

## Appendix A

To see if the Town will vote to amend Article IX, Stormwater Management Bylaw, of the General Bylaws for the Town of Acushnet, as shown in Appendix A, or take any other action thereon or in relation thereto. (Only changes are listed below: additions are in underline and italics; deletions are shown with strike-through. All other language not shown is unchanged.)

### STORMWATER MANAGEMENT BYLAW TOWN OF ACUSHNET

#### 5.0 APPLICABILITY

A) Activities Requiring a Permit – No person shall perform any of the following land-disturbing activities without first obtaining a Stormwater Management Permit from the Stormwater Review Board:

1. Any Land Disturbing Activity resulting in a Land Disturbance of ~~5,000~~ 40,000 square feet or more;
2. 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 ~~5,000~~ 40,000 square feet or more of land;
3. Paving or other change in surface material over an area of ~~5,000~~ 10,000 square feet or more causing a significant reduction of permeability or increase in runoff;
4. Construction of a new drainage system or alteration of a new drainage system serving a drainage area of more than ~~5,000~~ 10,000 square feet;
5. Any other activity altering the surface of an area exceeding ~~5,000~~ 40,000 square feet that will, or may, result in increased stormwater runoff flowing from the property into a public way or the municipal storm drain system;

B) Exemptions – The following Land-Disturbing Activities may be performed without a Stormwater Management Permit:

1. Any activity that will disturb an area less than ~~5,000~~ 40,000 square feet. This exception may not be applied for contiguous properties that may have been subdivided and/or are attributed to multiple separate owners.

E) General Permits

1. The Stormwater Review Board shall have the authority to develop a General Stormwater Management Permit (GSMP) for specific types of projects, such as Construction of a Deck, Patio, Retaining Wall, Existing Driveway Expansion, Shed, and Swimming Pool. Any such General Stormwater Management Permit Requirements shall be defined and included as part of any Stormwater Regulations promulgated as permitted under Section 4 of this Bylaw. Nothing in this section shall be construed so as to limit the authority of the Stormwater Review Board with respect to any particular Land-Disturbing Activity.

## 10.0 VARIANCES

A variance may be granted if, in the opinion of the Stormwater Review Board, the request will not adversely affect public safety, public and private property, drinking water supplies, recreation, aquatic habitats, fish and other aquatic life, property values and other uses of lands and waters. All variance applications shall be in writing and shall describe how the interests protected by this By-law will be alternatively addressed by the applicant. No variance request will be granted unless the applicant shows that: (1) enforcement of this Regulation would be manifestly unjust; and (2) the applicant has established that a level of protection for public health and the environment at least equivalent to that provided under this By-law can be achieved without strict application of the By-law or Regulation.