

## LEET TOWNSHIP ZONING HEARING BOARD

IN THE MATTER OF: ROBERT WERNICKI (REMAND)

### ORDER

#### EXPERT REPORTS/CALENDAR

Tuesday, May 7, 2024: Engineer Beechey's expert report was introduced by Applicant. It is tentatively admitted pending further testimony from Mr. Beechey.

Monday, May 20, 2024: Deadline for Township's Expert Report(s).

Friday, May 24, 2024: Deadline for Applicant's (Optional) Supplemental Expert Report(s).

Tuesday, May 28, 2024: Deadline for Township's (Optional) Supplemental Expert Report(s).

Thursday, May 30, 2024: Remand Hearing Night #3.

ZHB strongly encourages that expert reports include, at a minimum:

- A. Engineering calculations (with explanations in understandable words to the extent reasonably possible) showing and comparing (a) the base flood elevation profile without the Shed and (b) the base flood elevation profile with the Shed in place with the venting proposed by applicant Wernicki.
- B. The calculations and explanations should identify where profiles are taken along the calculation route. Those profiles should be shown at a scale that allows the water levels to be easily ascertained. There should be calculations or notes explaining how coefficients are determined for the banks, etc., how floodplain flows are derived, and how flood frequencies have been used.
- C. Specific identification (by title, date or other unique designation) of any previous engineering reports or other documents, if they are referred to.
- D. Analysis of differences, if any, on increase in BFE depending on location and installation of "upstream" vents versus "downstream" vents.
- E. Consideration of the true open area of the vents as they have screens on them. Consideration of possible clogging. Consideration of the point at which

the vents open up automatically. Consideration of the impact on BFE of the water *flowing through* the vents and Shed.

- F. Identification of the software used to run the calculations and a statement of whether it conforms with applicable requirements of Township Ordinances and FEMA for measuring impact on BFE.
- G. A concise statement that the venting as proposed would—or would not—comply with Township Ordinances.
- H. If they exist: (a) the March 2024 renewal by ICC of its March 2022 Evaluation Report ESR 4332, referred to in the ICC Evaluation Report offered by Engineer Beechey, and (b) document(s) and links to video(s) produced by the *manufacturer* of the Freedom Flood Vent Model FFV-1608 specifically indicating that the prevention of increases in base flood elevation is an appropriate application for FFV-1608.
- I. The parameters for rounding-up or rounding-down in the calculations, if rounding is utilized.
- J. Identification of the *numerical* margin-of-error, if any, built into the applications, measurements and methodology, and the *numerical* impact thereof on the calculations and conclusions regarding increase in base flood elevation.

Reports shall be in a standard font size throughout (e.g., charts, graphs, notes, footnotes), that is easily readable (e.g., Times New Roman 12).

Reports must be served by 5 PM Eastern Time on the Deadline Dates by email to Attorneys Kunz, Chesney, Jewart and Restauri. Service by email on Restauri shall constitute filing with ZHB. Additional service by U.S. Mail is not required. ZHB will not consider late-filed reports.

## **HEARING**

Thursday, May 30, 2024: Remand Hearing Night #3, limited to expert testimony, followed by ZHB's deliberation and decision. Only experts who have submitted timely-filed reports will testify at the hearing.

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*/s/ Terry Soster*

Terry Soster, Chair  
Date: May 9, 2024