

Stormwater Management Bylaw Frequently Asked Questions

1. Why does Lincoln need to adopt a Stormwater Management Bylaw?

Lincoln is one of 260 Massachusetts communities regulated under the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) and the 2016 Massachusetts Small MS4 General Permit. This permit program was created with the intention of improving the quality of the nation's waterways by reducing pollutants associated with stormwater runoff. The EPA has identified land disturbance and polluted stormwater runoff as a major source of water pollution.

2. When does the Bylaw need to be adopted?

Under this permit, Lincoln was required to adopt a Stormwater Management Bylaw by June 30, 2020. However, due to the cancellation of Town Meeting 2020 because of Covid-19, voters will be asked to adopt the Bylaw at the May 2021 Town Meeting.

3. The Stormwater Management Bylaw includes two parts:

Article I - Illicit Discharge Detection - The Board of Selectmen will administer and enforce Article I which prohibits pollutants and other non-stormwater discharge such as an indoor drains, sinks, toilets or washing machines from being discharged into the storm drain system or into a water course.

Article II – Stormwater Management Bylaw

The Planning Board will administer the Stormwater Management program and adopt accompanying Rules and Regulations. The Stormwater Management Bylaw includes requirements such as erosion control during construction, the use of low impact development techniques, and inspections throughout construction. The Stormwater Management Rules and Regulations will establish the permit process and requirements. Following Town Meeting, the Planning Board will hold a Public Hearing to adopt the Stormwater Management Rules and Regulations.

Click here to learn more: <https://www.lincolntown.org/1010/Stormwater-and-Climate-Resiliency>

4. What Is Stormwater?

Stormwater runoff is water from rain or melting snow that does not soak into the ground. Impervious surfaces such as roads, driveways, decks, and even compacted soils, change the way water flows over and through the land and prevents stormwater from soaking into the ground, which increases the volume of stormwater runoff. Unmanaged stormwater runoff contributes to flooding, stream bank erosion, and reduced groundwater recharge. In a developed environment, stormwater can become polluted when it runs over streets, lawns, farms, and construction sites as it picks up pollutants such as dirt, oil, nutrients, sediments, pesticides, and bacteria. If untreated, stormwater can cause water quality impairments when it flows into our lakes and rivers threatening the quality of their use for swimming, fishing, boating and drinking water.

5. What pollutants are we talking about?

Fertilizer, pet waste, and septic systems can contribute excess nutrients that speed up plant and algae growth, including cyanobacteria, which can harm humans and animals and can be a nuisance for swimming and boating. Pollutants also include chemicals, paints, oil, auto fluids, yard wastes, garbage, litter, pesticides, herbicides, sand and salt. Many of the chemicals in these products may be toxic to aquatic organisms, humans, and other animals. To learn more about ways you can help click here: <https://www.lincolntown.org/1010/Stormwater-and-Climate-Resiliency>

6. What type of projects would be subject to the new bylaw?

All development or redevelopment that causes disturbance of the land equal to 1 acre or greater. This would also include a project that is part of a larger common plan of development disturbing land of 1 acre or greater such as a subdivision.

7. What will be required of applicants?

A Stormwater Management Permit Application is filed with the Planning Board or the Conservation Commission when the project includes a wetlands filing.

- If an applicant is before the Planning Board for Site Plan Review, Subdivision Approval or Special Permit approval the Planning Board would be the Permit Granting Authority (PGA).
- If the Applicant is before the Conservation Commission for a wetland filing the Conservation Commission would issue the Stormwater Management Permit as part of the Order of Conditions. Any Planning Board review would not include another storm water review.
- In cases where the Applicant is not before the Planning Board or Conservation for any of the permits listed above, the Planning Board would serve as the Stormwater Management (PGA).

An applicant will be required to submit plans such as an Erosion & Sediment Control Plan, Operation and Maintenance Plan (OMP) and a Stormwater Management Plan.

A public hearing is required along with abutter notification within 300' feet of a project.

Although this new bylaw may seem like additional regulation, the Planning Board and Conservation Commission currently require professional engineering review of stormwater management plans as well as site inspections during construction for larger projects. Examples include Oriole Landing, Minuteman Vocational School and Care Dimensions. This review, and monitoring is at the applicant's expense.

Under the proposed bylaw, fees and associated costs will be similarly covered by the Applicant.

Upon project completion, and the submission of an as-built plan, the Planning Board will issue a Certification of Completion stating all conditions of the Stormwater Management Permit have been met.

Proper management of stormwater runoff will help ensure that water resources can be enjoyed by future generations.