

**HERMOSA TOWN BOARD
WORK SESSION/SPECIAL MEETING
OCTOBER 8, 2024
5:30 PM**

- 1) **ROLL CALL:**
 - A. BOT Roll Call: Kramer, Ferguson, Koontz, Harris, Serviss
 - B. Acknowledgement of other Attendees

- 2) **CALL FOR CHANGES:**
 - A. Review of current agenda items
 - B. Motion to accept the agenda as presented/amended

- 3) **CONFLICT OF INTEREST DECLARATION**

- 4) **WORK SESSION ITEMS:**
 - A. Permit 2024-33 – Subdivision Plat/Floodplain – Parcel 004139
 - B. Permit 2024-35 – Floodplain Application – shed in Floodway
 - C. Live Stream Cameras – Aaron Serviss

- 5) **ITEMS FROM CITIZENS:** No action will be taken by the board on any issue related without being first placed on a future agenda, by the board, to allow for proper notice. (Reserved time for public comment is 15 minutes). Meetings of the Board of Trustees are open to the public. The audience will be allowed to comment on specific agenda items during the time allotted on the agenda for those items, according to established procedures of the Board. This is a time for members of the public (citizens, business owners, and those living within one mile of the town limits) to express concerns or discuss issues having relevance to the town. Anyone wishing to address the Town Board during this time shall be asked to stand and identify themselves after being recognized by the Board President.

- 6) **TRUSTEE INPUT:**

- 7) **ADJOURN:** Motion by _____; Second by _____ to adjourn the meeting at _____ PM.

Town of Hermosa

4A

PO Box 298 • 230 Main Street • Hermosa, SD 57744
Phone (605) 255-4291 • Fax (605) 255-4094, Email: town@hermosasd.com

SUBDIVISION PLAT APPLICATION

Sketch Plan _____ Preliminary Plan Final Plat

X Date: 8-9-2024

Permit # 2024-33

Is any property in the Flood Plain? Yes No ****IF YES-YOU WILL NEED A FLOODPLAIN DEVELOPMENT PERMIT****

Receipt # _____	Cash _____	Check # <u>2081</u>	Amount <u>7500</u> (\$75.00)
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Applicant:
 Name: Greg Barnier
 Address: 3960 City View Drive
 City, State, Zip: Rapid City, SD 57701
 Phone & Email: gbarnier09@gmail.com
 X Sign & Date: Greg Barnier
4908982
 Agent:

Other Owners:
 Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: 605-490-8982
 Sign & Date: _____

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: _____
 Sign & Date: _____

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: _____
 Sign & Date: _____

Surveyor/Engineer:
 Name: Anderson Engineers
 Address: P.O. BOX 446
 City, State, Zip: Edgemont, SD 57735
 Phone & Email: 605-662-5500
 Registration Number: 5906
 Sign & Date: _____

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: _____
 Sign & Date: _____

Current Legal Description:

Subdivision/H.E.S./M.S. Title: Lot Dale, McDermand Subdivision
 Secondary Title/Description: N.A.
 Aliquot Location: SE 1/4 NW 1/4 Section 32 Total Acres: 10.55
 Township: 2S Range: 8E Section(s): 32 Book: 11 Page: 93

Proposed Legal Description:

Primary Title (Subdivision Name): McDermand Subdivision
 Secondary Title: (Description): Tracts 1, 2, 3, 4

Does this plat continue to divide an existing subdivision? Yes No FIRM Panel _____
 Will this subdivision require construction of roads or installation of other improvements? NO
 What is the intended land use within the subdivision? Residential Commercial _____ Industrial _____ Mixed Use _____ (Specify on attached plat copy)

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT.*** Engineering fees may apply*******

PLANNING AND ZONING COMMISSION

Approved Denied

Name: _____
 Title: _____
 Signature: _____
 Date: _____ Application Fee: \$75.00
 Register of Deeds Fee: \$60.00 Date Paid: _____ Balance Due: _____

HERMOSA BOARD OF TRUSTEES

Approved Denied

Name: _____
 Title: _____
 Signature: _____
 Date: _____
 Date Permit Issued: _____

Original Parcel # 004139 Office Use

(2 maps attached)

Town of Hermosa

PO Box 298 • 230 Main Street • Hermosa, SD 57744
Phone (605) 255-4291 • Fax (605) 255-4094
Email: town@hermosasd.com

FLOODPLAIN DEVELOPMENT PERMIT APPLICATION INFORMATION

AES No.:

DATE 8-16-24

PERMIT # 2024-34

Receipt # _____	Cash _____	Check # <u>2085</u>	Application Fee <u>\$100.00</u>
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***Please be advised all permits are reviewed by the town engineer; those expenses will be included with the permit fees and applicant will be responsible for those expenses.

OWNER Greg Barnier TELEPHONE 605-490-8982

ADDRESS 3980 City View Drive, RCSD 57701

EMAIL gbarnier09@gmail.com

CONTRACTOR NA

ADDRESS _____

PROJECT LOCATION/DIRECTIONS PLAT REVIEW

PROJECT DESCRIPTION

- | | | |
|---|--|---|
| <input type="checkbox"/> Single Family Residential | <input type="checkbox"/> New Construction | <input type="checkbox"/> Channelization |
| <input type="checkbox"/> Multi-Family Residential | <input type="checkbox"/> Substantial (>50%) Improvements | <input type="checkbox"/> Fill |
| <input type="checkbox"/> Manufactured (Mobile) Home | <input type="checkbox"/> Improvements (<50%) | <input type="checkbox"/> Bridge/Culvert |
| <input type="checkbox"/> Nonresidential | <input type="checkbox"/> Rehabilitation | <input type="checkbox"/> Levee |

Other/Explanations PLAT REVIEW

Project Valuation: N.A. Market Value of Structure: N.A.

FLOOD HAZARD DATA

Watercourse Name _____

The project is proposed in the Floodway _____ Floodway Fringe _____

Base (100-year flood elevations(s)) at project site _____

Elevation required for Lowest Floor _____ NAVD/Floodproofing _____ NAVD

Source Documents: Reports/Maps _____

Parcel # 004139
FOR OFFICE USE ONLY

(Lot #, Subdivision, City/Town, State)

Tracts 2, 3, 4, McDermand Subdivision Section 32
T2S, R0E, Custer County

COMPLETE IF APPLICABLE TO THIS PROJECT

Does this project involve the placement of an external fuel storage tank? _____
Compliance of FEMA regulation CFR44 60.3, (a) (3) requires that all liquid storage tanks be properly anchored.

Does this project involve the placement of a manufactured/mobile home? _____
Compliance of FEMA regulation CFR44 60.3, (b) (8) requires that all manufactured/mobile homes be properly anchored.

Initial

In accepting this permit, the applicant understands that all conditions of the permit must be met, all other regulatory permits have been obtained, an elevation certificate will be provided once project is completed, and agrees to allow on-site inspections, as needed during or after construction, to determine compliance with this permit.

Initial

The applicant also acknowledges that he/she is aware of the risks associated with the above development within the Flood Plain and has evaluated that risk.

Initial

The applicant acknowledges that Flood Insurance is available to anyone in an eligible community, which Hermosa is eligible, whether in the Flood Plain or Not.

Initial

It's the Applicants responsibility is to provide copies of the approved documents to all architect(s), engineer(s), general contractor(s) and any other interested parties as are appropriate for each job.

Accepted this 16th day of August year 2024.

Greg Barner
(Applicant)

PROPOSAL REVIEW CHECKLIST

- _____ Site development plan is complete and depicts flood hazard.
- _____ Engineering data is provided for provided for proposed map and floodway revision.
- _____ Floodway Certification and data document no increase in flood heights.
- _____ Subdivision proposal minimizes flood damage and protects utilities.
- _____ Lowest floor elevation is 1' above the BFE.
- _____ Manufactured homes meet elevation and anchoring requirements.
- _____ A Floodproofing Certificate certifies floodproofing designs.
- _____ Other: _____

PERMIT ACTION

- _____ PERMIT APPROVED WITH CONDITIONS: The information submitted for the proposed project was reviewed and is in compliance with approved floodplain management standards (site development plans are on file). (Building Site Plan)
- _____ PERMIT DENIED: The proposed project does not meet approved floodplain management standards (explanation is on file).
- _____ VARIANCE GRANTED: A variance was granted from the base (100-year) flood elevations established by FEMA consistent with variance requirements of NFIP regulations Part 60.6 (variance action documentation is on file).

Recommendation by Authorized Staff:

Floodplain Administrator's Signature

Date

Comments: See Conditions of Approval – page 4 of 4

COMPLIANCE DOCUMENTATION

_____ MAP REVISION DATA: Certified documentation by a registered professional engineer of as-built conditions for floodplain alterations were received and submitted to FEMA for a flood insurance map revision.

_____ FILL CERTIFICATE: A community official certified the elevation, compaction, slope, and slope protection for all fill placed in the floodplain consistent with NFIP regulations Pare 65.5 for map revisions.

_____ ELEVATION AND FLOODPROOFING CERTIFICATES: The as-built elevation of the building's lowest floor was certified as _____ NGVD; or the building's floodproofings level was certified as _____ NGVD by a registered professional engineer or licensed surveyor and is on file.

_____ CERTIFICATE OF OCCUPANCY OR COMPLIANCE ISSUED ON _____
Date

APPROVAL CONDITIONS

(Lot #, Subdivision, City/Town, State)

NOTES:

1. Lowest Floor must be 1-foot above the BFE per local ordinance.
2. An elevation certificate will be required following construction to verify compliance.
3. All fill must be placed in accordance with FEMA requirements and cannot be placed to raise natural grade above BFE.
4. (Stick Built) Recommend that the enclosed AREA meet FEMA defined crawl space requirements. (See Tech Bulletin 11-01, Fig. 3)
5. (Stick Built) Enclosed space below the BFE must be vented in accordance with FEMA requirements.
6. No Mechanical Equipment is allowed below BFE.
7. Lowest floor of attached garage **must be** above the BFE or will require venting as an enclosed space.
8. Detached Garage is an accessory building and cannot be used for living space and the use cannot be converted at a later time.
9. (Modular) Skirting on modular must meet FEMA definitions of Breakaway Skirting or the enclosed space under the modular must meet FEMA requirements of an Enclosed Area, (Vented).
10. (Modular) Must be Anchored in accordance with FEMA requirements

It is the Owner's and Builder's responsibility to insure ALL FEMA requirements are understood and complied with before beginning construction in the flood plain.

The BFE is calculated but may change if FEMA reviews – this document provides no guarantee that the calculated BFE will match FEMA's determined BFE.

Flood Insurance can be purchased on this structure and should be evaluated by the Owner.

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT

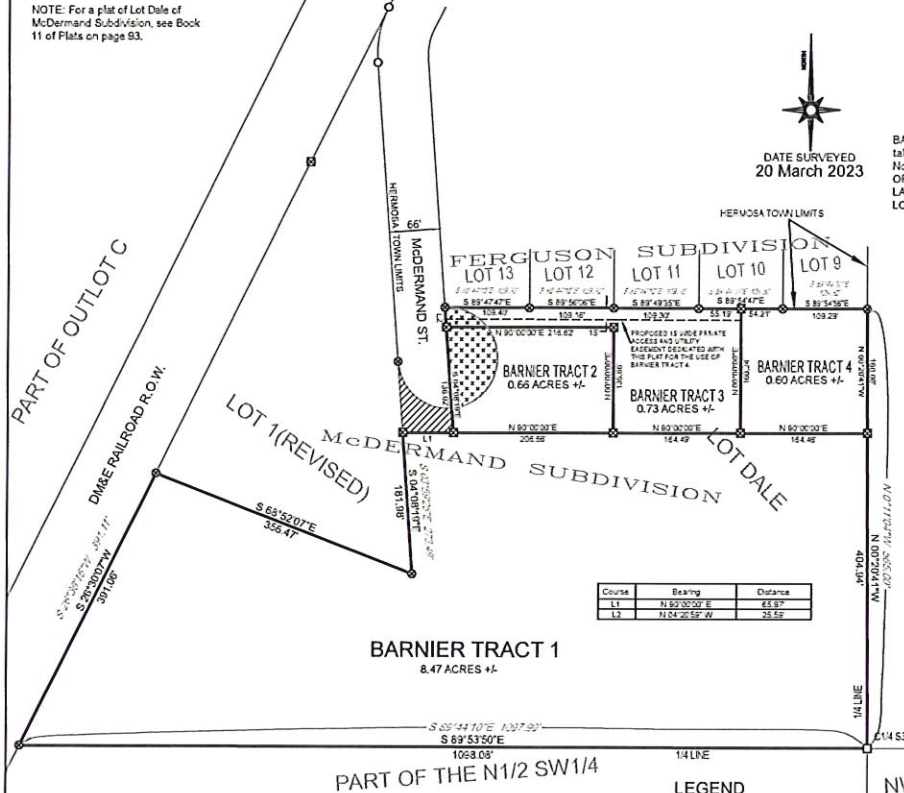
<p style="text-align: center;">PLANNING AND ZONING COMMISSION</p> <p style="text-align: center;"><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>NAME: _____</p> <p>TITLE: _____</p> <p>SIGNATURE: _____</p> <p>DATE: _____</p> <p>APPLICATION FEE: \$100.00 DATE PAID: _____</p>	<p style="text-align: center;">HERMOSA BOARD OF TRUSTEES</p> <p style="text-align: center;"><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>NAME: _____</p> <p>TITLE: _____</p> <p>SIGNATURE: _____</p> <p>DATE: _____</p> <p>DATE PERMIT ISSUED: _____</p>
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**A PLAT OF
BARRIER TRACTS 1 THRU 4 OF McDERMAND
SUBDIVISION, LOCATED IN THE SE1/4 NW1/4 OF SECTION
32, T2S, R8E, BHM, CUSTER COUNTY, SOUTH DAKOTA
FORMERLY LOT DALE AND VACATED PORTION OF MCDERMAND ST.**

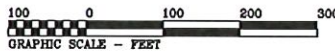
NOTE: For a plat of Lot Dale of McDermund Subdivision, see Book 11 of Plats on page B3.

DATE SURVEYED
20 March 2023

BASIS OF BEARING - GPS OBSERVATION taken N 33°52'21" W 3050.35' from the Northwest corner of Barrier Tract 3, OPUS STATIC SOLUTION NAD 83(2011) LAT. 43°50'27.39386" LONG -103°11'51.19037"



Course	Bearing	Distance
L1	N 89°00'00" E	45.87'
L2	N 63°53'50" W	35.55'



LEGEND

- Set rebar w/aluminum cap marked "ANDERSEN ENGL. PLS 5905"
- Found rebar w/plastic cap marked "HILTON 2695"
- Found stone monument
- Found rebar
- AREA OF CUL-DE-SAC VACATED WITH RESOLUTION FILED IN BOOK 1195 ON PAGE 1
- 66' WIDE PUBLIC ROW DEDICATED WITH THIS PLAT. CONTAINS 0.06 ACRES +/- OF FORMER LOT DALE.

AS27.05' Start lettering denotes record calls

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 30' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

An area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0179F, effective date: Jan. 6, 2012. The placement of fill, any new construction, substantial improvements, or another development within the 100-year flood plain as designated by the Town's Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, shall be in conformity with Town of Hermosa's Flood Ordinance.

CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.
Dated this ___ day of ___, 2024.

John D. McBride SDRLS No. 5906

STATE OF _____ COUNTY OF _____

I, Gregory J. Barrier, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2024.

Gregory J. Barrier

ACKNOWLEDGMENT OF OWNERSHIP

On this ___ day of ___, 2024, before me, a Notary Public, personally appeared Gregory J. Barrier, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public _____ My commission expires _____

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.
Date: _____

Highway Authority _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
Dated this ___ day of ___, 2024.

Director of Equalization of Custer County

OFFICE OF THE REGISTER OF DEEDS

Filed for record this ___ day of ___, 2024, at ___ o'clock ___ M, and recorded in Book ___ of Plats on page ____.

Custer County Register of Deeds

WATER PROTECTION STATEMENT

Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same.

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
Dated this ___ day of ___, 2024.

Custer County Treasurer

RESOLUTION OF THE TOWN BOARD OF TRUSTEES

Whereas there has been presented to the Town Board of Trustees of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plat conforms to the existing plats of said Town, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore,

BE IT RESOLVED, that said plat is hereby approved in all respects.
Dated at Hermosa, South Dakota this ___ day of ___, 2024.

Town Board President

CERTIFICATE OF TOWN FINANCE OFFICER

I, Finance Officer of the Town of Hermosa, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the Town Board of Hermosa, South Dakota at a meeting held on the ___ day of ___, 2024.


Town of Hermosa Finance Officer

Prepared by
ANDERSEN ENGINEERS
Land Surveyors

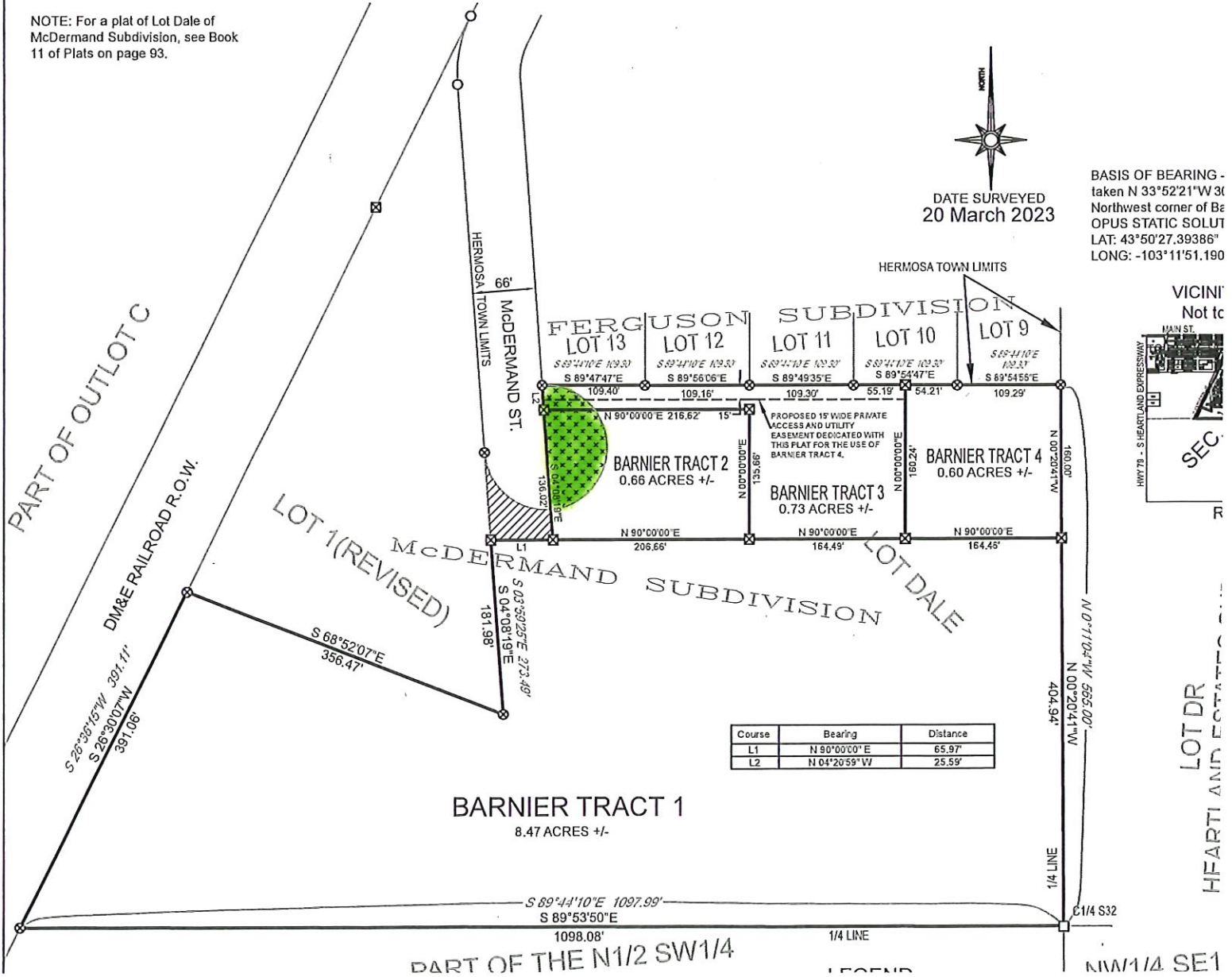
Drawn by DR	Date 6/4/2024	P.O. Box 446 Edgemont, SD 57735
Approved by McB	Date 6/4/2024	(605)-662-5500 anderseneengineers@gvutic.net
Scale 1"=100'	Sheet 1 of 1	File Name L_DALE_MCDERMAND_proposedLots_new

A PLAT OF BARRIER TRACTS 1 THRU 4 OF McDERMAND SUBDIVISION, LOCATED IN THE SE1/4 NW1/4 OF SEC 32, T2S, R8E, BHM, CUSTER COUNTY, SOUTH DAKOTA FORMERLY LOT DALE AND VACATED PORTION OF McDERMAND S'

NOTE: For a plat of Lot Dale of
McDermund Subdivision, see Book
11 of Plats on page 93.


 DATE SURVEYED
 20 March 2023

BASIS OF BEARING -
taken N 33°52'21"W 30'
Northwest corner of Be
OPUS STATIC SOLUT
LAT: 43°50'27.39388"
LONG: -103°11'51.190



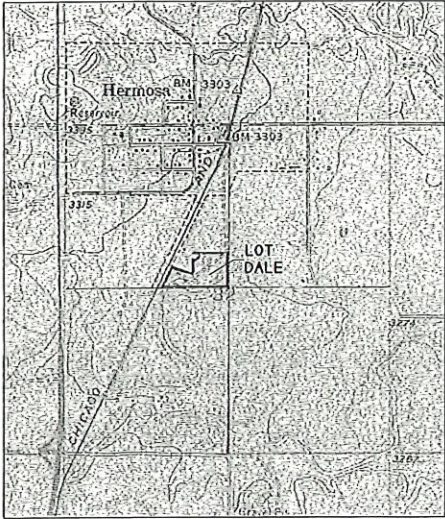
Course	Bearing	Distance
L1	N 90°00'00"E	65.97'
L2	N 04°20'59"W	25.59'



PART OF THE N1/2 SW1/4

1/4 LINE
C1/4 S32
NW1/4 SE1

VICINITY MAP



PLAT OF LOTS A, B AND C OF McDERMAND SUBDIVISION (FORMERLY LOT DALE OF McDERMAND SUBDIVISION) LOCATED IN THE NW 1/4 OF SECTION 32, T2S, R8E, BHM, HERMOSA, CUSTER COUNTY, SOUTH DAKOTA.

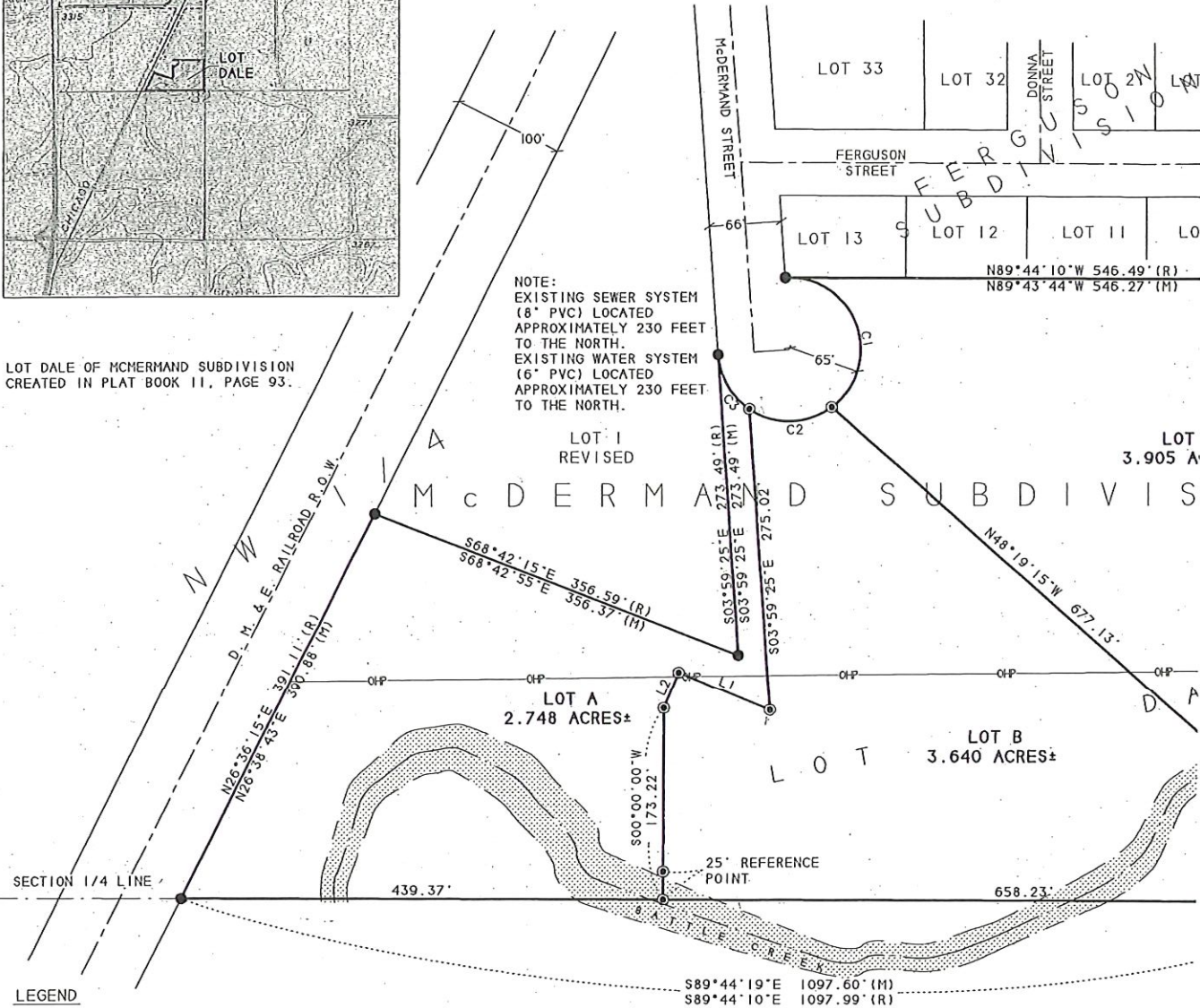
LOT DALE OF McDERMAND SUBDIVISION CREATED IN PLAT BOOK 11, PAGE 93.

NOTE:
EXISTING SEWER SYSTEM (8" PVC) LOCATED APPROXIMATELY 230 FEET TO THE NORTH.
EXISTING WATER SYSTEM (6" PVC) LOCATED APPROXIMATELY 230 FEET TO THE NORTH.

LOT 1 REVISED

LOT 3.905 A

McDERMAND SUBDIVISION



LEGEND

- INDICATES FOUND SURVEY MONUMENT. REBAR WITH CAP MARKED "LS 2696", UNLESS OTHERWISE NOTED.
- ⊙ INDICATES SET 5/8" REBAR WITH SURVEY CAP MARKED "THINGELSTAD LS 4371", UNLESS OTHERWISE NOTED.

(M) INDICATES MEASURED DIMENSION, THIS SURVEY.
(R) INDICATES RECORD DIMENSION PREVIOUSLY RECORDED ON PLAT OR DEED.

BASIS OF BEARINGS BY GPS OBSERVATION, OCCUPIED POINT DURING OBSERVATION IS THE NORTHWESTERLY LOT CORNER OF LOT DALE.

10' WIDE UTILITY AND MINOR DRAINAGE EASEMENTS ALONG ALL INTERIOR FRONT, SIDE AND BACK LOT LINES AS SHOWN ON THIS PLAT.

MEASURED LINE DIMENSIONS

LINE	BEARING	DISTANCE
L1	N67°09'57"W	89.79'
L2	N22°50'03"E	35.67'

MEASURED CURVE DIMENSIONS

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING
C1	146°44'17"	65.00'	166.47'	S19°53'54"E
C2	70°31'07"	65.00'	80.00'	N88°43'48"E
C3	51°53'58"	65.00'	58.88'	S30°03'39"E

RECORD CURVE DIMENSIONS

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING
I	269°06'14"	65.00'	305.29'	N41°26'46"E

OWNER'S CERTIFICATE
STATE OF SOUTH DAKOTA
COUNTY OF CUSTER: s.s.

I, GREGORY BARNER, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND SHOWN AND DESCRIBED HEREON, THAT THE SURVEY WAS DONE AT MY REQUEST FOR THE PURPOSE INDICATED HEREON, THAT I DO APPROVE THE SURVEY AND WITHIN PLAT OF SAID LAND; AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL REGULATIONS.

ANY LAND SHOWN ON THE WITHIN PLAT AS DEDICATED TO PUBLIC RIGHT-OF-WAY IS HEREBY DEDICATED TO PUBLIC USE AND PUBLIC UTILITY USE AS SUCH, FOREVER, BUT SUCH DEDICATION SHALL NOT BE CONSTRUED TO BE A DONATION OF THE FEE OF SUCH LAND.

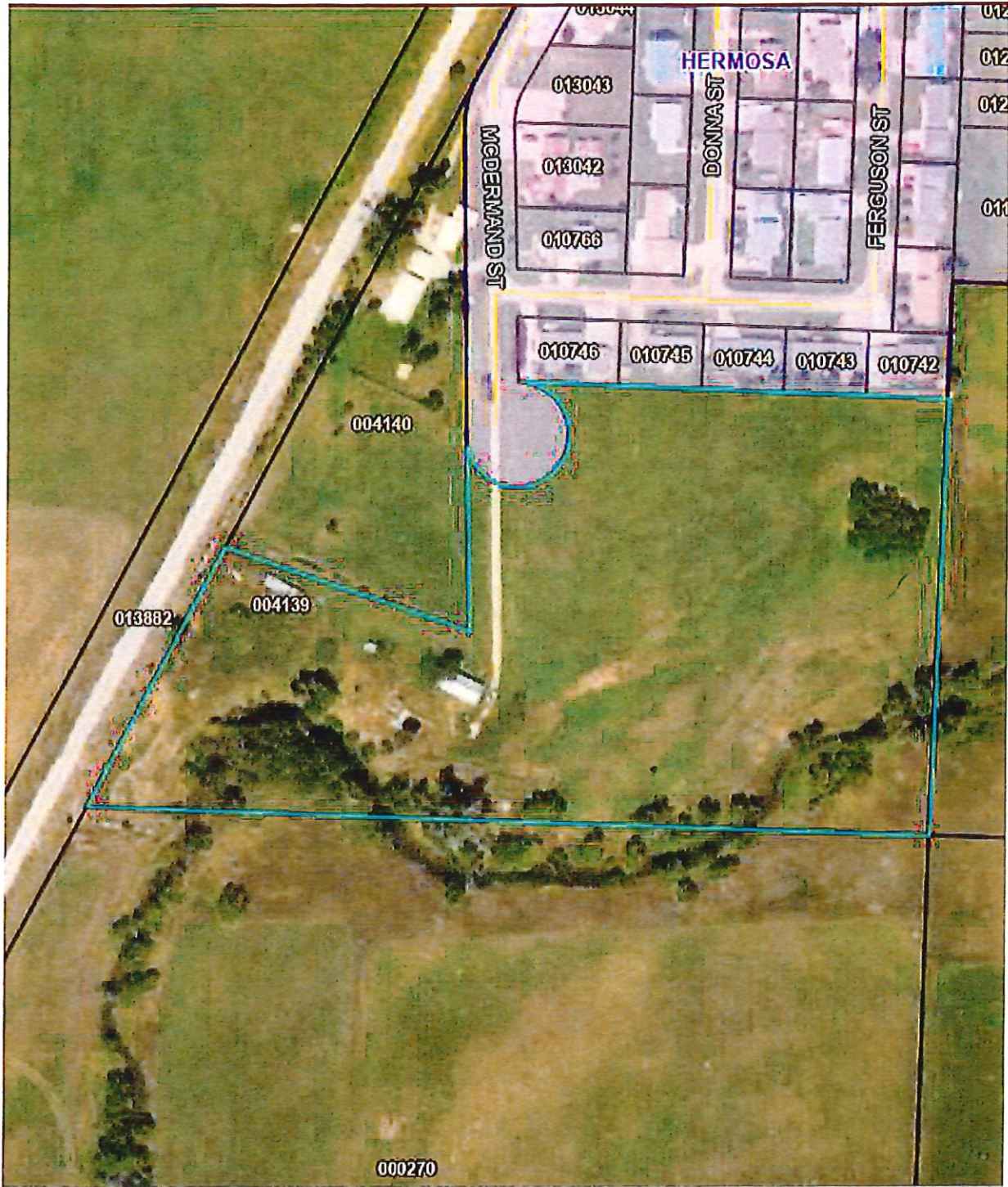
FLOODPLAIN STATEMENT

ACCORDING TO FIRM PANEL AN EFFECTIVE DATE OF SET SHOWN HEREON IS LOCATED YEAR FLOOD; BASE FLOOD FACTORS DETERMINED.

WATER PROTECTION STATEMENT

PURSUANT TO SDCI 11-3-8

Parcel 004139



Alternate ID n/a
Class Residential
Acreage 10.55

Owner Address BARNIER GREGORY J
3960 CITY VIEW DR
RAPID CITY, SD 57701-2365

Parcel 004139



* P+Z *

(C) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or five acres, whichever is lesser.

(D) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(E) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(Ord. 10.03R, passed 11-15-2011)

§ 151.18 AREAS OF SHALLOW FLOODING (AO/AH ZONES).

Barnier

Located within the areas of special flood hazard established in § 151.03(B) are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. The flooding is characterized by ponding or sheet flow; therefore, the following provisions apply.

(A) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least one foot higher than the depth number specified in feet on the community's FIRM (at least three feet if no depth number is specified).

(B) All new construction and substantial improvements of non-residential structures:

(1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least one foot higher than the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified); or

(2) Together with attendant utility and sanitary facilities be designed so that below one foot above the base flood level the structure is water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this section, as proposed in §§ 151.15 and 151.16 are satisfied.

* (C) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

(Ord. 10.03R, passed 11-15-2011)

§ 151.19 FLOODWAYS.

Morelli

Floodways located within areas of special flood hazard established in § 151.03, are extremely hazardous areas due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply.

(A) Designate a regulatory floodway which will not increase the base flood level more than one foot.

(B) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(C) All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of §§ 151.15 through 151.19.

(D) Under the provisions of 44 C.F.R. Chapter 1, § 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA.

(Ord. 10.03R, passed 11-15-2011)

§ 151.99 PENALTY.

(A) No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations.

(B) Violation of the provisions of this chapter by failure to comply with any or its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor.

(C) Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$250 or imprisoned for not more than 30 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case.

(D) Nothing herein contained shall prevent the town from taking other lawful action as is necessary to prevent or remedy any violation.

(Ord. 10.03R, passed 11-15-2011)

TOWN OF
HERMOSA
460230

3292 3292

3289

Zone AE

E

Zone AO
(DEPTH 3)

D

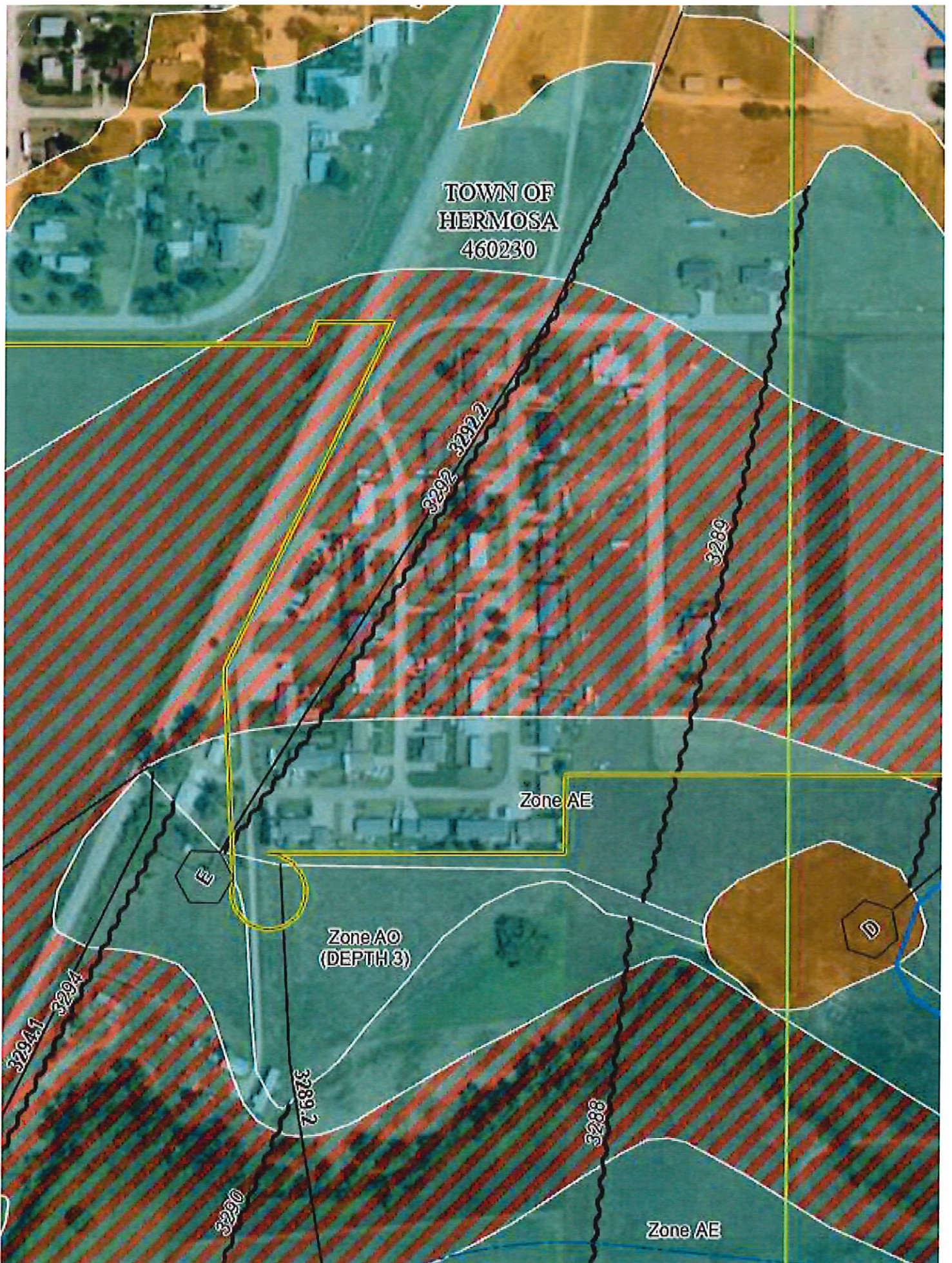
3294.1
3294

3288.2

3290

3288

Zone AE



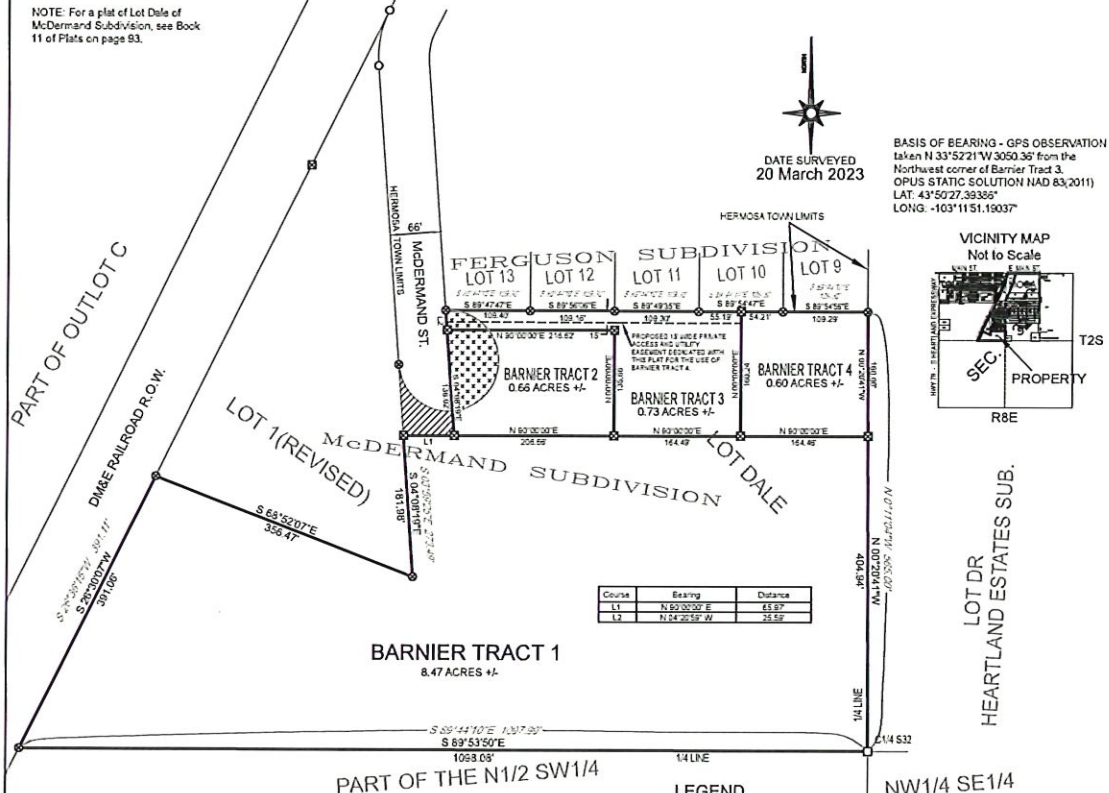
TOWN of HERMOSA ---- Additional Plat Information for

- **BARNIER TRACTS 1 through 4** of McDermand Subdivision, located in SE1/4 NW1/4 OF SECTION 32, T2S, R8E, BHM, CUSTER COUNTY, SD (Formerly Lot Dale and vacated portion of Mcdermand Street)

1. The proposed plat of Tracts 1 through 4 of McDermand Subdivision will all continue to have access by McDermand Street. This is consistent with the current Street Plan for the Town, with development in the adjoining residential neighborhood and complies with state law. (*SDCL 11-3-6*)
 - a. Proposed Tracts **#1, #2, and #3** adjoin McDermand Street. This access to McDermand Street meets the access requirements of the Subdivision Ordinance, section #154.22(A) (1,3).
 - b. Proposed Tract **4** has access to McDermand Street by a Private Access Easement, located along the north edge of Tract 3. This access to McDermand Street meets the Private Access requirements of the Subdivision Ordinance sections #154.02 (Streets) (4); and #154.35(K).
2. The proposed plat of Tracts 2 through 4 of McDermand Subdivision will be served by the municipal water system. Lot Dale has had Town water service since late 2014. This is required by Town Ordinance section #50.01(A) and state law.
3. The proposed plat of Tracts 2 through 4 of McDermand Subdivision will be served by the municipal sewer system. Lot Dale has had Town sewer service since late 2014. This is required by Town Ordinance section #51.02(C) (2) and state law.
4. The proposed plat of Tracts 1 through 4 of McDermand Subdivision will all exceed the minimum lot area of 7500 square feet required for the RS zoning district; #155.30(D) (4)
5. The proposed plat of Tracts 2 through 4 of McDermand Subdivision will have a 20 foot wide utility easement centered on shared lot lines and a 10 foot easement on each exterior lot line. This meets Ordinance sections #154.23(D) and #154.38 (A) and (B), and is consistent with development in the adjoining neighborhood.
6. The proposed plat of Tracts 2 through 4 of McDermand Subdivision will have a drainage easement 20 feet wide centered on each shared lot line and 10 foot wide on each exterior lot line. This follows Ordinance sections #154.23(D) and #154.38(A) and (B), and is consistent with development in the adjoining residential neighborhood.

**A PLAT OF
BARRIER TRACTS 1 THRU 4 OF McDERMAND
SUBDIVISION, LOCATED IN THE SE1/4 NW1/4 OF SECTION
32, T2S, R8E, BHM, CUSTER COUNTY, SOUTH DAKOTA
FORMERLY LOT DALE AND VACATED PORTION OF McDERMAND ST.**

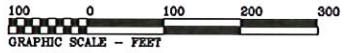
NOTE: For a plat of Lot Dale of McDermand Subdivision, see Book 11 of Plats on page 93.



BASIS OF BEARING - GPS OBSERVATION taken N 33°52'21"W 3050.36' from the Northwest corner of Barrier Tract 3. OPUS STATIC SOLUTION NAD 83(2011) LAT: 43°50'27.33385" LONG: -103°11'51.19037"



Course	Bearing	Distance
L1	N 90°30'00" E	65.87'
L2	N 34°25'50" W	25.58'



LEGEND

- ☒ Set rebar w/aluminum cap marked "ANDERSEN ENG. PLS 5506"
- ⊙ Found rebar w/plastic cap marked "HILTON 2655"
- Found stone monument
- Found rebar
- ▨ AREA OF CUL-DE-SAC VACATED WITH RESOLUTION FILED IN BOOK 1 RES ON PAGE _____
- ▩ 66' WIDE PUBLIC ROW DEDICATED WITH THIS PLAT. CONTAINS 0.66 ACRES +/- OF FORMER LOT DALE
- ⋄ Slant lettering denotes record calls

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

An area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0179F, effective date: Jan. 6, 2012. The placement of fill, any new construction, substantial improvements, or another development within the 100-year flood plain as designated by the Town's Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, shall be in conformity with Town of Hermosa's Flood Ordinance.

CERTIFICATE OF SURVEYOR
I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.
Dated this ___ day of ___, 2024.

John D. McBride SDRLS No. 5906

WATER PROTECTION STATEMENT
Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protection, conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same.

STATE OF _____ COUNTY OF _____
I, Gregory J. Barrier, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2024.

Gregory J. Barrier

CERTIFICATE OF COUNTY TREASURER
I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
Dated this ___ day of ___, 2024.

Custer County Treasurer

ACKNOWLEDGMENT OF OWNERSHIP
STATE OF _____ COUNTY OF _____
On this ___ day of ___, 2024, before me, a Notary Public, personally appeared Gregory J. Barrier, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public _____ My commission expires _____

RESOLUTION OF THE TOWN BOARD OF TRUSTEES
Whereas there has been presented to the Town Board of Trustees of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plat conforms to the existing plats of said Town, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore,
BE IT RESOLVED, that said plat is hereby approved in all respects.
Dated at Hermosa, South Dakota this ___ day of ___, 2024.

Town Board President _____

CERTIFICATE OF HIGHWAY AUTHORITY
It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.
Highway Authority _____ Date: _____

CERTIFICATE OF TOWN FINANCE OFFICER
I, Finance Officer of the Town of Hermosa, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the Town Board of Hermosa, South Dakota at a meeting held on the ___ day of ___, 2024.

Town of Hermosa Finance Officer _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION
I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
Dated this ___ day of ___, 2024.

Director of Equalization of Custer County _____

OFFICE OF THE REGISTER OF DEEDS
Filed for record this ___ day of ___, 2024, at ___ o'clock ___ M, and recorded in Book _____ of Plats on page _____.
Custer County Register of Deeds _____

Prepared by
ANDERSEN ENGINEERS
Land Surveyors

Drawn by DR	Date 6/4/2024	P.O. Box 446 Edgemont, SD 57735 (605)-662-5500
Approved by McB	Date 6/4/2024	andersenengineers@guts.net
Scale 1"=100'	Sheet 1 of 1	File Name: L_DALE_MCDERMAND_proposed_kits_new

From Greg Barnier

TRACTS 1-4, PLAT APPLICATION

The plat application for Barnier Tracts 1-4 was submitted August 12, 2024. A few days later, as directed by the Town Clerk, a separate Floodplain Development Application and additional fee of \$100.00 were submitted. The plat application proposes to change Lot Dale from a single parcel of 10.5 acres to Tracts 2 through 4 of roughly 2/3 an acre each, and the remaining Tract 1 would be reduced to approximately 8.5 acres. As drawn, Tracts 2, 3, and 4 are each adjacent to the south boundary of the Ferguson subdivision.

After that, the report of the Floodplain Administrator was issued and dated September 5, 2024. Subsequently, an engineering report about the plat application was prepared by Kyle Young of Bice, Young and Associates, dated September 19, 2024. Both reports have been provided to the Finance Office and should be included in the meeting packet for the Board of Trustees meeting on October 1st.

The Young report and the Floodplain Administrator report both identify that Lot Dale includes land designated as FEMA zones AE and A0. Most of the area for proposed Tracts 2, 3 and 4 on the plat application lie within a FEMA A0 zone. Both the Young and Floodplain Administrator reports state that construction is permitted in the AE zone if the occupied area of the building is at least one foot above BFE (Base Flood Elevation). Both reports also state that construction is permitted in the A0 zone if the occupied area of the building is at least four feet above the BFE. However, despite those clear FEMA standards, the Floodplain Administrator report also includes information about how the nearby Ferguson Subdivision was platted. His report appears to rely on some past problems in that subdivision to support his recommendation that the plat application for Tracts 1 through 4 should be denied.

Six reasons the Plat application for Tracts 1-4 should be approved.

1. The plat application meets the requirements of the Town subdivision ordinance:
 - a. the final plat will contain a notation for FEMA flood zones on the plat;
 - b. the proposed Tracts each adjoin or have legal access to McDermand street;
 - c. the proposed Tracts each are larger than the minimum required lot size of 7500 square feet;
 - d. the proposed Tracts would connect to the Town water system, as required by state law;
 - e. the proposed Tracts would connect to the Town sewer system, as required by state law.

2. The Town flood ordinance does not apply to a plat application and approval.
 - a. The ordinance applies only to new construction or a substantial improvement to an existing structure:

151.03(D) - **Compliance.** *No structure or land shall hereafter be located, altered or have its use changed without full compliance with the terms of this chapter and other applicable regulations.*

Consistent with this compliance requirement, there is no change in use of a structure or land by the plat application.

b. Approval of a plat application is not Development as defined by the flood ordinance:

#2 Definitions -- DEVELOPMENT. Any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, fences, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials;

c. the General Standards of the flood ordinance, #151.15, (A - H) all refer to construction or utility design and installation;

d. the Specific Standards of the flood ordinance, #151.16(A-F), refer to construction, manufactured homes or recreational vehicles;

e. the Subdivision Proposals text of the flood ordinance, #151.17 (A- E), to all refer to construction or placement of manufactured home parks;

f. the Shallow, AO Zone, standards of the flood ordinance, #151.18(A-C), refer construction, utility design and drainage grading.

3. Both the Young report and the Floodplain Administrator reports state that FEMA regulations allow for future residential construction in both the AO and AE zones.

a. The Floodplain Administrator report at page 3, #151.16(A), for Zone AE, lowest floor of construction must be at least one foot above BFE.

b. The Floodplain Administrator report at page 4, #151.18(A), for Zone A0, lowest floor of construction be at least four feet above BFE.

c. The Young report at page 3, 3rd paragraph, #151.16(A), for Zone AE, lowest floor of construction to be at least one foot above BFE.

d. The Young report at page 4, Elevation Recommendations.(A), for Zone A0, lowest floor of construction to be at least four feet above BFE.

4. The plat application does NOT include any land within the Ferguson Subdivision.

a. The Floodplain Administrator report includes considerable background information about the plat process for Ferguson Subdivision. That plat was approved roughly 25 years ago, in May of 1999. The land identified in the proposed plat application is not located within, or in any manner linked to, either the plat for the Ferguson Subdivision or later development within that subdivision.

b. Neither the Town subdivision ordinance nor the Town flood ordinance provide any authority for the Floodplain Administrator to recommend denial of a plat application based upon the Floodplain Administrator's opinion about the wisdom or benefit which he believes may have resulted from approval of a past subdivision plat or development.

5. The recommendation of the Floodplain Administrator report is based on his personal preference for land use within the plat application, not the requirements established by the flood ordinance.

a. The highlighted language about safety and health on page 3 of his report is presented out of context. That language is part of the introductory text of the ordinance, stating the general findings and purposes for the Town to adopt the flood ordinance. It does not give authority to the Floodplain Administrator to impose an additional or outside requirement which he may believe would be better than the actual ordinance requirements.

b. The language of the flood ordinance grants no authority to the Floodplain Administrator to impose an additional requirement on land use regulated by the town which is not stated in sections #151.15 through #151.19 of the ordinance.

6. This plat application results in no change in water flow, and is consistent with recent decisions by the Board of Trustees to approve limited work in a flood hazard zone
 - a. Permit #2024-29, 500 and 510 Walter Street.
 - b. Permit #2024-2, 520 Walter Street.

Thank you, Greg Barnier

Engineering Evaluation:

Proposed Plat of Barnier Tracts 1 Thru 4 of
McDermand Subdivision, Located in the SE ¼ NW ¼ of
Section 32, T2S, R8E, BHM, Custer County, South
Dakota

September 19, 2024

Prepared for: Gregory J. Barnier

Prepared by: Kyle Young, PE

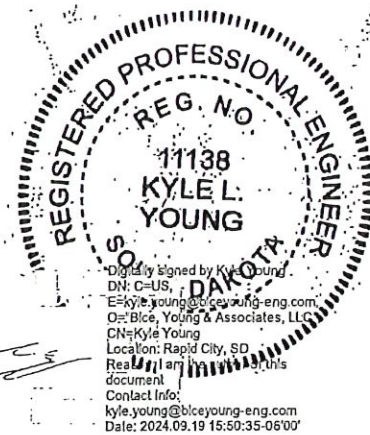
Bice, Young & Associates, LLC

3213 West Main Street

Rapid City, SD 57702

605-430-6054

Kyle.young@biceyoung-eng.com



Introduction

Mr. Greg Barnier applied for a plat of Barnier Tracts 1 Thru 4 of McDermand Subdivision, Located in the SE ¼ NW ¼ of Section 32, T2S, R8E, BHM, Custer County, South Dakota. As part of the application and approval process, Elmer L. Claycomb produced a report titled "STAFF REPORT: Floodplain Development Permit for proposed subdivision plat for Barnier Tracts 1 Thru 4 of McDerand (sic) Subdivision, Custer County, SD", which will be referred to as "Staff Report" in this report. Staff Report included Exhibits A, B, C, D, and E, which will be referenced in this report.

Staff Report includes a recommendation to disapprove of the proposed plat. The purpose of this report is to clarify the facts and technical merits regarding the floodplain associated with the proposed plat. Information in Staff Report makes a strong case that the Ferguson Subdivision should not be platted but does not support the recommendation to disapprove the plat of Barnier Tracts 1 through 4.

About the Engineer:

Kyle has been practicing engineering in South Dakota since 2007, and has been a licensed Professional Engineer since 2011 and currently is licensed in ten states. He began his career designing subdivisions in and around Sioux Falls, where subdivisions must follow FEMA regulations. Since then, he has had positions with the South Dakota Department of Transportation, South Dakota Department of Military, and consulting engineering firms performing planning and design as well as an electric utility performing project management. Currently, Kyle is the principal engineer for Bice, Young & Associates, LLC and has a specialty of dry floodproofing design and certification. A recent notable project is flood modeling and flood emergency response planning for Vanderbilt University's campus.

Ferguson Subdivision

Staff Report makes a strong case against the platting of the Ferguson Subdivision. Much of the Ferguson Subdivision is within the Floodway, and, unless the construction met all requirements of ASCE 24 and analysis was completed that it would not raise the base flood elevation, doesn't meet regulatory requirements. The Barnier preliminary plat application, however, is not part of the Ferguson Subdivision.

Preliminary plat, proposed Barnier Tracts

The proposed Barnier Tracts are mostly in Zone AO, compared to the Ferguson subdivision, which is within the floodway, Zone AE, and is prone to higher velocity stream flow compared to Zone AO. Zone AO is prone to pooling of flood water and sheet flow. Both pooling of floodwater and sheet flow between one channel flow area to another is lower velocity compared to the channel flow in the floodway as experienced by the Ferguson Subdivision. This pooling and sheet flow type of flooding will not wash houses that are constructed to the International Residential Code and other regulatory requirements off their foundations. As explained in the Staff Report, pages 3 and 4, the town ordinance allows development in both the AO and AE zones when the minimum elevation standard is met.

Approving a preliminary plat in Zone AO does not impact the conveyance capacity of the modeled stream splits shown on the FIRM. This area, while identified as a flood hazard area, is outside of the modeled stream flooding. This is contrary to the Ferguson Subdivision which is largely within the designated floodway.

Required lowest floor elevations in Zone AO are higher than what would be required if the property were designated AE. Elevations shown on Exhibit C of Staff Report indicate required floor elevations of Tracts 2 through 4 range between 3292.5 and 3294.5. Corresponding elevations based on established base flood elevations would range between approximately 3291.8 and less than 3294.0. As included in the last paragraph of Page 3 and the beginning of Page 4 of Staff Report, the requirement for Zone AO in this case requires a floor elevation to be 4 feet higher than adjacent ground while the floor elevation for Zone AE is required to be 1' higher than the modeled base flood elevation. At the south boundary of Zone AO, the ground elevation corresponds to the base flood elevation in order to establish the north boundary of adjacent Zone AE. This means that constructing a structure in Zone AE, which is within the predicted extent of the design flood, can be placed 3 feet lower than a house in Zone AO. Construction of a structure in either Zone at the minimum elevation meets accepted safe design standards, but the information presented in this paragraph demonstrates the added safety associated with development of Zone AO.

The portion of Zone AE that may be impacted by the development of Tract 4 is outside of the floodway. Excavation of on-site material will be needed to build the floor elevation to the required level; the most likely scenario is that more excavation below the base flood elevation will be needed than fill that is placed below base flood elevation. This scenario will have a lowering effect on the base flood elevation resulting in less hazard to surrounding properties.

The first item in the statement of purpose of the Flood Damage Prevention Ordinance is to protect human life and health. The Staff Report states that the development of Ferguson Subdivision was contrary to the protection of human life and health, is in a floodway, and is a hazardous condition. However, if homes are built on Tracts 2-4 in the future, then a location in a low velocity area with a structure built to the proper elevation and in accordance with International Residential Code and/or ASCE 24 creates refuge areas for residents of the Ferguson Subdivision who could get stranded on the south side of the Ferguson Split Flow channel.

Elevation Recommendations

To safely develop the proposed properties, the following minimum floor elevations which meet or exceed FEMA and ordinance requirements are recommended. Actual minimum floor elevations should be determined and staked by a Land Surveyor as part of the actual individual building permit application process.

Tract 1: 3294.9

Tract 2: 3294.5

Tract 3: 3293.7

Tract 4: 3292.5- Note: This deviates from the Staff Report, as the Ferguson Split is adjacent to the property with elevations ranging from 3290 to less than 3291, and is within Zone AO which results in a higher required finished floor elevation than needed in Zone AE.

After plat approval, Ability to safely develop property

Construction standards are used to ensure a consistent minimum requirement for all parts of construction planning. These standards are in place to ensure that all of a structure's systems perform adequately for conditions that have been thoroughly vetted by teams of experts in the design of each building system. In the same way that we follow these standards to adequately design roof and wall systems to withstand heavy wind events, there are standards in place that govern flooding. These are the town ordinances, the codes adopted by the ordinances, and the ASCE Standards that the codes reference and are based on. Construction of structures in flood hazard areas have standards in International Residential Code which are based on ASCE 24, Flood Resistant Design and Construction.

Several adjacent properties have been subject to Letters of Map Amendment that remove the property from the flood hazard area. Copies are attached, and These include:

- 301 McDermand Street, which is on Lot 1 (Revised) as shown on the proposed plat, is now in Zone X on the FIRM.
- 345 Ferguson Street, which is across the street to the north of the lot that abuts the north side of proposed Tract 2, is now in Zone X on the FIRM.
- 300 Ferguson Street, which abuts the north side of proposed Tract 4, is now in Zone X on the FIRM.

The fact that these properties, which are all in more flood prone locations than the proposed properties, have homes that have been safely constructed and are now outside of the 500 year floodplain confirms that the three lots in the proposed plat can also be safely developed.

Flood Damage Prevention Ordinance section 151.01 (B) (2) states that flood losses are caused because the uses are inadequately elevated, flood-proofed or otherwise protected from damage. The proposed platting and associated development will be properly protected from flood losses in accordance with building code.

Summary

After approval of the preliminary plat, building or placing homes on the lots proposed with this platting can be performed safely by following building standards that are in place. This proposed plat promotes public safety because the homes in this platting can be a place of refuge during flood events for occupants of homes in the floodway and lower lying areas. This preliminary plat doesn't require additional public infrastructure to be placed in the floodway.

Attachments: Copies of Letters of Map Amendment for nearby properties

(C) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or five acres, whichever is lesser.

(D) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(E) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(Ord. 10.03R, passed 11-15-2011)

§ 151.18 AREAS OF SHALLOW FLOODING (AO/AH ZONES).

*typo or changed?
AE zone*

Located within the areas of special flood hazard established in § 151.03(B) are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. The flooding is characterized by ponding or sheet flow; therefore, the following provisions apply.

(A) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least one foot higher than the depth number specified in feet on the community's FIRM (at least three feet if no depth number is specified).

(B) All new construction and substantial improvements of non-residential structures:

(1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least one foot higher than the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified); or

(2) Together with attendant utility and sanitary facilities be designed so that below one foot above the base flood level the structure is water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this section, as proposed in §§ 151.15 and 151.16 are satisfied.

(C) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

(Ord. 10.03R, passed 11-15-2011)

§ 151.19 FLOODWAYS.

Floodways located within areas of special flood hazard established in § 151.03, are extremely hazardous areas due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply.

(A) Designate a regulatory floodway which will not increase the base flood level more than one foot.

(B) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Original

4B

Town of Hermosa

PO Box 298 • 230 Main Street • Hermosa, SD 57744
Phone (605) 255-4291 • Fax (605) 255-4094
Email: town@hermosasd.com

FLOODPLAIN DEVELOPMENT PERMIT APPLICATION INFORMATION

DATE 8/14/24

AES No.:

PERMIT # 2024-35

Receipt # <u>679585</u>	Cash <input checked="" type="checkbox"/>	Check # _____	Application Fee <u>\$100.00 - Residential</u> / \$500.00 - Commercial
-------------------------	--	---------------	---

***Please be advised all permits are reviewed by the town engineer; those expenses will be included with the permit fees and applicant will be responsible for those expenses.

OWNER Bonnie Morelli TELEPHONE (605) 545 3972

ADDRESS 259 Donna St

EMAIL banditrockstar966@gmail.com

CONTRACTOR me, my son, my daughter

ADDRESS same as above

PROJECT LOCATION/DIRECTIONS 259 Donna St
Ferguson tract

PROJECT DESCRIPTION

- | | | |
|---|--|----------------------|
| <input checked="" type="checkbox"/> Single Family Residential | <input checked="" type="checkbox"/> New Construction | _____ Channelization |
| _____ Multi-Family Residential | _____ Substantial (>50%) Improvements | _____ Fill |
| _____ Manufactured (Mobile) Home | _____ Improvements (<50%) | _____ Bridge/Culvert |
| _____ Nonresidential | _____ Rehabilitation | _____ Levee |

Other/Explanations 10'x8' wooden shed

Project Valuation: _____

Market Value of Structure: _____

FLOOD HAZARD DATA

Watercourse Name _____

The project is proposed in the Floodway _____ Floodway Fringe _____

Base (100-year flood elevations(s)) at project site _____

Elevation required for Lowest Floor _____ NAVD/Floodproofing _____ NAVD

Source Documents: Reports/Maps _____

Parcel # D107164
FOR OFFICE USE ONLY

(Lot #, Subdivision, City/Town, State)

COMPLETE IF APPLICABLE TO THIS PROJECT

Does this project involve the placement of an external fuel storage tank? NO
Compliance of FEMA regulation CFR44 60.3, (a) (3) requires that all liquid storage tanks be properly anchored.

Does this project involve the placement of a manufactured/mobile home? NO
Compliance of FEMA regulation CFR44 60.3, (b) (8) requires that all manufactured/mobile homes be properly anchored.

Initial

In accepting this permit, the applicant understands that all conditions of the permit must be met, all other regulatory permits have been obtained, an elevation certificate will be provided once project is completed, and agrees to allow on-site inspections, as needed during or after construction, to determine compliance with this permit.

Initial

The applicant also acknowledges that he/she is aware of the risks associated with the above development within the Flood Plain and has evaluated that risk.

Initial

The applicant acknowledges that Flood Insurance is available to anyone in an eligible community, which Hermosa is eligible, whether in the Flood Plain or Not.

Initial

It's the Applicants responsibility is to provide copies of the approved documents to all architect(s), engineer(s), general contractor(s) and any other interested parties as are appropriate for each job.

Accepted this 16th day of August year 2024.

Bonnie J. Morelli
(Applicant)

PROPOSAL REVIEW CHECKLIST

- Site development plan is complete and depicts flood hazard.
- Engineering data is provided for provided for proposed map and floodway revision.
- Floodway Certification and data document no increase in flood heights.
- Subdivision proposal minimizes flood damage and protects utilities.
- Lowest floor elevation is 1' above the BFE.
- Manufactured homes meet elevation and anchoring requirements.
- A Floodproofing Certificate certifies floodproofing designs.
- Other: _____

PERMIT ACTION

- PERMIT APPROVED WITH CONDITIONS: The information submitted for the proposed project was reviewed and is in compliance with approved floodplain management standards (site development plans are on file). (Building Site Plan)
- PERMIT DENIED: The proposed project does not meet approved floodplain management standards (explanation is on file).
- VARIANCE GRANTED: A variance was granted from the base (100-year) flood elevations established by FEMA consistent with variance requirements of NFIP regulations Part 60.6 (variance action documentation is on file).

Recommendation by Authorized Staff:

Floodplain Administrator's Signature Date

Comments: See Conditions of Approval – page 4 of 4

COMPLIANCE DOCUMENTATION

_____ MAP REVISION DATA: Certified documentation by a registered professional engineer of as-built conditions for floodplain alterations were received and submitted to FEMA for a flood insurance map revision.

_____ FILL CERTIFICATE: A community official certified the elevation, compaction, slope, and slope protection for all fill placed in the floodplain consistent with NFIP regulations Pare 65.5 for map revisions.

_____ ELEVATION AND FLOODPROOFING CERTIFICATES: The as-built elevation of the building's lowest floor was certified as _____ NGVD; or the building's floodproofings level was certified as _____ NGVD by a registered professional engineer or licensed surveyor and is on file.

_____ CERTIFICATE OF OCCUPANCY OR COMPLIANCE ISSUED ON _____
Date

APPROVAL CONDITIONS

(Lot #, Subdivision, City/Town, State)

NOTES:

1. Lowest Floor must be 1-foot above the BFE per local ordinance.
2. An elevation certificate will be required following construction to verify compliance.
3. All fill must be placed in accordance with FEMA requirements and cannot be placed to raise natural grade above BFE.
4. (Stick Built) Recommend that the enclosed AREA meet FEMA defined crawl space requirements. (See Tech Bulletin 11-01, Fig. 3)
5. (Stick Built) Enclosed space below the BFE must be vented in accordance with FEMA requirements.
6. No Mechanical Equipment is allowed below BFE.
7. Lowest floor of attached garage **must be** above the BFE or will require venting as an enclosed space.
8. Detached Garage is an accessory building and cannot be used for living space and the use cannot be converted at a later time.
9. (Modular) Skirting on modular must meet FEMA definitions of Breakaway Skirting or the enclosed space under the modular must meet FEMA requirements of an Enclosed Area, (Vented).
10. (Modular) Must be Anchored in accordance with FEMA requirements

It is the Owner's and Builder's responsibility to insure ALL FEMA requirements are understood and complied with before beginning construction in the flood plain.

The BFE is calculated but may change if FEMA reviews – this document provides no guarantee that the calculated BFE will match FEMA's determined BFE.

Flood Insurance can be purchased on this structure and should be evaluated by the Owner.

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT

<p style="text-align: center;">PLANNING AND ZONING COMMISSION</p> <p style="text-align: center;"><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>NAME: _____</p> <p>TITLE: _____</p> <p>SIGNATURE: _____</p> <p>DATE: _____</p> <p>APPLICATION FEE: \$100.00 DATE PAID: _____</p>	<p style="text-align: center;">HERMOSA BOARD OF TRUSTEES</p> <p style="text-align: center;"><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>NAME: _____</p> <p>TITLE: _____</p> <p>SIGNATURE: _____</p> <p>DATE: _____</p> <p>DATE PERMIT ISSUED: _____</p>
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CLAYCOMB ENGINEERING
PO BOX 57
815 2nd STREET
FAIRBURN, SD 57738
(605)255-4049
elclaycomb@gmail.com

September 10, 2024

TOWN OF HERMOSA

Floodplain Development Permit 2024-35

FLOODPLAIN ADMINISTRATOR STAFF REPORT: Floodplain Development Permit for installation of storage building, Lot 31, Ferguson Subdivision, 259 Donna Street submitted by Bonnie Morelli.

Physical Conditions

The subject lot is within the Ferguson Split Flow Floodway of Battle Creek as delineated on the current FEMA Flood Insurance Rate Map (FIRM). The ground surface elevation at the location of the proposed shed is about 3290.5. The Base Flood Elevation at that location is about 3292. The depth of flow for the 1% return chance event is about 1.5 feet according to the Flood Insurance Rate Map (FIRM) at the location of the proposed structure. Exhibit A is a map plotted from the Custer County Beacon data. It illustrates the location of the proposed shed in the Floodway. Exhibit B shows the Base Flood Elevations (BFE) and existing ground elevations on a topographic map.

Proposed Construction

The site plan submitted by the applicant illustrates that the building would obstruct a portion of the floodway. This represents a significant obstruction to the limited area between existing buildings through which water must flow during a flooding occurrence.

Regulations

151.19 FLOODWAYS

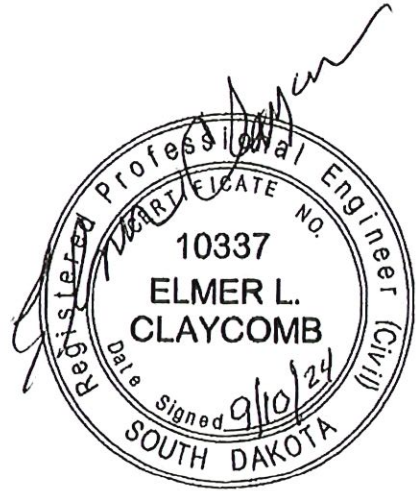
Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway *unless* it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Staff Report, 259 Donna St.
October 10, 2016

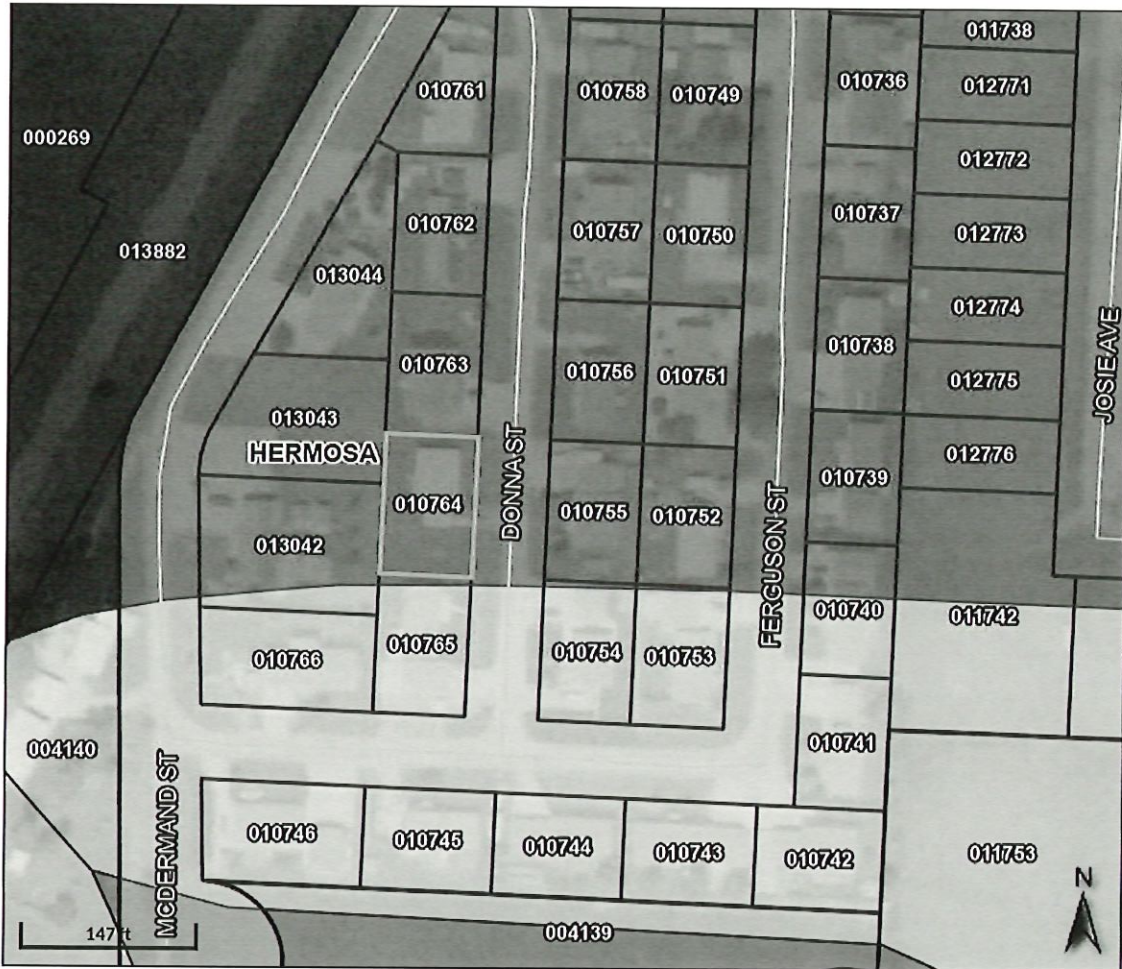
Recommendation *

The application does not include any hydraulic analysis as required by Section 151.19 of the Flood Damage Prevention Ordinance. The application should therefore be denied until a hydraulic analysis is submitted showing that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge. It is unlikely that an analysis can be performed that will show no increase in the BFE due to the size of the obstruction to the Floodway.

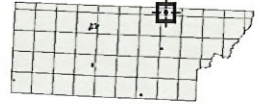
Elmer Claycomb, P.E.
Floodplain Administrator






C:\CLAYCOMB ENGINEERING\Hermosa\259 Donna St-Morelli\Shed
2024\Staff Report 9-10-24.doc



Overview



Legend

-  Corporate Limits
- Highways
 -  SD Hwy
 -  US Hwy
 -  Roads
-  Parcels
- Flood Zones
 -  A
 -  AE
 -  AE, FLOODWAY
 -  AO
 -  X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
 -  X, AREA OF MINIMAL FLOOD HAZARD

Parcel ID	010764	Alternate ID	n/a	Owner Address	MORELLI BONNIE J
Sec/Twp/Rng	n/a	Class	Residential		PO BOX 354
Property Address	259 DONNA ST HERMOSA	Acreage	0.196		HERMOSA, SD 57744-0354
District	16.1-7-0-0-0				
Brief Tax Description	FERGUSON SUBD - LOT 31 IN NW4 SEC 32 T2 R8 0.196 AC, HERMOSA (Note: Not to be used on legal documents)				

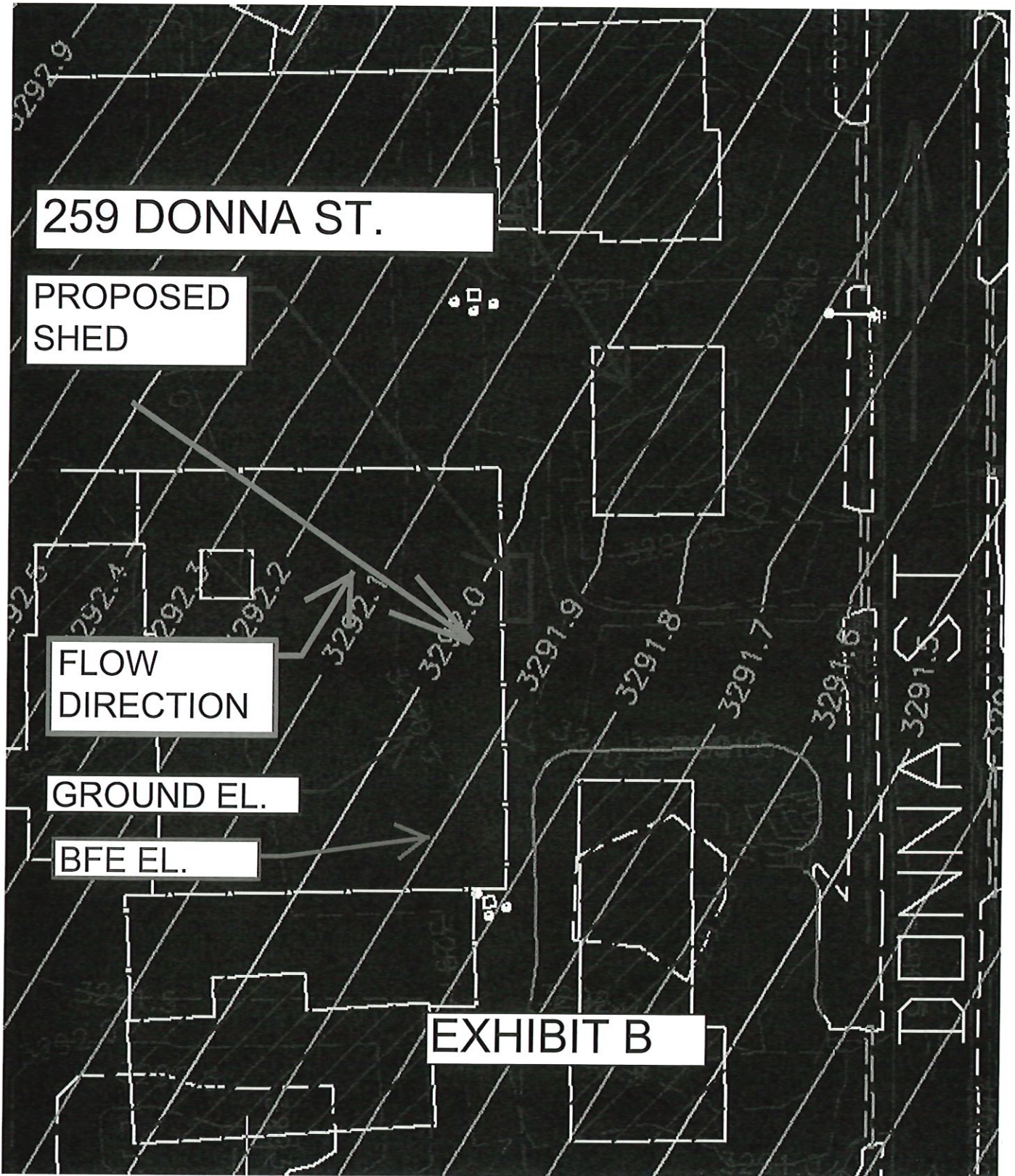
Parcels are not adjusted to match aerial background. GIS information is for reference purposes only and is not a legal document. Data may contain errors.

Date created: 9/10/2024

Last Data Uploaded: 9/10/2024 6:55:01 AM

Developed by  Schneider
GEOSPATIAL

EXHIBIT A



Town of Hermosa

PO Box 298 • 230 Main Street • Hermosa, SD 57744
Phone (605) 255-4291 • Fax (605) 255-4094
Email: town@hermosasd.com

FLOODPLAIN DEVELOPMENT PERMIT APPLICATION INFORMATION

DATE 8/16/24

AES No.:

PERMIT # 2024-35

Receipt # 679585 Cash Check # _____ Application Fee \$100.00 - Residential \$500.00 - Commercial

***Please be advised all permits are reviewed by the town engineer; those expenses will be included with the permit fees and applicant will be responsible for those expenses.

OWNER Bonnie Morelli TELEPHONE (605) 545 3972

ADDRESS 259 Donna St

EMAIL banditrockstar966@gmail.com

CONTRACTOR me, my son, my daughter

ADDRESS same as above

PROJECT LOCATION/DIRECTIONS 259 Donna St
Ferguson tract

PROJECT DESCRIPTION

- | | | |
|---|--|----------------------|
| <input checked="" type="checkbox"/> Single Family Residential | <input checked="" type="checkbox"/> New Construction | _____ Channelization |
| _____ Multi-Family Residential | _____ Substantial (>50%) Improvements | _____ Fill |
| _____ Manufactured (Mobile) Home | _____ Improvements (<50%) | _____ Bridge/Culvert |
| _____ Nonresidential | _____ Rehabilitation | _____ Levee |

Other/Explanations 10'x8' wooden shed

Project Valuation: _____

Market Value of Structure: _____

FLOOD HAZARD DATA

Watercourse Name FERGUSON SPLIT FLOW FROM BATTLE CREEK

The project is proposed in the Floodway Floodway Fringe _____

Base (100-year flood elevations(s)) at project site 3292

Elevation required for Lowest Floor 3293 NAVD/Floodproofing _____ NAVD

Source Documents: Reports/Maps CURRENT FIRM

Parcel # D107164
FOR OFFICE USE ONLY

(Lot #, Subdivision, City/Town, State)

COMPLETE IF APPLICABLE TO THIS PROJECT

Does this project involve the placement of an external fuel storage tank? NO
Compliance of FEMA regulation CFR44 60.3, (a) (3) requires that all liquid storage tanks be properly anchored.

Does this project involve the placement of a manufactured/mobile home? NO
Compliance of FEMA regulation CFR44 60.3, (b) (8) requires that all manufactured/mobile homes be properly anchored.

Initial
mm mm
In accepting this permit, the applicant understands that all conditions of the permit must be met, all other regulatory permits have been obtained, an elevation certificate will be provided once project is completed, and agrees to allow on-site inspections, as needed during or after construction, to determine compliance with this permit.

Initial
mm
The applicant also acknowledges that he/she is aware of the risks associated with the above development within the Flood Plain and has evaluated that risk.

Initial
mm
The applicant acknowledges that Flood Insurance is available to anyone in an eligible community, which Hermosa is eligible, whether in the Flood Plain or Not.

Initial
mm
It's the Applicants responsibility is to provide copies of the approved documents to all architect(s), engineer(s), general contractor(s) and any other interested parties as are appropriate for each job.

Accepted this 16th day of August year 2024.

Bonnie J. Morelli
(Applicant)

PROPOSAL REVIEW CHECKLIST

- Site development plan is complete and depicts flood hazard.
- Engineering data is provided for proposed map and floodway revision.
- Floodway Certification and data document no increase in flood heights.
- Subdivision proposal minimizes flood damage and protects utilities.
- Lowest floor elevation is 1' above the BFE.
- Manufactured homes meet elevation and anchoring requirements.
- A Floodproofing Certificate certifies floodproofing designs.
- Other: _____

PERMIT ACTION

- PERMIT APPROVED WITH CONDITIONS: The information submitted for the proposed project was reviewed and is in compliance with approved floodplain management standards (site development plans are on file). (Building Site Plan)
- PERMIT DENIED: The proposed project does not meet approved floodplain management standards (explanation is on file).
- VARIANCE GRANTED: A variance was granted from the base (100-year) flood elevations established by FEMA consistent with variance requirements of NFIP regulations Part 60.6 (variance action documentation is on file).

Recommendation by Authorized Staff:

Elm Clayton 9/10/2024
Floodplain Administrator's Signature Date

Comments: See Conditions of Approval – page 4 of 4

COMPLIANCE DOCUMENTATION

_____ MAP REVISION DATA: Certified documentation by a registered professional engineer of as-built conditions for floodplain alterations were received and submitted to FEMA for a flood insurance map revision.

_____ FILL CERTIFICATE: A community official certified the elevation, compaction, slope, and slope protection for all fill placed in the floodplain consistent with NFIP regulations Pare 65.5 for map revisions.

_____ ELEVATION AND FLOODPROOFING CERTIFICATES: The as-built elevation of the building's lowest floor was certified as _____ NGVD; or the building's floodproofings level was certified as _____ NGVD by a registered professional engineer or licensed surveyor and is on file.

_____ CERTIFICATE OF OCCUPANCY OR COMPLIANCE ISSUED ON _____
Date

APPROVAL CONDITIONS

(Lot #, Subdivision, City/Town, State)

NOTES:

1. Lowest Floor must be 1-foot above the BFE per local ordinance.
2. An elevation certificate will be required following construction to verify compliance.
3. All fill must be placed in accordance with FEMA requirements and cannot be placed to raise natural grade above BFE.
4. (Stick Built) Recommend that the enclosed AREA meet FEMA defined crawl space requirements. (See Tech Bulletin 11-01, Fig. 3)
5. (Stick Built) Enclosed space below the BFE must be vented in accordance with FEMA requirements.
6. No Mechanical Equipment is allowed below BFE.
7. Lowest floor of attached garage must be above the BFE or will require venting as an enclosed space.
8. Detached Garage is an accessory building and cannot be used for living space and the use cannot be converted at a later time.
9. (Modular) Skirting on modular must meet FEMA definitions of Breakaway Skirting or the enclosed space under the modular must meet FEMA requirements of an Enclosed Area, (Vented).
10. (Modular) Must be Anchored In accordance with FEMA requirements

It is the Owner's and Bullder's responsibility to insure ALL FEMA requirements are understood and complied with before beginning construction in the flood plain.

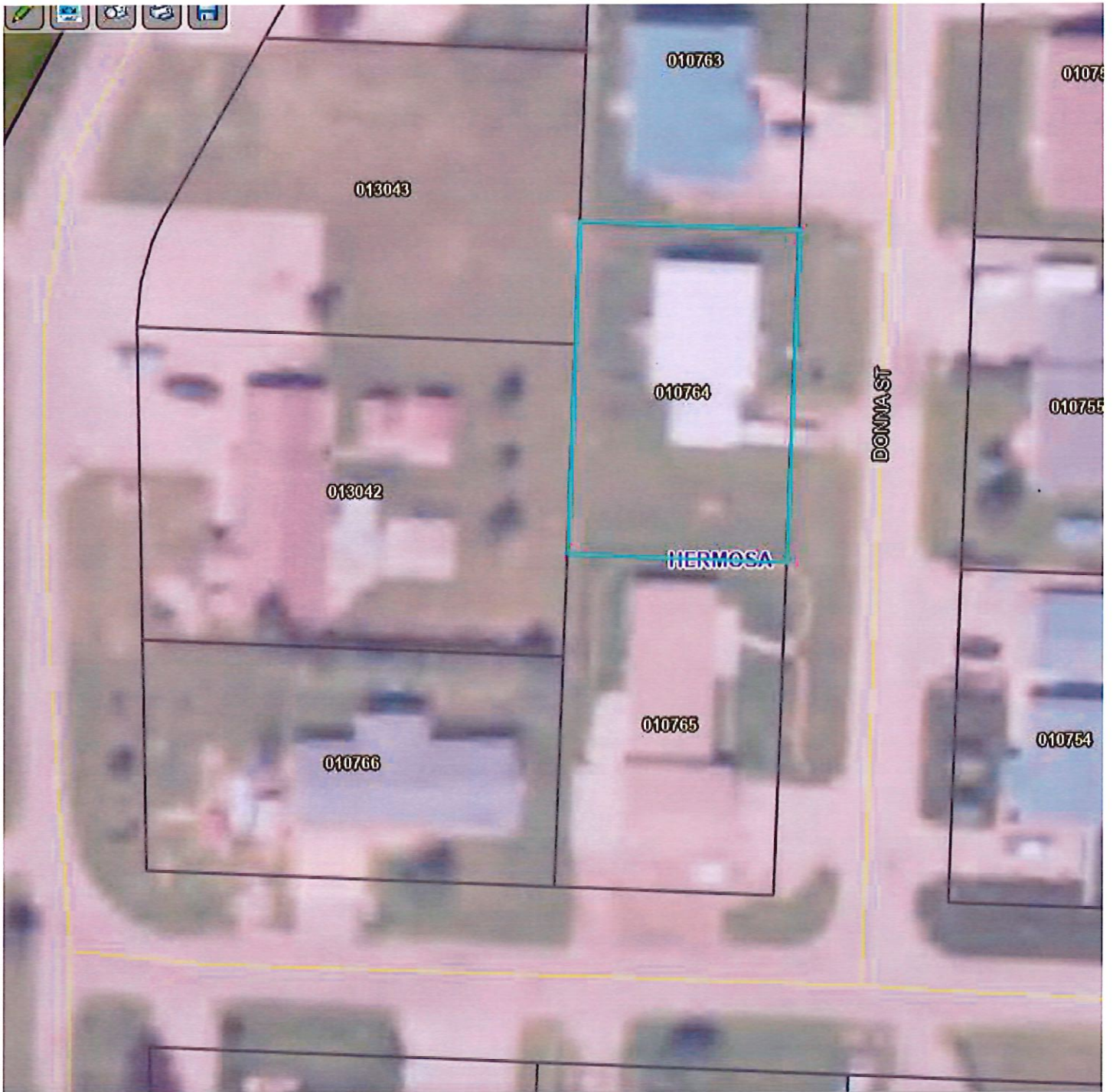
The BFE is calculated but may change if FEMA reviews -- this document provides no guarantee that the calculated BFE will match FEMA's determined BFE.

Flood Insurance can be purchased on this structure and should be evaluated by the Owner.

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT

PLANNING AND ZONING COMMISSION	HERMOSA BOARD OF TRUSTEES
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
SIGNATURE: _____	SIGNATURE: _____
DATE: _____	DATE: _____
APPLICATION FEE: <u>\$100.00</u> DATE PAID: _____	DATE PERMIT ISSUED: _____

259 Donna St. – Parcel #010764

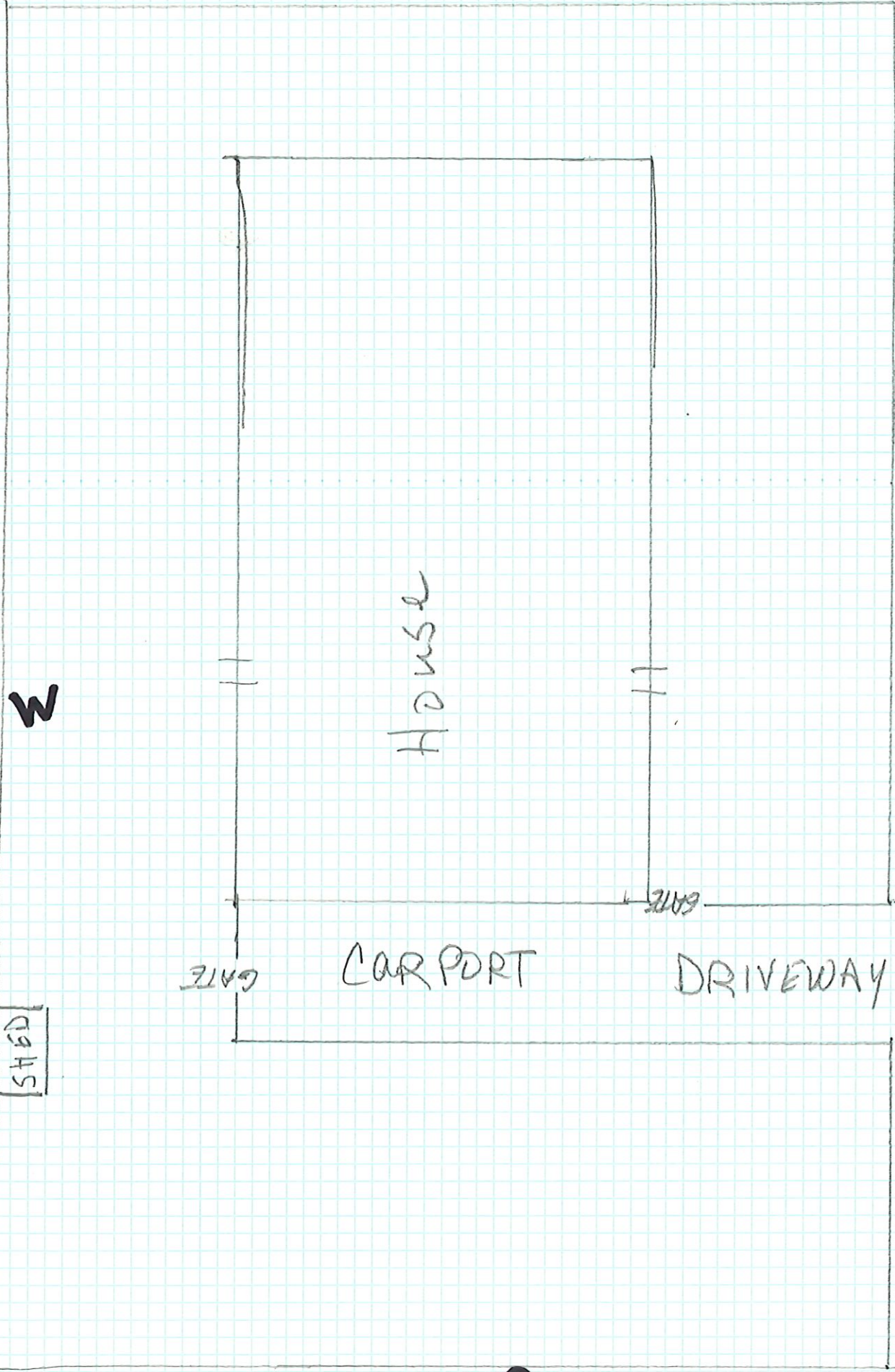


Alternate IDn/a
Class Residential
Acreage 0.196

Owner Address MORELLI BONNIE J
PO BOX 354
HERMOSA, SD 57744

-7-0-0-0-0
GUSON SUBD - LOT 31 IN NW4 SEC 32 T2 R8 0.196 AC, HERMOSA

N



W

House

GATE

CARPORT

GATE

DRIVEWAY

SHED

S

DONNA STREET

E

259 Donna St.

