

**SBVD PLANNING BOARD  
MEETING MINUTES  
December 7, 2020**

**PRESENT:** Ted Xavier, Robert Gossett, Don Hawkins, Bob Weisner, Steve Keaney  
Present on Zoom: Joel Spiller, Bill Howley, Larry Deshler

**ABSENT:** SBVD Planner Tom Morgan

**MEETING OPENED:**

The meeting was called to order at 7:00 PM. Ted Xavier led the meeting in the Pledge of Allegiance.

**MEETING MINUTES:**

Minutes from the 9/14/2020 meeting were distributed and reviewed.

**Motion to approve minutes:**

**Ted Xavier**

**Motion seconded:**

**Don Hawkins**

**Motion accepted by voice vote.**

**PUBLIC HEARING:**

Ted Xavier opened the public hearing at 7:02 PM. Don Hawkins said the New FEMA Flood Insurance Maps and Flood Insurance Study would go into effect on January 29, 2021 and that all cities, towns and village districts in Rockingham County were required to update their Subdivision, Site Plan and Zoning Regulations to comply with the new flood maps. The proposed changes were prepared by Samara Ebinger, Principal Planner at the New Hampshire Office of Strategic Initiatives and needed to be adopted by January 15, 2021. Most of the changes are simple and shouldn't take much time to review.

1. **Adopt amendments to Section 6.115 of the SBVD Sub Division Regulations** to comply with the new FEMA Flood Insurance Rate Maps and Flood Insurance Study. The PB reviewed the changes (highlighted in yellow) to section 6.115.

**6.115 Flood Hazards** - All subdivision proposals and proposals for other development governed by these regulations having land identified as special flood hazard areas in the *Flood Insurance Study* for Seabrook, together with the latest adopted *Flood Insurance Rate Maps* for Seabrook dated **January 29, 2021** or later, shall meet the following requirements: 1) Subdivision proposals and proposals for other development shall be located and designed to assure that all public utilities and facilities, such as sewer, gas, electrical and water systems, *are located and constructed to minimize or eliminate flood damage and adequate drainage is provided to reduce exposure to flood hazards;* 2)

Subdivision proposals and other proposed new development shall include base flood elevation data.

The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

There were no questions or comments

**Motion to adopt the SBVD Subdivision amendments as presented:** Don Hawkins  
**Motion seconded by:** Robert Gossett  
**Motion passed by unanimous voice vote.**

2. **Adopt amendment to the SBVD Site Plan Regulations by adding Section 8.150** to comply with the new FEMA Flood Insurance Rate Maps and Flood Insurance Study. The changes to section 8.150 are highlighted in yellow.

**8.150 Flood Hazards** - All subdivision proposals and proposals for other development governed by these regulations having land identified as special flood hazard areas in the *Flood Insurance Study* for Seabrook, together with the latest adopted *Flood Insurance Rate Maps* for Seabrook dated January 29, 2021 or later, shall meet the following requirements: 1) Site Plan proposals and proposals for other development shall be located and designed to assure that all public utilities and facilities, such as sewer, gas, electrical and water systems, *are located and constructed to minimize or eliminate flood damage and* adequate drainage is provided to reduce exposure to flood hazards; 2) Site Plan proposals and other proposed new development shall include base flood elevation data.

The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

There were no questions or comments.

**Motion to adopt the SBVD Site Plan amendments as presented:** Don Hawkins  
**Motion seconded by:** Robert Gossett  
**Motion passed by unanimous voice vote.**

3. **Adopt amendments to Section XI of the SBVD Zoning Ordinance** to comply with the new FEMA Flood Insurance Rate Maps and Flood Insurance Study. The changes to Section XI are highlighted in yellow.

## SECTION XI: FLOOD CONTROL REGULATIONS

This Ordinance, adopted pursuant to the authority of NH RSA 674:16, shall be known as the Seabrook Beach Village District, Seabrook, New Hampshire, Floodplain Development Ordinance. The regulations in this ordinance shall overlay and supplement the regulations in the Seabrook Beach Village District, Seabrook, New Hampshire Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provisions of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for Rockingham County, New Hampshire" dated January 29, 2021 together with the associated Flood Insurance Rate Maps dated January 29, 2021, which are declared to be a part of this ordinance and are hereby incorporated by reference.

### ITEM I: DEFINITION OF TERMS

The following paragraphs were changed or removed from ITEM I.

~~"Area of Shallow Flooding" means a designated AO, AH, or VO zone on the Flood Insurance Rate Map (FIRM) with a one-percent or greater annual possibility of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.~~

"Area of Special Flood Hazard" is the land in the floodplain within the SVBD, Seabrook, New Hampshire, subject to a one-percent or greater possibility of flooding in any given year. The area is ~~designated as Zone A on the FHBM and is~~ designated on the FIRM as zones AE and VE.

~~"Flood Boundary and Floodway Map" (Floodway Map) is an official map of the Seabrook Beach Village District on which FEMA has delineated the correct flood hazard zone or base flood elevation. The Flood Insurance Rate Map (FIRM) will be used to make determinations of flood hazard zones and base flood elevations.~~

~~"Flood Insurance Study" - see "Flood Elevation Study".~~

ITEM II No Changes

ITEM III No Changes

ITEM IV No Changes

ITEM V

For all new or substantially improved structures located in Zone AE, the application shall furnish the following information to the Building Inspector:

- a. The as-built elevation (in relation to **mean sea level**) of the lowest floor (including basement) and include whether or not such structures contain a basement.
- b. if the structure has been flood proofed, the as-built elevation (in relation to **mean sea level**) to which the structure was flood proofed.
- c. any certification of flood proofing.

For all new construction or substantially improved buildings located in Zone VE the applicant shall furnish the building inspector records indicating the as-built elevation of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings or columns) in relation to mean sea level and whether or not the structure contains a basement.

The Building Inspector shall maintain the above information for public inspection, and shall furnish it upon request.

ITEM VI No Changes

ITEM VII No Changes

ITEM VIII

1. No Changes
2. No Changes
3. Recreational vehicles placed on sites within **Zone AE** shall either (i) be on the site for fewer than 180 days, (ii) be fully licensed and ready for highway use; or (iii) meet all standards of **Item II of** this ordinance and the elevation and anchoring requirements for "manufactured homes" in Item VIII(2)(c) of this ordinance.

ITEM IX No Changes

**Discussion of proposed zoning changes:** Larry Deshler pointed out that that the term “mean sea level” in ITEM V was being incorrectly used and that it was improperly substituted for North American Vertical Datum of 1988 (NAVD 88) which gives a more definable reference to measure building elevations. Larry pointed out that “mean sea level” data is difficult to find and is not used anywhere on the FEMA Flood Insurance Maps making it difficult for property

owners to describe their building elevation. He asked if it was appropriate for the PB to proceed with a vote using “mean sea level” if we were unable to identify where the measurement is taken and how it will be used in base flood elevation calculations. After a long discussion and no consensus the Board decided to vote on the Zoning Ordinance changes and to add conditions to the vote.

**Motion to adopt the SBVD zoning amendments as presented with the following conditions:**

- **The PB determines if the term “mean sea level” is properly used in Item V.**
- **The PB establishes where the “mean sea level” data is measured and where property owners can find it.**
- **If the term “mean sea level” was improperly used the correct term will be substituted in Item V. The correction will be voted on at the PB January 4, 2021 meeting.**

**Motion made by:**

**Joel Spiller**

**Motion seconded by:**

**Robert Weisner**

**The motion passed by unanimous voice vote.**

The public hearing was closed at 7:45 PM

The meeting was adjourned at 7:45 PM.

Submitted by,

Don Hawkins

**Next PB Meeting:** The next meeting of the PB will be Monday January 4, 2021 at 7:00 PM.