



January 28, 2019

Chris Wider, Chairman  
Town of Norfolk – Zoning Board of Appeals (ZBA)  
One Liberty Lane  
Norfolk, MA 02056

Re: **Wetlands Peer Review, follow-up to Letter Report issued January 17, 2020**  
**Lakeland Hills – Townhouse Community**  
144 Seekonk Street  
Norfolk, MA

Mr. Wider and Members of the Board:

In our Letter Review issued January 17, 2010 BETA Group, Inc. (BETA) stated in its **Findings and Recommendations** that at this time the applicant has not submitted enough information to describe the site, the work or the effect of the work on the public and environmental interests identified in the Norfolk Wetlands Protection Bylaw (Article VII, Section 2 of Town Bylaws) and its Regulations. Our report identified several impacts to resource areas defined under the Local Wetlands Protection Bylaw.

It is BETA's opinion that additional information is needed to more fully assess the impacts of the Project on the protected resource areas and the public and environmental interests set forth in the Local Bylaw. Based on our initial Project peer review, we believe the Applicant should provide the following to the Town of Norfolk Zoning Board of Appeals (ZBA):

- 1) A science-based Buffer Zone analysis. Upland 100-foot Buffer Zones protect the ecosystem services / functions and values of wetlands, waterways and water bodies by maintaining water quality, hydroperiods and water budgets.<sup>1</sup> A science-based Buffer Zone will consider the effect on the environment from the Project. At a minimum, the study should include the following:
  - a) A description of the existing biological condition of the Buffer Zone, adjacent Areas Subject to Protection under the Bylaw, and overall site.
  - b) Description and quantity of both temporary and permanent impacts to the Buffer Zone and adjacent Areas Subject to Protection under the Bylaw. The term "alter" is defined under the Bylaw (Section 1.2) and should be used to describe and quantify impacts.
  - c) Identification and description of the Bylaw interests that are protected by the existing Buffer Zone and adjacent Areas Subject to Protection under the Bylaw.
  - d) Evaluation of compliance with the Bylaw Performance Standards listed below for proposed activities within a Resource Area including the 100-foot Buffer Zone.
    - i) No net change in runoff volumes or peak flows;
    - ii) No adverse impacts in runoff water quality;
    - iii) No adverse impacts to groundwater recharge.

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<sup>1</sup> MACC Buffer Zone Guidebook, June 6, 2019

- iv) No adverse impacts to wildlife and wildlife habitat as a result of the change in the water budget that is currently supporting the Buffer Zone and adjacent resource areas vegetation and the vegetated wetland and stream's hydroperiod. The water budget analysis should take into consideration precipitation, runoff, evapotranspiration, soil moisture, and groundwater inputs. Climate change forecast should be part of this water budget analysis.
- 2) Hydrological calculations specific to the concentrated surface water flow observed within the vegetated wetland on the Project site documented by BETA on December 12, 2019 that demonstrates no adverse effect on its hydroperiod.
- 3) Hydrological calculations specific to the potential Bylaw vernal pool documented by BETA on December 12, 2019 within the vegetated wetland on the Project site that demonstrates no adverse effect on its water budget.
- 4) Evaluation of the potential vernal pool during normal weather conditions to document whether it meets its definition found in Section 5 (38) of the Norfolk Wetland Protection Regulations. This evaluation should be conducted by the Board's peer reviewer in conjunction with the Applicant.

We also recommend that additional site visits be conducted by BETA to document existing conditions during the late winter – spring to further evaluate the site's existing conditions with respect to areas Subject to Protection under the Bylaw.

Thank you. If you have any questions, please contact us at your convenience.

Sincerely,

**BETA Group, Inc.**



Marta J. Nover  
Vice President

Job No: 19.06850.00