

Section 1: Authority

- 1.1 The Rules and Regulations contained herein have been adopted by the Middleborough Board of Selectmen in accordance with Section 5 of the Town of Middleborough Stormwater By-Law.
- 1.2 These Rules and Regulations may be periodically amended by the Stormwater Committee in accordance with Section 5 of the Town of Middleborough Stormwater By-Law.
- 1.3 The Stormwater Committee may make revisions to the fee schedule included in Appendix B periodically as it sees fit, by vote of the Committee and approval by the Board of Selectmen after public notice and opportunity for comment.
- 1.4 The Stormwater Committee may waive strict compliance with any of the requirements of the Town of Middleborough Stormwater By-Law or the Rules and Regulations promulgated hereunder, if it finds that:
 - a) Strict application of the requirement(s) is unnecessary or impracticable because of the size or character of the development project or because of the natural conditions of the site;
 - b) The Project is consistent with the purposes and intent of the Town of Middleborough Stormwater By-Law, and;
 - c) The Project provides substantially the same level of protection to the public health, safety, environment and general welfare of the Town as required by the Town of Middleborough Stormwater By-Law without strict application of the Rules and Regulations.

Any request for a waiver must be submitted by the Applicant in writing. Such a request shall be accompanied by an explanation or documentation supporting the waiver request.

All waiver requests shall be discussed and voted on at the Public Hearing for the project.

If, in the Stormwater Committee's opinion, additional time or information is required for review of a waiver request, the Committee may request to continue a hearing to a date announced at the meeting. In the event the Applicant objects to a continuance or postponement, or fails to provide requested information, the waiver request shall be denied.

Section 2: Purpose

The purpose of these regulations is to protect, maintain, and enhance the public health, safety, environment, and general welfare by establishing minimum requirements and procedures to control the adverse effects of soil erosion and sedimentation, construction and post-development stormwater runoff, decreased groundwater recharge, and nonpoint source pollution associated with new development, redevelopment and other land alterations.

Nothing in these Rules and Regulations is intended to replace the requirements of the Massachusetts Wetland Protection Act, the Middleborough Stormwater By-Law, the Middleborough Conservation Commission Policy, or any Rules and Regulations adopted thereunder. Any activity subject to the provisions of the above cited Acts, By-Laws, or Policies, any other By-Law, or Rules and Regulations, must comply with the specifications of each. In case of conflict, the more stringent provisions shall apply.

Section 3: Definitions

- 3.1 The definitions contained herein apply to the Town of Middleborough Stormwater By-Law and the Rules and Regulations adopted thereunder. Terms not defined in this section shall be construed according to their customary and usual meaning unless the context indicates a special or technical meaning.
- 3.2 Definitions are provided in Section 2 of the Town of Middleborough Stormwater By-Law and Appendix A of the Town of Middleborough Stormwater Rules and Regulations. Definitions may be periodically amended by the Stormwater Committee in accordance with Section 5 of the Town of Middleborough Stormwater By-Law.

Section 4: Applicability

These Rules and Regulations apply to all projects or activities subject to Section 8 of the Town of Middleborough Stormwater By-Law. Projects and/or activities within the jurisdiction of the Town of Middleborough Stormwater By-Law must obtain a Stormwater Permit from the Stormwater Committee or its designee in accordance with the permit procedures and requirements defined in Appendix B of these Rules and Regulations.

No work on a project within the jurisdiction of the Town of Middleborough Stormwater By-Law may commence without written approval from the Stormwater Committee or its designee, confirming that the project or activity is in compliance with these Rules and Regulations. If work commences without approval, enforcement actions may be pursued.

Appendix E of these Rules and Regulations applies to sump pumps within the Town of Middleborough causing nuisance conditions as determined by the Stormwater Officer and/or discharging water into the Municipal Separate Storm Sewer System (MS4).

4.1 No Permit Required

Notwithstanding Section 4.2, no permit shall be required by the Stormwater Committee or its designee for:

- a) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulations 310 CMR 10.04 and G.L.C. 40 A, § 3.
- b) Any work or projects for which all necessary approvals and permits, including building permits, have been issued before the effective date of the Town of Middleborough Stormwater By-Law.
- c) Projects disturbing less than 10,000 square feet of ground surface.
- d) Repair or replacement of an existing roof.
- e) Normal maintenance of existing lawn, landscaping, or garden areas.
- f) Construction of any fence that will not alter existing terrain or drainage patterns.
- g) Construction of utilities (gas, water, sanitary sewer, electric, telephone, cable television, etc.) other than drainage that will not alter the site.

- h) The maintenance or resurfacing (excluding reconstruction) of any public or private way.
 - i) Emergency repairs to any existing utilities (gas, water, sanitary sewer, electric, telephone, cable television, etc.) or emergency repairs to any stormwater management facility that poses a threat to public health or safety, as determined by the Stormwater Committee. Where such project or activity is subject to the jurisdiction of the Stormwater Committee, the work shall not proceed without the issuance of an Emergency Stormwater Permit (ESP) by the Stormwater Committee. Section 4.5 of these Rules and Regulations describe the ESP process.
 - j) A project that is concurrently being reviewed by the Town of Middleborough Conservation Commission, Planning Board, Zoning Board of Appeals, or Board of Selectmen. These projects are required to abide by the Stormwater Rules and Regulations but are not required to submit a General Stormwater Management Permit, regardless of the area of land disturbance. Projects that fall under this category should complete the Stormwater Permit Application Cover Page in Appendix C to explain why a full application submission is not required.
 - k) Such other projects as the Stormwater Committee or its designee may find, in its discretion, to have less impact on the interests protected by the Stormwater By-Law than those projects eligible for an Administrative Stormwater Review Permit. Erosion control measures must be used and the project or activity must not result in an increased amount of stormwater runoff or pollutants flowing from a parcel of land and entering a traveled way or adjacent properties.
- 4.2 All projects or activities not falling under an exception listed in Section 4.1 shall require a Stormwater Permit in accordance with the Stormwater By-Law and these Rules and Regulations.
- 4.3 Projects or activities eligible for an Administrative Stormwater Review Permit:
- a) Any residential alteration, disturbance, development, or redevelopment of 10,000 square feet to 43,500 square feet (1 acre).
 - b) Any commercial, industrial, institutional, or municipal alteration, disturbance, development, or redevelopment of 10,000 square feet to 43,500 square feet (1 acre).
 - c) Any project concurrently being permitted through the Conservation Commission, Planning Board, Zoning Board of Appeals, or the Board of Selectmen should submit the Stormwater Permit Application Cover Page included in Appendix C of these Rules and Regulations regardless of the area of land disturbance proposed.
- 4.4 Any project or activity causing an alteration, disturbance, development, or redevelopment of land and ineligible for an Administrative Stormwater Review Permit requires a General Stormwater Management Permit.
- 4.5 An Emergency Stormwater Permit (ESP) may be issued in cases where a delay or failure to perform work poses an imminent danger to public health or safety. The Stormwater Committee or Board of Selectmen may, in such individual's discretion, issue an ESP. Any person to whom an ESP is issued shall, within 30 days of construction commencement, submit the materials described in Sections 6 and Appendix B of these Rules and Regulations with respect to any work permitted by such ESP. Each ESP shall be presented to the Stormwater Committee for approval.

Section 5: Design Standards

5.1 General Stormwater Management Permit

At a minimum, all projects subject to a General Stormwater Management Permit shall comply with the performance standards of the most recent version of the Massachusetts Stormwater Standards and the accompanying Stormwater Management Handbook. All projects shall comply with the Town of Middleborough Stormwater By-Law, with design standards meeting the requirements of Sections 5.3-5.6 of these Rules and Regulations.

5.2 Administrative Stormwater Review Permit

At a minimum, all projects subject to an Administrative Stormwater Review Permit must propose and implement, unless impracticable, Low Impact Development (LID) BMPs. Applicants shall demonstrate compliance with design standards for LID BMPs through generally accepted methods. Appendix D of these Rules and Regulations includes recommended practices and controls. All projects shall comply with the Town of Middleborough Stormwater By-Law, with design standards meeting the requirements of Sections 5.3-5.6 of these Rules and Regulations.

5.3 Erosion Prevention and Sedimentation Controls

Erosion prevention and stabilization of soils shall be required, including but not limited to, perimeter controls, sediment controls, erosion controls, stabilized construction entrances, catch basin inlet protection, daily street sweeping, and other industry-accepted best management practices. Dust control, dewatering means and methods, and concrete washout areas shall be required. All disturbed areas not in active use for greater than 48 hours shall be stabilized with temporary erosion controls.

5.4 General Construction Site Controls

All construction activity shall control wastes such as demolition debris, litter, sanitary wastes, and control chemical and materials storage, stockpiling locations, concrete washout, dewatering dust control, and locations for snow removal.

5.5 Project Design

All projects shall utilize Low Impact Development (LID) techniques and Green Infrastructure planning and design strategies to the maximum extent feasible.

5.6 Stormwater Management Standards

Stormwater runoff from all industrial, commercial, institutional, office, residential and transportation projects including site preparation, construction and redevelopment, and all point source discharges shall be managed according to the Department of Environmental Protection (DEP) Stormwater Management Standards as described in the Handbook, except for the addition of the following standards as required by the United States Environmental Protection Agency (EPA) in the 2017 Massachusetts MS4 General Permit:

- a) New Development
 - i.) The first inch of runoff from impervious areas shall be retained onsite or
 - ii.) The treatment shall be designed such that 90% of the average annual load of total suspended solids (TSS) and 60% of the average annual load of total phosphorus generated from the impervious area on the site is removed prior to discharge
- b) Redevelopment (as defined by the Massachusetts MS4 General Permit)

- i.) All redevelopment shall comply with Stormwater Standards 1, 2, 3, 5, 6 and 9 of the Handbook to the maximum extent practicable; and
 - ii.) The first 0.8 inch of runoff from impervious areas shall be retained onsite or
 - iii.) The treatment shall be designed such that 80% of the average annual load of total suspended solids (TSS) and 50% of the average annual load of total phosphorus generated from the impervious area on the site is removed prior to discharge.
 - iv.) Offsite mitigation within the same USGS HUC10 may be allowed.
- c) Redevelopment activities that are exclusively limited to maintenance and improvement of existing roadways, (including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems, and repaving projects) shall improve existing conditions where feasible. Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall meet the requirement.

Section 6: Administration

6.1 Administration of Rules and Regulations

The Board of Selectmen is the governing authority over the Stormwater Rules and Regulation. The Stormwater Committee shall administer, implement, and enforce these Rules and Regulations on behalf of the Board of Selectmen. The Stormwater Committee may designate in writing any authorized Town employee, board, or agent for the purpose of reviewing stormwater submittals and issuing stormwater permits. Any Town employee, board, or agent so designated by the Stormwater committee shall be defined as the “Stormwater Officer”.

The Applicant shall submit all Stormwater Permit Application Submittals in compliance with these Rules and Regulations to a Stormwater Officer.

The Stormwater Permit Applications shall be submitted as follows:

- a) If the project is not being reviewed by the Conservation Commission, Planning Board, Zoning Board of Appeals, or the Board of Selectmen, the applicant must file a General Stormwater Management Permit or Administrative Stormwater Review Permit with the Stormwater Committee. Application submission requirements are included in Appendix B of these Rules and Regulations.
- b) If the project is being reviewed by the Conservation Commission, the applicant should file the Stormwater Permit Application Cover Page included in Appendix C of these Rules and Regulations with the Conservation Commission.
- c) If the project is being reviewed by the Planning Board, the applicant should file the Stormwater Permit Application Cover Page included in Appendix C of these Rules and Regulations with the Planning Board.
- d) If the project is being reviewed by the Zoning Board of Appeals, the applicant should file the Stormwater Permit Application Cover Page included in Appendix C of these Rules and Regulations with the Zoning Board of Appeals.

- e) If the project is being review by the Board of Selectmen, the applicant should file the Stormwater Permit Application Cover Page included in Appendix C of these Rules and Regulations with the Board of Selectmen.

The Stormwater Officer will review the submittal for administrative completeness and compliance with the requirements and standards of these Rules and Regulations. If the proposed project is administratively complete and complies with these Rules and Regulations, the Stormwater Officer may grant an Administrative Stormwater Review Permit, in addition to any other approval or permit. The Stormwater Committee, its designees, and the Stormwater Officer shall have authority to enforce the Stormwater By-Law and these Rules and Regulations. The Stormwater Officer may reject an Application if it is not administratively complete.

Administrative Stormwater Review Permit Applications require review and approval by the appropriate Stormwater Officer. Administrative Stormwater Review Permits may be issued by a Stormwater Officer without a public hearing.

General Stormwater Management Permits require review and approval by the Stormwater Committee after a Public Hearing.

6.2 Abutter Notification

- a) Concurrent with the filing of the General Stormwater Management Permit, the Applicant shall obtain a certified abutters list from the Assessor's office and provide notification to all abutters within a 200-foot radius of the property or properties on which work is planned by Certified Mail, Return Receipt Requested or Certificate of Mailing. The notification shall state where within the municipality copies of the General Stormwater Management Permit may be examined or obtained and where information on the date, time, and location of the Public Hearing may be obtained. The Applicant shall provide notification at the mailing addresses shown on the most recent applicable tax list from the municipal assessor, Mailing at least seven days prior to the Public Hearing shall constate timely notice. The Applicant shall submit a copy of the certified abutters list and the return receipts from the Certified Letters or Certificates of Mailing to the Stormwater Committee as proof of notification.
- b) The Applicant shall place a legal notification of the Public Hearing in the local newspaper of general circulation to be published 5 days before the hearing. The Applicant shall submit a copy of the published legal notification to the Stormwater Committee as proof of notification.
- c) Re-notification of abutters and re-advertisement in the newspaper will not be required for cases where a Public Hearing is opened and continued to a later meeting date. Re-notification will also not be required in cases where a meeting is postponed due to a lack of a voting quorum or inclement weather.

6.3 Site Entry

Filing an Application for a permit grants the Stormwater Committee, its Stormwater Officer, or a designee as specified in these Rules and Regulations, permission to enter the site until a Stormwater Certificate of Compliance is issued to verify the information in the Application and to inspect for compliance with the resulting permit.

6.4 Administrative Stormwater Review Permit Approval Process

- a) The Stormwater Officer shall review the Administrative Stormwater Review Permit Application for Completeness within ten (10) business days of receipt
- b) If the Stormwater Officer determines the Application is incomplete, including insufficient information to describe the site, the work, or the effect of the work on water quality and volume, the Stormwater Officer may require the submission of additional information and/or disapprove the Application and deny the Permit.
- c) Each Application for an Administrative Stormwater Review Permit Application that is determined to be complete shall be reviewed by the Stormwater Officer. The Application shall be acted upon within ten (10) business days of the date that the Stormwater Officer determines that the Application is complete, unless such Application has been withdrawn from consideration. The Stormwater Officer may:
 - i. Approve the Permit Application upon finding that the proposed plan will protect water resources and meets the objectives and requirements of the Stormwater By-Law;
 - ii. Approve the Permit Application with conditions, modifications, and/or restrictions that are required to ensure that the project will protect water resources and meet the objectives and requirements of the Stormwater By-Law;
 - iii. Deny the Permit Application due to non-compliance with the intent of the Stormwater By-Law or insufficient information to make a determination; or
 - iv. Determine that an Administrative Stormwater Review Permit is inappropriate and require the submission of a General Stormwater Management Permit.

6.5 General Stormwater Management Permit Approval Process

- a) The Stormwater Committee or its designee shall review the Application submission within fifteen (15) business days of receipt
- b) If the Stormwater Committee or its designee determines that the Application is incomplete, including providing insufficient information to describe the site, the work, or the effect of the work on water quality and runoff volume, within fifteen (15) business days of receipt of the Application, the Stormwater Committee shall state the Application is incomplete and may request the submission of additional information and/or disapprove the Application and deny the permit.
- c) Each Application for a General Stormwater Management Permit Application that is determined to be a complete Application shall be reviewed by the Stormwater Committee. The Application shall be acted upon within thirty (30) business days of the date that the Stormwater Committee has determined that the filing is complete, unless such Application has been withdrawn from consideration or continued to a future meeting date with the consent of the Applicant. The Stormwater Committee may:

- i. Approve the Permit Application upon finding that the proposed project will protect water resources and meets the objectives and requirements of the Stormwater By-Law;
- ii. Approve the Permit Application with conditions, modifications, or restrictions that are required to ensure that the project will protect water resources and meets the objectives and requirements of the Stormwater By-Law; or
- iii. Deny the Permit Application due to non-compliance with the intent of the By-Law or these Rules and Regulations.

6.6 Public Hearing Process

- a) A Public Hearing is required for General Stormwater Management Permit Applications. Administrative Stormwater Review Permit Applications shall not require a Public Hearing.
- b) Applicants requesting a Public Hearing shall submit a written request for a Public Hearing with the Stormwater Committee. Applicants for a Public Hearing shall include the materials as required by these Rules and Regulations. The Applicant shall file with the Stormwater Committee one (1) electronic copy of the Application package in PDF format emailed to the Stormwater Committee. Emails can be sent to stormwatercommittee@middleborough.com
- c) Notice of Public Hearings shall be published in a newspaper of general circulation. The first publication date shall be published not less than five (5) days before the day of the hearing. A copy of the hearing notice shall be posted in the Office of the Town Clerk for a period of not less than forty-eight (48) hours before the date of the hearing.
- d) During the Public Hearing, the Stormwater Committee may request additional information to be submitted by the Applicant. This may include, but is not limited to:
 - i. Landscaping plans;
 - ii. Snow storage and removal plans;
 - iii. Spot grades confirming existing drainage patterns; and
 - iv. Additional information concerning operations and maintenance.

6.7 Deadline for Action

Failure of the Stormwater Committee, Stormwater Officer, or its designee to take action upon a Stormwater Permit within forty-five (45) business days of receipt of a complete General Stormwater Management Permit Application and within ten (10) business days of receipt of a complete Administrative Stormwater Review Permit Application shall be deemed to be approval of said Application, unless extension of the deadline date is mutually agreed upon, in person at a Public Hearing or in writing, by the Stormwater Committee (in the case of a General Stormwater Management Permit) or the Stormwater Officer (in the case of an Administrative Stormwater Review Permit) and the Applicant.

For Administrative Stormwater Review Permit Applications that have been denied and all General Stormwater Management Permit Applications, a Public Hearing shall be held within forty-five (45)

calendar days of the date of submission of the Stormwater Permit Application. The Stormwater Committee shall issue a decision within twenty-one (21) calendar days of the Public Hearing, unless a continuance has been mutually agreed upon, in person at a Public Hearing or in writing, by the Applicant and the Stormwater Committee.

Upon certification that the allowed time has passed without Stormwater Committee or Stormwater Officer action, the Stormwater Committee or Stormwater Officer must issue a Stormwater Permit.

6.8 Plan Changes

The Applicant or their legal designee must notify the Stormwater Officer for an Administrative Stormwater Review Permit or the Stormwater Committee for a General Stormwater Management Permit, in writing, of any drainage change or alteration in the system authorized in the Stormwater Permit before any change or alteration is made. If the Stormwater Officer or Stormwater Committee determines that the change or alteration is significant, based on accepted construction practices, the Stormwater Officer or Stormwater Committee may require that an amended Application be filed.

6.9 Appeals of Actions of the Stormwater Committee

If an Applicant wishes to appeal a decision made by the Stormwater Committee, the Applicant must provide notice in writing to the Stormwater Committee and the Board of Selectmen within ten (10) business days of the Stormwater Committee's decision. The Applicant must cite which regulation they did not meet, and provide evidence addressing why the Applicant believes that the Stormwater Committee's decision was not appropriate. The appeal process shall be conducted by the Board of Selectmen, the regulatory authority of the Middleborough Stormwater By-Law and these Rules and Regulations.

Any person aggrieved by an action of the Stormwater Committee shall be entitled to appeal a decision made by the Stormwater Committee within ten (10) business days of the Stormwater Committee's decision. The person aggrieved must provide notice in writing to the Stormwater Committee and the Board of Selectmen citing their grievance and any by-laws or rules that were not met. The appeal process shall be conducted by the Board of Selectmen, the regulatory authority of the Middleborough Stormwater By-Law and these Rules and Regulations.

6.10 Project Delay

Should a land-disturbing project or activity associated with an approved plan in accordance with this Section not begin within twelve (12) months following permit issuance, the permit shall lapse and should the Applicant wish to continue with the previously approved plan, the Applicant must re-apply for a new permit.

If the project associated with an approved Stormwater Permit granted under the By-Law has not been substantially completed within three (3) years of permit issuance, a new permit or a permit extension will be required by the Stormwater Committee. A permit extension request must be submitted in writing to the Stormwater Committee no later than 60 days before the expiration date

of the current permit. The Stormwater Committee and/or Stormwater Officer may require updates to the project to comply with current regulations and standards as a condition of the permit extension.

6.11 Project Completion

A Stormwater Management Certificate of Compliance is required for completion of all General Stormwater Management Permits and for Administrative Stormwater Review Permit if required as a permit condition. The Applicant or their legal designee must submit a written request for a Stormwater Management Compliance Certificate from the Stormwater Committee at the completion of the project. The Stormwater Committee will issue a Stormwater Management Certificate of Compliance upon review and approval of the final inspection reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with the Stormwater By-Law.

Section 7: Inspections

7.1 Construction Commencement

- a) The Stormwater Committee or Stormwater Officer may require a pre-construction meeting prior to starting clearing, excavation, construction, or land-disturbing activity by the Applicant. The Applicant's technical representative, the general contractor, or any other person with authority to make changes to the project, shall meet with the Stormwater Committee or its representative to review construction sequencing and the permitted plans and their implementation.
- b) The Applicant must notify the Stormwater Committee or Stormwater Officer two (2) days prior to commencement of construction. In addition, the Applicant must notify the Stormwater Officer two (2) days prior to construction of critical components of any stormwater management structural BMPs.
- c) The Stormwater Committee or Stormwater Officer may require periodic inspections and reporting by the Applicant if deemed necessary by site conditions.
- d) A copy of the approved and signed plans and permits for a General Stormwater Management Permit shall be kept on the construction site at all times.

7.2 Construction Inspections

- a) Upon issuance of any Stormwater Permit, and until issuance of a Stormwater Management Certificate of Compliance, the Stormwater Committee and Stormwater Officer shall be granted the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection.
- b) The Stormwater Committee or Stormwater Officer may inspect the project site at the following stages:

- i. An inspection may be made of erosion and sedimentation controls and signage prior to any land-disturbance to assess overall effectiveness and functioning to protect resources.
 - ii. An inspection may be made of the excavation for the stormwater management system to ensure adequate separation of the stormwater system from ground water and presence of approved soil type.
 - iii. An inspection may be made of the complete stormwater management system, prior to backfilling of any underground drainage or stormwater conveyance structures.
- c) After the stormwater management system has been constructed, all Applicants are required to submit engineered as-built plans for all stormwater management system components. Appendix B, Section 6 of these Rules and Regulations describes the requirements for as-built plans. The Stormwater Committee or Stormwater Officer shall inspect the system to confirm its as-built features and other permit conditions, including final site stabilization.

Section 8: Recordkeeping and Reporting Requirements

- 8.1 The permittee shall record the issued Stormwater Permit and conditions with the Plymouth County Registry of Deeds and the permittee shall provide the Stormwater Committee with the recorded book and page number.
- 8.2 Where required by any Permit issued under these regulations, the owner of the property shall maintain a log of all operation and maintenance activities, including without limitation, inspections, repairs, replacement and disposal (for disposal, the log shall indicate the type of material and the disposal location). This log shall be made available to the Massachusetts Department of Environmental Protection and the Stormwater Committee upon request.
- 8.3 When annual inspection reports are required by the Stormwater Committee, stormwater management systems inspection reports shall be submitted to the Stormwater Committee by January 15th of the following year. Inspection reports for stormwater management systems shall include:
- a) The date of inspection.
 - b) Name of inspector.
 - c) The condition of each BMP, including components such as:
 - i. Pretreatment devices.
 - ii. Vegetation or filter media.
 - iii. Spillways, valves, or other control structures.
 - iv. Embankments and slopes.
 - v. Inlet and outlet channels and structures.
 - vi. Underground drainage.
 - vii. Sediment and debris accumulation in storage and forebay areas (including catch basins).
 - viii. Any nonstructural practices.
 - ix. Any other item that could affect the proper function of the stormwater management system.
 - d) Description of the need for maintenance
 - e) Observations of any physical changes to system in comparison with the approved as-built plan.

- 8.4 The owner(s) of the stormwater management systems, with the exception of those associated with single family dwellings, shall notify the Stormwater Committee of changes in ownership or assignment of financial responsibility.

Section 9: Engineering and Consultant Review Fees

- 9.1 In addition to the filing fee, the Stormwater Committee is authorized to require an Applicant to pay reasonable costs and expenses borne by the Stormwater Committee for specific expert engineering and consultant services deemed necessary by the Commission to review a Stormwater Permit Application. Payment will be required prior to approval.
- 9.2 Any General Permit Application filed with the Stormwater Committee must be accompanied by a completed Engineering Consultant Fee Acknowledgment form. This is to acknowledge that the Applicant is aware that the Application may be subject to Engineering and Consultant Review including, but not limited to, wetland survey and delineation, hydrologic and drainage analysis, wildlife evaluation, stormwater quality analysis, and analysis of legal issues.
- 9.3 Subject to applicable law, any unused portion of Engineering and Consultant Review Fees collected will be returned by the Stormwater Committee to the Applicant within forty-five (45) calendar days of a final invoice by the third-party reviewer.

Section 10: Stormwater Management Certificate of Compliance

- 10.1 No Stormwater Management Certificate of Compliance (SMCC) is required for work approved under an Administrative Stormwater Review Permit, unless the permit was issued with conditions specifying the requirement of a Certificate of Compliance.
- 10.2 After the stormwater management system has been constructed, and before a SMCC is issued for a General Stormwater Management Permit, the permittee shall submit as-built plans detailing the constructed stormwater management systems, structures, and devices as installed. As-built plans shall be stamped by a Registered Professional Engineer indicating that the constructed system has been constructed in accordance with, and meets the requirements of, the General Stormwater Management Permit, including compliance with performance standards and BMPs.
- 10.3 After receipt of the as-built plans and prior to the issuance of a SMCC, the Stormwater Officer or other designee of the Stormwater Committee shall inspect the stormwater management system to confirm its as-built condition. Inconsistencies between the constructed system and the approved plans must be specified on the as-built plan, and it must be shown that the stormwater management system will function properly despite design changes. As-built requirements are included in Appendix B, Section 6 of these Rules and Regulations. The Stormwater Committee shall have the right to require corrections or improvements to the constructed system before issuing a SMCC.
- 10.4 It is the responsibility of the permittee to request, in writing, the issuance of a SMCC from the Stormwater Committee upon completion of the work approved under a General Stormwater Management Permit.
- 10.5 The Stormwater Committee shall issue a SMCC upon written request of the permittee and upon finding that the permit has been complied with.

- 10.6 The permittee shall record the Certificate of Compliance in the Plymouth County Registry of Deeds and the permittee shall provide the Stormwater Committee with the recorded book and page number.

Section 11: Security

As part of any General Stormwater Management permit issued, in addition to any security required by another municipal or state board, agency, or official, the Stormwater Committee may require that the performance and observance of the conditions imposed hereunder be secured wholly or in part by a proper bond or deposit of money. This shall be released in whole or in part upon issuance of a Stormwater Management Certificate of Compliance for work performed pursuant to the Permit.

Section 12: Enforcement

The Board of Selectmen, the Stormwater Committee, the Stormwater Officer, or its designated agent shall enforce the Stormwater By-Law, these Rules and Regulations, and any associated orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

- 12.1 Civil relief. If a person violated the provisions of these Rules and Regulations, the Stormwater By-Law, or any associated regulations, permit, notice, or order issued thereunder, the Board may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
- 12.2 Orders. If the Board determines that a person's failure to follow the requirements of these Rules and Regulations, the Stormwater By-Law, any Regulatory provision issued hereunder, or any authorization issued pursuant to these Rules and Regulations or the By-Law is creating an adverse impact to a water resource, then the Board may issue a written order to the person to remediate the adverse impact, which may include requirements to:
- a) Cease and desist from land-disturbing activity until there is compliance with the By-Law or provisions of an approved Stormwater Management Permit;
 - b) Maintain, install, or perform additional erosion and sediment control measures;
 - c) Perform monitoring, analyses, and reporting;
 - d) Remediate erosion and sedimentation resulting directly or indirectly from land-disturbing activity;
 - e) Comply with the requirements of the Stormwater Management Permit for operation and maintenance of stormwater management systems;
 - f) Remediate adverse impacts resulting directly or indirectly from malfunction of the stormwater management systems; and/or
 - g) Eliminate discharges, directly or indirectly, into a watercourse or into the waters of the Commonwealth.
- 12.3 Remedies Not Exclusive. The remedies listed in these Rules and Regulations and the Stormwater By-Law are not exclusive of any other remedies available under any applicable federal, state, or local law.

Section 13: Severability

The invalidity of any section, provision, paragraph, sentence, or clause of these Rules and Regulations shall not invalidate any other section, provision, paragraph, sentence or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.

Appendix A **Definitions**

APPLICANT

Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision of the Commonwealth or the federal government to the extent permitted by law requesting a stormwater management permit for proposed land disturbing activities.

AUTHORIZED ENFORCEMENT AGENCY

The Town of Middleborough Board of Selectmen, its employees or agents designated to enforce the Stormwater By-Law.

BEST MANAGEMENT PRACTICE (BMP)

An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC)

A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

CLEAN WATER ACT

The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

DEVELOPMENT

The modification of land to accommodate a new use or expansion of use, usually involving construction.

DISCHARGE OF POLLUTANTS

The addition of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

DISTURBANCE OF LAND

Any action that causes a change in the position, location, or arrangement of soil, sand, rock, gravel, or similar earth material.

EROSION

The wearing away of the land surface by natural or artificial forces, such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENTATION CONTROL PLAN

A document containing a narrative, drawings, and details developed by a qualified professional engineer (PE) or a certified professional in erosion and sedimentation control (CPESC), which includes best management practices (BMPs), or equivalent measures designed to control surface runoff and erosion and sedimentation during pre-construction and construction-related land disturbance activities.

GROUNDWATER

Water beneath the surface of the ground.

ILLICIT CONNECTION

A surface or subsurface drain or conveyance which allows an unauthorized discharge of pollutants into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water; and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of the Stormwater By-Law.

ILLICIT DISCHARGE

Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 12 of the Stormwater By-Law. The term does not include a discharge in compliance with an NPDES stormwater discharge permit or a surface water discharge permit, or resulting from fire-fighting activities exempted pursuant to Section 12 of the Stormwater By-Law.

IMPERVIOUS SURFACE

Any material or structure on or above the ground that prevents water from infiltrating the underlying soil. Impervious surface includes, without limitation, roads, paved parking lots, sidewalks, tennis/sports courts, and rooftops.

INFEASIBLE

Not technically possible, or not economically practicable and achievable in light of best industry practices.

INFILTRATION

The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a site.

LAND DISTURBING ACTIVITY

Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

LAND USE OF HIGHER POTENTIAL POLLUTANT LOAD (LUHPPL)

Land uses or activities with higher potential pollutant loadings, as defined in the Massachusetts Stormwater Management Standards, such as auto salvage yards, auto fueling facilities, fleet storage yards, commercial parking lots with high-intensity use, road salt storage areas, commercial nurseries and landscaping, outdoor storage and loading areas of hazardous substances or marinas.

MASSACHUSETTS ENDANGERED SPECIES ACT (MESA)

MGL c. 131A and its implementing regulations, 321 CMR 10.00, which prohibit the taking of any rare plant or animal species listed as endangered, threatened, or of special concern.

MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS

The standards issued by the Department of Environmental Protection, and as amended, that coordinate the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act, MGL c. 131, § 40, and Massachusetts Clean Waters Act,

MGL c. 21, §§ 23 through 56. The policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and controlling the quantity of runoff from a site.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM

The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Middleborough.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT

A permit issued by United States Environmental Protection Agency or jointly with the state that authorizes the discharge of pollutants to waters of the United States.

NEW DEVELOPMENT

Any construction activities or land alteration resulting in earth disturbances on an area that has not previously been developed to include impervious cover.

NON-STORMWATER DISCHARGE

Discharge to the MS4 not composed entirely of stormwater.

OPERATION AND MAINTENANCE PLAN

A plan setting up the functional, financial, and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system or Best Management Practice to ensure that it continues to function as desired.

OWNER

A person with a legal or equitable interest in property.

PERSON

An individual, partnership, association, firm, company, trust, corporation, agency, unincorporated entity, business enterprise, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POLLUTANT

Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, whether originating at a point or nonpoint source, that is or may be introduced into any MS4, sewage treatment works, or waters of the Commonwealth. Pollutants shall include, without limitation:

- A. Paints, varnishes, and solvents;
- B. Oil and other automotive fluids;
- C. Nonhazardous liquid and solid wastes and yard wastes;

- D. Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, accumulations, and floatables;
- E. Pesticides, herbicides, and fertilizers, unless applied in accordance with manufacturer's instructions;
- F. Hazardous materials and wastes; sewage, fecal coliform and pathogens;
- G. Dissolved and particulate metals above the EPA's ambient water quality criteria;
- H. Animal wastes;
- I. Rock, sand, salt, soils, unless applied for the purpose of public safety;
- J. Construction wastes and residues; and
- K. Noxious or offensive matter of any kind.

PRE-CONSTRUCTION

All activity in preparation for construction.

PROCESS WASTEWATER

Water, which during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

RECHARGE

The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

REDEVELOPMENT

Development, rehabilitation, expansion, demolition, or phased projects that disturb the ground surface on previously developed sites.

RUNOFF

Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT

Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION

The process or act of deposition of sediment.

SITE

The area or extent of construction activities, including but not limited to the creation of new impervious cover, improvement of existing impervious cover, or disturbance of existing topography.

SOIL

Any earth, sand, rock, gravel, or similar material.

STORMWATER

Runoff from precipitation or snow melt and surface water runoff and drainage.

STORMWATER COMMITTEE

The Town of Middleborough Stormwater Committee is an agent of the Board of Selectmen. The Stormwater Committee is comprised of the Town Manager, the Department of Public Works Director, The Assistant Highway Superintendent, the Building Commissioner, the Conservation Commission Agent, the Health Officer, and the Town Planner.

SURFACE WATER DISCHARGE PERMIT

A permit issued by the Massachusetts Department of Environmental Protection (MassDEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

TOXIC OR HAZARDOUS MATERIAL OR WASTE

Any material which, because of its quantity; concentration; chemical, corrosive, flammable, reactive, toxic, infectious, or radioactive characteristics; either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as toxic or hazardous under MGL c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.000.

WASTEWATER

Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that, during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product or waste product.

WATERCOURSE

A natural or man-made channel through which water flows, including a river, brook, stream, canal, or underground stream.

WATERS OF THE COMMONWEALTH

All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

WETLANDS RESOURCE AREA

Areas specified in the Massachusetts Wetlands Protection Act, MGL c. 131, § 40.

WETLANDS

Tidal and non-tidal areas characterized by saturated or nearly saturated soils most of the year and specific vegetation that are located between terrestrial (land-based) and aquatic (water-based) environments, including freshwater marshes around ponds and channels (rivers and streams), brackish and salt marshes; common names include “marshes”, “swamps”, and “bogs”. Wetlands shall include all areas defined as such in 310 CMR 10.00 and per the Middleborough Conservation Commission Policy.

Appendix B

Application Procedures for Stormwater Management Permits

Applications for an Administrative Stormwater Review Permit or a General Stormwater Management Permit shall include the materials as specified in this Appendix.

Section 1: Fees

The Stormwater Committee or its designee shall obtain with each submission an Application fee to be collected at the time of Application according to the Fee Schedule as approved by the Board of Selectmen.

Type of Permit	Fee
Administrative Stormwater Review Permit	\$50
General Stormwater Management Permit	
1-4 Acres of disturbance	\$100
5-9 Acres of disturbance	\$150
10-20 Acres of disturbance	\$200
20 or more Acres of disturbance	\$300

Section 2: Signatures

The Applicant must sign the Application.

Section 3: Stormwater Permit Cover Page

All applications for an Administrative Stormwater Review Permit or a General Stormwater Management Permit are required to include the Stormwater Permit Cover Page to determine which Stormwater Permit is appropriate for the Applicant.

All projects which require a Stormwater Permit and are concurrently being permitted through the Conservation Commission, Planning Board, Zoning Board of Appeals, or Board of Selectmen should complete the Stormwater Permit Cover Page and file with the Department permitting the project. No further action is required for these projects unless specified by the Stormwater Committee.

Section 4: Administrative Stormwater Review Permit Submission Requirements

1. One (1) completed Stormwater Permit Cover Page
2. Project Narrative/ Description
 - a. A brief description of the proposed project
 - b. A description of considered and proposed Low Impact Development (LID) BMPs. If no LID BMPs are proposed, the Applicant shall describe why implementation is infeasible
3. A Stormwater Management Site Plan that may be prepared by drafting or hand sketching the following elements:

- a. General Information
 - (1) Title
 - (2) Date
 - (3) Name and Address of record owner and if applicable, the name, address, and telephone number of the engineer or surveyor

 - b. Existing Conditions
 - (1) The site's existing topography with approximate contours at 2-foot intervals for the work area
 - (2) Locations of bodies of water, including wetlands, streams, ponds, etc.
 - (3) Location of existing septic systems and private wells, if present
 - (4) Locations of existing buildings, driveways, walls, etc.
 - (5) Existing trees in the work area over 6-inches in diameter at breast height (dbh) with each designated to remain or be removed
 - (6) Locations of soil tests including test pits, borings, groundwater determinations, and percolation tests with the soil logs and percolation testing results, and/or other soil testing procedures, when available

 - c. Proposed Conditions
 - (1) Proposed grading plan for work area
 - (2) Proposed improvements including location of buildings or other structures, impervious surfaces, utilities, and easements, if applicable. For projects related to single family homes, this shall include house footprint, decks, garages, sheds, sewage disposal systems, roof drainage and storm drainage structures, as applicable, and all areas of existing and proposed impervious areas including tennis courts, swimming pool decks, patios, and driveways, etc. in the work area
 - (3) Locations of all erosion and sedimentation control measures and BMPs
 - (4) Construction details for all erosion and sedimentation controls proposed to be utilized
 - (5) For engineered systems designed to provide drainage or stormwater management, including but not limited to, culverts, drainage outfalls, catch basins, and pervious pavement, provide an appropriate plan detail along with an Operation and Maintenance Plan required to maintain the design element
4. Any other information requested by the Stormwater Committee

Section 5: General Stormwater Management Permit Submission Requirements

1. One (1) completed Stormwater Permit Cover Page
2. Payment of the Application and review fees
3. An Engineering Consultant Fee Acknowledgement signed by the Applicant prior to opening a hearing
4. A Site Inspection Authorization signed by the property owner
5. DEP Stormwater Checklist

6. A Project Narrative that includes a description of the proposed project, how stormwater will be controlled, erosion and sedimentation controls proposed, and an explanation of why the Applicant believes that the plans:
 - a. Meet the Design Standards
 - b. Employ, to the maximum extent practicable, environmentally sensitive site design as outlined in the Massachusetts Stormwater Handbook
 - c. Include square footage summaries indicating square footage of work areas as well as existing, proposed, and net changes in impervious area

7. A Stormwater Management Site Plan prepared as follows:
 - a. General Information
 - (1) Scale not more than 1"=50'. If project sites are large, and overall site plan at 1"=100' is acceptable, but detailed plans must be at or less than 1"=50'. Include graphical scales on all plans
 - (2) A title block shall be included on all plans including the plan title, original date, name and address of record owner and engineer and/or surveyor, address of property, Assessor Map and Parcel ID
 - (3) Include a legend identifying line types and symbols used in plan set
 - (4) Locus map
 - b. An Existing Conditions Plan containing the following:
 - (1) Property lines
 - (2) The existing zoning and land use at the site and abutting properties
 - (3) The location(s) of existing easements
 - (4) The location(s) of existing utilities
 - (5) Existing contours at 2-foot minimum vertical increments. Spot grades for proposed conditions are required when 2-foot contour intervals do not provide sufficient detail to show stormwater flow path and / or more specific detail is needed to demonstrate stormwater flow path
 - (6) Existing landscaping and vegetation including all existing trees within 25-feet of the work area that are over 6-inches in diameter breast height (dbh) and major vegetative cover types, including wooded areas defined by tree line drip line, shrub communities, limits of lawn, and edge of tree canopy
 - (7) Location(s) of existing structures, pipes, swales, and detention ponds
 - (8) Location(s) of bodies of water, including wetlands
 - (9) A delineation of FEMA Special Flood Hazard areas
 - (10) Location(s) of existing septic systems and private wells, if present
 - (11) The location(s) of soil tests and description of soil from test pits performed at the location of proposed stormwater management facilities, including but not limited to soil description, depth to seasonal high groundwater, depth to bedrock, and percolation rates. Soils information shall be based on site test pits logged by a Massachusetts Registered Soil Evaluator
 - (12) The existing vegetation and ground surfaces with runoff coefficients for each

- (13) Stamp and signature of a Professional Engineer (PE) licensed in the Commonwealth of Massachusetts or Professional Land Surveyor (PLS)
- c. A Proposed Conditions Plan containing the following:
 - (1) Property lines
 - (2) Proposed improvements including location of buildings or other structures, utilities, easements, etc., if applicable, and impervious surfaces. For single family homes, plans shall show, at a minimum, house footprint, decks, garages, sheds, sewage disposal systems, roof drainage and stormwater drainage structures, as applicable, and all areas of existing and proposed impervious areas including tennis courts, patios, driveways, etc.
 - (3) FEMA Special Flood Hazard Areas, if applicable
 - (4) Proposed erosion controls and materials to be used (i.e. straw bales, silt fence and straw wattles, etc.) must be indicated on the plan. In projects anticipated to encounter or manage groundwater, provide dewatering contingency plans, details, and locations
 - (5) Limit of work
 - (6) Proposed grading for work area. Proposed contours at 2-foot minimum vertical increments. Spot grades for proposed conditions are required when 2-foot contour intervals do not provide sufficient detail to show stormwater flow path and / or more specific detail is needed to demonstrate stormwater flow path
 - (7) Locations for storage of materials, equipment, soil, snow, and other potential pollutants
 - (8) Location(s) and description of existing stormwater conveyances, wetlands, drinking water resource areas, water resource protection districts, or other critical environmental resource areas on or adjacent to the site or into which stormwater flows
 - (9) Proposed drainage facilities (plan views and details) including drawings of all components of the proposed stormwater management system
 - (10) Proposed landscaping, vegetation, and ground surfaces with runoff coefficients for each. When proposing mitigation areas, a table on the plan shall indicate plant types and quantities
 - (11) Locations where stormwater discharges to surface water (including all roads, drains, and other structures that could carry stormwater to a wetland or other water body, on or offsite)
 - (12) A general construction note that states that the Stormwater Committee shall be notified prior to work in accordance with project permits
 - (13) Stamp and signature of a Professional Engineer (PE) licensed in the Commonwealth of Massachusetts to certify that the Stormwater Management Plan is in accordance with the criteria established in the Stormwater Rules and Regulations; a stamp and signature of a Professional Land Surveyor (PLS) is acceptable if no drainage facilities are proposed and they have the experience and capability to prepare the required Site Plan and to provide the required existing and proposed grading and erosion control provisions
8. A Stormwater Management Report shall be prepared in conformance with the Massachusetts Stormwater Handbook, the design standards outlined in the Town of Middleborough Stormwater By-Law Article III, these Rules and Regulations, and contain the following elements:
 - a. The existing site hydrology
 - b. A drainage area map showing pre- and post-construction watershed boundaries, drainage area and stormwater time of concentration (Tc) flow paths, including drainage system flows

- c. Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the 2-, 10-, 25-, and 100-year design storms
 - d. The Applicant is required to submit a complete copy of the Stormwater Pollution Prevention Plan (SWPPP) per the General Permit for Stormwater Discharges from Construction Activities (including the signed Notice of Intent and approval letter) as part of the Application. The Applicant may submit the complete copy of the SWPPP after submittal of the Stormwater Permit Application, but prior to construction commencement
9. Post Construction Operation and Maintenance Plan (O&M)
- a. The Post-Construction O&M Plan shall be a stand-alone document, and shall remain on file with the Stormwater Committee and shall be an ongoing requirement. The O&M plan shall apply to the entire project site, not just the disturbance area
 - b. The Post-Construction O&M Plan shall include, at a minimum:
 - (1) The name(s) of the owner(s) for all components of the system and emergency contact information
 - (2) The signature(s) of the owner(s)
 - (3) The names and addresses of the person(s) currently responsible for O&M
 - (4) An Inspection and Maintenance Schedule for all stormwater management facilities including routine and non-routine maintenance tasks to be performed
 - (5) A reduced size plan or map clearly showing the location of the systems and facilities including easements, catch basins, manholes/access lids, main, and stormwater devices.
 - (6) O&M inspection log form
 - (7) Provisions for the Stormwater Committee, Stormwater Officer, or its designee to enter the property at reasonable times and in a reasonable manner for the purpose of inspection
10. The Applicant shall provide the following copies:
- a. An electronic (PDF) version of the complete General Stormwater Management Permit Application package sent to the Stormwater Committee at stormwatercommittee@middleborough.com
 - b. Additional copies may be requested by the Stormwater Committee

Section 6: As-Built Plan Requirements

After the stormwater management system has been constructed, all Applicants are required to submit engineered as-built plans for all stormwater management system components. The as-built plan must contain the following:

- (1) Property lines
- (2) As-built improvements including location of buildings or other structures, utilities, easements, etc., if applicable, and impervious areas. Changes between the original design plan and the as-built improvements must be clearly marked
- (3) Final grading within the work area. As-built contours at 2-foot minimum vertical increments. Spot grades for as-built conditions are required when 2-foot contour intervals do not

provide sufficient detail to show stormwater flow path and / or more specific detail is needed to demonstrate stormwater flow path

- (4) As-built drainage facilities (plan views and details) including drawings of all components of the stormwater management system. Changes between the original design plan and the as-built system must be clearly marked
- (5) Stamp and signature of a Professional Engineer (PE) licensed in the Commonwealth of Massachusetts to certify that the constructed stormwater management system is in accordance with the criteria established in the Stormwater Rules and Regulations

Stormwater Permit Application Cover Page

General Information

- 1. Applicant _____
Address _____ Town _____ State _____ Zip _____
Phone # _____ Email _____

- 2. Owner _____
Address _____ Town _____ State _____ Zip _____
Phone # _____ Email _____

- 3. Representative (if any) _____ Firm _____
Address _____ Town _____ State _____ Zip _____
Phone # _____ Email _____

Project Site Information

- 1. Street Address _____

- 2. Assessors Map / Block # _____ Parcel Lot # _____

- 3. Registry of Deeds Recording Information: Book _____ Page _____

- 4. Registered Land Court Certificate # _____

- 4. Project Description (attach extra pages if needed)

- 5. Plan references (attach)

Type of Stormwater Permit Requested

- 1. Size of property _____ (sf or acres)
- 2. Area of land disturbance proposed _____ (sf or acres)
- 3. Is this project currently being reviewed by the Conservation Commission, Planning Board, Zoning Board of Appeals, or Board of Selectmen? _____ (yes or no)
If yes, what application was filed, and with which Department?

Land disturbance altering more than 10,000 square feet and less than one acre requires as Administrative Stormwater Review Permit.

Land disturbance altering one acre or more requires a General Stormwater Management Permit.

Projects which are concurrently filing with the Conservation Commission, Planning Board, the Zoning Board of Appeals, or the Board of Selectmen are required to submit this cover page to the Department reviewing the project. No further action will be required unless specified by the Stormwater Committee.

Based on these requirements, this project requires (check one):

- General Stormwater Management Permit _____
- Administrative Stormwater Review Permit _____
- N/A, Concurrently Filing with Conservation or Planning _____

Signatures

I hereby certify under the penalties of perjury that this Stormwater Permit Application Cover Page, and any additional foregoing accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

Signature of Applicant _____ Date _____

Signature of Property Owner _____ Date _____

Signature of Representative _____ Date _____

Site Inspection Authorization

As the owner of the property which is the subject of this permit application and listed below, I grant the members and agents of the Middleborough Stormwater Committee the right to enter, inspect, and sample the premises for the following:

- 1. To evaluate site conditions and verify information contained in the application prior to and during the hearing process.
- 2. To monitor the site during construction.
- 3. To verify compliance with the permit after the project's completion.

Signature of Property Owner _____ Date _____

Project Address _____

Engineering Consultant Fee Acknowledgement

This form to be completed and signed by Applicants submitting a General Stormwater Management Permit

I hereby acknowledge that this project application may be subject to engineering and consultant review fees as outlined in Section 9 of the Stormwater Rules and Regulations.

These engineering and consultant review fees are in addition to any filing fees paid as part of the project application. The amount of these fees shall be based upon the time expended by the Stormwater Committee’s consultant in the review of the application and supporting plans and documents. A copy of the consultant’s bill to the Stormwater Committee shall be provided to the applicant upon request.

Engineering and consultant review fees shall be billed to the applicant by the Stormwater Committee. The applicant is responsible for paying any engineering or consultant review fees prior to issuance of any permits by the Stormwater Committee or other Town Departments (pursuant to Chapter 40, Section 57 of the Massachusetts General Laws, which allows a municipality the right to deny the issuance of any permits to any applicant who owes money to the community).

Signature of Applicant _____ Date _____

Project Address _____

Appendix D **Recommended Practices and Controls**

Low Impact Development (LID) strategies use careful site design and decentralized stormwater management to reduce the environmental footprint of new growth and redevelopment. This approach improves water quality, minimizes the need for expensive pipe and pond stormwater systems, and creates more attractive developments. The following are LID strategies and various benefits of implementation.

1. Vegetated filter strips are uniformly graded, vegetated, pretreatment practices designed to treat low volume concentrated flows or sheet flow from adjacent roads, highways, small parking lots, and residential driveways. Vegetated filter strips are designed to decrease runoff velocities, capture sediment, and decrease runoff volumes. Filter strips provide effective treatment when combined with bioretention areas and stream buffers.

Applications

- Pretreat sheet flow from roads, highways, and small parking lots
- Pretreat runoff from residential driveways
- Retrofit options in urban settings
- Side slopes of grass channels or water quality swales to enhance infiltration and remove sediment runoff from small parking lots and roads

Advantages

- Volume & peak flow reduction
- Reduces runoff velocity
- Effective pretreatment for bioretention cells
- Can mimic natural hydrology
- Used as part of runoff conveyance system with other Best Management Practices (BMPs)

Limitations

- Design dictates pollutant removal efficiency
- Effective on drainage areas with less than 6% slopes
- Improper grading can diminish removal efficiency

Maintenance

- Inspect level spreader for sediment buildup and vegetation for signs of erosion
 - Mow grass regularly
 - Reseed eroded and bare vegetated areas to restore surface permeability, increase sedimentation, and prevent creation of concentrated flow
 - Remove trash and debris to prevent creation of concentrated flow
 - Remove accumulated sediment at top of filter strip to maintain appropriate slope and prevent formation of berm.
2. Hydrodynamic Separators are proprietary stormwater BMPs that remove trash, debris, and coarse sediment from incoming flows using screening, gravity settling, and centrifugal forces generated by forcing the influent into a circular motion.

Applications

- Pretreatment only
- Sites with space constraints
- Ultra-urban areas
- Spill

Advantages

- Can be custom-designed to fit specific needs of a specific site
- Smaller footprint required
- Pretreatment device
- Decentralized stormwater treatment
- Ideal for redevelopment or in ultra-urban setting

Limitations

- Must be purchased from a private sector firm
- May require more maintenance
- Performance must be verified by a qualified third party
- No groundwater recharge
- No control of runoff volume

Maintenance

- Inspect and clean in accordance with manufacturer requirements, but no less than twice a year following installation, and no less than once a year thereafter.
- Vactor trucks or manual removal of sediment are typical means used for cleaning these devices

3. Baffle boxes are proprietary concrete or fiberglass structures containing a series of sediment settling chambers separated by baffles.

Applications

- Ideal for retrofits in existing pipes

Advantages

- Good retrofit capability
- Simple and inexpensive
- Good for densely populated urban areas or parking lots
- Relatively small area footprint

Limitations

- Require significant maintenance
- Can re-suspend settled sediment in subsequent storms
- Not designed for nutrient removal
- Not effective at removing finer sediment

Maintenance

- Inspect and clean every 2 to 3 months to dispose of accumulated sediment. If not properly maintained, sediment can re-suspend with subsequent storms. Use vactor trucks to remove sediment
 - Remove stagnant water every 2 to 3 months to prevent odors and mosquito breeding
 - Consult manufacturer for specific maintenance requirements for their product
4. Bioretention areas (sometimes referred to as rain gardens) use soil, plants, and microbes to treat stormwater, prior to infiltrating or discharging to a stormwater conveyance system or best management practice

Applications

- Bioretention areas provide “firstflush” pollutant removal
- Well suited for ultra-urban environments
- Can be integrated into parking lot islands, median strips and traffic islands to treat urban runoff and promote infiltration.
- Can be distributed around a property to enhance aesthetics.

Advantages

- Used in areas with space constraints
- Can provide groundwater recharge
- Improve aesthetics
- Removal of multiple pollutants
- Provides shade, windbreaks, and absorb noise
- Can modify existing landscape – retrofit
- Reduce urban heat island effect

Limitations

- Requires careful landscaping/maintenance
- Not suitable for areas with slope > 20%
- Not suitable for large drainage areas
- Requires pretreatment
- Not suitable where groundwater is within 6 feet of ground surface

Maintenance

- Inspect pretreatment devices and bioretention areas regularly for sediment build-up, structural damage and standing water
- Inspect for erosion and re-mulch void areas on a monthly basis (or as necessary)
- Remove and replace dead vegetation in spring and fall
- Remove invasive species to prevent from spreading within bioretention area
- Do not store snow in bioretention areas
- Periodically observe function under wet weather conditions

5. Planter boxes are bioretention treatment control measures that are completely contained within an impermeable structure with an underdrain (they do not infiltrate).

Applications

- Most commonly used in urban areas adjacent to buildings

Advantages

- Small footprint and simple design and construction
- Aesthetically pleasing
- Combines stormwater treatment with runoff conveyance
- Volume & peak flow reduction

Limitations

- Vegetative maintenance required
- Treats small volumes and contributing area
- Must be constructed with underdrain system to convey excess water

Maintenance

- Inspect for erosion and repair areas
- Remove accumulated fine sediments, dead leaves and trash to restore surface permeability
- Eradicate weeds and prune back excess plant growth that interferes with facility operation
- Periodically observe function under wet weather condition

6. Tree box filters are a proprietary biotreatment device that is designed to mimic natural systems such as bioretention areas by incorporating plants, soil, and microbes.

Applications

- Commonly used in densely urbanized areas such as along roads, highways, sidewalks and parking lots

Advantages

- Reduces volume and rate of runoff
- Smaller footprint required
- May be used as pretreatment device
- Provides decentralized stormwater treatment
- Ideal for redevelopment or in ultra-urban setting

Limitations

- Vegetative maintenance required
- Treats small volumes
- Treats small tributary areas

Maintenance

- Annually check tree
 - Rake media surface at least twice a year to maintain permeability
 - Replace media when tree is replaced (every 5 to 10 years) to restore permeability and pollutant removal efficiency
 - Remove accumulated trash and debris to restore permeability
7. A constructed stormwater wetland is a system designed to maximize pollutant removal through vegetative uptake, retention, and settling.

Applications

- Regional detention and treatment
- Sites without space constraints

Advantages

- Low maintenance cost
- Reduce peak flow rates
- Treatment of large tributary areas
- Removes suspended solids and particulate-bound pollutants
- Provides wildlife habitat
- Aesthetically pleasing

Limitations

- High land requirement
- High capital cost
- Does not provide groundwater recharge
- Potential mosquito habitat if not properly maintained
- Depth to groundwater and bedrock

Maintenance

- Inspect wetland during both the growing and non-growing season during first 3 years after construction is completed to determine dominant wetland plants, presence of invasive wetland species, accumulation of sediment in forebays and micro-pools, and stability of original depth zones.
 - Inspect wetland at least once a year to evaluate health and prevent monocultures of plant species
 - Clean out sediment forebay annually to restore storage volume capacity
 - Clean out sediment in basin/wetland system at least once every 10 years to restore storage volume
8. Sand filters are engineered sand filled depressions that treat stormwater runoff from small tributary areas.

Applications

- Can be used in ultra-urban sites with small drainage areas
- Drainage area can be 100% impervious like parking lots

- Redevelopments/Retrofits

Advantages

- Good retrofit capability
- Long design life if properly maintained
- Good for densely populated urban areas or parking lots
- Relatively small footprint area

Limitations

- Pretreatment required to prevent clogging
- Frequent maintenance required
- Costly to build and install
- Limited removal of dissolved constituents
- May not be effective in winter
- Can be unattractive and create odors

Maintenance

- Inspect filter and remove debris after every major storm for first few months to ensure proper function. Inspect every 6 months thereafter to prevent clogging.
- Rake sand to restore infiltration rates
- Remove sediment and trash that have accumulated on top of sand
- Remove top several inches of discolored media (presence of fine sediments) and replace with clean media to restore filtration removal mechanisms

9. Gravel trenches are long, narrow, gravel-filled trenches, which treat stormwater runoff from small drainage areas. Gravel trenches remove stormwater pollutants through infiltration, sedimentation and filtration.

Applications

- Parking lot, local roads, highways and small residential developments.
- Road shoulders and medians

Advantages

- Provide groundwater recharge
- Preserves natural water balance
- Suitable for small spaces
- High degree of pollutant runoff control

Limitations

- Requires frequent maintenance to prevent clogging
- Restricted to small drainage areas
- Requires depth to groundwater be greater than 2 feet from bottom of trench
- Requires soils that infiltrate

Maintenance

- Remove trash and debris to prevent clogging and restore permeability
- Remove minor sediment accumulations near inlet structure to prevent clogging
- If clogging is observed, remove top layer of pea gravel and sediment capture layer. If slow conditions persist, entire trench may need to be excavated and replaced
- Periodically observe under wet weather conditions to ensure all components are working properly
- Pollutant Removal Efficiencies

10. Dry wells, or seepage pits, are excavated areas filled with gravel and very similar to infiltration trenches. They are designed to receive and treat stormwater runoff from non-metal roofs or metal roofs outside Zone II, Interim Wellhead Protection Area of a public water supply, or an industrial site.

Applications

- Applicable for private and public projects
- Commercial and residential
- Retrofits
- Urban areas adjacent to buildings

Advantages

- Reduce stormwater volume through groundwater discharge
- Efficient removal of trash and sediment
- Simple, low cost

Limitations

- High potential for clogging
- Treats small tributary area
- Can cause structural damage to nearby buildings due to water seepage

Maintenance

- Inspect well at least 4 times a year and after major storm events to ensure that maximum draw down time (72 hours) is not being exceeded
- Clean roof gutters to prevent clogging of dry well
- Replace filter screen as necessary

11. Proprietary Infiltration Device (CULTEC). The CULTEC Contactor® and Recharger® chambers replace conventional stormwater retention/detention systems such as ponds, swales, pipe and stone trenches or beds, or concrete structures. The chambers may be used for drywells.

Applications

- Applicable for private and public projects
- Commercial and residential
- Retrofits
- Urban areas adjacent to buildings

Advantages

- Provides volume reduction and groundwater recharge
- Can reduce downstream flooding
- Efficient removal of trash and sediment
- Can be simple and low cost

Limitations

- High potential for clogging
- Can cause structural damage to nearby buildings due to water seepage
- Standing water creates mosquito breeding potential

Maintenance

- Inspect inlets at least twice a year.
- Remove any debris that may be clogging the device

12. Water quality swales are shallow, open conveyance channels with low-lying vegetation designed to settle out suspended pollutants due to shallow flow depths and slow velocities.

Applications

- Commonly implemented adjacent to highways/roadways
- Applicable for commercial, institutional, and residential purposes
- Retrofit options in urban settings, especially in publicly owned green space

Advantages

- Replace expensive curb and gutter systems
- Can achieve volume and peak flow reduction with proper design
- Reduce driving hazards by keeping stormwater from street surfaces
- Compatible with many LID designs

Limitations

- Can erode during large storms
- Treats small tributary areas
- Not for areas with very flat grades, steep topography, or poorly drained soils
- Higher degree of maintenance than curb and gutter systems

Maintenance

- Inspect during first few months to ensure adequate vegetation growth
- Inspect slopes, soil moisture, vegetative health, soil stability, soil compaction, soil erosion, ponding, and sedimentation of swale at least twice a year to maintain overall integrity and efficiency
- Reseed eroded areas to maintain flow reduction and pollutant removal efficiencies

13. Porous pavement is a permeable alternative to conventional asphalt and concrete and constructed in pedestrian, highly urbanized, or residential settings with low traffic speeds and volumes.

Applications

- Commercial and industrial parking lots
- Urban and residential settings
- Retrofits
- Low-volume, low-speed areas or pedestrian areas
- Porous pavements are often used in sidewalks

Advantages

- Reduces stormwater volume and peak flow rates
- Used as a retrofit in parking lots
- Reduce sediment and particulate bound pollutants

Limitations

- Frequent clogging if not maintained
- No sanding in winter
- Compacting of underlying soils is common
- Limited removal of dissolved constituents when underdrains are used

Maintenance

- Power wash and vacuum sweep area to prevent clogging
- Do not sand or salt during the winter
- Use snowplows with rollers on bottom to prevent damage to porous pavement
- Periodically observe function under wet weather conditions to determine decrease in performance and clogging

14. Disconnecting impervious surfaces from the public stormwater conveyance system and directing runoff to pervious surfaces can reduce stormwater volumes, flow rates, pollutant loadings, and increase groundwater recharge.

Applications

- Single- and multi-residential homes
- Commercial
- Densely urbanized areas

Advantages

- Reduce stormwater volume and flow rates
- Simple, low cost, and highly applicable to many situations
- Groundwater recharge

Limitations

- Discharge must be directed to pervious area through sheet flow

Maintenance

- Compacted soil must be amended, tilled, and re-vegetated to restore infiltration capacity
- Clean gutters annually to prevent clogging or downspouts and pervious areas

15. Cisterns and rain barrels are structural tanks designed to capture stormwater runoff from impermeable surfaces for non-potable use. For uses other than irrigation, a filter system must be implemented.

Applications

- Applicable for private and public projects
- Commercial and residential
- Roof runoff storage
- Dense urban settings
- Retrofits

Advantages

- Use for irrigation and non-potable uses to save money on water utility bill
- Reduce runoff volume entering stormwater conveyance system for small storms
- Simple design and construction
- Small footprint

Limitations

- Provides habitat for mosquitoes if not properly sealed
- Possible cracking of structure during winter months
- Effective implementation requires

Maintenance

- Inspect seal of rain barrel to prevent mosquito breeding and leaks
- Clean gutters and roof catchment to prevent clogging of downspouts
- Inspect overflow pipe to provide proper draining of system during large events
- If above ground, drain system before winter to prevent cracking of tank

16. Green roofs are vegetated roof covers designed to reduce stormwater volumes through storage of precipitation in a soil media layer and increased evapotranspiration. Green roofs decrease the impervious footprint of buildings and help mimic pre-development hydrology.

Applications

- Applicable for private and public projects
- Commercial, industrial, and residential sites
- New construction or retrofits
- Commonly installed on buildings with flat to low-angle rooftops

Advantages

- Reduce stormwater volume and flow rates
- Reduce heating/cooling cost of building

- Conserve space in highly urbanized areas

Limitations

- If a retrofit, requires additional structural analysis of building
- Does not increase groundwater recharge
- May require additional water for irrigation of plants. Irrigation no functional in winter

Maintenance

- Add additional mulch, irrigate, weed, and prune plants as necessary to preserve life of roof and established plants
- Remove wooded plants that may become established to preserve roof integrity
- Fertilize intensive green roofs to support growth of plants

17. Infiltration basins are stormwater impoundments, over permeable soils with vegetated bottoms and side slopes. Infiltration basins are designed to reduce stormwater volumes through exfiltration and groundwater recharge.

Applications

- Contributing drainage area between 2 and 15 acres
- Suitable for sites with gentle slopes, permeable soils, relatively deep groundwater table

Advantages

- Volume reduction
- Groundwater recharge
- Reduces local flooding
- Provides peak flow attenuation
- Can use near cold-water fisheries

Limitations

- Requires pretreatment
- Requires large pervious area
- High maintenance requirement; clogging potential is high
- Not for treating high loads of sediment or other pollutants

Maintenance

- Develop and implement an aggressive maintenance and operations plan
- Inspect basin and pretreatment device after major storms to ensure it is functioning properly, for the first few month's post construction
- Inspect, at a minimum, twice a year for cracking, erosion, leakage in embankments, tree growth, condition of riprap, sediment accumulation, health of turf and signs of differential settlement
- Mow buffer area, side slopes, and basin bottom at least twice a year
- Remove trash and debris to prevent clogging
- Remove sediment from basin as necessary to prevent clogging

Appendix E **Sump Pump Registration**

General Information

Sump pumps remove groundwater from below building foundations to prevent water damage to the building. Groundwater collected by sump pumps must discharge to the ground surface outside of the building, a storm drain, a sump pump collection system, or a natural outlet.

If a sump pump is frequently operating, rain may have caused the groundwater to rise and flow into the sump pump pit. In some cases, the groundwater may remain high and cause the sump pump to run continuously. The sump pump hose outside must be connected and the end of the hose far enough away from the building to prevent recycling of discharge water.

Nuisance Conditions

Sump pump discharge can create nuisance conditions. For example, algae buildup in the summer and serious icing conditions in the winter. Sump pump water shall not be discharged into Middleborough streets (without registration) as it reduces the life of the street surface and increases maintenance costs for the Town. Sump pump discharges across sideways can also cause nuisance conditions. Sump pump discharge should not flow across the homeowner's property line onto a neighbor's property.

Acceptable Locations for Sump Pump Discharge

Frequently moving the sump pump hose around the yard should prevent some nuisance conditions.

Directing discharge from sump pumps to the Town's Municipal Storm Sewer System (MS4) can alleviate many of the problems that may arise. Registration is required through the Stormwater Committee prior to directing sump pump discharge into the Town's MS4.

Sump Pump Regulations

Per Section 13 of the Middleborough Stormwater By-Law:

“All sump pumps discharging into the MS4 shall be registered with the authorized enforcement agency. If, for reasons of protecting public health or the environment, the authorized enforcement agency deems it necessary, disconnection of a sump pump(s) or pre-treatment of discharge may be required. Sump pump discharge shall not create hazards in public ways, nor cause ponding or erosion on adjacent properties. If a sump pump is creating hazards or causing ponding, erosion, or other nuisance conditions, it shall be tied into the MS4 after obtaining the required registration through the enforcement agency. Registration procedures are specified in the Stormwater Rules and Regulations.”

Sump Pump Registration

Prior to connecting a residential sump pump to the Town's MS4, the homeowner must register with the Stormwater Committee's Stormwater Officer, or its authorized designee. Additionally, if a Town official notices that a sump pump is causing a nuisance conditions, they may refer the homeowner to the Stormwater Committee and require registration. The Registration form is on Page D-2 of this document. Contact the Department of Public Works for more information.

Sump Pump Registration

1. Applicant/ Homeowner Name _____
2. Street Address _____
3. Phone # _____ 4. Email _____
4. Description of existing sump pump discharge, and why a connection to the MS4 is appropriate

5. Plan or sketch indicating the proposed drain location, pipe sizes, and other pertinent details (attach separate plan if necessary)

6. Homeowner/Applicant Signature _____ Date _____

The Section Below is to be Completed by a Stormwater Officer and Returned to Homeowner

This Sump Pump Registration is approved or denied (circle one) by the Stormwater Officer on behalf of the Middleborough Stormwater Committee.

Comments/ Conditions of Approval:

Signature of Stormwater Officer _____ Date _____

Appendix F
Approval and Standard Conditions for
General Stormwater Management Permit

Approval

This General Stormwater Management Permit is issued by the Stormwater Officer on behalf of the Middleborough Stormwater Committee for work proposed at:

Street Address _____

Assessors Map / Block # _____ Parcel Lot # _____

This Permit expires on _____. Extensions must be requested 60 days prior to expiration.

The Applicant is required to review the attached Standard Conditions for the issued permit, and any additional Special Conditions.

Signature of Stormwater Officer _____ Date _____

Standard Conditions

Failure to comply with all conditions stated herein, and with all related statues and other regulatory measures, shall be deemed cause to revoke or modify this Permit.

1. This Permit does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
2. This Permit does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
3. The work authorized hereunder shall be completed within three years from the date of this Permit unless the time for completion has been extended to a specified date more than three years from the date of issuance and both that date and the special circumstances warranting the extended time period are set forth in this Permit.
4. This Permit may be extended by the issuing authority for one or more periods of up to three years each upon Application to the issuing authority at least 60 days prior to the expiration date of the Permit.
5. No work shall be undertaken until all appeal periods from this Permit have elapsed or, if such an appeal has been filed, until all proceedings have been completed.

6. A copy of the Permit shall be kept on-site at all times during construction. All contractors and subcontractors engaged during construction shall be provided with a copy of this Permit and all supporting documents before commencing work.
7. Prior to the Pre-Construction Meeting and commencement of any activity on this site, the Applicant shall provide surety to the Town of Middleborough in an amount and form satisfactory to the Stormwater Committee, pursuant to Section 11 of the Middleborough Stormwater Rules and Regulations, providing for the completion of the work authorized under this Permit in accordance with the submitted Application/plans, this Permit, and all applicable regulations, including the Stormwater Management By-Law and the Stormwater Management Rules and Regulations. Such security shall be given subject to a written agreement setting forth the terms governing the provision, use, and return of the security, and signed by the Stormwater Committee, the Applicant and property owner, and the party providing such surety. Provision shall be made as necessary for performance of any conditions which are of a continuing nature. The Applicant may propose a bond or deposit release schedule.
8. The Applicant shall provide the Stormwater Committee a forty-eight (48) hour notice, in writing, before starting any work authorized or required by this Permit.
9. Prior to the start of work, the Applicant shall install erosion and sedimentation controls in accordance with approved design.
10. After installation of erosion and sedimentation controls, but prior to the commencement of any other site work authorized or required by this Permit, a pre-construction meeting must be held with the Stormwater Committee's Agent, the Applicant, and the person and/or contractor engaged to install the stormwater management system. This is to ensure that all aspects of the Permit are fully understood, particularly the necessity to install the system in accordance with the approved design details.
11. Accepted engineering and construction industry standards of workmanship, materials, and procedures shall be followed to the completion of the project in a proper, substantial, and workman-like manner. Engineering and construction shall be provided in a manner consistent with the level of care and skill ordinarily exercised by those providing services under similar circumstances, and all work must abide by all current Federal, State, and Local regulations and codes regarding engineering and construction.
12. The Contractor shall clean up at least daily, all refuse, rubbish, scrap and surplus materials, debris, and unneeded construction equipment resulting from the construction operations. The site of the work and the adjacent areas shall be kept in a neat and orderly condition. Sediments that might be deposited on streets adjacent to the site shall be swept up daily.
13. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
14. All loam to be used in the landscaped areas of the site shall be from sources certified to be free from weed seeds, especially those of invasive species.
15. All excavated earth material not used during the course of this project and all construction waste and debris shall be removed from the site and disposed of in accordance with applicable regulations.
16. The Applicant shall immediately control any erosion problems that occur on-site, and shall notify the Stormwater Committee of said problems. If any erosion problems occur it may become necessary to install additional erosion and sedimentation controls in association with this project.

17. Following completion of work, the Applicant shall request, in writing, that a Stormwater Management Certificate of Compliance be issued. The request shall state that stormwater management system has been satisfactorily installed and the site has been adequately stabilized.
18. After completion of construction, fertilizers utilized for landscaping and/or lawn care shall be organic in nature and of the low phosphorus content variety. Fertilizers shall be used in moderation.
19. The work shall also conform to the attached Special Conditions: