

SECTION XIVB. FLOOD PLAIN OR WATERSHED PROTECTION DISTRICTS.

Part A. **PURPOSES:** The purposes of Flood Plain or Watershed Protection Districts are:

1. To provide that land subject to seasonal or periodic flooding shall not be used for residence or for other purposes when such use will endanger the health or safety of the occupants thereof;
2. To assure the continuation of the natural flow pattern of water courses necessary to provide adequate and safe floodwater storage capacity to protect persons and property against the hazards of flood inundation; and
3. To protect, preserve and maintain the water table and water recharge areas so as to preserve present and potential water supplies.

Part B. **DEFINITIONS:** For the purposes of this Section the following terms shall be defined as follows:

Flood Plain District - An area subject to danger of periodic flooding, the limits of which are determined by the 100 year flood contour elevation.

Watershed Protection District - An area bordering a brook, stream or other water body, the limits of which are determined by a horizontal distance.

Flood - A temporary rise in river, stream or brook flow that results in its water overtopping its banks and inundating overbank areas adjacent to the channel.

Floodwater Storage Capacity - The quantity of water which can be held within the flood plain of a wetland.

Natural River Channel - A water course with a definite bed and banks to confine and conduct the average flow.

Overbank Areas - Those portions of the flood plain adjoining the channel that are required to carry and/or store the flood water of a river, stream or brook.

Water Recharge Area - An area with a ground water exchange capacity to retain flood water during the occurrence of a flood.

Water Table - The natural level of water, either above or below ground.

100 Year Flood Elevation - The elevation of a flood which has a one percent (1%) probability of occurring in any given year.

Part C. **APPLICABILITY:**

1. Flood Plain or Watershed Protection Districts shall be considered as overlapping other zoning districts;
2. The portion of any lot delineated as being within a Flood Plain or Watershed Protection District may be used to meet the area and yard requirements for the district in which the remainder of the lot is situated.

Part D. EXEMPTION:

To further protect persons and property now subject to flooding, all residential, commercial, industrial, and business buildings existing in Flood Plain or Watershed Protection Districts may be repaired, rebuilt, modified or flood-proofed in a manner which would not increase ground coverage, and any building or structure for which either a building permit was issued, or a notice of intent under G.L.Chapter 131, Section 40, was filed, prior to March 20, 1974, may be constructed and built in accordance with plans as lawfully approved and thereafter may be repaired, rebuilt, modified or flood-proofed in a manner which would not increase ground coverage.

Part E. REGULATIONS AND RESTRICTIONS:

1. Restrictions:

In Flood Plain or Watershed Protection Districts, except as provided in Part D. EXEMPTION., above, and except as provided in Paragraph 2, Permitted Uses, below, no new building or structure shall be constructed or used in whole or in part, and no existing building or structure lying wholly within a designated Flood Plain or Watershed Protection District shall be altered, enlarged, reconstructed or used in a manner which would increase ground coverage within the Flood Plain or Watershed Protection District; no dumping of trash, rubbish, garbage, junk or other waste materials shall be permitted; no filling, dumping, excavating, removal or transfer of gravel, sand, loam, or other material which will restrict flood water flow or reduce the flood water storage capacity shall be permitted, except the surfacing or resurfacing of any existing parking area.

2. Permitted Uses:

- a. Use of any woodland, grassland, wetland, or agricultural use of land or water, not requiring filling or excavating shall be permitted;
- b. The Special Permit Granting Authority may give permission, as hereinafter provided in SECTION XXV. and subject to the provisions of Paragraph 3. below, for the following uses within Flood Plain or Watershed Protection Districts:

- (1) Any use, otherwise permitted by the underlying zoning district within which the land is situated, subject to the provisions of Paragraph 3, below;
- (2) Construction, operation and maintenance of dams and other water control devices including temporary alteration of the water level for emergency purposes;
- (3) Bridges and like structures permitting passages between lands of the same owner, provided that such bridges and structures shall be constructed, maintained and used at the expense and risk of such owner;
- (4) Driveways and walkways ancillary to uses otherwise permitted by this Section;
- (5) Recreation, including golf courses, municipal, county or state parks (but not an amusement park), boating, fishing or any non-commercial open air recreation use;
- (6) Structures ancillary to farms, truck gardens, nurseries, orchards, tree farms and golf courses.

3. PROJECT APPROVAL

The provisions of SECTION XVIA. PROJECT APPROVAL. shall apply.

Plans submitted in accordance with SECTION XVIA. PROJECT APPROVAL. shall make adequate provision for:

- a. The protection, preservation and maintenance of the water table and water recharge areas;
- b. The preservation of the natural river channel plus sufficient width of overbank areas for the passage of flood flows;
- c. The retention of existing floodwater storage capacity;
- d. The design of proposed construction in a manner which ensures anchoring to prevent flotation, collapse and/or excessive movement of structures; and
- e. The design of public utilities including sewer, water, gas and electrical systems in a manner which will minimize or eliminate flood damage.

