



TOWN OF MARION
2 SPRING STREET
MARION, MASSACHUSETTS 02738

Wetland Protection Standard #3

EFFECTIVE OCTOBER 6, 1999

(as Revised May 21, 2008)

Whereas the Marion Conservation Commission desires to be consistent in its deliberations, the issuance of permits, and in the application of the Massachusetts Department of Environmental Protection (DEP) regulations pursuant to the Wetlands Protection Act and Federal Emergency Management Agency (FEMA) regulations concerning substantial improvements to a building;

Now it hereby be resolved that the following shall be a standard of the Marion Conservation Commission effective October 6, 1999:

“When work is to be done on a building located in an AE or VE Flood Zone, the following items are to be included in all applications filed with the Marion Conservation Commission: (1) A complete field card of the property from the Marion Assessors’ office [OR an appraisal from a licensed appraiser indicating the current value of the building, not including the value of the land or other improvements on the land]. (2) A written estimate of the cost of the work to be done on the building. The estimate shall be prepared by the person or company that will be performing the work. The Marion Conservation Commission reserves the right to request supporting details of the estimate. (3) A copy of the plans and other documents that will be submitted to the Marion Building Department with the building permit application.”

Construction shall meet all State Building Code regulations existing at the time of commencement of work, and shall comply with the National Flood Insurance Program (NFIP) requirements for buildings located in flood plains and coastal high hazard (Velocity Zone) areas. The NFIP requires that the bottom of the lowest structural member of all new and substantially improved buildings in a Velocity Zone be elevated to two feet or more above the base flood elevation (BFE) for that area. The Building Commissioner should be consulted to verify the most recent regulations.

Wetland Protection Standard #3

Definitions

Base Flood Elevation – The height of the base flood, usually in feet, in relation to the National Geodetic Vertical Datum of 1929 or other datum as specified.

Substantial Damage – Damage of any origin sustained by a building whereby the cost of restoring the building to its before-damaged condition would equal or exceed 50 percent (50%) of the market value of the building before the damage occurred.

Substantial Improvement – Any reconstruction, rehabilitation, addition or other improvement of a building, the cost of which equals or exceeds 50 percent (50%) of the market value of the building before the “start of construction” of the improvement. Substantial improvement includes buildings that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either any project or improvement of a building to correct existing state or code violations or any alteration to an “historic building,” provided that the alteration will not preclude the building’s continued designation as an “historic building.”