

Town of Franklin



Conservation Commission

**February 12, 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 (via Zoom), 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: 912 Washington Street

Ms. Hallie Whitman (via Zoom) said they are requesting to take down some trees that are dangerous to people and structures. She said she included more photos to the application. She showed on the screen and reviewed photos of the trees to be removed. She said they are all labelled on the bottom. Chair LePage went through the trees picture by picture on the screen and noted the trees approved by a previous MBZA, and he reviewed and confirmed the new trees to be taken down as shown in the photographs. Ms. Whitman discussed and confirmed the location of the trees. She confirmed Charron Tree Service would do the work. She said they would like to place a crane in the driveway to complete the work and would leave stumps for all the trees removed. Chair LePage confirmed they would be approving the new MBZA.

There was a motion made by Richard Johnson to approve the Minor Buffer Zone Activity for 912 Washington 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.

PUBLIC HEARINGS

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

Ms. Goodlander said she had a brief update meeting with the applicant and their consultant. They wanted it conveyed that due to snow cover they are having a hard time with surveying. They ran their purposed

scope to minimize the current impact right now. She does not want to present anything for them that has not been re-submitted as a full permit package. She said it does include pulling back some of the rip rap and some of the asphalt. She said the applicant asked while they are waiting to do surveying, if the Commission would allow future work in this notice of intent, being culvert upgrades, and she told them yes. Chair LePage confirmed that would be preferable. She said the applicant should be at the next meeting to present.

There was a motion made by Lui Puga to continue the NOI for Nicholas Drive/Prospect Street Culvert Repair to February 26, 2026, at 7:01 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 – Symphony Drive/Tanglewood Estates

Chair LePage said this would be continued. Ms. Goodlander said the applicant is not present, and BETA is still working on peer review.

There was a motion made by Michael Rein to continue the NOI for Symphony Drive/Tanglewood Estates to February 26, 2026, at 7:02 PM. The motion was seconded by Roger Trahan 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 – 670 King Street

Mr. Mike Davis said they are building a 30 ft. x 50 ft. freestanding garage where the swimming pool is as they are filling it in and removing the pad. He said it will not affect the wetlands. He said there are no wetlands on his property; they are on the adjacent property where the senior living is.

Chair LePage said a sliver of the garage is in the 100 ft. buffer. He said it is pre-disturbed area. He said in terms of construction, the applicant will be primarily working outside the buffer zone. Mr. Davis said yes. He said he works on cars and motorcycles as a hobby. He will do crushed stone or something but not asphalt. He confirmed the proposed construction access will turn into permanent access. He explained his reasoning for not moving the garage completely out of the buffer zone which would be the need to cut down three maple trees. He explained he would be filling in the pool with crushed stone. He said he will put the concrete deck that was around the pool as part of the fill, or he will remove it.

Ms. Goodlander said she would have to check if it was allowed legally and would talk to the building commissioner. She showed on the screen where the garage would be going. Chair LePage summarized the applicant would be taking out the metal from the concrete patio and breaking it up and filling in the pool with that and putting filling on top of that.

Ms. Chiaramonte asked if there would be any equipment in the 100 ft. buffer zone. Mr. Davis said it would be slightly in the 100 ft. zone. He said an excavator/backhoe would be used. Ms. Goodlander said the tracks could be mitigated with a mat and any rutting that would happen could be conditioned to loam and seed over it.

Chair LePage said it looks like there will be a few conditions. He said the building commissioner needs to be checked with regarding filling it with the broken-up patio. He mentioned erosion control of compost socks. Ms. Goodlander asked for the erosion control line to be shown on the plan; it should be before the woods. Mr. Davis said there was about 10 ft. of woods before the fence on the backside. Ms. Goodlander showed the aerial footage that showed the fence. Mr. Davis confirmed where he should show the erosion control line.

Ms. Goodlander read aloud an email received from Deborah and Paul Murphy of 17 Forest Street which indicated support for the project; Ms. Goodland noted it was a positive comment. She said she can draft the conditions before the next meeting.

Chair LePage said they will review conditions at the next meeting. He confirmed Mr. Davis can provide the plot plan with the line drawn in next week. Discussion commenced on when a permit could be issued. In response to Mr. Rein's question, Ms. Goodlander reviewed the common practice is when it is a residential addition or an existing residential project, that it is taken care of inhouse and not BETA so as to not provide a financial burden on our residents.

There was a motion made by Roger Trahan to continue the NOI for 670 King Street to February 26, 2026, at 7:03 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; Chiamonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

Public Hearing – NOI – Lewis Street

Mr. Stephen Balcewicz of Land Planning, Inc. (via Zoom) on behalf of the applicant and owner, Lewis Street Realty, stated the Notice of Intent is to construct a single-family dwelling of approximately 980 sq. ft. He shared his screen and showed the plan. He said they are not proposing any work in the 25 ft. no disturb buffer zone. He explained for the 50 ft. they were able to maintain the adequate separation from the buffer zone. He said the buffer zone is a drainage trench in front of the property. In order to construct the residence, they need to extend the traveled-way pavement. They are working with the DPW to extend the road approximately 40 ft. and build to the specifications of the DPW. They are proposing municipal sewer and water connections and a roof infiltration system. He pointed out the 100 ft. buffer on the plan and said it almost encapsulates the entire lot.

Chair LePage said in the NOI the applicant has 1,559 sq. ft. of disturbed in the 25 ft. to 50 ft. He asked what that represents. Mr. Balcewicz said that disturbance area is basically for the grading of the lot. He explained that in order to gain access to the property, they have to work with the DPW to extend the paved travelled way and provide roundings as well as turning area for any emergency vehicle access. So, there was a small portion of the roadway that needed to be extended into the 25 ft. to 50 ft.

Ms. Goodlander said Town Engineer Michael Maglio has not reached out to her regarding this project. She said the DPW would need to sign off on this NOI because this work is prudent to that, or they need to permit for that extension separately. Mr. Balcewicz said they submitted a set of plans for the extension to the DPW and town engineer. He said the applicant will be extending the pavement under the review of the DPW. He reviewed that on the record plan of 1909 Lewis Street extends past their site. Discussion commenced that the street is on paper, but it ends. In response to questions, Mr. Balcewicz said from the MassGIS, the two parcels that are adjacent before the next street, those are the two parcels we are building on. They are held in joint ownership, and they do not conform to zoning at this time. So, they are going to be merged and from that they have the joint lot.

Ms. Goodlander explained that what is shown on GIS is not always accurate, and they have to wait for site conditions to confirm. Mr. Balcewicz explained where the sewer, sewer manhole, and a drainage ditch for municipal discharge are located. Ms. Goodlander noted they are waiting for BETA review. She said they have not gone out for site investigation right now due to snow cover. She asked Mr. Balcewicz which other boards he has to go to for this. Mr. Balcewicz said he believes they are just outright held in joint ownership and undersized, so they become merged automatically.

Mr. Philip Wood said he is an abutter and has owned the property for quite some time and lives in Norfolk. He said that particular property, lots 14 and 13, is actually a dirt road. He said the town has not extended it, and there are paper roads on all sides of this property area. He said he is fortunate his property does not lie within the wet zone. He asked Mr. Balcewicz if he was working with someone and said that person has tried to build on these two lots before.

Chair LePage discussed that Ms. Goodlander and BETA will do an analysis on the proposal along with a site visit to verify what the wetland resources are and the buffer zones and come back to the Commission with their findings.

Mr. Trahan asked Mr. Balcewicz if the DPW is going to ask him to do a turnaround for fire apparatus. Mr. Balcewicz explained that is part of the requirement if you are going to extend the pavement and how they are going to do the turnaround. He said at this stage, we are just before the Commission working with the DPW. He said when we go for the building permit, they will. He said he is not sure to what extent the town engineer or DPW director has approached the fire chief. He said to his knowledge fire department has not signed off on it yet.

Ms. Goodlander confirmed the fire department has not signed off on the OpenGov permit. In response to Mr. Rein's question, Mr. Balcewicz shared his screen and pointed out the drainage ditch on the plans and the BVW and noted they intertwine. He pointed out the storm drain system. He pointed out the concrete headwall and the discharge pipe. He explained the drainage ditch and municipal system appear to be in good condition and working sufficiently.

Ms. Goodlander asked if the drainage ditch has any wetland indicators in it. Mr. Balcewicz said he did not personally flag this. He said he looked at the drainage crossing. He said he believes it is a grass slope. Ms. Goodlander explained that stormwater infrastructure under local bylaw, if it exhibits wetland indicators, it counts as a resource area. Mr. Balcewicz said they have considered that. He discussed that they will need to talk to the fire chief regarding the turnaround. He noted that they are not clearing any trees within the right-of-way, so, it is actually kind of grassed over and cleared. He said it is almost like the only thing that is missing is the pavement; the only tree clearing is in the lot development to build the house. He said their proposal is to minimize as much impact as they could within the buffer zones. He said he believes they minimized to the maximum extent possible. Regarding the infiltration system, he said it moved to the north side of the house because we were going to create more clearing to catch grade on the south side. He said they kept in mind and put forth a plan to minimize clearing within the buffer zone.

Ms. Chiamonte asked about mitigation. Mr. Balcewicz explained they provided recharge for the entire area within the lot that is impervious. He explained they did not want to put additional grading, so they provided a grass filter strip adjacent to the driveway to provide filtration.

Chair LePage read aloud comments from a viewer, Kim, that were typed into the comments: this is a high-water table area and I get it in my front yard and I cannot imagine a house next to this trench. I wanted to say that I deal with flooding in my yard and the house is going to be right next to the trench.

There was a motion made by Matthew Stoltz to continue the NOI for Lewis Street to February 26, 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; Chiamonte-Yes; Puga-Yes; Stoltz-Yes; LePage-Yes.

GENERAL BUSINESS (continued)

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

Minor Buffer Zone Activities: 76 Plain Street

Chair LePage noted there was still no one present for this item; this item will have to wait until the next meeting.

Request for Determination of Applicability: None.

Permit Modifications/Extensions: None.

Certificates of Compliance: None.

Minutes: January 29, 2026

There was a motion made by Nicole Chiaramonte to approve the meeting minutes for January 29, 2026. 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.

Violations/Enforcement: 305 Union Street

Chair LePage said this needs to be extended.

There was a motion made by Richard Johnson to extend the violation/enforcement order for 305 Union Street, for 90 days. 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.

Discussion: 603 Old West Central Street

Mr. Puga recused himself.

Chair LePage said so this is not a formal NOI or a permitting proposal, they want to give us a preliminary look at what they are proposing and get some feedback.

Mr. Philip Henry with Civil Design Group introduced himself. He noted both their wetland scientist Tom Liddy of Lucas Environmental and his client are here tonight. He said they are here on an informal basis to gain feedback to see if they have a viable project. He said the history is the site is 1.5 acres. He pointed out the Tri-County Vocational School driveway on the provided plan. He pointed out the right-of-way. He noted there is construction going on at the top of the hill. He said in December, they had a technical review committee meeting with all the folks in town. They went through all the department heads. He thinks it was indicated by Ms. Goodlander that there were no wetlands on the site. However, when their surveyor went out to the site, he noted they may want to look at some areas. There may be pockets of isolated wetlands on the hill. He said Mr. Liddy went out there. He said what is highlighted in blue on the plan he was showing is what was found as an isolated wetland. He said the onsite wetland is in excess of 6,000 sq. ft. He said they delineated the buffer zones. The buffer zones encapsulate 70 percent of the project. Currently, there is a single-family home and some accessory structures on the property. He said they would like to propose a daycare situated on the site. He noted this is a different iteration of the plan than they proposed at the technical review meeting. They disconnected the curb cut on Old West Central and shifted the site as far left as they could. He said what resulted is 4,300 sq. ft. of isolated wetland fill.

They would like feedback on the potential of filling the isolated wetland and doing a 5,400 sq. ft. replication area as shown on the plan and a meandering stream. He said they graded the stream and wetland on the plans. He said this was well received at the technical review meeting.

Mr. Liddy discussed the existing and proposed wetland as shown on the provided plan. He explained this wetland is regulated under the local bylaw. He noted the wetland is at the highest point of the property. He discussed the proposed grading for the proposed replication area along with a meandering channel. He said this is all conceptual, and they need to do more investigations on soil and what is out there.

Chair LePage asked about the runoff. Mr. Liddy explained he anticipates that as it is rocky at the top, instead of the water going straight down, they would reroute it around the development. He explained the wetland runs dry as it goes down the hill. He explained this would require variances of the bylaw. He said this would be a little over a 1:1 replication. Mr. Henry said they are looking for 40 parking spaces as most will be for the staff. Children will be dropped off at different times. Mr. Liddy asked if the Commission would be receptive to issuing said variances. Discussion commenced on the location of the proposed new wetland and buffer.

Ms. Chiamonte said she is all for a 2:1 replication and asked for the plan for the runoff from the parking lot. Mr. Henry showed and explained the conceptual grading plan and proposed elevations, and he pointed out a proposed infiltration system. Mr. Stoltz said they would be taking a functional existing wetland and removing it and trying to engineer around it and then filling the site and dealing with significant impervious runoff.

Chair LePage explained generally they frown on building resources. He said their mandate is to protect the wetlands and that is what they have to focus on. Mr. Henry said they are trying to fill a balance of market needs in town and Conservation is one stop for us. He explained they would be mitigating the runoff. Ms. Chiamonte said it goes back to the comment about the runoff. She confirmed they want to take the runoff and treat the water and infiltrate into the groundwater. Mr. Henry said exactly.

Ms. Goodlander said the delineation has not been reviewed because they only came in front of technical review. She said this is a non-binding discussion. She said for the applicant this discussion is better than nothing from a financial standpoint.

Mr. Trahan noted a large project uphill from this. He said that replication could potentially impact this site being downhill from it. He noted a driveway next to the property line. He said he thinks they are going to hit ledge there.

Mr. Henry's client who did not identify himself said they are trying to balance economic growth, a use that the tech review folks said was a highly needed use in town, commercial tax base, jobs, and all the economic benefits of a project like this. He said they understand the Franklin wetland bylaws are pretty rigorous. He said they are here tonight to determine if the Commission would be willing to issue variances to their bylaws if they are meeting the state standards.

Commission members discussed that they cannot guarantee that they could give a variance. Mr. Henry asked if the Commission sees an opportunity to work with them toward minimizing variances and ultimately proceeding with a project that might require some variances. Chair LePage discussed some past projects and what those applicants had to do. He said the Commission's challenge is their jurisdiction. He said the Commission has to adhere to the Wetland Protection Act, 310 CMR, and local bylaw; we have to look at the resources. He said to him this is tough. Mr. Henry's client stated this is

already their second pass at this. He said if there is no path to see this project move forward, they understand, but he is a developer working with the national retail tenant, and he is limited by that.

Commission members discussed that they try very hard to work with people to make things work out for them and the Commission, but they could not tell at this stage what the Commission could do. It was noted the applicant would be filling in an active wetland. Ms. Chiaramonte said as it stands, she would be against it, but she is someone who wants evidence and data, and they do not have any; as it stands, it does not look like the project would be viable and beneficial to the area. Mr. Rein asked what if something was built on stilts and did not actually touch the wetland and was over it. Ms. Goodlander asked how would the plants grow because there would be shading. Mr. Henry's client asked if there would be an opportunity for off site mitigation. Chair LePage said they are always open to talk and are interested in ideas. He said filling an IVW is tough for the Commission.

Mr. Puga re-entered the meeting.

Discussion: Interim Agent Services

Ms. Goodlander said she is asking the Commission to retroactively approve an expenditure for interim agent services that Chair LePage gave his blessing to. Chair LePage said this was just paying BETA while Ms. Goodlander was out. Ms. Goodlander said it is for \$3,187.85, and it has already been processed. She said the Commission just needs to ratify the decision to increase the purchase order by that amount from the wetlands fund. Chair LePage said all in favor. There was a voice vote aye with no dissents.

Discussion: Government Emails

Ms. Goodlander said at the last meeting all Commission members would be getting .gov emails based on the latest records request. She said money is tight so they are trying to figure out how to pay for these .gov emails for seven additional people. She shared her screen and explained the current cost for seven members is \$160 per year. The future cost is \$298 after 2027. She noted the emails are archived for seven years which is an additional cost. She said the minimum cost for the seven accounts would be \$10,000. She explained she asked the town administrator and the IT director about the wetland funds for this. She explained what the wetland fund can be used for. She said the government emails would fall under that parameter. She said she is here to ask the Commission if they would vote on that expenditure. She said she believes there is \$400,000 in the account.

Chair LePage said they want to get a grip on the cash flow. He discussed that from his opinion he is for anything they can do to help the town financially. He said the Commission is limited to what they can do with these funds and this falls under it. Mr. Stoltz said he would guess it is the chair and vice chair that have the majority of email traffic that they need to archive. Ms. Goodlander discussed that she has asked about this and was provided with an explanation for this and that everyone was going to get a .gov email. She said that the town administrator is asking for this.

Commission members discussed the potential costs for seven years. Ms. Goodlander said to get to \$10,000 in fees would be pretty easy. She said the 121 Grove Street project for fees was approximately \$27,400. She explained how the Commission would cover the costs for this expenditure for email costs. Mr. Trahan expressed that they are being required to get something such as the emails, but the town is not supporting us. He said he would vote in favor of it, but it seems like down the road things are going to have to change.

Ms. Goodlander said she offered this and said this is something the wetlands fund could cover. She said IT Director Tim Rapoza pushed back to Town Administrator Jamie Hellen and said this is going to be a

cost, and he does not have it. Mr. Hellen said they need to have it based on public records requests, and we are going to have to find the money somewhere. She said, well, it can be from the wetlands fund which is what the Commission has it for. Mr. Rein said he would support it, but he has never used email for anything except for administrative. He said he does not interact with the public.

Chair LePage said that these positions are not forever and noted public records requests and said this way they will have it all, and they can sort through it. He said it is important for public records. Ms. Goodlander explained the need for the .gov email. Chair LePage said all in favor of supporting the .gov email addresses for Conservation commissioners out of the wetlands fund. There was a voice vote aye.

Discussion: Scheduling

Chair LePage said they want to identify any dates commissioners would be missing. He said they do have the ability to potentially move meetings. If anyone knows times they are going to miss, let him know ahead of time. Ms. Goodlander confirmed she has some leave coming up and will not be around for meetings between March 3 and March 11 and will be working remotely. Chair LePage said there is a meeting on March 12.

Chair and Commission Member Comments

Chair LePage said they did not put on the agenda Earth Day. He said Mr. Trahan secured an invitation for the Commission to attend the upcoming Agricultural Commission meeting.

Mr. Rein noted MACC's annual conference on February 28. He asked if Commission members can still be registered for that. Ms. Goodland asked if next Thursday can be the last day for her to receive information regarding attendance.

Ms. Goodlander said the job posting for the admin was posted yesterday. She said if anyone is going to MACC, they can mention it while there. Ms. Goodlander said to email her with information regarding the conference and what sessions they would like to attend.

Executive Session: None.

There was a motion made by Michael Rein to adjourn the meeting. The motion was seconded by Richard Johnson. There was a voice vote aye.

The meeting adjourned at 9:11 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

--Conservation Commission approved Minutes at February 26, 2026 Meeting