

**Planning & Zoning
Public Hearing and Meeting Minutes
March 18, 2013**

ATTENDANCE: Michael Fortner, Pete Reich, Henry Barrett, and Planning & Zoning Coordinator Dianna Battaglia.

Public Hearing called to order at 6:32 p.m.

Mr. Fortner introduced the purpose of the public hearing this evening is to present the Draft Chapter 46 Floodplain Management regulations.

Ms. Battaglia explained new Flood Insurance Rate Maps (FIRMs) and associated Flood Insurance Study (FIS) for Cecil County, Maryland and incorporated areas, which include the Town of Perryville, will become effective on July 8, 2013. Town regulations must be updated and adopted prior to the effective date of the new maps. The Draft document provided to all members included revisions from the Town attorney except for one section which was emailed separately. In addition, the Draft document was sent to MDE who replied with recommendation for additional revisions: 1. change the definition of Substantial Improvement to match the Town's optional selection process development or redevelopment of Historic Structures as a variance, as stated in §46-23, and 2. include V Zone and Coastal A Zone standards from the MD Model Floodplain Management Ordinance. Although V Zones and Coastal A Zones are not currently shown on the maps that will become effective on July 8, 2013, FEMA is in the process of updating coastal floodplain mapping, with a small portion of V Zones and Coastal A Zones to be mapped within the Town's boundary. There is a coastal study going on now that will revise the new maps that become effective in July 2013. This language could be added at a later date when the study is complete and maps are revised but would require another public hearing to update the regulations. To follow this recommendation now, the language would already be included and when the maps are revised no further updates would need to be done to our regulations. By doing it now it ensures if any changes affect the Town, regulations cover it. Information has been provided to you from the website explaining the coastal study and the data that is being compiled. FEMA is working on Coastal Analysis and Mapping that will update the new maps further to show those areas impacted by wave action. Studies include updated topography data, historic flood levels and conducting overland wave modeling to further define coastal hazard areas. (Information that was provided to members is attached.) Also, in your package from MDE, FEMA is planning to hold a public outreach meeting to go over the changes made by the new maps and to advise the public of the next round of updates from the coastal study. It hasn't been scheduled yet but will probably be held in either May or June at the Cecil County Administration building in Elkton as a central location to handle any questions from the public in the county.

Mr. Reich indicated I sent some changes in an email dated 2/21 that on page 16, (G) says "*Inspect or cause to be inspected, buildings, structures.....to determine compliance...*". Then on page 23, §46-16 Inspections, "*The Floodplain Administrator shall make periodic inspections of development....Such inspections include...stakeout.....foundation.....enclosures below the lowest floor, utility....*" I think this section should agree with above, i.e. inspect or cause to be inspected, whether our Town engineer does it or we ask Cecil County to do it.

Ms. Battaglia responded that Cecil County conducts building inspections for us and the only time the Town is involved is at completion of the first floor deck. At that point an Elevation Certificate is

required before construction can continue to ensure the elevation is within compliance of Town floodplain regulations.

Discussion continued regarding the section for V Zones and Coastal A Zones, if the language is included now but there are no areas within Town boundaries, it would be in the regulations but the criteria would never be met. If it's not added now, then we'd have to go through this process again and hold another public hearing.

Discussion proceeded regarding changes on the new maps, with the new data available that now designates a floodway along Mill Creek. A small portion of the fire company property is now in the floodway, a few homes and the Town waste treatment property. There are no substantial changes along the Susquehanna River and River Road. As far as impact of the new maps affecting floodplain insurance costs for residents, when compared to the current maps, elevations on the new maps do not show increases or areas that would put residents in a higher risk category. That doesn't mean insurance rates won't go up like everything else but not because of the new maps.

Mr. Reich indicated when we get into the meeting portion we should recommend approval to the Mayor and Commissioners to adopt the floodplain management ordinance with the revisions made as stated. If we don't have a quorum tonight and we have a special meeting, I'd like to see those changes put in the document so we can see the revisions so we have the final document in our hands and can then make the recommendation to approve that document.

Mr. Fortner stated tonight all we can do is state for the record the three attending members are in agreement to recommend approval of Chapter 46 Floodplain Management to the Mayor and Commissioners, to include revisions by Town Attorney, incorporate the changes made by Kevin Wagner, MDE, to include the section for V Zone and Coastal A Zone standards, and revision suggested by Mr. Reich

Public Hearing was closed at 7:00 p.m.

Meeting called to Order at 7:05 p.m.

Mr. Fortner stated due to lacking a quorum the Planning Commission is unable to provide an official recommendation to the Mayor and Commissioners for Chapter 46 Floodplain Management regulations.

APPROVAL OF MINUTES:

MOTION was made by Mr. Reich and seconded by Mr. Barrett to approve the February 25, 2013 Planning & Zoning Meeting minutes as written. **Motion Passed.**

Motion made by Mr. Reich and seconded by Mr. Barrett to adjourn the meeting at 7:10 p.m. **All in Favor. Motion Carried.**

Respectfully Submitted,

Dianna M. Battaglia
Planning & Zoning Coordinator