

SPECIAL FLOOD HAZARD DISTRICT REGULATIONS

In special hazard areas subject to high wave impact and/or severe flood inundation (Zones V3,V4,V5,V6,A3,A4,A5) of the Wellfleet Flood Insurance Rate Map (FIRM) for the Town of Wellfleet dated June 19, 1985 and in accordance with any revisions or issuance, no new building shall be erected or constructed and no new subsurface disposal systems installed except as authorized or required by the Board of Health; no paving; no existing structure shall be enlarged; no structure shall be moved except as landward of the reach of mean high tide; no dumping; no filling or earth transfer shall be permitted except as authorized by the Conservation Commission; and there shall be no additional mobile homes.

Within these zones the following uses are permitted:

- 1) Conservation of water courses, plants and wildlife.
- 2) Outdoor recreation, including play areas, nature study, boating, fishing, including shellfishing and marine aquaculture, and hunting where otherwise legally permitted, temporary structures relating to carnivals and recreational activities.
- 3) Grazing, farming, agriculture and the harvesting of crops.
- 4) Temporary non-residential structures used in connection with fishing, shellfishing, aquaculture, harvesting, storage, or sale of products raised in the premises.
- 5) Dwellings, signs and parking lots lawfully existing prior to the adoption of these provisions.
- 6) Utility lines and facilities, and sewerage pipes installed according to plan approved by the Board of Health, the Conservation Commission, and the Plumbing Inspector.
- 7) Boardwalks, wooden stairways, snow fences.
- 8) Non-Commercial signs (as permitted in the residential district, Section 7.2 of the Wellfleet Zoning Bylaw) provided such uses do not affect the natural flow of any water course.

Lot requirements for uses allowed in the underlying zone may be comprised of up to 40% of flood plain district land, provided all structures and related facilities are confined to that portion of the lot situated outside of the floodplain district.

To appeal the restrictions in this section, application may be made to the Wellfleet Board of Appeals for a floodplain exemption from this floodplain bylaw in accordance with the following conditions:

- 1.** A showing of good and sufficient cause.
- 2.** A determination that the granting of an exemption will not result in increased flood heights, decreased flood storage capacity, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing local laws.
- 3.** A determination that the exemption is the minimum necessary, considering the flood hazard, to afford relief.
- 4.** Compliance in all respects with the State Building Code, Section 744.0.

5. Approval of the Wellfleet Conservation Commission in accordance with MGL Chapter 13, S.40, the Wetlands Protection Act, and with the Town of Wellfleet's Environmental Protection Bylaw.

If an exemption is granted to construct a structure below the base flood elevation, the Board of Appeals shall notify the applicant in writing over their signatures that the issuance of such an exemption will result in increased premium rates for flood insurance.

The Board of Appeals will maintain a record of all exemptions, including justification for their issuance and report such exemptions issued in the Annual Report submitted to the Federal Insurance Administration.