



TOWN OF UXBRIDGE
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**Posted by
Uxbridge
Town Clerk**

AUG 28 '12 PM03:09

STORMWATER COMMITTEE MEETING MINUTES

Date of Meeting: October 31, 2011 **Time:** 2:00 p.m.
Place of Meeting: DPW Office, 147 Hecla Street, Uxbridge, MA
List of Attendees: Michael Potaski, Stephen O'Connell, Joseph Leonardo, James Smith
Others in Attendance: None

A. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

B. OLD BUSINESS

A. Review and Discuss Stormwater Bylaw Materials

The committee continued to review materials. Michael Potaski prepared a draft version of the bylaw. Discussion continued on the development of the draft bylaw. **Action:** Continue review of materials and update working draft for discussion.

B. NEW BUSINESS

C. ADJOURNMENT

Motion by James Smith to adjourn the meeting at 3:15 p.m. Seconded by Stephen O'Connell, the motion carried unanimously.

Next Stormwater Committee Meeting is scheduled for **November 21, 2011**, at **2:00 p.m.** at the DPW Office at 147 Hecla Street.

Minutes respectfully submitted by Stephen O'Connell

Minutes approved by Stormwater Committee

Benn Sherman, Chair

Stephen O'Connell

Stephen O'Connell

Joseph Leonardo

Joseph Leonardo

Michael Potaski

Michael Potaski

James Smith

James Smith

Date Approved

01/09/2012

**UXBRIDGE STORM WATER MANAGEMENT
AND EROSION CONTROL BYLAW**

SECTION 1, PURPOSE

To ensure that the Town of Uxbridge complies with the provisions of the National Pollutant Discharge Elimination System (NPDES) as promulgated by the U.S. Environmental Protection Agency.

SECTION 2, AUTHORITY

This Bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, the Federal Clean Water Act, and pursuant to the various regulations promulgated by the U.S. Environmental Protection Agency, the Massachusetts Department of Environmental Protection, and the Massachusetts Department of Conservation and Recreation.

SECTION 3, APPLICABILITY

This Bylaw shall apply to all elements of the Town of Uxbridge municipal government, the School Department, all corporate and business entities with activities within the Town of Uxbridge, and all residents and owners of property within the Town of Uxbridge.

SECTION 4, OBJECTIVES

1. Protect water resources by preventing pollutants from entering the municipal storm water drainage system or any resource area;
2. Control soil erosion and sedimentation;
3. Control the volume and rate of storm water runoff resulting from land disturbance activities such as development and redevelopment;
4. Protect groundwater and surface water degradation or depletion;
5. Promote the infiltration and recharge of groundwater.
6. Ensure compliance with all Federal and State statutes and regulations relating to storm water management and erosion control; and,
7. Establish the Town of Uxbridge's legal authority to ensure compliance with the provisions of this Bylaw through permitting, inspection, and enforcement.

SECTION 5, ADMINISTRATION

1. The Department of Public Works (DPW) shall operate and maintain the Municipal Separate Storm Sewer System (MS4) in accordance with applicable Federal and State statutes and regulations; the DPW shall file all applications and reports required for the MS4 with appropriate Agencies in a timely manner; the DPW shall report to the appropriate Agency any evidence of illicit discharge of pollutants into the MS4; the DPW

- shall maintain a schedule of routine street sweeping activities; and the DPW shall, to the extent practical, ensure that all municipal properties comply with established Best Management Practices (BMPs) for control of storm water runoff and siltation.
2. The School Department shall operate and maintain in accordance with the manufacturer's product guidelines the storm water and erosion control equipment installed at the Quaker Highway school site.
 3. The Planning Board shall ensure that all applications for development or redevelopment contain a Storm Water Management Plan that complies with the hydrological design requirements mandated by Federal and State statute and regulation to control storm water runoff and soil erosion.
 4. The Conservation Commission shall review all proposed development or redevelopment activities within the statutory limits of water resource areas and shall issue appropriate "orders of conditions" for the same; and,
 5. All corporate and business entities with activities within the Town and all residents and property owners shall avoid depositing pollutants of any nature into the MS4, into water resource areas, or pervious surfaces; any pollutants deposited on impervious surfaces shall be cleaned up immediately; rain water from down spouts shall be directed to pervious areas to the extent practical; vehicle and equipment washing shall occur on pervious areas to the extent practical; lawn clippings, leaves, other organic detritus, or soil shall not be placed in a location where it might be washed into the MS4 or a water resource area.

SECTION 6, ENFORCEMENT

The Conservation Commission shall investigate and take appropriate action in any instance where disturbance of land results in soil erosion impacting the MS4 or any water resource area and shall take enforcement action allowed by Federal or State statute or regulation.

SECTION 7, EXEMPT ACTIVITIES

1. Normal maintenance and improvement of Town owned public ways and related infrastructure;
2. Normal maintenance and improvement of land in agricultural use;
3. Repair or replacement of septic systems when required by the Board of Health for the protection of public health;
4. Normal maintenance of existing landscaping, gardens, or lawn areas associated with dwelling houses or commercial structures provided that such maintenance does not include the addition of more than 100 cubic yards of soil material, construction of any walls, alteration of existing grades by more than one foot in elevation, or alteration of drainage patterns;
5. The construction of fencing that will not alter existing drainage patterns;
6. The construction of utilities (gas, water, electric, telephone, etc.) that will not alter terrain or drainage patterns;
7. Activities conducted in accordance with an approved Massachusetts Department of Conservation and Recreation Forest Stewardship Plan; and
8. Regular maintenance of structures associated with the MS4.

SECTION 8, DEFINITIONS

AGRICULTURE: The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act and its implementing regulations

ALTERATION OF DRAINAGE CHARACTERISTICS: Any activity on an area of land that changes the forces, quantity, direction, timing, or location of storm water runoff from the area.

BEST MANAGEMENT PRACTICE: an activity, procedure, restraint, or structural improvement that helps reduce storm water runoff or negate erosion or siltation.

CLEARING: Any activity that removes the vegetative surface cover. Clearing activity may include grubbing as defined below.

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

DISTURBANCE OF LAND: Any action, including clearing and grubbing, that causes a change in the position, location, or arrangement of soil, sand, rock, gravel, or similar earth material.

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

EROSION AND SEDIMENT CONTROL PLAN: That portion of any development or redevelopment plan, drawn up by the project's engineers and/or surveyors, reviewed and approved by the Planning Board, in conjunction with the Conservation Commission, and monitored by the Conservation Commission to control surface water runoff, erosion, and sedimentation during pre-construction and construction-related land disturbance.

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

GRUBBING: The act of enhancing clearing activity by removing stumps and roots.

IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surfaces include, without limitation, roads, paved parking lots, sidewalks, driveways, and roof tops.

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

MASSACHUSETTS STORM WATER MANAGEMENT POLICY: The policy issued by the Department of Environmental Protection, as amended, that coordinates the requirements

prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act and the Massachusetts Clean Waters Act.

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

PERVIOUS SURFACE: any natural feature or manmade structure that allows storm water to percolate into the ground.

PRE-CONSTRUCTION: all activity in preparation for construction.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition, or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.

RUNOFF: Rainfall, snow melt, 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 depositing sediment.

SITE: Any lot or parcel that falls under the aegis of the Planning Board for development or redevelopment permitting.

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

SOIL: Earth materials including loam, sand, gravel and rock.

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

STORM WATER: Rain water runoff or snow melt runoff that moves across the surface of the land.

STORM WATER MANAGEMENT PLAN: That portion of any development or redevelopment permit application submitted to the Planning Board that contains details prepared by an engineer or surveyor for structural or non-structural best management practices to manage and treat storm water runoff generated from permitted development or redevelopment activity. The Plan shall contain post-development or post-redevelopment plans for the operation and maintenance of continuing best management practices for storm water and erosion control.

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

WATER RESOURCE AREA: Any feature specified in the Massachusetts Wetlands Protection Act.

WETLANDS: Wet meadows, marshes, swamps, bogs, areas where ground water, flowing or standing water, or ice provide a significant part of the supporting substrate for a plant community for at least five months of the year; emergent and submergent communities in inland waters; that portion of any bank that touches any inland water.

SECTION 9, SEVERABILITY

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

