



*Department of Economic Housing and Community Development  
Department of Environmental Conservation*

## **Before You Repair Flood Damage**

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### **Important information for Historic Building Owners & Municipalities**

FEMA sent out a press release on September 29, 2011, reminding Vermonters that historic buildings may not need to undergo the same flood-proofing measures that may be required of newer buildings. In the press release FEMA stated that, “The National Flood Insurance Program (NFIP) gives special consideration to historic buildings, landmarks, and sites that have been affected by natural disasters like Tropical Storm Irene in order to encourage their continued preservation.” The press release highlighted that historic buildings located within the mapped floodplain may be exempt from various requirements, for example, elevating the building or filling cellars with cement. However, it did not detail the Vermont-specific requirements that must be met to qualify for this historic building exemption.

If you are a historic building owner or a local municipal official, the following is some important additional information you need to know before considering how best to rebuild.

### **National Flood Insurance Policy (NFIP) In Vermont**

The NFIP is a Federal program created by Congress to mitigate future flood losses nationwide through locally-enforced building and zoning ordinances and to provide access to affordable, federally backed flood insurance protection for property owners. The NFIP is designed to provide an alternative to relying on federal disaster assistance.

While the NFIP gives special consideration to historic buildings, it also allows communities to adopt stricter standards in their zoning bylaws. Most Vermont communities have adopted provisions enabling the historic building exemption, while additionally requiring property owners to explore options to reduce future flood damage. The goal of this added measure is to reduce future flood damage and building losses and allow businesses and residents to return to work and home more quickly in the aftermath of future flood events.

### **Information for Building Owners**

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All land use regulations are local. Thus, floodplain bylaws may vary from community to community. **It is important that you contact your city or town zoning administration to discuss local regulations and how best to restore your building.**

## Getting Started:

- 1. Is my building in a floodplain?** The best way to find out if your building is located in a floodplain is to first contact your town offices. If you have trouble finding the information there, call Rebecca Pfeiffer, Community Assistance Program Specialist at the River Corridor and Floodplain Management Program at 802.760.0678 or by email at [rebecca.pfeiffer@state.vt.us](mailto:rebecca.pfeiffer@state.vt.us).
- 2. Did my property suffer “substantial damage”?** A building that has sustained “substantial damage” may be required to meet certain mitigation criteria under NFIP. FEMA defines substantial as a building with damage over 50% of market value the day before the flood. Contact your zoning administrator for additional information on this.
- 3. Is my building historic?** To be considered for exemptions under NFIP, a building must be listed on the National or State Register of Historic Places or be eligible for listing on the National or State Register of Historic Places. For details see below: **Determining if Your Building is Listed on the State or National Register.**
- 4. What – if any – changes are required to meet local floodplain regulations?:** Possible work items include anchoring fuel tanks or moving electrical services and mechanical systems (e.g. furnace, water heater) out of the cellar. In cases where the mitigation costs outweigh the benefits, doing nothing may be the appropriate alternative. Be sure to contact your local zoning administrator.

### **Determining if Your Building is Listed on the State or National Register:**

Many older buildings in Vermont may be pre-qualified for the exemption since they are listed as “contributing” buildings within a State or National Register Historic District. Local officials or property owners can look at existing maps of State and National Register Historic Districts at this web site: [historic district map](#). Print the map and draw a circle around your building; retain this documentation.

However, if the building in question is not mapped or is marked “non-contributing,” it still may qualify for the exemption. See below: **Determining if Your Building may be Eligible for Listing on the State or National Register.** You may also call the Vermont Division for Historic Preservation at 802.828.3211 to discuss possible eligibility.

### **Determining if Your Building may be Eligible for Listing on the State or National Register:**

Older buildings do not have to be large and impressive to qualify as “historic.” In fact, many of Vermont’s historic buildings are actually quite modest.

**1. How old is your building?** Obtaining information about a building’s date of construction is the first step in determining if a building may be “historic.” If the date of construction is unknown, most Grand Lists (found at your local town office) will include an approximate date. Generally speaking, buildings must be 50 years (built before 1961) or older to qualify as historic. They must also meet additional criteria to qualify.

**2. Has your building been extensively altered?** The next consideration is the amount of change the building has seen over time. The Division for Historic Preservation or a qualified preservation professional can help you determine if a building has changed “too much.”

For purposes of the National Flood Insurance Policy, however, the final decision as to whether a building is historic, or eligible for listing on the National Register of Historic Places, must be made by the Secretary of the Interior through the National Park Service.

If you are interested in pursuing the exemptions for historic buildings under NFIP, staff from the Division for Historic Preservation is available to visit your building to gather information that will assist the National Park Service in determining whether a building is historic. To request a visit please send the following information to [Historic.Eligibility@state.vt.us](mailto:Historic.Eligibility@state.vt.us).

1. **Your name.**
2. **Your building’s address. Please include the E911 address, town and zip code.**
3. **Your day time phone number or cell number.**
4. **Exterior photographs of your building in jpeg format, if available, but no more than five.**
5. **Optional—information about the history of your building such as date of construction, if available.**

Staff from the Division will then contact you to let you know when they will be visiting your building. The Division will take photographs of the exterior of your building but will not need to enter it. The Division will forward the information about your building to the National Park Service and will advise you and your town of their final decision as soon as possible.

If you are unable to submit information by email or have additional questions, please call 802.828.3211 and ask to speak with someone from the Division for Historic Preservation about your historic building.

#### **Documenting Building Changes and Flood Mitigation During Reconstruction:**

Striking the right balance between preservation and modernization can be challenging, but it happens every day in Vermont. In most instances, the mitigation measures will need to be tailored to unique facts and circumstances of the building. To maintain the historic exemption, building repairs and mitigation measures must not alter the building so that it loses its historic designation. With careful planning and sensitive attention, even severely damaged properties may be returned to their former quality.

Local officials and building owner should contact the [Preservation Trust of Vermont](http://www.ptvermont.org) for help finding qualified professionals or to find out more about their small Irene recovery matching grants. The *Preservation Trust of Vermont* can be reached at 802.658.6647 or for more information visit [www.ptvermont.org](http://www.ptvermont.org)

## Information for Municipalities

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While winter's approach demands expediency, we would like to caution cities and towns that proper historic documentation is required to qualify for this exemption. Local building permits to repair, rehabilitate or stabilize historic buildings should be accompanied by two pieces of evidence:

1. Documentation that confirms the building's historic status; and
2. Documentation (plans/scope of work) that confirms that the proposed work will not alter the building to the extent that it loses its historic designation.

Communities ignoring these requirements risk future participation in the National Flood Insurance Policy. Building owners will also face substantial increases in their flood insurance premiums if repairs cause a building to lose its historic designation.

**Please Note:** In some cases, temporary replacements for windows, doors, roofs and other weatherproofing features may be approved with the understanding that the owner will return at a later date with plans for appropriate long-term repairs and replacements.

### Need Help?

Local officials requiring assistance regarding the specific requirements of their bylaws should contact their [Regional Planning Commission](#), the [Vermont League of Cities and Towns](#), or a [State Floodplain Coordinator](#).

For more information please visit [www.vapda.org](http://www.vapda.org) for the Regional Planning Commission in your area, or [www.vlct.org](http://www.vlct.org) for the Vermont League of Cities and Towns. You may also contact Rebecca Pfeiffer, Community Assistance Program Specialist, at the River Corridor and Floodplain Management Program at 802.760.0678 or by email at [rebecca.pfeiffer@state.vt.us](mailto:rebecca.pfeiffer@state.vt.us). For more information about Flood Plain requirements visit [www.anr.state.vt.us/dec/waterq/contacts.htm#rivers](http://www.anr.state.vt.us/dec/waterq/contacts.htm#rivers).

### Helpful Contacts:

#### Division for Historic Preservation

Dept of Economic, Housing and Community Development  
Phone: 802.828.3211  
E-mail at [Historic.Eligibility@state.vt.us](mailto:Historic.Eligibility@state.vt.us).

#### Rebecca Pfeiffer

Community Assistance Program Specialist,  
Agency of Natural Resources  
Phone: 802.760.0678  
E-mail at [rebecca.pfeiffer@state.vt.us](mailto:rebecca.pfeiffer@state.vt.us)  
For more information about Flood Plain requirements visit: [www.anr.state.vt.us/dec/waterq/contacts.htm#rivers](http://www.anr.state.vt.us/dec/waterq/contacts.htm#rivers).

#### The Preservation Trust of Vermont

Phone: 802.658.6647  
[www.ptvermont.org](http://www.ptvermont.org)

#### Regional Planning Commissions

For a listing of all the RPC's go to [www.vapda.org](http://www.vapda.org)

#### Vermont League of Cities and Towns

Phone: 802.229.9111  
[www.vlct.org](http://www.vlct.org)

# Before You Repair Flood Damage

Because every Vermont community adopts its own floodplain bylaws, **ALWAYS** ask your city or town **ZONING ADMINISTRATOR** the following questions **BEFORE** beginning any repairs to your property.

## Ask your city or town zoning administrator:

**1. Is my building located in the floodplain?**

**2. Did my property suffer “Substantial Damage\*” as determined by your city or town officials?**

\* as defined by FEMA requirements included in the local flood bylaw

**3. Is my building historic (will it qualify for the historic exemption)?**

The Vermont Division for Historic Preservation ([HistoricVermont.org](http://HistoricVermont.org)) 802.828.3211 has detailed information on the process to determine if a building is historic or not. To qualify for the historic exemption, building repairs and alterations must also respect the building's historic nature.

**4. What – if any – changes are required to meet local floodplain regulations?**