

TOWN OF NEEDHAM
SEWER SYSTEM IMPACT PROGRAM REGULATIONS

Approved: October 18, 2016

I. SCOPE OF SEWER SYSTEM IMPACT PROGRAM

- A. All activities, not exempted, requiring connection to, or a major increase in the use of the sanitary sewer system shall be subject to the requirements of these regulations.

II. ACTIVITIES SUBJECT TO THE SEWER SYSTEM IMPACT PROGRAM

- A. All activities, not exempted, requiring an extension of the sewer system are subject to these regulations.
- B. All activities, not exempted, requiring connection to, or a major increase in the use of the sewer system are subject to these regulations, including:
 - i. the development of a subdivision, where approval under the Subdivision Control Law, MGL, Ch. 41 is required;
 - ii. the development of a “Flexible Development,” as defined in Section 4.2.4 of the Town of Needham Zoning By-Law, consistent with subdivision control law;
 - iii. the development of a “Planned Residential Development,” as defined in Section 4.2.5 of the Town of Needham Zoning By-Law;
 - iv. the development of a “Residential Compound,” as defined in Section 4.2.6 of the Town of Needham Zoning By-Law; and
 - v. the development of a “Major Project,” as defined in Section 7.4 of the Town of Needham Zoning By-Law, including projects of 20,000 S.F. or more of gross floor area, or an increase of 10,000 S.F. or more of gross floor area, or the creation of 50 or more off street parking spaces, or the creation of a restaurant with 101 or more seats.
- C. All activities, not exempted, requiring a connection to, or an increase in the use of the sewer system whose total discharge:
 - i. will add 750 gallons per day (GPD), or more; and/or
 - ii. will increase by 750 GPD or greater above the “designated calculation of sewage flow” for the category of use existing prior to the proposed discharge increase (as set forth in 310 CMR 15:02, as amended);

are subject to these regulations,

- D. Certain activities may also require that a DEP “Sewer Extension Permit” and/or “Sewer Connection Permit” be obtained.

III. ACTIVITIES EXEMPT FROM SEWER IMPACT PROGRAM REGULATIONS

- A. Construction of a single family home on an existing lot is exempt from these regulations.
- B. Development activities on property not currently benefiting from a common sewer are exempt in their entirety. Any such property later requiring connection to a common sewer, by whatever means available, shall become subject to the usual assessment for betterments under M.G.L. Ch. 83 and may also be subject to the requirements of these regulations, as applicable.
- C. Development activities on property benefiting from a common sewer and having been assessed for a betterment under M.G.L. Ch. 83 but not yet connected to the sewer system are exempted as follows: initial connection to the system shall be exempt up to the limit total of 750 G.P.D. for each separate parcel of property as originally described in the Assessment Order when levied.
- D. Major Project Site Plan projects of less than 20,000 S.F. or more of gross floor area, or an increase of less than 10,000 S.F. or more of gross floor area, or the creation of less than 50 or more off street parking spaces, or the creation of a restaurant with fewer than 101 seats.

IV. REQUIREMENTS OF SEWER IMPACT PROGRAM REGULATIONS

- A. A property owner or developer, whose activity is not exempted, requiring connection to, or an increase in use of , the sewer system shall be required to:
 - i. Perform work upon the sewer system, as designated by the Director of Public Works, to relieve flow restrictions or eliminate a volume of excessive flow by a volume equal to two hundred percent (200%) of the proposed volume of discharge if the proposed discharge is less than 15,000 GPD, or four hundred percent (400%) of the proposed volume of discharge if the proposed discharge is 15,000 GPD or more;
 - ii. Pay a determined sewer impact charge. The rate to be used to determine the charge will be Eight Dollars (\$8.00) per gallon. This rate is intended to equal the sum of the per gallon cost of
 - 1. identifying and documenting the amount of infiltration to be removed;

2. designing plans and creating bid packages for the physical removal of the infiltration;
3. removing the required amount of infiltration; and
4. verifying and documenting the amount of infiltration removed.

V. ACCEPTANCE AND EXPENDITURE OF CHARGE AND CONTRIBUTIONS AND THE ESTABLISHMENT OF THE IMPROVEMENT FUND

- A. Payments offered in lieu of actual inflow and infiltration removal work must be accepted by the Board of Selectmen and upon acceptance, shall be deposited with the Treasurer and credited to the Sewer Enterprise Fund, held in a separate account reserved for future appropriation for the sole purposes intended.
- B. Authorization to expend said funds shall be by a majority vote of Town Meeting for a project submitted by the Board of Selectmen upon the recommendation of the Town Manager.

VI. AMMENDMENTS TO SEWER IMPACT PROGRAM REGULATIONS

- A. The Board of Selectman reserves the right to add, delete, rescind, modify or otherwise amend the requirements of these regulations.