



Town Council Meeting Minutes

September 22, 2009

Under the Rules and Procedures of the Winthrop Town Council, President Reilly called the meeting to order at 7:00 PM in the Joseph Harvey Hearing Room. Councilor Calla, Councilor Maggio, Councilor Gill, Councilor Letterie, Councilor DelVento, Councilor Sanford, Vice President Boncore and President Reilly were present. Councilor Ferrino was absent.

Public Hearing on Flood Hazard Zones Changes to Local Ordinances

Planning Board Chairman Richard Dimes reported on the public hearing his Board conducted on September 21, 2009 regarding these zoning ordinance changes. In summary, he stated that adoption of these changes was mandatory if Winthrop was to continue to be a part of the National Flood Insurance Plan, and therefore after careful review of the proposed changes, the Planning Board voted unanimously in favor of the changes and recommends the Council approve zoning changes placed before them at this meeting.

Building Commissioner James Soper then read the text exactly as it was proposed and reiterated the importance of the timely passing of these ordinance changes.

There was no public comment during this hearing. President Reilly then closed the public portion of the hearing and asked if a motion was to be brought forward.

Motion: by Councilor Sanford

2nd by: Vice President Boncore

VOTED: to approve the following Ordinance changes:

(DELETE)

17.40.020 Flood Hazard Zones

The flood hazard zones in the Town of Winthrop are established as those shown on the Flood Insurance Rate Maps dated August 15, 1984, as amended, on file with this chapter in the office of the Town Clerk. These maps, and the accompanying floodplain management regulations, are incorporated herein by reference.

(INSERT PROPOSED)

17.40.020 Flood Hazard Zones

The flood hazard zones include all special flood hazard areas within the Town of Winthrop designated as Zone A, AE, AH, AO, A99, V, or VE on the Suffolk 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 Suffolk County FIRM that are wholly or partially within the Town of Winthrop are panel numbers 25025C0019G, 25025C0038G, 25025C0039G, 25025C0082G, 25025C0101G and 25025C0102G dated September 25, 2009. 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 Suffolk County Flood Insurance Study (FIS) report dated September 25, 2009. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, Conservation Commission and Department of Public Works. These maps, and the accompanying floodplain management regulations, are incorporated herein by reference.

(PROPOSED NEW)

17.40.021 Notification of Watercourse

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

- Adjacent 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, 6th Floor
Boston, MA 02110

(DELETE)

17.40.030 Uses and building permits

Notwithstanding the provisions of any other laws, ordinances or codes insofar as the same are applicable, no building permit for construction or substantial improvements of structures within Zone A, as shown on the Flood Insurance Rate Maps, shall be issued for:

A. Residential use. Unless provision is made for elevation of the lowest floor, including basement, to or above the one-hundred-year flood elevation; and in any AO Zone, the lowest floor (including basement) is elevated above the crown of the nearest street to or above the depth number shown on the Flood Insurance Rate Maps, and the utility and sanitary standards are floodproofed so as to conform with Federal Code, Section 60, Subpart A.

B. Nonresidential use. Unless provision is made to elevate the lowest floor, including basement, to or above the one-hundred-year flood elevation or provision is made for floodproofing so as to make watertight the lowest floor, including basement, together with attendant utility and sanitary facilities, up to the level of the one-hundred-year flood elevation.

C. Where watertight floodproofing of a structure is permitted, a registered professional engineer or architect shall certify to the Building Inspector that the methods used are adequate to withstand the flood depths, pressures and velocities; impact and uplift forces; and other factors associated with a one-hundred-year flood.

D. To ensure proper administration of the Flood Hazard Zones established by this chapter, the Building Inspector shall:

(1) Review proposed developments to determine that all necessary permits have been or are in the process of being obtained from all federal and state agencies whose approval of such development is required by law; and

(2) Obtain and maintain records of the elevation to which any structure has been floodproofed, of the floodproofing certificates required by this chapter and whether or not the structure has a basement.

(DELETE)

17.40.050 Coastal hazard area.

No land below the level of the one-hundred-year flood elevation in a coastal high hazard area shall be developed for any residential or nonresidential use, including new construction or substantial improvement, unless the same:

A. Is located landward of the reach of the mean high tide.

B. Is elevated on adequate anchored piles or columns to a level where the lowest structural member of the lowest floor is at or above the one-hundred-year flood elevation.

C. Is securely anchored to such piles or columns and has been certified by a registered architect or professional engineer to be securely anchored to said piles or columns so as to withstand velocity waters and wave wash.

D. Has no basement, and the space below the lowest floor is free of obstructions so as to minimize the impact of abnormally high tides or wind-driven water.

E. Has not used fill for structural support.

(ADD PROPOSED)

17.40.030 Uses and Building Permits

The Floodplain 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:

- Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes");

- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

(ADD PROPOSED)

17.40.031 Other Use Regulations

- 1) Within Zones AH and AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
- 2) Man-made alteration of sand dunes within Zones V1-30, VE, and V which would increase potential flood damage are prohibited.
- 3) All new construction within Zones V1-30, VE, and V must be located landward of the reach of mean high tide.

Minutes

Motion:by Councilor Sanford

2nd by: Vice Councilor Letterie

VOTED: to approve the minutes of the following meetings in the current year: May 5, May 13, June 2, July 7 and July 28.

Public Comment

William Stafford, Richard Dimes, Dave Osborne, and Keith Manning all spoke during public comment.

Committee Reports

Councilor Maggio gave in indepth overview of the flu season and vaccinations. Councilor Gill reported that the Finance Committee will continue meeting on the first Tuesday the Council meets each month from 6pm to 7pm in the second floor conference room.

Town Manager's Report

Town Manager James McKenna spoke on the following items:

- Appointment of Terry Delehanty as Police Chief
- Larsen Rink progress

- Internal Audit by Rosselli & Clark is complete
- Landside improvements at the Landing Pier
- EPA Fine Update with Stormwater Ordinance briefing
- Deer Island traffic update
- Briefing of substance abuse report and plans to improve awareness
- Possible purchase of a front end loader for Public Works

New Business

Motion:by Councilor Maggio

2nd by: Councilor Calla

VOTED: to award a citation to Board of Health Director Paul Frazier for his twenty-seven years of service to the Town of Winthrop.

Motion:by Councilor Sanford

2nd by: Vice President Boncore

VOTED: to refer a transfer request for \$160,000 from Sale of Land Account to fund a feasibility study to renovate Winthrop High School, to the Finance Committee.

Note: Councilor Gill abstained from vote and will not participate in the committee meetings regarding this matter, as he is an employee of the Mass School Building Association.

Public Comment

Barbara Survilas spoke during public comment.

MOTION:by Councilor Calla

2nd by: Councilor Letterie

VOTED: to adjourn at 8:45pm.

Respectfully Submitted,
Carla Vitale