

TOWN OF CONSTANTIA
PUBLIC HEARING MINUTES - TOWN BOARD –April 16, 2013
7:00pm Constantia Town Hall

Present: Charles Gilkey – Supervisor
Richard Colesante, John Metzger, Thomas Moran, Frank Tomaino – Council Members
Clare Haynes – Town Clerk

Others Present: Wayne Woolridge - Highway Superintendent
Ronald Sakonyi - County Legislator

CALL TO ORDER:

At 7:00pm Mr. Gilkey called the Public Hearing of the Constantia Town Board to order with the pledge of allegiance.

PUBLIC HEARING:

This public hearing is to hear questions for or against proposed local law 1 of 2013, a local law entitled "Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36".

This local law relates to the FEMA flood insurance program. Some of the maps have changed, for the most part Constantia has stayed the same. It was requested the Mr. Gilkey read the Findings, Statement of Purpose and Objective for this law. They are as follows:

A local law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36

SECTION 1.0
STATUTORY AUTHORIZATION AND PURPOSE

1.1 FINDINGS

The Town Board of the Town of Constantia finds that the potential and/or actual damages from flooding and erosion may be a problem to the residents of the Town of Constantia and that such damages may include: destruction or loss of private and public housing, damage to public facilities, both publicly and privately owned, and injury to and loss of human life. In order to minimize the threat of such damages and to achieve the purposes and objectives hereinafter set forth, this local law is adopted.

1.2 STATEMENT OF PURPOSE

It is the purpose of this local law to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- (4) control filling, grading, dredging and other development which may increase erosion or flood damages;
- (5) regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands, and;
- (6) qualify and maintain for participation in the National Flood Insurance Program.

1.3 OBJECTIVES

The objectives of this local law are:

- (1) to protect human life and health;
- (2) to minimize expenditure of public money for costly flood control projects;
- (3) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) to minimize prolonged business interruptions;
- (5) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, sewer lines, streets and bridges located in areas of special flood hazard;
- (6) to help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- (7) to provide that developers are notified that property is in an area of special flood hazard; and,
- (8) to ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

Mr. Moran is concerned with Section 6 on Page 19 - Variance and how this would affect the Appeals Board, he suggested that each member of the board be given a copy of this Local Law or at least the sections that pertain to them. If an application needs to go to the Board of Appeals, then Mr. Illingworth

will send a copy of the law with the application. Mr. Illingworth would also have to be in attendance because he is the Local Administrator.

Mr. Kelsey asked if there were maps you can see. Yes, go to www.fema.gov and then select your area. You can also connect thru the Oswego County website.

This law has been on the books since the 80's, they have updated the maps so they are now asking us to update our local law.

ADJOURN:

At 7:25pm Mr. Colesante made the motion to close the Public Hearing, seconded by Mr. Metzger.

Carried: Moran - Yes Colesante - Yes Metzger - Yes Gilkey - Yes