

## Examples of New Hampshire Communities that Enforce Floodplain Regulations that Exceed the Minimum Requirements of the National Flood Insurance Program

**Freeboard** - An additional height requirement above the base flood elevation that provides a margin of safety against risks that is known but difficult or costly to identify.

NH Communities <i>(Regulation Reference)</i>	Amount of Freeboard above Base Flood Elevation	Type of Development	Applicable Structures
Canaan	2 feet	New Construction and Substantial Improvements	Residential and Non-Residential
<a href="#">Concord</a> <i>(Article 28-3-2)</i>	2 feet within Merrimack River floodplain	New Construction and Substantial Improvements	Non-Residential
	1 foot in remainder of City's floodplain areas	New Construction and Substantial Improvements	Non-Residential
<a href="#">Keene</a> <i>(Article II)</i>	1 foot	New Construction and Substantial Improvements	Residential and Non-Residential
Raymond	1.5 feet	New Construction	Residential and Non-Residential
	Recommend 1.5 feet	Substantial Improvements	Residential
<a href="#">Salem</a> <i>(Section 309-93.1)</i>	1 foot	New Construction or Substantial Improvement	Residential and Non-Residential
Winchester	1 foot	New Construction and Substantial Improvements	Residential and Non-Residential

**Preservation of Floodplain Areas** – Requiring only allowing certain or all development, structures and/or uses within floodplain areas (floodway, flood fringe) sometimes by special exception.

NH Communities <i>(Regulation Reference)</i>	Prohibited in Floodplain Areas	Special Exceptions/Permits
Bath	All development	Substantial Improvements
<a href="#">Concord</a> <i>(Article 28-3-2)</i>	Certain uses including all buildings in floodway; certain uses including residential buildings in floodplain	
<a href="#">Conway</a> <i>(Chapter 147.13.14)</i>	All development	Limited uses; Existing nonconforming buildings substantially damaged
Cornish	New structures, buildings, dwellings, manufactured homes, recreational vehicles	Expansion of existing nonconforming structure or use (not substantial improvements)
Easton	Structures, fill or storage of materials and equipment	Existing non-conforming buildings damaged or destroyed
Epsom	Encroachments, including fill, new construction, substantial improvements, and other development that result in any net increase of flood elevation.	
<a href="#">Francestown</a> <i>(Article 2-A.4 &amp; Building Code)</i>	Specific uses	Any development
Franconia	New or extension of existing use	
<a href="#">Grantham</a> <i>(Article III G)</i>	Development not listed as permitted use	Limited permitted uses by special

<b>NH Communities</b> <i>(Regulation Reference)</i>	<b>Prohibited in Floodplain Areas</b>	<b>Special Exceptions/Permits</b>
		exception
<a href="#">Hampton</a> <i>(Section 2.4 and 11.6)</i>	Any development (including fill) that would result in any increase in flood levels during the base flood discharge; Placement of Manufactured homes outside of existing manufactured home parks.	
Hancock	All development except certain uses (farming, forestry, nature preserve)	
<a href="#">Hanover</a> <i>(Article VII)</i>	No new buildings or substantial improvements of structures.	Certain limited uses are allowed by special exception and must meet certain standards.
<a href="#">Keene</a> <i>(Article II)</i>	New development in floodway	
<a href="#">Lisbon</a> <i>(Article IV)</i>		Development in flood fringe
<a href="#">Litchfield</a> <i>(Section 1100)</i>	Erection of any new building or structure; any use not listed under Permitted Uses	Allows Special Exceptions for certain uses but requires certain conditions be met.
Piermont	Substantial improvements to any existing structure	
<a href="#">Salem</a> <i>(Section 309-93.1)</i>	No mobile home shall be placed in the floodway; The construction or placement of new buildings and structures in any special flood hazard area is prohibited.	
<a href="#">Swanzey</a> <i>(Section IX)</i>	Placement of mobile home parks	All development except placement of mobile home parks
<a href="#">Walpole</a> <i>(Article XVIII)</i>	All development	No Special Exception shall be granted for placement of manufactured housing

**Protection of Flood Storage Capacity** - New fill put in the floodplain is required to be offset through excavation of an additional floodable area to replace the lost flood storage area, preferably "hydrologically equivalent" sites.

<b>NH Communities</b> <i>(Regulation Reference)</i>	<b>Requirements</b>	<b>Excavation/Fill Ratio</b>
<a href="#">Keene</a> <i>(Article II)</i>	Applicants must provide flood storage compensation in the floodway and floodplain	1:1
Epsom	A net decrease of flood elevation is encouraged	N/A
Raymond	Applicants must provide flood storage compensation in the floodway and floodplain	1:1
<a href="#">Salem</a> <i>(Section 309-93.1)</i>		2:1

**Setback from Floodplain** – A minimum distance that structures or construction work must be positioned (set back) from river channels or shorelines.

<b>NH Communities</b> <i>(Regulation Reference)</i>	<b>Requirements</b>	<b>Setback Requirement</b>
Bow	No building, impervious surface, or stripping of topsoil shall be permitted within 25 feet of any pond or the top of any stream bank, or within 35 feet from the stream centerline,	25 to 35 feet

	where a top of bank is not discernible. A greater setback may be required where it can be demonstrated that these minimum dimensions afford insufficient protection to the natural functioning of these areas.	
Piermont	All parts of any structure, residential, non-residential, commercial, industrial, or agricultural, including mobile homes, must be set back at least 75 feet from the floodplain boundary as delineated by the Flood Insurance Rate Map	75 feet

## Miscellaneous Requirements

NH Communities <i>(Regulation Reference)</i>	Requirements
<a href="#">Bedford</a> <i>(Section 110 of Land Control Regs)</i>	Requires that all development proposals include base flood elevation. For all projects adjacent to flooding sources (i.e. rivers, brooks, streams, watercourses) floodplains shall be defined, both horizontally and vertically. The town lists some sources to make this determination. The town also details a methodology for a floodplain determination if a base flood elevation is not defined on the FIRM.
<a href="#">Hampton</a> <i>(Section 2.4.4)</i>	Additional factors must be considered for appeals and request for variances.
<a href="#">Somersworth</a>	Requires a residential lot be at a minimum of 15,000 square feet and that not include floodplain area.
Thornton	Does not allow land within the floodplain to count towards meeting its 1-acre minimum lot size for residential construction. For commercial and industrial zoned land the floodplain land does not count either, however there is no minimum lot size for these types of uses.
<a href="#">Windham</a>	Most of the town's floodplain areas are not available for development due to the restrictions of a wetland buffer that the town has been enforcing since 1974. The wetland buffer is included in the town's Wetlands and Watershed Protection Districts. The permitted uses of the town's Wetlands and Watershed Protection Districts are very restrictive and allow no erection of any permanent building. The districts include "all lands within one hundred and fifty feet (150') of the normal high water mark of Beaver Brook, Golden Brook and Flat Rock Brook." The districts for "any other brook, stream or pond shall include all land within one hundred feet (100') of the normal high water mark of said Brook or stream and one hundred feet (100') from the normal high water of said pond."

*For more information about higher regulatory standards, please also view the following:*

**Association of State Floodplain Managers – No Adverse Impact Toolkit**

**Section B-4 – Regulations and Development Standards**

[http://www.floods.org/NoAdverseImpact/NAI\\_Toolkit\\_2003.pdf](http://www.floods.org/NoAdverseImpact/NAI_Toolkit_2003.pdf)

**FEMA's Reducing Damage from Localized Flooding – A Guide for Communities**

**Part II - Chapter 4 – Regulatory Tools**

<http://www.fema.gov/hazard/flood/pubs/flood-damage.shtm>

**FEMA's NFIP Floodplain Management Requirements – A Study Guide and Desk Reference for Local Officials – Unit 6 – Additional Regulatory Measures**

[http://www.fema.gov/plan/prevent/floodplain/fm\\_sg.shtm](http://www.fema.gov/plan/prevent/floodplain/fm_sg.shtm)