

TOWN OF CRAFTSBURY

NOTICE OF PUBLIC HEARING

Notice is hereby given to the residents of the Town of Craftsbury, VT that the Craftsbury Planning Commission will hold a public hearing in the Craftsbury Town Hall on Thursday, May 10, 2001 at 7:00 PM. This hearing will be held for public review of and comment on the proposed Flood Hazard Area Regulation pursuant to Title 24 VSA, Chapter 117.

The purpose of the proposed Flood Hazard Area Regulations is three fold. First, these regulations will protect those properties located in designated flood hazard areas by making them eligible for flood insurance. Second, these regulations will provide for the future development of these areas by requiring all future development to be built in a manner that is resistant to flood related damage. Finally, these regulations will enable individuals to obtain a mortgage for the purchase of properties located in a designated flood hazard area. The proposed Flood Hazard Area Regulation, if and when adopted, will affect all lands in the Town of Craftsbury that are located in designated flood hazard areas.

Town of Craftsbury Vermont Proposed Flood Hazard Area Regulation Table of Contents

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Copies of the proposed Zoning Bylaw may be obtained from the office of the Craftsbury Town Clerk. Dated in Craftsbury, Vermont, April 9, 2001.

Craftsbury Planning Commission

Town of Craftsbury
Flood Plain Regulations
6 June 2001

I. Statutory Authorization:

A. To effect the purposes of 10 VSA chapter 32, and in accord with the Vermont Planning and Development Act, 24 VSA chapter 117, 4407(9) and 4412, there are hereby established development regulation for areas of special flood hazard in the Town of Craftsbury.

B. It is the purpose of these regulations to promote the public health, safety and general welfare, to prevent increases in flooding caused by uncontrolled development of lands in areas of special flood hazard, and to minimize losses due to floods by :

1. Restricting or prohibiting uses that are dangerous to health, safety, or property in times of flood or cause excessive increase in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including public facilities that serve such uses, shall be protected against flood damage at the time of initial construction.

C. These regulations shall apply in all areas of the Town of Craftsbury identified as areas of special flood hazard on the National Flood Insurance Program maps which are hereby adopted by reference and declared to be part of these regulations.

II. Allowable Uses

A. The following open space uses shall be allowed within the area of special flood hazard to the extent that they are not prohibited by any other ordinance and provided that they do not require the erection of structures or storage of materials and equipment, the borrowing of fill from outside the flood hazard area, or channel modification or relocation, and do not obstruct flood flows, or increase offsite flood damage potential.

1. Agricultural uses, such as general farming, pasture, orchard, grazing, outdoor plant nurseries, truck farming and forestry.
2. Recreation uses, such as parks, camps, picnic grounds, tennis courts, golf courses, golf driving ranges, archery and shooting ranges, hiking and riding trails, hunting and fishing areas, game farms, fish hatcheries, wildlife sanctuaries, nature preserves, swimming areas and boat launching sites.
3. Residential uses, such as lawns, gardens, parking areas and play areas.

III. Conditional Use Permit Required

A. All development including fill, excavation, grading, erection or placement of structures, substantial improvement of existing structures and storage of equipment and material are permitted within an area of special flood hazard only upon the granting of a conditional use permit by the Board of Adjustment.

IV. Procedures

A. Prior to issuing a permit a copy of the application shall be submitted to the Flood Management Section of the Vermont Department of Environmental Conservation in accordance with 24 V.S.A. 4409. A permit may be issued only following receipt of comments from the Department or the expiration of 30 days from the date the application was mailed to the Department, whichever is sooner.

B. Adjacent communities and the Vermont Department of Environmental Conservation shall be notified at least 15 days prior to issuing any permit for the alteration of a watercourse and copies of such notification shall be submitted to the administrator of the Federal Insurance Administration.

C. Proposed development shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal, State, or Municipal law.

V. Base Flood Elevations and Floodways

A. Where available (i.e., Zones A1-A30, AE and AH) the base flood elevations and floodway limits provided by the National Flood Insurance Program and the Flood Insurance Study and accompanying maps shall be used to administer and enforce these regulations.

B. In areas where base flood elevations and floodway limits have not been provided by the National Flood Insurance Program (i.e., Zone A) base flood elevations and floodway information available from State or Federal Agencies or other sources, shall be obtained and reasonably utilized to administer and enforce these regulations.

VI. Development Standards

A. Floodway Areas

1. Development within the floodway is prohibited unless a registered professional engineer certifies that the proposed development will not result in any increase in flood levels during the occurrence of the base flood.
2. Junkyard and storage facilities for floatable materials, chemicals, explosives, flammable liquids, or other hazardous or toxic materials are prohibited within the floodway.

B. Fringe Areas

1. All development shall be designed to minimize flood damage to the proposed development and to the public facilities and utilities, and to provide adequate drainage to reduce exposure to flood hazards.
2. Structures shall be designed or modified so that they are adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood; be constructed with materials resistant to flood damage; and be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
3. The flood carrying capacity within any altered or relocated portion of a watercourse shall be maintained.
4. New and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
5. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
6. New and replacement manufactured homes shall be elevated on properly compacted fill such that the top of the fill (the pad) under the entire manufactured home is above the base flood elevation.
7. The lowest floor, including basement, of all new buildings shall be at or above the base flood elevation.
8. Existing buildings to be substantially improved for residential purposes shall be modified or elevated to meet the requirements of subsection 7.
9. Existing buildings to be substantially improved for non-residential purposes shall either (a) meet the requirements of subsection 8, or (b) be designed to be watertight below the base flood elevation with walls substantially impermeable and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A permit for a building proposed to be floodproofed shall not be issued until a registered professional engineer or architect has reviewed the structural design, specifications and plans, and has certified that the design and proposed methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection.

10. All new construction and substantial improvements with fully enclosed areas below the lowest floor that are subject to flooding shall allow for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
11. Junkyard and storage facilities for floatable materials, chemicals, explosives, flammable liquids, or other hazardous or toxic materials are prohibited within the floodway fringe area.
12. Recreational Vehicles placed on sites within the fringe areas shall be either on the site for fewer than 180 consecutive days, or be fully licensed and ready for highway use or meet all standards of the National Flood Insurance Program Regulations and elevation and anchoring requirements for manufactured homes.

VII. Duties and Responsibilities of the Administrative Officer

- A. The Administrative Officer shall maintain a record of the following:
1. All permits issued for development in areas of special flood hazard.
 2. The elevation, in relation to mean sea level, of the lowest floor, including basement, of all new or substantially improved buildings.
 3. The elevation, in relation to mean sea level, to which buildings have been floodproofed.
 4. All floodproofing certifications required under this regulation.
 5. All variance actions, including justification for their issuance.

VIII. Variances to the Development Standards

- A. Variances shall be granted by the Board of Adjustment only as follows:
1. In accordance with 24 V.S.A Section 4468 and Section 4412(h) and in accordance with the criteria for granting variances found in 44 CFR, Section 60.6. of the National Flood Insurance Program Regulations.
 2. Upon determination that during the base flood discharge the variance will not result in increased flood levels.
 3. Upon a determination that the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

IX. Definitions

- A. The National Flood Insurance Program definitions contained in 44CFR Section 59.1 are hereby adopted by reference and shall be used to interpret and enforce these regulations.

FLOOD PLAIN REGULATIONS-- DEFINITIONS

Base flood - The flood having a one percent chance of being equaled or exceeded in any given year.

Conditional Use - A use which may be permitted only by approval of the Board of Adjustment after public notice and public hearing to determine whether the proposal conforms to standards set forth in the Town of Craftsbury Flood Plain Regulations.

Development - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling grading, paving, excavation or drilling operations or storage of equipment or materials.

Existing construction - For the purposes of determining rates, structures for which the "date of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date.

Flood or flooding -

- a). A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1). The overflow of inland or tidal waters.
 - 2). The unusual and rapid accumulation or runoff of surface waters from any source.
 - 3). Mudslides (i.e. mudflows) which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is deposited along the path of the current.
- b). The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

Flood Insurance Rate Map (FIRM) - An official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Plain or Flood-prone Area - Any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodway (Regulatory floodway) - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floodway Fringe Area - The land in the Flood Hazard Areas subject to a one percent (1%) or greater chance of flooding in any given year and is designated Zone A or A1 through 30 on the Flood Insurance Rate Map (FIRM). In the case of streams or rivers, this is usually the area between the outer boundary or the floodway and the 100-year flood boundary.

Junkyard - Land or building used for the collecting, storage or sale of waste paper, glass, rags, scrap metal or discarded material, or for the collecting, wrecking, dismantling, storage, salvaging and sale of machinery parts or vehicles not in running condition.

Parcel Identification Map -The official town map upon which parcel boundaries are identified.

Structure - A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. Structure for insurance coverage purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For latter purpose, the term includes a building while in the course of construction, alteration, or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials are within an enclosed building on the premises.

Variance - A grant or relief by a community from the terms of a flood plain management regulation.

Substantial Improvement - refer to Vermont Planning and Development Act, 24 VSA chapter 117, 4412, (b) (6).