



# Federal Emergency Management Agency

Washington, D.C. 20472

JUN 30 1997

Handwritten initials and notes in the top right corner.

Mr. Kevin Boyle  
Village Manager  
Township of Pequannock  
Municipal Building  
530 Turnpike  
Pompton Plains, New Jersey 07444

IN REPLY REFER TO:  
Case No.: 97-02-172A  
Community: Township of Pequannock,  
Morris County, New Jersey  
Community No.: 345311  
Map Panel Affected: 0003 C  
Map Effective Date: September 17, 1992  
218-65-NS

2402/11

Dear Mr. Boyle:

We reviewed a request dated April 28, 1997, from Mr. Marshall F. Massa, of Massa and Massa Law Offices, for a Letter of Map Revision. All required information for this request was received on June 9, 1997. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we determined the structure on the property described below would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) and is correctly shown on the effective NFIP map as being located in a Special Flood Hazard Area (SFHA), designated Zone AE. This property was elevated by the placement of fill.

Property Description:	Lot 8, Block 411, Sunset Ridge, as recorded in Deed Document No. 029912, Deed Book 4360, Pages 301-303, on April 19, 1996, in the Morris County Recorder's Office
Street Address:	5 Lucy Court
Flooding Source:	East Ditch

The elevations of both the lowest adjacent grade to a structure (the lowest ground touching the structure) and the lowest floor (including basement/crawl space) must be at or above the base flood elevation (BFE) for the structure to be outside the SFHA. Because the elevation of the lowest floor of the structure, 183.5 feet, is lower than the BFE, 185.4 feet, the structure is within the SFHA; therefore, flood insurance is required. These elevations are referenced to the National Geodetic Vertical Datum of 1929.

This determination is based on the flood data presently available. The NFIP regulations provide a period of 90 days from the date of this letter for resubmission of revised data without repayment of review fees. Data submitted after 90 days will be subject to all submittal/payment procedures.

The enclosed document provides additional information about options for obtaining a Letter of Map Revision. If you have any questions about this letter, please contact Ms. Helen Cohn of our staff in Washington, D.C., either by telephone at (202) 646-3457 or by facsimile at (202) 646-4596.

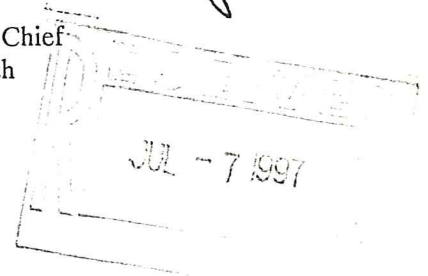
Sincerely,

Frederick H. Sharrocks Jr., Chief  
Hazard Identification Branch  
Mitigation Directorate

Enclosure

cc: Mr. Marshall F. Massa

411/8



## ADDITIONAL INFORMATION REGARDING DENIALS OF REQUESTS FOR LETTERS OF MAP AMENDMENT AND LETTERS OF MAP REVISION BASED ON FILL

In making determinations on requests for Letters of Map Amendment (LOMAs) and Letters of Map Revision based on the placement of fill (LOMR-Fs), the Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that FEMA's denial of a request to remove a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined that the property continues to be subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). As mentioned earlier, this determination is based on the flood hazard information available at the time. If more detailed property or flood hazard information becomes available, and the requester believes the information will support removing the property from the SFHA, the requester may submit that information to FEMA at any time and request that FEMA reconsider its determination. In areas where base flood elevations (BFEs) shown on the effective National Flood Insurance Program (NFIP) map were used for the original determination, new BFEs cannot be used until they have been proposed and finalized through the community appeal process. The appeal process is described in detail in Part 67 of the NFIP regulations.

If FEMA denies a request for a LOMA because the elevation of the lowest adjacent grade (the lowest ground touching a structure) is below the BFE and that elevation has been raised to or above the BFE by the placement of fill material, the requester may submit the appropriate supporting data and request a LOMR-F in accordance with Paragraph 65.5(a)(4) of the NFIP regulations. In this circumstance, if both the elevation of the lowest ground touching the structure *and* the elevation of the lowest floor (including basement/crawl space) are at or above the BFE, FEMA will issue a LOMR-F to remove the structure from the SFHA. If fill material is used to elevate the lowest ground touching the structure and the lowest floor (including basement/crawl space) to or above the BFE, the requester also must submit a completed copy of Form 4, "Community Acknowledgment of Requests Involving Fill," from the MT-1 application/certification forms package that must be used for all LOMR-F requests.

The NFIP regulations provide a requester with a period of 90 days from the date of a denial letter to submit data and request that FEMA reconsider its determination without repayment of review and processing fees. Data submitted after 90 days, or data which show that a project has been significantly altered in design or scope other than as necessary to respond to findings made in FEMA's original determination, are subject to all submittal/payment procedures. Effective October 1, 1996, FEMA revised the fee schedule for reviewing and processing requests for modifications to published flood information and maps. Under this schedule, FEMA established a flat review and processing fee for each type of request. All requests dated October 1, 1996, or later will be processed under this new schedule.

The review and processing fee for a single-lot or single-structure LOMR-F is \$400; the fee for a multiple-lot or multiple-structure LOMR-F request is \$800. There is no review and processing fee for a LOMA. The fee must be received before FEMA can begin processing a LOMR-F request. Payment of this fee shall be made in the form of a check or money order, made payable in U.S. funds to the National Flood Insurance Program, or by credit card. The payment must be forwarded to the following address:

Federal Emergency Management Agency  
Fee-Collection System Administrator  
P.O. Box 3173  
Merrifield, VA 22116-3173