

Zoning Amendment - Flood Insurance Rate Maps and Flood Insurance Study.

To see if the Town will vote to amend the Zoning Map and Zoning By-Law of the Town of Littleton as follows:

1. Delete § 173-72 in its entirety and insert in its place the following:

§ 173-72. Applicability

All land lying below certain control elevation (United States Geological Survey datum) as shown on the Zoning Map shall be considered wetlands, deemed to be subject to seasonal or periodic flooding. And all special flood hazard areas within the Town of Littleton designated as Zone A and AE on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program, shall be considered floodplains. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Littleton are panel numbers 25017C0209E, 25017C0216E, 25017C0217E, 25017C0218E, 25017C0219E, 25017C0228E, 25017C0236E, 25017C0237E, 25017C0238E, 25017C0239E, 25017C0241E and 25017C0243E dated June 4, 2010. The exact boundaries of the floodplain may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010. The FIRM and FIS report are incorporated herein by reference and are on file with the Building Inspector. Within Zone A, where the base flood elevation is not provided on the FIRM, the applicant shall obtain any existing flood elevation data, which shall be reviewed by the Building Inspector or the Board of Appeals for its reasonable use toward meeting the requirements of this chapter.

2. Amend §173-73.D by deleting the words “the Flood Boundary and Floodway Maps” and inserting in their place “the FIRM”.
3. Amend §173-73 by deleting subsection E in its entirety and inserting new subsections E, F, and G as follows:

E. Floodway Data. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

F. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

G. All development in the floodplain, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes");
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations."

4. Amend the first sentence of § 173-74 by deleting "§ 173-73C" and inserting therefor "§ 173-73.B and §173-73.C"
5. Rerumber existing § 173-75 as §173-76, and insert a new §173-75 as follows:

§ 173-75. Notification of watercourse alteration.

In a riverine situation, the Building Commissioner or Board of Appeals shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110"

Or to take any other action in relation thereto.