

To see if the Town will vote to amend the Zoning Bylaws by amending the following section in order to regulate the distance between groundwater and building basements, crawl space floors, or slab elevations as follows;

A. Add a new definition as follows:

Article II: Definitions:

2.7 Groundwater (Estimated Seasonal High Groundwater Table (ESHGWT))

The estimated highest level to a zone of saturation in the soil in most years under normal wet season, as determined by a Licensed Soil Evaluator.

B. Add a new section 5.1.6 as follows:

5.1.6 DISTANCE FROM BASEMENT, SLAB OR CRAWL SPACE AND GROUNDWATER

5.1.6.1 Purpose. The purpose of this bylaw is to preserve and protect groundwater; to maintain and enhance the public safety, environment, health, and general welfare by establishing minimum requirements; and to establish procedures to control the adverse effects of building basement floors below the (ESHGWT), including basement flooding, pumping and discharge of groundwater to neighboring properties, discharging groundwater to the public way, and illicit connections to the Town sewer and stormwater connections.

5.1.6.2 Applicability. The requirement of this Section 5.1.6 shall apply to all Zoning Districts:

1. All new building construction, including single family dwellings; (New construction shall be teardown & rebuild and new building construction).
2. Alterations, renovations and additions to existing buildings or dwellings and/or separate buildings or dwellings that increases building/dwelling footprint by more than 750 square feet on the lot.

5.1.6.3 Conditions and Requirements. The bottom elevation of the basement crawl space floors, or slab elevations of any building or dwelling shall not be lower than the ESHGWT. Said ESHGWT shall be determined by a Licensed Soil Evaluator. The Inspector of Buildings shall determine compliance with this bylaw.

- a. All applicable Building Permit applications shall include information required to determine compliance with this bylaw.

5.1.6.4 The basement floor, crawl space floors, or slab elevation may be lower than the ESHGWT if all of the following conditions are met:

- a. Detailed engineering plans, certified by a Professional Civil Engineer showing a foundation and perimeter drain management system that will mitigate and control groundwater discharge and stormwater runoff, are provided;
- b. All additional groundwater discharge shall be mitigated on-site and shall not be permitted to connect into the municipal stormwater system.
- c. A Professional Civil Engineer shall submit certification that all groundwater will be retained on site.

5.1.6.5 As provided by General Law, Chapter 44, Section 53G, the Town of Burlington may impose reasonable fees for the employment of outside consultants.

5.1.6.6 Relationship to Other Laws.

Nothing in this by-law shall be construed to restrict, amend, repeal, or otherwise limit the application or enforcement of any other law or regulation.