

**ANNUAL TOWN MEETING WARRANT
TOWN OF DRACUT
NOVEMBER 13, 2023**

**ARTICLE #10
ZONING BY-LAW
SECTION 4 INTENSITY OF USE REQUIREMENTS**

Summary:

The current Grading section of the Zoning Bylaw does not speak to Retaining Walls. The State Building Code considers such walls over 4' high to be structures, requiring professional design and siting. Designers and applicants are often unclear as to how these structures should be handled, requiring interpretation of the Building Inspector

What will a "YES" vote mean?

A "YES" vote will add language specifying that sections of retaining wall over 4' in visible height shall be considered structures. This will align with the State Building Code and will prohibit construction of such in property line setback areas without variance from the Board of Appeals.

What will a "NO" vote mean?

A "NO" vote will leave the language as it is, without addressing confusion between the Zoning Bylaw and the State Building Code.

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1. Amend **Section 4.8 Grading** by deleting it in its entirety replacing it with a new section entitled **Section 4.7. Grading and Retaining Walls** to read as follows:

4.7. Grading and Retaining Walls

Grading General - Any land use involving the regrading of more than one acre of land and the construction of a structure thereon, excluding single- and two-family structures held in separate ownership from adjoining lots at the time of permitting shall be subject to the requirements of this section.

- A. Slopes over 15% - Slopes of 15% or greater which will result from grading, construction, or other land alteration shall be stabilized either through a structural retaining wall or cribbing, or through vegetative slope stabilization, comprising no less than four inches of topsoil planted densely with plants having shallow fibrous roots sufficient to retain the soil such as grasses, legumes, dogwood, emir privet, rugosa rose, and bayberry.
- B. Finish Grades - Lots having average finish grades in excess of 10% shall either retain existing vegetation or provide vegetative slope stabilization as above, on a percentage of lot area equal to not less than twice the average percentage slope.
- C. Retaining Walls - Retaining walls, or sections thereof, with a reveal of 4 feet or greater shall be considered structures and shall be subject to the setback requirements of Section 4.4 Table of Standard Dimensional Requirements and the requirements of the State Building Code.

or take any action relative thereto.

Submitted by:

Alison Manugian, Community Development Director

Recommendations:

Approval Recommended (Planning Board)