

Amendment to the Town's General By-law  
Part Two of Three

**Low Impact Development (LID) Regulations**

**Article II: Soil Erosion and Sediment Control Plan**

\_\_\_\_. 12 Soil erosion and sediment control plan

A soil erosion and sediment control plan at the same scale as the site plan, which meets the design requirements of this bylaw, shall be prepared and submitted to the Department of Public Works. The plan shall include, but not be limited to, the items listed below and, at a minimum, be designed to provide sufficient information to evaluate the effectiveness and acceptability of measures proposed for soil erosion and sediment control during construction to protect the environment, public welfare/health, and municipal facilities and utilities. The following information shall be detailed on the plan:

- A. Name, address and telephone number of owner, civil engineer and person responsible for implementation of the plan.
- B. Property lines.
- C. Location of all existing and proposed building and impervious surfaces.
- D. Location of all existing and proposed stormwater utilities, including structures, pipes, swales and detention basins.
- E. Soil erosion and sediment control provisions including explanation of technical basis used to select the practices chosen to minimize on-site erosion and prevent off-site sediment transport, including provisions to preserve topsoil and limit disturbance.
- F. Design details for both temporary and permanent erosion control structures.
- G. The Director may require any additional information or data deemed appropriate and/or may impose such conditions thereto as may be deemed necessary to ensure compliance with the provisions of this bylaw and regulations for the preservation of public health and safety.
- H. An attached vicinity map showing the location of the site in relationship to the surrounding area's watercourses, water bodies and other significant geographic features, and roads and other significant structures.
- I. Suitable contours for the existing and proposed topography.
- J. A clear and definite delineation of any areas of vegetation or tree disturbance. Note all vegetation that is to be removed and all vegetation that is to be saved.
- K. A clear and definite delineation of any wetlands, natural or artificial water storage detention areas, and existing drainage ditches on the site.

L. A description of construction and stockpile and/or excess materials removed from the site expected to be stored on-site. The plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater.

M. A sequence of construction for the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, and establishment of permanent vegetation.

#### \_\_\_\_.13 Performance Standards

A construction project shall be considered in conformance with this section if construction means and methods have been effective in preventing soils or other eroded matter from being deposited onto adjacent properties, rights-of ways, public storm drainage system, or wetland or watercourse. The design, testing, installation, and maintenance of soil erosion and sediment control operations and facilities shall adhere to the standards and specifications contained in the Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas, dated March 1997, as amended, and the Town of Fairhaven's Best Development Practice Guidelines, dated November 2001, as they may be amended from time to time.

#### \_\_\_\_. 14 Review and Approval

A soil erosion and sediment control plan review is triggered by a site development plan and/or a building permit application or other activity that falls within the jurisdiction of this bylaw. Applicants shall be referred by the permit-issuing agency to the Department of Public Works to conduct the soil erosion and sediment control plan review. Activities that fall within the jurisdiction of this bylaw that do not require a permit from any Town department are not exempt from this provision. In this situation, the applicant must seek a soil erosion and sediment control plan review directly from the Department of Public Works.

A. The Department of Public Works will review each soil erosion and sediment control plan to determine its conformance with the provisions of this bylaw. The Department of Public Works shall, in writing:

- (1) Approve the plan as submitted; or
- (2) Approve the plan subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
- (3) Disapprove the plan, indicating the reason(s) and procedure for submitting a revised application and/or submission.

B. Approval of the soil erosion and sediment control plan shall remain in effect for a term of one year. After one year, the owner must apply to the Director for an extension, which will be approved at the Director's discretion and in accordance with the Director's requirements.