



June 24, 2024

Ms. Breeka Lí Goodlander, Agent  
Town of Franklin Conservation Commission  
355 East Central Street  
Franklin, MA 02038

**Re: MassDEP File No. 159-1296  
55 Constitution Boulevard  
Abbreviated Notice of Resource Area Delineation Peer Review  
Franklin, Massachusetts**

Dear Ms. Goodlander,

BETA Group, Inc. (BETA) is pleased to provide peer review services for the Abbreviated Notice of Resource Area Delineation (ANRAD) submitted for the parcel located at **55 Constitution Boulevard, further identified as the Town of Franklin Assessor's Parcel ID: Map 313 Lot 059-000 in Franklin, Massachusetts** (the Site). This letter provides BETA's peer review findings and comments as they relate to the Massachusetts Wetlands Protection Act (M.G.L. ch.131, §40) and its implementing regulations at 310 CMR 10.00 (collectively "the Act") and the Town of Franklin Wetlands Protection Bylaw (Chapter 181) and its implementing regulations (collectively "the Bylaw").

BETA performed a Site visit on June 24, 2024 to review the onsite Resource Area boundaries and confirm existing conditions as they relate to the ANRAD filing.

BETA's initial comments on the ANRAD filing pursuant to a review of documents and the Site visit are further discussed below.

#### DOCUMENTS REVIEWED

- Report entitled **Abbreviated Notice of Resource Area Delineation (ANRAD), 55 Constitution Boulevard Franklin, MA**; dated April 26, 2024; prepared by Beals Associates, Inc. Includes the following attachments:
  - WPA Form 4A
  - Filing Fees
  - Figures
  - Wetland Field Data Sheets
- Plan (1 sheet) entitled **Abbreviated Notice of Resource Area Delineation**; dated April 26, 2024; prepared by Beals Associates, Inc.; signed and stamped by Todd P. Morey, MA P.E. No. 48865, scale: 1" = 80'.

#### SCOPE SUMMARY

The Applicant is requesting that the Conservation Commission confirm the following Resource Area boundaries, as noted in the application materials and as delineated and depicted on the ANRAD plan:

- 1,098 linear feet of Bordering Vegetated Wetlands (BVW); and

- 370 linear feet of Isolated Vegetated Wetlands (IVW) / Isolated Land Subject to Flooding (ILSF).

**ADMINISTRATIVE REQUIREMENTS**

The following provides an assessment of the plans in light of generally accepted existing conditions plan standards and the applicable plan requirements under Section 7.18 of the Bylaw Regulations:

**Table 1 – ANRAD Plan Requirements**

Plan Requirements	Yes	No
North Arrow (with reference)	✓	
Registered PLS Stamp		✓ (See Comment W1b)
Assessors' Reference	✓	
Abutting Property Assessors' Reference	✓	
Survey Benchmark		✓ (See Comment W1c)
Existing Conditions and Topography Sourced with date of survey	✓	
Topography/Contours	✓	
Lot Line Surveyed	✓	
Accurate Plan Scale	✓	
Resource Areas Identified and Labeled (including Buffer Zones)	✓	

**EXISTING CONDITIONS AND ONSITE RESOURCES**

The 15.6-acre Site is located at 55 Constitution Boulevard and consists of one (1) parcel identified as Map 313 Lot 059-000 in Franklin, Massachusetts. The Site is bounded to the north by the Franklin Fire Department, to the west by an assisted living facility, and to the south and east by various developments within the Franklin Industrial Park. The Site is developed with an approximately 70,000-square foot existing three-story office building, bituminous concrete parking and loading areas, and a 335-square foot abandoned telecommunications building. The western portion of the Site consists of forested uplands, and wetland complexes that appear to be renaturalized stormwater basins. Significant dumping was observed within the wetland complex to the northwest (B-Series). Several easements are present at the Site and include an electric easement along Constitution Boulevard, a utility and storm drain easement at the center of the Site, and a sewer easement within the northwest portion of the Site.

MassGIS environmental data layers mapped within or near the Site include the following:

**Table 2: MassGIS Environmental Data Layers**

Mapped Resource On or Within Proximity to the Survey Area	Yes	No
Area of Critical Environmental Concern		✓
NHESP Certified Vernal Pool		✓
NHESP Potential Vernal Pool		✓
NHESP Estimated Habitat of Rare Wildlife		✓
NHESP Priority Habitat of Rare Species		✓
Outstanding Resource Waters		✓
FEMA Floodplain		✓
Surface Water Protection Area (Zone A, B, or C)		✓
Interim Wellhead Protection Area		✓



Zone I Wellhead Protection Area		✓
Zone II Wellhead Protection Area		✓

As depicted on the plan, and as described in the ANRAD application, the following Resource Areas exist within 100 feet of the Site:

- Bordering Vegetated Wetland (BVW);
- Isolated Land Subject to Flooding (ILSF); and
- Isolated Vegetated Wetland<sup>1</sup> (IVW).

Table 3 further details these Resource Areas.

**Table 3 – Resource Areas and Act/Bylaw Jurisdiction (*As identified by the Applicant*)**

Resource Area	Flag Series	Act	Bylaw
IVW/Freshwater Wetland/ILSF*	B2 to B24	✓	✓
BVW/Freshwater Wetland	SB5 to SB13, A4 to A7, A10 to A42, and A51 to A56	✓	✓

*\*While ILSF itself is jurisdictional under the Act, there are no associated Buffer Zones. The Buffer Zones projected from the B-Series flagging are jurisdictional under the Bylaw only due to the presence of IVW.*

**COMMENTS**

- W1. BETA offers the following administrative/plan comments after conducting a review of the submitted application and plans based on generally accepted existing conditions plan standards and the applicable plan requirements per the Bylaw Regulations:
- The filing has been assigned MassDEP File No. 159-1256 with no technical comments from MassDEP.
  - 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.
  - The Applicant should provide a survey benchmark on the plans and include the referenced vertical datum.
- 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.
- 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

<sup>1</sup> IVWs are protected under the Bylaw as Freshwater Wetlands.



Commented [ET1]: Add ILSF

Commented [ET2]: Comment on ILSF

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.

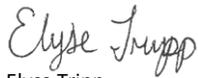
- W4. The 24-inch RCP located near flag A6 and referenced in Comment W3 above should be depicted on the plans.
- W5. BETA concurs with the Applicant's onsite delineation of the B-Series IVW boundary based on the presence of hydrophytic vegetation; hydric soils; and indicators of hydrology. While standing water was not observed during the Site visit, BETA also concurs with the Applicant's classification of this area as ILSF.
- W6. Areas Subject to Protection under the Act/Bylaw appear to be present on the opposite side of Constitution 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.

#### Review Summary

Based on our review of the ANRAD submittal and plan, and the existing conditions at the Site, it is BETA's opinion that the comments above should be addressed to facilitate the issuance of an accurate ORAD.

If we can be of any further assistance regarding this matter, please contact us at our office.

Very truly yours,  
BETA Group, Inc.



Elyse Tripp  
Scientist



Jonathan Niro  
Senior Project Scientist