

**TOWN OF SWANSBORO
FLOOD MANAGEMENT APPEAL BOARD
SPECIAL MEETING MINUTES
MARCH 2, 2020**

Call to Order

The meeting was called to order at 3:07 pm. Board members in attendance were: John Freshwater, Junior Freeman, and Paul Wysocki. The board had one vacancy.

Oath of Office

Deputy Clerk, Alissa Fender issued the oath of office to all board members in attendance.

Election of Chair & Vice Chair

On a motion by Mr. Freeman, seconded by Mr. Wysocki, John Freshwater was elected chair. The vote was unanimous.

On a motion by Mr. Freshwater, seconded by Mr. Wysocki, Junior Freeman was elected vice-chair. The vote was unanimous.

Approval of Minutes

On a motion by Mr. Freeman seconded by Mr. Freshwater, the September 2, 2015 meeting minutes were approved unanimously.

New Business

Flood Damage Prevention Ordinance Update

Planner, Jennifer Ansell explained that the Preliminary Flood Insurance Rate Maps (FIRM) were released to the Town on June 30, 2016. A 90-day appeal period was initiated following their release, and no responses were received. FEMA had issued the Town a Letter of Final Determination, which contained an Effective Date for the new FIRMs of June 19, 2020. As a participating community in the National Flood Insurance Program (NFIP), the Town is required to update our Flood Damage Prevention Ordinance with the new map references before the Effective Date of the new FIRMs.

Mrs. Ansell reviewed the following items of the draft ordinance that needed reviewing and a determination on.

- “Non-Conversion Agreement” means a document stating that the owner will not convert or alter what has been constructed and approved. Violation of the agreement is considered a violation of the ordinance and, therefore, subject to the same enforcement procedures and penalties. The agreement must be filed with the recorded deed for the property. The agreement must show the clerk’s or recorder’s stamps and/or notations that the filing has been completed.
- (4) Elevated Buildings
 - (b) Shall not be temperature-controlled or conditioned;
 - (f) Property owners shall be required to execute and record a non-conversion agreement prior to issuance of a building permit declaring that the area below the lowest floor shall not be improved, finished or otherwise converted to habitable

space the Town of Swansboro will have the right to inspect the enclosed area. This agreement shall be recorded with the Onslow County Register of Deeds and shall transfer with the property in perpetuity.

- (g) Release of non-conversion agreement. If a property which is bound by a non-conversion agreement is modified to remove enclosed areas below the BFE, then the owner may request a release of the non-conversion agreement after staff inspection and submittal of confirming documentation.
- “Regulatory Flood Protection Elevation” means the “Base Flood Elevation” plus the “Freeboard”. In “Special Flood Hazard Areas” where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus Insert freeboard [four (4) feet (Four feet is the state recommended freeboard)] feet freeboard). In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least Insert feet [Four (4) feet is a state-recommended elevation, two (2) feet is a state-recommended minimum] feet above the highest adjacent grade.
- STANDARDS FOR COASTAL A ZONES (ZONE CAZ) LiMWA

After discussion the board provided the following feedback:

- Deletion of “*Non-Conversion Agreement*”
- Deletion of sections (b)(f) and (g) of (4) *Elevated Buildings*
- A maximum freeboard of 1 foot was desired
- Issue notification to property owners affected by the new LiMWA zone

Eryn Futral, NFIP Planner for the Eastern Branch of the NC Department of Public Safety was also present via conference call.

The Board requested that Staff gather the applicable Building Code references related to the LiMWA and provide them to the board so that they could provide a recommendation at a future meeting.

Rules and Procedures Amendment

The Flood Management Appeals Board Rules and Procedures were amended to reflect the changes in the board meeting schedule from meeting semi-annually to meeting as called.

Adjournment

On a motion by Mr. Freeman, seconded by Mr. Freshwater the meeting adjourned at 4:20 pm.