



**TOWN OF KITTERY**  
Office of Planning & Development  
200 Rogers Road, Kittery, ME 03904  
Telephone: 207-475-1323 Fax: 207-439-6806  
[cdimatteo@kitteryme.org](mailto:cdimatteo@kitteryme.org)

January 27, 2014

RE: Preliminary Flood Insurance Rate Maps (FIRMs)

Dear Kittery Resident:

You are receiving this letter and attached information because your property (dwelling and/or accessory structure(s)) appears to be newly-located within the preliminary Flood Insurance Rate Maps (FIRMs) that the Federal Emergency Management Agency (FEMA) has issued for review. Town staff has compared the preliminary FIRM data with the current FIRM data and identified approximately 75 properties that are affected.

The Town recommends that residents who have significant issues with the preliminary maps contact an engineer/land surveyor and obtain a professional opinion on their specific situation and the likelihood of a successful appeal. In addition, you may be well advised to determine the insurance implications for your property. If there is a mortgage on a home and you are in the floodplain, you may be required to buy flood insurance in addition to homeowners insurance.

If you want to appeal your new flood designation, you must submit your appeal to Heather Ross, Code Enforcement Officer. FEMA requires residents to submit all appeal applications to the town, then the town is required submit them together, in a single package. We expect FEMA will announce the start of a 90-day appeal period sometime in late February/early March.

Please review the attached information and feel free to contact Town staff, or myself at 475-1323, and email at [cdimatteo@kitteryme.org](mailto:cdimatteo@kitteryme.org). You may also visit our web site at:  
[http://www.kitteryme.gov/Pages/KitteryME\\_Planning/FEMA%20Draft%20Maps](http://www.kitteryme.gov/Pages/KitteryME_Planning/FEMA%20Draft%20Maps).

Sincerely,

Christopher Di Matteo  
Assistant Town Planner

CC: Heather Ross, Code Enforcement Officer  
Nancy Colbert Puff, Town Manager  
Gerry Mylroie, Town Planner

Enclosure

## Frequently Asked Questions Regarding Preliminary Map Release

---

### Mapping-Related Questions

#### Why is Federal Emergency Management Agency (FEMA) updating our community's flood map?

FEMA is updating the community's flood maps with the ultimate goal of protecting the community and its citizens from flood-related losses. FEMA is also working with the town to use the information in the new flood map to better plan community development and protect the community from increased flood risks in the future.

FEMA continuously develops new National Flood Insurance Program (NFIP) maps across the country because the floodplains are constantly changing due to construction, environmental changes (such as rain, wind, snow melt), floodplain widening or shifting, and poor drainage systems or failing levees or dams. This information is provided to communities in the form of maps, called Flood Insurance Rate Maps (FIRMs), as well as other flood risk data and information for communities to use to better identify, assess, communicate about, and mitigate flood risk.

FIRMs are used by insurance agents and lenders to determine where flood insurance must be purchased and how much that insurance will cost. Federally regulated or insured lenders require flood insurance for all structures located in high-risk flood areas, as shown on the FIRM. Flood insurance is also required to secure a loan when purchasing structures located in high-risk flood areas. FIRMs reflect the results of engineering studies, called Flood Insurance Studies (FIS) that include evaluations of historical records, topographic surveys, and other data.

#### How will the new/updated flood hazard maps affect the average homeowner?

The new flood maps will provide updated information about flood risk that will allow homeowners to make more informed decisions about protecting their home. They may find that their flood risk has increased, decreased or stayed the same since the last time a flood map was developed for the community.

If their home is shown on the new flood map to now be in a high-risk flood area and they have a loan on that property, their lender will require them to buy flood insurance. If the property was previously in a high-risk flood area and the new map indicates that they are now in a moderate- or low-risk area, they will no longer be Federally required to carry flood insurance; however, FEMA strongly encourages them to consider carrying flood insurance as they are still at risk for flooding, just not as great of a risk. They may also be eligible for a Preferred Risk Policy, with premiums starting at \$119 per year.

The new maps will also be used by local officials to promote responsible development and to put plans in place to reduce the community's risk of flooding.

#### What were the results of the mapping study?

There are a several of results that the preliminary FIRM maps portray:

- 1) **Map Modernization:** The previous flood zone without elevations ('A' Zone) has been digitized and adjusted where necessary to conform more appropriately to the orthoimagery (aerial photographs) of the town. Two-foot contour topography was added to the costal floodplains study making the hazard boundary line more accurate.
- 2) **Change to the Flood Zone Study Limits:** The velocity zone has been extended in locality to the southeast side of Badgers Island. Previously this zone terminated at the eastern tip of Seavey Island (mouth of the *Back Channel*). There are areas previously within the A zone that are now in the AE zone (flood zones with elevations) and in some cases these areas have also been expanded or reduced. These areas include: the southeast side of Gerrish Island (From Fort Foster to Goodwin and Tower Roads); land between Norton Road and Hildred Lane, northeast of Parsonage Way, Cedar Drive and southwest of Lewis Farm; and land abutting the east side of Route 236 south of Stevenson Road.
- 3) **Change to the Flood Zone Hazard Boundary:** In response to the two categories above and due to the updated FEMA data and modeling, the actual boundary line of the various flood zones (A, AE and VE) have changed compared to the previous flood zones depicted on the current FIRM maps. Significant increase (encroachment of building areas) of the flood boundary include intermittent areas along the coastline: east of Wyman Avenue along the Back Channel; from Bowen Road to Gerrish Island Lane;

southwesterly portion of Fort Foster; the northeasterly side of Gerrish Island; and the coastline east of Thaxter Lane north of Seapoint Beach. There are some boundary change occurrences further inland that are predominantly located sporadically along Bartlett Road.

Did any areas move into the flood zone? Did any areas move out of the flood zone?

As stated above, the changes to the FIRM maps vary and are more significant in depending on the specific location of Town. Property owners are encouraged to review specific changes from comparing the maps (current and preliminary flood zones) either online at the Town's GIS website or by inspecting pdfs/hardcopies of the preliminary and current FIRM maps.

Across the country to date, the number of properties that have been determined to be in the high-risk flood area based on the new, more accurate data is almost the same as the number of properties that have been determined to be out of the high-risk flood area. FEMA is updating the community's maps and working with the community to provide citizens with information about their flood risk that they can use to better protect themselves and their family.

What other data and information will the community receive from FEMA?

In addition to the updated FIRM and FIS, FEMA will provide the community with flood risk data and information to enhance local mitigation plans and help communities and individuals make informed decisions to protect themselves from flood risk. The flood risk data will include maps that show changes since the last FIRM and a flood risk assessment that estimates potential flood losses. These and other datasets are valuable tools to help communities understand and communicate their flood risks to their citizens.

When will the new/updated maps become effective?

The maps being released to county officials and the public are still preliminary. Final adoption can take as long as 18 months.

The release of the preliminary map is followed by a 30-day review period by community officials. This period began on January 9<sup>th</sup> of this year at the Community Consultation Officers (CCO) Meeting. Then there is a 90-day appeals period, expected to begin the early part of March. The final review and adoption process is expected to begin January of 2015 and the approximate date of adoption by July of 2015. Once the maps are adopted, new flood insurance requirements will go into effect.

What happens if there is a mistake on a map?

The Town of Kittery and FEMA encourages citizens to review the proposed FIRM\* and the related Flood Insurance Study (FIS) report\* to learn about their flood risk and identify any concerns or questions they have with the information provided. For the 90 days following the release of the preliminary FIRM, there are two ways citizens can provide feedback on the map or study: 1) submit comments; or 2) make an appeal.

\*For PDFs of the FIRM preliminary maps:

<https://hazards.fema.gov/femaportal/prelimdownload/searchResult.action>

\*For PDF of the FIS Report:

[http://floodmaps.fema.gov/prelim/PrelimData/Maine/York%20County/prelim\\_issue\\_date-2013-11-05/FIS%20Reports/23031CV001A.pdf](http://floodmaps.fema.gov/prelim/PrelimData/Maine/York%20County/prelim_issue_date-2013-11-05/FIS%20Reports/23031CV001A.pdf)

To compare the current and proposed FIRM data on the Town's GIS website:

<https://eis.woodardcurran.com/kittery/>

Comments generally include changes to:

- Floodplain boundary delineations
- Floodway limits
- Corporate limits
- Roads and road names

Appeals must show the map or FIS to be scientifically or technically incorrect.

If a property owner suspects that he/she is above the base flood elevation and would like to be removed from the high-risk flood area, the property owner can send property and elevation materials in support of a request for a Letter of Map Amendment (LOMA) to remove the property from the high-risk flood area. To learn more about the LOMA process, call toll free at 1.877.336.2627.

#### What are the benefits of developing/updating the flood maps and undertaking this study?

The study provides communities with flood risk information so that communities can make informed decisions to protect local lives and property, communicate effectively to citizens about risk, and enhance local mitigation plans.

- Home and business owners will have the ability to make better decisions about protecting their properties.
- Community planners and local officials will better understanding the community's flood hazards and risks and can therefore improve local planning activities.
- Builders and developers will have access to more accurate information for making decisions on where to build.
- Insurance agents and lending institutions will have easy access to updates and upcoming changes to serve their customers and community more efficiently.

#### What do the various flood zone designations on the map mean?

For information on the various flood zone designations, visit

[http://www.msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=-1&content=floodZones&title=FEMA %20Flood%20Zone%20Designations](http://www.msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=-1&content=floodZones&title=FEMA%20Flood%20Zone%20Designations).

### **Insurance-Related Questions**

#### Who determines whether a structure is in the floodplain and requires insurance?

In almost every case, the mortgage lender or a determination company hired by the mortgage lender determines if a structure is in a high-risk flood area. If they determine that a home or business is located in a high-risk area, they then inform the owner or potential buyer that flood insurance is required to receive the loan. FEMA provides lenders and determination companies with updated maps as soon as they are available for the areas they cover so that the determinations are accurate.

If a property owner has an existing loan for a structure that is now determined to be in a high-risk flood area, Federal lending regulations require the lender to give 45 days to purchase a flood insurance policy. If the property owner is applying for a new loan for a structure in a high-risk flood area, the lender is required to notify the property owner of the flood insurance requirement at least 10 days prior to the loan closing.

#### When will property owners be notified if they need to purchase insurance?

Mortgage lenders will let property owners know if they need to buy flood insurance, whether they are getting ready to buy a property or if a property they currently own is in a high-risk flood area. Some lenders require the purchase of flood insurance even if a property is not in a high-risk flood area, as about one quarter of all flood insurance claims come from areas where flood insurance is not required.

#### What can a property owner do to be taken out of a high-risk area if their home or business sits high above the base flood elevation (BFE)?

Flood Insurance Rate Maps show the high-risk flood areas and moderate-to-low risk flood areas within a community, but do not show property elevations within those areas (e.g., they do not show if a property is situated above or below the Base Flood Elevation (BFE)). Therefore, mortgage lenders inform all property owners within a high-risk flood area that they need to buy flood insurance and it is the responsibility of individual property owner to request that their property be removed from the high-risk flood area due to elevation.

A property owner can submit property and elevation materials to FEMA in support of a request for a Letter of Map Amendment (LOMA) to remove the property from the high-risk flood area. For detailed information regarding the LOMA process, call toll free at 1.877.336.2627.

**By making/updating these maps, is FEMA just trying to sell flood insurance?**

It may seem that way, but what FEMA is trying to do is help the community identify, assess, and reduce its flood risks. The National Flood Insurance Program (NFIP) is a non-profit program that is subsidized to help consumers more easily afford protection. While FEMA administers the program, it does not regulate lenders' requirements for property owners to purchase flood insurance. It is up to each lender to determine the amount of flood insurance that property owners are required to carry.

Ultimately, FEMA wants to help the community reduce the loss of life and property from floods, and that can be accomplished in many different ways – by people elevating or otherwise protecting their homes or businesses, by communities making better decisions about development within high-risk flood areas, or by people insuring their homes or businesses against floods. FEMA is trying to provide accurate, reliable maps and tools to allow communities to make better decisions when it comes to protecting themselves and their citizens from floods.

Across the country to date, the number of properties that have been determined to be in the high-risk flood area based on the new, more accurate data is almost the same as the number of properties that have been determined to be out of the high-risk flood area. FEMA is working with the community to update the maps to give property owners information about their flood risk that they can use to better protect themselves and their family.

**What happens next?**

The 90-day Appeal Period is anticipated to start March 1, 2014. FEMA and the NFIP State Coordinator plans to hold two public outreach meetings, one of which may be before or during the Appeal Period. Details for the public meetings will be posted on the Town's website when they become available.

After the appeal process has been completed it is anticipated that the final maps will be issued January 2015 with adoption by the Town prior to July 2015.

**Who should be contacted for more information?**

All additional inquiries should be directed to Kittery's Planning and Code Department:

Chris Di Matteo, Assistant Town Planner, 207-475-1323  
Gerry Myroie, Town Planner, 207-475-1307  
Heather Ross, Code Enforcement Officer, 207-475-1308

Visit the Town's FEMA Flood Webpage at:

[http://www.kitteryme.gov/Pages/KitteryME\\_Planning/FEMA%20Draft%20Maps](http://www.kitteryme.gov/Pages/KitteryME_Planning/FEMA%20Draft%20Maps)

**How can residents access a copy of the proposed map?**

A pdf of the preliminary maps for Kittery can be downloaded from the Town's *FEMA Flood Insurance Map Information* web site. The preliminary and current mapping can be compared at the Town's GIS website. Directions can be found at the *FEMA Flood Insurance Map Information* ([http://www.kitteryme.gov/Pages/KitteryME\\_Planning/FEMA%20Draft%20Maps](http://www.kitteryme.gov/Pages/KitteryME_Planning/FEMA%20Draft%20Maps))