



# PLANNING AND ZONING COMMISSION

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1019 Main Street, PO Box 150, Branford, CT 06405

Tel: (203) 488 - 1255, Fax: (203) 315 - 2188

## MINUTES

### PLANNING & ZONING COMMISSION and COASTAL VULNERABILITY ad hoc WORKING GROUP

#### JOINT SPECIAL MEETING

**7:30 P.M.**

**THURSDAY, DECEMBER 1, 2022**

The meeting was held via Zoom technology at 7:30 pm.

Planning & Zoning Commissioners Present: Fred Russo, Chuck Andres (Chairman), Joe Chadwick, Sharon Huttner, Marci Palluzzi, Harry Smith-(Town Planner).

Coastal Vulnerability Working Group Present: Peter Hentschel (Chairman), Paul Muniz, Tracy Everson

Chairman C. Andres called the meeting to order at 7:30 p.m.

#### 1. DISCUSSION

Open discussion of a presentation previously sent to the Planning and Zoning Commission regarding the CVWG work identifying coastal resiliency challenges and research regarding sea level rise and other impacts on the Branford Long Island Sound coastline and implications for Commission review of coastal applications. Discussion may include:

a. Background -

Brief review and discussion of key points of the previous presentation including - Mission of CVWG; Key Existing Resiliency Documents; Approaches to Climate Change through protection, accommodation, and/or retreat; Education and Outreach underway by the Working Group; and Current "Built" Resilience Projects underway or under consideration

b. Thinking Forward -

Acknowledging that Climate Change and Sea Level Rise will inevitably require modifications to Land Use Practices, discussion of the challenges - including identification and basis of appropriate changes, feasibility and time frame of implementation, and geographic coverage of those changes.

c. Moving Forward -

- Begin a conversation about how the Commission might proceed and tools at its disposal – regulations, ordinances, CT enabling legislation
- Discuss establishing an ongoing relationship between the PZC and CVWG to support respective missions
- Future consideration of a joint subcommittee working group

*TOWN OF BRANFORD PLANNING AND ZONING COMMISSION*

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Chairman Hentschel thanked H. Smith for setting up the meeting. He reminded everyone that the Coastal Group had recorded a presentation about coastal vulnerability and coastal resilience and sent it to the planning and zoning commission members with the intention it would be a precursor to this meeting. He noted the purpose of the meeting is to open a dialogue about these issues and to help each other and work together. He read the mission of his group which is also on the town website. He said the group was started in 2020 and their first mission was to develop communication and promote awareness of coastal vulnerability and approaches to resilience.

Paul Munis (Chairman of Solid Waste Management Comm) said this group is a group of residents that want to raise awareness of resilience. They have been working to increase the knowledge base of sea level rise and vulnerability within the town.

Peter Hentschel gave a brief background of his career.

Paul Munis gave a brief summary of his career also and spoke of how the group was formed.

Tracy Everson- RTM Minority Leader (5<sup>th</sup> district) gave a brief summary of her background and career.

Harry Smith (Town Planner) noted this meeting is being filmed by BCTV and will be on the town website for future viewing.

Peter Hentschel then displayed a few slides from the prior presentation that was distributed. It started with the various documents and he noted they are on the website.

The next screen talked of near term predictions of sea level rise and storms. The next slide was ways to protect and accommodate the existing areas and retreat from vulnerable areas and let it return to its natural state. He then spoke of steps to adaptation.

He also reviewed a slide that listed the current actions to date that Branford has taken to address some of the issues. They included Linden Avenue, Stony Creek Trolley Bridge, and Meadow Street substation among others.

He showed a slide that showed the coastline, noting Branford has 20 miles of coastline.

He said there are a number of online tools that are very helpful and he briefly spoke about them.

PZ Commissioner Fred Russo thanked Peter for his presentation and asked if their group was sanctioned by the town, would it be helpful? Maybe it would be more credible and have "more teeth" to it.

Peter Hentschel noted the committee was formed by the First Selectman and the members appointed by him. Paul Munis said he would like the committee to be a go to resource in addition to town staff. They can provide information to other commissions and boards

Shirley McCarthy said the authority to deal with these issues is the planning & zoning commission. What is needed is regulations that would prevent development in areas that are going to flood as predicted by the science. She listened to a webinar by Marjorie Shansky who is an environmental lawyer in which she spoke of several things the town can do to prevent problems that will cost the town a lot of money.

Sharon Huttner spoke and said she found the webinar by Attorney Marjorie Shansky and discussed it a bit. She noted that we have to plan for future generations.

Paul Munis responded to Sharon's comments and noted in the field of resiliency the three principal responses are: protection, accommodation, retreat. But the 4<sup>th</sup> one is recognizing that prevention of future liabilities or losses over the long term is the most responsive measure that can be taken. He noted the group doesn't have any specific changes in mind for planning and zoning. However, questions should be raised and a commitment to answer those questions need to be made. So, changes can take place in the zoning process that may help to prevent future liabilities.

Chuck Andres (Chairman of Planning & Zoning) gave some comments.

Harry Smith noted there are legal constraints on what the Planning & Zoning Commission can do and those need to be explored. He discussed this briefly.

Joe Chadwick said he was thinking of the old hotels that used to be in Branford years ago, a hurricane came and they blew away. They were wood framed structures that blew away and it wasn't a significant environmental impact. But what we are building now are buildings that are not significantly biodegradable. They are more durable and the economic incentive to maintain these will be diminished. So, there may be several buildings on the shoreline that will be abandoned or there will be homeowners who have been in denial and expect the other taxpayers to pay for their issue. He suggested an ordinance that would require a decommissioning fund that would be required for any building being built on the coast. Then when a building could no longer be serviceable, it could be responsibly dismantled and taken away and not be left as a possible hazardous waste problem. This should not be dumped on a taxpaying public. He noted that buildings are no longer permanent objects.

Marci Palluzzi spoke and noted these issues are far reaching and we need a host of teams and committees and systems to all join in. Some controls Planning & Zoning can put into place and some they can't. She spoke of 20 years down the road, what will happen? That's the information we need to know now to make a decision. The planning and zoning may have some ethical responsibility to some of these homeowners that have lived on the shore for years but the homeowner must also take some responsibility as well. She also said it would be helpful to have more current information available to make decisions.

Peter Henstchel responded and noted that one of the things the committee has done is start identifying areas of the Branford road system that are flooding and where the low points are, where are the first ones to flood, etc. When you do this you notice there are neighborhoods in Branford that become isolated by the road system.

Chuck Andres commented and noted it was a valuable meeting. It was educational. He asked how this group and ideas could actually effect what the Planning & Zoning commission is doing. He noted that in the development review process, the CAM is an overlay district and some applications get sent to DEEP for their comments. He said in the last few years there has been some major projects that are near the water such as Goodsell Point Marina with a residential component and Mariners Landing which is a condo development by the brewery and mixed use near the Branford River. He noted there was an application that was submitted for condos and it was recommended by DEEP to deny it. He mentioned the Buckley Road application which floods but DEEP was ok with it because the elevation was ok and there was fill coming in. He agreed with the suggestion of a working group for more discussion. Maybe a commissioner from Planning & Zoning would volunteer. He suggested that when the Planning & Zoning Commission receives an application, we can refer them to the coastal group if they have any interest. Regarding the regulatory aspect, is there something that the Planning & Zoning commission isn't doing that maybe other towns are?

Marci Palluzzi suggested maybe having the homeowner take on some accountability and show the commission they understand what may happen in relation to what they are doing.

Harry Smith suggested he could reach out to other communities that have formed similar groups. He could also put some questions on the planner's website. He will report back to the Planning & Zoning Commission.

The meeting adjourned at 8:53 p.m.