

## NOTICE OF INTENT

Pursuant to  
**MASSACHUSETTS GENERAL LAWS**  
Chapter 131, Section 40

**Proposed Bull Spit Brewery**  
**Summer Drive**  
**Winchendon, MA**

**March 30, 2022**



*Prepared for:*  
**Bull Spit Brewing Company**  
**351 South Ashburnham Road**  
**Westminster, MA 01473**  
**(978) 878-3239**

*Prepared by:*  
**Whitman & Bingham Associates – A Division of Haley Ward, Inc.**  
**510 Mechanic Street**  
**Leominster, MA 01453**  
**Tel. (978) 537-5296**  
**Fax (978) 537-1423**



**WHITMAN & BINGHAM**  
ASSOCIATES  
A DIVISION OF HALEY WARD, INC.

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## **Estimated Habitats of Rare Wildlife and Certified Vernal Pools**

# Summer Dr - Winchendon



- Zone IIs
- Zone Is
- IWPAs
- Zone C
- Zone B
- Zone A
- Outstanding Resource Waters
  - ACEC
  - Cape Cod National Seashore
  - Protected Shoreline
  - Public Water Supply Watershed
  - Retired Public Water Supply
  - Scenic/Protected River
  - Wildlife Refuge
- NHESP Priority Habitats of Rare Species
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Certified Vernal Pools
- Areas of Critical Environmental Concern ACECs
- Property Tax Parcels

MassMapper

Leaflet | MassGIS

## **Notice of Intent**

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1359576
City/Town:WINCHENDON

A.General Information

1. Project Location:

a. Street Address SUMMER DRIVE
b. City/Town WINCHENDON c. Zip Code 01475
d. Latitude 42.68200N e. Longitude 72.04382W
f. Map/Plat # 5B3 g.Parcel/Lot # 100, 153, 158, 159, 160

2. Applicant:

Individual Organization

a. First Name KEITH b.Last Name KOPLEY
c. Organization BULL SPIT BREWING COMPANY
d. Mailing Address 351 SOUTH ASHBURNHAM ROAD
e. City/Town WESTMINSTER f. State MA g. Zip Code 01473
h. Phone Number 978-878-3239 i. Fax j. Email keith@bullspitbrewing.com

3.Property Owner:

more than one owner

a. First Name JUSTIN b. Last Name SULTZBACH
c. Organization TOWN OF WINCHENDON
d. Mailing Address 109 FRONT STREET
e. City/Town WINCHENDON f.State MA g. Zip Code 01475
h. Phone Number 978-297-0085 i. Fax 978-297-1616 j.Email jsultzbach@townofwinchendon.com

4.Representative:

a. First Name WESLEY b. Last Name FLIS
c. Organization WHITMAN & BINGHAM ASSOCIATES
d. Mailing Address 510 MECHANIC STREET
e. City/Town LEOMINSTER f. State MA g. Zip Code 01453
h.Phone Number 978-537-5296 i.Fax 978-537-1423 j.Email wflis@haleyward.com

5.Total WPA Fee Paid (Automatically inserted from NOI Wetland Fee Transmittal Form):

a.Total Fee Paid 1,050.00 b.State Fee Paid 512.50 c.City/Town Fee Paid 537.50

6.General Project Description:

SEE ATTACHED NARRATIVE

7a.Project Type:

- Single Family Home Residential Subdivision
Limited Project Driveway Crossing Commercial/Industrial
Dock/Pier Utilities
Coastal Engineering Structure Agriculture (eg., cranberries, forestry)
Transportation Other

7b.Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

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1.  Yes  No      If yes, describe which limited project applies to this project:  
 2. Limited Project

8. Property recorded at the Registry of Deeds for:

a. County:	b. Certificate:	c. Book:	d. Page:
WORCESTER		63962	128
WORCESTER		54899	180
WORCESTER		65562	259
WORCESTER		60737	45
WORCESTER		54899	178
WORCESTER		34277	268

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.

2. Inland Resource Areas: (See 310 CMR 10.54 - 10.58, if not applicable, go to Section B.3. Coastal Resource Areas)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land under Waterbodies and Waterways	1. Square feet	2. square feet
	3. cubic yards dredged	
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if any)	
2. Width of Riverfront Area (check one)	<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only <input type="checkbox"/> 100 ft. - New agricultural projects only <input type="checkbox"/> 200 ft. - All other projects	
3. Total area of Riverfront Area on the site of the proposed project	square feet	

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4. Proposed Alteration of the Riverfront Area:

- a. total square feet      b. square feet within 100 ft.      c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI?  Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.Coastal Resource Areas: (See 310 CMR 10.25 - 10.35)

Resource Area      Size of Proposed Alteration      Proposed Replacement (if any)

a. <input type="checkbox"/> Designated Port Areas	Indicate size under	Land under the ocean below,
b. <input type="checkbox"/> Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes, below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab, crea.
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	

4.Restoration/Enhancement

Restoration/Replacement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please entered the additional amount here.



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a. square feet of BVW

b. square feet of Salt Marsh

5. Projects Involves Stream Crossings

Project Involves Streams Crossings

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

**C. Other Applicable Standards and Requirements**

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage of Endangered Species program (NHESP)?

a.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species

Program

Division of Fisheries and Wildlife

1 Rabbit Hill Road

Westborough, MA 01581

b. Date of map: AUGUST 2021

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)...

c. Submit Supplemental Information for Endangered Species Review \* (Check boxes as they apply)

1.  Percentage/acreage of property to be altered:

(a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2.  Assessor's Map or right-of-way plan of site

3.  Project plans for entire project site, including wetland resource areas and areas outside of wetland jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

a.  Project description (including description of impacts outside of wetland resource area & buffer zone)

b.  Photographs representative of the site

c.  MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

d.  Vegetation cover type map of site

e.  Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the following

1.  Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR

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10.37 and 10.59.)

2.  Separate MESA review ongoing.

a. NHESP Tracking Number

b. Date submitted to NHESP

3.  Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?

a.  Not applicable - project is in inland resource area only

b.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 S. Rodney French Blvd  
New Bedford, MA 02744

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930

If yes, it may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional office.

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a.  Yes  No

If yes, provide name of ACEC (see instructions to WPA Form 3 or DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a.  Yes  No

5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L.c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L.c. 130, § 105)?

a.  Yes  No

6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

a.  Yes, Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol.2, Chapter 3)

2.  A portion of the site constitutes redevelopment

3.  Proprietary BMPs are included in the Stormwater Management System

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b.  No, Explain why the project is exempt:

- 1.  Single Family Home
- 2.  Emergency Road Repair
- 3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department by regular mail delivery.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s)).
- 4. Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
- 5. List the titles and dates for all plans and other materials submitted with this NOI.

**a. Plan Title:                      b. Plan Prepared By:      c. Plan Signed/Stamped By:      d. Revised Final Date:      e. Scale:**

BULL SPIT BREWERY, PROPOSED SITE DEVELOPMENT PLAN IN WINCHENDON, MASSACHUSETTS OFF SUMMER DRIVE	WHITMAN & BINGHAM ASSOCIATES	BRIAN F. MILISCI, P.E.	March 30, 2022	1"=30'
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- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form.
- 9. Attach Stormwater Report, if needed.

□ **Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**WPA Form 3 - Notice of Intent**  
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Provided by MassDEP:  
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City/Town:WINCHENDON

**E. Fees**

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

_____	_____
2. Municipal Check Number	3. Check date
_____	_____
4. State Check Number	5. Check date
_____	_____
6. Payer name on check: First Name	7. Payer name on check: Last Name

**F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

_____	_____
1. Signature of Applicant	2. Date
_____	_____
3. Signature of Property Owner(if different)	4. Date
Wesley Flis	5/5/2022
_____	_____
5. Signature of Representative (if any)	6. Date

**For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

**For MassDEP:**

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**Other:**

If the applicant has checked the "yes" box in Section C, Items 1-3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

## **Project Narrative**

## **Project Narrative**

The development is located in the central portion of Winchendon on Summer Drive, east of Beech Street. The proposed development is made up of five parcels, owned the Town of Winchendon and Newport Trust. The total area occupied by the subject property consists of approximately 4.4± acres. There are four existing buildings located throughout the project limits and an existing concrete slab from a former building. The buildings are mostly vacant, previously used for industrial businesses. Most of the ground surface is covered by pavement or gravel, where the former businesses used for outdoor storage and parking of vehicles.

The proposed project consists of the removal of the middle section of the existing building located at 11 Summer Drive along with the southern section of the building which has partially collapsed. The remaining eastern section of 11 Summer Drive will be used for cold storage and the western section use is yet to be determined. The northern building located on the 4 Summer Drive property, currently owned by the Town of Winchendon, is proposed to be refurbished into the Bull Spit Brewery and Tap Room. The 4 Summer Drive southern building structure is proposed to be removed, with the existing concrete slab to remain, and an outdoor patio space is to be constructed.

The outdoor areas throughout the site are proposed to be improved, to include gravel and paved parking lots, loading areas, and access driveways. Two sections of new pavement are proposed to cover contaminated soils that have been identified by the Town's environmental science consultants. The area to the south and west of the 4 Summer Drive building is to be loamed and seeded, and used for outdoor seating, entertainment space, yard games, and outdoor tap station, and outdoor portable restrooms.

The project will include new sewer and water services for the 4 Summer Drive building, along with improvement to the existing hydrants on the site. No new stormwater structures are proposed as part of the project. All existing catch basins throughout the project limits should be inspected, cleaned, and hoods are to be installed where they don't already exist.

The development does not require any filling of wetlands and limited site grading is proposed. A portion of the subject site is located in the 100-year flood plain associated with the adjacent Tannery Pond. Erosion control barriers are proposed along Tannery Pond.

## **List of Property Owners**

**List of Property Owners**

Map 5B3 - Parcels 153, 158 & 160  
Town of Winchendon  
109 Front Street  
Winchendon, MA 01475

Map 5B3 – Parcel 159  
Newport Trust  
Justin P. Gelinas, Trustee  
351 South Ashburnham Road  
Westminster, MA 01473

Map 5B3 – Parcel 100  
Newport Trust  
Justin P. Gelinas, Trustee  
3 Summer Street  
Winchendon, MA 01475



## **Abutter's Notification**

**NOTIFICATION TO ABUTTERS UNDER THE  
MASSACHUSETTS WETLANDS PROTECTION ACT**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is Bull Spit Brewing Company.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Winchendon seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address of the lot where the activity is proposed is 4 and 11 Summer Drive.
- D. Copies of the Notice of Intent may be examined at Winchendon Town Hall between the hours of 8:00 A.M. and 6:00 P.M. on the following days of the week: Monday, between the hours of 8:00 A.M. and 5:00 P.M. on the following days of the week: Tuesday through Thursday. For more information, call: (978) 297-3537.  
Check One: This is the applicant , representative , or other  (specify): Winchendon Land Use Clerk.
- E. Check One: Copies of the Notice of Intent may be obtained from either the applicant , or the applicant's representative , by calling this telephone number (978) 537-5296 between the hours of 8:00 A.M. and 4:00 P.M. on the following days of the week: Monday through Friday (Whitman & Bingham Associates – A Division of Haley Ward).
- F. Information regarding the date, time, and place of the public hearing may be obtained from the Winchendon Land Use Clerk by calling this telephone number (978) 297-3537 between the hours of 8:00 A.M. and 6:00 P.M. on the following days of the week: Monday, between the hours of 8:00 A.M. and 5:00 P.M. on the following days of the week: Tuesday through Thursday.

Alternatively, copies of the Notice of Intent and the date, time and place of the public hearing may be obtained from Winchendon Conservation Commission Agent by calling this telephone number (978) 314-7858 between the hours of 8:00 A.M. and 10:00 A.M. on the following days of the week: Tuesday.

**NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the The Gardner News.**

**NOTE: Notice of the public hearing, including its date, time, and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.**

**NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection (DEP) Regional Office for more information about this application or the Wetlands Protection Act.**

To Contact DEP, call:

Central Region	(978) 792-7650	Northeast Region	(978) 694-3200
Southeast Region	(978) 946-2700	Western Region	(413) 784-1100

**Appendix A**  
**Wetland Fee Transmittal Form**

**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 3 - Notice of Wetland Fee Transmittal**  
**Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 MassDEP File #:  
 eDEP Transaction #:1359576  
 City/Town: WINCHENDON

**A. Applicant Information**

1. Applicant:

a. First Name	KEITH	b. Last Name	KOPLEY	
c. Organization	BULL SPIT BREWING COMPANY			
d. Mailing Address	351 SOUTH ASHBURNHAM ROAD			
e. City/Town	WESTMINSTER	f. State	MA	g. Zip Code 01473
h. Phone Number	9788783239	i. Fax		j. Email keith@bullspitbrewing.com

2. Property Owner:(if different)

a. First Name	JUSTIN	b. Last Name	SULTZBACH	
c. Organization	TOWN OF WINCHENDON			
d. Mailing Address	109 FRONT STREET			
e. City/Town	WINCHENDON	f. State	MA	g. Zip Code 01475
h. Phone Number	9782970085	i. Fax	9782971616	j. Email jsultzbach@townofwinchendon.com

3. Project Location:

a. Street Address	SUMMER DRIVE	b. City/Town	WINCHENDON
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Are you exempted from Fee?

**Note:** Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

**B. Fees**

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) SITE PREPARATION (FOR DEVELOPMENT) BEYOND NOTICE OF INTENT SCOPE;	1	1050.00		1050.00
		City/Town share of filling fee \$537.50	State share of filing fee \$512.50	Total Project Fee \$1,050.00

**Appendix B**  
**Stormwater Report &**  
**Stormwater Report Checklist**

## **PROJECT TYPE**

The project type is Redevelopment.

The proposed project consists of the removal of the middle section of the existing building located at 11 Summer Drive along with the southern section of the building which has partially collapsed. The remaining eastern section of 11 Summer Drive will be used for cold storage and the western section use is yet to be determined. The northern building located on the 4 Summer Drive property, currently owned by the Town of Winchendon, is proposed to be refurbished into the Bull Spit Brewery and Tap Room. The 4 Summer Drive southern building structure is proposed to be removed, with the existing concrete slab to remain, and an outdoor patio space is to be constructed.

The outdoor areas throughout the site are proposed to be improved, to include gravel and paved parking lots, loading areas, and access driveways. Two sections of new pavement are proposed to cover contaminated soils that have been identified by the Town's environmental science consultants. The area to the south and west of the 4 Summer Drive building is to be loamed and seeded, and used for outdoor seating, entertainment space, yard games, and outdoor tap station, and outdoor portable restrooms.

## **LID MEASURES**

The proposed project was designed to remove gravel parking and loading areas and add green space to the south and west of the 4 Summer Drive building.

### **STANDARD 1: No New Untreated Discharges**

The project does not include any new untreated discharges. The runoff from the proposed parking lot is directed towards a 2' x 2' pea stone filter and then over a 15-foot-wide grassed filter strip.

### **STANDARD 2: Peak Rate Attenuation**

The project has been designed such that the post-development peak rates of run-off from the project are consistent or less than pre-development rates.

The area from the project site tributary to Tannery Pond does not change from the pre-development to post-development conditions, neither does the time of concentration. The only thing that does change between the two conditions is the surface cover. Currently the site is mostly covered by impervious surfaces (pavement, concrete, building, etc.) and compacted gravel. The proposal includes an increase in pavement and concrete, the decrease in building footprint, and the creation of more grass/lawn space. The following are the surface cover curve number (Cn) calculations for the pre-development and post-development conditions:

Impervious Cn = 98

Compacted Gravel Cn = 76 (A soil type)

Lawn/Grass Cover = 39 (A soil type, >75% coverage)

Pre-development Cn =  $((98 * 64,055) + (76 * 108,102) + (39 * 17,842)) / (189,999) = 79.94$

$$\text{Post-Development Cn} = ((98 * 101,053) + (76 * 10,628) + (39 * 78,318)) / (189,999) = 72.45$$

The total site peak rates of runoff will be decreased from the pre-development to the post-development conditions, as the surface cover curve number will be decreased due to the increase in the grass/lawn area, specifically the area to the south and west of 4 Summer Drive.

### **STANDARD 3: Recharge**

As shown previously, the project will include an increase in pervious surfaces (grass/lawn) and a decrease in impervious surfaces (pavement, concrete, buildings, compacted gravel, etc.). By reducing the impervious surfaces and replacing it with lawn, the recharge of stormwater will be increased. No additional recharge structures are proposed.

### **STANDARD 4: Water Quality**

The project does not include any new untreated discharges. The runoff from the proposed parking lot is directed to a pea stone filter and then to a grass filter strip prior to Tannery Pond. In addition, hoods are proposed to be installed in the existing catch basins to improve the water quality.

See Standard 9 for information in regards to Long Term Pollution Prevention Plan.

### **STANDARD 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs)**

Not Applicable. The project does not contain Land Uses With Higher Potential Pollutant Loads (LUHPPLs).

### **STANDARD 6: Critical Areas**

Not Applicable. The project does not discharge stormwater near or to a critical area.

### **STANDARD 7: Redevelopments and Other Projects Subject to the Standards only the max. practicable**

The project is a redevelopment project. The project is designed to meet all applicable standards as practicable as possible with designing to some of the difficult site constraints – 100-year flood plain and areas of contaminated soil.

### **STANDARD 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control**

Erosion control measures are shown on the attached plan. The project will be covered by a NPDES Construction General Permit and the SWPPP will be submitted prior to land disturbance.

## **STANDARD 9: Operation and Maintenance Plan**

This project is the redevelopment of previously used industrial buildings into a brewery and an associated cold storage warehouse. Upon completion of the project, Bull Spit Brewery will be responsible for the maintenance and operation of the proposed stormwater management system.

In order to assure proper operation of the stormwater facilities in the future, it is necessary for a stormwater maintenance program be instituted and followed.

The proposed maintenance procedures and scheduling is as follows:

### **CONSTRUCTION COMPLETION MAINTENANCE**

Once construction of the drainage system is completed, proper stabilization of all slopes within the subject site is critical. Hay mulch, geotextile fabric, and hydroseeding are required to prevent unnecessary sediment transport to the drainage system.

### **CATCHBASIN MAINTENANCE**

Every three (3) months all catchbasins are to be inspected for overall performance. The catchbasin grate should be cleaned of all organic debris that may have been deposited. Additionally, the gully stone throat, if applicable, should be inspected and debris removed as necessary. Within the catchbasin sump, the available volume below the outlet invert is to be evaluated. Sand and accumulated organic matter should be removed if more than 50% of the total sump volume has been filled.

If evidence of petroleum is found to be present within the sump water or sediment, action must be taken to collect and dispose of the impacted materials at an approved waste facility. Upon the cleaning of the catchbasin, the structural integrity and proper operation of the inverted outlet is to be evaluated. Replacement of deteriorated pipes or bricks, repair of cracks in the basin wall, or other required work shall be completed as necessary.

### **VEGETATED FILTER STRIP**

During the first year of operation of the filter strip, it is to be inspected once every six months and the strip is to be inspected annually after the first year of operation. Sediment is to be removed from the strip as needed; the mowing of the strip is to be completed also on an as needed basis.

### **STONE INTERCEPTOR TRENCH**

During the first six (6) months of the operation of the stone interceptor trench, the trench is to be inspected after every major storm event to ensure proper function. Every six (6) months thereafter, the stone interceptor trench is to be inspected and any debris is to be removed.



## **SOURCE CONTROLS**

In the event of a spill of petroleum products or hazardous substances, certain measures must be taken and include the following:

- A spill control and containment kit (containing, for example, absorbent materials, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, first aid equipment) should be readily available.
- All spills shall be cleaned up immediately after discovery.
- All measures must be taken to contain and abate the spill and to prevent the discharge of the Hazardous Substance or Oil to storm water or off-site. (The spill area must be kept well ventilated and personnel must wear appropriate protective clothing to prevent injury from contact with the Hazardous Substances.)
- The owner should be familiar with the spill reporting requirements of the Massachusetts Contingency Plan (310 CMR 40.0000).

### **Contact Numbers:**

**Winchendon Fire Department** – Emergency - 911  
Office – 978-297-2323

**MADEP Emergency Response** - 1-888-304-1133

## **SNOW & ICE MANAGEMENT**

- Snow should be stored in areas of the site such that any snowmelt is directed and captured by the drainage system.
- Avoid disposing of snow on top of storm drain catch basins or in stormwater drainage swales or ditches. Snow combined with sand and debris may block a storm drainage system, causing localized flooding. A high volume of sand, sediment, and litter released from melting snow also may be quickly transported through the system into surface water.
- Sand shall be the primary de-icing agent.
- After spring snow melt has occurred, snow storage areas should be cleaned of all trash, debris and accumulated sands.

## **STORMWATER MAINTENANCE PLAN DATA SHEETS**

Enclosed within the Stormwater Maintenance Plan, is a “member roster” to clearly establish the individuals responsible for the stormwater system maintenance. Additionally, a stormwater system inspection form has been included as an example of a method to document the required inspection and maintenance of the stormwater system.

An operation and maintenance log should be maintained for the last three years. This should include inspections, repairs, replacement and disposal. For disposal, the log shall indicate the type of material and the disposal location.

**Whitman & Bingham Associates, LLC**  
*Registered Engineers and Land Surveyors*

*Stormwater Maintenance Plan*  
*Member Roster*

**Completed By:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Director:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Office Phone:** \_\_\_\_\_

**Responsibilities:** \_\_\_\_\_

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**Member:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Office Phone:** \_\_\_\_\_

**Responsibilities:** \_\_\_\_\_

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**STANDARD 10: Prohibition of Illicit Discharges**

This project is the redevelopment of previously used industrial buildings into a brewery and an associated cold storage warehouse. It is not anticipated that there will be any illicit discharges into the Town of Winchendon's drainage system.



# Checklist for Stormwater Report

## A. Introduction

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A Stormwater Report must be submitted with the Notice of Intent permit application to document compliance with the Stormwater Management Standards. The following checklist is NOT a substitute for the Stormwater Report (which should provide more substantive and detailed information) but is offered here as a tool to help the applicant organize their Stormwater Management documentation for their Report and for the reviewer to assess this information in a consistent format. As noted in the Checklist, the Stormwater Report must contain the engineering computations and supporting information set forth in Volume 3 of the Massachusetts Stormwater Handbook. The Stormwater Report must be prepared and certified by a Registered Professional Engineer (RPE) licensed in the Commonwealth.

The Stormwater Report must include:

- The Stormwater Checklist completed and stamped by a Registered Professional Engineer (see page 2) that certifies that the Stormwater Report contains all required submittals.<sup>1</sup> This Checklist is to be used as the cover for the completed Stormwater Report.
- Applicant/Project Name
- Project Address
- Name of Firm and Registered Professional Engineer that prepared the Report
- Long-Term Pollution Prevention Plan required by Standards 4-6
- Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan required by Standard 8<sup>2</sup>
- Operation and Maintenance Plan required by Standard 9

In addition to all plans and supporting information, the Stormwater Report must include a brief narrative describing stormwater management practices, including environmentally sensitive site design and LID techniques, along with a diagram depicting runoff through the proposed BMP treatment train. Plans are required to show existing and proposed conditions, identify all wetland resource areas, NRCS soil types, critical areas, Land Uses with Higher Potential Pollutant Loads (LUHPPL), and any areas on the site where infiltration rate is greater than 2.4 inches per hour. The Plans shall identify the drainage areas for both existing and proposed conditions at a scale that enables verification of supporting calculations.

As noted in the Checklist, the Stormwater Management Report shall document compliance with each of the Stormwater Management Standards as provided in the Massachusetts Stormwater Handbook. The soils evaluation and calculations shall be done using the methodologies set forth in Volume 3 of the Massachusetts Stormwater Handbook.

To ensure that the Stormwater Report is complete, applicants are required to fill in the Stormwater Report Checklist by checking the box to indicate that the specified information has been included in the Stormwater Report. If any of the information specified in the checklist has not been submitted, the applicant must provide an explanation. The completed Stormwater Report Checklist and Certification must be submitted with the Stormwater Report.

<sup>1</sup> The Stormwater Report may also include the Illicit Discharge Compliance Statement required by Standard 10. If not included in the Stormwater Report, the Illicit Discharge Compliance Statement must be submitted prior to the discharge of stormwater runoff to the post-construction best management practices.

<sup>2</sup> For some complex projects, it may not be possible to include the Construction Period Erosion and Sedimentation Control Plan in the Stormwater Report. In that event, the issuing authority has the discretion to issue an Order of Conditions that approves the project and includes a condition requiring the proponent to submit the Construction Period Erosion and Sedimentation Control Plan before commencing any land disturbance activity on the site.



# Checklist for Stormwater Report

## B. Stormwater Checklist and Certification

The following checklist is intended to serve as a guide for applicants as to the elements that ordinarily need to be addressed in a complete Stormwater Report. The checklist is also intended to provide conservation commissions and other reviewing authorities with a summary of the components necessary for a comprehensive Stormwater Report that addresses the ten Stormwater Standards.

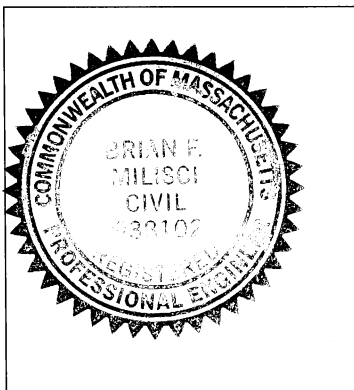
*Note:* Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the item is not applicable (N.A.) and provide the reasons for that determination.

A complete checklist must include the Certification set forth below signed by the Registered Professional Engineer who prepared the Stormwater Report.

### Registered Professional Engineer's Certification

I have reviewed the Stormwater Report, including the soil evaluation, computations, Long-term Pollution Prevention Plan, the Construction Period Erosion and Sedimentation Control Plan (if included), the Long-term Post-Construction Operation and Maintenance Plan, the Illicit Discharge Compliance Statement (if included) and the plans showing the stormwater management system, and have determined that they have been prepared in accordance with the requirements of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. I have also determined that the information presented in the Stormwater Checklist is accurate and that the information presented in the Stormwater Report accurately reflects conditions at the site as of the date of this permit application.

Registered Professional Engineer Block and Signature



*B. F. Milisci* 5/3/22  
Signature and Date

### Checklist

**Project Type:** Is the application for new development, redevelopment, or a mix of new and redevelopment?

- New development
- Redevelopment
- Mix of New Development and Redevelopment



# Checklist for Stormwater Report

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## Checklist (continued)

**LID Measures:** Stormwater Standards require LID measures to be considered. Document what environmentally sensitive design and LID Techniques were considered during the planning and design of the project:

- No disturbance to any Wetland Resource Areas
- Site Design Practices (e.g. clustered development, reduced frontage setbacks)
- Reduced Impervious Area (Redevelopment Only)
- Minimizing disturbance to existing trees and shrubs
- LID Site Design Credit Requested:
  - Credit 1
  - Credit 2
  - Credit 3
- Use of "country drainage" versus curb and gutter conveyance and pipe
- Bioretention Cells (includes Rain Gardens)
- Constructed Stormwater Wetlands (includes Gravel Wetlands designs)
- Treebox Filter
- Water Quality Swale
- Grass Channel
- Green Roof
- Other (describe): \_\_\_\_\_

### Standard 1: No New Untreated Discharges

- No new untreated discharges
- Outlets have been designed so there is no erosion or scour to wetlands and waters of the Commonwealth
- Supporting calculations specified in Volume 3 of the Massachusetts Stormwater Handbook included.



# Checklist for Stormwater Report

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## Checklist (continued)

### Standard 2: Peak Rate Attenuation

- Standard 2 waiver requested because the project is located in land subject to coastal storm flowage and stormwater discharge is to a wetland subject to coastal flooding.
- Evaluation provided to determine whether off-site flooding increases during the 100-year 24-hour storm.
- Calculations provided to show that post-development peak discharge rates do not exceed pre-development rates for the 2-year and 10-year 24-hour storms. If evaluation shows that off-site flooding increases during the 100-year 24-hour storm, calculations are also provided to show that post-development peak discharge rates do not exceed pre-development rates for the 100-year 24-hour storm.

### Standard 3: Recharge

- Soil Analysis provided.
- Required Recharge Volume calculation provided.
- Required Recharge volume reduced through use of the LID site Design Credits.
- Sizing the infiltration, BMPs is based on the following method: Check the method used.
  - Static
  - Simple Dynamic
  - Dynamic Field<sup>1</sup>
- Runoff from all impervious areas at the site discharging to the infiltration BMP.
- Runoff from all impervious areas at the site is *not* discharging to the infiltration BMP and calculations are provided showing that the drainage area contributing runoff to the infiltration BMPs is sufficient to generate the required recharge volume.
- Recharge BMPs have been sized to infiltrate the Required Recharge Volume.
- Recharge BMPs have been sized to infiltrate the Required Recharge Volume *only* to the maximum extent practicable for the following reason:
  - Site is comprised solely of C and D soils and/or bedrock at the land surface
  - M.G.L. c. 21E sites pursuant to 310 CMR 40.0000
  - Solid Waste Landfill pursuant to 310 CMR 19.000
  - Project is otherwise subject to Stormwater Management Standards only to the maximum extent practicable.
- Calculations showing that the infiltration BMPs will drain in 72 hours are provided.
- Property includes a M.G.L. c. 21E site or a solid waste landfill and a mounding analysis is included.

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<sup>1</sup> 80% TSS removal is required prior to discharge to infiltration BMP if Dynamic Field method is used.



# Checklist for Stormwater Report

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## Checklist (continued)

### Standard 3: Recharge (continued)

- The infiltration BMP is used to attenuate peak flows during storms greater than or equal to the 10-year 24-hour storm and separation to seasonal high groundwater is less than 4 feet and a mounding analysis is provided.
- Documentation is provided showing that infiltration BMPs do not adversely impact nearby wetland resource areas.

### Standard 4: Water Quality

The Long-Term Pollution Prevention Plan typically includes the following:

- Good housekeeping practices;
  - Provisions for storing materials and waste products inside or under cover;
  - Vehicle washing controls;
  - Requirements for routine inspections and maintenance of stormwater BMPs;
  - Spill prevention and response plans;
  - Provisions for maintenance of lawns, gardens, and other landscaped areas;
  - Requirements for storage and use of fertilizers, herbicides, and pesticides;
  - Pet waste management provisions;
  - Provisions for operation and management of septic systems;
  - Provisions for solid waste management;
  - Snow disposal and plowing plans relative to Wetland Resource Areas;
  - Winter Road Salt and/or Sand Use and Storage restrictions;
  - Street sweeping schedules;
  - Provisions for prevention of illicit discharges to the stormwater management system;
  - Documentation that Stormwater BMPs are designed to provide for shutdown and containment in the event of a spill or discharges to or near critical areas or from LUHPPL;
  - Training for staff or personnel involved with implementing Long-Term Pollution Prevention Plan;
  - List of Emergency contacts for implementing Long-Term Pollution Prevention Plan.
- A Long-Term Pollution Prevention Plan is attached to Stormwater Report and is included as an attachment to the Wetlands Notice of Intent.
  - Treatment BMPs subject to the 44% TSS removal pretreatment requirement and the one inch rule for calculating the water quality volume are included, and discharge:
    - is within the Zone II or Interim Wellhead Protection Area
    - is near or to other critical areas
    - is within soils with a rapid infiltration rate (greater than 2.4 inches per hour)
    - involves runoff from land uses with higher potential pollutant loads.
  - The Required Water Quality Volume is reduced through use of the LID site Design Credits.
  - Calculations documenting that the treatment train meets the 80% TSS removal requirement and, if applicable, the 44% TSS removal pretreatment requirement, are provided.





# Checklist for Stormwater Report

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## Checklist (continued)

### Standard 4: Water Quality (continued)

- The BMP is sized (and calculations provided) based on:
  - The ½" or 1" Water Quality Volume or
  - The equivalent flow rate associated with the Water Quality Volume and documentation is provided showing that the BMP treats the required water quality volume.
- The applicant proposes to use proprietary BMPs, and documentation supporting use of proprietary BMP and proposed TSS removal rate is provided. This documentation may be in the form of the proprietary BMP checklist found in Volume 2, Chapter 4 of the Massachusetts Stormwater Handbook and submitting copies of the TARP Report, STEP Report, and/or other third party studies verifying performance of the proprietary BMPs.
- A TMDL exists that indicates a need to reduce pollutants other than TSS and documentation showing that the BMPs selected are consistent with the TMDL is provided.

### Standard 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs)

- The NPDES Multi-Sector General Permit covers the land use and the Stormwater Pollution Prevention Plan (SWPPP) has been included with the Stormwater Report.
- The NPDES Multi-Sector General Permit covers the land use and the SWPPP will be submitted *prior to* the discharge of stormwater to the post-construction stormwater BMPs.
- The NPDES Multi-Sector General Permit does *not* cover the land use.
- LUHPPLs are located at the site and industry specific source control and pollution prevention measures have been proposed to reduce or eliminate the exposure of LUHPPLs to rain, snow, snow melt and runoff, and been included in the long term Pollution Prevention Plan.
- All exposure has been eliminated.
- All exposure has *not* been eliminated and all BMPs selected are on MassDEP LUHPPL list.
- The LUHPPL has the potential to generate runoff with moderate to higher concentrations of oil and grease (e.g. all parking lots with >1000 vehicle trips per day) and the treatment train includes an oil grit separator, a filtering bioretention area, a sand filter or equivalent.

### Standard 6: Critical Areas

- The discharge is near or to a critical area and the treatment train includes only BMPs that MassDEP has approved for stormwater discharges to or near that particular class of critical area.
- Critical areas and BMPs are identified in the Stormwater Report.



# Checklist for Stormwater Report

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## Checklist (continued)

### Standard 7: Redevelopments and Other Projects Subject to the Standards only to the maximum extent practicable

- The project is subject to the Stormwater Management Standards only to the maximum Extent Practicable as a:
- Limited Project
  - Small Residential Projects: 5-9 single family houses or 5-9 units in a multi-family development provided there is no discharge that may potentially affect a critical area.
  - Small Residential Projects: 2-4 single family houses or 2-4 units in a multi-family development with a discharge to a critical area
  - Marina and/or boatyard provided the hull painting, service and maintenance areas are protected from exposure to rain, snow, snow melt and runoff
  - Bike Path and/or Foot Path
  - Redevelopment Project
  - Redevelopment portion of mix of new and redevelopment.
- Certain standards are not fully met (Standard No. 1, 8, 9, and 10 must always be fully met) and an explanation of why these standards are not met is contained in the Stormwater Report.
- The project involves redevelopment and a description of all measures that have been taken to improve existing conditions is provided in the Stormwater Report. The redevelopment checklist found in Volume 2 Chapter 3 of the Massachusetts Stormwater Handbook may be used to document that the proposed stormwater management system (a) complies with Standards 2, 3 and the pretreatment and structural BMP requirements of Standards 4-6 to the maximum extent practicable and (b) improves existing conditions.

### Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control

A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan must include the following information:

- Narrative;
  - Construction Period Operation and Maintenance Plan;
  - Names of Persons or Entity Responsible for Plan Compliance;
  - Construction Period Pollution Prevention Measures;
  - Erosion and Sedimentation Control Plan Drawings;
  - Detail drawings and specifications for erosion control BMPs, including sizing calculations;
  - Vegetation Planning;
  - Site Development Plan;
  - Construction Sequencing Plan;
  - Sequencing of Erosion and Sedimentation Controls;
  - Operation and Maintenance of Erosion and Sedimentation Controls;
  - Inspection Schedule;
  - Maintenance Schedule;
  - Inspection and Maintenance Log Form.
- A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan containing the information set forth above has been included in the Stormwater Report.



# Checklist for Stormwater Report

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## Checklist (continued)

### Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control (continued)

- The project is highly complex and information is included in the Stormwater Report that explains why it is not possible to submit the Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan with the application. A Construction Period Pollution Prevention and Erosion and Sedimentation Control has **not** been included in the Stormwater Report but will be submitted **before** land disturbance begins.
- The project is **not** covered by a NPDES Construction General Permit.
- The project is covered by a NPDES Construction General Permit and a copy of the SWPPP is in the Stormwater Report.
- The project is covered by a NPDES Construction General Permit but no SWPPP been submitted. The SWPPP will be submitted BEFORE land disturbance begins.

### Standard 9: Operation and Maintenance Plan

- The Post Construction Operation and Maintenance Plan is included in the Stormwater Report and includes the following information:
  - Name of the stormwater management system owners;
  - Party responsible for operation and maintenance;
  - Schedule for implementation of routine and non-routine maintenance tasks;
  - Plan showing the location of all stormwater BMPs maintenance access areas;
  - Description and delineation of public safety features;
  - Estimated operation and maintenance budget; and
  - Operation and Maintenance Log Form.
- The responsible party is **not** the owner of the parcel where the BMP is located and the Stormwater Report includes the following submissions:
  - A copy of the legal instrument (deed, homeowner's association, utility trust or other legal entity) that establishes the terms of and legal responsibility for the operation and maintenance of the project site stormwater BMPs;
  - A plan and easement deed that allows site access for the legal entity to operate and maintain BMP functions.

### Standard 10: Prohibition of Illicit Discharges

- The Long-Term Pollution Prevention Plan includes measures to prevent illicit discharges;
- An Illicit Discharge Compliance Statement is attached;
- NO Illicit Discharge Compliance Statement is attached but will be submitted **prior to** the discharge of any stormwater to post-construction BMPs.