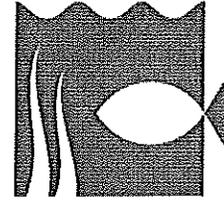


**Connecticut Fund
for the Environment**



Save the Sound[®]
A program of
Connecticut Fund for the Environment

**Testimony of Connecticut Fund for the Environment
Before the Planning and Development Committee**

***Requesting clarification regarding SB 678, AN ACT CONCERNING
MUNICIPAL FLOOD ZONE MAPS, and***

***In opposition to HB 5090, AN ACT PROHIBITING ZONING
COMMISSIONS FROM REQUIRING SPECIAL PERMITS OR SPECIAL
EXCEPTIONS FOR USES MADE NONCONFORMING BY NEW
ZONING REGULATIONS.***

Submitted by Zachary Bestor
Legal Fellow / Attorney
February 13, 2015

Connecticut Fund for the Environment ("CFE") is a non-profit environmental organization with over 5,500 members statewide. The mission of CFE, and its bi-state program Save the Sound, is to protect and improve the land, air and water of Connecticut and Long Island Sound. We use legal and scientific expertise and bring people together to achieve results that benefit our environment for current and future generations.

Dear Senator Osten, Representative Miller, and members of the Planning and Development Committee:

Connecticut Fund for the Environment submits **a comment and request for clarification** on Proposed SB 678, An Act Concerning Municipal Flood Zone Maps. If passed, this legislation would provide that the flood zone map prepared by a town engineer is the final and official map and that such map shall be used in any banking or insurance transaction.

We neither support nor oppose this legislation at present. Instead we ask for clarification regarding whether the FEMA maps would continue to serve as an established minimum level of protectiveness if this bill were passed. We do not see how a local flood map that is less protective than the established FEMA map could supersede FEMA's map. However, if a town engineer finds it necessary to increase upon the protectiveness of FEMA's flood map, we see the value in considering such map as the official map to be used in banking or insurance transactions.

To clarify, we support the use of a town's flood map that is more protective than FEMA's map, but we do not support, nor do we think that it would be prudent, to consider a less restrictive flood map than FEMA's map as the official map to be used in any banking or insurance transaction.

Connecticut Fund for the Environment submits this testimony in opposition to Proposed HB 5090, An Act Prohibiting Zoning Commissions from Requiring Special Permits or Special Exceptions for Uses Made Nonconforming by New Zoning Regulations. If passed, this legislation would prohibit zoning commissions from requiring a special permit or special exception for the continuance of a use, building or structure made nonconforming upon adoption of new zoning regulations.

Zoning issues, including nonconforming uses and when to require a special permit, are wholly local in nature, and it is necessary that these decisions be left to towns and not micro-managed by the state.

Therefore, we oppose this legislation which limits the ability of local zoning commissions to make informed local decisions based on local needs.

Thank you for your time and consideration on this matter.

Sincerely,

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