



TOWN OF CHELMSFORD, Massachusetts

Department of Public Works

9 Alpha Road • Chelmsford, MA 01824

LAND DISTURBANCE/ STORMWATER MANAGEMENT PERMIT Guidance Documents

October 2021



Land Disturbance/Stormwater Management Permit – Guidance Documents

- **Land Disturbance Permit Application** – to be prepared and submitted along with all Land Disturbance Permit or Administrative Land Disturbance Approval requirements
- **Land Disturbance Permit Fact Sheet** – a brief introduction to the Land Disturbance Permit and the permit application process.

Town of Chelmsford, MA
Department of Public Works
9 Alpha Road
Chelmsford, MA 01824

For Town Use Only

Permit #: _____

LAND DISTURBANCE PERMIT

Today's Date _____

Planned Start Date _____

Planned Completion Date _____

Owner Name _____

Owner Address _____

City/Town _____

State _____ Zip Code _____

Telephone _____ *Area Code Required

Email _____

Project Address _____

Parcel Number(s) _____

Deed/Title

Book & Page _____

Have the following been issued for this project:

Zoning Board of Appeals Decision: Yes No

Planning Board File Number: Yes No

If yes, please provide Planning Board File # _____

List all permits (local, state, and federal), including any special permits and variances, obtained for this project (include permit numbers) _____

Owner Signature _____

Date _____

Applicant Information (if not owner)

Applicant Name _____

Applicant Signature _____

Applicant Title _____

Applicant Company _____

Address _____

City/Town _____

State _____ Zip Code _____

Telephone _____

Email _____

This permit authorizes the Owner to conduct construction activities that meet the thresholds specified in the Chelmsford Stormwater Management Bylaw and Regulations. The Town of Chelmsford Department of Public Works may amend this permit at any time during the term of the permit and failure to comply with the requirements set forth in Part I is a violation of this permit and is subject to enforcement actions. Compliance with this permit does not relieve the Owner of its obligation to comply with the Stormwater Management Regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements or laws that may become effective during the term of this permit. Non-compliance with any term or condition of this permit constitutes a violation of the Stormwater Management Regulations and Bylaw Chapter 141.

Land Disturbance Permit

PART I – Basic Information

1. Identify which thresholds the project meets. These regulations shall apply to all construction activity or land disturbance that, individually or as part of a Common Plan of Development, results in disturbance of land in excess of the thresholds below

ADMINISTRATIVE LAND DISTURBANCE APPROVAL “Minor Permit”

Required for projects disturbing between 20,000 square feet and one acre (43,560 square feet) of land

LAND DISTURBANCE PERMIT “Major Permit”

Required for disturbance of one acre (43,560 square feet) or more of land, or for the disturbance of more than 5,000 square feet of land where the proposed use is a land use of higher potential pollutant loads (LUHPPL) pursuant to the Massachusetts Stormwater Management Standards

2. Estimated Area to be Disturbed (ft²): _____

3. Total Area of Impervious Surfaces: Existing Proposed
(paved, parking, decks, roofs, etc.) (ft²) _____

4. Give a brief summary of the project.

5. The property (building and land) is currently used for the following purpose.

6. The property (building and land) will be used for the following purpose.

PART II – Permit Application Requirements for “Major Permit”

The following are required for a Land Disturbance Permit (Major Permit) (check off all that are included):

- Stormwater Management Plan
- Erosion and Sediment Control Plan
- Operation and Maintenance Plan
- If applicable, the NPDES General Permit for Discharges from Large and Small Construction Activities

PART III – Permit Application Requirements for “Minor Permit”

The following are required for an Administrative Land Disturbance Approval (Minor Permit) (check off all that are included):

- A completed Checklist for Stormwater Report from the latest edition of the Massachusetts Stormwater Handbook to document compliance with applicable stormwater standards
- Operation and Maintenance Plan and corresponding checklist

Part IV – Other Materials

- List other Permits, Plans, or requested information (e.g., copy of bond, letter, credit, or other guarantee):

- Permit Fee
 - \$10 – Administrative Land Disturbance Approval (Minor Permit)
 - \$20 – Land Disturbance Permit (Major Permit)

This permit will only be issued for land disturbance activities which meet the Land Disturbance permit thresholds listed in the Town of Chelmsford Stormwater Management Bylaw Chapter 141. Outstanding issues must be addressed by the applicant prior to issuance of this permit by the Chelmsford Department of Public Works.

Owner Certification

I, the undersigned, hereby certify that the attached Land Disturbance Permit application submittal includes all items required by the Town of Chelmsford Stormwater Management Regulations and Bylaw Chapter 141. I understand that if any of the items required are found to be missing from the submittal, the Land Disturbance Permit application will not be acceptable for review and will be returned as incomplete. I, the Owner, or approved applicant is aware of these criteria and will accept all responsibility for delays due to incomplete submittals. I am enclosing an explanation for each item which I feel is not required and, therefore, have not been included in this submittal package.

I, the undersigned, hereby certify that I understand and accept the post-construction terms specified in the Town of Chelmsford Stormwater Management Regulations and Bylaw Chapter 141 which include:

1. I am responsible for the maintenance of permanent BMPs on this site.
2. I am responsible for allocating and making funds available to perform the required O&M functions on site.
3. I am responsible for documenting ongoing O&M procedures and filing an annual O&M Report with the DPW.
4. During a transfer of ownership, I am responsible for notifying the DPW of changes in ownership, assignment of Operation and Maintenance responsibilities, or assignment of financial responsibility within 30 days of the change in ownership. I am responsible for informing prospective new owner(s) of the requirements of the existing O&M Plan and of the requirement to file a new O&M Plan upon transfer of ownership.
5. I understand that failure to comply with the requirements of the approved Operation and Maintenance Plan can result in fines and penalties in accordance with the Stormwater Bylaw and the Stormwater Management Rules and Regulations.
6. The DPW may conduct inspections whenever it is necessary to enforce any provision of the Stormwater Management Rules and Regulations to determine compliance with the regulation.
7. I am responsible for submitting as-built construction plans to the DPW within one (1) year of completion.

Owner/Approved Applicant Signature _____

Printed Name _____

Date _____

TOWN USE ONLY

Payment: Amount Received _____ Check Cash Permit # _____

_____ Application Approved _____ Application Denied

Comments _____

Print Name _____ Title _____

Signature _____ Date _____

Land Disturbance Permit



Chelmsford, MA Land Disturbance Permit Fact Sheet

1. **What is Land Disturbance?**

Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters; involves clearing, grading, or excavating, including grubbing or cutting down trees; or results in an alteration of drainage characteristics.
2. **What are requirements prior to construction (before any land disturbance takes place)?**

The Land Disturbance Permit Approval must be obtained prior to the commencement of any land disturbing activity. Construction may not commence until the applicant has submitted EPA's approval of the Construction General Permit Notice of Intent to the DPW and the final SWPPP is posted at the site.
3. **What is a Land Disturbance Permit?**

In accordance with the Chelmsford Stormwater Management Regulations and Bylaw Chapter 141, an Administrative Land Disturbance Approval ("Minor Permit") is required for projects disturbing between 20,000 square feet and one acre (43,560 square feet) of land. A Land Disturbance Permit ("Major Permit") is required for any activity where land disturbance is undertaken on a single property or is part of a larger common plan of development or sale that results in a total cumulative disturbance of land that meets or exceeds one acre (43,560 square feet) of area, or for the disturbance of more than 5,000 square feet of land where the proposed use is a land use with higher potential pollutant loads (LUHPPL) pursuant to the Massachusetts Stormwater Management Standards.
4. **What is considered land use with higher potential pollutant load (LUHPPL)?**

LUHPPL is defined by the Massachusetts Department of Environmental Protection (MassDEP) in the Massachusetts Stormwater Handbook. Please refer to the Massachusetts Stormwater Handbook (see #9 for web location) for the most up-to-date definition. At the time of this publication, LUHPPL include auto salvage yards, auto fueling facilities, exterior fleet storage yards, vehicle service and equipment cleaning areas, commercial parking lots with high intensity use, road salt storage areas, outdoor storage and loading areas of hazardous substances, confined disposal facilities and disposal sites, marinas, boat yards or other uses as identified by the Massachusetts Stormwater Handbook.
5. **What are the application requirements?**

The Stormwater Management Bylaw and Regulations require an Owner who applied for a Land Disturbance Permit ("Major Permit) or an Administrative Land Disturbance Approval ("Minor Permit") to file with the Department of Public Works (DPW) a copy of a completed application package. While the Applicant can be a representative, the permittee must be the owner of the site. The Land Disturbance Permit application package shall include:

 1. A completed Application Form with original signatures of all owners;
 2. Two (2) copies of the Stormwater Management Plan and project description as specified in Section 8 of the Stormwater Management Regulations for the Town of Chelmsford. (Not required for a "Minor Permit")
 3. Two (2) copies of the Erosion and Sediment Control Plan as specified in Section 9 of the Stormwater Management Regulations for the Town of Chelmsford. (Not required for a "Minor Permit")
 4. Two (2) copies of the Operation and Maintenance Plan as specified in Section 10 of the Stormwater Management Regulations for the Town of Chelmsford.
 5. If required by the EPA, NPDES General Permit for Discharges from Large and Small Construction Activities application, including the NPDES Construction General Permit Notice of Intent and Stormwater Pollution Prevention Plan (SWPPP).
 6. Application form, Stormwater Management Plan, Erosion and Sediment Plan, and Operation and Maintenance Plan must be filed with the DPW. The date of receipt by the DPW shall be the official filing date.
 7. Payment of the application and review fee. The DPW shall obtain with each submission an Application Fee stated in Section 7 of the Stormwater Management Regulations. The DPW may require higher fees if deemed necessary.
 8. The DPW is authorized to require additional Consultant Fees, as described in Section 7 of the Stormwater Management Regulations.



Chelmsford, MA Land Disturbance Permit Fact Sheet

Please refer to the [Chelmsford Stormwater Management Regulations](#) for complete requirements:

- Section 5 – Administrative Land Disturbance Approval (“Minor Permit”)
- Section 6 – Land Disturbance Permit (“Major Permit”)
- Section 8 – Stormwater Management Plan
- Section 9 – Erosion & Sediment Control Plan
- Section 10 – Operation & Maintenance Plan

6. **What accompanying documents must be submitted with the Land Disturbance Permit for the application package to be considered complete?**

- **Stormwater Management Plan:** A document containing narrative, drawings, details and reporting requirements developed by a registered Professional Engineer (PE), which describes structural and non-structural best management practices designed to control the discharge of pollutants from impervious surfaces and onsite activities as well as the volume and peak rate of surface runoff from a site on an ongoing basis after construction has been completed. (*Refer to Section 8 of Stormwater Management Regulations*)
- **Erosion and Sediment Control Plan:** A document containing narrative, drawings and details developed by a registered Professional Engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbing activities. This plan also includes an Operation and Maintenance Plan for temporary BMPs installed and operated during construction activities. (*Refer to Section 9 of Stormwater Management Regulations*)
- **Operation and Maintenance Plan (for Permanent BMPs):** Plan setting up the functional, financial, and organizational mechanisms for the long-term operation and maintenance of a stormwater management system to ensure that it continues to function as designed. (*Refer to Section 10 of Stormwater Management Regulations*)
- **NPDES Construction General Permit (if applicable):** EPA requires permit coverage under the most recent Construction General Permit (CGP) for land disturbances ≥ 1 Acre. Requirements include submission of a Notice of Intent (NOI) and preparation of a Stormwater Pollution Prevention Plan (SWPPP) prior to any land disturbance. **The approved NOI must be submitted to The Department of Public Works before a Land Disturbance Permit can be obtained.** Refer to EPA’s website for more information and for the most recent CGP.

7. **What is a Best Management Practice (BMP)?**

Schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to Waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The Massachusetts Stormwater Handbook and Stormwater Standards contain guidance and BMPs for each of the 3 Plans.

8. **How do I identify the watershed, receiving water(s), and pollutants of concern for my project site?**

Consult the most recent Massachusetts Integrated List of Waters which can be found at <http://mass.gov/dep/water/resources/tmdls.htm> to determine EPA’s watershed and waterbody assessment and TMDL and/or impairment status of the watershed and waterbody(s).

9. **Where can I find the Massachusetts Stormwater Standards?**

Include calculations which illustrate compliance with the Stormwater Standards outlined in the most recent revision of the Massachusetts Stormwater Handbook and Stormwater Standards, which can be accessed at <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>



Chelmsford, MA Land Disturbance Permit Fact Sheet

10. What DPW inspections are required during construction?

The applicant shall notify the DPW at least two (2) working days before each of the following events:

- (a) Erosion and sedimentation control measures are in place and stabilized;
- (b) Site Clearing has been substantially completed;
- (c) Rough Grading has been substantially completed;
- (d) Final Grading has been substantially completed;
- (e) Close of the Construction Season; and,
- (f) Final Landscaping (permanent stabilization) and project final completion.

11. What Applicant Inspections are required during construction?

The applicant or his/her agent shall conduct and document inspections of all control measures no less than weekly, or as specified in the permit, and prior to and following anticipated storm events. The purpose of such inspections will be to determine the overall effectiveness of the Erosion and Sedimentation Control Plan, and the need for maintenance or additional control measures as well as verifying compliance with the Stormwater Management Plan. The applicant or his/her agent shall submit monthly reports to the DPW in a format approved by the DPW Director.

12. Are there any requirements after construction is complete?

Applicants shall submit as-built drawings upon project completion, no later than one (1) year after completion of construction. The as-built drawings must depict all on-site controls, both structural and non-structural, designed to manage stormwater associated with the completed site.

The Operation and Maintenance Plan (for Permanent BMPs) must be evaluated and updated annually. Ongoing O&M procedures, inspections, and maintenance work must be documented. An O&M Report must be filed with the DPW annually.

13. Where can I find the Chelmsford Stormwater Management Regulations and Stormwater Management Bylaw Chapter 141?

Both documents are posted on the Town website (Stormwater Division) here:

<https://www.townofchelmsford.us/517/Regulations-Bylaws>

The Stormwater Management Regulations are also available here:

<https://www.townofchelmsford.us/DocumentCenter/View/13254/Stormwater-Management-Regulations->

The Stormwater Management Bylaw Chapter 141 is also available here:

<https://www.townofchelmsford.us/DocumentCenter/View/13253/Stormwater-Management-Bylaw>



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Drawing and Map Standards

The following standards shall guide the preparation of all site plans, elevations, and cross sections. Variations from these standards are permissible where special circumstances warrant for the purposes of greater clarity or ease of handling.

- Sheet Size:**
 - The sheet size should be uniform for all submitted documents.
 - Dimensions of 24" by 36" are preferred although the size may be adjusted to reflect lots or parcels of unusual size or shape.
- Scale:** The following scales are suggested:
 - Area maps: 1" = 100'
 - Site Maps: 1" = 10' to 1" = 40'
 - Floor Plans and Sections: 1/16" = 1' to 1/8" = 1'
 - Elevations: 1/8" = 1'
 - Standard contours should be at most 2' intervals with spot elevations as necessary (must be NAVD 88).
- Title Block:** The title block on each sheet shall contain the following information:
 - Name of development
 - Name of Owner
 - Address of development
 - Scale of map or plan
 - North arrow
 - Date of preparation of the map and date of any revisions
 - Signature and seal of Qualified Professional required for all drawings

Any Questions? Please contact the Department of Public Works: Stormwater Division at (978) 250-5228 x 5235 or email Stormwater@ChelmsfordMA.Gov