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January 28, 2021

BY EMAIL (dmccauley@wellesleyma.gov)

Don McCauley, Planning Director
Town of Wellesley
525 Washington Street
Wellesley, MA 02482

Re: Floodplain Overlay District Bylaw

Dear Don:

You have asked me to describe the purpose and operation of the amendments to the Floodplain Overlay District proposed by Warrant Article 32.

The purpose of the changes to the Floodplain Bylaw is to bring the Town into conformity with the requirements of FEMA's National Flood Insurance Program (NFIP), as administered by the Massachusetts Flood Hazard Management Program (FHMP).

FEMA periodically updates its flood maps, which delineate the various zones of flood risk within communities. When a flood map is updated, a community must have local floodplain regulations that conform with NFIP regulations in order for that community to have access to federal flood insurance. Massachusetts has incorporated many of the NFIP requirements into state law, including in the Building Code and the Wetlands Protection Act. However, because state law does not cover all aspects of the federal flood insurance regulations, the FHMP has published a set of model bylaws which towns are required to adopt by the time their FEMA flood maps are next updated. Norfolk County communities are due for a final, updated map in late 2022 or early 2023. This means the Town must bring its floodplain bylaws into conformity with the FHMP model by that time.

The proposed, amended Floodplain Bylaw makes the following significant changes to the current Section 14B:

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- It includes specific definitions required by the state's model bylaws.
- It would require a permit for all development of any kind in the Floodplain Overlay District.
- It would require that subdivision proposals include technical data on base flood elevations for developable parcels.
- It would require that all projects make adequate provisions to maintain existing flood carrying capacity and minimize flood risk.
- Within certain zones designated on the FEMA flood map, the Bylaw would impose certain drainage requirements or entirely prohibit encroachment that would result in any increase in flood levels within the community during the occurrence of the base flood ("100-year flood") discharge.
- The proposed Bylaw imposes standards and notice requirements for the granting of a variance within the Floodplain Overlay District.

The proposed amended Bylaw references the Town's currently effective FEMA flood map. When the new maps are finalized within the next year and the Town receives a Letter of Final Determination, it will need to make another, simple update to the Bylaw to reference the new maps.

The proposed Bylaw is intended to bolster protection from flood damage for Town and to ensure that property owners have the opportunity to purchase federal flood insurance through the NFIP. If the Town fails to adopt floodplain regulations that conform to the state's model bylaws before the effective date of the new FEMA flood maps, it will likely not be eligible to continue participating in the NFIP.

Please do not hesitate to contact me if you have further questions.

Sincerely,



Christopher H. Heep