



**TOWN OF DEDHAM  
CONSERVATION COMMISSION  
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**Policy on Requests to Fill on Residential Properties**

The Massachusetts Wetlands Protection Act, the Town of Dedham Wetlands Bylaw, and the Town of Dedham Stormwater Bylaw regulate the placement of large quantities of fill on residential properties.

**REQUIREMENTS OF THE DEDHAM STORMWATER MANAGEMENT BYLAW**

The Town's Stormwater Management Bylaw establishes minimum requirements and procedures to control the adverse effects of any new development and redevelopment by requiring a stormwater permit for any alteration or disturbance of 500 square feet or more, with those terms defined as follows:

**ALTERATION** — Any activity that measurably changes the ability of a ground surface area to absorb water, **changes existing surface drainage patterns**, or increases or decreases the rate or volume of flow from a site.

**DISTURBANCE** — Any activity that causes a **change in the position or location of soil, sand, rock, gravel, or similar earth material**; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb water; removes trees; **clears or grades land**; or results in an alteration of drainage characteristics.

Placement of fill is considered a disturbance that has the potential to alter a property. To comply with this Bylaw, alteration or disturbance more than 500 square feet regardless of the presence of nearby wetlands, requires either a minor or major stormwater management permit depending on the extent of alteration or disturbance.

A **minor Stormwater Management Permit** is required for any residential alteration or disturbance of 500 square feet to 2,000 square feet, except for construction of a new dwelling. A **Major Stormwater Management Permit** is required for construction of any new dwelling or any alteration or disturbance of more than 2,000 square feet or more than 1,000 square feet of total driveway.

**The Conservation Commission must be notified of all fill projects that affect greater than 500 ft<sup>2</sup>, as they may require either a Minor or Major Stormwater Management Permit.**

However, in accordance with Section 4(A)(k) of the Stormwater Rules and Regulations, the Conservation Commission may, at its discretion **and after notification to the Conservation Commission**, exempt such other projects as it deems to have less impact on the interests protected by the Stormwater Management By-Law provided that erosion control measures are used and the project or activity will not result in an increased amount of stormwater onto a traveled way or adjacent properties.

**A. Minor stormwater management permit requirements (mSMP)**

A mSMP is required for placement of fill as described above. If no impervious surface is proposed, the Commission, by policy, may exempt fill of less than 500 cubic feet and issue a mSMP for fill of more than 500 cubic feet but less than 2,000 cubic feet.

**B. Major stormwater management permit (MSMP)**

A MSMP is required from the Conservation Commission for alteration or disturbance of more than 2,000 square feet. By regulation, the permit application must include pre- and post-drainage calculations for the 2-, 10-, 25-, and 100-year storms, and a stormwater design that meets the Massachusetts Stormwater Handbook standards and MS4 permit requirements.

By policy, if no impervious surface is proposed, the Commission may, at its discretion and provided that erosion control measures are used and the project or activity will not result in an increased amount of stormwater onto a traveled way or adjacent properties, exempt applicants from any or all of the permit application requirements of the Major Stormwater Management Permit application.

**ADDITIONAL REQUIREMENTS OF THE MASSACHUSETTS WETLANDS PROTECTION ACT AND THE TOWN'S WETLANDS BYLAW**

The Commission requires a Request for Determination of Applicability or Notice of Intent for placement of fill in a Protected Resource Area, in the first 50 feet of Buffer Zone, and the first 100 ft of Riverfront Area (the inner riparian zone). By policy, fill proposed within 50 -100 feet of a Protected Resource Area and the outer riparian zone may be allowed under an Administrative Approval.

No fill may be placed in the Town-regulated Undisturbed Buffer Area (UBA). For level or nearly level residential properties, this means within 30 ft of the wetlands . For steeper sites, the UBA may be larger.

For fill in Buffer Zone or within 200 feet of a perennial stream, the Commission or its designee will consider the extent of fill proposed, the proximity to the resource area, the erosion and

sedimentation controls proposed, and any additional measures taken to protect the resource area. In their deliberation, the Commission will review the impact of the fill on the interests of the Wetlands Protection Act: protection of private or public water supply, protection of groundwater, flood control, prevention of storm damage, prevention of pollution, protection of land containing shellfish, protection of wildlife habitat, and protection of fisheries.