



# **Town of Walpole REGULATIONS**

## **Stormwater Management and Erosion Control Bylaw** (Approved 11/14/07, rev. 6/26/2019, 10/27/2021)

These Regulations were adopted for implementation of the Stormwater Management and Erosion Control Bylaw, General Bylaws Part II, Chapter 499-13 through 30 (town meeting vote on May 7, 2022, approved by the Attorney General July 21, 2022, and filed with the Town Clerk on July 22, 2022 by the Walpole Conservation Commission.

### Table of Contents

Section 1. Purpose
Section 2. Definitions
Section 3. Authority
Section 4. Administration
Section 5. Applicability
Section 6. Fast Track Permit Procedures and Standards
Section 7. Land Disturbance Permit and Procedure
Section 8. Stormwater Management Plan for Land Disturbance Permit Applications
Section 9. Erosion and Sedimentation Control Plan for Permit Applications
Section 10. Operation and Maintenance Plan for Permit Applications
Section 11. Inspection and Site Supervision for Permit Applicants
Section 12. Surety for Projects Requiring Permits
Section 13. Final Reports for Projects Requiring Permits
Section 14. Certificate of Completion for Projects Requiring Permits
Section 15. Enforcement
Section 16. Fees and Application



## Section 1. Purpose

The purpose of these Regulations is to implement the Stormwater and Erosion Control Bylaw (“Stormwater Bylaw”) by providing detailed requirements to comply with the Bylaw when applying for a Land Disturbance Permit and/or Fast Track Permit.

## Section 2. Definitions

**ABUTTER:** The owner(s) of land adjacent to regulated activity.

**ALTERATION OF DRAINAGE CHARACTERISTICS:** Any activity on an area of land that changes the water quality, force, direction, timing or location of runoff flowing from the area. Such changes include: change from distributed runoff to confined or discrete discharge, change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

**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 Land Disturbance Permit and/or Fast Track Permit for proposed land-disturbance activity.

**AS-BUILT DRAWING:** Drawings that completely record and document applicable aspects and features of conditions of a project following construction using Stormwater Management Plans derived from a Land Disturbance Permit.

**BEST MANAGEMENT PRACTICE (BMP):** An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

**CERTIFICATE OF COMPLETION (COC):** A document issued by the Stormwater Authority after all construction activities have been completed, which states that all conditions of an issued Land Disturbance Permit have been met and that a project has been completed in compliance with the conditions set forth in the permit.

**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.

**CLEARING:** Any activity that removes the vegetative surface cover.

## COMMON PLAN OF LAND AND/OR REDEVELOPMENT

A contiguous area where separate and distinct construction activities (new or redevelopment) may be taking place at different times on different schedules. Permit coverage is required if activities result in disturbance of land in excess of the thresholds as stated in the Stormwater Bylaw section 499-16 regardless of the size of the individually owned, developed, or redeveloped sites. For example, if a developer buys a 20-acre lot and builds roads with the intention of building homes or other structures in the future, or if the land is parceled off or sold, and construction occurs on lots that are less than 40,000 s.f. by separate, independent builders, these activities would still be subject to stormwater permitting requirements. A larger common plan of



development or sale applies to various types of land development including but not limited to residential, commercial or industrial use.

**CONSTRUCTION AND WASTE MATERIALS:** Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction site that may adversely impact water quality.

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

**DISCHARGE OF POLLUTANTS:** The addition from any source 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; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters; involves clearing and grading; or results in an alteration of drainage characteristics.

**DRAINAGE EASEMENT:** A legal right granted by a landowner to a grantee allowing the use of private land for stormwater management purposes.

**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 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, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbing activities.

**EROSION CONTROL:** The prevention or reduction of the movement of soil particles or rock fragments due to stormwater runoff.

**ESTIMATED HABITAT OF RARE WILDLIFE AND CERTIFIED VERNAL POOLS:** Habitats delineated for state-protected rare wildlife and certified vernal pools under the Wetlands Protection Act Regulations (310 CMR 10.00, *et seq.*) and the Forest Cutting Practices Act Regulations (304 CMR 11.00, *et seq.*).

**FAST TRACK PERMIT:** Permit issued by the Stormwater Authority for a land disturbance activity that does not require a Land Disturbance Permit because of its size and/or scope.

**GRADING:** Changing the level or shape of the ground surface.

**GROUNDWATER:** Water beneath the surface of the ground.

**GRUBBING:** The act of clearing land surface by digging up roots and stumps.

**HAZARDOUS MATERIAL:** 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 40.0000.

**ILLCIT DISCHARGE:** Direct or indirect discharge to the municipal storm drain system or into a watercourse or the waters of the Commonwealth that is not composed entirely of stormwater, except as in Article XXVIII of the General Bylaws, Illicit Discharge Bylaw §499-7 (B) Exemptions.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious Surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.

**IMPOUNDMENT:** A stormwater pond created by either constructing an embankment or excavating a pit which retains a permanent pool of water.

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

**LAND DISTURBANCE PERMIT:** A permit issued by the Stormwater Authority pursuant to the Stormwater Bylaw prior to commencement of Land Disturbing Activity or Redevelopment.

**LAND-DISTURBING ACTIVITY:** Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters; involves clearing and grading; or results in an Alteration of Drainage Characteristics.

**LAND USE WITH HIGHER POTENTIAL POLLUTANT LOAD (LUHPPL):** Land uses such as auto salvage yards, auto fueling facilities, exterior fleet storage yards, vehicle service and equipment cleaning areas, commercial parking lots with high intensity use, road salt storage areas, outdoor storage and loading areas of hazardous substances, confined disposal facilities and disposal sites, marinas, boat yards or other uses as identified by the Massachusetts Stormwater Handbook.

**LOT:** An individual tract of land as shown on the current Assessor's Map for which an individual tax assessment is made. For the purposes of these regulations, a lot also refers to an area of a leasehold on a larger parcel of land, as defined in the lease agreement and shown by approximation on the Assessor's Map.

**MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS:** The performance standards as further defined by the Massachusetts Stormwater Handbook, 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 G.L. c. 131 § 40 and Massachusetts Clean Waters Act G.L. c. 21, §§ 23-56 to prevent or reduce pollutants from reaching water bodies and control 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 Walpole.



**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT:** A permit issued by United States Environmental Protection Agency or jointly with the Commonwealth of Massachusetts that authorizes the discharge of pollutants to waters of the United States.

**NONPOINT SOURCE POLLUTION:** Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and man-made pollutants finally depositing them into a water resource area.

**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 to ensure that it continues to function as designed.

**OUTFALL:** The point at which stormwater flows out from a point source discernible, confined and discrete conveyance into Waters of the Commonwealth.

**OWNER:** A person with a legal or equitable interest in property.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, 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.

**POINT SOURCE:** Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

**PRE-CONSTRUCTION:** All activity in preparation for construction.

**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 sewage treatment works, watercourse or Waters of the Commonwealth. Pollutants include, but are not limited to:

- 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, ordnance, accumulations and floatables;
- E. Pesticides, herbicides, and fertilizers;
- F. Hazardous materials and wastes;
- G. Sewage, fecal coliform and pathogens;
- H. Dissolved and particulate metals;
- I. Animal wastes;
- J. Rock, sand, salt, soils;
- K. Construction wastes and residues; and





L. Noxious or offensive matter of any kind.

**PRIORITY HABITAT OF RARE SPECIES:** Habitats delineated for rare plant and animal populations protected pursuant to the Massachusetts Endangered Species Act (M.G.L. c. 131A) and its regulations.

**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 or increase the impervious area on previously developed sites. The creation of new areas of impervious surface or new areas of land disturbance on a site constitutes Development, not Redevelopment, even where such activities are part of a common plan which also involves Redevelopment.

**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:** Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

**SLOPE:** The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

**SOIL:** Any earth, sand, rock, gravel, or similar material.

**STABILIZATION:** The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

**STORMWATER AUTHORITY:** Walpole Conservation Commission or its authorized agent(s).

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

**STORMWATER MANAGEMENT PLAN:** A document containing narrative, drawings, details and reporting requirements developed by a qualified professional engineer (PE), which describes structural and non-structural best management practices designed to control the discharge of pollutants from impervious surfaces and onsite activities as well as the volume and peak rate of surface runoff from a site on an ongoing basis after construction has been completed.

**STRIP:** Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

**TOTAL MAXIMUM DAILY LOAD or TMDL:** the greatest amount of a pollutant that a water body can accept and still meet water quality standards for protecting public health and maintaining the designated beneficial uses of those waters for drinking, swimming, recreation, and fishing. A TMDL is also a plan, adopted under the Clean Water Act, specifying how much of a specific pollutant can come from various sources, including stormwater discharges, and identifies strategies for reducing the pollutant discharges from these sources so as not to violate Massachusetts surface water quality standards. (314 CMR 4.00, *et seq.*)

**TOTAL SUSPENDED SOLIDS or TSS:** Undissolved organic or inorganic particles in water.

**VERNAL POOLS:** Temporary bodies of freshwater which provide critical habitat for a number of vertebrate and invertebrate wildlife species.



**WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook 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 and Waters of the United States as defined under the Federal Clean Water Act (33 U.S.C. § 1251, *et seq.*) as hereafter amended.

**WETLAND RESOURCE AREA:** Areas specified in the Massachusetts Wetlands Protection Act G.L. c. 131, § 40 and in the Walpole Wetlands Protection Bylaw (General Bylaws **Chapter 561, Section 9**).

**WETLANDS:** Tidal and non-tidal areas characterized by saturated or nearly saturated soils most of the year 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.



### Section 3. Authority

- A. The Stormwater Regulations have been adopted by the Stormwater Authority in accordance with the **Stormwater Bylaw** ( General Bylaws Section. 499-13 through 30)
- B. The Stormwater Authority may periodically amend these regulations pursuant to Section 499-20 of the Stormwater Bylaw and other relevant provisions of the General Bylaws of Walpole
- C. Nothing in these Regulations is intended to replace or be in derogation of the requirements of the **Walpole Zoning Bylaw, Wetlands Protection Bylaw or Subdivision Control Law** or any other Regulations adopted thereunder.

### Section 4. Administration

- A. The **Conservation Commission** is designated as the Stormwater Authority under the **Stormwater Bylaw** and shall administer, implement and enforce these regulations as per section 499-20 of the Stormwater Bylaw.
- B. Waiver. Following a public hearing on a written waiver request, the Stormwater Authority may waive strict compliance with any requirement of these regulations, where such action is:
  - 1. allowed by federal, state and local statutes and/or regulations;
  - 2. in the public interest; and
  - 3. not inconsistent with the purpose and intent of the Stormwater Bylaw.
- C. The Stormwater Authority may amend these rules and regulations after holding a public hearing. Notice of the time, place and subject matter shall be published in a newspaper of general circulation in **Town of Walpole** once, not less than 14 days before the day of such a hearing.

### Section 5. Applicability

- A. These Regulations shall apply to all activities that individually or as part of a common plan of development and/or redevelopment result in disturbance of land in excess of the thresholds as stated in the Stormwater Bylaw section 499-16.
  - 1. Fast Track Permit requirements apply to Land Disturbing Activity described in Section 499-16 (C) of the Stormwater Bylaw and as required in these Regulations.
  - 2. A Land Disturbance Permit is required for Land Disturbing Activity of 40,000 s.f. or more as stated in section 499-16 (B) of the Stormwater Bylaw.
  - 3. The Stormwater Authority may require a Land Disturbance Permit for a project of any size which has caused or can reasonably be expected to cause or contribute to a violation of State Water Quality Standards or as deemed necessary by the Stormwater Authority for a project which would otherwise require a Fast Track Permit but which has caused or can reasonably be expected to cause stormwater impacts to the Town's municipal storm drain system in an amount similar to those by projects which would otherwise require a Land Disturbance Permit pursuant to Section 499 16 (B) of the Stormwater Bylaw.





B. **Exempt Activities** the following activities are exempt from the requirements of these Regulations and do not require issuance of a permit under these Regulations:

1. Normal maintenance and/or replacement of existing driveways and/or patios;
2. Expansion of a residential driveway and/or patio in such a manner so that no more than 15% or 2,500 s.f., whichever is greater, of the building lot is rendered impervious;
3. Normal maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling;
4. Repair or replacement of septic systems with erosion controls shown on a plan approved by the Board of Health for the protection of public health;
5. The construction of fencing that will not alter existing terrain or drainage patterns;
6. The removal of earth products undertaken in connection with agricultural use if the removal is necessary for or directly related to planting, cultivating or harvesting or the raising or care of animals;
7. Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulations 310 CMR 10.04, *et seq.* and M.G.L. c. 40A, Section 3;
8. The maintenance, reconstruction or resurfacing of any public way; and the installation of drainage structures or utilities within or associated with public ways that have been approved by the appropriate authorities provided that written notice be filed with the Conservation Commission fourteen days (14) prior to commencement of activity; or
9. Normal maintenance of Town owned public land, ways and appurtenances.

## Section 6. Fast Track Permit Procedure and Standards

A. Fast Track Permit shall be required for:

1. Any Land Disturbing Activity ranging from 5,000 s.f. to 39,999 s.f. that will increase the impervious area of a parcel of land, or;
2. Any Land Disturbing Activity ranging from 5,000 s.f. to 39,999 s.f. that will result in a change in drainage patterns and/or an increased amount of stormwater runoff or pollutants flowing from the property directly or indirectly into the Town's Municipal Storm Drain System; and
3. Such activities normally require a Building Permit under the Zoning Bylaw and its revisions and shall meet requirements for erosion controls set forth herein.

B. **Application.** A completed application for a Fast Track Permit shall be filed with the Stormwater Authority simultaneously upon the filing of an application for a Building Permit with the Building Department or prior to starting any other project which does not require a building permit but otherwise requires a Fast Track Permit pursuant to section 499-16.(c). The Fast Track Permit Application package shall include:



1. A completed Application Form with original signatures of all property owners;
2. Narrative describing the proposed work including existing site conditions, proposed work and methods to mitigate any stormwater impacts;
3. Four (4) copies of the plan (one digital copy) that include:
  - a. Existing site features including structures, pavements, plantings, and stormwater management systems etc.
  - b. Proposed work including proposed stormwater management systems and limits of disturbance; and
  - c. Basic erosion and sedimentation controls.

C. Application Requirements and Performance Standards

1. Application Requirements.
  - (a) The application for a Fast Track Permit shall contain sufficient information for the Stormwater Authority to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant to reduce adverse impacts from stormwater runoff during construction, and on a long-term basis.
2. Performance Standards.
  - (a) The first 1.0 inch of runoff from post-construction impervious surfaces ranging from 5,000 s.f. to 39,999 s.f. shall be retained on-site through a combination of infiltration, reuse and/or evaporation, to the maximum extent practicable. When determining whether the requirements have been met, the Stormwater Authority shall consider all stormwater management practices available and capable of being implemented after taking into consideration costs, existing technology, proposed use, and logistics in light of overall project purposes. Project purposes shall be defined generally (*e.g.*, single family home or expansion of a commercial development).  
  
Where it is not technically feasible to retain the first 1.0 inch of runoff from all impervious areas, the Applicant will describe in writing why it is technically infeasible to do so due to physical site constraints, and indicate the volume of runoff to be retained.
  - (b) Control construction period sedimentation and erosion by installation of gravel construction entrances and erosion controls.
  - (c) Avoid disturbance of areas susceptible to erosion and sediment loss.
  - (d) Use Low Impact Development techniques where adequate soil, groundwater and topographic conditions allow. These may include but not be limited to reduction in impervious surfaces, disconnection of impervious surfaces, bioretention (rain gardens), and infiltration systems.



- D. Consent to Entry onto Property. An applicant should consent to entry of the Stormwater Authority or its authorized agents in or on site to verify the information in the application and to inspect for compliance with permit conditions.
- E. Information requests. The applicant shall submit all additional information requested by the Stormwater Authority to issue a decision on the application.
- F. Action by the Stormwater Authority. The Stormwater Authority may:
  - 1. Approve the Fast Track Permit Application if it finds that the proposed plan will protect water resources, not cause or contribute to a violation of State Water Quality Standards, and meets the objectives and requirements of the **Stormwater Bylaw** and these regulations;
  - 2. Approve the Fast Track Permit Application with conditions, modifications or restrictions that the Stormwater Authority determines are required to ensure that the project will protect water resources and meets the objectives and requirements of the **Stormwater Bylaw** and these regulations; or
  - 3. Deny the Fast Track Permit and require submission of a Land Disturbance Permit Application if the project will disturb land beyond Fast Track Permit thresholds and/or in the opinion of the Stormwater Authority, requires more extensive review due to the potential for impermissible stormwater runoff from the site.
- G. Project Changes. The Applicant, or their agent, must notify the Stormwater Authority in writing of any change or alteration of a land-disturbing activity authorized in a Fast Track Permit approval before any change or alteration occurs. If the Stormwater Authority determines that the change or alteration is significant, based on the design requirements listed in Section 8(E) of the Regulations and/or accepted construction practices, the Stormwater Authority may require a Land Disturbance Permit application to be filed. If any change or alteration from the Fast Track Permit approval occurs during any land disturbing activities, the Stormwater Authority may require the installation of interim erosion and sedimentation control measures before approving the change or alteration.

## Section 7. Land Disturbance Permit and Procedure

- A. Application. A completed application for a Land Disturbance Permit shall be filed with the Stormwater Authority. The Land Disturbance Permit Application package shall include:
  - 1. A completed Application Form with original signatures of all property owners;
  - 2. A list of abutters within 300 feet of the property, certified by the Town of Walpole Assessors Office;
  - 3. Three (3) copies each of the
    - a. Stormwater Management Plan;
    - b. Erosion and Sediment Control Plan; and
    - c. Operation and Maintenance Plan.
  - 4. Payment of the application and review fees; and,



5. One (1) copy each of the Application Form and the list of abutters filed with the Town Clerk.
- B. The remainder of the Land Disturbance Permit Procedures include those described in Section 499- 21 of the Stormwater Bylaw.

### **Section 8. Stormwater Management Plan for Land Disturbance Permit Applications**

- A. The application for a Land Disturbance Permit shall include a Stormwater Management Plan. The Stormwater Management Plan shall contain sufficient information for the Stormwater Authority to evaluate the environmental impact, effectiveness, and acceptability of the site planning process and the measures proposed by the applicant to reduce adverse impacts from stormwater runoff during construction, and post-construction in the long-term.
- B. The Stormwater Management Plan shall fully describe the project in narrative, drawings, and calculations. It shall at a minimum include:
  1. Contact Information. The name, address, and telephone number of all persons having a legal interest in the property and the tax reference number and parcel number of the property or properties affected;
  2. Narrative describing:
    - (a) Purpose;
    - (b) Methodologies and assumptions;
    - (c) Existing and proposed uses and conditions;
    - (d) Project impacts and mitigation techniques including:
      - i. Summary of proposed land area to be cleared, proposed impervious area, work within proximity of regulated wetland resource areas, aquifer protection zones, earthwork within 4 feet of seasonal high groundwater elevations, and other sensitive environmental areas;
      - ii. Low Impact Development (LID) techniques considered for this project and an explanation as to why they were included or excluded from the project;
      - iii. Proposed best management practices;
      - iv. Identifying the immediate down gradient waterbody(s) that stormwater runoff from the project site discharges to, EPA's waterbody assessment and TMDL and/or impairment status of the waterbody(s), and the LIDs and BMP's included in the project to address the pollutant(s) of concern;
    - (e) Summary of pre- and post-development peak rates and volumes of stormwater runoff demonstrating no adverse impacts to down-gradient properties, stormwater management systems and wetland resources; and
    - (f) Conclusions



### 3. Plans

- (a) Portion of the USGS Map indicating the site locus and properties within a minimum of 500 feet of project property line;
- (b) Existing conditions and proposed design plans showing:
  - i. Buildings and/or structures including materials, approximate height;
  - ii. Utilities including size, material and invert data; and
  - iii. Regulated wetland resource areas within proximity of the site
- (c) Stormwater management design plan(s) and details showing:
  - i. Location, size, material, inverts data and details for all existing and proposed stormwater management system components including structures, pipes, swales, detention, retention, and infiltration systems and any other Low Impact Development techniques or BMPs;
  - ii. Profiles of drainage trunk lines; and
  - iii. Drainage easements;
- (d) Separate Pre- and Post- Condition Watershed Plans indicating:
  - i. Structures, pavements, surface vegetation and other ground cover materials;
  - ii. Topography sufficient to delineate watershed areas;
  - iii. Point(s) of analysis;
  - iv. Watershed areas including upgradient areas that contribute stormwater flow onto the project site, labeled to be easily identified in calculations. Total pre and post watershed areas should be equivalent;
  - v. Breakdown summary of various surface conditions by soil hydrologic group rating; and
  - vi. Flow path for time of concentration ( $T_c$ ) calculation.

### 4. Calculations

- (a) Hydrologic calculation to determine pre and post peak rates and volumes of stormwater runoff for 2, 10, 25 and 100 year 24 hour storm events (see Section 8 (E)(9) of these Regulations for rain data specifications);
- (b) Groundwater recharge calculations and BMP drawdown (time to empty);
- (c) Water quality calculations including (if applicable):
  - i. TSS removal calculation for each watershed;
  - ii. Specific BMPs utilized in critical areas;



- iii. Specific BMPs utilized for land uses of higher potential pollutant loads; and
  - iv. Specific treatment for pollutant causing impairment of down-gradient waterbody identified by U.S. Environmental Protection Agency and Massachusetts Department of Environmental Protection.
  - (d) Hydraulic calculations to size drainage pipes, swales and culverts; and
  - (e) Supplemental calculations for sizing LID and BMPs and addressing impairments to water bodies.
5. Soil mapping and test data;
6. Massachusetts Department of Environmental Protection Checklist for Stormwater Report completed, stamped and signed by 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 Massachusetts Stormwater Management Standards, Walpole Stormwater Management and Erosion Control Bylaw and these Regulations; and
7. Any other information requested by the Stormwater Authority.
- C. General Performance Standards for All Sites.
- 1. Low Impact Development and Green Infrastructure site design strategies shall be utilized to preserve existing natural features of the site, minimize the creation of impervious surfaces and manage stormwater in a decentralized fashion, to the maximum extent feasible.
  - 2. The selection, design and construction of all pre-treatment, treatment and infiltration BMPs shall be in accordance with Massachusetts Stormwater Handbook and shall be consistent with all elements of the Massachusetts Stormwater Standards including but not limited to those regarding new stormwater conveyances, peak runoff rates, recharge, land uses with higher potential pollutant loads, discharges to Zone II or interim wellhead protection areas, sediment and erosion control, and illicit discharges.
  - 3. The first 1.0 inch of runoff from all post-construction impervious surfaces shall be retained on-site through a combination of infiltration, reuse and/or evaporation, to the maximum extent practicable. When determining whether the requirements have been met, the Stormwater Authority shall consider all stormwater management practices available and capable of being implemented after taking into consideration costs, existing technology, proposed use, and logistics in light of overall project purposes. Project purposes shall be defined generally (*e.g.*, single family home or expansion of a commercial development).
  - 4. Where it is not technically feasible to retain the first 1.0 inch of runoff from all impervious areas, the Applicant will describe in writing why it is technically infeasible to do so due to physical site constraints and indicate the volume of runoff to be retained. If different volumes are retained different areas of the site, each area shall be





described individually. That portion of the required volume which is not retained on-site shall be treated using stormwater BMPs that are optimized for the removal of TSS, total phosphorus, bacteria and pollutants of concern identified in any applicable TMDL or impaired waters designation.

5. All Applicants who do not retain the first 1.0 inch of runoff from all impervious areas shall use EPA's pollutant load reduction estimation tool(s) designated by the Stormwater Authority to document that the proposed BMPs will remove 90% or more of the annual average load of total suspended solids and 60% or more of the average annual load of total phosphorous for all post-construction impervious areas on-site.
- D. **Redevelopment Projects Off-Site Compliance.** For Redevelopment projects where it is not technically feasible to retain or treat the first 1.0 inch of runoff on-site due to physical site restraints, the Applicant will describe in writing why it is not technically feasible to do so, including which on-site treatment BMPs were considered and why they were deemed not feasible. In lieu of requiring the applicant to meet the standards identified in Section 8(C) of these Regulations, the Stormwater Authority may approve a Stormwater Management Plan that includes on-site BMPs that retain at least 0.5 inch of runoff (one inch of runoff for projects involving Land Uses with Higher Potential Pollutant Loads).
- E. **Stormwater Management Design Standards**
1. Projects must be designed to collect and dispose of stormwater runoff from the project site in accordance with Massachusetts Stormwater Management Standards, Walpole Department of Public Works requirements—including those for subdivisions, recognized engineering methodologies and these regulations, with an emphasis to include Low Impact Development techniques in the design.
  2. Projects must manage surface runoff so that no flow is conducted over public ways, nor over land not owned or controlled by the Applicant unless an easement in proper form is obtained permitting such discharge.
  3. Projects must use Low Impact Development techniques where adequate soil, groundwater and topographic conditions allow. These may include but not be limited to reduction in impervious surfaces, disconnection of impervious surfaces, bioretention (rain gardens) and infiltration systems.—The use of one or more Low Impact Development site design measures by the applicant may allow for a reduction in the water quality treatment volume required by these regulations. The applicant may, if approved by the Stormwater Authority, take credit for the use of stormwater Low Impact Development measures to reduce some of the requirements specified in these regulations. The site design practices that qualify for these credits and procedures for applying and calculating credits are identified in the Massachusetts Stormwater Handbook.
  4. Projects must use TR-55 and TR-20 methodologies to calculate peak rate and volume of runoff from pre-development to post-development conditions.



5. Stormwater management systems shall be designed to avoid disturbance of areas susceptible to erosion and sediment loss, avoiding, to the greatest extent practicable: the damaging of large forest stands; building on steep slopes (15% or greater); and disturbing land in wetland buffer zones and floodplains.
6. Watershed area for hydrologic analysis and BMP sizing calculations must include at a minimum the site area and all up-gradient areas from which stormwater runoff flows onto the site.
7. For purposes of computing runoff, all pervious lands in the site are assumed prior to Development to be in “good hydrologic condition” regardless of the conditions existing at the time of the computation.
8. Length of sheet flow used for times of concentration is to be no more than 50 feet.
9. Rainfall data for all Stormwater management BMP calculations shall be from the Northeast Regional Climate Center Extreme Precipitation Tables or NOAA Atlas 14 Precipitation Frequency Estimates: MA.
10. Soil tests to be conducted by a Registered Professional Engineer or Massachusetts Soil Evaluator, performed at the location of all proposed Low Impact Development techniques and BMPs, to identify soil descriptions, depth to estimated seasonal high groundwater, depth to bedrock, and soil texture. Soil test methods shall be approved and witnessed by Walpole Town Engineer.
- 10a. At a minimum (1) one on-site soil test shall be conducted per every 5,000 s.f. of proposed stormwater basin in the location of the proposed basin.
11. The design infiltration rate shall be determined from the on-site soil texture and published Rawls rates or saturated hydraulic conductivity tests.
12. Size drainage pipes to accommodate the 25 year storm event and maintain velocities between 2.5 and 10 feet per second using the Rational Method.
13. Size drainage swales to accommodate the 25 year storm event and velocities below 4 feet per second
14. Size culverts to accommodate the 50 year storm event and design adequate erosion protection. Design stream crossing culverts in accordance with the latest addition of the Massachusetts Stream Crossing Handbook.
15. Size stormwater basins to accommodate the 100 storm event with a minimum of one foot of freeboard
16. All drainage structures are to be able to accommodate HS-20 loading.
17. Catch basins structures are to be constructed as required by the Walpole Town Engineer.
18. Catch basins adjacent to curbing are to be built with a granite curb inlet or as required by the Walpole Town Engineer.



19. Catch basins in low points of road and on roads with profile grades greater than 5 percent are to be fitted with double grates (parallel with curb) or as required by the Walpole Town Engineer.
  20. All drain pipes are to be reinforced concrete pipe or High Density Polyethylene pipe and have a minimum diameter of 12 inches or as required by Walpole Town Engineer.
  21. Outfalls are to be designed to prevent erosion of soils, and pipes 24 inches or larger are to be fitted with grates or bars to prevent ingress.
  22. Drainage easements are to provide sufficient access for maintenance and repairs of system components and be at least 20 feet wide.
  23. Minimize permanently dewatering soils by:
    - (a) Limiting grading within 4 feet of seasonal high groundwater elevation (“SHGWE”);
    - (b) Raising roadways to keep roadway section above SHGWE; and
    - (c) Setting bottom floor elevation of building(s) a minimum of 2 feet above SHGWE.
- F. As-built Plan: Permittees shall submit an as-built plan stamped by a Professional Engineer prior to post-construction discharge of stormwater. The as-built drawings must depict:
1. All on-site controls, both structural and non-structural, designed to manage stormwater associated with the completed site.
  2. Elevations of all structural and non-structural components.
  3. Verify basins’ soil profile and ability to drain as designed.
  4. Verify elevations of basin for each storm event have been met.

## **Section 9. Erosion and Sedimentation Control Plan Requirements:**

- A. The Erosion and Sediment Control Plan shall be designed to ensure compliance with these regulations, the MS4, and if applicable, the NPDES General Permit for Storm Water Discharges from Construction Activities. In addition, the plan shall ensure that the Massachusetts Surface Water Quality Standards (314 CMR 4.00) are met in all seasons.
- B. If a project requires a Stormwater Pollution Prevention Plan (SWPPP) per the NPDES General Permit for Storm Water Discharges from Construction Activities (and as amended), then the applicant is required to submit a complete copy of the SWPPP (including the signed Notice of Intent and approval letter). If the SWPPP meets the requirements of the General Permit, it will be considered equivalent to the Erosion and Sediment Control Plan described in this section.
- C. The Erosion and Sediment Control Plan shall remain on file with the Stormwater Authority. Refer to the latest version of the Massachusetts Erosion and Sediment Control Guidelines for Urban & Suburban Area for detailed guidance.



- D. Erosion and Sedimentation Control Plan Content. The Plan shall contain the following information:
1. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan;
  2. Title, date, north arrow, names of abutters, scale, legend, and locus map;
  3. Location and description of natural features including:
    - (a) Watercourses and water bodies, wetland resource areas and all floodplain information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map, or as calculated by a professional engineer for areas not assessed on these maps;
    - (b) Existing vegetation including tree lines, canopy layer, shrub layer, and ground cover, and trees with a caliper twelve (12) inches or larger, noting specimen trees and forest communities; and
    - (c) Habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species within five hundred (500) feet of any construction activity.
  4. Lines of existing abutting streets showing drainage and driveway locations and curb cuts;
  5. Existing soils, volume and nature of imported soil materials;
  6. Topographical features including existing and proposed contours at intervals no greater than two (2) feet with spot elevations provided when needed;
  7. Surveyed property lines showing distances and monument locations, all existing and proposed easements, rights-of-way, and other encumbrances, the size of the entire parcel, and the delineation and number of square feet of the land area to be disturbed;
  8. Drainage patterns and approximate slopes anticipated after major grading activities (Construction Phase Grading Plans);
  9. Location and details of erosion and sediment control measures with a narrative of the construction sequence/phasing of the project, including both operation and maintenance for structural and non-structural measures, interim grading, and material stockpiling areas;
  10. Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable. When determining whether the requirements have been met, the Stormwater Authority shall consider all stormwater management practices available and capable of being implemented after taking into consideration costs, existing technology, proposed use, and logistics in light of overall project purposes. Project purposes shall be defined generally (*e.g.*, single family home or expansion of a commercial development);
  11. Location and description of industrial discharges, including stormwater discharges from dedicated asphalt plants and dedicated concrete plants, which are covered by this permit;



12. Stormwater runoff calculations in accordance with the Massachusetts Department of Environmental Protection's Stormwater Management Policy;
  13. Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures;
  14. A description of construction and waste materials expected to be stored on-site. The Plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response;
  15. A description of provisions for phasing the project where one acre of area or greater is to be altered or disturbed;
  16. Plans must be stamped and certified by a qualified Professional Engineer registered in Massachusetts or a Certified Professional in Erosion and Sediment Control; and
  17. Such other information as is required by the Stormwater Authority.
- E. Erosion Controls Design Standards. The Sediment and Erosion Control Plan shall be developed to comply with the MS4 and shall meet the following standards:
1. Minimize total area of disturbance;
  2. Sequence activities to minimize simultaneous areas of disturbance;
  3. Minimize peak rate of runoff in accordance with the Massachusetts Department of Environmental Protection Stormwater Standards;
  4. Minimize soil erosion and control sedimentation during construction;
  5. Divert uncontaminated water around disturbed areas;
  6. Maximize groundwater recharge;
  7. Install and maintain all Erosion and Sediment Control measures in accordance with the Massachusetts Erosion and Sedimentation Control Guidelines for Urban and Suburban Areas, manufacturers specifications and good engineering practices;
  8. Prevent off-site transport of sediment;
  9. Protect and manage on and off-site material storage areas (overburden and stockpiles of dirt, borrow areas, or other areas used solely by the permitted project are considered a part of the project);
  10. Comply with applicable Federal, State and local laws and regulations including waste disposal, sanitary sewer or septic system regulations, and air quality requirements, including dust control;
  11. Protect natural resources and prevent significant alteration of habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or Of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species from the proposed activities;
  12. Institute interim and permanent stabilization measures, which shall be instituted on a disturbed area as soon as practicable but no more than 14 days after construction activity has temporarily or permanently ceased on that portion of the site;
  13. Properly manage on-site construction and waste materials, including truck washing and cement concrete washout facilities;
  14. Prevent off-site vehicle tracking of sediments; and





15. Incorporate appropriate BMPs designed to comply with the Massachusetts Stormwater Handbook.

**Section 10. Operation and Maintenance Plan Requirements:**

- A. A stand-alone Operation and Maintenance Plan is required at the time of application for all projects that include structural and non-structural stormwater BMPs. The Operation and Maintenance Plan shall be designed to ensure compliance with the Permit and these regulations for the life of the system. The Operation and Maintenance Plan shall remain on file with the Stormwater Authority and compliance therewith shall be an ongoing requirement. The Applicant shall provide copies of the Operation and Maintenance Plan to all persons responsible for maintenance and repairs.
- B. The Operation and Maintenance Plan shall include:
1. The name(s) of the owner(s) for all components of the system;
  2. A map showing the location of the systems and facilities including all structural and nonstructural stormwater best management practices (BMPs), catch basins, manholes/access lids, pipes, and other stormwater devices. The plan showing such systems and facilities to be privately maintained, including associated easements shall be recorded with the Norfolk County Registry of Deeds prior to issuance of a Certificate of Compliance by the Stormwater Authority pursuant.
  3. Maintenance Agreement with the Stormwater Authority that specifies:
    - (a) The names and addresses of the person(s) responsible for operation and maintenance;
    - (b) The person(s) financially responsible for maintenance and emergency repairs;
    - (c) An Inspection and Maintenance Schedule for all stormwater management facilities including routine and non-routine maintenance tasks to be performed. Where applicable, this schedule shall refer to the Maintenance Criteria provided in the Stormwater Handbook or the EPA National Menu of Stormwater Best Management Practices or equivalent;
    - (d) Instructions for routine and long-term operation and maintenance shall have sufficient detail for responsible parties to perform necessary maintenance activities and prevent actions that may adversely affect the performance of each structural and/or nonstructural stormwater BMP.
    - (e) A list of easements with the purpose and location of each; and
    - (f) The signature(s) of the owner(s) and all persons responsible for operation and maintenance, financing, and emergency repairs, as defined in the Maintenance Agreement, if maintenance is to be performed by an entity other than the owner.
  4. Stormwater Management Easement(s)
    - (a) Stormwater Management easements shall be provided by the property owner(s) as necessary for:





- i. Access for facility inspections and maintenance;
    - ii. Preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100-year storm event; and
    - iii. Direct maintenance access by heavy equipment to structures requiring maintenance.
  - (b) The purpose of each easement shall be specified in the Maintenance Agreement signed by the property owner.
  - (c) Stormwater Management easements are required for all areas used for permanent stormwater control, unless a waiver is granted by the Stormwater Authority.
  - (d) Easements shall be recorded with the Norfolk County Registry of Deeds prior to issuance of a Certificate of Compliance by the Stormwater Authority.
5. Changes to Operation and Maintenance Plans
- (a) The owner(s) of record of the Stormwater Management system must notify the Stormwater Authority of changes in ownership, assignment of Operation and Maintenance responsibilities, or assignment of financial responsibility within 30 days of the change in ownership. The owner of record shall be responsible for Operation and Maintenance activities until a copy of the updated Operation and Maintenance Plan has been furnished to the Stormwater Authority signed by the new owner or any new responsible person.
  - (b) The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of the Stormwater Bylaw by mutual agreement of the Stormwater Authority and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational and/or maintenance responsibility.
6. Enforcement. To ensure adequate long-term operation and maintenance of stormwater management practices the applicants are required to submit, as directed by the Stormwater Authority:
- (a) An annual certification documenting (“Stormwater Maintenance Report”) the work that has been done over the last 12 months to properly operate and maintain the stormwater control measures. The certification shall be signed by the person(s) or authorized agent of the person(s) named in the permit as being responsible for ongoing operation and management;
  - (b) Recording of Operation and Maintenance Plans at the Norfolk Registry of Deeds.
  - (c) The Stormwater Authority may impose noncriminal disposition fines in the amount of a written warning for the first offense, \$100 for a second offense,



and \$300 per day per offense thereafter if the Annual Stormwater Maintenance Report is not filed as required under Section 10 (6)(a).

### **Section 11. Inspection and Site Supervision.**

- A. Pre-construction Meeting. Prior to starting the clearing, excavation, construction, Redevelopment or land disturbing activity, the applicant, the applicant's technical representative, the general contractor or any other person with authority to make changes to the project, may be required to meet with the Stormwater Authority, to review the approved plans and their proposed implementation. The need for a pre-construction meeting shall be determined by the Stormwater Authority based on the project scope.
- B. Stormwater Authority Inspection. The Stormwater Authority or its designated agent shall make inspections as herein required and shall either approve that portion of the work completed or shall notify the applicant wherein the work fails to comply with the Erosion and Sedimentation Control Plan or the Stormwater Management Plan as approved. The approved Erosion and Sedimentation Control Plan and associated plans for grading, stripping, excavating, and filling work, bearing the signature of approval of the Stormwater Authority, shall be maintained at the site during the progress of the work. Prior to requesting inspections, the applicant shall notify the Stormwater Authority at least two (2) working days before each of the following events:
  - (1)Erosion and sedimentation control measures are in place and stabilized;
  - (2)Site clearing has been substantially completed;
  - (3)Rough grading has been substantially completed;
  - (4)Final grading has been substantially completed;
  - (5)Close of the Construction Season; and,
  - (6)Final landscaping (permanent stabilization) and project final completion.
- C. Applicant Inspections. The applicant or his/her agent shall conduct and document inspections of all control measures no less than weekly or as otherwise specified in the permit, and prior to and following anticipated storm events. The purpose of such inspections will be to determine the overall effectiveness of the Erosion and Sedimentation Control Plan, and the need for maintenance or additional control measures as well as verifying compliance with the Stormwater Management Plan. The applicant or his/her agent shall submit monthly reports to the Stormwater Authority or designated agent in a format approved by the Stormwater Authority.

### **Section 12. Surety for projects requiring permits.**

The Stormwater Authority may require the permittee to post before the start of land disturbance activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by Town Counsel and be in an amount deemed sufficient by the Stormwater Authority to ensure



that the work will be completed in accordance with the permit. If the project is phased, the Stormwater Authority may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the Stormwater Authority has received the final report as required by Section 13 of these Regulations and issued a certificate of completion pursuant to Section 14 of these Regulations.

### **Section 13. Final Reports for projects requiring permits**

Upon completion of the work, the permittee shall submit a report (including certified as-built construction plans) from a Professional Engineer (P.E.), surveyor, or Certified Professional in Erosion and Sediment Control (CPESC), certifying that all erosion and sediment control devices, and approved changes and modifications, have been completed in accordance with the conditions of the approved permit. Any discrepancies should be noted in the cover letter.

### **Section 14. Certificate of Completion for projects requiring permits.**

The Stormwater Authority shall issue a letter certifying completion upon receipt and approval of the final reports and/or upon otherwise determining that all work has been conducted in conformance with these regulations and the Stormwater Management Permit conditions.

### **Section 15. Enforcement**

- A. The Stormwater Authority, including its employees and/or duly appointed agents, shall enforce these regulations, orders, violation notices, and/or enforcement orders issued pursuant thereto, and may pursue all civil and criminal remedies for such violations.
- B. In the event that any person holding a Land Disturbance Permit and/or Fast Track Permit pursuant to the Bylaw and these Regulations violates the terms of the Permit, the Stormwater Authority, including its employees and/or duly appointed agents, may issue a stop work order, require repair or clean up, suspend activity, issue a fine and/or revoke the Land Disturbance Permit and/or Fast Track Permit.
- C. The Stormwater Authority, including its employees and/or duly appointed agents, may seek remedies under these regulations, including civil enforcement, criminal enforcement, and/or noncriminal disposition fines in the amount of a written warning for the first offense, \$100 for a second offense, and \$300 per day per offense thereafter.
- D. If the Stormwater Authority, including its employees and/or duly appointed agents, determines that abatement or remediation of erosion and sedimentation is required, the Stormwater Authority, including its employees and/or duly appointed agents shall send a written order setting forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Walpole may, at its option, pursue a Court Order allowing the Town to undertake such work, and the property owner shall reimburse the Town for its expenses.
- E. The alleged violator shall respond to the written order for abatement or remediation in writing within 21 calendar days to either:
  - i. Agree to the remedy; or
  - ii. Request a hearing before the Stormwater Authority.



The Stormwater Authority shall schedule a hearing not later than 45 days after receiving the request from the alleged violator. The Stormwater Authority shall duly notify the alleged violator of the date, time and location of the hearing.

- F. If the alleged violator fails to timely respond to a written order for abatement or remediation, the Town may pursue the remedies outlines in Section 499-27 (B)(2) and (3) of the Stormwater Bylaw. The Town may pursue remedies on a faster basis should emergency conditions require expedited action.
- G. Remedies Not Exclusive. The remedies listed in these Regulations are not exclusive of any other remedies available under any applicable federal, state or local law.
- H. Appeals. All decisions or orders of the Stormwater Authority shall be final unless otherwise stated herein. Further relief shall be to a court of competent jurisdiction.

## Section 16. Fees and Application

### Town of Walpole FEE SCHEDULE STORMWATER MANAGEMENT AND EROSION CONTROL BYLAW Approved 2023

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The following fee schedules are minimum fees. The Conservation Commission may require professional review fees if deemed necessary for proper review of an application and/or to ensure compliance.

Land Disturbance Activity	Application Fee
An acre or less	\$ 50.00
Greater than 1 to 5 Acres	\$100.00
Greater than 5 to 10 Acres	\$200.00
Greater than 10 Acres	\$300.00, plus \$50.00 per additional acre
Detention/Retention basins	\$250.00 per basin
Amendment	\$100.00
Extension	25% of existing fee
Re-submittal (after denial)	50% of current filing fee
Certificate of Compliance for projects greater than 1 acre:	\$100.00

Fees for professional review will be established in accordance with G.L. c. 44§53G in necessary.

**Fast Track Permit Review** **\$25.00**



## **APPLICATION FOR LAND DISTURBANCE PERMIT**

Stormwater and Erosion Control Bylaw (General Bylaws section 499-13 through 30)

### **General Instructions**

An applicant for a Land Disturbance Permit shall be filed with the Conservation Commission for review prior to activities that will alter 40,000 square feet or more of land as per the Stormwater Management and Erosion Control Bylaw and Regulations. Timelines concerning the review process will not begin until the Conservation Department has determined that the application is complete.

1. Any application not accompanied by the appropriate fee shall be deemed incomplete. Payment must be submitted to the Town of Walpole Conservation Commission in cash, money order, bank or certified check payable to the Town of Walpole.
2. An Applicant's failure to pay any additional review or inspection fee within five business days of receipt of the notice that further fees are required shall be grounds for denial of the application.
3. The Stormwater Authority will publish the public notice. The applicant shall pay costs associated with the publication requirements.

Professional review fees include engineering review, and clerical fees associated with the public hearing and permit processing. If professional fees are deemed necessary for proper review of the application, a fee estimate will be provided by a consultant chosen by the Stormwater Authority. The applicant will be required to cover the costs of said consultants through an account established pursuant to G.L. c. 44, §53G.

### **Submittal Requirements:**

Submit four (4) hard copies of Application, plans and supporting documents and 1 digital copy with filing fee and check made out to the Hometown Weekly for the advertisement to the Conservation Commission to be scheduled for a public hearing.

Questions: Conservation department 508 660-7253. Town website: <https://www.walpole-ma.gov/conservation-commissioner>; or Conservation Agent- [Lhershey@walpole-ma.gov](mailto:Lhershey@walpole-ma.gov) for filing and meeting dates and other information subject to change.



## APPLICATION FOR LAND DISTURBANCE PERMIT

### 1. Project Location

Street Address	Registry Property Recorded:
Assessor's Map/Lot	Book:                      Page:
	Certificate:

### 1. Property Owner

### Additional Owner

Name:	Name:
Mailing Address:	Mailing Address:
Town:	Town:
State, Zip:	State, Zip:
Phone:	Phone:
Email:	Email:

### 2. Applicant

### Consultant

Name:	Name:
Mailing Address:	Mailing Address
Town:	Town:
State, Zip:	State, Zip:
Phone:	Phone
Email:	Email:





## APPLICATION FOR LAND DISTURBANCE PERMIT

### B. Plan and Documents and Minimal Submittal Requirements:

Square footage of land disturbance:	Less than 40,000 ( ) More than 1 Acre ( )
Plan Title:	Date: Sheets:
Prepared by:	Signed and stamped by
Stormwater Management Plan:	Signed and stamped by
Erosion and Sedimentation Plan ( )/SWPPP ( )	Signed and stamped by
Operation and Maintenance Plan ( )	Date:
Stormwater Report ( ):	Date:
Rainfall Data:	Source:

### C. Stormwater Management Standards (Section 8 of Regulations)

<b>All Development:</b>	
( ) The first 1-inch of runoff from impervious surfaces retained on site, <b>or</b>	( ) Not able to retain first 1-inch of run-off on-site, explain in writing.
( ) removal of 90% or more annual average load of TSS and 60% or more of average annual total phosphorus for all post construction impervious areas on-site.	
<b>Redevelopment</b>	
( ) retained first 1-inch of run-off from impervious surfaces on-site, <b>or</b>	( ) Not able to retain first 1-inch of run-off on-site, explain in writing.
( ) Retain at least 0.5 inch of run-off from impervious areas on-site	



## APPLICATION FOR LAND DISTURBANCE PERMIT

### D. Water Quality

<b>Identify the Receiving Water(s):</b>	<b>Watershed:</b>
	Neponset River ( )
<b>Is there an approved TDLM</b>	
( ) Bacteria ( ) Pathogen	Address pet waste disposal methods.
<b>A certain water quality limited water bodies</b> For Nitrogen ( )	Address landscaping, pet waste and fertilizer disposal methods.
<b>A certain water quality limited water bodies</b> for total phosphorus ( )	Address landscaping, pet waste and fertilizer disposal methods

### E. Low Impact Development Statement (see 499-13-B 11. And section 8E ):

Applicant shall provide designs which encourage low impact development best management practices which minimize land disturbance.

<input type="checkbox"/> Vegetative swales	<input type="checkbox"/> Vegetative filter strips	
<input type="checkbox"/> Water efficient irrigation systems	<input type="checkbox"/> Invasive species removal plan	<input type="checkbox"/> Preserve unique natural features of the site
<input type="checkbox"/> Natural landscaping species	<input type="checkbox"/> Drought resistant plant species	<input type="checkbox"/> Buildings oriented towards the sun for energy efficiency.
<input type="checkbox"/> Pervious paving surfaces	<input type="checkbox"/> Bio-retention basin	<input type="checkbox"/> Building blended into natural features
<input type="checkbox"/> Retention basins	<input type="checkbox"/> Other	
<input type="checkbox"/> Landscape areas that retain water and are appropriate to soils and micro- climates		



## APPLICATION FOR LAND DISTURBANCE PERMIT

### Certification

I, the undersigned, hereby certify that I have read and understand the requirements and conditions of the Town of Walpole Stormwater Management and Erosion Control Bylaw and that the information included in the application materials is accurate and truthful to the best of my knowledge. (sign and print name and date)

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_ (please print)

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ (please print)

Filing fee \$ \_\_\_\_\_ Check # \_\_\_\_\_



## APPLICATION FOR FAST TRACK PERMIT

### GENERAL INSTRUCTIONS

An application for a **Fast Track Permit** must be filed with Conservation Department prior to construction activity or land disturbance, including clearing, grading, excavation, that will disturb equal to or greater than 5,000 s.f. up to 39,999 s.f. of area ( Stormwater and Erosion Control Bylaw section 499-16). New and redevelopment activities are subject to permit. . Activities 40,000 s.f. or more are subject to a Land Disturbance permit review. Fast Track permits are an administrative review and are not subject to a public hearing. Fast Track Permits are subject to inspections and enforcement.

### Submittal Requirements:

Submit two (2) hard copies of Application, plans and supporting documents and 1 digital copy with filing fee to the Conservation. Department.

Questions: Conservation Department 508 660-7253. Town website: <https://www.walpole-ma.gov/conservation-commissioner>; or Conservation Agent- [Lhershey@walpole-ma.gov](mailto:Lhershey@walpole-ma.gov)



## APPLICATION FOR FAST TRACK PERMIT

### 1. Project Location (Fast Track Permit Application)

Street Address	Assessor's Map/Lot:
Lot size (s.f.):	Deed Recorded : Book: Page:
<b>Square feet of total alteration (impervious &amp; grading);</b>	Certificate:

### 2. Property Owner

### Additional Owner

Name:	Name:
Mailing Address:	Mailing Address:
Town:	Town:
State, Zip:	State, Zip:
Phone:	Phone:
Email:	Email:

### 3. Applicant

### Consultant

Name:	Name:
Mailing Address:	Mailing Address
Town:	Town:
State, Zip:	State, Zip:
Phone:	Phone
Email:	Email:



## Fast Track Permit Application

### 4. Give a brief summary of the project (attach separate sheet if necessary):

Type of project: ☐ New Residential; ☐ Addition to residential; ☐ Commercial/Industrial ☐ Other

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### 5. Performance Standards (Section 6 of Regulations)

☐ The first 1-inch of run-off from impervious surfaces is retained on site, Describe how:

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☐ Not technically feasible to retain first 1-inch of run-off from impervious surface areas.  
Explain why:

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### 6. Check erosion control methods to be installed during construction:

☐ Compost Sock; ☐ Silt fence; ☐ Construction pad entrance; ☐ Street Sweeping ☐ Silt Sacks in Catch Basins; ☐ Slope stabilization; ☐ Loam and seed  
☐ Other, Describe: \_\_\_\_\_





## Fast Track Permit Application

### Certification

I, the undersigned, hereby certify that I have read and understand the requirements and conditions of the Town of Walpole Stormwater Management and Erosion Control Bylaw and that the information included in the application materials is accurate and truthful to the best of my knowledge. (sign and print name and date)

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_ (please print)

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ (please print)