

List of Regulations by Town

Taken from: http://www.maccweb.org/resources_bylaw_list.html

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TOWN OF ACTON
WETLAND PROTECTION BYLAW
RULES AND REGULATIONS

3.2 WETLAND SETBACKS FOR NEW ACTIVITIES

In order to protect and preserve the public interests and values of the wetlands and waterways of the Town of Acton, activities in Wetland and Buffer Zone Resource Areas should be avoided to the full extent practicable. The following are the minimum distances (setbacks) of activity from the edge of Wetlands or Vernal Pools. No activity shall be allowed within these setbacks except as provided below, or as provided in Section 1.5 of these rules and regulations. These setbacks are the minimum and may be extended further if deemed necessary for the protection of the interests of the Bylaw by the Commission.

The setbacks shall be as follows:

- (1) 0-foot setback for wetland-dependent structures (drain outfalls, weirs, etc.), fences, and structures necessary for upland access where reasonable alternative access is unavailable.
- (2) 50-foot setback of undisturbed natural vegetation.
- (3) 75-foot no-build setback to the edge of driveways, roadways, and structures.
- (4) 50-foot chemical free area, within which no fertilizers, herbicides, pesticides or other chemical maintenance substances shall be used.
- (5) 100-foot setback for underground storage of gasoline, oil, or other fuels and hazardous materials.
- (6) 100-foot setback of undisturbed natural vegetation to the mean high water line for vernal pools.

TOWN OF AMHERST

WETLANDS PROTECTION BYLAW REGULATIONS (June 28, 2000)

IV. STANDARDS FOR INLAND WETLANDS

3. Presumptions

- a. The Commission shall presume that work in the types of projects listed below, within the designated distances from a resource area, will result in alteration of the resource area. For purposes of the table below: “work” means filling, excavating, grading, operating construction equipment, and storing or stockpiling earth or construction materials; “building” means a structure requiring a building permit.

<i>Type of Project</i>	<i>No-work Distance from Resource Area</i>	<i>Building Set-back Limit</i>
Residential lot	30 ft.	50 ft.
Subdivision lot (with lot preparation done in conjunction with road construction)	30 ft.	50 ft.
Commercial/Industrial	30 ft.	75 ft.
Driveways/Utilities	25 ft. (except for permitted crossings)	
Parking lot	25 ft.	
Other roads	25 ft. (except for permitted crossings)	
Vernal Pools	100 ft.	100 ft.

REGULATIONS ADOPTED BY THE ANDOVER CONSERVATION COMMISSION PURSUANT TO THE TOWN OF ANDOVER'S GENERAL BYLAW FOR WETLAND PROTECTION EFFECTIVE APRIL 20, 2002

(2) Vegetative Buffer Zone

There shall be no removal of vegetation, excavation, filling, or placement of any building or structure within 25 feet of any bank, bordering vegetated wetland, isolated vegetated wetland, marsh, wet meadow, bog, swamp, vernal pool, reservoir, pond, creek, river or stream, or any land under said waters, or within 50 feet of resource areas located within Haggetts Pond Watershed Protection Overlay District, except as permitted with an Order of Conditions or Determination of Applicability for a limited project, wetland crossing or water dependent structure i.e., a dock, bridge, or like water-dependent structure. Activities regulated by this vegetative buffer strip include the piling of natural material such as leaves, brush, grass clippings and manure or storage of manmade materials such as but not limited to trash, scrap metal, garbage etc.

(3) Buildings Within 50 Feet

There shall be no structures for human habitation ("buildings") placed within 50 feet of any bank, bordering vegetated wetland, isolated vegetated wetland, marsh, wet meadow, bog, swamp, vernal pool, reservoir, pond, creek, river or stream, or any land under said waters, or within 75 feet of resource areas located within Haggetts Pond Watershed Protection Overlay District, except as permitted with an Order of Conditions or Determination of Applicability for a water dependant structure or if no practical alternative is determined to be available after completion of an alternatives analysis.

SECTION 7: PERFORMANCE STANDARDS

(6) Buffer Zones

1. Buffer Strip: There shall be no removal of vegetation, excavation, filling, or placement of any building or structure (except as permitted with an Order of Conditions for a limited project, wetland crossing or water dependent structure such as a dock, bridge, vegetative treatment swale or other earthen stormwater treatment devices necessary for stormwater management) for a minimum of **25 feet from** any bank, bordering vegetated wetland, isolated vegetated wetland, marsh, wet meadow, bog, swamp, vernal pool, reservoir, pond, creek, river or stream, or any land under said waters. The activities listed above shall not be allowed within a minimum of 50 feet of the above listed resource areas located within Haggetts Pond Watershed Protection Overlay District. There shall be no piling of natural material such as leaves, brush, grass clippings and manure or storage of manmade objects or materials such as, but not limited to, boats, vehicles, trash or its container, scrap metal, garbage etc. within 25 feet of the edge of the above listed wetland resources.

2. Buildings Within 50 Feet: There shall be no structures for human habitation ("buildings") placed within 50 feet of any bank, bordering vegetated wetland, isolated vegetated wetland, marsh, wet meadow, bog, swamp, vernal pool, reservoir, pond, creek, river or stream, or any land under said waters, or within 75 feet of resource areas located within Haggetts Pond Watershed Protection Overlay District, except as permitted with an Order of Conditions for a water dependant structure or if no practical alternative is determined to be available after completion of an alternatives analysis.

***Town of Barnstable
Conservation Commission
200 Main Street
Hyannis Massachusetts 02601***

REGULATION GOVERNING ACTIVITY IN THE 100 FT. BUFFER ZONE

Pursuant to the regulation of activity under Chapter 237, Wetlands Protection, of the General Ordinances of the Code of the Town of Barnstable in the 100 ft. buffer zone of resource areas given in 310 CMF 10.02 (l)(a) and given in Chapter 237 section 2 (exclusive of any land under said waters, any land subject to flooding or inundation by groundwater, surface water, tidal action or coastal storm flowage), the following performance standard shall be satisfied:

* An undisturbed buffer zone 50 ft. in width shall be provided between wetland resource areas and the limit of site disturbance. It is recommended that proposed structures within the buffer zone be located no closer than 20' from the landward limit of the buffer, so that attendant construction, landscaping, and maintenance activities may ensue without buffer zone insult.

Where a 50 ft. undisturbed buffer zone exists and is proposed to remain intact, a presumption shall be extended that approved work within the 50-100 ft. jurisdictional zone shall not require further buffer zone enhancement. Where an undisturbed buffer zone of less than 50 ft. exists, work proposed anywhere within Conservation Commission jurisdiction at a site shall be subject to mitigation planting requirements aimed at enhancing the dimensions of the buffer and the suitability of its vegetation.

BELCHERTOWN WETLANDS REGULATIONS

4. Vegetated Buffer Strip: Development proposed in the Buffer Zone can negatively impact the abutting Resource Areas(s). Negative impacts, both from the "construction" and "use" phase of the project can include erosion, siltation, loss of pollution attenuation, loss of groundwater recharge, reduced water quality and loss of wildlife habitat. A 25 foot strip of continuous, undisturbed, indigenous vegetative cover along the Resource Area boundary within the 100 foot Buffer Zone shall be maintained, where practicable, in order to protect water quality, improve water recharge, reduce erosion and pollution to the adjacent wetland resource areas, and provide wildlife habitat.

IV. Performance Standards:

(C) Unless as specified above, a continuous twenty-five foot (25') NO DISTURBANCE BUFFER STRIP, untouched and in its natural state, shall be left between development activities in the Buffer Zone and the Resource Area to be protected.

CITY OF BEVERLY WETLANDS PROTECTION REGULATIONS

- a. 25-Foot No-Disturbance Zone is that portion of the Buffer Zone which extends twenty-five (25) feet from the edge of those wetland resource areas identified in Section I(C) (1,3,4,5); however, it is possible that these resource areas will overlap in some instances (e.g., Riverfront Area and Land Subject to Flooding). Disturbance of any kind is prohibited within this Zone including but not limited to grading, landscaping, vegetation

removal, pruning, cutting, filling, excavation, roadway construction and /or driveway construction.

- b. 100-Foot No-Disturbance Zone is the land area that extends one hundred (100) feet from the edge of any Vernal Pool that is located in an upland area or, in the case of a wetland resource area that encompasses the pool (Section 1(C)(1,3,4,5), within one hundred (100) feet from the edge of the said wetland resource area. Disturbance of any kind is prohibited within this Zone including but not limited to grading, landscaping, vegetation removal, pruning, cutting, filling, excavating, roadway construction and/or driveway construction. The extent and location of this No-Disturbance Zone is subject to change based on the results of a biological and/or habitat evaluation, which may be required to determine the migratory pathways and other important habitat usage of Vernal Pool breeders.

5. Performance Standards:

When the presumption set forth in Section III 4. a. of these Regulations is not overcome, the following standards shall apply to Vernal Pools and their 100-foot No-Disturbance Zones:

- a. **100-foot No-Disturbance Zone:** No activity shall be permitted within 100 feet of the delineated edge of a Vernal Pool, or in the case of a wetland resource area that encompasses the pool, (Section I C. 1,3,4,5), within 100 feet of the delineated edge of the said wetland resource area. Prohibited activities include, but are not limited to, grading, landscaping, vegetation control, pruning, cutting, filling, excavation, roadway construction and/or driveway construction. It is the opinion of the Commission that due to the uniqueness of Vernal Pool resource areas, the associated 100-foot No-Disturbance Zone is necessary in order to protect wildlife and rare plant and animal habitat.
- b. **100-foot Septic System Setback:** Components of subsurface sewage disposal systems shall not be permitted within 100 feet of the delineated edge of a Vernal Pool or the delineated edge of the encompassing wetland resource area when the proposed system is located up-gradient of the Vernal Pool.
- c. **No-Disturbance Zone Demarcation:** To maintain the perpetual integrity of the 100-foot No-Disturbance Zone and to ensure that there will be no

encroachments into this Zone by the applicant or future owners of the subject property, the Commission may require the No-Disturbance Zone to be marked on the ground, at the applicant's expense, with permanent markers. These markers shall be made of weather resistant material (i.e. granite or concrete), and the Commission shall determine their number, location and size. The Commission may require one or more of these markers to bear, on their upland side, writing (i.e. a permanent plaque or engraving) that shall read "No Disturbance Beyond This Point By Order Of The Beverly Conservation Commission".

- d. **Migratory Pathway of Vernal Pool Breeders:** Work shall not be allowed that obstructs the migratory pathways of Vernal Pool breeding species.

C. Buffer Zone

4. Performance Standards:

The following standards apply to the Buffer Zone of all the resource areas identified in Section III C.2. a, b, c and d. of these Regulations:

- a. **25-Foot No-Disturbance Zone:** Except as otherwise provided in these Regulations, no activity is permitted within 25 feet of the delineated edge of the above-mentioned wetland resource areas. Prohibited activities include, but are not limited to, grading, landscaping, vegetation clearing, cutting, filling, excavating, road construction, and driveway construction. The Commission has adopted this standard because the alteration of land immediately adjacent to a wetland is likely to result in the alteration of the wetland itself. Alterations typically result from extension of lawns, depositing/dumping of yard waste, over-grading, siltation, deposition of construction debris, unregulated filling, and clearing of vegetation, all of which is prohibited.

TOWN OF BOXFORD WETLANDS PROTECTION BYLAW REGULATIONS

§ 375-3. General Provisions.

- (1) None of the components of the subsurface disposal system may be located within 50 feet of the following resource areas: freshwater wetlands, marshes, wet meadows, bogs, swamps, lakes, ponds, streams, creeks, banks, beaches, vernal pools, or large isolated wetlands.

- (2) The soil absorption system (leaching facility) of said system, including the reserve area, shall be set back at least 100 feet from any resource area identified in paragraph B(1) and outside of any riverfront area.
- (3) The setback distances specified in paragraph B(1) and (2) shall not be required for the renovation or replacement (but shall be required for the enlargement) of septic systems constructed prior to May 19, 1994, provided such work has been approved by the Boxford Board of Health, as required by law.

C.

MINIMUM Setback Distance Chart (in feet) (see Notes 1, 2, and 3 below)

Type of Project	Vernal Pool	Hovey's, Baldpate, & Stiles Ponds	Other Wetland Resource Areas	River
Underground Storage Tanks containing any Hazardous Materials	100	100	100	200
Animal Paddocks	100	100	100	200
Commercial, Institutional, Industrial, and Municipal Structures and Associated Parking Facilities	100	100	100	200
Soil Absorption System of a Sanitary Disposal System	100	100	100	200
Swimming Pool Dry Wells	100	100	100	200
Other Structures Requiring a Building Permit (e.g., house, garage, deck, pool, etc.)	100	100	75	100
Driveways and Utilities	100	100	30	100
Retaining Walls, Other Solid/Impervious Construction	100	100	30	100
Roadways	100	100	50	100
Other Alterations of Naturally Vegetated Buffer Zone	100	100	25	100

D. Cutting of vegetation

(1) No-disturb zone.

(a) There shall be a no-disturb zone with a minimum depth of twenty-five (25) feet measured horizontally from the border of the protected wetland resource area (with the exception of riverfront areas, which do not have buffer zones, vernal pools, which have a 100 foot no-disturb zone, and Hovey's, Baldpate, and Stiles Ponds, which have a minimum of 100 foot no-disturb zones). The Commission, at its sole discretion, may require a no-disturb zone of greater than the minimum where there are site specific conditions which would if altered result in resource area degradation.

(b) Vegetation in this zone shall not be cut or trimmed in any manner except to remove dead or damaged trees which are safety hazards. A single path to the wetland resource area per lot may be created and maintained if limited to a maximum of five (5) feet in width. Paths on adjacent lots shall be separated by at least twenty-five (25) feet.

Town of Chatham

(3) Performance Standards

Any proposed work, permitted by the Commission, in a vegetated wetland or within 100 feet of a vegetated wetland shall not:

(a) destroy any portions of said vegetated wetland;

(b) limit the capacity of the adjacent slope to perform its functions [section 3.02(1)];

(c) impair in any way the vegetated wetland's ability to perform any of the functions in section 3.02(1).

(d) No activity, other than the maintenance of an already existing structure, which will result in the building within or upon, removing, filling, or altering a vegetated wetland or of any land within 50ft of any vegetated wetland shall be permitted by the Commission, except for activity which is allowed under Part IV, section 4.01(d) or any other activity permitted under a variance from the regulations granted pursuant to Part IV, section 4.03.

TOWN OF DANVERS

WETLANDS BY-LAW REGULATIONS

PART VII. NO-DISTURBANCE AND NO-BUILD ZONES

7.01 No-Disturbance and No-Build Zones

- (1) When proposing alterations of land within 100 feet of a wetland, the applicant must overcome a strong presumption of adverse impact on the adjacent wetlands and their functions and values. The Commission will require a 25-foot no-disturbance zone and a 35-foot no construct zone extending from all wetland resource areas except for riverfront area. No activity is allowed in the no-disturbance zone. Building construction of any kind is prohibited in the no-building zone. This includes, but is not limited to, home construction, porches, decks, additions and sheds.

DEDHAM CONSERVATION COMMISSION RULES & REGULATIONS

SECTION 16. BUFFER ZONE REGULATIONS

- a.) **The purpose of the following regulations is to minimize any impact which any proposed work may have on the Resource Areas protected by the Town of Dedham General Wetlands Protection Bylaw. The Commission presumes that the 100 foot Buffer Zone is relevant and important to the protection of any Resource Area protected by this Bylaw. Protection will be accomplished, in part, through the control and regulation of proposed work which will occur within the 100 foot Buffer Zone bordering a Resource Area. Figure 1 below shows the location of the 100 foot Buffer Zone with respect to wetlands and flood areas.**

FIGURE 1 - TYPICAL CROSS-SECTION THROUGH A RESOURCE AREA SHOWING BUFFER ZONES

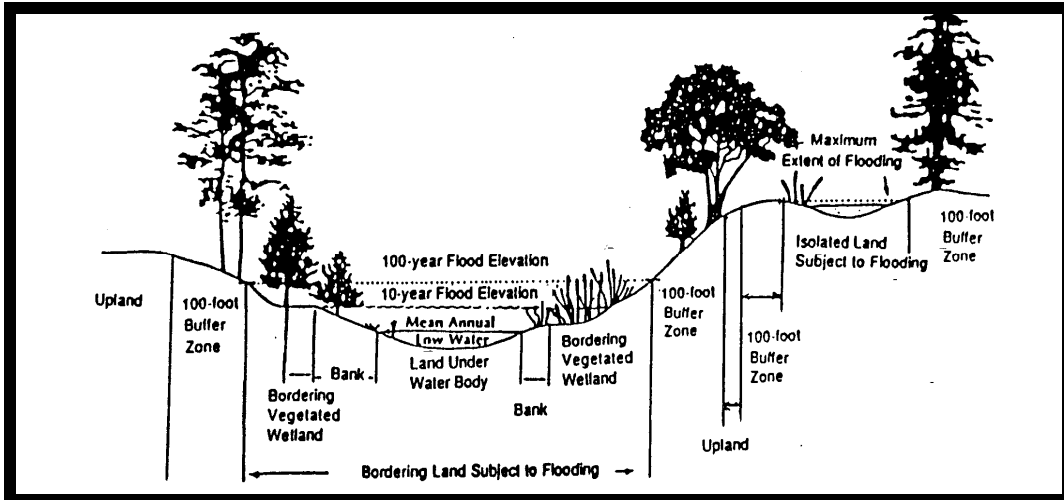
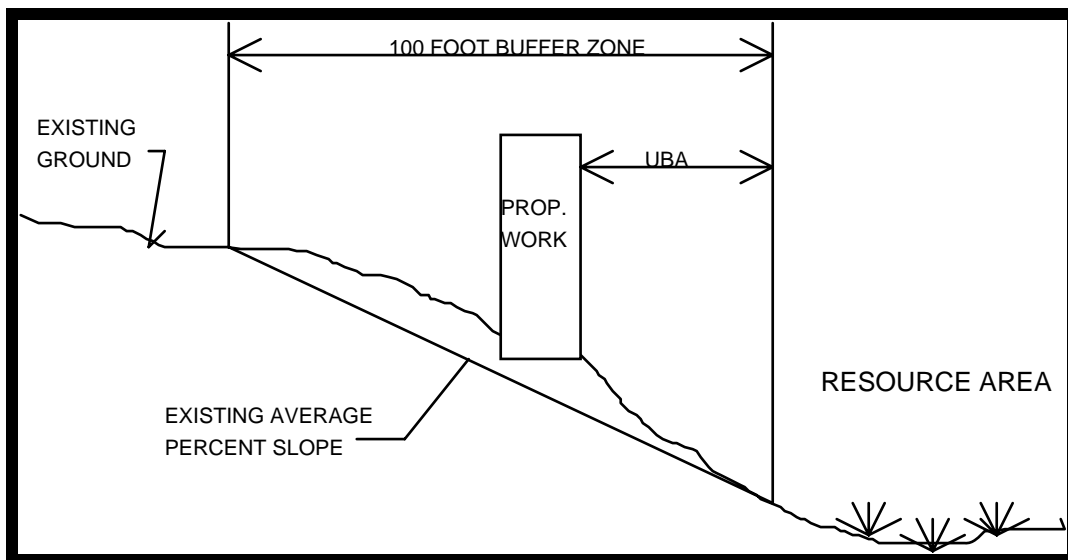


FIGURE 2 - ILLUSTRATION OF SLOPE DIMENSION UTILIZED IN CALCULATION OF UNDISTURBED BUFFER AREA



- b.) The following activities shall maintain a minimum depth of Undisturbed Buffer Area from the delineated edge of the adjacent Resource Area based upon the following formula:

$$\text{Undisturbed Buffer Area (UBA)} = \text{Slope} \times \text{Usage Factor}$$

where the Undisturbed Buffer Area (UBA) value is the required minimum depth of the Undisturbed Buffer from the edge of the Resource Area. The

Slope value is the average slope across the 100 foot buffer zone, expressed in terms of percent (%), and the Usage Factor is taken from the table below. This is illustrated in Figure 2 above. The greater of the value calculated using this formula or the value stated in the Table 3 contained in Section 16.c of these Rules and Regulations shall be utilized for calculating the minimum Undisturbed Buffer Area.

- c.) The values on Table 4 below will be utilized for calculating the required minimum Natural Buffer depth from the edge of the Resource Area.
1. The UBA line shall be established by calculating the UBA every 25 feet along the resource area at right angles to the resource area delineation line.
 2. Additionally, the UBA shall be delineated using any points which protrude into the project site.
 3. The UBA information shall be submitted in tabular form as shown in Figure 3. below.
 4. The Commission reserves the right to revise the UBA delineation should the Commission feel that utilizing different points for calculation of the UBA will result in a more restrictive UBA delineation.

<u>TABLE 4 - VALUES TO BE UTILIZED IN CALCULATION OF UBA</u>		
<u>USAGE</u>	<u>USAGE FACTOR*</u>	<u>MIN. UBA</u>
Agriculture (commercial farming)	4	20'
Single Family Dwelling (SFD) and accessories	6	30'
Commercial / Retail / Industrial / Institutional / Multi-Unit Residential Building / New Subdivisions	8	40'
Paved Parking Lots and Access Ways	10	50'
Gasoline Stations, Automotive Maintenance & Petroleum Storage Facilities	15	75'

* Usage Factors and Minimum UBA shall be increased by 50 percent for areas which contain USDA NRCS Hydrologic Group "D" soils.

d.) Exceptions.

1. For lots which have been previously developed, the existing limit of development will serve as the depth of the Undisturbed Buffer Area where the distance between the Resource Area and existing man-made structure(s) is less than that which would be calculated in sections 16.b and 16.c above. This exception shall only apply if the new use of the site is similar to the previous use or if the site use is being changed to single family residences. The criteria for determining if a new use is similar is that criteria outlined in the Town of Dedham Zoning Bylaw.
2. The man-made structures which would qualify to delineate an existing limit of development include such items as buildings, paved parking areas, retaining walls not associated with a discharge pipe. Existing drainage structures such as culverts and discharge trenches, landscaped areas, utility poles, and wells will not be utilized to determine the existing limit of development.

FIGURE 3 - SAMPLE UBA CALCULATION TABLE

Station	Elev. 100' from Resource Area	Resource	Elev. @ Slope % Area	UBA	(X10)	(X8)
					UBA Pavement	Building
0+00	112.0	109.0	3.0	50		Min.
0+25	113.0	105.5	7.5	75		60
0+50	113.0	105.0	8.0	80		64

3. Wetland or Flood Plain Replication/Restoration areas and associated grading and landscaping may be located within the Undisturbed Buffer Area subject to the restrictions in Section e.) below.

e.) No work shall be conducted within the Undisturbed Buffer Area with the exception of removal of debris or other maintenance / restoration work as instructed or approved by the Commission. Such exceptions may be granted for planting and landscaping within this area.

1. No trees over 12 inches in caliper at a height 3 feet above the existing ground shall be cut within the UBA for the construction of drainage or stormwater management facilities located within the UBA. No proposed grading within the UBA shall have an adverse impact on such trees.
2. With the exception of a discharge structure/channel, no grading associated with a stormwater management or drainage basin shall be located with 20 feet of the resource area which the UBA borders.

SECTION 17. VERNAL POOLS

TABLE 5 – REQUIRED VERNAL POOL SETBACK DISTANCES	
<u>Activity</u>	<u>Setback distance</u>
Edge of Clearing/Landscaping	50'
Edge of man-made structures (including pavement & buildings)	75'

RULES AND REGULATIONS

FOR DOVER WETLANDS PROTECTION BYLAW

V. PERFORMANCE STANDARDS

J. Buffer Zone

Natural vegetation within Wetland Buffer Zones contributes to the protection of wetland Interests within the adjacent Resource Areas by providing soil stabilization, wildlife habitat cover, shading, and other measures. In order to prevent impacts to Wetland Resource Areas and associated loss of value of those wetlands from proposed projects within the Buffer Zone, the following restrictions shall apply to work in the Buffer Zone.

1. Tree Filter Zone: In no case shall more than 50% of the tree cover be removed for any 100 foot long section of Buffer Zone, except in cases of hardship where the applicant can demonstrate that no reasonable alternative exists. Tree cover is measured for purposes of this section as the basal area of trees with a 5 inch or greater DBH (diameter at breast height).
2. Setbacks: These Regulations presume that work in close proximity to a Vegetated Wetland, Bank or Vernal Pool has a high likelihood of causing direct or indirect alterations to those Resource Areas. Therefore, any project proposing work in the Buffer Zone must maintain certain setbacks from the Resource Areas. These setbacks, summarized in Table 3, include both structure setbacks and disturbance setbacks, and are dependent upon, the Groundwater Protection District in which the site is located, and whether it is located on a steep or shallow slope. In the

event that the applicant can demonstrate that no reasonable alternative exists, and proposes to take all necessary measures to prevent both short and long term impacts to the wetland, the Commission may, at its discretion, modify or waive this provision. The terms Groundwater Protection District, steep slope, shallow slope, structure and disturbance are defined within section VI of these Regulations and summarized below.

**Table 3
Minimum Setbacks From Bank or Vegetated Wetland**

Groundwater Protection District	Slope ¹	Structure Setback (ft)	Disturbance Setback (ft)
GW-1 & WP	Steep	50	30
GW-1 & WP	Shallow	40	25
GW-2	Steep	40	25
GW-2	Shallow	30	25

1 steep = Greater than 3:1 slope, shallow = Less than 3:1 slope
(see Section VI for precise definitions)

FRAMINGHAM WETLANDS PROTECTION REGULATIONS

C. PERFORMANCE STANDARDS WITHIN THE BUFFER ZONES

(c) Wildlife Habitat and Rare Species (both flora and fauna).

1. 125 foot Buffer Zone: Activities within any portion of a buffer zone shall not adversely affect the form or function of the Resource Area. The Commission reserves the right to regulate the application of pesticides, herbicides, fertilizers, sodium chloride, and other materials in the buffer zone because of their potential impact upon the Resource Areas, including nutrient loading and other forms of pollution.
2. 30 foot No Alteration Zone for Undisturbed Lands
 - a. Undisturbed Land is land determined by the Commission to be of a predominantly natural character or to have been altered after August 28, 1992 without a permit from the Conservation Commission.
 - b. No alterations are permitted within 30 feet horizontally outward from the boundary of any Resource Area.
- c. Prohibited alterations include, but are not limited to, grading, landscaping, clearing or cutting of vegetation, filling, excavating, dumping of leaves or lawn refuse, construction of roads or structures, or removal of naturally occurring leaf litter and debris.

d. Structures include, but are not limited to: single family houses, multi-family dwellings, commercial or industrial buildings, porches, decks, house additions, pools, septic systems, and sheds.

3. 30 foot No Alteration Zone for Disturbed Lands

a. Disturbed Land is land determined by the Commission to be of a legally modified nature (e.g., parking lot, lawn, non-native landscaping, patio, etc.), modified prior to August 28, 1992, or after that date with a permit from the Conservation Commission).b. No alterations resulting in a net increase in impervious surface area, a net increase in non-native or invasive species, a net increase in stormwater runoff, a net increase in lawn area, or net decrease in vegetative cover will be permitted within 30 feet of the edge of the Resource Area

c. No structures shall be constructed or placed on pervious surfaces within 30 feet of the edge of the Resource Area without compensatory restoration and mitigation.

d. Structures include, but are not limited to: single family houses, multi-family dwellings, commercial or industrial buildings, porches, decks, house additions, pools, septic systems, and sheds.

4. Additional No Alteration Zones

No alteration shall be permitted in the entire 125 foot buffer zone or Riverfront Area of the following unique habitats or natural communities as long as said area falls within a Resource Area protected under the State Acts or the Bylaw:

a. Vernal pool as defined in Article V Section 18.9 (Appendix 1);

b. Important Bird Areas (Appendix 2);

c. Portions of the Riverfront Area of the Sudbury River designated as “Wild and Scenic” (Appendix 3);

HAMILTON

NO-DISTURBANCE AND NO-BUILD ZONES

When proposing alterations of land within an AURA, the applicant must overcome a strong presumption of adverse impact on the adjacent wetlands and their functions and values. The commission will require a 25 foot no-disturbance zone extending from the edge of all non-AURA wetland resource areas and a 50 foot no-build zone from the edge of all non-AURA wetland resource areas. Building construction of any kind is prohibited in the no-building zone. Building construction means any construction that requires a permit from the building department under the regulations and by laws of the Town in effect at the time of the filing of the project. This includes, but is not limited to, home construction, porches, decks, additions, and sheds. Driveways and fences may be allowed after a consideration of the interests sought to be protected by the By Law. No construction activity or removal of vegetative cover is allowed in the no-disturbance zone, and, with the exception of contained, organic, composting areas, there shall be no

dumping of leaves, grass clippings, trash or any kind of refuse, within the resource area or the 25 foot no disturbance zone.

**CITY OF HOLYOKE, MASSACHUSETTS
WETLANDS PROTECTION ORDINANCE
REGULATIONS**

A. Performance Standards

1. Inner 50'

A minimum of a fifty (50') foot undisturbed area shall be established adjacent to any vegetated wetland, bank, lake, intermittent stream and certified or uncertified vernal pools. No work, structure, vegetation removal, grading or other alterations will be allowed within the inner fifty (50) foot area.

2. Outer 50'

No impervious surfaces including, but not limited to, driveways, walkways, parking lots, buildings, or structures, may be constructed or placed within the area which is 50' to 100' from the edge of an area subject to protection. Components of stormwater management systems, landscaping, grading, and erosion control shall be allowed in the 50'-100' area.

3. Variance from Performance Standards

An Applicant may make a request in writing a variance for a to this Section; such request must include, at a minimum, the following information:

- (a)** The impact of proposed project on the Inner 50' and Outer 50';
- (b)** Alternative designs;

- (c) Limitations of the particular lot and project design that necessitate the variance; and
- (d) Proposed mitigation and/or restoration on site or within the watershed (i.e. exceed the ratio of replication; provide perpetually protected areas of open space; use of newest technology).

Hopkinton Conservation Commission
Town of Hopkinton
Wetlands Protection
Regulations

Type of Work Limit of Work or Disturbance
Limit of Structure

Any activity abutting a river, stream or other body of water covered under the Rivers Protection Act

100 200

Any activity abutting a vernal pool, whether or not the activity is listed in any other category in this table

125 125

Residential activity, including residential lots and multi-family residential development, for which a definitive subdivision plan was approved by the Planning Board on or before November 1 1995

25 (reduced to reflect

grandfathering rec'dn of Bylaw Study Committee)

50

Residential activity, including residential lots and multi-family residential development (Note: See 5.12 to see whether a NDA may apply)

50 50

Utilities (electric or gas transmission, telecommunications, water main, sewer main, drainage pipe, or stormwater management outfalls)

10 (except for permitted crossings)

15

Stormwater Management structures (excluding outfalls) 50 50

Roads or multiple concurrent driveways 25 (except for permitted

crossings)
30
Private driveway (one) 10 (except for permitted
crossings)
15
Commercial, Industrial, Parking Lot, Municipal, or other Non-
Residential activity not included above
50 75

KINGSTON WETLAND PROTECTION REGULATIONS

6.0 PERFORMANCE STANDARD

6.01 Buffer Zone

Vernal Pool habitat, as certified by Massachusetts Natural Heritage and Endangered Species Program or the Kingston Conservation Commission, and a 100 foot buffer zone completely surrounding the vernal pool shall remain entirely natural and undisturbed, no activities or impacts of any nature will be permitted, including but not limited to stormwater discharge and water quality changes. The Conservation Commission requires that an undisturbed Buffer Zone be maintained a minimum of 25 feet in width adjacent to any area subject to protection and a minimum of 100 feet in width adjacent to any vernal pool. No activity of any kind shall be allowed in the undisturbed buffer zone without specific permission of the Commission.

The Commission may require, on a case by case basis, up to a 25 foot undisturbed buffer zone adjacent to an area subject to protection under the By-Law or up to a 100 foot undisturbed buffer zone adjacent to a vernal pool in the event that the Commission determines that the proposed work activity will harm the interests identified in the By-Law and these Regulations.

**RULES ADOPTED BY
THE LEXINGTON CONSERVATION COMMISSION
PURSUANT TO BY-LAWS ARTICLE XXXII,
GENERAL BY-LAW FOR WETLAND PROTECTION**

(5) Buffer Zone:

A. New Construction

1. No setbacks for structures necessary for upland access where reasonable alternative access is unavailable, for wetland dependent structures such as drain outfalls, weirs, etc. and for underground utilities.
2. 25 feet - 100 feet for roads, driveways, retaining walls.
3. 50 feet - 100 feet for all other structures: residential and commercial buildings, garages, parking lots, decks, etc.
4. 100 feet plus for underground storage of gasoline, oil or other fuels and hazardous materials.

B. Existing Structures

Properties presently not in compliance with the above will not be permitted to increase their degree of non-conformance, e.g., owners of a house currently 35 feet from the wetlands edge can build an addition that maintains a 35-foot setback, but not one that has a 30-foot setback.

C. Site Development and Landscaping

1. Of contiguous land within the 100-foot buffer zone, construction activities can disturb no more than 50% or the amount not presently supporting a natural community, whichever is greater.
2. Within 25 feet of a wetland a critical edge shall be required where:
 - a. there shall be no clearcutting of trees and surface vegetation, only selective thinning of trees to a spacing of not more than 20 feet;
 - b. brush may be topped to a height of three feet or replaced with a more desirable species;
 - c. areas disturbed by construction must be planted with a continuous groundcover requiring no fertilizers or pesticides for maintenance.

3. Critical edge may be waived to provide access to bodies of water.

TOWN OF LONGMEADOW
Conservation Commission
REGULATIONS FOR TOWN OF LONGMEADOW
GENERAL WETLANDS BYLAW (Ch. 700. Sec. 2-701)

2. A buffer of naturally occurring vegetation measuring 50 feet from the edge of all wetlands and waterbodies must remain undisturbed.

Town of Manchester-by-the-Sea

Wetlands Regulations

<u>Type of Project</u>	<u>No Disturb Zone (ft)</u>	<u>No Building Zone (ft)</u>
Existing Residential Lot	30	50
New Residential Lot	50	50
Subdivision lot (with lot preparation done in conjunction with road construction)	50	75
Commercial/Industrial	50	75
Driveways/Utilities Other roads/Drainage	25 (except for permitted crossings)	

Town of Marblehead
Wetlands Protection Bylaw Regulations
For
Administering Marblehead Bylaws Chapter 194, Sections 194-1 – 194-14

5.4.1 Presumptions. The Commission presumes that work in the categories below, within the tabulated distances from a Resource Area, will result in alteration of the Resource Area. This presumption is rebuttable and may be overcome upon a showing by a preponderance of credible evidence that the nature of the proposed work, special design measures, and construction controls or site conditions will prevent alterations of the Resource Area. For the purposes of the table below, "disturb" means filling, excavation, grading, operation of motorized construction equipment and storage or stockpiling of earth or construction materials, alteration of vegetation, and "building" means a structure requiring a building permit.

Type of Project	No Disturb Zone (ft)	No Building Zone (ft)
Residential Lot	25	50
Commercial/Industrial	25	50
Driveways, Utilities, Roads and Drainage	25 (except for permitted crossings)	

A vegetated buffer strip directly abutting and along the resource area may be required if any encroachment into the No Disturb Zone or No Build Zone is allowed.

MAYNARD WETLANDS PROTECTION REGULATIONS

C. PERFORMANCE STANDARDS WITHIN THE BUFFER ZONES

- 1. Inner 50-Foot No-Disturbance Zone for Undisturbed Lands**
 - Undisturbed Land is land determined by the Commission to be of a predominantly natural character or to have been altered after May 1996 without a permit from the Conservation Commission.
 - No alterations are permitted within 50-feet of a wetland resource area.
 - Prohibited alterations include, but are not limited to, grading, landscaping, clearing or cutting of vegetation, filling, excavating, and construction of roads or structures

- Structures include, but are not limited to, single family houses, multi-family dwellings, commercial or industrial buildings, porches, decks, house additions, pools, septic systems, and sheds.
 - Driveways, roadways, fences, and facilities for stormwater management may be allowed in the 50-foot No-Disturbance Zone by waiver when no other feasible alternative exists; see Section IV.
2. **Inner 50-Foot No-Disturbance Zone for Disturbed Lands**
- Disturbed Land is land determined by the Commission to be of a legally modified nature (e.g., parking lot, lawn, non-native landscaping, patio, etc.), modified prior to May 1996 or after May 1996 with a permit from the Conservation Commission).
 - No alterations resulting in a net increase in impervious surface area, a net increase in non-native or invasive species, a net increase in stormwater runoff, a net increase in lawn area, or net decrease in vegetative cover will be permitted within 50 feet of the edge of the wetland resource area
 - No structures shall be constructed or placed on pervious surfaces within 50 feet of the edge of the wetland resource area without compensatory restoration and mitigation.
 - Structures include, but are not limited to, single family houses, multi-family dwellings, commercial or industrial buildings, porches, decks, house additions, pools, septic systems, and sheds.
 - Driveways, roadways, fences, and facilities for stormwater management may be allowed in the 50-foot No-Disturbance Zone by waiver when no other feasible alternative exists; see Section IV.)
3. **Outer 50-foot Buffer Zone:** Activities within the outer 50 feet of a Buffer zone shall not adversely affect the form or function of the wetland resource area or the Inner 50-foot No-Disturbance Zone.
4. **25-foot Isolated Land Subject to Flooding No-Disturbance Zone:** The entire 25-foot Buffer zone surrounding an isolated land subject to flooding shall be a no-disturbance zone, with the same conditions and performance standards identified above in paragraph 1 (for the Inner 50-foot No-Disturbance Zone for Undisturbed Land).
5. **100-Foot Vernal Pool No-Disturbance Zone:** No alteration shall be permitted in the entire 100-foot Buffer Zone of a vernal pool, with the same conditions and performance standards identified above in paragraph 1 (for the Inner 50-foot No-Disturbance Zone for Undisturbed Land).

**RULES AND REGULATIONS
OF THE
METHUEN CONSERVATION COMMISSION**

WETLANDS SETBACK POLICY

Unless proven otherwise by the applicant, the Conservation Commission shall presume that any proposed activity within 20 feet of any wetland will have a significant adverse impact on the wetland and shall not be permitted.

NORTH ANDOVER WETLANDS PROTECTION REGULATIONS

5.1 No-Disturbance Zones

25-Foot No-Disturbance Zone and/or 50-foot Ephemeral Pool No-Disturbance Zone

5.2 No-Build Zones

50-foot No-Build Zone and 75-foot Ephemeral Pool No-Build Zone

TOWN OF NATICK WETLAND PROTECTION BYLAW & RULES AND REGULATIONS

No Disturbance Zone

The Commission will enforce a No Disturbance Zone measuring 25 feet (measured horizontally) from all resource area boundaries (except riverfront and floodplain). This is an area in which virtually no activities or work, other than passive passage, are permitted (i.e. Boardwalk). No vegetation may be disturbed, leaf litter and debris shall remain in place, and no dumping of grass clippings, brush, leaves or any other debris or trash is allowed. The no disturbance area should remain unchanged from its pre-project state (unless the Commission grants approval to an applicant's proposal to restore a previously altered area). The restrictions associated with a designated No Disturbance Zone shall not be lifted with the issuance of a Certificate of Compliance, but shall remain in force. Where a prior existing structure protrudes into, or a prior existing alteration exists in a No Disturbance Zone, the Commission may permit the extension of such non-conforming structure into, or further alteration in such zone in accordance with its Rules and Regulations.

No Build Zone

The No Build Zone extends 15 feet (measured horizontally) from the edge of the (25-foot) No Disturbance Zone, in the direction upland or away from the resource area. This is an area where no structures are allowed to be placed or constructed. Prohibited structures include buildings, houses, barns, garages, and sheds. Items such as fences, retaining walls, decks, patios, gazebos, lawn furniture, children's toys such as sandboxes and swing-sets, rip-rapped areas, boardwalks, driveways, parking areas and the like are not considered "structures" for the purposes of these regulations. The restrictions associated with a designated No Build Zone shall not be lifted with the issuance of a Certificate of Compliance, but shall remain in force. Where a prior existing structure protrudes into, or a prior existing alteration exists in a No Build Zone, the Commission may permit the extension of such non-conforming structure into, or further alteration in such zone in accordance with its Rules and Regulations.

100-foot of Vernal Pool

The Commission will enforce a No Disturbance Zone measuring at least 100 feet (measured horizontally) from all Vernal Pools. This is an area in which virtually no activities or work, other than passive passage, are permitted. The no disturbance area should remain unchanged from its pre-project state (unless the Commission grants approval to an applicant's proposal to restore a previously altered area). Where a prior existing structure protrudes into, or a prior existing alteration exists within the 100-foot Buffer Zone of a Vernal Pool, the Commission may permit the extension of such non-conforming structure into, or further alteration within the 100-foot Buffer Zone of a Vernal Pool in accordance with its Rules and Regulations.

<p style="text-align: center;">TOWN OF NORFOLK CONSERVATION COMMISSION WETLANDS PROTECTION REGULATIONS</p>

SECTION 3: Buffer Zone Performance Standards

(1) Presumption of 50 Foot Undisturbed Buffer

(a) The Conservation Commission presumes that an undisturbed forest or naturally vegetated buffer at least 50 feet wide between the edge of the Resource Area specified in Section 2(1)(a), (c) and (f) and the area the applicant proposes to disturb during a project is necessary to protect the interests of the Bylaw, the Act, and the DEP wetlands regulations.

(b) An applicant proposing to disturb any area within such 50-foot buffer

shall have the burden of showing that the work proposed in the application will not harm the interests protected by the Bylaw, the Act and the DEP wetlands regulations. Failure to provide adequate evidence satisfactory to the Conservation Commission supporting a determination that the proposed work within such 50-foot buffer will not harm the interests protected by the Bylaw, the Act and the DEP wetlands regulations shall be sufficient cause for the Conservation Commission to deny a permit or grant a permit with conditions, including without limitation, such buffer as the Conservation Commission deems appropriate, or, in the Conservation Commission's discretion, to continue the hearing to another date to enable the applicant or others to present additional evidence.

(2) 50 Foot - 100 Foot Buffer

(a) Nothing in this regulation shall prevent the Conservation Commission from prohibiting activity anywhere within the 100 foot Buffer Zone defined by the Bylaw, these regulations, the Act and the DEP wetlands regulations, including, without limitation, the area between the edge of the 50 foot buffer presumed necessary by this regulation and the end of the 100 foot Buffer Zone.

(b) Projects proposed within the 50 - 100 foot buffer will be reviewed using the following performance criteria

- (1) For new lots formed and/or new subdivision roads approved after the effective date of these regulations, it is presumed that alteration to the 50 - 100 Foot buffer can be avoided. If a project proposes alteration within this buffer, applicants must present a vigorous alternatives analysis showing that the proposed project avoids alteration to the fullest extent and has minimized impacts. Mitigation for all buffer zone alteration is required
- (2) For projects on undeveloped lots in existence prior to the effective date of these regulations, the applicant must present evidence that a reasonable effort has been made to avoid and minimize impacts to the 50 - 100 Foot buffer.

TOWN OF NORTHBOROUGH **WETLANDS REGULATIONS**

4.2 Activities within the Buffer Zone.

4.2.1 General Performance Standards. No foundation, building, road, sidewalk, or other permanent structure shall be placed within thirty (30) feet of any resource area. Furthermore, no grading, filling, excavation, removal of vegetation or other construction activity

shall be allowed within fifteen (15) feet of said resource areas. Notwithstanding the above, the Commission may allow work closer to resource areas if needed: (a) to provide access to an area where an alteration of BVW has been allowed; (b) if the work qualifies as a limited project (310 CMR 10.53 (3) as amended); or (c) for storm water outlet structures. In other projects the Commission may allow work closer to a resource area if the applicant demonstrates: (1) alternatives have been considered and in the judgment of the Commission no practical alternative is available; (2) project scope and design minimize work in close proximity to resource areas; (3) site conditions (including but not limited to slope, soil type and hydrology) will allow prevention of wetland damage from such work; and (4) such work will not lead to encroachment on the resource area after completion of the project. For projects involving steep slopes, highly erodible soils, extensive disturbed areas, or hydrologic conditions likely to promote significant erosion, the Commission may require a wider undisturbed buffer to ensure protection of wetland resource areas. Furthermore, the presumption of wetland resource alteration from fertilizers and pesticides may be overcome by providing qualified technical data to the Commission indicating that the chemical products will not alter wetland resource areas.



2.2 PERFORMANCE STANDARDS

2.2.2 Specific Standards

2.2.2.2 Buffer Strip

Where an activity is proposed within the Buffer Zone to a wetland, vernal pool, bank or beach, or isolated land subject to flooding, the Commission shall require that a continuous Buffer Strip (at least 25 feet wide) of undisturbed, natural vegetation be maintained between the proposed activity and the resource areas(s).

In designing a project to meet this performance standard, the applicant shall take into account not only proposed construction activity, but also realistic future use of the site. As an example, in the case of construction of a single-family residence, it shall be presumed that such future use includes a yard, and that the yard shall extend at least 25 feet horizontally from the structure, exclusive of any portion of the Buffer Strip. Typically, the Commission shall expect new structures sited at least 50 feet from wetland resource area(s), and that a Buffer Strip significantly greater than 25 feet will be provided where slopes exceed 25%.

REGULATIONS FOR ADMINISTERING THE TOWN OF STURBRIDGE WETLAND BYLAW

Based on systematic field observation in the Town of Sturbridge by the Sturbridge Conservation Commission, disturbance of vegetation or soils within 25 feet of a resource area creates direct observable impacts to the resource area, including but not limited to those stated elsewhere in these regulations. The minimum strip of continuous undisturbed vegetative cover for any and all resource areas is 25 feet from the outermost edge of the resource area in all directions. [For example a stream will have a minimum 50-foot corridor plus the actual width of the stream based on mean annual high water mark. This 50-foot+ buffer should be considered a minimum starting point and not the maximum protection.] The 25-foot buffer is to be considered a “No Disturb” buffer.

Based on systematic field observation in the Town of Sturbridge by the Sturbridge Conservation Commission, any structures less than 50 feet from a resource area create temporary construction and long-term “normal daily use” impacts within the 25-foot buffer. The minimum distance for a new structure will be 50-feet from any resource area. The new structure setback will not apply to any structure existing prior to the adoption of these regulations. However structures being removed and replaced must comply with the regulations in effect at the time of the reconstruction. For structures existing within the 50-foot buffer, which are not being removed but for which the footprint is changing, any increase in footprint must take place at the greatest feasible distance from the resource area.

1.3 NO SIGNIFICANT ADVERSE IMPACTS

An applicant is required to demonstrate that any work, including proposed mitigation measures, will have no significant adverse impacts on the resource area. The

Commission requires a 25-foot undisturbed vegetated corridor around all resource area boundaries with the exception of certified or identified **vernal pools which will require a minimum of a 100-foot, undisturbed buffer**. This buffer may range up to 200 feet depending on the characteristics and species present. The term identified vernal pool refers to a vernal pool for which sufficient evidence to certify the vernal pool is present and is identified by the Commission or a representative of the Commission. The Commission prohibits the use of pesticides, fertilizers and herbicides within the 100-foot buffer to all resource areas and prohibits the use of salts, quick release pesticides, quick release fertilizers and quick release herbicides within the 200-foot buffer to all resource areas. Activities, which increase the potential for hazardous impact to the resource areas such as vehicle maintenance, are prohibited within the 200-foot buffer to resource areas.

1.4 BUFFER ZONES

This section is intended as a general overview. Additional regulations, restrictions or waivers may apply to the specific buffer, project or site in question. For additional information, please refer to the chapters and sections noted in the Table of Contents or contact the commission office.

As of the date of these regulations a summary of the state and local conservation related buffer zones are as follows:

- 25-foot No Disturbance buffer - for new construction (see section 1.1, paragraph 6)
- 25-foot No additional disturbance allowed for reconstruction. Projects must result in better conditions for the resource area based on scientific evidence of benefit to the resource, 2:1 mitigation required for any new work in this buffer. (see section 1.1, paragraph 8-11)
- 50-foot No Structures Allowed for new construction (see section 1.1, paragraph 7)
- 50-foot Addition to existing structures, must be located as far from the resource as possible, 2:1 mitigation required for reconstruction. Change of the footprint is considered new construction. (see section 1.1, paragraph 8-11)
- 100-foot WPA and Local Wetland Bylaw buffer, prior review by the SCC required to ensure no significant adverse impact, work requires the filing of a Notice of Intent, all new disturbance shall be located outside the 100 foot buffer to the extent possible. (see section 1.1 paragraphs 4, 5)
- 200-foot Local Wetland Bylaw buffer, prior review by the SCC required to ensure no significant adverse impact, work requires the filing of a Request for Determination.
- 200-foot Perennial Riverfront Resource buffer, starts at the edge of mean annual high water mark, no disturbance of this 200 foot buffer is allowed except under extreme and mitigating circumstances to be determined on a case-by-case basis by the Commission.
- 200-foot Vernal Pool buffer, unless proof is provided by the applicant that the project as proposed will result in no adverse impact to the site specific resource area needs (see section 5.6 and section 1.1 paragraph 4). The first 100 feet is to

be considered the minimum no-disturb buffer. This may range up to 200 feet on a case-by-case basis.

200-foot Wildlife Habitat buffer, variable based on site-specific wildlife habitat requirements (see sections 5.7 and 5.8 and section 1.1 paragraph 4)

Naturally Vegetated buffer strip (width in feet)	Sediment and Pollution Removal (approx %)	Wildlife Habitat Values Associated with Specific Buffer Width
25	50	Poor habitat value; useful for temporary wildlife activities
35	60	Minimally protects stream habitat; poor habitat value; useful for temporary activities of wildlife
50	≥60	Minimal general wildlife and avian habitat
65	70	Minimal Wildlife habitat value; some value as avian habitat
100	70	May have use as a wildlife corridor; general avian habitat value
165	75	Minimal general wildlife habitat value
250	80	Fair to good general wildlife and avian habitat value
330	80	Good general wildlife habitat value; may protect significant wildlife habitat

**RULES AND REGULATIONS
UNDER THE SWANSEA WETLANDS PROTECTION**

BYLAW

I. Buffer Zone Protection

1. Bordering any wetland, the Commission may require a zone of natural vegetation of sufficient width to assure that silt, soil,

fertilizer in solutions, organic chemicals, herbicides, organic manure, oils or petroleum products which may be carried by surface runoff shall not reach that wetland, but instead shall be trapped by the natural mulch, soil and roots. Under most conditions, a zone of 25 feet would be considered sufficient to accomplish this purpose, however, the distance would depend on slope, soil type, ground cover and the project proposed. The Commission shall encourage stabilization of upgradient areas beyond the 100-foot line.

Walpole

1.4.1 No Alteration Zone

The Commission shall require the Applicant to maintain a twenty-five (25) foot wide contiguous, undisturbed vegetative buffer measured from, and parallel to, the wetland resource boundary, as a minimum.

TOWN OF WESTFORD WETLANDS RULES AND REGULATIONS

Type of Project	Limit of Work (feet)	Limit of Building (feet)
Work on a lot with an existing structure where work is proposed on an artificial surface area of the lot.	30	55
Work on a lot with an existing structure where work is proposed within an existing non-artificial surface area.	50	75
Work on an undeveloped lot*	50	75
<p>*Where access to the buildable portion of an undeveloped lot can only be provided via a wetlands crossing or by work closer than the prescribed limits, then work in association with only the roadway or driveway only may occur closer than the prescribed limits. Such roads and driveways must be designed to cross or approach wetlands in such a fashion to minimize impact within the wetlands and the applicable no disturb zones within the Buffer Zone.</p>		