

Assessment of Local Regulations

MS4 General Permit Section 2.3.6 (4) (b)

The Town Engineer and Director of Planning and Conservation have reviewed street design and parking lot guidelines as well as other requirements (such as landscaping regulations) that affect creation of impervious cover. Changes to the Town's zoning bylaw were reviewed with the Planning Board at their March 8, 2022 public meeting.

The changes included amending the existing site design standards section of the zoning bylaw to reflect current development standards and include a new section to provide standards for development in the Town's mixed-use districts. The goal of the new section for development in the Central Business District and Neighborhood Mixed Use District is to outline design standards to achieve "attractive, mixed-use, pedestrian-friendly environments" that were envisioned in the Town's Master Plan. This type of village style development has been described by residents as desirable for decades but has never been inserted into zoning. Proposed changes are shown below with additions underlined and deleted text with a strike through.

6.4.4.1 **General Regulations** - Site design and construction standards are intended to ensure that further consideration in all districts will be given to the natural resources and characteristics of a site, to its topographic and geologic conditions, to public convenience and safety and to the attractiveness of a proposed use on a site.

- a. Design and construction shall minimize, to the extent possible, the following features:
 - Encroachment within any wetland or flood plain;
 - Area over which existing vegetation is to be removed;
 - Earth removal and volume of cut and fill;
 - Grade changes that are not in character with the surrounding area;
 - Points of traffic conflict (both pedestrian and vehicular); and
 - Amount of impervious cover especially in aquifer areas.
- b. Design and construction shall maximize, to the maximum extent feasible, the following features:
 - Siting multi-family, commercial, and mixed-use structures so they relate to the street in a pedestrian fashion, creating a walkable, inviting, active streetscape with parking in the rear. Streetscapes should include bicycle amenities, shade trees, and wider sidewalks for pedestrian activity and outdoor seating;
 - Low impact development techniques employed to manage stormwater runoff;
 - Shade trees in parking areas to combat heat island effect;
 - Landscaping buffers abutting single-family residential areas;

- Use of native plantings that are drought tolerant;
- Connections to any existing trails or sidewalks to create a walkable network;
- Screening HVAC equipment from view;
- Maintenance of existing rates of runoff from the site;
- Preservation of the existing flood storage capacity of the site;
- Phased construction with detailed erosion control measures;
- Preservation and maintenance of existing site features, particularly existing vegetative cover; ~~and vegetative cover;~~ and
- On-going maintenance of the site's land and water resources.

In addition, changes were proposed to Parking Lot Landscaping (Zoning Bylaw Section 6.4.2.5). These changes clarify the requirements of parking lot landscaping and bolster parking lot landscaping to further goals of the MS4 General Permit and Municipal Vulnerability Preparedness (MVP) Plan that looks forward to future heat impacts. Shade trees would be required to combat heat island effect and the threshold for 5% interior landscaping is lowered from parking lots of 40 cars or more to parking lots with 20 cars or more. Changes to this section are geared toward encouraging low impact development and mitigating impacts from pavement. The changes are shown here:

6.4.2.5 Parking Lot Landscaping - All parking and loading facilities shall be suitably landscaped. Such landscaping shall be designed to minimize the impact of the parking area upon adjacent property and within the lot by the use of existing vegetation to the extent practicable, and new native, drought tolerant trees and shrubs, walls, fences or other landscape elements. Native shade trees shall be provided to combat heat island effect. In the case of parking facilities for more than ~~40~~ 20 spaces, at least five percent of the area within the limits of the parking facilities, exclusive of the perimeter, shall be set aside for landscaped areas. Such areas shall be provided with a minimum width of ten feet, ~~curbing and shade trees or such other type of landscaped areas as may be required~~ Interior landscaping may consist of vegetated low impact development methods to treat stormwater runoff (rain gardens, bioretention areas, etc.) if shade trees are also provided. Interior landscaping shall be reviewed and approved by the Planning Board under site plan review.

Unfortunately, Town meeting voted against these changes. The intent is to try again at a future Town Meeting.

MS4 General Permit Section 2.3.6 (4) (c)

After review, it has been determined that the Town's local comprehensive stormwater bylaw and regulations promote and in most cases require infiltration practices for any project meeting the definition of a new development project, redevelopment project, and for projects requiring a Stormwater Management Permit and a Simple Stormwater Management Permit (i.e. single family dwelling construction, and single family home additions over 600 SF). The regulations defer to the Best Management Practices prescribed in the State Policy which include (in Volume 2 Chapter 2) rain gardens, porous pavement, infiltration basins, water quality swales, and water harvesting devices such as rain barrels.