

# Salisbury Stormwater Bylaw Meeting

March 6<sup>th</sup>, 2023

6:00 pm

# Introductions

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- Lisa Pearson, Director of Planning and Development
- Danny Ruiz, Assistant Planner
- Adriane Marchand, Conservation Agent
- Cece Gerstenbacher, Environmental Program Manager, Merrimack Valley Planning Commission

Questions and comments can be addressed the the Planning Department:

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# Purpose and Overview

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There are many town-wide reaching bylaws the Planning Department has been working required to comply with state law and based on comments and concerns from board members and residents over the years.

This meeting is a part of a series of workshops to get input from boards, commissions, and the general public on these topics.

This meeting will specifically look to review the contents of the proposed **Stormwater Bylaw** and solicit comments.

**Community feedback is vital to this process!**

# Stormwater Bylaw work at MVPC

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The Merrimack Valley Planning Commission (MVPC) has been procured by the Department of Environmental Protection to review municipal Stormwater Bylaws and provide recommendations for communities to meet compliance requirements for the EPA's MS4 year 5 stormwater permit.

MVPC reviewed Salisbury's draft Stormwater Bylaw during this effort and has since worked with the community to incorporate revisions which maintain compliance with state permitting requirements.

# Section 1: Bylaw Purpose

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- **Comply with section 2.3.5 and 2.3.6 of the MS4 permit, which requires:**
  - A mechanism by which the municipality can monitor and **ensure compliance** with requirements of its National Pollutant Discharge Elimination System (NPDES) MS4 General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems and other applicable state and federal mandates. (2.3.5.a)
  - minimum **post-development stormwater management standards** and design criteria for the regulation and control of stormwater runoff quantity and quality (2.3.5.ii.1 & iii)
  - the use of nonstructural stormwater management, better site design practices or "**low-impact development practices**," (2.3.5.c.ii.1)
  - practices that **eliminate soil erosion and sedimentation** and control the volume and rate of stormwater runoff resulting from land disturbance activities (2.3.6.a)
  - long-term responsibility for and **maintenance and operation of structural stormwater** control facilities and nonstructural stormwater management practices (2.3.6.a.iii)
  - **administrative procedures** for the submission, review, approval or disapproval of stormwater management plans, erosion and sediment controls, and for the inspection of approved active projects, and long-term follow up (2.3.5)

# Section 4 & 5: Applicability and Exceptions

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**Major permit:** land disturbance exceeding the area of 5000 sq ft/impervious surface creation between 200-2,500 sq ft.

**Requires:** Stormwater Permit application, project narrative, and proposed improvements. Runoff volume maintained must be equivalent to pre-construction

**Minor permit:** land disturbance between 1,000-5,000 sq ft/impervious surface creation greater than 2,500 sq ft

**Requires:** Drainage calculations in adherence to MS4 permit, LID implementation unless infeasible

**Exceptions include:** single family homes under an acre, normal maintenance of agricultural land, gardens, and other existing landscape, septic and well repairs/replacement, construction and emergency repairs to utilities, and maintenance of public ways.

# Section 6&7: Administration and Performance Standards

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1. The conservation commission is the proposed administrator of this bylaw and its regulations
2. Regulations are REQUIRED to further define major and minor permit requirements, including components of the stormwater permit application, MS4 required drainage calculation standards, and performance standards which promote low impact development. (2.3.5.c.i & iii)
3. Compliance with the most recent version of the Massachusetts stormwater handbook is required. (2.3.6.a.ii.2)

# Section 8: Enforcement

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**2.3.5.c.i: The ordinance shall provide that permittee may, to the extent authorized by law, impose sanctions to ensure compliance with the local program**

**Criminal penalties:** fine of no more than \$300 per violation

**Non-criminal penalties:** fine of no more than \$50 per violation



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Thank you!  
Questions?

