

TOWN OF SOUTH BETHANY

Minutes for SLR & SS Committee Meeting

Thursday, December 12, 2013 at 1:00 Location: South Bethany Town Hall

- Meeting called to order at 1:00.
- Members present for this meeting; Jim Gross, Jay Headman, George Junkin (Chairperson), Al Rae, Dave Wilson
- Called Frank McNeice so that he could participate by telephone. Motion was made and seconded that Frank would be allowed to participate by phone. The motion passed unanimously.
- Guest present for this meeting; Wendy Carey (Sea Grant, U of D) and James Saftich (President of the SBPOA)

- Discussions focused on potential code changes required to adapt to SLR & SS
- **The first discussion was relative to the allowable maximum height for buildings.**
 - The current maximum allowable height is 32 feet above the street for all of South Bethany except the Cathill Development where it is 32 feet above the average height of the lot. The choices considered to adapt to SLR & SS were;
 1. Keep the height restriction as it currently is.
 2. Make the height restriction BFE plus 32 feet.
 3. Make the height restriction the higher of BFE plus 32 feet or 34 feet above the street.
 4. Make the height restriction 34 feet above the road or, where the road is low, allow a homeowner to fill the area under the footprint of the house to a maximum height of 4 feet NAVD and then have the height restriction be 34 feet above whatever he filled the footprint to.
 - 5. Make the height restriction the higher of 34 feet above the road or 38 feet NAVD.**
 - Jim Gross made a motion to propose #5 above to council as the committee's recommended code change. George seconded the motion. The vote was five for the motion and one against the motion. The motion passed.
 - Jay moved that we add a restriction on excavating a property. Al seconded the motion. The vote was three for the motion and three against the motion. The motion failed to pass.

- **The second discussion was relative to allowable bulkhead height.**
 - The current code requires that “Bulkheads shall be constructed so that they connect and align with existing adjacent bulkheads and/or riprap, where practical.” Existing Bulkhead heights range from 0.5 feet to 4.0 feet NAVD. With the largest step in height of about 2.0 feet. There are also numerous horizontal non-alignments. Thus the existing bulkheads are inconsistent with the current code.
 - At the November 19 meeting the committee had voted to make the following recommendation to Council. Make no change to horizontal alignment but add a requirement on height.
 1. Maximum height is limited to the BFE as documented on the most current FEMA Map.
 2. Any bulkheads that require replacement must have a height of at least 4.0 feet NAVD.
 - At the 12/12/13 meeting Jim made a motion seconded by George that the 4.0 feet NAVD requirement be changed to 3.0 feet NAVD. The vote was 5 for and 1 against the motion. The motion passed. Thus the proposal to council relative to bulkhead height is
 - 1. Maximum bulkhead height is limited to the BFE as documented on the most current FEMA Map.**
 - 2. Any bulkheads that require replacement must have a height of at least 3.0 feet NAVD.**
- **The third discussion was relative to meeting FEMA Flood Plain Requirements with freeboard.**
 - At the November 19 meeting the committee had voted to make the following recommendations to council;
 1. Change Code Chapter 145, in all places necessary, to require that for all new construction or substantial improvement, including house raising, that there be 3 feet (to the bottom of a floor not to the top) of freeboard added to the BFE.
 2. No machinery and/or equipment servicing the building may be below this height. (item e. on the elevation certificate. With the exception of some items such as sump pumps.
 3. In V zones no horizontal structure (item c. on elevation certificate) may be below this height (BFE plus 3 feet).
 4. All structure below this height must be flood resistant in compliance with FEMA Tech Bulletin 2 “Flood Damage-resistant Classification of Material.”

- Jim brought up that FEMA always references to the top of the floor not the bottom of the floor. Jay pointed us to the *CRS Coordinator's Manual*, section 432.b. Freeboard, in particular paragraph (2) under Credit Criteria, which defines "The amount of freeboard is measured according to the following criteria: ..."
- **The committee agreed that our intent was to require 3 feet of freeboard and the words in the code should be amended following the criteria in the CRS Coordinator's Manual to get credit for 3 feet of freeboard.**
- **The fourth discussion was relative to requirements regarding fill.**
 - Code Chapter 149-09A states "Lots shall be graded toward the property lines to form a small, shallow swale at the property line. The swale shall have a slight grade toward a drainage system installed by the Town. No lot shall unreasonably drain onto any adjacent property. Questions regarding drainage shall be decided in the reasonable exercise of the Code Enforcement Constable's sound judgment."
 - The committee agreed that
 1. No change is required.
 2. The Code is acceptable as is.
- The discussion then turned to what funding requests the SLR & SS Committee should make to Council for the FY 2015 Budget Year (May 1, 2014 – April 30, 2015). The following items were identified
 - Funds to have URS survey the streets on the east side of route one that were not included in the 2013 Elevation Survey. George will ask URS what these costs would be. It is expected that a grant could be obtained to cover some of the costs, but there would be some match required.
 - Funds to develop a formal *Coastal Resilience, Risk Assessment and Mitigation Plan* for the Town of South Bethany. We have been in communication with two companies (Pennoni and URS), both have the qualifications and experience to develop such a plan. Ballpark costs are on the order of \$10,000. It is expected that grant money would be available, but matching funds would also be required.
 - Funds to support travel to appropriate SLR & SS meetings. Quite a few occur in the Dover area.
- Wendy Carey passed a message from Michael Powell that the State would be passing on some requirements from FEMA that would have to be adopted into Town Codes. The target date for this information is March or April, 2014. The SLR & SS committee stated

that they would continue on with the above code change recommendations and when we heard more from the State we would do what was required to comply.

- The meeting adjourned at 4:15.