

Municipality/Organization: Town of Grafton
EPA NPDES Permit Number: W 035459
MassDEP Transmittal Number: (Form BRP WM 08A, 2003, W-035459)
Annual Report Number & Reporting Period: Year 11
April 1, 2013 – March 31, 2014

NPDES PII Small MS4 General Permit Annual Report (Due: May 1, 2014)

Part I. General Information: Transmittal Number W 035459

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Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: 
Printed Name: Timothy P. Mettenreiter
Title: Town Administrator
Date: 4/29/14

Part II. Self-Assessment

The Town of Grafton has made significant progress towards meeting the requirements of the MS4 permit. In 2009, the Town of Grafton adopted stormwater and illicit discharge bylaws. The Town Conservation Commission (Con Com) and the Department of Public Works (DPW), respectively, have successfully integrated the bylaws and implemented into their operations.

Since 2003, the Town of Grafton has completed several significant housekeeping activities to reduce pollution from municipal sources including: connecting the DPW garage to the Town sewer, moving vehicle washing activities indoors, reducing pesticide/herbicide applications and controlling fertilizer applications. The roof of the salt/sand storage shed was replaced and the structure was repaired to become weather tight. In 2013, the underground fuel storage tank was replaced with an above ground storage tank that meets the requirements of the Spill Prevention and Control Countermeasure regulations.

The Town has continued the street-sweeping program. During the spring, the Town sweeps the entire town concentrating on industrial/commercial areas first and then moving out to the remaining roadways. The Town performs catch basin cleaning as needed, focusing on infrastructure adjacent to Flint Pond. The cleaning process is approximately 50% complete at the time of this report. The Town continues to support public education and outreach activities described herein.

The DPW reached out to the Sudbury Assabet Concord (SuAsCo) Community Council's Water Quality/Water Quantity Subcommittee to provide some services. In 2012, the Town purchased a suite of educational materials for distribution and display for residents, businesses, and students. The receipt of this material was supposed to take place in June of 2013; however, the Town has yet to receive the deliverables.

During Year 11 the Town of Grafton has continued making strides on its stormwater mapping. The Town hired a sub consultant, Tata & Howard, to verify existing and map new outfall and catch basin locations previously mapped as much as 10 years ago. Manholes and piping information has been added to the map. At the end of Year 11 and moving into the start of Year 12 all outfalls, catch basins, storm drain manholes and most of the storm drain piping system has been mapped. The progress made continues to exceed mapping requirements of the current 2003 MS Permit. The stormwater infrastructure map is maintained through PeopleGIS and can be updated in real-time through their software. The Town has also taken proactive steps to map stormwater infrastructure outside of its current MS4 regulated area. In the upcoming permit years the Town will maintain the current map and add new structures as needed.

As part of the public outreach program, the Town sent storm water matters bookmarks to all residences and business establishments in the fiscal 2015 first quarter property tax bill. The bookmarks are also being distributed to all the students in grades 2-6 at the end of the 2013-2014 school year as part of the summer reading program to get the message out to the younger generation. These

bookmarks will also be available for distribution in the libraries of the middle school and high school.

Watershed groups continue to be active in organizing public events including town-wide clean-up days. For the 9th year, the Grafton Garden Club sponsored a community clean up event where residents pick up yellow trash bags at the Municipal Center and clean up their neighborhoods. The DPW supports clean-up activities by providing trash bags and removal services. On Arbor Day, the Highway Department will once again sponsor a planting program involving children's groups.

In 2012, the Town joined the Central Massachusetts Regional Stormwater Coalition (CMRSWC) to take advantage of state funding (the 2013 CIC Grant) to support NPDES MS4 compliance activities. In Year 11, the Town of Grafton was an active participant in the CMRSWC. The Coalition's work in Year 11 was funded by an \$115,000 fiscal year 2013 (FY2013) Community Innovation Challenge (CIC) grant from the Massachusetts Executive Office of Administration and Finance. This grant was supplemented by a contribution of approximately \$2,800 from each of the 30 Towns, including Grafton. A summary of the activities is provided at the end of this report.

Part III. Summary of Minimum Control Measures .

Public Education and Outreach

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) — Permit Year 11 (Reliance on non-municipal partners indicated, if any)	Planned Activities
1A Revised	Stormwater Flyer Residents	DPW & SuAsCo	Year 1: distribute flyer to 75% of Town residents. Ongoing program. One mailing per year. Provide links to materials on the Town website.	SuAsCo did not deliver the purchased materials in calendar year 2013. All homes were mailed a bookmark in the July tax bill. Older flyers continued to be available on a self-service basis at the Town offices. Links to the materials are also available on the Town website.	Include the 2013 SuAsCo flyer in the next real-estate tax bill mailing. Add links to the materials (SuAsCo and 2013 CIC grant materials) to the Town website as they become available.
1B Revised	Lesson Plan for 5 th Grade	DPW & SuAsCo	Year 2: Develop, distribute, and teach lessons at one or more 5 th grade classrooms in the community.	A copy of the lesson plan is available at the DPW office. Outreach activities for youth groups included Boy Scouts' participation in town clean up days.	Continue reaching out to youth groups in Town and encouraging teaching faculty to include stormwater in the curriculum. Stormwater matters bookmarks to be provided to grades 2-6 for summer reading program and will be available in the school libraries. Make 2013 CIC grant materials available to the faculty as it becomes available.
1C Revised	Stormwater Flyer Businesses	DPW & SuAsCo	Year 3: Distribute flyer to 50% of Town businesses. Ongoing program, one mailing per year. Provide links to materials on the Town website.	SuAsCo did not deliver the purchased materials in calendar year 2012. Stormwater bookmark was mailed in July tax bill. Older flyers continued to be available on a self-service basis at the Town offices. Links to the materials are also available on the Town website.	Include the 2013 SuAsCo flyer in the next real-estate tax bill mailing. Add links to the materials (SuAsCo and 2013 CIC grant materials) to the Town website as they become available.

1D Revised	Stormwater Media Campaign	DPW & SuAsCo	Year 4 requirement Met goal.	Met one-time goal. Materials are currently posted on the town website.	Publish one informational article in the local newspaper when the new permit is issued by the EPA.
1E Revised	Stormwater Video 09/05 — Powerpoint Presentation	DPW & SuAsCo DPW & SuAsCo	Year 5 requirement Met goal.	Met one-time goal. The educational PowerPoint presentation remains on file in the DPW office.	
1F Revised	Grafton-Specific Stormwater Flyers	DPW	Year 1, 3: Distribute Grafton-specific brochure along with SuAsCo brochures. Ongoing program, one mailing per year. Provide links to materials on the Town website.	SuAsCo did not deliver the purchased materials in calendar year 2012. Older flyers continued to be available on a self-service basis at the Town offices. Links to the materials are also available on the Town website.	Add links to the materials (SuAsCo and 2013 CIC grant materials) to the Town website as they become available.
1G Revised	Coordinate with Businesses and Landscapers	DPW	Coordinate education and the use and sale of slow-release fertilizers.	The Town offices contain self-service educational materials for businesses and landscapers who enter the town offices pursuing support or permits. Links to educational materials developed by others are also available on the Town website.	Continue to provide self-service materials at the Town offices. Add links to the materials (SuAsCo and 2013 CIC grant materials) to the Town website as they become available.
1H Revised	Stormwater Flyer for Agriculture	DPW	Year 3: Distribute flyers to agricultural owners/properties. Provide links to educational materials on the Town website.	Links to the educational materials are available on the Town website.	Coordinate with the Agricultural Commission to add stormwater education to their agenda. Add links to the materials (SuAsCo and 2013 CIC grant materials) to the Town website as they become available.
1I Revised	Newspaper Articles	DPW	At least 1 article per year.	No activity this year.	Publish an educational article on pet waste in the local newspaper by June 1. (Attachment)

1J	Stormwater Info on Town Website	DPW	Ongoing Program to distribute educational materials via the web.	The stormwater and illicit discharge bylaws and other assorted educational materials are available on the Town website.	Continue to update and expand the site with current educational materials as they become available. http://www.grafton-ma.gov/Public/Documents/GraftonMAjdpw/index , DPW
Revised					
1K	Trees and their use in stormwater management	DPW/Tree Warden	Ongoing Program	Grafton continues to participate in the Tree City program. The program includes purchasing seeds and saplings and recruiting schoolchildren to plant them as part of Arbor Day activities. (April 26, 2013).	Continue to seek funding to continue this program.
Revised					

a. Additions

2. Public Involvement and Participation

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) — Permit Year 10 (Reliance on non-municipal partners indicated, if any)	Planned Activities
2A	Stormwater Traveling Display	DPW & SuAsCo	Year 1-5: Stormwater display circulates around the community for a minimum of 3 months; Stormwater display is posted at a minimum of 3 different public locations in the community; Stormwater display is also used in future permit years for posting in public places or at stormwater events	Continued to display the older poster and flyers at the kiosk at the Town Offices. SuAsCo did not deliver the purchased materials in calendar year 2012.	Continue to display the older educational materials at the Town Offices. Display the 2013 materials at the Town Offices once received. Present the new materials to the public at the Annual and any Special Town Meetings.
Revised					
2B	Poster Contest for 5 th Graders	DPW & SuAsCo	Year 2: Poster contest held and entries received, judged, and displayed.	Continued coordination with the school district to re-instate this program following the retirement of the sponsoring faculty member.	Continue to encourage faculty to present stormwater matters in their lesson plans during the 2014/2015 school year. Use the 2013 & 2014 CIC grant to provide support and materials to faculty to facilitate this.
Revised					
2C	Photo Contest for High Schoolers	DPW & SuAsCo	Year 3: Photo contest is held and entries are received, judged, and displayed.	Continued coordination with the school district to re-instate this program.	Continue to encourage faculty to present stormwater matters in their lesson plans during the 2014/2015 school year. Use the 2013 & 2014 CIC grant to provide support and materials to faculty to facilitate this.
Revised					
2D	Stormwater Summit Event	DPW & SuAsCo	Year 4 requirement. Met.	One-time event in 2006.	None.
Revised					

2E Revised	Stormwater Super Summit Event	DPW & SuAsCo	Year 5 requirement. Met.	One-time event in 2007.	None.
2F Revised	Annual Stormwater Public Meeting	DPW	Hold public hearing by February every year.	Not held in February 2014 because there were no significant changes in the plan or program.	Present the requirements of the new permit at a Selectmen's meeting once the EPA has finalized the terms.
2G Revised	Watershed Group Involvement	DPW & Local Groups	Continue ongoing activities of local watershed groups such as cleanup and monitoring.	Various Town organizations held a cleanup event on April 27, 2014. DPW provided trash bags and pickup services.	Continue the program to support activities with various watershed groups. Use the 2013 and 2014 CIC grant to provide support and materials to facilitate this.
2H Revised	Involve Local Children's Groups	DPW	Children's groups help distribute or display educational information once per year.	See public outreach item 1K, 2G including Arbor Day, Earth Day, and Tree City activities.	Continue the program for coordinated activities with children's groups. Use the 2013 and 2014 CIC grant to provide support and materials to facilitate this.
2I Revised	Purchase Land for Conservation	DPW, various Town Agencies	Ongoing Program	Town pursues purchasing Chapter 61A land as availability and funding dictate.	Continue with the program as properties and funds are available.

2a. Additions

3. Illicit Discharge Detection and Elimination

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) — Permit Year 11 (Reliance on non-municipal partners indicated, if any)	Planned Activities
3A Revised	Illicit Discharge Bylaw	DPW	Develop/Implement Bylaw. Met Goal.	Article 37 adopted May 2009.	Continue to implement bylaw. (Attachment)
3B Revised	Storm Sewer Map	DPW	Map 100% of Outfalls in Urbanized Areas by Permit Year 5	Stormwater infrastructure mapping 100% complete including outfalls.	Calculate number of outfalls discharging to waterbodies listed in the original permit application by July 31, 2014. Initiate consultation with U.S. Fish and Wildlife to determine if the outfalls impact endangered species by November 30, 2014. Initiate consultation with the National Register of Historic Places to determine if the outfalls impact archaeological resources or Historic Properties of National Significance by November 30, 2014.
3C Revised	Detection & Elimination Plan	DPW	Year 1: Determine priority areas and discuss plan. Year 1-5: Visually screen 20% of outfalls. Year 4-5: Trace sources of illicit discharges (50% each year). Year 4-5: Remove all sources of illicit discharges (50% each year)	There has been no systematic activity to screen outfalls for illicit discharges. However, during normal operations, suspect observations are recorded and kept by the DPW. To date, one illicit discharge has been identified. Mapped entire stormwater infrastructure.	Utilizing equipment acquired through the CMRSWC, indentify all connections to stormwater infrastructure during the next cleaning cycle and test for possible illicit connections.

3D	Education for Public & Businesses	DPW	Year 1, 3: Include illicit discharge education in the community business and Grafton-specific flyers. Provide links to materials on Town website.	Older flyers continued to be available on a self-service basis at the Town offices. Links to IDDE fact-sheet materials are available on the Town website. Mailed stormwater matters bookmark to all property owners in July 2013.	Add links to the materials (SuAsCo and 2013 CIC grant materials) to the Town website as they become available.
Revised					
3E	Education for Municipal Employees	DPW	Year 2-5: Include illicit discharge education.	All current DPW employees are trained to identify illicit discharges.	Train new staff as necessary. Use 2013 CIC grant materials to support training activities.
Revised					

3a. Additions

4. Construction Site Stormwater Runoff Control

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) — Permit Year 11 (Reliance on non-municipal partners indicated, if any)	Planned Activities
4A Revised	Construction Site Runoff Bylaw	DPW, Planning, & Con Com	Develop & Implement Bylaw. Goal Met.	Article 36, adopted May 2009.	Continue to implement bylaw.
4B Revised	Erosion, Sediment, & Waste Controls	DPW, Planning, & Con Com	Develop & Implement Bylaw	Article 36, adopted May 2009. Refers to MassDEP Stormwater Management Standards and Guidance Documents.	Continue to implement bylaw.
4C Revised	Site Plan Review Procedures	DPW, Planning, & Con Com	Develop & Implement Bylaw	Article 36, adopted May 2009. Refers to MassDEP Stormwater Management Standards and Guidance Documents.	Continue to implement bylaw. The Planning Board will finalize the draft checklist. Projects are currently reviewed for compliance with local and state bylaws and regulations.
4D Revised	Site Inspection & Enforcement	DPW, Planning, & Con Com	Develop & Implement Bylaw	Approximately 60 site inspections in 2013. Approximately 7 sites cited with enforcement actions.	Continue to implement bylaw.
4E Revised	Stormwater Hotline	DPW, Planning, & Con Com	Receipt of complaints at DPW	Residents call town emergency services, the Highway Department, and the DPW. Reports are referred to the DPW. Hundreds of calls are received and responded to annually.	Continue the program.
Revised					

4a. Additions

5. Post-Construction Stormwater Management in New Development and Redevelopment

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) — Permit Year 11 (Reliance on non-municipal partners indicated, if any)	Planned Activities
5A Revised	Post-Construction Site Runoff Bylaw	DPW, Planning, & Con Com	Develop & Implement Bylaw	Article 36, adopted May 2009. In 2012/2013, the Conservation Commission began the process to develop standards for enforcement.	Continue to implement bylaw. Regulations adopted at the May28, 2013 hearing.
5B Revised	Structural & Non-Structural BMPs	DPW, Planning, & Con Com	Develop & Implement Bylaw	Article e 36, adopted May 2009. Refers to MassDEP Stormwater Management Standards and Guidance Documents for BMP list.	Continue to implement stormwater BMP requirements for projects in the Town. The DPW reviews plans prior to construction and then reviews the as-built condition before a project is accepted. Before a project is accepted, the DPW inspects sites to verify that the stormwater facilities function as designed.
5C Revised	Long-Term O&M	DPW, Planning, & Con Com	Develop & Implement Bylaw	Article e 36, adopted May 2009. Refers to MassDEP Stormwater Management Standards and Guidance Documents.	Continue to implement bylaw.
5D Revised	Structural BMP Implementation Procedures	DPW, Planning, & Con Com	Develop & Implement Bylaw	Article e 36, adopted May 2009. Refers to MassDEP Stormwater Management Standards and Guidance Documents.	Continue to implement bylaw.

5a. Additions

6. Pollution Prevention and Good Housekeeping in Municipal Operations

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) — Permit Year 11 (Reliance on non-municipal partners indicated, if any)	Planned Activities
6A Revised	Municipal Employee Training	DPW	Develop a comprehensive Municipal Operations and Maintenance Plan to include training protocols.	All DPW staff is currently trained in stormwater management.	Train new staff as needed. Incorporate 2013 CIC materials into training curriculum.
6B Revised	Maintenance & Inspection Procedures	DPW	Develop a comprehensive Municipal Operations and Maintenance Plan to include activities, schedules and procedures.	Annual programs are in place to clean catch basins and sweep streets. The streets are swept in the spring and fall. Catch basins are cleaned at least once per year starting in the spring. Known problem areas are addressed more often. Records for these activities are kept with the Highway Superintendent.	Continue with the program.
blank					

6C	Municipal Pollutant Source Reduction	DPW	Develop a comprehensive Municipal Operations and Maintenance Plan to include BMPs to reduce municipal pollution sources	In 2003, Grafton hired a consultant to assess the Municipal Operations in the Town with respect to Stormwater. The assessment recommended: - Connecting the DPW garage to the sewer. This task was accomplished in 2010. - Performing vehicle washing indoors. As of 2010, this is routine procedure. - BMPs for the sand/salt piles. The storage shed was rehabilitated; the materials are now completely covered. - The underground fuel storage tank was removed in 2012. The above ground storage tank was installed in 2013. - Assess pesticide and fertilizer operations. As of 2012, pesticide applications were limited to treatment of catch basin sump water. Fertilizer applications (where necessary) are limited to 10/10/10 organic applied at a rate of 3 pounds per 1000 SF. Note that all major tasks have been completed as of April 2014.	- Continue to encouraging "Do not Dump" catch basin castings and drain covers. The Town has materials to and will continue to mark catch basins with a "Do Not Dump" message.
6D	Waste Disposal Procedures	DPW	Develop a comprehensive Municipal Operations and Maintenance Plan to include BMPs to reduce municipal pollution sources	Materials are collected and properly disposed of by a licensed 3 rd party.	Continue with the program.

6a. Additions

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7. BMPs for Meeting Total Maximum Daily Load (TMDL) Waste Load Allocations (WLA) <<if applicable>>

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) — Permit Year 11 (Reliance on non-municipal partners indicated, if any)	Planned Activities
7A Revised	Residential and Commercial Education	DPW	Provide links to materials on the Town website.	Met goal, refer to items 1A, 1C.	Expand educational materials on Town website as they become available (including materials received as part of the 2013 CIC grant).
7B Revised	Outfall Inspection and Testing	DPW		Outfalls inspected in accordance with the municipal schedule and cleaned as-needed. No testing conducted. The one municipal outfall identified at Flint Pond was inspected and contributing structures were cleaned out in April 2014.	Continue to monitor the outfall to Flint Pond and the contributing infrastructure.
7C Revised	Illicit Discharge Elimination	DPW		No illicit discharges identified. Began discussions with Town agencies to fund this program. Ideas for funding include applications and fees for Sump Pump Discharge hookups.	Continue to monitor the outfall to Flint Pond outfall and the contributing infrastructure. Continue reviewing methods to fund and implement this program.
7D Revised	Municipal Operations Prioritized	DPW		Street sweeping and catch basin cleaning activities conducted according to municipal schedule. The schedule is kept at the Highway Superintendent's Office.	Continue ongoing maintenance activities.
Revised					
Revised					

7a. Additions

7b. WLA Assessment

The TMDL for Flint Pond indicates that the pond is impaired for turbidity as a result of excess phosphorus loading. The TMDL indicates that stormwater contributions of phosphorus must be reduced by 52 % to meet the waste load allocation (WLA) of the TMDL.

Regular street sweeping and catch basin cleaning provide a reduction in phosphorus loading. The Town continues the practice of sweeping and cleaning the structures in the area of Flint Pond to help with the WLA allocation. Neither fertilizers nor pesticides were applied in any buffer to a resource area.

Note that turbidity levels at the next downstream water body (Lake Ripple) were monitored during the summer and fall of 2011. Records of measurements are kept at the DPW. Measurements indicate that turbidity is not an issue at this location downstream.

Part IV. Summary of Information Collected and Analyzed

No information collected and/or analyzed.

Part V. Program Outputs & Accomplishments (OPTIONAL)

(Since beginning of permit coverage unless specified otherwise by a **, which indicates response is for period covering April 1, 2013 through March 31, 2014)

Programmatic

	(Preferred Units) Response	
	(y/n)	No
Stormwater management position created/staffed		
Annual program budget/expenditures **	(\$)	\$15,000+/-
Total program expenditures since beginning of permit coverage	(\$)	\$180,000+/-
Funding mechanism(s) (General Fund, Enterprise, Utility, etc)		General Fund

Education, Involvement, and Training

Estimated number of property owners reached by education program(s)	(# or %)	100%
Stormwater management committee established	(y/n)	No
Stream teams established or supported	(# or y/n)	No
Shoreline clean-up participation or quantity of shoreline miles cleaned **	(y/n or mi.)	Yes
Shoreline cleaned since beginning of permit coverage	(mi.)	1.25 (annually)
Household Hazardous Waste Collection Days		
• days sponsored **	(#)	2
• community participation **	(# or %)	10%
• material collected **	(tons or gal)	7 Tons (est.)
School curricula implemented	(y/n)	No

Legal/Regulatory

Regulatory Mechanism Status (indicate with "X")	In Place Prior to Phase II	Reviewing Existing Authorities	Drafted	Draft in Review	Adopted
■ Illicit Discharge Detection & Elimination					X
■ Erosion & Sediment Control					X
■ Post-Development Stormwater Management					X
Accompanying Regulation Status (indicate with "X")					
■ Illicit Discharge Detection & Elimination					X
■ Erosion & Sediment Control					X
■ Post-Development Stormwater Management					X

Mapping and Illicit Discharges

	(Preferred Units) Response	
	(%)	
Outfall mapping complete	(#)	100%
Estimated or actual number of outfalls	(%)	500 +/-
System-Wide mapping complete (complete storm sewer infrastructure)	(%)	100%
Mapping method(s)		
■ Paper/Mylar	(%)	0%
■ CADD	(%)	0%
■ GIS	(%)	100%
Outfalls inspected/screened **	(# or %)	0
Outfalls inspected/screened (Since beginning of permit coverage)	(# or %)	0
Illicit discharges identified **	(#)	1
Illicit discharges identified (Since beginning of permit coverage)	(#)	1
Illicit connections removed **	(#); and (est. gpd)	0
Illicit connections removed (Since beginning of permit coverage)	(#); and (est. gpd)	0
% of population on sewer	(%)	62%
% of population on septic systems	(%)	38%

Construction

(Preferred Units) Response	
Number of construction starts (>1-acre) **	(#) 12+/-
Estimated percentage of construction starts adequately regulated for erosion and sediment control **	(%) 100%
Site inspections completed **	(# or %) >50
Tickets/Stop work orders issued **	(# or %) 5+/-
Fines collected **	(# and \$) 0
Complaints/concerns received from public **	(#) 100's

Post-Development Stormwater Management

Estimated percentage of development/redevelopment projects adequately regulated for post-construction stormwater control	(%) 100%
Site inspections (for proper BMP installation & operation) completed **	(# or %) 20+/-
BMP maintenance required through covenants, escrow, deed restrictions, etc.	(y/n) Yes
Low-impact development (LID) practices permitted and encouraged	(y/n) Yes

Operations and Maintenance

Average frequency of catch basin cleaning (non-commercial/non-arterial streets) **	(times/yr) 1/yr
Average frequency of catch basin cleaning (commercial/arterial or other critical streets) **	(times/yr) 1-2/yr
Qty of structures cleaned **	(#) 2400+/-
Qty. of storm drain cleaned **	(%, LF or mi.) 300 LF
Qty. of screenings/debris removed from storm sewer infrastructure **	(lbs. or tons) 200 Tons
Disposal or use of screenings ((andfi((, POTW, compost, b eneficia(use, etc.) **	(location) Landfill

Basin Cleaning Costs		
• Annual budget/expenditure (labor & equipment)**	(\$)	see hourly rate
• Hourly or per basin contract rate **	(\$/hr or \$ per basin)	\$28/hr
• Disposal cost**	(\$)	— \$20/ton — 600 tons every 2 or 3 years.
Cleaning Equipment		
• Clam shell truck(s) owned/leased	(#)	1
• Vacuum truck(s) owned/leased	(#)	0
• Vacuum trucks specified in contracts	(y/n)	No
• % Structures cleaned with clam shells **	(%)	100%
• % Structures cleaned with vacor **	(%)	0%

(Preferred Units) Response		
Average frequency of street sweeping (non-commercial/non-arterial streets) **	(times/yr)	1/yr
Average frequency of street sweeping (commercial/arterial or other critical streets) **	(times/yr)	1-2/yr
Qty. of sand/debris collected by sweeping **	(lbs. or tons)	300 Tons
Disposal of sweepings (landfill, POTW, compost, beneficial use, etc.) **	(location)	Landfill
Annual Sweeping Costs		
• Annual budget/expenditure (labor & equipment)**	(\$)	see hourly rate
• Hourly or lane mile contract rate **	(\$/hr. or ln)	\$28/hr
• Disposal cost**	(\$)	\$0 this year
Sweeping Equipment		
• Rotary brush street sweepers owned/leased	(#)	1
• Vacuum street sweepers owned/leased	(#)	0
• Vacuum street sweepers specified in contracts	(y/n)	No
• % Roads swept with rotary brush sweepers **	%	100%
• % Roads swept with vacuum sweepers **	%	0%

Reduction (since beginning of permit coverage) in application on public land of: ("N/A" = never used; "100%" = elimination)		
■ Fertilizers	(lbs. or %)	70%
■ Herbicides	(lbs. or %)	N/A
■ Pesticides	(lbs. or %)	90%
Integrated Pest Management (IPM) Practices Implemented	(y/n)	No

(Preferred Units) Response	
Average Ratio of Anti-/De-Icing products used ** (also identify chemicals and ratios used in specific areas, e.g., water supply protection areas)	% NaCl 80% % CaCl ₂ 20% % MgCl ₂ % CMA % Kac % KCl % Sand
Pre-wetting techniques utilized **	(y/n or %) Yes
Manual control spreaders used **	(y/n or %) No
Zero-velocity spreaders used **	(y/n or %) No
Estimated net reduction or increase in typical year salt/chemical application rate	(±lbs/ln mi. or %) 0% change
Estimated net reduction or increase in typical year sand application rate **	(±lbs/ln mi. or %) No sand used
% of salt/chemical pile(s) covered in storage shed(s)	(%) 100%
Storage shed(s) in design or under construction	(y/n or #) Construction complete
100% of salt/chemical pile(s) covered in storage shed(s) by May 2013	(y/n) Yes

Water Supply Protection

Storm water outfalls to public water supplies eliminated or relocated	# or y/n	None
Installed or planned treatment BMPs for public drinking water supplies and their protection areas	# or y/n	None
• Treatment units induce infiltration within 500-feet of a wellhead protection area	# or y/n	1

Attachment A:
2013 CIC Grant Activity Information
Central Massachusetts Regional Stormwater
Coalition

CMRSWC CIC Grant FY2013 Summary of Activities
Year 11: April 1, 2013 – March 31, 2014

In Year 11, the Town of Grafton was an active participant in the Central Massachusetts Regional Stormwater Coalition (the Coalition). The Coalition's work in Year 11 was funded by a \$115,000 fiscal year 2013 (FY2013) Community Innovation Challenge (CIC) grant from the Massachusetts Executive Office of Administration and Finance. This grant was supplemented by a contribution of approximately \$2,800 from each of the 30 Towns, including Grafton.

Overview of the Coalition

The FY2013 Coalition communities included 13 communities that formed the Coalition during the previous year (Auburn, Charlton, Dudley, Holden, Leicester, Millbury, Oxford, Paxton, Shrewsbury, Spencer, Sturbridge, Webster, and West Boylston) plus 17 new "Expansion" Towns (including Boylston, Grafton, Hardwick, Hopkinton, Monson, Northbridge, Northborough, North Brookfield, Palmer, Rutland, Southbridge, Sterling, Upton, Uxbridge, Ware, Westborough, and Wilbraham).

The FY2013 work included numerous technical tasks focused on compliance with the 2003 Massachusetts MS4 Permit, although much of the Coalition's work prepares the communities to comply with requirements anticipated in the pending 2014 Massachusetts MS4 Permit. The Coalition's FY2013 efforts were facilitated by the consulting firms of Tata & Howard, Inc., and Verdant Water, supported by vendor PeopleGIS. However, the Coalition members themselves are responsible for putting the tools developed by the Coalition to use.

The FY2013 effort included monthly meetings of the Coalition Steering Committee, four formal training workshops, and other presentations. Grafton participated in three training workshops, reviewed deliverables, and served other key roles as described in this Annual Report.

The Coalition's Partnerships in Central Massachusetts

The Coalition is actively engaged with many water quality agencies and organizations and is committed to sharing the knowledge it has developed for the benefit of other communities.

The Coalition expanded its partnership with the Massachusetts Department of Environmental Protection (MassDEP) in FY2013, formally including budget in its FY2014 CIC Grant Application to support and assist in development of the stormwater-focused Interactive Qualifying Project (IQP) with four students at the Worcester Polytechnic Institute (WPI). The IQP underway in spring 2014 is the third such project the Coalition is doing in conjunction with MassDEP and WPI.

The IQP that was completed in Fall 2013 developed two products that will be highly useful to Coalition communities:

1. A Compliance Checklist, evaluating the 2003 Massachusetts MS4 Permit and looking forward to the pending 2014 Massachusetts MS4 Permit (based on the Draft 2013 New Hampshire MS4 Permit). This serves as a tool for Coalition communities to identify their most critical priorities as in preparation of the new MS4 permit and fully compliments the Coalition's other tasks.
2. A Catchment Ranking tool, which processes user input including water quality screening data, land use and development, history of illicit discharges, and other criteria to suggest ranking into one of the four catchment categories defined in the Draft 2013 New Hampshire MS4 Permit.

Many Coalition communities are working in spring 2014 with the WPI IQP project, benefiting from the students' mapping and inspection services as well as a detailed review of municipal stormwater management programs. For the latter, the WPI IQP will quantify the actual cost of the participants' stormwater programs, which will serve as the foundation for ongoing discussions about how each community will fund future stormwater programs. The Coalition appreciates the dedication of MassDEP to work with our members so closely and collaboratively.

Further documentation of the Coalition's dedication to stormwater management is evidenced by its coordinating with several other groups with a similar stormwater focus- some existing and some just developing- that are also funded at least in part by CIC Grants. These include:

- The Merrimack Valley Stormwater Collaborative (coordinated by the Merrimack Valley Regional Planning Commission);
- The Neponset Valley Regional Stormwater Collaborative (coordinated by the Metropolitan Area Planning Council);
- The Northern Middlesex Stormwater Collaborative Expansion (coordinated by the Northern Middlesex Council of Governments);
- The Southeastern Massachusetts Regional Stormwater group (just forming, coordinated by the Southeast Regional Services Group); and
- The North Suburban Planning Council (also coordinated by the Metropolitan Area Planning Council).

The benefits of collaboration between these groups include:

1. Sharing the tools that the Coalition developed in FY2012 and FY2013 with other groups, honoring the goal of the CIC Grant Program that projects produce deliverables that can be shared regionally;
2. The ability to utilize organic, innovative projects being developed and implemented by those groups that focus on additional stormwater management or education opportunities that the Coalition had not specifically addressed; and
3. Reducing redundancy or scope overlap in projects funded by the CIC Grant Program.

In Year 11, the Coalition began to coordinate with the Massachusetts Coalition for Water Resources Stewardship, and will present on its work at its 5th Annual Water Resources Strategies Symposium, to be held on Friday, May 16, 2014.

Finally, the Coalition has initiated conversations with technical assistance staff in USEPA Region 1, with the goal of benefiting from knowledge and experience of the agency's staff and from its network. An example of this outreach to the agency is the March 26, 2014 presentation by USEPA Region 1's Josh Secunda, which the Coalition hosted at MassDEP's Central Office in Worcester. Mr. Secunda's presentation focused on the critical role of engaging community stakeholders in the evaluation and decision-making processes that are part of developing a sustainable stormwater funding program. Representatives from many of the other stormwater groups listed previously also attended this meeting. When the actual municipal stormwater program budgets quantified by the WPI IQP student project are evaluated through the lens of Mr. Secunda's presentation, the Coalition believes the result will be a new motivation for many communities to review their current funding approach.

In March 2014, the Coalition met with representatives of USEPA Region 1, encouraging the agency to take an active role in sharing the materials produced by the Coalition (and similar groups) across the state, for the benefit of all MS4 communities. We are supported in this goal by the Massachusetts Municipal Association.

The Coalition intends to submit formal comments to USEPA when the 2014 Draft Massachusetts MS4 Permit is issued.

Representatives of the Coalition presented its work at the following other events in Year 11:

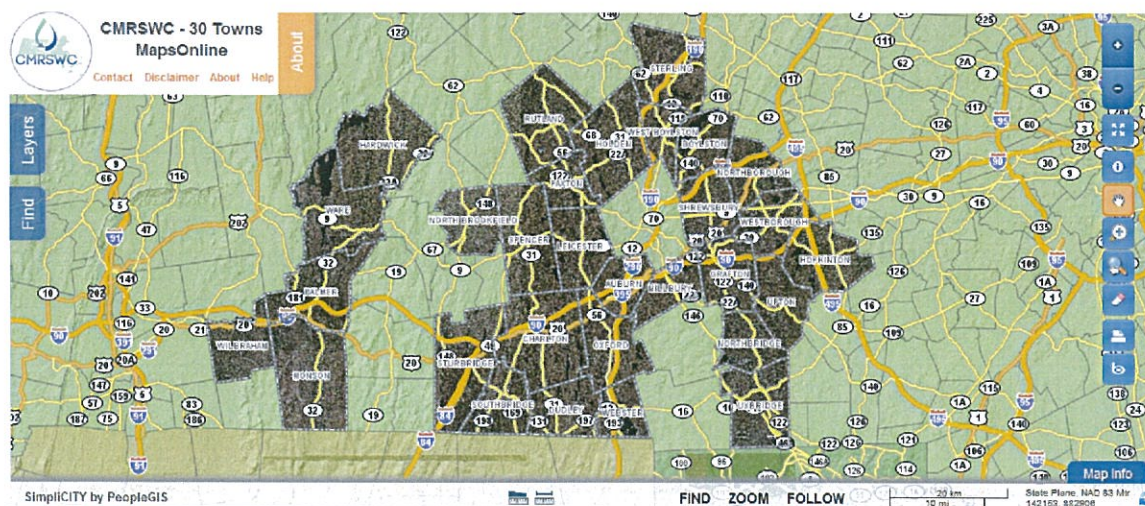
- *"Doing More With Less: The Benefits of Stormwater Regionalization Within Your Watershed"*, in Woonsocket, RI on September 30, 2013, at a workshop sponsored by MassDEP and Rhode Island's Department of Environmental Management;
- *"Managing Stormwater for Water Supply Protection"*, in Worcester, MA on December 3, 2013, at a Drinking Water Source Protection seminar sponsored by USEPA Region 1.

The Coalition has already given additional presentations in Year 12 to other organizations, with more planned.

Tasks Included in this Annual Report

In the following sections, descriptions of the technical tasks and resources made possible by the CIC grant funding have been separated into sections that mirror the six Minimum Control Measures (MCM's) in the 2003 Massachusetts Small MS4 Permit.

One of the more innovative tools- developed by the Coalition in Year 10 and expanded in Year 11- supports many MCM's and has been noted separately: an integrated online mapping and inspection database. The database is cloud-based, and can be accessed by all 30 member communities through a desktop or tablet computer. Below is a screen shot of the platform showing the extent of Coalition communities.



In Year 11, existing mapping completed by the 17 "Expansion" communities, including Grafton, was converted to a project standard format and uploaded to the online platform, which already included data from the 13 FY2012 communities. All 30 communities can see each other's infrastructure, but each maintains full control over their asset information and water quality data. This tool represents the

essence of the Coalition project's message, which is that stormwater is regional- it doesn't stop at a community boundary.

All mapped infrastructure is connected to inspection reports that mirror hard-copy forms developed in Year 10 in the 15 Standard Operating Procedures discussed under MCM 1, below: for example, outfall and catch basin inspections. The developed integrated mapping and inspection system is so comprehensive and flexible that does not fit into just one of the MCM's. It aids communities with public education and outreach (MCM 1), as surveying is a highly-visible activity that will generate questions, and would make an engaging demonstration to school groups). The integrated mapping and inspection database documents evidence of potential illicit discharges or the absence thereof (MCM 3), aids construction site stormwater control (MCM 4) by allowing for data evaluation of how much sediment is contained in a sump, and makes good housekeeping (MCM 6) easier by collecting data on how often catch basins are cleaned. Other tasks and tools of the project connect to the integrated mapping and inspection database, which was designed to serve the needs of the Coalition communities well beyond the 2003 Massachusetts Small MS4 Permit.

Each of the online forms is fluid- many were updated in Year 11 and will continue to be revised, as needed, to meet the goals of the Coalition members and the Massachusetts MS4 Permit requirements.

Minimum Control Measure 1: Public Education and Outreach

In Year 11, Grafton gained access a number of materials appropriate for public education and outreach, with materials on a variety of topics, which were compiled or developed by the Coalition in Year 10. The topics included illicit discharge detection and elimination, management of pet wastes, and appropriate use of fertilizer, among others. These materials are all available on the Coalition's website, www.CentralMAStormwater.org. The benefit of this delivery format is that the group members can print materials on demand. Grafton also has access to presentations on stormwater management, with content focused on educating the general public, elected officials, and volunteer groups.

Grafton has access to water quality monitoring kits from the World Water Monitoring Challenge program (www.worldwatermonitoringday.org), purchased by the Coalition in Year 10. These kits "build public awareness and involvement in protecting water resources around the world by engaging citizens to conduct basic monitoring of their local water bodies". Several communities used this in Year 11 to work with teachers in their local school department or district to do outreach to elementary and middle-school aged students. The kits are being stored in Spencer and Shrewsbury for distribution to the Coalition members.

Grafton has access to an Enviroscope table focused on non-point source pollution education (<http://www.enviroscapes.com/nonpoint-source.html>), purchased by the Coalition in Year 10. This tool is a hands-on, visual trainer to demonstrate the importance of good housekeeping and low-impact development for pollution prevention, with the objective of maintaining water quality in our communities.

The Coalition continued to expand its educational website, www.CentralMAStormwater.org, focused on providing information about the project to a number of audiences, including the general public, educators, and kids. In Year 11, a members-only area was created within this website to share materials for communities to review.

Minimum Control Measure 2: Public Involvement and Participation

In Year 11, Grafton received access to several presentations on stormwater management, with content focused on educating elected officials and municipal department heads about the requirements of the 2003 Small MS4 Program, changes likely in the anticipated 2014 Massachusetts MS4 Permit, and the financial impact these potential changes may have on Massachusetts communities.

Minimum Control Measure 3: Illicit Discharge Detection and Elimination

The Coalition provided training at two Year 11 workshops (September 17 and 26, 2013) on SOP 10, "Locating Illicit Discharges", intended to define the types of illicit discharges that may be observed in the Coalition communities and provide guidance on tools that can be used to identify each. SOP 10 includes an Illicit Discharge Incident Tracking Sheet.

The Coalition provided training in Year 11 at a workshop on November 20, 2013 on the Coalition's Illicit Discharge Detection and Elimination (IDDE) Documentation Packet, which specifies how illicit discharges are detected and what department or person is responsible for eliminating them. Identifying and removing illicit discharges, and ensuring that they are not reconnected, remains a substantial challenge to many MS4 communities. Without documentation of the entity responsible for this task for a variety of types of illicit discharge, communities may not satisfy the requirements of the 2003 Massachusetts Small MS4 Permit and may be unprepared for increased IDDE compliance in the new Small MS4 Permit. This deliverable clarified USEPA's minimum IDDE requirements and incorporated appropriate existing IDDE Plans and materials by reference. More importantly, the task provides a framework for people in multiple departments to understand each person's responsibilities, encourage cooperation and communication toward a single objective, and provide templates for documenting observations, actions, and compliance. The November 2013 training workshop included a comprehensive review of many types of illicit discharges, and an interactive discussion with attendees about how several examples would presently be managed in their own community.

In Year 11, Grafton received access to two Leica surveying devices purchased by the Coalition in Year 10 that can be used to map new structures with very high accuracy, using connection to a military-grade Real Time Kinematic (RTK) satellite network. The Coalition also provided an ASUS tablet computer to each Expansion community in Year 11, including Grafton. Both of these tools can be used to directly access the online mapping and inspection system: the Leica will be most valuable for mapping outfalls, catch basins, pipe, drain manholes, BMPs, and other components of the MS4, while the tablet computers will be most valuable for ongoing inspection of the structures. These two activities serve as the foundation of IDDE. The Leica units rotate between the 30 Coalition communities on a schedule, with formal handoff between Towns documented.

In Year 11, Grafton was provided with a portable wireless device (MiFi), purchased by the Coalition, so that both Leica and tablet computers can be used in the field. The Coalition and its members provided training on the Leica device, the tablet computers, and the online mapping and inspection system during Year 11.

In Year 10, the Coalition purchased several water quality field kits and meters, most of which are focused on identifying illicit discharges and aligned with the field screening parameters expected to be listed in the pending Massachusetts Small MS4 permit. In Year 11, the Coalition began the process of rotating these water quality kits and meters around the 30 Coalition communities, including Grafton, on a schedule that follows the use of the Leica device. The objective of this approach was that inspection

and mapping activities completed with the Leica may result in a list of outfalls or structures for which screening-level monitoring should be completed. The Coalition provided training on the use of these water quality kits at the workshop on November 20, 2013; this training was professionally recorded so that Towns can review it if and when they need a refresher.

The Coalition purchased additional water quality field kits in Year 11, based on materials provided by USEPA Region 1 Technical Assistance staff that summarized products recently approved by the agency for this use. The online inspection and mapping database enables any community to add screening-level or full analytical data to any inspection form, for any type of infrastructure, in the field. The online water quality monitoring forms are pre-populated with the specific water quality field kits and meters purchased and used by the Coalition.

In Year 11, the online mapping and inspection system was expanded for all 30 communities to include the ability to add pipe between structures, and gather data related to that pipe. Prior to Year 11, the system managed only point geometry, such as outfall, catch basin, drain manhole, and Best Management Practice infrastructure. All 30 Coalition communities will benefit from this new linear infrastructure feature, which is consistent with the requirements anticipated in the pending 2014 Massachusetts MS4 Permit based on what is included in the Draft 2013 New Hampshire MS4 Permit.

In Year 11, the Coalition revised the Request for Proposals (RFP) for a third-party firm to perform many of the field or inspection services defined in the 15 SOP's, including outfall inspection (dry weather and/or wet weather), water quality monitoring, catch basin inspection, and other related tasks. These services are all vital to the effort to identify illicit discharges in the Coalition communities. It was originally anticipated that the work of the RFP would be funded using FY2013 CIC monies. However, in Year 11, the Coalition Steering Committee voted to postpone putting the RFP out to bid, based on the fact that the new Massachusetts MS4 Permit has not yet been issued. This RFP will be re-evaluated in Year 12.

In Year 11, the Coalition performed a review of industrial facilities located in each of the 30 FY2013 communities, including facilities that applied for coverage under the USEPA's Multi-Sector General Permit (MSGP) program, and the compliance status of each. The objective of this activity was to connect data the two permit programs, consistent with requirements anticipated in the pending 2014 Massachusetts MS4 Permit.

Finally, the Coalition is currently planning a demonstration of Environmental Canine Services for May 2014 (in Year 12). This company uses highly-trained dogs to detect the presence of human sewage very low levels in water, and represents a quick and cost-effective screening tool for locating illicit discharges.

Minimum Control Measure 4: Construction Site Stormwater Runoff Control

In Year 11, Grafton received access to SOP 6, "Erosion and Sedimentation Control", developed in Year 10, which is intended to help communities minimize discharges from land disturbing activities. The SOP addresses design, planning, construction, and inspection tools and activities that can serve as BMPs. The SOP also outlines inspection requirements for a variety constructed BMPs that need to serve a long-term purpose for protecting surface waters from discharge of sediments.

Construction activities- including erosion control, stormwater pollution prevention, and appropriate management of waste materials- are also covered in the Stormwater Best Management Practices (BMP) Toolbox, development of which began in Year 10 and which was finalized in Year 11. The Stormwater

BMP Toolbox was written to inform the general public about the importance of managing private construction projects responsibly.

Minimum Control Measure 5: Post-Construction Stormwater Management in New Development and Redevelopment

In Year 11, Grafton received access to the Stormwater Best Management Practices (BMP) Toolbox, developed in Year 10 and finalized in Year 11. This tool compiles the stormwater post-development tools currently permitted and encouraged for small development or redevelopment, specifically single-family homes and limited commercial renovations that have a small development footprint. The Stormwater BMP Toolbox provides technical data, design factors, and construction limitations with these BMPs in non-technical language. The Coalition provided training on the Stormwater BMP Toolbox at two Year 11 workshops (September 17 and 26, 2013).

The objective was to provide the average property owner with easy-to-understand information that encourages them to select low-impact stormwater management tools for their properties, construct them safely, and maintain them for long-term benefit. The BMPs in the Toolbox are consistent with the requirements of the current Small MS4 Permit, the Massachusetts Stormwater Handbook (February 2008), and other current guidance documents.

Minimum Control Measure 6: Pollution Prevention and Good Housekeeping in Municipal Operations

In Year 11, Grafton received access to the Stormwater Pollution Prevention Plan (SWPPP) template in the form of a word processing document. The Coalition provided training on the SWPPP Template at two Year 11 workshops (September 17 and 26, 2013). This document was developed in Year 10 and addresses elements common to all SWPPPs, including storage of materials, site inspection practices, water sampling, training, spill prevention and cleanup, Standard Operating Procedures for a number of activities, and other sections. The SWPPP template covers many types of municipal properties. This includes highway department garages and public works yards- where salt is stored and vehicle maintenance or storage is completed- as well as parks, golf courses, and cemeteries, where fertilizers and pesticides may be applied and lawn mowing activities may result in small spills. The SWPPP template includes built-in instructions to make it as simple as possible for each community to develop a SWPPP for a property, simply by deleting text that doesn't apply.

In Year 11, Grafton received access to 15 Standard Operating Procedures (SOP's) developed by the Coalition in Year 10, and intended to provide guidance on activities required or encouraged by the 2003 Massachusetts Small MS4 Permit. The Coalition provided training on these SOP's at two Year 11 workshops (September 17 and 26, 2013). These SOPs addressed such diverse activities or needs as outfall inspection (both dry weather and wet weather), catch basin cleaning, erosion and sedimentation control, oil/water separator maintenance, use and storage of pesticides and fertilizers, and many more. The group developed standard forms and methodologies for these procedures, many of which were incorporated into the Integrated Online Mapping and Inspection System, described in following paragraphs.

In Year 11, Grafton received access to two presentations developed in Year 10 on pollution prevention in stormwater management, with content focused on educating employees of public works, engineering, conservation, planning, highway, and other similar municipal departments on the requirements of the 2003 Small MS4 Program. The Coalition provided training on how to use these presentations to educate staff at two Year 11 workshops (September 17 and 26, 2013). One presentation is focused on using the

SWPPP Template and the responsibilities of municipal personnel to implement requirements of the SWPPP, and the second training presentation provides explanation and insight on the 15 SOP's described previously.

In Year 11, Grafton received access to a Sump Pump Discharge Policy developed in Year 10 that provides a framework for the member communities to respond to needs to remove sump pumps from the sanitary sewer system without causing property damage or creating a hazardous condition for the public. The Coalition provided training on the Sump Pump Discharge Policy at two Year 11 workshops (September 17 and 26, 2013). The Policy discusses considerations related to potential contamination and reduction in capacity of the storm drain system when sump pumps are permitted to connect to the drainage system, and lays out a situational approach to provide flexibility in administering a policy. The Policy includes guidance for when such a connection should be considered, what information the municipality can request from a residential or commercial property to guide in its decision, and outlines the responsibilities of the property owner.

In Year 11, Grafton received access to a Salt/Sand Benchmarking tool developed in Year 10 to guide member communities in calibrating deicing equipment. The Coalition provided training on the calibration approaches and spreadsheets at two Year 11 workshops (September 17 and 26, 2013). The Benchmarking tool calculates the present loading rate of chloride (per lane-mile) presently applied by its salt trucks and other municipal vehicles, regardless of the compound (e.g.: sodium chloride, green salt, calcium chloride) or form (e.g., solid or liquid, mixed with sand), and in evaluating alternative application methods and materials to current practices. The Benchmarking tool deliverable guides communities through two different equipment calibration processes and suggests a target reduction rate that is coupled to and appropriate for the benchmarked loading rate. The objective of this task is to reduce the overall loading of chlorides to surface waters in the region while maintaining safe conditions on roadways.

MISCELLANEOUS

The Sump Pump Discharge Policy and the Private Drainage Connection SOP (SOP 15) documents both include technical criteria for a member community to evaluate when considering granting approval to residential and/or commercial users to connect such private drainage into engineered storm drain systems within the MS4. However, this approach is not effective in areas where no engineered storm drain system exists. In Year 11, the Coalition finalized an approach to connect pieces of data managed by multiple departments within a community for the benefit of all departments. Specifically, the task merges knowledge of areas where high inflow (i.e., sump pumps and drainage connections) to the sanitary sewer has been identified but where no engineered storm drain system exists. This knowledge includes drainage Capital Improvement Plan (CIP) categories and fields to prioritize the extension of the engineered drain system, within the parameters of the Sump Pump Policy and the Private Drainage Standard Operating Procedure, to reduce inflow to the sanitary sewer while protecting surface water quality. In Year 11, the Coalition provided training on the Drainage Extension Approach at the November 20, 2013 training workshop.



Attachment B: Local Regulations



TOWN OF GRAFTON CONSERVATION COMMISSION REGULATIONS GOVERNING STORMWATER MANAGEMENT

**UNDER THE GENERAL BYLAWS OF THE TOWN OF GRAFTON, ARTICLE 36:
STORMWATER MANAGEMENT BYLAW**

Regulations Adopted

5/28/2013

**TOWN OF GRAFTON CONSERVATION COMMISSION
REGULATIONS GOVERNING STORMWATER MANAGEMENT**

**UNDER THE GENERAL BYLAWS OF THE TOWN OF GRAFTON,
ARTICLE 36: STORMWATER MANAGEMENT BYLAW**

(Stormwater Management Bylaw adopted at Town Meeting on May 11, 2010 and approved by
the Massachusetts Attorney General's Office on June 23, 2010)

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Section I: Introduction and Purpose

A. Purpose & Authority

These Regulations are hereby promulgated under the authority of the Home Rule Amendment Article LXXXIX (89) of the amendments of the Constitution of Massachusetts, 1966, and in accordance with Section 10 of the Town of Grafton Stormwater Management Bylaw. Nothing in these Regulations is intended to replace or be in derogation of the requirements of the Town of Grafton Zoning Bylaw, Subdivision Rules and Regulations, Illicit Discharge Bylaw, General Wetlands Protection Bylaw, Board of Health Bylaws, or any Rules and Regulations adopted there under.

The purpose of these Regulations is to create a uniformity of process and to clarify and define the provisions of Article 36 of the Grafton General Stormwater Management Bylaw, hereafter called the "Bylaw", administered by the Grafton Conservation Commission, hereafter called the "Commission".

B. Adoption & Amendment

These Regulations and fee schedules may be periodically amended by the Conservation Commission in accordance with the procedures outlined in Section 10 Administration of the Town of Grafton Stormwater Management Bylaw.

C. Effective Date

These Regulations are effective when voted. A copy shall be filed with the office of the Town Clerk, with appropriate endorsements, such as the date of adoption, date filed with the Town Clerk and any amendments.

Section 2. Definitions

The definitions contained here apply to administration, enforcement and issuance of a Stormwater Management Permit established by the Town of Grafton Stormwater Management Bylaw and implemented through these Stormwater Management Regulations. Terms not defined in this section shall be construed according to their customary and usual meaning unless the context indicates a special or technical meaning. The following terms are defined in the Massachusetts Wetlands Regulations (310 CMR 10.00): Critical areas, Environmentally sensitive site design, Flood control, Ground water, Illicit discharge, Land uses with higher potential pollutant loads, , Maintenance of a stormwater management system, Stormwater management system, and Surface waters.

ALTER: Any activity, which will measurably change the ability of a ground surface area to absorb water or will change existing surface drainage. Alter may be similarly

represented as “alteration of drainage characteristics,” and “conducting land disturbance activities.”

ANR: APPROVAL NOT REQUIRED A plan of land that does not require approval under the Subdivision Control Law of Massachusetts (M.G.L. - Chapter 41, Sections 81K through 81GG).

BETTER SITE DESIGN: Site design approaches and techniques that can reduce a site’s impact on the watershed through the use of nonstructural Stormwater Management practices. Better site design includes conserving and protecting natural areas and green space, reducing impervious cover, and using natural features for stormwater management.

(COC) CERTIFICATE OF COMPLETION: A document issued by Conservation Commission after all construction activities have been completed which states that all conditions of an issued Stormwater Management Permit have been met and that a project has been completed in compliance with the conditions set forth in the Stormwater Management Bylaw.

COMPLETED APPLICATION: An application shall be deemed complete by the Conservation Commission when all information is complete and accurate as stated in these Regulations, including any supplemental information requested by the Conservation Commission is submitted and accepted for review.

CONVEYANCE: Any natural or man-made structure or device, including pipes, drains, culverts, curb breaks, paved swales or man-made swales of all types designed or utilized to move or direct stormwater runoff or existing water flow.

DEVELOPER: A person who undertakes or proposes to undertake land disturbance activities.

DIRECTLY CONNECTED IMPERVIOUS AREA (DCIA): According to the U.S. EPA, the portion of IMPERVIOUS SURFACE with a direct hydraulic connection to the MS4 or water body via continuous paved surfaces, gutters, pipes and other impervious features. DCIA typically does not include isolated impervious areas with an indirect hydraulic connection to the MS4 (e.g., swale or detention basin) or that would otherwise drain to a pervious area.

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

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 disturbance activities. NOTE: The Commission, at its discretion, may accept a plan from a professional land surveyor (PLS) or a registered landscape architect (RLA) for smaller projects that do not alter drainage characteristics or propose elevation changes.

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

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

EROSION CONTROL PLAN: A plans that shows the location and construction detail(s) of the erosion and sediment reduction controls to be utilized for a construction site during and after construction.

FLOODING: A local and temporary inundation or a rise in the surface of a body of water, such that it covers land not usually under water.

FLOOD CONTROL: The prevention or reduction of flooding and flood damage.

GROUNDWATER: All water beneath any land surface including water in the soil and bedrock beneath water bodies.

IMPAIRED WATERS: Include those waters that MassDEP has identified pursuant to section 303(d) of the Clean Water Act as not meeting applicable state water quality standards. Impaired waters encompass both those with approved Total Maximum Daily Loads (TMDLs), and those for which TMDL development has been identified as necessary, but for which a TMDL has not yet been approved.

IMPERVIOUS SURFACE or IMPERVIOUS COVER (IC) or IMPERVIOUS AREA (IA): Any material or structure on or above the ground that prevents water from infiltrating through the underlying soil. Impervious surface is defined to include, without limitation: paved surfaces (parking lots, sidewalks, driveways), roof tops, swimming pools, patios, and paved, gravel and compacted dirt surfaced roads.

INVASIVE SPECIES: Those plant species whose introduction does, or is likely to, cause economic or environmental harm or harm to human health. For the purpose of this bylaw, a plant species is considered "invasive" only when it occurs on the List of Federal Noxious Weeds (available at <http://plants.usda.gov/java/noxious?rptType=Federal>) or on the Massachusetts Prohibited Plant List (available at <http://www.mass.gov/agr/farmproducts/prohibitedplantlist.htm>).

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-DISTURBING ACTIVITY OR LAND DISTURBANCE: Any activity, including clearing and grubbing, that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material. See also ALTER.

LOW-IMPACT DEVELOPMENT (LID): Development that results in minimized alterations of the land for a more sustainable land development pattern. The site planning process first identifies critical natural resources and then determines appropriate building envelopes to preserve resources. LID also incorporates a range of best management practices (BMPs) that preserve the natural hydrology of the land, minimize impervious areas and preserve vegetation. LID techniques capture water on site, filter it through vegetation, and let it soak into the ground where it can recharge the local water table rather than being lost as surface runoff.

MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS: The requirements described in the Massachusetts Stormwater Handbook, as they may be amended from time to time, that address water quality (pollutants) and water quantity (flooding, low base flow and recharge) by establishing standards that require the implementation of a wide variety of stormwater management strategies. These strategies include environmentally sensitive site design and LID techniques to minimize impervious surface and land disturbance, source control and pollution prevention, structural Best Management Practices, construction period erosion and sedimentation control, and the long-term operation and maintenance of stormwater management systems. The Stormwater Management Standards have been incorporated in the Wetlands Protection Act Regulations, 310 CMR 10.05(6)(k) and the Water Quality Certification Regulations, 314 CMR 9.06(6)(a).

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) Storm Water Discharge Permit shall mean a permit issued by United States Environmental Protection Authority or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

NEW DEVELOPMENT: Any construction or Land Disturbance on a parcel of land that is currently in a natural vegetated state and does not contain alteration by man-made activities.

NON-POINT SOURCE POLLUTION: Pollution from diffuse sources (as opposed to discrete conveyances), caused by water, including rainfall or snowmelt, moving over or through the ground. i.e. - any source from which pollution is discharged which is not identified as a point source, including, but not limited to urban, agricultural, or silvicultural runoff. Nonpoint source pollution emanates from many diffuse sources caused by rainfall or snowmelt moving over and/or through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into water resource areas.

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

PLAN MODIFICATIONS: Any change in the stormwater management plan as authorized in the Stormwater Management Permit.

POINT SOURCE: Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete, fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

RECHARGE: The replenishment of underground water reserves.

REDEVELOPMENT: Development, replacement, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites. Redevelopment is further defined by Massachusetts Stormwater Management Standard 7.

RESOURCE AREA: Any area protected under, including without limitation: the Massachusetts Wetlands Protection Act, Massachusetts Rivers Act or Town of Grafton Wetlands Protection Bylaw (Article 25 of the Town Bylaws).

STANDARD SPECIFICATIONS: Commonwealth of Massachusetts, Department of Public Works Standard Specifications for Bridges & Highways, as amended.

STOP WORK ORDER: An order issued by the Conservation Commission that requires that all construction activity on a site be stopped.

STORMWATER MANAGEMENT: The use of structural or non-structural practices that are designed to reduce and control stormwater runoff pollutant loads, discharge volumes and/or peak flow discharge rates.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP): a site-specific, written document that: (1) identifies potential sources of stormwater pollution at the construction site; (2) describes stormwater control measures to reduce or eliminate pollutants in stormwater discharges from the construction site; and (3) identifies procedures the operator will implement to comply with the terms and conditions of this general permit.

SUBDIVISION: Defined in the Subdivision Control Law of Massachusetts (M.G.L. – Chapter 41, Section 81L Definitions).

TMDL - TOTAL MAXIMUM DAILY LOAD: A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality

standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and must include a margin of safety (MOS) and account for seasonal variations. (See section 303(d) of the Clean Water Act and 40 CFR §130.2 and §130.7).

TSS - TOTAL SUSPENDED SOLIDS: A measure of the filterable solids present in a sample, as determined by the method specified in 40 CFR Part 136.

VERNAL POOL: A water body that has been certified, or meets the criteria for being certified, by the Massachusetts Division of Fisheries and Wildlife as a vernal pool. Vernal pools are confined basin depressions which, at least in most years, hold water for a minimum of two continuous months during the spring and/or summer, and which are free of adult fish populations.

WATER QUALITY VOLUME (WQv): The storage volume needed to capture a specified average annual stormwater runoff volume. Numerically (WQv) will vary as a function of drainage area or impervious area.

Section 3: Administration

The Grafton Conservation Commission is designated as the administering authority under the Stormwater Management Bylaw. The Conservation Commission is the entity responsible for adopting regulations pursuant to the Bylaw and shall administer, implement and enforce these Regulations. The Conservation Commission designates the Conservation Agent, as its authorized agent for administering, implementing and enforcing the Bylaw and these Regulations.

Section 4: Applicability

These Regulations apply to all activities in accordance with the Applicability of Section 2 of the Stormwater Management Bylaw and as described in this section. Any exemptions to the Stormwater Management Bylaw are located in Section 3 Exemptions.

Projects and/or activities not specifically under the currently regulated jurisdiction of any of the Town of Grafton boards, commissions or departments but still within the jurisdiction of the Town of Grafton Stormwater Management Bylaw must obtain a Stormwater Management Permit from the Conservation Commission in accordance with the permit procedures and requirements defined in Section 5 of these Regulations.

If a portion of a project or activity meets the Applicability of Section 2 of the Stormwater Management Bylaw and it is within the specific jurisdiction of another Town board, then the Conservation Commission will remain responsible for facilitating stormwater review and approval of the Stormwater Management Permit. The specific application submission requirements, public notices, and fee requirements of the applicable board, commission, and/or department shall remain in effect in addition to the requirements of the Stormwater Management Bylaw. The Conservation Commission and other Town boards shall

coordinate any necessary expert engineering and other consultant services required for application review. No work may commence without a Stormwater Management Permit from the Conservation Commission.

Section 5: Permit Procedures, Requirements, and Fees

Projects requiring a Stormwater Management Permit per Section 2 Applicability of the Stormwater Management Bylaw shall be required to submit the materials as specified in this Section, and are required to meet the Performance Standards as specified in Section 6 of these Regulations.

A. Stormwater Management Permit Application

The Applicant shall file with the Conservation Commission, three (3) hard copies of a completed application package for a Stormwater Management Permit and one (1) PDF formatted copy consistent with the current Standard for Digital Plan Submission to Municipalities, published by the Commonwealth's Office of Environmental Information (MassGIS). Permit issuance is required prior to any land disturbance. While the application can be prepared by a representative, the applicant must be the owner of the site or holder of an easement.

B. The Stormwater Management Permit Application Package

The Stormwater Management Permit application package shall include:

1. A completed Application Form with original signatures of all owners and representatives;
2. Payment of the Application Fee;
3. Responsible Billing Party;
4. Maintenance Agreement;
5. Surety bond (if required);
6. A list of abutters, certified by the Assessor's Office, to be used by the applicant to provide notice to abutters at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water);
7. A list of requested waivers, if applicable. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrate that strict application of the Bylaw or Regulations is not necessary to meet the purposes or objectives of the Bylaw; and
8. A Stormwater Management Plan (Stormwater Report, Erosion and Sediment Control Plan, Operation and Maintenance Plan, Cost Estimate and Timeline) and narrative to document compliance with the Stormwater Management
9. Proof of notification to Natural Heritage and Endangered Species Program if within Estimated or Priority Habitat or proof that project is not within Estimated or Priority Habitat

All items in Section 5B are required for application submission to be reviewed. Conservation Commission will notify applicant within 14 days whether the application is considered a completed application. If application is determined to be incomplete, the Conservation Commission will state which items are deficient and preventing the application from being determined to be a completed application. No work proposed shall be undertaken without a Stormwater Management Permit from the Conservation Commission.

C. Entry on Land

To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Conservation Commission or its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under the Stormwater Management Bylaw and these Regulations and may make or cause to be made such examinations, surveys or sampling as the Conservation Commission deems reasonably necessary to determine compliance with the Stormwater Management Permit.

D. Fees

1. General

The Conservation Commission shall obtain with each submission an Application Fee established by the Commission to cover expenses connected with the administration of an application review of the Stormwater Management Permit.

2. The Commission is authorized to retain a Registered Professional Engineer or other professional consultant to advise the Commission on any or all aspects of these plans. Applicants must pay review fees before the review process may begin.

3. Rules for Application Fees

- a. Application Fees are payable at the time of application and are non-refundable.
- b. All fees shall be calculated by the Conservation Commission in accordance with the fee schedule below.
- c. These fees are in addition to any other local or state fees that may be charged under any other law, regulation, or local Bylaw.
- d. Municipal projects shall be exempt from Application Fees associated with a Stormwater Management Permit.

4. Application Fees

Application Fees, in accordance with these Regulations, shall be payable to the Town of Grafton at the time of filing. Any application not accompanied by the appropriate fee payment at the time of application shall be considered incomplete. The Application Fee will be used for processing of the application, coordination of Town staff, posting hearings, and other clerical work by Town staff. No fees are refundable in whole or in part under any circumstances. However, the fee is reduced by 50%, except that the minimum fee is \$100, if a

stormwater application is submitted and reviewed and hearings held concurrently with a filing under the Wetlands Protection Act and/or a permit under the Grafton Wetlands Protection Bylaw.

The application fee is based on the land area that will be disturbed by construction and post construction activities. The application fee is:

- a) \$100 for disturbance up to one (1) acre
- b) plus \$50 each additional one (1) acre (or portion thereof) of disturbance up to and including five (5) acres of total disturbance
- c) plus \$50 each additional five (5) acres (or portion thereof) of disturbance. (e.g. Fee for 100 acres of disturbance is \$1250.)

For projects disturbing less than 40,000 square feet but at least 1000 cubic yards:

- d) \$100 for disturbance of 1000 cubic yards
- e) plus \$50 per each additional 1000 cubic yards or portion thereof
- f) \$50 for waivers (payable for each waiver requested)

Fees for after-the-fact filings are doubled.

5. Revision of Fee Schedule and Regulations Governing Fees

- a. The Conservation Commission may review and revise its Regulations and fee schedules periodically as it sees fit.
- b. Amendments shall be preceded by a posted public hearing of the Conservation Commission not less than 10 days prior to the date upon which the change is to be effective.
- c. A copy of the written decision will be filed with the Town Clerk within 14 business days after final action is taken.

6. Rules for Hiring consultants

As provided by GL Ch. 44 § 53G, the Grafton Conservation Commission may impose reasonable fees for the employment of outside consultants, engaged by the Conservation Commission, for specific expert services deemed necessary by the Commission to come to a final decision on an application submitted to the Conservation Commission pursuant to the requirements of the Wetlands Protection Act (GL Ch. 131 § 40), the Grafton non-zoning wetlands bylaw, Stormwater Management Bylaw, Conservation Commission Act (GL Ch. 40 § 8C), or any other state or municipal statute, bylaw or regulation, as they may be amended or enacted from time to time.

Funds received by the Conservation Commission pursuant to these rules shall be deposited with the town treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Conservation Commission without further appropriation as provided in GL Ch. 44 §53G. Expenditures from this account shall be made only in connection with the

review of a specific project or projects for which a consultant fee has been collected from the applicant.

Specific consultant services may include but are not limited to resource area survey and delineation, analysis of resource area values, hydrogeologic and drainage analysis, impacts on municipal conservation lands, and environmental or land use law. The consultant shall be chosen by, and report only to, the Commission and/or its Administrator.

The Conservation Commission shall give written notice to the applicant of the selection of an outside consultant, which notice shall state the identity of the consultant, the amount of the fee to be charged to the applicant, and a request for payment of said fee in its entirety. Such notice shall be deemed to have been given on the date it is mailed or delivered. No such costs or expenses shall be incurred by the applicant if the application or request is withdrawn within five days of the date notice is given.

The fee must be received in its entirety prior to the initiation of consulting services. The Commission may request additional consultant fees if necessary review requires a larger expenditure than originally anticipated or new information requires additional consultant services. Failure by the applicant to pay the consultant fee specified by the Commission within ten (10) business days of the request for payment shall be cause for the Commission to determine that the application is administratively incomplete (except in the case of an appeal). The Commission shall state such in a letter to the applicant. No additional review or action shall be taken on the permit request until the applicant has paid the requested fee.

The applicant may appeal the selection of the outside consultant to the selectboard, who may disqualify the outside consultant selected only on the grounds that the consultant has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications shall consist of either an educational degree or three or more years of practice in the field at issue or a related field. Such an appeal must be in writing and received by the selectboard and a copy received by the Conservation Commission, so as to be received within ten (10) days of the date consultant fees were requested by the Conservation Commission. The required time limits for action upon the application shall be extended by the duration of the administrative appeal.

E. Public Hearings

A public meeting will be held within thirty (30) days of the receipt of a Completed Application and shall take final action within thirty (21) days from the close of the hearing unless such time is extended by agreement between the Applicant and the Conservation Commission. Notice of the public meeting shall be given, at the expense of the Applicant, by a publication in a local newspaper of general circulation, by posting, and by hand delivery or a certified mailing, return receipt requested, at least fourteen (5) days prior to the hearing.

F. Permit Application Review Procedures

All applications for a Stormwater Management Permit shall be reviewed and determined by the Conservation Commission.

1. Abutter Notification

The Applicant shall provide notice to all abutters of the projects filing and invite comment to the Commission on said application for a period of not less than fourteen (14) days. The Commission shall make the application available for inspection by the public during business hours at the office of the Conservation Commission.

2. Existing Conditions Review

As part of the application review, the Conservation Commission reserves the right for an existing conditions review which includes an on-site evaluation. Please refer to Section 5C.

3. Final Action

The Commission shall take final action within twenty-one business (21) days of the close of public hearing, unless such time is extended by agreement between the Applicant and the Commission, per subsection 4 below. The Conservation Commission shall take final action, rendered in writing, as set out in the Bylaw.

4. Mutual Extension of Time

The required time limits for final action may be extended by written agreement between the applicant and the Conservation Commission

G. Plan Modifications

The applicant must notify the Conservation Commission in writing of any changes in the Stormwater Management Plan as authorized in the Stormwater Management Permit before any change or alteration is made. If the Conservation Commission determines that the change or alteration is significant, based on the Stormwater Management Standards in Section 7 and accepted construction practices, the Conservation Commission may require that an amendment request with Plan Modifications be filed.

Changes in ownership or responsible parties will not require resubmission of amendment request as long as the permit timeline has not expired.

1. Final Action with Plan Modifications

The Commission shall take final action within thirty businesses (30) days of the receipt of an amendment request with Plan Modifications unless such time is extended by agreement between the Applicant and the Commission, per Subsection 4 Mutual Extension of Time, above. The Conservation Commission's final action, rendered in writing, shall consist of either:

- a. Approval of the amendment request with Plan Modifications based upon determination that the proposed modifications will adequately protect the resources of the community as outlined in Stormwater Bylaw and is in compliance with the requirements set forth in these Regulations;
- b. Approval of the amendment request with Plan Modifications subject to any conditions, modifications or restrictions required by the Conservation Commission which will ensure that the project with Plan Modifications will adequately protect the water resources of the community and is in compliance with the requirements set forth in these Regulations;
- c. Disapproval of the amendment request with Plan Modifications based upon a determination that the proposed Plan Modifications, as submitted, does not adequately protect water resources, as set forth in these Regulations, or the application is deemed incomplete.

H. Appeals of Actions

A decision of the Conservation Commission shall be final. Further relief of a decision by the Conservation Commission under the Stormwater Management Bylaw and these regulations shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with M.G.L. Ch 249 § 4.

I. Permit Expiration / Extension

Should a land-disturbing activity permitted in accordance with these Regulations not begin during a 180-day period following permit issuance, or if work has not been completed within three (3) years, the Applicant shall notify the Conservation Commission 30 days before expiration to avoid expiration and resubmission. The Commission may re-evaluate the originally approved Stormwater Management Plan to determine whether the plan still satisfies local program requirements. Permits may be renewed for one (1) additional one (1) year term, without Public Hearings at the discretion of the Commission. If the Conservation Commission finds the previously filed Plan to be inadequate, a Modified Plan shall be submitted and approved prior to the commencement of land-disturbing activities per the procedure in Section 5F of these Regulations.

J. Vesting of Rights

Upon amendment of the bylaw or regulations, applicants shall have a 180-day period following the effective date of the new bylaw or regulations, to use a previously issued SMP. After such time the Conservation Commission may reevaluate the originally approved Stormwater Management Plan to determine whether the plan still satisfies the bylaw and regulation requirements. If the Commission finds the previously filed plan to be inadequate, a modified plan shall be submitted and approved before the commencement of land-disturbing activities.

Section 6: Stormwater Management Performance Standards

A. Minimum Performance Standards

For compliance with Performance Standards of the Grafton Stormwater Management Bylaw, the applicant must meet all the standards of the Massachusetts Department of Environmental Protection's Stormwater Management Standards and Handbook using current Best Management Practices (BMPs).

B. Additional Design Criteria

1. Low Impact Development and Better Site Design

The use of non-structural LID Management practices and Better Site Design are encouraged to minimize reliance on structural management measures. The use of Better Site Design and or LID Management Practices may, if approved by the Conservation Commission, also allow for a reduction in the treatment volume, a reduction of applicable fees associated with the project, or other incentive approved by the Permitting Authority.

2. Landscape Design

Site plans and landscape plans for all proposed projects shall take appropriate steps to minimize water use for irrigation and to allow for natural recharge of groundwater. Native species and habitat creating species shall be used in all landscape plans to the maximum extent possible. Invasive species shall not be planted in the Town of Grafton.

3. Hydrologic Basis for Design

For stormwater facility sizing criteria, the basis for hydrologic and hydraulic evaluation of development and redevelopment sites are as follows:

- a. All hydrological calculations shall be completed and certified to by a Registered Engineer licensed to practice in this field. Typically the procedures to follow will include Technical Release Number 55 (TR55) and/or TR20 (as amended); with pipe design flows calculated using the Rational Method for the 25-year storm event.
- b. The rainfall amounts shall be determined using Type III 24-hour storm precipitation as referenced in Technical Release Number 55 and 20. Precipitation amounts shall be defined by NRCC Cornell data.
- c. The minimum time of concentration for street drainage (Rational Method) shall be five (5) minutes.
- d. Water velocities in pipes and gutters shall be between two (2) and ten (10) feet per second, not more than five (5) feet per second on paved surfaces, and not more than four (4) feet per second in vegetated areas.
- e. Impervious cover is measured from the site plan and includes any material or structure on or above the ground that prevents water from infiltrating through the underlying soil.
- f. Off-site areas shall be assessed based on their "pre-developed condition" for computing the water quality volume (i.e., treatment of only onsite areas is

required). However, if an offsite area drains to a proposed BMP, flow from that area must be accounted for in the sizing of a specific practice.

- g. Off-site areas draining to a proposed facility should be modeled as "present condition" for peak-flow attenuation requirements.
- h. The length of sheet flow used in time of concentration calculations is limited to no more than 50 feet.
- i. Detention time is defined as the time between the center of mass of the inflow hydrograph and the center of mass of the outflow hydrograph.
- j. For purposes of choosing a runoff Curve Number, all pervious lands in the site shall be assumed prior to development to be in "good" hydrologic condition regardless of conditions existing at the time of computation.
- k. Flooding and channel erosion impacts to receiving streams due to land development projects shall be determined at each point of discharge from the development project and such determination shall include any runoff from the balance of the watershed which also contributes to that point of discharge.
- l. Proposed residential, commercial, or industrial subdivisions or ANRs shall apply these Stormwater Management criteria to the land development as a whole. Individual lots in new subdivisions shall not be considered separate land development projects, but rather the entire subdivision shall be considered a single land development project. Hydrologic parameters shall reflect the ultimate land development and shall be used in all engineering calculations.

C. Sensitive Areas – Additional Design Criteria

Stormwater discharges to Critical Areas with sensitive resources as defined in the Massachusetts Stormwater Management Standard No. 6, and vernal pools, whether certified or not, (providing they meet the standards for certification, are subject to additional criteria, and may need to utilize or restrict certain Stormwater Management practices at the discretion of the Conservation Commission. The Conservation Commission may designate additional Sensitive Areas and specific criteria for these areas by amending these Regulations.

D. Discharges to Water Quality Impaired Waters

The Applicant must determine whether stormwater discharges from the proposed site will contribute, either directly or indirectly, to an impaired water body. Structural and non-structural stormwater BMPs shall be selected that will control the discharge of the pollutants of concern and ensure that the discharges will not cause any instream exceedances of applicable water quality standards. Pollutants of concern refer to the pollutant identified as causing the impairment.

Section 7: Stormwater Management Plan Contents

- A. The application for a Stormwater Management Permit shall include the submittal of a Stormwater Management Plan (Stormwater Report, Erosion and Sediment Control Plan, Operation and Maintenance Plan, Cost Estimate and Timeline) to the

Conservation Commission prepared in accordance with the Massachusetts Stormwater Handbook and the criteria established in these Regulations. This Stormwater Management Plan shall document compliance with each of the ten (10) Stormwater Management Standards as provided in the Massachusetts Stormwater Handbook and shall contain sufficient information for the Conservation Commission to evaluate the environmental impact, effectiveness, and acceptability of the site planning process and the measures proposed by the applicant for reducing adverse impacts from stormwater runoff. The Stormwater Management Plan shall remain on file with the Conservation Commission.

B. The Stormwater Management Plan shall fully describe the project in drawings, narrative and calculations. The plan shall bear the stamp and signature of a Professional Engineer (PE) licensed in the Commonwealth of Massachusetts to certify that the Stormwater Management Plan is in accordance with the criteria established in the Stormwater Handbook, the Stormwater Management Bylaw and these Regulations. To demonstrate compliance to the Conservation Commission, the applicant shall include the following in addition to the requirements in the Stormwater Handbook:

1. Stormwater Report
 - a. Locus Map;
 - b. Existing Site Plan;
 - c. The existing zoning, and land use at the site and abutting properties;
 - d. The proposed land use and limit of work;
 - e. The location(s) of existing and proposed easements;
 - f. The location of existing and proposed utilities;
 - g. The location of existing and proposed site improvements (buildings, drives, walkways, etc.)
 - h. The site's existing & proposed topography with contours at 1-foot intervals;
 - i. The existing site hydrology (both groundwater recharge and surface runoff);
 - j. A description and delineation of existing stormwater conveyances, impoundments, wetlands, drinking water resource areas, swimming beaches, sensitive areas, vernal pools, NHESP (Natural Heritage and Endangered Species Program) habitat, or other protected resource areas, on or adjacent to the site or into which stormwater flows;
 - k. A delineation of 100-year flood plains, if applicable;
 - l. The existing and proposed vegetation and ground surfaces with runoff coefficients for each; (including all impervious cover – parking, driveways, etc.)
 - m. A drainage area map showing pre- and post-construction watershed boundaries, drainage areas, time of concentration (tc), and stormwater flow paths, including municipal drainage system flows;
 - n. A description and drawings of all components of the proposed Stormwater Management system including:
 - i. All measures for the detention, retention or infiltration of water;
 - ii. Description of non-structural BMPs;

- iii. All measures for the protection of water quality (see Erosion and Control Plan for more details);
 - iv. The structural details for all components of the proposed drainage systems and Stormwater Management facilities;
 - v. Notes on drawings specifying materials to be used, construction specifications, and expected hydrology with supporting calculations;
 - vi. Proposed site plan including location of buildings or other structures, impervious surfaces, and drainage facilities, if applicable;
 - vii. Any other information requested by the Conservation Commission.
 - o. Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in the Stormwater Handbook. Such calculations shall include:
 - i. Description of the design storm frequency, intensity and duration;
 - ii. Time of concentration;
 - iii. Soil Runoff Curve Number (RCN) based on land use and soil hydrologic group;
 - iv. Peak runoff rates and total runoff volumes for each watershed area;
 - v. Provisions for protecting, during construction, the infiltration capacity of the soil where infiltration is proposed;
 - vi. Infiltration rates, where applicable;
 - vii. Culvert capacities;
 - viii. Flow velocities;
 - ix. Data on the increase in rate and volume of runoff for the specified design storms, and
 - x. Documentation of sources for all computation methods and field test results.
 - p. Landscaping plan describing the woody and herbaceous vegetative stabilization and management techniques to be used within and adjacent to the stormwater practice.
2. The Erosion and Sediment Control Plan (Drawings and Narrative) shall contain the following:
- a. Direction(s) of stormwater flow and approximate slopes anticipated after major grading activities;
 - b. Areas of soil disturbance and areas that will not be disturbed (limit of work line);
 - c. Locations of site access/egress, including applicable sediment control measures;
 - d. Locations where stabilization practices are expected to occur;
 - e. Locations where stormwater discharges to a surface water (include all roads, drains and other structures that could carry stormwater to a wetland or other water body, on or offsite); and
 - f. The on-site location(s) to be used for storage of materials, wastes, vehicles, equipment, soil, snow and other potential pollutants. If off-site, note location(s) of storage area(s) and detail applicable sediment control measures;

- g. Estimation of the total area (in square footage and percentage) and total volume (in cubic feet) expected to be disturbed by excavation, grading or other construction activities (include dedicated off-site borrow and fill areas).
- h. Description of appropriate erosion control measures, the general sequence during the construction process in which the measures will be implemented, and which operator is responsible for the control measure's implementation.
- i. Description of structural practices to divert flows from exposed soils, retain/detain flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site.
- j. Description of construction and waste materials expected to be stored on-site and a description of controls, including storage practices, to minimize exposure of the materials to stormwater, and spill prevention and response practices.
- k. Description of interim and permanent slope stabilization practices for the site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where possible and that disturbed portions of the site are stabilized. Use of impervious surfaces for stabilization should be avoided.
- l. A description of measures to minimize the tracking of sediments and dust off-site.

3. Operation and Maintenance Plan (Drawings and Narrative shall contain the following:

In addition to compliance with the Stormwater Management Handbook, the Operation and Maintenance Plan (the O & M Plan) shall be designed to ensure compliance with the Massachusetts Surface Water Quality Standards (314 CMR 4.00) in all seasons and throughout the life of the system. When applicable, Stormwater Management easements will be required for all areas used for off-site stormwater control, unless the Conservation Commission grants a waiver.

- a. The location of the systems and facilities including all stormwater and low-impact development best management practices, catch basins, manholes/access lids, pipes, and other stormwater devices;
- b. The location(s) of Stormwater Management easements 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;
 - iii. Direct maintenance access by heavy equipment to structures requiring regular maintenance.
- c. The names, addresses and contact information of the property owner;
- d. The names, addresses and contact information of the person(s) responsible for site operation and maintenance;

- e. The person(s) responsible for financing maintenance and emergency repairs;
- f. A list of easements with the purpose of each; and
- g. An Inspection and Maintenance Schedule for all stormwater management facilities, including what routine and non-routine maintenance tasks are to be performed, when they are to be conducted, who is to perform them, and to whom to report results (per SECTION, Annual Reports).
- h. Maintenance Inspections
 - i. Stormwater management facilities and practices included in an O & M Plan with a Maintenance Agreement in accordance with Section 6.M of these Regulations shall undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the Plan and these Regulations.
 - ii. At a minimum, inspections shall occur once every year. A Maintenance Agreement as specified under Section 6.M of these Regulations between the owner and the Conservation Commission shall be executed for privately owned stormwater management systems that specify the Responsible Party for conducting long term inspections.
- i. Records of Maintenance and Repair Activities
Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to the Conservation Commission upon request. Parties responsible for the operation and maintenance of a stormwater management facility shall prepare records of the installation and of all maintenance and repairs, and shall retain the records for the most recent five years on site. These records shall be made available to the Conservation Commission annually, during inspection of the facility, and upon request.

4. Budget and Timeline shall contain the following if requested by Commission:

- a. A pre-construction, construction and post-construction budget should be included in the project description. Any variances should be noted and communicated as soon as discovered to the Conservation Commission.
- b. A timeline should be included in the project description. Any variances should be noted and communicated as soon as discovered to the Conservation Commission.

- C. If in the applicant's opinion one or more of the Stormwater Management Standards or other requirements cannot be reasonably met, the applicant shall provide a detailed explanation in the Stormwater Report. This narrative shall include reasons that the requirement or Standard could not be met and a description of potential consequences if no mitigating measures are provided.

Section 8: Surety

Before the start of any land disturbance or construction activity, the Conservation Commission may require the applicant to furnish a Performance Bond of cash, certified check, a surety bond, irrevocable letter of credit, or other acceptable security to the Town as obligee in a penal sum. The form of the bond shall be approved by Town Counsel, and be in an amount deemed sufficient by the Conservation Commission to ensure that the work will be completed in accordance with the Stormwater Management Permit.

If the project is phased, the Conservation Commission may release part of the bond as each phase is completed in compliance with the permit but the bond may not be released to an amount less than 15% of the original amount until the Conservation Commission has received the final inspection report as required by Section 11 of these Regulations and issued a Certificate of Completion.

Section 9: Waivers

- A. The Conservation Commission may in its discretion and after due consideration decide to waive and exempt strict compliance with any requirement of the Stormwater Management Bylaw and these Regulations, where it makes a written finding that such action is:
 - 1. Allowed by federal, state and local statutes and/or regulations;
 - 2. In the public interest; and
 - 3. Consistent with the purpose and intent of the Town of Grafton Stormwater Management Bylaw and these Regulations.
- B. Any applicant shall submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the Bylaw does not further the purposes or objectives of the Bylaw.
- C. All waivers requested shall be discussed and voted on at the public meeting for the project, if applicable.
- D. If in the Conservation Commission's opinion, additional time or information is required for review of a waiver request, the Conservation Commission may continue a meeting to a date announced at the meeting. In the event the applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.
- E. Waivers described herein shall not constitute an exemption from any applicable Federal or State permitting requirements.

Section 10: Enforcement

Enforcement powers of the Conservation Commission or an authorized agent of the Conservation Commission are granted in the Stormwater Management Bylaw, Section 13.

- A. Notices and Orders
 - 1. The Conservation Commission may issue a written notice of violation or an enforcement order to enforce the provisions of the Stormwater Management Bylaw and the Regulations, which may include requirements to:

- a. Suspend or revoke approval of any Stormwater Management Permit;
- b. Cease and desist from a portion of construction or land disturbing activity until there is compliance with the Bylaw and the Stormwater Management Permit;
- c. Repair, maintain, or replace the stormwater management system or portions thereof in accordance with the Maintenance Agreement;
- d. Perform monitoring, analyses, and reporting; and/or
- e. Fix adverse impact resulting directly or indirectly from malfunction of the stormwater management system.

The suspension or revocation of the Stormwater Management Permit shall not relieve the Applicant of his obligation thereunder except at the discretion of the Conservation Commission.

- 2. If the Conservation Commission determines that abatement or remediation of adverse impacts is required, the order may set forth a deadline by which such abatement or remediation shall be completed. Said order may further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Grafton may, at its option, undertake such work, and the property owner shall reimburse the Town of Grafton for expenses incurred.
- 3. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner shall be notified of the costs incurred by the Town of Grafton, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Conservation Commission within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Conservation Commission affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and will constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Ch. 59, § 57, after the thirty-first day at which the costs first become due.

B. Purchase, Inheritance, or Acquisition of Property

Any person who purchases, inherits or otherwise acquires real estate upon which work has been done in violation of the provisions of the Stormwater Management Bylaw and these Regulations, or in violation of the approved Plans under this Section shall forthwith comply with any such Order, and restore such real estate to its condition prior to such violation, as the Stormwater Agent deems necessary to remedy such violation.

C. Fines

Any person who violates any provision of the Town of Grafton Stormwater Management Bylaw, these Regulations, or order or permit issued thereunder, may be ordered to correct the violation and/or shall be punished by a fine of not more than

\$300.00, excluding the cost of damages. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

D. Non-Criminal Disposition
Reserved.

E. Appeals

A decision of the Conservation Commission shall be final. Further relief of a decision by the Conservation Commission under the Stormwater Management Bylaw and these regulations shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with M.G.L. Ch 249 § 4.

F. 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.

Section 11. Construction Inspections

A. Notice of Construction Commencement. The applicant must notify the Conservation Commission or its authorized Agent 14 days prior to the commencement of construction.

B. Stormwater Management System Installation. The applicant must notify the Conservation Commission 14 days in advance of construction of critical components (as defined during hearing process) of any stormwater management facility and before the backfilling of any underground drainage or stormwater conveyance structures

C. At the discretion of the Conservation Commission, periodic inspections of the stormwater management system construction shall be conducted by qualified personnel (a professional engineer, or their designee who has been approved by the Conservation Commission). All inspections shall be documented and written reports prepared that contain the following information:

1. The date and location of the inspection;
2. Names, titles, and qualifications of personnel making the inspection;
3. Whether construction is in compliance with the approved Stormwater Management Plan;
4. Variations from the approved construction specifications; and
5. Any other variations or violations of the conditions of the approved Stormwater Management Plan.

D. Erosion Control Inspection

1. To ensure erosion control practices are in accord with the filed Stormwater Management Plan, Erosion Control Inspections will be conducted by the site owner or an authorized representative at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater from the start of construction until the site is permanently stabilized. Inspection

frequency may be reduced to at least once a month if the site is determined by the Conservation Commission to be temporarily stabilized, such as runoff is unlikely due to winter conditions (e.g., site is covered with snow, ice, or the ground is frozen), or if construction is occurring during seasonal dry periods. The Applicant is required to notify the Conservation Commission of any change in inspection frequency, including termination of inspections due to site stabilization.

2. The inspection form will include:
 - a. Name, date, and signature of qualified inspector.
 - b. Weather information for the period since the last inspection (or since commencement of construction activity if the first inspection) including a best estimate of the beginning of each storm event, duration of each storm event, approximate amount of rainfall for each storm event (in inches), and whether any discharges occurred;
 - c. Location(s) of discharges of sediment or other pollutants from the site;
 - d. Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location, and/or location(s) where additional BMPs are needed that did not exist at prior inspection; and
 - e. Corrective action required including any changes to the Stormwater Management Plan necessary and implementation dates.

If a project requires a Stormwater Pollution Prevention Plan (SWPPP) per the NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) General Permit for Storm Water Discharges From Construction Activities (the most recent EPA Construction General Permit), then the Applicant is required to submit all Inspection Reports to the Conservation Commission. If the Inspection Reports meet the requirements of the most recent Construction General Permit, it will be considered equivalent to the Erosion Control Inspection as described above.

- E. The Conservation Commission or its designee shall inspect the project site at the following stages, at a minimum:
 1. Initial Site Inspection: prior to approval of any plan;
 2. Stormwater Management System Inspection: An inspection will be made of the completed stormwater management system, prior to backfilling of any underground drainage or stormwater conveyance structures.
 3. Final Inspection, following receipt of final As-Built.
 - a. After the stormwater management system has been constructed and before the surety has been released, all applicants are required to submit actual "as built" plans for any stormwater management facilities or practices after final construction is completed and must be certified by a Professional Engineer.
 - b. The Conservation Commission or an authorized agent shall inspect the system to confirm its "as-built" features. 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 Conservation Commission before a Certificate of Completion is issued.

F. Inadequacy of System

1. If the system is found to be inadequate by virtue of physical evidence of operational failure, even though it was built in accordance with the Stormwater Management Plan, it shall be corrected by the applicant before the Certificate of Completion is released. If the applicant fails to act the Conservation Commission may use the surety bond to complete the work.
2. If the Conservation Commission determines that there is a failure to comply with the plan, the property owner shall be notified in writing of the nature of the violation and the required corrective actions. A Stop Work Order shall be issued until any violations are corrected and all work previously completed has received approval by the Conservation Commission.

Section 12: Project Completion

A. "As-Built" Plans

Within 90 days of completion of the project, the applicant shall submit an on-the-ground surveyed as-built of all structural stormwater controls and treatment best management practices required in Section 7. A Registered Professional Engineer must prepare As-built Plans that show the "as built" conditions, including all final grades, all work completed, including, but not limited to all drainage, elevations, location of all wetland resource areas, no-disturb zone, tree-shrub lines, and any other areas of work associated with this project developed by contractor. As-built drawings shall be shown as *bolded* overlays on proposed plans in a scale not greater than 50:1. All work deleted, corrections in elevations, and changes in materials, shall be shown on the as-built drawings and explained in writing. A Registered Professional Engineer shall certify deviations, if any, from the approved SMP.

As-builts shall also be submitted electronically to the Conservation Commission in PDF and GIS format consistent with the current Standard for Digital Plan Submission to Municipalities, published by the Commonwealth's Office of Environmental Information (MassGIS) or as otherwise required by Town of Grafton and compatible with ArcView GIS.

B. Certificate of Project Completion

1. Upon completion, the Applicant is responsible for certifying that the completed project is in accordance with the approved plans and specifications by submitting As-built Plans to the Conservation Commission. The certification statement shall be based on regular inspections that occurred during construction sufficient to adequately document compliance.
2. Easements shall be properly recorded and/or registered at the Worcester County Registry of Deeds before the Conservation Commission can issue a Certificate of Completion.
3. The Conservation Commission will issue a Certificate of Completion to the Applicant certifying completion upon receipt and approval of the final inspection

and reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with the Stormwater Management Bylaw and these Regulations.

Section 13: Perpetual Inspection and Maintenance

The owner of the property on which work has been done pursuant to these Regulations for private stormwater management facilities, or any other person or agent in control of such property, shall maintain in good condition and promptly repair and restore all grade surfaces, walls, drains, dams and structures, vegetation, erosion and sedimentation controls, and other protective devices. Such repairs or restoration and maintenance shall be in accordance with approved plans.

A. Failure to Maintain

1. If a Responsible Party fails or refuses to meet the requirements of the Maintenance Agreement, the Conservation Commission, after 30 days written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, no prior notice shall be required), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The Conservation Commission may assess the owner(s) of the facility for the cost of repair work, which shall be a lien on the property.
2. After notification is provided to the person responsible for carrying out the maintenance plan of any deficiencies discovered from an inspection of a stormwater management system, the person responsible for carrying out the maintenance plan shall have 30 days or other time frame mutually agreed to between the Conservation Commission and the person responsible for carrying out the maintenance plan to correct the deficiencies. The Conservation Commission shall then conduct a subsequent inspection to ensure completion of repairs.

Section 14: Severability

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



Attachment C: Bylaws

ARTICLE 36

STORMWATER MANAGEMENT BY-LAW

SECTION 1: Purpose

The purpose of this By-law is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and non-point source pollution associated with new development and redevelopment construction activity.

The Town of Grafton requires the use of Low Impact Development (LID) stormwater management practices whenever possible and better site design to minimize stormwater related impacts within the Town. The LID practices promoted in the Massachusetts Stormwater Management Regulations should be considered for use on development and redevelopment projects in the Town.

SECTION 2: Applicability

This By-law applies to any land-disturbing activity in the Town of Grafton as defined here in §2. All other land disturbing activities below the thresholds established below do not require an administrative review but shall employ best management practices to ensure that erosion is controlled and that disturbed soil is contained on site.

Stormwater Management Permit. The following land-disturbing activities, whether new development or redevelopment, shall require a Stormwater Management Permit:

1. Excavating, grading, or other activity which disturbs an area of 40,000 or more square feet or a volume of earth resulting in a total quantity equal to or greater than 1,000 cubic yards.

The application for a Stormwater Management Permit shall include the submittal of a Stormwater Management Plan to the Conservation Commission. This Stormwater Management Plan shall contain sufficient information for the Commission to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater. The Plan shall be designed to meet, at a minimum, the Massachusetts Stormwater Management Standards as set forth in the DEP Stormwater Management Regulations, Volumes I and II and as amended from time to time. The Town of Grafton requires the use of nonstructural stormwater management practices, better site design practices or Low Impact Development (LID) practices, such as reducing impervious cover and the preservation of Open Space and other natural areas, to the maximum extent practicable.

SECTION 3: Exceptions

The provisions of this By-law shall not apply to:

- a. Work performed for normal maintenance or improvement of land in agricultural or forestry use;

- b. The removal of hazardous and/or dead trees;
- c. Routine maintenance of vegetation and removal of dead or diseased limbs or trees necessary to maintain the health of cultivated plants, to control noxious weeds or vines in accordance with a Department of Conservation and Recreation (DCR) approved Forest Management Plan, or to remedy a potential fire or health hazard or threat to public safety;
- d. Repair or replacement of individual sewage disposal systems serving a single- or two-family dwelling when required by the Board of Health for the protection of public health;
- e. Normal maintenance of existing landscaping, gardens or lawn areas associated with a single-family dwelling, provided that such maintenance does not include the following:
 - construction of any walls more than four feet in height;
 - alteration of existing grades by more than two feet in elevation; or
 - alteration of drainage patterns.
- f. Construction of utilities other than drainage (gas, water, sewer, electric, telephone, etc.) that will not alter terrain or drainage patterns.
- g. Routine maintenance and upgrade of existing municipal drainage system/stormwater system that will not significantly alter existing terrain or drainage system.
- h. Routine maintenance and upgrading of existing public ways including reclamation and paving, and other routine maintenance activities that apply to roadway maintenance that will not significantly alter the existing terrain or drainage system.

SECTION 4: Waivers

The Commission may waive strict compliance with any requirement of this By-law or the rules and regulations promulgated hereunder, where such action:

- a. Is allowed by federal, state and local statutes and/or regulations;
- b. Is in the public interest; and
- c. Is not inconsistent with the purpose and intent of this Bylaw.

Any applicant may submit a written request to be granted such a waiver. Such a waiver request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of this Bylaw does not further the purposes or objectives of this By-law.

All waiver requests shall be discussed by the Commission and a decision will be made by the Commission within 30 days of receiving the waiver request.

If, in the Commission's opinion, additional time or information is required for review of a waiver request, the Commission may continue consideration of the waiver request to a date certain announced at the meeting. In the event the applicant refuses a continuance, or fails to provide the requested information, the waiver request shall be denied.

SECTION 5: Administration - Permits, Determination, and Conditions

The Grafton Conservation Commission, as established under M.G.L. C. 40, § 8C shall have authority to administer this Bylaw. The Conservation Commission shall administer, implement and enforce this Bylaw. Any powers granted to or duties imposed upon the Conservation Commission may be delegated in writing by the Conservation Commission to its employees or agents.

- a. Review. The Commission and its agents shall review all applications for Stormwater Management Permits, conduct inspections, issue a final permit and conduct any necessary enforcement action. The applicant shall submit all additional information requested by the Commission to issue a decision on the application.
- b. Standards. Projects shall meet the standards of the Massachusetts Stormwater Management Regulations.
- c. Action. The Commission may:
 1. Approve the Stormwater Management Permit application and issue an objectives and requirements of this Bylaw;
 2. Approve the Stormwater Management Permit application and issue a permit with conditions, modifications or restrictions that the Commission determines are required to ensure that the project will protect water resources and meet the objectives and requirements of this Bylaw;
 3. Disapprove the Stormwater Management Permit application and deny the permit if it finds that the proposed plan will not protect water resources or fails to meet the objectives and requirements of this By-law.
- d. Extensions. A Stormwater Management Permit shall be valid for three years from the date the permit is issued. The Commission may grant extensions for additional 1 year periods, upon written request for renewal no later than 30 days prior to expiration of the permit.

SECTION 6: Coordination with other Boards

Following receipt of a completed application, the Commission shall seek review and comments from the Planning Board, Board of Health, Building Inspector, and Department of Public Works. The Commission shall not make a decision on the Stormwater Management Permit until it has received comments from these entities or until 14 days have elapsed after receipt of the application materials without submission of comments thereon.

SECTION 7: Notice and Hearings

- a. Application. A completed application for a Stormwater Management Permit shall be filed with the Commission. A permit, or a determination that a permit is not required, must be obtained prior to the commencement of land disturbing activity. The permit application requirements are specified in regulations adopted by the Commission.

In an appropriate case, the Commission may accept as the application and plans under this By-law any application and plans filed under the Wetlands Protection Act (G.L. Ch. 131 §40) and regulations (310 CMR 10.00), but the Commission is not obliged to do so.

- b. **Public Hearing.** The Commission shall hold a public hearing within 30 days of the receipt of a complete application, with written notice given at the expense of the applicant five days prior to the hearing. The applicant shall also notify abutters by certified mail at least five days prior to the hearing. The Commission shall make the application available for inspection by the public during business hours at the Town Hall. The Commission shall take final action within 21 days from the time of the close of the hearing unless such time is extended by agreement between the applicant and the Commission.

In an appropriate case, the Commission may combine its hearing under this and regulations (310 CMR 10.00).

SECTION 8: Operation and Maintenance Plans

An operation and maintenance plan (O&M Plan) is required at the time of application for all projects subject to a Stormwater Management Permit. The maintenance plan shall be designed to ensure compliance with the permit, this By-law and that the Massachusetts Surface Water Quality Standards, 314 CMR 4.00, are met in all seasons and throughout the life of the system. The Commission shall make the final decision on what maintenance option is appropriate in a given situation. The Commission will consider natural features, proximity of site to water bodies and wetland resource areas, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision. The operation and maintenance plan shall remain on file with the Commission and shall be an ongoing requirement. Requirements for the content of the O&M Plan and its implementation are specified in Stormwater Management Rules and Regulations associated with this Bylaw.

SECTION 9: Certificate of Completion

Upon the completion of the activities allowed under a Stormwater Management Permit, the applicant shall notify the Commission and request a final inspection and certificate of completion. The applicant shall submit an as-built plan prepared by a professional land surveyor or registered professional engineer along with certification from a registered professional engineer that all construction has been done in accordance with the approved stormwater management plan.

SECTION 10: Stormwater Management Regulations

The Conservation Commission may adopt, and periodically amend, rules and regulations relating to the terms, conditions, definitions, enforcement, fees, procedures and administration of this By-law after conducting a public hearing to receive comments on any revisions. After public notice and public hearing, the Commission shall have authority to promulgate rules and regulations to implement this By-law, to review permit applications, to perform monitoring and inspections, to grant or deny permits, and to enforce the provisions of this By-law, and to take any other actions reasonable and appropriate to implement this By-law.

SECTION 11: Definitions

The following definitions shall apply in the interpretation and implementation of this By-law:

“Abutter” — The owner(s) of land sharing a common property line with the owner of land that is the subject of an application and the owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of land that is the subject of the application as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town.

“Agriculture” — The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act (M.G.L. C. 131, §~40) and its implementing regulations (310 CMR 10.00) and any agricultural activity which is consistent with an approved soil conservation plan prepared or approved by the United States Department of Agriculture (USDA) Natural Resources Conservation Service.

“Alteration” — Any activity that will measurably change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. Alteration may be similarly represented as “alteration of drainage characteristics,” and “conducting land-disturbing activities.” Such changes include, but are not limited to: change from distributed runoff to confined, 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,” as defined below, requesting a Stormwater Management Permit for a proposed land-disturbing activity.

“Best Management Practice (BMP)” — Structural, nonstructural and managerial techniques that are recognized to be the most effective and practical means to prevent and/or reduce increases in stormwater volumes and flows, reduce point source and non-point source pollution, and promote stormwater quality and protection of the environment. “Structural” BMPs are devices that are engineered and constructed to provide temporary storage and treatment of stormwater runoff. “Nonstructural” BMPs use natural measures to reduce pollution levels, do not require extensive construction efforts, and/or promote pollutant reduction by eliminating the pollutant source.

“Clearing” — Any activity that removes the vegetative surface cover. Clearing activities generally include disturbance or grubbing activity as defined below.

“Cold Water Fishery” – Environmental resources defined by Massachusetts Division of Fisheries & Wildlife as meeting at least one of three criteria:

1. Brook, brown or rainbow trout has been determined;
2. Slimy sculpin or longnose sucker are present; or
3. The water is part of the Atlantic salmon restoration effort or is stocked with Atlantic salmon fry or parr.

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

“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), a professional land surveyor (PLS), a registered landscape architect (RLA), 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 disturbance activities.

“Grubbing” — The act of clearing land surface by digging up roots and stumps.

“Land-Disturbing Activity or Land Disturbance” — Any activity, including clearing and grubbing, that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

“Low-Impact Development (LID)” — Development that results in minimized alterations of the land for a more sustainable land development pattern. The site planning process first identifies critical natural resources and then determines appropriate building envelopes to preserve resources. LID also incorporates a range of best management practices (BMPs) that preserve the natural hydrology of the land, minimize impervious areas and preserve vegetation.

“Massachusetts Stormwater Management Policy” — The policy issued by the Department of Environmental Protection, as amended from time to time, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act, M.G.L. C. 131, §~40, and the Massachusetts Clean Waters Act, M.G.L. C. 21, §~23-56. The policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

“Municipal Storm Drain System or Municipal Separate Storm Sewer System (MS4)” — 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 Grafton.

“Non-Point Source Pollution” — Pollution from diffuse sources, as opposed to discrete conveyances, caused by water, including rainfall or snowmelt, moving over or through the ground.

“Operation and Maintenance Plan” — A plan describing 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.

“Outstanding Resource Waters (ORW)” — Waters designated by the Massachusetts Department of Environmental Protection as ORWs. These waters have exceptional sociologic, recreational, ecological and/or aesthetic values and are subject to more stringent requirements under both the Massachusetts Surface Water Quality Standards (314 CMR 4.00) and the Massachusetts

Stormwater Management Standards. ORWs include vernal pools certified by the Natural Heritage Program of the Massachusetts Department of Fisheries and Wildlife and Environmental Law Enforcement, all Class A designated public water supplies with their bordering vegetated wetlands, and other waters specifically designated.

“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-Development” — Those conditions that exist at the time that plans for the land development of a site or parcel of land are submitted to the Committee. When phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.

“Post-Development” — Those conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or parcel of land. Post-development also refers to the phase of a new development or redevelopment project after completion, and does not refer to the construction phase of a project.

“Redevelopment” — Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.

“Runoff” — Rainfall, snowmelt, or irrigation water flowing over the ground surface.

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

“Sedimentation” — The process or act of deposition of sediment.

“Site” — Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

“Soil” — Earth materials, including decomposed organic material, humic materials, sand, rock and gravel.

“Stabilization” — The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

“Stormwater” — Stormwater runoff, snow melt runoff, and surface water runoff and drainage.

“Stormwater Management Permit (SMP)” — A permit issued by the Commission, which is designed to protect the environment of the Town of Grafton from the deleterious effects of uncontrolled and untreated stormwater runoff.

“Stormwater Management Plan” — A document containing narrative, drawings and details prepared by a qualified professional engineer (PE), a professional land surveyor (PLS), or a certified professional in erosion and sedimentation control (CPESC), which includes structural and nonstructural best management practices to manage and treat stormwater runoff generated from regulated development activity. A Stormwater Management Plan also includes an Operation and Maintenance Plan describing the maintenance requirements for structural best management practices.

“Wetland Resource Area” — Areas specified in the Massachusetts Wetlands Protection Act, M.G.L. C. 131, §~40, and in Article 25, General Wetlands Protection Bylaw, of the Town of Grafton.

SECTION 12: Security

The Commission may require the applicant to post a surety bond, cash, or other acceptable security before the start of any land-disturbing activity. The form of the bond/surety shall be approved by Town Counsel and the Town Treasurer, and be in an amount deemed sufficient by the Commission to insure that the work will be completed in accordance with the permit. Any performance bond or certificate of guarantee shall be executed and maintained by a financial institution, surety, or guaranty company qualified to do business in the Commonwealth.

SECTION 13: Enforcement and Penalties

The Commission or its authorized agent shall enforce this By-law, its regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

Any person who violates any provision of this By-law, regulation, order or permit issued thereunder, shall be punished by a fine of not more than \$300. Each day or part thereunder that such violation occurs or continues shall constitute a separate offense.

As an alternative to criminal prosecution or civil action, the Town may elect to utilize the non-criminal disposition procedure set forth in M.G.L. C. 40, §~21D, in which case the Commission or authorized agent shall be the enforcing person. The non-criminal penalty for violations shall be \$50 for the first violation, \$100 for the second violation, and \$300 for the third violation and each subsequent violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

SECTION 14: Inspection

Filing an application for a Stormwater Management Permit grants the Commission, or its agent, permission to enter the site of the land-disturbing activity, as permitted by law, to verify the information in the application and to inspect for compliance with permit conditions.

SECTION 15: Fees

The Commission by regulation shall promulgate an application fee schedule for stormwater management permit applications and completion certificates. The fee schedule shall be reasonably related to the costs of processing, reviewing and acting upon the application. The fee specified in such a fee schedule shall be made payable to the Town of Grafton and shall accompany the permit

application or request for certificate of completion. The Commission may require an additional fee for review of any change in or alteration from an approved permit. Said fee shall be paid into a special account set up by the Town Treasurer and may be expended by the Commission for the purpose allocated without further appropriation in accordance with the provisions of M.G.L. C. 44, §~55E 1/2.

Pursuant to G.L. Ch. 44 §53G and regulations promulgated by the Commission, securing outside consultants, including engineers or other experts, in order to aid in the review of proposed projects. Such funds shall be deposited with the town treasurer, who shall create an account specifically for this purpose. Additional consultant fees may be requested where the requisite review is more expensive than originally calculated or where new information requires additional consultant services.

SECTION 16: Appeals

A decision by the Conservation Commission made under this By-law shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with M.G.L. C. 249 § 4.

SECTION 17: Relation to the Clean Water Act.

This By-law is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule Statutes, and the regulations of the Federal Clean Water Act found at 40 CFR 122.34.

SECTION 18: Severability

If any provision, paragraph, sentence, or clause of this By-law is held invalid for any reason by a court of competent jurisdiction, all other provisions shall continue in full force and effect.

(ATM 5/11/09)

Attachment D:
2014 CIC Grant Information for
Central Mass Regional Stormwater
Coalition

Brian Szczurko

From: Adam Gaudette [agaudette@SPENCERMA.GOV]
Sent: Tuesday, April 22, 2014 4:54 PM
To: Julie Jacobson; Jeff Mitchell; Craver, Robin; Girard, Todd; dudleyhighway@charter.net; Jacquie Kelly; imccauley@holdenma.gov; John Woodsmall; Mizikar, Kevin; MF_KNOX@msn.com; Bob Spain (Millbury); Robert McNeil; Zeneski, Joseph; Divoll, Sean; jlochner@town.oxford.ma.us; Carol Riches; Mike Putnam (Paxton); Daniel J Morgado; bstone@shrewsburyma.gov; Jeff Howland; Steve Tyler; Shaun Suhoski; dtravinski@town.sturbridge.ma.us; jmcauliffe@webster-ma.gov; lgaumond@westboylston-ma.gov; Anthony Sylvia; Martin McNamara; smero@boylston-ma.gov; Tim McInerney; Brian Szczurko; Sherry Patch; John Westerling; nkhumalo@hopkintonma.gov; dlaroche@monson-ma.gov; tkozak@northbridgemass.org; jshuris@northbridgemass.org; Fred Litchfield; John Coderre; Selectmen; nbhighwaydept2@verizon.net; Charlie Blanchard; Andrew Golas; cdolan@townofpalmer.com; Rutland Selectmen; GaryK@townofrutland.org; dpw@townofrutland.org; hblakely@southbridgemass.org; btuttle@sterlingdpw.com; Matt Marro; Blythe Robinson; Jeffrey Thompson; Benn Sherman; Beckley, Stuart; Martens, Thomas; Jim Malloy; Miga, Edmond; Grochmal, Dena; scharpentier@webster-ma.gov; gcolburn@town.sturbridge.ma.us; Peter Janowski ; ebrassard@monson-ma.gov; jritter@sterling-ma.gov; cbalduf@town.westborough.ma.us
Cc: Aubrey Strause, P.E.; Matthew St. Pierre
Subject: FY2014 CIC Grant
Attachments: CMRSWC Informational Sheet.pdf; Draft IMA for 2014 CIC Grant.doc; 30-Town Member Roster.updated 4.22.14.pdf

All, hope everyone is enjoying the spring-like weather.

As most of you know, our 30-town coalition for Stormwater Management just received a third consecutive year of grant funding from the MA A&F Community Innovation Challenge Grant program. In FY2012, the original 13 towns received \$310,000. In FY2013, the member towns grew to 30 and we received \$115,000. This year, FY2014, we have received probably our last grant from this program, this time in the amount of \$80,000. This grant encourages self-sustainability and thus we will be looking in FY2014 to study ways to continue as a coalition without state funding.

Last year, we applied for \$200,000 but were left a gap of \$85,000. Thus, the 30 member communities each contributed \$2,833 and filled that gap. We did that through an Intermunicipal Agreement (IMA) and a commitment by the 30 towns to contribute the funds before July 31st which allowed towns to fund in a current fiscal year, or await until after July 1st when new funding was available. The 30 towns did not hold back on this contribution knowing that this small dollar amount combined with the rest of the towns' contributions, and the grant funds from all of the years, amounted to hundreds of thousands of dollars in savings through sharing and economy of scale.

This year again, the Steering Committee is asking the towns to fill the gap. This year the amount would be \$4,000 per community allowing us to fully fund the \$200,000 FY2014 Stormwater Management Program of the Coalition. This money again would allow towns to address EPA mandates through a low-cost regional approach; properly address water quality controls and avoid federal fines from non-compliance.

Please see attached an informational sheet from the application process which outlines the activities that have been performed in FY12, FY13 and what has been proposed for FY14. Also, please feel free to review our website at www.centralmastormwater.org for vast amounts of information including sample documents and education materials.

In order to move forward with the FY2014 grant, we again need to go through the process of completing an IMA between Spencer (the Lead Community) and the other 29 communities for the purposes of committing to the project

and committing to submitting the matching funds by July 31, 2014. This will allow for Spencer to enter into an agreement with the MA A&F for the grant project.

Please see attached the IMA which needs to be voted on at a Selectmen's Meeting in Towns having such a Board, and for Towns with a Town Council and Town Manager, the Town Manager may sign.

Please advise me of your intention to pursue the IMA and your intention to commit matching funds along with a probable timeline for completion.

For anyone new to the project, see attached an updated member roster which includes administrative and technical contacts for each of the 30 communities. Please let me know if I have any of the information incorrect and I'll promptly update.

Please let me know of any questions and thanks everyone for your support over the past 3+ years.

Best,

Adam

Adam D. Gaudette
Town Administrator

Spencer Memorial Town Hall
157 Main Street
Spencer, MA 01562
P - 508.885.7500 ext. 155
F - 508.885.7528

TOWN OF SPENCER AND TOWN OF _____

**INTERMUNICIPAL AGREEMENT FOR MATCHING GRANT FUNDS
(2014 CIC GRANT)**

Agreement by and between the Town of Spencer, Massachusetts, acting by and through its Board of Selectmen ("Spencer") and the Town of _____, Massachusetts, acting by and through its Board of Selectmen ("_____"), pursuant to the provisions of Section 4A of Chapter 40 of the Massachusetts General Laws.

Whereas, Spencer and _____ have been awarded a 2014 CIC Grant for "Regionalizing Municipal Stormwater Management in Central Massachusetts through Collaborative Education, Data Management, and Policy Development", as part of a 30-town joint application;

Whereas, the awarding authority, the Massachusetts Executive Office of Administration & Finance (A&F), has reduced the grant award amount from \$200,000 to \$80,000;

Whereas, the 30 towns have deemed it in the best interest of the group to fund all of the proposed grant project tasks;

Whereas, in order to fund all of the grant project tasks, towns must contribute "matching" funds such that the A&F reduction is offset, providing for an available project budget in the amount of \$200,000.

Whereas, Spencer and _____ have determined that it would be in their best interests to enter into an intermunicipal agreement for the purpose of coordinating the maintenance of the matching funds under the terms and conditions hereinafter set forth; and

Whereas the Boards of Selectmen of Spencer and _____, have each voted at a duly posted open meeting to authorize this intermunicipal agreement pursuant to the provisions of Chapter 40, Section 4A of the Massachusetts General Laws.

Now, therefore, in consideration of these premises, and for other good and valuable consideration, the parties agree as follows.

1. Spencer agrees to be the lead community for A&F for the 2014 CIC Grant Project and is responsible for all reporting requirements, receiving grants fund disbursements, and making required payments for all grant subcontractors supplying services and all vendors supplying purchases, in accordance with the 2014 Grant Application budget and tasks.

2. In order to sufficiently fund all project tasks, Spencer agrees to attempt to obtain intermunicipal agreements from all member communities for each community's matching share.

3. The matching share for each participating community shall be set at Four Thousand Dollars, and No Cents (\$4,000.00), representing the A&F gap of \$120,000 divided by 30 participating communities;

4. Each participating community shall make full payment to the "Town of Spencer" prior to July 31, 2014.

5. In the event that any of the communities participating in the 30-town joint application, elects not to contribute funds, thus electing not to participate, Spencer will first attempt to replace said non-participating community with a new community such that the matching share remains at \$4,000.00. If the total number of 30 participating communities cannot be maintained, a revision to this intermunicipal agreement shall be required and an increase to the \$4,000.00 must be approved by each participating community.

6. This agreement shall become effective on May 1, 2014, and shall expire June 30, 2015, subject to further extension of this agreement by written amendment signed by all parties.

7. This agreement sets forth the entire understanding of the parties with respect to its subject matter. Any amendment of this agreement must be in writing and authorized by votes of the Boards of Selectmen of Spencer and _____. This agreement shall be governed by the laws of the Commonwealth of Massachusetts. If any provision of this agreement is declared by a court of competent jurisdiction to be illegal, unenforceable, or void, then both parties shall be relieved of their obligations under that provision, and the remainder of the agreement shall be enforced to the fullest extent permitted by law.

Executed by the parties authorized representatives.

TOWN OF SPENCER
By its Board of Selectmen

TOWN OF _____
By its Board of Selectmen

Chairman

Chairman

Dated: _____

Dated: _____

Community Innovation Challenge Grant

30-Town Stormwater Collaborative

Member Roster

2012 Original Communities:

Municipality	Name	Position	Email
Auburn	Julie Jacobson	Town Manager	jjacobson@town.auburn.ma.us
Auburn	Jeff Mitchell	Asst. DPW Director	jmitchell@town.auburn.ma.us
Charlton	Robin Craver	Town Administrator	robin.craver@townofcharlton.net
Charlton	Todd Girard	Conservation Agent	todd.girard@townofcharlton.net
Dudley	TBD	Town Administrator	administrator@dudleyma.gov
Dudley	Dan Gion	Highway Superinten.	dudleyhighway@charter.net
Holden	Jacquie Kelly	Town Manager	jkelly@holdenma.gov
Holden	John Woodsmall	DPW Director	jwoodsmall@holdenma.gov
Holden	Isabel McCauley	Sr. Civil Engineer	imccauley@holdenma.gov
Leicester	Kevin Mizikar	Town Administrator	mizikark@leicesterma.org
Leicester	Mike Knox	Superintendent	mf_knox@msn.com
Millbury	Bob Spain	Town Manager	bspain@townofmillbury.net
Millbury	Rob McNeil	DPW Director	rmcneil@townofmillbury.net
Oxford	Joe Zeneski	Town Manager	jzeneski@town.oxford.ma.us
Oxford	Sean Divoll	DPW Director	sdivoll@town.oxford.ma.us
Oxford	Judy Lochner	GIS Analyst	jlochner@town.oxford.ma.us
Paxton	Carol Riches	Town Administrator	criches@townofpaxton.net
Paxton	Michael Putnam	DPW Superintendent	mputnam@townofpaxton.net
Shrewsbury	Dan Morgado	Town Manager	dmorgado@th.ci.shrewsbury.ma.us
Shrewsbury	Brad Stone	Engineer Cons&SW	bstone@th.ci.shrewsbury.ma.us
Shrewsbury	Jeff Howland	Town Engineer	jhowland@th.ci.shrewsbury.ma.us
Spencer	Adam Gaudette	Town Administrator	agaudette@spencerma.gov
Spencer	Steve Tyler	U&F Superintendent	styler@spencerma.gov
Sturbridge	Shaun Suhoski	Town Administrator	ssuhoski@town.sturbridge.ma.us
Sturbridge	Dave Travinski	Operations Manager	dtravinski@town.sturbridge.ma.us
Sturbridge	Greg Colburn	Conservation Agent	gcolburn@town.sturbridge.ma.us
Webster	John McAuliffe	Town Administrator	jmcauliffe@webster-ma.gov
Webster	Scott Charpentier	DPW Director	scharpentier@webster-ma.gov
West Boylston	Leon Gaumond	Town Administrator	lgaumond@westboylston-ma.gov
West Boylston	Anthony Sylvia	DPW Director	asylvia@westboylston-ma.gov

2013 & 2014 Expanded Communities:

Municipality	Name	Position	Email
Boylston	Marty McNamara	Town Administrator	mmcnamara@boylston-ma.gov
Boylston	Steve Mero	Superintendent	smero@boylston-ma.gov
Grafton	Tim McInerney	Town Administrator	mcinerneyt@grafton-ma.gov
Grafton	Brian Szczurko	Assistant Engineer	szczurkob@grafton-ma.gov
Hardwick	Sherry Patch	Town Administrator	admin@townofhardwick.com
Hardwick	Michael Howe	Highway Surveyor	(413) 477-6705
Hopkinton	John Westerling	DPW Director	jwesterling@hopkintonma.gov
Hopkinton	Norman Khumalo	Town Manager	nkhumalo@hopkintonma.gov
Monson	Evan Brassard	Town Administrator	ebrassard@monson-ma.gov
Monson	Dan Laroche	Town Planner	dlaroche@monson-ma.gov
Northbridge	Ted Kozak	Town Manager	tkozak@northbridgemass.org
Northbridge	Jim Shuris	DPW Director	jshuris@northbridgemass.org
Northborough	John Coderre	Town Manager	jcoderre@town.northborough.ma.us
Northborough	Fred Litchfield	Town Engineer	flitchfield@town.northborough.ma.us
North Brookfield	Leslie Scott Burton	Admin. Assistant	selectmen@northbrookfield.net
North Brookfield	Gary Jean	Superintendent	Nbhighwaydept2@verizon.net
Palmer	Charlie Blanchard	Town Manager	cblanchard@townofpalmer.com
Palmer	Craig Dolan	DPW Director	cdolan@townofpalmer.com
Palmer	Andrew Golas	Executive Assistant	agolas@townofpalmer.com
Rutland	Nancy Macaruso	Admin. Assistant	selectmen@townofrutland.org
Rutland	Gary Kellaher	Superintendent	garyk@townofrutland.org
Rutland	Donna Salls	Admin. Assistant	dpw@townofrutland.org
Southbridge	Bob Reed	Interim Town Manager	rreed@southbridgemass.org
Southbridge	Heather Blakeley	DPW Director	hblakeley@southbridgemass.org
Sterling	Jeff Ritter	Town Administrator	jritter@sterling-ma.gov
Sterling	Bill Tuttle	Superintendent	Btuttle@sterlingdpw.com
Sterling	Matt Merro	Conservation Agent	mmarro@sterling-ma.gov
Upton	Blythe Robinson	Town Manager	brobinson@uptonma.gov
Upton	Jeff Thompson	DPW Director	jthompson@uptonma.gov
Uxbridge	Benn Sherman	DPW Director	bsherman@uxbridge-ma.gov
Uxbridge	TBD	Town Manager	
Ware	Stuart Beckley	Town Manager	sbeckley@townofware.com
Ware	Thom Martens	DPW Director	tmartens@townofware.com
Westborough	Jim Malloy	Town Manager	jmalloy@town.westborough.ma.us
Westborough	Carl Balduf	Town Engineer	cbalduf@town.westborough.ma.us
Wilbraham	Ed Miga, Jr.	DPW Director	emiga@wilbraham-ma.gov
Wilbraham	Dena Grochmal	Engineering Assist.	Dgrochmal@wilbraham-ma.gov

CENTRAL MASSACHUSETTS REGIONAL STORMWATER COALITION

Project Informational Sheet

October 23, 2013

General Information

Summary of the Coalition	Consists of 30 Communities in Central Massachusetts either regulated under USEPA's Small Municipal Separate Storm Sewer System (MS4) Permit or preparing for future stormwater management needs. Uses a Steering Committee to guide development.
Website	www.CentralMAStormwater.org
Primary Funding Source	Massachusetts Office of Administration and Finance- Community Innovation Challenge (CIC) Grant program

Project Highlights (by Year)

Fiscal Year 2012 (April 2012 – April 2013)

13 Participating Towns: Auburn, Charlton, Dudley, Holden, Leicester, Millbury, Oxford, Paxton, Shrewsbury, Spencer, Sturbridge, Webster, and West Boylston

Funding: \$310,000 CIC grant (100% of application request funded)

Work:

Services: 15 stormwater Standard Operating Procedures (SOP's); online mapping and inspection platform (PeopleGIS); Stormwater Pollution Prevention Plan (SWPPP) template; Sump Pump Policy; Stormwater Best Management Practice (BMP) Toolbox; created Coalition website; illicit discharge detection and elimination (IDDE) tools; develop RFP for Field Work; education and outreach material; training sessions.

Purchases: two high-accuracy Leica GPS units; tablet computers and mobile WiFi devices for each town; water monitoring kits and meters; Enviroscope nonpoint source education and outreach display.

Fiscal Year 2013 (April 2013 – April 2014)

30 Participating Towns: Auburn, Boylston, Charlton, Dudley, Grafton, Hardwick, Holden, Hopkinton, Leicester, Millbury, Monson, Northbridge, Northborough, North Brookfield, Oxford, Palmer, Paxton, Rutland, Shrewsbury, Southbridge, Spencer, Sterling, Sturbridge, Upton, Uxbridge, Ware, Webster, West Boylston, Westborough, and Wilbraham

Funding: \$200,000 total → \$115,000 CIC grant (57.5% funded) + \$85,000 municipal (~\$2,800 each)

Work:

Services: Train new towns on FY2012 tools (SWPPP template, Sump Pump Policy, SOP's, Stormwater BMP Toolbox, and salt/sand calibration); add new towns to PeopleGIS mapping and inspection system, provide training; train new towns on Leica devices; training for all towns on water monitoring meters and kits; industrial stormwater facility inventory; implement RFP for Field Work; expand Coalition website.

Purchases: tablet computers and mobile WiFi devices for each town; *additional based on budget availability*

Fiscal Year 2014 (~April 2014 – ~April 2015)

Participating Towns: Commitment Forms will be required from each participating Town. Contact Robin Craver, robin.craver@townofcharlton.net, for a form. Grant application is due November 22, 2013.

Funding: \$200,000 CIC grant application (maximum)

Work: Scope of Work is presently under development, but will focus on:

1. Maintaining, upgrading, and calibrating equipment purchased in FY2012 and FY2013 to ensure longevity.
2. Increasing Town use of materials, including one-on-one time with each to focus on Town-specific needs; developing Performance Management tools; increasing use of the Leica and water kits/meters.
3. Increasing the financial and technical sustainability of the Coalition for future years.

