



STORMWATER BY-LAW UPDATE:

WHAT'S CHANGING

Town of Needham Stormwater By-Law Working Group

The Town of Needham is updating Article 7 – Stormwater By-Law to better protect water quality, reduce flooding, and comply with federal and state requirements. These changes will be voted on at the upcoming Town Meeting.

Why Update the By-Law?

- Meet new EPA and state stormwater rules.
- Reduce pollution and phosphorus in the Charles River.
- Help manage water quantity flow to homes, roads, and infrastructure.
- Ensure long-term maintenance of stormwater systems.
- Incorporate the Stormwater Mitigation Assessment Fee as part of the Town's overall stormwater management program.



Comparison of Current (2018) vs. Proposed Updates (2025)

Topic	Current By-Law (2018)	Proposed Updates (2025)
Purpose & Objectives	Focus on preventing pollution, controlling runoff, prohibiting illicit discharges, and promoting infiltration.	Expanded to emphasize protecting public health & infrastructure, tree preservation, groundwater recharge, and compliance with EPA/MS4 requirements.
Definitions	Basic set of terms (e.g., Alteration, Impervious Surface, Redevelopment).	Expanded and modernized list of terms (e.g., Stormwater Control Measures, Infiltration, Low Permeability Soil, Qualified Soil Evaluator). Provides greater technical detail.
Applicability	Applies to new construction and additions >25% footprint; projects needing Planning/Zoning/Conservation approvals; redevelopment over thresholds.	Clarifies applicability to new construction, grading, drainage modifications, or impervious increases. Prohibits “phasing” projects to avoid compliance. Adds exemptions for repairs/lawn restoration with erosion control.
Regulations & Oversight	Select Board adopts regulations. DPW oversees administration, enforcement, and advisory role to boards.	Select Board still adopts regulations but DPW given stronger authority to review, recommend, and enforce. Explicit authority for emergency suspension of storm drain access.
Stormwater Standards	Requires 1 inch of infiltration for impervious surfaces. Includes BMPs for runoff control.	Requires 1.5 inches of infiltration. More explicit design standards: must prevent runoff to neighboring properties, comply with MA Stormwater Handbook, and plant native trees with infiltration systems.
Operations & Maintenance (O&M)	O&M Plans required, signed by owner. For small projects: simple drywell maintenance.	O&M Plans must be recorded at Registry of Deeds, cover entire property, and require annual inspection & reporting.
Stormwater Fee	No fee structure in by-law.	Stormwater Mitigation Assessment Fee (adopted May 2023). Fee based on impervious area, applies to all properties (including tax-exempt), funds phosphorus reduction and system upgrades.
Illicit Discharge (IDDE)	Prohibits illicit discharges and connections. Allows exemptions (e.g., irrigation, firefighting).	Expands list of prohibited and allowable discharges. DPW has stronger authority to inspect, require elimination, and enforce penalties.
Enforcement	DPW issues violation notices; fines available under by-laws; appeals to Select Board.	Expanded enforcement tools: written orders, cease & desist, fines, injunctive relief in court. Stronger penalties and compliance requirements.

What This Means for Residents

- Clearer, stronger standards for new development and redevelopment.
- Continued protection for local water resources.
- Better safeguards for homes, businesses, and roads against flooding.

