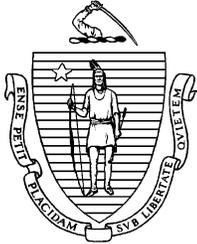


Form 7-PBN



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

MUNICIPAL LAW UNIT
1350 MAIN STREET, 4TH FLOOR
SPRINGFIELD, MASSACHUSETTS 01103-1629

Notice of Planning Board Hearing

Relative to Proposed Zoning By-Law Amendments Pursuant to M.G.L. c. 40A, § 5

The Planning Board of the Town of Eastham will hold a public hearing to discuss proposed amendments to the town's zoning by-laws. The public hearing will be held as follows:

Place: Earle Mountain Hearing Room, Town Hall, 2500 State Highway
Date: February 18, 2010
Time: 5:00 PM

The subject matter of the proposed amendments is/are as indicated below (*attach additional sheets if necessary*). The complete text and maps relative to the proposed amendments are available for inspection during regular business hours at the following place(s):*

Place: Planning Department
Place: Town Clerk
Place: _____

Article Number _____ **Subject Matter of Proposed Amendments Sufficient for Identification** _____

LEGAL NOTICE

Pursuant to the provisions of MGL 40A §5, the Eastham Planning Board will hold a public hearing on Thursday, February 18, 2010 at 5:00 pm in the Earle Mountain Hearing Room, Eastham Town Hall, 2500 State Highway, Eastham, MA. The purpose of the hearing is to accept public comments on the following proposed amendments to the Zoning By-laws. All proposed text may be inspected at the Eastham Town Clerk's Office or the Eastham Planning Department at the above address, during regular business hours Monday-Friday 8:00 AM – 4:00 PM.

Article ##: **To see if the Town will vote to amend the Eastham Zoning By-law by adding Section XXII – Environmental Standards as follows:**

Section XXII – Environmental Standards

A. Purpose – The purposes of this Bylaw are as follows:

* **Note:** The above information is *strictly required* by M.G.L. c. 40A, § 5.

Form 7-PBN

- to protect the health, safety and property of the residents of the Town by regulating stormwater runoff and erosion and the controlling degradation of inland and coastal wetlands, ponds and other surface waterbodies
 - Encourage the use of Best Management Practices that prevent and reduce nonpoint source of pollutants; and
 - Promote land development and site planning practices that are responsive to the Town’s scenic character without preventing the reasonable development of land.
- B. In all Zoning Districts, following standards shall be in effect:
1. All surface water runoff from structures and impervious surfaces shall be collected on site; in no case shall surface water drainage be directed across sidewalks or public or private ways. In no case shall surface water runoff be drained directly into wetlands or waterbodies. Drainage systems shall be designed, using Best Management Practices, to minimize the discharge of pollutants by providing appropriately designed vegetated drainage channels and sedimentation basins that allow for adequate settling of suspended solids and maximum infiltration. Dry wells, leaching pits and other similar drainage structures may be used only where other methods are not practicable. Oil, grease and sediments traps to facilitate removal of contaminants shall precede all such drainage structures.
 2. Install silt fences, vehicle mud removal areas, vegetative cover, and other sediment and erosion controls and properly maintain them, especially after rainstorms.
 3. Prevent soil erosion by minimizing disturbed areas during construction projects, and seed and mulch bare areas as soon as possible.
- C. Enforcement of this Bylaw is enforced by the Building Inspector as per Section XII.E. and F.

And further, to see if the Town will vote to amend Section III of the Town of Eastham Zoning By-laws by adding the following definitions in appropriate alphabetical order:

BEST MANAGEMENT PRACTICES (BMPs) – A structural, nonstructural, or managerial technique recognized to be the most effective and practical means to prevent and reduce nonpoint source pollutants. BMPs should be compatible with the productive use of the resource to which they are applied, and should be cost-effective.

or take any action relative thereto.

By Planning Board

Summary:
This article seeks to enhance existing environmental standards in Eastham by requiring erosion and runoff controls town-wide. Currently only properties subdivided or triggered by Site Plan Review regulate runoff. This bylaw would divert stormwater away from disturbed or exposed areas of a construction site to control erosion and improve the quality of groundwater recharge. Erosion controls that aren’t maintained can cause excessive amounts of sediment and debris to be carried into the natural systems as stormwater. Construction vehicles can leak fuel, oil, and other harmful fluids that can be picked up by stormwater and deposited into local waterbodies.

**Michael Cole, Chairman
Eastham Planning Board
The public is invited to attend and be heard.**