), Step 7 of the eight-step decision process.

Written comments must be received by DOH on or before February 6, 2014. DOH encourages electronic submittal of comments at [CT.Housing.Plans@ct.gov](mailto:CT.Housing.Plans@ct.gov). In the alternative, comments may be submitted on paper to: Hermia Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2nd Floor, Hartford, CT 06106 by February 6, 2014 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at <http://www.ct.gov/doh>

**Evonne M. Klein,** Commissioner, DOH  
210866

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Public Notices
Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland
January 30, 2014: To All Interested Agencies, Groups & Individuals
This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management...

Public Notices
TOWN OF MONTVILLE TAXES DUE JANUARY 1, 2014
All persons liable to pay taxes to the Town of Montville are hereby notified that I have a warrant to levy and collect a Town Tax of twenty nine and six tenths mills (29.06) on the dollar on the Levy of October 2012.

Public Notices
STATE OF CONNECTICUT REQUEST FOR PROPOSAL JOINT COMMITTEE ON LEGISLATIVE MANAGEMENT
Notice is hereby given pursuant to Section 2-71j of the Connecticut General Statutes, as amended, that the Joint Committee on Legislative Management of the Connecticut General Assembly has issued a Request for Proposal for CT-N Character Generators, JCLM14RE60050.

Public Notices
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
JANUARY 30, 2014
STATE OF CONNECTICUT DEPARTMENT OF HOUSING (DOH) 505 HUDSON STREET HARTFORD, CT 06106 (860) 270-8261
On or about February 7, 2014 DOH will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds under Title 1 of the Housing and Community Development Act of 1974, as amended and the Disaster Relief Appropriations Act, 2013 (Public Law 113-2), for the following programs located in communities most impacted by Superstorm Sandy (i.e. Fairfield, New Haven, Middlesex and New London Counties); and the Mashantucket Pequot Indian Reservation (geographically located within New London County):

Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs
These programs will serve 1-4 unit residential properties predominately within the floodplain, in Special Flood Hazard Areas.
EXP/Hurricane Sandy Business Disaster Relief Program
The State will provide business assistance for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed as a direct result of the storm.

For the purpose of collecting said tax I will be at the office of the Tax Collector, Montville Town Hall, 310 Norwich-New London Turnpike, Uncasville, CT between the hours of 8:00 AM and 4:30 PM, Monday thru Friday, Closed on December 24th At 1 pm & 25th, 2013 & January 2 & 2014.
Dated at Montville,CT this 12th day of December 2013.
Joan Zujuis, CCMC Montville Tax Collector

STATE OF CONNECTICUT REQUEST FOR BID JOINT COMMITTEE ON LEGISLATIVE MANAGEMENT
Notice is hereby given pursuant to Section 2-71j of the Connecticut General Statutes, as amended, that the Joint Committee on Legislative Management of the Connecticut General Assembly has issued a Request for Bid for the CT STATE VETERANS MEMORIAL CONSTRUCTION - JCLM14RE60021.
Bid responses are due no later than February 27, 2014 at 12:00 pm (noon). All bids must be submitted in accordance with the specifications and forms supplied in the specifications. Forms and specifications are available in the Office of Legislative Management, Room 5100 Legislative Office Building, Hartford, CT 06106 (Phone 860-240-0100; Fax 860-240-0122).

Public Notices
EXP/Hurricane Sandy Business Disaster Relief Program (EXP) - \$4,000,000 (activities involving construction)
Funding to meet the unmet needs of small businesses (less than 100 employees), through matching grants, related to structural damage in communities most impacted by the storm including the costs of structural repair or replacement of damaged property and construction or leasehold improvements.
The proposed categories of actions identified in the above programs were found to be categorically excluded under HUD regulations at 24 CFR Part 58 from the National Environmental Policy Act (NEPA) requirements. In accordance with 58.15, a tiered review process has been completed, whereby a broad analysis of the applicable environmental laws and authorities has been conducted for the target areas to ascertain the likelihood of impacts to those laws and authorities, and the level of assessment required for compliance when individual projects are ripe for review. For each site specific activity, DOH or its agent will complete a Statutory Worksheet, in accordance with Sec. 58.35.

Reasons why the Proposed Actions Must be Located in the Floodplain
The OORR, SSRR and EXP Programs will provide funding to repair or rebuild on previously developed parcels. These programs are designed to recover the primary and rental residences (up to 4 units), and small businesses that were damaged by Superstorm Sandy. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements. Many owners of 1-4 unit residences and small businesses (not more than 100 employees) do not have the resources to repair, reconstruct or mitigate their properties. Without financial support, the damaged properties will continue to deteriorate, which will do further harm to the communities in which the properties are located. Small businesses within the impacted counties will continue to experience loss of revenue especially during the busy summer season.

LEGAL NOTICE
ALL UNKNOWN PERSONS, CLAIMING OR WHO MAY CLAIM ANY RIGHTS, TITLE, INTEREST OR ESTATE IN OR LIEN OR ENCUMBRANCE UPON THE REAL PROPERTY DESCRIBED IN THIS COMPLAINT, ADVERSE TO THE PLAINTIFF WHETHER SUCH CLAIM OR POSSIBLE CLAIM BE VESTED OR CONTINGENT.
The plaintiff has named you as a defendant in the complaint brought to the above named court seeking entry of a title to and discharge of a certain mortgage encumbering a parcel of land known as 123 Tipping Road in the Town of Stonington, County of New London, and State of Connecticut. This complaint was returnable to the above named court on 2/11/14 and is now pending therein.

LEGAL NOTICE OF DECISION SALEM ZONING BOARD OF APPEALS
Notice is hereby given that the Salem Zoning Board of Appeals has rendered the following decision at their regular meeting held on January 23, 2014. The decisions are filed in the office of the Town Clerk, Salem, Connecticut.
#14-01-01 R. Vadnais, Applicant John Coleman, Owner.
9 Rathbun Hill Road, Salem CT 06420
Section 4.1-1 required lot size minimum 80,000 sq.ft. to 44,373 sq.ft.
Section 4.6 Net Buildable area, required 40,000 sq.ft. to 10,100 sq.ft.

Public Notices
An Environmental Review Record (ERR) that documents the environmental determinations for these projects and more fully describes the tiered review process cited above, is on file at DOH, Community Development Block Grant-Disaster Recovery Program 505 Hudson Street, 2nd Floor, Hartford, CT 06106 and may be examined or copied weekdays 8:30 A.M. to 4:30 P.M.
PUBLIC COMMENTS
Any individual, group, or agency may submit written comments on the ERR to Hermina Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2nd Floor, Hartford, CT 06106. DOH encourages electronic submittal of comments to CT.Housing.Plans@ct.gov. All comments received by February 6, 2014 will be considered by DOH prior to authorizing submission of a Request for Release of Funds and Certification to HUD.

Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Beneficial Values
Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. To be eligible for OORR, SSRR or EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas shall meet Flood Resistant Construction requirements of the State Building Code and provisions of both the International Rehabilitation Code and the International Building Code.

LEGAL NOTICE
The Montville Zoning Board of Appeals at its meeting held on January 22, 2014, took the following action:
Paul E. Chase 213-2BA-2: An application for an appeal of the decision of the Zoning Enforcement Officer for the issuance of a Zoning Permit to Green Falls Associates, LLC for a three bedroom home on the property located at 310 Cherry Lane, (Oakdale) Montville, CT. As shown on Assessor's Map #14, Lot #23-9 Rathbun Hill Road

Notes of Interest
CT SCRAP Will buy your scrap steel, copper & aluminum. 33 Pequot Rd Uncasville 860-848-3366
JAMES SALLS ROOFING Roofing, Siding & Repairs No job too small! Insured. Benjamin 860-578-8787. Call 860-235-0361
DELIA TREE SERVICE 30 Yrs Professional Exp. Winter Discounts Stump Grinding, Insured, Free Estimates 860-464-0211

Drivers
CDL DRIVERS Tanker and Hazmat a must! Excellent Pay! Please call if interested at 860-886-5508
HARRY'S TAXI DRIVERS WANTED Call John at 860-625-8773
Merchandise
Antiques/Collectibles/Art
Chest - Re-purposed, great for storing blankets \$100 860-460-6530

Coal, Wood & Fuels
All seasoned oak - cut split and delivered call for current prices 860-961-8550
BROUWER'S TREE SERVICES - Seasoned 225. Per Cord. Cut, Split, Delivered. Call: 860-464-6800 / 860-608-4435

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. To be eligible for OORR, SSRR or EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas shall meet Flood Resistant Construction requirements of the State Building Code and provisions of both the International Rehabilitation Code and the International Building Code.
1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage;
3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

LEGAL NOTICE
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Dated at Montville, CT, this 23rd day of January 2014. MONTVILLE ZONING BOARD OF APPEALS John R. MacNeil, Chairman

Automobiles
02 LEXUS: IS300, Silver, leather, 4DR, A/T, Immaculate; belt done. LOADED! Great Deal! \$4800. 860 501 4592
04 VOLVO: S40, Non Turbo, 4cy, 4DR, LOADED! A/T, Leather, S/R, Great Deal! \$3900. Call 860 501 4592.
04 VOLVO: S60, Non Turbo, 4cy, 4DR, LOADED! 5 spd leather, S/R, Great Deal! \$3700. Call 860 501 4592.
2005 JEEP WRANGLER, 33k, 6spd, Hardtop, Many Extras. Adult Owned! \$14,900 Call 860-442-6591

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General Dental Practice seeking experienced Dental Assistants to join our friendly staff. Mon, 9am-5pm and Tuesday, 9am-5pm. Email resumes to: niantidental@snet.net
Business Opportunities
Established 23 years Grotton Gift Shop FOR SALE! 1200sq, Selling just the Inventory. Call 860-222-9521

Computers
dell desktop - i110 intel 2.53ghz cpu win7 of 2010 anti-v ONLY 860 360-376-6952
Floor Covering/Rugs
Persian/Oriental Wool Runner - Very Good Condition \$600 860-333-4666

Law and Grounds Maintenance
GU-14-02
The City of Grotton, Department of Utilities, is requesting formal bids for Lawn and Grounds Maintenance. This work involves maintaining grounds for Water and Electric operations, dams, pump stations, tanks, watershed areas, and fence lines.

COURT OF PROBATE, DISTRICT OF NEW LONDON. NOTICE TO CREDITORS. ESTATE OF John Burton A/K/a John W. Burton (14-00018) The Hon. Matthew H. Greene, Judge of the Court of Probate, New London Probate District, by decree dated January 23, 2014, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim. Catherine C. Lewis, Clerk. The fiduciary is: Orsolya Burton, 4 East Lake Dr., Waterford, CT 06375.

Waterproofing
BASEMENT WATER Problems Solved. Guaranteed. Benjamin Basement Waterproofing, LLC. #570226. 860-887-7947
Automotive
Wanted Automotive
ROSS RACING WILLY BUY YOUR Junk Cars, Trucks, Trailers Pick Up is Available Call 860-948-3366

Garage Sale Lettovers
50x50x4 wooden cab bin - Excellent condition/call access panel/WITH COAL Asking \$400. 617-291-9998
Clothing
Boys Northface Jacket - Fleece and down size XL asking \$50. 860-572-3965

Furniture
Framed Mirror 27 by 35 - 3 inch pine frame. Excellent condition \$150 or best 617-291-9998

Legal Notice - Request for Proposals and Application for Certification
Pursuant to Connecticut General Statute Sec. 8-30f, Notice is hereby given that the Zoning Official of the Town of Ledyard approved Zoning Permit #4014 for construction of a two family residence at 392 Pumpkin Hill Rd. a.k.a. Assessors Map 142 Block 1960 Lot 332.

Lost & Found
Impounded Dog: Pitbull, Male, Black & White. Found on RT-1, Waterford Animal Center. 860-442-9451
Impounded: DSH Cat, Dilute Torti, Dewaded. Grotton Animal CTRL. 860-441-6709

Construction
Construction, Power Laying, Snow Blowing & Skid Steer experience. Email resume to Patricia.nat@gmail.com or Fax 860-448-8399

All Breed Puppies
Statewide Pets. 1-800-245-PETS
Mix Breed: 8wks, All Shots & Wormed, Male & Female, \$300. READY TO GO!! Call 860-989-7777

Entertainment Center
Very Good Condition \$400 860-333-4666

LEGAL NOTICE REQUEST FOR PROPOSALS
The Eastern CT Workforce Investment Board (EWIB), serving the 41 towns of Eastern CT, is accepting proposals to operate various workforce development programs for the period of July 1, 2014 - June 30, 2015. EWIB oversees the four (4) CTWorks-East Centers in Danielson, New London, Norwich, and Willimantic where the majority of these services are provided.
Closing Date for Receipt of Proposals: 4:00 P.M. March 28, 2014
Letters of "Intent to Bid" are required in order to submit a proposal and must be submitted by 2/21/14.
Categories for Submission:
Category (1): WIA Adult & Dislocated Worker Workforce Development & Placement Unit
Category (2): Business Services
Category (3): Jobs First Employment Program (JFES)
Category (4): JFES Intensive Employability Focused Services
Category (5): WIA Youth Services (In-School and Out-of-School)
The complete RFP package will be provided upon request by contacting Carol LaBelle at labellec@ewib.org or is available on the EWIB website www.ewib.org. This package contains all the necessary forms and procedures for submission. A letter of intent to bid must be received by 2/21/14, along with any questions to be answered at the Bidders Conference. Proposals will not be accepted unless a letter of intent has been received. Proposals received which do not follow the specified format shall be summarily dismissed. The EWIB reserves the right to reject any and all proposals not deemed suitable.

Copies of the Solicitation for Proposals and Applications for Certification including a copy of the regulations are available for download from the Connecticut Department of Labor website at http://www.ctdol.state.ct.us/ida/idahome.htm.
Copies of the Solicitation for Proposals and Applications for Certification including a copy of the regulations are available for download from the Connecticut Department of Labor website at http://www.ctdol.state.ct.us/ida/idahome.htm.
Responses to this Request for Proposals will be received at the Welfare to Work Unit, Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield, CT 06109. Proposals must be clearly labeled:
- "Application for Connecticut Individual Development Account Initiative Certification and Funding Proposal" or
- "Application for Individual Development Account Certification"
Submissions must be received at the preceding address no later than 3:30 p.m. on Friday, March 14, 2014. DOL will not consider postmark date as the basis for meeting submission deadline. Any response received after the specified date and time shall be returned unopened.
DOL expects to announce program awards in May 2014. IDA programs are expected to be operational on July 1, 2014.
DOL reserves the right to reject any and all proposals or cancel this procurement at any time if it is deemed to be in the best interest of the State of Connecticut.

Client Name: Advertiser: Section/Page/Zone: Region/C007/ Description: Ad Number: Insertion Number: Size: Color Type: Publication Date: 01/30/2014 This E-Sheet(R) confirms that the ad appeared in The Day on the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content displayed, or contained, on the electronic tearsheet.



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## STATE OF CONNECTICUT / DEPARTMENT OF HOUSING (DEPARTAMENTO DE VIVIENDA)

### SOLICITUD DE PROPUESTAS REQUEST FOR PROPOSALS

De conformidad con esta Request for Proposals (RFP), (Solicitud de Propuestas), el State of Connecticut Department of Housing (DOH) (Departamento de Vivienda) solicita la presentación de propuestas de particulares, entidades y organizaciones dispuestos a proporcionar asistencia técnica y asistencia de consultoría de desarrollo a los propietarios de varias cooperativas de capital limitado en el portafolio de viviendas patrocinado por el Estado. Limited Equity Cooperatives (cooperativas de capital limitado) son aquellas unidades construidas bajo el programa estatal del mismo nombre y así descritas en la Sección 8-214f de los Estatutos Generales de Connecticut y Secciones 8-214h-1 a 8-214i-20 de Regulations of Connecticut State Agencies (regulaciones de las agencias estatales de Connecticut).

Copias del RFP del pueden ser obtenidas en papel, comunicándose con Michael Santoro, Department of Housing (DOH), en el (860) 270-8171, por fax al: (860)706-5741 o por email: michael.santoro@ct.gov. Se pueden obtener igualmente copias electrónicas en la página Web del DOH: www.ct.gov/doh.

Los programas de DOH son administrados de manera no discriminatoria, consistente con el principio de igualdad de oportunidades para el empleo, acción afirmativa y requerimientos de equidad para las viviendas.

El plazo para presentar la respuesta es las 4:00PM, EST el lunes, 3 de marzo, del 2014

## AVISO DE INTENTO DE LIBERACION DE FONDOS

30 DE ENERO, 2014  
STATE OF CONNECTICUT DEPARTMENT OF HOUSING (DOH)  
505 HUDSON STREET  
HARTFORD, CT 06106  
(860) 270-8261

Ateedor del 7 de febrero de 2014 DOH someterá una solicitud al U.S. Department of Housing and Urban Development (HUD) (Departamento de Vivienda y Desarrollo Urbano) pidiendo que sean liberados los fondos bajo el programa Community Development Block Grant - Disaster Recovery (CDBG-DR), bajo el Título del Acta de Vivienda y Desarrollo Comunitario de 1974 (Housing and Community Development Act of 1974), tal y como fue enmendado, y el Acta de Apropiaciones para ayudar en caso de desastres de 2013 (Disaster Relief Appropriations Act 2013 - Public Law 113-2), para ser utilizados en las localidades más afectadas por la tormenta Sandy (i.e. los condados de Fairfield, New Haven, Middlesex y New London y la Reserva Mashantucket Pequot Indian Reservation geográficamente dentro del condado de New London).

Owner-Occupied Rehabilitation and Reducing Program (OORR) - \$30,000,000 (Programa de rehabilitación y reconstrucción de viviendas habitadas) Fondos para satisfacer necesidades no resueltas en la reparación o reemplazo de residencias de 1-4 unidades dañadas por la tormenta Sandy y localizadas en cualquiera de las áreas designadas como áreas de desastre. Scattered Site Rehabilitation and Reducing Program (SSRR) - parte de los \$26,000,000 consagrados a viviendas multifamiliares (Programa de rehabilitación y reconstrucción en lugares dispersados) Fondos para satisfacer necesidades no resueltas de pequeños negocios (hoteles de 100 empleados) a través de subvenciones en contraarriba, relacionadas con daños estructurales en las comunidades más afectadas por la tormenta, incluidos los costos de reparaciones o reemplazos estructurales en la propiedad dañada así como la construcción o mejora de locales afectados.

Se determinó que las categorías de acción propuestas, identificadas en los programas antes mencionados estaban exculdas de las regulaciones del HUD, tal como establecido en el 24 CFR Parte 50 de los requerimientos del Acta Nacional Environmental Policy Act (NEPA). De acuerdo con el §82-15, se realizó un proceso de revisión por niveles, que incluyó un amplio análisis de las leyes ambientales vigentes en las áreas señaladas para determinar el impacto sobre esas leyes y sus autoridades así como el nivel de evaluación requerido ocupacionalmente cuando proyectos individuales están sujetos para su revisión. Para cada sitio o actividad específica, DOH o sus representantes completarán una hoja de trabajo, siguiendo las normas establecidas por la Sec. 58.35.

Un registro de revisión ambiental (Environmental Review Record (ERR)) que documenta las decisiones en torno a estos proyectos y que describe de manera más completa el proceso de revisión por niveles citado más arriba, está archivado en la oficina del DOH, Community Development Block Grant-Disaster Recovery Program 505 Hudson Street, 2do piso, Hartford, CT 06106 y puede ser examinado o copiado los días laborables de 8:30 am a 4:30 pm.

### COMENTARIOS PUBLICOS

Cualquier persona, grupo o agencia, puede someter comentarios escritos sobre el ERR a Herma DeLore, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2do piso, Hartford, CT 06106. DOH sigue el envío de propuestas o comentarios por vía electrónica a: CT.Housing.Plans@ct.gov. Todos los comentarios recibidos al 6 de febrero de 2014 serán tomados en consideración por DOH antes de autorizar una solicitud de liberación de fondos y preparar una certificación a HUD.

### LIBERACION DE FONDOS

DOH certifica ante Herma M. Klein, en su condición de Comisionado, consiente en aceptar la jurisdicción de las cortes federales si es sometida una demanda de aplicación de responsabilidades en relación con el proceso de revisión ambiental y si esas responsabilidades han sido cumplidas. La aprobación de HUD de la certificación satisface sus responsabilidades bajo las normas de NEPA y leyes y autoridades relacionadas y permite a DOH utilizar fondos federales y aplicar los programas.

De acuerdo con el Acta Disaster Relief Appropriations Act, 2013 (P.L. 113-2), también conocida y mencionada como Hurricane Sandy Supplemental Appropriation (H.S. 152), la Secretaría puede de inmediato liberar los fondos sin necesidad de someterse al requerimiento Request Release of Funds (Formulario 7015-15) que exige 15 días de espera, tal como lo establece la Sección 1049(g) del Acta Housing and Community Development Act de 1974 (42 U.S.C. 5904(g)) y 24 CFR 58.73, si el proyecto ha sido categoricamente excluido bajo las reglas de NEPA. HUD puede inmediatamente aceptar la solicitud de liberación de fondos (Request Release of Funds) y emitir una resolución para autorizar la utilización de los fondos (Authority to Use Grant Funds (AUGF) (Formulario 7015-16) o una carta equivalente. Esta provision es limitada al aviso Hurricane Sandy Supplemental Appropriations Notice.

Ernie M. Klein, Commissioner, DOH



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**Affidavit of Publication**

State of Connecticut  
County of Fairfield

I, **Chris Gensur**, a billing representative of Graystone Group Advertising, 2710 North Avenue, Suite 200, Bridgeport, CT 06604, do solemnly swear that on:

Date: Jan. 30, 2014

Ad Title: CT Dept. of Housing - Final Notice and Public Explanation of Proposed Activities

Appeared in: Stamford Advocate  
publication and the newspaper extracts hereto annexed were clipped from the above named issue of said newspaper.

Subscribed and sworn to this 6<sup>th</sup> day of February, 2014 before me.

KATHLEEN VITKO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires  
July 31, 2017

*Kathleen Vitko*  
Notary Public



## Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland

January 30, 2014:

To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activities in the floodplain and wetland will have on the human environment for Community Development Block Grant – Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities as described below under Title I of the Housing and Community Development Act of 1974 (PL 93-383).

### Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs

These programs will serve 1-4 unit residential properties predominately within the floodplain, In Special Flood Hazard Areas.

### EXP/Hurricane Sandy Business Disaster Relief Program

The State will provide business assistance for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed as a direct result of the storm.

Though the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. There are approximately 47,680.87 acres in Fairfield County; 59,200.98 acres New Haven County; 34,628.95 acres in Middlesex County; and 44,664.12 acres in New London County which is inclusive of the Mashantucket Pequot Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FIRMs) may be viewed at [www.msc.fema.gov](http://www.msc.fema.gov).

### Reasons why the Proposed Actions Must be Located in the Floodplain

The OORR, SSRR and EXP Programs will provide funding to repair or rebuild on previously developed parcels. These programs are designed to recover the primary and rental residences (up to 4 units), and small businesses that were damaged by Superstorm Sandy. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements. Many owners of 1-4 unit residences and small businesses (not more than 100 employees) do not have the resources to repair, reconstruct or mitigate their properties. Without financial support, the damaged properties will continue to deteriorate, which will do further harm to the communities in which the properties are located. Small businesses within the impacted counties will continue to experience loss of revenue especially during the busy summer season. Summer tourism revenues sustain coastal communities and many restaurants, lodgings, and retail establishments year-round. Many residents are dependent on seasonal and year-round employment in the tourism and hospitality industry. With program assistance, homes within the floodplain may be elevated to the highest standard for flood protection and flood-proofing of commercial buildings in the floodplain may be conducted leaving properties less vulnerable to future flooding conditions.

### List of the Alternatives Considered

The State of Connecticut intends to consider all activities eligible under the federal guidelines for CDBG-DR funding, and has not rejected any such activity. However, due to limited funding, some alternatives will be considered as a lesser priority than others and will only be considered if funds continue to be available after having addressed those higher priorities.

Alternative activities include: 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state: The limitation of land availability and high property values in the State will continue to encourage the reuse of land and structures in areas vulnerable to flooding. The cost of acquiring this limited resource would significantly impact the availability of funds to assist homeowners in meeting their unmet needs. This alternative will be considered only after other priorities have been met. 2) Reimbursement of rehabilitation and/or mitigation activity that has already been completed; DOH recognizes the need to return individuals and families back to their homes and get businesses back in business by addressing immediate unmet needs. To this end, providing reimbursements to homeowners and small businesses that have been able to address their own needs without immediate assistance will be considered only after other priorities have been met. 3) No-action. Homeowners and small businesses would not receive any assistance under the State of Connecticut Disaster Recovery Program Action Plan. As a result, these homeowners and small businesses may not be able to recover from the impacts of the storm events or make preparations to mitigate future storm damage. A No-Action alternative would not address the State's need for safe, decent, and affordable housing, nor the need to restore our small business economy along the shore, and it would prevent some homes within the floodplain from being elevated to the highest standard for flood protection. Under the No Action alternative, the damage caused to the entire Connecticut shoreline would remain unabated. Hundreds of residences would not be rehabilitated and will deteriorate without the use of CDBG-DR funds.

### Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Beneficial Values

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. To be eligible for OORR, SSRR or EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas shall meet Flood Resistant Construction requirements of the State Building Code including provisions of both the International Rehabilitation Code and the International Building Code.

1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage;
3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 C.F.R. 58.6 (b)].

In summary, property owners participating in these programs would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:

1. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes].
2. For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance [24 C.F.R. 58.6 (a) (1)]; for structures funded by EXP, for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.
3. In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest [most recent] FEMA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.3 (e) as required by HUD Regulation 24 C.F.R. Part 55.1 (c) (3). Therefore, the requirements of the OORR, SSRR and EXP Programs will help ensure a minimal adverse impact to the floodplain.

In accordance with the process at 24 CFR 55.20 Subpart C, DOH has reevaluated the alternatives to building in the floodplain and has made a final determination that it has no practicable alternative to locating the proposed activities in the 100-yr floodplain as summarized in this notice. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This notice hereby satisfies 24 CFR Part 55.20 (g), Step 7 of the eight-step decision process.

Written comments must be received by DOH on or before February 6, 2014. DOH encourages electronic submittal of comments at [CT.Housing.Plans@ct.gov](mailto:CT.Housing.Plans@ct.gov). In the alternative, comments may be submitted on paper to: Hermia Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2nd Floor, Hartford, CT 06106 by February 6, 2014 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at <http://www.ct.gov/doh>

Evonne M. Klein, Commissioner, DOH

**Affidavit of Publication**

State of Connecticut  
County of Fairfield

I, **Chris Gensur**, a billing representative of Graystone Group Advertising, 2710 North Avenue, Suite 200, Bridgeport, CT 06604, do solemnly swear that on:

Date: Jan. 30, 2014

Ad Title: CT Dept. of Housing - Final Notice and Public Explanation of Proposed Activities

Appeared in: New London Day  
publication and the newspaper extracts hereto annexed were clipped from the above named issue of said newspaper.

Subscribed and sworn to this 6<sup>th</sup> day of February, 2014 before me.

KATHLEEN VITKO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires  
July 31, 2017

*Kathleen Vitko*  
Notary Public

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Final Notice and Public Explanation of Proposed Activities in a 130-acre Tract near and adjacent to...

January 28, 2014 To: All interested Agencies & Individuals: This is to advise that the State of Connecticut Department of Energy and Environmental Protection (DEEP) has issued an order to...

DEEP/Healthcare Study Business Transfer Project: The State will provide business assistance for small businesses to repair or replace existing businesses that are currently in a state of receivership or liquidation...

Reasons why the Proposed Activities are being proposed: The DEEP, DHEC, and DEP Projects will be used to repair or rebuild 500 existing structures. These structures are located in the former...

Use of the Affected Land: The State of Connecticut wishes to consider all activities on the affected land that are consistent with the purpose of the land use plan...

Alternative Activities: DEEP is proposing to develop approximately 24 wet wetland structures and other structures on the affected land. These structures are...

Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Cultural Values: Other Connected General Statutes (C.G.S.) Sections 27-28a through 27-29b, 26-25a, 26-25b, 26-25c and 26-25d...

1. A deed for the land shall be executed and recorded in the state of Connecticut in favor of the State of Connecticut... 2. The deed shall be subject to the following conditions...

In summary, potential buyers participating in these programs will be required to sign the following agreement to minimize the impact of the sale...

In accordance with the terms of 24 CFR 203 Subpart C, DHEC has established the following procedures for the sale of the affected land...

Written statements must be received by DHEC on or before February 2, 2014. DHEC reserves the right to accept or reject any offer...

For more information, please contact Carol Lallo of the EWB at (860) 701-4200 ext. 523 or via email at clallo@ewb.org

LEGAL NOTICE REQUEST FOR PROPOSALS

The Eastern CT Workforce Investment Board (EWIB), serving the 41 towns of Eastern CT, is accepting proposals to operate various workforce development programs for the period of July 1, 2014 – June 30, 2015.

Closing Date for Receipt of Proposals: 4:00 P.M. March 28, 2014 Letters of Intent to Bid are required in order to submit a proposal and must be submitted by 2/21/14.

The complete RFP package will be provided upon receipt by contacting Carol Lallo of the EWB at (860) 701-4200 ext. 523 or via email at clallo@ewb.org

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Vertical text on the left edge of the page, likely a scanning artifact.

Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland

January 30, 2014:

To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management...

Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs These programs will serve 1-4 unit residential properties predominately within the floodplain, in Special Flood Hazard Areas.

EXP/Hurricane Sandy Business Disaster Relief Program

The State will provide business assistance for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed as a direct result of the storm.

Though the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County.

Reasons why the Proposed Actions Must be Located in the Floodplain

The DORR, SSRR, and EXP Programs will provide funding to repair or rebuild an previously developed parcel. These programs are designed to recover the primary and rental residences (up to 4 units), and small businesses that were damaged by Superstorm Sandy. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements.

List of the Alternatives Considered

The State of Connecticut intends to consider all activities eligible under the federal guidelines for CDBG-DR funding, and has not rejected any such activity. However, due to limited funding, some alternatives will be considered as a lesser priority than others and will only be considered if funds continue to be available after having addressed these higher priorities.

Alternative activities include: 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state. The limitation of land availability and high property values in the State will continue to encourage the reuse of land and structures in areas vulnerable to flooding.

Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Beneficial Values

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains on natural or man-made storm drainage facilities.

- 1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage;
3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 C.F.R. 58.6 (b)].

In summary, property owners participating in these programs would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:

- 1. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program (Sections 25-68 of the Connecticut General Statutes).
2. For all structures funded by the DORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance [24 C.F.R. 58.6 (a) (1)]; for structures funded by EXP, for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.
3. In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest [most recent] FEMA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.3 (e) as required by HUD Regulation 24 C.F.R. Part 55.1 (c) (3). Therefore, the requirements of the DORR, SSRR and EXP Programs will help ensure a minimal adverse impact to the floodplain.

In accordance with the process at 24 CFR 55.20 Subpart C, DOH has reevaluated the alternatives to building in the floodplain and has made a final determination that it has no practicable alternative to locating the proposed activities in the 100-yr floodplain as summarized in this notice. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This notice hereby satisfies 24 CFR Part 55.20 (g), Step 7 of the eight-step decision process.

Written comments must be received by DOH on or before February 6, 2014. DOH encourages electronic submittal of comments at CT.Housing.Plans@ct.gov. In the alternative, comments may be submitted on paper to: Hennie Delaine, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2nd Floor, Hartford, CT 06106 by February 6, 2014 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at http://www.ct.gov/doh.

Evoone M. Klein, Commissioner, DOH

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**Affidavit of Publication**

State of Connecticut  
County of Fairfield

I, **Chris Gensur**, a billing representative of Graystone Group Advertising, 2710 North Avenue, Suite 200, Bridgeport, CT 06604, do solemnly swear that on:

Date: Jan. 30, 2014

Ad Title: CT Dept. of Housing - Final Notice and Public Explanation of Proposed Activities

Appeared in: New Haven Register  
publication and the newspaper extracts hereto annexed were clipped from the above named issue of said newspaper.

Subscribed and sworn to this 6<sup>th</sup> day of February, 2014 before me.

KATHLEEN VITKO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires  
July 31, 2017

Notary Public

*Kathleen Vitko*

**PROBATE NOTICES**

**NOTICE TO CREDITORS**  
ESTATE OF  
Harriet G. Rashba

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 4, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Christine L. Panzo,  
Chief Clerk

The fiduciary is:  
Rachel Barman,  
c/o Mario J. Zangari, Esq.,  
Zangari, Cohn,  
Cutler/son, P.C.,  
59 Elm Street, Suite 400  
New Haven, CT 06510  
Susan Engelhardt,  
c/o Mario J. Zangari, Esq.,  
Zangari, Cohn,  
Cutler/son, P.C.,  
59 Elm Street, Suite 400  
New Haven, CT 06510  
Howard Rashba,  
c/o Mario J. Zangari, Esq.,  
Zangari, Cohn,  
Cutler/son, P.C.,  
59 Elm Street, Suite 400  
New Haven, CT 06510

**NOTICE TO CREDITORS**  
ESTATE OF  
Josephine S. Feustel, AKA  
Regina Feustel

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated September 25, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Christine L. Panzo,  
Chief Clerk

The fiduciary is:  
Michael Feustel, c/o  
William S. Colwell, Esq.,  
One Hamden Center,  
2319 Whitney Avenue  
Suite 1D,  
Hamden, CT 06518

**NOTICE TO CREDITORS**  
ESTATE OF  
Leonard E. Rubin

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 24, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Valerie A. Dondi, Clerk

The fiduciary is:  
Bruce J. Okrant,  
c/o William S. Colwell, Esq.,  
One Hamden Center,  
2319 Whitney Avenue,  
Suite 1D,  
Hamden, CT 06518  
205275

**NOTICE TO CREDITORS**  
ESTATE OF  
Henry L. Kravill

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 31, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Valerie A. Dondi, Clerk

The fiduciary is:  
Robert H.G. Kravill, c/o  
Whitney M. Lewendon, Esq.,  
Coan, Lewendon, Gulliver & Miltenberger, LLC,  
495 Orange Street,  
New Haven, CT 06511  
April R. Cervino, c/o  
Whitney M. Lewendon, Esq.,  
Coan, Lewendon, Gulliver & Miltenberger, LLC,  
495 Orange Street,  
New Haven, CT 06511  
206239

**PROBATE NOTICES**

**NOTICE TO CREDITORS**  
ESTATE OF  
Agnes Madden

The Hon. Clifford D. Hoyle, Judge of the Court of Probate, West Haven Probate District, by decree dated December 24, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Deborah Meshell,  
Asst. Clerk

The fiduciary is:  
Loretta Powers,  
c/o Timothy F. Dillon, Esq.,  
Sheehy & Dillon,  
303 Wakelee Ave.,  
Ansonia, CT 06401  
205279

**NOTICE TO CREDITORS**  
ESTATE OF  
Mary Ellen Tarrant

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 13, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Valerie A. Dondi, Clerk

The fiduciary is:  
Steven P. Giardinella, Esq.,  
2840 Whitney Avenue  
Hamden, CT 06518

**NOTICE TO CREDITORS**  
ESTATE OF  
Wanda Werner

The Hon. Beverly Streit-Ketala, Judge of the Court of Probate, West Haven - Orange Probate District, by decree dated December 16, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Elizabeth Davis, Clerk

The fiduciary is:  
Gary Werner, c/o Shelby  
Egan, Esq.,  
Bachman,  
Moses & Devlin, P.C.,  
75 Broad Street  
Middletown, CT 06460  
065771

**LEGAL NOTICE**  
TOWN OF GUILFORD  
INVITATION TO BID #26-1314  
CONSTRUCTION OF  
CHITTENDEN PARK TRAILHEAD BOARDWALK

The Town of Guilford is seeking competitive bids to construct Chittenden Park trailhead boardwalk located off Saaside Avenue. Sealed Bids will be due on Thursday February 13, 2014 at 2:00 p.m. at the office of the First Selectman, on the second floor of Town Hall, 31 Park Street, Guilford, CT 06737. Bids will be opened publicly. Bids received after this date and time will be rejected. Sealed Bid envelopes (including overnight packaging) should be clearly labeled with bid number, bid title and marked "time sensitive". Printed bid specifications may be obtained in the Office of the First Selectman, for a non-refundable purchase price of \$50.00 by check made payable to the Town of Guilford or by compact disc (CD) (to be printed by bidder) for purchase price of \$10.00.

A mandatory pre-bid site visit will be held at Chittenden Park on Thursday February 6, 2014 at 10:00 a.m. Any questions regarding the specifications may be directed in writing only, to maynard@guilford.ct.us, the Director of Parks and Recreation Department with a copy to the Purchasing Department at mjliman@pcg.guilford.ct.us.

Each bidder will be required to submit to the Office of the First Selectman, their original proposal with one (1) copy and a bid bond or cashier's check for the amount of ten percent (10%) of the base bid. Each bidder shall honor the bid price for ninety (90) business days from the date of the bid opening, without modification. Upon award of the bid, the winning bidder shall be bound by the bid proposal price throughout the contract period.

The Town of Guilford reserves the right to reject any or all bids; or to waive defects in same, if it deems such to be in the best interest of the Town.

Joseph S. Mazza, First Selectman  
214310

**PROBATE NOTICES**

**NOTICE TO CREDITORS**  
ESTATE OF  
Russell R. Hiltchcock, AKA  
Russell R. Hiltchcock

The Hon. Mark J. DeGennaro, Judge of the Court of Probate, West Haven Probate District, by decree dated January 23, 2014, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Gail Carroll, Clerk

The fiduciary is:  
Andrew J. Campbell, Esq.,  
The Law Offices of  
Andrew J. Campbell  
1052 Main Street, Suite 14  
Bristol, CT 06045  
213220

**NOTICE TO CREDITORS**  
ESTATE OF  
Albert P. Lehman

The Hon. Edward C. Burt, Jr., Judge of the Court of Probate, Hamden - Bethany Probate District, by decree dated December 20, 2013, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Valerie A. Dondi, Clerk

The fiduciary is:  
Ann P. Lehman, c/o  
Ronald C. Osach, Esq.,  
Silverstein & Osach, P.C.,  
P.O. Box 1727  
234 Church Street,  
Suite 902  
New Haven, CT 06507  
205258

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Traditional Cherry Curio Cabinet, 3 shelves, glass, 3 drawers, w/height, 6 1/2 ft. high x 36", w/width, 40". Excellent condition. Call 203-469-4800.

**LEGAL NOTICES**

**Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland**

January 30, 2014;  
To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with the regulations at 24 CFR 55.20 Subpart C for Making Determinations on Floodplain Management, to determine the potential effect that its activities in the floodplain and wetland will have on the human environment for Community Development Block Grant - Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities as described below under Title of the Housing and Community Development Act of 1974 (PL 93-383).

**Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs**  
These programs will serve 1-4 unit residential properties predominantly within the floodplain, in Special Flood Hazard Areas.

**EXP/Hurricane Sandy Business Disaster Relief Program**  
The state will provide business assistance for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed as a direct result of the storm.

Through the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Massachusetts and New India reservations: Fairfield County, New Haven County, Middlesex County, and New London County. There are approximately 47,680.87 acres in Fairfield County, 53,200.58 acres New Haven County, 34,546.45 acres in Middlesex County and 44,656.12 acres in New London County which is inclusive of the Massachusetts Pequot Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FIRMs) may be viewed at www.msc.fema.gov.

**Reasons why the Proposed Actions Must be Located in the Floodplain**  
The OORR, SSRR and EXP Programs will provide funding to repair or rebuild on previously damaged properties to recover the primary and rental residences (up to 4 units), and small businesses that were damaged by Superstorm Sandy. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplains must adhere to the most recent elevation requirements. Many owners of 1-4 unit residences and small businesses (not more than 100 employees) do not have the resources to repair, reconstruct or mitigate their properties. Without financial support, the damaged properties will continue to deteriorate, which will do further damage to communities in which the properties are located. Small businesses within the impacted counties will continue to experience loss of revenue especially during the busy summer season. Summer tourism revenues sustain coastal communities and many other local businesses that depend on tourism and hospitality industry. With program assistance, homes within the floodplain may be elevated to the highest standard for flood protection with the flooring of commercial buildings in the floodplain may be conducted leaving properties less vulnerable to future flooding conditions.

**List of the Alternatives Considered**  
The State of Connecticut intends to consider all activities eligible under the federal guidelines for CDBG-DR funding, and has not rejected any such activity. However, due to limited funding, some alternatives will be considered as a lesser priority than others and will only be considered if funds continue to be available after having addressed those higher priorities.

Alternative activities include: 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state; The limitation of land availability and high property values in the State will continue to encourage the reuse of land and structures in areas vulnerable to flooding. The cost of acquiring this limited resource will significantly impact the availability of funds to assist homeowners in meeting their unmet needs. This alternative will be considered only after other priorities have been met. 2) Reimbursement of rehabilitation and/or mitigation activity that has already been initiated by the property owner or the individuals and families back to their homes and get businesses back in business by addressing immediate unmet needs. To this end, providing reimbursements to homeowners and small businesses that have been able to receive immediate assistance will be considered only after other priorities have been met. 3) No-Action. Homeowners and small businesses would not receive any assistance under the State of Connecticut Disaster Recovery Program Action Plan. As a result, these homeowners and small businesses may not be able to recover from the impacts of the flooding or make preparations to mitigate future storm damage. A No-Action alternative would not address the State's need for safe, decent, and affordable housing, nor the need to restore our small business economy along the shore, and it would encourage continued loss of jobs and business within the floodplain. The highest standard for flood protection. Under the No Action alternative, the damage caused to the entire Connecticut shoreline would remain unabated. Hundreds of residences would not be rehabilitated and will deteriorate without the use of CDBG-DR funds.

**Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Beneficial Values**

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions which affect the floodplains of natural or man-made drainage facilities. To be eligible for OORR, SSRR or EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas must meet the stringent construction requirements of the State Building Code including provisions of both the International Rehabilitation Code and the International Building Code.

1. Be designed (or modified) and anchored so as to prevent flotation, collapse, or lateral movement of the structure;  
2. Be constructed with materials and utility equipment resistant to flood damage;  
3. Be designed to resist flotation, collapse, or lateral movement of the structure;  
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

No funding will be provided to any person who previously received federal flood disaster assistance (conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 C.F.R. 58.6 (b)]).

In summary, property owners participating in these programs would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:  
1. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program (Sections 25-68 of the Connecticut General Statutes).  
2. For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the acquisition [24 C.F.R. 58.6 (4)(f)]. For structures funded by EXP for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.  
3. For all structures located in the Special Flood Hazard Areas (SFHAs) or Flood Hazard Areas (FHA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate how to design meet the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.2 (c) as required by HUD regulation 24 C.F.R. Part 85.1 (c), therefore, the requirements of the OORR, SSRR and EXP Programs will help ensure a minimal adverse impact to the floodplain.

In accordance with the process at 24 CFR 55.20 Subpart C, DOH has reevaluated the alternatives to building in the floodplain and has made a final determination that it has no practicable alternative to locating the proposed activities in the 100-year floodplain as summarized in this notice. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request in the times and places set forth in the list of agencies and offices for receipt of comments. This notice hereby satisfies 24 CFR Part 55.20 (g), Step 7 of the eight-step decision process.

Written comments must be received by DOH on or before February 6, 2014. DOH encourages electronic submission of comments at CT.Housing.Plans@ct.gov. In the alternative, comments may be submitted on paper to Herma Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2nd Floor, Hartford, CT 06106 by February 6, 2014 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at <http://www.ct.gov/doh>.

Evyone M. Klein, Commissioner, DOH  
10695

**LEGAL NOTICES**

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Final Notice and Public Explanation of Proposed Activities in a  
100-Year Floodplain and Wetland

January 30, 2014:

To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activities in the floodplain and wetland will have on the human environment for Community Development Block Grant - Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities as described below under Title I of the Housing and Community Development Act of 1974 (PL 93-383).

**Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs**

These programs will serve 1-4 unit residential properties predominately within the floodplain, in Special Flood Hazard Areas.

**EXP/Hurricane Sandy Business Disaster Relief Program**

The State will provide business assistance for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed as a direct result of the storm.

Though the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. There are approximately 47,680.87 acres in Fairfield County; 59,200.98 acres New Haven County; 34,628.95 acres in Middlesex County; and 44,664.12 acres in New London County which is inclusive of the Mashantucket Pequot Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FIRMs) may be viewed at [www.msc.fema.gov](http://www.msc.fema.gov).

**Reasons why the Proposed Actions Must be Located in the Floodplain**

The OORR, SSRR and EXP Programs will provide funding to repair or rebuild on previously developed parcels. These programs are designed to recover the primary and rental residences (up to 4 units), and small businesses that were damaged by Superstorm Sandy. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements. Many owners of 1-4 unit residences and small businesses (not more than 100 employees) do not have the resources to repair, reconstruct or mitigate their properties. Without financial support, the damaged properties will continue to deteriorate, which will do further harm to the communities in which the properties are located. Small businesses within the impacted counties will continue to experience loss of revenue especially during the busy summer season. Summer tourism revenues sustain coastal communities and many restaurants, lodgings, and retail establishments year-round. Many residents are dependent on seasonal and year-round employment in the tourism and hospitality industry. With program assistance, homes within the floodplain may be elevated to the highest standard for flood protection and flood-proofing of commercial buildings in the floodplain may be conducted leaving properties less vulnerable to future flooding conditions.

**List of the Alternatives Considered**

The State of Connecticut intends to consider all activities eligible under the federal guidelines for CDBG-DR funding, and has not rejected any such activity. However, due to limited funding, some alternatives will be considered as a lesser priority than others and will only be considered if funds continue to be available after having addressed those higher priorities.

Alternative activities include: 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state. The limitation of land availability and high property values in the State will continue to encourage the reuse of land and structures in areas vulnerable to flooding. The cost of acquiring this limited resource would significantly impact the availability of funds to assist homeowners in meeting their unmet needs. This alternative will be considered only after other priorities have been met. 2) Reimbursement for rehabilitation and/or mitigation activity that has already been completed; DOH recognizes the need to return individuals and families back to their homes and get businesses back in business by addressing immediate unmet needs. To this end, providing reimbursements to homeowners and small businesses that have been able to address their own needs without immediate assistance will be considered only after other priorities have been met. 3) No-action. Homeowners and small businesses would not receive any assistance under the State of Connecticut Disaster Recovery Program Action Plan. As a result, these homeowners and small businesses may not be able to recover from the impacts of the storm events or make preparations to mitigate future storm damage. A No-Action alternative would not address the State's need for safe, decent, and affordable housing, nor the need to restore our small business economy along the shore, and it would prevent some homes within the floodplain from being elevated to the highest standard for flood protection. Under the No Action alternative, the damage caused to the entire Connecticut shoreline would remain unabated. Hundreds of residences would not be rehabilitated and will deteriorate without the use of CDBG-DR funds.

**Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Beneficial Values**

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. To be eligible for OORR, SSRR, EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas shall meet Flood Resistant Construction requirements of the State Building Code including provisions of both the International Rehabilitation Code and the International Building Code.

1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage;
3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 C.F.R. 58.6 (b)].

In summary, property owners participating in these programs would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:

1. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes].
2. For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance [24 C.F.R. 58.6 (a) (1)]; for structures funded by EXP, for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.
3. In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest [most recent] FEMA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.3 (e) as required by HUD Regulation 24 C.F.R. Part 55.1 (c) (3). Therefore, the requirements of the OORR, SSRR and EXP Programs will help ensure a minimal adverse impact to the floodplain.

In accordance with the process at 24 CFR 55.20 Subpart C, DOH has reevaluated the alternatives to building in the floodplain and has made a final determination that it has no practicable alternative to locating the proposed activities in the 100-yr floodplain as summarized in this notice. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This notice hereby satisfies 24 CFR Part 55.20 (g), Step 7 of the eight-step decision process.

Written comments must be received by DOH on or before February 6, 2014. DOH encourages electronic submittal of comments at [CT.Housing.Plans@ct.gov](mailto:CT.Housing.Plans@ct.gov). In the alternative, comments may be submitted on paper to: Hermina Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 555 Hudson Street, 2nd Floor, Hartford, CT 06106 by February 6, 2014 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at <http://www.ct.gov/doh>

Evonne M. Klein, Commissioner, DOH  
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**ANA L. TORRES**  
NOTARY PUBLIC  
MY COMMISSION EXPIRES AUGUST 31, 2016

# AVISO TEMPRANO Y REVISIÓN PÚBLICA DE LAS ACTIVIDADES PROPUESTAS SOBRE INUNDACIONES Y HUMEDALES EN UN PERIODO DE 100 AÑOS

30 de enero de 2014

A. Agencias Interesadas, grupos y personas

Por este medio se informa que el Departamento de Vivienda de Connecticut (Connecticut Department of Housing (DOH)), ha llevado a cabo una evaluación, tal como requerido por las órdenes ejecutivas 11988 y 11990 de acuerdo con las regulaciones de HUD 24 CFR 55.20 Subpart C de los procedimientos para el manejo de inundaciones llamados Procedures for Making Determinations on Floodplain Management, con el fin de determinar el efecto potencial que sus actividades en el manejo de inundaciones y humedales tendrá en el entorno humano para el Community Development Block Grant - Disaster Recovery (CDBG-DR), State of Connecticut Disaster Recovery Program bajo el Title 1 del Acta de Vivienda y desarrollo comunitario Housing and Community Development Act de 1974 (PL 93-383).

**Owner-Occupied and Scattered Site Rehabilitation and Rebuilding Program** (Programa de rehabilitación y reconstrucción de viviendas habitadas). Estos programas se utilizarán en propiedades residenciales de 1-4 unidades especialmente en áreas expuestas a inundaciones en las zonas especiales de riesgo (Special Flood Hazard Areas).

**EXP/Hurricane Sandy Business Disaster Relief Program** (Programa de ayuda a negocios en situación de desastre a causa de la tormenta Sandy)

El Estado proveerá ayuda a los negocios para gastos de capital para reparar o reemplazar equipo necesario, pérdidas de inventario, renovar instalaciones que fueron dañadas o destruidas, o para sujar capital de trabajo perdido por causa de la tormenta.

Aunque está en curso el proceso de confirmar la ubicación exacta de los lugares, los proyectos propuestos estarán ubicados en los siguientes cuatro condados o en la reserva Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. Hay aproximadamente 47,680.87 acres en Fairfield County; 59,200.98 acres en New Haven County; 34,628.95 acres en Middlesex County; y 44,684.12 acres en New London County, que se parte del mapa de áreas con riesgo de inundación (SIF-A) de la FEMA para la reserva Mashantucket Pequot Indian Reservation. La tasa impresa del seguro para inundaciones puede ser consultada en: [www.nrc.tarra.gov](http://www.nrc.tarra.gov).

### Razones que explican que las acciones propuestas deben estar localizadas en el área de inundación

Los programas CDBG, SSRR y EXP proveerán fondos para reparar o reconstruir en terrenos donde anteriormente había construcciones. Estos programas están diseñados para la recuperación de residencias principales o secundarias (1 a 4 unidades) y pequeños negocios que fueron afectados por la tormenta Sandy. Todas las propuestas de rehabilitación, reconstrucción y renovación de las estructuras sustancialmente afectadas que están dentro del área inundable de 100 años, deben adecuarse a los más recientes requisitos de elevación. Muchos propietarios de las residencias de 1-4 unidades y pequeños negocios (no más de 100 empleados) no disponen de los recursos para reparar, reconstruir o mitigar los daños sufridos en sus propiedades. Sin respaldo financiero, las propiedades afectadas se seguirán deteriorando y eso hará mayor daño a las comunidades afectadas. Los pequeños negocios situados en los condados afectados seguirán perdiendo dinero, especialmente durante el activo verano. El turismo de verano ayuda a las comunidades costeras, sus restaurantes, hoteles y negocios de venta al detalle a lo largo del año. Muchos residentes dependen de sus empleos de estación o permanentes en la industria turística y hotelera. Con el programa de ayuda, los hogares en las áreas de riesgo pueden alcanzar los mayores estándares en cuanto a protección contra inundaciones se refiere y los edificios comerciales pueden ser menos vulnerables a futuras situaciones inundación.

### Lista de alternativas a ser consideradas

El estado de Connecticut se propone considerar todas las actividades elegibles de acuerdo con las guías para el financiamiento de CDBG-DR y no ha rechazado ninguna. No obstante, debido a las limitaciones de financiamiento, algunas actividades pueden ser consideradas menos prioritarias que otras y serán tomadas en cuenta solamente si el financiamiento sigue disponible luego de haber resuelto las prioridades principales.

Entre las actividades alternativas se incluyen: adquisición de estructuras residenciales de 1-4 unidades severamente afectadas o casi destruidas y restauración del estado natural del área de inundación/humedales; la limitación de terrenos disponibles y los altos precios de las propiedades en el Estado estimularán la reutilización de terrenos y estructuras en áreas vulnerables a inundaciones.

El costo de adquisición debido a la limitación de recursos, afectará la disponibilidad de recursos para ayudar a los propietarios para satisfacer necesidades no resueltas. Esta alternativa será considerada solamente después que otras prioridades hayan sido resueltas. 2) Reconstrucción de

# WALLINGFORD HOUSING AUTHORITY

## AVISO

A partir del lunes 27 de enero 2014 La Autoridad de Vivienda de Wallingford (WHA) abrirá la lista de espera de la Sección Ocho solo para personas mayores / Individuos discapacitados en el Complejo McKenna Corte. La fecha límite para la lista de espera será el lunes 28 de abril 2014 a las 3 pm. Para calificar, usted debe tener al menos 62 años de edad o deshabilitado. Los límites de ingresos como publicada por HUD no pueden superar los \$ 44,750 (una persona) y \$ 51,150 (dos personas). Después de la fecha de cierre, la posición de lista de espera de cada solicitante se determinará por una selección de la lotería como se establece en el Plan de Selección de Inquilinos de la WHA's.

Las Pre-Solicitud se pueden obtener en nuestra oficina en el 45 Temper Drive, Wallingford, CT 06492. Todas las pre-solicitudes deben enviarse a la oficina en persona o por correo. **Pre-aplicaciones sólo pueden ser dejados en la oficina entre las 9:00 am y las 3:00 pm.** Pre-solicitud entregada por correo deberán estar marcada no más tardar 11:59 p.m. del 27 de abril 2014.

**La Autoridad de Vivienda de Wallingford no discrimina en base de raza, color, origen nacional, religión, sexo, edad, discapacidad o estado familiar.**

Proveedor de Vivienda con Oportunidades de Igualdad

# WALLINGFORD HOUSING AUTHORITY

## AVISO

Efectivo el lunes, 10 de febrero 2014 La Autoridad de Vivienda de Wallingford (WHA) abrirá la lista de espera de cero cuartos (0) para el programa de Vivienda Publica de familias mayor de edad o incapacitadas. La lista será cerrada el jueves, 10 de abril 2014 a las 3:00 pm.

Luego al cerrar la lista de espera, los solicitantes serán colocados en la lista de espera a través de una selección de lotería según dis-

**Affidavit of Publication**

State of Connecticut  
County of Fairfield

I, **Chris Gensur**, a billing representative of Graystone Group Advertising, 2710 North Avenue, Suite 200, Bridgeport, CT 06604, do solemnly swear that on:

Date: Jan. 30, 2014

Ad Title: CT Dept. of Housing - Final Notice and Public Explanation of Proposed Activities

Appeared in: CT Post  
publication and the newspaper extracts hereto annexed were clipped from the above named issue of said newspaper.

Subscribed and sworn to this 10<sup>th</sup> day of February, 2014 before me.

KATHLEEN VITKO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires  
July 31, 2017

*Kathleen Vitko*  
Notary Public

PUBLIC NOTICES

LEGAL NOTICE: The City of Shelton is seeking to engage the services of a Consulting Engineer...

The Housatonic Riverwalk Extension involves the design and construction of the Phase II project...

BRIDGEPORT PLANNING & ZONING COMMISSION: Public Hearing Notice regarding the re-schedule of the January 27th public hearing...

CITY OF BRIDGEPORT PLANNING & ZONING COMMISSION: Public Hearing Notice regarding the re-schedule of the January 27th public hearing...

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CITY OF BRIDGEPORT ZONING BOARD OF APPEALS: Public Hearing Notice regarding the re-schedule of the January 27th public hearing...

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CITY OF BRIDGEPORT ZONING BOARD OF APPEALS: Public Hearing Notice regarding the re-schedule of the January 27th public hearing...

INITIATION TO BID: Town of Stratford is seeking proposals for the Town of Stratford and the Office of the Purchasing Agent...

APARTMENTS FOR RENT

BRIDGEPORT: 1300 East Post Road, 1-1/2 story, 1000 sq. ft., 2-1/2 baths, 2 car garage...

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PUBLIC NOTICES

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS: STATE OF CONNECTICUT DEPARTMENT OF HOUSING...

On or about February 7, 2014 DCH will submit a request to the U.S. Department of Housing and Urban Development...

Any individual, group, or agency may submit written comments on the EIR to the Federal Register...

Under the Disaster Relief Appropriations Act, 2013 (P.L. 113-2), the Secretary may immediately release funds...

Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland: TO ALL Interested Agencies, Groups & Individuals...

Attentive attention: 10) Items of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain...

1. Be designed for modified and anchored to prevent flotation, collapse, or lateral movement of the structure...

Written comments must be received by DCH on or before February 6, 2014. DCH will conduct electronic review of comments...

Evanna M. Klein, Commissioner, DCH

## Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland

January 30, 2014:

To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activities in the floodplain and wetland will have on the human environment for Community Development Block Grant – Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities as described below under Title I of the Housing and Community Development Act of 1974 (PL 93-383).

### Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs

These programs will serve 1-4 unit residential properties predominately within the floodplain, in Special Flood Hazard Areas.

### EXP/Hurricane Sandy Business Disaster Relief Program

The State will provide business assistance for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed as a direct result of the storm.

Though the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. There are approximately 47,680.87 acres in Fairfield County; 59,200.98 acres New Haven County; 34,628.95 acres in Middlesex County; and 44,664.12 acres in New London County which is inclusive of the Mashantucket Pequot Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FIRMs) may be viewed at [www.msc.fema.gov](http://www.msc.fema.gov).

### Reasons why the Proposed Actions Must be Located in the Floodplain

The OORR, SSRR and EXP Programs will provide funding to repair or rebuild on previously developed parcels. These programs are designed to recover the primary and rental residences (up to 4 units), and small businesses that were damaged by Superstorm Sandy. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements. Many owners of 1-4 unit residences and small businesses (not more than 100 employees) do not have the resources to repair, reconstruct or mitigate their properties. Without financial support, the damaged properties will continue to deteriorate, which will do further harm to the communities in which the properties are located. Small businesses within the impacted counties will continue to experience loss of revenue especially during the busy summer season. Summer tourism revenues sustain coastal communities and many restaurants, lodgings, and retail establishments year-round. Many residents are dependent on seasonal and year-round employment in the tourism and hospitality industry. With program assistance, homes within the floodplain may be elevated to the highest standard for flood protection and flood-proofing of commercial buildings in the floodplain may be conducted leaving properties less vulnerable to future flooding conditions.

### List of the Alternatives Considered

The State of Connecticut intends to consider all activities eligible under the federal guidelines for CDBG-DR funding, and has not rejected any such activity. However, due to limited funding, some alternatives will be considered as a lesser priority than others and will only be considered if funds continue to be available after having addressed those higher priorities.

Alternative activities include: 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state: The limitation of land availability and high property values in the State will continue to encourage the reuse of land and structures in areas vulnerable to flooding. The cost of acquiring this limited resource would significantly impact the availability of funds to assist homeowners in meeting their unmet needs. This alternative will be considered only after other priorities have been met. 2) Reimbursement of rehabilitation and/or mitigation activity that has already been completed; DOH recognizes the need to return individuals and families back to their homes and get businesses back in business by addressing immediate unmet needs. To this end, providing reimbursements to homeowners and small businesses that have been able to address their own needs without immediate assistance will be considered only after other priorities have been met. 3) No-action. Homeowners and small businesses would not receive any assistance under the State of Connecticut Disaster Recovery Program Action Plan. As a result, these homeowners and small businesses may not be able to recover from the impacts of the storm events or make preparations to mitigate future storm damage. A No-Action alternative would not address the State's need for safe, decent, and affordable housing, nor the need to restore our small business economy along the shore, and it would prevent some homes within the floodplain from being elevated to the highest standard for flood protection. Under the No Action alternative, the damage caused to the entire Connecticut shoreline would remain unabated. Hundreds of residences would not be rehabilitated and will deteriorate without the use of CDBG-DR funds.

### Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Beneficial Values

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. To be eligible for OORR, SSRR or EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas shall meet Flood Resistant Construction requirements of the State Building Code including provisions of both the International Rehabilitation Code and the International Building Code.

1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage;
3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 C.F.R. 58.6 (b)].

In summary, property owners participating in these programs would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:

1. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes].
2. For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance [24 C.F.R. 58.6 (a) (1)]; for structures funded by EXP, for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.
3. In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest [most recent] FEMA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.3 (e) as required by HUD Regulation 24 C.F.R. Part 55.1 (c) (3). Therefore, the requirements of the OORR, SSRR and EXP Programs will help ensure a minimal adverse impact to the floodplain.

In accordance with the process at 24 CFR 55.20 Subpart C, DOH has reevaluated the alternatives to building in the floodplain and has made a final determination that it has no practicable alternative to locating the proposed activities in the 100-yr floodplain as summarized in this notice. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This notice hereby satisfies 24 CFR Part 55.20 (g), Step 7 of the eight-step decision process.

Written comments must be received by DOH on or before February 6, 2014. DOH encourages electronic submittal of comments at [CT.Housing.Plans@ct.gov](mailto:CT.Housing.Plans@ct.gov). In the alternative, comments may be submitted on paper to: Hermia Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2nd Floor, Hartford, CT 06106 by February 6, 2014 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at <http://www.ct.gov/doh>

Evonne M. Klein, Commissioner, DOH

## Exhibit 4

### Public Comments Received and DOH Response

#### 1. COMMENT

**From:** Will Thompson [<mailto:w@wtaia.com>]

**Sent:** Thursday, January 30, 2014 7:02 PM

**To:** CT Housing Plans

**Cc:** Will Thompson

**Subject:** Licensed design professional clarification in flood velocity zones

Dear Commissioner Klein,

In reviewing your authority's public notice today about building (and rebuilding) in flood zones you singled out professional engineers as the sole design professional allowed to oversee plans for projects in Velocity Zones.

Typically in the referenced codes and standards (FEMA & ICC) and in Connecticut statutes a licensed design professional that is either an Architect or a Professional Engineer would be allowed to oversee the preparation of such documents. I ask that your agency consider revising the current language.

In my practice, like many other licensed architects, I have been involved in many coastal projects in such zones. The current language removes us from leading such projects.

I am interested and would appreciate your response. Thank you for your time.

Sincerely,

Will Thompson

William Thompson, AIA & Associates, LLC  
Architects, LEED AP BD+C

[www.wtaia.com](http://www.wtaia.com)

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[203 453-0066](tel:2034530066) w

[203 453-0000](tel:2034530000) fax

Licensed in CT, NY & VT

Sent from my iPad

**CTDOH RESPONSE:** The above comment references language in the OORR, SSRR and EXP Programs' mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial values (within the floodplain or wetland). This language is derived 44 CFR Part 60.3 (e) (4) which states, "A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of paragraphs (e) (4) (i) and (ii) of this section." CTDOH has no objection to the inclusion of the phrase "or architect" within corresponding floodplain management documentation and will include the aforementioned phrase in the following:

- Floodplain Management and Wetland Protection Areawide Compliance Document aka 8-Step Decision Making Process (sections: DOH Approach; Step 5 Identify methods to minimize the potential adverse impacts within the floodplain or wetland and to restore and preserve its natural and beneficial values; and Final Notice); and
- Tier 1 of a 2-Step Tiered Environmental Review (section: Conditions for Approval Floodplain Management).

A second publication of the Final Notice will not be required in order to implement this change.