

**WYNN ASSOCIATES, INC.**  
**MUNICIPAL ENGINEERING SERVICES**

(215) 536-7336 • FAX (215) 536-5361  
211 West Broad Street • Quakertown • PA • 18951  
WWW.WYNN-ASSOCIATES.COM

June 17, 2024

Teri Lewis, Manager (via email)  
Nockamixon Township  
589 Lake Warren Road  
Upper Black Eddy, PA 18972

Subject: Floodplain Development Permit Application

Sam Cravero  
2489 River Road 9755 EASTON RD  
TMP #30-8-49  
File No. 45-008

Dear Ms. Lewis,

This office reviewed Floodplain Development Permit/Application dated May 30, 2024 and associated information for the subject property, including:

1. Zoning Plan, sheet Z1, dated April 22, 2024, latest revision date May 29, 2024, prepared by Matthew V. Piotrowski Architect, LLC.

The subject property, which was formerly the American Grill, is located partially within Nockamixon Township; the northern section of the site extends into Durham Township. The entire site is located within the 100-year floodplain of Gallows Run and the Delaware River. A portion of the site is within the floodway of Gallows Run. The existing commercial building on the site is proposed to be modified and elevated above the floodplain elevation.

The following comments are made with respect to submitted information and Township Floodplain Ordinance (FO), as noted:

1. The submitted plan depicts the entire building within Nockamixon Township. Bucks County tax mapping shows the Township boundary going through the building. To verify location of building and associated improvements, a site plan certified by a registered land surveyor, which includes all information required pursuant to Section 103-10.A(7) and C(2) of the Floodplain Ordinance, must be submitted for review.
2. FEMA Elevation Certificate must be prepared by a registered land surveyor to verify the 100-year Base Flood Elevation (BFE), Regulatory Flood Elevation (RFE), and existing ground and floor elevation(s).
3. Valuation estimate of the existing building (structure only) and estimated cost of renovations is required to be submitted in accordance with Section 103-10.A(6) of the Floodplain Ordinance. It appears that the project will meet the Substantial Improvement threshold (improvements greater than 50% of structure value). Accordingly, the building must be elevated to, or above the RFE. The above certification is needed to determine if the proposed building elevation is adequate.
4. Proposed building plans and elevation drawings must be submitted in accordance with Section 103-10.C(3) of the Floodplain Ordinance, to determine compliance with the ordinance.
5. Professional engineer or architect must certify that the structural components of the elevated structure are capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. (FO Section 103-25.B(1)(b) and 10.C(4)(d))
6. Professional engineer or architect must certify that the design and methods of construction meet requirements of Title 44, Section 603, Subpart A, Requirements for Floodplain Management Regulations. (FO Section 103-25.B(1)(c))
7. All construction below the Regulatory Flood Elevation must be flood proofed to the greatest extent possible in accordance with Section 103-33.D of Floodplain Ordinance and applicable Township Building Code (UCC). Documentation must be submitted for review.
8. Site plan discussed above must verify if any part of the modified building or other site improvements will encroach within the floodway as identified on the applicable FEMA FIRM map. If encroachment is identified, an analysis by a

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professional engineer must be submitted to verify that any proposed construction/encroachment into the floodway will not increase Base Flood Elevation. (FO Section 103-20.A(1))

9. Existing and proposed potable water and sewage disposal facilities must be identified on the site plan. All new or replacement facilities shall be located, designed and constructed to minimize or eliminate flood damage and the infiltration of floodwaters. Additionally new or replacement facilities require review and approval by Bucks County Health Department (BCHD) and Nockamixon Township and/or Durham Township. Further, expansion or replacement of sewage facilities may require submission of sewage facilities planning modules for review and approval by PADEP, BCHD, and the applicable Township. (FO Section 103-26.C and Township Act 537 Plan)
10. All construction, including but not limited to, utilities, anchoring, and construction materials, shall be in accordance with the requirements of Section 103-26 of the Floodplain Ordinance and applicable Uniform Construction Code (UCC) requirements. Any new utilities/mechanicals within the proposed renovations must be installed above the referenced RFE.
11. It appears that proposed building and parking area improvements are maintained within the existing footprint of the building and existing stone parking area, except for the new rear deck (and possibly water and sewage facilities). No development is permitted in the 100-year floodplain pursuant to Section 234-36.B(2)[3] of the Zoning Ordinance. Additionally, although an eating place/restaurant (Use E-4) is a permitted use in the VC zoning district, it is not a permitted use in the 100-year floodplain in accordance with Section 234-54 of the Zoning Ordinance. The Zoning Officer should be consulted as to whether the use may be altered or expanded under the nonconforming use regulations of Section 234-87 of the Zoning Ordinance, or if an application to the Zoning Hearing Board for consideration of a variance is required.
12. Applicant should consult with Durham Township regarding Floodplain and Zoning Ordinance regulations for the portion of the site located in Durham Township.
13. Additional comments may be generated upon submission of additional required documentation as indicated above.

The above comments are limited to a review of the Floodplain Ordinance, as amended, and do not represent a comprehensive review of zoning or other Township regulations. Subject to the final scope of work proposed, project may require Land Development Plan or other Township approvals. Based on the above comments, submitted information is not satisfactory to verify compliance with the Floodplain Ordinance or for issuance of a Floodplain Permit.

Any person aggrieved by any action or decision of the Floodplain Administrator concerning administration of Township Floodplain Ordinance, as amended, may appeal to the Zoning Hearing Board. Such appeal must be filed in writing within 30 days after the decision, determination, or action of the Floodplain Administrator (FO Section 103-18). In the alternate, additional/revised information may be submitted for consideration.

By copy of this correspondence, the applicant is advised of the above.

If you have any questions or require additional information, do not hesitate to contact this office.

Sincerely,



Steven Baluh, P.E.

SB/scv

cc: Mark Fournier, Zoning Officer (via email)  
Joan Tanner (via email)  
Maureen Carlton, Esq (via email)  
Scott Mease, PE, Durham Township Engineer (via email)  
Sam Cravero (via email)