



# Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:  
19P

January 16, 2014

Erik Tolley  
Chairperson, Board of Selectmen  
Town of Yarmouth  
Town Hall  
1146 Route 28  
South Yarmouth, Massachusetts 02664

Community: Town of Yarmouth,  
Barnstable County, Massachusetts  
Community No.: 250015  
Map Panels Affected: See FIRM Index

Dear Mr. Tolley:

This is to formally notify you of the final flood hazard determination for the Town of Yarmouth, Barnstable County, Massachusetts (All Jurisdictions), in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

On July 2, 1992, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issued a Flood Insurance Rate Map (FIRM) that identified the Special Flood Hazard Areas (SFHAs), the areas subject to inundation by the base (1-percent-annual-chance) flood, in your community. Recently, FEMA completed a re-evaluation of flood hazards in your community. On May 3, 2013, FEMA provided you with Preliminary copies of the FIRM and Flood Insurance Study (FIS) report that identify existing flood hazards in your community, including Base Flood Elevations (BFEs). The proposed flood hazard determinations (FHDs) for your community were published in *The Register* on July 11, 2013, and July 18, 2013, and in the *Federal Register*, at Part 67, Volume 78, Page 36223, on June 17, 2013.

The statutory 90-day appeal period, which was initiated on the second newspaper publication date cited above, has ended. FEMA did not receive any appeals of the proposed FHDs during that time. Accordingly, the FHDs for your community are considered final. The final notice for FHDs will be published in the *Federal Register* as soon as possible. The FIRM for your community will become effective on July 16, 2014. Before the effective date, FEMA will send you final printed copies of the FIRM and FIS report.

Because the FIS report establishing the FHDs for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter. Prior to July 16, 2014, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(e) of the enclosed NFIP regulations (44 CFR 59, etc.) by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(e) of the NFIP regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIRM and FIS report to which the regulations apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(e);
2. Adopting all the standards of Paragraph 60.3(e) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(e).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended.

In addition to your community using the FIRM and FIS report to manage development in the floodplain, FEMA will use the FIRM and FIS report to establish appropriate flood insurance rates. On the effective date of the revised FIRM, actuarial rates for flood insurance will be charged for all new structures and substantial improvements to existing structures located in the identified SFHAs. These rates may be higher if structures are not built in compliance with the floodplain management standards of the NFIP. The actuarial flood insurance rates increase as the lowest elevations (including basement) of new structures decrease in relation to the BFEs established for your community. This is an important consideration for new construction because building at a higher elevation can greatly reduce the cost of flood insurance.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment (LOMAs), Letters of Map Revision (LOMRs)) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories:

(1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the SFHA as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based are being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM and FIS report for your community have been prepared in our countywide format, which means that flood hazard information for all jurisdictions has been combined into one FIRM and FIS report. When the FIRM and FIS report are printed and distributed, your community will receive only those panels that present flood hazard information for your community. We will provide complete sets of the FIRM panels to county officials, where they will be available for review by your community.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA-MAP (1-877-336-2627). In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If your community is encountering difficulties in enacting the necessary floodplain management measures required to continue participation in the NFIP, we urge you to call the Director, Federal Insurance and Mitigation Division of FEMA, Region I, in Boston, Massachusetts, at (617) 956-7506 for assistance. If you have any questions concerning mapping issues in general or the enclosed Summary of Map Actions, please call FMIX at the telephone number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the NFIP*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, *Use of Flood Insurance Study (FIS) Data as Available Data*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling FMIX.

Sincerely,



Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

Enclosure:

Final Summary of Map Actions

cc: Community Map Repository  
Kathy Williams, Town Planner, Town of Yarmouth  
Mark A. Grylls, Building Commissioner, Town of Yarmouth  
Kerry Muldoon, Conservation Administrator, Town of Yarmouth  
William Hinchey, Town Administrator, Town of Yarmouth  
George R. Allaire, Director of Public Works, Town of Yarmouth  
Karen M. Greene, Director of Community Development, Town of Yarmouth  
Karl von Hone, Director of Natural Resources, Town of Yarmouth  
Richard Anctil, Civil Engineer, Town of Yarmouth  
Steven DeYoung, Chairperson, Board of Appeals, Town of Yarmouth  
Ed Hoopes, Chairperson, Conservation Commission, Town of Yarmouth  
Chris Vincent, Chairperson, Planning Board, Town of Yarmouth  
Sandi Clark, Board of Appeals Office Administrator, Town of Yarmouth

## FINAL SUMMARY OF MAP ACTIONS

Community: YARMOUTH, TOWN OF

Community No: 250015

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on July 16, 2014.

**1. LOMCs Incorporated**

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

**2. LOMCs Not Incorporated**

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	01-01-0284A	01/17/2001	72 TANGLEWOOD DRIVE, WEST YARMOUTH	2500150005D	25001C0569J 25001C0588J
LOMA	02-01-0762A	05/10/2002	48 MILL LANE, YARMOUTH PORT	2500150001D	25001C0559J
LOMA	04-01-0332A	12/18/2003	40 LEWIS BAY ROAD	2500150005D	25001C0588J
LOMA	04-01-0868A	03/25/2004	8 MILLARD ROAD	2500150006D	25001C0589J
LOMA	05-01-0859A	11/01/2005	42 MILL LANE	2500150001D	25001C0559J
LOMA	06-01-B807A	10/12/2006	250 SOUTH SHORE DRIVE (MA)	2500150006D	25001C0589J
LOMA	07-01-0195A	11/28/2006	RAILWAY BLUFFS, LOT 26 -- 14 ARLINGTON STREET (MA)	2500150005D	25001C0569J
LOMR-VZ	09-01-0798A	06/25/2009	BEACH BAND CONDOMINIUM, BLDGG, UNIT 7 -- 9 WINDEMERE ROAD	2500150005D	25001C0569J

## FINAL SUMMARY OF MAP ACTIONS

Community: YARMOUTH, TOWN OF

Community No: 250015

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMR-F	10-01-0185A	12/31/2009	LOT 26, CROWELL PINES REMSED71 NEAR MEADOWS ROAD	2500150005D	25001C0588J
LOMR-F	10-01-1202A	06/03/2010	LOT 21 -- 1 HEDGE ROW	2500150005D	25001C0569J
LOMA	11-01-0887A	03/01/2011	BAYVIEW ACRES, LOT 12 -- 39 VIRGINIA STREET	2500150005D	25001C0569J
LOMA	12-01-0923A	02/14/2012	LOT 234 -- 55 RUN POND ROAD	2500150006D	25001C0589J
LOMA	13-01-0791A	01/24/2013	MAP 33, PARCEL 139 -- 2 NANTUCKET AVENUE	2500150006D	25001C0589J
LOMA	11-01-0486A	02/14/2011	Lot 7, Wimbledon Thirty Acres on Cape Cod Subdivision - 21 Crest Circle	2500150005D	25001C0569J
LOMA	11-01-2633A	08/15/2011	Lot 53 - 102 Pheasant Cove Circle	2500150001D	25001C0576J

## 3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	500015355R01	05/30/1997	343 MAIN STREET	1
LOMA	500000506R01	07/29/1997	18 ELDRIDGE ROAD	4
LOMA	98-01-464A	06/05/1998	CASEY HOMES - LOT 10 - 176 SEAVIEW AVENUE	4
LOMA	02-01-1056A	05/15/2002	15 THORWALD PLACE, YARMOUTH PORT	4
LOMA	03-01-0276A	01/08/2003	LOT 11, BAYVIEW ACRES - 40 VIRGINIA STREET	4
LOMA	05-01-0670A	08/30/2005	DENNIS CAREY SUBDIV, LOT 2 -- 42 ASPINET ROAD	4
LOMR-F	05-01-0846A	09/27/2005	343 STATE ROUTE 28	4

## FINAL SUMMARY OF MAP ACTIONS

Community: YARMOUTH, TOWN OF

Community No: 250015

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	08-01-0266A	01/31/2008	WIMBLEDON THIRTY ACRES, LOT 57 – 14 VALLEY ROAD	4
LOMA	10-01-1523A	07/13/2010	PARCEL 1 & 2 -- 367 ROUTE 28	4
LOMA	11-01-1148A	03/29/2011	LOT 30 -- 37 PEREGRINE LANE	4
LOMA	11-01-2624A	09/15/2011	LOT 10 -- 26 BAYBERRY ROAD	4
LOMR-F	13-01-0241A	11/13/2012	PARCEL B -- 47 PARKWOOD ROAD	4
LOMA	13-01-0947A	01/15/2013	LOT 1 -- 34 ASPINET ROAD	4
LOMA	13-01-0969A	02/07/2013	39 BREEZY POINT ROAD	4
LOMA	13-01-0997A	03/07/2013	LOT 102, BLOCK 5 - 435 Highbank Road	4
LOMA	13-01-1263A	03/26/2013	ASSESSORS MAP 70, PARCEL 116 -- 38 CHARLES STREET	4
LOMA	14-01-0369A	12/05/2013	ASSESSORS MAP 33, LOT 141 -- 20 NANTUCKET AVENUE	4
LOMA	14-01-0370A	12/05/2013	ASSESSORS MAP 33, LOT 142 -- 24 NANTUCKET AVENUE	4
LOMA	11-01-3031A	08/18/2011	Lot 40, Sound Side Village A Subdivision - 58 Holly Lane	4

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

#### 4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

## FINAL SUMMARY OF MAP ACTIONS

Community: YARMOUTH, TOWN OF

Community No: 250015

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		