



Bellingham Conservation Commission  
10 Mechanic Street  
Bellingham, MA 02019

January 8, 2026

Re: Evaluation of Vernal Pool Buffer Zones - Blackstone Street Extension, Bellingham, MA 02019 (MassDEP File No. 105-0986)

Dear Bellingham Conservation Commission,

Goddard Consulting, LLC respectfully submits this letter on behalf of the Applicant, Lou Petrozzi of Wall Street Development Corp., to evaluate the significance of the existing buffer zones, including the 50-foot No Disturbance Zone and the 100-foot Buffer Zone, adjacent to the certified vernal pool located north of Blackstone Street and west of the residential properties on Maddie Way in Bellingham, Massachusetts.

On March 5<sup>th</sup>, 2025, a Notice of Intent application was filed under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, §40, “the Wetlands Protection Act”) and implementing regulations at 310 CMR 10.00, and under the Town of Bellingham’s Wetland Bylaw and Regulations (c. 247, “the Bellingham Bylaw”). The applicant is proposing to construct and improve the gravel private way west of Maddie Way to be consistent with the Town’s construction standards for roadways. The gravel private way bisects a large Bordering Vegetated Wetland system with an internal intermittent stream channel, known as Quick Stream, to the south of the gravel road. The presence of the roadway with an obstructed culvert has created a ponded area within the northern Blackstone Field Estates Conservation Area. Earlier this year, this ponded area was certified as vernal pool by the Natural Heritage & Endangered Species Program.

Both the Wetlands Protection Act and the Bellingham Bylaw implement restrictions within 100 feet of certified vernal pools in order to preserve and sustain the characteristics and functions of the vernal pool. The Wetlands Protection Act regulations protect certified vernal pools and up to 100 feet beyond the pool boundary and presumes any proposed alterations would result in the impairment of the wildlife habitat function of the certified vernal pool. However, to receive protection under the Act, the 100-foot zone surrounding the certified vernal pool, known as Vernal Pool Habitat must occur within a jurisdictional wetland resource area. Buffer Zone under the WPA is not a resource area, so vernal pool habitat does not extend into the buffer zone. In this specific case, the vernal pool boundary adjacent to the gravel roadway is the same as the wetland boundary. Therefore, no state-jurisdictional Vernal Pool Habitat extends into the proposed limit of work.

The Bellingham Bylaw protects all potential vernal pools, regardless of their state certification status, with a 100-foot Buffer Zone and a No-Disturbance Zone, typically 50-feet in width. According to the Bylaw, vernal pools and their 100-foot Buffer Zone are likely to be significant to the protection of wildlife habitat. The 100-foot Buffer Zone may be utilized as migratory pathways, feeding, shelter, and overwintering sites. The No-Disturbance Zone may extend 50 feet beyond the vernal pool boundary; however, the width of the town-jurisdictional No-Disturbance Zone is to be determined by the Commission. The No-Disturbance Zone prohibits mosquito spraying, fertilization, herbicide and pesticide applications, grading, landscaping, vegetation control, pruning, cutting, filling, excavation, roadway construction and/or driveway construction.

According to the Bellingham Bylaw, a No-Disturbance Zone may be established around a vernal pool unless the presumption set forth in § 247-25D of the regulations is overcome. § 247-25D establishes the presumption of significance for vernal pools, stating “where a proposed activity involves the removing, filling, dredging, or altering of a vernal pool or its adjacent buffer zone, the Commission shall presume that the vernal pool and/or its buffer zone is significant to the protection of wildlife habitat and rare plant and animal habitat”. The presumption of significance assumes the entirety of the existing No-Disturbance Zone is undisturbed, valuable wildlife habitat.

The majority of the 50-foot No-Disturbance Zone and the 100-foot Buffer Zone to the vernal pool casts onto undisturbed, permanently protected forests north of the private way. In other words, the entirety of the vernal pool buffer zones north of the private way will serve as upland habitat for vernal pool breeding species. The remainder of the 50-foot No-Disturbance Zone and 100-foot Buffer Zone cast onto the uplands associated with the existing gravel road immediately south of the vernal pool. The existing private way consists of an artificial substrate with no natural topsoil or native vegetation (Reference Photos 1 and 2). The little amount of herbaceous vegetation along the sides of the existing gravel road is unlikely to provide suitable habitat for vernal pool species. Additionally, the existing gravel roadway lacks a functional culvert and stormwater management infrastructure. The obstructed culvert causes the vernal pool to flood over the gravel roadway during seasonal high-water conditions, resulting in uncontrolled erosion and sediment transport that may adversely affect vernal pool-breeding species and associated sensitive resource areas. There is also some amount of runoff that enters the vernal pool from the developed portions of Blackstone St and Maddie Way. This runoff could contain fertilizers, pesticides, herbicides, salts, oils, and sediments, etc. that could at some rate enter the vernal pool and if not the vernal pool, then the BVW and surrounding uplands that vernal pool species could use.

The proposed project will improve the existing gravel road by constructing a stabilized roadway within areas of existing fill and gravel that are currently degrading the vernal pool buffer zone. The incorporation of stormwater management features will intercept, convey, and treat runoff, resulting in the reduction of erosion and sedimentation into the vernal pool and surrounding wetlands. The addition of a box culvert will restore the hydrological connection between the vernal pool and the southern wetland system. The proposed box culvert was carefully designed at an invert elevation high enough to allow the vernal pool to flood to current conditions, maintaining the characteristics and functions of the vernal pool. This means that the pools water elevation will be the same after construction as it is today and will not decrease or increase the amount of water in the vernal pool. The box culvert may also serve as a corridor for amphibians to use. The existing gravel roadway does not provide shelter, foraging, overwintering, or breeding habitat for any amphibian species. There is limited clearing of forested upland proposed within 50 feet of the vernal pool. This work is needed in order to meet the roadway requirements for width.

Overall, the establishment of a 50-foot No-Disturbance Zone south of the certified vernal pool is not warranted due to the presence of an existing disturbed gravel roadway that does *not* provide the wildlife habitat functions presumed for the No-Disturbance Zone under the Bellingham Bylaw. The majority of the uplands within 50 feet are already occupied by a historic gravel roadway comprised of an artificial substrate with no natural topsoil or native vegetation. Therefore, the presumed 50-foot No-Disturbance Zone does not currently function as undisturbed upland habitat for vernal pool breeding species. In contrast, the remainder of the vernal pool’s 50-foot No-Disturbance Zone and

100-foot Buffer Zone extends into permanently protected, forested land north of the roadway. The vernal pool breeding amphibians likely utilize the natural, undisturbed forest north of the private way. This upland habitat is permanently preserved in both the existing and proposed conditions. All proposed work within the town-jurisdictional 100-foot Buffer Zone has been minimized to the maximum extent practicable. The proposed improvements exist primarily within the existing disturbed footprint, including the implementation of stormwater management and the installation of a box culvert. These measures are specifically designed to reduce erosion and sedimentation, restore hydrologic connectivity, and protect and improve the existing characteristics and functions of the certified vernal pool. The work is not expected to have an adverse effect on wildlife or wildlife habitat. Therefore, the proposed work overcomes the presumption of significance for the disturbed portion of the No-Disturbance Zone and remains consistent with the intent and performance standards of the Bellingham Wetland Bylaw and the Massachusetts Wetlands Protection Act.

Sincerely,

**Goddard Consulting, LLC**



Scott Goddard, PWS, CWS  
*Principal*



Ryan Roseen  
*Lead Wildlife Biologist*

Cc: Lou Petrozzi of Wall Street Development Corp., 2 Warthin Circle, Norwood, MA 02062

## Site Photos



**Photo 1.** View (facing west) of gravel roadway with seasonal flooding in December 2025.



**Photo 2.** View (facing east) of gravel roadway with extent of vegetation in September 2025.