

Town of Franklin



Conservation Commission

**January 15, 2026
Meeting Minutes**

As stated on the agenda, this meeting is available to be attended in person and via the Zoom platform. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link provided on the agenda. This meeting will be held in the Town Council Chambers on the Second Floor of the Municipal Building for citizens wishing to attend in person.

Commencement

Chair Mark LePage called the above-captioned meeting to order this date at 7:00 PM as a remote/virtual/in-person meeting. Members in attendance: Mark LePage, Lui Puga, Michael Rein, Richard Johnson, Roger Trahan, Nicole Chiaramonte, Matthew Stoltz. Absent: None. Also present: Breeka Li Goodlander, Director of Conservation (via Zoom); Tyler Paslaski, Administrative Staff.

Note: Documents presented to the Conservation Commission are on file.

SCHEDULING

None.

GENERAL BUSINESS

Minor Buffer Zone Activities: 860 West Central Street

Mr. Patrick Downing said he and his wife are the owners of GlenPharmer Distillery. He said he submitted an MBZA application to erect a new sign. He said Mine Brook is in the area. He reviewed the photos that were provided in the meeting packet. He said there is currently a sign; they would be moving it little. He explained they are using whiskey barrels and steel as the sign posts. They would be digging footings for these posts to embed in concrete. He said the sign may be slightly closer to the brook due to the angle of the brook.

Ms. Goodlander said she recommended approval.

There was motion made by Richard Johnson to approve the Minor Buffer Zone Activity for 860 West Central Street. The motion was seconded by Lui Puga and accepted with a roll call vote of 7-0-0 (7-Yes; 0-No; 0-Absent). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiaramonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

Minutes: December 4, 2025 & December 11, 2025

There was a motion made by Lui Puga to approve the meeting minutes for December 4, 2025. The motion was seconded by Richard Johnson and accepted with a roll call vote of 7-0-0 (7-Yes; 0-No; 0-Absent). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiaramonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

There was a motion made by Michael Rein to approve the meeting minutes for December 11, 2025. The motion was seconded by Richard Johnson and accepted with a roll call vote of 7-0-0 (7-Yes; 0-No; 0-Absent). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiaramonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

PUBLIC HEARINGS

Public Hearing – NOI – 444 East Central Street

Mr. A.J. Alevizos, applicant TAG Central LLC; Mr. Carlton Quinn of Allen & Major Associates; and Mr. Chris Frattaroli of Goddard Consulting addressed the Commission. Mr. Frattaroli said tonight was going to be running through conditions.

Chair LePage said they wanted to vote to approve the restoration plan; this is separate from the project itself. Mr. Frattaroli confirmed they were looking at the plan dated October 31. The plan was attached to a report dated October 29.

There was a motion made by Roger Trahan to approve the Restoration Plan for 444 East Central Street. The motion was seconded by Richard Johnson and accepted with a roll call vote of 6-0-0-1 (6-Yes; 0-No; 0-Absent; 1-Abstain). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiaramonte-Yes; Puga-Yes; Stoltz-Abstain; LePage-Yes.

Chair LePage said they had conditions written up. He asked Ms. Goodlander to read the conditions.

Ms. Goodlander said standard special conditions #19-51; they are pretty self-explanatory. She read aloud the additional special conditions. She noted they mirror 121 Grove Street really well, as well as three additional conditions at the end.

Ms. Goodlander read aloud the special condition numbers and descriptions. Chair LePage provided a hard copy of the conditions to Mr. Alevizos. **SEE ATTACHED**

Ms. Goodlander discussed #54 and reasoning for her wording changes from certificate of occupancy to certificate of compliance. She discussed #55 and the reasoning for her wording changes related to bank. She discussed #59 and the reasoning for her wording changes regarding snow storage. She said all would get a copy of the changes.

Mr. Frattaroli said they would like to run through language. He discussed #52 regarding providing the SWPPP. Chair LePage agreed to the changed wording as acknowledged. Mr. Frattaroli discussed #53 regarding SWPPP inspection frequency. Ms. Goodlander said this is what they have had for previous 40Bs. Chair LePage said they want to talk about it. Ms. Goodlander said perhaps there is a middle ground about changing #53. She said every seven days is nice and is good to go out after a storm. Mr. Quinn suggested every seven days and every .5 in. storm. Commission members discussed the suggested language and wording change. Mr. Alevizos said he thinks there is language that can be worked in to coordinate with the ZBA as well. Chair LePage said he likes seven days and .5 in. Mr. Alevizos said he agrees. Ms. Goodlander noted the Commission can come back to this item. Discussion commenced on .25 in. rain. Mr. Frattaroli said .25 in. is a very low threshold.

Mr. Frattaroli reviewed #54 regarding tweaking language and changing wording as certificate of compliance. Mr. Alevizos discussed obtaining certificate of occupancy versus certificate of compliance. Ms. Goodlander said how she would interpret this, and noted this is on the record, drafting this condition you can get your certificate of occupancy for building 1, building 2, building 3, building 4 signed off by

my office with this condition noting that your wetland replication is not completed; your efforts are not completed because you would still have two-year monitoring. She noted she signs off on partials all the time.

Mr. Frattaroli discussed #55 and confirmed elimination of bank reference. Ms. Goodlander reviewed the wording. Mr. Alevizos said it would be slash replication area. Ms. Goodlander explained redundancy sometimes happens in an order of conditions. Mr. Alevizos said the replication areas are already designed to meet all of these.

Mr. Frattaroli noted #56 regarding O&M. Mr. Alevizos said he had no problem. Chair LePage said #58 and #59 tie together. Mr. Frattaroli requested adding language as may enter wetland resource areas without treatment in perpetuity. Ms. Goodlander confirmed they are done with #58. Mr. Alevizos discussed #59 regarding snow storage plan and asked if it could be limited to the 100 ft. buffer zone. Ms. Goodlander said the commissioners have choices. Chair LePage asked if they could grandfather in what is on the plans now. Mr. Alevizos said that is fine and noted language from the ZBA in the comprehensive permit regarding snow storage. He suggested it shall not exceed the amount of snow storage that is shown on the plans within the 200 ft. area. Commission members agreed. Ms. Goodlander agreed and read aloud the new wording for #59.

Mr. Alevizos requested adding two words to #60: if applicable. Ms. Goodlander said yes.

Mr. Frattaroli said he had no problem with #61. Regarding #62 he discussed the meaning of 75 percent vegetation. Ms. Goodlander discussed the language. Mr. Alevizos said he does not know how this condition could be logistically confirmed. He suggested following the invasive species management plan. Ms. Goodlander said there are parameters in the management plan to denote success. Mr. Alevizos said he would agree with adding that wording. Ms. Goodlander made wording changes.

Mr. Alevizos said he had no problem with #63. Mr. Alevizos reviewed #64 regarding sale of the property prior to the issuance of a certificate of compliance. He requested wording changes regarding the completion of the replication areas if sold. Ms. Goodlander discussed the wording if there was a change of hands. Mr. Alevizos suggested amended wording to clarify the replication area does not need to be completed by that time. Ms. Goodlander said yes.

Mr. Frattaroli said regarding #65, there would not be a bare-root planting in a 3 gal. pot. Ms. Goodlander said correct. Mr. Frattaroli suggested to strike bare-root and add in the replication area. Ms. Goodlander said yes. Mr. Alevizos asked to copy over the language agreed to for the other one for #66 regarding construction sequence. Ms. Goodlander said yes. Ms. Goodlander reviewed pre-construction meeting attendees.

Mr. Alevizos said #67 references the condition in the ZBA condition, and it is not in addition to. Ms. Goodlander confirmed. Mr. Alevizos asked what condition is it in the comprehensive permit. Ms. Goodlander said section C2; she said from the Commission's perspective it is about stormwater inspections. Mr. Alevizos said it is okay.

Ms. Goodlander noted the plan for the snow storage, the copy and paste from the WPA, and the SWPPP. Mr. Alevizos said date and title for snow storage plan is sheet number C105A & B dated October 29, 2025. Chair LePage said the commissioners want to think more on the snow storage inspections. Commission members talked about the inspection requirements. Mr. Puga read aloud information from the [EPA.gov - Frequently Asked Questions \(FAQ\)](https://www.epa.gov/frequently-asked-questions-faq) relating to stormwater

inspections during on/off business days. Mr. Puga read out loud the cited the following from the Erosion and Sediment Control Requirements in the 2017 EPA CGP section of the FAQ:

- **With regard to the requirement to conduct an inspection within 24 hours of the occurrence of a storm event of 0.25 inches or greater, if a project's normal business hours are Monday through Friday and a storm produces greater than 0.25 inches of rain on a Saturday, would an inspection be required on Monday? Or, would an inspection be required on Sunday (i.e., a non-work day)?**
 - Under the CGP, inspections are only required during a project's normal working hours. In addition, the permit explains that "within 24 hours of the occurrence of a storm event" means that an inspection is required within 24 hours once a storm event has produced 0.25 inches of rain, even if the storm event is still continuing. With respect to when an inspection would be required for operators conducting inspections after a 0.25 inch storm event if the rain volume threshold is reached on a non-working day, it was EPA's intention that the inspection be conducted on the next work day. For example, if the storm event that produces 0.25 inches of rain occurs on a Saturday, the inspection would be required on Monday, the next work day.

Chair LePage said outside of that we have all the conditions finalized, and we write that up. He said the intent is to come back in two weeks and finalize all conditions and resolve the last point with stormwater inspections and go to a vote would be our intention. Mr. Alevizos confirmed at that time they would have the opportunity to ask any questions about other conditions. Chair LePage said yes; the public hearing will not be closed.

Mr. Frattaroli said they had some questions about the standard conditions. Ms. Goodlander said they can go over that. Mr. Frattaroli discussed biodegradable erosion control barriers, standard condition #20. He noted projects like this can go on for years and said this type of control barriers do not last that long. Discussion commenced on biodegradable erosion control barriers, how long they last, and using barriers with longer lifespans. Mr. Alevizos discussed his thought about using a non-biodegradable solution and a condition about removing the erosion control barrier at the end. Mr. Frattaroli said they would ensure they would be taken out at the end with appropriate language in the condition. Ms. Goodlander said the Commission requires even homeowners to install biodegradable wattles. She discussed other projects using biodegradable wattles; there are ways to ensure their longevity. Chair LePage explained their preference would be to stick with the biodegradable. Mr. Alevizos noted their construction budget and disturbing area if it has to be replaced. From a budget and environmental standpoint, he said it would be best to do a non-biodegradable version that they are used to and know will last the entire extent of construction.

Ms. Goodlander said she is here to think about creative things. She said there is an avenue for compromise. She said areas within wetland resource areas could be biodegradable, and then the rest could be something other. Mr. Alevizos said that would make a lot of sense; biodegradable around the stream and all other areas what is specified on the plans. Chair LePage said any wetland resources in the replication area would be biodegradable. Commission members discussed if the wording should stay the same to be consistent with other projects or be a compromise approach. Mr. Frattaroli reviewed locations where they could use the biodegradable and the non-biodegradable. Mr. Alevizos said any compromise would be a great help to them. Ms. Goodlander said she provides the enforcement of the removal. Mr. Alevizos discussed the flexibility.

Chair LePage said there is a difference of opinion between commissioners. Ms. Goodlander confirmed they could take a vote on it, or she could draft a hybrid. Chair LePage said he thinks they should vote on it. Mr. Johnson explained the Commission has the right to make modifications based on the particular conditions and situation. Mr. Alevizos said he would like the flexibility and appreciates the consideration. Chair LePage said Ms. Goodlander would write up an alternative proposed standard condition, and we will look at that and then vote next week on which one we want to implement. Ms. Goodlander said she would send it to everyone so they will have it.

Mr. Frattaroli talked about standard condition #23 and said they were thinking of adding just once construction begins. Ms. Goodlander said yes. Mr. Frattaroli said for #27, plan changes, add any material changes. Mr. Alevizos noted these are concept plans; it will take six months to get construction documents, and there will be minor changes made throughout that process. He said they want to make this condition reflect reality. Ms. Goodlander said that makes her really nervous on this project to not have it submitted to somebody to say yes or no. Mr. Alevizos said they have to submit for a building permit. Ms. Goodlander explained she signs off on building permits. She explained her definitions of a material change. Mr. Alevizos said Ms. Goodlander is seeing it for building permits. Mr. Quinn talked about changes to plans that occur. Ms. Goodlander said just send her an updated plan. Mr. Alevizos discussed examples of possible changes and the process of sign off. Ms. Goodlander reviewed an example of a change. She noted the difference between what would come before the Commission under general business versus reopening the public hearing.

Mr. Alevizos talked about a change contemplated by the ZBA regarding the potential requirement of a holding tank, and they are going to do a sewer study. Based on that, it will determine if they have to incorporate a holding tank into their project which would cause changes. He said this change was contemplated by the ZBA in their decision. Ms. Goodlander said this is part of her day to day. She noted permit amendments which track what changes. She said if there is anything she thinks is too close to her administrative authority, she always runs it by the chair.

Mr. Frattaroli said that is all he has. Chair LePage said they need to make a final decision on the stormwater inspections and erosion control barriers at the next meeting.

Mr. Rein asked about #67 and is the applicant going to be paying for redundant inspections. Ms. Goodlander said this is towing into a different discussion. She said the answer to Mr. Rein is yes. But the redundancy is not what you have been told by another application. She said post stormwater inspections which happen for every project throughout town by a third party not only checks erosion controls, but it also ensures the special conditions by the Commission are being followed and the stormwater bylaw is being followed. She further explained the required inspections. Mr. Alevizos questioned that he is going to be paying two different civil engineers to review stormwater. Ms. Goodlander said you will have your side and the town will have their own representative. Mr. Alevizos questioned that the town will have their own. Ms. Goodlander said it will be ZBA or Conservation that will be doing stormwater, one or the other. This is what will be discussed at the pre-construction meeting. Mr. Alevizos confirmed that it will either be Hancock or BETA reviewing. Mr. Rein said okay.

There was a motion made by Nicole Chiaramonte to continue the NOI for 444 East Central Street to January 29, 2026, at 7:01 PM. The motion was seconded by Michael Rein and accepted with a roll call vote of 6-0-0-1 (6-Yes; 0-No; 0-Absent; 1-Abstain). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiaramonte-Yes; Puga-Yes; Stoltz-Abstain; LePage-Yes.

Public Hearing – NOI – Nicholas Drive/Prospect Street Culvert Repair

Mr. Derek Adams, Stormwater and Environmental Affairs Superintendent, and Mr. Russ Kleekamp of Environmental Design and Research (via Zoom) addressed the Commission. Mr. Kleekamp shared his screen and reviewed the slideshow presentation. He reviewed the Prospect Street Culvert: Overview and Background slide. He discussed it is a busy road and a challenging site. The culvert is approximately 100 years old. He noted the photographs and said the one in the middle is from 2022. The clay pipes are 24 in. diameter. He discussed what lead to the condition of the culvert including the rocks falling. He talked about the work completed from April 29 to May 1, 2025. The DPW got a call from a resident regarding concern of ponding water. The DPW did partial unclogging. On July 15, 2025, the DPW went back out and restabilized the headwall and some portions of HDPE pipe were sleeved into the existing clay pipes. On September 30, 2025, DPW submitted the Notice of Intent that was peer reviewed by BETA who had several comments. He said he visited the site twice. He said through November 2025, EDR reviewed BETA comments and the submission of the NOI. He said EDR has a wetland scientist. He said they know they need a stamped PLS site plan. He reviewed the current status as of January 2025. He said EDR has submitted their signed proposal to the town. They are waiting for authorization back on that. He said they will do the delineations in house to do the existing conditions plan. They want to make sure the deficiencies noted by BETA Group are in the retroactive NOI. He said Mr. Adams is checking in on the status of the contract. He said EDR looks forward to working on this with the town.

Chair LePage confirmed Mr. Kleekamp's intent is to resubmit the NOI. Mr. Kleekamp noted after the signed authorization, it would probably take two to four weeks for the surveyor to get the signed PLS stamped site plan; best case it might be five to six weeks from authorization for the Commission to see something. Mr. Adams said he received EDR's proposal in early December and forwarded it to procurement which usually takes them about two to four weeks to get finalized with all signatures. He said he inquires about once a week to see the status. Chair LePage reviewed the policy of the Commission is that to review something at a meeting, they need the material submitted by noon of the previous Thursday. He said he is requesting something, if possible, by February 19 so the Commission can look at it on the 26th. Mr. Kleekamp said he noted the dates. He confirmed it is a retroactive NOI.

Ms. Goodlander noted the DEP comments. Mr. Kleekamp said he would like to take a look at those. Ms. Goodlander noted for the record a small conflict but nothing that she thinks she needs to recuse herself from, but she and Colin Duncan are on a board together for AMWS; she is happy he is not representing this project.

There was motion made by Matthew Stoltz to continue the NOI for Nicholas Drive/Prospect Street Culvert Repair to January 29, 2026, at 7:02 PM. The motion was seconded by Michael Rein and accepted with a roll call vote of 7-0-0 (7-Yes; 0-No; 0-Absent). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiaramonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

Public Hearing – NOI – 1199 West Central Street

Ms. Jean Christy, principal engineer of Tighe & Bond (via Zoom), said she is presenting for Garelick Farms. She said she was before the Commission about one month ago. She said she received peer review comments back for their response, and they revised plans and documentation to address those.

Chair LePage said going through the response to the peer review they have a couple of special conditions that they are agreeable to: keeping additional controls onsite and monitoring the plantings for two growing seasons. Ms. Christy said that is fine. Chair LePage said there were some plan updates, and the Commission would like to see that, and they saw the PLS stamped variance request. Ms. Christy said all those items are on her list.

Ms. Christy shared her screen and showed and explained plan changes and said they were minor. She noted they clarified the tree clearing limits. She noted erosion control barrier type was changed to compost filter tube without straw and updated on the plans. She said they updated the permanent and temporary impact table to the resource areas, and it is on the plans. She said the variance request is a bigger topic. She said they submitted a letter regarding the variance. She explained they did not think it was necessary to have a surveyor do the entire site. The surveyor did the drainage work and delineations, and they are comfortable with that level of existing conditions. In response to comments by Commission members, Ms. Christy said that the base plan notes is a list of all the pieces and parts that we have used for the existing conditions information shown on the drawings. She confirmed nothing has changed since this. Mr. Puga noted in the proximity of where the work is being conducted is a distance from the property line. Ms. Christy talked about the front of the building, and it is close to the layout line for MassDOT for Central Street; she recommended that they possibility put as a condition of approval to have the property line surveyed and staked prior to construction so the contractor knows to stay out of it if that is the concern. Mr. Puga noted precedent and the information requested on the application. Mr. Johnson noted this is a very developed site, they know where everything is, they are putting in a drain line, and they have detailed with seven pieces of information where they got the layout. He questioned what are we going to achieve by doing something else. Mr. Stoltz noted regarding precedent, they are not putting up new structures, in this case they are digging a trench. Ms. Goodlander said typically you approve the variance at the end.

Chair LePage said the goal would be to write up special conditions and take a look at them at the next meeting. Ms. Christy noted Garelick Farms wants to move on this as soon as possible. Chair LePage said they do not send the conditions to the applicant ahead of time.

Ms. Chiamonte asked about stormwater for TSS on page 10 and BETA said it is 80 percent removal and the response says the project proposes 25 percent removal. Ms. Christy said for a new development you need 80 percent TSS removal; this is not a new development. She reviewed the TSS removal.

There was motion made by Richard Johnson to continue the NOI for 1199 West Central Street to January 29, 2026, at 7:03 PM. The motion was seconded by Lui Puga and accepted with a roll call vote of 7-0-0 (7-Yes; 0-No; 0-Absent). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiamonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

Public Hearing – NOI – 80 Spring Street

Mr. Seth Donohoe of Dillis & Roy (via Zoom) said they were last before the Commission in November.

Chair LePage said if you look through the response to the peer review letter a lot was administrative and seems to be addressed. He said he does not think it all needs to be gone through. Mr. Donohoe said he had no issues if it is leading to a vote for an order of conditions. Chair LePage said design-wise in the back of the pool, there is a native buffer zone planting area, and you have got that inside the fence. He said it might be better to move the fence in and have that outside of it. Mr. Donohoe said he thinks it is the way Chair LePage prefers it: pool, small pool patio, fence, and then native planting area. He shared his screen and explained the plans which shows this.

Chair LePage said they would get comments back from BETA; it looks fairly administrative. Ms. Goodlander asked if the plan could be amended because the fence dashing actually extends into the 50 ft. buffer zone. She said they would need an updated plan. Mr. Donohoe said the intent is as she is requesting. He zoomed in and showed the fence is outside of the line. Ms. Goodlander said she was sorry as she was looking at the proposed tree line; she is set now. She said she can draft conditions for the next meeting. Mr. Donohoe said he would attend the next meeting.

There was a motion made by Lui Puga to continue the NOI for 80 Spring Street to January 29, 2026, at 7:04 PM. The motion was seconded by Richard Johnson and accepted with a roll call vote of 7-0-0 (7-Yes; 0-No; 0-Absent). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiaramonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

Public Hearing – NOI – Symphony Drive/Tanglewood Estates

Mr. Cameron Gray, engineer of Bay Colony Group, on behalf of their client Cypress Real Estate Development, provided drawings to all Commission members. He said this property is located beyond the existing cul-de-sac of Symphony Drive. The property is currently undeveloped and is a wooded area. It is on a hillside and slopes west to east with approximately 90 ft. elevation change. There are two isolated wetlands on the property: one on the western portion located at the top of the hill and one on the eastern side of the property at the bottom of the hill. He said they are here under the local bylaw only. He said they are proposing the construction of a single-family home along with associated driveway, utilities, and yard area. He said a portion of the home, backyard, and drainage basin will be located within the 100 ft. buffer zone as shown on the plans. The home will be approximately 89 ft. from the wetlands at its closest point. The basin will be approximately 81 ft. from the wetlands at the closest point. He clarified that the numbers he just stated are correct; it is incorrect on the NOI application. He said the limit of clearing is taking place 31 ft. from the wetlands at its closest point. Approximately 14,560 sq. ft. of buffer zone will be altered due to this project with about 2,638 sq. ft. of that area taking place within the 50 ft. buffer zone. He said they are not proposing any structures or impervious area within the 50 ft. buffer zone, and not proposing anything within the 25 ft. no disturb. Discussion commenced on the size of the slope. Mr. Donohoe said the proposed home will be serviced by municipal water and sewer and tied into the existing utilities off Symphony Drive. He said they have an infiltration basin for the subdivision that will be located within the buffer zone. The erosion control will be a silt sock. He said they were before Planning Board earlier this week. He said the project is going to be reviewed by the town's consultant. They have not received any comments back as of tonight. They received preliminary comments from the town engineer which they have no issue with.

Chair LePage asked about the stormwater basin and catching the water flowing down. Mr. Donohoe said it is flowing down the driveway, and it goes into a dip before it goes to the roadway. He said he is not using any catch basins for this site; he explained he is grading it into these basins. Chair LePage confirmed it is a detention basin on the left. Mr. Donohoe said it is an infiltration basin on the right. Chair LePage confirmed there is just clearing in the 50 ft. Mr. Donohoe reviewed that 164 ft. of buffer zone will be altered due to the home, 958 sq. ft. due to the basin, and the remaining 13,438 sq. ft. is for the rear yard area.

Ms. Goodlander noted she did not yet respond back to the applicant's emails. She is still in project review as well as BETA. She questioned why the driveway is the length it is and why it is in the buffer zone; she is leaning toward moving the house outside of the buffer zone. She asked why is the design the way it is that it is impacting resource areas. Mr. Donohoe said it was the grade driving it. There is no way to pull the infiltration basin any closer which is why the driveway is as long as it is. If he pulled the house further at the back of the site, he would be creating a significant slope going down toward the wetlands. So, having the house in the area, allows him to start catching that existing grade without filling too much at the back of the property toward the wetlands. Mr. Stoltz asked about the clearing of the trees in the 50 ft. buffer zone, and if he could make a narrower backyard and stay out of the 50 ft. buffer zone. He said he could review it.

Mr. Joseph Amante, 133 Brandywine Road, said he is an abutter that lives downhill from the site. He said he attended the Planning Board meeting. He said he already submitted these comments so they would be

on record. He said ultimately, he wants to make sure that the wetland resource areas and the abutting properties downhill do not have issues with stormwater runoff. He said he reviewed all the designs. He said he has three things to mention. He said the road edge design is proposed to use gravel trenches as opposed to curbing. His main concern is in the winter the plows will clog the trenches with snow, and they will become ineffective. He requested consideration for Cape Cod berms or curbs on the downhill side to direct the water to where it should be going. He said his biggest concern is that the way it is designed everything is intended to go to that second retention pond which he thinks is called 5P in the diagram. He talked about the basin and said it assumes that the filtration media is clean. Over time, especially in a wooded area, there will be dirt and leaves that collect on the surface of the basin and prevent infiltration in the basin. He said if this reduces infiltration there will be a lot of runoff into the wetlands and further to the houses below. He said his last concern is maintenance conditions. This is private property. If the person decides not maintain it properly, it will be a concern. He noted items for consideration such as annual maintenance logs to the conservation agent or establishment of escrow fund to ensure maintenance in perpetuity.

Chair LePage said BETA will look at it and provide comments. Mr. Rein asked how does the maintenance of privately owned basins normally work. Mr. Donohoe said they develop an operations and maintenance plan that goes with the stormwater system. That is something the future owners will be made aware of. He said it is part of his stormwater report, appendix C.

There was a motion made by Michael Rein to continue the NOI for Symphony Drive/Tanglewood Estates to January 29, 2026, at 7:05 PM. The motion was seconded by Richard Johnson and accepted with a roll call vote of 7-0-0 (7-Yes; 0-No; 0-Absent). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiaramonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

GENERAL BUSINESS (continued)

Friendly 40B Local Initiative Program (LIP): None.

Minor Buffer Zone Activities: 912 Washington Street

Ms. Goodlander said the applicant is not present. She said these trees are hazardous. She asked the Commission to approve it, or she can grant an administrative approval and the Commission ratifies it later.

Chair LePage said the trees are generally speaking in a wooded area, and the applicant is amenable to stumps in place. He said he thinks they can approve the MBZA with the stumps left in place.

There was motion made by Roger Trahan to approve the Minor Buffer Zone Activity for 912 Washington Street, with condition that stumps be left in place. The motion was seconded by Richard Johnson and accepted with a roll call vote of 7-0-0 (7-Yes; 0-No; 0-Absent). Roll Call Vote: Johnson-Yes; Rein-Yes; Trahan-Yes; Chiaramonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

Request for Determination of Applicability: None.

Permit Modifications/Extensions: None.

Certificates of Compliance: None.

Violations/Enforcement: None.

Discussion: 79 Hancock Road – Reimbursement

Ms. Goodlander said this is a reimbursement the Commission discussed about two meetings past. She said there is a tree on conservation land. However, the tree is hazardous and posing risk to a home. Instead of us hiring a contractor as is typical, or utilizing DPW, the Commission chose to consider reimbursement since the tree removal would have meant mobilizing a crane on this man's driveway. So, to mitigate the risk of that, we offered for the homeowner to hire their own contractor to remove the tree. He did. It was \$1,500. She said she approved the reimbursement. She said she is asking for ratification of the decision. Chair LePage said all in favor. It was accepted with a voice vote aye.

Discussion: 121 Grove Street

Chair LePage said this is a continuation of a conversation from the last meeting where we thought we might have to have another condition regarding the stormwater inspections. He said he was going to paraphrase. He said the good news is in the work session digging into this, this has already been resolved by the ZBA ruling. So, we do not need to put another special condition in place. He said Hancock and BETA will give quotes. He said they need to make sure it gets executed. Ms. Goodlander said it is already in our stormwater bylaw and in the ZBA decision. Any redundancies in other conditions are just to really make sure that there is not an arguing point. She said but, there was not, for the record, a lack of knowing that this was coming. Chair LePage noted some benefits of redundancies.

Chair and Commission Member Comments

Mr. Johnson said he has been going out to Franklin Heights every now and then. They are busy building but not doing much else. He said he thinks there is a new dirt contractor there. He was struck by the fact that they are not expanding the road anymore; they are just building. He said they have seeded a bunch; they sprayed seed. He said they seem to be not violating their agreement. Ms. Goodlander said they still adhere to their SWPPP, and we still have inspections. She said she goes out to the site, and BETA goes out quite frequently. She said she thinks they are where we would expect them to be at this time.

Chair LePage talked about an email sent by Town Administrator Jamie Hellen and said we all responded and Mr. Hellen was appreciative. He said it seems like we have all complied.

Ms. Goodlander said all members would now be getting .gov emails. She said 1.5 weeks ago she accepted a contract for part-time virtually remote. She said she is slowly getting the feel of the new schedule. She said she is drafting a part-time conservation assistant position. She noted Earth Day will be put on the next agenda. Chair LePage said he thinks BETA is working on the local bylaws and regulations. Ms. Goodlander said yes.

Executive Session: None.

There was a motion made by Mark LePage to adjourn the meeting. The motion was not seconded. It was accepted with a voice vote aye.

The meeting adjourned at 9:49 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

--Conservation Commission approved Minutes at January 29, 2026 meeting with revisions

ATTACHMENT
SPECIAL CONDITIONS

Table 1. List of Special Conditions

All Conditions

Add	No.	Special Conditions
X	19	Mitigation Planting Plan
	20	Erosion Control Barriers
X	21	Extra Siltation Barriers
X	22	As-Built Plan
	23	Written Conformance Reports
X	24	Work Performed According to Plan
X	25	Referencing Order of Conditions
X	26	Provision of Plans and Order of Conditions
X	27	Approved Changes
X	28	Notification Prior to Work
X	29	Right to Impose Additional Conditions
X	30	Errata as Changes
X	31	Compliance Contact Information
X	32	Weekly Monitor Reports
X	33	Use of Clean Fill
X	34	No Straw Bales
X	35	Stockpile Maintenance
X	36	Cleaning Vehicles
X	37	Remedy Upon Problem Identification
X	38	Barriers as Limit to Work
X	39	Limit of Work Marked
X	40	No Construction Materials
X	41	Inspections and Disposal of Sediment
X	42	No Rock Salt
X	43	No Fertilizers
X	44	Removal of Barriers
X	45	Dewatering Plan

X	46	Stockpile Location
X	47	Removal of Sediment
X	48	No Refueling
X	49	Emergency Repairs
X	50	Leaks and Spills
X	<u>51</u>	<u>Building Permit Sign Off</u>

19. **Mitigation Planting Plan:** If the project involves detention basins, drainage swales or other significant drainage structures, prior to the first pre-construction meeting, the Applicant shall submit a mitigation planting plan to the Conservation Department for review and approval. The mitigation planting plan shall use low shrub and tree species from the Franklin Best Development Practices Guide Book - specific for wildlife habitat - to be planted near the -detention basin and altered swale.

20. **Erosion Control Barriers:** Erosion control barriers must be installed, inspected and approved by a professional engineer or licensed wetlands scientist. Before any work commences (including any land and/or vegetation cutting, removal, or disturbance) said professional shall submit to the Conservation Commission a written statement confirming the erosion control barriers are installed according to the approved plan. The statement shall be signed and stamped by said professional. All erosion control barriers must be biodegradable. This biodegradable requirement supersedes any details shown on the plan.

21. **Extra Siltation Barriers:** An extra 10% of the required biodegradable siltation barriers must be stored on site in the event of an emergency or storm.

22. **As-Built Plan:** If the Order of Conditions was based on a plan submitted and stamped by a licensed professional, then simultaneous with any written request for a Certificate of Compliance inspection, the Applicant will provide an as-built drawing plan stamped with the same license as the original plan. Any deviation from the approved plan must be demarcated and duly explained.

23. **Written Conformance Reports:** The Commission must receive a written report with respect to a project's conformance to Orders of Conditions every April and October from a professional consultant (e.g. engineer or wetland scientist) until a Certificate of Compliance is issued.

24. **Work Performed According to Plan:** Except where modified by the Commission, all work must be performed in accordance with the plans and the Order of Conditions. Any violation of these Orders of Conditions may result in the Applicant being subject to an Enforcement Order.

25. **Referencing Order of Conditions:** This Order shall be referenced in all construction contracts, subcontracts, and specifications dealing with the proposed work and shall supersede any conflicting contract requirements. The Applicant shall ensure that all Contractors, Subcontractors, and other personnel performing the permitted work are fully aware of the permit's terms and conditions. Thereafter, the Contractor will be held jointly and independently liable for any violation of the Order of Conditions, resulting from failure to comply with its conditions.

26. Provision of Plans and Order of Conditions: A copy of the plans and associated Order of Conditions must be provided to the contractor responsible for the project's construction and completion, *prior* to the commencement of work. The contractor must have a copy of this Order of Conditions on site at all times while activities regulated by this Order of Conditions are being performed.

27. Approved Changes: Any changes, alterations, or revisions in the submitted plans or Notice of Intent must be approved by the Commission prior to their implementation. Failure to comply with this condition may subject the Applicant to an Enforcement Order. If the Commission finds, by a majority vote, said changes to be significant and/or to deviate from the revised plans, Notice of Intent, or the Order of Conditions, then the Commission may require that the Applicant file a Request to Amend the Order of Conditions or a new Notice of Intent. All changes to the plan shall be in accordance with DEP Policy 85-4.

28. Notification Prior to Work: The Applicant must notify the Franklin Conservation Commission in writing one week before any activity, including vegetation removal, commences on the project site. Failure to comply with pertinent conditions may result in a directive to cease all activity. In the event that work ceases on the site for a period of time greater than five business days **and** inspections required by this Order are stopped, this condition shall again apply prior to recommencing work on the site. Compliance with this condition does not relieve the Applicant from complying with all other conditions. All conditions requiring additional information prior to commencing construction shall be met prior to submitting said notice.

29. Right to Impose Additional Conditions: If siltation, erosion, or other adverse impacts to any resource areas occur, the Commission reserves the right to impose additional conditions as necessary to protect the interests of the Wetlands Protection Act and the Franklin Wetlands Protection Act Bylaw.

30. Errata as Changes: Any errors found on the plans or in the information submitted by the Applicant shall be considered as changes, and the procedures and policies related to plan changes outlined above, shall be followed.

31. Compliance Contact Information: Prior to any work being performed on the site, the Applicant shall inform the Franklin Conservation Commission in writing of the names, addresses, and business and home phone numbers of both the project supervisor who will be responsible for ensuring on site compliance with the Order of Conditions, as well as his/her alternate. The Applicant shall notify the Commission in writing of any changes in this information as soon as practically possible.

32. Weekly Monitor Reports: At least every other week, beginning the first week of construction, in which construction activity occurs on site and for as long thereafter as the ground remains destabilized, the applicant, the applicant's representative, or the contractor must submit a written report to the Conservation Commission. The report must include weekly erosion control inspection logs, details of any remediation activities taken, and descriptions of any deviations from approved plans.

33. Use of Clean Fill: Any fill used in connection with this project shall be clean, meaning it contains no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster,

wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.

34. **No Straw Bales:** In order to help prevent the spread of invasive plant species, the use of straw hay bales as a means of erosion control is prohibited.

35. **Stockpile Maintenance:** Any soil areas, including stockpiles, which will remain exposed for longer than thirty calendar days shall be mulched or covered with a short-lived annual herbaceous cover crop.

36. **Cleaning Vehicles:** In order to help prevent the spread of invasive plant species during construction, all vehicles entering or leaving the site will be thoroughly cleaned of accumulated soil or plant material.

37. **Remedy Upon Problem Identification:** If any unforeseen problems occur during construction that affect any of the statutory interests identified in MGL c. 131 §40 and 310 CMR 10.00, and/or the Town of Franklin Wetlands Bylaw, the Applicant shall immediately notify the Conservation Commission, and a meeting shall be held shortly thereafter between the Conservation Commission, the Applicant, the Applicant's licensed professionals, the Contractor, and any other concerned parties, to determine corrective measures to be taken. The Applicant shall then implement the agreed upon corrective measures. In the event of a dispute between the meeting participants, the Commission's judgment shall prevail.

38. **Barriers as Limit of Work:** The sedimentation barriers will also serve as the limit of work, and no work, disturbance, or alteration shall occur on the resource area side of the barrier except as depicted on the approved plans.

39. **Limit of Work Marked:** The limit of work area shall be clearly marked in the field with said indicators being spaced at intervals no greater than 50 feet.

40. **No Construction Materials:** No construction materials, debris, leaves, or other materials shall be deposited outside the limits of work.

41. **Inspections and Disposal of Sediment:** To assure the continued effective removal of sediments, the Contractor shall inspect the barriers weekly and after each rainfall event to determine its condition. At the time of these inspections, accumulated sediments will be removed from the barriers and damaged barriers will be repaired or replaced as necessary. In no event shall silt be allowed to accumulate to a height greater than one-half the height of the barriers. Any removed sediment will be moved to and disposed of at a suitable location.

42. **No Rock Salt:** No rock salt (sodium chloride) can be used on paved surfaces within one hundred feet of wetland resource areas. Other de-icing chemicals may be used with the prior written approval of the Conservation Commission, and only after a formal review of the proposed substance. Signs, submitted to and approved by the Conservation Commission, shall be posted at the site stating this is a no-salt zone. The Conservation Commission shall not grant a perpetual use of any salt alternative chemical for the site. This condition will be noted on the Certificate of Compliance and will continue in perpetuity.

43. **No Fertilizers:** Pesticides, herbicides, and fungicides will not be used within the 100-foot buffer zone resource area. Fertilizers may be used if it is a slow release fertilizer and has been approved in advance by the Conservation Commission. This Condition will be noted on the Certificate of Compliance and will continue in perpetuity.

44. **Removal of Barriers:** No sedimentation barrier may be removed without the prior approval of the Commission or its staff.

45. **Dewatering Plan:** Prior to any excavation dewatering activity, the applicant must submit a dewatering plan to the Conservation Commission for approval. The dewatering plan must clearly indicate the location of the dewatering discharge and the measures used to prevent discharge of silt or sediment into the stormwater system or a wetland resource area. The dewatering plan must also include a contingency plan for emergency dewatering requirements. The contingency plan will provide for the pumped water to be contained in a settling basin prior to discharge. No dewatering will take place without the prior written approval of the Conservation Commission. No direct discharge to wetland resource areas will be allowed. Subsequent to dewatering, accumulated sediments will be removed to a secure location.

46. **Stockpile Location:** No debris, fill, or excavated material shall be stockpiled within 25 linear feet of the limit of work, unless approved beforehand by the commission. At no time shall any debris or other material be buried or disposed of within wetland resource areas or the 100-foot buffer zone resource areas, other than fill that is allowed by this Order of Conditions and as shown on the above-referenced plan.

47. **Removal of Sediment:** Any debris, sediment, or other material that falls into or otherwise enters the wetland resource area during the construction period must be immediately removed by hand.

48. **No Refueling:** No refueling of equipment or trucks shall occur within 100 linear feet of any wetland resource area.

49. **Emergency Repairs:** There shall be no more than a total of 50 gallons of fuel (other than what is in vehicles) or maintenance chemicals stored on any jurisdictional site at any one time. No routine servicing of vehicles used for this project will be permitted on the site. The Conservation Commission will be notified prior to initiating any emergency repairs to vehicles that must take place on the site.

50. **Leaks and Spills:** Any leaks or spills of hazardous material must be cleaned up immediately and disposed of at an appropriate off-site location in accordance with all federal, state, and local requirements and regulations. The Contractor must notify the Conservation Commission within 24 hours of any spillage or leakage of hazardous material, and must maintain an appropriate amount of absorbent on site.

51. **Building Permit Sign Off:** No land alteration, except for installation of erosion control, may begin and no building permit will be signed by the Conservation Office until such time as stipulations 9 and 20 are complied with and evidence of said compliance is received by the Conservation Office.

ATTACHMENT
ADDITIONAL SPECIAL CONDITIONS

Additional Special Conditions

52. The Applicant shall submit a Notice of Intent (NOI) with the Environmental Protection Agency (EPA) and a Stormwater Pollution Prevention Plan (SWPPP); these plans must be submitted to and acknowledged by the Conservation Director and/or Conservation Commission prior to the preconstruction meeting and building permit sign off.

53. Starting with the commencement of construction and continuing until the completion of all construction activities at the site, the Applicant shall conduct inspections once every fourteen calendar days and within 24 hours of the occurrence of a storm event that produced 0.25 inches or more of rain within a 24-hour period, or within 24 hours of a snowmelt discharge from a storm event that produced 3.25 inches or more of snow within a 24-hour period; inspections to occur within the project's normal working hours. SWPPP reports must be provided to the Conservation Director and/or Commission as they are issued.

54. Wetland replication efforts shall be completed per this Order of Conditions prior to the issuance of final Certificate of Occupancy, noting that the two-year monitoring period may occur after any Certificate of Occupancy is issued. An as-built plan and letter from the presiding wetland scientist, certifying the successful completion and installation of the wetland replication shall be submitted to and approved by the Conservation Department and/or Conservation Commission.

55. Having been vetted via the submittal of the NOI, review and comment at public hearings, and revised by the Director and Commission's Peer Reviewers, the work will fully comply with the parameters set forth in 310 CMR 10.55(4)(b):

55.1: The surface area of the replacement areas (replication areas) shall be equal to [or more] that of the area that will be lost;

55.2: The ground water and surface elevation of the replacement area shall be approximately equal to that of the lost area;

55.3: The Replacement Area shall have an unrestricted hydraulic connection to the same water body or waterway associated with the lost area;

55.4: The Replacement Area shall be located within the same general area of the water body or reach of the waterway as the lost area;

55.5: At least 75% of the surface of the Replacement Area shall be reestablished with indigenous wetland plant species within two growing seasons, and prior to said vegetative reestablishment any exposed soil in the Replacement Area shall be temporarily stabilized to prevent erosion in accordance with standard U.S. Soil Conservation Service methods.

56. The Applicant shall submit a final Operations and Maintenance Plan to and receive approval from the Conservation Department and/or Conservation Commission prior to the issuance of the first Certificate of Occupancy. This iteration of the Operations and Maintenance Plan shall indicate when and where the dock will be removed and stored in perpetuity from the perennial stream. Contact information for the property manager shall be included in the final Operations and Maintenance Plan.

57. The Applicant shall submit a revised Operations and Maintenance Plan and receive approval from the Conservation Department and/or Conservation Commission for the revised plan that prohibits further alteration within the restoration and mitigation areas in perpetuity, except when to maintain those areas. A mowing schedule within and/or near the replication areas and native buffer zone areas shall be included. This revision shall be submitted prior to the pre-construction meeting, building permit signoff, and start of work. Any future maintenance or alteration must receive prior approval from the Conservation Department and Conservation Commission.

58. The Applicant shall submit a revised Operations and Maintenance Plan and receive approval from the Conservation Department and/or Conservation Commission for the revised plan that prohibits snow storage in any areas where the melt water may enter wetland resource areas without treatment, in perpetuity.

59. All snow storage must occur outside of the 100-foot Buffer Zone to Bordering and Isolated Vegetated Wetlands and in the same location and/or square footage amount as depicted on the plan titled "Snow Storage Plan" Sheet C-105A and Sheet C-105B dated October 29, 2025 unless otherwise approved by the Conservation Commission. Any changes to the snow storage plan must be submitted to and approved by the Conservation Department and/or Conservation Commission. Snow storage shall not exceed the amount shown on the plan titled "Snow Storage Plan" Sheet C-105A and Sheet C-105B dated October 29, 2025. The Applicant must provide location and signage denoting snow storage onsite in perpetuity.

60. If applicable, the Applicant shall provide to the Conservation Department and Conservation Commission a copy of the Chapter 91 license for the approved dock, should it be installed, prior to a final Certificate of Occupancy.

61. The Applicant shall provide contact information to the Conservation Department and Conservation Commission for the licensed herbicide applicator conducting invasive species management prior to a preconstruction meeting, building permit signoff, and/or start of work.

62. If the invasive species management does not meet the parameters of success per the approved Invasive Species Management Plan a Certificate of Compliance will not be issued. Instead, further invasive species management may be required with approval by the Conservation Commission.

63. The Applicant shall install signage for the replication area per Sheet L0 prepared by KZLA from planset titled "Revised Comprehensive Permit Plan" dated October 29, 2025 prior to the first Certificate of Occupancy.

64. Should the 444 East Central Street property be sold prior to completion of the replication areas and/or the issuance of a Certificate of Compliance, the Applicant shall notify the Conservation Department and/or Conservation Commission between 14 and 30 calendar days prior to sale closure to schedule a technical review with the buyer and Conservation Department and/or Commission to ensure compliance with this Order and Restoration Plan, and the successful future implementation of the replication areas.

65. The Applicant shall utilize plantings no less than 3 gallons for plants proposed within the Replication Area, unless otherwise granted approval to use other sizes by the Conservation Director and/or Conservation Commission.

66. The Applicant shall provide a construction sequence and schedule to the Conservation Director and/or Conservation Commission prior to the pre-construction meeting and/or start of work.

67. The Applicant shall pay for all post-permit peer review, post-permit inspections, and post-permit legal fees associated with document review and approval, as outlined in the Zoning Board of Appeals decision (Section C(2)) dated December 31, 2025.

68. The Applicant shall utilize and install erosion controls per plan titled "Erosion Control Exhibit" dated January 22, 2026. The Applicant may install biodegradable erosion and sedimentation controls throughout the entire site per the plan, at their discretion. Erosion control barriers must be inspected and approved by a professional engineer or licensed wetlands scientist. Before any work commences (including any land and/or vegetation

cutting, removal, or disturbance) said professional shall submit to the Conservation Commission a written statement confirming the erosion control barriers are installed according to the approved plan. The statement shall be signed and stamped by said professional.

69. Once construction begins, the Commission must receive a written report with respect to the project's conformance to the Order of Conditions every April and October from a professional consultant (e.g. engineer or wetland scientist) until a Certificate of Compliance is issued.