

Town of Concord
Public Storm Drainage Connection Policy

Section 1. Policy Statement

It is the policy of the Town of Concord to prohibit connections to the Town's storm drainage infrastructure. However, it is recognized that there may arise a public interest or a hardship situation where such a connection may be warranted. This policy is meant to set forth the conditions under which a connection may be allowed. It is not the intent of this policy to promote connections to the Town storm drainage system. Rather, it is meant to provide relief to those property owners who are threatened with damage to property by excess on-site storm water or high groundwater levels. It is incumbent upon the applicant to demonstrate that the need to connect is dire, and that no reasonable alternate means of disposal exists.

For purposes of this policy, the term connection refers to the permanent underground installation and/or physical connection to a Town drainage structure of a drainage conduit or conduits and the entire related upstream drainage system. Said system includes, but is not limited to any pumps, conduits, leaching and/or quality structures, back-flow devices, clean-outs, special backfill, and geotextiles installed as a means to convey storm and/or groundwater into the Town right-of-way, the systems are under the control of the Private Digging of Roads Bylaw, and a Right-of-Way Permit shall be obtained for their installation.

This policy is applicable to all connections to the Town storm drainage system, with the exception of connections of those drainage systems scheduled to be accepted and maintained by the Town.

This policy will also regulate the use of flexible or rigid conduits, installed above the ground surface and whether installed within the Town right-of-way, or on private property, serving to temporarily convey storm and/or ground water onto or into the Town right-of-way. For the purposes of this policy, those conduits will be referred to as intermittent conduits. As storm and/or groundwater is conveyed via these intermittent conduits onto or into the Town right-of-way, thereby bringing their use under the control of the Private Digging of Roads Bylaw, a Right-of-Way Permit shall be obtained for their use. This policy is not meant to prohibit or restrict the use of intermittent conduits, but to set forth guidelines under which they are to be utilized.

This policy does not supersede any applicable federal, state, or local laws, rules, or ordinances.

Adopted by the Public Works Commission, July 14, 1999.

Town of Concord
Public Storm Drainage Connection Policy

Section 2. Application Process

The issuance of a Right-of-Way Permit by Concord Public Works shall constitute official approval of a drainage connection or intermittent conduit application. The applicant shall submit a Right-of-Way Permit Application to Concord Public Works for consideration. The applicant shall submit any documentation made necessary by this policy with said Application. All costs associated with the application process, construction, maintenance, and inspection of the connection or intermittent conduit shall be the sole responsibility of the applicant as set forth in this policy. It should be noted that other approvals outside of those issued by Concord Public Works (i.e. environmental, health, etc.) may be required before construction can commence. Permission from the Massachusetts Department of Environmental Protection under the Underground Injection Control program for the installation of portions of the connection may be required. It is the responsibility of the applicant to ensure that all necessary permits are obtained prior to the commencement of work.

Section 3. Criteria

Section 3.1 Connection Criteria

A proposed connection project must meet the following eligibility criteria:

- The applicant must demonstrate a need for the connection.
- The applicant must demonstrate that no reasonable alternate means of disposal exists.
- The applicant must demonstrate that there exists suitable capacity in the drainage system to which the proposed connection will be made.
- The maximum flow rate of the proposed connection must not exceed 0.5 cubic feet per second or 225 gallons per minute at the point of connection to the Town drainage structure (or slope of 6" pipe not to exceed 1.0%).
- In no event shall the connection be part of or outfall for a regional or neighborhood drainage system.
- The drainage structure to which the connection will be made must be part of a closed drainage system that has positive outfall as determined by the Town Engineer or his/her appointed designee.
- The drainage structure to which the connection will be made must be located within the frontage of, and on the same side of the public way as the applicant's parcel.
- All materials and construction must be in accordance with Town of Concord specifications and those contained in or referenced by this policy.
- The applicant must obtain a Right-of-Way Permit for the work.
- The applicant must, prior to approval, execute the attached covenant and record said document with the Registry of Deeds as part of or supplement to the deed for the parcel. The recorded covenant must be submitted prior to the issuance of the Right-of-Way Permit.
- The building/residence from which the connection is made must have been in existence (Certificate of Occupancy issued) prior to January 1, 1999.
- No portion of the connection shall be located within a public drinking water supply Zone I.
- If any portion of the proposed connection is located within a public drinking water supply Zone II, the applicant shall submit a copy of the application to the Water & Sewer Superintendent for his review. In such cases, the written approval of the Superintendent is required prior to the issuance of the Right-of-Way Permit.

Town of Concord
Public Storm Drainage Connection Policy

- The proposed connection must be used solely for the disposal of storm water runoff or groundwater. Non-conforming uses include, but are not limited to disposal of greywater, blackwater, solvents, paints, petroleum based products or other contaminants.
- That portion of the connection located within the Town right-of-way must be limited to the shutoff and a single drainage conduit crossing the right-of-way at a 90° angle to minimize the length of conduit within the right-of-way. At no time shall the conduit run parallel with the roadway centerline. The remainder of the connection components must be located within the applicant's parcel.
- The invert of the outfall to the leaching structure must be at an elevation higher than that of high groundwater as defined by 310 CMR 15.000.
- The connection must include an oil/water separator, leaching structure, backflow preventor, and shutoff. All components of the connection shall be approved by the Town Engineer or his/her designee.

Section 3.2. Intermittent Conduit Criteria

A proposed intermittent conduit must meet the following criteria:

- The conduit must be placed so that it in no way impedes or obstructs vehicular, pedestrian, bicycle, or other mode of travel normally provided for within the Town right-of-way.
- Storm and/or ground water conveyed by the conduit shall be directed to present no safety hazard to vehicular, pedestrian, bicycle, or other mode of travel normally provided for within the Town right-of-way. Safety hazards include, but are not limited to ponding, frozen areas, etc.
- Storm and/or ground water conveyed by the conduit shall be directed to minimize erosion or the potential for erosion.
- Storm and/or groundwater conveyed by the conduit shall be directed to minimize interference with vehicular, pedestrian, bicycle, or other mode or travel normally provided for within the Town right-of-way.
- The proposed conduit must be used solely for the disposal of storm water runoff or groundwater. Non-conforming uses include, but are not limited to disposal of greywater, blackwater, solvents, paints, petroleum based products or other contaminants.
- The applicant must obtain a Right-of-Way Permit for the work.

Section 3.3 Evaluation of Criteria

Any subjective judgments concerning eligibility under the criteria shall be made by the Town Engineer or his/her appointed designee.

Town of Concord
Public Storm Drainage Connection Policy

Section 4. Plans

Section 4.1. Connection Plans

The applicant shall submit with the Right-of-Way Permit Application plans clearly indicating the extent and nature of the proposed work. The plans shall be submitted on 24" x 36" sheets at a scale of no greater than 1" = 40", prepared by a Professional Engineer licensed by the Commonwealth of Massachusetts and including the following:

- Approximate property boundaries.
- Site topography.
- Location of all proposed and existing structures within the site, including the Town drainage structure to which the connection will be made.
- Footprint of all buildings/structures located within the site.
- Rim and invert elevations of all existing and proposed structures and conduits.
- Indication of material types (including product names, numbers) and limits proposed for use in conjunction with the connection.
- Length, size and material of all conduits existing within or proposed for use within the site.
- Details of any proposed structures/materials if different from those shown on the attached plans.

At the discretion of the Town Engineer or his/her appointed designee, the applicant may also be required to provide the opinion of a Professional Engineer licensed by the Commonwealth of Massachusetts relative to impact on the downstream system and/or supporting calculations also prepared by a Professional Engineer licensed by the Commonwealth of Massachusetts. The applicant also may be required to procure the services of a Professional Land Surveyor licensed by the Commonwealth of Massachusetts to field locate property boundaries and show the same on a plan.

Section 4.2. Intermittent Conduit Plans

The applicant shall submit with the Right-of-Way Permit Application a sketch clearly indicating the extent, nature and location of the proposed work. The sketch shall also indicate the pump manufacturer's name, model number, and capacity.

Section 5. Fee Schedule

Section 5.1. Connection Fees

All costs associated with the design, permitting, construction, and maintenance of the connection shall be the sole responsibility of the applicant. In addition to any fees associated with the issuance of a Right-of Way Permit, the applicant shall pay a one-time, non-refundable Drainage Improvement Fee (DIF) of one thousand dollars (\$1000.00) and a Maintenance and Inspection Fee (MIF) of one hundred dollars (\$100.00) per annum. Said MIF is meant to cover the inspection of the connection, the cleaning of the catch basin and downstream portions of the drainage system, and any water quality testing of the discharge from the connection. With the exception of the initial fee, the MIF for the year is due no later than January 15th of each calendar year. Both the initial MIF and the DIF are due upon the issuance of the Right-of-Way Permit.

Town of Concord
Public Storm Drainage Connection Policy

Section 5.2. Intermittent Conduit Fees

All costs associated with the design, permitting, construction, and maintenance of the intermittent conduit shall be the sole responsibility of the applicant.

Section 6. Treatment of Existing Situations

Section 6.1. Connections

Section 6.1.1 Grandfathered Connections

To the extent that an existing connection has been authorized in writing by Concord Public Works prior to the adoption of this policy, that connection is a validly authorized connection, and is considered to be a grandfathered connection. However, any modifications made to those grandfathered connections, whether made within the Town right-of-way or within the subject parcel, shall be subject to this policy. In addition, nothing in this policy shall be interpreted to prohibit the Town from revoking said permission, thereby rendering the connection an unapproved connection, if, in the opinion of the Town Engineer or his/her designee, the grandfathered connection jeopardizes public health, safety, or natural resource.

Section 6.1.2 Unapproved Connections

If an unapproved connection is discovered, it is the responsibility of the owner of the property from which the connection originates to remove any portion of the drainage connection located within the public right-of-way. Except in the event of a situation that involves a threat to public health, safety, or natural resource, said removal shall be performed within thirty (30) days of receipt of the notice of violation and at the sole expense of the property owner. A Right-of-Way Permit shall be obtained for the work. In the event that the connection is not removed within thirty (30) days of receipt of the notice of violation, the Town may proceed to remove the connection. For situations involving a threat to public health, safety, or natural resource, the Town may proceed with the immediate removal of the connection originates. Written notice of the removal shall be provided to the property owner within twenty-four (24) hours of the removal. Any expenses incurred by the Town in conjunction with a removal shall be back-charged to the owner of the property from which the connection originates.

Section 6.1.3 Connections Approved Under This Policy

Any connection approved after the adoption of this policy shall remain subject to the terms and conditions of this policy. If, in the opinion of the Town Engineer or his/her designee, the connection fails to meet said terms and conditions of this policy, that connection is considered to be an unapproved connection. Modifications made to any portion of the connection shall be subject to this policy.

Section 6.2. Intermittent Conduit

Section 6.2.1. Grandfathered Conduit

To the extent that an existing intermittent conduit has been authorized in writing by Concord Public Works prior to the adoption of this policy, that conduit is a validly authorized conduit, and is considered to be a grandfathered conduit. However, any modifications made to those grandfathered conduits, whether made within the Town right-of-way or within the subject parcel, shall be subject to this policy. In addition, nothing in this policy shall be interpreted to

Town of Concord
Public Storm Drainage Connection Policy

prohibit the Town from revoking said permission, thereby rendering the conduit an unapproved intermittent conduit, if , in the opinion of the Town Engineer or his/her designee, the grandfathered conduit jeopardizes public health, safety, or natural resource.

Section 6.2.2. Unapproved Intermittent Conduits

The owner of the property from which any existing intermittent conduit originates shall be notified in writing by the Town Engineer or his/her designee as to the existence of this policy. Said owner shall be required to comply with the terms and conditions of this policy within thirty (30) days of receipt of said notice. For situations involving a threat to public health, safety or natural resource, the Town may take appropriate measures to protect public health, safety, or natural resource without providing written notice to the owner of the property from which the conduit originates. Written notice of said measures will be provided to the property owner within twenty-four (24) hours of the action.

Section 6.2.3 Intermittent Conduits Approved Under This Policy

Any conduit approved after the adoption of this policy shall remain subject to the terms and conditions of this policy. If, in the opinion of the Town Engineer or his/her designee, the conduit fails to meet said terms and conditions of this policy, that conduit shall no longer be a validly authorized conduit. Within twenty-four (24) hours of receipt of written notice from the Town Engineer or his/her designee, the owner of the property from which said intermittent conduit originates shall cause the cessation of storm and/or ground water conveyance onto the Town right-of-way, and shall remove any portion of that conduit placed within the Town right-of-way.

SECTION 6.3 ILLICIT DISCHARGE DETECTION AND ELIMINATION

SECTION 6.3.1 PURPOSE/INTENT

The purpose of this policy is to provide for the health, safety, and general welfare of the citizens of The Town of Concord through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This policy establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this policy are:

1. To regulate the contribution of pollutants to the MS4 by storm water discharges by any user.
2. To prohibit illicit connections and discharges to the MS4.
3. To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this policy.

SECTION 6.3.2 DEFINITIONS

For the purposes of this policy, the following shall mean:

The Town: Employees or designees of the Director of the Concord Public Works, designated to enforce this policy.

Town of Concord
Public Storm Drainage Connection Policy

Best Management Practices (BMPs): Schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act: The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity: Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition. In addition, any construction projects subject to the Stormwater Management Standards as set forth by the MADEP.

Hazardous Materials: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal or Illicit Discharge: Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section X of this policy.

Illicit Connections:

- Any drain or conveyance, whether on the surface or subsurface that allows an illegal discharge to enter the storm drain system including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,
- Any drain or conveyance connected from a commercial or industrial land use to the storm drain system that has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Municipal Separate Storm Sewer System (MS4): The system of conveyances (including sidewalks, roads with drainage BMP's, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the Town of Concord and designed or used for collecting or conveying storm water, and that is not used for collecting or conveying sewage.

National Pollutant Discharge Elimination System (NPDES) Permit: Is a permit issued by the EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Storm Drainage System: Town of Concord owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal

Town of Concord
Public Storm Drainage Connection Policy

streets, gutters, curbs, sidewalks, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Waster Water: Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

SECTION 6.3.3 APPLICABILITY

This policy shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by the Town.

SECTION 6.3.4 RESPONSIBILITY

The Town shall administer, implement, and enforce the provisions of this policy.

SECTION 6.3.5 COMPATIBILITY WITH OTHER TOWN REGULATIONS

This policy is not intended to modify or repeal any other policy, rule, regulation, or other provision of law. This policy is to clarify the regulations set forth in the "Town of Concord Public Storm Drainage Connection Policy" adopted in 1999, and revised 4/5/06, in its entirety but most specifically, Section 6. Treatment of Existing Situations.

The requirements of this policy are in addition to the requirements of any other policy, rule, regulation, or other provision of law, and where any provision of this policy imposes restrictions different from those imposed by any other policy, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

SECTION 6.3.6 SEVERABILITY

The provisions of this policy are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this policy or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this policy.

SECTION 6.3.7 ULTIMATE RESPONSIBILITY

The standards set forth herein and promulgated pursuant to this policy are minimum standards; therefore this ordinance does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized discharge of pollutants.

SECTION 6.3.8 DISCHARGE

Town of Concord
Public Storm Drainage Connection Policy

a. Prohibition of Illegal Discharge

No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the MS4 any pollutants or waters containing any pollutants, other than storm water.

The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

1. The following discharges are exempt from discharge prohibitions established by this policy: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, uncontaminated water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water.
2. Discharges or flow from firefighting, and other discharges specified in writing by the Town as being necessary to protect public health and safety.
3. Discharges associated with dye testing, however this activity requires a verbal notification to the Town prior to the time of the test.

b. Prohibition of Illicit Connections

1. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
3. A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

SECTION 6.3.9 NOTIFICATION OF SPILLS

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or waters of the United States, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the Town in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Town within 3 (three) business days of the phone notice.

SECTION 6.3.10 VIOLATIONS, ENFORCEMENT, AND PENALTIES

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this policy. Any persons or owners, who has violated or has allowed others to violate the provisions of this policy, may be subject to enforcement actions outlined below.

Town of Concord
Public Storm Drainage Connection Policy

Whenever the Town finds that a person has violated a portion of or failed to meet a requirement of this policy, the Town may order compliance by written notice to the responsible person via certified mail. The notice of the violation shall include at a minimum the name and address of the alleged violator, the address or area, structure or land upon which the violation is or has occurred, a statement specifying the nature of the violation, a description of the actions need to restore the violation into compliance, and a statement specifying that, should the violator fail to restore the violation into compliance, acceptable to the town, the town shall do the work necessary to restore compliance at the expense of the violator.

Section 7. Duration of Permission

A Right-of-Way Permit granted for the installation of a connection or intermittent conduit shall be considered to be in full force and effect until said connection or intermittent conduit, in the opinion of the Town Engineer or his/her designee, fails to meet the applicable terms and conditions set forth in this policy and as set forth in the terms and conditions of the Right-of-Way Permit. In the event that the connection or intermittent conduit fails to meet said terms and conditions, it shall be considered to be unapproved.

Section 8. Enforcement

Enforcement of this policy shall be as provided for by the Private Digging of Roads Bylaw.

Section 9. Appeals

Appeals of decisions on any application shall be heard by the Public Works Commission, and the Commission's decision on the matter shall be final. A written request for an appeal of a decision shall be submitted to the Public Works Commission via the Public Works Director.

Town of Concord
Public Storm Drainage Connection Policy

_____, having and address of _____, Concord, Massachusetts, has submitted an application dated _____, to the Town of Concord, Concord Public Works, for a Right-of-Way Permit to authorize the connection of a private drainage conduit to the Town of Concord public storm drainage system, as shown on a Plan entitled " _____, dated _____, prepared by _____.

The proposed drainage conduit will be located within the Right-of-Way of _____.

As a material inducement to the Concord Public Works to issue such a Right-of-Way Permit, and in consideration of \$100.00 and other good valuable consideration receipt of which is hereby acknowledged, the undersigned covenants and agrees to the following conditions to the issuance of such a Permit.

1. The terms and conditions of this Covenant include not only those contained within the language of this Covenant, but also include by reference the terms and conditions of the Right-of-Way Permit issued authorizing the connection as well as the terms and conditions set forth by the Town of Concord's Public Storm Drainage Connection Policy, dated _____.
2. The undersigned understands and agrees that the Town of Concord retains all rights, title and interest in and to the right-of-way area referenced above. To the extent that the activities of the Town of Concord disturb any of the proposed drainage connection constructed by the undersigned in accordance with the Right-of-Way Permit, the Town of Concord shall be obligated solely to replace and restore in kind the disturbed portion of the drainage connection to the condition in which it existed prior to the disturbance, and shall have no obligation to replace and restore other connection material in the right-of-way outside of that portion disturbed by actions of the Town. In the event that the structure to which the proposed connection is made in accordance with the Right-of-Way Permit is abandoned or relocated, the Town shall not be obligated to extend or modify the existing conduit to provide connection to another structure or the relocated structure. The undersigned releases the Town of Concord (including all officials, contractors, agents and employees), from and against any claims for losses, costs, damage to personal property, death or personal injuries incurred by or asserted against the Town of Concord as a result of the exercise by the Town of Concord of any of its rights within the right-of-way area, except to the extent that the Town of Concord does not perform its obligations under this paragraph or otherwise acts in a grossly negligent manner.
3. The undersigned agrees that the terms of this Covenant shall be conditions precedent to the effectiveness of the Right-of-Way Permit, and in the event the undersigned fails to comply with these terms and conditions at any time, the Right-of-Way Permit shall be deemed void and of no force and effect, and the drainage connection constructed in accordance with such Permit shall no longer be a validly authorized connection (unapproved connection) and shall be removed by the undersigned within thirty (30) days of receipt of written request to do so.
4. The undersigned agrees to allow representatives of the Town of Concord to enter onto his/her property for the purpose of inspecting the complete drainage connection and ensuring compliance with the terms and conditions of this covenant before, during and after the connection is installed.
5. The undersigned agrees that the permitted connection/system will be used solely for the disposal of uncontaminated storm water and/or groundwater, and at no time will the permitted connection be used for the disposal of any other material.
6. The Town of Concord bears no responsibility for maintenance of any portion of the connection. Any required maintenance of the connection shall be the sole responsibility of the undersigned. A Right-of-Way Permit shall be required for any maintenance activity to be performed within the Town right-of-way.
7. The undersigned agrees that any modifications made to the connection shall be subject to this covenant and no such modification shall be made without the express written consent to the Town Engineer or his/her appointed designee.
8. The Town of Concord reserves the right to require the permanent removal of the connection if it is deemed by the Public Works Commission to be in the best interest of the Town. The undersigned agrees that he will, within thirty (30) days of receipt of written request to do so, remove that portion of the connection located within the Town right-of-way and permanently seal off any

Town of Concord
Public Storm Drainage Connection Policy

materials used in conjunction with the connection. The removal shall also include the restoration of that portion of the Town right-of-way disturbed by the removal to the condition of that area prior to the disturbance. The cost for this removal shall be the sole responsibility of the undersigned.

9. The Town of Concord reserves the right to temporarily or permanently disconnect the previously approved connection from the Town right-of-way without supplying the undersigned with advance notice if, in the opinion of the Town Engineer or his/her appointed designee, the connection poses an immediate threat to public safety, public health, or natural resource.
10. This Covenant executed under seal as of this _____ day of _____, 20__, shall be binding upon the undersigned and its successors and assigns.

Applicant

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

_____, 20__

Then personally appeared the above-named _____ and acknowledged the foregoing to be his free act and deed, before me

Notary Public

My Commission Expires:

