



# Genesee/Finger Lakes Regional Planning Council

JOHN F. MARREN, Chair • ROBERT BAUSCH, Vice Chair • STEVEN M. LEROY, Treasurer • DAVID S. ZORN, Executive Director

## First Steering Committee Meeting Model Intermunicipal Floodplain Overlay District Local Law Project

Wednesday, July 19, 2017  
1 – 3pm

Hilton Fire Department  
120 Old Hojack Lane  
Hilton, NY 14468

You can also join us by Skype Meeting:  
<https://meet.lync.com/gflrpc/jbreschard/3W66JIEX>

### Attendees

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| ✓ Mary Binder, NYSDEC Western NY Flood Hub    | ✓ Pat Holenbeck, Hilton Village ZBA                            |
| ✓ Joe Bovenzi, Genesee Transportation Council | ✓ Mary Austerman, New York Sea Grant                           |
| ✓ Rick Bjornholm, Hilton Village ZBA Chair    | ✓ Kathryn Friedman, University at Buffalo                      |
| ✓ James Zollweg, Parma Town ZBA               | ✓ Steve Olufsen, Monroe County Dept. of Planning & Development |
| ✓ John Gauthier, Greece Town Engineer         | ✓ Dennis Scibetta, Parma Town Code Enforcement Officer         |
| ✓ Scott Copey, Greece Town Planner            | ✓ Mark Lowery, NYSDEC Office of Climate Change                 |
| ✓ Al Fisher, Greece Town Planning Board Chair | ✓ Jayme Thomann, G/FLRPC                                       |
| ✓ John Caterino, Town of Greece               |  |

### Agenda & Minutes

1pm – Welcome! PowerPoint presentation by Jayme B. Thomann, G/FLRPC

### *Discussion*

- How to address construction and development that has occurred in the past.
- FEMA set of rules, municipal support, unmapped Zone Xs, and potential for flooding.
- Local perceptions of flooding – what is the municipality doing wrong, maps are wrong, etc.
- Understanding between local, state, and federal levels and how do they all play together, i.e. Lake Ontario shoreline.
- Washington is far away, there needs to be locally defined areas that are floodprone. A: Municipal home rule has the ability to designate those areas. For example, Town of Parma does not allow development in the floodplain. It is an understanding (but not necessarily reflected in the local law).

- Standard model local law adopted throughout Monroe County. Town of Greece has not allowed new structures in the floodplain, but has done so via Planning Board comments. Policy to not allow development in the floodplain. Q: Has it been challenged? No.
- Leverage the powers of the Planning Board to make those decisions via unregulated floodplain. Construction Specifications provide some leverage. Back and forth between Planning Board, Building Department, and local laws to “discourage” development.
- Interest in property, return on investment. Test of rebuilding along the Lake Ontario shoreline.
- One situation in Parma, property owner wants to live by the “new rules.” Cost of insurance would otherwise be too prohibitive. There will be some people that may just abandon these homes along the lakefront and eventually become issues for the municipality.
- Determine acquisition? City of Batavia, 1/3 homes lost.
- Assessed value, new rules. Flood Smart project helped reveal these concerns.
- Wave velocity zone? New V Zones (not too many structures in the new zone?) Structures will need to be elevated on pilings. Examples of homes on pilings? Changes in neighborhood appearance, traditional homes. (Good example of home recently elevated along Main Street in Owego, NY. See attached pages.)
- Not finding homes in the new draft V Zones?

#### **What do we want to get out of this model local law?**

- No development in the floodplain.
- Municipality needs to know what adjoining municipalities are allowing.
- Section 4 of your local law, may use other types of flood information to determine floodplain, i.e., historical data, new data/NYSDOT replaces a bridge (new Base Flood Elevation). Incorporate this data into your local law.

2pm – Review example local law outline

#### *Feedback*

Concern for logistics – this review needs to be a digital process. Time consuming, integration into the existing process. The standard “checklist.” The review should probably go to someone who has daily responsibilities. Floodplain management is, normally, the responsibility of the Code Enforcement Officer.

Impacts, conceptual. Zoning regulations have a larger impact. Having those same requirements across municipalities may be difficult.

Intermunicipal agreement (IMA) versus local law. Q: Are we trying to agree on what the definition of a floodplain is across neighboring municipalities? Or establishing a local review process? A: Perhaps we need to run parallel on this for a little while – create a template local law and/or IMA?

Solution: Start with minimal things. For example, no filling in the floodplain.

Upstream communities doing the same, working together via an intermunicipal agreement, i.e. Monroe County Stormwater Coalition.

Goal: How to streamline organizationally and enforce across multi-jurisdictions. Agreement that is sustainable. Suggestion: Write up the process. Agree on what the floodplain is; agree what we call EPODs; document the process and draft the local law or IMA. Thought process that leads to a draft local law.

Don't forget what the grand vision is, but be practical. What you are sharing has a level of significance beyond that immediate area. Process can become mundane for referrals. We need to establish a threshold for greater potential impacts. The benefits for doing this must be significant. We need to define what that first level is.

Many communities just don't have that economic growth or funding to allow participation in programs such as CRS. A Flood Smart "coalition" should be broadened. Then we can have access to a greater pool of funding and programs. Long-term funding? District, taxing entity. Floodplain district, sustainable funding, over the large scale to ultimately build a grants chest.

What are those leverage triggers; another set of things that we need to consider for the IMA.

Interactive website to show environmental concerns. Involvement of the municipality, digital resources, GIS. Where can property owners turn to for information?

Flood Smart project really helped to define and expand relationships.

2:30pm – Next Steps: schedule Skype and/or next in-person meeting

Upload PowerPoint presentation and agenda/minutes to the website.

Homework: Brainstorm what those "minimal things" are. For example:

- What are floodprone areas in New York's Great Lakes Basin? i.e., river or stream flood hazard areas, Great Lakes coastal areas. There are many unstudied areas where flood hazards are undetermined by FEMA. How do we want to define the floodplain? Certain area within permanent/impermanent stream, horizontal from the shoreline?
- What basic activities can we all agree on? Prohibiting fill; or, if fill is placed in the floodplain, requiring an equal volume of storage be made available, etc.

For those who are interested, next Skype/WebEx meeting will be scheduled in September. The next in-person meeting will be scheduled by November 1. Town of Greece has volunteered to be the next meeting location.

3pm – Adjournment

# Before and After

