

Town of Isle au Haut Floodplain Management Ordinance Public Hearing

Held: Thursday, July 7, 2016, 6:00 PM at Revere Memorial Hall

Hearing Chairman was Robert Gerber, Chair of the Planning Board

In Attendance: Bob Gerber, Marion Breeze-Williams, Charlie Hopkins, Donna Hopkins, Meghan Cooper, Rachel Harris, Marie Hamly, Kendra Chubbuck, John DeWitt, Brenda Clark

The public hearing was opened by Planning Board Chair Bob Gerber at 6:00 PM. The Chair noted that hearing notices were sent to all tax payers and notices were published in the local newspaper both 2 weeks and 1 week in advance of the public hearing.

Bob Gerber explained the origin and purpose of the proposed ordinance. This is the Federal Emergency Management Agency (FEMA)'s first time mapping Isle au Haut. The FEMA flood maps are based on 100-year recurrence interval coastal flood elevations and do not depict flood zones for inland streams. Therefore, the Ordinance incorporates the maps by reference and, although generic, do not really deal with hazards created by flooding of inland streams

If the town approves this ordinance (with few changes because this is what is federally dictated):

- The town and property owners within the town will be eligible to join the National Flood Insurance Program and purchase federally subsidized flood insurance.
- The town will be eligible for federal emergency response funds in the case where the President declares our area to be part of a natural disaster zone.

Bob went through the ordinance to explain what it covers. If the ordinance is approved, it will establish a new permitting program for those wishing to build in the flood zone. Those wishing to build in the flood zone must have a distinct separate permit from the planning board beyond those that might be required by the Town Zoning Ordinance and the Shoreland Zone Ordinance. Structures currently in the flood zone are grandfathered in, but if owners want insurance, it would be very expensive to purchase privately. The ordinance also allows the planning board to hire experts (such as surveyors or engineers) if necessary, at the applicant's expense to verify any Applicant's information presented on the elevations on a site and how they relate to the mapped Special Flood Hazard Areas (SFHA) on a site. The Floodplain Management Ordinance permit is actually a 2-step process whereby the plan is initially approved and then the CEO must verify and approve the elevation of the first floor of any building before the building construction can continue beyond the first floor.

It was asked how this will affect the Island Store. The store is grandfathered in, but if they wish to purchase insurance, it will be more expensive if the town does not pass the ordinance.

This ordinance is of importance to all residents, not just those living in the flood zone, because in case of natural disaster, the town would need to have passed this ordinance to receive federal relief funds.

Bob Gerber answered specific questions about property owners' houses and where they are located in relation to the flood zone, as well as what impact the proposed ordinance will have on those properties.

It was asked what impact erosion has on the mapped flood zones. The flood zone line remains the same, even if the actual ground elevation is not identical to the flood elevation at any given point (in most cases). Some coastal flood maps take into account erosion, but Isle au Haut's coastline is such that FEMA did not assume that substantial erosion will take place. There is a process for individual property owners to conduct appeals to challenge both the flood zone elevation determination (LOMR) and if they believe the elevation of their ground or first floor is actually above a flood zone covering their structure (LOMA). The federal maps are general enough that they could be challenged, particularly in regard to the estimate of the SFHA elevation. However, such a challenge to FEMA's calculations is expensive and time-consuming.

It was asked if a property owner with a structure currently mapped in the flood zone could relocate a house farther away? Yes, that would be acceptable.

It was asked if the map will be updated as the sea level rises. The maps will be updated in about twenty years. These maps do not account for future sea level rise.

It was asked what the cost is, from an Isle au Haut resident's standpoint, to adopting this ordinance. There is little cost. The planning board will have more review over building in the flood zone, but most people are not currently building in the flood zone, anyway. A large advantage to adopting the ordinance is that in case of disaster, the town would be eligible for federal disaster relief funds.

Passing the ordinance essentially says that the town accepts the maps and will regulate land uses in the flood zone as described in the ordinance.

It was noted that having the maps updated only every twenty years and not having the maps account for sea level rise means that the maps are always a little bit behind the times.

There being no further questions or comments, the hearing was officially declared closed at 7:17 PM. The Chair noted that written comments would be accepted for an additional 30 days from the hearing date.

Respectfully submitted,
Meghan Cooper
Reviewed and approved by Robert Gerber, Chair