

**KENSINGTON BOARDS  
TOWN OF KENSINGTON, N.H.  
KENSINGTON ELEMENTARY SCHOOL LIBRARY  
TUESDAY, JUNE 24, 2014  
7:30 PM  
*Meeting Minutes-Draft***

**In Attendance:** Bob Gustafson, Emergency Management, and Conservation Commission; Joan Whitney, Planning Board; Mark Sikorski, Building Inspector; Lynne Bonitatibus, Administrative Assistant; Peter Merrill, Planning Board Chairman.

**Presenters:** Karl Anderson, FEMA; Jennifer Gilbert, OEP

Work Session Started at 7:35pm.

Mr. Anderson started the meeting by explaining to the various board members the informal setting this is to be. He is present to explain what FEMA is looking for when they do the town inspections of records, which is usually every 5 years. He instructed the town boards that the town will need to enforce the ordinance or be placed on probation or possibly removed for non-compliance. There is an emergency management training facility for local and state officials for week long classes that are free of charge. He gave the town a book called E273, which is one of the classes. The town will use that as a resource as to what to do in certain situations within the NFIP. Jennifer Gilbert from the Office of Energy Planning will speak with engineers and developers to help them better understand the regulations during developing.

Mr. Anderson was very thorough with the various new processes that the town will need to follow now that they are part of the NFIP which are included below:

**Permitting:**

If you are in a flood zone A, you will need a permit for anything constructed on the property. There are the current building permits as well as a flood plain permit that will need to be obtained before any work can start on the property.

The building inspector will need to verify whether the proposed structure is or is not in the flood zone. The town will be using the current 2005 Flood Maps to verify the location of the building to the flood zone. Currently the town does not require a permit for structures under 10x12, but in the flood zone you will need one for anything constructed, this current exemption will not apply to your flood zone property.

If new homes are constructed within the flood hazard area they will not be able to contain basements with all floors below the ground. An elevation certificate might be required with the floodplain permit, these can be filled out by the resident, but it is best to be certified by a surveyor. If the resident needs to do a Dredge and Fill permit they will need to obtain a floodplain permit after all of the other requirements are met. The town will need to develop a floodplain permit for the parcels that are within the zone. It is up to the town to figure what activities would need a permit based on whether the floodplain would be changed due to the activity proposed. The Intent to Cuts will need to be looked at as well. Robert Gustafson suggested maybe the forester should look into those parcels further. The building permits will have to be reworked or a box added to them to indicate the whether they are in the floodplain or not. The cards will be marked, and highlighted

once we have a list of residents in the floodplain. The conservation commission has a transparency of the parcels that the town can overlay to see what parcels are within the zone. Joan indicated to check with GRANIT to see if they would provide the town with maps. Ms. Gilbert will look into that for the town. If the structure is outside the zone then the resident will not need to do the floodplain permit. There is a LOMA (Letter of Map Amendment) that landowners can do to be taken out of the zone. The definition of flood is that it affects 2 parcels or 2 acres contiguous. Lynne indicated that the town will have to figure out a way for Mark to bill for the floodplain permits. Ms. Gilbert indicated that the book indicates how to deal with the smaller projects and if it will affect the flood flow, what towns should do.

**Improvements to Home/structure:**

If the homeowner makes substantial improvements to the home valued at more than 50% or more of the market value of the structure they will have to comply with the current floodplain ordinance. A building permit and a flood plain permit will have to be obtained for structures in the floodplain.

Another change would be in the subdivisions of 3 or more lots, they would need to have an engineer review the application. Ms. Gilbert explained that you would look at the cost of the improvement versus the market value of the structure and if that is 50% or greater than it is considered a substantial improvement. She directed the building inspector to the guide book, which has a checklist and how to determine the market value.

It will detail everything that the building inspector will need and is available online. If there is a structure damaged by other means, ex. Fire, they would have a substantial repair and have to go through the steps. It is damage of any origin. Anyone who applies for a LOMA will not have to go by the regulations. If the structure is out none of the regulations would apply.

**Certification:**

The elevation of the lowest floor of the structure is one of the biggest rules of the program. Kensington doesn't have the base flood elevation, so the information will be different for the town. In Zone A it will require the town building inspector to determine the as-built elevation. Kensington will use 2 feet above the highest adjacent grade to the structure. Ms. Gilbert added this section and it ties directly to the insurance. Mr. Anderson explained that the low floor will be 2 feet above the highest adjacent grade. The homes will have flow areas below the floor and no basement.

**Utilites:**

Lynne asked about underground utilities. They explained that the connections to the utilities could be below the ground, but not the electrical boxes or furnaces. Joan asked about the subdivisions. Mr. Anderson explained that if there was a subdivision of 3 or more and the town would require the developer to develop the base flood elevations, and that would need an engineer, this cannot be waived. When it comes to building the structures then the inspector could use the base flood elevations to determine the floor height instead of using the 2 feet above the highest adjacent grade. The propane tanks can float and would need to be anchored. They need tie downs and FEMA has guidelines and recommendations for the towns. The tanks would have to be added to the building permit checklist.

**Preventing Common Violations within the town's handout areas:**

Unfinished area/ limited uses

No basements or areas below ground

Flood openings

Elevation Certificates should be included in each file with buildings in the floodplain; the property owner can fill them out. Surveyor can fill them out, and FEMA would recommend the surveyor fill elevation certificates out.

Elevation Certificate is a FEMA form that the towns can use and they recommend the towns use them to capture the information. This is for the community to comply and the homeowner can use it for flood insurance.

Peter Merrill arrived at 8:28pm.

As far as the compliance purposes the town can decide what they will require.

Ms. Gilbert explained that pre-firm is anything built before your initial flood insurance acceptance date, so since the last maps were 2005 that will be our date. Anything before 2005 is pre-firm and anything after 2005 is post firm.

Peter asked if any town lands are in the floodplain. There might be land off of North Haverhill Road, by great brook.

Kathy asked about backland that has walkways within the floodplain. Any structure would need a floodplain permit.

**Campgrounds:**

Campgrounds will be considered to have structures if they stay for more than 180 days and they are not registered. They would have to meet the floodplain ordinance by elevation of 2 feet above ground.

Ms. Gilbert will talk to GRANIT to see if they will print out maps for the town to have on file. The flood maps that the town has are moldy and not able to be in the current facility. The FEMA flood zones will be posted on the town website.

Work session adjourned at 9:11pm.

The members thanked Mr. Anderson and Ms. Gilbert for all the help and the information presented.

Respectfully Submitted,

Kathleen T Felch, Planning/Zoning Clerk