

APPENDIX 120.J GRADING

SECTION 120.J101 GENERAL

120.J101.1 Scope. *The provisions of this chapter apply to grading, excavation and earthwork construction, including fills and embankments only when directly associated with the construction, reconstruction, alteration, repair and/or demolition of buildings and structures (see MGL c.143 §§ 93-100).* Where conflicts occur between the technical requirements of this chapter and the soils report, the soils report shall govern.

120.J101.1.1 Appendix limits further delineated. *This Appendix, 780 CMR 120.J, contains grading provisions that address soil-related hazards such as slope failure, landslides and erosion that can be encountered in large commercial building developments or in large residential subdivisions where grading problems may arise and that are otherwise not addressed by 780 CMR.*

120.J101.2 Flood hazard areas. The provisions of this chapter shall not apply to grading, excavation and earthwork construction, including fills and embankments, in floodways within flood hazard areas established in 780 CMR 1612 and Appendix 120.G unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed work will not result in any increase in the level of the base flood.

Note 1: *Before commencing digging, Massachusetts state law requires advance notice of at least 72 hours in Massachusetts (excluding weekends and holidays) before you get ready to begin your outdoor project. One call to Dig Safe is all it takes to notify all member utility companies of your excavation project. In turn, these utilities respond to the work area and mark the location of their underground facilities. Callers are given a permit number as confirmation. Before digging, first call “Dig Safe” (1-888-DIG-SAFE).*

Note 2: *Proposed grading activity in and around wetlands and other areas subject either to the requirements of MGL c.131 § 40 or certain DEP regulations must also conform to such other requirements.*

SECTION 120.J102 DEFINITIONS

120.J102.1 Definitions. For the purposes of this appendix chapter, the terms, phrases and words listed in this section and their derivatives shall have the indicated meanings.

BENCH. A relatively level step excavated into earth material on which fill is to be placed.

COMPACTION. The densification of a fill by mechanical means.

CUT. See Excavation.

DOWN DRAIN. A device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility

EROSION. The wearing away of the ground surface as a result of the movement of wind, water or ice.

EXCAVATION. The removal of earth material by artificial means, also referred to as a cut.

FILL. Deposition of earth materials by artificial means.

GRADE. The vertical location of the ground surface.

GRADE, EXISTING. The grade prior to grading.

GRADE, FINISHED. The grade of the site at the conclusion of all grading efforts.

GRADING. An excavation or fill or combination thereof.

KEY. A compacted fill placed in a trench excavated in earth material beneath the toe of a slope. All slope references in the chapter have been modified to show the horizontal:vertical relationship.

SLOPE. An inclined surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

TERRACE. A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

SECTION 120.J103 PERMITS REQUIRED

120.J103.1 Permits required. Except as exempted in Section 120.J103.2, no grading directly associated with building/structure construction/reconstruction/repair/demolition shall be performed without first having obtained a permit therefor from the building official. ***A grading permit does not include the construction of retaining walls or other structures – a separate permit for retaining wall systems is required where retaining walls are large enough to require a building permit (see Chapter 1, Section 110 of this code).***

120.J103.2 Exemptions. A grading permit shall not be required for the following:

1. Grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
7. ***Exploratory excavations performed under the direction of a registered design professional “Exploratory excavation” is not to be construed as allowing construction of a building to begin prior to receiving a permit for the sole purpose of preparing a soils report.***

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

8. Grading not directly associated with building or structure construction / reconstruction / repair / demolition regulated by this code.

SECTION 120.J104 PERMIT APPLICATION AND SUBMITTALS

120.J104.1 Submittal requirements. In addition to the provisions of Section 105.3, the applicant shall state the estimated quantities of excavation and fill.

120.J104.2 Site plan requirements. In addition to the provisions of Section 106, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. Drafting requirements were deleted here. The plans shall show the

existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code.

120.J104.3 Soils report. A soils report prepared by registered design professionals shall be provided which shall identify the nature and distribution of existing soils; conclusions and recommendations for grading procedures; soil design criteria for any structures or embankments required to accomplish the proposed grading; and, where necessary, slope stability studies, and recommendations and conclusions regarding site geology.

Exception: A soils report is not required where the building official determines that the nature of the work applied for is such that a report is not necessary.

120.J104.4 Liquefaction study. For sites with mapped maximum considered earthquake spectral response accelerations at short periods (S_s) greater than 0.5g as determined by Section 1615, a study of the liquefaction potential of the site shall be provided, and the recommendations incorporated in the plans – *note that seismic evaluation is not required for one- and two-family detached dwellings.*

Exception: *A liquefaction study is not required where the building official is provided with acceptable technical evidence, determined by a design professional (Mass. registered architect or engineer) that determines from established local data that the liquefaction potential is low.*

SECTION 120.J105 INSPECTIONS

120.J105.1 General. Inspections shall be governed by Section 109 of this code.

120.J105.2 Special inspections. The special inspection requirements of Section 1704.7 shall apply to work performed under a grading permit where required by the building official.

SECTION 120.J106 EXCAVATIONS

120.J106.1 Maximum slope. The slope of cut surfaces shall be no steeper than is safe for the intended use, and shall be no steeper than 2 horizontal to 1 vertical (50 percent) unless the applicant furnishes a soils report justifying a steeper slope.

Exceptions:

1. A cut surface may be at a slope of 1.5 horizontal to 1 vertical (67 percent) provided that all the following are met:

- 1.1. It is not intended to support structures or surcharges.
- 1.2. It is adequately protected against erosion.
- 1.3. It is no more than 8 feet (2438 mm) in height.
- 1.4. It is approved by the building official.

2. A cut surface in bedrock shall be permitted to be at a slope of 1 horizontal to 1 vertical (100 percent).

SECTION 120.J107 FILLS

120.J107.1 General. Unless otherwise recommended in the soils report, fills shall conform to provisions of this section.

120.J107.2 Surface preparation. The ground surface shall be prepared to receive fill by removing vegetation, topsoil and other unsuitable materials, and scarifying the ground to provide a bond with the fill material.

120.J107.3 Benching. Where existing grade is at a slope steeper than 5 horizontal to 1 vertical (20 percent) and the depth of the fill exceeds 5 feet (1524 mm) benching shall be provided in accordance with Figure 120.J107.3. A key shall be provided which is at least 10 feet (3048 mm)

in width and 2 feet (610 mm) in depth.

120.J107.4 Fill material. Fill material shall not include organic, frozen or other deleterious materials. No rock or similar irreducible material greater than 12 inches (305 mm) in any dimension shall be included in fills.

120.J107.5 Compaction. All fill material shall be compacted to 90 percent of maximum density as determined by ASTM D1557, Modified Proctor, in lifts not exceeding 12 inches (305 mm) in depth.

120.J107.6 Maximum slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 2 horizontal to 1 vertical (50 percent) shall be justified by soils reports or engineering data.

FIGURE 120.J107.3 BENCHING DETAILS” here

SECTION 120.J108 SETBACKS

120.J108.1 General. Cut and fill slopes shall be set back from the property lines in accordance with this section. Setback dimensions shall be measured perpendicular to the property line and shall be as shown in Figure J108.1, unless substantiating data is submitted justifying reduced setbacks.

120.J108.2 Top of slope. The setback at the top of a cut slope shall not be less than that shown in Figure J108.1, or than is required to accommodate any required interceptor drains, whichever is greater.

120.J108.3 Slope protection. Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection, approved by the building official, shall be included. Such protection may include but shall not be limited to:

1. Setbacks greater than those required by Figure 120.J108.1.
2. Provisions for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provision for the control of surface waters.

FIGURE 120.J108.1 “DRAINAGE DIMENSIONS” here

SECTION 120.J109 DRAINAGE AND TERRACING

120.J109.1 General. Unless otherwise recommended by a registered design professional, drainage facilities and terracing shall be provided in accordance with the requirements of this section.

Exception: Drainage facilities and terracing need not be provided where the ground slope is not steeper than 3 horizontal to 1 vertical (33 percent).

120.J109.2 Terraces. Terraces at least 6 feet (1829 mm) in width shall be established at not more than 30-foot (9144 mm) vertical intervals on all cut or fill slopes to control surface drainage and debris. Suitable access shall be provided to allow for cleaning and maintenance.

Where more than two terraces are required, one terrace, located at approximately mid-height, shall be at least 12 feet (3658 mm) in width.

Swales or ditches shall be provided on terraces. They shall have a minimum gradient of 20 horizontal to 1 vertical (5 percent) and shall be paved with concrete not less than 3 inches (76 mm) in thickness, or with other materials suitable to the application. They shall have a minimum

depth of 12 inches (305 mm) and a minimum width of 5 feet (1524 mm).

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (1256 m²) (projected) without discharging into a down drain.

120.J109.3 Interceptor drains. Interceptor drains shall be installed along the top of cut slopes receiving drainage from a tributary width greater than 40 feet, measured horizontally. They shall have a minimum depth of 1 foot (305 mm) and a minimum width of 3 feet (915 mm). The slope shall be approved by the building official, but shall not be less than 50 horizontal to 1 vertical (2 percent). The drain shall be paved with concrete not less than 3 inches (76 mm) in thickness, or by other materials suitable to the application. Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the building official.

120.J109.4 Drainage across property lines. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of nonerosive down drains or other devices.

SECTION 120.J110 EROSION CONTROL

120.J110.1 General. The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control shall be permitted to consist of effective planting.

Exception: Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials.

Erosion control for the slopes shall be installed as soon as practicable and prior to calling for final inspection.

120.J110.2 Other devices. Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety.

SECTION 120.J111 REFERENCED STANDARDS

ASTM D 1557-00	Test Method for Laboratory Compaction Characteristics of Soil Using Modified Effort [56,000 ft-lbs/ft ³ (2,700kN- m/m ³)]	J107.5
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