

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

February 12, 2021

To: Town Council

From: Jamie Hellen, Town Administrator

RE: Stormwater memo

The second reading of the 3 stormwater bylaws that are technical cleanups before you tonight appeared on the January 20, 2021 Town Council meeting. The stormwater bylaw amendments are non-financial, do not set a utility fee and have nothing to do with the finances of stormwater. All 3 of these bylaws passed unanimously at the previous Town Council meeting. They are second readings of bylaws where technical changes are required due to the permit. The 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.

A brief summary of stormwater activities and work this legislative session to date:

1. With this evening's votes, the Town has cleaned up the language in town bylaws to conform with the federal requirements, mostly dealing with debris removal from a site.
2. The Town Council Ad Hoc subcommittee has held listening meetings and sessions and produced a report and presentation/discussion to the full Town Council on their recommendation. The Town Council has had multiple discussions so the matter.
3. The Town has established a utility WITHOUT a fee. Taxpayers will begin to see a \$0 on their water, sewer, trash bills in the next billing cycle.
4. A utility fee has NOT been set and there has been no legislation for action proposing a fee.
5. The Town Council will revisit the finances of stormwater during the annual budget debate.

If you have any additional questions please feel free to ask.



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

**LEGAL NOTICE
FRANKLIN, MA**

**Bylaw Amendment 21-865: Chapter 153, Stormwater Management
Article I. General Provisions**

The Franklin Town Council will hold a remote public meeting on Wednesday, February 17th, 2021 at 7:10 P.M. on the issue of Bylaw Amendment 21-865, changes to Chapter 153, Stormwater Management Article 1. General Provisions, section 153-7, Inspections; submission of Final Plans, to be amended by revising paragraph D as Follows:

- Add: , **both structural and nonstructural, within two (2) years**

This meeting will provide an open forum for discussion. This meeting will be done remotely via the “ZOOM” platform. Residents can visit the Town Website (Franklinma.gov) and click on the Town Calendar for up to date information on how to access the meeting. If you have any questions, please call the Town Administrator’s Office at (508) 520-4949.

*Submitted by,
Alecia Alleyne
Licensing Administrator*



**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.

DATED: _____, 2021

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

**Nancy Danello
Temporary Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**