

**Adopted June 23, 2021, by the Planning Board**

**EROSION AND STORMWATER CONTROL REGULATIONS**

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## **Erosion and Stormwater Control Regulations**

### **I. PURPOSE**

The United States Environmental Protection Agency has identified sedimentation and polluted stormwater runoff from land disturbance, land development and redevelopment activities as major sources of water pollution. To address the impact of these sources of water pollution, the Town of Georgetown has adopted a local Erosion and Stormwater Control Bylaw. The bylaw is necessary to protect the Town of Georgetown water bodies and groundwater resources, to safeguard the health, safety, and welfare of the general public and protect the natural resources of the Town.

Chapter 57 - Erosion and Stormwater Control Bylaw - authorizes the Planning Board, as the Permit Granting Authority, to adopt regulations to effectuate the purposes of this Bylaw. The purpose of these regulations is to clearly set forth administrative procedures and design criteria necessary to achieve the objectives of said Chapter 57, which is to prevent or diminish the impacts of sedimentation and polluted stormwater from land disturbance activities.

### **II. AUTHORITY**

A. The regulations contained herein have been adopted by the Planning Board in accordance with the Town of Georgetown's Chapter 57 Erosion and Stormwater Control Bylaw, as adopted on May 2, 2016.

B. Nothing in these regulations is intended to replace or be in derogation of the requirements of the Town of Georgetown Wetlands Protection Bylaw or any Rules and Regulations adopted thereunder, i.e., unless these regulations are more stringent.

These Erosion and Stormwater Control regulations (hereinafter referred to as regulations) may be periodically amended by the Planning Board in accordance with the procedures outlined in said Chapter 57 (hereinafter referred to as Chapter 57).

### **III. ADMINISTRATION**

#### **A. Permit Granting Authority**

As the Permit Granting Authority, the Planning Board shall administer, implement and enforce these regulations. Projects and activities approved by the Planning Board shall be deemed in compliance with the intent and provisions of these regulations.

As the Permit Granting Authority, the Planning Board may waive strict compliance of these regulations for applications, including Low Impact Development, i.e., if the design criteria of such waiver is allowed by federal,

state or local statutes, is in the public interest and is not inconsistent with the purpose and intent of Chapter 57. Further, the applicant shall refer to the criteria set forth in Section IX. - Design Criteria - of these regulations.

**B. Designated Agents:**

In accordance with Chapter 57 the Planning Board defines as its “designated agent” the Town Planner and hereby delegates to such agent the administration, implementation, and enforcement of these regulations as specified below.

The Town Planner shall act as the designated agent in the administration, implementation, and enforcement of these regulations as follows:

- a. Receive and review of applications for completeness;
- b. Communications to applicants on the Planning Board’s behalf;
- c. Distribution of applications and documentation to Town departments for review;
- d. Procurement of Outside Consultants and Environmental Monitors;
- e. Scheduling of public meetings and hearings;
- f. Prepare public notices;
- g. Maintain all records and drawings associated with these regulations;
- h. Review and grant minor modifications to applications, as described in Chapter 57;
- i. Any other administrative tasks necessary for the orderly administration of these regulations.

**C. Persons Aggrieved**

Any person(s) aggrieved by a decision or action of the Town Planner in regard to the submission of the subject application, including, but not limited to, matters regarding completeness of application, inspections or compliance with technical design criteria, may, within thirty (30) days of such decision or action, request a public meeting with the Planning Board. Following the decision of the Planning Board, the provisions of Chapter 57 shall apply.

**IV. GENERAL PROCEDURES**

Erosion and Stormwater Control Permit issuance is required prior to any activity altering or disturbing land, as same pertains to applicable minor and major permits as listed and defined in Chapter 57. For purposes of calculating the area of land disturbed or changes in impervious surfaces the methodology set forth in Chapter 57 and as cited below shall apply:

**A. Application**

An application shall be made to the Planning Board in the form and containing information as specified in these regulations. Permit applications shall be

accompanied by payment of the appropriate fees. Fees, including those associated with postage for the mailing of notices to the project abutters, shall be received by the Planning Board prior to any review. Any application not accompanied by the appropriate fees shall be deemed incomplete.

**B. Completeness of Application**

Within 21 business days of application submission the Town Planner shall make a determination as to the completeness of the application and adequacy of the materials submitted.

**C. Information Requests**

The Planning Board or its designated agent may request additional information as necessary, relative to enabling the Planning Board to determine whether the proposed land disturbance activity will comply with the provisions of these regulations.

**D. Consent of property owner required for all applications**

When the applicant does not own the property shown on the submitted plan, the applicant shall state in the application the nature of his or her interest in the property and shall submit the written consent of the property owner. Where the owner is a partnership, trust or corporation, documents must be submitted indicating who has signing authority to enter into agreement on behalf of the partnership, trust or corporation. If the property owner subsequently withdraws consent to the application after the application is filed the Board may deny the application for this lack of consent of the owner.

**E. Employment of Outside Consultants**

The Planning Board or its designated agent may require an independent Registered Professional Engineer, an Environmental Site Monitor, and/or other professional consultant to advise the Planning Board or its designated agents on any or all aspects of the project. All costs of said independent consultants shall be at the applicant's expense.

**F. Modifications to an Application**

The permittee, or the permittee's agent, must notify the Planning Board in writing of any change or alteration of a land-disturbing activity before the change or alteration occurs.

Modifications resulting in grade changes under one (1) foot shall be considered minor and may be granted by the Town Planner. If the Town Planner determines that the change or alteration is significant, based on the design criteria in these regulations, the Planning Board may require that an amended application or a new application (including application fees unless waived by the Planning Board) be filed. If any change or alteration from the Erosion and Stormwater Control Permit occurs during land disturbing activities, including significant changes in schedule, the Town Planner may require the installation

of interim erosion and sedimentation control measures before considering the change or alteration.

**G. Access Permission**

To the extent permitted by state law, and as authorized by the owner at the time of the application or other party in control of the property, the Planning Board, its Agents as specified in these regulations, officers, and employees may enter upon privately owned property for the purpose of performing their duties under Chapter 57 and these regulations and may make or cause to be made such examinations, surveys or sampling as the Planning Board deems reasonably necessary to determine compliance with the permit.

**H. Public Notification**

In accordance with MGL Chapter 40, Section 11, the Planning Board will post notice of the public meeting and the applicant will be responsible for sending abutter notification based on the list obtained from the Town by the applicant and provided to the Planning Board. The applicant shall pay all costs associated with the notification requirements.

**I. Exclusions from Permit Requirements**

Projects that are defined as ““Exempt Activities” in Chapter 57 do not require approvals under these regulations, nor shall the area of land disturbed in connection with such “Exempt Activities” be included in the calculation of the area of land disturbed by construction activities.

Activities exempted under Chapter 57 shall include normal maintenance and improvement of publicly or privately-owned water and sewer lines, electrical and communications conduits, steam pipes, and gas pipelines.

**V. PERMIT APPLICATION FILING REQUIREMENTS**

**A. Planning Board**

The Stormwater Management Permit Application package to be submitted to the Planning Board shall include the following:

1. A completed Application Form with original signatures of all owners; Seven (7) copies of the Erosion and Stormwater Control Plan and Narrative.
2. Seven (7) copies of the Operation and Maintenance.
3. Payment of the application and review fees.

**B. Town Clerk**

One (1) copy of the Application Form shall be filed with the Town Clerk by Planning staff.

### **C. Notice requirements**

The applicant shall provide a map indicating the Assessor's map and parcel as well as the address of the site to the Planning Office. A list of the names and mailing addresses of all abutting property owners, as they appear in the most recent tax list(s), shall be obtained from the Assessor's Office by the Planning Department.

This list shall not be more than six (6) months old. The list must include property owners on the opposite side of any street abutting the subdivision and abutters to abutting property owners within three hundred feet of the property under development consideration. If the site is within three hundred (300') feet of a municipal boundary, the applicant shall include a certified abutters list and corresponding tax map from the abutting municipality that includes all abutters within three hundred (300') feet from the site boundaries.

### **D. Review Fee Schedule**

Fees shall be payable to the Town of Georgetown in the form of a money order, bank or certified check.

Professional review fees include engineering review, legal review, and clerical fees associated with the review and permit processing. When an independent consultant is required by the Planning Board, the consultant shall provide a fee estimate. The applicant may be required to deposit funds in a revolving account with the Town to cover these fees. The Planning Board may require additional fees if deemed necessary for proper review of an application or to ensure compliance.

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 may be grounds for disapproval of the application.

## **VI. FORM AND CONTENTS OF THE PERMIT APPLICATION**

The Erosion and Stormwater Control Permit Application shall contain the following documents.

**A.** Complete Application for Erosion and Stormwater Control Permit Form  
See Appendix A.

**B.** Erosion and Stormwater Control Management Plan and Narrative:  
The Erosion and Stormwater Control Plan and Narrative shall contain sufficient information for the Planning Board to evaluate the environmental impact, effectiveness, and compliance of the measures proposed by the applicant to these regulations and the Massachusetts Department of Environmental Protection Stormwater Management Handbook.

The information provided shall describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed best management practices for the permanent management and treatment of stormwater.

## **1. Erosion and Stormwater Control Management Plan**

The Erosion and Stormwater Management Plan shall be prepared by a Massachusetts licensed professional engineer on a print of 24" X 36" containing the following information:

### **a. General Project Information**

#### **(1) Plan Certification**

(a) The plan(s) shall be stamped by (1) a professional engineer registered in Massachusetts in the field of civil engineering and (2) a registered land surveyor registered in Massachusetts. The engineer shall certify that the plan complies with all these regulations, except as noted. Failure to have these certifications shall result in denial of the application.

#### **(2) Identification Information**

- (a) Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan.
- (b) Title, date, north arrow, names of abutters, scale (1"=20' or 1"=40'), legend, and locus map (1"=800').
- (c) Existing zoning designation.
- (d) Existing and proposed land use of the site.
- (e) A signature block to record the action of the Planning Board

#### **(3) Notations Regarding Revisions**

All revised plans shall contain a notation listing and describing all revisions, additions, and deletions made to the originally submitted plans and the date of each. Each revision shall be clearly shown on the plans and shall be identified by a triangle symbol with the corresponding revision number within the triangle.

### **b. Boundaries and Location Data**

- (1) Surveyed property lines showing distances and monument locations, all existing and proposed easements, rights-of-way,



utilities and other encumbrances, the size of the entire parcel, and the delineation and number of square feet of the land area to be disturbed.

(2) Location, delineation and description 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, Potential Vernal Pools, and Priority Habitats of Rare Species within five hundred (500') feet of any construction activity.

(3) The location of the one hundred-year (100) flood boundary, as shown on the Flood Insurance Map (FIRM), in and within one hundred (100') feet of the lot;

(4) Location of all proposed wells and septic systems in the project, including lot line setback dimensions to wells and septic systems;

**c. Streets, Impervious Areas and Site Improvements**

(1) Lines of existing abutting streets showing drainage and driveway locations and curb cuts.

(2) Existing and proposed impervious surfaces, drainage structures and facilities, if applicable.

(3) Existing and proposed improvements, including location of buildings or other structures, impervious surfaces, and drainage facilities, if applicable.

(4) Footprints of any structure on abutting properties with the names of the abutters, including properties on the opposite side of the street or way that abuts the site. Existing and proposed driveways shall also be shown.

**d. Topography**

(1) The location and elevation of one benchmark using NGVD Datum within fifty (50') to seventy-five (75') feet of the parcel, which is not subject to dislocation or loss during construction.

(2) Existing and proposed topography described in full contour detail, at two (2') foot intervals, with area of steep slope over 15%, and over 25% delineated for pre-development and

post-development with spot elevations provided when needed.

(3) Existing topography fifty (50') feet beyond the perimeter of the parcel as it appears on the most current Town of Georgetown topographic mapping shall be shown.

**e. Drainage and Water**

(1) Location, delineation and description of all existing and proposed watercourses, water bodies, and Wetland Resource Areas on or entering the site, or adjacent to the site, or into which stormwater flows, collects or percolates, including the direction, flow rate, and volume of surface runoff under existing and proposed conditions. Information regarding their water quality and current water quality classification shall be included.

(2) Location, delineation and description of environmental and hydrological conditions, riparian zones 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;

(3) A description and drawings of all components of the proposed drainage system including:

- (a) locations, cross sections, and profiles of all brooks, streams, drainage swales and their method of stabilization,
- (b) all measures for the detention, retention or infiltration of water,
- (c) all measures for the protection of water quality,
- (d) the structural details for all components of the proposed drainage systems and stormwater management facilities,

(4) Notes on drawings specifying materials to be used, construction specifications, and typical details. Drainage patterns, watersheds and sub watersheds, with calculations of proposed land disturbance within each sub watershed and areas of soil to be disturbed in each watershed throughout the duration of the proposed land disturbance activity

**f. Soils**

(1) Surface extent of each soil type as determined by the United States Department of Agriculture, Soils Conservation Service Soil Survey, with an accompanying analysis of the best use

potential of the soils and the hydrological group classification

(2) An accurate field determination of seasonal high groundwater elevation in each area to be used for stormwater retention, detention, or infiltration with direction, rate of flow and seasonal fluctuations made by a Massachusetts Licensed Soil Evaluator or other Certified Professional such as a Geotechnical Engineer;

**g. Landscaping**

(1) The general outline of existing vegetation, wooded areas, significant trees, unique species and tree clusters;

(2) The extent of all vegetation, wooded areas, significant mature trees, unique species and/or tree clusters to be removed;

**h. Site Disturbance and Erosion Control Measures**

(1) Limit of clearing and grading;

(2) Locations and methods of all proposed erosion/sedimentation controls, showing key dimensions and other important details;

(3) The location of proposed stockpiling area(s) for “earth” materials;

(4) Detailed drawings and types of both temporary and permanent erosion and sediment control structures;

(5) The location of critical areas on the site (areas that have potential for serious erosion problems.) and proposed protection measures.

(6) Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable.

(7) Location of temporary and permanent seeding, vegetative controls, and other temporary and final stabilization measures including provisions for when activity has temporarily ceased.

**2. Erosion and Stormwater Control Narrative**

The Stormwater Narrative shall include the following information:

**a. Scheduling and Construction Sequences**

(1) Estimates of the total area expected to be disturbed by excavation, grading, or other construction activities, including dedicated off-site borrow and fill areas.

(2) The timing, schedules, and sequence of development including clearing, stripping, rough grading, construction, final

grading, and vegetative stabilization.

(3) A description of construction and waste materials expected to be stored on-site. The narrative 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.

(4) A description of provisions for phasing the project to minimize simultaneous disturbed areas.

(5) 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.

(6) Measures to minimize off-site vehicle tracking of sediments onto paved surfaces and the generation of dust.

(7) Proposed dewatering operations including proposed locations of discharge.

(8) A description of measures to protect all storm drain inlets and newly constructed outlets.

(9) A maintenance schedule for the period of construction.

**b. Hydrological Conditions and Soils**

(1) Detailed description of the existing environmental and hydrological conditions of the site and of the receiving waters and Wetland Resource Areas.

(2) A description of all surface watercourses, water bodies, and Wetland Resource Areas on or entering the site, or adjacent to the site, or into which stormwater flows. Information regarding their water quality and current water quality classification shall be included.

(3) The runoff coefficient for each of the existing and proposed vegetation and ground surfaces

(4) Existing soils (type, hydrologic group, erodibility) and the volume and nature of imported soil materials.

(5) Calculations of proposed land disturbance within each sub watershed and areas of soil to be disturbed in each watershed throughout the duration of the proposed land disturbance activity.

**c. Drainage Systems**

(1) A description of all components of the proposed drainage system including:

(a) locations, cross sections, and profiles of all brooks; streams, swales and their method of stabilization;

(b) all measures for the detention, retention or infiltration of water;

- (c) all measures for the protection of water quality;
- (d) the structural details for all components of the proposed systems stormwater management facilities, and
- (e) notes on drawings specifying materials to be used, construction specifications, and expected hydrology with supporting calculations.

**d. Erosion Control**

- (1) Description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other temporary and final stabilization measures.

**C. Operation and Maintenance Plan**

An Operation and Maintenance Plan (O&M Plan) for the permanent Erosion and Stormwater Control system is required at the time of application for all projects. The maintenance plan shall be designed to ensure compliance with these regulations and the Massachusetts Surface Water Quality Standards contained in 314 CMR 4.00 in all seasons and throughout the life of the system.

Once approved by the Planning Board, the Operation and Maintenance Plan shall be recorded at the Essex South Registry of Deeds by the applicant, at their expense, and shall remain on file with the Planning Board.

The Operation and Maintenance Plan shall conform to the requirements listed below.

**1. Operation and Maintenance Plan Requirements.**

A stand-alone Operation and Maintenance Plan prepared by a Massachusetts licensed Professional Engineer shall include:

- a. The name(s) of the owner(s) for all components of the system
- b. Maintenance agreements that specify:
  - (1) The names and addresses of the person(s) responsible for operation and maintenance
  - (2) The person(s) responsible for financing maintenance and emergency repairs.
  - (3) A Maintenance Schedule for all drainage structures, including swales and ponds.
  - (4) A list of easements with the purpose and location of each.
  - (5) The signature(s) of the property owner(s).
- c. Stormwater Management Easement(s):
  - (1) Stormwater management easements to the Town are

required for all areas used for off-site stormwater control associated with Town accepted public ways, unless a waiver is granted by the Planning Board.

- (2) Easements shall be recorded with the Essex North Registry of Deeds prior to issuance of a Certificate of Completion.
- (3) Stormwater management easements shall be provided and located by the property owner(s) as are necessary for:
  - (a) access for facility inspections and maintenance,
  - (b) preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100-year storm event; and
  - (c) direct maintenance access by heavy equipment to structures requiring regular cleanout maintenance.

## **2. Changes to Operation and Maintenance Plans**

- a. The owner(s) of the stormwater management system must notify the Planning Board of changes in ownership or assignment of financial responsibility.
- b. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of the Erosion and Stormwater Control Bylaw and these Regulations by mutual agreement of the Planning Board 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 responsibility. Once the amended Plan is signed the applicant shall file it at the Registry of Deeds.

## **3. Annual Report Submittal**

The Responsible Parties must submit an annual report by September 1st to the Planning Board documenting the inspection and maintenance of the BMPs for which they are responsible. The reports must include:

- a. Descriptions of the condition of the BMPs,
- b. Descriptions of maintenance performed and,
- c. Receipts showing payment for maintenance performed.

# **VII. REVIEW AND APPROVAL PROCEDURE**

## **A. Evaluation of Application for Completeness**

Applications shall be reviewed for form and contents in accordance with Chapter 57. The Town Planner shall notify the applicant of any deficiencies in the

application package within 21 days of receipt.

Application packages with uncorrected deficiencies after 45 days of the filing date shall be scheduled for a public meeting before the Planning Board and the Planning Board may deny an application due to lack of completeness.

**B. Distribution of Complete Application**

Within forty-five (45) days of the filing of a complete application the Town Planner shall distribute the application materials for technical review.

**C. Application for Public Viewing**

Application materials will be made available for viewing during normal business hours in the Planning Department.

**D. Public Meeting Notification**

Within forty-five (45) days the Town Planner will arrange agenda time for a meeting and prepare notifications. Such notice shall be made no later than fourteen (14) days prior to the public meeting and shall include a posting and first-class mailings to abutters.

**E. Public Meeting**

Within ninety (90) days of the filing of the application, the Planning Board will hold a public meeting on the application, where comments and questions from the public regarding the application will be addressed.

Once begun, the public meeting may not continue for more than sixty (60) days, unless such time is extended by written agreement between the applicant and the Planning Board to a date certain announced at the meeting. Upon completion of the Planning Board's review and close of the Public Hearing the Board shall vote to approve, amend with modifications or deny the application.

**F. Digital Filing**

Prior to the start of construction, the applicant shall provide an electronic copy of the approved plan, including all information required in these regulations.

**G. Surety**

Before the start of construction, the Planning Board may require the permittee to post an acceptable surety to ensure that the work will be completed in accordance with the permit and these regulations. The form of the surety shall be approved by Town Counsel and shall be in an amount deemed sufficient by the Planning Board.

**H. Town Clerk Verification**

Prior to the start of construction, the applicant must obtain written verification

from the Town Clerk that no appeals of the Planning Board's decision are pending.

**I. Appeals**

Any person aggrieved by the final decision of the Planning Board may seek relief therefrom within 30 days of said final decision in any court of competent jurisdiction, as provided by the laws of this Commonwealth.

**VIII. INSPECTIONS AND SITE SUPERVISION**

**A. Preconstruction Meeting**

Prior to clearing, excavation, construction or any land disturbing activity that requires a permit, the applicant, the applicant's technical representative, the general contractor, pertinent subcontractors, and any person with authority to make changes to the project, shall meet with the Town Planner to review the permitted plans and proposed implementation.

**B. Site Inspections during Construction**

**1. Planning Board's Consultant Field Engineer Inspections**

The Planning Board's designated agent shall make inspections as hereinafter required and/or shall review site inspection reports provided by an Environmental Site Monitor and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the approved plans and any conditions of approval.

- (a) One copy of the permit plans and conditions of approval signed by the Planning Board shall be maintained at the site during the progress of the work.
- (b) A copy of the NPDES Construction General Permit and Stormwater Pollution Prevention Plan (if applicable) shall be kept on site as well.
- (c) Prior to commencement of any land development activity, the Planning Board's designated field inspector shall submit to said board an initial inspection report, and this report shall document whether the initial erosion and sediment control devices have been installed correctly.

**2. Permittee Inspections**

During construction, the permittee or his/her Agent shall conduct and document inspections of all control measures no less than weekly or as specified in the permit, and prior to and within 24 hours 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.

- (a) As a condition of approval, the Planning Board may require that an Environmental Site Monitor be retained by the applicant to



conduct said inspections and prepare reports of the findings of the inspection to the Planning Board's designated Agent.

- (b) The permittee or his/her Agent shall submit monthly reports to the Planning Board's designated Agent in a format approved by the Planning Board.
- (c) An initial site inspection shall be made of erosion and sedimentation controls prior to any site disturbance to assess overall effectiveness and functioning to protect resource areas.
- (d) An inspection may be made of the excavation for the stormwater management system to ensure adequate separation of the stormwater system from groundwater and presence of approved soil type.
- (e) An inspection may be made of the completed stormwater management system, prior to backfilling of any underground drainage or stormwater conveyance structure.
- a. Within 24 hours of any storm event producing 0.5 inches of precipitation or more, the Planning Board's designated field inspector shall conduct a site inspection of the development parcel and document the effectiveness of all erosion and sediment control devices.

#### **C. Final Inspection**

1. After the stormwater management system has been constructed and before the surety has been released, the applicant must submit an as-built plan detailing the actual stormwater management system as installed.
2. The applicant must submit an explanation detailing any differences between the approved plans and the as-built plans. This explanation must be stamped by a Massachusetts Licensed Professional Engineer.
3. The Planning Board's designated Agent shall inspect the system to confirm its "as-built" features. The designated Agent may require the Environmental Site Monitor to make such inspection and provide a report of its findings. This inspector shall also evaluate the effectiveness of the system in an actual storm. If the inspector finds the system to be adequate, he shall so report to the Planning Board, at which time a Certificate of Completion will be issued.
4. If the system is found to be inadequate by virtue of physical evidence of operational failure, even though it was built as called for in the Stormwater Management Plan, it shall be corrected by the permittee to the satisfaction of the Planning Board before the performance guarantee is released.
5. If the permittee fails to act the Town of Georgetown may withhold the Certificate of Completion and pursue Enforcement as outlined in these Regulations. Examples of inadequacy are: errors in the infiltrative capability, errors in the maximum groundwater elevation, failure to properly define or construct flow paths, or erosive discharges from basins.

#### **D. Final Report**

Upon completion of the work, the permittee shall submit a report (including certified as-built construction plans) from a Massachusetts licensed Professional Engineer (P.E.), 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.

#### **E. Certificate of Completion**

Prior to the issuance of the Certificate of Completion, digital files of the as-built conditions, including all information, and in the same formats as required in these Regulations shall be submitted to the Planning Board.

The Planning Board will issue a letter certifying completion upon receipt and approval of the final reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with this bylaw. The Certificate of Completion shall be recorded by the applicant, at his/her expense, at the So. Essex County Registry of Deeds and the applicant shall provide the Planning Board with the book and page number(s) of said recording.

### **IX: DESIGN CRITERIA**

#### **A. Major Stormwater Permit**

At a minimum all projects subject to a Major Stormwater Management Permit shall comply with the performance standards of the most recent version of Massachusetts Stormwater Standards and accompanying 2008 Stormwater Management Handbook (as updated) with the following differences from the Handbook:

1. Drainage calculations shall be performed for existing site conditions (pre-development) and proposed site conditions (post-development) based on proposed site plans. Storms of 2, 10, 25, and 100-year frequency events shall be analyzed.

Drainage Design: Rainfall quantities from TP-40 Rainfall Frequency Atlas of the United States dated May 1961, shall not be used in the drainage calculations.

At a minimum, drainage calculations shall be based on the most current rainfall data from the Northeast Regional Climate Center (NRCC) at Cornell University for Town of Georgetown. In the event MassDEP were to adopt NOAA Atlas 14+ (or higher) rainfall data into the new Massachusetts Stormwater Handbook Managements regulations, the Town of Georgetown may use those standards. In case of conflict the more stringent data provisions shall apply. In addition, the same data cited above shall be used to create the Intensity-Duration-Frequency (IDF) curves for the given storm events.

2. 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

3. Stormwater management systems on new development and redevelopment sites shall be designed to:

- (a) Retain the volume of runoff equivalent to, or greater than, two (2) inches multiplied by the total post-construction impervious surface area on the site; and
- (b) Remove 90% of the average annual load of Total Suspended Solids generated from the total post-construction impervious area on the site; and
- (c) Remove 60% of the average annual load of Total Phosphorus (TP) generated from the total post-construction impervious surface area on the site.

The required removal percentages are not required for each storm, it is the average removal over a year that is required. Pollutant removal shall be calculated consistent with EPA Region 1's BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1, where available. If EPA Region 1 tools do not address the planned or installed BMP performance any federally or State approved BMP design guidance or performance standards (e.g. State stormwater handbooks and design guidance manuals) may be used to calculate BMP performance.

4. On redevelopment sites, stormwater management systems shall also improve existing conditions; and

On redevelopment sites, stormwater management systems may utilize offsite mitigation within the same USGS HUC12 as the redevelopment site to meet the equivalent retention or pollutant removal requirements indicated in part 3 above.

5. All projects must consider and, unless infeasible (see Bylaw definition), propose and implement Low Impact Development (LID) Best Management Practices (BMPs). Applicants shall demonstrate compliance with design standards for LID BMPs through generally accepted methods.

## **B. Minor Stormwater Management Permits**

At a minimum, all projects subject to a Minor Stormwater Management Permit shall be designed to the following standard:

1. Stormwater management systems on new development and redevelopment sites shall be designed to retain the volume of runoff equivalent to, or greater than, two (2) inches multiplied by the new post-construction impervious surface area on the site.

### **2. Minor Permit Submission Requirements**

- (a) A completed Stormwater Management Permit Application Form with original signatures of all owners.
- (b) Project Narrative that includes a description of the proposed project and description of how and where stormwater will be controlled and erosion and sediment controls to be implemented.
- (c) Proposed improvements including location of buildings or other structures, impervious surfaces, utilities, and easements, if applicable.
- (d) Payment of the application and review fees.

**Georgetown Planning Board**  
**Application for Erosion and Stormwater Control Management Permit -**  
**Chapter 57 of the Georgetown Code of By-laws**

**GENERAL INSTRUCTIONS**

The applicant must file a completed application package with the Planning Board, in accordance with the requirements of the Erosion and Stormwater Control Management Bylaw and Regulations. Timelines concerning the review process will not begin until the Planning Board has determined that the application is complete and decisions from other Boards and Commissions have been concluded.

1. Any application not accompanied by the appropriate fee (\$500 for Major Stormwater Management Permit and \$250 for a Minor Permit) shall be deemed incomplete. Payment must be made by money order, bank or certified check payable to the Town of Georgetown, and must be submitted with the application to the Planning Board.
2. An Applicant's failure to pay additional review or inspection fees within five business days of receipt of the written notice that further fees are required shall be grounds for disapproval of the application.
3. The Planning Board will publish the public hearing notice. The Applicant is responsible for sending abutter notification dated two weeks prior to the hearing (not including date of hearing). The applicant shall pay all costs associated with the publication and notification requirements.

Professional review fees include engineering review, legal review, and clerical fees associated with the public review and permit processing.

A fee estimate may be provided by the Planning Board's consultant. The applicant may be required to establish an escrow account with the Town to cover the review fees. If the escrow account becomes depleted, the applicant will be required to renew the escrow account in order to continue the review of the application.

**Applicant Information:**

Name\_\_\_\_\_

Address\_\_\_\_\_

Phone\_\_\_\_\_

Email\_\_\_\_\_

Owner Information:

Name\_\_\_\_\_

Address\_\_\_\_\_

Phone\_\_\_\_\_

Email\_\_\_\_\_

The Stormwater Management Permit involves property where owner's title to the land is derived under deed from\_\_\_\_\_, dated\_\_\_\_\_, and recorded in the Essex North Registry of Deeds, Book\_\_\_\_\_,Page\_\_\_\_\_, or Land Court Certificate of Title No\_\_\_\_\_, Registered in\_\_\_\_\_, Book\_\_\_\_\_, Page\_\_\_\_\_.

The project is located on the parcel shown on Assessors Map\_\_\_\_\_, Parcel\_\_\_\_\_.

Project street address is: \_\_\_\_\_

Give a brief summary of the nature of the project:

The property (building) is described as being located at\_\_\_\_\_;

It is currently used as\_\_\_\_\_,

The changes proposed are \_\_\_\_\_  
\_\_\_\_\_

Planned start date:\_\_\_\_\_,Planned completion date:\_\_\_\_\_

Total area to be disturbed?\_\_\_\_\_square feet

Total area of the site (lot)\_\_\_\_\_square feet

Zoning District \_\_\_\_\_

Will there be disturbance of any slope greater than 25-35%? \_\_\_\_\_Yes\_\_\_\_\_No

If yes, give the area of the slope disturbance.\_\_\_\_\_  
square feet

Please list other narratives and plans (graphics) submitted with this application.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

6. \_\_\_\_\_

Attach application fee and supporting documents.

**Certification**

I, the undersigned, hereby certify that I have read and understand the requirements and conditions of the Town of Georgetown Erosion Control and Stormwater Management Bylaw and Regulations 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)

Office use only)  
SMP # \_\_\_\_\_