

FORM E-4 – Land Disturbance & Stormwater Management



City Clerk Stamp

Office Use Only	Project Number	Public Hearing Date
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Property Address

Land Disturbance & Stormwater Management Applicability - pursuant to the Land Disturbance and Stormwater Management (LDSM) Ordinance, Section V.F.2.a of the Framingham Zoning Ordinance, please check all items that apply:

- The disturbance of land area equal to or greater than one acre
- The disturbance of land as part of a larger common plan of development with a total disturbance area equal to or greater than one acre
- The clearing of land that results in 50 percent or more of the lot being cleared of trees. Lots with an area of 20,000sf or less shall be exempt from this requirement
- Construction, development, and/or redevelopment activities that occur within a 30' buffer of Moderate Slopes or on Moderate Slopes as defined in Section IV.E.3.e of the Framingham Zoning Ordinance

Applicants who are required to submit a Special Permit for LDSM are required to submit the following information for review by the Planning Board.

- Project Narrative (overview of disruption activities, compliance with the Framingham Ordinance for a LDSM, impacts the special permit will have on the neighborhood/natural resources/and flow of stormwater)
- Photos of the existing conditions where construction activities will take place and surrounding area (submit electronically)
- Stormwater Management Report, Construction Plan relative to land disturbance, erosion control, and stormwater management during construction, LDSM Development Impact Report, the LDSM Site Plan, and a Long Term LDSM Plan.

Applications that require a LDSM permit shall provide the following plan sheets.

- Topographical Plan Sheet
- Grading Plan Sheet, specifically for the area of disturbance and/or tree removal
- Existing Tree Site Plan Sheet
- Proposed Tree Removal Site Plan Sheet
- Landscaping Plan Sheet, specifically for areas of disturbance and/or tree removal

When a project only requires a LDSM permit, Applicants shall provide the sheets listed above, in addition to

- Project Title Sheet/Cover Sheet
- Existing Conditions Plan
- Construction/Layout Plan
- Erosion Control Plan

Project Information, specifically for LDSM	
Total area of the parcel(s) (acre/square feet)	/
Total area of the Parcel(s) that is wetlands/vernal pools/waterway (acre/square feet)	/
Total area to be disturbed (acre/square feet)	/
Total area Upland (acre/square feet)	/
Total amount of fill required for the project (cubic yards)	
Total area identified as Moderate Slope (acres/square feet)	/
Percent of land under the jurisdiction of the Conservation Commission (percentage)	%
Total area within the 30' No Alteration Zone as defined by the Conservation Commission (acre/square feet)	/
Total Area within the 50' No Build Zone as defined by the Conservation Commission (acre/square feet)	/
Total Area within the 100' No Disturb Zone as defined by the State of Massachusetts (acre/square feet)	/
Total Area within the 125' No Disturb Zone as defined by the Framingham Conservation Commission (acre/square feet)	/
Total Area defined as a potential or certified vernal pool and the 125 foot buffer (acres/square feet)	/
Notes	

Information regarding Soil Conditions		
Soil Class	Name of Soil Type	Description

Information regarding Fill to be used on-site	
Type of Fill	Description
Name of Company/Source of Fill	
Company Address	Phone Number
Company Website	Email Address

Site Management and Control – In an attached document please provide information relative to the following requests for information.

- Building envelopes for structures, driveways, wastewater disposal, lawn areas, and utility work are designed and delineated in a manner to limit the amount of land disturbance to the greatest extent possible – please provide a description of proposed efforts
- Briefly outline plans for construction that include locations for temporary uses (such as the parking of construction vehicles, trailers, dumpsters, and stockpiling of equipment and materials) and methods for properly disposing of all waste products, grubbed stumps, slash, construction materials, etc. and dust control measures.
- Briefly describe all temporary erosion and sedimentation control measures to be employed during construction.

- Briefly describe all permanent erosion and sedimentation control measures to be installed post construction and permanently maintained.

Stormwater Runoff Management – In an attached document please provide information relative to the following requests for information.

- Briefly describe how the Project will manage the rate, concentration, or velocity of runoff from the site. Additionally, how is the project designed to minimize the volume of runoff from the site onto abutting properties.
- Briefly describe how the Project will manage land disturbance activities that include but are not limited to erosion, silting, flooding, sedimentation, subsidence or impacts of runoff from the site onto abutting properties.
- Briefly describe how the Project will not adversely impact the groundwater resources in terms of quantity or quality.

Natural Features and Vegetation Protection – In an attached document please provide information relative to the following requests for information.

- Please list any endangered species or wildlife habitats and corridors, natural landscape features, and scenic vistas and views on the Property.
- Please describe how the project will site buildings, structures or parking facilities to ensure they do not detract from the property's scenic qualities.
- Please briefly describe the characteristics of the site and/or provide photos that are representative of the property.
- Please provide a list that includes all trees that are greater than 8" in diameter. Such list shall include the name of the species (Latin and common name), diameter of the tree, location of the tree (this may be provide on a site plan), and a photo of the tree.

Historic Resource Protection – In an attached document, please provide information relative to the following requests for information.

- Please provide a list of all historically significant resources on-site.
- Briefly describe all efforts employed to protect historic resources, which may including but are not limited to historic landscape features both above and below ground, buildings, structures, objects, stonewalls, foundations, and designed landscapes and gardens.

LDSM Compliance – Applicant shall provide proof of compliance with the following requirements set forth in the Framingham Zoning Ordinance, Section V.F LDSM

Federal, state, and local regulations

- A minimum compliance with all applicable federal, state, and local regulations and guidelines, including but not limited to, the most current edition of the MassDEP Stormwater Management Standards, the Massachusetts Stormwater Handbook, the NPDES MS4 permit; and Department of Public Works (DPW) regulations related to stormwater/erosion/etc.

Stormwater Management

- Any permitted topographical alterations, tree removal, earth removal/fill, and/or site improvements associated with the LDSM Ordinance shall incorporate Low Impact Development (LID) techniques and Best Management Practices (BMP) to the greatest extent feasible. Such features may include rain gardens, rainwater harvesting, green roofs, curb breaks, native/hybrid plantings, etc.
- Stormwater shall not be directed towards sensitive areas, wetlands, habitats, or be permitted to sheet flow causing erosion and sedimentation movement.
- Whenever possible, all buildings, roadways, parking lots/areas, detention/retention facilities, and other site improvements shall be located in previously developed, cleared, disturbed, and/or improved areas before an applicant proposes to disturb an area that presents existing natural topography.
- Natural hydrology and water quality shall be maintained during and post construction.
- Projects that alter natural stormwater and drainage systems shall replicate natural conditions with respect to infiltration, evapotranspiration, and stormwater runoff.
- The use of hay bales are not permitted for erosion and sediment control. Erosion and sediment controls should be consistent with the City's construction standards.
- Under certain circumstances where on-site options for stormwater mitigation are limited, infeasible, and/or where off-site options provide better protection, the Planning Board may allow the applicant to contribute to the implementation of off-site stormwater mitigation or to contribute to a City of Framingham Stormwater Mitigation Fund in lieu of an on-site stormwater BMPs. This may be allowed at the discretion of the Planning Board only where a net public benefit is clearly demonstrated and documented by meeting or exceeding the purpose and intent of the LDSM Ordinance.
- Projects that propose dewatering shall submit a dewatering plan for review to the Conservation Commission, DPW, and the Planning Board, and shall be accompanied by a detailed description of the methods proposed to mitigate impacts.
- Projects shall be designed to disturb the minimal amount of land possible and to manage the maximum amount of stormwater on-site.

Site Management and Control

- Building envelopes for structures, driveways, wastewater disposal, lawn areas, and utility work shall be designed and delineated in a manner to limit erosion, land disturbance, and stormwater runoff to the greatest extent possible.
- The site shall contain designated areas for temporary uses such as the parking of construction vehicles, trailers, and/or stockpiling of equipment and materials.
- All waste products, grubbed stumps, slash, construction materials, etc., shall be lawfully disposed of and shall not be incorporated into the project site with the exception of the reduction of stumps and slash to mulch.
- During construction, temporary erosion and sedimentation control measures shall be employed in accordance with the approved plan and the BMP until a disturbed area is permanently stabilized.
- Permanent erosion control and vegetative measures are in accordance with the BMP and LID techniques.
- Dust control measures are used throughout construction.
- Throughout the duration of construction, a gravel apron of at least fifteen feet wide and at least twenty-five feet long is required at any site access from a paved public way to prevent unstable material from being transported onto the roadway by vehicle tires.

Control of Stormwater Runoff

- Whenever possible, the natural topography of a site shall be preserved so as to reduce unnecessary erosion, land disturbance, stormwater runoff, and/or to preserve natural drainage patterns and infiltration on the site.
- The Project as designed does not increase the rate, concentration, and/or velocity of runoff from the site.
- There will be no adverse impact to abutting properties from any change in volume of stormwater runoff resulting from land disturbance activities including but not limited to erosion, silting, flooding, sedimentation, subsidence or impacts to wetland, groundwater resources, septic systems, wells, and/or lack of long-term maintenance of the BMP and LID techniques.
- There will be no adverse impacts to groundwater resources in terms of quantity or quality.

Topographical Alterations

- Where possible, development shall not occur on those areas defined as Moderate Slope (Section IV.E.3.e of the Framingham Zoning Ordinance) or within 30' of a Moderate Slope buffer. If development is proposed within an area identified as Moderate Slope or within the 30' Moderate Slope buffer, then the applicant shall submit a geotechnical report, prepared by a professional geotechnical engineer. The Planning Board and DPW shall review submitted document to ensure such topographical alteration will not adversely impact direct abutters, structures, and/or the stability of the land.
- Any development that is authorized to occur on an identified Moderate Slope (Section IV.E.3.e of the Framingham Zoning Ordinance) and/or within the 30 feet of land designated as Moderate Slope buffer shall preserve existing vegetation to the greatest extent feasible.
- Topographical alteration shall not occur within 10 feet of a vegetated buffer to ensure the protection of the root zone or within 10 feet of a front and/or rear setback (Section IV.E.3.e of the Framingham Zoning Ordinance).
- In the event that topographical alteration within land identified as Moderate Slope (Section IV.E.3.e of the Framingham Zoning Ordinance) and/or within the 30 feet of land designated as Moderate Slope buffer then the applicant shall mitigate all impacts that result in stormwater runoff, erosion, and/or the movement of sedimentation through BMPs and LID techniques. The Applicant shall further establish a vegetated berm to prevent negative impacts to abutting properties and/or roadways.
- The applicant may be required to mitigate topographical alterations as outlined in Section V.F.3.a.vii of the Framingham Zoning Ordinance

Tree Removal

- The removal of trees shall not be permitted within the side/rear setbacks as defined in Section IV.E.2. of the Framingham Zoning Ordinance, unless identified by the City's Tree Warden to be hazardous and/or diseased. The Applicant shall retain trees greater than 10 inches caliper within the front yard setback, as set forth in Section IV.E.2 of the Framingham Zoning Ordinance. Furthermore, trees may be removed for the construction of a driveway or subdivision roadway, but such removal shall be at the minimum width as required by DPW, Fire Department, and Police Department.
- All trees that are 8 inch or greater in caliper that are removed shall be replaced. The total number of replacement trees shall be as follows: 1 tree per caliper per inch of a deciduous tree and 1 tree per foot of height for an evergreen tree. Replacement trees shall be a minimum 3 inch caliper for deciduous trees and 5 feet tall for evergreen trees.

- If the applicant can demonstrate that the required number of replacement trees cannot be properly placed on-site, then the applicant may offer the City an equal number of trees comparable in size to the DPW and/or the Parks and Recreation Department to be planted at their discretion elsewhere in the City.
- During construction the drip line of the designated tree to be saved post-construction shall serve as the protection boundary. The applicant shall install a barrier around this area.
- Land clearance shall be prohibited within 125 feet of a designated open space parcel of land that is protected by an Agricultural Preservation Restriction (APR) or a Conservation Restriction (CR).

Earth Removal and Fill

- Earth removal shall be limited to areas that have been previously disturbed and/or impervious. Where earth removal is required in an area that has not previously been disturbed then the applicant shall submit a geotechnical report, prepared by a professional geotechnical engineer.
- Soil removed from the property shall be stockpiled and reused on-site where possible. Such stockpiles shall be seeded and/or covered, and protected with erosion controls around the base of the pile, until such soils are needed.
- When new fill is required to be brought onto the site, the use of clean fill shall only be permitted. Prior to fill being brought onto site, the applicant shall provide a written notarized affidavit to the Planning Board, DPW, and the Conservation Commission that includes the name of the company, the location where the fill is coming from, the type of fill, and any additional information to certify that all fill is clean.

Protection of Natural Features and Vegetation

- Endangered species and wildlife habitats and corridors, natural landscape features, and scenic vistas and views shall be protected to the maximum extent feasible. Buildings, structures, and/or parking facilities are sited away from the crest of hills in a manner so as not to detract from the site's scenic qualities.
- Open space, native trees, and specimen trees are preserved to the greatest extent feasible in the site's design and development placing priority on the retention of an existing tree, existing stands of trees, trees at the site perimeter, and contiguous vegetation with adjacent sites (particularly existing sites protected through conservation restrictions).
- Forested areas, wetlands, waterbodies, critical wildlife habitat areas and Moderate Slopes as defined in Section IV.E.3.e of the Framingham Zoning Ordinance are preserved to the maximum extent feasible.

- The applicant shall demonstrate that all vegetation that shall be retained will be surrounded by temporary protective fencing or other measures before any Land Clearing or grading occurs, and shall be maintained as such until all construction and site work is completed and all construction equipment and debris is removed from the site.
- Grading shall be designed to maintain the area around the trunks of trees so that the ground level is not raised over the root area.

Protection of Historic Resources

- Reasonable measures shall be employed to protect historic, unique topographical, and archaeological resources including, but not limited to, historic landscape features both above and below ground, buildings, structures, objects, stone walls, foundations, designed landscapes and gardens.

Waiver Request Strict compliance with the LDSM Ordinance is required to the greatest extent feasible. The Planning Board may grant waivers for LDSM Documentation Submittal and/or design standards, by a four-fifths vote, where such action is not inconsistent with the purposes of the LDSM Ordinance or the other associated Regulations. Please attach request