



**TOWN OF KITTEERY**  
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**REPORT TO PLANNING BOARD**

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Meeting Date: June 25, 2020  
From: Jessa Kellogg, Public Works Inspector  
Subject: MS4 General Permit for Stormwater Discharges

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**EXECUTIVE SUMMARY**

The Town of Kittery is subject to the 2013-2018 General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4 General Permit), a federally mandated program under the Clean Water Act administered by the Maine Department of Environmental Protection. One of the permit requirements specifies that certain municipal staff and elected officials be made aware of the MS4 General Permit and its requirements on an annual basis.

**BACKGROUND**

In 2003 the Town of Kittery became subject to the MS4 General Permit. The 2013-2018 General Permit has been administratively continued and currently we are in Permit Year 7 and will also have a Permit Year 8 under this General Permit. The Town of Kittery, in partnership with the other statewide regulated municipalities and entities have been working with Maine DEP on a new General Permit that meets current EPA requirements. The MS4 General Permit applies to the "Urbanized Area" of the Town and is designed to reduce the discharge of pollutants from the Town's regulated, separated storm drain system, to protect water quality, and satisfy appropriate requirements of the Clean Water Act.

33 U.S.C 1251 Section 402(p) of the Clean Water Act  
40 CFR 122.26 Stormwater discharges (applicable to State NPDES programs)  
38 M.R.S.A §413 Maine Water Pollution Control Law

**CURRENT SITUATION**

1. The new MS4 General Permit (Permit) is in the final draft form and we have been advised by Maine DEP that it will be finalized soon and will go into effect on 7/1/2021. There will be requirements to update ordinances for a few areas.
2. As part of the Permit, we have to create a 5-year Plan showing how we will address these requirements. I have attached relevant pages of a draft of the 5-year plan. Note

- that Kittery teams with 4 other Towns to address these requirements, so these pages show how all 5 Towns in Southern Maine will be addressing these requirements.
3. One set of requirements is to standardize Sediment and Erosion Control requirements so they match the standards in an Appendix to the Permit.
    - a. The sediment and erosion control ordinance changes will need to be completed by 6/30/2022, and the Planning Department has already been informed of this.
    - b. An initial review of the ordinances shows the following types of changes will need to be made:
      - i. The Subdivision Ordinance likely already meets the draft MS4 requirements.
      - ii. Several sections of the Code of Ordinances require that Erosion and Sedimentation Control Plans be completed in accordance with the Maine DEP Sediment and Erosion Control BMP Manual dated 2003, but another section states all Plans must be endorsed by York County SWCD or the Town's engineering consultant. These sections will need to be updated to reference either the MS4 standards, or a separate technical standard document, or a new standalone ordinance.
  4. Another set of changes needed is to ensure the Town's Post Construction Stormwater Discharge ordinance references that if someone's stormwater infrastructure needs maintenance or repairs, they either conduct the maintenance or repairs within 60 days, or they work with the Public Works Inspector to develop an "expeditious schedule to correct the deficiency and provide a record of the corrective actions taken". This ordinance already requires that stormwater infrastructure be inspected and repaired if needed, but it does not provide any time frame for conducting the repairs.
  5. There is a possibility that there will be some new Low Impact Development requirements in the MS4 General Permit. We have not seen any draft language yet, but we know the EPA asked for this when they reviewed the Maine DEP draft of the permit recently. We are unsure if there will be any changes to this set of requirements.
  6. Southern Maine Planning and Development Commission applied for and received a Maine Coastal Program Grant that will allow the Town (and the other 4 Southern Maine Towns) to team with the Portland area regulated MS4s to review and develop some additional BMPs to improve Coastal Resiliency. The Grant money should be available in August. The Town's stormwater consultant is working with Abbie Sherwin from SMPDC on this. The Planning Board will hear more about the recommendations when we get working on that, and they will have some additional BMPs to consider for adoption, including the possibility of a standalone ordinance for Sediment and Erosion control.

The attached figure shows the Urbanized Area for the Town of Kittery based on US Census data for population density and proximity to population density. The attached brochure provides information on what stormwater and stormwater infrastructure is, what common stormwater

pollutants are, outlines the different permit requirements, and details how Kittery is meeting these requirements.

The MS4 Permit requires that Town staff complete many different tasks. The following is a listing of a few of them:

- Annually provide information about stormwater and the MS4 General Permit to members of the Town Council, Planning Board, Conservation Commission, Shellfish Committee and certain municipal staff.
- Prepare a Five Year Stormwater Program Management Plan describing how the Town will implement the Permit from 2013 to 2018 (available on the Town Website in the Town Documents section).
- Educate the public about stormwater issues to raise their awareness. The Town teams with four other communities in York County, in a group called the Southern Maine Stormwater Working Group, and with other communities in the state (using the [www.thinkbluemaine.org](http://www.thinkbluemaine.org) website) to implement many of the public education programs more cost effectively than if the Town had to implement them alone.
- Encourage the public to change their behaviors so that they are more protective of stormwater.
- Involve the public in stormwater protection efforts by conducting programs such as stream clean-ups, storm drain stenciling, or attendance at workshops.
- Prepare and maintain a map of the storm drain system and use it to conduct inspections of catch basins, outfalls and ditches to evaluate them for signs of illicit discharges (i.e. sewage, litter, lawn clippings, pet waste, oil). The inspections are also used to identify needed maintenance issues. The storm drain system map can be accessed from the Town website homepage by clicking on the GIS Maps link.
- Conduct inspections at construction sites for sediment and erosion control issues.
- Perform street sweeping, catch basin cleaning and maintenance of the storm drain system.
- Implement good housekeeping practices at all municipal operations where stormwater can become polluted.
- Prepare annual reports documenting this information and provide it to the Maine DEP annually.

The following people are primarily responsible for implementing the MS4 General Permit and can be contacted for more information:

Jessa Kellogg – Public Works Inspector

David Rich – Commissioner of Public Works

Kendra Amaral – Town Manager

## 2.4 MCM 4 Construction Site Stormwater Runoff Control

The Towns will update, implement and enforce their Construction Runoff Control Programs for construction activities that disturb greater than or equal to one acre of land including projects less than one acre that are part of a larger common plan of development or sale as required by the 2021 MS4 General Permit through implementation of BMPs as described in this section

The following is a summary of the ordinances and regulations that pertain to this Minimum Control Measure.

The following BMPs will be implemented to meet this Minimum Control Measure.

### 2.4.1 BMP 4.1 – Erosion Sediment Control Ordinance

#### Responsible Parties:

**Berwick – Planner**

**South Berwick – Planner and Public Works Director**

**Eliot – Planner**

**Kittery – Planner and Stormwater Coordinator**

**York – Planner and Stormwater Manager**

Measurable Goal 4.1a – Each Town’s Ordinances and/or Regulations contain multiple requirements to submit a Sediment/Erosion Control Plan for review by Planning Board or Code Enforcement as shown in the following table. Each of the requirements references a different standard for completing the plan. The letter in parentheses after the section shows the standard required by the section:

- “a” indicates a reference to the Maine DEP Chapter 500 Appendix A Erosion and Sediment Control
- “b” indicates a reference to the Maine DEP Erosion and Sediment Control BMPs Manual (date in parentheses)
- “c” Maine Erosion and Sediment Control Practices Field Guide for Contractors (2015)
- “d” Environmental Quality Handbook, Erosion and Sediment Control (Maine Soil and Water Conservation Districts – date unknown)

Town	Subdivision Ordinance/Regulation	Location of Requirements for Sediment/Erosion Control Plan,
Berwick	Subdivision Regulations (6/12/2018) Article 11 Performance Standards 11.4 Soil Erosion (no standard specified) 11.15 Storm Water Management (specifies Town Standards in Appendix A to the Sub.	Town Land Use Ordinance (6/11/2019), Article VII Performance Standards General Requirements: Section 7.14 Erosion and Sediment Control (a), and Section 7.17 Stormwater Management (b 2003), and Article VII Performance Standards, Specific Activities and Land uses: Section 8.1 Campgrounds and Tenting Grounds (b 2003), 8.8 Cluster Developments (b 2003)

	Ordinance) Appendix A (a)	Section 8.10 Mineral Industry (b 2003) Section 9.7 Site Plan Review – (references Section 7.17 standard)
<b>South Berwick</b>	Chapter 121 Subdivision of Land 121.32 Soil erosion and sediment control plan (no standard specified) 121.44.U Erosion Control (b 2003) 121.47.B (b 2003) 121.51.B (b 2003)	Town Code Part 1 Chapter 140 Article V Performance Standards Applicable to All Uses  140.36 Soil Erosion Control (b 2003) 140.42 Campgrounds (b 2003) 140.77 Site Plan Review (b 2003)
<b>Eliot</b>	Chapter 41 Subdivisions 41-150 Preliminary Plan submittals requires Erosion control Plan (references 41-214) 41-214 lists specific standards (no references)	Site Plan Review and Zoning Ordinance Chapter 33 Article III Site Plan Review 33.127 Required Information (Plan required but no standard specified) Chapter 33 Section 181 Earth material removal (references York County SWCD guidelines) Chapter 45 Zoning Ordinance 45-214 Erosion Control Performance Standards (lists specific standards, no references)
<b>Kittery</b>	16.10.3.5 Subdivisions must be approved by the Maine DEP before review by Kittery Planning Board. Therefore all subdivisions will comply with current Chapter 500 standards.	Code of Ordinances Title 16 Chapter 16.9.1.3 Prevention of Erosion (c and d ) 16.9.1.2 Mineral/Earth material exploration and removal (b 2003) 16.8.4.14 Roadway standards in Shoreland Zoning (b 2003) 16.8.8.1 Stormwater drainage D. Small sites not triggering Chapter 500: (b 2003) 16.8.4.11 Street construction standards (b 2003) 16.10.5.2 All development review must have erosion and sediment control plan endorsed by York County SWCD or Town’s engineering consultant. (no specific standard referenced)
<b>York</b>	Stand alone Site Plan and Subdivision Regulations adopted 1/12/2012  And Zoning Ordinance	Stand Alone Site Plan and Subdivision Regulations: Section 6.4.15 Soil Erosion and Sedimentation Control Plan (must meet standards in Section 9.10, which references the Standards of the York County Soil Conservation Service and Appendix A of the York Regulations). Zoning Ordinance Article 6 Supplemental Use, 6.1.7 (general standards embedded in text), 6.3.8 Non-Residential and Multi-Family (general

		standards embedded in text) 6.5 Performance Standard to Control Erosion (general prohibition of erosion) 7.2.2.5 Campgrounds (d) 8.3.2 Land Use Standards (general standards embedded in text for various uses)
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Each Town will update its ordinances by 7/1/2022 to reference that the Sediment/Erosion Control Plans be prepared in accordance with the applicable sections of Attachment C to the MS4 General Permit, (which are the same as the Maine DEP Stormwater Rule Chapter 500 Appendices A Erosion and Sediment Control, B Inspections and Maintenance, and C Housekeeping). The ordinances will either be updated by embedding the standards in the ordinance, or by referencing a standard document that contains the required elements.

The update will include requirements to control waste such as discarded building materials, concrete truck wash-outs, chemicals, litter and sanitary waste at the construction site that may cause adverse impacts to water quality if passed through the storm drain system.

#### **2.4.2 BMP 4.2 – Site Plan Review Procedures**

**Responsible Parties:**

**Berwick – Planner**

**South Berwick – Planner and Public Works Director**

**Eliot – Planner**

**Kittery – Planner and Stormwater Coordinator**

**York – Planner and Stormwater Manager**

Measurable Goal 4.2a – The Towns each have Site Plan Review Procedures, which contain the required elements listed in the 2021 MS4 General Permit (consideration of potential water quality impacts, erosion control, waste storage, the ability for the public to comment at publicly noticed meetings and procedures to consider information submitted by the public). These Procedures will continue to be implemented throughout the permit cycle.

#### **2.4.3 BMP 4.3 – Procedures for notifying construction site developers and operators**

**Responsible Parties:**

**Berwick – Planner and Code Enforcement Officer**

**South Berwick – Planner and Code Enforcement Officer**

**Eliot – Planner and Code Enforcement Officer**

**Kittery – Planner and Code Enforcement Officers**

**York – Planner and Code Enforcement Officers**

Measurable Goal 4.3a – Each Town will continue notifying developers and contractors of requirements to obtain coverage under the MCGP and Chapter 500 for sites that disturb one or

more acres of land using the following methods:

- Providing notices in Planning Department and Code Enforcement Department documents
- Requiring check box on building permit for sites that disturb one or more acres of land, and
- In general discussions with applicants.
- Through notations in the ordinances (Berwick, Kittery, South Berwick, Eliot)

#### **2.4.4 BMP 4.4 –Conduct and Document Construction Site Inspections**

##### **Responsible Parties:**

**Berwick – Planner and Code Enforcement Officer**

**South Berwick – Public Works Director and Code Enforcement Officer**

**Eliot – Public Works Director and Code Enforcement Officer**

**Kittery – Stormwater Coordinator**

**York – Stormwater Manager**

Measurable Goal 4.4a – Each Town will continue implementing its procedure for construction site inspections which will be formalized in a written document by 7/1/2021. The written procedure:

- Identifies that a preconstruction meeting will be held, and that discussion of inspections for sediment and erosion control will be conducted during construction by either a third-party contractor or a Town Code Enforcement Officer.
- Identifies that any inspection deficiencies will be reviewed with the contractor during or at the conclusion of the inspection to allow for corrective measures to be taken within 7 calendar days and prior to any storm event (rainfall)
  - If inspections are conducted by a third-party contractor, the inspection reports will be provided to the Responsible Party for this BMP within 3 days of the inspection for any sites that require corrective measures.
- Requires three inspections during active earth-moving phase of construction
- Requires a minimum of one inspection annually until the project reaches substantial completion.
- Requires a final inspection at project completion to ensure that permanent stabilization has been achieved and all temporary erosion and sediment controls have been removed, and
- Includes use of the construction inspection form provided in Appendix E.

Documentation of the inspections, any enforcement actions and corrective actions taken will be tracked using an excel spreadsheet specific to each Town. By June 30 each year the spreadsheet will be updated to include the construction projects in the Urbanized Area that disturbed more than one acre of land.

## 2.5 MCM 5 Post-Construction Stormwater Management

The Towns will continue to implement their Post Construction Stormwater Management Programs to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the Towns' MS4s through implementation of the following BMPs.

### 2.5.1 BMP 5.1 – Promote strategies to prevent or minimize water quality impacts

Measurable Goal 5.1a – Each Town has a strategy to prevent or minimize water quality impacts from development which includes promoting Low Impact Development (LID). The Towns will continue to promote their strategies. The following is a summary of the ways the Towns meet this requirement

Town	Citation and summary of strategy
<b>Berwick</b>	Zoning ordinance (9.8.l.s) contains performance standards that require all Site Plan Review applicants to submit a statement to the Planning Board documenting proposed LID for the site, which will help to reduce storm water volumes and help to enhance storm water quality. In addition Section 14.5.L Stormwater Runoff contains a notation describing Chapter 500 thresholds.
<b>South Berwick</b>	Zoning Ordinance (Chapter 140-77) requires any site triggering Site Plan Review conform to the Maine DEP Chapter 500 Standards. In addition, Stormwater Management Performance Standards (Chapter 140-29) contains language encouraging developers to facilitate aquifer recharge and directs them to the 2006 Maine Coastal Program LID Guidance Manual for additional LID techniques.
<b>Eliot</b>	Zoning Ordinance (Chapter 35 Post Construction) requires that developers meet the quantity and quality design standards of Chapter 500 and 502. In addition, the Planner provides applicants with an EPA brochure describing the water quality and community benefits of LID.
<b>Kittery</b>	The Town' ordinances require subdivisions to obtain DEP approval for Chapter 500 prior to review by Planning Board. In addition, the Town encourages developers to use LID by incorporating green infrastructure into their own town projects were possible. The Town has an LID Projects brochure on their website, highlighting the LID projects they have implemented. The Town also makes available an EPA brochure describing the water quality



	and community benefits of LID.
<b>York</b>	Site Plan and Subdivision Regulations (Section 9.8 Stormwater Standards) require conformance to specific standards including that each applicant submit a statement to the Planning Board documenting proposed LID for the site.

## 2.5.2 BMP 5.2 – Maintain Post Construction Ordinance or Similar Measure

### Responsible Parties:

**Berwick – Planner**

**South Berwick – Public Works Director**

**Eliot – Code Enforcement Officer**

**Kittery – Stormwater Coordinator**

**York – Stormwater Manager**

Measurable Goal 5.2a – During the 2008-2013 permit cycle each Town passed a Post Construction Discharge Ordinance (see table below) which requires that any site that disturbs more than one or more acres certify to the town annually by August 1 that they have inspected and maintained their stormwater BMPs.

<b>Town</b>	<b>Location of Post Construction Stormwater Management Ordinance</b>
<b>Berwick</b>	Land Use Ordinance Article VII Performance Standards - General Requirement 7.22 Post-Construction Stormwater Management Article (enacted 5/12/2009)
<b>South Berwick</b>	Code Part II General Legislation Chapter 108 Post-Construction Stormwater Management (enacted 7/14/2009)
<b>Eliot</b>	Municipal Code of Ordinances Subpart B. Land Use Regulations Chapter 35 Post-construction Stormwater Management (enacted 6/9/2009)
<b>Kittery</b>	Code of Ordinances Title 16 Chapter 16..8.8.2 Post-construction stormwater management (enacted 8/26/2009)
<b>York</b>	Stand-alone Ordinance (enacted 4/11/2014)

Each Town will continue to track:

- The cumulative number of sites that have post construction BMPs discharging into the permittee's MS4;
- The number of sites that have post construction BMPs discharging into the permittee's

- MS4 that were reported to the municipality;
- The number of sites with documented functioning post construction BMPs; and
  - The number of sites that required routine maintenance or remedial action to ensure that the post construction BMP is functioning as intended.

Measurable Goal 5.2b – By 7/1/2021, each Town’s Post Construction Ordinance will be updated to state that for any sites reporting that maintenance is required:

- Deficiencies will be corrected within 60 days of identification and a record of the corrective action taken will be provided to the Town’ Enforcement Authority within 30 days of completion of the corrective action.
- If it is not possible to correct the deficiency within 60 days, the property owner will coordinate with the Enforcement Authority to establish an expeditious schedule to correct the deficiency and will provide a record of the corrective actions taken.

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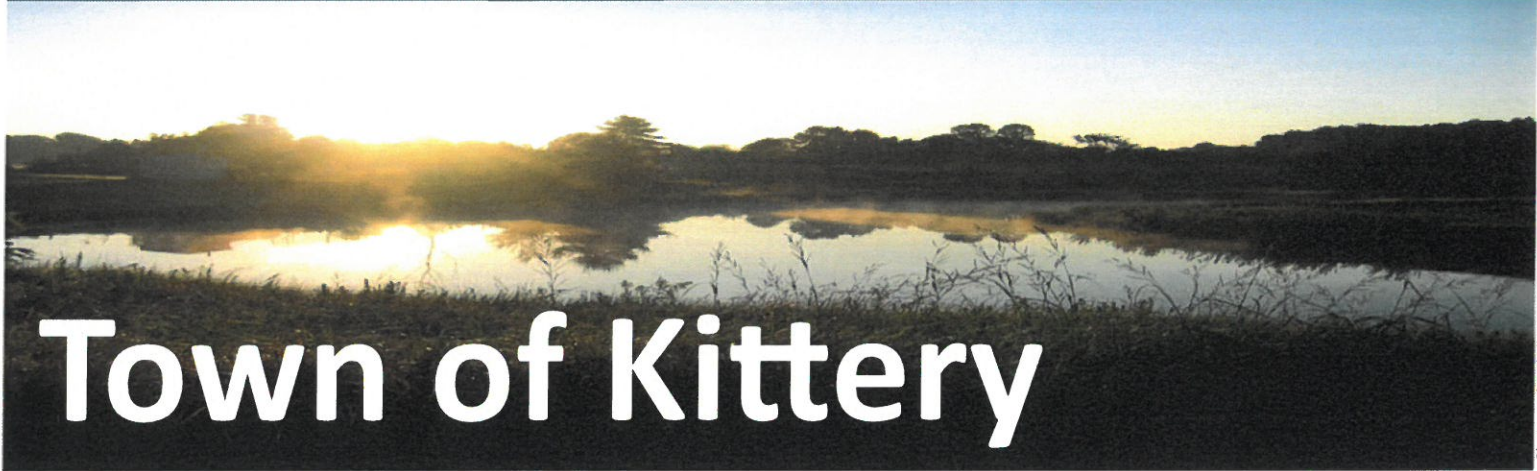


Photo credit: Phyllis Ford

# Town of Kittery

## What is stormwater runoff?



Stormwater runoff is precipitation (rain or melted snow) that flows over land.



Storm drains collect runoff and convey it without treatment directly into waterbodies. Polluted runoff affects drinking water, human health, wildlife, and property values.

## Why are stormwater drainage systems important?



This infrastructure provides drainage that protects roads and the built environment from failure and flooding.



Adequately sized drainage systems are a critical utility for new development and urban expansion.

## Why is our work important?



Drainage systems require periodic rehabilitation, repair, and maintenance to continue to function effectively. In the face of changing frequency and higher intensity storms, drainage systems will be even more critical to our future economy and growth by alleviating flood risks which cause erosion and property damage. Municipalities have an important responsibility in managing and reducing the pollution in stormwater drainage systems.

## What are common stormwater pollutants?



**Soil, sand, and sediments** cloud the water and smother wildlife habitat.

**Chemicals** (fertilizer, weed & bug killers, vehicle fluids, coal tar pavement sealers, etc.), are carried with runoff and can be toxic to wildlife.

**Pet waste** contains bacteria that can wash into swimming areas and create health hazards, and may contribute to beach closures.



**Salt**, which is spread on roads, sidewalks, and parking lots to melt snow and ice, dissolves in water or snowmelt. Once salt gets into our water it cannot be removed. Salt in our waterways can be toxic to wildlife.

**Debris**, like cigarette butts, household trash, lawn clippings, yard waste, and other forms of litter, is unsightly and can harm wildlife.

## What is an MS4?

**MUNICIPAL SEPARATE STORM SEWER SYSTEM**, or MS4, means a stormwater conveyance that is separated from sanitary sewer systems. The storm sewer system includes roads, curbs and gutters, ditches, catch basins, storm drains, outfalls, and pipes connecting these features.

Kittery is subject to a **CLEAN WATER ACT PERMIT**, administered by the Maine Department of Environmental Protection (DEP), that allows the Town to discharge runoff into waterbodies if measures are taken to minimize pollution from the storm sewer system and municipal facilities and operations. This permit is referred to as the MS4 General Permit.

*Under the Federal CLEAN WATER ACT, some municipalities must have a permit that allows them to direct stormwater to waterbodies in their communities, provided that specific steps are taken to minimize pollution.*

### **IMPLEMENTATION OF THESE STEPS IS MANDATORY FOR KITTERY**

*A municipality-wide effort is needed to meet permit requirements.*



## Who is regulated, and what does it mean for Kittery?

Municipalities, transportation agencies, public universities, prisons, military bases, and other state and federal facilities are subject to MS4 General Permit regulation.

Regulated municipalities are determined by population density and proximity to population density, based on US Census Bureau data. The regulated municipalities in the State of Maine are shown on the map to the right.

### **As a regulated municipality, Kittery is subject to:**

- Full compliance with permit requirements, including six minimum steps outlined in the permit (see opposite page). Permit requirements are subject to change and may increase with each permit cycle.
- Higher costs (operational, permitting, capital improvements, etc.) than non-regulated municipalities.
- Heightened scrutiny from Maine DEP, US EPA, and environmental or citizen action groups.
- Identification and improvement of the municipality's priority waterbody. Kittery's priority waterbody is Spruce Creek.

- 
- Auburn
  - Bangor
  - Berwick
  - Biddeford
  - Brewer
  - Cape Elizabeth
  - Cumberland
  - Eliot
  - Falmouth
  - Freeport
  - Gorham
  - Hampden
  - Kittery
  - Lewiston
  - Lisbon
  - Milford
  - Old Orchard Beach
  - Old Town
  - Orono
  - Portland
  - Saco
  - Sabattus
  - Scarborough
  - South Berwick
  - South Portland
  - Veazie
  - Westbrook
  - Windham

# What are the minimum steps required in the MS4 General Permit?

- 1 Implement public education programs to help the community and municipal officials understand their roles in keeping stormwater clean.
- 2 Provide opportunities for the public to participate in program development and implementation.
- 3 Identify and eliminate illegal sewer connections, illicit dumping into stormdrains, and other sources of pollution. Carry out long-term maintenance and mapping of all stormwater infrastructure.
- 4 Ensure that construction on both public and private property do not pollute runoff with sediments and debris.
- 5 Ensure that new development and redevelopment control and treat runoff before it leaves private property.
- 6 Engage in municipal roadway best practices such as cleaning drainage systems, sweeping streets, and ensuring municipal activities do not contribute to stormwater pollution.

**In addition to these minimum steps, Kittery is also required to protect and restore polluted waterbodies within the town.**



## Consequences for failure to comply with the MS4 General Permit

### Enforcement Action

- Notice of Violation, fines or other penalties
- Consent Order
- Prosecution

### Permit Termination or Revocation

- Permit modification
- Stricter permit limits
- Denial of permit renewal

**...and most importantly—jeopardized Public Health & Safety**

**To meet these requirements, Kittery must adopt increased stormwater standards applicable to:**

- New development, redevelopment, and construction;
- Long-term maintenance and inspection of stormwater infrastructure;
- Preventing pollution from all municipal operations and facilities;
- Improving polluted waterbodies within the municipality, with priority given to Spruce Creek; and
- Raising awareness of stormwater, specifically the appropriate practices that should be used, inspected, and maintained on a regular basis to reduce polluted runoff.

## SPRUCE CREEK MANAGEMENT PLAN

The Spruce Creek Association and the Towns of Kittery and Eliot developed a watershed based management plan for Spruce Creek in 2008, and updated the plan in 2014. This plan serves as a blueprint for restoring and protecting the estuary with established goals, objectives and actions for resolving the most pressing problems identified and includes strategies for monitoring progress and financing implementation.



# How is Kittery meeting these Clean Water Act requirements?

The Town of Kittery is working hard to comply with stormwater permit requirements. Responsibilities of departments within Kittery are summarized below.

## Public Works

### Primary Point of Contact: [Jessa Kellogg, Stormwater Coordinator](#)

- Oversees inspection and maintenance of municipal stormwater infrastructure.
- Oversees creation and updating of stormwater infrastructure maps.
- Coordinates implementation of Kittery's Stormwater Management Plan through coordination with all municipal departments and serves as the stormwater program point of contact (POC) with DEP.
- Identifies possible pollution sources within the community and works to eliminate these sources.
- Ensures staff are trained in proper procedures for minimizing pollution, including but not limited to: chemical storage, spill prevention and clean up, and use of erosion control measures.
- Works with Planning and Third-Party reviewers to ensure site plan proposals contain appropriate erosion and sediment control plans, stormwater designs that appropriately collect and treat stormwater, and post construction monitoring plans.
- Requires that a Third-Party inspector review construction activities for compliance with the plans that were submitted and approved.
- Through technical review and permitting follow-up, ensures stormwater systems are maintained and functioning after construction is complete.
- Enforces the non-stormwater discharge ordinance when necessary.
- Conducts opportunistic and regularly scheduled inspections of outfalls and ditches to assess for illicit discharges and maintenance needs.

### Public Works Staff

- Follow pollution prevention measures at the in-town parks, public works garage and transfer station to ensure that municipal operations at these facilities do not pollute nearby water resources.
- Use proper erosion and sedimentation control measures during construction and maintenance.
- Conduct opportunistic and regularly scheduled inspections of catch basins to assess for illicit discharges and maintenance needs.

## Planning

### Primary Point of Contact: [Bart McDonough, Town Planner](#)

- Ensures site plans contain all proper submittals including erosion and sedimentation control plans and stormwater management plans where required.
- Informs developers or applicants of construction and post-construction requirements when applicable.
- Informs developers of the benefits of using Low Impact Development, which minimizes environmental impact from development.

## Code Enforcement

### Primary Point of Contact: [Craig Alfis, Code Enforcement Officer](#)

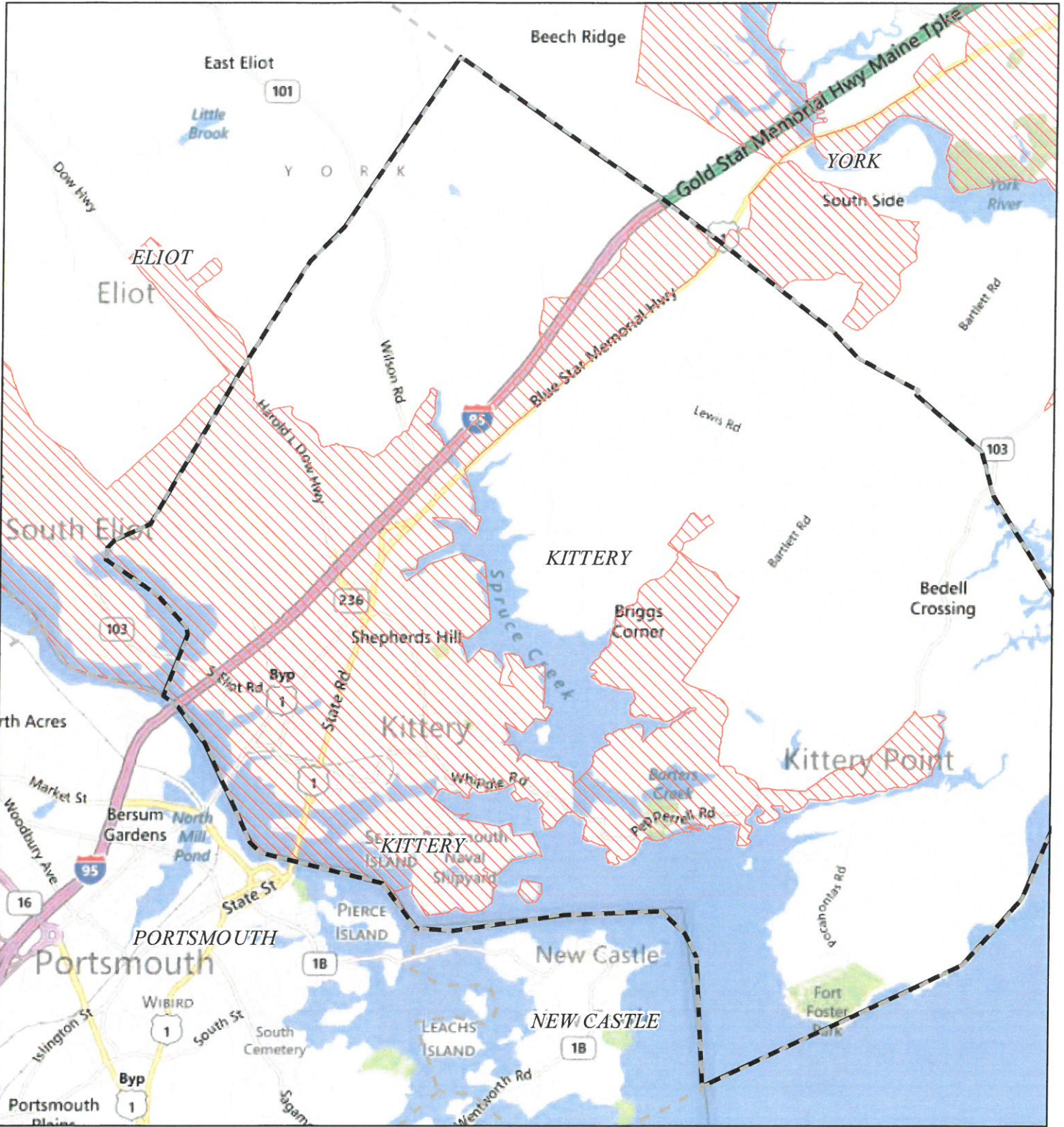
- Inspects small-scale (e.g. single family homes) construction projects (on both public and private property) to ensure proper erosion and sedimentation control practices are being used and pollutants are not entering the Town's MS4.
- Identifies possible pollution sources within the community and notifies the Stormwater Coordinator.
- Informs developers or applicants of construction and post-construction requirements when applicable.

## Public Safety

### Primary Points of Contact: [Robert Richter, Police Chief](#) and [David O'Brien, Fire Chief](#)

- Follows operation and maintenance plans for their facilities to ensure activities do not pollute water resources.
- Identifies possible pollution sources within the community and notifies the Stormwater Coordinator.
- Ensures staff are trained for minimizing pollution, including: chemical storage and spill prevention and clean-up.

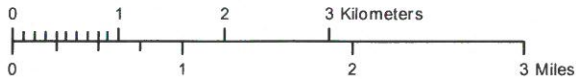
The Southern Maine Stormwater Working Group (SMSWG) is comprised of five MS4 communities in York County, including: Kittery, York, Eliot, South Berwick and Berwick. SMSWG is coordinated by Integrated Environmental Engineering and works cooperatively to meet the MS4 General Permit requirements.



**NPDES Phase II Stormwater Program  
Automatically Designated MS4 Areas**

**Kittery ME**

 Regulated Area (2000 + 2010 Urbanized Area)



Town Population: **9945**  
 Regulated Population: **7034**  
 (Populations estimated from 2010 Census)



Urbanized Areas, Town Boundaries:  
 US Census (2000, 2010)  
 Base map © 2010 Microsoft Corporation  
 and its data suppliers

