

## Low Impact Development (LID) Regulations

### Article III Post Construction Stormwater Management

\_\_\_\_. 15 Stormwater Management Plan:

A. A stormwater management plan at the same scale as the site plan, which meets the design requirements of this bylaw, shall be prepared by a licensed civil engineer and submitted to the Department of Public Works. The plan shall include, but not be limited to the items listed below and, at a minimum, be designed to provide sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed development on water resources, and the effectiveness and acceptability of measures proposed for managing stormwater runoff. The applicant shall certify on the drawings that all clearing, grading, drainage, construction, and development shall be conducted in strict accordance with the plan. The minimum information, in addition to the name, address and telephone number of the owner, licensed civil engineer and person responsible for implementation of the plan, submitted for support of a stormwater management plan shall be as follows:

- (1) Locus map.
- (2) Drainage area map showing drainage area and stormwater flow paths.
- (3) Location of existing and proposed utilities.
- (4) Location of all existing and proposed stormwater utilities, including structures, pipes, swales and detention basins.
- (5) Topographic survey showing existing and proposed contours.
- (6) Soils investigation, including borings or test pits, for areas where construction of infiltration practices will occur.
- (7) Description of all watercourses, impoundments, and wetlands on or adjacent to the site or into which stormwater flows.
- (8) Delineation of one-hundred-year floodplains, if applicable.
- (9) Groundwater levels at the time of probable high groundwater elevation (November to April) in areas to be used for stormwater retention, detention, or infiltration.
- (10) Existing and proposed locations, cross sections, and profiles of all brooks, streams, drainage swales and the method of stabilization.
- (11) Location of existing and proposed easements.
- (12) Proposed improvements including location of buildings or other structures, impervious surfaces and storm drainage facilities, if applicable.
- (13) Structural details for all components of the proposed drainage systems and stormwater management facilities.
- (14) Timing schedules and sequences of development including clearing, stripping, rough grading, construction, final grading, and vegetative stabilization.
- (15) Operation and maintenance schedule.
- (16) Notes on drawings specifying materials to be used, construction specifications, and details.

(17) Location of areas to be cleared of more than 50% of the vegetation.

B. The applicant should review the scope of work of the proposed project with a representative of the Department of Public Works to determine the requirements of the Stormwater Management Plan. The Director may waive any section or all of the Stormwater Management Plan if he or she determines that the activity involved has a de minimus impact on the Town's stormwater management plan.

\_\_\_\_. 16 Standards:

Control of stormwater runoff shall meet the requirements of the Town of Fairhaven's Subdivision of Land Stormwater Management Regulations, Subsection \_\_\_\_\_.11 and performance standards for both flood control and nonpoint source pollution reduction as defined in the Massachusetts Stormwater Management Policy, dated March 1997, as amended, and the Town of Fairhaven's Best Development Practices Guidebook, dated \_\_\_\_\_, as amended. All assumptions, methodologies and procedures used to design stormwater treatment practices and stormwater management practices shall accompany the design. All activities, project design, stormwater treatment practices and stormwater management practices should aim to minimize stormwater runoff, maximize infiltration and recharge where appropriate, and minimize pollutants in stormwater runoff, and should follow the Town of Fairhaven's Best Development Practices Guidebook.

\_\_\_\_. 17 Review and Approval:

A. A stormwater management plan review is triggered by a site development plan and/or a building permit application or other activity that falls within the jurisdiction of this bylaw. Applicants shall be referred by the permit-issuing agency to the Department of Public Works to conduct the stormwater management plan review. Activities that fall within the jurisdiction of this bylaw that do not require a permit from any Town department are not exempt from this provision. In this situation, the applicant must seek stormwater management plan review directly from the Director.

B. The Director will review each stormwater management plan to determine its conformance with the provisions of this bylaw. The Director shall, in writing:

- (1) Approve the plan as submitted; or
- (2) Approve the plan subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
- (3) Disapprove the plan, indicating the reason(s) and procedure for submitting a revised application and/or submission.

C. Approval of the stormwater management plan shall remain in effect for a term of one year. After one year, the owner must apply to the Director for an extension which will be approved at the Director's discretion and in accordance with the Director's requirements.

\_\_\_\_.18 Operations and Maintenance Plans:

An operation and maintenance plan (O&M Plan) is required at the time of application for all projects. The maintenance plan shall be designed to ensure compliance with the permit in all seasons and throughout the life of the system. The Director shall make the final decision of what maintenance option is appropriate in a given situation. The Director will consider natural features, proximity of site to water bodies and wetlands, 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 O&M Plan shall identify and include all required documents, including, but not limited to, maintenance agreements and stormwater management easements. All documents shall be submitted to the Town Attorney for review and must be in a form satisfactory to the Town Attorney. The operation and maintenance plan shall remain on file with the Department of Public Works and shall be an ongoing requirement. The O&M Plan shall include:

- A. The name(s) of the owner(s) for all components of the system.
- B. Maintenance agreement(s). The maintenance agreement shall include:
  - (1) The names, addresses, and phone numbers of the person(s) responsible for operation and maintenance.
  - (2) The person(s) responsible for financing maintenance and emergency repairs.
  - (3) A maintenance schedule for all drainage structures, including swales and ponds, and the estimated life span of the system.
  - (4) A list of easements with the purpose and location of each.
  - (5) The signature(s) of the owner(s).
  - (6) A provision requiring a documentation submittal to Department of Public Works confirming when maintenance has been satisfactory completed.
- C. Stormwater management easement(s).
  - (1) Stormwater management easements shall be provided by the property owner(s) as necessary for:
    - (a) Access for facility inspections and maintenance.
    - (b) Preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the one-hundred-year storm event.
    - (c) Direct maintenance access by heavy equipment to structures requiring regular cleanout.
  - (2) Stormwater management easements are required for all areas used for off-site stormwater control, unless the Director grants a waiver.
  - (3) Easements shall be recorded with the County Registry of Deeds or Land Court prior to issuance of a certificate of completion by the Director.

D. Changes to operation and maintenance plans.

(1) The owner(s) of the stormwater management system must notify the Director of changes in ownership or assignment of financial responsibility.

(2) The maintenance schedule in the maintenance agreement may be amended to achieve the purposes of this bylaw by mutual agreement of the Director and the responsible parties. Amendments must be in writing and signed by all responsible parties. Responsible parties shall include owner(s), persons with financial responsibility, and persons with operational responsibility.