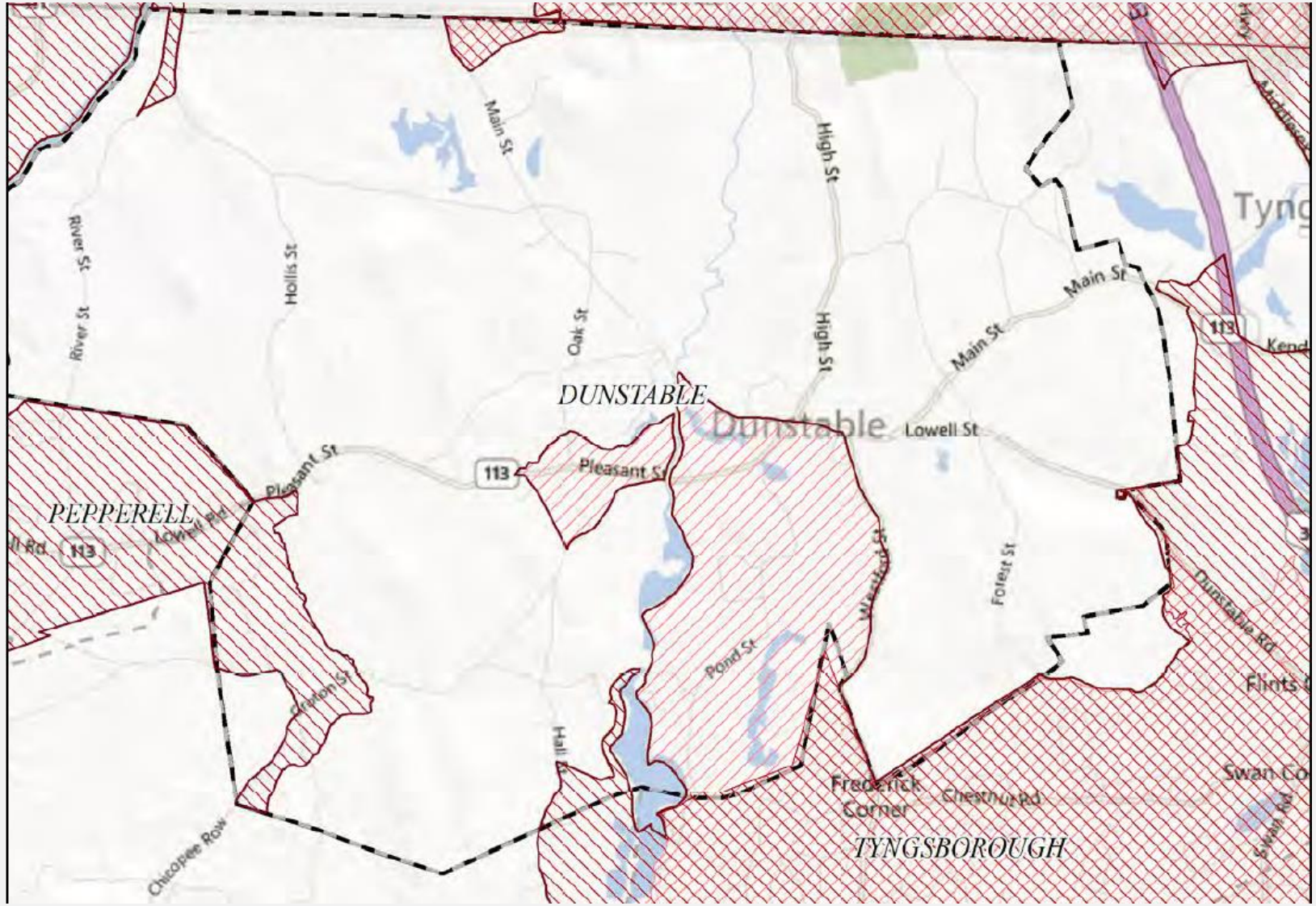
Article 23 Stormwater Bylaw Update

PURPOSE FOR UPDATING THE STORMWATER MANAGEMENT BYLAWS

- To include the required language for the POST-CONSTRUCTION STORMWATER MANAGEMENT OF NEW DEVELOPMENTS & REDEVELOPMENTS as required by the United States Environmental Protection Agency (EPA), National Pollutant Discharge Elimination System (NPDES), General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) in Massachusetts.
- This addition to the Bylaw establishes stormwater management standards for the final conditions that result from development and redevelopment projects to minimize adverse impacts offsite and downstream which would be borne by abutters, townspeople and the general public.

ONLY APPLICABLE IN URBANIZED AREAS OF THE MAP (HATCHED LINES SECTIONS)



OBJECTIVES OF THIS BYLAW

- 1. To require practices to control the flow of stormwater from new and redeveloped sites into the Town's stormwater drainage system in order to prevent flooding and erosion;
- 2. To protect groundwater and surface water from degradation;
- 3. To promote groundwater recharge;
- 4. To prevent pollutants from entering the Town's municipal separate storm sewer system (MS4) and to minimize discharge of pollutants from the MS4;
- 5. To ensure adequate long-term operation and maintenance of structural stormwater best management practices so that they work as designed;
- 6. To comply with state and federal statutes and regulations relating to stormwater discharges; and
- 7. To establish the Town's legal authority to ensure compliance with the provisions of this Bylaw through inspection, monitoring, and enforcement.

APPLICABILITY

- No person may undertake a construction activity, including clearing, grading and excavation that results in a land disturbance that will disturb equal to or greater than 22,000 square feet of land or will disturb less than 22,000 square feet of land but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than 22,000 square feet of land draining to the Town's municipal separate storm sewer system without a permit from the Board.

- Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity or the original purpose of the site

EXEMPTIONS

- Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04;
- Maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling, commercial, industrial and/or multi-family dwelling;
- The construction of fencing that will not substantially alter existing terrain or drainage patterns;
- Construction of utilities other than drainage (gas, water, electric, telephone, etc.) which will not alter terrain or drainage patterns;

ADMINISTRATION

- The Planning Board, shall administer, implement and enforce this Bylaw. Any powers granted to or duties imposed upon the Board may be delegated in writing by the Board to its employees or agents.

PERMIT AND PROCEDURE

- The site owner or agent shall file an application with the Board.
- Permit issuance is required prior to any site altering activity.

Application package shall include:

- 1. a completed Application Form with original signatures of all owners;
- 2. a list of abutters, certified by the Assessor's Office;
- 3. three (3) copies of the Stormwater Management Plan and project description
- 4. three (3) copies of the Operation and Maintenance Plan as required by Section 8 of this Bylaw;
- 5. payment of the application and review fees

STORMWATER MANAGEMENT PLAN

This Stormwater Management Plan shall contain sufficient information for the Board to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater.

The Plan shall be designed to meet the Massachusetts Stormwater Management Standards as set forth in Part 7.2 of this section and DEP Stormwater Management Handbook Volumes I and II. Low Impact Development (LID) site planning and design strategies must be used to the maximum extent feasible. The Stormwater Management Plan shall fully describe the project in drawings, and narrative.

OPERATION AND MAINTENANCE PLANS

The O&M Plan shall be in compliance with the Permit, this Bylaw and that the Massachusetts Surface Water Quality Standards, 314, CMR 4.00 are met in all seasons and throughout the life of the system.

The Board shall make the final decision of what maintenance option is appropriate in a given situation. The Board will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision.