

## Savage-Dunham, Mary

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**From:** Niles, Rich <rich.niles@woodplc.com>  
**Sent:** Thursday, February 7, 2019 11:46 AM  
**To:** Savage-Dunham, Mary  
**Cc:** smurphy@daintorpy.com; Sylvester, Randy; Haggerty, Jean  
**Subject:** Hingham MS4 Regulatory Update

Hi Mary, I wanted to follow up on a couple items from our January 23<sup>rd</sup> meeting that were on my “to-do” list.

### MA Stormwater Handbook and Standards

Part 2.3.6.a.ii.3(g) of the MS4 Permit goes above and beyond the MA Standard 4 for water quality treatment for new developments that disturb >1 acre and discharge to the Town’s MS4. The MS4 Permit adds a water quality volume requirement to treat 1.0” or 90% total suspended solids (TSS) removal and 60% removal of total phosphorous (TP) for these large projects. The MA Standards require treatment of 1.0” but only for certain types of projects and all other projects are required to treat 0.5”, but still meet 80% TSS removal for all projects (treating 1.0” or 0.5”). The MA Standards do not have a % removal for TP. Under the MS4 Permit, any project that disturbs >1 acre and discharges to the MS4, therefore, must treat 1.0” or remove 90% TSS and 60% TP.

Similarly, Part 2.3.6.a.ii.4(b) of the MS4 Permit for redevelopment projects that disturb >1 acre and discharge to the Town’s MS4 are required to retain 0.8” over the impervious area and remove 80% of TSS (to the maximum extent feasible). The MA Standard 7 only requires that the new development standard be met to the maximum extent practicable and does not reference these criteria, so the MS4 Permit requirement adds a more stringent requirement than the MA Handbook.

Suggested Solution: reference the MA Stormwater Handbook and Standards and “Additional requirements under the Town of Hingham MS4 Permit for projects that disturb >1 acre and discharge to the Town’s MS4” in the bylaw and include the detail in the regulations. This language could reference the specific sections of the MS4 permit, but this may change once the permit is renewed in 5 years. The 1 acre threshold is important to consider applying for these additional requirements only, since these standards may be difficult and place an extra burden on smaller projects.

### Road Widening and Improvements

Part 2.3.6.a.ii.4(d) of the MS4 Permit requires road widening or improvement projects that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall meet the requirements of Part 2.3.6.a.ii.4(a)-(c) fully. We interpret this to mean any project with a single lane width increase and disturbs >1 acre and discharges to the Town’s MS4 shall meet the redevelopment requirements.

Suggested Solution: the bylaw should address this requirement to be more clear about what applies for road widening and improvement projects.

Let us know if you would like to have a call to discuss this information. Thanks,

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