

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING**

The Planning and Zoning Commission will hold a public hearing on October 17, 2023, starting at 6:30 p.m. via Zoom and in-person at the Clifford B. Green Memorial Center, 69 South Main Street Brooklyn, CT on the following:

- **ZRC 23-006:** Modification to Appendix 10.D: Floodplain Management Regulations of the Floodplain Overlay Zone/ (FEMA/NFIP), Applicant: PZC.

Please publish Oct. 4 and Oct. 11

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION**

**REQUEST FOR CHANGE
IN
ZONING REGULATIONS**

Date 9/18/23 Check # N/A Application #ZRC 23-006

Application Fee: \$250 State Fee: \$60 Publication Fee: \$60

Public Hearing Date 10/17/23 Commission Action _____ Effective Date _____

Name of Applicant BROOKLYN PZC Phone _____

Mailing Address _____

REQUEST TO AMEND ARTICLE(S) APPENDIX 10.D SECTION(S) 3.2

If more than one Article is requested please attach separate sheet for each one

PARAGRAPH TO CHANGE SEE ATTACHED OF THE ZONING REGULATIONS

REQUEST TO CHANGE:

APPENDIX 10.D FLOODPLAIN MANAGEMENT REGULATIONS
SECTION 3.2 BASIS FOR ESTABLISHING THE SPECIAL
FLOOD HAZARD AREAS

REASON FOR REQUEST:

→ CORRECTION OF LANGUAGE FOR COMPLIANCE
WITH NATIONAL FLOOD INSURANCE PROGRAM

Note: A petition may be filed at the Hearing by 20% or more of the area lots included in such a change within 500 ft of the property under Section 16.5 of the Zoning Regulations

3.0 GENERAL PROVISIONS

3.1 AREAS TO WHICH THIS REGULATION APPLIES

This regulation shall apply to all Special Flood Hazard Areas (SFHA) within the Town of Brooklyn.

3.2 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS (SFHA)

~~The Special Flood Hazard Areas (SFHA) identified by the Federal Emergency Management~~

The Special Flood Hazard Areas (SFHA) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Windham County, Connecticut, dated September 7, 2023, and accompanying Flood Insurance Rate Maps (FIRM), dated September 7, 2023, and other supporting data, applicable to the Town of Brooklyn, 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, AO, and AH, 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 FIS for a community. BFEs provided on a 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 BFE as shown on the FIRM or in the FIS, and where the area is not protected from flooding by a natural or man-made feature. The FIRM and FIS are on file in the Office of the Brooklyn Town Clerk, 4 Wolf Den Road, Town of Brooklyn.

3.3 STRUCTURES ALREADY IN COMPLIANCE

A structure or development already in compliance with this regulation shall not be made non-compliant by any alteration, modification, repair, reconstruction or improvement and must also comply with other applicable local, state, and federal regulations. No structure or land shall hereafter be located, extended, converted, modified or structurally altered without full compliance with the terms of this regulation and other applicable regulations.

3.4 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.

3.5 INTERPRETATION

In the interpretation and application of this regulation, all provisions shall be: 1) considered as minimum requirements; 2) liberally construed in favor of the governing body, and; 3) deemed neither to limit nor repeal any other powers granted under State statutes.

3.6 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 nor 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 Brooklyn 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 Brooklyn, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Brooklyn.