

# City of Worcester, Massachusetts



## Conservation Commission

### Compensatory Flood Storage Policy

**Overview** - On September 21, 2015, Conservation Commission voted 5-0 to institute the following Compensatory Flood Storage (CFS) Policy for projects located partially or wholly within Bordering or Isolated Land Subject to Flooding (i.e. a floodplain resource area). Through this policy, the Commission seeks to grant flexibility for multi-phase projects located within a floodplain resource area which:

- A) create **temporary** CFS (e.g. demolition of building X in phase 1, and construction of building Y in the same footprint in phase 2), or
- B) create **excess** CFS beyond what would otherwise be required (e.g. demolition of building X in phase 1, and applying of resultant newly created CFS towards construction of building Y on previously pervious surface elsewhere on site).

**Requirements** - In order to allow for either A) or B) above, the following must be provided or requested at the time of the initial application:

- 1) The project must involve work within either Bordering or Isolated Land Subject to Flooding;
- 2) At the time of the initial application, the applicant must request that the Commission consider:
  - a) In the case of A) - the newly created (fully or partially) CFS to be temporary in nature.
  - b) In the case of B) - a Credit for the excess CFS created for use during a future phase of the project.

Such a request must be made via a written statement in the project narrative and explain how the proposed work being permitted is an initial or interim step to the future development of the property. Supporting materials must provide evidence to this effect to the satisfaction of the Commission; and

- 3) The applicant must sufficiently document the existing and projected conditions for each project phase so that these conditions shall serve as a sufficient basis for calculating CFS requirements in the future. Calculations should be provided for the following, as applicable:
  - a) Existing or pre-development calculations;
  - b) Required CFS for each project phase - based on calculations for anticipated development;
  - c) Anticipated excess volumes of CFS to be produced at each project phase.

**Process** - The Commission will review the information provided in the project submittal with regard to the above requirements. If approved, the Commission will vote to memorialize their action in their decision (e.g. Order of Conditions or Determination of Applicability), subject to the following conditions:

- **Expiration Term:** That any future work to be considered as part of the phased approach shall be applied for within 30-days of expiration of the original approval (i.e. three years from the date of issuance); and
- **Approvals' Extensions of Time:** If an extension of time of the Commission's original approval is sought, the Commission will consider any subsequent changes to FEMA flood plain maps, applicable laws or regulations, and/or the Commission's current policies in making its decision with regards to the applicant's CFS request for the subsequent phases.