

TOWN OF BLACKSTONE CONSERVATION COMMISSION
FLOOD PLAIN OVERLAY DISTRICT RULES AND REGULATIONS

Pursuant to the provisions of G.L. c. 131, Section 40, we hereby adopt the following Rules and Regulations for all uses within the Flood Hazard District (hereinafter the "District").

The District includes all special flood hazard areas within the Town of Blackstone 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 Blackstone are panel numbers 25027C1030E, 25027C1033E, 25027C1034E, 25027C1037E, 25027C1039E, 25027C1041E, 25027C1042E, 25027C1043E, 25027C1044E, and 25027C1055E dated July 4, 2011. The exact boundaries of the District may be defined by the 100-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 are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.

Permitted Uses

The following uses are of low flood damage potential and cause no obstructions to flood flows and, are therefore, encouraged, provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:

1. Agricultural uses such as farming, grazing, truck farming, horticulture, etc.;
2. Forestry and nursery uses;
3. Outdoor recreational uses, including fishing, boating, play areas, etc.;
4. Conservation of water, plants and wildlife;
5. Wildlife management areas, foot bicycle and/or horse paths;
6. Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises;
7. Buildings lawfully existing prior to the adoption of these provisions.

Base Flood Elevation and Floodway Data

1. 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 the floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. 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.

Notification of Watercourse Alteration

In a riverine situation, the Conservation Agent shall notify the following of any alternation or relocation of a watercourse:

- Adjacent Communities;
- Bordering States;
- 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 1, 99 High Street, 6th Floor, Boston, MA 02110.

Reference to Existing Regulations

The District is established as an overlay district to all other districts. All development in the District, 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:

1. Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR) which address flood plain and coastal construction;
2. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
3. Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
4. 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.

Other Use Regulations

1. In Zone AE, along watercourses that have a regulatory floodway designated within the Town of Blackstone on the Worcester County FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. All subdivision proposals must be designed to assure that:
 - a. Such proposals minimize flood damage;
 - b. All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage is provided to reduce exposure to flood hazard.

These Rules and Regulations shall become effective immediately upon adoption thereof and shall be implemented in conjunction with, and as a supplement to, all other applicable statutes, bylaws, codes, rules and regulations.