

Proposed changes in *bold italics*

3.3.2. Flood Protection

(Amend) **3.3.2.7.** The ~~Planning and Zoning Commission~~ *Zoning Board of Appeals* shall review and decide all requests for variances and waivers from the requirements in these flood plain regulations (applicable to Section 3.3.2 only) including Specific Situation Variances:

a. Buildings on an Historic Register

Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this section, except for Section 3.3.2.6, provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical character.

b. Pre-Existing Small Lot Location

Variances may be issued ~~by the Commission~~ for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level in conformance with Section 3.3.2.6.

c. Functional Dependent Uses

Variances may be issued for new construction and substantial improvements and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, create no additional threat to public safety, and meet the requirements of Section 3.3.2.6.

3.3.2.8. Considerations for Granting of Variances

In passing upon such applications, the ~~Commission~~ *Zoning Board of Appeals* shall consider all technical evaluations, all relevant factors, all standards specified in other sections of these Regulations and:

- a.** The danger that materials may be swept onto other lands to the injury of others.
- b.** The danger to life and property due to flooding or erosion damage.
- c.** The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- d.** The importance of the services provided by the proposed use.
- e.** The necessity of the facility to waterfront location in the case of a functionally dependent facility.
- f.** The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
- g.** The compatibility of the proposed use with existing and anticipated development.

- h.** The relationship of the proposed use in the plan of development and flood plain management for that area.
- i.** The safety of access to the property in times of flood for ordinary and emergency vehicles.
- j.** The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
- k.** The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewers, gas, electrical and water systems, and streets and bridges.

3.3.2.9. Upon consideration of the factors listed and the purposes of these Regulations, the ~~Commission~~ **Zoning Board of Appeals** may attach such conditions to the granting of variances as it deems necessary to further the purposes of these Regulations.

3.3.2.10. Conditions for Variances. Variances shall only be issued upon: (1) a showing of good and sufficient cause, (2) a determination that a failure to grant the variance would result in exceptional hardship, and (3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, fraud on or victimization of the public, or conflict with existing local laws and ordinances. Variances shall not be issued if any increase in flood levels during the base flood discharge would result. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief and, in the instance of an historic building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

3.3.2.11. The Borough of Stonington shall provide written notice to any applicant to whom a variance is granted, specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as \$25.00 for \$100.00 of insurance coverage. The ~~Planning and Zoning Commission~~ **Zoning Officer** shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) in its biennial report.

6.3. PLANNED INDUSTRIAL DISTRICT (PI)

6.3.2.1. Permitted Principal Uses

Manufacturing, processing and assembly operations located entirely within a building or buildings, but excluding basic processing and manufacturing of materials or products predominantly from extracted raw materials

Printing and publishing establishments

Research laboratories and related offices

Marine science facilities

Art and craft galleries and studios

Business and professional offices

Warehouse and distribution facilities

(Add) Hydroponic and other small scale indoor farming and agricultural production