

March 19, 2021

Westwood Conservation Commission  
Westwood Town Hall  
50 Carby St  
Westwood, MA 02090

Re: Response to Peer Review Comments from GEC  
Lot 42 Mill St, Westwood, MA (Map: 28, Parcel: 013)

Dear Westwood Conservation Commission:

Goddard Consulting, LLC (Goddard), is pleased to submit letter to the Westwood Conservation Commission in response to comments in email format from the peer reviewer, Goldman Environmental Consultants, Inc. (GEC) on 12/14/20 that were sent to Goddard Consulting on 1/4/21. These comments were in regard to the Notice of Intent (NOI) for the property addressed as 42 Mill St., Westwood on behalf of the applicant, Anthony Delapa, for the construction of a single-family home, paving of a driveway, and construction of associated structures on the property.

### Comments from Goldman Environmental Consultants, Inc.

*“Attachment A is Figure 6 from the original report in January 2016 show the Brook following a channel for more than 140 feet south into the area of the ‘pond’ and therefore extends the bank of the perennial stream for that distance. The corresponding river front setbacks will also change due to that condition. The second attachment, B, shows the concrete dam and the dry stream channel in October 2020. Debris of the beaver dam can be seen upstream of the concrete dam. Also note the stream channel in the foreground is approximately 35-40 feet wide. The bank of this channel seems to be shown on the submitted plan following contour 184 whereas the channel that was measured is only 5 feet wide. (See Attachment I) This changes the riverfront setback by about 25 feet closer to the proposed house. The third attachment, C, shows the channel flowing at the same time the concrete dam was dry indicating that it now is the likely perennial stream due to the beaver dam. These two photos were taken during an official drought monitoring period. (see attachment G) The fourth photo D, shows the same channel on December 2 2020 after a 2.5 inch rain fall event from December 1. The fifth picture E, shows the same channel looking downstream. Based on this picture the level of the water at the main channel is approximately elevation 188 using the plan of record. This further expands the point of the perennial stream edge, 25 +/- feet closer to the project site because the edge if the perennial stream is the annual high water mark per the regulations. We continue to maintain as well that this stream is the perennial stream due to the changed condition of the beaver dam and the resulting pathway for the water is this channel as documented here. See attachment J. Furthermore based on this information the Commission has the right to consider the pond to not*

*exist if it is not named on the u USGS plan and if the characteristic of the stream can be documented through the impoundment.”*

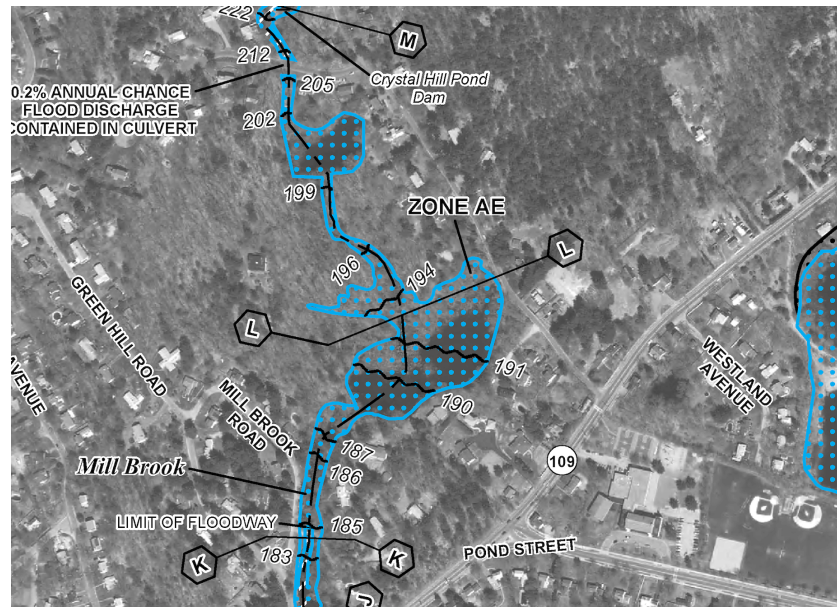
**As addressed in the previous *Response to Peer Review Comments from GEC (10/27/20)*, Goddard reiterates that the wetland line and boundaries of the perennial stream onsite are legally bound by a FORAD extended to 12/19/22 (DEP #338-0594).**

*“Attachment F is the latest FEMA flood map for the 100- and 500- year elevations from the MASS GIS system. Note that the entire site is within the 100 year flood plain including the house location. In fact the entire lot as shown is within the 100 year flood plain.”*

**According to 310 CMR 10.57(2)(a)3. States the following in regards to determining the boundary of floodplain:**

***3. The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm. Said boundary shall be that determined by reference to the most recently available flood profile data prepared for the community within which the work is proposed under the National Flood Insurance Program (NFIP, currently administered by the Federal Emergency Management Agency, successor to the U.S. Department of Housing and Urban Development). Said boundary, so determined, shall be presumed accurate. This presumption is rebuttable and may be overcome only by credible evidence from a registered professional engineer or other professional competent in such matters.***

**Below is a screenshot of the most recent FEMA FIRM map of the locus area (see attached full FIRM map. Flood Zone AE shown on this FIRM map is the jurisdictional floodplain in accordance with the Wetlands Protection Regulations. This floodplain has been correctly referenced on the submitted site plans.**



**Figure 1. Jurisdictional flood zones within the locus site. (FEMA, Map Number 25021C0178E, July 17, 2012)**

*“Attachment H is marked up from the plan of record. We note that the access road to the house is not from the owners lot but from the interior of the abutters lot. The only access from the Right of way is in the proposed location of the force main. This will cause additional wetland impacts to cross the stream located there.”*

**The site plans have been revised to show access to the proposed house coming from the right of way. Revised calculations of impacts to BVW, Buffer Zone, and Riverfront Area have been included in the revised Notice of Intent Submission included with this document.**

*“The last attachment is some background regarding the relationship of beavers with the intestinal disease known as Giardia for reference.”*

**No comment.**

If you have any questions or concerns regarding this letter, please feel free to reach out to us.

Very truly yours,

Scott Goddard,  
Principal & PWS

Anthony Delapa, 511 Washington St., Norwood, MA 02062

Brian Donahoe, Goldman Environmental Consultants, Inc., 60 Brooks Drive, Braintree, MA  
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