



Date: March 2, 2026

ATTN: Mark C. LePage, Chair
Town of Franklin Conservation Commission
355 East Central Street
Franklin, MA 02038

RE: **Lewis Street**
MassDEP File No. 159-1324
Notice of Intent Peer Review Response

Mr. LePage,

The following comments and updated design plans are submitted in response to the revised BETA peer-review letter dated February 23, 2026, issued after the resource-area delineation field inspection. All original comments and LPI responses remain unchanged.

PLAN AND GENERAL COMMENTS

A1. The Massachusetts Department of Environmental Protection (MassDEP) issued a DEP file number (File No. 159-1324) with the following technical comments:

MassDEP recommends that the applicant demonstrate that adequate separation exists to allow the installation of the proposed sewer line and existing stormwater culvert which conveys flows developed parts of Lewis St to downgradient wetlands and provide details on how this stormwater conveyance will be maintained during project construction.

LPI RESPONSE A1.

See response to peer review comment W2.

A2. The following elements are missing from the provided plan set:

- a. Existing and proposed vegetation should be included on the plans as referenced in Bylaw Regulations Section 7.18.1.5 and 7.18.1.6, including individual trees/shrubs with a diameter greater than 1" proposed for removal. It is BETA's understanding that the Commission generally increases the size threshold for tree location based on the Project and therefore defers to the Commission on this matter. However, the existing tree line, areas of proposed lawn, and any other proposed vegetation should be depicted on the plans.

LPI RESPONSE A2.a

An existing condition has been submitted to document the existing tree line location. The proposed tree clearing has been indicated on the design plans.

- b. A Construction Sequence with all proposed activities within Jurisdictional Areas should be provided on the plans per Bylaw Regulations Section 7.18.1.14.

LPI RESPONSE A2.b

A Construction Sequence and Schedule has been provided in the Project Narrative and Statement Document. The Construction Sequence and Schedule, Section 8, has been added to the Design Plan.

c. A PLS stamp should be provided on the plans to verify the existing conditions survey.

LPI RESPONSE A2.c

An existing condition has been submitted in support of the Notice of Intent stamped by a Professional Land Surveyor.

A3. Impacts to both the 25-50-foot and 50-100-foot Buffer Zone should be noted on the plans.

LPI RESPONSE A3.

The buffer zone impacts were included on the initial submission Design Plans. See "BUFFER ZONE IMPACT REPORT" table on the revised Design Plans.

RESOURCE AREA AND BOUNDARY COMMENTS

As noted earlier in this letter, BETA will be conducting a Site visit once ground conditions improve and will subsequently provide any resulting comments.

LPI RESPONSE

To discuss during meeting on 2-26-2026.

BETA Comment (February 23rd, 2026)

BETA conducted a Site visit on February 20, 2026, to assess existing conditions and to review Resource Area delineations, focusing on the definitions and methodologies referenced under the Act and the Bylaw. Review of Resource Area delineation included all flagged areas on the Site, with a focus on areas closest to where work is proposed. This assessment was performed outside of the growing season with approximately 5 inches of snow cover present at the Site. Accordingly, the scope of the review was limited, as herbaceous vegetation could not be reviewed during this Site visit.

BETA offers the following comment regarding Resource Area boundaries:

W1. Hydric soils consisting of a dark/organic surface layer underlain by depleted soils with redoximorphic concentrations were observed within the area between flags A-5 and A-8 and approximately 5-10 feet upgradient of the area between flags A-1 and A-5. Vegetation in these areas consists of sweet pepperbush (*Clethra alnifolia*), highbush blueberry (*Vaccinium corymbosum*), and red maple (*Acer rubrum*). The Applicant should revise the BVW boundary and associated Buffer Zones accordingly. In addition, the field data sheets for the relevant upland/wetland plots should be revised, as no soils information is included on the forms submitted with the NOI application.

LPI RESPONSE W1.

An assessment of the wetland flags was conducted on February 27th, 2026. The delineation was amended to include the area as previously described. Revised wetland flags (900-series) were hung between wetland flag A-4 and A-8. Additional field data sheets were submitted for the amended delineation. The flag locations and transect areas were field located and amended on the revised site plans dated March 2, 2026.

W2. Flag A-3 was not observed in the field; however, the location of the flag as depicted on the plans

LPI RESPONSE W2.

A limited amount of vegetation exists in the vicinity of wetland flag A-3 and was hung on low lying vegetation at the corner of the existing headwall. The flag may be buried underneath the existing snowpack.

CONSTRUCTION & MITIGATION COMMENTS

W3. Provide specifications of the seed mixture(s) proposed for stabilization of disturbed areas within Buffer Zone, including any areas that are proposed to be lawn. All areas of proposed lawn should be demarcated on the Project plans.

Per the Erosion & Sediment Controls Notes on the plans, Note 6 provides a suggestion for proposed seed that consists of non-native grasses for stabilization. BETA recommends that native species with wildlife habitat value be proposed within Buffer Zone where lawn is not required as mitigation for Buffer Zone clearing.

LPI RESPONSE W3.

The seed mixture recommended is a convention turf grass lawn. The areas to be seeded as "lawn" have been indicated on the revised Design Plans.

- W4. The Applicant should provide a cross section to demonstrate that the proposed sewer can be constructed over or under the existing drain without conflict.

LPI RESPONSE W4.

The proposed sanitary sewer connection will pass over the existing storm drain as noted on the plan. The proposed connection cannot pass under the storm culvert and gravity connect to the existing sanitary sewer network. Field measurements and calculation have determined that there is 2-inches of clearance between the top of storm sewer pipe and the invert of the proposed sewer connection. The applicant will continue to coordinate sanitary and storm sewer construction activities with the Town of Franklin DPW.

A note has been added that the proposed sanitary sewer connection trench shall be hand dug within 5 feet of the storm sewer pipe to prevent damage during construction.

- W5. Material storage and laydown areas should be depicted on the Project plans and located outside of jurisdictional areas to the extent feasible.

LPI RESPONSE W5.

The revised Design Plans indicate a temporary stockpile and material storage area.

- W6. Groundwater may be encountered when excavating for the new foundation and utilities. The Commission could include a Special Condition in the order of Conditions requiring the submission and approval of a dewatering plan prior to discharge in the event that groundwater is encountered.

LPI RESPONSE W6.

If groundwater is encountered during construction, a dewatering plan must be submitted to the Conservation Commission and/or its agent for review and approval before any dewatering activities begin. A Special Condition for this review comment is requested.

- W7. The Applicant should consider providing a planting plan to mitigate for additional development within Buffer Zone. Specifically, areas within Buffer Zone closest to BVW should be prioritized for the planting of native vegetation and the application of native seed mix.

LPI RESPONSE W7.

The addition of six (6) High bush blueberry plantings have been added and noted on the revised Design Plans.

- W8. The Applicant should quantify impacts to the 0-25-foot No Disturb Zone, as the proposed tree line depicts vegetation clearing within this Buffer Zone up to the BVW boundary at one location. Additionally, erosion and sedimentation controls should be depicted at the limits of work in this area. If the Commission permits this vegetation clearing, BETA suggests that the Commission include a Special Condition requiring the Applicant to provide signage at the proposed limits of work to prevent future encroachments further into jurisdictional areas.

LPI RESPONSE W8.

The project does not propose land disturbing activities within the 0-25 foot No Disturb Zone. The tree line within the No Disturb area is existing. See provided existing conditions plan and Google Street View image; Attachment #1.

WPA PERFORMANCE STANDARDS COMMENTS

The Project does not propose any work within Resource Areas Subject to Protection under the Act; therefore, the Project is not required to comply with Performance Standards under the Act.

LPI RESPONSE

No Comment.

BYLAW REGULATORY COMMENTS

- W9. A Variance Request should be submitted for vegetation clearing within the 0-25-foot Buffer Zone and construction of impervious surfaces within the 25-50-foot Buffer Zone in accordance with the procedure per Bylaw Regulation Section 5.

LPI RESPONSE W9.

The tree line within the 0-25 foot No Disturb Zone is existing. The project does not propose land disturbing activities within the 0-25 foot No Disturb Zone. See provided existing conditions plan and Google Street View image; Attachment #1.

W10. A Construction Sequence should also be provided on the Plans per Bylaw Regulation Section 7.15.1.

LPI RESPONSE W10.

The Construction Sequence & Schedule that is within the Project Narrative has been added to the plan.

W11. The Applicant should provide an Erosion & Sedimentation Control Plan which includes the name and phone number of the person(s) responsible for inspecting and maintaining erosion controls as required in Section 7.12.1 of the Bylaw Regulations. The erosion & sedimentation control plan should be included on the plan.

LPI RESPONSE W11.

The Property Owner/ Applicants contact information has been added to the design plan. Erosion and Sediment Controls include compost sock and are indicated on the Design Plan.

W12. According to Section 7.9.1 of the Bylaw, the Project Narrative should include the following missing content:

- a. The entity performing the work; and

LPI RESPONSE W12.a

The entity performing the work will be the Property Owner/ Applicant (i.e. Lewis Street Realty LLC). The Project Narrative Section 1.0 Project Description states that "Lewis Street Realty LLC proposes to develop the residential lot" and includes the activities that will be performed to accomplish the proposal in subsequent paragraphs..

- b. When the proposed activities will be completed.

LPI RESPONSE W12.b

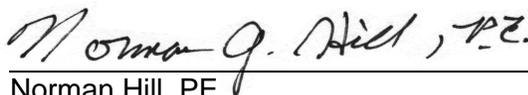
The Project Narrative Section 8.0 Construction Sequence & Schedule documents the approximate timeline of the project and necessary activities. The approximate completion time is documented between April and September 2026.

W13. Section 4.4.1 of the Bylaw states that "mitigation offsets may be required by the Commission when the applicant proposed that more than 30% of the 50-100-foot Buffer Zone Resource Area is proposed to be impervious surface." The Applicant should provide the Commission with calculations of proposed impervious area within the 50-100-foot Buffer Zone as it compares to existing conditions to allow the Commission to determine if additional mitigation measures are warranted.

LPI RESPONSE W13.

The existing lot area is 10,000 ft² with more than 50% of the lot being between the 50–100-foot Buffer Zone (6,053 ft²). The impervious surface to this area has been minimized to the maximum extent practicable. The project proposes 1,766 ft² (29.2%) of impervious surface area between the 50 - 100 foot Buffer Zone.

Sincerely,



Norman Hill, PE
Land Planning, Inc

3-2-26
Date