



TOWN OF KILLINGLY

PLANNING & DEVELOPMENT OFFICE

172 Main Street, Killingly, CT 06239
Tel: 860-779-5311 Fax: 860-779-5381

MEMORANDUM

TO: Elizabeth Wilson, Killingly Town Clerk
FROM: Ann-Marie L. Aubrey, Director of Planning and Development
DATE: MONDAY, July 24, 2023

AMA

SUBJECT: Zone TEXT & MAP Change Appl #23-1310 – Town of Killingly, RE: National Flood Insurance Program (NFIP): a) adopted and incorporated the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) into the Town of Killingly Zoning Maps; b) Adopted revisions to the Town of Killingly Zoning Regulations, Section 440, Flood hazard districts; and c) adopted and incorporated into the Town of Killingly Zoning Regulations, (a whole new section) Article IV, Section 20 Floodplains.

Following Connecticut General Statutes Section 8-3(d) the Killingly Planning and Zoning Commission hereby informs you that the Commission has **approved the above mentioned – Zone TEXT & MAP Change Appl #23-1310. RE: National Flood Insurance Program (NFIP).**

Copies of the FIRMs (MAPS) are available for viewing in the Planning and Development Office during normal business hours. A complete copy of the zone TEXT change, with the amendments/edits are highlighted and attached hereto and incorporated herein for your convenience. ,

Following CT General Laws, the decision legal notice was published in the FRIDAY, July 21, 2023, edition of the Norwich Bulletin. Following said laws, a fifteen (15) day appeal period commenced on that date. The appeal period ends at the end of the business day on MONDAY, August 7, 2023. Provided no appeal is taken; **the approved TEXT and MAP changes become effective on MONDAY, AUGUST 21, 2023, at 12:01 am.** If appealed, and there is a positive finding of the court in favor of the Town of Killingly (i.e., the court upholds the zone TEXT & MAP changes), the zone TEXT & MAP changes will become effective immediately upon the publication of the court's decision.

Any inquiries or questions about the zone TEXT & MAP changes can be directed to my attention on 860-779-5311. Thank you for your consideration.

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| cc: | Mary T. Calorio, Town Manager (email) | Jill St. Clair, Dir. Economic Dev. (email) |
| | Jonathan Blake, Planner 1 (email) | Allison Brady, Assistant Planner (email) |
| | Tracy Bragg, Building Official (email) | Randy Burchard, Fire Marshal (email) |
| | Paul Gazzola, Asst. Bldg. Official (email) | William Skene, Asst. Fire Marshal (email) |
| | Sydney Guari, Adm. Secretary (email) | Tammy LaPlante, Adm. Secretary (email) |
| | Diane Ifkovic, CT State NFIP Coordinator (email) | |

NOTE: PLEASE KEEP THIS MEMORANDUM POSTED UNTIL TUESDAY, AUGUST 22, 2023.

(Attachments)

Section 440. The Flood Hazard District, of the Town of Killingly Zoning Regulations shall be changed as follows to allow the Town of Killingly, and its residents to benefit from the National Flood Insurance Program (NFIP).

Town of Killingly, Zoning Regulations

Section 440. Flood Hazard District

In order to prevent future lost of lives and property and to protect the ecological, scenic and recreational quality of stream belts, those areas identified as ~~being subject to special flood hazards on the Flood boundary and Floodway Map and "Flood Insurance Study for the Town of Killingly", effective January 3, 1985, and any revision thereto provided to the town by the Federal Insurance Administration of the U.S. Department of Housing and Urban Development, shall be considered as a zoning district.~~

special flood hazard areas on the Flood Insurance Rate Maps (FIRM) and the Flood Insurance Study (FIS) for Windham County, Connecticut, dated September 7, 2023, and any subsequent revision thereto, provided to the Town of Killingly by the Federal Emergency Management Agency (FEMA),

shall be a part of this district. Where questions as to the exact boundaries arise, reference shall be made to the above referenced map and study on file at the Town Hall. Any revisions made to this map and study by the ~~Federal Insurance Administration~~ **Federal Emergency Management Agency (FEMA)** shall also apply to this zoning district, following a public hearing concerning such zoning map revisions.

All applicants must review and incorporate the Town of Killingly Flood Damage Prevention and Control Ordinance (Chapter 7 of the Town of Killingly Code of Ordinances) which contains more detailed and completed development requirements and standards than provided in this section of the Zoning Regulations.

- a. No filling or other encroachment may take place within the floodway which would impair its ability to carry and discharge flood waters, except where ~~such activity is fully offset by stream improvements~~ **certification, with supporting technical data, by a registered professional engineer is provided demonstrating, through hydrologic and hydraulic analysis 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 the Federal Emergency Management Agency (FEMA).** Plans for all filling or other encroachment and for all stream improvements done in conjunction with permitted uses shall be submitted to the Zoning Enforcement Officer and town Engineer for the approval; plans for such activities done in conjunction with special permit uses shall be submitted to the Commission for approval.
- b. The Commission shall review development proposals to determine whether such proposals will be reasonably safe from flooding. If a development proposal falls within the limits of the Flood hazard District, such proposal shall be reviewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood prone area; (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and (iii) adequate drainage is provided to reduce exposure to flood hazards.

c. The Commission shall require all development **and subdivision proposals** within this district ~~greater than 50 lots or 5 acres, whichever is lesser~~, to include within such proposals base flood elevation data.

d. The Commission shall require within this district (i) that all new construction and substantial improvements of residential structures to have the lowest floor (including basement) elevated to or above the base flood level **elevation plus one (1.0) foot**; (ii) that all new construction and substantial improvements of nonresidential structures shall have the lowest floor (including basement) elevated or **dry** flood proofed to or above the base flood level **elevation plus one (1.0) foot**; and (iii) that where the use of fill would result in an increase in flood levels due to a reduction in the storage capacity of the flood plain, or in the potential for negative impacts to sensitive ecological areas, the use of pilings or columns, rather than fill, shall be used for the elevation of structures.

e. In the absence of base flood elevation data which may be furnished by the ~~Federal Insurance Administrator~~ **Federal Emergency Management Agency (FEMA)**, the Commission shall, with the assistance of the applicant, obtains, review and reasonably utilize any base flood elevation data from a Federal, State, or other source as criteria for requiring the provision of the preceding paragraph. Also see Section 460.1.2 and 530.4 supra.

~~f. The Commission hereby advises the applicant that additional Federal or State permits may be required, and if specific Federal or State permit requirements are known, copies of such permits are to be provided and maintained on file with the development permit. Possible required permits include but are not limited to: Water Diversion, Dam Safety, and corps of Engineers 404. (Effective 04-14-95).~~

f. **The Commission will also evaluate all development proposals utilizing the more detailed requirements contained in the Town of Killingly's Flood Damage Prevention and Control Ordinance (Chapter 7 of the Town of Killingly's Code of Ordinances).**

The following wording is to be added to the Town of Killingly Subdivision Regulations to allow the Town of Killingly, and its residents to benefit from the National Flood Insurance Program (NFIP).

Subdivision Regulations

Article IV. Section 20. Floodplains

If a proposed subdivision, including the placement of a manufactured home park or subdivision, is located in Special Flood hazard Area (SFHA) the following requirements shall apply:

- 1. All subdivision proposals shall be consistent with the need to minimize flood damage;**
- 2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;**
- 3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and**
- 4. The Planning Zoning Commission or its designee shall require the applicant to provide base flood elevation (BFE) for all subdivision proposals, including manufactured home parks and subdivisions. In all special flood hazard areas where base flood elevation (BFE) data is not available, the applicant shall provide a hydrologic and hydraulic engineering analysis performed by a registered professional engineer that generates BFEs for all subdivision proposals and other proposed development, including manufactured home parks and subdivisions.**