



*Town Clerk*  
*Ronald A. Fucile*

*Town of Walpole*  
*Commonwealth of Massachusetts*

*Town Hall*  
*135 School Street*  
*Walpole, MA 02081*

***To Whom It May Concern:***

The following is a certified copy of the proceedings of the Spring Annual Town Meeting held in Walpole, Massachusetts on May 7, 2012 in the Auditorium of the Walpole High School. All rules and regulations concerning the call of an adjourned Town Meeting were fulfilled and a quorum was present. Moderator Jon Rockwood called the meeting to order on May 9, 2012 at 7:40 p.m.

**ARTICLE 33:** That the Town amend the Zoning Bylaw as set forth below:

Amend Zoning Bylaw §4. Establishment of Districts.3.B, by deleting same and substituting therefore the following:

- B. The locations, boundaries and zoning designations of the Flood Plain District for the Town of Walpole shall be as shown on the Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency, dated July 17, 2012, on file with the Town Clerk.

and

Amend Zoning Bylaw §11. Flood Plain Protection Overlay District.2. District Delineation. A by deleting same and substituting therefore the following:

- A. The Flood Plain District is hereby established as an overlay district. It includes all special flood hazards areas within the Town of Walpole designated as Zone A, AO, and AE on the Norfolk County Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA), for the administration of the National Flood Insurance Program (NFIP). The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Walpole are panel numbers 25021C0159E, 25021C0167E, 25021C0168E, 25021C0169E, 25021C0178E, 25021C0186E, 25021C0187E, 25021C0188E, 25021C0189E, 25021C0331E, 25021C0332E, 25021C0333E, 25021C0334E, and 25021C0351E, dated July 17, 2012.

The exact boundaries of the Flood Plain District are defined by the 100-year base flood elevations shown on said maps and are further defined by the Norfolk County Flood Insurance Study Report prepared by the Federal Emergency Management Agency, dated July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk and Town Engineering office.

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.

and

Amend Zoning Bylaw §11. Flood Plain Protection Overlay District.3.Use Regulations by deleting the initial paragraph thereof and substituting therefore the following:

The Flood Plain District is an overlay district as established above. All development within the Flood Plain District, including all structural and non-structural activities, whether allowed as of right or by special permit or variance, shall comply with the following state requirements:

- The Wetlands Protection Act (i.e., G.L. c.131, §40);
- Sections of the State Building Code (780 CMR) as may be currently in effect, that address construction in floodplain areas;
- DEP Wetlands Protection Regulations (i.e., 310 CMR 10.00);
- DEP Inland Wetlands Restrictions (i.e., 310 CMR 13.00); and
- The State Sanitary Code (i.e., 310 CMR 15).

Any deviation from the requirements of the above referenced state provisions may be granted only in accordance with the required variance procedures for the relevant provision.

and

Amend Zoning Bylaw §11.Flood Plain Protection Overlay District.3.Use Regulations. A, by adding the following new allowed uses, to be added to the existing list of allowed uses:

9. Forestry and nursery uses;
10. Wildlife management areas

and

Amend Zoning Bylaw §11.Flood Plain Protection Overlay District.3.Use Regulations, by adding the following new subsection:

### 3.C. Riverine Situations.

In a riverine situation, the Conservation Agent or Building Inspector shall notify the following of any known alteration or relocation of a watercourse:

- Abutting 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, 6<sup>th</sup> Floor, Boston, MA 02110.

and

Amend Zoning Bylaw §11.Flood Plain Protection Overlay District.3.Use Regulations, by adding the following new subsection:

### 3.D. Larger Development Requirements

1. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is lesser, in an unnumbered A zone.
2. All subdivision proposals and other developments shall be designed so that:
  - a) The potential for flood damage is minimized
  - b) All utilities and facilities shall be located and constructed to minimize or eliminate flood damage; and
  - c) Storm water runoff shall be controlled as to rate and volume, post construction, to minimize or eliminate flood damage and, in any event, shall not be greater when post-construction drainage calculations are compared to pre-construction drainage calculations.

and

Amend Zoning Bylaw §11.Flood Plain Protection Overlay District.3.Use Regulations, by adding the following new subsection:

### 3E. Other Use Regulations

1. Within Zone AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

2. In Zone AE along watercourses in the Town of Walpole that have a regulatory floodway designated on the Norfolk 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.

*2/3rds Voter Required*

*Motion Was: So Voted Unanimous*



*Ronald A. Fucile*  
*A True Copy Attest*