



Town of Wrentham Stormwater Management Bylaw

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ARTICLE I – GENERAL PROVISIONS

Section 1. Purpose and Objective

- A. The adverse effects of stormwater runoff to public health, safety, general welfare, and the environment are significant concerns in the Town of Wrentham. Inadequate stormwater management systems can result in property damage; flooding; impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands, groundwater, and drinking water supplies; and the loss of recreational opportunities. Inadequate stormwater management can also lead to alteration or destruction of aquatic and wildlife habitat, the loss of wetlands, overloading or clogging of municipal stormwater management systems resulting in the costly maintenance of the Town's stormwater system, and the loss of valuable agricultural soils. The purpose of this bylaw is to prevent or diminish these effects, and to minimize adverse impacts offsite and downstream, which would be borne by abutters, townspeople, and the general public by controlling construction site stormwater runoff and managing post-construction stormwater runoff associated with new development and redevelopment of land.
- B. The objectives of this bylaw are to:
- (1) Protect water resources;
 - (2) Comply with state and federal statutes and regulations relating to stormwater discharges including total maximum daily load requirements;
 - (3) Prevent and reduce pollutants from entering the Town of Wrentham's municipal separate storm sewer system (MS4);
 - (4) Establish minimum construction and post construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
 - (5) Establish provisions for the long-term responsibility for, and maintenance of, structural stormwater control facilities and nonstructural stormwater best management practices to ensure that they continue to function as designed are maintained, and pose no threat to public safety; and
 - (6) Recognize the Town of Wrentham's legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

Section 2. Definitions

Unless a different definition is indicated in other sections of this bylaw, the following definitions and provisions shall apply throughout this bylaw:

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

APPLICANT: Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government, to the extent permitted by law, requesting a Stormwater Permit, Limited Stormwater Approval, or Stormwater Recharge Approval.

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

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

CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC): A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

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

CLEARING: Any activity that removes the vegetative surface cover and exposes soil to the potential influence of stormwater.

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

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

DISTURBED AREA: An area where the natural vegetation has been removed, or is proposed to be removed, in connection with a development resulting in exposing the underlying soil or covering up of vegetation. In addition, it includes moving soil, asphalt, rock, sand, and gravel.

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

EROSION AND SEDIMENTATION CONTROL PLAN: A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation

during pre-construction and construction related land disturbing activities.

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

GROUNDWATER: Water beneath the surface of the ground.

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

HAZARDOUS MATERIAL: Any material which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as "toxic" or "hazardous" under MGL c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

ILLICIT CONNECTION: A surface or subsurface drain or conveyance which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water, and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this bylaw.

ILLICIT DISCHARGE: Direct or indirect discharge to the municipal storm drain system or into a watercourse or the waters of the Commonwealth that is not composed entirely of stormwater, except as exempted in Article II, §2. The term does not include a discharge in compliance with an NPDES stormwater discharge permit or resulting from fire-fighting activities exempted pursuant to Article II, §2D(1) of this bylaw.

IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents or significantly impedes water infiltrating the underlying soil. Impervious Surface includes without limitation roads, paved parking lots, driveways, sidewalks, structures, buildings, rooftops, and compacted gravel or soil.

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

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

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

LIMITED STORMWATER APPROVAL: Review and approval by the Stormwater Authority of a land disturbing activity subject to the Stormwater Management Bylaw and Regulations that does not require a Stormwater Permit because of its size and/or scope.

LOW IMPACT DEVELOPMENT or LID: site planning and design strategies that use or mimic natural processes that result in the infiltration, evapotranspiration, or use of stormwater in order to protect water quality and associated aquatic habitat. LID employs principles such as preserving and restoring natural landscape features and minimizing effective imperviousness to create functional and appealing site drainage that treats stormwater as a resource rather than a

waste product. LID practices include but are not limited to non-structural site planning and design techniques and structural measures such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements.

LOAD ALLOCATION: The maximum concentration or mass of a pollutant which can be discharged to a waterway by non-point sources without causing a violation of surface water quality standards as established in an applicable TMDL.

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

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by Wrentham.

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

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

NONSTORMWATER DISCHARGE: Discharge to the municipal storm drain system not composed entirely of stormwater.

OPERATION AND MAINTENANCE PLAN: A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

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

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

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

PRE-CONSTRUCTION: All activity in preparation for construction.

POLLUTANT: Any element or property of sewage, municipal, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works, watercourse, or Waters of the Commonwealth or Waters of the US. Pollutants include, but are not limited to:

- A. Paints, varnishes, and solvents;

- B. Oil and other automotive fluids;
- C. Nonhazardous liquid and solid wastes and yard wastes;
- D. Refuse, rubbish, garbage, litter, or other wrecked, discarded, or abandoned objects, ordnance, accumulations and floatables;
- E. Pesticides, herbicides, and fertilizers;
- F. Hazardous materials and wastes;
- G. Chemical wastes and biological materials;
- H. Sewage, sewage sludge, fecal coliform and pathogens;
- I. Dissolved and particulate metals;
- J. Animal wastes;
- K. Rock, sand, salt, soils, cellar dirt;
- L. Filter backwash;
- M. Incinerator residue;
- N. Construction wastes and residues, including discarded building materials, concrete truck wash out, dredged spoil, chemicals, litter, and sanitary wastes; and
- O. Noxious or offensive matter of any kind.

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

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

REDEVELOPMENT: Development, rehabilitation, expansion, demolition, construction, land alteration, or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites. The creation of new areas of impervious surface or new areas of land disturbance on a site constitutes development, not redevelopment, even where such activities are part of a common plan which also involves redevelopment. Redevelopment includes maintenance and improvement of existing roadways including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems and repaving; and remedial projects specifically designed to provide improved stormwater management such as projects to separate storm drains and sanitary sewers and stormwater retrofit projects.

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

STABILIZED: The reduction in the soil erosion rate which results in an erosion rate typical of undisturbed soils. Soils which are disturbed will be considered stabilized when covered with a healthy, mature growth of grass or other vegetative cover. As a temporary measure only, disturbed soils will be considered stabilized if covered with a sufficient covering of hay or straw mulch, applied in an amount of at least two tons per acre, sufficient to prevent erosion on an interim basis.

STORMWATER AUTHORITY: The Town of Wrentham Planning Board and its employees or appointed agents shall be in charge of enforcing the requirements of this Bylaw and Regulations as they affect water bodies or wetland issues. The Town of Wrentham DPW and its employees or appointed agents shall be in charge of enforcing the requirements of this Bylaw and Regulations as they affect the municipal storm drain system and recharge systems.

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

STORMWATER MANAGEMENT PLAN: A plan required as part of the application for a Land Disturbance Permit.

STORMWATER PERMIT: A permit issued by the Stormwater Authority for land disturbing activities subject to the Stormwater Management Bylaw and Regulations and prior to commencement of land disturbing activity.

STORMWATER RECHARGE APPROVAL: Review and approval by the Stormwater Authority for addition of impervious area subject to the Stormwater Management Bylaw and Regulations and prior to commencement of land disturbing activity.

STORMWATER RUNOFF: Water from precipitation which is not absorbed, evaporated, or otherwise stored within the contributing drainage area.

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

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

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

WASTE LOAD ALLOCATION: The maximum concentration or mass of a pollutant which can be discharged to a waterway from point sources without causing a violation of surface water quality standards as established in an applicable TMDL.

WATERCOURSE: A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground (i.e., buried or culverted) stream.

WATERS OF THE COMMONWEALTH: All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwater, and Waters of the United States as defined under the

Federal Clean Water Act as hereafter amended.

WETLANDS: Tidal and non-tidal areas characterized by saturated or nearly saturated soils most of the year that are located between terrestrial (land-based) and aquatic (water-based) environments, including freshwater marshes around ponds and channels (rivers and streams), brackish and salt marshes; common names include marshes, swamps and bogs.

Section 3. Authority

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Massachusetts home rule statutes, and the regulations of the Federal Clean Water Act, 40 CFR 122.34.

Section 4. Responsibility for administration

- A. Stormwater Authority shall administer, implement, and enforce this bylaw. Any powers granted to or duties imposed upon Stormwater Authority may be delegated in writing by Stormwater Authority to its employees or agents.

Section 5. Waivers

- A. The Stormwater Authority, or its authorized agent, may waive strict compliance with any requirement of this bylaw or the rules and regulations promulgated hereunder, where such action is:
 - (1) allowed by federal, state and local statutes and/or regulations; and
 - (2) in the public interest; and
 - (3) not inconsistent with the purpose and intent of this bylaw.
- B. Any person seeking a waiver must submit a written waiver request. 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 this bylaw.
- C. All waiver requests shall require a public hearing.
- D. If in the opinion of the Stormwater Authority or its authorized agent, additional time or information is required for review of a waiver request, the Stormwater Authority may continue a hearing to a date certain 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.

Section 6. Regulations

- A. The Stormwater Authority shall adopt, and may periodically amend, regulations, rules and/or written guidance relating to the terms, conditions, definitions, enforcement, fees, procedures and administration of this Stormwater Management Bylaw by majority vote after conducting a public hearing to receive

comments pursuant to the Town's public notice requirements. Such hearing shall be advertised in a newspaper of general local circulation, at least fourteen (14) days prior to the hearing date. Failure of the Stormwater Authority to issue such rules, or regulations, or a legal declaration of their invalidity by a court, shall not act to suspend or invalidate the effect of this bylaw.

- B. The Town of Wrentham Stormwater Management Regulations, rules or guidance shall identify thresholds and requirements for Limited Stormwater Approval and Stormwater Permits required by this bylaw and consistent with or more stringent than the most recent Small Municipal Separate Sewer System General Permit (MS4).
- C. The Town of Wrentham Stormwater Management Regulations may identify one or more categories of projects requiring a Limited Stormwater Approval that, because of their size, scope and common features or characteristics, may be approved by one or more agents of the Stormwater Authority rather than by a majority of Stormwater Authority members pursuant to Article III of this bylaw. For such projects, the Stormwater Authority will identify minimum stormwater management standards pursuant to this bylaw, compliance with which is required before the project is approved.

Section 7. Enforcement

The Stormwater Authority or its authorized agent shall enforce this Bylaw and Regulations, orders, violation notices, and enforcement orders and may pursue all civil and criminal remedies for such violations. To this end, the Stormwater Authority or its authorized agent shall have the authority to seek any or all of the following remedies to enforce this Bylaw, its Regulations and/or the terms and conditions of its approval or permit:

- A. Written notice of violation of the provisions of this Bylaw and Regulations.
 - (1) The Stormwater Authority or its authorized agent may issue a written notice of violation to any person whom it determined is in violation of any of the requirements of this Bylaw, the Regulations enacted by the Stormwater Authority or an approval or permit subject to this Bylaw.
 - (2) The notice of violation shall:
 - (a) Specify the actions, conditions, or omissions which create the violation
 - (b) Identify the necessary corrective actions;
 - (c) Specify the time within which the violations must be corrected;
 - (d) Be served by certified mail upon the violator with a copy maintained in the records of the Stormwater Authority
- B. Injunctive relief in a court of competent jurisdiction.
 - (1) The Stormwater Authority may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

C. Noncriminal disposition.

- (1) Whoever violates any provision of this Bylaw or a regulation promulgated by the Stormwater Authority or its agent, a condition contained in an approval or permit issued by the Stormwater Authority or its agent, the conditions of a notice of violation, or the conditions on the cease and desist order may, in the discretion of the Stormwater Authority, be subject to the noncriminal procedure established pursuant to the provisions of MGL c. 40, § 21D.
- (2) The penalty for the first violation shall be \$50. The penalty for the second violation shall be \$100.
- (3) Each day on which a violation occurs shall be considered a separate offense.
- (4) The owner or their agent may be denied permits or approvals after being cited for the second violation

D. Criminal prosecution.

- (1) Criminal prosecution for violation of any provision of this Bylaw or the permit, approval and/or Regulations promulgated by the Stormwater Authority or its agent.
- (2) Any such violation shall be punished by a fine of \$300 for each offense.
- (3) Each day on which such violation continues shall constitute a separate offense.

E. Issuance of a cease and desist order.

- (1) The Stormwater Authority or its authorized agent shall issue a cease and desist order if it is determined that conditions at the site are in violation of any of the requirements of this Bylaw or Regulations and that such violation is either an immediate threat to the environment, the public health or safety; or that the property owner has failed to take the corrective action(s) identified in a written notice of the violation issued under this Bylaw or has failed to take such corrective action within the time required in the notice of violation.

F. Notice of costs.

- (1) If the Stormwater Authority or its authorized agent takes remedial action upon failure of the owner to abate or remediate, notice shall be given to the owner of the costs, including administrative costs, incurred by the Town.
- (2) Said notice shall be sent within thirty (30) days of completion of all measures necessary to abate the violation or to perform remediation.
- (3) The violator or owner shall also be notified that they may, within thirty (30) days of receipt of said notice, file an appeal in writing to the Board of Selectmen objecting to either the amount or basis of the costs incurred.
- (4) If the amount due is not received by the expiration of the time in which to file an appeal or within thirty (30) days following a decision by the Board of Selectmen 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 shall constitute a lien on the owner's property for the amount of said

costs.

- (5) Interest shall begin to accrue on any unpaid costs at the statutory rate provided in M.G.L. c. 59, s. 57 after the thirty-first day at which the costs first become due.

Section 8. Severability

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

ARTICLE II – CONSTRUCTION SITE STORMWATER RUNOFF CONTROL AND POST-CONSTRUCTION STORMWATER MANAGEMENT

Section 1. Applicability

Article II of this Bylaw shall apply to all construction activities or land disturbing activities that individually or as part of a Common Plan of Development result in land disturbing activities in excess of the thresholds stated below, except as explicitly exempted in this Bylaw or where the Stormwater Authority has issued a waiver in accordance with Article I § 5.

- A. No person may undertake a construction activity or land disturbance, including clearing, grading, excavation, or redevelopment that will disturb equal to or greater than thresholds outlined in the Town of Wrentham Stormwater Regulations without a Limited Stormwater Approval or a Stormwater Permit approved by a majority of the Stormwater Authority members or as otherwise provided in this bylaw.
- B. No person may undertake a construction activity or land disturbing activity that will create new impervious surfaces equal to or greater than thresholds outlined in the Regulations without a Stormwater Recharge Approval.
 - (1) Projects may also be subject to requirements above depending on the amount of land disturbing activity.

No person shall start any project subject to the provisions of this Bylaw without first obtaining the approval or permit from the Stormwater Authority. Any person that fails to follow the requirements of a Limited Stormwater Approval, Stormwater Permit, or Stormwater Recharge Approval, and the related Erosion and Sediment Control Plan and Operations and Maintenance Plan, shall be in violation of this Bylaw.

The following activities are exempt from the provisions of this Bylaw:

- A. Maintenance of existing landscaping, gardens, or lawn areas (not to exceed 2,000 square feet) associated with a single family or two-family dwelling conducted in such a way as not to cause a nuisance;
- B. Construction of fencing that will not substantially alter existing terrain or drainage patterns;
- C. Construction of utilities (gas, water, electric, telephone, etc.) other than drainage which will not alter terrain or drainage patterns or result in discharge of sediment or other pollutants to the MS4 or, directly or indirectly, to a Watercourse or Waters of the Commonwealth;
- D. Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act regulation 310 CMR 10.04;
- E. The exemptions applicable to agricultural or forestry operations, contained in the Wetlands Protection Act, MGL c. 131, § 40, shall apply to this Bylaw;
- F. The reconstruction or resurfacing of any public way. The use of BMPs shall be employed;
- G. Municipal maintenance activities;

H. Firefighting activities.

Any person that fails to follow the requirements of a Stormwater Permit and the related Erosion and Sedimentation Control Plan, and Operations and Maintenance Plan, or any Stormwater Permit issued under the Town of Wrentham Stormwater Management Regulations shall be in violation of this Bylaw and associated regulations.

Section 2. Approval and/or Permit

- A. A Limited Stormwater Approval or Stormwater Permit must be obtained prior to the commencement of Land Disturbing Activity or Redevelopment based on thresholds established in the Town of Wrentham Stormwater Management Regulations. An applicant seeking an approval, review, and/or permit shall file an appropriate application with the Stormwater Authority in a form and containing information as specified in this bylaw and in regulations adopted by the Stormwater Authority.
- B. Each application must be accompanied by the appropriate application fee as established by the Stormwater Authority. Applicants shall pay the application fee, as specified in the Regulations, before the review process commences.
- C. The Stormwater Authority is authorized to retain a Registered Professional Engineer (PE) or other professional consultant to advise the Stormwater Authority on any or all aspects of the application and/or the project's compliance with conditions of a review or permit. The Stormwater Authority may require the applicant to pay reasonable costs to be incurred by the Stormwater Authority for the employment of outside consultants pursuant to the Regulations as authorized by G.L. c. 44, § 53G.
- D. Required submittals to obtain a Limited Stormwater Approval, Stormwater Permit, or Stormwater Recharge Approval shall include (without limitation) materials as specified in the Regulations. To obtain a Limited Stormwater Approval, Stormwater Permit, or Stormwater Recharge Approval, the applicant must show that site design, construction site stormwater runoff control, and post-construction stormwater management will meet the standards set by the Stormwater Authority in the Regulations.

Section 3. Consent to Entry onto Property

By signing the review or permit application, an applicant consents to entry of members of the Stormwater Authority or its authorized agents in or on the site while the application is under review to verify the information in the application and at any time after an approval or permit or is issued to inspect for compliance with the Limited Stormwater Approval, Stormwater Permit, or Stormwater Recharge Approval.

Section 4. Inspection and Site Supervision

The Stormwater Authority or its designated agent shall make inspections as outlined in the Town of Wrentham Stormwater Management Regulations to verify and document compliance with the Limited Stormwater Approval, Stormwater Permit, or Stormwater Recharge Approval.

Section 5. Compliance with the provisions of EPAs General Permit for MS4s in Massachusetts

This bylaw and its related Town of Wrentham Stormwater Management Regulations shall be implemented in accordance with the requirements of United States Environmental Protection Agency's most recent Massachusetts Small Municipal Separate Storm Sewer System (MS4s) General Permit relating to illicit connections and discharges, construction site runoff, and post-construction stormwater management, as well as the DEP 401 Water Quality Certification regulations (314 CMR 9.00) and the Massachusetts Wetlands Protection Act. The Stormwater Authority may establish additional requirements by regulation to further the purposes and objectives of this bylaw so long as they are not less stringent than those in the MS4 General Permit for Massachusetts or applicable state stormwater permitting requirements.

Section 6. Surety

The Stormwater Authority may require the applicant to post before the start of land disturbance or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by the Board of Selectmen and the Stormwater Authority and be in an amount deemed sufficient by the Stormwater Authority to ensure that the work will be completed in accordance with the approval or permit. If the project is phased, the Stormwater Authority may release part of the bond as each phase is completed in compliance with the approval or permit, but the security may not be fully released until the Stormwater Authority has received the final report as required by the Regulations and issued a Certificate of Completion pursuant to the Regulations. If the permittee defaults on any obligations imposed by the Limited Stormwater Approval, Stormwater Permit, or Stormwater Recharge Approval, the Stormwater Authority may (after notification of the permittee) inform the holder of the security (and the municipal treasurer if the treasurer is not holding the funds) of the default, in which event the Town shall be entitled to the security funds.

Section 7. Final Reports

Upon completion of the work and no later than two (2) years after completion of construction, the applicant shall submit a report (including certified as-built construction plans) from a Professional Engineer (P.E.), surveyor, or Certified Professional in Erosion and Sedimentation Control (CPESC), certifying that all BMPs, erosion and sedimentation control devices, and approved changes and modifications, have been completed in accordance with the conditions of the approved Erosion and Sediment Control Plan and Stormwater Management Plan. The Town of Wrentham Stormwater Management Regulations shall specify final report requirements. The Stormwater Authority may, by regulation, require ongoing reporting to ensure long-term compliance, including, but not limited to, appropriate operation and maintenance of stormwater BMPs. Any discrepancies with the authorized permit plans/approvals shall be noted in the cover letter.