

# CITIES AND TOWNS THROUGHOUT MASSACHUSETTS BEGIN ENACTING STORMWATER MANAGEMENT UTILITY FEES

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Cities and towns throughout the Commonwealth are beginning to enact stormwater management utility fees. While these new fees may not impose a substantial burden on a single-family home, they can have a substantial impact on condominium and homeowners' associations. Therefore, the board members of associations need to be aware of newly implemented stormwater management utility fees and be prepared for their financial impact.



Stormwater management is a problem for towns and cities for a variety of reasons. Runoff is created by rain or snow melting that does not soak into the ground but flows into waterways or other areas. As it flows, stormwater runoff can collect and transport silt and pollutants to surface waters. While the pollutants from a single residence may be insignificant the combined concentration from all residential, commercial and industrial properties threaten lakes, rivers and other bodies of water.

In 1972 the EPA created the Clean Water Act and an off shoot of that was the National Pollution Discharge Elimination System (NPDES). When NPDES first started it was limited to large cities. However, NPDES has now expanded to all but the smallest and most rural communities throughout the United States. The NPDES issues a permit to the Commonwealth that expires every five years with the most recent being in 2016 which was issued jointly by the EPA and the Massachusetts Department of Environmental Protection.

Most recently a stormwater management utility fee was approved by the Board of Selectmen in Westford Massachusetts. Westford's drainage system is valued at over \$150,000,000.00. The town currently spends around \$600,000.00 per year on stormwater management which amount is expected to rise to approximately \$1,000,000.00 per year to comply with EPA and DEP requirements. Westford's stormwater management and utility fee is intended to close the gap in expected spending.

Westford like other communities throughout Massachusetts has decided to charge residents a fee based upon their property's impervious surface area. The town

has indicated that bills will be sent to condominium associations and homeowners associations to accommodate the calculation of shared impervious areas. The cost may be relatively high in these associations because the town has indicated that private roads are counted as impervious surfaces and are included in the calculation of the fees. In order to get an estimate as to what your home or association may be charged the Town of Westford has provided a helpful link <http://arcg.is/HG0mW> , which provides an estimate for the impervious surface area for each parcel and the estimated fee that each parcel will be charged for their initial stormwater management and utility fee.

Awareness and understanding of this fee is important for any association or homeowner when making an annual budget. We believe that more cities and towns across the Commonwealth will soon begin enacting similar fees. Therefore, we encourage you to reach out to your town or city officials to see whether a similar fee is being discussed by officials in your town.