



TOWN OF FOXBOROUGH
CONSERVATION COMMISSION

CONSERVATION DEPARTMENT
TOWN HALL, 40 SOUTH STREET
FOXBOROUGH, MA 02035
508-543-1251

GUIDELINES FOR PROPOSED WORK ON A LAKEFRONT LOT / POLICY

Adopted by Foxborough Conservation Commission – December 13, 2021

THIS GUIDE has been created to help waterfront property owners understand our State and Town wetlands laws' requirements. Any alterations that are proposed on any land/soil located within 100 feet of any lake or pond requires the Conservation Commission's review and written approval. Throughout the wetland application review process, the Commission endeavors to approve waterfront projects that will help ensure water quality sustainability and result in "net environmental benefits." The Commission relies upon scientific data to ensure water quality sustainability through the use of Low Impact Development (*LID*) techniques, preservation of wide vegetated buffers, restoration of previously altered buffer zones, installation of new septic systems, and/or other environmentally-friendly methods. All *new* alterations (*think "shovel to soil"*) that are proposed within 100 feet of a lake or pond (*or a wetland*) must comply with state and local wetlands laws.

BASED UPON SCIENTIFIC DATA, THE COMMISSION HAS DRAFTED THE FOLLOWING REQUIREMENTS, for all lakefront development and redevelopment projects, to streamline the wetland application and review process:

1. **25 FOOT NO ACTIVITY ZONE (25' NAZ)**: No grading, clearing of trees or vegetation, or other alterations shall be allowed within the 25' NAZ of any lake or pond, *except for the following activities, with the prior review and approval of the Conservation Commission*:
 - Repair of waterfront retaining walls (*repair from the upland side of the wall, whenever possible*),
 - Restoration of the 25' NAZ by removing invasive plants and re-naturalizing with native plants,
 - Repair/replacement, but not enlargement, of existing stairs / steps to the waterfront, and/or
 - Vista pruning (*i.e. the selective pruning/cutting of branches to create a better water view*).
2. If a proposed project includes a new or enlarged foundation, or an increase in a lot's impervious surfaces, then the Notice of Intent's narrative shall include a table with the sq. ft. calculations of the current vs. proposed impervious surfaces (*i.e. foundation, driveway, patio, etc.*).
3. If an enlarged or replacement (*house*) foundation is proposed within the 100 foot buffer zone of a lake or pond, it shall not be located any closer to the waterbody than the existing house foundation.
4. **FOR NARROW LAKEFRONT LOTS**: *Before any house construction activities may begin*, the applicant shall complete all permit-approved work in the NAZ, request a site inspection by the Agent, and then receive written approval to begin house construction from the Commission and/or Agent.
5. Drywells or rain gardens shall be used to infiltrate clean roof runoff and LID techniques (*such as vegetated swales*) shall be used to divert driveway runoff away from the waterfront.
6. If a proposed deck would extend closer to the waterfront than the existing foundation, then the Commission usually requires deck footing holes to be dug by hand (*i.e. no machinery*).
7. Rip rap shall not be allowed within the 25' NAZ or in buffer zone restoration projects. To stabilize slopes, only native rocks/boulders or environmentally-friendly BMPs should be used/proposed.
8. The MassDEP's Exempt Minor Activities, including vista pruning of branches, planting native species, and creating unpaved, meandering walkways less than 30" wide, are usually allowed and encouraged.
9. The Commission may require the installation of bounds along the NAZ line to alert current and future homeowners that no work is allowed beyond that boundary.

FOR UNDEVELOPED LAKEFRONT LOTS (*as of the date of this Policy*): The above list and the following shall apply:

10. Undeveloped lake or pond-front shorelines are presumed to have significant wildlife habitat value. No waivers will generally be granted from the 25' NAZ requirement on these lots, except to create a single meandering path to the water or a floating seasonal dock.
11. No alterations or activities shall be allowed on waterfront slopes, particularly steep slopes leading down to a waterfront, and as determined by the Commission, a No Activity Zone (*width to be determined*) may be required from the edge of the top of slope (*as delineated*).

(10/28/2021 rev.)