ENVIRONMENTAL REVIEW RECORD

Tier 1 of a 2-Step Tiered Environmental Review

<u>Project/Activity Information, Executive Summary, Determinations, and Certification:</u>

<u>Project Names:</u> Owner-Occupied Rehabilitation and Rebuilding Program (OORR); and Scattered Site Rehabilitation and Rebuilding Program (SSRR).

OORR Project Description: Per the State of Connecticut Disaster Recovery Action Plan, structural repair or replacement of 1-4 unit owner occupied primary residences damaged by Hurricane Sandy, also known as Superstorm Sandy, located in one of the designated disaster areas (i.e. Fairfield, New Haven, Middlesex, New London Counties or Mashantucket Pequot Indian Reservation); work may include cost effective Energy Measures and improvements needed to meet HUD Section 8 Existing Housing Quality Standards, lead-based paint abatement, asbestos abatement, handicapped accessibility for special needs, mitigation assistance to elevate homes and/or reduce the risk for future disasters, and appliances (stoves and refrigerators are eligible items considered on case-by-case basis if not present at time of rehabilitation); funding priorities will be for projects that benefit low moderate income (LMI) persons or units located in LMI Areas.

SSRR Project Description: Per the State of Connecticut Disaster Recovery Action Plan and Multifamily Assistance Programs Guidelines, structural repair or replacement of 1-4 unit rental properties (cannot be a "second home" as defined by IRS Publication 936) damaged by Hurricane Sandy, also known as Superstorm Sandy, located in one of the designated disaster areas (i.e. Fairfield, New Haven, Middlesex, New London Counties or Mashantucket Pequot Indian Reservation) with emphasis on properties located in Fairfield and New Haven Counties; work may include cost effective Energy Measures and improvements needed to meet HUD Section 8 Existing Housing Quality Standards, lead-based paint abatement, asbestos abatement, handicapped accessibility for special needs, mitigation assistance to elevate homes and/or reduce the risk for future disasters, and appliances (stoves and refrigerators are eligible items considered on case-by-case basis if not present at time of rehabilitation); funding priorities will be for projects that benefit low moderate income (LMI) persons or units located in LMI Areas.

<u>Types of properties targeted:</u> 1-4 unit owner occupied primary residences (OORR) and 1-4 unit rental properties (SSRR)

<u>Project Location:</u> Fairfield County, New Haven County, Middlesex County, New London County and the Mashantucket Pequot Indian Reservation

Project Funding Program: Community Development Block Grant Disaster Recovery (CDBG-DR)

Project Loan or Grant Number: B-13-DS-09-0001

OORR Project Total Development Cost (best estimate): \$57,137,184

<u>SSRR Project Total Development Cost (best estimate):</u> \$147,907,500 inclusive of all Multifamily Housing Programs

OORR Project HUD Assistance: \$30,000,000

SSRR Project HUD Assistance: \$26,000,000 inclusive of all Multifamily Housing Programs

Grant Recipient: State of Connecticut Department of Housing (DOH)

[24 C.F.R. 58.2 (a) (5)]

Grant Recipient's Address: 505 Hudson Street, Hartford, CT 06106-7106

Project Representative: Hermia Delaire, Program Manager, CDBG-DR

Project Representative's Telephone Number: (860) 270-8149

Responsible Entity (RE): State of Connecticut Department of Housing (DOH)

[24 C.F.R. 58.2 (a) (7)]

Certifying Official: Commissioner Evonne M. Klein

[24 C.F.R. 58.2 (a) (2)]

Statement of Purpose and Need for Proposed Action

[40 C.F.R. 1508.9 (b)]

The State of Connecticut was included in the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013).

On Monday, October 29, 2012 Hurricane Sandy, also known as Superstorm Sandy, made landfall near Atlantic City, New Jersey, as a post-tropical cyclone. The storm caused a significant tidal surge from the Mid-Atlantic region to New England. After landfall, Sandy headed north by northwest bringing high winds, rain and storm surge to coastal areas of Connecticut. The immediate effects of Sandy in Connecticut included the deaths of six residents and widespread wind and flood damage to homes, businesses, infrastructure, and public facilities. Many dwellings were rendered inhabitable and a large number of residents still cannot return to their homes. As most of the damage caused by Superstorm Sandy was to residential structures, getting individuals and families back in their homes is a top priority for the State of Connecticut. This environmental review addresses activities in the following presidentially-declared disaster areas: Fairfield County, New Haven County, Middlesex County, New London County and the Mashantucket Pequot Indian Reservation.

The purpose of the proposed actions, per the State of Connecticut Disaster Recovery Action Plan, is to meet the unmet housing needs of the communities most impacted by Hurricane Sandy (i.e. the costs of repairs, reconstruction and new construction that insurance, the Federal Emergency Management Agency [FEMA] and any other sources of funding does not cover), providing funding to owners of 1-4 unit primary residences and rental properties that need rehabilitation assistance and to those owners

that need substantial rehabilitation or reconstruction assistance as well as mitigation. The projects are needed to restore these homes to pre-storm conditions allowing all occupants to reside in decent housing.

Description of the Proposed Action

(Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding. [24 C.F.R. 58.32; and 40 C.F.R. 1508.25])

The State of Connecticut is proposing to use CDBG-DR funds to meet the housing needs of residents in communities most impacted by Superstorm Sandy that are not covered by insurance, FEMA and any other sources of funding. The general objectives of the State's Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs (OORR and SSRR) include: assisting people directly affected by Superstorm Sandy; replacing and rehabilitating their homes and rental properties; identifying mitigation measures; and improving the resilience of their homes and properties.

The only areas in which CDBG-DR funding can be expended are Fairfield County, New Haven County, Middlesex County, New London County and the Mashantucket Pequot Indian Reservation. Within these eligible areas, 80% of the CDBG-DR funding must be expended in Fairfield and New Haven Counties. At least 50% of the CDBG-DR funding must meet the Low/Moderate Income Benefit National Objective.

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. The total value of losses exceeded \$288 million. After calculating insured losses, FEMA and the U.S. Small Business Administration (SBA) financial assistance and other benefits, the remaining unmet need is estimated to be between \$47 and \$57 million representing approximately 7,400 units. This range of estimated unmet housing needs anticipates that as the recovery process proceeds, additional unmet needs may present themselves, including, for example, damages not previously known or estimated, increased mitigation needs, and the consideration of code compliance. 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 table below:

Type of Assistance	Unmet Need Units	Per Unit Average Estimated Cost	Total Estimated Cost
Rehab Assistance Only – Insured	3,700	\$5,000	\$18,500,000
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
TOTAL UNMET NEED	5,500	\$10,391	\$57,150,000

In order to be eligible for OORR Program assistance homeowners of 1-4 unit properties must meet the following threshold criteria:

- 1. Home must reside within the limits of eligible counties and cities;
- 2. Home must have been damaged by the storm October 29, 2012;
- 3. Home must have been the homeowner's primary residence at the time of the storm; and
- 4. Homeowner must have been the owner of record at the time on or before October 29, 2012, and continue to be the owner throughout the grant compliance period set by the State.

OORR Program eligibility threshold requirements are as follows:

- 1. Unmet Needs Funding is available solely to address unmet needs;
- Eligible/Fundable each project must be determined to be an eligible and fundable activity under the Housing and Community Development Act as modified by the Federal Register Notice and all other applicable regulations and guidance, including, without limitation, the following activities:
 - a. acquisition of real property;
 - b. buyouts; code enforcement; relocation assistance;
 - c. new construction, reconstruction and rehabilitation of residential properties;
 - d. American Disability Act improvements; and
 - e. actions to meet the State's certification to affirmatively further fair housing.
- 3. Impacted and Distressed Area each project must be located in one of the four counties in which the expenditure of the CDBG-DR funding is allowable (i.e. Fairfield County, New Haven County, Middlesex County, New London County) or the Mashantucket Pequot Indian Reservation, all of which sustained significant damage from Superstorm Sandy;
- 4. Readiness to Proceed each project must be capable of being undertaken immediately to provide outcomes to intended beneficiaries effected by the disaster;
- 5. Feasibility each project must be found to be financially feasible, sustainable, and likely to contribute to the long-term recovery of disaster impacted communities; and
- 6. Consistency with Consolidated Plan/Action Plan each property must be reflective of the goals, priorities and requirements of the State of Connecticut's 2010-2015 Consolidated Plan.

Funding priorities for the OORR Program are as follows:

- 1. Projects that benefit LMI persons and/or are located in LMI Areas (i.e. an area with household incomes at or below 80% of the area median income);
- 2. Projects that enable the State to satisfy the federal requirement that at least 80% of the Funding be spent in Fairfield and New Haven Counties;
- 3. Projects that include deep income targeted units (i.e. units for extremely low income persons or families, the homeless or persons at risk of becoming homeless);
- 4. Projects that address conditions that threaten the health and safety of either the occupants or the public;

- 5. Projects that contribute significantly to the long-term recovery and economic revitalization of the affected area;
- Projects undertaken on behalf of a beneficiary or sponsor that commits to contribute financially
 in the repair, construction or mitigation of the project (this can be through private insurance,
 National Flood Insurance Program (NFIP), FEMA, SBA, and/or other sources); and
- 7. Mitigation includes only a minimum of rehabilitation beyond the correction of conditions caused by the disaster.

In order to be eligible for SSRR Program assistance owners of 1-4 unit rental properties must meet the following threshold criteria:

- 1. Residential rental property must reside within eligible counties; primarily Fairfield County or New Haven County;
- 2. Housing unit(s) must have been damaged by the storm October 29, 2012;
- 3. Home must have been established as a rental unit(s) at the time of the storm; and
- 4. Owner must have been the owner of record at the time on or before October 29, 2012, and continue to be the owner, or at least have a controlling ownership interest in the property throughout the grant compliance period set by the State.

SSRR Program eligibility threshold requirements are as follows:

- 1. Unmet Needs Funding is available solely to address unmet needs;
- 2. Eligible/Fundable each project must be determined to be an eligible and fundable activity under the Housing and Community Development Act as modified by the Federal Register Notice and all other applicable regulations and guidance, including, without limitation, the following activities:
 - a. acquisition of real property;
 - b. buyouts, code enforcement, relocation assistance;
 - c. new construction, reconstruction and rehabilitation of residential properties;
 - d. American Disability Act improvements; and
 - e. actions to meet the State's certification to affirmatively further fair housing.
- 3. Impacted and Distressed Area all projects must be in eligible communities within the designated four counties. Priority will be given to properties primarily located in Fairfield and New Haven County, which sustained significant damage from Superstorm Sandy.
- 4. Readiness to Proceed each project must be capable of being undertaken immediately to provide outcomes to intended beneficiaries effected by the disaster; and,
- 5. Feasibility each project must be found to be financially feasible, sustainable, and likely to contribute to the long-term recovery of disaster impacted communities.

Funding priorities for the SSRR Program are as follows:

1. Projects that benefit LMI persons and/or are located in LMI Areas (i.e. an area with household incomes at or below 80% of the area median income);

- 2. Projects that enable the State to satisfy the federal requirement that at least 80% of the funding be spent in Fairfield and New Haven Counties;
- 3. Projects that include deep income targeted units (i.e. units for extremely low income persons or families, the homeless or persons at risk of becoming homeless);
- 4. Projects that address conditions that threaten the health and safety of either the occupants or the public;
- 5. Projects that contribute significantly to the long-term recovery and economic revitalization of the affected area;
- 6. Projects undertaken on behalf of a beneficiary or sponsor that commits to contribute financially in the repair, construction or mitigation of the project (this can be through private insurance, NFIP, FEMA, SBA, and/or other sources); and
- 7. Mitigation cost effective resiliency and other activities designed to harden the property in order to minimize reoccurrence of storm damage whenever possible when undertaken with rehabilitation to correct the damage conditions caused by the disaster.
- 8. Projects involving the relocation of existing multifamily housing that serves LMI persons and is located within the 100 year floodplain in New Haven and Fairfield Counties.
- 9. Projects involving the repair and rehabilitation of LMI housing located outside the 100 year floodplain in New Haven and Fairfield Counties.

Based on the extent of damage, applicants may be eligible for rehabilitation, reconstruction of their homes or rental properties, or they may be offered mitigation assistance. Assistance calculations are based on home evaluations (scope of work), pre-storm value, Duplication of Benefits (DOB) from all sources and availability of other funds. CDBG-DR assistance to home and property owners will be determined after factoring in the aforementioned inputs, subtracting any DOB that must be escrowed and then factoring in the funding caps for the required rehabilitation, reconstruction, or mitigation activity. The minimum amount of assistance allowed for rehabilitation, reconstruction and/or mitigation is \$10,000. The maximum amount of assistance allowed for rehabilitation, reconstruction and/or mitigation is \$150,000. There are no separate caps for mitigation grants.

Rehabilitation is defined as repair or restoration of housing units in the disaster-impacted areas to applicable construction codes and standards. Rehabilitation costs are those to correct existing housing damage which have been determined by a qualified housing inspector and formalized in an individual housing report. DOH may allow owners to select particular finishes at the time of rehabilitation as long as those finishes are within the rehabilitation standard of the program.

Homes and residential rental properties 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 the demolition and rebuilding of a stick-built or modular housing unit on the same lot in substantially the same footprint and manner. If a home or residential rental property must be

reconstructed, DOH will only assist in the reconstruction based on the size of the original footprint of the home. In general the square footage of the reconstructed home must be comparable to the square footage of the original structure, except where zoning regulations and building code requirements dictate otherwise. DOH will institute a maximum grant award that can be used to assist in the reconstruction based on feasibility and cost criteria.

"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.

To determine the pre-storm value of an eligible property, the program may use the "Estimated Market Value" of the property as published by the municipality for the 2012/13 tax year. The estimated cost of repairs, as determined by DOH, will be divided by this amount to determine if the unit meets the definition of substantially damaged or if it is in need of substantial improvement. If, in the opinion of DOH, there is evidence that estimated market value is inaccurate, DOH program staff may order an appraisal to determine the pre-storm value of the property.

Individual Mitigation Measures (IMM) are activities designed to mitigate and/or reduce risk beyond the pre-disaster condition of a housing unit when the activities are above and beyond federal, state, or local construction or code requirements. Examples of IMM activities include: elevation above the base flood elevation level; the addition of storm shutters, disaster proof windows, roof straps, etc. as long as those improvements are not required to comply with local code requirements and did not exist on the housing unit prior to the disaster damage.

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 listed above as 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 Programs 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].

DOH as the Responsible Entity (RE) has determined that the OORR and SSRR Programs will follow a tiered environmental review process which allows for an initial "broad" review of all environmental factors that will be shared by properties in a given geographic area [24 C.F.R. 58.15]. Based on this broad review, the funds will be released for the program activity contingent upon completing a "site-specific" review once a potential property is identified and determined eligible. Site-specific

environmental reviews, subject to 24 C.F.R. 58.5 and 58.6, will identify any above ground hazards, floodplains, historic properties, and noise issues when applicable. The tiered approach will combine similar work into geographic as well as functional aggregation [24 C.F.R. 58.32] packages for the environmental review. A site-specific environmental review must be completed for each property prior to project bidding or taking any choice limiting actions.

The following Environmental Review (ER) serves as the Tier 1 environmental compliance document for the proposed OORR and SSRR Programs as described above, for Fairfield County, New Haven County, Middlesex County, New London County and the Mashantucket Pequot Indian Reservation. Utilizing the tier rule gives DOH the ability to aggregate work on individual project sites into categories of activities having similar geographic and/or functional environmental attributes.

Documentation of site-specific environmental issues requiring individual evaluation or additional agency consultation will be compiled separately. Site-specific review is also referred to as "Tier 2 Review". No rehabilitation, reconstruction or mitigation work on properties will begin until both the broad and site-specific levels of environmental review have been completed and the proposed work has been found to be in compliance.

Thus, the EA, as prepared for/by DOH, is essentially a two-step, tiered process, per 24 C.F.R. 58.15.

Existing Conditions and Trends

(Describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project. [24 C.F.R. 58.40 (a)])

The highest unmet need in the area of 1-4 unit housing is rehabilitation resulting from wind and associated damage, followed by damage from flooding. The following table provides a breakdown by county of FEMA's Unpaid Losses and Open Claims.

1-4 Unit Properties:									
	Unpaid Losses & Open Claims								
Activity	Total Unmet Need	Fairfield County	New Haven County	New London County	Middlesex County				
FEMA Unpaid Losses & Open Claims	\$47,614,320	\$32,774,493	\$5,155,271	\$8,131,588	\$1,552,968				
Adjustment for Undercount @ 20%	\$9,552,864	\$6,554,898	\$1,031,054	\$1,626,317	\$310,594				
Total Estimated Need	\$57,137,184	\$39,329,391	\$6,186,325	\$9,757,906	\$1,863,561				
Requiring Rehabilitation	\$40,277,564	\$32,909,227	\$4,101,499	\$1,726,154	\$1,540,684				
Requiring Flood Mitigation	\$16,859,620	\$6,420,165	\$2,084,827	\$8,031,752	\$322,877				

The experience following the Gulf Coast storms suggests the level of 1-4 unit housing rehabilitation need:

1. Increases in cost as supplemental damage is incurred post storm;

- 2. Increases in cost as local and state building codes are reset (i.e. new elevation requirements with the flood plain);
- 3. Is undercounted initially due to evacuation, program misunderstanding by potential applicants, undocumented families' reluctance to request benefits; and voluntary household relocation.

In addition, the State requires that any housing subsidized with federal dollars meet the applicable State or local code. The base unmet need as identified by FEMA and the municipalities was increased by 20% to account for the factors noted.

Fairfield County

Fairfield County's damage is largely concentrated in the central, bay-side communities along the Long Island Sound. Norwalk, Westport, Fairfield, Bridgeport, and Stratford account for 81% of Fairfield County's total damaged homes and half of the State's damaged homes. The westerly-most bayside towns of Greenwich, Stamford, and Darien have the second largest volume of damaged homes in Fairfield County, which account for fourteen percent (14%) of Fairfield County's total damage. Concentration of damage in these communities is quite dispersed; only Greenwich has a sizeable share of its damaged homes in neighborhoods with heavy or strong concentrations of damage in a small geographic area.

The total estimated unmet need for 1-4 unit housing rehabilitation in all municipalities within Fairfield County is \$39.3 million.

Specific demographic data, assembled for the State of Connecticut Disaster Recovery Action Plan, for each of the high impact communities is summarized in the following table.

	Fairfield County									
Town	Damaged Homes	Population	Racial/Ethnic Minority	Elderly	Median Income	Poverty Rate	Home Ownership	Current Median	Current Average	
								Home Value	Rent	
Bridgeport	574	143,412	51.43%	14.6%	\$40,947	21.9%	44.6%	\$136,200	\$1,635	
Darien	76	20,580	5.7%	21.5%	\$193,896	5.1%	88.7%	\$1,218,800	\$5,654	
Fairfield	893	59,078	8.03%	19.6%	\$118,476	3.5%	85.4%	\$450,100	\$2,638	
Greenwich	176	61,023	13.9%	21.5%	\$127,207	3.7%	80.5%	\$1,054,900	\$5,014	
Norwalk	544	85,145	24.5%	19.8%	\$76,384	8.0%	65.1%	\$327,600	\$2,317	
Stamford	166	121,784	40.4%	16.5%	\$78,201	10.9%	56.4%	\$402,000	\$2,647	
Stratford	96	51,116	22.0%	22.6%	\$67,761	5.5%	80.5%	\$202,000	\$1,798	
Westport	243	26,249	8.4%	21.4%	\$155,792	3.6%	85.5%	\$898,500	\$4,750	
Danbury	25	80,101	41.3%	16.5%	\$65,656	10.0%	62.5%	\$232,100	\$1,400	
Ridgefield	14	24,469	7.9%	18.9%	\$145,000	1.9%	84.2%	\$569,600	\$1,950	
Weston	12	10,142	8.5%	15.7%	\$205,563	2.4%	93.0%	\$746,300	\$3,500	
New	12	19,642	6.0%	19.8%	\$191,750	2.2%	83.4%	\$1,116,800	\$3,500	
Canaan										
Trumbull	12	35,752	13.7%	23.7%	\$106,058	2.3%	89.4%	\$333,100	n/a	
Newtown	10	27,235	11.7%	18.0%	\$114,695	3.3%	92.3%	\$364,700	\$2,200	

New Haven County

More than half of all damaged homes in New Haven County are located within the City of Milford. The collection of communities around the New Haven Harbor (West Haven, East Haven and New Haven)

account for slightly more than a quarter of New Haven's damaged homes. Damage in these communities is dispersed throughout neighborhoods. The concentration of flooding in these towns (i.e. West Haven, East Haven, and New Haven) was modest, as they only account for 17% of the county's homes that were inspected and found to have had more than four feet of flooding.

The other coastal towns of Branford, Guilford and Madison have another 10% of this county's damaged homes. The vast majority of damaged homes in these areas had flood depths less than four feet.

The inland portions of New Haven County experienced very little damage from Superstorm Sandy. Only Waterbury and Hamden had some damage, mostly located in low-lying areas.

Specific demographic data, assembled for the State of Connecticut Disaster Recovery Action Plan, for each of the high impact communities is summarized in the following table.

	New Haven County										
Town	Damaged	Population	Racial/Ethnic	Elderly	Median	Poverty	Home	Current	Current		
	Homes		Minority		Income	Rate	Ownership	Median	Average		
								Home Value	Rent		
Branford	77	28,099	8.1%	27.0%	\$71,314	5.8%	71.2%	\$248,100	\$1,760		
Milford	669	52,732	12.9%	21.2%	\$79,828	3.9%	77.5%	\$242,900	\$1,762		
East Haven	155	29,151	8.2%	21.9%	\$63,136	7.8%	76.4%	\$168,200	\$1,450		
West	126	55,249	27.3%	18.2%	\$53,057	10.5%	57.7%	\$159,000	\$1,510		
Haven											
New	58	129,213	67.1%	13.0%	\$39,094	26.3%	31.1%	\$154,800	\$1,200		
Haven											
Guilford	38	22,272	8.5%	26.3%	\$95,085	3.7%	86.9%	\$331,000	n/a		
Madison	17	18,243	4.9%	24.9%	\$106,609	2.1%	87.6%	\$377,400	n/a		
Waterbury	15	110,075	53.3%	17.5%	\$41,499	20.6%	49.6%	\$102,800	\$850		
Hamden	10	60,547	32.8%	21.5%	\$67,955	7.7%	67.8%	\$188,400	\$1,350		

New London County

A total of six municipalities in New London County reported damage to 271 housing units. Per the State of Connecticut Disaster Recovery Action Plan, summary demographic data for each of these municipalities is provided in the following table. The total estimated unmet need for owner occupied rehabilitation in all municipalities within New London County is \$9.7 million.

	New London County									
Town	Damaged Homes	Population	Racial/Ethnic Minority	Elderly	Median Income	Poverty Rate	Home Ownership	Current Median Home Value	Current Average Rent	
Groton	64	40,190	25.1%	17.2%	\$59,887	7.4%	51.6%	\$183,100	\$1,200	
Stonington	62	18,482	7.2%	25.9%	\$75,972	5.1%	71.6%	\$349,400	\$1,500	
Old Lyme	50	7,583	4.2%	13.7%	\$93,682	3.5%	82.3%	\$307,100	n/a	
New London	39	27,550	50.6%	13.7%	\$45,509	17.9%	37.9%	\$134,8000	\$1,000	
East Lyme	31	19,080	18.2%	23.7%	\$80,293	3.2%	82.1%	\$267,300	n/a	
Waterford	25	19,451	11.0%	27.6%	\$72,036	4.3%	85.3%	\$202,900	\$1,280	

Middlesex County

A total of three municipalities in Middlesex County reported damage to 184 housing units. Per the State of Connecticut Disaster Recovery Action Plan, summary demographic data for each is provided in the

following table. The total estimated unmet need for homeowner rehabilitation in all municipalities within Middlesex County is \$1.8 million.

	Middlesex County								
Town	Damaged Homes	Population	Racial/Ethnic Minority	Elderly	Median Income	Poverty Rate	Home Ownership	Current Median Home Value	Current Average Rent
Old Saybrook	76	10,307	3.5%	34.7%	\$80,347	5.9%	81.1%	\$338,100	n/a
Clinton	40	13,291	7.3%	22.6%	\$75,122	3.6%	81.1%	\$239,200	\$1,200
Westbrook	32	6,891	9.9%	27.2%	\$60,422	4.3%	79.9%	\$310,500	\$1,500

Many owners of small primary residences and residential rental properties (1-4 units) do not have the resources to repair, reconstruct or mitigate their properties. In the absence of the proposed projects, the damaged properties will continue to deteriorate, which will do further harm to the communities in which the properties are located.

Alternatives to the Proposed Action

Alternatives and Project Modifications Considered

(Identify and discuss all reasonable alternative courses of action that were considered and were not selected, such as alternative sites, designs, or other uses of the subject site(s). Describe the benefits and adverse impacts to the human environment of each alternative, in terms of environmental, economic, and design contexts, and the reasons for rejecting each alternative. Also, finally discuss the merits of the alternative selected. [24 C.F.R. 58.40 (e); and 40 C.F.R. 1508.9])

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:

Buyouts of Destroyed or Severely Damaged 1-4 unit structures/Reconstruction off site: This process would 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.

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.

Reimbursement of rehabilitation and/or mitigation activity that has already been completed: This alternative would offer assistance in the form of reimbursement to home and residential rental property owners that have been able to address their own immediate needs as a result of damage caused by Superstorm Sandy.

DOH recognizes the need to return individuals and families back to their homes by addressing immediate unmet needs. To this end, providing reimbursements to home and residential rental property owners that have been able to address their own needs without immediate assistance will be considered only after other priorities have been met.

No Action Alternative

(Discuss the benefits and adverse impacts to the human environment of not implementing the action alternative. [24 C.F.R. 58.40 (e)])

Take no-action: This alternative would mean that home and residential rental property owners would not receive any assistance under the State of Connecticut Disaster Recovery Program Action Plan. As a result, these owners 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 owners who have already engaged in repairs prior to applying for the programs, resulting in a negative effect on the local economy. Home and residential rental property owners, 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 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.

Summary of Findings and Conclusions

Based upon completion of this environmental review, DOH as the RE, has determined that the proposed category of actions identified in the Tier I review, are not anticipated to cause significant changes to either existing environmental conditions or to the human and natural environment. Therefore, in accordance with HUD's implementing regulations of 24 CFR Part 58 and the National Environmental Policy Act, 1969, these activities were found to be Categorically Excluded under §58.35 (a), subject to the related Federal laws and authorities under § 58.5, but not subject to the completion of an Environmental Impact Statement or Environmental Assessment. As a result, the Tier 1 review identified the following resource subject areas will require site-specific analysis before it can be concluded that a specific proposed project activity would have no significant environmental impacts on an individual site. These authorities are referenced under HUD's regulations at 58.5, 58.6 and Part 51:

- Historic Preservation [36 CFR Part 800]
- Floodplain Management and Wetlands Protection [24 CFR 58.5 (b) and E.O. 11990]
- Coastal Zone Management Act [Sections 307 (c), (d)]
- Sole Source Aquifers [24 CFR 58.5 (d)]
- Endangered Species Act [50 CFR 402; 16 USC 1531 et seq.]
- Wild and Scenic Rivers [24CFR 58.5 (f)]
- Toxic Chemicals and Gases, Hazardous Materials, Contamination, and Radioactive Substances [24 CFR 58.5 (i) (2) (i)]
- Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51C]
- Airport Clear Zones and Accidental Potential Zones [24 CFR 51D]
- Flood Insurance [24 CFR 58.6 (a) , (b)]
- Coastal Barriers Resources Act [24 CFR 58.6 (c)]

Conditions for Approval

(List all mitigation measures adopted by the responsible entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts or other relevant documents as requirements. [24 C.F.R. 58.40 (d), 40 C.F.R. 1505.2 (c)])

The following mitigation measures are required as conditions for approval of the project:

General

- 1. Acquire all required federal, state and local permits prior to the commencement of construction and comply with all permit conditions.
- 2. If the scope of work of a proposed activity changes significantly, the application for funding must be revised and resubmitted for reevaluation under the National Environmental Policy Act (NEPA).

The following rehabilitation standards are in relation to rehabilitation, reconstruction, and mitigation of residential properties, reconstruction, and new construction of substantially damaged properties:

- 1. The State's adopted statewide building code energy efficiency standards are connected to the International Energy Conservation Code 2009 ("IECC").
- 2. All applicable local codes, rehabilitation standards, ordinances, and zoning ordinances at the completion of the rehabilitation project will be met.
- 3. The International Residential Code (IRC) (with windstorm provisions) and International Building Code (IBC) will be utilized where applicable.
- 4. All OORR and SSRR projects will comply with Housing Quality Standards (HQS) and all applicable local codes and ordinances.
- To avoid duplicative inspections when Federal Housing Administration (FHA) financing is involved in a CDBG-assisted property, the State may rely on a Minimum Property Standards (MPS) inspection performed by a qualified person.
- 6. The State's requirement that all replacement of residential properties, including reconstruction and new construction of substantially damaged properties meets the Enterprise Green Communities Standard.

- 7. The State's requirement that Recipients adhere to the EPA's Green Infrastructure resources and incorporate them into their project to the extent feasible. The Enterprise Green Communities Criteria will guide recipients primarily through landscaping techniques.
- 8. Strongly encourage the use of green infrastructure techniques to mitigate against storm water run-off and flooding.
- 9. For those buildings that are non-substantially damaged, the State will require that they be rehabilitated following the HUD CPD Green Buildings Retrofit Checklist. The requirement for rehabilitation means that the developer and/or construction team will strive to meet the checklist standard to the extent that there are Energy Star, Water Sense and Federal Energy Management Program-designated products available. The State recognizes that most energy-and water-consuming appliances and products now are available with these designations, and therefore, acknowledges that in a rehabilitation situation most products will be available with conservation designations.

Historic Preservation

All activities must comply with Section 106 of the National Historic Preservation Act per the implementing regulations 36 CFR Part 800. Compliance with Section 106 is achieved through the procedures to be set forth in the Programmatic Agreement between the Department of Housing (DOH), the State Historic Preservation Office (SHPO), and the Advisory Council on Historic Preservation (ACHP).

The Programmatic Agreement, which is in development, will contain processes to expedite the environmental review of 1-4 unit residential properties that experienced damage from Superstorm Sandy. The agreement will acknowledge that there will be a cross-section of damaged properties that have historic significance. The purpose of the Agreement is to ensure that those properties are identified and undergo the appropriate review to meet Section 106 regulations, and that there is clarity around which properties need additional review and which do not. Full historic preservation audits will not be necessary for properties that are determined to not have historic significance. Because the two-year expenditure timeline of the Sandy Recovery funding demands an efficiency of review for these properties, DOH, SHPO and the Advisory Council have laid out a procedure for property reviews that includes:

- 1. Determining which redevelopment/rebuilding actions can be excluded from SHPO review;
- 2. Defining a process to determine the accurate scope of work for projects;
- 3. SHPO pre-screening of CDBG-DR properties to provide initial analysis of which properties may need additional review;
- 4. Determining an efficient and effective process to address properties that are identified as having historic significance, with the recognition that some properties will not advance to this level of review; and
- 5. SHPO and the Advisory Council have created an appendix to the Programmatic Agreement that lists which actions will be categorically excluded from historic review, and therefore, relieve DOH of any additional obligations under Section 106.

Historic Preservation regulations prohibit the use of CDBG-DR funds on activities that will have an adverse effect on any property that is listed or is <u>eligible</u> for listing on the National Register of Historic Places. <u>Each individual activity</u> will be reviewed by the State Historic Preservation Office (SHPO) to determine if it will have an impact concerning the "effect" on historic properties.

Rehabilitation projects are often the most sensitive to adverse effects. The rehabilitation of historic structures must be done in accordance with "The Secretary of the Interior's Standards for Rehabilitation". The "Standards" were designed specifically for federal rehabilitation programs. For new construction or any ground disturbance in rural areas, it may be necessary to undertake an Archeological survey if there was known Native American activity in the area.

In the event that archeological deposits, including any buried stone wall foundation remains, dense ceramic deposits, substantial shellfish remains, Native American pottery, stone tools, bones, or human remains, are uncovered on a specific site, the project work on that site shall be halted to avoid or minimize harm to the finds. All archeological findings will be secured, and access to the sensitive area restricted. DOH will consult with SHPO, the Office of the State Archaeologist at the University of Connecticut (Storrs), and if applicable the state's Native American community. SHPO may provide additional technical guidance concerning consultations with other parties, as warranted. Work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the program is in compliance with the National Historic Preservation Act (NHPA).

Projects will require evidence of consultation with SHPO; SHPO may provide additional technical guidance concerning consultations with other parties, as warranted. SHPO Determinations must be made and documented in the environmental review file. If SHPO determines that an individual project activity will have an <u>adverse effect</u> on an historic property, the project scope of work will be altered, if possible, to mitigate the adverse effect.

Floodplain Management

For those residential properties located in flood zones in Fairfield, New Haven, Middlesex and New London Counties and the Mashantucket Pequot Indian Reservation, DOH has made the decision that there is no practicable alternative to providing CDBG-DR assistance to homeowners and owners of small rental properties (1-4 units) for the reconstruction, rehabilitation, elevation and mitigation of their properties in these flood zones.

Prior to making this decision, DOH completed an 8-Step analysis of the adverse impacts associated with the continued occupancy of the floodplain and considered whether there were any practicable alternatives to providing CDBG-DR assistance in the floodplain (refer to Appendix A).

As a condition of receiving CDBG-DR assistance, 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].

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 either OORR or SSRR 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.

All structures funded by the either the OORR or SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted homeowner(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)]. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.

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 the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest (most recent) FEMA-issued Maps), 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).

Wetlands Protection and Water Quality*

DOH completed an 8-Step analysis of the adverse impacts associated with the continued occupancy of wetlands and considered whether there were any practicable alternatives to providing CDBG-DR assistance in these areas (refer to Appendix A).

It was determined that it is extremely unlikely that there will be a net increase in wetland development in comparison to pre-Sandy conditions as a result of these programs. In addition, the proposed OORR and SSRR projects would not increase wetland occupancy, as the proposed projects would enable people to return to their homes, but would not expand the housing stock relative to conditions prior to Superstorm Sandy. The anticipated impact on the wetlands should be minimal since the majority of activities are limited to the pre-storm building footprint.

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.

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 (See USFWS website). If project work on a specific site will impact a wetland, appropriate permits will be obtained, in compliance with Executive Order 11990. If Executive Order 11990 is triggered, the 8 Step decision making process under 24 CFR Part 55.20 modified for wetlands will be completed.

Documentation in the 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.

Note: Water Quality is also addressed under the heading Water Quality / Aquifers below.

Coastal Management

All activities within designated Coastal Boundaries must be consistent with the <u>Connecticut Coastal Management Act (CCMA)</u>. If a site-specific project is located in a community that is a coastal town, the Coastal Boundary Map in the local Town offices will be reviewed to determine if the project is located within a designated coastal boundary. For projects located within the boundary, a Coastal Site Plan Review (CSPR) application, if not exempt, will be completed and approved by the local ZBA and/or Planning and Zoning Commission (PZC) to assure consistency with the goals and policies of the CCMA and local regulations. Any project not in compliance with the CCMA will be modified to protect coastal resources, minimize threats to life and property, and/or mitigate adverse impacts. Projects located in communities with no Coastal Boundary within the municipal boundaries are exempt from this requirement.

Documentation for the environmental review record shall include if required: a copy of the locally-approved Coastal Site Plan Review application; CT DEEP Office of Long Island Sound Programs (OLISP -

Planning Section); Comment letter to local Board or Commission on the CSPR, as applicable; and a copy of other relevant local ZBA and/or PZC approvals.

Projects located in communities with no Coastal Boundaries within the municipal boundaries are exempt from this requirement.

Water Quality* / Aquifers

The key federal statutes governing water resources in the United States are the Clean Water Act of 1977 and the Safe Drinking Water Act of 1974. Federal assistance may not fund a project that threatens water quality. OORR and SSRR activities will not involve on-site water and sewer facilities therefore further review is non-applicable. If a construction project does involve on-site water and sewer facilities, approval will be obtained from the area Health District. For projects to be served by public systems, approval from the administering agency stating that the system has the capacity to handle the new use will be obtained. For commercial or industrial activities, permit/approval from the DEEP's Water Resource Unit is required. DOH will comply with all laws, regulations, and industry standards. Storage tanks below the base flood elevation must be watertight and must be anchored to resist floatation and lateral movement during a storm surge or other flood.

*Note: Water Quality is also addressed under the heading <u>Wetlands Protection and Water Quality</u> above.

The Environmental Protection Agency (EPA) has designated two (2) Sole Source Aquifers in Connecticut. These federally protected aquifers, the Pawcatuck Aquifer and the Pootatuck Aquifer, are the sole or principal drinking water sources for their areas. If these aquifers were contaminated, it would create a significant hazard to public health. Towns affected in the designated areas of the Connecticut Recovery CDBG-DR program include Voluntown, North Stonington, and Stonington (Pawcatuck Aquifer; Town of Sterling not in CDBG-DR program area) and Newtown, Monroe, and Easton (Pootatuck Aquifer).

Connecticut's Aquifer Protection Area Program [C.G.S. 22a-354a et. sec.] protects major public water supply wells in sand and gravel aquifers to ensure a plentiful supply of public drinking water for present and future generations. Aquifer Protection Areas (sometimes referred to as "wellhead protection areas") have been designated around the state's 127 active well fields in 80 towns in sand and gravel aquifers that serve more than 1000 people. Forty (40) of those towns are located within the CDBG-DR program area. Land use regulations have been established in those areas to minimize the potential for contamination of the well field. The regulations restrict development of certain new land use activities that use, store, handle or dispose of hazardous materials and require existing regulated land uses to register and follow best management practices. Housing rehabilitation is not considered a regulated or restricted activity; regulated activities are usually commercial or industrial in nature. If it is determined after a site-specific review that an individual OORR or SSRR activity may pose a threat to the ground water, consultation with the local aquifer protection agency will be required. Maps of Connecticut's Aquifer Protection Areas are available on the DEEP website.

The following municipalities have adopted Connecticut Aquifer Protection Areas and are located within the CDBG-DR program area:

Beacon Falls, Bethany, Bethel, Cheshire, Clinton, Colchester, Cromwell, Danbury, Darien, Derby, East Lyme, Essex, Griswold, Guilford, Hamden, Ledyard, Madison, Meriden, Middletown, Naugatuck, Newtown, North Haven, North Stonington, Norwalk, Old Saybrook, Oxford, Portland, Prospect, Ridgefield, Seymour, Shelton, Southbury, Sprague, Stamford, Stonington, Wallingford, Westbrook, Weston, Westport, and Wilton.

Endangered Species

The Federal Endangered Species Act (ESA) requires the Action Agency (DOH) to make a determination of effect to any federally listed species or designated critical habitat that may occur as a result of an action that is funded, authorized, or carried out by the Action Agency. The ESA ensures that no federally assisted action will jeopardize an endangered species or threaten to destroy or modify critical habitat. Protected species include those on the Federal lists of Endangered and Threatened Wildlife and Plants, as well as the Connecticut Endangered, Threatened and Special Concern Species lists.

For OORR and SSRR activities located at waterfront properties with sandy beaches, consultation with CT DEEP's Natural Diversity Data Base (NDDB) Section is required. A Request for Natural Diversity Data Base State Listed Species Review will be completed including attachments. DEEP will review the site and scope of work to determine if the project threatens any endangered species or critical habitat. If the project will have such an effect, it will be altered to mitigate the adverse impact. Further consultation with U.S. Fish and Wildlife Service will be conducted in the event that an adverse effect is determined. Additionally, DOH will determine if there are areas of multiple sites in close proximity that may result in an adverse effect so that those sites can be reviewed together, if necessary.

Wild and Scenic Rivers

The Federal Wild and Scenic Rivers Act limits development along rivers designated as wild and scenic or under study to be designated as such. The only applicable river in the Connecticut Disaster Recovery designated area is the Eightmile River running through Lyme, Salem and East Haddam (New London and Middlesex Counties). If the project site is within one mile of the river and involves new construction activities, consultation with the Eightmile River Wild and Scenic Coordinating Committee is required. CT DEEP and/or the U.S. Department of Interior National Park Service may also be consulted.

Air Quality

All activities must comply with applicable federal, state, and local laws and regulations regarding construction emissions, including but not limited to the Connecticut State Implementation Plan (SIP) which outlines the steps that should be taken to minimize air pollution. All necessary mitigation measures will be used to minimize fugitive dust emissions created during the rehabilitation of existing structures.

<u>General conformity determinations under the Clean Air Act (CAA):</u> Any nonattainment area plans should have applied at the time of construction and compliance should be documented. The proposed action must not result in any new violations of federal or state ambient air quality standards.

Fairfield and New Haven Counties are within an area of nonattainment for inhalable particulate matter (PM2.5); and all counties within the program area are classified as "marginal" for the 8-hour ozone, as viewed on the EPA's "Counties Designated Nonattainment" map at http://www.epa.gov/airquality/greenbook/.

Section 176(c) of the CAA requires a federal agency that funds any activity in a nonattainment or maintenance area to conform to the SIP. Conforming to an SIP means that an action will not:

- Cause or contribute to a new violation of any standard in any area;
- Increase the frequency or severity of any existing violation of any standard in any area; or
- Delay timely attainment of any standard or any required interim emission reduction or other milestones in any area.

Project activities will be completed on existing residential developed sites and existing structures, and would not substantively affect the CT SIP due to the implementation of standard Best Management Practices (BMPs) that control dust and other emissions during construction. Air quality impacts will be short-term and localized. No significant impacts on air quality will result and further examination is not required.

Farmlands Protection

The purpose of the Farmland Protection Policy Act is to minimize the extent to which federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses and assure the administration of federal programs so that they are compatible with State and local efforts to preserve farmland. Agricultural land use conversion is not included in program activities so adverse effects to agricultural resources are not anticipated. Most construction activities will not occur outside of the existing structure's footprint so that this authority should not apply.

If site-specific projects were to include new construction, acquisition of undeveloped land or change in land use or property a review would be conducted to determine compliance. New construction in a clearly defined urban area may be exempt. Consultation with the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) maps regarding soil types that are considered Prime Farmland and Farmland of Statewide or Local Importance is required. If necessary, a Farmland Conversion Impact Rating Assessment will be completed.

Manmade Hazards: Thermal Explosive

Under 24 CFR Part 51 Subpart C, HUD established standards for the location of proposed HUD-assisted projects near hazardous operations handling petroleum products or chemicals of an explosive or flammable nature. These regulations apply to all new construction as well as any residential rehabilitation that involves an increase in unit density or a change of use. Accepted separation distance (ASD) requirements do not apply to OORR and SSRR activities because the definition for HUD-assisted projects in 24 CFR Part 51.201 is predicated on whether the HUD project increases the number of people exposed to hazardous operations. Therefore, the environmental review for grants to elevate,

rehabilitate, or reconstruct housing that existed prior to the disaster where the number of dwelling units is not increased, is not required to apply 24 CFR Part 51 Subpart C.

If a project were to include new construction or rehabilitation with an increase in unit density or a change of use, a determination regarding the site's ASD would be required. Consultation with the local Fire Marshal would confirm if there is any use or storage of hazardous materials near the project site (a minimum one mile radius). Local Hazardous Material (HAZMAT) plans identify the storage sites for each municipality. Once the location of hazardous materials is identified, determinations must be made regarding the type of materials, the amount (gallons), and whether materials are being stored in pressurized containers. Once this information is obtained, it is applied to a series of graphs contained in the regulations through which it is determined if there is an acceptable ASD.

These standards do not apply to gasoline stations with underground tanks nor does it apply to onsite fuel storage for use by the project such as an oil tank for a multifamily unit.

Manmade Hazards: Noise

The purpose of federal noise guidelines [HUD's The Noise Guidebook and 24 CFR Part 51B] is to assure that the development of housing and other noise sensitive uses is done in areas that have acceptable noise levels under federal regulations; the decibel level is generally not allowed to exceed a day/night average of 65 decibels for noise sensitive projects.

HUD has determined that noise abatement and control is not applicable to a disaster recovery program which meets the definition under 24 CFR Part 51.101(a) (3) for emergency assistance under disaster provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disasters.

The reconstruction or rehabilitation of 1-4 unit residential properties would result in the same amount of development that existed at pre-Superstorm Sandy levels and would not result in any significant increase in ambient noise levels. The proposed activities would cause temporary increases in noise levels due to construction activities and truck traffic. Temporary increases in noise levels would be mitigated by compliance with local noise ordinances including time-of-day work limitations.

If a site-specific project were to exceed restoration of facilities as they existed prior to Superstorm Sandy, noise policies would apply. The site decibel level would be determined by completing a Noise Assessment. A Noise Assessment will be required only if any of the following major noise sources are present:

- 1. commercial airports within 15 miles;
- 2. major highways within 1,000 feet;
- 3. railways within 3,000 feet; or
- 4. frequent loud, impulsive sounds adjacent to the project.

If the noise sources listed above are not present, the site will be considered acceptable and a Noise Assessment is not required. For housing rehabilitation, noise sources should be identified and projects should include noise attenuation devices (double-pane windows, etc.) if noise levels are considered a problem. However, a Noise Assessment is not required for housing rehabilitation and there are no restrictions prohibiting rehabilitation in relation to noise levels.

Non-noise sensitive uses, such as streets, sidewalks, water and sewer, drainage, handicap access, etc. are exempt from meeting noise level requirements. If a Noise Assessment results in a day/night average of 65 decibels or more, noise levels will be mitigated.

Airport Clear Zone

Federal regulations [24 CFR 51 Subpart D] prohibit CDBG-DR funding for most activities in FAA designated Commercial Service Primary Airport Clear Zones. The federal prohibitions apply principally to either new construction or substantial rehabilitation that extends the economic life of existing facilities within Clear Zones. Clear Zones typically include approximately 80 acres at each end of each active runway.

In Connecticut, there are four (4) FAA designated Commercial Service Airports, of which two (2) reside in the Connecticut Disaster Recovery program designated area. These two (2) airports are:

- 1. Tweed New Haven Regional; and
- 2. Groton-New London (General Aviation/Commercial designated airport).

If a site-specific project is in the vicinity of either of these airports, a Tier 2 review will contain documentation from the airport's Planning Section consisting of a map showing the boundaries of the Clear Zones. Generally, rehabilitation activities within these Clear Zones will not be allowed.

Toxic Sites, Chemicals & Gases; Hazardous Materials; and Contamination & Radioactive Substances

The purpose of the regulations [24 CFR 58.5 (i) (2) (i)] is to avoid activities supporting new development or rehabilitation for habitation when toxic chemicals or radioactive materials would affect a project. All CDBG-DR assisted properties that are proposed for use must be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.

<u>Toxic Sites:</u> A Tier 2 site-specific review will determine if a statement may be made that the site (i) is not listed on an EPA Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) List, or equivalent State list; (ii) is not located within 3,000 feet of a toxic or solid waste landfill site; (iii) does not have an underground storage tank (which is not a residential fuel tank); and (iv) is not known or suspected to be contaminated by toxic chemicals or radioactive materials.

All multifamily properties, nonresidential properties, and properties that cannot make the above statement must also have a Phase I Environmental Site Assessment (ESA) or equivalent that shows the site has no potential Recognized Environmental Conditions (REC). If a potential REC appears in the

Phase I, a Phase II ESA must be performed. If the Phase II ESA shows an REC, then the project must have a No Further Action letter from the state environmental agency indicating that the contamination will not affect the health and safety of the occupants or conflict with the intended utilization of the property.

<u>Radon:</u> It is HUD policy that all occupied structures proposed for inclusion in HUD-funded programs be free of radioactive substances that could affect the health of the occupants. EPA recommends that homes be remediated if the radon concentration is 4 picocuries per liter of air or more (Radon—Basic Information, http://www.epa.gov/radon/aboutus.html). Elevated concentrations of radon are unlikely under certain circumstances. In the OORR and SSRR Programs no radon testing or mitigation of homes will be required for the following categories of structures:

- Structures in municipalities classified as having low radon potential;
- Structures with unenclosed air space between the entire lowest floor and the ground; and
- Structures that have been evaluated by a radon professional and found to require neither testing nor mitigation based on a physical inspection of the property, the characteristics of the building, and other valid justifications. An example of a valid justification is having only a garage on the surface level that is open to the air and is fully ventilated.

According to EPA, the Superstorm Sandy impacted areas of Fairfield, New Haven, New London and Middlesex Counties are located in Radon Zone 1, where the predicted average indoor radon screening level is greater than 4 picocuries per liter (pCi/L). In the OORR and SSRR Programs, flood mitigation measures including elevation, are required for the rehabilitation of homes located in the floodplain. Therefore, it is anticipated that the majority of properties will fall into the exempt category of structures with unenclosed air space between the lowest floor and the ground. Homes to be rehabilitated that are not in one of the exempt categories (described above) must be tested for radon in compliance with all current EPA guidelines. If the radon level is below the standards of 4 picocuries per liter of air, no further action is required. If the radon level is at or above this standard, radon mitigation measures must be implemented and the home must be retested to ensure that radon levels below the standards have been achieved.

<u>Lead-Based Paint:</u> All activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint, including but not limited to, EPA Repair, Renovation, and Painting (RRP) Rule (40 CFR 745.80 Subpart E), HUD's Lead Safe Housing Rule at 24 CFR Part 35 Subparts B-R and HUD "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing."

Housing units built prior to 1978 will be inspected for lead-based paint hazards, or may be presumed to have such hazards. Compliance will include removal of lead-based paint hazards, notifications and clearance examinations.

<u>Asbestos:</u> OORR and SSRR activities will be in compliance with all federal, state, and local laws and regulations. Site-specific project inspections that note the presence of asbestos in area(s) that require

repair or rehabilitation will include measures to minimize the risk of exposure and, when necessary, abatement of any hazardous material.

<u>Mold:</u> Mold can also have an adverse effect on human health and is a very common problem in houses that have been flooded. Mold should not be a problem in houses that are demolished and reconstructed, but could remain in rehabilitated housing if steps are not taken to eliminate mold during rehabilitation. All structures funded under the OORR and SSRR programs will be inspected for mold contamination and mold remediation in accordance with Connecticut Guidelines for Mold Abatement Contractors. Currently, there are no EPA regulations or standards for airborne mold contaminants (Standards or Threshold Limit Values (TLVs) for airborne concentrations of mold, or mold spores, have not been set).

Qualified professionals, using current techniques, shall undertake investigations when determined necessary. Contamination issues identified by qualified professionals shall be mitigated; assessments will be attached to the environmental review record as well as remediation plans, permits, approvals and clearance reports if applicable.

Environmental Justice

All activities must be in compliance with Presidential Executive Order (EO) 12989 "Federal Actions to Address Environmental Justice in Minority Populations and Low Income populations". Generally, this EO applies to low-income or minority neighborhoods where the HUD assisted project proposes the acquisition of existing housing, the acquisition of land for development, and new construction. Environmental justice issues may include, but are not limited to new, continued or historically disproportionate potential for high and adverse human health and environmental effects on minority or low-income populations.

The proposed programs are not expected to result in environmental justice impacts as they are intended to address rehabilitation of existing homes devastated by Superstorm Sandy. Homes/applications within Environmental Justice (EJ) Communities and Economically Distressed Municipalities will be treated the same as homes/applications in non-EJ/non-distressed areas and will have equal opportunity.

A site-specific environmental review would determine if the proposed site or neighborhood suffers from disproportionate adverse health and environmental effects relative to the community at large. The site will be reviewed for the presence of toxics as described in this document to ensure that contamination does not exceed state standards. If the project is likely to raise environmental justice issues and has the potential for new or continued disproportionately high and adverse human health and environmental effects on minority or low-income populations, mitigation or avoidance of adverse impacts from the project, to the extent practicable, will be considered. A list of the Economically Distressed Municipalities and maps of Environmental Justice Communities within Connecticut are available on the CT DEEP website.

Flood Insurance

CDBG-DR assistance provided for a structure located in the 100-year floodplain or Coastal High Hazard Area (as determined using the Flood Insurance Rate Map adopted in the community's flood ordinance) must require flood insurance to be obtained in the amount of the total project cost. The development or project cost is the total cost for rehabilitating, demolishing, and/or reconstructing the building following the disaster. The project cost includes both the federally-assisted and the non-federally assisted portion of the cost, including any machinery, equipment, fixtures, or furnishings, the total cost of that item must also be covered by flood insurance.

Per federal regulations and OORR and SSRR program guidelines, for site-specific projects located in the 100-year floodplain, the assisted homeowner(s) are required to maintain flood insurance for not less than five years from the date of the assistance.

Coastal Barriers

No construction or rehabilitation activities can be provided CDBG-DR assistance in Coastal Barrier Resource Act units. Site-specific projects will be reviewed in order to confirm that the property is not located within the Coastal Barrier Resources System (CBRS). There are thirty-two (32) CBRS units along the Connecticut shoreline (John H. Chafee Coastal Barrier Resources System; maps available at the United States Fish and Wildlife Service Coastal Barrier Resources Act Internet Website: http://www.fws.gov/CBRA/Maps/index.html).

Airport Clear Zone Notification

If the project involves the assistance, subsidy, or insurance for the purchase or sale of an existing property in an airport clear zone, the appropriate notifications will be made as per 24 CFR Part 51D. Notification shall consist of advising the buyer that the property is in the Clear Zone, the implication of such location and that future acquisition by the airport operator is possible. The buyer must sign a statement acknowledging receipt of this information.

Each site will be reviewed for its location within the airport clear zones and potential accident zones in the Tier 2 site-specific review. The type of assistance mentioned above is not anticipated in the Connecticut Disaster Recovery program.

Solid Waste Disposal

The Solid Waste Disposal Act as Amended by the Resource Conservation and Recovery Act of 1976 [42 U.S.C. 6901-6987] requires that project sites be assessed for the proximity of solid waste disposal services to the site, as well as, the capacity of services to accommodate the project. Anticipated impact on solid waste disposal services are minimal due to the majority of Connecticut Disaster Recovery program activities being limited to the pre-storm building footprint. For site-specific projects, existing solid waste disposal services will be assessed for adequacy to handle construction debris as well as proximity of service to site.

Fish and Wildlife

The Fish and Wildlife Coordination Act [16 U.S.C. 661-666c] requires that program activities will not result in impounding, diverting, deepening, channelizing or modification of any stream or body of water. The Connecticut Disaster Recovery program is not a water control project, therefore no impact is anticipated.

Additional Studies Performed

(Summarize and attach all special studies performed to support the environmental analysis)

Additional State or Local environmental statutes or regulations may apply to project activities. Such requirements are listed on the Statutory Checklist and the determination of applicability to the proposed project must be indicated. Applicable State and Local statutes include:

- Flood Management Certification [CGS 25-68] General Permit for CDBG-DR program activities with DEEP is in development;
- Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f] Activities waterward of Coastal Jurisdiction Line require authorization from DEEP OLISP Permitting section;
- Tidal Wetlands Act [CGS 22a-28 through 22a-35] Activities within tidal wetlands require authorization from DEEP OLISP Permitting section;
- Local inland wetlands/watercourses [CGS 22a-42] Inland wetlands or watercourses are regulated by local inland wetlands agencies. 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. The local agency should be contacted regarding permit requirements; and
- Various Municipal Zoning Approvals Approvals required by Planning/Zoning Commission or ZBA must be obtained.

APPENDIX A

Copy of Areawide Compliance Process document for Floodplain Management and Wetland Protection 8-Step Decision Making Process [24 CFR 55, Executive Order 11988, Executive Order 11990]

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.

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 resilience measures, mitigation enhancement and improved while restoring 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
TOTAL UNMET NEED	5,500	\$10,391	\$57,150,000

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.

Estimated Acreage of Special Flood Hazard Areas Per County					
County Acreage based on DFIRM Data					
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):

Jurisdiction	Municipality	Number	Amount	NAICS
				Classification
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		1	\$10,888	Hotels
Pequot Reservation			***	(Except Casino Hotels)
Mashantucket		1	\$92,000	Casino Hotels
Pequot Reservation				
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
Subtotal		18	\$5,057,888	(Classified Only)
Jurisdiction	Municipality	Number	Amount	
New Haven County	Waterbury		\$160,000	
Fairfield County	Danbury		\$35,000	
Subtotal			\$195,000	
TOTAL			\$5,252,888	

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: <u>Identify and Evaluate Practicable Alternatives to Locating in the Base 100-year Floodplain or Wetland</u>

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: <u>Identify indirect or direct impacts of Proposed Actions on the Floodplain or Wetland</u>

The <u>Proposed Actions</u> 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 <u>Proposed Actions</u> 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.

<u>Potential Impacts:</u> 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) 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.

<u>Biologic Processes:</u> 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 <u>not</u> 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: <u>Identify methods to minimize the potential adverse impacts within the floodplain or wetland and to restore and preserve its natural and beneficial values.</u>

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.

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. 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 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

BRIDGEPORT EAST MAIN ST, nenr Boston Av. Fully Renov. Lg. 3BR 1st II, hawd firs, now Kitchen & Bith w/cersmic tiles. New appl, OSP, 8ec 8 ok. \$1150. 203.260.0328

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BRIDGEFORT/FFLD High rise Studio 12th floor, \$925/m.+sec, includes HY/Hw/AC/rooking gas/dman+ elevators, \$ec, cameres, loundy, csp. No pete/smkg, 203-243-7718

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STATE OF CONNECTICUT COURT OF PROBATE SHELTON PROBATE DISTRICT

NOTICE TO CHEDITORS ESTATE OF STELLAT, MIAZGA Decessed (13-50345)

Hon, Fred J. Anthony, a he Court of Probato, Si sate District, by decree ember 20, 2013, orders cluber 20, 2013, orders cluber you the notices flowley in the notices Fegure to promptly pr

Robert Miazga c/o Richard J. Slagte, Esq., Bent-ley, Mosher, Babeon & Lambort, P.O., 530 Old Post Road, 45, Greanwich, CT 98330.

PUBLIC NOTICES

ANY INDIVIDUAL WITH A DISABIL-ITY WHO NEEDS SPECIAL ASSIS-TAYCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE ADA COORDINATOR, AT 385-40/20 OR 385-40/20 (TOD) & DAYS BEFORE THE MEETING IP POSSIBLE

NOTICE

The Sunford Pauring Commission is holding a public hearing to solicit final contents on the draft 2013 Town Plan of Conservation and Davelopment and to adopt the Plan, Copies of the Plan are or file in the Town Clerk Office, Town Library, Beldevin Center and Commission of the Commi

The proposed Town Plan of Con-servation and Development is on file in the Planning and Zoning Of-tice, Room 113, Town Hall, Strat-ford Connecticut.

A copy of this notice is on file the Town Clerk's office. ATTEST: JOHN 9. ZBELL, Chalmen PLANNING COMMISSION



BRIDGEPORT 2-38H apts. Fridge/stove, W/W crpt. \$1200 Section 8 ok. 203.375.2138 $\star\star\star$

BRIOGEPORT 3BR-\$1100, STRATFORD 4BR-\$1500. STRATFORD 2BR-\$1200. Sec 8 ok, 203-339-5863/203-751-0775 PRE



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Pallsade Av. Lg mod 18R, \$600-660
Studios \$600+, Parling & laundry,
Cell 203-336-4115 or 203-336-8000,

BRIDGEPORT/STRATFORD LINE Neur Bpt hosp. Boston Ava. X-ing 1BR, ht & prkg hold. Lndry. \$900-\$1000, 203-305-4115, 335-6000. BRÍDGEPÓRT/UB ÁREA 2BR. 2nd R.ap prly hs. Frash point, updated kilápk., ba. 765 franistan Av. 8976, 203,626.3200

BRIDGEPORT EAST Side, 48R, 1st fir w/fin basement, \$1650/mo. Sect ok. Call 203,615,1908

See photos HubRoulty.com or local.com/160715/

PUBLIC NOTICES

bis. NOTICE
The STRATFORD EDARD OF ZONHIS APPEALS will hold a Public.
Hearing on Tuesday evening, Deearnbar 8, 2013 at 750 P.M. in the
Council Chamber, Town Hell, to
hear arguments for and egainst
the following:

1333 LORDSHIP RIVD Patition of CONNECTICUT DISTRIBU-TORS, INC. to waive miximum building coverage of 5% to 53% and parking from 102 spaces for an addition on property located in an MB District.

2.60 WATSON BLVD. Patition of CONCENTRA to walve the size of two directional signs from 1 sq. fact to 2 sq. fant on property local. two directional algos from fact to 2 sq. foot on property ad in an MB District.

3.411 BARNIOM AVE CUT-OFF Pullion of KRAMONT OPERAT. NG PART, IP to welve madinum bulisting helpin of 35 ft. to 44 ft. 8 in, in-order to install an architectur-al addition at a proposed liness center on properly located in a CA/MA District.

4.1235 PROSPECT DR. Pelition of MR. & MRS, ED DANIELS to waive MA: A MRS, ED DANIELS to waive the streat frontage recolliment of Section 9.3, of the Zoning Regular-tions in order to raze all existing structures and build a new single family residence on property locat-ed in an RS-2 District.

5.126 RETTER ST (LOT 28) Petition of LARRY WELLS to waive lot width from 80 lt. to 50 ft. and lot area from 7,500 sq. feet in order to construct a single smill yes/dence on proporty located in an RS-4 District.

7.126 RETIER ST (LOT 27) Peli-tion of LARRHY WELLS to waive to width from 80 ft. to 50 ft. and lot area from 7,500 sct. feet to 5,700 sct. feet in order to raza an existing residence and construct a new single family residence on property located in an RS-4 Dis-trict.

\$177 A 207 GROWE ST. Petition of MISTY BLUE, LLC & 177. GROWE ST. Luck to waive the 78 ft. setback from tidal wellands for lots 4 through 6 and the proposed word to setbacks minging from 13.8 ft. to 63.8 ft. and the accressivary length to lot 7 from 80 ft. to 30.6 ft. in order to constitute 8

A Coastal Bite Plan Review of the petition is required in accordance with the Coastal Management Act.

APARTMENTS FOR RENT | APARTMENTS FOR RENT | APARTMENTS FOR RENT | APARTMENTS FOR RENT | APARTMENTS FOR RENT |

*** *** ***

BRIDGEPORT PLEASANTVIEW APTS

lewer Building! Total Green Technology throughout Coswinient to Use July, India 198 S. shin, But, Mr. 293/USE Apis. Shin, Shin Visit: <u>www.PleasantViewBridgeport.com</u>





BRIDGEPORT Trum 15r mod, bidg. Apple, prkg. S775. 203-459-0473

BRIDGEPORT NE, off Boston Ave 5rm, 2BR, LR, DR Etk. \$1150/mo. 203-818-5759 or 203-818-5574 BRIDGEPORT 204 Wheeler Av. Lrg 16R, W/D, ontrieir, OSP, Avl Immd, Sec8 ck. Sec/refs. No pets. \$850. 203-847-9824, 203-247-7268

BRIDGEPORT 18R Clarmont Ave. Near stores, bus & restsumants! Tile KIT, New carp, cap, laterdry, AC. \$815 per month, 203,520,2461

SS15 per month, 203,530,2481
BRIDGEPORT 3 & 4BR, Son, S. ok., Move-In, Fresh paint, yell in yell or gong-Fision 5:300, 203-576-8809
BRIDGEPORT 3-4BR apt swall immed, section 8 ok. 51456.
Call 223-578-5161 or 2035-208-5105
BRIDGEPORT Adorable 1BR. Lip sun-yol (A), picture wind, DR, kit wileppl.
Modern ba, prig. 5526, 203,797,0340

PUBLIC NOTICES

Notice of Censtal Consistency Review Applicant: United States Censt Guard Application No. 201305754-SJ City/Town: Stratford

The Department of Energy and Environmental Proteotion has received majurals pursuant to section 937/cj(1) of this Coastal Zone Managemen And to review proposed authritists for consistency with enforcastic part older of Connecticut's factorialy approved Coastal Management Fragma contained in souther 260-2 to 250-21 of the Commistrial General State uses to configer work well-energy and the coastal potasticution gives in bid coastal or neinfujable waters of the salter forflood and emosily control.

Applicant's Address: 475 Klivert Street, Warwick, Rt, 02886 Contact: Chudio Poiselli; (401) 736-1713; claudio.poisetil@uscg.m3 Site Location: Strafford Point Lighthouse

al resources.

NECOMATENT RECUESTAS/PUBLIC COMMENT
Interested persons may obtain a copy of the application from the above
contact or by seemling a request for an electronic copy to DEEP at
anamiprochem/Recupy. The application is available for 'expection at the
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Date: November 27, 2013

ADA PUBLICATION STATEMENT
DEEP Is an Affirmative Action and Equal Opportunity Employer that
committed to complying with the Americans with Disabblies Act. To
quiest an accommodation containt us at (860) 416-8915
deep.accommodations do to the containt us at (860) 416-8915

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



The let to give notice that the State of Connection Department of House The let to give notice that the State of Connection Department of House 1988 and 1988 and 1988 and 1988 and 1988 and 1988 and 1988 Subject of Procedure for Moting Determinations on 1988 (CPR 55: Subject of Procedure for Moting Determinations on 1989 including mint, for distantive the potential affect that the selving is the Boodpia man, the distantive the potential affect that the selving is the Boodpia ment Block Gram - Debaster Recovery (CDB-CNP State of Connection Disaster Recovery Program scriptics under Title 1 of the Housing at Community Development Act of 1974 (F. 03-358).

Community Development Act of 1974 (Pt. 03-359).

The Sitab has profession that its first alloquation of the CDSG-DR funds, as societied in the Sitate of Conjectical Disaster Recovery Program Action Plan (ST), 420,000 in Intuly will be intended to meet turned no east of individuals and families for housing and business assistances affocied by being a single procession of the sitate of the sit

Though the confined not also the desirated one reputation of the propess, they proposed on joint will be located in the following four counties or the Matameticket project indian Reservabuth: "Fairfield County, New Hear County, Michael Co

There are three primary purposes for this notice. First, pt be affected by neithviles in floodpains and wettands and to an interest in the protection of the natural environment, at an opportunity to express their consenus and provides in portunity to express their consenus and provides in portunity public decisions. The dissumpliance of the floodpains and wettends can facilitate and enhance Foder than the risks expected with the occupancy and appetite them to the provides of the provides of the provides of the time the risks expected with the occupancy and appetite the provides of provides provides of provides of provides pr

Chairman
BOARD OF ZONING APPEALS Evoras M. Klein, Commissioner, DON

APARTMENTS FOR RENT

BRIDGEPORT All new, huge, 2-3 BR, 2nd fl, W/D & appli, irg yrd nr Rt § § 1-95, Sec8 ok. \$1190, 203,659,2308

BRIDGEFORT Brand New Apts For Renti 283brs, 27 Sixth St. 900+1000, Sec B ok, 917-293-0403 BRIDGEPORT/STRATFORD LINE Huge 28R. Kitch, wik in partry, DR, LR. Wix in closels. \$950, 203.362,7421

BRIDGEPORT NEAR Merritt Prixwy 1 BR & studios, Nice neighborhood, Gated periong & heat inc. in rent. 203-212-1910 Mon-Fri, 1-6 pm, Water, Ivanopertmenter*

PUBLIC NOTICES

Public Motion of Procling Agents of A Viginaria Conference of Procling Agents of A Viginaria Conference of Public Agents of A Viginaria Conference of Public Agents of Agents of

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PROBATE NOTICES

STATE OF CONNECTICUT

COURT OF PROBATE

UMBULL PROBATE DISTRICT NOTICE TO CHEDITORS

ESTATE OF SYLVIANN DUDLEY Late of Monroe (13-00476)

e Hon, T.R. Rowe, Judge of the run of Probate, Transbull Pro-te District, by decree dated No-ber 15, 2013, undered that all ins must be presented to the outary at the address below. June to promptly present any the claim may result in the loss fights to rucover on such the properties of the pro-

The fiduclary let

Herry J. Dudley ofo Thomas J. Rosati, Esq., 3241 Mein Street, Stratford, CT 08614.

STATE OF CONNECTICUT COURT OF PROBATE RUMBULL, PROBATE DISTRICT

ESTATE OF SYLVIANN DUDLEY Late of Monroe (12-00476)

Hon, T.R. Rowe, Judge of the int of Probate, Trumbull Pro a District, by degree dated No

farry J. Dudley √o Thomas J. Rosstl, Esq., 3241 Main Street, Stratford, CT 08614.

STATE OF CONNECTICUT COURT OF PROBATE BRIDGEPORT PROBATE DISTRICT

NOTICE TO CHEDITORS

ESTATE OF CLIFFORD KYLE DUNN AKA Clifford K. Dunn (12-00503) Hon. F. Paul Kunnay, to Court of Probate, St cate District, by recrea

Kyle E, Dunn Nojan, Executrix, 106 Blakement Place, Stratfon CT 05815. STATE OF CONNECTICUT COURT OF PROBATE BRIDGEPORT PROBATE DISTRICT

NOTICE TO CREDITORS

ESTATE OF ANGEL MANUEL CAMACHO Docessed AKA Angel Cemacho (13-01026)

The Hon. Paul J. Garfin, Judge of the Court of Probate, Bridge-port Probate District, by decree dated Nevember 13, 2013, ordered that all claims must be present and the fidulary at the address below. Fallure to promptly present any such claim may result in the loss of rights to recover on such claim.

The fiduciary Is:

Amber A. Uberti ofo Thomas B. Lynch, Esquire, Lynce, Trambicki and Boynton, 63 Charry Street, Milford, CT 08460 (203) 876-4669.

CT POST 11/27/13 Aniszancer Mccaraw, The Hon. Edward C. Burt, Jr., Judge of the Court of Probabe, Handen - Bethany Probate District, by decree dated September 18, 2013, ordered that all claims must be presented to the Educary et the common service of the Educary et the common service of the Edward September 19, 2013, ordered that all claims must be present any such claim may result in the loss of rights to recover on such claim.

Christine L. Panso, Chief Clerk

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. Hoyle, Judge of the Court of Probate, Derby Probate District by decree date-of-cheches 13, 2013, ordered the court of the Huster of the Huster of the address below Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

atricia Chase, Clerk

Andrew Winter, c/o Lawrence I.Greenberg,Esq Bernblum & Greenberg, 142 Temple Street, New Haven, CT 06510

CREDITORS ESTATE OF: Bruce Berman

FORECLOSURE AUCTION The Hon. Edward C. Burt, Jr., Jidge of the Court of Probate, Handen - Beth any Probate District, by decree dated November 6, 2013, ordered that all claims must be present-ed to the fiduciary at the address pelow. Fallure to promptly present any she loss of rights to recov-er on such claim. Docket No: NNH-CV-11-6021288-S Case Name: CONNECTICUT HOUSING FINANCE AUTHORITY

PROBATE NOTICES

The fiduciary is:

Notice of Permit

Application

totice is hereby given that 195E power connecticut LLC (the applicant) of 600 Connecticut Avenue, New Haven, CT 06512 will submit to the Department of Energy and Entrope power of the Power of Energy and Entrope power of Entrope power

Valerie A. Dondi, Clerk

FINANCE AUTHORITY

VOLCEACQUIA, MARIA D.,

UDICEACQUIA, MARIA D.,

UDMINISTRATIX OF THE

ESTATE OF LOUIS F.

DOLCEACQUIA, ET AL.

PROPERTY ADDRESS;

473 Strong Street

East Haven, CT

PROPERTY TYPE:

RESIDENTIAL

DATE of SALE:

DATE of SALE:

COMMITTEE

ROBER CALESTRO, ESQ.

COMMITTEE

Phone Number:

LEGAL

NOTICE

SALE

Committee Phone Number: 203-752-1206 See Foreclosure See Foreclosure
Sales at
www.lud.ct.gov for more detailed information.

LEGAL

NOTICE

FORECLOSURE

AUCTION

SALE

Docket No.: NNH-CV12-6034109S Case Name: Bank of America, N.A. (NationStar Mortgage,

LLC, Substituted Party Piaintiff

Anne W. Kinkade, et al Property Address: 136 Perry Drive Gulliord, Connecticut Property Type: Residential Date of Sale: Saturday, at 12:00pm noon on the premises

at 12:00pm hoon
on the premises
Committee Name:
Katy J. Armenia, Esq.
Committee
Phone Number:
(203) 245-6130
See Foreclosure
Sales at
www.lud.ct.gay
for more
detalled information

LEGAL

NOTICE

FORECLOSURE

AUCTION

SALE

Docket No. NNH CV 12-6031664 S Case Name: Bank of America

Bank of America.
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

Committee
Phone Number:
203-287-8160
See Foreclosure
Sales at
www.jud.ct.gov
for more

FORECLOSURES

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.; NNH-CV10-6011611S Case Name; NATIONSTAR MORTGAGE, LLC

ELIZABETH A. WAMBOLT,

EILZABETH A. WAMBOLT,
Property Address:

8 CNEST VIEW TERPACE
VALUNGFORD, C'T G692,
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VALUNGFORD, C'T G692,
Subrey,
December 7: 0313
Committee Name:
Kristen M. Srandt, Esq.
Committee Name:
Kristen M. Srandt, Esq.
Committee Name:
Wristen M. Srandt, Esq.
Committee Name:
Visited detailed information

169966

LEGAL NOTICE FORECLOSURE AUCTION

SALE

Docket No. NNH-CV-10-6013079 Case Name: OneWest Bank

One-West Bank
Annie McCoy Lunsford,
Propes di McCoy Lunsford,
Propes di McGoy Lunsford,
457 Huntington St.
New Haven, CT
Property Type:
Residential
Dear of Sales
Dear of

LEGAL NOTICE FORECLOSURE AUCTION SALE

Docket No.
NNH-CV-QS-3029511 A
Case Name:
JP Morgan Chase Bank,
Valle Echowaria, Et Al
Property Address:
11 Essex Street
New Havey, CT
Street Street
Saturday
December 7, 2013
at 12,200 Noon
at 12,200 Noon
Attorney Gerald M. Still
Committee
Phone Number:
(203) 865-1369
See 316-84
Mywylud-Chaev
for more
detailed Information

184890

LEGAL NOTICE FORECLOSURE AUCTION

Docket No: NNH-CV10-6010308 S Case Name: Bank of America

SALE

Bank of America
David S. S. Wanson, et al
Property
15 Great Meadinw Drive
North Have
Property Types
Residential
Date of Select

I FGAI NOTICE **FORECLOSURE AUCTION** SALE

Docket No.: NNH CV-12-60263695 Case Name: OCWEN

OCWEN
V5.
SCOTT SMITH AKA ET AL
Property Address:
72 NORTHWOOD ROAD
MADISON, CT
Property Type:
Residential Residential
Pate of Sale:
DECEMBER 7, 2013
at 12:00, NOON
Committee Name:
JASON G,
BEGENARO, ESO,
Committee
Phone Number:
(203) 453-4101
See ForeCloure
Sales at
www.lud.ct.gov
for more

LEGAL NOTICE FORECLOSURE **AUCTION**

Docket No. NNH CV 11-6022449-5 Case Name; Webster Bank, N.A.

V. Pasquale P. Marcarelli, et al. Pasquale P. Marcarelli, de al., Property Address; C4 Litchfield Turnpike Bethary, CT Property Note: Residential House Residential House Residential House December 7, 2013 Committee Name: Katherine S. Goodbady, Attorney at Law Committee Phone Number 203 773–3537 See Fiere Country See Fiere See Fi

183595

LEGAL NOTICE **FORECLOSURE** AUCTION SALE

Docket No. NNH-CV-13-5038405S Case Name: Captain's Walk Planned Unit Development Association, Inc.

Association, Inc.
Robert Puglic, Et Al.
Property Address;
259 Capt. Thomas Blvd,
West Haven, CT
Property Type:
Residential
Date of Sale:
December 7, 2013
Committee Name:
Stephens Retainets
Stephens Retainets
Ledential
Committee Name:
Stephens Retainets
John Stephens
John Ste

ş4**F** LEGAL

NOTICE FORECLOSURE AUCTION SALE

Docket No. NNH-CV-12-6027227 S Case Name; CONNECTICUT HOUSING FINANCE AUTHORITY

VENICE L, WALTERS, ET AL
Property
Address:
711 CRCULAR AVENUE
HAMDEN, CT
Property Type:
RESIDENTIAL
Date of Sale:
Saturday. DECEMBER 7, 2013

12 noon
Committee Name:
VINCENT CERVONI
Committee
Phase Number:
203-265-5789
See Foreclosure
Sales at

Sales at www.jud.ct.gov for more detailed information

The fiduciary lst

LEGAL NOTICES

DOCKET NO. NNH-CV13-6041716-S : SUPERIOR COURT JEFFERSON WOODS COMMUNITY, INC : JUDICIAL DISTRICT OF NEW HAVEN

: AT NEW HAVEN

: OCTOBER 12, 2013

NOTICE TO: LUCIANO ALFARO, IF LIVING, AND IF NOT LIVING, HIS WIDOW, HERS, REPRESENTATIVES AND CREDITORS, AND ALL WINKOWN PERSONS, CLAIMING OF WIPO MAY CLAIM, ANY RIGHTS, TITLE, INTREST OR ESTATE! NO RICHT OF REAL PROPERTY DESCRIBED IN THIS COMPLIANT, ADVERSE TO THE PLAINTLEY, WHETHER SUCH CLAIM OF POSSIBLE CLAIM DE VESTED OR CONTINGENT,

The Plaintiff has named you as party defendant in the complaint which it is bringing to the above named court seeking a foreclosure of the premises at Unit 216, 216 Monticello Drive, Jefferson Woods Community, Branford, Connectious, for Indipayment of common openes assessing the property of the Connection of the Conn

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 thing, 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, IJICI-ANO ALFARO, has moved to parts unknown, if living, and that all reasonable efforts to give notice have been made and have falled.

Now, Therefore, it is hereby ORDERED that notice of the institution of this action be given to LUCIANO ALEAKO, if the institution of this action be given to LUCIANO ALEAKO, if creditors, by some proper of the proper of the control of the control

Michael G. Maronich, Judge Superior Court, J.D. of New Haven at New Haver October 28, 2013

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

NEW HAVEN

REGISTER

11/27/2013

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 11980, in accordance with HUP regulations at 24 CFPS-525 Subpart C Procedures for Making Determinations on Flood-plain Management, to determine the potential effect that its activity in the floodplain and wethand will have on the human environment for Community Development Side of Sand Police of the Community of

under into I of the Housing and Community Development Act of 1974 (Pt. 93-93). The State has prioritized that its first allocation of the CDBS-Dy funds, as specified in the State of Comnecticut bisaster Becovery Program Action Plan (\$71,800.00) in total will be directed to meet unnet 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 and planning for rebuilding and resiliency of infrastructure, and public facilities and planning level, As more 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 low was all and the structure of the state of the structure of th

Though the confirmation of site locations is currently in progress, the proposed projects will be heated in the following four counties or the Mashantucket Pequet Indian Reservation: Fairheld County, New Neven County, Modelesce County and New London County, and New London County, and Neven County and Neven County and Neven County and Neven London County, 34,628.95 acres in Middlesse; County; and 44,66.12 acres in New London County which is inclusive or the Mashantucket Pequit Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FindMs) may be viewed at www.msc.efema.gov.

Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs These programs will serve 1-4 unit residences predominately within the floodplain, in Spe-cial 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, released to make the floodplain one wonstruction outside the floodplain.

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 valinoad spurs or similar extensions to Superstorm Sandy Storm Affected busifinaliding valinoad spurs or similar extensions to Superstorm Sandy Storm Affected busi-

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 restricts
if membility 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 purpose for this notice. Hirst, people who may be affected by activities in floodplains and wellands and those who lave 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 thoughains and wellands can facilitate and enliance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the evolution of the produce the risks associated with the distribution of the produce of

Written comments must be received by DOH on or before December 13, 2013, DOH en-courages electronic submittal of comments to CT-Housing-Plans@ct.gov. In the alternative, comments of the comments of the property of the comments of the com

NOTICE **FORECLOSURE** AUCTION

LEGAL

Docket No.: NNH-CV-12-6029612-S Case Name: PNC Bank National Association

National Association

Judy Al-Alim II, et a

Property House

Handlen, Conn.

Property Type:
Residentia:
Date of Sala:
Date of Sa

Infrastructure and Public Facilities Programs
The State will assist rehobilitation 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.

New Indon
The Day
11/27/13

on the electronic tearsheet.

contained,

Daybreak/D005/

Section/Page/Zone:

or in any way exploit or repurpose any content displayed,

Public Notices | Public Notices | Public Notices

Intitle - Packer search

Modern is bretty benefit and 20-bills at Stan. Greek

Road Road-Applice, and like the public Applicate

Road Road-Applica, and like the public Applicate

Road Road-Applica, and like the public Application

Road Road-Application

Road-A

The public is invited to attend and express its view. Letters may be sent to the Historic District Commit sent, 32 Evris Street, Old Lymp, CT 6371. Release supporting material red be available at the December Public Hearing.

Pontias — 20X0 S.an 210 2010, AT, 75% milist, \$2500, Cod 850-235-0572 4 Hillicrest Ave. Ledyard, CJ 66339 Town of Ledyard Mayor's Office 7-11 Colorel Ledyard Highway Ledyard CT 08339

mornical decided a survivories of the control of th rd-west 100°c \$250°c \$65 \$51.4782 \$51.4782 \$15.4

Handa CRV EX 2001 — Ad wheel date, recent the bay recruit the bay letter, bed, 4 cg, auto, recent the bay left. Gred date, rang good, 346k. \$5,400 GBO. \$60,961.065

Very a LXILS) — Scrotby 2006 Very good condition, signature. Essautini Light Mayaria Nov. Essautini Light Mayaria Nov. 1995 fem. 40159-1174.

For Sale ~ 20.05 Fart Ranger, Outstanding cond Pag. col. 412 6ft Led with lone; 57k witer, 5-Speed, \$4201 850-912-6184.

13. 2019 m. Pige 607225-Elec Pige 607225-Elec Pige 707225-Elec Pige 70725-Elec Pige 707225-Elec Pige 70725-Elec Pige 70725-Elec Pige 70725-Elec Pige 70725-Elec Pige 70725-Elec Pige 70725-Elec P MED CASH? No Pay Cas, Trads, SAV's Top Prices Paid CALL 040 445-2111

ROSS RECYCLING WIRL BUY YOUR AND CORS. Trudes, Yealters Port Up is And Yable Call Boy 848-1166

WE BUY CARS, TRUCKS & SUV'S All Males & Models: Ask Fo Peta Sala Art. Bab Valent Auto Mall. RG9-536-4731.

9:00 a m. ... Prol. 4072-25-Elec 10:00 a.m. ... Prol. 4072-25-Bolle

The above work includes:
Proj. 4072-25-Blockupgrade electrical system
Proj. 8072-25-Beileyexplacement of hot water
bothy and off Lenk

Loats/marines Boals

Computer/IT
MONIVALE PUBLIC
SCHOOLS

Technician (Part-fine 1975 kes/ ever) - 10 month pashlen

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. AVISO TEMPRANO Y REVISIÓN PUBLICA DE LAS ACTIVIDADES PROPUESTAS Sobre terrenos inundables y humedales en un período de 100 años 26 de noviembre de 2013:

A: Agendas Interesadas, grupos y personas
Por este medio se Informa que el Departamento de Vivienda de Connecticut (Connecticut Department of Haulang (DOH)), ha llevado a cabo una evaluación, la cono requesido por las órdenes ejecutivas 11988 y 11930, de acuerdo con las regulaciones de HLD 24 CFR 55.20 Subpart C de los procedimientos para el manejo de terrenos Inudiablis llamados Procedures for Making Determinations en Floodplath 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 — Diesater Recovery (CDBG-DF) State of Connecticut Diesater Recovery Program bajo el Tille 1del acta de vivienda y desarrollo comunitario Housing and Community Development Act de 1974 (PL 93-383).

El Estado ha decidido que la primera asignación de los fondos CDBG-DR, tal como está especificado en el programa de acción State of Connecticu. Disaster Recovery Program Action Plan (en tratal (\$71,820,000) sea destinada a responder a las necesidades no resuellas de persones y camisas cuyas viviendas y negociós tueron alectadas por la tomerna Capo, así como para asistir a los gobiernos locales, en la reparación, reconstrucción y el mejoramiento de ta Initaestruccura de las instalaciones públicas y la planificación de la reparación, reconstrucción y el mejoramiento de la infraestruccura de las instalaciones públicas, a nivel estatal y local. Como la rueyou parte de los daños provecados por la formerata lue te las instaladories pluntes, a mivel validar y locar. Comb a insyru parte ce las caracteriscolares por la crimenta lue a la estructura residencial, conoreguir que las practiconas y las familias vuelvan a sus hogares es una proridar para el estado. Los mejores datos disponibles indican que 7,400 hogares, 1,238 unidades multifamiliares de bajos y medianos Ingresos (LMI), 34 proyectos de Infraestructura, 86 Instalaciones públicas, 12 proyectos de reparaciones de negocos y La reparación y reemplazo de equipido fon aegondos todavía no se han resuello y son el resultado de los danos causados, por Sandy en los condados de Fairfield, New Haven, Middlesex y New London y en la reserva de Mashanlucket Pequot del Portugue de la reserva de Mashanlucket Pequot.

Aunque está en curso el proceso de confirmar · la ubicación exacta de los lugares, los proyecios propuestos estarán ubicados en los siguientes condisdos o en la reserva Mashantuckel Pequot Indian Reservation: Farifield County, New *Haven County, Middlesex County and New London County, Hay proximadamente 47,860.87 acres en Farifield County; 59,200.98 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 rissop de laundación (SHFA)de la FEMA para la reserva Mashantucket Pequot Indian Reservation y pueden ser consultadas en: www.msc.fema.gov.

Programas de propiedades ocupadas por sus propietarios y rehabilitación y reconstrucción de lugares disemi-

Estos programas están destinados a 1 hasta 4 unidades residenciales especialmente dentro de áreas de inundación

ogramas multifamiliares

El Estado ha desarrollado programas multifamilitares, para rehabilitar viviendas de alquiller de calidad y a precio ase-quible, mediante la reconstrucción, rehabilitación y mitigación del plan de trabajo contra inundaciones, así como nuevas construcciones en el contexto del mismo plan.

Programas de Intraestructura de insialaciones públicas El Estado ayudará en la rehabilitación o reconstrucción de la infraestructura de Instalaciones públicas, particularmente en áreas habitadas por peisonas de bajos y medianos ingresos (LMR), cuidando de seguir objetivos ambientales, de conservación y uso eficiente de la energia, de crecimiento responsable y de desarrollo orientado al tránsitio.

Programas de revitalización económica.

El Estado proveerá ayuda a los negocios, mediante adquisición, reubicación, formación profesional, capital de trabajo, construcción, reconstrucción, rebabilitación o instalación de edificaciones comerciales o industriales, estructuras, equipo de trabajo, incluyendo espoines de vía térea d 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 présiamos con garantía de una estructura existente, o la adquisición (que incluye arrendamiento) de un terreno baldío siempre que la estructura o el terreno adquirido, finan-clado o apropiado sea destinado al mismo uso.

American Disability Act improvements (Acta de mejoria de entorno para discapacitados)

American Disability Aci Improvements (Acita de mejoria de entorno para discapacitiados).

Son proyectos especiales, destinades a renover material y obstáculos arquitectónicos que difficultan la movilidad y accesibilidad de las personas mayores y discapacitadas. Estas actividades púeden ser incorporadas en otras iniciativas del programa Statio of Connecticut Disaster Recovery Program.

Este aviso tinno tres objetivos principales. Printero, que las personas que pueden ser alectadas por las actividades de manejo de terrenos inundables y humedales y aquellas personas interreadas en la protección del entomo natural, tengan la oportunidad de manejo de terrenos inundables y humedales y aquellas personas interreadas en la protección del entomo natural, tengan la oportunidad de manejos de ser un dill 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 redificación de esas áreas especiales. Tercoro, por una cuestión de justicia, cuando el gobiemo federal determina participar en actividades que tienen lugar en larrenos inundables y humedales, debe informar a quienes pueden estar equestos a fisegos mayores o permanentes.

pentopar en advicatos que enten logar en latrentes inutratores y funticates, ocuce informar a quelles poecent esta expuestos a risegos mayores o permanentes. Comentarios esortios pueden ser recibilos por DOH, a más tardar el 13 de diciembre de 2013. DOH sugliere el envío electránico de comentarios as CT-Housing Plans@ct.gov. Alternativamente, se pueden envíyar comentarios en papel, difigilitos as Hernía Delaite, Program Manager, Community Development Block Grant-Disaster Recovery Pro-gram, Departmento I Housing, 605 Hudison Sitesei, 2nd Floor, Harriord, CT 06166, a nást surdar el 11 de diciembre da 2013, entre las 8:30 am y las 4:20 pm. Mayor información se puede encontrar en la página Web del Departa-mento, hitridiverse et cavidario.

mento: http://www.ct.gov/doh Evonne M. Klein, Commissioner, DOH

DUEÑO 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, coclna, 1 baño y medio, .

Aire acondicionado central y calefacción y

estufa de gas. El sótano está completamente terminado. Tiene un garaje terminado para

La propiedad cuenta con un lote de 6,098 pies cuadrados. \$250,000 o mejor oferta. Para más información llame: 203-376-0864 n 203-687-1984.

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NORWALK: (203) 524-5275

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(cerca del hospital y Park St.)

Cada uno tiene:

- 3 habitaciones
- Cámara de seguridad intercomunicador
- Estacionamiento. Llame:

Walder Ramos

Oficina: 203-379-6786 Celular: 203-565-4719

Se acepta Sección 8

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n as a sea way property and the season of WWW.LAVOZHISPANACT.COM Lavoz 11 28 13 **EXHIBIT 2 CTDEEP Regulatory Review Letters for Coastal Communities with Revised DFIRM Coastal Panels**

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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 redelineation 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 <u>optional</u> 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 <u>optional</u> 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.

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

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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 redelineation 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 redelineation 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 <u>optional</u> 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 <u>optional</u> 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.

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

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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 redelineation 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 redelineation 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.

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 Paajanan, 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

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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 redelineation 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 <u>optional</u> 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.

<u>Substantial Damage</u>: 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.

<u>Substantial Improvement</u>: 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 <u>optional</u> 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.

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

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Affirmative Action/Equal Opportunity Employer

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 redelineation 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 redelineation 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 <u>optional</u> 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 <u>any</u> 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, 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 <u>optional</u> 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 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 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.

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

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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 <u>optional</u> 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 <u>any</u> 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 <u>optional</u> 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.

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

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 <u>General</u> 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 <u>any</u> 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.

<u>Base Flood Elevation (BFE)</u> - 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).

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

<u>Flood or Flooding</u> – 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.

<u>Flood Insurance Study (FIS)</u> - 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.

<u>Historic Structure</u> - 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.

<u>Manufactured Home</u> – 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.

<u>Manufactured Home Park or Subdivision</u> – 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.

<u>Market Value</u> - 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.

<u>Structure</u> – 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.

<u>Substantial Damage</u> – means damage of <u>any</u> 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.

<u>Variance</u> – 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.

<u>Violation</u> – 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.

<u>Water Surface Elevation</u> – 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. <u>Administrator</u> – 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. <u>Coastal High Hazard Area</u> 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. <u>Development</u> 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. <u>Functionally Dependent Facility</u> 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.

<u>Cost</u> – 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.

<u>Finished Living Space</u> – 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.

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

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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 redelineation 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 <u>optional</u> 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 <u>optional</u> 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 <u>any</u> 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.

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

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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.

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

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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 <u>optional</u> 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 <u>optional</u> 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.

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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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 redelineation 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 <u>optional</u> 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) <u>Substantial Damage</u> - 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) <u>Substantial Improvement</u> – 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.

It is <u>optional</u> 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.

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

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.

<u>COASTAL HIGH HAZARD AREA</u>: 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 MANUFACTUED 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).

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

<u>FLOOD or FLOODING</u>: 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.

<u>NEW MANUFACTURED HOME PARK OR SUBDIVISION</u>: 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.

<u>STRUCTURE</u>: 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.

<u>SUBSTANTIAL DAMAGE</u>: Damage of <u>any</u> 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.

<u>VARIANCE</u>: 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.

<u>VIOLATION</u>: 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 resumed to be in violation until such time as that documentation is provided.

<u>WATER SURFACE ELEVATION</u>: 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.

<u>DEVELOPMENT:</u> 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.

<u>FUNCTIONALLY DEPENDENT FACILITY</u>: 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.

<u>FUNCTIONALLY DEPENDENT USE</u>: 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.

<u>LOWEST FLOOR:</u> 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.

<u>MEAN SEA LEVEL</u>: 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.

<u>COST</u>: 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.

<u>FINISHED LIVING SPACE</u>: 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 A1-30 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 floodproofed 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 V1-30 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 <u>any</u> 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.

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

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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 <u>optional</u> 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 <u>optional</u> 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.

<u>Substantial Damage</u> - 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 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 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.

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 <u>optional</u> 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 <u>optional</u> 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.

<u>SUBSTANTIAL DAMAGE</u>: Damage of <u>any</u> 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.

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

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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 redelineation 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 <u>optional</u> to update the definition of "Substantial Damage" in Section 174-5Definitions 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 <u>optional</u> 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.

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

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

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

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

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

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

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

Sincerely,

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

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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 redelineation 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 <u>optional</u> 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 <u>optional</u> 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 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 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.

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

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 overthe-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 <u>any</u> 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 <u>any</u> 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.

Sincerely,

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

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

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

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 redelineation 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 <u>optional</u> 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 <u>optional</u> 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.

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

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

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 redelineation 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 <u>optional</u> 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, 09009C0443J, 09009C0453J, 09009C0557J) and December 17, 2010 (Panels 09009C0426H, 09009C0427H, 09009C0428H, 0900C0461H, 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 <u>optional</u> 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.

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

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Affirmative Action/Equal Opportunity Employer

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 <u>optional</u> 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 <u>optional</u> 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) <u>Substantial damage</u> 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) <u>Substantial improvement</u> 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 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 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.

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

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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 <u>optional</u> 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 <u>optional</u> 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 <u>Substantial Damage</u> - Damage of <u>any</u> 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 <u>Substantial improvement</u> - 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.

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

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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 redelineation 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 <u>optional</u> to update the definition of "Substantial Damage" in Section121-5 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, 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.

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

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Affirmative Action/Equal Opportunity Employer

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 redelineation 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 <u>optional</u> 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 <u>optional</u> 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.

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 <u>Part One: Current Ordinance</u>, with comments regarding required new sections presented under <u>Part Two: Required Sections to Add to Current Ordinance</u>. 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.

Town: Old Saybrook Ordinance Review Date: November 2007

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 <u>any</u> 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.

- 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.

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

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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 redelineation 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 <u>optional</u> 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. <u>Substantial Damage</u> 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 <u>optional</u> 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.

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 attachmenents)
Christopher Markesich, FEMA Region I

File: Old Lyme NFIP File: Ordinance/Regulations

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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.

Sincerely,

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

Carl P. Fortuna, First Selectman (w/o attachment) cc:

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

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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 redelineation 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 <u>optional</u> 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. <u>Basis for Establishing Special Flood Hazard Areas</u>. 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, 09001C0507F, 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 <u>optional</u> 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.

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

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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 <u>optional</u> 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 <u>optional</u> 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.

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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Affirmative Action/Equal Opportunity Employer

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 <u>optional</u> 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 <u>optional</u> 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.

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

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Affirmative Action/Equal Opportunity Employer

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 redelineation 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 redelineation 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 <u>optional</u> 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 <u>optional</u> 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.

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

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Affirmative Action/Equal Opportunity Employer

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 <u>optional</u> 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 <u>any</u> 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 <u>optional</u> 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.

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

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Affirmative Action/Equal Opportunity Employer

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.

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

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

January 7, 2013

Harry S. Eberhart Assistant City Planner City of West Haven 355 Main Street, 3rd 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 redelineation 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 <u>optional</u> 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 <u>optional</u> 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 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 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.

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

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

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 redelineation 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 <u>optional</u> 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 <u>optional</u> 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 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 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.

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.

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. 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

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 datedDecember decree 2013, ordered that all claims must be presented to the fiduciary at the below. to promptly present any such claim may result in the loss of rights to recov-

Christine L. Panzo, Chief Clerk

The fiduciary is:

er on such claim.

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 **Howard Rashba** 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

ESTATE OF Josephine S. Feustel, AKA Regina Feustel

NOTICE TO

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 below. 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. 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

CREDITORS ESTATE OF: Henry L. Kraybill The Hon. Edward C. Burt,

NOTICE TO

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

PROBATE NOTICES

NOTICE TO CREDITORS **ESTATE OF:** Agnes Madden

The Hon. Clifford D. Hoyle, Judge of the Court of Pro-bate, 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

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 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

CREDITORS Wanda Werner The Hon. Beverly Streit-

NOTICE TO

Kefalas, Judge of the Court of Probate, Milford Orange Probate District. by decree dated December 16, 2013, ordered that 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

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

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

NOTICE TO

CREDITORS **ESTATE OF:** Albert P. Lehman

The Hon. Edward C. Burt,

r., 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

Ann P. Lehman, c/o

The fiduciary is:

Ronald C. Osach, Esq. Silverstein & Osach, P.C. P.O. Box 1727 34 Church Street, Suite 903 New Haven, CT 06507 205258

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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 con-

struct 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 new refundable purphase price of \$50.00 by check 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.

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 the Director of Parks and Recreation Department with a copy to the Purchasing Department at <u>millmanp@ci.guilford.ct.us.</u> 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 per-

A mandatory pre-bid site visit will be held at Chittenden

cent (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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LEGAL NOTICES

January 30, 2014:

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Henredon drum tbl \$50. 78'

rec plyr+tbl \$50. 203-453-6141 **Traditional Cherry Curio Cabi-**

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sunroof, leather, newer tires, check eng. light on. needs TLC.\$2200. Call 203-892-2400. LEGAL NOTICES

LEGAL NOTICES

Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland

To: All Interested Agencies, Groups & Individuals

This is to give notice that the <code>State</code> of <code>Connecticut</code> <code>Department</code> of <code>Housing</code> (<code>DOH</code>) has <code>con-</code> ducted 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

Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs These programs will serve 1-4 unit residential properties predominately within the flood plain, 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.

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 struc tures in the 100-year **floodplain** must adhere to the most r**ecent** 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 fi-nancial 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 guide

lines 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 **addr**essed those higher priori-

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 rehabili-tated 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;

 Be constructed by methods and practices that minimize flood damage; and
 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: 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].

For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100year 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.

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 CER. Part 60.3

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 al-

ternatives 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: 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.

Evonne M. Klein, Commissioner, DOH

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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 I 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 Rehabilitation and Rebuilding Program (OORR) - \$30,000,000

Funding to meet unmet needs for structural repair or replacement of 1-4 unit owner-occupied primary residences damaged by Superstorm Sandy located in any of the designated disaster areas.

Scattered Site Rehabilitation and Rebuilding Program (SSRR) - dedicated portion of the \$26,000,000 al-

Funding to meet unmet needs for structural repair or replacement of 1-4 unit rental properties, except "second homes" in any of the designated disaster areas but primarily in Fairfield and New Haven Counties

EXP/Hurricane Sandy Business Disaster Relief Program (EXP) - \$4,000,000 (activities involving con

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 re placement 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, i accordance with Sec. 58.35.

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 Hermia 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.

RELEASE OF FUNDS

DOH certifies to HUD that Evonne M. Klein in her official capacity as Commissioner consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows DOH to utilize federal funds and implement the Programs.

Under the Disaster Relief Appropriations Act, 2013 (P.L. 113-2), also known and referred to as the Hurricane Sandy Supplemental Appropriation (H.R. 152), the Secretary may immediately release funds without holding the Request Release of Funds (Form 7015.15) for the 15 days required by Section 104(g) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)) and 24 CFR 58.73 if the project is Categorically Excluded under NEPA. HUD may immediately accept the Request Release of Funds and issue an Authority to Use Grant Funds (AUGF) (Form 7015.16) or equivalent letter. This provision is limited to the Hurricane Sandy Supplemental Appro

Evonne M. Klein, Commissioner, DOH

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, to determine the potential affect that its activities in the floodplain and wetland will have on the human environment for overy (CDBG-DR) State

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.

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. 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

PUBLIC NOTICES

LEGAL NOTICE

Deputy Harbor Master - Stamford Harbor Management Commission Harbor Management Commission looking for qualified candidates to be considered to fill the position of Deputy Harbor Master. Send Resume to: Maria Goncalves, City of Stamford-SHMC, 90 Magee Ave., Stamford, CT 06902 or fax to (203)325-1696, no later than February 10, 2014. Minimum Qualifications: Qualifications

- Registered Voter & Resident of Stamford, CT
 CT Safe Boating Certificate
- Have a strong working knowledge of Stamford Harbor and Stamford Harbor Management
- Own a properly registered and insured vessel Suitable for duties of Dept. Harbor Master
- Meet other appropriate qualifications that may be required by the Harbor Management

NOTICE OF PUBLIC AUCTION
A lien is claimed by Largo Management LLC on 21' Wellcraft Boat blue white inboard outboard #CT 7686BE last known address of Owner: Vernal Hoston 700 Summer St 4L. Auction is Feb 6, 2014 12pm w/ inspections at 11am @ 80 Largo Drive Stamford

STATE OF CONNECTICUT SUPERIOR COURT JUVENILE MATTERS

ORDER OF NOTICE

JD-JM-61EL Rev. 12-04 C.G.S. 45a-716(c), 46b-129(a),, Pr. Bk.Sec.11-6, 11-7

> Notice to: Kenneth Smith. father of child born on 1/3/2014 to C. Morain

A petition/motion has been filed seeking:

The petition, whereby the court's decision can effect your parental rights, if any, regarding minor child(ren) will be heard 2/27/2014 at 10:00 am at 60 Housatonic Avenue Bridgeport CT

Hearing on an Order of Temporary Custody will be heard on 1/31/2014 at 9:15 am at 60 Housatonic Avenue Bridgeport CT

Therefore, ORDERED, that notice of the hearing of this petition be given by publishing this Order of Notice once, immediately upon receipt, in the Stamford Advocate a newspaper having a circulation

JUDGE (PRINT OR TYPE) Hon. Burton A. Kaplan

Elizabeth Occhipinti

DATE SIGNED 1/21/2014

n Stamford CT

RIGHT TO COUNSEL: Upon proof of inability to pay for a lawyer, the court will provide one for you at court expense. Any such request should be made immediately at the court office where your hearing is to be held.

GENERAL HELP WANTED

ADMINISTRATIVE ASSISTANT Full time experienced needed for pediatric practice in Danbury, CT. Excellent interpersonal and phone etiquette skills. Spanish a must.

Please email resume to optimummed@att.net ADMIN ASSISTANT- PT, Extremely

organized, knowledgable MS Office. PC & Mac. Scheduling, billing, filing etc. \$17.50/hr in home office in Greenwich. 203-625-4770

AUTO BODY TECH. Own tools & Exp. Apply in person at: 64 Fort Point St, Norwalk, CT or Norwalk Auto Craft 203- 866-1815

BAIL BOND AGENTS - FT / PT

diploma & clean criminal record req'd. Currently lic'd agents a plus. Willing to train. Send Resume to: Graham Bail Bonds, 630 Meriden Waterbury Tpke Southington, CT 06489

Tow Truck Driver with Exp. Days & Evening positions avail. Call 203-323-8231

TAG SALES GREENWICH

TAG SALES GREENWICH

TAG-ALONG ESTATE SALES

FABULOUS GREENWICH MANSION 56 Dingletown Road, Greenwich, CT Fri & Sat Jan 31 & Feb 1 10AM - 4PM

Large foyer lantern fixture, crystal chandelier, pr. carved marble top demilune tables, antique carved sconces, pr. carved pedestals, mahogany dining table & chairs, down sofa, mahogany chest, carved Bergeres, gilt mirror, antique bround pedestal table, bamboo bench, card table & chairs, pr. antique lamps, pine chest, washstand, Terry Frost print, Carmen Garcia print, decorative art, Tiffany, Waterford, Royal Doulton, Swarovoski Premier swan, Aram, sterling flatware, crystal, cut glass, silver, comic books, baseball cards, jewelry, leather books, books, Biedermeier clock, William Yeo wood carving, wicker furn, antique headboards, English mahogany bracket foot tallboy, dressing tbl, uph. headboard, bdrm set, BRUNSWICK PRESTIGE regulation size POOL TABLE, copper brass, Olympus Pen400 Camera, Universal exercise equip., Brown Jordan outdoor furniture, ping pong table, etc.

DIRECTIONS: Hutch to Merritt Pkwy N., Exit 31 North Street, left 1 mile to left on 56 Dingletown Rd, follow police parking.

GENERAL HELP WANTED

ELECTRICIAN E2 electrician & exp'd apprentice for high end residential wiring. Benefits + 401k! Bellagamba Electric, Inc. Ridgefield, Email resume & work exp & ref's to bellelec82@aol.com

ELECTRICIAN, E-2 - Full Time Permanent opportunity with large Stamford based Co. Must be committed, self-motivated, self-disciplined, 5 plus yrs' experience. Bnft's Inc. Medical/Dental/ 401k. Call 203-327-6907.

HEALTHCARE & EMPLOYMENT OPS

MEDICAL BILLER -Exp'd Biller needed for busy multi-specialty practice. Exp. a must. F/T, benefits. Fax resume to 203-845-9168

NURSE

We are recruiting a wound nurse to provide clinical consultation in collaboration with the wound care physician. This person will also serve as a resource in wound/skin/ management and document and track all wounds within the facility. Candidate must demonstrate solid organizational skills.

Requires a valid RN license.

- Knowledge of current standards
- of practice in wound care.
- Current clinical experience in
- wound care

 Wound care certification preferred
- CPR certification

This position is a 16 hr/wk P/T position. Please send resume for consideration to Donna Esposito

DON at Regency Heights of Stamford (F) 203-351-0913 or call 203 351-8332.

HEALTHCARE & **EMPLOYMENT OPS**

R.N. SUPERVISOR every other Saturday & Sunday 11-7. Minimum four years experience, LTC and or sub acute management experience preferred. Must be clinically & professionally current & competent in knowledge & practice. Current CPR certification or ability to obtain is recertification or ability to obtain is required. Contact Donna Esposito, DON, Regency Heights of Stamford 203-351-8332. Fax your resume to 203-351-0913

SITUATIONS WANTED

AIDE/COMPANION W/15YRS exp. is avail days, nights, & w/ends to care for the elderly. Own car, exc refs. Please call 203-219-1390

ANA GONALEZ is looking for FT position as a babysitter with 8 years experience. Travel intrntnl./domestic. 914-625-0727

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Public Notices

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Public Notices

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

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 I 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 Rehabilitation and Rebuilding Program (OORR) - \$30,000,000 Funding to meet unmet needs for structural repair or replacement of 1-4 unit owner-occupied primary residences damaged by Superstorm Sandy located in any of the

Scattered Site Rehabilitation and Rebuilding Program (SSRR) - dedicated portion of the \$26,000,000 allocated to Multi-family Housing Funding to meet unmet needs for structural repair or replacement of 1-4 unit rental properties, except "second homes" in any of the designated disaster areas but primarily

January 30, 2014:

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Final Notice and Public Explanation of Proposed Activities in a

100-Year Floodplain and Wetland

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).

EXP/Hurricane Jandy Business Disaster Relier 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

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.

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.

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

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/

only after other priorities have been met. 2) Relimbursement or renabilitation 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 relimbursements 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 Compositivity Disagraph Reportun Program Action Plan. As a result

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

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 Publishing Code

Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral novement of the structure;
 Be constructed with materials and utility equipment resistant to flood damage;

ted so as to prevent water from entering or accumulating within the components

Be constructed by methods and practices that minimize flood damage; and 4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning

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 dam

aged 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

arternatives to outlinging in the proopping 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

Rehabilitation Code and the International Building Code.

List of the Alternatives Considered

Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs

These programs will serve 1-4 unit residential properties predor floodplain, in Special Flood Hazard Areas.

to provide working capital needed as a direct result of the storm

Reasons why the Proposed Actions Must be Located in the Floodplain

EXP/Hurricane Sandy Business Disaster Relief Program

Public Notices 16532

nately within the

TOWN OF MONTVILLE TAXES DUE JANUARY 1, 2014

Public Notices

16330

16559

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.

Motor Vehicle Supplemental Taxes for vehicles purchased after October 1, 2012 and before August 1, 2013 are due and payable January 1, 2014. Taxes remaining unpaid after February 3, 2014 will be reported delinquent to the Motor Vehicle Department as required by Jaw. Renewal of ALL registrations will be denied until ALL taxes are paid. To obtain a clearance for Motor Vehicle Department all motor vehicle taxes must be paid in cash, money order or certified check.

The second installment of Real Estate Taxes on the Levy of October 1, 2012 are due and payable January 1, 2014. Please contact the Tax Collector's office for a bill if you Please contact the Tax Collector's office for a bill if you are a new owner, paid off a mortgage or re-financed since July 1, 2013. Said taxes not paid on February 3, 2014 will become delinquent and subject to interest at the rate of one and one-half percent (11/2%) per month from the due date. Minimum interest charge is \$2.00 per bill.

Failure to receive a bill does not invalidate the tax or respective penalties should the tax become delinquent.

Taxes may be paid on the Town of Montville website by credit card (2.95% fee additional) or by electronic check (\$2.95).

(State Statute 12-130 & 12-146)

For the purpose of collecting said tax I will be at the ror tne 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 & 20, 2014.

Dated at Montville, CT this 12th day of December 2013.

Docket No.: KNL-CV-11-6011257-S THE CADLE COMPANY V. CLARK, ROBERT, et al.

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 inter alia, to quiet title to and discharge a certain mortgage encumbering a parcel of land known as 123 Tipping Rock Road in the Town of Stonington, County of New London, and State of Connecticut. This complaint was returnable to the above agreed court of 2/11/14/24 and is now. able to the above named court on 2/11/14 and is nov

The court finds that the defendant(s) listed below have not appeared in this action, and, so far as the plaintiff knows, have not received actual notice of the institution or pendency of it; that so far as is known each resides at

Now therefore, it is hereby ordered that further notice of the institution and pendency of this action be given to each such defendant by some proper officer causing a true and attested copy of this order to be published in THE NEW LONDON DAY once a week for TWO successive weeks, commencing on or before 2/2/2014 and that return of such service be made to this court.

By the Court, (Cosgrove, J) on 12/24/13 S. Purcell, Office Clerk

LEGAL NOTICE

The Montville Zoning Board of Appeals at its meeting held on January 22, 2014, took the following action

Paul E. Chase 213-ZBA-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 53 Lot 3. DENIED.

Maps and documentation concerning the above applications are on file in the office of the Planning Department, Montville Town Hall, Montville, CT.

Dated at Montville, CT, this 23 day of January 2014. MONTVILLE ZONING BOARD OF APPEALS John R. MacNeil, Chairman

16560 Invitation to Rid

> a/k/a John (14-00018) of the Court of Probate GU-14-Q2 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 maintaining 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.,

Sealed bids for the above work will be received at the Project Management Office of the Department of Utilities, 1240 Poquonnock Road, Groton, Connecticut 06340 10:00 a.m., prevailing time, on Tuesday, February 18, 2014 at which place and time said bids

office of the Department and 3:00 p.m., Monday

EWIB

STATE OF CONNECTICUT DEPARTMENT OF HOUSING (DOH) 505 HUDSON STREET HARTFORD, CT 06106 (860) 279-8261

Public Notices

designated disaster areas.

in Fairfield and New Haven Counties.

JANUARY 30, 2014

Public Notices

Notice is hereby given pursuant to Section 2-71p 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

STATE OF CONNECTICUT

REQUEST FOR PROPOSAL

JOINT COMMITTEE ON LEGISLATIVE MANAGEMENT

Proposal responses are due no later than 12:00 noon on March 5, 2014. All Proposals 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).

This Request for Proposal is posted on the portal website which can be found at the following address: http://www biznet.ct.gov/scp_search/BidResults.aspx?groupid=128.

Responses must be received by the time and date indicated above at the Office of Legislative Management, Room 5100, Legislative Office Building, Hartford, CT 06106.

STATE OF CONNECTICUT JOINT COMMITTEE ON LEGISLATIVE MANAGEMENT

Notice is hereby given pursuant to Section 2-71p 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 - JCLM14REG0031.

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 the specifications. Forms and specifications are advalation in the Office of Legislative Management, Room 5100 Legislative Office Building, Hartford, CT 06106 (Phone 860-240-0100; Fax 860-240-0122). This Request for Bid is posted on the portal website which can be found at the following address: http://www.biznet.ct.gov/scp_search/BidResults.aspx?groupid=128.

Responses must be received by the time and date indicated above at the Office of Legislative Management, Room 5100 Legislative Office Building, Hartford, CT 06106.

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 atheir regular meeting held on January 23, 2014. The decisions are filed in the office of the Town Clerk, Salem,

#14-01-01 R. Vadnais, Applicant. John Coleman, Owner 9 Rathbun Hill Road, Salem CT 06420 Withdrawn by applicant

Section 4.1- 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.

Approved: Section 4.4.1 required setback of 50 ft. from front road (RT 354)to 38.7ft.

Section 4.4.1 required setback of 50 ft. from front road (Rathbun Hill Road)to 28.3ft.
Assessor Map #14; Lot #23-9 Rathbun Hill Road

Kate Bellandese, Chairman

Notes of Interest

CT SCRAP Will buy your scrap steel, copper & aluminum. 33 Pequot Rd Uncasville 860-848-3366

automotive

02 LEXUS: IS300, Silver, Leather, 4DR, A/T, timing belt done. LOADED! Great Deal! \$4800. 860 501 4592

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04 VOLVO: S60, Non Turbo, 4cyl, 4DR, LOADED! 5 spd Leather, S/R, Great Deal! \$3700. Call 860 501 4592 2005 JEEP WRANGLER:

Extras. Adult Owned! \$14,900 Call 860-442-6591

2006 Dodge Stratus, SXT — 4DR, 4cyl, A/T, 125K, Fully Loaded, New Brakes, Struts, Tires, X-Cond Inside & Out, \$3000. Call 860-303-3358

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\$175/ best. 617-291-9998 Framed Mirror 27 by 35 — 3

SOLID CHERRY WOOD BEDROOM SET — Queen Size Bed, Dresser w/Mir-ror, Bureau, 2 Night Stands. \$1,200.00. 860-303-8074



Table — Gate leg table, solid maple only \$150 860-460-

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in The Day on the date 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: 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 ared Legal Notice - Request for Proposals and Application for Certification The Connecticut Department of Labor (DOL) solicits applications for the certification of existing and proposed Individual Development Account programs consistent appe with criteria established by DOL under the authority

7 of the eight-step decision process.

be eligible for funding, an applicant's IDA program must have been certified under the criteria established by DOL and defined in the solicitation 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/

of Connecticut General Statutes 31-51ww through 31-51eee, inclusive, and the regulations, sections 31-51ddd-1 to 31-51ddd-16, promulgated thereunder. Additionally, this solicitation collects proposals for funding under the same statutory authority. In order to

To request hard copies of this Solicitation, contact:

Marie Cianciolo Welfare to Work Unit Connecticut Department of Labor 200 Folly Brook Boulevard Wethersfield, CT 06109 Voice: 860-263-6753 E-mail: marie.cianciolo@ct.gov

Responses to this Request for Proposals will be received 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. <u>Any response received after the specified date and time shall be returned unopened.</u> 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. Legal Notice

Pursuant to Connecti-cut General Statute Sec. 8-3(f), Notice is hereby given that the Zoning Official of the Town of Ledvard approved Zoning Permit #4014 for con-struction of a two family residence at 332 Pumpkin Hill Rd. a.k.a. Assessors Map 142 Block 1960 Lot

Any aggrieved person may appeal this decision to the Ledyard Zoning Board of Appeals within 15 days of the publication of this

Dated at Ledyard, Connecticut, this 29th day of January, 2014.

Roger Watrous, Applicant

OF PROBATE, COURT District of New London. NOTICE TO CREDITORS. ESTATE OF John Burton

W. Burtor The Hon

City of Groton, Connecticut Lawn and Grounds Maintenance

The City of Groton, Department of Utilities, is requesting formal bids for Lawn and Grounds Maintenance. This work involves rounds for Water and Electric operations, dams, pump stations, tanks, watershed areas, and

will be publicly opened and read aloud.

Required bid form and bid specifications are available at the Project Management of Utilities, at the above

For any questions, please contact David Corallino, Project Manager at 860-446-4033.

announcements Lost & Found

Waterford, CT 06375.

Impounded Dog: Pittbull, Male, Black & White. Found on RT-1. Waterford Animal CTRL. 860-442-9451 Impounded: DSH Cat, Dilute

Torti, Declawed. Groton Animal CTRL 860-441-6709





REQUEST FOR PROPOSALS

Categories for Submission:

CTWorks "Core" Services Support Human Services Integration Specialist

Workforce Advisors

Category (2): Business Services Category (3): Jobs First Employment Program (JFES)

 Case Management JFES Placement Unit

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 <u>labellec@ewib.org</u> 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.

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. 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 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 Hermia 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.

RELEASE OF FUNDS

DOH certifies to HUD that Evonne M. Klein in her official capacity as Commissioner consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows DOH to utilize federal funds and implement the Programs. Under the Disaster Relief Appropriations Act, 2013 (P.L. 113-2), also known and referred to as the Hurricane Sandy Supplemental Appropriation (H.R. 152), the Secretary may immediately release funds without holding the Request Release of Funds (Form 7015.15) for the 15 days required by Section 104(g) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)) and 24 CFR 58.73 if the project is Categorically Excluded under NEPA. HUD may immediately accept the Request Release of Funds and issue an Authority to Use Grant Funds (AUGF) (Form 7015.16) or equivalent letter. This provision is limited to the Hurricane Sandy Supplemental

or equivalent letter. This provision is limited to the Hurricane Sandy Supp

Evonne M. Klein, Commissioner, DOH

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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. Notice in accordance with the provisions of Con-necticut General Statutes Section 8-7 as amended. Contact the Department of Planning at 464-3266 for Category (1): WIA Adult ${\mathcal E}$ Dislocated Worker Workforce **Closing Date for** details on filing an appeal with the ZBA. Development & Placement Unit **Receipt of Proposals:**

> Letters of "Intent to Bid" are required in order to submit a proposal and must be submitted by 2/21/14.

> 4:00 P.M. March 28, 2014

PUBLIC NOTICES

LEGAL NOTICE: The City of Shelton is seeking to engage the services of a Consulting Engineerservices of a Consulting Engineering Firm to provide engineering services for the preparation of contract plans and documents for the following transportation project:

State Project No. 126-163 Housatonic Riverwalk Extension - Phase 3

The Housatonic Rivewalk Exten sion involves the design and con-struction of the Phase 3 project extending 1,300 linear feet along the Housatonic River from the north-ern terminus of Phase 2 to the intersection with Canal Street. The Riverwalk will be a new 10-12' wide decorative surface ADA compliant facility with landscaping, fencing, lighting and other design elements consistent with previous

sections of the Riverwalk.
The Consulting Engineering firm selected may also be required to provide survey, prepare environ-mental documents and perform construction inspection. The projected construction cost is expected to be in the range of \$1,200,000.00.

Firms responding to this request should be of adequate size and sufficiently staffed to perform the assignment described above.

The Consulting Engineering firm will be evaluated and selected based on design and technical competence, the capacity and capability to perform the work within the time allotted, past record of performance, and knowledge of Federal, State and Municipal procedures, appropriately weighted in descending order of impor-

The design fee will be negotiated on a Lump Sum basis.
The Disadvantaged Business En terprise (DBE) sub-consultant goal will be no less than ten percent (10%) of the original agreement

value. The selected firm must meet all Municipal, State and Federal affirmative action and equal employ ment opportunity practices.

A letter of interest, together with

general information on the firm and proposed sub-consultants, the firm's brochure, current Federal Form SF330, experience of the firms, and resumes of key person-nel shall be addressed to: City of Shelton, c/o Shelton Economic Development Corporation 475 Howe Avenue, Suite 202, Shelton, Connecticut, 06484. Additionally, all in-terested firms must submit a de-tailed statement including the organizational structure under which the firm proposes to conduct busi-ness. Proposed sub-consultants should be clearly identified. The relationship to any "parent" firm or subsidiary firm, with any of the parties concerned, must be clearly defined.

Personnel in responsible charge

of the projects will be required to possess and maintain a valid Con-necticut Professional Engineer's License. All letters of interest must be postmarked by a U. S. Post Office (if mailed) or brought to the SEDC, 475 Howe Avenue, Suite 202, Shelton, Connecticut, at the above address (If hand delivered) politics than 4 PM on Fig. at the above address (if hand de-livered) no later than 4 PM on Fri-day, February 21, 2014. Re-sponses received or postmarked after this date will not be consid-

CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
PUBLIC HEARING
Tuesday
February 11, 2014 at 6:00pm
To be held in the City Hall Common Council Chambers, 45 Lyon
Terrace, Bridgeport, CT relative to Terrace, Bridgeport, CT relative to the following:

C-1 (#1) 704, 716, 724 East Main St. and 30 Walter St - Peti-BNM Builders & Develop ers, LLC - Seeking variances of 2.4 ft. of the minimum 10 ft. set-back and FAR requirement of Sec. 6-1-3, and also seeking to waive 11 (eleven) of the required 36 on-site parking spaces under Sec. 11-1-2, and also waiving all of the interior landscaping required under Sec. 11-1-13 to permit the construction of a 3-story mixed use residential and retail building in an OR zone.

C-2 (#7) 194 Wilmot Ave. Petition of Mostafa Ardouni - Seek ing a variance of the maximum height requirement under Sec. 11-8-3 to legalize the existing 6' high fence in an R-BB zone.

#1 **146 Andover St.** - Petition of Bridgeport Biodiesel - Seeking variances of the front setback requirement, height requirement, and landscaping requirements under Sec. 7-1-3 to permit the installation of 12 (twelve) storage containers required for 15¹ to 32¹ in tainers ranging from 15' to 38' in height along the street frontage of the existing industrial building in a

#2 **329 Central Ave. & 343-369 Jefferson St.** - Petition of Bootcamp Farms, LLC - Seeking a variance of the required front setback requirement of Sec. 8-3-3. and also seeking a variance of the minimum on-site parking reqirement of Sec. 11-1-2, and a variance of the maximum height and reqired landscaping of walls/fences of Sec. 11-8-3b(i)

344 Brewster St. - Petition of Joyce Lyman - Seeking to modify the plan of development on 2 (two) petitions granted by the Board of Appeals on 04/09/13, which established a driveway, as means of access for two interior lots and parking area for the subect premises in an R-A zone.

The applications and plans for the above described matters are on file in the Zoning Department, Room 210, 45 Lyon Terrace and Hoom 210, 45 Lyon Terrace and may be inspected Monday through Friday during office hours, 9am-5pm (closed 12-1pm). This notice has also been filed in the City Clerk's office.

ATTEST: MICHAEL PICCIRILLO, CHAIRMAN

CHAIRMAN
ZONING BOARD OF APPEALS
CITY OF BRIDGEPORT

INVITATION TO BID

The Town of Stratford and the Office of the Purchasing Agent, will receive SEALED BIDS for:

BID #2014-004 Bobcat Toolcat 5600 G-Series Due 3:00 PM February 10, 2014

Copies of specifications and bid forms are available on the town rorms are available on the town website www.townofstratford.com or at the Purchasing Agent's Office, 2725 Main St., Stratford, CT. Inquiries should be directed to the Purchasing Department at 203-203-4044

> Michael Bonnar **Purchasing Agent**

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PUBLIC NOTICES

CITY OF BRIDGEPORT PLANNING & ZONING COMMISSION PUBLIC HEARING NOTICE

The re-schedule of the January 27th public hearing of the Planning & Zoning Commission of the City of Bridgeport, CT will be held on **Monday**, February 10, 2014 at 6:00 pm in the City Council Chambers, 45 Lyon Terrace, Bridgeport, relative to the following:

(14-01) 8-24 Referral - Petition of the City of Bridgeport Office of Planning & Economic Development (OPED) - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of 17 (seventeen) city-owned parcels.

(14-02) 8-24 Referral - Petition of the City of Bridgeport Office of Planning & Economic Development (OPED) - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of 35

(14-06) 8-24 Referral - Petition of the City of Bridgeport Office of Planning & Economic Development (OPED) - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the lease of cityowned land at 350 Waldemere Ave.

D-1 (13-74) 379 Bond St. (aka 1285 Boston Ave.) - Petition of City o D-1 (13-74) 379 Bond St. (aka 1285 Boston Ave.) - Petition of City of Bridgeport School Building Committee - Seeking a zone change from I-Lto R-C (Block 1901, Lot 1) beginning at a point on the westerly side of Bond Street, S 15° 46' 27" W a distance of 52.11' from a granite monument with disc, thence the following courses and distances: S 15° 46' 27" W a distance of 1297.54' to a point; N 74° 13'33" W a distance of 277.66' to a point; N 15° 46' 27" E a distance of 42.30' to a point; N 74° 13'33" W a distance of 308.62' to a point; N 15° 46' 27" E a distance of 1255.24' to a point; S 74° 13'33" E a distance of 586.28' to a point and point of beginning. Said parcel area contains 747,668.41 sq.ft. +/- or 17.16 acres +/-, and is referenced as "topographic survey (partial) at (General Electric Company) 1285 Boston Avenue Bridgeport, Connecticut"; a special permit, and a site plan review to permit the construction of a 155,00 sq. ft. school building and sports fields in the proposed R-C zone.

(14-03) 2012 Boston Ave. - Petition of Cummings Enterprises, Inc Seeking to expunge (the requested) condition #2 of an approval of a used car dealership license in an OR zone.

(14-04) 76 Glenwood Ave. - Petition of 76 Glenwood Avenue, LLC Seeking under Sec. 14-54 of the CT General Statutes and Sec. 12-2 of the Zoning Regulations for a certificate of approval of location and the issuance of a used car dealership license in the existing commercial build ng in an OR-G zone.

(14-05) 169 Lakeview Ave. - Petition of Ryszard Iwaskiewicz - Seeking a change of zone from R-A to R-B to permit the construction of two multi-family dwellings.

(14-07) 3255 Fairfield Ave. - Petition of Compound Training Systems - Seeking a special permit and a site plan review to permit the establishment of a personal training and athletic studio on the lower level of the existing mixed use building in conjunction with the proposed retail use in ar OR zone.

(14-08) 1800 Commerce Dr. (aka 1782-1806 Commerce Dr.) - Petition of Lube Plus/Palisades, Inc - Seeking to expunge two conditions of approval to a petition granted by the Planning & Zoning Commission on October 28, 2013 to establish a general repairers license at the existing oil change center in an MU-LI zone.

(14-10) 375 Main St. - Petition of Housing Authority of the City of Bridge-port d/b/a Park City Communities - Seeking a site plan review and a coastal site plan review to permit the establishment of a 78-unit mixed in-come housing complex in the NCVD zone and coastal area.

The applications for all the above described matters are on file in the Zoning Department, Room 210, 45 Lyon Terrace and may be inspected during business hours, 9am to 5pm (Closed 12-1pm) Monday thru Friday. A copy of this notice has been filed in the City Clerk's Office.

CITY OF BRIDGEPORT
PLANNING & ZONING
COMMISSION

MAIL T. Blay Addition Chairneana

Mel T. Riley - Acting Chairperson

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Aldermen on behalf of the City of Shelton will conduct a public hearing on Thursday, February 13th, 2014 at City Hall, 54 Hill Street, Shelton, CT 06484 p.m. to discuss the Fiscal Year 2014 Community Development Block Grant program and to solic

Maximum award limits are \$700,000 for Public Facilities: \$700,000 for Maximum award limits are \$700,000 for Public Facilities; \$700,000 for Public Housing Modernization of 25 units or less, or \$800,000 for 26 units and over; \$500,000 for Infrastructure; \$400,000 for Housing Rehabilitation Program for single towns, \$500,000 for two-town consortium, and \$600,000 for three or more Towns; \$25,000 for Planning Only Grants; \$500,000 for Economic Development Activities, and \$500,000 for Urgent

Major activity categories are: Acquisition, Housing Rehabilitation, Public Major activity categories are: Acquisition, Housing Heriabilitation, Fubic Housing Modernization, Community Facilities, Public Services, and Economic Development. Projects funded with CDBG allocations must carry out at least one of three National Objectives: benefit to low- and moderate-income persons, elimination of slums and blight, or meeting urgent community development needs.

The purpose of the public hearing is to obtain citizen's views on the city's community development and housing needs and review and discuss spe-cific project activities in the areas of housing, economic development or community facilities which could be part of the city's Application for fund-

Also, the public hearing will be to give citizens an opportunity to make their comments known on the program and for approval of the Program Income Reuse Plan. If you are unable to attend the public hearing, you may direct written comments to Charlene DeFilippo. Director, Community Development, 54 Hill Street, Shelton, CT 06484 or you may telephone Director DeFilippo at 203-924-1555, x374. In addition, information may be obtained at the above address between the hours of 8:00 a.m. to 5:30 o.m. Tuesday through Friday.

The Board of Aldermen on behalf of the City of Shelton anticipates apply ing for the maximum grant amount of \$400,000 under the Housing Rehabilitation category. In addition, the City of Shelton will create a revolving loan fund with program income (principal and interest) generated from the grant for a housing rehabilitation loan program.

The City of Shelton promotes fair housing and makes all programs available to low - and moderate-income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status, or handi-

If you are unable to attend the public hearing, you may direct written comments to Charlene DeFilippo, Director, Community Development, 54 Hill Street, Shelton, CT 06484 or you may telephone Director DeFilippo at 203-924-1555, x374. In addition, information may be obtained at the 203-924-1555, x374. In addition, information may be obtained at the above address between the hours of 8:00 a.m. to 5:30 p.m. Tuesday through Friday. The hearing will also review and discuss the Town's prior Small Cities projects including any currently open or underway. All are encouraged to attend. The hearing is accessible to the handicapped. Any disabled persons requiring special assistance or non-English speaking persons should contact Charlene DeFilippo, ADA Coordinator, at 203-924-1555, x374 at least five days prior to the hearing.

Equal Opportunity/
Affirmative Action

Legal Notice - Request for Proposals and Application for Certification

The Connecticut Department of Labor (DOL) solicits applications for the certification of existing and proposed Individual Development Account programs consistent with criteria established by DOL under the authority of Connecticut General Statutes 31-51ww through 31-51eee, inclusive, and the regulations, sections 31-51ddd-1 to 31-51ddd-16, promulgated thereunder. Additionally, this solicitation collects proposals for funding under the same statutory authority. In order to be eligible for funding, an applicant's IDA program must have been certified under the criteria established by DOL and defined in the solicitation.

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

To request hard copies of this Solicitation, contact:

Marie Cianciolo Welfare to Work Unit Connecticut Department of Labor 200 Folly Brook Boulevard Wethersfield, CT 06109 Voice: 860-263-6753 E-mail: marie.cianciolo@ct.gov

Responses to this Request for Proposals will be received at the Welfare to Work Unit, Connecticut Department of Labor, 200 Folly Brook Boule vard, 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 pro-curement at any time if it is deemed to be in the best interest of the State of Connecticut.

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PUBLIC NOTICES

JANUARY 30, 2014

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

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 I 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 Rehabilitation and Rebuilding Program (OORR) \$30,000,000 Touring to meet unmet needs for structural repair or replacement of 1-4 unit owner-occupied primary residen-ces damaged by Superstorm Sandy located in any of the designated disaster areas.

Scattered Site Rehabilitation and Rebuilding Program (SSRR) - dedicated portion of the \$26,000,000 allocated to Multi-family Housing
Funding to meet unmet needs for structural repair or replacement of 1-4 unit rental properties, except "second

homes" in any of the designated disaster areas but primarily in Fairfield and New Haven Counties.

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 re-

placement 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 im-

pacts 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. 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 Å.M. to 4:30 P.M

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to Hermia 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.

RELEASE OF FUNDS

DOH certifies to HUD that Evonne M. Klein in her official capacity as Commissioner consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows DOH to utilize federal funds and implement the Programs.

Under the Disaster Relief Appropriations Act, 2013 (P.L. 113-2), also known and referred to as the Hurricane Sandy Supplemental Appropriation (H.R. 152), the Secretary may immediately release funds without holding the Request Release of Funds (Form 7015.15) for the 15 days required by Section 104(g) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)) and 24 CFR 58.73 if the project is Categorically Excluded under NEPA. HUD may immediately accept the Request Release of Funds and issue an Authority to Use Grant Funds (AUGF) (Form 7015.16) or equivalent letter. This provision is limited to the Hurricane Sandy Supplemental Appropriations Notice

Evonne M. Klein, Commissioner, DOH

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

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 <u>www.msc.fema.gov.</u>

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 floodolain 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-vr 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: 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



asificados a 102 Hispana

Tel: 203-865-2272

203-7874025

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STATE OF CONNECTICUT / DEPARTA

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SOLICITD 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 8-214f-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 principio de igualdad de oportunidades para el empleo, acción afirmativa y requerimientos equidad para las viviendas. 용 교

El plazo para presentar la respuesta es las 4:00PM, EST el lunes, 3 de marzo,

AVISO DE INTENTO DE LIBERACIÓN DE FONDOS

30 DE ENERO, 2014
STATE OF CONNECTICUT DEPARTMENT OF HOUSING (DOH)
505 HUDSON STREET
HARTFORD, CT 06106
(860) 270-8261

Afrededor del 7 de febrero de 2014 DOH someterá una solicitud al U.S. Department of Housing and Urban Devi Vivienda y Desarrollo Urbano) pidiendo que sean liberados los tondos bajo el programa Community Developmen (CDBG-DR), bajo el Titulo i del Acta de Vivienda y Desarrollo Comunitario de 1974 (Housing and Community Devide emendado, y el Acta de Apropiaciones para ayuda en caso de desastres de 2013 (Disaster Releté Appropriati para ser utilizados en las localidades más afectadas por la tormenta Sandy (i.e. los condados de Ferifield, New ta Reserva Mashantucket Pequot Indian Reservation (geográficamente dentro del condado de New London)): ban Development (HUD) (Departamento de velopment Block Grant – Disaster Recovery runity Development Act of 1974), fal y como appropriations Act, 2013 - Public Law 113-2), id, New Haven, Middlesex y New London; y

Occupied Rehabilitation and Rebuilding Program (OORR) - \$30,000,000 (Programa de rehabilitación y reconstrucción de vivi

ondos para satisfacer necesidades no resueltas en la reparación o reemplazo de residencias de 1-4 unidades dañadas por la tormenta Sandy y ocalizadas en cualquiera de las áreas designadas como áreas de desastre.

ittered Site Rehabilitation and Rebuilding Pregram (SSRR) - parte de los \$26,000,000 consagrados a viviendas multifamiliares (Programa rehabilitación y reconstrucción en lugares diseminados) dos para satisfacer necesidades no resueltas en la reparación o reemplazo de residencias para alquiler de 1-4 unidades, excepto "viviendas undarias" localizadas en cualquiera de las áreas designadas como áreas de desastre, pero principalmente en los condados de Fairfield y New

P/Hurricane Sandy Business Disaster Relief Program (EXP) – \$4,000,000 (Actividades que incluyen reconstrucción) (Programa de ayuda egocios en situación de desastre a causa de la tornenta Sandy) subsetados en situación de desastre a causa de la tornenta Sandy) subsetados par a sitisfacer necesidades no resueltas de pequeños negocios (menos de 100 empleados) a través de subvenciones en contrapartida, incluidos fos costos de reparaciones o reemplazos estructivales en las comunidades más afectadas por la tormenta, incluidos fos costos de reparaciones o reemplazos estructivas en la propiedad dafiada así como la construcción o mejora de locales alquilados.

delerminó que las categorías de acción propuestas identificadas en los programas antes mencionados estaban excluidas de las regulaciones I HUD, tal como establecido en el 24 GFR Parte 58 de los requerimientos del Acta National Environmental Policy Act (NEPA). De acuerdo con el 8.15, se realizó un proceso de revisión por niveles, que incluyó un amplio análisis de las leyes ambientales vigentes en las áreas sefialadas, para terminar el impacto sobre esas leyes y sus autoridades así como el nivel de evaluación requerido obligatoriamente cuando proyectos individuales tán listos para su revisión. Para cada sitio o actividad específica, DOH o sus representantes completaran una hoja de trabajo, siguiendo las normas ablecidas 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 amba, está archivado en la oficina del DOH, Community Development Block Crant-Disaster Recovery Program 505 Hudson Street, 2nd piso, Hartford, CT 05106 y puede ser examinado o copiado los días laborables, de 8:30 am a 4:30 pm.

COMENTARIOS PÚBLICOS

puler persona, grupo o agencia, puede someter comentarios escritos sobre el ERR a Hermia Delaire, Program Manager, Community DevelopBiock Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2nd piso, Hartford, CT 06106- DOH suglere el envio de

Jestas o comentarios por vía electrónica a: CT Housing, Plana@ct.gov. Todos tes comentarios recibilios al 6 de tebrero de 2014 serán tomados

Insideración por DOH antes de autorizar una solicitud de liberación de fondos y preparar una certificación a HUD.

LIBERACIÓN DE FONDOS

DOH certifica ante HUD que Evonne 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 sús responsabilidades bajo las normas de NEPA y leyes y autoridades relacionadas y permite a DOH utilizar fondos tederales y aplicar los programas.

Affidavit of Publication

State of Connecticut County of Fairfield

I, <u>Chris Gensur</u> , a billing representative of Graystone Group Advertising, 2710 North Avenue, Suite 200, Bridgeport, CT 06604, do solemnly swear that on:
Date: <u>Jan.</u> 30 2014
Ad Title: CT Dept. of Housing - Final Notice and
Public Explanation of Proposed Activities
Appeared in: Stanford Advocate publication and the newspaper extracts hereto annexed were clipped from the above named issue of said newspaper.
Subscribed and sworn to this day of February, 2014 before me.
KATHLEEN VITKO NOTARY PUBLIC State of Connecticut My Commission Expires July 31, 2017 KATHLEEN VITKO Lith Vitto Notary Public

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attered. Bits. Rehabilitation and Rebuilding Program (SSRR) - dedicated portion of the \$26,000,000 a state in AMH-tentily Housing diding in meet surner bends for structural repair or replacement of 1-4 took rental properties, excopt "secon neet" in any of the designated disaster areas but primarily in Fedfield and New Havran Counsias.

neef the usmet needs of small businesses (less than 100 employees), through matching grants, rel rail derauge in construction most impacted by the storm including the costs of structural repair or idemaged property and construction or lesshold improvements.

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convented Review Record ERRS that documents the embroamental determinations for these projects are tally describes the force review process ofted above, is on file at DOH, Community Development Usasar Reviews Ynogens 505 Nucleon Street, 2nd Roor, Factiond, CT 06(105 and may be ay appeal yearloage 030 A.M. in 4.30).

PUBLIC COMMENTS.

ary Indinkkasi, group, or agency nay submit written comments on the ERR to Hermis Dataire, Program Manag of, Community, Development Block Crint-Disaster Recovery Program, Depositient of Housing, 655 Notices freel, 2nd Post, Hartland, CT or 1901b. DON encourages electronic submittal of comments to comment of the Comme

RELEASE OF FUNDS

DOM carefring to 1410 that Scoren M. Allein in her official causably as Commissioner consents to second they be disclosed fills Refered Cover's if an action is browseld to engine resourchabilities in melicipe to the excitoration view processes and that these responsibilities have been addition. AUD's approved of the certification statistics responsibilities under MEPA and related lows and authorities, and silves DOM to stitled to lederal faunt and

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PUBLIC NOTICES

Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland

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STATE OF CONNECTION
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JD-JM-61E. Rev. 12-04 C.G.S. 45a-715(c), 46b-129(a), 52-52 Pr. BX-5ec.11-8, 11-7

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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.

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 businesses 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, deemd, 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:

- 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. 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

I, Chris Gensur, a billing representative of Graystone Group Advertising, 2710 North

State of Connecticut County of Fairfield

Avenue, Suite 200, Bridgeport, CT 06604, do solemnly swear that on:

Date: Jen. 30, 2014

Ad Title: The Housing Fine Motive and Proposed Activities

Appeared in: Now London Day publication and the newspaper extracts hereto annexed were clipped from the above named issue of said newspaper.

Subscribed and sworn to this 6th day of February, 2014 before me.

KATHLEEN VITKO
NOTARY PUBLIC

KATHLEEN VITKO
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KATHLEEN VITKO

KATHLEEN VITKO
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State of Connecticut
My Commission Expires
July 31, 2017

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LEGAL NOTICE REQUEST FOR PROPOSALS

Closing Date for Receipt of Proposals:
4:00 P.M. March 28, 2014
Letters of "Intent to Bid" are required in order to submitted by 2/21/14.

Letters of "Intent to Bid" are required in order to submit a proposal and must be submitted by 2/21/14.

Categories for Submission:



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Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland

ΑĤ

Dat

No

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 vetland 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 Sita Rehabilitation and Rebuilding Programs
Those 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, jost 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 Pequet Indian Reservation: Fairfield County, 164,04 when County, Middlesex County and New London County. There are approximately 47,680,87 acres in Fairfield County, 164,059 acres in New Haven County, 34,059 for seres in New Hondon County, which is inclusive of the Mashantucket Pequet 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.ferna.gov.

Reasons why the Proposed Actions Must be Located in the Floodplein The ODR, SSRR and EXP Programs will provide funding to repair or rebuild en 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 record elevation requirements. Many owners of 1-4 unit residences and small businesses (not more than 100 employees) do not have the resources to repoil, reconstruct or mitigate their proporties. Without financial support, the damaged properties will continue to experience loss of revenue especially during the busy summer season. Summer tourism revenues sustain constal communities and many restaurants, lodgings, and retail establishments year-round. Many residents are dependent on essensial 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-preefing 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 elligible under the faderal
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
there believe rejectivise.

those higher priorities.

Alternative activities include: 1) Buyouts of destroyed or severely demaged 1-4 unit structures and restoration of the floodplain/wettand 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 are 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 unmen needs. This alternative will be considered only after other priorities have been met. 2) Relimbursement of rehabilitation and/or mitigation activity that has already been completed DOI recognizes the need to return Individuals and families back to their homes and get businesses back in business by addressing immediate unmen 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 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, decant, and affordable housing, not the need to restore our small businesses commy 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 COSB-OR funds.

Mittigation Measures to be Taken to Minimiza Adverse Impacts and Preserve Natural

Miligation Measures to be Taken to Minimiza Adverse impacts and Preserve Natural and Beneficial Values

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68b, 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.

- Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movament of the structure;
 Be constructed with materials and utility equipment resistant to flood damage;
 Be constructed by methods and practices that minimize flood damage; and
 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)).

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 flooding values:

1. All proposed erhabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodiplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Amagement 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 floodiplain 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.K. 58.6 (a) (1)]; for structures funded by EXP, for the term of the great No funding can be provided in manicipalities not participality in the substantial flood insurance for not less than five years from the value of C.F.R. 58.6 (a) (1); for structures funded by EXP, for the term of the great No funding can be provided in manicipalities not participality in the substantial flood insurance from the substantial flood insurance flood insurance Program.

3. In the case of "Castal High Hazard" areas C.Y" or "VE" Cross on the latest [most recent] FEMA-issued Maps), program activities will adhere to construction standards, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for Y cross in FEMA regulation 4C.F.R. Part 6.0.3 (c) as required by HLD Regulation 24 C.F.R. Part 5.5 (c) (3). Therefore, high processing in the processing of the 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 1 through 6 or Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last peragraph of this notice for recipit 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 <u>CLHousing Plans@ct.cov</u>. In the alternative, comments may be submitted on paper to: Hernia Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 509 Hudson Street, 2nd Floor, Hartford, CT 06106 by February 6, 2014 during the hours of 820 MM to 439 PM. Further information can be found on the Department's web site at https://www.ct.opy/dob.

Affidavit of Publication

State of Connecticut County of Fairfield

I, <u>Chris Gensur</u>, a billing representative of Graystone Group Advertising, 2710 North Avenue, Suite 200, Bridgeport, CT 06604, do solemnly swear that on:

Date: 30, 30, 4

Appeared in: Mow Haven Register

publication and the newspaper extracts hereto annexed were clipped from the above named issue of said newspaper.

Subscribed and sworn to this the day of February, 2014 before me.

KATHLEEN VITKO
NOTARY PUBLIC
State of Connecticut
My Commission Expires
July 31, 2017

Notary Public

Whelen Vitto

PROBATE NOTICES

NOTICE TO

The Hon. Edward C. Surt, Jr., Judge of the Court of Probate, Hamden - Beth any Probate District, by decree dateilbecember 4, 2013, ordered that all claims must be presented to the fiduciary at the address probate of the fiduciary at the address probate of the probate of the fiduciary at the address probate of the fiduciary at the address probate of the fiduciary at the lass of rights to recover on such claim.

Christine L. Panzo, Chief Clerk

The fiduciary is:

The fiduciary Is:
Rachel Berman

v/M Marlo J, Zangari, Esq.
Zangari, Cohn.
Zangar

NOTICE TO CREDITORS

The Hon. Edward C. Burt, Ir., Judge of the Court of Probate, Handen - Beth-any Probate District, by decree dated September 25, 2013, ordered that all claims must be presented to the fiduciary at the address piecow. Fallure address piecow. Fallure such claim must provide the the court of the

Christine L. Panzo, Chief Clerk

The fiduciary is:

Michael Feustel, c/o William S. Colwell,Esq. One Hamden Center 2319 Whitney Avenue Sulte 1D Hamden, CT 06518

CREDITORS ESTATE OF Leonard E. Rubin

The Hon, Edward C. Burt, Jr., Judge of the Court of Probate, Handen – Beth- any Probate Burth of Probate, Handen – Seth- any Probate District, by decree dated December, 24, 2013, ordered that all claims must be presented to the fiduciary at the address pictow. Fallure address pictow. Fallure 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 ezo William S. Colwell, One Hamden Center 2319 Whitney Avenue, Suite 1D Hamden, CT 06518 205275

NOTICE TO CREDITORS ESTATE OF: Henry L. Kraybill

The Hone Seward C. Burt, Ir. Budge of the Court of Armondate, Harmon Bethany Probate District, by decree dated December 31, 2013, ordered that all claims must be presented to the inductary at the to the inductary at the to the promptly present any such claim may result in the loss of rights to recover on such claim.

Valerie A. Dondi, Clerk

Robert H. G. Kraybill, c./o Whitney M. Lewendon, Eq. Coan, Lewendon, Gulliver & Milkenberger, LLG. 459 Orange Street, New Hayen, CT 09511 April R. Cervero, c./o Whitney M. Lewendon Ed. Milkenberger, LLG. 459 Orange Street New Hayen, CT 09511 206236

PROBATE NOTICES

NOTICE TO CREDITORS ESTATE OF: Agnes Madden

Agnes Madden
He Hon. Clifford D. Hoyle,
Judge of the Court of Probate, Darby Probate District, by decree dated District, by decree dated District, by decree dated District, by decree
that all claims must be
presented to the fiduciary
at the address below. Fallure to prumptly 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 205275

NOTICE TO CREDITORS ESTATE OF: Mary Ellen Tarrant

Mary Ellen Tarrant
The Hon. Edward C, Burt,
Ir., Judge of the Court of
Probate, Handen - Bethany Probate District, by
decree dated December
13, 2013, ordered that all
claims must be presented to the fiduciary at the
address by Bown, Fallum
such claim may result in
the loss of rights to recover on such claim.

Valerie A. Dondi, Clerk

The fiduciary is:

Steven P. Clardiello, Esq. 2840 Whitney Avenue Hamden, CT 06518

NOTICE TO CREDITORS ESTATE OF: Wanda Werner

The Hon. Beverly Streit-Kefalas, Judge of the Court of Probate District, by decree dated Decem-ber 15, 2013, ordered that all claims must be pre-sented to the fiduciary at the address below. Fallure

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

PROBATE NOTICES

NOTICE TO CREDITORS ESTATE OF ESTATE OF Russell Hitchcock, AKA Russell R. Hitchcock

The Hon. Mark J. DeGennaro, Judge of the Court of Probate, West Haven Probate Oistrict, by decree dated January 23, 2014 ordered that all claims must be presented to the fiduciary at the address below. Fallure to promptly below, failure to pro present any such may result in the li rights to recover or claim.

Gail Carrolf, Clerk

The fiduciary is:

Andrew J. Campbell, Esq. The Law Offices of Andrew J. Campbell 1052 Main Street, Suite 14 Branford, CT 05405 213220

NOTICE TO CREDITORS ESTATE OF: Albert P. Lehman

The Hon. Edward C. Burt Ir., Judge of the Court of Probate, Hamden - Beth any Probate Olstrict, by decree dated December 29, 2013, ordered that al-claims must be present ed to the fluctuary at the address below. Failure to promotity present any such claim may result ir the loss of indivision provides.

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 Hayen, CT 06507 205258

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LEGAL NOTICE TOWN OF GUILFORD INVITATION TO BID #26-1314 CONSTRUCTION OF CHITTENDEN PARK TRAILHEAD BOARDWALK

CHIT IERDEN PARK I RAILHEAD BOARDWALK.

The Town of Guilford Is seeking competitive bids to construct Chiltenden, Trailhead boardwalk to the Town beach cleated off seasted Avenue. Seeled Bids will be due on Thursday February 13, 2014 at 2:00 p.m. at the office of the Pirat Selectional, on the second floor of Town Alal, 31 appends publicly. Bids received after this date and time will be rejected. Sealed Bid envelopes cincluding overright packagings should be clearly labeled with hid rumbet, bid tide and parked "time sensitive". Printed bid specifications may be obtained in the Strong or 1500 of 500 by check tide of the Child of the Chi

A mandatory pre-bid site visit will be held at Chittender Park on Thursday February 6, 2014 at 19:00 a.m. Any ques-tions regarding the specifications may be directed, in with ing only, to maynardr@et.guillord.ct.us the Director of Parks and Recreation Department with a copy to the Pur-chasing Department at milimanip@ed.guillord.ct.us.

Each bidder will be required to submit to the Office of the First Selectman, their original proposal with one (1) cop-and a bid good or cashing's check in the amount of ten per-cent (10%) of the base bid. Each bidder shall honor the bir-price for injert (90) business days from the date of the bir-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

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Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland

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 HID regulations at 24 CFR 35.30 Subpart of Procedure for Health Peter mina tensions of paint Management, to determine the Health Peter mina tensions and paint Management, to determine the Health Peter mina tensions are determined for Community Development Block Grant — Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities as described below under Title 1 of the Housing and Community Development Act of 1974 (PL 93-363).

Owner Occupied and Scattered Site Rehebifitation and Reheliding Programs
These programs will serve 1-4 unit residential properties predominately within the flood-plain, 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 sits locations is currently in progress, the proposed project will be located in the following four counties or the Mashantucket Pequot indian Reservation: Fairlind County, New Haven County, Middlessor County and New London County and Assay London County and Assay London County and Assay London County 34,528,95 acres in Middlessor County; and 44,654,12 acres in New London County which is inclusive of the Mashantucket Pequit Indian Reservation of Federal Emergency Management Agency (FeMA) mapped special flood natural areas (SFHAs). Flood insurance Rate Maps (RRMs) may be viewed at Www.msc.fena.gov.

Rate Maps (FiRMs) may be viewed at www.msc.fema.gov.

Reasons why the Proposed Actions Must be Located in the Hoodplain

The ODRR, SSR and EXP Programs will provide funding to repair or rebuild on previously developed parcels. These programs are designed to recover the primary and ontical resisting to the program of the primary and ontical resisting to provide rehabilitation, precisional properties are indicated by the program of the primary and certain the properties of the primary and certain the properties will consider the primary and certain the properties of the properties of the properties of the properties of the properties. Without have the resources to repair, reconstruct or mitigate their properties. Without harm to the communities in which the properties are located. Small businesses within harm to the communities in which the properties are located. Small businesses within harm to the communities in which the properties are located. Small businesses within harm to the communities in which the properties are located. Small businesses within the resource of the properties are located. Small subjects within the flood primary to the properties are located. Small subjects and many restaurants, lodgings, and retail establishments year-round. Many residents are dependent on season and any ear-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-proming 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 Connective Intends to consider all activities eligible under the federal guidefines for CD8G-DR funding, and has not rejected any such activity. However, due to limited
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Alternative activities include: 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wedland 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 his limited ready would be supported to the state of the state will be considered only after other priorities have been met. 2) Relimbursement 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 relimbursements 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 the priorities have been met. 3) No-action. Homeowners and small businesses would not receive any assistance under the state of the state

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1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
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3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, verification, pumbing and air concilitoning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entaring or accumulating within the components during floods:

and maintain the insurance (24 C.R.R. 58.6 (b)). In summary, property coveres participating in these programs would be required to adhere to the following conditions to rinding the the treat 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 Commecticut aemoral Statistics). Programs, if in, or partially is, the 100-year floodplain shown on the latest FEMA flood programs, if in, or partially is, the 100-year floodplain shown on the latest FEMA flood programs, if in, or partially is, the 100-year floodplain shown on the latest FEMA flood programs, if in, or partially is, the 100-year floodplain shown on the latest FEMA flood programs, if in, or partially is, the 100-year floodplain shown on the latest FEMA flood programs, if in, or partially is, the 100-year floodplain shown on the latest FEMA flood programs assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance of the programs with the programs are sufficiently in the programs of the latest flood flood programs are sufficiently in the programs with the programs with Area (C.R.P. part 65.2) (c) (a) Therefore, the requirements of the OSRA, SSRR and EPP forgrams with the joes on the latest flood plain, in accordance with the process at 24 CFR 55.20 Subnart (** DOM* has required to the flood plain).

In accordance with the process at 24 CFR 55.20 Subpart C, DOH has reevaluated the alternatives to building in the floodylain and has made a final determination that it has no made a final determination that it has no made a final process. The process of the pro

Written comments must be received by DCH on or before February 8, 2014. DOH encouses electronic submitted or comments at CTHousing Plans@ct.gov. In the alternation comments may be submitted on paper to kermina Delaire, Program Manager, Communic Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Huds Street, 2nd Floor, Hartford, CT 6516 By Petruary 9, 2014 during the hours of 8190 AM 433 PM. Further Information can be found on the Department's web site at http://www.tcgov/doh.

Evonne M. Klein, Commissioner, DOH 210866

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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
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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 stander for flood protection and flood-proofing of commercial buildings in the floodplain may be conducted leaving properties less vulnerable to future flooding conditions.

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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 unmer heeds. This alternative will be considered only after other priorities have been met. 2) Relimbursement of rehabilitation and/or mitigation activity that has already been completed; DOH recognizes the need to return individuals and families back to their nomes and get businesses back in business by addressing immediate unment needs. To this end, providing relimbursements 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 businesse economy along the shore, and it would prevent some homes within the floodplain from being elevated to the highest standard for food 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.

- Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
 Be constructed with materials and utility equipment resistant to flood damage;
 Be constructed by methods and practices that minimize flood damage; and
 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 falled to obtain and maintain the insurance [24 C.F.R. 58.6 (b)].

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 25-86 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. SS.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-lisosued 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 HID 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 al-ternatives 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 sun-marized 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 Hermia Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 605 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.

Evonne M. Klein, Commissioner, DOH 210866



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AVISO TEMPRANO Y REVISIÓN PUBLICA DE LAS ACTIVIDADES PROPUESTAS DACIONES VAHUMEDALES EN UN PERIODO DE 100

A: Agencias interesadas, grupos y personas

con el fin de determinar el efecto potencial que sus actividades en el manejo de inundaciones y humedales tendrá en el entomo humano para el Community Development Block Grant - Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program bajo el Title i Subpart C de los procedimientos para el manejo de inundaciones llamados Procedures for Making Determinations on Floodplain Management, cabo una evaluación, tal como requerido por las órdenes ejecutivas 11988 y 11990, de acuerdo con las regulaciones de HUD 24 CFR 55.20 acta de vivienda y desarrollo comunitario Housing and Community Development Act de 1974 (PL 93-383) Por este medio se informa que el Departamento de Vivienda de Connecticut (Connecticut Department of Housing (DOH)), ha lievado a

en las zonas especiales de riesgo (Special Flood Hazard Areas). habitadas) Estos programas se utilizarán en propiedades residenciales de 1-4 unidades especialmente en áreas expuestas a inundaciones Owner-Occupied and Scattered Site Rehabilitation and Rebuilding Program (Programa de rehabilitación y reconstrucción de viviendas

EXP/Hurricane Sandy Business Disaster Relief Program (Programa de ayuda a negocios en situación de desastre a causa de la

renovar instalaciones que fueron dañadas o destruídas, o para supir capital de trabajo perdido por causa de la tormenta El Estado proveerá ayuda a los negocios para gastos de capital para reparar o reemplazar equipo necesario, pérdidas de inventario,

la FEMA para la reserva Mashantucket Pequot Indian Reservation. La tasa mapeada del seguro para inundaciones puede ser consultadas 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 44,664.12 acres en New London County, que es parte del mapeo de áreas con riesgo de inundación (SHFA)de siguientes cuatro condados o en la reserva Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County Aunque está en curso el proceso de confirmar la ubicación exacta de los lugares, los proyectos propuestos estarán ubicados en

deben estar localizadas en el área de inundación Razones que explican que las acciones propuestas

y los edificios comerciales pueden ser menos vulnerables a futuras situaciones inundación. de las residencias de 1-4 unidades y pequeños negocios (no más de 100 empleados) no disponen de los recursos para reparar, reconstruir o fueron afectados por la tormenta Sandy. Todas las propuestas de rehabilitación, reconstrucción y atenuación de las estructuras sustancialmente Estos programas están diseñados para la recuperación de residencias principales o alquiladas (1 a 4 unidades) y pequeños negocios que os ayuda, los hogares en las áreas de riesgo pueden alcanzar los mayores estándares en cuanto a protección contra inundaciones se reliero lo largo del año. Muchos residentes dependen de sus empleos de estación o permanentes en la industria turística y hotelera. Con el programa durante el activo verano. El turismo de verano ayuda a las comunidades costeras, sus restaurantes, hoteles y negocios de venta al detalle a daño a las comunidades afeciadas. Los pequeños negocios situados en los condados afeciados seguirán perdiendo dinero, especialmente mitigar los daños sufridos en sus propiedades. Sin respaldo financiero, las propiedades afectadas se seguirán deteriorando y ese hará mayor afectadas que están dentro del área inundable de 100 años, deben adecuarse a los más recientes requisitos de elevación. Muchos propietarios Los programas OORA, SSRR y EXP proveerán fondos para reparar o reconstruir en terrenos donde anteriormente había construcciones.

Lista de alternativas a ser consideradas

prioritarias que otras y serán tomadas en cuenta solamente si el financiamiento sigue disponible (uego de haber resuelto las prioridades principales DR y no ha rechazado ninguna. No obstante, debido a las limitaciones de financiamiento, algunas actividades pueden ser consideradas menos El estado de Connecticut se propone considerar todas las actividades elegibles de acuerdo con las guías para el financiamiento de CDEG

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 Entre las actividades alternativas se incluye: adquisición de estructuras residenciales de 1-4 unidades severamente afectadas o cas

necesidades no resueltas. Esta alternativa será considerada solamente después que otras prioridades hayan sido resueltas. 2) Reembolso de El costo de adquisición debido a la limitación de recursos, afectará la disponibilidad de recursos para ayudar a los propietarios para satisface

NGFORD HOUSING AUTHORITY

A partir del lunes 27 de enero 2014 La Autoridad de Vivienda de Wallingford y \$ 51,150 (dos personas) gresos como publicada por HUD no pueden superar los \$ 44,750 (una persona) usted debe tener al menos 62 años de edad o deshabilitado . Los límites de inpara la lista de espera será el lunes 28 de abril 2014 a las 3 pm. Para calificar, WHA) abrirá la lista de espera de la Sección Ocho solo para personas mayores Individuos discapacitados en el Complejo McKenna Corte. La fecha límite

Selección de Inquilinos de la WHA's. se determinará por una selección de la lotería como se establece en el Plan de Después de la fecha de cierre , la posición de lista de espera de cada solicitante

en persona o por correo. Pre -aplicaciones sólo pueden ser dejados en la deberán estar marcada no más tardar 11:59 p.m. del 27 de abril 2014 . oficina entre las 9:00 am y las 3:00 pm. Pre- solicitud entregada por correo Wallingford, CT 06492 . Todas las pre-solicitudes deben enviarse a la oficina Las Pre-Solicitud se pueden obtener en nuestra oficina en el 45 Tremper Drive,

color, origen nacional, religión, sexo, edad, discapacidad o estado familiar. La Autoridad de Vivienda de Wallingford no discrimina en base de raza,

Proveedor de Vivienda con Oportunidades de Igualdad

WALLINGFORD HOUSING AUTHOR

AVISO

Wallingford (WHA) abrirá la lista de espera de cero cuartos (0) para el programa de Vivienda Publica de familias mayor de edad o incapactadas. La lista será cerrada el jueves, 10 de abril 2014 a las 3:00 pm. Efectivo el lunes, 10 de febrero 2014 La Autoridad de Vivienda de

en la lista de espera a través de una selección de lotería según dis-Luego al cerrar la lista de espera, los solicitantes serán colocados

Affidavit of Publication

I, Chris Gensur, a billing representative of Graystone Group Advertising, 2710 North

My Commission Expires July 31, 2017

State of Connecticut County of Fairfield

Avenue, Suite 200, Bridgeport, CT 06604, do solemnly swear that on:

Date:

The solution of Housing - Inal Motice and Public Explanation of Papered Activities

Appeared in:

publication and the newspaper extracts hereto annexed were clipped from the above named issue of said newspaper.

Subscribed and sworn to this the day of the solution of the solution and the newspaper.

KATHLEEN VITKO

Notary Public State of Connecticut

KATHLEEN VITKO

Notary Public State of Connecticut

Notary Public

PUBLIC NOTICES

dension - Phese 3

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e, design fee will be negotiated Lump Sumbreis, Disadvertaged Business En-des (DBE) sub-consultant goal

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CITY OF BRIDGEPORT
ZORING BOARD OF APPEALS
PUBLIO HEARNES
Tuesday
February 11, 2014 at 5:00pm
6 be held in the City Hol Compon Council Chambers, 45 Lyon
ornoc, Bridgeport, CT relative to
he following:

of BMM Edickers A Develop-LLC - Seeking variances of the of the minimum 10 ft. sel-ic and FAR requirement of Sec, -3, and also seaking to wake (elevery of the required 35 on-parking apaces under Sec, 1-2, and also waking all of the rice fundamental particles of the rice fundamental particles of the Sec, 1-1-1 of a Selign mind use the sea and resal building to an come.

148 Andover St. - Polition of poor to Blodiesei - Seeking cost of the front setback rement, height requirements undecoping requirements undecoping requirements undecoping requirements and restated to permit the installed

13 344 Brawster St. - Pati-kim of Jayon Lyman - Seeking to modify the plan of development on 2 (two) petitions granted by the board of Appents on 04/06/13, which established a difference means of scores for two interior other producting area for the sub-scot premises in an R-A zone of the sect premises in an R-A zone in an Re-A zone of the production of the sub-scot premises in an R-A zone in an R-A zone in an R-A zone in an R-A zone of the sub-scot premises in an R-A zone in a

e applications and plans for the over described matters are or in the Zoolog Department om 210, 45 Lyon Terrace and by be inspected Monday Heom 210, 46 Lyan Terrice and inspected Monday through Priday during ciffic Monday through Priday during ciffic Monday Sept (closed 12-1pm). This notice has also been fled in the CRY Clerk's office. ATTEST: In ATTEST CHAIRMAN CONTRACT CO

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PUBLIC NOTICES

CITY OF BRIDGEPORT PLANNING & ZONING COMMISSION
PUBLIC REARING ROTHES.
The re-schedule of the January 27th public beeding of the Planning Commission of the City of Bridgeport, Cit will be held on Mor February 10, 2014 at 1610 pm in the City Gourell Chambers, 45 (prace, Bridgeport, Instalte to the following:

(14-01) 8-24 Referral - Petition of the City of Bridgeport Office of Planning & Economic Development (OPED) - Requesting under Sec. 8-24 of the 07, General Statute a Invention recommendation for the sale of 12 (severinces) obj-cented person.

(14-08) 8-24 Referral - Pethlon of the City of Bridgeport Office of hing & Economic Development (OPED) - Requesting under Sec. B the CT. General Statute a favorable recommendation for the feater control land at 350 Walde

orand Jans di 300 Waldemen Ava.

10-1 (13-7-4) 23 Bord 31. (Ask 1255 Borton Ava.) - Petition of City of Bridgenot School Building Committee - Seeking a zone change from I-L. to RC (Shot) 100, Led 1) beginning at a point of the westerly size of the City of the School Committee of the School Committee of the School Committee of 1927-55 in a point fix 14° 1333 W. a singuince of 1927-55 in a point fix 14° 1333 W. a singuince of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a shatene of 1933 W. a shatene of 1933 W. a point fix 16° 40° 27° E. a shatene of 1933 W. a shaten

14-0-4] 78 Elemenod Ave. - Pelition of 78 Glemenod Aven Besting under Sec. 14-34 of the CT General Statistics and Sec the Zohing Regulations for a certificate of approved of location a stance of a tread car dealership license in the existing comment ing in an OA-12 zone.

Intitle learning comments.

[14-07] 3255 Fairfield Ave. - Petition of Compound Training Systems a special permit and a site pion review to permit the expression of a personal braining and athletic studies on the lower level of siting moted use building in conjunction with the proposed relial to

(14-10) 375 Main St. - Petition of Housing Authority of the City of Bridg port draft Park City Communities - Sealing a site plan review and coastel site plan review to permit the establishment of a 73-44X mixed come housing complax in the NCVD zone and coastel area.

come loculing compast. In lon review some war, and the first head of all the above described minister are on file in the Zo log Department, Room 210, 45 Lyan Terrara and may be impected duting laudeness horse, Som to Son (Londer 120-) pm Meddey than Friday, only of this makes has been provided to the Port of the Company of this makes has been provided to the Company of this makes has been provided to the Company of this makes has been provided to the Company of this makes has been provided to the Company of this makes the Company of the Company of this makes the Company of this makes the Company of this makes the Company of the Company of this makes the Company of this makes the Company of the

NOTICE IS HEREBY CITIES OF SIMILE NEARING.
NOTICE IS HEREBY CITIES WHITE DE BOART OF Addresse on behalf of the Dily of Shellon will conduct a public hearing on thrusday, Fohramy 13th, 2014 of City Heis, 4 H Street, Shellon, or TOMAD part, to deuces the Flanck few 2014 Community Development Block Great program and to address the Flanck Shellon Shell

Major settly categories are: Acrasistics, Housing Behabitation; Pebilis Housing Modernization, Community Frediting, Philis Genrices, and Economics of Community Frediting, Philis Genrices, and Economics are as a set of the Philis Community of the Community of th

The purpose of the public hearing is to obtain chizzen's views on the city's community development and housing needs and review and discuss spe-cific project activities in the wares of incising, scoromic development or community facilities which could be part of the city's Application for fund

NO.

Also, the public hearing will be to give citizens an opporturily their comments feasive on the program and for approval of the income Pouse Plan. If you are unable to attend the public hearing the public hearing the public hearing to the public hearing th

The Board of Ademmen on behalf of the City of Shelton policiping for the maximum grant amount of \$400,000 under the Houblitation category. In saddline, the City of Shelton will create loar; hard with program income (principal and interpat) gene the grant for a housing reabilitation loan program.

Copies of the Solicitation for Proposals and Applications for Certification reducing a copy of the regulations are available for download from the Commencact, Department of Labor websits at http://www.coldel.snibo.ct.as/da/dabone.htm.

iseponese to this Request for Proposals will be received at the Welfare the Constitution of Sepantines of Lobor, 200 Poly Brook Boste-- Application for Connection Individual Development Account Intilative tertification and Funding Proposal or - Application for Individual Development Account Certification.

DOL expects to amounce program awards in May 2014, IDA program are expected to be operational on. July 1, 2014.

DOL reserves the right to reject any and all proposals or carood this pro-currement at any time if it is deemed to be in the best interest of the Stat



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JANUARY 30, 2014

STATE OF CONNECTICUT DEPARTMENT OF HOUSING (OOH), 505 HUGSON STREET HARTFORD, OF GOING, 19901 270-2201.

On or about Pebrusery 7, 2044-DOM off submit a request to the U.D. Department of Hearing and Urban many Public for the release of Committee May Department of Hearing Test and Section - Committee May Department of Hearing Test and Section - Control Hearing Test

Owner-Occupied Rehabilitation and Rebuilding Program (OORR) - \$30,000,000 Funding to meet urmet needs for structural repair or replacement of 1-4 unif owner-bose damaged by Supercurin Bandy loosted in any of the designated diseaster access.

Scattered, Site Rehabilitation and Rebuilding Program (SSRR) - dedicated portion of the \$25,000,000 located to Multi-family Housing

The proposed categories of networking the extension of mentions approximation.

The proposed categories of networking the first first proposed from the first productions of 20 GPR per Sil from the historial Environmental Policy Act (RPRA) regionalizes which Sils, at level relevant process has been completed, whereby a broad environmental laws and authorities has been conducted for the target area to second in the process the first per second of the control of the con

An Emphasmental Review Record (SUU) that descripts the endocripted identification for these projects and more high described the test driving proper since dazons, as on the at DOIA (correcting) benefits placed (single-dasater Recorder) Program 656 Housen Street, 2nd Room, Hausterd, CT 66166 and may be exampled or organic wheeking 800 AM to 559 P.M.

Any Individual, group, or agency may submit written comments on the ERR to Hernis Delain, Program Manag-or, Community Development Block Grand-Disaster Recovery Program, Department of Howing, 605 Hudson Sheet, 2nd Floor, Hardfoot, GT 66165. DOH encourages electronic automistal of comments for Sheet, 2nd Floor, Hardfoot, GT 66165. DOH encourages electronic automistal of comments for CT Housing-Businssion of a Requester for Polices of Flooris electronic y 3,2144 with the considered by DOH prior to au-thoring submission of a Requester for Polices of Flooris and Certification to HUI.

RELEASE OF PUNDS

Drider the Dissates Fields Appropriations Act, 2013 P.L. 118-29, who knows and inferred to as the Hericann Sen-ter of the Dissates Fields and the Propriation of the Propriation of the Propriation of the Hericann Sentence of Fords (From 7015.16) for the 15 days required by Section 104(g) of the Hericann and Comment-try Development Act of 1974 (42 LLSC, 2034(g)) and 44 CPG 86.27 if the project is Categoriesty Sended under NEPA, ISO may immediately accept the Receptan Telenos of Fronts and issues an Addonty to Use Court Fundamental (1974). Iso of the Propriation 104 CPG and Propriation 104 CPG and Propriation 104 CPG and Propriation 104 CPG.

Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodpisin and Watland

Inchine the processing Appendix, compage, a thermodal Deputement of Housing (DOM) has exockated an evaluation as empired by Executive 11868, and 11900 in accordance with HID registrations 4.2 OFT 56.25 Stopped; If Procedures for Making (Debminishtens on Plant Management), to determine the profession and FOR 1000 in a contraction of the Encloying of the Management of the Section of the Plant Appendix of the Management of the Section of the Dock to Appendix of the Management of

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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 countles 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.

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 inospitality 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) Relimbursement 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 businesses by addressing immediate unmet needs. To this end, providing relimbursements 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, deend, 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:

- 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.gov, in the atternative, 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 **Ce:** 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

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203 453-0000 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 <u>not</u> be required in order to implement this change.