

TOWN CLERK  
NORFOLK

**CONDITIONS OF APPROVAL, 19 SHIRE DRIVE  
STORMWATER MANAGEMENT PERMIT**

2020 JUL 22 AM 10:26

**NORFOLK PLANNING BOARD**

**Background:** The Planning Board is authorized to grant a permit for stormwater management in accordance with the Town of Norfolk Bylaws, Article VII, Section 7 – Post-Construction Stormwater Management of New Developments and Redevelopments.

The Planning Board has reviewed the application and supporting materials for stormwater management associated with the construction of 7,200 square foot commercial building with associated parking, utilities and grading, landscaping and utility infrastructure. The construction is to be in accordance with the Site Plan Decision No. 2019-14, approved on July 14, 2020. The plan was prepared for AA & JB Realty, LLC and submitted by United Consultants, Inc. The plan is dated January 14, 2020, and revised on June 1, 2020.

The property consists of 429,874 square feet of land. The lot is served by a stormwater system that serves the entire Shire Industrial Park. The property is located in the C-1, Off-Highway zoning district.

**Findings:** The Planning Board has made the following findings regarding this application:

1. A site plan for the development was approved by the Planning Board on July 14, 2020. The plan is not yet endorsed.
2. The proposal meets the following standards of the Massachusetts Stormwater Management Policy:
  - a. No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth. -- *The Planning Board finds that no untreated stormwater is discharged directly to or cause erosion in wetlands or waters of the Commonwealth.*
  - b. Stormwater management systems must be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates. – *The Planning Board finds that post-development peak discharge does not exceed pre-development discharge.*
  - c. 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. – *Due to soil conditions as well as the approved design of the subdivision with a central stormwater management system, it is not practicable to recharge groundwater on site. Therefore, the Planning Board finds that this criterion is met.*

- d. 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:
  - i. Suitable nonstructural practices for source control and pollution prevention and implemented;
  - ii. Stormwater management best management practices (BMPs) are sized to capture the prescribed runoff volume; and
  - iii. Stormwater management BMPs are maintained as designed.

*The Planning Board finds that this criterion is met.*

- e. 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. – *The Planning Board finds that this criterion is not applicable to this project.*
- f. 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. – *The Planning Board finds that this criterion is not applicable to this project.*
- g. 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. -- *The Planning Board finds that this criterion is not applicable because the project is located on an undeveloped site.*
- h. Erosion and sediment controls must be implemented to prevent impacts during disturbance and construction activities. – *The applicant has submitted an erosion control plan. The Planning Board has reviewed the plan and finds that this criterion is met.*

- i. All stormwater management systems must have an operation and maintenance plan to ensure that systems function as designed. *-Subject to the conditions below, the Planning Board finds that this criterion is met.*

### **Conditions of Approval – Stormwater Management Permit at 19 Shire Drive**

The Planning Board, after due deliberation, voted to conditionally approve the Stormwater Management Permit for 19 Shire Drive subject to the following conditions:

#### **Specific Conditions**

1. This permit shall expire if not exercised within one year of the date of endorsement of the site plan.
2. All conditions of Site Plan Decision 2019-14 shall apply to this permit.

#### **General Conditions**

3. This permit shall not become effective until the site plan for 19 Shire Drive is endorsed by the Planning Board.
4. This Stormwater Management Permit shall be reproduced on a sheet of the site plan prior to endorsement.
5. The acceptance of this permit by the permit holder (applicant) shall be deemed to grant an irrevocable license to the officers, agents, employees independent contractors and other authorized representatives of the Town of Norfolk to enter upon said premises for inspectional purposes in order to ensure compliance with the permit, and if determined by the Planning Board, to complete restoration of the premises.
6. Violation of any of the conditions of this permit will be grounds for its revocation, subject to a public hearing. Penalties will be imposed in accordance with town bylaws, Article VII, Section 1.
7. The Planning Board shall hire a licensed professional engineer who shall observe the premises and determine compliance with terms and conditions of this permit. All costs shall be paid by the Applicant for these services.
8. All necessary steps will be taken to minimize soil erosion and siltation from the proposed activity. Siltation measures will be provided to protect catch basins, including silt socks and hay bales.

#### **Waivers**

No waivers have been requested.

cc: to Town Clerk, DPW Director, Applicant and Selectmen