



Town of Preston ZONING PERMIT APPLICATION

Zoning Permit App # _____ Date Submitted _____ Amount Paid \$ _____ Check # _____

Zoning Permit Applications that need Planning and Zoning Commission Approval:

- Section 16.6 Accessory Apartment
- Section 16.8 Home Occupation
- Section 17 Coastal Site Plan App work within 100 feet of a tidal wetland - see coastal site plan application
- Section 16.15 Special Flood Hazard Area (SFHA)
- Section 16.14 Wind Energy Conversion Systems (WECS)

Your application shall include the basic Zoning Permit application (this page), supplemental information, and the signature page.

Please fill out this application completely. If the application is not properly completed with documentation submitted, as noted below, it will create unnecessary delays. Provide 8 copies of the plan with the application attached. In addition, provide the following:

- ___1. Fee of \$80.00 (\$20.00 Town application fee - \$60.00 State fee).
- ___2. Site/Plot Plan at an appropriate scale.
- ___3. Elevation drawings and floor plans of any proposed structures.
- ___4. Letter from the Department of Transportation for any work within a state highway right-of-way, as applicable.
- ___5. Copy of property deed on file in the Town Clerk's Office.
- ___6. Copies of approval letters from all applicable agencies, i.e. IWWC or ZBA as applicable.

ALL APPLICATIONS WILL REQUIRE A LEGAL NOTICE TO APPEAR IN THE PAPER AFTER THE COMMISSION TAKES ACTION. PLEASE NOTE THAT A PERMIT WILL NOT BE VALID UNTIL THE LEGAL NOTICE FEE IS PAID. THE AMOUNT OWED WILL BE NOTED IN YOUR ACTION LETTER FROM THE COMMISSION.

Name of applicant _____

Telephone () _____ Cell Phone () _____

Address of applicant _____ Email _____

Location of subject property _____

Owner of Property _____

Telephone () _____ Cell Phone () _____

Address of property owner _____ Email _____

Please provide description of the project, including site improvements, drainage improvements, buildings and uses. Please use additional sheets as necessary.

FOR TOWN USE:
 Date of Receipt by the PZC _____ Request for Extension(s) date _____
 Referral Date to Town Staff _____

<p>Departments</p> <input type="checkbox"/> Building Inspector <input type="checkbox"/> Fire Marshal <input type="checkbox"/> Zoning Enforcement Officer <input type="checkbox"/> Uncas Health District <input type="checkbox"/> IWWC <input type="checkbox"/> CAC <input type="checkbox"/> First Selectman <input type="checkbox"/> Other _____	<p>Date comments are received:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
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Section 16.6 Accessory Apartments – additional information:

1. Will the accessory apartment be located within the existing residence or in an accessory structure?

2. Please provide the following square footages

- a. Total square footage of the primary residence living space _____
- b. Total square footage of the accessory residence living space _____
- c. Percentage of living space for the accessory apartment (this is the number in letter **c** divided by number in letter **a** and multiplied by 100) _____

If the percentage of the accessory apartment exceeds 30%, please provide an explanation based on Section 16.6.2 f) of the Regulations. This cannot exceed 50% of the total living space.

- 3. Please provide elevation/facade drawing or photograph of the residence and the accessory apartment.
- 4. Please provide floor plan of the primary residence and accessory apartment prepared to scale. Please provide the sizes and dimensions of all rooms.
- 5. Please provide a plot plan showing the location of the residences, parking, septic system, well, utilities, and any other accessory buildings.
- 6. Please provide a notarized letter that the owner of the residence will occupy the residence, except for bona fide temporary absences.
- 7. The building plans will not be required to be submitted to the building inspector until this permit is approved; by signing this application, you agree to comply with all building, health codes, and fire codes and that any unauthorized revisions to the residence will be considered to be a violation of this permit. The Commission will not act on the plan until approval is granted by the town sanitarian for the well and septic system.
- 8. Please note the number of parking spaces _____. There shall be a minimum of two spaces for the primary residence and two for the accessory apartment. There shall be no on-street parking allowed.

Notarized Letter

Date:

To the Members of the Preston Planning and Zoning Commission:

In accordance with Section 16.6 of the Preston Zoning Regulations regarding accessory apartments:

I, _____, owner for property located at _____, Preston Connecticut attest that, as owner, I will occupy one of the residences at the subject property; thereby, having an owner occupied residence with accessory apartment, except during bona fide temporary absences. In the event the residence is not owner occupied, the residence shall be converted back to a single family home.

Signature of Owner _____
Print Name _____ Date _____

Notarized:

Section 16.8 Home Occupation - Additional information

16.8 **Home Occupation.** Low-impact, low-volume activities conducted shall be permitted in residential districts by vote of the Commission, provided they meet the requirements of this section.

16.8.1 The activity must be clearly secondary to the use of the premises for the permanent residents of the dwelling, and, when conducted within the dwelling or permitted accessory building, it shall occupy no more than twenty-five percent (25%) of the living space of the dwelling. However, the Commission may permit the home occupation to exceed twenty-five percent (25%) of the living space of the residence provided such home occupation is located within the basement or an accessory structure. The purpose of this is to allow the entire basement or the entire permitted accessory building to be used, but in no case shall the home occupation exceed fifty percent (50%) of the living space (which includes the home occupation).

1. Please provide the square footage of the residence and the home occupation

Residence _____ sq ft Home Occupation _____ sq ft Percentage _____

If the percentage exceeds twenty-five percent (25%) of the residence, provide an explanation why.

2. Describe the use for which a home occupation is being requested.

3. Please provide the square footage of the residence and the home occupation.

The activity shall not change the residential character of the property in any visible manner. Please note any changes that will be made that could change the character of the property or neighborhood.

4. Describe any noise, odor, vibration or obnoxious or unsightly conditions that will result from the subject use and could the use interfere with radio, telephone, or television reception?

5. The activity shall not generate traffic in excess of an average of twenty (20) business visits per day or twenty (20) clients/customers a day in order to prevent a noticeable increase in traffic in the neighborhood. Please provide details on the number of trips per day that will occur.

6. The activity shall not create a health or safety hazard. Please note any health and safety hazards that will occur as a result of the activity. Explain.

7. No more than two (2) non-residents shall be employed in the home occupation. Please provide the number of employees that will work at the home occupation.

8. There shall be no trading of merchandise and no retail sales of goods other than those manufactured on the premises by the occupation, except for the following:

- a) Repair shops are exempt from this requirement provided repair parts sold are installed in the repaired equipment by the home occupation.
- b) Incidental retail sales may be made in connection with the home occupation. For example, a beauty shop would be allowed to sell hair products.
- c) Mail order provided the home occupation has no clientele or customers.

Please describe any retail sales at the premises.

9. All activities shall be conducted inside the dwelling or within an accessory building. There shall be no outside storage or display of materials associated with the home occupation. Please note, if and where materials will be stored on site.

10. Note the patron's access to the home occupation if there are clients.

11. Commercial vehicles are permitted in accordance with Section 16.10 of these Regulations. Please note if any commercial vehicles are to be parked or stored on site.

12. The activity shall not generate a need for more than four (4) automobile parking spaces for employees and clients/customers in excess of those used by the residents of the dwelling. All parking spaces shall be located off-street to the rear of the building line and shall have an all-weather surface. Home occupations that do not have clients/customers at the residence do not need to provide additional on-site parking spaces for clients/customers.

Section 16.14 Wind Energy Conversion System (WECS)

According to CGS Section 16-50j-92, WECS generating more than 1 megawatts shall file an application with the Connecticut Siting Council. Any project generating less than 1 megawatts shall file a Zoning Permit application with the Planning and Zoning Commission.

Provide the megawatts generated by the WECS _____

1. No WECS shall be permitted on a lot containing less than 40,000 square feet. **Please provide lot size** _____
2. **Provide a description and plan with all dimensions.** The maximum height of any support tower for a WECS shall be eighty feet (80'). Any protruding rotor blades shall not extend closer than fifteen feet (15') to the ground surface.
3. **Provide a site plan showing the location on the property of the WECS on the property, the fall zone, any structures, utilities, property lines, etc.** No part of a WECS structure shall be located closer than twenty-five feet (25') to a property line.
4. The support tower for a WECS shall be set back from all property lines a distance equal to the sum of the tower height plus the rotor blade length.
5. The supporting structure for a WECS shall not be attached to any structure containing a dwelling unit.
6. Each WECS shall be equipped with a braking device that will prevent the rotor blades from turning faster than a rate produced by a forty (40) mile per hour wind.
7. Please explain if the WECS will cause interference with telephone, radio or television reception.
If such interference is detected, the property owner shall be required to take whatever measures are necessary to end the interference, including relocation or removal of the WECS.

8. No WECS shall be approved until the application shows evidence that the plans have been reviewed and found to be satisfactory by the public utility responsible for providing conventional electric power to the property. Wiring shall be installed by a certified electrician.
9. What are the expected decibel level _____ The maximum permitted noise level of a WECS shall be forty-five (45) decibels, as measured on the DBA scale, and as detected at any point on the property line.
10. Climbing access to the WECS support tower shall not begin lower than twelve feet (12') above the ground.
11. The support tower for a WECS shall be used solely for supporting the WECS and shall be removed when the tower ceases to be used for such purposes.
12. Such WECS may be located on a lot that contains another use, such as a residence or a commercial building; however, no building shall be located within the fall zone of such WECS.

Section 16.15 Special Flood Hazard (SFHA) Requirements

Please provide a site plan along with an explanation regarding the following sections. Please note that a professional engineer licensed in the State of Connecticut is required to prepare this application.

16.15 **Special Flood Hazard Area (SFHA) Requirements**. The Special Flood Hazard Area (SFHA) includes all areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated July 18, 2011, and accompanying Flood Insurance Rate Maps (FIRM), dated July 18, 2011, and other supporting data applicable to the Town of Preston, and any subsequent revisions thereto, are adopted by reference and declared to be a part of these regulations. Since mapping is legally adopted by reference into this regulation, it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages. This regulation shall not create liability on the part of the Town of Preston or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made thereunder. The Town of Preston, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Preston.

The following requirements are intended to reduce the threat to public safety and loss of property value resulting from periodic flooding and to ensure eligibility for continued participation by the Town of Preston in the National Flood Insurance Program. In cases where conflicts occur between the requirements of the underlying zoning district and these SFHA requirements, the more restrictive provision shall prevail. The following regulations apply within the SFHA.

16.15.1 All applications for zoning permits or special exceptions for new development shall include base flood elevation data for that portion of the development located within the SFHA on the Town's FIRM. The Commission shall utilize flood elevation data on the FIRM, or, where this is not available, the Commission shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other sources as criteria for requiring that new construction, substantial improvements, or other development in the SFHA, meet the standards of these Regulations. Where base flood elevations are available, but before a floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will increase base flood elevations more than one foot (1') at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development. In the event that floodway data from sources other than the FIRM are utilized, the Commission shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot (1') at any point. (12/15/91)

Within the SFHA for all applications of areas designated A or AE shall address the following, as applicable:

- a) **Equal Conveyance.** With the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00) feet increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.
- b) **Compensatory Storage.** The water holding capacity of the floodplain, except those areas that are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.
- c) **Above-ground Storage Tanks.** Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.
- d) **Portion of Structure in Flood Zone.** If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.
- e) **Structures in Two Flood Zones.** If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.
- f) **No Structures Entirely or Partially Over Water.** New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.
- g) **Fencing.** Solid board fencing is prohibited within flood hazard areas due to the damage that can be done in times of flooding.

16.15.2 Within the SFHA, (i) all new construction and substantial improvements of residential structures shall have the lowest floor elevated to or above the base flood elevation (BFE) and (ii) all new construction and substantial improvement of non-residential structures shall have the lowest floor elevated or above the base flood elevation or in lieu of being elevated, non-residential structures may be dry flood-proofed to or above

the BFE, provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction and shall certify that the design methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection. Electrical, plumbing, machinery, or other utility equipment that service the structure must be elevated to or above the BFE. Such certification shall be provided to the Building Official.

16.15.3 New construction or substantial improvements of elevated building that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

- a) Provide a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
- b) The bottom of all openings shall be no higher than one foot (1') above grade;
- c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;
- d) Electrical, plumbing, and other utility connections are prohibited below base flood level; and,
- e) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

16.15.4 Prior to the issuing of a zoning permit for new development within the SFHA, the Commission shall review and determine whether proposed buildings will be reasonably safe from flooding, review plans for such development to determine that it will be consistent with the needs to minimize flood damage within the flood prone area, and shall advise the applicant that all necessary federal and state permits must be received, and that: (i) new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, shall be constructed with materials resistant to flood damage, and shall be constructed by methods and practices that minimize flood damage; (ii) on-site waste disposal systems are located to avoid impairment to them or contamination from them during flooding; and (iii) electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; (iv) new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters; and (v) on-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

16.15.5 Any manufactured home (including a recreational vehicle or mobile home placed on a site for 180 consecutive days or longer) to be placed or substantially improved on a site in the SFHA shall be elevated so that the lowest floor is above base flood elevation. This includes a manufactured home located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood. It shall be placed on a permanent foundation which itself is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top frame ties to ground anchors. It shall be installed using methods and

practices which minimize flood damage, providing adequate access and drainage, piling foundations (when used) no more than ten (10) feet apart, and reinforced of any piers more than six (6) feet above ground level. Recreational vehicles placed on sites within a SFHA shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet all the standards of Section 16.15.3, including the elevation and anchoring requirements of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

- 16.15.6 Within the floodway as shown on the Flood Insurance Rate Map, all encroachments, including fill, new construction, substantial improvements to existing structures, and other development, are prohibited unless certification with supporting technical data, by a Connecticut registered professional engineer is provided by the applicant demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineer practice that such encroachment shall not result in any (0.00 feet) increase in flood levels during a 100-year flood. No manufactured home shall be placed within the area of the floodway. Fences in the floodway must be aligned with the flow and be an open design.
- 16.15.7 Applicants for development within the SFHA on the Town's FIRM shall submit with their applications, assurances that the flood-carrying capacity is maintained within any altered or relocated portion of any watercourse.
- 16.15.8 The Commission shall notify, in riverine situations, adjacent communities and the CT DEEP Inland Water Resources Division, prior to approving any alteration or relocation of a watercourse, and shall submit copies of such notice to the Federal Emergency Management Agency.
- 16.15.9 The Zoning Enforcement Officer shall (i) record the elevation (in relation to mean sea level) of the lowest floor of all new or substantially improved structures, or the elevation to which such structures have been flood-proofed, in accordance with Section 16.15.3 above; (ii) advise the applicant that additional federal or state permits may be required; and (iii) require and file copies of such additional permits as they are obtained.
- 16.15.10 For the purposes of this subsection of these Regulations relating to SFHA requirements, the following definitions shall apply:
- a. Base flood means a flood having a one percent (1%) chance of being equaled or exceeded in any given year.
 - b. Substantial improvement means any combination of repairs, reconstruction, alteration or improvements to a structure, taking place during a one (1) year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure. The market value of the structure should be either the appraised value of the structure prior to the start of the initial repair or improvement, or, in the case of damage, the value of the structure prior to the damage occurring. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary or safety code specifications that are solely necessary to assure safe living conditions.
 - c. Start of construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site,

such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as a dwelling unit or not part of the main structure. For a substantial improvement, the actual construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimension of the building.

- d. Lowest floor means the top surface of the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor.
- e. Manufactured home means a structure transportable in one or more section, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes recreational vehicles, camping vehicles, park trailers, and similar transportable structures placed on a site in the SFHA for one hundred eighty (180) consecutive days or longer and is intended to be improved property.
- f. Manufactured Home Park or subdivision means a parcel, or contiguous parcels, of land divided into two (2) or more manufactured home lots for rent or sale.
- g. Mean sea level means the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations on the FIRM are referenced.
- h. Development means any man-made change to improved or unimproved real estate, including, but not limited to, the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
- i. Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot (1'). (12/15/91)
- j. Base flood elevation (BFE) means the elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.
- k. Basement means any area of the building having its floor subgrade (below ground level) on all sides.
- l. Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before March 4, 1985, the effective date of the floodplain management regulations adopted by the community.
- m. Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- n. Federal Emergency Management Agency (FEMA) means the federal agency that administers the National Flood Insurance Program (NFIP).

- o. Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, or the unusual and rapid accumulation/runoff of surface waters from any source.
- p. Flood Insurance Rate Map (FIRM) means the official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas (100-year floodplain) and the insurance risk premium zones applicable to a community.
- q. Flood Insurance Study (FIS) means the official study of a community in which the Federal Emergency Management Agency (FEMA) has conducted an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.
- r. Functionally dependent use or facility means a use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.
- s. Historic structure means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) by an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.
- t. New Construction means structures for which the “start of construction” commenced on or after March 4, 1984, the effective date of the floodplain management regulations, and includes any subsequent improvements to such structures.
- u. New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed
- v. (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 1985, the effective date of the floodplain management regulation adopted by the community.
- w. Recreational vehicle means a vehicle which is (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as a temporary living quarter for recreational, camping, travel, or seasonal use.
- x. Special flood hazard area (SFHA) means the land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the flood Insurance Study (FIS) for a specific location. SFHAs include, but are not necessarily limited to, the land shown as Zones A and AE on a FIRM. The SFHA is also called the Area of Special Flood Hazard.
- y. Structure means a walled and roofed building that is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

- z. Substantial damage means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.
- aa. Variance means a grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.
- bb. Violation means failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is resumed to be in violation until such time that documentation is provided.
- cc. Water surface elevation means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.
- dd. Cost, means, as related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment), sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters, labor, built-in appliances, demolition and site preparation, repairs made to damaged parts of the building worked on at the same time, contractor's overhead, contractor's profit, and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.
- ee. Finished living space, means, as related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.
- ff. Market value means, as related to substantial improvement and substantial damage, the value of the structure as determined by the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.



**Application signatures
and
Permission to access the site**

All owners of the property must sign the application, unless the property is owned by a corporation, in which case a corporate resolution authorizing the **signatory to execute any documents required** to be submitted with the application shall be attached to the application.

By signing this application permission is hereby granted by all owners of the property to file the attached application and authorizes Town of Preston representatives to enter onto the property at any time during the application process or during construction of the project for inspections, and, if applicable, for other appropriate purposes.

Permits are not transferable unless the new property owner files all required permit transfer documents and/or applications which are available from the Town Planner.

Applicant _____ Date _____

(Please print name)

Owner _____ Date _____

(Please print name)

Owner _____ Date _____

(Please print name)

Owner _____ Date _____

(Please print name) Date _____