

CATEGORY 20B - STORMWATER MANAGEMENT

Construction - Erosion and Sedimentation Control

SECTION 1. GENERAL

Purpose.

The purpose of this bylaw is to eliminate or reduce the harmful impacts of soil erosion and sedimentation on the public health, safety, and welfare, and the environment by prohibiting increase in sediment-laden runoff from land-disturbing activities and by prohibiting stream bank erosion along bodies of water. This bylaw regulates activities with potential for such impacts by requiring erosion and sedimentation control plans and pre-activity review. By implementing the controls in this bylaw, and in regulations promulgated pursuant to this bylaw, erosion and sediment shall be controlled so as to protect water quality, flood storage, stream flow, wildlife habitat, aquatic resources, and public safety.

A. The harmful impacts of soil erosion and sedimentation are:

1. impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater;
2. contamination of drinking water supplies;
3. alteration or destruction of aquatic and wildlife habitat; flooding; and,
4. overloading or clogging of municipal catch basins and storm drainage systems.

B. The objectives of this bylaw are to:

1. protect water resources;
2. require practices that eliminate soil erosion and sedimentation and control the volume and rate of stormwater runoff resulting from land disturbance activities;
3. promote infiltration and the recharge of groundwater;
4. ensure that soil erosion and sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process and are implemented and maintained;
5. require practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;

6. comply with state and federal statutes and regulations relating to stormwater discharges; and,
7. establish the Town of Seekonk's legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

SECTION 2. DEFINITIONS

ABUTTER: The owner(s) of land abutting the activity.

AGRICULTURE: The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act and its implementing regulations.

APPLICANT: Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting approval of an soil erosion and sediment control plan for proposed land-disturbance activity.

AUTHORIZED ENFORCEMENT AGENCY: The Planning Board, its employees or agents designated to administer, implement and enforce this by-law.

CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC): A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

CONSTRUCTION AND WASTE MATERIALS: Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction site that may adversely impact water quality.

CLEARING: Any activity that removes the vegetative surface cover.

EROSION: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENTATION CONTROL PLAN (E & S Control Plan): A document containing narrative, drawings and details developed by a qualified 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 disturbance activities.

ESTIMATED HABITAT OF RARE WILDLIFE AND CERTIFIED VERNAL POOLS: Habitats delineated for state-protected rare wildlife and certified vernal pools for use with the Wetlands Protection Act Regulations (310 CMR 10.00) and the Forest Cutting Practices Act Regulations (304 CMR 11.00).

LAND-DISTURBING ACTIVITY: Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

MASSACHUSETTS ENDANGERED SPECIES ACT: (G.L. c. 131A) and its implementing regulations at (321 CMR 10.00) which prohibit the "taking" of any rare plant or animal species listed as Endangered, Threatened, or of Special Concern.

MASSACHUSETTS STORMWATER MANAGEMENT POLICY: The Policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L. c. 131 §. 40 and Massachusetts Clean Waters Act M.G.L. c. 21, §. 23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or municipal storm drain system: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Seekonk.

OWNER: A person with a legal or equitable interest in property.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

PRE-CONSTRUCTION: All activity in preparation for construction.

PRIORITY HABITAT OF RARE SPECIES: Habitats delineated for rare plant and animal populations protected pursuant to the Massachusetts Endangered Species Act and its regulations.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION: The process or act of deposition of sediment.

SITE: Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

SLOPE: The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

SOIL: Any earth, sand, rock, gravel, or similar material.

STABILIZATION: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

STORMWATER: Storm water runoff, snowmelt runoff, and surface water runoff and drainage.

STRIP: Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

VERNAL POOLS: Temporary bodies of freshwater which provide critical habitat for a number of vertebrate and invertebrate wildlife species.

WATERCOURSE: A natural or man-made channel through which water flows or a stream of water, including a river, brook, or underground stream.

WETLAND RESOURCE AREA: Areas specified in the Massachusetts Wetlands Protection Act G.L. c. 131, § 40 and in the Town of Seekonk's conservation Commission General Wetlands Protection By-Law.

WETLANDS: Tidal and non-tidal areas characterized by saturated or nearly saturated soils most of the year that are located between terrestrial (land-based) and aquatic (water-based) environments, including freshwater marshes around ponds and channels (rivers and streams), brackish and salt marshes; common names include marshes, swamps and bogs.

SECTION 3. AUTHORITY

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the regulations of the federal Clean Water Act found at 40 CFR 122.34.

SECTION 4. APPLICABILITY

- A. This bylaw shall apply to all activities that result in disturbance of one or more acres of land or will disturb less than one acre but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one acre of land. Except as authorized by the Planning Board in an erosion and sedimentation control plan or as otherwise provided in this bylaw, no person shall perform any activity that results in disturbance of an acre or more of land. Normal

maintenance and improvement of land in agricultural or aquaculture use, as defined by the Wetlands Protection Act regulation 310 CMR 10.4, and or the Seekonk Wetlands Protection By-Law are exempt. In addition, as authorized in the Phase II Small MS4 General Permit for Massachusetts, storm water discharges resulting from the above activities that are subject to jurisdiction under the Wetlands Protection Act and or the Seekonk Wetlands Protection By-Law which demonstrate compliance with the Massachusetts Storm Water Management Policy as reflected in an Order of Conditions issued by the Conservation Commission are exempt from compliance with this bylaw.

- B. Waiver. The Planning Board may waive strict compliance with any requirement of this by-law or the rules and regulation promulgated hereunder, where:
1. such action is allowed by federal, state and local statutes and/or regulations,
 2. is in the public interest, and
 3. is not inconsistent with the purpose and intent of this by-law.

SECTION 5. RESPONSIBILITY FOR ADMINISTRATION

- A. The Planning Board shall administer, implement and enforce this bylaw. Any powers granted to or duties imposed upon the Planning Board may be delegated in writing to its employees or agents.
- B. Rules and Regulations. The Planning Board may adopt, and periodically amend rules and regulations to effectuate the purposes of this by-law. Failure by the Planning Board to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.

SECTION 6. APPLICATION PROCEDURES

Where an erosion and sedimentation control plan is required an Erosion and Sedimentation Control Application shall be filed with the Planning Board. The application shall be signed by the owner of the property on which the proposed activity is to be conducted. In addition, the applicant, if the applicant is not the owner, shall sign the application. If the owner or applicant is a business entity, the chief executive officer or other officer with authority shall sign the application. A copy of the application shall be filed with the Town Clerk and upon receipt, the application shall be marked with the date and time received.

- A. A permit must be obtained prior to the commencement of land disturbing activity that may result in the disturbance of an area of one acre or more. The Erosion and Sedimentation Control Application package shall include:

1. a complete Application Form with original signatures of all owners and applicants;
 2. ten (10) copies of the Erosion and Sedimentation Control Plan as specified in Section 7 of this bylaw;
 3. payment of the application and review fees; and,
 4. one (1) copy of the Application Form filed with the Town Clerk.
- B. Entry. Filing an application grants the Planning Board or its agent, permission to enter the site to verify the information in the application and to inspect for compliance with the approved Erosion and Sedimentation Control Plan.
- C. Public Hearing. The Planning Board shall hold a public hearing within thirty (30) days of the receipt of a complete application and shall take final action within ninety (90) days from the time of the close of the hearing unless such time is extended by agreement between the applicant and the Planning Board. Notice of the public hearing shall be given by public hearing notice to the Town Clerk and posted at the Town Hall, on the Town of Seekonk cable channel and on the Town of Seekonk website. The Planning Board shall make the application available for inspection by the public during business hours at the Seekonk Town Hall.
- D. Information request. The applicant shall submit all additional information requested by the Planning Board to issue a decision on the application.
- E. Action by the Planning Board. The Planning Board may:
1. Approve the Erosion and Sedimentation Control Application and issue an approval if it finds that the proposed plan will protect water resources and meets the objectives and requirements of this by-law;
 2. Approve the Erosion and Sedimentation Control Application and issue an approval with conditions, modifications or restrictions that the Planning Board determines are required to ensure that the project will protect water resources and meets the objectives and requirements of this by-law; or,
 3. Disapprove the Erosion and Sedimentation Control Application and deny the permit if it finds that the proposed plan will not protect water resources or fails to meet the objectives and requirements of this by-law.
- F. Final approval, if granted, shall be endorsed on the Erosion and Sedimentation Control Plan by the signature of the majority of the Planning Board (or by the signature of the person officially authorized by the Planning Board).

- G. Failure of the Planning Board to take final action upon an Application within the time specified above shall be deemed to be approval of said Application. Upon certification by the Town Clerk that the allowed time has passed without the Planning Board's action, the Erosion and Sedimentation Control Plan shall be issued by the Planning Board.
- H. Project Changes. The applicant, or their agent, must notify the Planning Board in writing of any change or alteration of a land-disturbing activity authorized in an Erosion and Sedimentation Control Plan before any change or alteration occurs. If the Planning Board determines that the change or alteration is substantial, the Planning Board may require that an amended application shall be submitted. If any change or alteration takes place during land-disturbing activities, the Planning Board may require the installation of interim erosion and sedimentation control measures before the change or alteration may be approved.

FEES.

The Planning Board by regulation shall promulgate an application fee schedule for Erosion and Sedimentation Control applications and compliance certificates. The fee specified in such a fee schedule shall be made payable to the Town of Seekonk and shall accompany the permit application or request for certificate of compliance. The Planning Board shall require a fee for review of any Erosion & Sedimentation Control Plan. Said services may include but are not necessarily limited to soil survey and delineation, hydro geologic and drainage analysis, erosion and sedimentation potential, and environmental/land use law.

Each application must be accompanied by the appropriate application fee as established by the Planning Board. Applicants shall pay review fees as determined by the Planning Board sufficient to cover any expenses connected with the public meeting and review of the Erosion and Sedimentation Control Application before the review process commences. Review fees shall be in the form of a check made out to the Board's reviewing engineer. Said review fee should be forwarded to the Board for payment to the Board's reviewing engineer. The Planning Board is authorized to retain a Registered Professional Engineer or other professional consultant to advise the Planning Board on any or all aspects of the Application.

COMPLIANCE

No land-disturbing activity shall take place, unless exempt by the terms of this bylaw, without compliance with an Erosion and Sedimentation Control Plan issued by the Planning Board.

SECTION 7. EROSION AND SEDIMENTATION CONTROL PLAN

- A. The Erosion and Sedimentation Control Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and

proposed erosion and sedimentation controls. The applicant shall submit such material as is necessary to show that the proposed development will comply with the design requirements listed in Section 7.B. below.

B. The design requirements of the Erosion and Sedimentation Control Plan are:

1. Minimize total area of disturbance;
2. Sequence activities to minimize simultaneous areas of disturbance;
3. Minimize peak rate of runoff in accordance with the Massachusetts Stormwater Policy;
4. Minimize soil erosion and control sedimentation during construction, provided that prevention of erosion is preferred over sedimentation control;
5. Divert uncontaminated water around disturbed areas;
6. Maximize groundwater recharge;
7. Install and maintain all Erosion and Sedimentation Control measures in accordance with the manufacturers specifications and good engineering practices;
8. Prevent off-site transport of sediment;
9. Protect and manage on and off-site material storage areas (overburden and stockpiles of dirt, borrow areas, or other areas used solely by the permitted project are considered a part of the project);
10. Comply with applicable Federal, State and local laws and regulations including waste disposal, sanitary sewer or septic system regulations, and air quality requirements, including dust control;
11. Prevent significant alteration of habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or Of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species from the proposed activities;
12. Institute interim and permanent stabilization measures, which shall be instituted on a disturbed area as soon as practicable but no more than 14 days after construction activity has temporarily or permanently ceased on that portion of the site;
13. Properly manage on-site construction and waste materials; and,
14. Prevent off-site vehicle tracking of sediments.

- C. Erosion and Sedimentation Control Plan Content. The Plan shall contain the following information:
1. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan;
 2. Title, date, north arrow, names of abutters, scale, legend, and locus map;
 3. Location and description of natural features including:
 - (a) Watercourses and water bodies, wetland resource areas and all floodplain information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map, or as calculated by a professional engineer for areas not assessed on these maps;
 - (b) Existing vegetation including tree lines, canopy layer, shrub layer, and ground cover, and trees with a caliper twelve (12) inches or larger, noting specimen trees and forest communities; and,
 - (c) Habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species within five hundred (500) feet of any construction activity.
 4. Lines of existing abutting streets showing drainage and driveway locations and curb cuts;
 5. Existing soils, volume and nature of imported soil materials;
 6. Topographical features including existing and proposed contours at intervals no greater than two (2) feet with spot elevations provided when needed;
 7. Surveyed property lines showing distances and monument locations, all existing and proposed easements, rights-of-way, and other encumbrances, the size of the entire parcel, and the delineation and number of square feet of the land area to be disturbed;
 8. Drainage patterns and approximate slopes anticipated after major grading activities (Construction Phase Grading Plans);
 9. Location and details of erosion and sedimentation control measures with a narrative of the construction sequence/phasing of the project, including both operation and maintenance for structural and non-structural measures, interim grading, and material stockpiling areas;

10. Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable;
11. Location and description of industrial discharges, including stormwater discharges from dedicated asphalt plants and dedicated concrete plants, which are covered by this permit;
12. Stormwater runoff calculations in accordance with the Department of Environmental Protection's Stormwater Management Policy;
13. Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures;
14. A description of construction and waste materials expected to be stored on-site. The Plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response;
15. A description of provisions for phasing the project where one acre of area or greater is to be altered or disturbed;
16. Plans must be stamped and certified by a qualified Professional Engineer registered in Massachusetts or a Certified Professional in Erosion and Sedimentation Control; and,
17. Such other information as is required by the Planning Board.

SECTION 8. INSPECTION AND SITE SUPERVISION

- A. Pre-construction Meeting. Prior to starting the clearing, excavation, construction, or land disturbing activity the applicant, the applicant's technical representative, the general contractor or any other person with authority to make changes to the project, may be required to meet with the Planning Board, to review the approved plans and their implementation. The need for a pre-construction meeting shall be determined by the Planning Board based on the project scope.
- B. Planning Board Inspection. The Planning Board or its designated agent shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the applicant wherein the work fails to comply with the Erosion and Sedimentation Control Plan as approved. The approved E & S Control Plan and associated plans for grading, stripping, excavating, and filling work, bearing the signature of approval of the Planning Board, shall be maintained at the site during the progress of the work. In order to obtain inspections, the applicant shall notify the Planning Board at least two (2) working days before each of the following events:

- (1) Erosion and sedimentation control measures are in place and stabilized;
 - (2) Site Clearing has been substantially completed;
 - (3) Rough Grading has been substantially completed;
 - (4) Final Grading has been substantially completed;
 - (5) Close of the Construction Season; and,
 - (6) Final Landscaping (permanent stabilization) and project final completion.
- C. Applicant Inspections. 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 E & S Control Plan, and the need for maintenance or additional control measures. The applicant or his/her agent shall submit monthly reports to the Planning Board or designated agent in a format approved by the Planning Board.
- D. Access Permission. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Planning Board, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this by-law and may make or cause to be made such examinations, surveys or sampling as the Planning Board deems reasonably necessary to determine compliance with the permit.

SECTION 9. SURETY

The Planning Board may require the applicant to post before the start of land disturbance activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by the Town Treasurer, and be in an amount deemed sufficient by the Planning Board to ensure that the work will be completed in accordance with the plan approval. If the project is phased, the Planning Board may release part of the bond as each phase is completed in compliance with the approved plan but the bond may not be fully released until the Planning Board has received the final report as required by Section 10 and issued a certificate of completion.

SECTION 10. FINAL REPORTS

Upon completion of the work, the applicant shall submit a report (including certified as-built construction plans) from a Professional Engineer (P.E.), surveyor, or Certified Professional in Erosion and Sedimentation Control

(CPESC), certifying that all erosion and sedimentation control devices, and approved changes and modifications, have been completed in accordance with the conditions of the approved plan. Any discrepancies shall be noted in the cover letter.

SECTION 11. ENFORCEMENT

- A. The Planning Board or an authorized agent of the Planning Board shall enforce this by-law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.
- B. Orders:
 - 1. The Planning Board or an authorized agent of the Planning Board may issue a written order to enforce the provisions of this by-law or the regulations thereunder, which may include:
 - (a) a requirement to cease and desist from the land-disturbing activity until there is compliance with the bylaw and provisions of the approved erosion and sedimentation control plan;
 - (b) maintenance, installation or performance of additional erosion and sedimentation control measures;
 - (c) monitoring, analyses, and reporting: and,
 - (d) remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity.
 - 2. If the enforcing person determines that abatement or remediation of erosion and sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Seekonk may, at its option, undertake such work, and the property owner shall reimburse the Town of Seekonk expenses.
 - 3. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner shall be notified of the costs incurred by the Town of Seekonk, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Planning Board within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Planning Board affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the

property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate, as provided in G.L. Ch. 59, § 57, after the thirty-first day following the day on which the costs were due.

- C. Criminal Penalty. Any person who violates any provision of this by-law, regulation, order or permit issued there under, shall be punished by a fine of not more than \$300 each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- D. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town of Seekonk may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch.. 40, 21D and Category 39 Enforcement of he General Bylaws of the Town of Seekonk, in which case the Planning Board or its authorized agent of the Town of Seekonk shall be the enforcing person. The penalty for the 1st violation shall be \$100. The penalty for the 2nd violation shall be \$200. The penalty for the 3rd and subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- E. Appeals. The decisions or orders of the Planning Board shall be final. Further relief shall be to a court of competent jurisdiction.
- F. Remedies Not Exclusive. The remedies listed in this by-law are not exclusive of any other remedies available under any applicable federal, state or local law.

SECTION 12. CERTIFICATE OF COMPLETION

The Planning Board will issue a letter certifying completion upon receipt and approval of the final reports and/or upon otherwise determining that all work of the approved E & S control plan has been satisfactorily completed in conformance with this bylaw.

SECTION 13. SEVERABILITY

If any provision, paragraph, sentence, or clause of this by-law shall be held invalid for any reason, all other provisions shall continue in full force and effect.

EROSION AND SEDIMENTATION CONTROL APPLICATION

To the Planning Board

The undersigned wishes to submit an erosion and sedimentation control plan Application as defined in the By-Laws of the Town of Seekonk Section 4 and requests a review and determination by the Planning Board of said Erosion and Sedimentation Control Plan. The Erosion and Sedimentation Control Plan involves property where owner's title to the land is derived under deed from _____, dated _____, and recorded in the Northern Bristol County Registry of Deeds, Book _____, Page _____, or Land Court Certificate of Title No. _____, Registered in District, Book _____, Page _____.

Give a brief summary of the nature of the project.
The property (building) is described as being located at _____;
it is currently used as _____ and the changes proposed to be made are _____.

The project is located on the parcel shown on Assessors Plat _____, Lot _____.
Applicant's Signature _____ Owners' Signature(s) _____
Applicant's Name (print) _____ Owners' Names(s) _____
Applicant's Address _____ Owners' Address _____

Date Received by Town Clerk: _____

Signature _____

Please note:

- 1) An applicant for an Erosion and Sedimentation Control Plan Review must file with the Planning Board a completed Erosion and Sedimentation Control Application, ten (10) copies of the Erosion and Sedimentation Control Plan Package, and the application and review fees as noted in the Erosion and Sedimentation Control Plan Review Fee Schedule.
- 2) The applicant shall also file a copy of the Erosion and Sedimentation Control application with the Town Clerk. The date of receipt by the Town Clerk shall be the official filing date.

Erosion and Sedimentation Control Plan Review Fee Schedule:

The following fee schedules are minimum fees. The Planning Board may require higher fees if deemed necessary for proper review of an application or to ensure compliance.

Lot Area Application Fee

Less Than 3 Acres \$100.00

3 to 10 Acres \$200.00

Greater than 10 Acres \$300.00

Resubmittal/Amendment

Less Than 3 Acres \$75.00

3 to 10 Acres \$150.00

Greater than 10 Acres \$225.00

GENERAL

1. Any application not accompanied by the appropriate fee shall be deemed incomplete. Payment must be made to the Planning Board in cash, money order, bank or certified check payable to the Town of Seekonk.
2. An Applicant's failure to pay any additional review or inspection fee within five business days of receipt of the notice that further fees are required shall be grounds for disapproval.
3. The Planning Board will post the public meeting notice. The Applicant will notify abutters and advertise in a local newspaper, and provide proof of that notification.
4. Professional review fees include engineering review, legal review, and clerical fees associated with the public meeting and plan processing. A fee estimate may be provided by the Planning Board consulting engineer.