

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

January 15, 2021

**To:** Town Council  
**From:** Jamie Hellen, Town Administrator

**RE: Stormwater memo**

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This evening the Stormwater Ad Hoc Subcommittee of the Town Council will present its overview report of their work in 2020 on the finances of the stormwater utility implementation. Legislation for Action on the utility fee is NOT on this evening's agenda.

Attached is a memo from the DPW Director summarizing the findings of the Ad Hoc subcommittee with their recommendations, which was a unanimous vote of the subcommittee members (Councilor Hamblen, Chair; Councilor Dellorco and Councilor Jones. Councilor Earls was also a member until his resignation in the Fall.)

There is legislation for action this evening on a series of non-financial changes to the Town's Stormwater Bylaw that are now required under the permit. The DPW Director and respective staff involved in implementing the stormwater bylaws will be present to answer questions. The changes to the Town's bylaw are required and are general house cleaning and updating items. As all of you know, the Town of Franklin's stormwater bylaw was one of the first in Massachusetts, which originally focused on groundwater recharge for drinking water. Ultimately, it ended up becoming a model in the state. The efforts of the Town bylaw actually get the Town significant credits on our MS4 permit now, which will help reduce the requirements the EPA is forcing on towns due to the visionary nature of the bylaw back 15+ years ago.

If you have any additional questions please feel free to ask and we look forward to the discussion next week.



# TOWN OF FRANKLIN

## DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building  
257 Fisher Street  
Franklin, MA 02038-3026

April 8, 2020

To: Jamie Hellen, Town Administrator

**Re: Stormwater Bylaw Updates**

Dear Jamie,

We are requesting that the Town Council amend the Stormwater Management Bylaw Chapter 153 and the Zoning Bylaw Chapter 185 to reflect the following changes which are a requirement under the Town's MS4 Stormwater Permit issued by the EPA. We have worked with our consultant on identifying these changes to ensure the Town is in compliance with the requirements of our permit. These changes are required to be in place by July 1, 2020.

The three proposed changes under Stormwater Management Chapter 153 and one proposed change under Zoning - Chapter 185 are summarized as follows:

**Section 153-7:** This change adds a two-year time limit for submission of final as-built plans. Currently there is no time limit.

**Section 153-12:** This section requires the control of soil erosion and sediment on construction sites. Under sub-section L, language has been added to also control and prohibit discharge of other wastes such as demolition debris, discarded construction materials, and litter.

**Section 153-16:** This section describes the design standards which stormwater control must meet. Language has been added to include the requirements of the Town's MS4 Permit. Subsection B has also been added which spells out the specific requirements under our permit.

**Section 185-31:** Language has been added to the Site Plan and Design Review section which encourages the use of Low Impact Development and Green Infrastructure practices and requires they be incorporated into the site plan to the maximum extent feasible.

Again these changes are required in order for the Town to comply with our current MS4 permit. Additional similar changes are also being proposed to Subdivision of Land Bylaw Chapter 300 and the Town's Best Development Guidebook. These additional changes will be presented to the Planning Board for approval.

Sincerely,

A handwritten signature in black ink, appearing to read 'M Maglio', with a long horizontal stroke extending to the right.

Michael Maglio, PE  
Town Engineer

Cc: Robert Cantoreggi, Director of Public Works  
Mark Cerel, Town Attorney  
Bryan Taberner, Director of Planning and Community Development  
Amy Love, Town Planner  
Jennifer Delmore, Conservation Agent



# TOWN OF FRANKLIN

## DEPARTMENT OF PUBLIC WORKS

257 Fisher Street

Franklin, MA 02038

January 13, 2021

Mr. Jamie Hellen, Town Administrator  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

Re: Stormwater Utility Recommendations

Dear Jamie,

Based on discussions, thoughts, and conversations of data presented over three meetings to the Town Council Stormwater Ad-hoc Committee a vote was taken on September 9<sup>th</sup>, 2020, of said committee, to present to the full Franklin Town Council the following findings and recommendations. These findings and recommendations are needed to implement a stormwater fee and program as previously established in the Town Charter and as required by federal law under the MS4 Permit.

**Set the stormwater user fee at \$18.66 per billing unit, per year:** This would mean the fee for an “average single family household” (with 3 billing units) would be \$56.00 per year, and billed at \$14.00 per quarter. The fee would begin on January 1st, 2022. The public may go to this website and review their personal property, how many billing units for their land and estimate the fee impact. [Stormwater & Impervious Area Map](#).

**Billing Units:** The available billing units were updated and recalculated using natural rounding (after the first 1000 square feet (SF)). Some additional points:

- Properties with less than 200 SF are considered undeveloped and will not be billed a fee (as defined in the Stormwater Utility By-law, Section 153-21).
- For properties with impervious area of 200 SF to 1,499 SF, they will be assigned one billing unit.
- Since the Stormwater Utility By-law defines an individual billing unit equal to one thousand (1,000) square feet of impervious surface, each increase of 1,000 SF will increase the number of billing units by 1.

Here is an example table showing the rate structure and how billing units will be assigned:



Amount of Impervious Area (IA) on a Billable Parcel	Number of Billing Units
200 SF to 1,499 SF	1
1,500 SF to 2,499 SF	2
2,500 SF to 3,499 SF	3
3,500 SF to 4,499 SF Each additional 1000 SF range will be rounded as above.	4 - Adding one billing unit for each additional 1000 SF range.

Based on this approach, the number of available stormwater billable units would be approximately **75,000** in the entire Town.

**Projected Stormwater Utility Revenue:** With the billing of approximately 75,000 billing units (household, commercial and industrial), this stormwater utility fee will generate about \$1,344,497.00 annually. The cost of operating the utility includes billing, impacts of delinquencies, and a credit program, and is estimated at \$140,000 a year. Including funding of an emergency reserve of \$100,000 per year.

**What this means:** Not all of the Town’s existing stormwater costs could be transferred from the existing Public Works operating budget (general fund) to the Stormwater Utility. But the critical expenses and expenditures would be in FY22 (attached sample budget). I feel the following services are critical to maintaining the current level of service and meeting the existing MS4 federally-mandated regulatory requirements. These expenses are recommended to be paid annually from the stormwater utility revenues (like water, sewer and trash).

Please note, if this program begins in FY22, establishing a stormwater utility will also free up operating budget capacity in FY22 and FY23 and beyond as the program transitions from the operating budget to the utility. A sample budget summary:

**1. Operations and Maintenance: \$432,000**

1. Catch Basin Cleaning
2. Street Sweeping
3. Storm Sewer and Culvert Maintenance & Repairs
4. BMP Maintenance
5. General Stormwater Service Expenses (gas, uniforms, safety equipment)
6. Training

**2. MS4 and Other Regulatory Compliance and Enforcement: \$170,000**

1. MS4 Compliance (IDDE Program, Outfall Inspections, SW Pollution Control Plans, Tracking
2. Annual Stormwater Management Plan and Updated Permit Filings
3. Development Oversight: Stormwater Plans

4. Engineering and Planning
3. **Capital Improvements and Equipment: \$294,000**
  1. BMP Retrofits/Capital Construction
  2. Capitalized Stormwater Equipment
4. **Salaries: \$348,497**
5. **Establishment of Reserve Fund: \$100,000.** All enterprise funds have a reserve emergency fund.

**Total Program Expenses to be funded from Utility Fee: \$ 1,344,497 Please see Attachment for a more comprehensive breakdown of salaries and expenses.**

**Credits:** Establish a credit program that all property owners can apply for to reduce their utility fee up to 50%. Credits would be given to properties that have already installed recharge systems and for future projects that are installed to reduce run off and improve recharge. Rain barrels would have a simple reduction of ½ billing unit for each rain barrel with a limit of four rain barrels per property or no more than a 2 billing unit credit.

**Community Assistance Program (CAP):** The stormwater utility fees will be waived in full for anyone who qualifies for the CAP. In [Chapter 82 of the Town Code](#), residents would be eligible based on income levels and other governmental assistance. The eligibility will be consistent with other DPW fees, Fire Department and Recreation Department.

**Program Implementation:** Start the collection of funds for the stormwater utility on January 1st, 2022. This would allow funds to be available for work Fiscal Year 2023.

**Public Education and Outreach:** The Stormwater Division website (linked below) has been updated and maintained and will continue to be a source of educational resources. The website includes links to informational flyers, brochures, past presentations, quick facts on our MS4, a rain garden tour brochure, the Franklin Rain Barrel Program, all Franklin's stormwater management documents and a link to the Stormwater and Impervious Area story map (linked below).

This story map includes a section "My Property" in which residents can look up their individual property to assess their impervious area and will be updated frequently to ensure accuracy.

<https://storymaps.arcgis.com/stories/e45452a3047e4c83b27170a8f4f79aa5>

<https://www.franklinma.gov/stormwater-division>

Thank you,

Robert Cantoreggi  
Director of Public Works

**DPW STORMWATER BUDGET FY22 - DRAFT**

**STORMWATER SALARIES**

Object	Description	Details	FY 2022 Proposed			
			Operating	Water	Sewer	Total
511010	Department Head	Wages for Department Head	43,538	\$ 10,917	\$ 9,704	\$ 64,159
511020	Stormwater Superintendent	Wages for Stormwater Superintendent	39,165			\$ 39,165
511520	Administrative Personnel	Wages for Admin. Managers	36,279	\$ 40,398	\$ 3,954	\$ 80,631
511620	Admin Assistants	Wages for Admin Assistants	22,695	\$ 36,513	\$ (12,888)	\$ 46,320
511620	Permanent Personnel	Wages for Laborers	118,222			\$ 118,222
<b>Stormwater Salaries:</b>			<b>\$ 259,899</b>	<b>\$ 87,828</b>	<b>\$ 770</b>	<b>\$ 348,497</b>

notes:

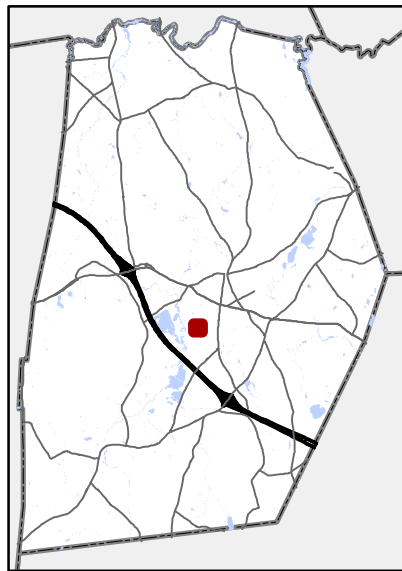
When new stormwater fund is created, salaries for staff will be reallocated to correctly charge the adjusted work load in each dept. These changes will affect the DPW Operating, Water and Sewer budgets.

Stormwater Proposed Allocations: Director 10%, Town Engineer & GIS Mgr 25%, H&G Super. & Asst Super 10%, Stormwater Super 45%, Budget Mgr 10%, Asst Town Eng, Engineering Assistant and Inspector 33%, Admin Assts 10%, 2 laborers 100%

**STORMWATER EXPENSE**

Object	Description	Details	FY 2022 Proposed			
			Operating	Water	Sewer	Total
524090	other contractual services	Street/parking lot sweeping	130,000			\$ 130,000
		Catch basin cleaning	150,000			\$ 150,000
		BMP maintenance and inspections	50,000			\$ 50,000
530900	Other Professional	Materials Disposal	60,000			\$ 60,000
530950	General Maintenance	Construction inspection - sediment / erosion control	30,000			\$ 30,000
530700	Architects and Engineers	Stormwater Design, troubleshooting, inspections	50,000			\$ 50,000
530950	Consulting Services	IDDE plan implementaiton	80,000			\$ 80,000
		Stormwater utility support	20,000			\$ 20,000
		Phosphorous control plan funding	5,000			\$ 5,000
		Year 3 Stormwater Management Plan	5,000			\$ 5,000
		MS4 compliance	10,000			\$ 10,000
534030	Advertising - General	Public Advertising / Educational materials,	2,000			\$ 2,000
553900	Other Equipment	Equipment Maintenance and Repair Supplies	8,000			\$ 8,000
571100	Meetings & Conferences	Training and safety classes, seminars, etc.	2,000			\$ 2,000
<b>Stormwater Expense:</b>			<b>602,000</b>			\$ 602,000
<b>Stormwater Salary &amp; Expense Subtotal:</b>			<b>\$ 861,899</b>	<b>\$ 87,828</b>	<b>\$ 770</b>	<b>\$ 950,497</b>
<b>Reserve:</b>			<b>\$ 100,000</b>			<b>\$ 100,000</b>
	FY22 Capital Items	bmp retrofits, capital improvements, storm drain & culvert repairs and maint, equipment	\$ 294,000			\$ 294,000
<b>Stormwater Total:</b>			<b>\$ 1,255,899</b>	<b>\$ 87,828</b>	<b>\$ 770</b>	<b>\$ 1,344,497</b>





**Location:** Department of Public Works Admin Building  
257 Fisher Street

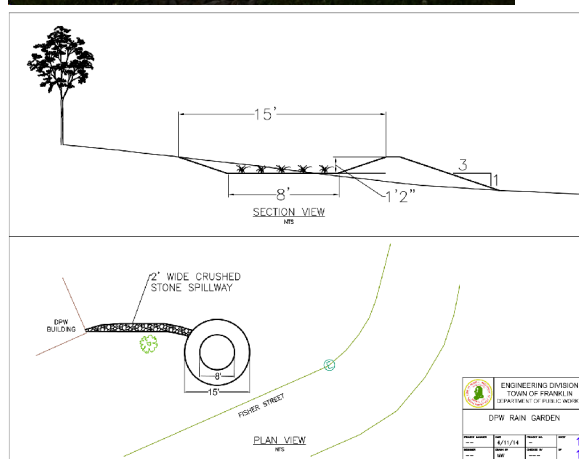


**Water Source:** Roof runoff captured by two down spouts.  
Approxiamtely 1,600 sq ft of roof area drains to rain garden.

**Rain Garden Size:**  
125 cu ft

Designed to hold and treat the first 1" of rainfall.

**Plants:**  
Inkberry & Low Bush Blueberry (shrubs)  
Coneflower, Iris & Asters (perennials)



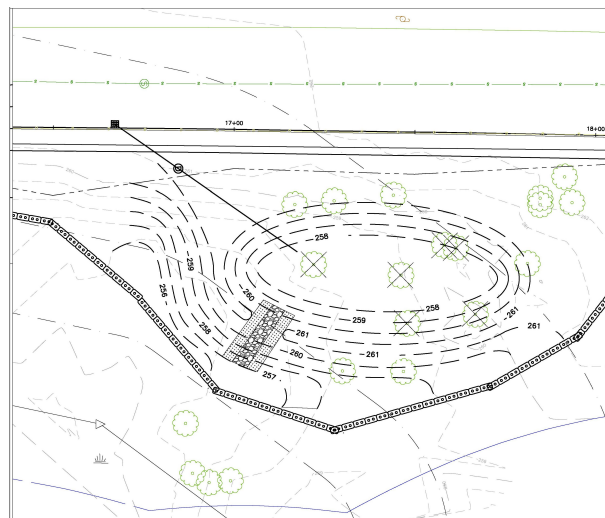
rain garden **SITE #1**

rain garden **SITE #5**



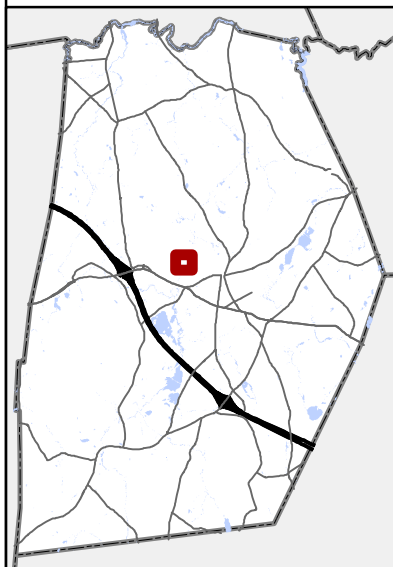
**Location:** Panther Way North of the Franklin Police Station

**Water Source:** Impervious surface (16,200 sq ft of roadway)  
Stormwater flows along roadway into catchbasin and is then piped into the rain garden.

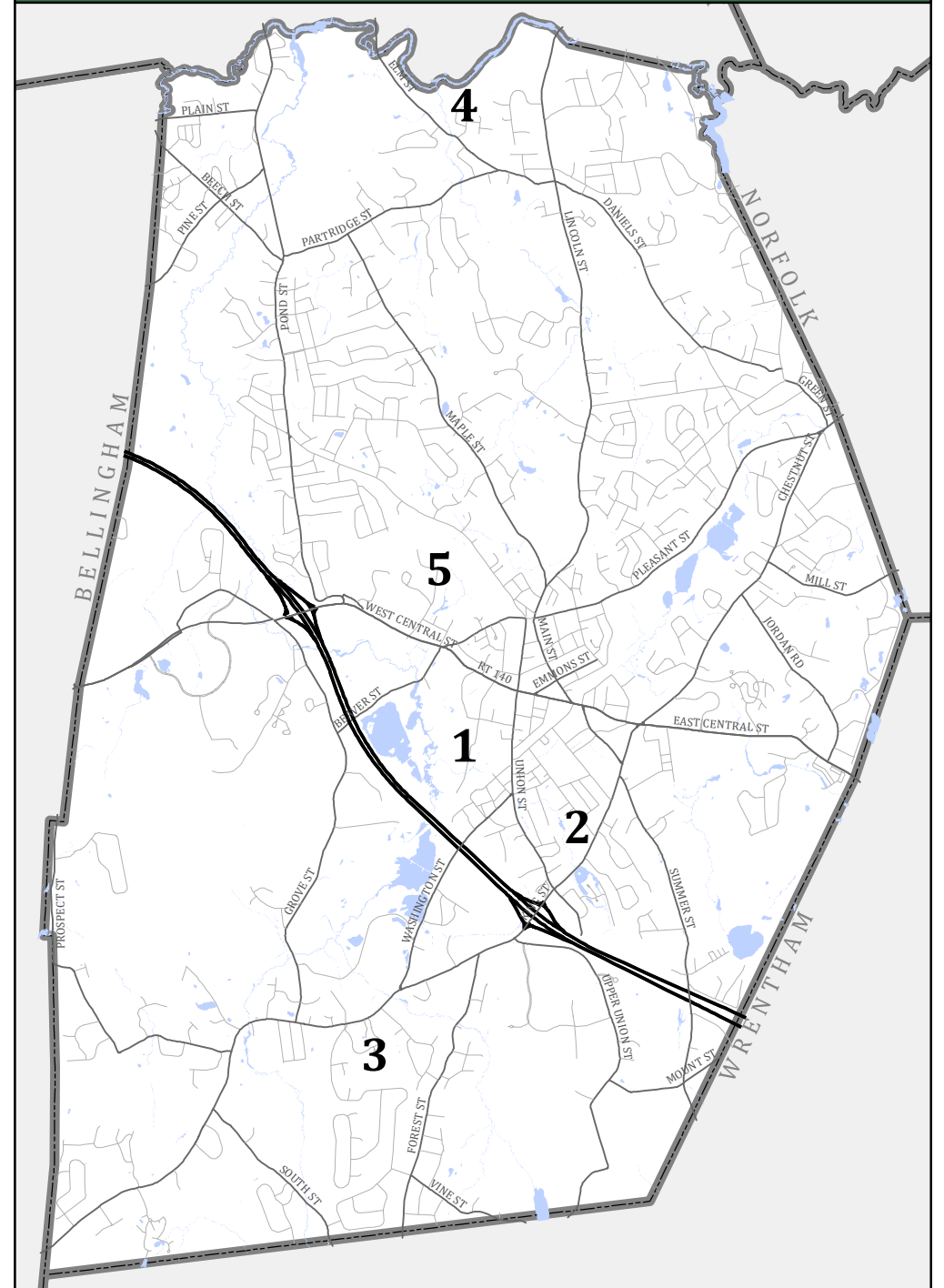


**Rain Garden Size:**  
40,900 cu ft  
Designed to hold water from a 100 year storm.

**Plants:**  
Inkberry, Red Twig Dogwood & Bayberry (shrubs)

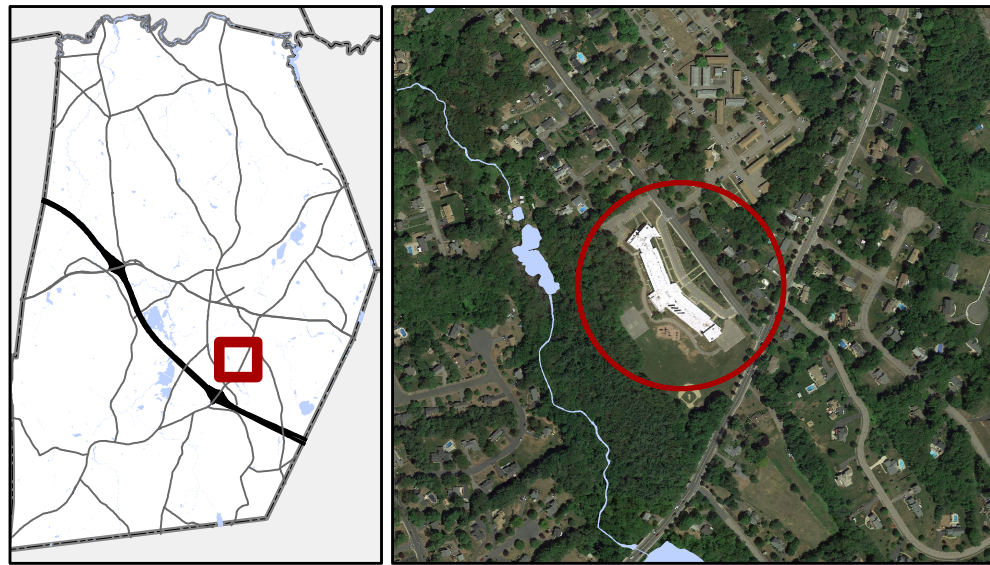


town of **FRANKLIN**



**Rain Garden Tour**





**Location:** Parmenter School  
235 Wachusett Street



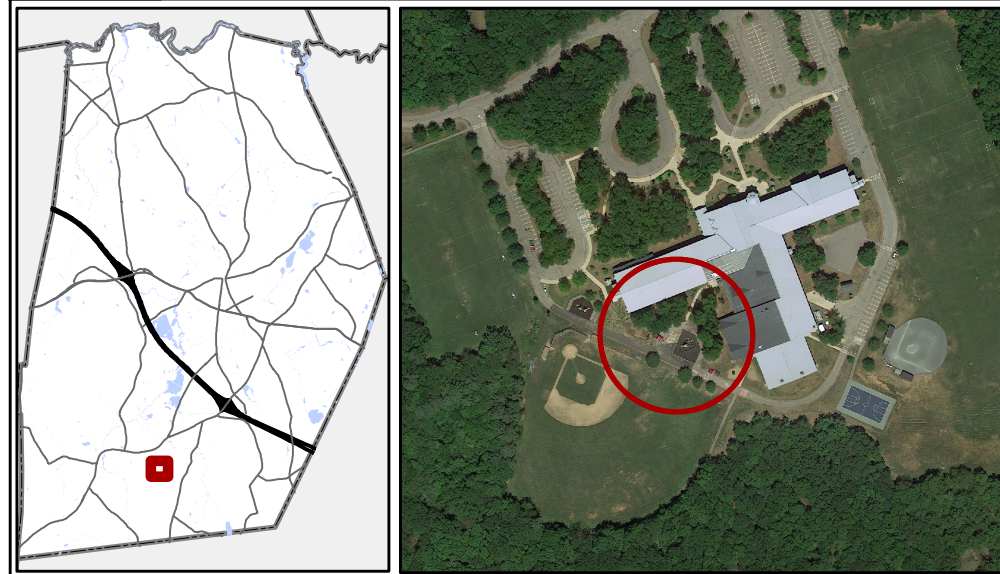
**Water Source:** Several rain gardens combine to treat parking lot runoff. The total drainage area is 91,190 sq ft, of which 49,700 sq ft is impervious area (54.5%).

**Plants:** Inkberry, Dogwood (shrubs), Switchgrass, Daylily & Coneflower (perennials)



rain garden **SITE #2**

rain garden **SITE #3**



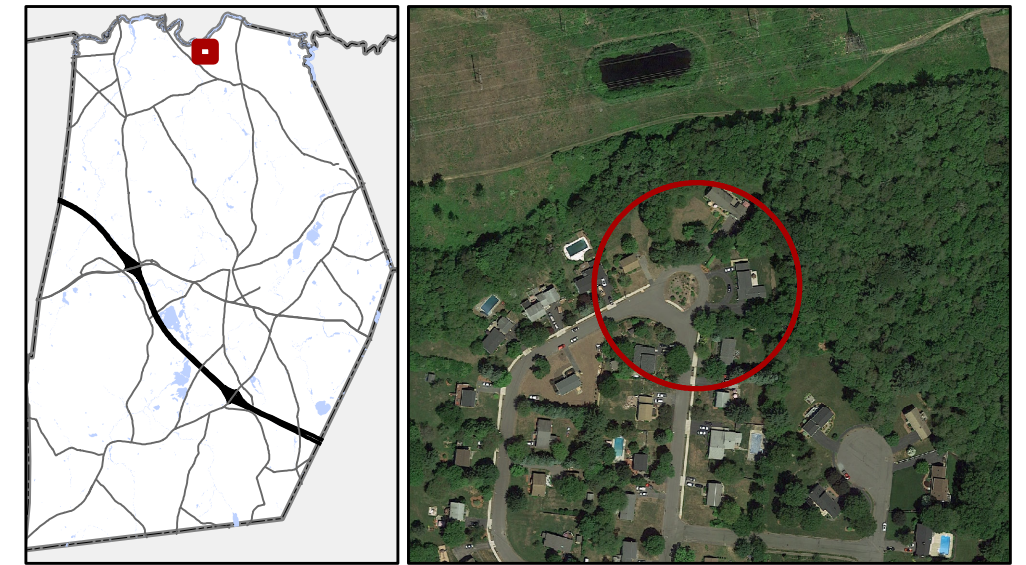
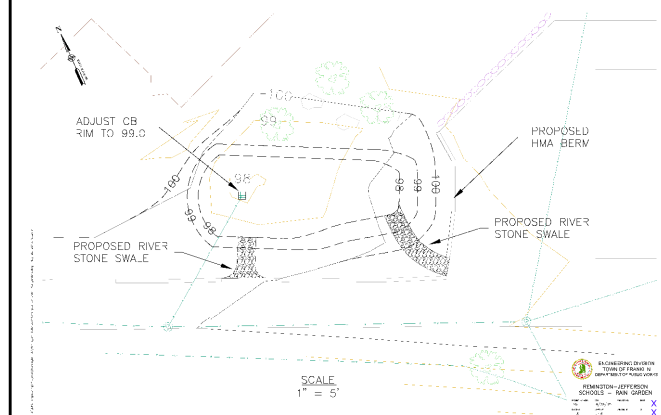
**Location:** Remington Jefferson School  
628 Washington Street



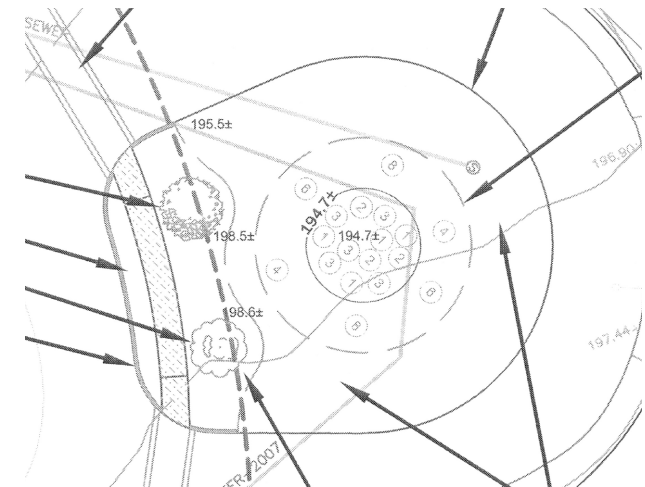
**Water Source:** Runoff from surrounding impervious area; playground and paved walkway (9,343 sq ft)

**Rain Garden Size:** 1,100 cu ft  
Designed to hold and treat the first 1" of rainfall.

**Plants:** Inkberry, Red Twig Dogwood (shrubs) Coneflower, Iris, Asters & Bee Balm (perennials)



**Location:** Anchorage Road



**Water Source:** Rain garden collects runoff from the surrounding impervious area

**Rain Garden Size:** 2,700 cu ft  
Designed to hold and treat the first 1" of rainfall.



**Plants:** Bayberry, boxwoods (shrubs), Switchgrass (perennial)

River rock and boulder accents

rain garden **SITE #4**





**TOWN OF FRANKLIN  
BYLAW AMENDMENT 21-865  
CHAPTER 153, STORMWATER MANAGEMENT  
ARTICLE I. GENERAL PROVISIONS**

**A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 153,  
STORMWATER MANAGEMENT.**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that Code of the Town of Franklin Chapter 153 Stormwater Management, Article 1 General Provisions, Section 153-7, Inspections; Submission of Final Plans, be amended by revising paragraph D as follows:

§ 153-7 Inspections; submission of final plans.

- A. The Director, or designated agent, shall make inspections as hereinafter required and either shall approve that portion of the work completed or shall notify the owner or person responsible for the implementation of the plan wherein the work fails to comply with the soil erosion and sediment control plan, as described in Article II, § 153-12, or stormwater management plan, as described in Article III, § 153-15, as approved. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the Department of Public Works shall be maintained at the site during the progress of the work. To obtain inspections, the permittee shall notify the Department of Public Works at least two working days before each of the following:
- (1) Installation of sediment and erosion control measures.
  - (2) Start of construction.
  - (3) Completion of site clearing.
  - (4) Completion of rough grading.
  - (5) Installation of stormwater controls.
  - (6) Close of the construction season.
  - (7) Completion of final landscaping.
- B. The person responsible for the implementation of the plan shall make regular inspections of all control measures in accordance with the inspection schedule outlined on the approved soil erosion and sediment control plan(s). The purpose of such inspections will be to determine the overall effectiveness of the control plan and the need for additional control measures. All inspections shall be documented in written form and submitted to the Department of Public Works at the time interval specified in the approved permit.
- C. The Director, or designated agent, shall enter the property of the applicant as deemed necessary to make regular inspections to ensure the validity of the reports filed as noted above.

D. The applicant shall submit an "as-built" plan for the stormwater controls, both structural and non-structural, within two (2) years after the final construction is completed. The plan must show the final design and specifications of all stormwater management systems and must be prepared by a professional engineer.

The foregoing By-law amendment shall take effect in accordance with the Franklin Home Rule Charter.

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**DATED:** \_\_\_\_\_, 2021

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**A True Record Attest:**

**Nancy Danello**  
**Temporary Town Clerk**

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**Glenn Jones, Clerk**  
**Franklin Town Council**