

TOWN OF DIGHTON STORMWATER BYLAW

What follows is a summary of the Stormwater Bylaw. The complete bylaw will be available at the informational meeting and at the special town meeting. Nothing in this Bylaw is intended to replace the requirements of the Town of Dighton Zoning Bylaws, the Town of Dighton General Wetlands Protection Bylaw, or any other Bylaw that may be adopted by the Town of Dighton. Any activity subject to the provisions of the above-cited bylaws must comply with the specifications of each.

Introduction

Localities in the Commonwealth of Massachusetts are required to comply with a number of State and Federal laws, regulations and permits which require them to address the impacts of post-development stormwater runoff quality and nonpoint source pollution. Therefore, the Town of Dighton has established this stormwater management bylaw to provide reasonable guidance for the regulation of post-development stormwater runoff for the purpose of protecting local water resources from degradation. This bylaw regulates the post-construction stormwater controls for both new and re-development projects.

Land development projects and other land use conversions, and their associated changes to land cover, permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, which in turn increase flooding, stream channel erosion, and sediment transport and deposition, and decrease groundwater recharge.

The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, surface water drinking water supplies, groundwater resources, drinking water supplies, recreation, aquatic habitats, fish and other aquatic life, property values and other uses of lands and waters.

Purpose

The purpose of this Bylaw is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development and redevelopment. It has been determined that proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, protect water and aquatic resources, and promote groundwater recharge to protect surface and groundwater drinking supplies.

Objectives

1. Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;
2. Require that new development, redevelopment and all land conversion activities maintain the after-development runoff characteristics as equal to or less than the pre-development runoff characteristics in order to reduce flooding, stream bank erosion, siltation, nonpoint source pollution, property damage, and to maintain the integrity of stream channels and aquatic habitats;
3. Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality; Establish minimum design criteria for the protection of properties and aquatic resources downstream from land development and land conversion activities from damages due to increases in volume, velocity, frequency, duration, and peak flow rate of storm water runoff; Establish minimum design criteria for measures to minimize nonpoint source pollution from stormwater runoff which would otherwise degrade water quality;
4. Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;

5. Encourage the use of nonstructural stormwater management, stormwater better site design practices or "low-impact development practices", such as reducing impervious cover and the preservation of greenspace and other natural areas, to the maximum extent practicable; Coordinate site design plans, which include greenspace, with the Town's greenspace protection plan;
6. Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety;
7. Establish provisions to ensure there is an adequate funding mechanism, including surety, for the proper review, inspection and long-term maintenance of stormwater facilities implemented as part of this Bylaw;
8. Establish administrative procedures for the submission, review, approval or disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up; Establish certain administrative procedures and fees for the submission, review, approval, or disapproval of stormwater plans, and the inspection of approved projects.

Applicability

This Bylaw shall be applicable to all new development and redevelopment, including, but not limited to, site plan applications, subdivision applications, grading applications, land use conversion applications, any activity that will result in an increased amount of stormwater runoff or pollutants flowing from the a parcel of land, or any activity that will alter the drainage characteristics of a parcel of land, unless exempt pursuant to Section 5.B) of this Bylaw. All new development and redevelopment under the jurisdiction of this Bylaw as prescribed in this Bylaw shall be required to obtain a Stormwater Management Permit.

Enforcement

The Board of Health or an authorized agent of the Board of Health shall enforce this Bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations. Enforcement shall be further defined and included as part of any Stormwater regulations promulgated as permitted under Section 4 of this Bylaw