

PRELIMINARY REPORT OF PLANNING BOARD ON PROPOSED GENERAL
BYLAW AMENDMENT TO THE STORMWATER MANAGEMENT BYLAW
REGARDING APPLICATION REQUIREMENTS

January 10, 2018 Special Town Meeting

Article 3

**GENERAL BYLAW: STORMWATER MANAGEMENT BYLAW
APPLICATION REQUIREMENTS**

Article 3. To see if the Town will vote to amend Chapter 200 (Stormwater Management) of the Town's Code in regards to application requirements by amending subpart 200-9 to delete paragraphs A and B in their entirety and replace with new text to provide that the Planning Board shall adopt Rules & Regulations governing the application requirements and that all applications must conform to the Planning Board's Rules & Regulations unless a waiver is granted by the Planning Board as detailed in the Planning Board's Report to Town Meeting or take any other action thereto.

The ***proposed changes*** are as follows:

- A. Amend Section 200-9 by deleting paragraphs A and B as presently written in their entirety.**
- B. Insert in Section 200-9, a new paragraph A to provide that the Planning Board shall adopt Rules & Regulations governing the application requirements; said paragraph to read as follows:**
 - A. Rules and Regulations. The Planning Board shall adopt Rules and Regulations setting forth reasonable and necessary application requirements and processing procedures. These procedures shall provide for a reasonable and timely review of all applications in accordance with the Stormwater Management Bylaw.
- C. Insert in Section 200-9, a new paragraph B to provide that all applications must conform to the Planning Board Rules & Regulations unless a waiver is granted; said paragraph to read as follows:**
 - B. Applications to Conform. All applications for permits under this Stormwater Management Bylaw shall demonstrate conformity to this Stormwater Management Bylaw and must conform to the Planning Board's Rules and Regulations unless a waiver is being requested or has been granted.
- D. Insert in Section 200-9, a new paragraph C to provide that applicants may request and the Planning Board may grant waivers from the application requirements; said paragraph to read as follows:**

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- C. Waivers. The applicant may request, and the South Hadley Planning Board may grant, a waiver from any information requirements it judges to be unnecessary to the review of a particular plan.

OBJECTIVE: The objective of this article is to provide streamline the application requirements and to provide flexibility in setting the application requirements.

SUMMARY: This article seeks to provide authority for the Planning Board to establish Rules & Regulations which specify the application requirements under the Stormwater Management Bylaw. The existing Bylaw provisions (provided below) are very prescriptive of what must be submitted including the number and form of the submittal:

- A. *Application for approval of a stormwater management permit or waiver shall include the following:*
- (1) *A stormwater management and erosion and sediment control plan or an application for waiver of a stormwater management and erosion and sediment control plan shall be submitted to the South Hadley Planning Board for review and approval for any proposed development specified in Article III. **Ten copies of the stormwater management and erosion and sediment control plan shall be submitted, and clearly labeled, along with other documents required in this bylaw for site plan review.** The plan shall contain supporting computations, drawings, and sufficient information describing the manner, location, and type of measures in which stormwater runoff will be managed from the entire development during construction and after construction and/or site development. The plan shall serve as the basis for all subsequent construction and/or site development. This stormwater management and erosion and sediment control plan shall contain sufficient information to describe the nature and purpose of the proposed development.*
 - (2) *Ongoing maintenance agreement.*
 - (3) *Nonrefundable application fee.*
- B. *The applicant may request, and the South Hadley Planning Board may grant, a waiver from any information requirements it judges to be unnecessary to the review of a particular plan.*

This amendment will give the Planning Board authority to specify the number and format of applications as they do for Site Plan Review, Special Permit, and Subdivision submittals. It will not change the requirements for Stormwater Management Permits or the standards for their approval.

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BACKGROUND: During 2017, the Planning Board amended its Rules & Regulations governing the application requirements for Site Plan Review, Special Permits, and Subdivision and related plan submittals. The amendments reduced the number of paper copies required of all applications and mandated submittal of electronic copies of all submittals.

Whereas the previous requirements specified up to 10 paper copies of all submittals, the new Rules & Regulations only require 2 paper copies and one pdf copy. The requirement for the PDF version allows the Planning & Conservation Department staff to post all submittals on the Town's website for the public to view which enables persons interested in the project submittals to review the plans at their leisure as opposed to going to Town Hall during office hours. Similarly, the PDF version allows the Department staff to electronically circulate all submittals to the various departments which can speed the plan review time. The amendments also allow the Board, in cases of more complex projects, to require additional hard copy submittals if the review departments request a hard copy. This change has reduced the needless production of plan copies which were often thrown into the recycling bin.

The Planning Board would have made a similar change to the Stormwater Management application submittals if had the authority to do so. By having this provision in Rules & Regulations, the Board will be able to adapt application format requirements to changing technology.

RELATIONSHIP TO MASTER PLAN: There is not a clear relationship to the Master Plan, adopted in 2010. However, this amendment focuses on streamlining the Stormwater Management Permit application requirements. As such, it is closely aligned with the objective of a more updated regulatory structure which is an objective within the Master Plan. Therefore, it would appear that this amendment is consistent with the Master Plan in that it seeks to streamline or update the regulatory structure associated with the Stormwater Management permitting process.

PUBLIC HEARING: The Planning Board discussed the potential amendment including several drafts over the course of several meetings during 2017 and held a public hearing on the proposed Zoning Bylaw amendment on Monday, December 4, 2017. There were no comments or questions raised regarding this item at the December 4th public hearing.

RECOMMENDATION: The Planning Board, at their December 4, 2017 meeting, voted to recommend approval of this article as presented.