

June 26, 2024

Franklin Conservation Commission

Town of Franklin
355 East Central Street
Franklin, MA 02038

**RE: Abbreviated Notice of Resource Area Delineation
55 Constitution Boulevard - Map 313 Lot 59
MassDEP File No. 159-1296
Peer Review Letter of Response #1**

Members of the Commission:

Beals Associates, Inc. (“BAI”) has reviewed the comments provided by BETA Group, Inc. (“BETA”) dated June 24, 2024, related to the Abbreviated Notice of Resource Area Delineation (“ANRAD”) submitted for 55 Constitution Drive. While we generally agree with all of BETA’s comments, we would like to provide formal responses and/or clarifications to each item individually. For ease of review, we have included each BETA comment in *italics* with our response following in plain text.

Comment W1.a) *The filing has been assigned MassDEP File No. 159-1256 with no technical comments from MassDEP.*

Response W1.a) No response required.

Comment W1.b) *The plans are currently stamped by a professional engineer (PE); however, the Applicant should include a stamp from a Professional Land Surveyor (PLS) registered in Massachusetts.*

Response W1.b) Our office has reviewed the Massachusetts Wetland Protection Act and the Town of Franklin Wetlands Protection Bylaw and could not locate any citation that requires both a PE and PLS stamp on the plan. Our revised plan (enclosed) includes a PE stamp. We have also included a copy of the original Existing Conditions survey for the property which includes a PLS stamp on that document.

Comment W1.c) *The applicant should provide a survey benchmark on the plans and include a referenced vertical datum.*

Response W1.c) The revised ANRAD plan includes the location of the survey benchmark. The Existing Conditions plan notes the vertical datum to be based on NAVD 88.

Comment W2. *BETA concurs with the Applicant's onsite delineation of the SB-Series BVW boundary based on the presence of hydrophytic vegetation, hydric soils and indicators of hydrology.*

During the site visit, BETA observed several stormwater outfalls along this BVW. It is recommended that the plans be revised to depict these outfalls to complete the existing conditions information.

Response W2. Our office agrees with this comment and has added the surveyed locations and elevation of each stormwater outfall on the revised ANRAD plan.

Comment W3. *BETA concurs with the Applicant's onsite delineation of the A-Series BVW boundary based on the presence of hydrophytic vegetation, hydric soils and indicators of hydrology. However, a stream was observed interior to this wetland complex and flows through a 24-inch reinforced concrete pipe (RCP). The Applicant should confirm whether they are seeking approval of the associated Bank/Land Under Water; if so, the additional Resource Areas should be flagged, and the Applicant should provide evidence to confirm that the stream is intermittent. If the Applicant does not wish to confirm these Resource Areas, BETA recommends that the Commission include a finding in the Order of Resource Area Delineation (ORAD) stating that this stream is present, and that its jurisdictional boundaries and intermittent/perennial status were not confirmed.*

Response W3. Our office is not seeking confirmation of the stream Bank/Land Under Water limits at this time. We have added a note stating that to the Plan. If the Commission wishes to include this notation in the ORAD, our office would agree with this approach.

Comment W4. *The 24-inch RCP located near flag A6 and referenced in Comment W3 above should be depicted on the plans.*

Response W4. Our office has included this culvert on the updated plans.

Comment W5. *BETA concurs with the Applicant's onsite delineation of the B-Series IVW based on the presence of hydrophytic vegetation, hydric soils and indicators of hydrology. While standing water was not observed during the site visit, BETA also concurs with the Applicant's classification of this area as ILSF.*

Response W5. No response required.

Comment W6. *Areas Subject to Protection under the Act/Bylaw appear to be present on the opposite side of Commonwealth Boulevard and may project jurisdiction onto the Site. As stated in the Applicant's plan notes, BETA recommends that the Commission include a finding in the ORAD stating that the Resource Areas depicted on the plans-of-record are the only Resource Areas being confirmed under this filing and that other jurisdictional areas may be present at the Site. While BETA did not observe any Vernal Pool indicators at the site, it is recommended that this finding also state that the presence/absence of Vernal Pools is not confirmed at this time.*

Response W6. BAI agrees with this approach and requests that the Commission include these findings in the ORAD.

We look forward to presenting this information to the Commission. If you have any questions or need any additional information, please do not hesitate to contact me directly at tmorey@bealsassociates.com.

Sincerely,

Beals Associates, Inc.



Todd P. Morey, P.E.
Principal

Enc. ANRAD Drawing Rev. 1, 6.26.2024
Cc: Jeffrey Sullivan, NorthBridge Partners LLC
File – C-1381