

Flood Hazard Review - 24 Charlevoix Street - ice cream trailer

1 message

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Tue, Jun 9, 2020 at 8:12 AM

To: Kristen Leahy <zoning.administrator@hardwickvt.org>

Cc: "Swanberg, Ned" <Ned.Swanberg@vermont.gov>

Hello Kristen,

I reviewed the zoning application materials you sent for the 16' x 7' ice cream trailer proposal, and below are my comments for that project.

I agree with your assessment that the ice cream trailer, portable toilet, and outdoor seating are proposed in the "floodplain" or Special Flood Hazard Area (Zone AE) of the Lamoille River. The Special Flood Hazard Area includes the areas that would be underwater during the large flood having *at least* 1% chance of happening in any year – this is also called the "base flood". Although the project is outside of the floodway, the lidar terrain data (see attached map) suggests the flood depths near the project during the base flood are significant and range from 2 to 4 feet deep. These depths could be higher depending on the influence of ice and debris jams or during larger floods than the base flood.

Yes, it makes sense to condition the permit to require the food trailer be fully licensed and ready for highway use at all times – otherwise, it would need to be elevated or floodproofed as a structure/building under National Flood Insurance Program requirements (also in Hardwick's Unified Development bylaw in 5.3 G (3)). To prevent flood debris that could damage property or contaminate floodwater, the portable toilet and any picnic tables should also be reviewed to make sure they meet 5.3 G (1) a and b of Hardwick's bylaw: "All development shall be: a. reasonably safe from flooding; b. designed, operated, maintained, modified, and adequately anchored to prevent flotation, collapse, or lateral movement..." To address these standards, I suggest that when these items are in the floodplain, the town require the toilet and tables be anchored such as with quick release cables or chains that attach to ground anchors, and that the toilet and tables only be allowed in the floodplain for less than 180 days unless contained in a facility known to be above base flood elevation. Alternatively, the portable toilet could be loaded on a highway-ready truck or trailer at all times.

Also, I recommend the evacuation plan for all items be specified as part of the permit – in other words, have the evacuation plan described in detail and approved ahead of time. Before approving an evacuation plan, the town is urged to consider the incremental

increase in activity in the floodplain in this location, the practicality of relocating items quickly, and the adequacy of the relocation site. Just making something moveable does not assure that the plan can be safely carried out rapidly enough to respond to changing river flows. One concern is that the upper lot may not have a large enough space outside the floodplain to fit all the “moveable” items recently added or proposed in the floodplain – large chicken tractor, ice cream trailer, port-o-let, outdoor seating furniture, and other???. Note that part of the upper lot is also shown by FEMA mapping to be at risk during the “500-year” flood. If the relocation site is not large enough, it may be best to simply limit the town’s approval to only those moveable items that can fit until a more robust evacuation plan can be made.

You may consider this email to be state flood hazard review for the ice cream trailer project per 24 V.S.A. §4424. Please let me or DEC Floodplain Manager Ned Swanberg know if you have any questions.

For the chicken tractor, I don’t have a copy of the zoning application to provide a flood hazard review for that project, and it’s unclear whether the town issued a zoning permit for it or plans to. Because the project was determined by Agency of Agriculture Food and Markets to not be subject to Required Agricultural Practices (RAPs), it would appear the town has the ability to regulate it under [24 V.S.A. §4413](#), and the tractor would need to be covered by a town permit for compliance with the National Flood Insurance Program (NFIP). A DEC Floodplain Manager (myself or Ned) is available to provide review on the chicken tractor, upon receipt of a zoning application packet.

Thank you and best wishes,

Sacha Pealer, CFM

Regional River Scientist & Floodplain Manager

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Thank you for your patience during this challenging time. We wish you and your family the best.