

#### **§ 220-24. Purpose.**

It is the purpose of the Floodplain Regulations to provide standards for the use of those lands deemed subject to seasonal or periodic flooding; to eliminate potential dangers to the health and safety of the occupants thereof; and to prevent loss and damage to property.

#### **§ 220-25. Establishment of district.**

The Floodplain District is herein established as an overlay district. The district includes all special flood hazard areas within the Town of Lancaster designated as Zones A and AE, on the Worcester County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Worcester County FIRM that are wholly or partially within the Town of Lancaster are panel numbers 25027C0287E, 25027C0288E, 25027C0289E, 25027C0293E, 25027C0294E, 25027C0451E, 25027C0452E, 25027C0454E, 25027C0456E, 25027C0457E, 25027C0458E, 25027C0459E, 25027C0462E, 5027C0466E and 25027C0467E dated July 4, 2011. The exact boundaries of the Floodplain District are defined by the one-hundred-year base flood elevations shown on the FIRM and further defined by the Worcester County Flood Insurance Study (FIS) report dated July 4, 2011. The FIRM and FIS report are incorporated herein by reference and made part of the Town's Official Zoning Overlay Map<sup>1</sup> and are on file with the Town Clerk, Planning Board and Building Inspector.

#### **§ 220-26. Development regulations.**

- A. No building for residential use (See § 220-8.1.) shall be erected within the Floodplain District. With that exception, within the Floodplain District the underlying permitted uses are allowed, provided that they meet the additional requirements of this Article VII, as well as those of the Massachusetts State Building Code dealing with construction in floodplains.
- B. The Floodplain District is established as an overlay district to all other districts.
  - (1) All development in the district, including structural and nonstructural activities, whether permitted by right or by special permit, must be in compliance with MGL c. 131, § 40, and with the following:

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1. Editor's Note: Said map is included at the end of this chapter.

- (a) 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);
  - (b) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
  - (c) Inland wetlands restriction, DEP (currently 310 CMR 13.00);
  - (d) Minimum requirements for the subsurface disposal of sanitary sewage, DEP (currently 310 CMR 15, Title 5).
- (2) 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.
- C. Within Zone A, where the base flood elevation is not provided on the FIRM, the Building Inspector shall obtain any existing base flood elevation and floodway data available from a federal, commonwealth, or other source, as criteria for application of the requirements of this and other applicable flood hazard controls.
- D. In Zone AE, along watercourses that have a regulatory floodway within the Town of Lancaster designated on the Worcester County FIRMs, the following provisions shall apply:
  - (1) All encroachments, including fill, new construction, substantial improvements to existing structures, and other development, are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood.
  - (2) Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code.
- E. 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 (i.e., the one-hundred-year flood). Base flood elevation data is required for subdivision proposals or other

developments greater than 50 lots or five acres, whichever is the lesser, within unnumbered A zones.

- F. In a riverine situation, the Conservation Commission Agent shall notify adjacent communities, the NFIP State Coordinator (Note: As of 2011, the State Coordinator is in the MA DCR at 251 Causeway St., Suite 600-700, Boston 02114-2104.), and the FEMA Region I NFIP Program Specialist (Note: As of 2011, the FEMA NFIP Program Specialist is at Federal Emergency Management Agency, Region I, 99 High St., 6<sup>th</sup> floor, Boston 02110.) of any alteration or relocation of a watercourse.