

SUBJECT TO APPROVAL

**MADISON COASTAL RESILIENCY COMMISSION
REGULAR MEETING MINUTES
May 12, 2021**

The regular meeting of the Madison Coastal Resiliency Commission was conducted Wednesday, May 12, 2021, at 7 p.m., in a public format, through a Zoom Online Webinar, with Public Participation made available through a publicly posted webinar link and password, as well as a call-in telephone number, with a webinar identification number, and with recording on YouTube.com.

MEMBERS PRESENT

Chairman Henry Maguire, Vice Chairman Graham Curtis and Commissioners Marilyn Shaw, Woodie Weiss, Wayne Rigney, Walter Welsh, Robert Sonnichsen, Shannon Lewis, and Director of Planning and Economic Development David Anderson.

MEMBERS ABSENT

Joseph Maco, Clayton Patterson, David Clark, Anthony Doina, April Allen, Timothy Casey, Fred More, Elaine Stangland, and Gregory Makoul.

OTHERS PRESENT

Selectman Al Goldberg.

The regular meeting of the Madison Coastal Resiliency Commission was called to order at approximately 7 p.m. by Chairman Henry Maguire.

Call meeting to order. Chairman Henry Maguire called the meeting to order.

Review and approve April 14, 2021 minutes.

Commissioner Woodie Weiss made the motion to approve the April 14, 2021 minutes as submitted; it was seconded by Commissioner Marilyn Shaw and unanimously approved.

Vote to approve the April 14, 2021 minutes as submitted passed, 9-0-0.

IN FAVOR: Chairman Maguire, Vice Chairman Graham Curtis, and Commissioners Shaw, Weiss, Wayne Rigney, Walter Welsh, Robert Sonnichsen, Shannon Lewis, and Director of Planning and Economic Development David Anderson.

OPPOSED: None.

ABSTAINED: None.

Update on status of Floodplain Ordinance.

Chairman Maguire stated that the Coastal Resiliency Commission submitted a revised Floodplain Ordinance to the Board of Selectmen, and he is sure the selectmen are talking about it and looking at it. Director of Planning and Economic Development David Anderson stated that the Board of Selectmen intends to work with Town Attorney Ira Bloom and formulate their own, hopefully by the summer. Selectman Al Goldberg stated that the Board of Selectmen wants to understand some of the objections raised through the public hearing process. A subcommittee of two selectmen will work with the town attorney and, if necessary, evolve the next draft. Chairman Maguire stated that the Coastal Resiliency Commission has provided what it planned to do, which was to create a revised version to send to the Board of Selectmen, and the Coastal Resiliency Commission will await whatever the Board of Selectmen decides. Commissioner Weiss asked if the town attorney would forward his comments to the Coastal Resiliency Commission, and Selectman Goldberg answered in the affirmative.

Commissioner Weiss asked Chairman Maguire if he wanted to reference an email about the revised Floodplain Ordinance, which was sent to the commissioners by Coastal Resiliency Commissioner David Clark. Chairman Maguire agreed to do so; Mr. Anderson asked that the commissioners not talk about specific properties. Chairman Maguire stated that his impression of Commissioner Clark's email is that the commission should take its time on this; in terms of the Floodplain Ordinance, it is not based on one or two homes—it is based on the town and larger zone issues. Commissioner Shaw stated that the email states that existing requirements are not being enforced. Commissioner Sonnichsen stated that Commissioner Clark indicated that he did not have specific evidence. As far as active floodplain ordinance administration, and where property owners would turn or appeal, if they were having problems, the revised Floodplain Ordinance includes a more active and specified process, according to Chairman Maguire. There is a mechanism for enforcement, which involves the town building official and the town engineer, according to Mr. Anderson. Enforcement or the supervision of enforcement is not the role of the Coastal Resiliency Commission, Commissioner Weiss stated. With reference to a couple of properties mentioned, Mr. Anderson explained how the two parcels are in compliance with the current floodplain ordinance and do meet the current requirements.

Recap of Tidal Marsh Presentation by Quinnipiac Law Student.

Director of Planning and Economic Development David Anderson stated that Attorney Marjorie Shansky, who teaches at both Quinnipiac and Yale Law Schools, through her Quinnipiac Law Land Use Practicum course, had two students write memoranda which may be of assistance in land use planning for the town of Madison. One memorandum focused on Natural Resources Inventories, a charge of the Conservation Commission to complete, and the other memorandum was on Tidal Marsh Protection, according to Mr. Anderson. Presentations of the memoranda were given by both students to the Planning and Zoning Commission, at its most recent meeting. With regards to the Coastal Resiliency Commission, the Tidal Marsh Protection memorandum has a number of recommendations and changes which could be implemented by the town, specifically setbacks and buffers, in order to protect its tidal marshes and coastal wetlands, according to Mr. Anderson. Chairman Maguire suggested the Coastal Resiliency Commission look at the suggestions made for Tidal Marsh Protection, within the memorandum, and that it make recommendations to the town for proposed actions to take. Trying to regulate a buffer could be a battle, because to some property owners, there would be no effect, but to other property owners, there would be a big effect, according to Commissioner Welsh; he suggested the Coastal Resiliency Commission create a communications plan which could equip all commissioners in speaking to the public about such issues. Communications is needed on sea level rise, tidal marsh retreat, and what options are available in moving forward, according to Commissioner Welsh. Commissioner Sonnichsen stated that he deals constantly with the issues involved in buffers and setbacks; coastal site plans and coastal area management processes address protective efforts. Because of the way resources vary, no one can simply put a 100 foot setback on a property; it is easier to deal with it, through buffers, according to Commissioner Sonnichsen. Smaller setbacks, such as 25 feet or 50 feet from coastal resources are fine, he stated. Chairman Maguire stated that the Coastal Resiliency Commission will continue to look at the opportunities and the materials presented by the law students and consider the ramifications, both long term and short term, as to the types of plans that could be made to protect the tidal marshes. Commissioner Sonnichsen stated that he hopes the town will give some official recognition to the two students. The best thing the town could do is implement the students' recommendations—that would be the biggest recognition they could receive, Mr. Anderson stated.

Discussion of Committee/Subcommittee Progress and Next Steps ~ No report.

General Discussion.

Vice Chairman Curtis stated that he thought the Coastal Resiliency Commission had mentioned putting
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up elevation signs along West Wharf, East Wharf, and other areas, indicating the elevations that would show the height of flood waters in various storm and/or sea level rise scenarios. He wondered about the status of the sign posting. Discussion followed on ways to make the elevation and flood level signs accurate and understandable to passersby. Old Saybrook and Westbrook have these types of signs posted alongside their evacuation routes, with the actual elevations posted, Vice Chairman Curtis stated. It is the current base flood elevation, stated Commissioner Weiss. That is an interesting idea; it will generate awareness, and it is going to initiate conversation, Mr. Anderson stated. Vice Chairman Curtis stated that he would show examples of the signs to the commissioners.

Commissioner Sonnichsen stated that he has been receiving many questions from the public regarding what will happen in various areas throughout town, in terms of sea level rise and coastal resiliency; particularly of interest are infrastructure plans for roads and the Surf Club, areas that were mentioned in the Coastal Resiliency Plan that is now being scheduled for updating. Mr. Anderson stated that it had originally been decided that up to \$10,000 would be spent to have David Murphy, who worked on the original Coastal Resiliency Plan, just do a general update, but maybe, now, that idea needs to be reconsidered, given the increase in public interest. The revised Floodplain Ordinance has been a lightning rod and people are really interested, stated Commissioner Sonnichsen. There are a number of recommendations for roads and bridges, as well as the Surf Club and Garvin Point, within the current Coastal Resiliency Plan, but no funding has been set aside for them. Mr. Anderson explained that it is expected that those projects would be moved into the capital improvement plan, with efforts made to achieve grants to accomplish the various projects. If more public involvement is expected on updating the Coastal Resiliency Plan, then requests for proposals should be sent out, since it will cost more than \$10,000 to do the updated plan in more detail, according to Mr. Anderson. Chairman Maguire asked the Coastal Resiliency Commission to read the current Coastal Resiliency Plan, and at the next meeting, it will be on the agenda for a decision on how to proceed with the updated plan. Mr. Anderson stated that he will send to the commissioners the current scope of the proposed updated Coastal Resiliency Plan, as well as a link to the current plan. (The current scope is the one which would cost up to \$10,000.)

Commissioner Welsh stated that Commissioner Shannon Lewis will be joining the Coastal Resiliency Commission's Communications Committee.

Adjourn

Chairman Maguire stated that no further business has come before the commission, and the meeting is ended. It adjourned at 8:01 p.m.

Respectfully submitted,
Marlene H. Kennedy, clerk