

COUNTY COMMISSIONERS OFFICE
PRINCESS ANNE, MARYLAND
JANUARY 18, 2011

PUBLIC HEARING

At 7:00 P.M., the Board of County Commissioners for Somerset County met in session with President Rex Simpkins, Commissioner Vice-President Charles F. Fisher, Commissioner Jerry S. Boston, Commissioner Craig N. Mathies, Sr. and Commissioner Randy Laird.

Also present for the Public Hearing was County Administrator/Clerk, Cynthia R. Ward, Gary Pusey, Director for the Department of Technical and Community Services, and Debbie Lawson, Zoning Inspector for the Department of Technical and Community Services.

At 7:00 p.m., Commissioner President Simpkins declared a Public Hearing open regarding the following:

“Notice of Public Hearing, Board of County Commissioners for Somerset County, Amendment of the Floodplain Management Ordinance, Tuesday, January 18, 2011 at 7 P.M., County Commissioners’ Meeting Room, Room 111, 11916 Somerset Avenue, Princess Anne, Maryland

In accordance with Section 1361 of the National Flood Insurance Act of 1968, as amended, Somerset County has been notified by the Federal Emergency Management Agency (FEMA) that its existing Floodplain Management Ordinance (Somerset County Ordinance #556) must be amended to meet new federal regulations in order for the County to continue its participation in the National Flood Insurance Program (NFIP).

Members of the public are invited to attend the Public Hearing and comment on the draft Ordinance. The County Commissioners will consider all public comment prior to making a decision on the draft Ordinance.

Fair Summary

The proposed Floodplain Management Ordinance regulates all development and new construction occurring within Special Flood Hazard Areas (SFHAs) as identified by the Flood Insurance Rate Map (FIRM) prepared by FEMA. The SFHAs are subject to a 1% or greater chance of flooding in any given year. The proposed ordinance requires permits for development in the SFHAs and ensures that construction materials and methods used will minimize future flood damage. Adoption of the Floodplain Management Ordinance by Somerset County allows residents and property owners in the County to purchase flood insurance through the NFIP.

For further information please contact the Somerset County Department of Technical and Community Services at 410-651-1424.”

Gary Pusey, Director of the Department of Technical and Community Services, stated that this Public Hearing is to consider a new Floodplain Ordinance. The current Floodplain Ordinance (#556) was adopted in 1993. This Ordinance regulates development that occurs in the 100-year floodplain, which covers approximately 40% of Somerset County.

Mr. Pusey noted that in 2010, the Federal Emergency Management Administration (FEMA) notified the County that new floodplain maps had been prepared. These maps would replace that that are now being used, which some date back to 1981. Public information meetings were held on December 15, 2010 and January 5, 2011 to explain the new maps and to allow property owners to observe how the new maps may have affected their properties. In some cases, properties that were previously not in the floodplain are now in the floodplain, and properties that were in the floodplain may no longer be in the floodplain. Mr. Pusey proceeded to the maps that had been set up. Mr. Pusey pointed to the map where several areas had been changed.

With the preparation of the new maps, an update of its Floodplain Management Ordinance would also be required.

By having an adopted Floodplain Ordinance, County property owners are eligible to purchase flood insurance through the National Flood Insurance Program (NFIP). FEMA also informed the County that its updated Ordinance would need to be in effect prior to March 3, 2011, in order for participation in the NFIP to continue.

The majority of the proposed floodplain ordinance will remain unchanged. However, there are several changes the Commissioners need to be made aware of. One of these changes is a new "freeboard" requirement.

The draft ordinance includes a requirement for a one foot freeboard for new residences built within the floodplain, and for any renovation, rehabilitation or addition to an existing structure that results in a substantial improvement.

"Freeboard" is defined as "a factor of safety usually expressed in feet above the base flood elevation for purposes of floodplain management" and for a one foot freeboard, this means that there is at least one foot of clearance between the base flood elevation and the elevation of the lowest point of the lowest foot. New structures, and substantial improvements (exceeding 50 percent of the existing structure's market value) to existing structures, must meet the base flood elevation requirement and the inclusion of a one foot freeboard means there is an additional one foot above the base flood elevation. Although the one foot freeboard requirement will result in increased construction costs, the extra costs should be recaptured due to insurance costs being decreased.

Ms. Lawson stated that owners of older homes and historic homes often choose to go up with the foundation. One example is the home in Westover on Route 413 that was recently moved back on the property. Ms. Lawson also advised that under the current ordinance, persons wanting to place a shed or garage between 300-900 square feet in the floodplain had to sign a form that stated the structure would not be changed in any from its initial approval. The form is required to be recorded in the County land records, at the applicant's expense. The proposed ordinance increases the sign of accessory structures needing to meet this requirement to 1,200 square feet. For accessory structures over 1,200 square feet, a surveyor needs to certify the ground elevation and the elevation of the building's floor, and flood vents would be required to be installed in the foundation. Previously, under the current ordinance, this requirement applied to buildings over 900 square feet, so the proposed ordinance would be less expensive for County property owners.

Mr. Pusey also advised that other changes being made are very minor and will have no impact on property owners.

Commissioner President Simpkins asked if there were any opponents wishing to testify.

Mr. George Friedley, Crisfield, Maryland, told the Board he was concerned regarding exceeding more than fifty percent of the value of the house. Mr. Friedley explained that this would hurt him financially as that value of his house is approximately \$30,000 and he feels his improvements will be over 50 percent. Mr. Friedley expressed his opposition to the new requirements. Ms. Lawson inquired as to where his house is located and he answered on Chesapeake Avenue. Ms. Lawson explained his house is actually located with the City of Crisfield and the City of Crisfield will be enacting their own floodplain ordinance. Ms. Lawson advised him to contact the City of Crisfield.

Commissioner President Simpkins asked if there were any more opponents wishing to testify. There were none.

Commissioner President Simpkins asked if there were any proponents wishing to testify. There were none.

Commissioner President Simpkins stated that written testimony would be accepted for ten days, until January 28, 2011 at 4:30 P.M. A Board decision will be made on the proposed

Floodplain Ordinance, based upon testimony and written comments, at the next Commissioners' meeting.

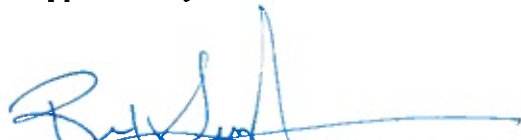
There being no further business, the Public Hearing was adjourned at 7:30 P.M.

Respectfully Submitted:

Gloria J. Shores / cw

Gloria J. Shores
Administrative Aide

Approved By:



Board of County Commissioners
for Somerset County