



Town of Hudson
CONSERVATION COMMISSION

78 Main Street, Hudson, MA 01749
(978) 562-2948

25-Foot No Disturb Zone Policy

Approved May 5, 2022

I. General Policy

In order to protect water supplies and wildlife habitat, to prevent pollution and storm damage, and to provide flood control, the policy of the Hudson Conservation Commission is that work shall not be performed within a 25-foot No Disturb Zone (NDZ). The NDZ is the area within 25 feet of the edge of a resource area subject to protection under the Massachusetts Wetlands Protection Act (WPA), G.L. c. 131, § 40 with the exception of Bordering Land Subject to Flooding. The NDZ is the inner 25 feet of Buffer Zone or Riverfront Area.

In the Commission's experience, activities undertaken within 25 feet of the edge of a resource area have a high likelihood of adverse impact upon the protected resource area as a consequence of either construction activity or the daily use and operation of the completed project.

II. Exceptions

The Commission may at its discretion, however, allow work within the 25-foot NDZ if the Commission finds that the applicant has made every effort to avoid and minimize alteration within the NDZ and the applicant has demonstrated that:

- A. the work is proposed in an area of the NDZ that was altered prior to the adoption of Hudson's 25-foot NDZ policy in May 2022, or was legally permitted to be altered; or
- B. no reasonable conditions or alternatives exist that would allow the proposed activity to proceed in compliance with the Wetlands Protection Act and this policy, and permitting the work will further an overriding public interest or prevent an unconstitutional taking of private property without just compensation; or
- C. the proposed work is limited to the alteration of vegetation that minimizes soil disturbance and in the judgment of the Commission or its agent will not harm the interests and values protected under the WPA. This includes the removal of unhealthy or hazardous trees, the removal of invasive species, and the planting of native species, but does not include the expansion of lawn.

III. Conditions for Exceptions

When exceptions are allowed under section II, above, the Commission may require the applicant to:

- A. restore natural vegetation adjacent to a resource area in approximately a 2:1 ratio of area revegetated to area proposed to be altered;
- B. remove or reduce previous disturbances adversely affecting the wetland resource area;
- C. meet other conditions, safeguards, and limitations that the Commission determines will result in improved protection of the resource area.