

SEWER USE

RULES AND REGULATIONS

FOR

COMMUNITY WASTEWATER

TREATMENT AND DISPOSAL FACILITIES

AND

SEWER CONNECTIONS TO

SOUTH HADLEY, MASSACHUSETTS

SEWER USE RULES AND REGULATIONS

GRANBY, MASSACHUSETTS

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FOR

COMMUNITY WASTEWATER TREATMENT AND DISPOSAL FACILITIES

AND

SEWER CONNECTIONS TO SOUTH HADLEY, MASSACHUSETTS

RULES AND REGULATIONS FOR THE USE OF COMMON SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE TOWN OF GRANBY, COUNTY OF HAMPSHIRE, COMMONWEALTH OF MASSACHUSETTS.

Be it ordained and enacted by the Board of Selectmen, Town of Granby, Commonwealth of Massachusetts, acting in accordance with the provisions of Chapter 83, Section 10 of the General Laws, as amended, hereby adopt the following Rules and Regulations governing connection to and use of the Town's common system:

ARTICLE I ABBREVIATIONS

ASTM	-	American Society for Testing and Materials
BOD	-	Biochemical Oxygen Demand (5 day)
CFR	-	Code of Federal Regulations
COD	-	Chemical Oxygen Demand
CPI	-	Consumer Price Index All Urban Consumers (not seasonally adjusted)
CWTDF	-	Community Wastewater Treatment and Disposal Facility
EDU	-	Equivalent Dwelling Unit
EPA	-	Environmental Protection Agency
GPD	-	Gallons Per Day
L	-	Liter
mg	-	Milligrams

mg/L	-	Milligrams per Liter
NPDES	-	National Pollutant Discharge Elimination System
POTW	-	Publicly Owned Treatment Works (owned and operated by the Town of South Hadley)
SIC	-	Standard Industrial Classification
SWDA	-	Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
TSS	-	Total Suspended Solids
USX	-	United States Code
WPCF	-	Water Pollution Control Federation
#EDU	-	Number of Equivalent Dwelling Units

ARTICLE II DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in these Rules and Regulations shall be as follows:

AGENT: shall mean a Board of Selectmen Member or authorized representative of the Board of Selectmen.

BOD: (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C, expressed in milligrams per liter.

BUILDING DRAIN: shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil other drainage pipes inside the walls of the building and conveys it to the building drainage system, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER: shall mean the extension from the main sewer to the building or structure.

COMBINED SEWER: shall mean a sewer receiving both surface runoff and sewage.

COMMUNITY WASTEWATER TREATMENT AND DISPOSAL FACILITY: shall mean approved structures used for the primary treatment of raw sewage and the dispersion of sewage effluent, from more than a single residential user, into the soil. This definition includes any equipment or appurtenances that convey effluent to the disposal system, but does not include pipes, sewers or other conveyances not connected to the Community Wastewater Treatment & Disposal Facility.

COOLING WATER: shall mean the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

EFFLUENT: shall mean the liquid portion of sewage discharged from a septic tank to a leaching facility.

EQUIVALENT DWELLING UNIT: shall mean an estimated discharge rate of sanitary sewage at 330 GPD)

EXCESSIVE: Excessive shall mean amounts or concentrations of a constituent of wastewater which will cause damage to any facility, will be harmful to a wastewater treatment process, or will cause a nuisance.

GARBAGE: shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

INDUSTRIAL USER: shall mean any user of the Town's wastewater disposal system who: (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has a flow greater than 5% of the flow in the Town's wastewater treatment system, or (iii) has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act, or Statutes of the Commonwealth of Massachusetts or by ordinances of the Town, or by regulations as may be promulgated from time to time by the U.S. Environmental Protection Agency (US EPA)".

INDUSTRIAL WASTE: shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary or domestic sewage.

NATURAL OUTLET: shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

OWNER: shall mean that person holding the title to the property served or to be served by the sewer.

PERSON: shall mean any individual, firm, company, association, society, corporation or group.

pH: shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PRIVATE SEPTIC DISPOSAL SYSTEM: shall mean any on-site, subsurface waste disposal system constructed and maintained in accordance with all the requirements of the Granby Board of Health Regulations, Building

Code, Zoning Ordinance, and any other laws or regulations of the Town of Granby and/or the Commonwealth of Massachusetts.

PROPERLY SHREDDED GARBAGE: shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

PUBLIC SEWER: shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

SANITARY SEWER: shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

SEPTIC TANK: shall mean a watertight receptacle which receives the discharge of sewage from a building sewer, and is designed and constructed so as to permit the retention of scum, digestion of the organic matter, and discharge of the liquid portion to a leaching facility.

SEWAGE: shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

SEWAGE TREATMENT WORKS: shall mean any arrangement of devices or structures used for treatment of sewage.

SEWAGE WORKS: shall mean all facilities for collecting, pumping, treating and disposing of sewage.

SEWER: shall mean a pipe or conduit for carrying sewage.

SHALL: Shall is mandatory; "May" is permissive.

SLUG: shall mean any discharge of water, sewage or industrial waste in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

STORM DRAIN: (sometimes termed "Storm Sewer") shall mean a pipe which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than unpolluted cooling water.

SUSPENDED SOLIDS: shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

TOWN: shall mean the Town of Granby, Massachusetts.

USER: shall mean any person who contributes, causes, or permits the contribution of wastewater into the Town's POTW.

WATERCOURSE: shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE III SEWER/DRAIN LAYERS

- Section 1** No building sewer installation shall be made by anyone other than those holding a Sewer/Drain Layer's license issued by the Board of Selectmen.
- Section 2** Licenses will be issued to experienced and competent contractors. A copy of the "Application For Sewer/Drain Layer's License" is included in Appendix A.
- Section 3** Shall maintain insurance as follows: Public Liability of \$100,000/300,000, Property Damage Liability of \$50,000/100,000, and shall file with the Agent a certificate of same with a "Save Harmless" clause to the Town of Granby.
- Section 4** Shall post a bond in the amount of \$3,000.00 to guarantee the satisfactory completion of his work. Licenses are renewable annually on July 1 by the Board of Selectmen.

ARTICLE IV PERMITS AND INSPECTIONS

- Section 1** There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his representative shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Agent. A copy of the application is included in Appendix A.
- A permit and inspection fee of \$100.00 for a single-family or two-family residential dwelling or commercial building sewer permit and \$200.00 for a multi-family dwelling and an industrial building sewer permit shall be paid to the Town at the time the application is filed. The application charge for a replacement (renewal) for a single-family or two-family dwelling sewer connection shall be \$50.00, and for a business/commercial shall be \$100.00. Residential connections to a Community Wastewater Treatment & Disposal Facility shall execute an easement with the Agent allowing the Agent to inspect and maintain the on-lot structures appurtenant to the facility, i.e., septic tank and lateral connection from tank to public sewer. The easement must be granted prior to issuance of permit.
- The Board of Selectmen shall require a "Proposed Construction Plan" at the time of application and an "As-Built" construction plan upon the completion and approval of the building sewer connection. The plans shall show the existing or proposed new house or building, location of all existing utilities, elevations of all the utilities, the elevation of the proposed building sewer pipe line and all pertinent data including the necessary contours that will enable the Agent to review and process the application. The plans shall be drawn at a scale of 1" = 40' and must be of a suitable standard quality for recordkeeping files. Proposed projects requiring extensions or modifications to the Town sanitary sewer system shall be reviewed and stamped by a Professional Engineer certified to practice in the Commonwealth of Massachusetts.
- Section 2** Permits are to be obtained weekdays at the office of the Board of Selectmen between the hours of 9:00 A.M. and 3:00 P.M. Monday through Thursday and Friday between the hours of 9:00 A.M. and 12:00 Noon.
- Section 3** Permits will only be issued to licensed sewer/drain layers to lay sewers and drains in the Town of Granby.
- Section 4** Permits are not transferable.
- Section 5** Permits shall be subject to revocation if any of the rules or regulations contained herein are violated.
- Section 6** If work is not completed within six (6) months, the permit becomes void.
- Section 7** Permits must be obtained for repair work to existing sewer services.
- Section 8** Requests for inspection of sewer service connections to be installed shall be made before 3:00 P.M. on the date preceding the installation. All connections must be inspected and approved by the Agent before the trench is backfilled.
- Section 9** Inspections will be made only during the normal working hours of the department, 8:00 A.M. to 4:00 P.M. unless provisions are made with the inspector to inspect outside the normal working hours.
- Section 10** A charge of the actual cost to the Town will be made for any inspections made outside the normal working hours of 8:00 A.M. to 4:00 P.M.

ARTICLE V BUILDING SEWERS AND CONNECTIONS

- Section 1** No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Agent. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Agent at least forty-five (45) days prior to the proposed change or connection.
- Section 2** All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. It shall be the owner's responsibility to maintain and repair the building sewer.
- Section 3** A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, provided both buildings are owned by the same person.
- Section 4** Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the Agent, to meet all requirements of these Rules and Regulations.
- Section 5** Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by any approved means and discharged to the building sewer.
- Section 6** No person shall make connection of a roof downspout, exterior foundation drains, interior drains, sump pumps, area way drains, or other sources of surface run-off or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- Section 7** All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.
- Section 8** The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable regulations of the Town. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9, as amended or revised, shall apply.
- Section 9** The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable regulations of the Town, or the procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9, as amended or revised. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Agent before installation.
- Section 10** When any building, or other structure previously served by a connection to any public sanitary sewer is demolished, destroyed, abandoned, or altered so that any sewer or portion of an abandoned plumbing system which is directly or indirectly connected to any public sanitary sewer is no longer used and is no longer connected to the sewer system which discharged, directly or indirectly, into a public sanitary sewer shall be promptly closed and sealed off so that no water or wastes not otherwise permitted to enter the public sanitary sewer shall be so discharged there into. The Agent shall be notified of such abandonment or discontinuance and of the closing and sealing

of such sewer and shall be afforded an opportunity to see such work performed. All of said work shall be done by the person or party who demolishes the building or structure or who alters the sewage of the premises so as to make such closing and sealing necessary, and, in the event of the failure of such person or party to do so, shall be done by the owner, lessee or tenant of the premises in a satisfactory manner all without expense to the Town.

Should the above work not be undertaken by the owner in a timely manner, the Town may close off and seal the sanitary sewer at the expense of the owner. A lien may be placed against the property to collect and outstanding costs.

ARTICLE VI MATERIALS AND WORKMANSHIP

Section 1 Pipe and fittings to be used in the work shall be SDR-35 PVC or other material, as approved by the Agent, with approved joints, six (6) inches or more in diameter, for a building sewer or connection carrying raw sewage. For approved building sewer or connections to a Community Wastewater Treatment & Disposal Facility pipes may be four (4) inches or more in diameter, as recommended by the Agent.

Pipe joints shall be of the compression type, consisting of an approved material applied to the bell and spigot ends of the pipe and a compression ring of elastomeric material (O-ring or approved equal).

Section 2 In general, sewer services will not be allowed to have more than two (2) angle points, or a total angular deviation of 180 degrees. All angular deviations shall be smooth sweeps for conventional sanitary sewers. The use of 45 degree and 90 degree construction joints are not allowed. Cleanouts shall be installed at each deflection, if required by the Agent.

Section 3 All pipe and fittings shall be laid to a minimum slope of two (2%) percent (1/4-inch per lineal foot) for 4-inch diameter pipe, and one (1%) percent (1/8-inch per linear foot) for 6-inch diameter pipe. Slopes of less than two (2%) percent may be approved for 4-inch diameter pipe by the Agent only under extenuating circumstances.

Any service length greater than 300 feet, in a conventional gravity building sewer or connection carrying raw sewage, will require a sanitary manhole. In areas serviced by a Community Wastewater Treatment and Disposal Facility, where the building sewer or connection will carry septic tank effluent for an entire sewer length, cleanouts shall be required at intervals no greater than 300 feet; sewer manholes will be required for major pipe intersections, as recommended by the Agent.

Section 4 All services shall be laid in an envelope of compacted sand which extends 12" beyond the pipe diameter, or approved gravel, all around the barrel of the pipe and backfilled to prevent damage.

Section 5 In general, the trenches shall be excavated from the end of the existing sewer service to its point of connection to the building plumbing outlet before backfilling any pipe beyond the sand envelope.

Section 6 All services are subject to review by the Agent and such other requirements as may be found necessary to assure a functional connection.

Section 7 In new construction, and where practicable in existing buildings when the common sewer is sufficiently deep, service shall be laid directly, without deflections from the house plumbing vent stack to the connection provided at the common sewer, except as noted in Section 11 of this article.

Section 8 Tunneling will not be allowed unless special permission for same is given by the Agent.

Section 9 Connection made to the building plumbing system shall be upstream of any septic tanks, except as noted in Section 11 of this article.

Section 10 Abandonment of Systems:

Upon connection to the sanitary sewer, any septic tanks or similar private septic disposal facilities shall be pumped dry, demolished, or abandoned and filled by the sewer/drain layer with suitable material approved by the Agent, except as noted in Section 11 of this article.

a) Whenever the use of a system is discontinued following connection to a municipal or private sanitary sewer or following condemnation or demolition of a building served by the system, the system shall be considered abandoned and any further use of the system for any purpose shall be prohibited unless, after inspection, the approving authority determines the system is

in compliance or can be brought into compliance with these Rules and Regulations.

- b) Continued use of a septic tank where the tank is to become an integral part of a sanitary sewer system requires the prior written approval of the Agent.
- c) The following procedure shall be used to abandon a system:
 - 1) The facility owner shall apply to the approving authority to abandon the existing system citing the reason(s) abandonment is necessary, and where connection to municipal or private sanitary sewer has been made, a copy of the sewer connection permit shall be submitted with the application;
 - 2) Upon receipt of the approving authority's written approval to abandon the system, the septic tank shall be pumped of its entire contents by a septage hauler licensed by the Town; and
 - 3) The tank shall be excavated and removed from the site, or the bottom of the tank shall be opened or ruptured after being pumped of its content so as to prevent retainage of water and the tank shall be completely filled with clean sand,

Section 11 Connection made to a Community Wastewater Treatment & Disposal Facility shall include a new septic tank and building sewer from the tank to the public sewer. The Agent shall inspect the existing building sewer from the building to the tank for integrity. The sewer shall be replaced, at no cost to the Town, if replacement is required by the Agent. The septic tank shall be precast concrete with inlet baffle, center cleanout and a riser to ground level with cover and have a minimum capacity of 1,500 gallons. The septic tank shall comply with the latest Granby Board of Health Regulations and Title V of the Massachusetts State Environmental Code (310 CMR 15.00). Pipe and fittings from the building to the septic tank and septic tank to the public sewer shall be a minimum of 4-inch SDR-35 PVC.

Section 12 Pipe and fittings shall not be backfilled beyond the compacted sand envelope until the work is inspected.

Section 13 The sewer/drain layer shall be responsible for all defects in materials and workmanship for a period of one (1) year following completion of the sewer service installation.

Section 14 When ledge is encountered in the excavations, a permit must be obtained from the Fire Chief for the use of explosives.

Section 15 All blasting shall be done in accordance with the requirements of the Massachusetts Department of Public Safety and such other requirements as imposed by the Fire Chief. All blasting must be done by a person licensed by the Department of Public Safety for this purpose.

Section 16 Details for typical trench and piping are contained in the Appendix of this document.

ARTICLE VII USE OF THE PUBLIC SEWERS

- Section 1** The owner of all existing or subsequently constructed homes, businesses, buildings, institutions and industrial establishments situated within the Town and abutting on any public street in which there is located an adjoining public sewer of the Town may, and when ordered by the Board of Health, shall, at his expense install suitable toilet, bathroom and kitchen facilities therein, as appropriate to its use, and to connect such facilities directly with the public sewer in accordance with the provisions of these Regulations. No owner of any property serviced by the Community Wastewater Treatment & Disposal Facilities shall discharge or cause to be discharged any industrial wastes into said facilities, only sewage derived from residential wastes shall be allowed.
- Section 2** All existing or subsequently constructed homes, businesses, buildings, institutions and industrial establishments not abutting on a street in which there is an adjoining public sewer shall have a suitable private septic disposal system, the installation, operation and repair of which shall be subject to the inspection and approval of the Board of Health in accordance with the applicable provisions of the building code, zoning ordinance, Board of Health Regulations and Title V of the Massachusetts State Environmental Code (310 CMR 15.00).
- Section 3** No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.
- Section 4** Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Agent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Agent, to a storm sewer, combined sewer, or natural outlet.
- Section 5** No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
- a) Any gasoline, benzene, naphtha, fuel oil, oil or other flammable or explosive liquid, solid or gas.
 - b) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment system.
 - c) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property of causing damage or hazard to structures, equipment and personnel of the sewage works.
 - d) Any waters or wastes having a pH higher than 9.5.
 - e) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, or whole garbage. Ground garbage may not be discharged to the Community Wastewater Treatment and Disposal Facilities.
 - f) Any waters or wastes containing excessive amounts of iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement.
- Section 6** No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Agent that such wastes can harm either

the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability, the Agent will give consideration to factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors.

- a) Any liquid or vapor having a temperature higher than one hundred and four degrees Fahrenheit (104⁰ F) (40⁰ C) at the point of discharge.
- b) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred fifty degrees Fahrenheit (32⁰ and 150⁰ F) (0⁰ and 65⁰ C).
- c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Agent.
- d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions, whether neutralized or not.
- e) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Agent as necessary, after treatment of the composite sewage to meet the requirements of the Commonwealth, Federal or other public agencies or jurisdiction for such discharge to the receiving waters.
- f) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Agent in compliance with applicable State or Federal regulations.
- g) Any waters or wastes having a pH in excess of 9.5.
- h) Materials which exert or cause:
 1. Unusual concentrations of inert suspended solids (such as, but not limited to fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- i) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 7 If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 6 of this article, or the Town of South Hadley's "Rules and Regulations Governing the Use of Sanitary Sewers", as amended, and which in the judgment of the Agent may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Agent may:

- a) Reject the wastes.

- b) Require pretreatment to an acceptable condition for discharge to the public sewers.
- c) Require control over the quantities and rates of discharge, and/or
- d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 11 of this article.

If the Agent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be overseen by a registered engineer and shall be subject to the review and approval of the Agent and subject to the requirements of all applicable codes, regulations and laws.

Section 8 Grease, oil and sand interceptors shall be provided when, in the opinion of the Agent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except that interceptors shall not be required for private living quarters or dwelling units. All such interceptors shall be of a type and capacity approved by the Agent and shall be located as to be readily and easily accessible for cleaning and inspection.

All commercial businesses that are classified as restaurants according to these regulations and that have licenses issued by the Granby Board of Health or Board of Selectmen for the purposes of serving food shall be required to have a grease trap sized and approved by the Agent. No grandfather clause is permitted. All grease traps 1,000 gallons or greater in capacity must be pumped a minimum of every three (3) months. Those establishments that do not comply with installing or pumping their grease traps, will have their food license revoked by the licensing authority, after being properly notified.

Grease trap pumping schedule will be determined and approved by the Board of Health based on past, present and future use.

Section 9 Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense.

Section 10 When required by the Agent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Agent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Section 11 All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in these Rules and Regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property.

All industries discharging into a public sewer shall perform such monitoring of their discharges as the Agent and/or other duly authorized employees of the Town may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Agent. Such records shall be made available upon request by the Agent to other Agencies having jurisdiction over discharges to the receiving waters.

Section 12 No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, providing said agreement is approved by the agency expected to treat said waste, subject to payment therefore by the industrial concern.

ARTICLE VIII INDUSTRIAL WASTES

Section 1 **The Board of Selectmen is authorized and empowered to enter into agreements, issue permits, or to make other arrangements for handling and treating industrial wastes which in its opinion are amenable to treatment in the POTW.**

When the Board of Selectmen determines that a user is contributing to the POTW, any of the substances enumerated under Article III in such amounts as to interfere with the operation of the POTW or otherwise inhibit the achievement of the objectives of these Rules and Regulations, the Board of Selectmen, through the POTW Superintendent shall:

- a) Advise the user of the impact of the contribution on the POTW; and**
- b) Develop effluent limitation(s) for such user to correct the interference with, inhibition of, etc., the POTW. This type of user shall then be considered an "industrial user" and will be subject to an industrial wastewater discharge permit or special Agreement with the Board of Selectmen.**

ARTICLE IX CONNECTION TO SEWER

Section 1 **Within sixty (60) days after a public sewer in a public street or easement becomes operational, the Agent shall notify abutting property owners that they may connect with said sewer. Failure to obtain a permit to make such a connection shall be prima facie evidence that no connection has been made.**

Section 2 **Private Sewage Disposal Systems:**

- a) **Where a public sewer is not available under the provisions of Article VI, the building sewer shall be connected to a private sewage disposal system complying with the provisions of the Granby Board of Health Regulations, Building Code, Zoning Ordinance, Title V of the Massachusetts State Environmental Code (310 CMR 15.00), and any other laws or regulations of the Town of Granby and/or the Commonwealth of Massachusetts.**

ARTICLE X PROTECTION FROM DAMAGE

Section 1 No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE XI POWERS AND AUTHORITY OF INSPECTORS

- Section 1** The Agent and other duly authorized employees of the Town shall be permitted to enter all properties connected to the public sewer for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of these Regulations. The Agent or his representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- Section 2** While performing the necessary work on private properties referred to in Article X, Section 1 above, the Agent or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the owner and the owner shall be held harmless for injury or death to the Town employees, and the Town shall indemnify an owner against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage assessed against the company and growing out of the gauging and sampling operation except as such may be caused by negligence or failure of the owner to maintain safe conditions as required in Article VI, Section 10.
- Section 3** The Agent and other duly authorized employees of the Town shall be permitted to enter all private properties throughout which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE XII ENFORCEMENT

Section 1 If any person shall construct, install, alter or repair any sewer, building drain, building sewer or connection to any public sanitary sewer of the Town in violation of the requirements of this ordinance, or, having obtained a permit as provided in this ordinance, shall construct, install, alter or repair any sewer, building drain, building sewer or connection thereto without having given the Board of Selectmen or his authorized representative adequate notice, time, opportunity and assistance, during regular working hours, to inspect such sewer, connection and the work and materials used thereon, said Agent shall order or direct the person who constructed, installed, altered, or repaired such sewer, etc., and or the owner of any property in which such sewer, etc., may be located or which may be served thereby, or in whose interest and employ said work was done, to uncover and fully expose any or all portions of such sewer, etc., and afford said Agent adequate opportunity to examine and inspect such sewer, etc., and to secure such records thereof as may be proper. If such sewer, etc., and the appurtenances thereof shall be found not to be in full accord with the requirements of this ordinance and the standards established under its provisions, then said Agent shall order and direct such person, owner, or lessee to make such changes in or additions to or remove portions of appurtenances of such sewer, etc., as may be necessary to insure that such sewer, etc., will conform to the requirements of this ordinance and of the standards established under its provisions. All of such work shall be performed by said person, owner, or lessee without delay and without expense to the Town.

Section 2 If any person, after proper order or direction from the Agent fails to take the remedial steps or perform the acts required by this ordinance, or fails thereafter to use, operate and maintain any connection with the public sanitary sewers of the Town, or appurtenances thereof, as required by this ordinance, the Board of Selectmen or the Agent, by such agents and/or facilities as it or he may choose, may disconnect the sewer, etc., which was wrongfully connected, altered, repaired or used, or through which improper wastes were discharged into the public sanitary sewer system of the Town.

ARTICLE XIII PENALTIES

Section 1 Any person found to be violating any provision of these Rules and Regulations except Article VIII shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 2 A person who shall fail to comply with these Rules and Regulations or with any order issued pursuant to the same, shall upon conviction be fined in an amount not exceeding \$50.00. Each day's failure to comply with such an order shall constitute a separate violation.

Section 3 Any person violating any of the provisions of these Rules and Regulations shall become liable to the Town for any expense, loss or damage occasioned by the Town by reason of such violation.

In addition to the penalties provided herein, the Town may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit of law against the person found to have violated these Rules and Regulations or the orders, rules, regulations, and permits issued hereunder.

ARTICLE XIV VALIDITY

- Section 1** All Rules and Regulations or parts of Rules and Regulations in conflict herewith are hereby repealed.
- Section 2** The invalidity of any section, clause, sentence or provision of these Rules and Regulations shall not affect the validity of any other part of these Rules and Regulations which can be given effect without such invalid part or parts.

ARTICLE XV ADDITIONAL REGULATIONS

Section 1 All Rules and Regulations adopted by the Town of South Hadley, Massachusetts as they pertain to wastewater discharge shall apply to Town of Granby sewer users serviced by South Hadley POTW when, in the event:

- a) They are not mentioned by the Town of Granby Rules and Regulations; and
- b) "Rules and Regulations Governing the Use of Sanitary Sewers" adopted by the Town of South Hadley are stricter than the Town of Granby's "Sewer Use Rules and Regulations".

ARTICLE XVI CONNECTION FEES AND CHARGES

- Section 1** Each facility when connecting to the sewer shall pay a connection fee of \$900.00 per EDU, or such higher amount as the Town of Granby shall be required to pay to the Town of South Hadley as a connection fee, based on EDU assessments as required by other sections of this Article. Each facility shall also pay a connection charge to the Town of Granby based on EDU assessments as required by other sections of this Article. See Section 7 below for EDU Table and costs.
- Section 2** Each facility or building within any new subdivision shall be assessed a fee and a charge based on EDU assessments.
- Section 3** Any proposed facility rated more than one (1) EDU to be built on a vacant lot having paid a betterment shall pay a charge based on EDU assessments in excess of one (1) EDU.
- Section 4** Any change in use for a facility or additional facility shall result in the facility being re-rated based on the estimated flows. If the rating increases, the facility shall pay an additional charge based on the increased EDU assessment. If, at any time, the Town wishes to verify that proper charges are and have been assessed, it may, at its own expense, install a metering device approved by the Board of Selectmen. After a suitable length of time for determining the average GPD, the facility shall be re-rated utilizing the GPD of the facility with the average GPD for all EDU's connected to the system.
- Section 5** A facility which contains more than one use or business shall be assessed on the total of the uses with like uses aggregated. The resulting assessment shall be rounded to the next higher 1/4 EDU. Where it is impossible to separate the portions used for a particular use, the higher rated use shall apply.
- Section 6** Any free standing facility, singular or on a parcel, shall be assessed no less than one (1) EDU.
- Section 7** Table of Equivalent Dwelling Units and Costs:

The cost of one (1) EDU is the following applicable amount adjusted for changes in the CPI since the respective base month:

Sewer Connections to South Hadley = \$3,350; Base month - December 1994
 CWTDF = \$4,061; Base month - August 1992

Formula for Deriving Equivalent Dwelling Units = $GPD / 330 = \#EDU's.$

RESIDENTIAL

<u>Classification</u>	<u>Unit of Measure</u>	<u>GPD</u>
Dwelling, Single-Family	One Dwelling Unit	330
Dwelling, Two-Family	Per Dwelling Unit	330
Housing For The Elderly	Per Dwelling Unit	150
Motel, Hotel, Boarding House, Rooming House, (plus a separate assessment for any restaurant area)	Per Room	110
Multi-Family Dwelling	Per Bedroom	110

COMMERCIAL

<u>Classification</u>	<u>Unit of Measure</u>	<u>GPD</u>
Bakery with full on-site preparation	Minimum	330
Plus	Per Seat	10
Bakery with less than 50% on-site preparation	Minimum	165
Plus	Per Seat	10
Beauty Salon / Barber Shop	Per Chair	100

Doctor's Office	Per Doctor	250
Dentist's Office	Per Dentist	200

COMMERCIAL (continued)

<u>Classification</u>	<u>Unit of Measure</u>	<u>GPD</u>
Factory / Light Industry without Cafeteria	Less than 25 Employees	375
	25-50 Employees	750
Factory / Light Industry with Cafeteria	Additional Per Employee	5
Fish or Meat Market	Minimum	330
Or	Per 1000 Square Feet	200
Gasoline Station (plus service bays, if any)	Per Island	75
Laundromat	Per Machine	400
Lounge / Tavern	Less than 50 Seats	800
	50-100 Seats	1200
Meeting Facility	Per Seat ¹	3
Meeting Facility with Cafeteria	Per Seat ¹	6
Meeting Facility with Cafeteria and Liquor	Per Seat ¹	10
Office Building / Space	Per 1000 Square Feet	75
Restaurant - Full Service with less than 25% Takeout	Less than 50 Seats	1400
	50-100 Seats	2100
Restaurant - Fast Food or Takeout	Less than 10 Seats	330
	10-50 Seats	800
	50-100 Seats	1200
Retail Store	Per 1000 Square Feet	50
Service Station	Per Service Bay	125
Storage (incidental to primary use)		0
Veterinary Office / Kennel	Per Kennel	50
Warehouse		330

¹Calculated at 15 square feet of net useable area per seat

ARTICLE XVII ADOPTION OF RULES AND REGULATIONS

Section 1 These Rules and Regulations, were adopted by the Board of Selectmen at its duly called meeting of October 26, 1994 and shall become effective upon publication in accordance with MGL ch 83 § 10.

BOARD OF SELECTMEN
TOWN OF GRANBY, MASSACHUSETTS

By _____ Chairman

_____ Clerk

_____ Member

May 28, 1998

APPENDIX A APPLICATIONS, PERMITS, AND FORMS

SEE FOLLOWING PAGES

**TOWN OF GRANBY
KELLOGG HALL
MASSACHUSETTS 01033**

◀ APPLICATION FOR SEWER/DRAIN LAYER'S LICENSE ▶

I, _____ do hereby make application for a license to engage in the business of sewer/drain laying in Granby.		
Business Name:	Telephone:	Date:
Business Address:	Position:	
Residential Address:	Telephone:	
EXPERIENCE: Give name, address, position, and dates of employment demonstrating experience.		
Employer/Address: _____		
Position: _____	Employed From: _____	To _____
Employer/Address: _____		
Position: _____	Employed From: _____	To _____
Employer/Address: _____		
Position: _____	Employed From: _____	To _____
REFERENCE(S):		
Name: _____	Address: _____	Phone# _____ Title _____
Name: _____	Address: _____	Phone# _____ Title _____
Name: _____	Address: _____	Phone# _____ Title _____
I AUTHORIZE INVESTIGATION OF ALL STATEMENTS CONTAINED IN THIS APPLICATION. I UNDERSTAND THAT MISREPRESENTATION OR OMISSION OF FACTS CALLED FOR IS CAUSE FOR REJECTION OF THE APPLICATION OR REVOCATION OF THE LICENSE.		
_____	_____	
Date	Signature of Applicant	
Fee: \$50.00		
In addition:		
▶ Applicant must hold a bond of \$3,000.00 and submit same with the Board of Selectmen.		
▶ Applicant must have proof of insurance and submit copy of this policy to the Board of Selectmen.		
▶ Applicant shall maintain Public Liability Insurance at \$100,000/\$300,000 and Property Damage Liability Insurance at \$50,000/\$100,000 and shall file with the Board of Selectmen a certificate of insurance a "Hold Harmless" clause to the Town of Granby.		
▶ Applicant must read Sewer Use Rules and Regulations and fully understand all of Town policy as it applies to drain laying.		

**TOWN OF GRANBY
KELLOGG HALL
MASSACHUSETTS 01033**

◀ APPLICATION FOR SEWER/DRAIN LAYER'S LICENSE ▶

Pursuant to M.G.L. Chapter, Section 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State Tax Returns and paid all State Taxes required under law.

Social Security Number or Federal ID Number

Signature of Individual or Corporate Name

Date

Corporate Officer (If applicable)

- ▶ Your social security number may be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filling or tax payment obligations. Licensees who fail to correct their non-filling or delinquency may be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law Chapter 62C, Section 49A.
- ▶ This license will not be issued unless this certification clause is signed by the applicant.

• FOR OFFICIAL USE ONLY •

Interviewed by: _____ Title: _____ Date of interview _____

Comments:

Board of Selectmen Approval:

Date

**TOWN OF GRANBY
KELLOGG HALL
MASSACHUSETTS 01033**

◀ SEWER/DRAIN LAYERS LICENSE ▶

In compliance with the Granby Sewer Use Rules and Regulations and the Massachusetts Department of Environmental Protection's Technical Report-16, this license is issued to:

Name of Firm

_____ Address _____ Date

To Expire on: _____

The undersigned agrees to construct or repair sewers and drains within the town of Granby in accordance with the provisions of the Granby Sewer Use Rules and Regulations and the Massachusetts Department of Environmental Protection's Report-16. No sewers/drains are to be constructed, altered, or repaired without a Disposal Works Permit. The undersigned further agrees that he shall have the approved plan of work being performed in his possession at all times and shall be on the premises at the time of final inspection. Any variance or modification of approved plans in the construction or repair of a sewage disposal system without approval of the Board of Selectmen or the Agent will be just cause for revocation or suspension of this license.

Applicant's Signature

BOARD OF SELECTMEN APPROVAL:

**TOWN OF GRANBY
KELLOGG HALL
MASSACHUSETTS 01033**

◀ SEWER/DRAIN LAYER'S BOND ▶

BOND NUMBER: _____

KNOW ALL MEN BY THESE PRESENTS:

THAT, _____
_____ of _____
State of _____, as Principal, and _____, as Surety,
are held and firmly bound unto the Town of Granby, Massachusetts, as Obligee, in the penal sum of Three Thousand and 00/100 - Dollars (\$3,000.00), lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors, assigns, jointly, severally, and firmly by these presents.

Signed and sealed this _____ day of _____, 199 _____

WHEREAS, the above bound Principal has applied for license as a Sewer/Drain Layer for the term beginning _____, and ending _____ and this Bond is to cover the terms of said License.

NOW THEREFORE, the condition of this obligation is such that if a License is granted to said Principal, and if such Licensee shall, during the life of said License, faithfully observes all Ordinances of said Obligee, and faithfully performs the duties required by ordinances, rules or regulations and will save and hold harmless and indemnify said Obligee from all actions, suits, costs, damages, and expenses, including reasonable attorneys' fees which shall or may at any time happen to come to it, or for, or on account of, any injury or damage received or sustained by any person, then the above obligation shall be void; otherwise to be and remain in full force and effect.

It is understood and agreed that this bond may be continued by continuation certificate signed by the Surety.

It is further understood and agreed that if the Surety shall so elect, this bond may be canceled by giving thirty (30) days notice in writing to said Obligee.

Applicant: _____

By: _____

Surety Company: _____

By: _____

**TOWN OF GRANBY
KELLOGG HALL
MASSACHUSETTS 01033**

◀ APPLICATION TO INSTALL SEWER OR DRAIN CONNECTION ▶

APPLICATION NUMBER:			
DATE:			
SANITARY:	DRAIN:	OTHER:	SIZE:

Application is hereby made for a permit to Construct or Repair sewer or drain connection:

LOCATION OF PROPERTY:

OWNER:

ADDRESS:

CONTRACTOR:

ADDRESS:

Type of Building: Residential Commercial Industrial

Building square footage: _____ Square Feet

Residential: Number of dwelling units: _____

Design Flow per Sewer Use Rules and Regulations: _____ gallons per day

Is drain under cellar floor? Yes No

Feet above cellar floor: _____

If building has cellar or footing drains, where do they discharge?

It is understood that only sanitary waste is to be connected to the sanitary sewer and only clean surface or sub-surface water connected to the storm drain.

I, the undersigned, agree to comply with the rules and regulations as outlined in the "Sewer Use Rules and Regulations" of the Town of Granby, Massachusetts. The undersigned further agrees not to place the connection into operation until a Certificate of Compliance has been issued by the Agent.

Licensed Sewer/Drain Layer
Granby License No.: _____

▶ **Note:** A separate plumbing permit will be required from the Building Department for work inside the structure to be connected and for work outside within 10.0 feet of the structure.

**TOWN OF GRANBY
KELLOGG HALL
GRANBY, MASSACHUSETTS**

◀ DISPOSAL WORKS CONSTRUCTION PERMIT ▶

No. _____

Permission is hereby granted _____ to construct or repair
 a sewer or drain at _____ as shown on the
Application to Install Sewer or Drain Connection No. _____ dated _____.

DATE _____

BOARD OF SELECTMEN

◀ CERTIFICATE OF COMPLIANCE ▶

THIS IS TO CERTIFY, that the sewer or drain connection installed or repaired by

_____ at _____
Sewer / Drain Layer

has been constructed in accordance with the provisions of the Town of Granby Sewer Use Rules and Regulations as described in the application.

Permit No. _____ dated _____

The issuance of this certificate shall not be construed as a guarantee that the system will function satisfactorily.

DATE _____

AGENT _____

APPENDIX B CONSTRUCTION DETAILS

SEE FOLLOWING PAGES

SEWER USE RULES & REGULATIONS

PROPOSED AMENDMENT

ARTICLE VII USE OF THE PUBLIC SEWERS

SECTION 13 ILLICIT CONNECTIONS AND DISCHARGES TO THE STORM DRAIN SYSTEM

SECTION 13-1. PURPOSE AND AUTHORITY

A. Purpose

The purpose of this regulation is to regulate illicit connections and discharges to the **storm drain system**, which is necessary for the protection of Granby's water bodies and ground water, and to safeguard the public health, safety, welfare and the environment.

The objectives of this regulation are:

1. To prevent pollutants from entering Granby's municipal separate storm sewer system (MS4);
2. To prohibit illicit connections and unauthorized discharges to the MS4;
3. To require the removal of all such illicit connections;
4. To comply with state and federal statues and regulations relating to stormwater discharges;
5. To establish the legal authority to ensure compliance with the provisions of this regulation through inspection, monitoring, and enforcement; and
6. To prevent contamination of drinking water supplies.

B. Authority

The Department of Public Works shall administer, implement and enforce this regulation. Any powers granted to or duties imposed upon the Department of Public Works may be delegated, in writing, by the Highway Superintendent to employees or agents of the Department of Public Works.

SECTION 13-2. DEFINITONS

For the purposes of this regulation, the following shall mean:

Authorized Enforcement Agency: The Department of Public Works, (and/or Board of Public Health), its employees or agents designated to enforce this regulation.

Best Management Practice (BMP): An activity, procedure, restraint or structural improvement that helps to reduce the quantity or improve the quality of storm water runoff.

Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C. 1251 *et seq.*) as hereafter amended.

Discharge of Pollutants: The addition from any source of any pollutant or combination of pollutants into **storm drain systems** or into the waters of the United States or Commonwealth from any source.

Groundwater: All water beneath the surface of the ground.

Illegal Discharge: Any direct or indirect non-stormwater discharge to **storm drain systems**. Illicit connections include conveyances which allow a non-stormwater discharge to **storm drain systems** including 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 regulation.

Impervious Surface: Any material or structure on or above the ground that prevents water from infiltrating the underlying soil.

Municipal Separate Storm Water Sewer System (MS4) or Municipal Storm Drain System:

The system of conveyances designated 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 structure that together comprise the storm drainage system owned or operated by the Town of Granby.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

Non-Stormwater Discharge: Any discharge to the storm drain systems not composed entirely of stormwater.

Person: Any individual, partnership, association, firm, company, trust, corporation, and, any 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.

Pollutant: Any element or property of sewage, 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 sanitary sewer system or waters of the Commonwealth. Pollutants shall include:

- (1) Paints, varnishes, and solvents;
- (2) Oil and other automotive fluids;
- (3) Non-hazardous liquids and solid wastes and yard wastes.
- (4) Refuse, rubbish, garbage, litter or other discarded or abandoned objects, ordnances, accumulations and floatables;
- (5) Pesticides, herbicides and fertilizers;
- (6) Hazardous materials and wastes; sewage, fecal coliform and pathogens;
- (7) Dissolved and particulate metals;
- (8) Animal wastes;
- (9) Rock; sand; salt; soils;
- (10) Construction wastes and residues;
- (11) And noxious or offensive matter of any kind.

Process Wastewater: means any 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.

Stormwater: Runoff from precipitation or snowmelt.

Storm Drain System: The system of conveyance 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 on public or private ways within the Town of Granby.

Toxic or Hazardous Material or Waste: Any material, which because of it's 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 G.L Ch. 21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

Uncontaminated: Water containing no pollutants.

Watercourses: A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground 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 and groundwater.

Wastewater: any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

SECTION 13-3. APPLICABILITY

The regulation shall apply to flows entering the storm **water and** drainage system on **public or private ways within the Town of Granby.**

SECTION 13-4. REGULATIONS

The Sewer Commissioners may promulgate rules, regulations and a permitting process to effectuate the purposes of this regulation. Failure by the Sewer Commission to promulgate such rules and regulations shall not have the effect of suspending or invalidating this regulation.

SECTION 13-5. PROHIBITED ACTIVITES

A. Illegal Discharges

No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into **storm drain systems**, watercourse, or into the waters of the Commonwealth.

B. Illicit Connections

No person shall construct, use, allow, maintain, or continue any illicit connection to **storm drain systems**, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

C. Obstruction Storm Drain Systems

No person shall obstruct or interfere with the normal flow of stormwater into or out of storm drain systems without prior approval from the Department of Public Works or its designated agent.

D. Exemptions

This section shall not apply to any of the following non-stormwater discharges or flows provided that the source is not a significant contributor of a pollutant **to storm drain systems**:

1. **Municipal** waterline flushing;
2. Discharges from landscape irrigation or lawn watering;
3. Water from individual residential car washing and temporary fund-raising car wash events;
4. Discharges from de-chlorinated swimming pool water provided it is allowed to stand for one week prior to draining, or tested for chlorine levels with a pool test kit prior to draining (less than one parts per million chlorine), and the pool is drained in such a way as not to cause a nuisance;
5. Discharges from street sweepers of minor amounts of water during operations;
6. Discharges or flows resulting from fire fighting activities;
7. Non-stormwater discharges permitted under an NPDES permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations;
8. Flows from potable water sources;
9. Springs;
10. Natural flows from riparian habitats and wetlands;
11. Diverted stream flows;
12. Rising groundwater;
13. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
14. Uncontaminated groundwater discharge from a sump pump, with a permit from the Department of Public Works, in accordance with Section 5;
15. Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems, such as dewatering excavations for foundation or pipelines), crawl space pumps, or air conditioning condensation;
16. Dye testing, provided verbal notification is given to the Department of Public Works to the time of the test.

The Department of Public Works may develop criteria for issuing permits under this section, based on the need to maintain capacity of the storm drain system and to protect public health, safety, welfare or the environment.

Section 13-6. SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS

- A. The Department of Public Works may suspend **storm drain system** access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened illegal discharge that presents or may present imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Authorized Enforcement Agency may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

- B. Any person discharging to a municipal storm drain system in violation of this regulation may have their storm drain system access terminated if such termination would abate or reduce an illicit discharge. The Department of Public Works will notify a violator may petition the Department of Public Works for reconsideration and hearing. A person commits an offense if the person reinstates **storm drain system** access to premises terminated pursuant to this section, without prior approval from the Department of Public Works.

SECTION 13-7. NOTIFICATION OF SPILLS

Notwithstanding any other requirements of local, state or federal law, as soon as any person responsible for a facility or operation has information of any known or suspected release of materials at that facility operation which is resulting or may result in illegal discharge of pollutants that person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal fire and police departments, Department of Public Works and Board of Health. In the event of a release of non-hazardous material, said person shall notify the Authorized Enforcement Agency no later than the next business day. Written confirmation of all telephone, facsimile or in person notifications shall be provided to the Authorized Enforcement Agency within three business days thereafter. If the discharge or prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

SECTION 13-8. ENFORCEMENT

- A. The department of Public Works or its authorized agent shall enforce this regulation, and the regulations promulgated thereunder, as well as the terms and conditions of all permits, notices, and orders, and may pursue all civil and criminal remedies for such violations.

B. Civil Relief

If anyone violates the provisions of this regulation, regulations, permit, notice, or order issued thereunder, the Department of Public Works may seek injunctive relief in a court of competent jurisdiction to restrain the person from activities which would create further violations or compelling the person to abate or remediate the violation.

C. Orders

The Department of Public Works may issue a written order to enforce the provisions of this regulation or the regulations thereunder, which may include: (a) elimination of illicit connections or discharges to the storm drainage system; (b) termination of access to the storm drainage system; (c) performance of monitoring, analyses, and reporting; (d) cessation of unlawful discharges, practices, or operations; and (e)

remediation of contamination in connection therewith. If the Department of Public Works determines that abatement or remediation of contamination is required, the order shall set forth a deadline for completion of the abatement or remediation. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, undertake such work, and expenses thereof shall be charged to the violator or property owner.

Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Department of Public Works 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 Department of Public Works 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. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Chapter 59, & 57 after the thirty-first day at which the costs first become due.

D. Criminal and Civil Penalties

Any person who violates any provision of this regulation, valid regulation, or the terms or conditions in any permit or order prescribed or issued thereunder, shall be subject to a fine not to exceed \$100.00 for each day violation occurs or continues or subject to a civil penalty, which may be assessed in an action brought on behalf of the Town in any court of competent jurisdiction. All fines and penalties shall become effective only after a majority vote of the Sewer/ Storm Sewer Commissioners. The Sewer / Storm Sewer Commissioners shall be responsible for collection of fines and penalties.

E. Non- Criminal Disposition

As an alternative to criminal prosecution or civil action, the Town of Granby may elect to utilize the non-criminal disposition procedure set forth in G.L. Chapter 40, & 21D. The Department of Public Works shall have authorization to issue fines. The Sewer / Storm Sewer Commissioners shall be the enforcing entity as outlined above. The penalty for the first violation shall be up to \$100.00 per day. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

F. Entry to perform Duties under this Regulation

To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Department of Public Works, its agents, officers, and

employees may enter upon privately owned property for the purpose of performing their duties under this regulation and regulations and may make or cause to be made such examinations, surveys, or sampling as the Department of Public Works deems reasonably necessary.

G. Appeals

The decisions or orders of the Department of Public Works shall be final. Further relief shall be to a court of competent jurisdiction.

H. Remedies Not Exclusive

The remedies listed in this regulation are not exclusive of any other remedies available under any applicable federal, state, or local law.

SECTION 13-9. SERVERABILITY

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

SECTION 13-10 TRANSITIONAL PROVISIONS

Residential property owners comply with this regulation on a schedule set forth in the Department of Public Works compliance order, but such property owners shall in no case have more than six months from the effective date of the regulation to comply with its provisions, unless good cause is shown for the failure to comply with the regulation that period.

ARTICLE X PROTECTION FROM DAMAGE

SECTION 2. EROSION AND SEDIMENT CONTROL FOR STORMWATER MANAGEMENT

SECTION 2-1. PURPOSE AND AUTHORITY

A. Purpose

1. The purpose of this regulation is to better manage land development in order to protect, maintain, and enhance the public health, safety, and general welfare of the citizens of Granby by establishing minimum requirements and procedures to control the adverse impacts associated with stormwater runoff.
2. The proper management of stormwater runoff will meet the following objectives:

- a. Reduce the adverse water quality impacts of stormwater discharges to rivers, lakes, reservoirs and streams in order to attain federal water quality standards;
- b. Prevent the discharge of pollutants, including hazardous chemicals, into stormwater runoff;
- c. Minimize the volume and rate of stormwater, which is discharged, to rivers, streams, reservoirs, lakes and combined sewers that flows from any site during and following development;
- d. Prevent erosion and sedimentation from land development, and reduce stream channel erosion caused by increased runoff;
- e. Provide for the recharge of groundwater aquifers and maintain the base flow of streams;
- f. Provide stormwater facilities that are attractive, maintain the natural integrity of the environment, and are designed to protect public safety;
- g. Maintain or reduce pre-development runoff characteristics after development to the extent feasible;
- h. Minimize damage to public and private property from flooding;
- i. Ensure that these management controls are properly maintained.

B. Authority

The Department of Public Works shall administer, implement and enforce this regulation. Any powers granted to or duties imposed upon the Department of Public Works may be delegated, in writing, by the Highway Superintendent to employees or agents of the Department of Public Works.

SECTION 2-2. DEFINITIONS

The following definitions describe the meaning of the terms used in this Regulation:

Authorized Enforcement Agency: The Department of Public Works, its employees or agents designated to enforce this regulation.

Adverse Impact: means any deleterious effect on waters or wetlands, including their quality, quantity, surface area, species composition, aesthetics or usefulness for human or natural uses which are or may potentially be harmful or injurious to human health, welfare, safety or property, to biological productivity, diversity, or stability or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation.

Best Management Practices (BMP): are structural or biological devices that temporarily store or treat urban stormwater runoff to reduce flooding, remove pollutants, and provide other amenities. They can also be non-structural practices that reduce pollutants at their source. BMPs are described in a stormwater design manual, Stormwater Management, Volume Two: Stormwater Technical Handbook (March, 1997, Mass. Department of Environmental Protection, as updated or amended).

Construction Activity: is disturbance of the ground by removal of vegetative surface cover or topsoil, grading, excavation, clearing or filling.

Design Storm: is a rainfall event of specified size and return frequency that is used to calculate the runoff volume and peak discharge rate to a BMP.

Detention: is the temporary storage of storm runoff in a BMP, which is used to control the" peak discharge rates, and which provides gravity settling of pollutants.

Disturbance: is any land clearing, grading, bulldozing, digging or similar activities.

Drainage Area: means that area-contributing runoff to a single point measured in a horizontal plane, which is enclosed by a ridgeline.

Drywell: is similar to an infiltration trench but smaller with inflow from a pipe; commonly covered with soil and used for drainage areas of less than one (1) acre such as roadside inlets and rooftops runoff.

Easement: means a grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such easement.

Flow Attenuation: means prolonging the flow time of runoff to reduce the peak discharge.

Hydrology Model: may include one of the following:

- TR-20, a watershed hydrology model developed by the Natural Resources Conservation Service act that is used to route a design storm hydrograph through a pond;
- TR 55, or Technical Release 55, "Urban Hydrology for Small Watersheds" is a publication developed by the Natural Resources Conservation Service to calculate stormwater runoff and an aid in designing detention basins;
- Hydrocad.

Impervious Surfaces: are areas, such as pavement or rooftops, which prevent the infiltration of water into the soil.

Infiltration: is the downward movement of water from the surface to the subsoil.

Infiltration Trench: is a stormwater management excavation filled with aggregate which removes both soluble and particulate pollutants. Trenches are not intended to trap coarse sediments.

Outfall: is the terminus of a storm drain or other stormwater structure where the contents are released.

Peak Discharge: is the maximum instantaneous rate of flow during a storm, usually in reference to a specific design storm event

Permeable Soils: are soil materials with a sufficiently rapid infiltration rate so as to greatly reduce or eliminate surface and stormwater runoff. These soils are generally classified as NRCS hydrologic soil types A and B.

Person: is any individual, group of individuals, association, partnership, corporation, company, business, organization, trust, estate, administrative agency, public or Quasi-public Corporation or body, the Commonwealth or political subdivision thereof.

Retention: is the holding of runoff in a basin without release except by means of evaporation, infiltration, or emergency bypass.

Start of Construction: is the first land-disturbing activity associated with a development, including land preparation such as: clearing, grading and filling; installation of streets and walkways; excavation for basements; footings, piers or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

Swale: is a natural depression or wide shallow ditch used to temporarily store, route, or filter runoff.

SECTION 2-3. APPLICABILITY

A. Applicability

Prior to the issuance of any site plan approval or development permit for any proposed development listed below, a stormwater management **permit**, or a waiver of the requirement for a stormwater management **permit**, must be approved by the **applicable Special Permit Granting Authority**. No person shall, on or after the effective date of the regulation, initiate any land clearing; land grading, earth moving or development activities without first complying with this regulation. The following uses and activities shall be required to submit drainage reports, plans, construction drawings, specifications and as-constructed information in conformance with the requirements of this regulation:

1. Multi-family residential developments involving four or more units;
2. Any new commercial, industrial, and institutional structures under the same ownership, with at least 5,000 square feet of gross floor area, 10,000 square feet of impervious surface, or that require ten (10) or more parking spaces.
3. Redevelopment or additions to existing commercial, industrial, and institutional uses which result in an additional impervious surface area or gross floor area of greater than 5,000 square feet, or which results in an increase of ten (10) or more parking spaces.
4. **Subdivisions and** construction activities of any kind disturbing greater than 40,000 square feet.

5. **Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development that all together disturbs one or more acres.**
6. Land clearing or grading with a disturbed area in excess of 40,000 square feet.

B. Exemptions

To prevent the adverse impacts of stormwater runoff, the **stormwater** performance standards in **Section 2-6** must be met at new development sites. These standards apply to construction activities as described under Section 2-3A. The following activities are exempt from **the requirements for submittal and approval of a stormwater management plan under Section 2-4, but must comply with the stormwater performance standards in Section 2-6:**

1. Any agricultural activity, which is consistent with an approved soil conservation plan, prepared or approved by the Natural Resource Conservation Service;
2. Any logging, which is consistent with a timber management plan approved under the Forest Cutting Practices Act by Massachusetts Department of Environmental Management;
3. Additions or modifications to existing single-family structures;
4. Developments that do not disturb more than 40,000 square feet of land, provided that they are not part of a larger common development plan;
5. Repairs to any stormwater treatment system deemed necessary by the Granby Department of Public Works;
6. Any emergency activity that is immediately necessary for the protection of life, property or the environment, as determined by the Department of Public Works; and
7. Single family residential uses disturbing less than 40,000 square feet.

C. Stormwater Design Manual

A stormwater design manual, Stormwater Management, Volume Two: Stormwater Technical Handbook (March, 1997, Mass. Department of Environmental Protection, as updated or amended) is hereby incorporated by reference as part of this regulation, and shall furnish additional policy, criteria and information including specifications and standards, for the proper implementation of the requirements of this regulation. .

This manual includes a list of acceptable stormwater treatment practices, including the specific design criteria for each stormwater practice. The manual may be updated and expanded from time to time, based on improvements in engineering, science, and monitoring and local maintenance experience, at the discretion of the Granby Department of Public Works or Massachusetts Department of Environmental Protection. Stormwater treatment practices that are designed and constructed in

accordance with these design and sizing criteria will be presumed to meet the minimum water quality performance standards.

SECTION 2-4. PERMIT PROCEDURES AND REQUIREMENTS

A. Permit Required

No land owner or land operator shall receive any of the building, grading, or other land development permits required for land disturbance activities, and no land owner shall commence land disturbance activities, without approval of a Stormwater Management **Permit** from the Department of Public Works and meeting the requirements of this regulation.

B. Application Requirements

Application for approval of a Stormwater Management Permit shall include the following:

1. A stormwater management plan or an application for waiver shall be submitted to the Granby Department of Public Works for review and approval for any proposed development specified in Section 2-3A. Three copies of the stormwater management plan shall be submitted, and clearly labeled, along with other documents required in this zoning regulation for site plan review. The plan shall contain supporting computations, drawings by a Massachusetts registered Professional Engineer and sufficient information describing the manner, location, and type of measures in which stormwater runoff will be managed from the entire development. The plan shall serve as the basis for all subsequent construction.
2. **An erosion and sediment control plan, which shall contain sufficient information to describe the nature and purpose of the proposed development.**
3. Ongoing maintenance agreement
4. Non-refundable permit review fee

The applicant may request, and the Department of Public Works may grant, a waiver from any information requirements it judges to be unnecessary to the review of a particular plan.

C. Procedures for Review and Approval of Stormwater Permits

The procedures for review and approval of stormwater management **permits** shall be consistent with (review procedures of DPW), as appropriate to the use.

D. Criteria for Review of Stormwater Permits

In addition to other criteria used by the Granby Department of Public Works in making permit decisions, for the uses specified in this regulation, the Department of Public Works must also find that the Stormwater Management Plan submitted with the permit application meets the following criteria:

1. **The Stormwater Management Plan and the Erosion and Sediment Control Plan** is consistent with the Purposes and Objectives of this Regulation in **Section 2-1;**
2. **The Stormwater Management Plan** meets the Performance Standards described in Section 2-6;
3. **The Erosion and Sediment Control plan must meet the Design Requirements in Section 2-7.**

E. DPW Action

The Department of Public Works' action, rendered in writing, shall consist of either:

- a. **Approval of the Stormwater Management Permit Application based upon determination that the proposed plan meets the purposes in Section 2-1 and the standards in Section 2-6 and will adequately protect the water resources of the community and is in compliance with the requirements set forth in this regulation;**
- b. **Approval of the Stormwater Management Permit Application subject to any conditions, modifications or restrictions required by the Board, which will ensure that the project meets the purposes in Section 2-1 and the standards in Section 2-6, and adequately protects water resources, set forth in this regulation;**
- c. **Disapproval of the Stormwater Management Permit Application based upon a determination that the proposed plan, as submitted, does not meet the purposes in Section 2-1 and the standards in Section 2-6 or adequately protect water resources, as set forth in this regulation.**

Failure of the Department of Public Works to take final action upon an Application within the time specified above shall be deemed to be approval of said Application. Upon certification by the Town Clerk that the allowed time has passed without Department of Public Works action, the Department of Public Works must issue a Stormwater Management Permit.

F. Inspections

No Plan will be approved without adequate provision for inspection of the property before development activity commences. The applicant shall arrange with the DPW for scheduling the following inspections:

1. Initial inspection: prior to approval of any plan
2. Erosion Control Inspections: to ensure erosion control practices are in accord with the plan.
3. Bury inspection: prior to backfilling of any underground drainage or stormwater conveyance structures;
4. Final Inspection: when all work, including construction of stormwater management facilities **and landscaping** have been completed. Final inspection shall include a full, dated TV inspection of all stormwater pipes installed.

The **Department of Public Works or its agent** shall inspect the work and either approve it or notify the applicant in writing in what respects there has been a failure to comply with the requirements of the approved plan. The applicant shall promptly correct any portion of the work, which does not comply, or the applicant will be subject to the penalty provisions of Section 2-10. The Town may conduct random inspections to ensure effective control of erosion and sedimentation during all phases of construction.

G. Right-of-Entry for Inspection

When any new drainage control facility is installed on private property, or when any new connection is made between private property and a public drainage control system or sanitary sewer, the filing of an application shall be deemed as the property owner's permission to the Granby Department of Public Works for the right to enter the property at reasonable times and in a reasonable manner for the purpose of the inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this regulation is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this regulation.

H. Application Review Fees

The fee for review of any land development application shall be based on the amount of land to be disturbed at the site and the fee structure established by Board of Selectmen. The fee shall be paid prior to issuance of any building permit for development.

SECTION 2-5. THE STORMWATER MANAGEMENT AND EROSION CONTROL PLAN

A. Contents of the Stormwater Management and Erosion Control Plan

The application for a stormwater management permit shall consist of submittal of a stormwater management and erosion control plan, prepared by a professional engineer licensed by the Commonwealth of Massachusetts, which meets the design requirements provided by this Regulation. The plan shall include 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 Plan must be designed to meet the Massachusetts Stormwater Management Standards as set forth in Section 2-6 of this regulation and the DEP Stormwater Management Handbook Volumes I and II. 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 submitted for support of a stormwater management plan shall be as follows:

- 1. Locus map,**
- 2. The existing zoning, and land use at the site,**
- 3. The proposed land use,**
- 4. The location(s) of existing and proposed easements,**
- 5. The location of existing and proposed utilities,**
- 6. The site's existing & proposed topography with contours at 2 foot intervals,**
- 7. The existing site hydrology,**
- 8. A description & delineation of existing stormwater conveyances, impoundments, and wetlands on or adjacent to the site or into which storm water flows,**
- 9. A delineation of 100-year flood plains, if applicable,**
- 10. Estimated seasonal high groundwater elevation (November to April) in areas to be used for storm water retention, detention, or infiltration,**
- 11. The existing and proposed vegetation and ground surfaces with runoff coefficient for each,**
- 12. A drainage area map showing pre and post construction watershed boundaries, drainage area and storm water flow paths,**
- 13. A description and drawings of all components of the proposed drainage system including:**
 - a. Locations, cross sections, and profiles of all brooks, streams, drainage swales and their method of stabilization,**
 - b. All measures for the detention, retention or infiltration of water,**
 - c. All measures for the protection of water quality,**
 - d. The structural details for all components of the proposed drainage systems and storm water management facilities,**

- e. Notes on drawings specifying materials to be used, construction specifications, and typicals,
- f. Expected hydrology with supporting calculations,
- g. Proposed improvements including location of buildings or other structures, impervious surfaces, and drainage facilities, if applicable,
- h. A description of construction and waste materials expected to be stored on-site, and a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to storm water, and spill prevention and response,
- i. Timing, schedules, and sequence of development including clearing, stripping, rough grading, construction, final grading, and vegetative stabilization, and
- j. A maintenance schedule for the period of construction.

SECTION 2-6. STORMWATER MANAGEMENT PERFORMANCE STANDARDS

A. Minimum Control Requirements

Projects must meet the Standards of the Massachusetts Stormwater Management Policy. These Standards are:

1. **No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or water of the Commonwealth,**
2. **Stormwater management systems must be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates,**
3. **Loss of annual recharge to groundwater should be minimized through the use of infiltration measures to the maximum extent practicable. The annual recharge from the post-development site should approximate the annual recharge rate from the pre-development or existing site conditions, based on soil types,**
4. **For new development, stormwater management systems must be designed to remove 80% of the average annual load (post development conditions) of Total Suspended Solids (TSS). It is presumed that this standard is met when:**
 - a. **Suitable nonstructural practices for source control and pollution prevention and implemented;**
 - b. **Stormwater management best management practices (BMPs) are sized to capture the prescribed runoff volume; and**
 - c. **Stormwater management BMPs are maintained as designed.**
5. **Stormwater discharges from areas with higher potential pollutant loads require the use of specific stormwater management BMPs (see Stormwater**

- Management Volume I: Stormwater Policy Handbook). The use of infiltration practices without pretreatment is prohibited,**
- 6. Stormwater discharges to critical areas must utilize certain stormwater management BMPs approved for critical areas (see Stormwater Management Volume I: Stormwater Policy Handbook). Critical areas are Outstanding Resource Waters (ORWs), shellfish beds, swimming beaches, cold-water fisheries and recharge areas for public water supplies,**
 - 7. Redevelopment of previously developed sites must meet the Stormwater Management Standards to the maximum extent practicable. However, if it is not practicable to meet all the Standards, new (retrofitted or expanded) stormwater management systems must be designed to improve existing conditions,**
 - 8. Erosion and sediment controls must be implemented to prevent impacts during disturbance and construction activities,**
 - 9. All stormwater management systems must have an operation and maintenance plan to ensure that systems function as designed.**

When the proposed discharge may have an impact upon a sensitive receptor, including streams, storm sewers, and/or combined sewers, the DPW may require an increase in these minimum requirements, based on existing stormwater system capacity.

B. Stormwater Management Measures

1. Stormwater management measures shall be required to satisfy the minimum control requirements and shall be **implemented** in the following order of preference:
 - a. Infiltration, flow attenuation, and pollutant removal of runoff on-site to existing areas with grass, trees, and similar vegetation and through the use of open vegetated swales and natural depressions;
 - b. Use of stormwater on-site to replace water used in industrial processes or for irrigation;
 - c. Stormwater detention structures for the temporary storage of runoff which is designed so as not to create a permanent pool of water;
 - d. Stormwater retention structures for the permanent storage of runoff by means of a permanent pool of water, and;
 - e. Retention and evaporation of stormwater on rooftops or in parking lots.
2. Infiltration practices shall be utilized to reduce runoff volume increases. A combination of successive practices may be used to achieve the applicable minimum control requirements. Justification shall be provided by the applicant for rejecting each practice based on site conditions.
3. Best Management Practices shall be employed to minimize pollutants in stormwater runoff prior to discharge into a separate storm drainage system or water body.

4. All stormwater management facilities shall be designed to provide an emergency overflow system, and incorporate measures to provide a non-erosive velocity of flow along its length and at any outfall.
5. The designed release rate of any stormwater structure shall be modified if any increase in flooding or stream channel erosion would result at a downstream dam, highway, structure, or normal point of restricted stream flow.

C. Specific Design Criteria

Additional policy, criteria, and information including specifications and design standards may be found in the Stormwater Design Manual. By DEP storm management Handbook Vol. 1+2.

1. Infiltration systems:
 - a. Infiltration systems shall be equipped with clean stone and or filter fabric adjacent to the soil or other sediment removal mechanisms;
 - b. Infiltration systems greater than 3 feet deep shall be located at least ten (10) feet from basement walls;
 - c. Due to the potential for groundwater contamination from dry wells, they shall not be used for management of runoff containing pollutants;
 - d. Infiltration systems designed to handle runoff from commercial or industrial impervious parking areas shall be a minimum of 100 feet from any drinking water supply well;
 - e. Infiltration systems shall not be used as sediment control basins during construction unless specific plans are included to restore or improve the basin surface;
 - f. Infiltration basins shall be constructed with a two foot minimum separation between the bottom of the structure and the seasonal high groundwater elevation, as determined by an accepted practice; and
 - g. Provisions shall be made for safe overflow passage, in the event of a storm, which exceeds the capacity of an infiltration system.
2. Retention and detention ponds shall be designed and constructed in accordance with the criteria of the Stormwater Management, Volume Two: Stormwater Technical Handbook (March, 1997, Mass. Department of Environmental Protection, as updated or amended).
3. The applicant shall give consideration in any plan to incorporating the use of natural topography and land cover such as natural swales, and depressions as they exist prior to development to the degree that they can accommodate the additional flow of water.
4. The Department of Public Works shall give preference to the use of swales in place of the traditional use of curbs and gutters based on a case by case review of stormwater" management plans by the Department of Public Works.
5. The applicant shall consider public safety in the design of any stormwater facilities. The banks of detention, retention, and infiltration basins shall be sloped

at a gentle grade into the water as a safeguard against personal injury, to encourage the growth of vegetation and allow the alternate flooding and exposure of areas along the shore. Basins shall have a slope to a depth two (2) feet below the control elevation. Side slopes must be stabilized and planted with vegetation to prevent erosion and provide pollutant removal. The banks of detention and retention areas shall be designed with sinuous rather than straight shorelines so that the length of the shoreline is maximized, thus offering more space for the growth of vegetation.

6. Where a stormwater management plan involves direction of some or all runoff off of the site, it shall be the responsibility of the applicant to obtain from adjacent property owners any easements or other necessary property interests concerning flowage of water. Approval of a stormwater management plan does not create or affect any such rights.
7. All applicants for projects which involve the storage or use of hazardous chemicals shall incorporate handling and storage "best management practices" that prevent such chemicals from contaminating runoff discharged from a site into infiltration systems, receiving water bodies or storm drains, and shall include a list of such chemicals in the application.
8. Runoff from parking lots shall be treated by oil and water separators or other controls to remove oil and sediment.
9. The basic design criteria methodologies, and construction specifications, subject to the approval of the Department of Public Works, shall be those generally found in the most current edition of the Stormwater Management Volume Two: Stormwater Technical Handbook (March, 1997, Mass. Department of Environmental Protection, as updated or amended).

SECTION 2-7. DESIGN REQUIREMENTS FOR EROSION AND SEDIMENT CONTROL PLAN

A. The design requirements of the Erosion and Sediment Control Plan are:

- 1. Minimize total area of disturbance;**
- 2. Sequence activities to minimize simultaneous areas of disturbance;**
- 3. Minimize peak rate of runoff in accordance with the MA DEP Stormwater Policy;**
- 4. Minimize soil erosion and control sedimentation during construction. Prevention of erosion is preferred over sedimentation control**
- 5. Divert uncontaminated water around disturbed areas;**
- 6. Maximize groundwater recharge**
- 7. Install, and maintain all Erosion and Sediment Control measures in accordance with the manufacturers specifications and good engineering practices;**
- 8. Prevent off-site transport of sediment**
- 9. Protect and manage on and off-site material storage areas (overburden and stockpiles of dirt, borrow areas, or other areas used solely by the permitted project are considered a part of the project);**

10. **Comply with applicable Federal, State and local laws and regulations including waste disposal, sanitary sewer or septic system regulations, and air quality requirements, including dust control;**
11. **Prevent adverse impact from the proposed activities to habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species;**
12. **Institute interim and permanent stabilization measures. The measures shall be instituted on a disturbed area as soon as practicable but no more than fourteen (14) days after construction activity has temporarily or permanently ceased on that portion of the site;**
13. **Properly manage on-site construction and waste materials, and;**
14. **Prevent off-site vehicle tracking of sediments.**

SECTION 2-8. MAINTENANCE

A. Operation, Maintenance and Inspection Agreement

1. Prior to issuance of any building permit for which storm water management is required, the Department of Public Works shall require the applicant or owner to execute an **operation, maintenance** and inspection agreement binding on all subsequent owners of land served by the private stormwater management facility. **The agreement shall be designed to ensure that water quality standards are met in all seasons and throughout the life of the system.** Such agreement shall provide for access to the facility at reasonable times for regular inspections by the town or its authorized representative and for regular or special assessments of property owners to ensure that the facility is maintained in proper working condition to meet design standards and any provision established. **The agreement shall include:**
 - a. **The name(s) of the owner(s) for all components of the system;**
 - b. **Maintenance agreements that specify:**
 - (1) **The names and addresses of the person(s) responsible for operation and maintenance;**
 - (2) **The person(s) responsible for financing maintenance and emergency repairs;**
 - (3) **A Maintenance Schedule for all drainage structures, including swales and ponds;**
 - (4) **A list of easements with the purpose and location of each**
 - (5) **The signature(s) of the owner(s).**
 - c. **Stormwater management easements as necessary for:**
 - (1) **Access for facility inspections and maintenance;**
 - (2) **Preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100-year storm event;**

- (3) **Direct maintenance access by heavy equipment to structures requiring regular cleanout.**
 - d. **Stormwater management easement requirements:**
 - (1) **The purpose of each easement shall be specified in the maintenance agreement signed by the property owner;**
 - (2) **Stormwater management easements are required for all areas used for off-site stormwater control, unless a waiver is granted by the Town;**
 - (3) **Easements shall be recorded with the Registry of Deeds prior to issuance of a Certificate of Completion.**
 - e. **Changes to Operation and Maintenance Plans:**
 - (1) **The owner(s) of the stormwater management system must notify the Department of Public Works 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 by-law by mutual agreement of the Department of Public Works and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties must include owner(s), persons with-financial responsibility, and persons with operational responsibility.**
2. The agreement shall be recorded by the applicant and/or owner in the land records of the Registry of Deeds.
 3. The agreement shall also provide that, if after notice by the Department of Public Works to correct a violation requiring maintenance work, satisfactory corrections are not made by the owner(s) within thirty days (30), the Department of Public Works may perform all necessary work to place the facility in proper working condition. The owner(s) of the facility shall be assessed the cost of the work and any penalties.

B. Maintenance Responsibility

1. The owner of the property on which work has been done pursuant to this Regulation 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 sediment control measures and other protective devices. Such repairs or restoration and maintenance shall be in accordance with approved plans;
2. A maintenance schedule shall be developed for the life of any stormwater management facility and shall state the maintenance to be completed, the time period for completion, and who shall be legally responsible to perform the maintenance. This maintenance schedule shall be printed on the stormwater management plan;
3. Records of installation and maintenance;

4. Failure to maintain practices.

SECTION 2-9. ENFORCEMENT AND PENALTIES

A. Violations

Any development activity that has commenced or is conducted contrary to this Regulation may be restrained by injunction or otherwise abated in a manner provided by law.

B. Notice of Violation

When the Granby Department of Public Works determines that an activity is not being carried out in accordance with the requirements of this Regulation, it shall issue a written notice of violation to the owner of the property. The notice of violation shall contain:

1. The name and address of the owner applicant;
2. The address when available or the description of the building, structure, or land upon which the violation is occurring;
3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to bring the development activity into compliance with this Regulation and a time schedule for the completion of such remedial action;
5. A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
6. A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within fifteen (15) days of service of notice of violation.

C. Stop Work Orders

Persons receiving a notice of violations will be required to halt all construction activities. This "stop work order" will be in effect until the Granby Department of Public Works confirms that the development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a notice of violation in a timely manner can result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this Regulation.

D. Criminal and Civil Penalties

Any person who violates any provision of this regulation, valid, regulation, or the terms or conditions in any permit or order prescribed or issued there under, shall be subject to a fine not to exceed \$100.00 for each day such violation occurs or continues or subject to a civil penalty, which may be assessed in an action brought on behalf of the Town in any court of competent jurisdiction. All fines and penalties assessed shall be become effective only after a majority vote of the Sewer/Storm Sewer Commissioners. Collection of the applicable fines shall also be the responsibility of the Sewer/ Storm Sewer Commissioners.

E. Restoration of Lands

Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Granby Department of Public Works may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

F. Holds on Occupancy Permits

Occupation permits will not be granted until corrections to all stormwater practices have been made and accepted by the Granby Department of Public Works.

SECTION 2-10. SEVERABILITY

The invalidity of any section or provision of this Regulation shall not invalidate any other section or provision thereof.