



**GODDARD
CONSULTING**
Strategic Ecological Consulting

Notice of Intent

for

124 & 126 Grove Street
(Map: 295, Lots: 3 & 4)
Franklin, MA 02038

DATE:

November 12, 2024

ADDRESSED TO:

Franklin Conservation Commission
Franklin Municipal Building
355 E. Central Street
Franklin, MA 02038

PREPARED BY:

Goddard Consulting LLC
291 Main Street, Suite 8
Northborough, MA 01532

PREPARED FOR:

Ryan Lichwell
New England Appliance Group
126 Grove Street
Franklin, MA 02038



November 12, 2024

Franklin Conservation Commission
Franklin Municipal Building
355 E. Central Street
Franklin, MA 02038

Re: Notice of Intent (NOI)
124 & 126 Grove Street
Franklin, Massachusetts, 02038
(Map: 295, Lots: 3 & 4)

Dear Franklin Conservation Commission,

Goddard Consulting, LLC (Goddard) is pleased to submit this Notice of Intent on behalf of the applicant, Ryan Lichwell of New England Appliance Group for the property known as 124 & 126 Grove Street (Map: 295, Lots 3 & 4). This Notice of Intent is for the construction of an 85,150sf addition to the north side of the existing building, expansion of the driveway and parking lots, grading, and associated stormwater management system within the 100-foot Buffer Zone cast off adjacent Bordering Vegetated Wetlands, and within three bylaw jurisdictional Isolated Vegetated Wetland (IVW). This NOI application is a filing under the MA Wetlands Protection Act (WPA), all applicable state regulations, and the Franklin Conservation Bylaw and Regulations. The applicant seeks an Order of Conditions that would allow for the construction of the parking expansion.

Enclosed are the WPA Form 3 and additional supporting documentation of the project for your review and approval.

If you have any questions, please feel free to contact Goddard Consulting LLC at (508) 393-3784.

Sincerely,
Goddard Consulting, LLC

Nicole Hayes, PWS
Senior Wetland Scientist

CC: Ryan Lichwell, NEAG, 126 Grove Street Franklin, MA 02038
MassDEP Central Regional Office, 8 New Bond Street Worcester, MA 01606

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WPA FORM 3 AND CHECKS



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Franklin

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

124 & 126 Grove Street

a. Street Address

Franklin

b. City/Town

02038

c. Zip Code

Latitude and Longitude:

42.07488

d. Latitude

71.41707

e. Longitude

295

f. Assessors Map/Plat Number

3, 4

g. Parcel /Lot Number

2. Applicant:

Ryan

a. First Name

Lichwell

b. Last Name

New England Appliance Group (NEAG)

c. Organization

126 Grove Street

d. Street Address

Franklin

e. City/Town

MA

f. State

02038

g. Zip Code

508-298-7462

h. Phone Number

i. Fax Number

richwell@neag.com

j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Nicole

a. First Name

Hayes

b. Last Name

Goddard Consulting, LLC

c. Company

291 Main Street Suite #8

d. Street Address

Northborough

e. City/Town

MA

f. State

01532

g. Zip Code

(508) 393-3784

h. Phone Number

i. Fax Number

tom@goddardconsultingllc.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$1,050

a. Total Fee Paid

\$512.50

b. State Fee Paid

\$537.50

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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A. General Information (continued)

6. General Project Description:

This Notice of Intent is for the construction of an 85,150sf addition to the north side of the existing building, expansion of the driveway and parking lots, grading, and associated stormwater management system

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Norfolk

a. County

238, 1655

c. Book

b. Certificate # (if registered land)

309, 330

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

_____	_____	_____
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

4. Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

- August 2021
b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

2. Assessor’s Map or right-of-way plan of site

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
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C. Other Applicable Standards and Requirements (cont'd)

- (c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) Vegetation cover type map of site
- (e) Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
 2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
 3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Franklin

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Franklin

City/Town

D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

124/126 Grove Street

a. Plan Title

Guerriere & Halnon, Inc

Dale McKinnon

b. Prepared By

c. Signed and Stamped by

11/05/2024

1"=80'

d. Final Revision Date

e. Scale

Stormwater Report

11/05/2024

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

016265, 016266

10/28/2024

2. Municipal Check Number

3. Check date

016264

10/28/2024

4. State Check Number

5. Check date

New England Appliance Group

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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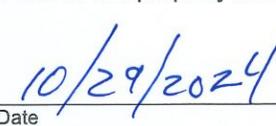
F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.



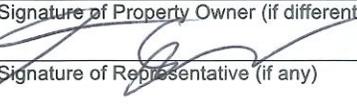
1. Signature of Applicant



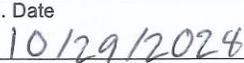
2. Date

3. Signature of Property Owner (if different)

4. Date



5. Signature of Representative (if any)



6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

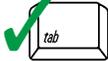
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

124 & 126 Grove Street	Franklin
a. Street Address	b. City/Town
016264	\$512.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Ryan	Lichwell	
a. First Name	b. Last Name	
New England Appliance Group		
c. Organization		
126 Grove Street		
d. Mailing Address		
Franklin	MA	02038
e. City/Town	f. State	g. Zip Code
508-298-7462	rlichwell@neag.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

_____	_____	
a. First Name	b. Last Name	

c. Organization		

d. Mailing Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

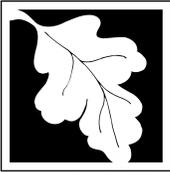
Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
4a. each building including site	\$1,050	1	\$1,050
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$1,050
Step 6/Fee Payments:			
Total Project Fee:			\$1,050
			a. Total Fee from Step 5
State share of filing Fee:			\$512.50
			b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:			\$537.50+Bylaw Fee
			c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

NEW ENGLAND APPLIANCE GROUP

PO BOX 247
FRANKLIN, MA 02038
508-528-4500

MAIN STREET BANK
MASSACHUSETTS

Check No. 016264

4-8078/2113

Five Hundred Twelve Dollars And 50 Cents

Date	Payee ID
10/28/2024	26614

Pay This Amount
\$512.50***

PAY TO THE ORDER OF
COMMONWEALTH OF MASSACHUSETTS
ONE ASHBURTON PLACE, ROOM 1717
BOSTON, MA 02108



⑈016264⑈ ⑆211370752⑆ 889080784⑈

NEW ENGLAND APPLIANCE GROUP

PO BOX 247
FRANKLIN, MA 02038
508-528-4500

MAIN STREET BANK
MASSACHUSETTS

Check No. 016265

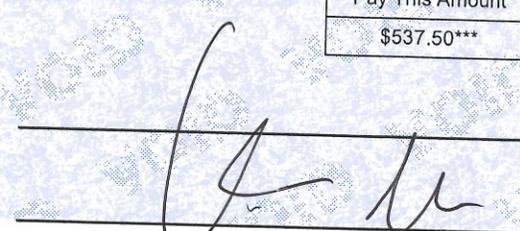
4-8078/2113

Five Hundred Thirty Seven Dollars And 50 Cents

Date	Payee ID
10/28/2024	75860

Pay This Amount
\$537.50***

PAY TO THE ORDER OF
TOWN OF FRANKLIN
P.O. Box 986
Medford, MA 02155-0010



⑈016265⑈ ⑆211370752⑆ 889080784⑈

NEW ENGLAND APPLIANCE GROUP

PO BOX 247
FRANKLIN, MA 02038
508-528-4500

MAIN STREET BANK
MASSACHUSETTS

Check No. 016266

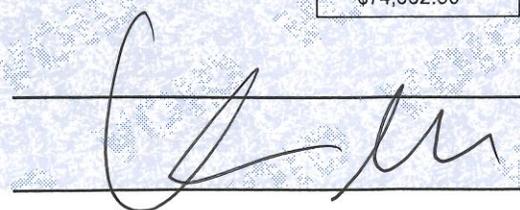
4-8078/2113

Seventy Four Thousand Three Hundred Thirty Two Dollars And 50 Cents

Date	Payee ID
10/28/2024	75860

Pay This Amount
\$74,332.50***

PAY TO THE ORDER OF
TOWN OF FRANKLIN
P.O. Box 986
Medford, MA 02155-0010



⑈016266⑈ ⑆211370752⑆ 889080784⑈



Notice of Intent – Regulatory Compliance Narrative

1.0 INTRODUCTION

This Notice of Intent (NOI) is being submitted in accordance with the requirements of the Massachusetts Wetlands Protection Act and Franklin Wetland Bylaw to construct an 85,150sf addition to the north side of the existing building, expansion of the driveway and parking lots, grading, and associated stormwater management system within the 100-foot Buffer Zone cast off adjacent Bordering Vegetated Wetlands (BVW) and within three bylaw jurisdictional Isolated Vegetated Wetland (IVW). Additionally, greater than 2:1 replication for the filling of the IVWs is proposed.

2.0 EXISTING CONDITIONS

2.1 RESOURCE AREAS ON-SITE

The site's resource areas, discussed below, were confirmed through the issuance of an Order of Resource Area Delineation (ORAD) by the Franklin Conservation Commission. The ORAD was issued on February 12, 2024, under DEP File #159-1274 for the properties addressed as 124 & 126 Grove Street (Map: 295, Lots: 3 & 4). This ORAD expires on February 12, 2027. The ORAD permit is included with the filing of this Notice of Intent.

The project site is located at 124 & 126 Grove Street in Franklin, MA. The site is comprised of two parcels and is approximately 37.49-acres. The site is primarily developed. Interior of the site is comprised of an existing 269,105sf industrial/commercial building, truck parking and turnarounds, and car parking lots. The southern portion of the site is primarily forested. The property is bordered by commercial/industrial developments to the south and east, and single-family house lots to the north and west on with frontages on Grove Street.

As approved in the ORAD (DEP File #159-1290), several wetland resource areas are located on the locus site. A BVW exists in the southern portion of 126 Grove Street. An intermittent stream, originating in the southern BVW, flows east through 126 and 124 Grove Street, and eventually off property. Additional BVW is located 124 Grove Street and directly connects to the intermittent stream. An Isolated Vegetated Wetland (IVW) exists within northern portion of 126 Grove Street. A second IVW is located south of the existing building on 126 Grove Street. These IVWs are only jurisdictional under the Franklin Wetland Bylaw and Regulations.

According to the MassGIS data layers for NHESP, the property is not located within any Estimated Habitat of Rare Wildlife / Priority Habitat of Rare Species. No potential or certified vernal pools or Outstanding Resource Waters (ORW) are mapped within the site. The property does not fall within a jurisdictional FEMA Flood Zone. The site is not located in an Area of Critical Environmental Concern (ACEC).



Figure 1. An orthophoto view of the existing conditions on-site.

2.1.1 Bordering Vegetated Wetland (BVW)

Massachusetts WPA Regulations define Bordering Vegetated Wetlands as “freshwater wetlands which border on creeks, rivers, streams, ponds and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps, and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The ground and surface water regime and the vegetational community which occur in each type of freshwater wetland are specified in M.G.L. c. 131, § 40.”

Several BVW systems were identified in the field and were confirmed through the site’s ORADs. The BVW systems was flagged with wetland flag series GC1-GC79, GC100-GC146, 109A-109W, and GC208-GC228. As outlined above, a BVW system exists in the southern portions of the of the lots. This BVW was confirmed as state and locally jurisdictional BVW systems, and its Buffer Zones added to the proposed plans.

2.1.2 Intermittent Stream

Massachusetts WPA Regulations defines an intermittent stream as “means a body of running water, including brooks and creeks, which moves in a definite channel in the ground due to a hydraulic gradient, and which flows within, into or out of an Area Subject to Protection under M.G.L. c. 131, § 40. A portion of a stream may flow

through a culvert or beneath a bridge. Such a body of running water which does not flow throughout the year (i.e., which is intermittent) is a stream except for that portion upgradient of all bogs, swamps, wet meadows and marsh.”

The on-site intermittent stream originates from BVW located in the south of 126 Grove Street. The stream flows east, through 124 Grove Street and eventually off property. The bank of the stream was flagged with wetland flag series GC200-GC207 and GC229-GC237. The bank of the intermittent stream was delineated and confirmed through the site’s ORAD. This bank was confirmed as state and locally jurisdictional BVW systems, and its Buffer Zones added to the proposed plans.

2.1.3 Isolated Vegetated Wetland

Massachusetts WPA Regulations do not take jurisdiction over isolated vegetated wetlands. The town of Franklin does regulate Isolated Vegetated Wetlands and have associated regulated buffer zones. The IVWs on-site are considered jurisdictional only under the Franklin Wetland Bylaw and Regulations. The IVWs on-site was flagged with wetland flag series 1-1 to 1-14, 2-1 to 2-7, and 3-1 to 3-6. Any proposed impacts will be replicated of at least a 2:1 ratio.

2.1.4 Buffer Zone (100-foot)

Massachusetts WPA Regulations define Buffer Zone as “100-ft area horizontally (on a true lateral) landward of approved delineation of applicable wetland resource areas.” The WPA further states that any activities undertaken within 100 feet of an area specified in 310 CMR 10.02(1)(a) (e.g., Bank, Bordering Vegetated Wetland) will be conducted per (310 CMR 10.02(2)(b)), “in a manner so as to reduce the potential for any adverse impacts to the resource area during construction, and with post-construction measures implemented to stabilize any disturbed areas.”

The WPA Regulations [310 CMR 10.02(2)(b)] do not contain performance standards for Buffer Zone Alteration. All reasonable efforts to avoid, minimize and mitigate adverse impacts on the Buffer Zone have been considered. The proposed structures have been laid out to maintain the furthest separation allowable from the on-site resource areas.

3.0 PROPOSED PROJECT

The applicant proposes an 85,150sf addition to the north side of the existing commercial building on-site. South of the proposed building, additional truck parking and turnaround space is proposed for additional access to the existing loading bays and building. A retaining wall is proposed bordering the proposed parking expansion south of the existing building. Snow storage is not proposed within the 100-foot buffer zone to BVW. The addition to the building and the truck parking expansion will result in the filling of +/- 7,842sf of Isolated Vegetated Wetland. As mitigation, a greater than 2:1 (15,729sf) replication area is proposed to the south of the parking lots within a BVW system. The attached wetland replication plan outlines the proposed planting and procedure for the construction of the replication area. A temporary access path is proposed in the southern portion of the site to construct the replication areas. This path has been designed for the least amount of tree removal. In order to construct the proposed project, portions 25, 50 and 100-foot Buffer Zones will inevitably be impacted. Reference Table 1 for an impact analysis. The entire limit of work will be encompassed by erosion control barriers consisting of silt fence and haybales. These measures ensure no erosion or sedimentation enter the wetlands, or sensitive areas.

The proposed stormwater management system will be comprised series of catch basins, precast concrete manhole storm drains, and an underground infiltration system. Best Management Practices (BMPs) were used when designing this stormwater management system. The system was designed to manage storm events up to the 100-

year storm. The system meets or exceeds the ten DEP Stormwater Management Standards (reference Hydraulic/Hydrologic Calculations).

3.1 EROSION AND SEDIMENTATION CONTROLS

Erosion and Sedimentation (E&S) controls for the site will be utilized so that discharge of sediment is minimized. Implementing these practices limit the amount of storm water entering a disturbed area or trap sediment prior to stormwater leaving the site. Control methods include an 18” compost sock to be installed at the limits of work, and erosion control fencing to be installed around the area to be excavated for the stormwater collection chamber. These E&S controls will minimize sediment migration downslope of the construction area. Further, any stockpiled materials will be located outside all jurisdictional areas, covered and stabilized to minimize contact with rain and wind, and have a perimeter sediment barrier.

E&S controls will be maintained weekly and after significant rain events throughout the duration of the construction, including the removal of accumulated sediment once accumulation reaches half the height of the wattle. All E&S controls will remain in place until the site is stabilized. Please see attached site plans for schematic details of E&S controls. The applicant will be responsible for inspecting and maintaining E&S controls and will keep a log of inspections and maintenance.

3.2 **WETLAND PROECTION ACT IMPACT AREA CALCULATION TABLE**

Buffer Zone Disturbance on 8.9 Ac Development Site	Proposed Square Footage
SF of total work within the BVW on site	0
LF of work within the Bank on site	0
SF of total work within the IVW on site (Bylaw Only)	7,842
SF of total work within the 25' Buffer Zone to BVW on site	243
SF of total work within the 50' Buffer Zone to BVW on site	5,092
SF of total work within the 100' Buffer Zone to BVW on site	26,106
SF of total work within the 25' Buffer Zone to IVW on site (Bylaw Only)	33,116
SF of total work within the 50' Buffer Zone to IVW on site (Bylaw Only)	42,998
SF of total work within the 100' Buffer Zone to IVW on site (Bylaw Only)	26,783
SF of total work to 100' Buffer Zone on site	134,338

Table 1. This table lays out the total proposed disturbance to the 25, 50 and 100-foot buffer zones, bank, BVW, and IVW on the site.

4.0 REGULATORY COMPLIANCE WITH WETLANDS PROTECTION ACT

Work within resource areas protected by the Wetlands Protection Act is being proposed. The project has been designed to minimize Buffer Zone, BVW and Bank impacts to the extent practicable. Table 1 above outlines impact to the various resource areas and buffer zones (state and bylaw) on site. Explanation on how the project meets the performance standards of each resource follows.

4.1 BUFFER ZONE (100-FOOT)

The WPA Regulations do not contain performance standards for Buffer Zone Alteration (310 CMR 10.02(2)(b)). All reasonable efforts to avoid, minimize and mitigate adverse impacts on the Buffer Zone have been considered. Reference Table 1 and Figure 2 for buffer zone impacts.

5.0 REGULATORY COMPLIANCE WITH FRANKLIN WETLANDS PROTECTION BYLAW

5.1 0-25' BUFFER ZONE

Minor work is proposed within the 0-25' buffer zone to Bordering Vegetated Wetland. Only 243sf of work, expanding the parking lot will be within this buffer zone. There is a significant amount of impact to the 25-foot No Disturb Buffer Zone of the Isolated Vegetated Wetland. These IVW are proposed to be filled and replicated as Bordering Vegetated Wetland elsewhere on-site. The proposed function and values of the new BVW will mitigate for the impact to the 25-foot buffer zone to IVW.

5.2 25-50' BUFFER ZONE

Section 4.3.1 of the Franklin Wetlands Protection Bylaw Regulations states, "Alteration in the 25-50' buffer zone resource area is limited to grading, tree clearing. Stormwater management system components, lawns, gardens, and other low impact uses." 5,092sf of the 50-foot buffer zone to BVW is proposed to be impacted for the expansion of the parking lot. There are no alternative locations for the proposed parking lot and driveway due to the design of the existing building, the truck parking bays. There is a significant amount of impact to the 25-foot No Disturb Buffer Zone of the Isolated Vegetated Wetland. These IVW are proposed to be filled and replicated as Bordering Vegetated Wetland elsewhere on-site. The proposed function and values of the new BVW will mitigate for the impact to the 25-foot buffer zone to IVW.

5.3 50-100' BUFFER ZONE

Work proposed within the 50-100' buffer zone consists of the installation of pavement for the proposed parking lot. Total impacts in the 50-100' buffer zone amount to approximately 5,288 square feet.

5.4 ISOLATED VEGETATED WETLAND

The project is proposing to fill 7,842sf of Isolated Vegetated Wetland in order to expand parking and driveways on the locus site. Currently, the existing IVWs are providing very little function. Attached is a wetland Function-Value Evaluation Form. The principal functions of the existing IVWs are strictly stormwater management and sedimentation removal. Because they are isolated, they provide restricted principal functions. The project proposes to replicate 15,729sf of BVW as mitigation. The replication is greater than a 2:1 ratio. This mitigation will connect to the existing BVW and intermittent stream.

5.5 FUNCTIONS AND CHARACTERISTICS STATEMENT

In accordance with §7.10.1 of the Town of Franklin Conservation Commission Regulations, please find below a summary of the proposed project's impacts on the functions and characteristics of floodplains and wetlands. It is Goddard's opinion that the project will have no significant individual or cumulative adverse effects on these functions and characteristics. Attached is a Wetland function and Value Evaluation Form discussing the principal functions of the existing IVWs to be filled and replicated on-site.

1. **Public Water Supplies** – The nearest public well (ID -2101001) is approximately 10,000 feet away from proposed construction activities. The is located within a Zone II (primary aquifer recharge area).

2. **Private Water Supplies** – According to MassDEP's Well Drilling Database, the nearest private well that could be identified is located at 120 Grove Street, approximately 150+ feet away from the work area. This distance is greater than any setbacks for wells identified in MassDEP's Private Well Guidelines.

3. **Groundwater** –The stormwater management features proposed for installation were designed to provide appropriate treatment and groundwater recharge in accordance with the MassDEP Stormwater Standards.

4. **Flood Control** – No work of any kind is proposed in any FEMA Flood Zones. Compensatory storage is not required to be addressed.

5. **Erosion and Sedimentation** – Erosion and sedimentation controls including silt fencing, haybales, and stone construction entrance will be in place and maintained in good condition throughout construction activities. The proposed stormwater system includes catch basins with separators, and inlet sediment control devices to ensure proper treatment of stormwater that may carry sediment after construction is completed. The entire site will be stabilized by the end of construction to ensure long-term stabilization of soils.

6. **Storm Damage Prevention** – The proposed stormwater management system has been designed to handle the 2-, 10-, 25- and 100-year return periods for Franklin, as well as a 24-hour type III rainfall distribution. Further, nearly all sheet flow stormwater runoff presently flows towards the existing wetlands onsite, as they were designed as stormwater management features. The proposed stormwater management system will attenuate peak rates of runoff, resulting in less damaging stormwater runoff for the site and surrounding areas.

7. **Water Quality** – The proposed stormwater management system directs runoff to catch basins, precast concrete manhole storm drains, and an underground infiltration system. Both have been designed to ensure there are no detrimental water quality impacts to any surface waters in the area in accordance with MassDEP's Stormwater Standards.

8. **Water Pollution Control** – During construction, erosion and sediment controls as described above will minimize any potential water pollution. The proposed stormwater management system has been designed to separate sediment and chemical pollutants such as oil and gas from the water it receives, which will ensure that such chemical pollutants are satisfactorily removed. No biological pollution (e.g. bacteria or viruses) is expected to occur as a result of construction activities or post-construction use of the site.

9. **Fisheries** – No work is proposed in ponds, perennial streams, or any other fishery habitat.

10. **Shellfish** - Not applicable in Franklin.

11. **Wildlife Habitat** – The natural community present on the site, as described in MassWildlife’s Classification of the Natural Communities of Massachusetts, is White Pine – Oak Forest. This type of natural community is assigned an SRank of S5, which means it is “demonstrably secure in Massachusetts” and is “common, widespread, and abundant.”

According to MassWildlife’s BioMap, the work area is not considered either Core Habitat (areas that are critical for the long-term persistence of rare species, exemplary natural communities, and resilient ecosystems) or Critical Natural Landscape (large landscape blocks that are minimally impacted by development and buffers to core habitats and coastal areas). The Index of Ecological Integrity (IEI) provided by UMass Amherst, which quantifies wildlife habitat and biodiversity value, identifies the area as having 0% ecological integrity.

12. **Rare Species Habitat (including rare plant species)** – No rare species are mapped on or near the project site. The nearest Estimated Habitat of Rare Wildlife or Priority Habitat of Rare Species is approximately 15,000-feet from the site. There are no mapped potential or certified vernal pools onsite or on any abutting parcels.

13. **Agriculture** – The project site is not located in proximity to any agricultural operations.

14. **Aquaculture** – There are no aquaculture operations on or near the project site.

15. **Recreation** – Neither active nor passive recreational uses will be impacted by construction activities or post-construction conditions on the site. The work area does not contain any playing fields, walking paths, swimming areas, or other recreational areas.

5.6 CONSTRUCTION SEQUENCE

The anticipated sequence of construction activities will be as follows:

1. Install erosion and sediment controls.
2. Clear, grub and rough grade areas shown to be regraded.
3. Demo existing features in work area not shown to be saved and cut and cap utilities as needed.
4. Install stormwater management system and site utilities.
5. Install binder coat paving.
6. Install landscaping.
7. Fine grade site and loam and seed all disturbed areas.
8. Install topcoat pavement.
9. Project closeout.

6.0 CONCLUSION

In summary, Goddard Consulting believes that the proposed project will not have any adverse impacts on the interests identified in the Wetlands Protection Act. The project has been designed with sensitivity to the resource areas on site. The proposed project meets all regulatory compliance standards under the Wetlands Protection Act; therefore, Goddard Consulting respectfully requests that the Franklin Conservation Commission issue an Order of Conditions approving the project.



Please feel free to contact us if you have any questions about this Notice of Intent submission.

Sincerely,
Goddard Consulting, LLC

A handwritten signature in cursive script that reads 'Nicole Hayes'.

Nicole Hayes, PWS
Senior Wetland Scientist

CC: Ryan Lichwell, NEAG, 126 Grove Street Franklin, MA 02038
MassDEP Central Regional Office, 8 New Bond Street Worcester, MA 01606

Appendix A

Abutter Information



emailed ~~11-3-2024~~

11-4-2024 November 3, 2024

135694

Abutter's List Request Form

Status: Active

Submitted On: 10/25/2024

Primary Location

126 GROVE ST
FRANKLIN, MA 02038

Owner

KEY BOSTON INC
126 GROVE ST BOX 247
FRANKLIN, MA 02038

Applicant

amanda cavaliere
508-528-3221
acavaliere@gandhengineering.com
55 west central st
franklin, ma 02038

Abutter's List Request Form

Which Board/Commission is requiring this list?*

Planning Board and Conservation Commission

What is the purpose for the request?*

Filing a Site Plan Modification and Notice of Intent

How would you like to receive this abutters list?*

Emailed

What email address should we use to send you the abutters list?*

acavaliere@gandhengineering.com

General Parcel Information

Assessor's Parcel ID*

295-004-000-000

Property Street Address*

126 Grove Street

295-003-000-000

124 Grove St.

Assessor's Parcel ID* ⓘ

295-003-000-000

Property Street Address*

124 Grove Street

Property Owner Information

Property Owner*

Key Boston Inc.

Property Owner's Mailing Address*

126 Grove St

Town/City*

Franklin

Zip/Postal Code*

02038

State*

ma

Property Owner Telephone Number*

978-333-7510

Property Owner*

NEAG Real Estate LLC

Property Owner's Mailing Address*

126 Grove Street

Town/City*

Franklin

Zip/Postal Code*

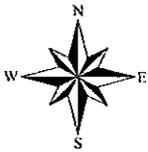
02038

State*

MA

Property Owner Telephone Number*

978-333-7510



124 & 126 GROVE ST - 300' ABUTTERS

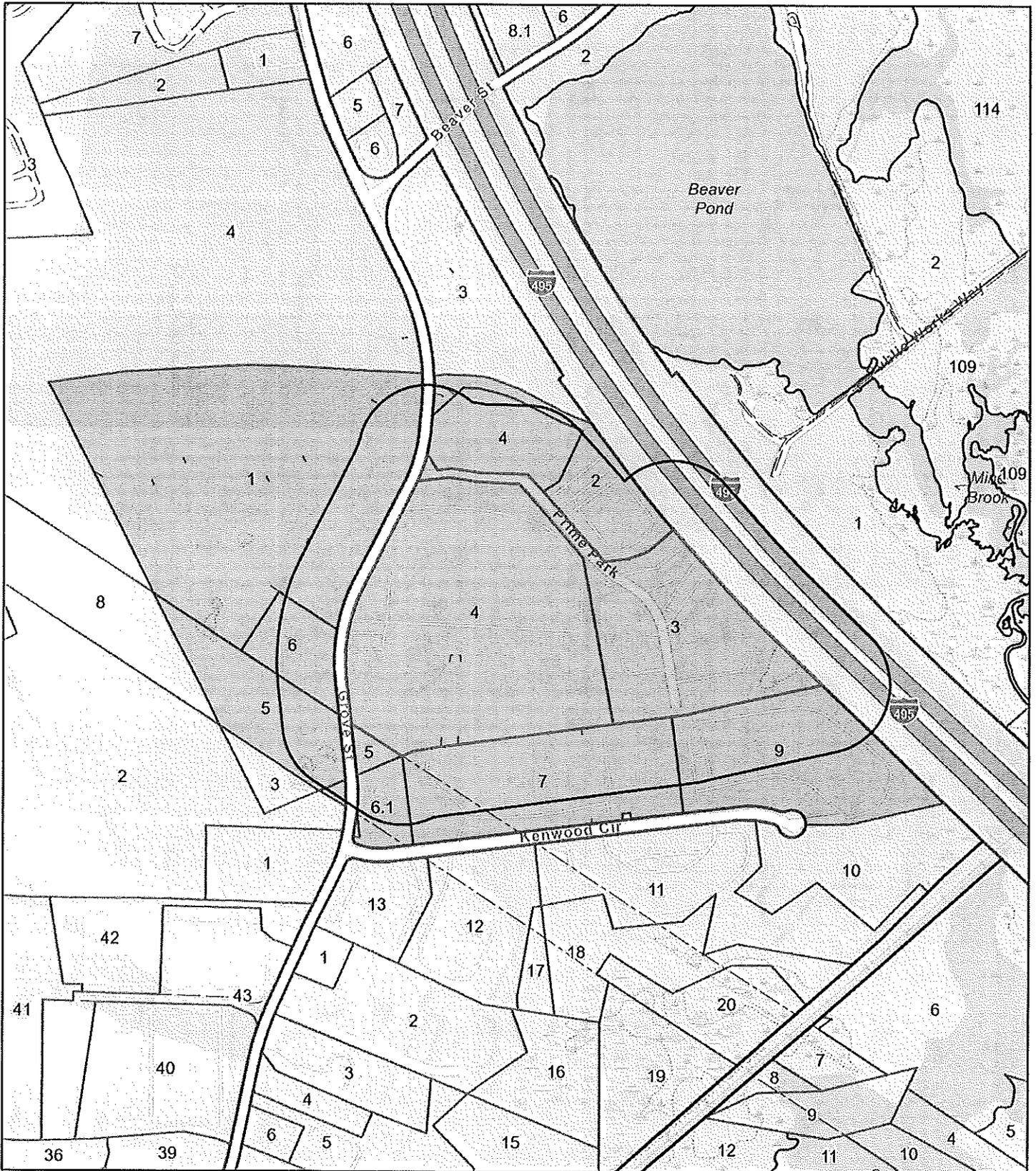
Town of Franklin, MA

1 inch = 600 Feet



www.cai-tech.com

November 4, 2024



This information is believed to be correct but is subject to change and is not warranted.



300 feet Abutters List Report

Franklin, MA
November 04, 2024

Subject Properties:

Parcel Number: 295-003-000
CAMA Number: 295-003-000-000
Property Address: 124 GROVE ST

Mailing Address: NEAG REAL ESTATE LLC
126 GROVE ST
FRANKLIN, MA 02038

Parcel Number: 295-004-000
CAMA Number: 295-004-000-000
Property Address: 126 GROVE ST

Mailing Address: KEY BOSTON INC
126 GROVE ST BOX 247
FRANKLIN, MA 02038

Abutters:

Parcel Number: 288-004-000
CAMA Number: 288-004-000-000
Property Address: 120 GROVE ST

Mailing Address: AMEGO
33 PERRY AVE
ATTLEBORO, MA 02703

Parcel Number: 294-004-000
CAMA Number: 294-004-000-000
Property Address: GROVE ST

Mailing Address: HUGHES STEPHEN V JR NEW
ENGLAND POWER CO PROPERTY TAX
DEPT
40 SYLVAN RD
WALTHAM, MA 02451-2286

Parcel Number: 294-005-000
CAMA Number: 294-005-000-000
Property Address: GROVE ST

Mailing Address: NEW ENGLAND POWER CO PROPERTY
TAX DEPT
40 SYLVAN RD
WALTHAM, MA 02451-2286

Parcel Number: 294-006-000
CAMA Number: 294-006-000-000
Property Address: 131 GROVE ST

Mailing Address: NEW ENGLAND POWER CO PROPERTY
TAX DEPT
40 SYLVAN RD
WALTHAM, MA 02451-2286

Parcel Number: 295-001-000
CAMA Number: 295-001-000-000
Property Address: 121 GROVE ST

Mailing Address: SMITH BRYN
106 MENDON ST
BELLINGHAM, MA 02019

Parcel Number: 295-002-000
CAMA Number: 295-002-000-000
Property Address: 122 GROVE ST

Mailing Address: AMEGO INC
33 PERRY AVE
ATTLEBORO, MA 02703

Parcel Number: 295-003-000
CAMA Number: 295-003-000-000
Property Address: 124 GROVE ST

Mailing Address: NEAG REAL ESTATE LLC
126 GROVE ST
FRANKLIN, MA 02038

Parcel Number: 295-004-000
CAMA Number: 295-004-000-000
Property Address: 126 GROVE ST

Mailing Address: KEY BOSTON INC
126 GROVE ST BOX 247
FRANKLIN, MA 02038



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Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



300 feet Abutters List Report

Franklin, MA
November 04, 2024

Parcel Number: 295-005-000
CAMA Number: 295-005-000-000
Property Address: GROVE ST

Mailing Address: NEW ENGLAND POWER CO PROPERTY
TAX DEPT
40 SYLVAN RD
WALTHAM, MA 02451-2286

Parcel Number: 295-006-001
CAMA Number: 295-006-001-000
Property Address: GROVE ST

Mailing Address: NEW ENGLAND POWER CO
40 SYLVAN RD
WALTHAM, MA 02451-2286

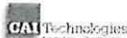
Parcel Number: 295-007-000
CAMA Number: 295-007-000-000
Property Address: 10 KENWOOD CIR

Mailing Address: ASTRO INVESTMENT LLC C/O KSI
TRADING CORP
6 BARBARA PLACE
EDISON, NJ 08817

Parcel Number: 295-009-000
CAMA Number: 295-009-000-000
Property Address: 40 KENWOOD CIR

Mailing Address: BOSTON INFILL LL LLC C/O
INVESTCORP
280 PARK AVENUE - 36W
NEW YORK, NY 10017

Kevin M. Doyle, 11-4-24



www.cai-tech.com

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11/4/2024

Page 2 of 2

AMEGO
33 PERRY AVE
ATTLEBORO, MA 02703

AMEGO INC
33 PERRY AVE
ATTLEBORO, MA 02703

ASTRO INVESTMENT LLC
C/O KSI TRADING CORP
6 BARBARA PLACE
EDISON, NJ 08817

BOSTON INFILL LL LLC
C/O INVESTCORP
280 PARK AVENUE - 36W
NEW YORK, NY 10017

HUGHES STEPHEN V JR
NEW ENGLAND POWER CO PROP
40 SYLVAN RD
WALTHAM, MA 02451-2286

KEY BOSTON INC
126 GROVE ST BOX 247
FRANKLIN, MA 02038

NEAG REAL ESTATE LLC
126 GROVE ST
FRANKLIN, MA 02038

NEW ENGLAND POWER CO
40 SYLVAN RD
WALTHAM, MA 02451-2286

NEW ENGLAND POWER CO
PROPERTY TAX DEPT
40 SYLVAN RD
WALTHAM, MA 02451-2286

SMITH BRYN
106 MENDON ST
BELLINGHAM, MA 02019

Town of Franklin Conservation Commission

NOTIFICATION TO ABUTTERS

Under the Massachusetts Wetlands Protection Act And The Franklin Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following proposed project:

Ryan Lichwell of New England Appliance Group has filed a Notice of Intent with the Franklin Conservation Commission for the expansion of an existing driveway and parking lots, and stormwater management on September 19, 2024, under the Wetlands Protection Act (M.G.L c.131 §40).

Copies of the Notice of Intent may be examined during regular office hours (M-F 9am-3pm) at Goddard Consulting, LLC.

Copies may also be examined by contacting the Franklin Conservation Department located at 355 East Central Street, Franklin, MA, (508) 520-4929.

Notice of the public hearing including the date, time, and place will be published at least five (5) days in advance in the Milford Daily News.

Notice of the public hearing including the date, time, and place will be posted in the Franklin Town Hall at least forty eight (48) hours in advance of the public hearing.

The public hearing will be held on Thursday, December 12, 2024, at 7 pm, via Zoom, and can be accessed through the Conservation Commission agenda for that night, which will be posted on the Town's website 48 hours prior to the meeting. Please call the Conservation Department at (508) 520-4929 if you have any questions.

You may also contact the Massachusetts Department of Environmental Protection, Central Regional Office, Worcester, MA at (508) 792-7650.

Town of Franklin Conservation Commission

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and Franklin Wetland Bylaw

(To be submitted to the Massachusetts Department of Environmental Protection and the Franklin Conservation Commission when filing a Notice of Intent)

I, Nicole Hayes, Goddard Consulting, LLC hereby certify under the pains and penalties of perjury that on November 12, 2024, I gave Notification to Abutters in compliance with second paragraph of Massachusetts General Laws Chapter 131, Section 40 in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by Ryan Lichwell of New England Appliance Group with the Franklin Conservation Commission on November 12, 2024, for property located on 124/126 Grove Street, Franklin, MA.

The Notification to Abutters form and list of the abutters to whom it was given and their addresses are attached to the Affidavit of Service.



Signature

November 12, 2024

Date



Appendix B

Town of Franklin NOI Submission Material

Town of Franklin Conservation Commission

LOCAL FILING FEE CALCULATION WORKSHEET

1. NOTICE OF INTENT (NOI)

1.1. New Individual Single Family Home (SFH) \$200.00 \$_____

This includes all projects associated with a SFH

1.2. Work Associated with Existing Residential Property \$50.00 \$_____

Above-ground pools, fences or other incidental projects involving land disturbance that are not covered by the MBZA

1.3. Control of Nuisance Vegetation \$50.00 \$_____

This category shall not apply to any non-natural deposition of material e.g. vegetative debris

**1.4. Subdivisions
(Resource Area includes Buffer Zone)**

Base Fee \$600.00

Infrastructure in Buffer Zone **or** Resource Area

Roads linear feet x \$2.00 =

*Drainage Structures X \$10.00 each =

Resource Area Disturbed square feet x \$0.50=

(If single family homes are proposed as part of a subdivision application, for each house in jurisdiction, individual NOI fees will apply.)

1.5. Multifamily Dwellings, including Condominium Units:
_____ MFDU x \$100.00 \$_____

**1.6. Commercial/Industrial
(Resource Area includes Buffer Zone)**

Base Fee	\$600.00	<u>\$600</u>
Infrastructure in Buffer Zone or Resource Area		
Roads	945 linear feet x \$2.00	= <u>\$1,890</u>
*Drainage Structures	9 X \$10.00 each	= <u>\$90</u>
Resource Area Disturbed	142,180 square feet x \$0.50	= <u>\$71,090</u>
Buildings	1 X \$125 each	= <u>\$125</u>
All Accessory Improvements	\$100.00	= \$_____

2. REQUEST FOR DETERMINATION (RDA) \$100.00 = \$_____

3. MINOR BUFFER ZONE ACTIVITY (MBZA) \$50.00= \$_____

**4. ABBREVIATED NOTICE OF RESOURCE AREA DETERMINATION
(ANRAD)**

\$0.50/foot/resource area: = \$_____

5. OTHER PERMITS/SERVICES

Order of Conditions Extension	\$50.00	\$_____
Certificate of Compliance Request	\$50.00	\$_____
Certificate Re-Inspection	\$50.00	\$_____
Status Letter for Financial Institution	\$100.00	\$_____
Permit Amendment	\$100.00	\$_____

6. FILING FEE CALCULATION

Town Share of State Fees (See NOI Wetland Fee Transmittal Form)	<u>\$537.50</u>
Local Filing Fee Calculated Above	<u>\$73,795</u>
TOTAL Due Town of Franklin (Check No.1)	<u>\$74,332.50</u>

State Share of Filing Fee (See NOI Wetland Fee Transmittal Form)	
TOTAL Due DEP (Check No. 2)	<u>\$512.50</u>

7. ADVERTISING FEE (Check No. 3)

TBD

The fee will be the exact amount the newspaper charges for that specific advertisement. Once the advertisement is placed with the paper, by the Conservation Commission, the applicant will be notified of the cost and will be expected to submit a check for that exact amount, payable to the Town of Franklin, to the Conservation Department prior to the first hearing.

*Drainage structures: catch basins, manholes, leaching basins, gutter inlet or any other man-made structure (other than a pipe) for purposes of controlling drainage.

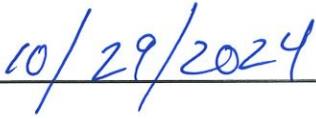
Town of Franklin Conservation Commission

PROPERTY ACCESS SIGNATURE FORM

I hereby request that the Franklin Conservation Commission review this NOI application. I (we) grant authority to the Franklin Conservation Commission members and agents to go onto my (our) property solely for purposes directly related to the inspection and approval of this application and for follow-up compliance with the permit conditions.



Signature of Property Owner



Date

Town of Franklin Conservation Commission

RESOURCE AREA IMPACT SUMMARY FORM

**The Franklin Wetlands Protection Bylaw
Franklin Town Code Section 181**

Resource Area	Alteration Proposed	Mitigation Proposed
Bordering Vegetated Wetland (SF)	0	0
Bank (LF)	0	0
Land Under Water Bodies (SF)	0	0
Isolated Wetland (SF)	7,842	15,729 (BVW)
Vernal Pool (SF)	0	0
Buffer Zone (SF)	134,338	0
Riverfront (SF)	0	0
100-Year Floodplain (CF)	0	0
(SF) = Square Feet (LF) = Linear Feet (CF) = Cubic Feet Flood Storage		

Town of Franklin Conservation Commission

APPLICATION PROCESS SIGNATURE FORM

There are three different applications that can be submitted to undertake work in a jurisdictional area: a Notice of Intent (NOI), a Request for Determination (RDA) and a Minor Buffer Zone Activity (MBZA). All three applications have different criteria for submission and approval and the NOI and RDA are governed by both the state law and the local bylaw. The MBZA is issued under the local bylaw only.

When a potential applicant requests advice from the Conservation Agent on which application to file, the opinion of the Agent is based on the information given by the potential applicant and any other information available to the Agent, e.g. the town's GIS system. The Agent has no legal right to go onto private property at any time until after an application is filed or permission of the property owner is given.

It is important that all applicants understand that after an application is filed, additional information may come to light e.g. via a field inspection or a review of the application, that may impact the scope of the submitted application and the approval process. **Therefore, it is the ultimate responsibility of the applicant to decide which application to file.**

In light of the above, please sign below indicating an understanding of this policy and submit it with the application.



Signature of Property Owner



Date



Appendix C

Wetland Information

Wetland Function-Value Evaluation Form

Northern and Southern

3 IVW=
 Total area of wetland 14,910sf Human made? Is wetland part of a wildlife corridor? No or a "habitat island"?
 Adjacent land use Commerical/Industrial Buildings Distance to nearest roadway or other development 0-feet
 Dominant wetland systems present PEM 1K, PEM5K Contiguous undeveloped buffer zone present No
 Is the wetland a separate hydraulic system? Yes If not, where does the wetland lie in the drainage basin? _____
 How many tributaries contribute to the wetland? 0 Wildlife & vegetation diversity/abundance (see attached list)

Wetland I.D. IVWs
 Latitude 42.07488 Longitude 71.41707
 Prepared by: Goddard Consulting Date 10/31/2024
 Wetland Impact:
 Type Fill Area 7,842
 Evaluation based on:
 Office Field
 Corps manual wetland delineation completed? Y N

Function/Value	Suitability Y / N	Rationale (Reference #)*	Principal Function(s)/Value(s)	Comments
 Groundwater Recharge/Discharge	Y	3, 5, 8, 13, 15	x	These IVW were constructed stormwater management structures used to infiltrate stormwater.
 Floodflow Alteration	Y	3, 4, 5, 6, 8, 9, 11, 15, 18	x	These IVW were constructed stormwater management structures used to infiltrate stormwater. These are useful for flood management
 Fish and Shellfish Habitat	N	2		These features are isolated and only hold water periods of the year.
 Sediment/Toxicant Retention	Y	1, 2, 4, 6, 9	x	These IVW were constructed stormwater management structures. One of the primary functions of these structures is to allow for sediment and toxins filtered prior to infiltrating into the ground water
 Nutrient Removal	Y	3, 4, 6, 8, 9, 11	x	These IVW were constructed stormwater management structures. One of the primary functions of these structures is to allow for excessive nutrients to be filtered prior to infiltrating into the ground water
 Production Export	N	2, 11		These IVW were constructed stormwater management structures. They provide no useable product for humans
 Sediment/Shoreline Stabilization	N	2, 3, 10, 15		These are isolated wetlands and do not border on a watercourse or pond. They do not provide bank stabilization.
 Wildlife Habitat	N	7, 9, 11, 13, 20, 21		These are isolated wetlands within a highly developed area. These wetlands are small and fragmented from the larger downgradient wetlands on-site.
 Recreation	N	11, 12		These are shallow constructed stormwater management features. There are no recreational opportunities with these wetlands.
 Educational/Scientific Value	N	N/A		These are shallow constructed stormwater management features. The site is an existing commercial facility. It is unsafe for education.
 Uniqueness/Heritage	N	1, 2, 13, 17		These are shallow constructed stormwater management features. They are not natural wetlands. They have no historical significance to the town or surrounding area.
 Visual Quality/Aesthetics	N	9		These are shallow constructed stormwater management features. They are not natural wetlands. They have are not visually pleasing.
ES Endangered Species Habitat	N	N/A		The site is not mapped for any estimated or priority habitat of rare species.
Other	N	N/A		

Notes: These are constructed Isolated Vegetated Wetlands. The primary functions of these wetlands are to contain and infiltrate stormwater. They provide little additional function aside from stormwater functions management. * Refer to backup list of numbered considerations.

Appendix A

Wetland evaluation supporting documentation; Reproducible forms.

Below is an example list of considerations that was used for a New Hampshire highway project. Considerations are flexible, based on best professional judgment and interdisciplinary team consensus. This example provides a comprehensive base, however, and may only need slight modifications for use in other projects.



GROUNDWATER RECHARGE/DISCHARGE— This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge area. It refers to the fundamental interaction between wetlands and aquifers, regardless of the size or importance of either.

CONSIDERATIONS/QUALIFIERS

1. Public or private wells occur downstream of the wetland.
2. Potential exists for public or private wells downstream of the wetland.
3. Wetland is underlain by stratified drift.
4. Gravel or sandy soils present in or adjacent to the wetland.
5. Fragipan does not occur in the wetland.
6. Fragipan, impervious soils, or bedrock does occur in the wetland.
7. Wetland is associated with a perennial or intermittent watercourse.
8. Signs of groundwater recharge are present or piezometer data demonstrates recharge.
9. Wetland is associated with a watercourse but lacks a defined outlet or contains a constricted outlet.
10. Wetland contains only an outlet, no inlet.
11. Groundwater quality of stratified drift aquifer within or downstream of wetland meets drinking water standards.
12. Quality of water associated with the wetland is high.
13. Signs of groundwater discharge are present (e.g., springs).
14. Water temperature suggests it is a discharge site.
15. Wetland shows signs of variable water levels.
16. Piezometer data demonstrates discharge.
17. Other



FLOODFLOW ALTERATION (Storage & Desynchronization) — This function considers the effectiveness of the wetland in reducing flood damage by water retention for prolonged periods following precipitation events and the gradual release of floodwaters. It adds to the stability of the wetland ecological system or its buffering characteristics and provides social or economic value relative to erosion and/or flood prone areas.

CONSIDERATIONS/QUALIFIERS

1. Area of this wetland is large relative to its watershed.
2. Wetland occurs in the upper portions of its watershed.
3. Effective flood storage is small or non-existent upslope of or above the wetland.
4. Wetland watershed contains a high percent of impervious surfaces.
5. Wetland contains hydric soils which are able to absorb and detain water.
6. Wetland exists in a relatively flat area that has flood storage potential.
7. Wetland has an intermittent outlet, ponded water, or signs are present of variable water level.
8. During flood events, this wetland can retain higher volumes of water than under normal or average rainfall conditions.
9. Wetland receives and retains overland or sheet flow runoff from surrounding uplands.
10. In the event of a large storm, this wetland may receive and detain excessive flood water from a nearby watercourse.
11. Valuable properties, structures, or resources are located in or near the floodplain downstream from the wetland.
12. The watershed has a history of economic loss due to flooding.
13. This wetland is associated with one or more watercourses.
14. This wetland watercourse is sinuous or diffuse.
15. This wetland outlet is constricted.
16. Channel flow velocity is affected by this wetland.
17. Land uses downstream are protected by this wetland.
18. This wetland contains a high density of vegetation.
19. Other

FISH AND SHELLFISH HABITAT (FRESHWATER) — This function considers the effectiveness of seasonal or permanent watercourses associated with the wetland in question for fish and shellfish habitat.



CONSIDERATIONS/QUALIFIERS

1. Forest land dominant in the watershed above this wetland.
2. Abundance of cover objects present.

STOP HERE IF THIS WETLAND IS NOT ASSOCIATED WITH A WATERCOURSE

3. Size of this wetland is able to support large fish/shellfish populations.
4. Wetland is part of a larger, contiguous watercourse.
5. Wetland has sufficient size and depth in open water areas so as not to freeze solid and retain some open water during winter.
6. Stream width (bank to bank) is more than 50 feet.
7. Quality of the watercourse associated with this wetland is able to support healthy fish/shellfish populations.
8. Streamside vegetation provides shade for the watercourse.
9. Spawning areas are present (submerged vegetation or gravel beds).
10. Food is available to fish/shellfish populations within this wetland.
11. Barrier(s) to anadromous fish (such as dams, including beaver dams, waterfalls, road crossing) are absent from the stream reach associated with this wetland.
12. Evidence of fish is present.
13. Wetland is stocked with fish.
14. The watercourse is persistent.
15. Man-made streams are absent.
16. Water velocities are not too excessive for fish usage.
17. Defined stream channel is present.
18. Other

Although the above example refers to freshwater wetlands, it can also be adapted for marine ecosystems. The following is an example provided by the National Marine Fisheries Service (NMFS) of an adaptation for the fish and shellfish function.

FISH AND SHELLFISH HABITAT (MARINE) — This function considers the effectiveness of wetlands, embayments, tidal flats, vegetated shallows, and other environments in supporting marine resources such as fish, shellfish, marine mammals, and sea turtles.

CONSIDERATIONS/QUALIFIERS

1. Special aquatic sites (tidal marsh, mud flats, eelgrass beds) are present.
2. Suitable spawning habitat is present at the site or in the area.
3. Commercially or recreationally important species are present or suitable habitat exists.
4. The wetland/waterway supports prey for higher trophic level marine organisms.
5. The waterway provides migratory habitat for anadromous fish.
6. Essential fish habitat, as defined by the 1996 amendments to the Magnuson-Stevens Fishery & Conservation Act, is present (consultation with NMFS may be necessary).
7. Other



SEDIMENT/TOXICANT/PATHOGEN RETENTION — This function reduces or prevents degradation of water quality. It relates to the effectiveness of the wetland as a trap for sediments, toxicants, or pathogens in runoff water from surrounding uplands or upstream eroding wetland areas.

CONSIDERATIONS/QUALIFIERS

1. Potential sources of excess sediment are in the watershed above the wetland.
2. Potential or known sources of toxicants are in the watershed above the wetland.
3. Opportunity for sediment trapping by slow moving water or deepwater habitat are present in this wetland.
4. Fine grained mineral or organic soils are present.
5. Long duration water retention time is present in this wetland.
6. Public or private water sources occur downstream.
7. The wetland edge is broad and intermittently aerobic.
8. The wetland is known to have existed for more than 50 years.
9. Drainage ditches have not been constructed in the wetland.

STOP HERE IF WETLAND IS NOT ASSOCIATED WITH A WATERCOURSE.

10. Wetland is associated with an intermittent or perennial stream or a lake.
11. Channelized flows have visible velocity decreases in the wetland.
12. Effective floodwater storage in wetland is occurring. Areas of impounded open water are present.
13. No indicators of erosive forces are present. No high water velocities are present.
14. Diffuse water flows are present in the wetland.
15. Wetland has a high degree of water and vegetation interspersion.
16. Dense vegetation provides opportunity for sediment trapping and/or signs of sediment accumulation by dense vegetation is present.
17. Other



NUTRIENT REMOVAL/RETENTION/TRANSFORMATION — This function considers the effectiveness of the wetland as a trap for nutrients in runoff water from surrounding uplands or contiguous wetlands and the ability of the wetland to process these nutrients into other forms or trophic levels. One aspect of this function is to prevent ill effects of nutrients entering aquifers or surface waters such as ponds, lakes, streams, rivers, or estuaries.

CONSIDERATIONS/QUALIFIERS

1. Wetland is large relative to the size of its watershed.
2. Deep water or open water habitat exists.
3. Overall potential for sediment trapping exists in the wetland.

4. Potential sources of excess nutrients are present in the watershed above the wetland.
5. Wetland saturated for most of the season. Pondered water is present in the wetland.
6. Deep organic/sediment deposits are present.
7. Slowly drained fine grained mineral or organic soils are present.
8. Dense vegetation is present.
9. Emergent vegetation and/or dense woody stems are dominant.
10. Opportunity for nutrient attenuation exists.
11. Vegetation diversity/abundance sufficient to utilize nutrients.

STOP HERE IF WETLAND IS NOT ASSOCIATED WITH A WATERCOURSE.

12. Waterflow through this wetland is diffuse.
13. Water retention/detention time in this wetland is increased by constricted outlet or thick vegetation.
14. Water moves slowly through this wetland.
15. Other

PRODUCTION EXPORT (Nutrient) — This function evaluates the effectiveness of the wetland to produce food or usable products for humans or other living organisms.



CONSIDERATIONS/QUALIFIERS

1. Wildlife food sources grow within this wetland.
2. Detritus development is present within this wetland.
3. Economically or commercially used products found in this wetland.
4. Evidence of wildlife use found within this wetland.
5. Higher trophic level consumers are utilizing this wetland.
6. Fish or shellfish develop or occur in this wetland.
7. High vegetation density is present.
8. Wetland exhibits high degree of plant community structure/species diversity.
9. High aquatic vegetative diversity/abundance is present.
10. Nutrients exported in wetland watercourses (permanent outlet present).
11. “Flushing” of relatively large amounts of organic plant material occurs from this wetland.
12. Wetland contains flowering plants that are used by nectar-gathering insects.
13. Indications of export are present.
14. High production levels occurring, however, no visible signs of export (assumes export is attenuated).
15. Other

SEDIMENT/ShORELINE STABILIZATION — This function considers the effectiveness of a wetland to stabilize streambanks and shorelines against erosion.



CONSIDERATIONS/QUALIFIERS

1. Indications of erosion or siltation are present.
2. Topographical gradient is present in wetland.
3. Potential sediment sources are present up-slope.
4. Potential sediment sources are present upstream.
5. No distinct shoreline or bank is evident between the waterbody and the wetland or upland.
6. A distinct step between the open waterbody or stream and the adjacent land exists (i.e., sharp bank) with dense roots throughout.
7. Wide wetland (>10') borders watercourse, lake, or pond.
8. High flow velocities in the wetland.
9. The watershed is of sufficient size to produce channelized flow.
10. Open water fetch is present.
11. Boating activity is present.
12. Dense vegetation is bordering watercourse, lake, or pond.
13. High percentage of energy-absorbing emergents and/or shrubs border a watercourse, lake, or pond.
14. Vegetation is comprised of large trees and shrubs that withstand major flood events or erosive incidents and stabilize the shoreline on a large scale (feet).
15. Vegetation is comprised of a dense resilient herbaceous layer that stabilizes sediments and the shoreline on a small scale (inches) during minor flood events or potentially erosive events.
16. Other



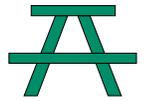
WILDLIFE HABITAT — This function considers the effectiveness of the wetland to provide habitat for various types and populations of animals typically associated with wetlands and the wetland edge. Both resident and/or migrating species must be considered. Species lists of observed and potential animals should be included in the wetland assessment report.¹

CONSIDERATIONS/QUALIFIERS

1. Wetland is not degraded by human activity.
2. Water quality of the watercourse, pond, or lake associated with this wetland meets or exceeds Class A or B standards.
3. Wetland is not fragmented by development.
4. Upland surrounding this wetland is undeveloped.
5. More than 40% of this wetland edge is bordered by upland wildlife habitat (e.g., brushland, woodland, active farmland, or idle land) at least 500 feet in width.
6. Wetland is contiguous with other wetland systems connected by a watercourse or lake.
7. Wildlife overland access to other wetlands is present.
8. Wildlife food sources are within this wetland or are nearby.
9. Wetland exhibits a high degree of interspersion of vegetation classes and/or open water.
10. Two or more islands or inclusions of upland within the wetland are present.
11. Dominant wetland class includes deep or shallow marsh or wooded swamp.
12. More than three acres of shallow permanent open water (less than 6.6 feet deep), including streams in or adjacent to wetland, are present.
13. Density of the wetland vegetation is high.
14. Wetland exhibits a high degree of plant species diversity.
15. Wetland exhibits a high degree of diversity in plant community structure (e.g., tree/shrub/vine/grasses/mosses)
16. Plant/animal indicator species are present. (List species for project)
17. Animal signs observed (tracks, scats, nesting areas, etc.)
18. Seasonal uses vary for wildlife and wetland appears to support varied population diversity/abundance during different seasons.
19. Wetland contains or has potential to contain a high population of insects.
20. Wetland contains or has potential to contain large amphibian populations.
21. Wetland has a high avian utilization or its potential.
22. Indications of less disturbance-tolerant species are present.
23. Signs of wildlife habitat enhancement are present (birdhouses, nesting boxes, food sources, etc.).
24. Other

¹In March 1995, a rapid wildlife habitat assessment method was completed by a University of Massachusetts research team with funding and oversight provided by the New England Transportation Consortium. The method is called WEThings (wetland habitat indicators for non-game species). It produces a list of potential wetland-dependent mammal, reptile, and amphibian species that may be present in the wetland. The output is based on observable habitat characteristics documented on the field data form. This method may be used to generate the wildlife species list recommended as backup information to the wetland evaluation form and to augment the considerations. Use of this method should first be coordinated with the Corps project manager. A computer program is also available to expedite this process.

RECREATION (Consumptive and Non-Consumptive) — This value considers the suitability of the wetland and associated watercourses to provide recreational opportunities such as hiking, canoeing, boating, fishing, hunting, and other active or passive recreational activities. Consumptive opportunities consume or diminish the plants, animals, or other resources that are intrinsic to the wetland. Non-consumptive opportunities do not consume or diminish these resources of the wetland.



CONSIDERATIONS/QUALIFIERS

1. Wetland is part of a recreation area, park, forest, or refuge.
2. Fishing is available within or from the wetland.
3. Hunting is permitted in the wetland.
4. Hiking occurs or has potential to occur within the wetland.
5. Wetland is a valuable wildlife habitat.
6. The watercourse, pond, or lake associated with the wetland is unpolluted.
7. High visual/aesthetic quality of this potential recreation site.
8. Access to water is available at this potential recreation site for boating, canoeing, or fishing.
9. The watercourse associated with this wetland is wide and deep enough to accommodate canoeing and/or non-powered boating.
10. Off-road public parking available at the potential recreation site.
11. Accessibility and travel ease is present at this site.
12. The wetland is within a short drive or safe walk from highly populated public and private areas.
13. Other

EDUCATIONAL/SCIENTIFIC VALUE — This value considers the suitability of the wetland as a site for an “outdoor classroom” or as a location for scientific study or research.



CONSIDERATIONS/QUALIFIERS

1. Wetland contains or is known to contain threatened, rare, or endangered species.
2. Little or no disturbance is occurring in this wetland.
3. Potential educational site contains a diversity of wetland classes which are accessible or potentially accessible.
4. Potential educational site is undisturbed and natural.
5. Wetland is considered to be a valuable wildlife habitat.
6. Wetland is located within a nature preserve or wildlife management area.
7. Signs of wildlife habitat enhancement present (bird houses, nesting boxes, food sources, etc.).
8. Off-road parking at potential educational site suitable for school bus access in or near wetland.
9. Potential educational site is within safe walking distance or a short drive to schools.
10. Potential educational site is within safe walking distance to other plant communities.
11. Direct access to perennial stream at potential educational site is available.
12. Direct access to pond or lake at potential educational site is available.
13. No known safety hazards exist within the potential educational site.
14. Public access to the potential educational site is controlled.
15. Handicap accessibility is available.
16. Site is currently used for educational or scientific purposes.
17. Other

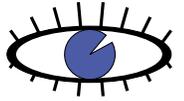


UNIQUENESS/HERITAGE — This value considers the effectiveness of the wetland or its associated waterbodies to provide certain special values. These may include archaeological sites, critical habitat for endangered species, its overall health and appearance, its role in the ecological system of the area, its relative importance as a typical wetland class for this geographic location. These functions are clearly valuable wetland attributes relative to aspects of public health, recreation, and habitat diversity.

CONSIDERATIONS/QUALIFIERS

1. Upland surrounding wetland is primarily urban.
2. Upland surrounding wetland is developing rapidly.
3. More than 3 acres of shallow permanent open water (less than 6.6 feet deep), including streams, occur in wetlands.
4. Three or more wetland classes are present.
5. Deep and/or shallow marsh or wooded swamp dominate.
6. High degree of interspersed vegetation and/or open water occur in this wetland.
7. Well-vegetated stream corridor (15 feet on each side of the stream) occurs in this wetland.
8. Potential educational site is within a short drive or a safe walk from schools.
9. Off-road parking at potential educational site is suitable for school buses.
10. No known safety hazards exist within this potential educational site.
11. Direct access to perennial stream or lake exists at potential educational site.
12. Two or more wetland classes are visible from primary viewing locations.
13. Low-growing wetlands (marshes, scrub-shrub, bogs, open water) are visible from primary viewing locations.
14. Half an acre of open water or 200 feet of stream is visible from the primary viewing locations.
15. Large area of wetland is dominated by flowering plants or plants that turn vibrant colors in different seasons.
16. General appearance of the wetland visible from primary viewing locations is unpolluted and/or undisturbed.
17. Overall view of the wetland is available from the surrounding upland.
18. Quality of the water associated with the wetland is high.
19. Opportunities for wildlife observations are available.
20. Historical buildings are found within the wetland.
21. Presence of pond or pond site and remains of a dam occur within the wetland.
22. Wetland is within 50 yards of the nearest perennial watercourse.
23. Visible stone or earthen foundations, berms, dams, standing structures, or associated features occur within the wetland.
24. Wetland contains critical habitat for a state- or federally-listed threatened or endangered species.
25. Wetland is known to be a study site for scientific research.
26. Wetland is a natural landmark or recognized by the state natural heritage inventory authority as an exemplary natural community.
27. Wetland has local significance because it serves several functional values.
28. Wetland has local significance because it has biological, geological, or other features that are locally rare or unique.
29. Wetland is known to contain an important archaeological site.
30. Wetland is hydrologically connected to a state or federally designated scenic river.
31. Wetland is located in an area experiencing a high wetland loss rate.
32. Other

VISUAL QUALITY/AESTHETICS — This value considers the visual and aesthetic quality or usefulness of the wetland.



CONSIDERATIONS/QUALIFIERS

1. Multiple wetland classes are visible from primary viewing locations.
2. Emergent marsh and/or open water are visible from primary viewing locations.
3. A diversity of vegetative species is visible from primary viewing locations.
4. Wetland is dominated by flowering plants or plants that turn vibrant colors in different seasons.
5. Land use surrounding the wetland is undeveloped as seen from primary viewing locations.
6. Visible surrounding land use form contrasts with wetland.
7. Wetland views absent of trash, debris, and signs of disturbance.
8. Wetland is considered to be a valuable wildlife habitat.
9. Wetland is easily accessed.
10. Low noise level at primary viewing locations.
11. Unpleasant odors absent at primary viewing locations.
12. Relatively unobstructed sight line exists through wetland.
13. Other

ENDANGERED SPECIES HABITAT — This value considers the suitability of the wetland to support threatened or endangered species.

ES

CONSIDERATIONS/QUALIFIERS

1. Wetland contains or is known to contain threatened or endangered species.
2. Wetland contains critical habitat for a state or federally listed threatened or endangered species.

Tel: (508) 520-4929

Fax: (508) 520 4906

Town of Franklin



Conservation Commission

February 12, 2024

Brian Bowen
New England Appliance Group/Key Boston
Franklin, MA 02038

RE: Order of Resource Area Delineation, 124-126 Grove Street, CE159-1274

Dear Mr. Bowen,

Please find enclosed the Order of Resource Area Delineation for 124-126 Grove Street recently confirmed through the Franklin Conservation Commission. Per state statute, the Order of Resource Area Delineation must be recorded in the Registry of Deeds and evidence of this recording must be given to the Conservation Department.

If you have any questions, please feel free to contact me 508-520-4929 or via email at bgoodlander@franklinma.gov.

Sincerely,

Breeka Li Goodlander, CWS, PWS, CERPIT
Conservation Agent/Natural Resource Protection Manager







Massachusetts Department of Environmental Protection

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Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B - Order of Resource Area
Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

Provided by MassDEP:
 MassDEP File #:159-1274
 eDEP Transaction #:1677198
 City/Town:FRANKLIN

A. General Information

1. Conservation Commission FRANKLIN

2. This Issuance is for (Check one):

- a. Order of Resource Area Delineation
- b. Amended Order of Resource Area Delineation

3. Applicant Details

a. First Name	BRIAN	b. Last Name	BOWEN	
c. Organization	NEW ENGLAND APPLIANCE GROUP/KEY BOSTON			
d. Mailing Address	126 GROVE ST			
e. City/Town	FRANKLIN	f. State	MA	g. ZIP 02038

4. Property Owner (if different from applicant):

a. First Name	b. Last Name
c. Organization	
d. Mailing Address	
e. City/Town	f. State
	g. ZIP

5. Project Location

a. Street Address	124 AND 126 GROVE STREET		
b. City/Town	FRANKLIN	c. Zip	02038
d. Assessors Map/Plat#	295	e. Parcel/Lot#	004
f. Latitude	42.07511N	g. Longitude	71.4213W

6. Dates

a. Date ANRAD Filed	7/7/2023	b. Date Public Hearing Closed	2/8/2024	c. Date Of Issuance	2/13/2024
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7. Final Approved Plans and Other Documents

Plan Title	Plan Prepared By	Plan Signed By	Plan Final Date	Plan Scale
RESOURCE AREA PLAN	GUERRIERE & HALNON, INC.	ROBERT E. CONSTANTINE, II PLS # 49611	January 12, 2024	1"=60'

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable)

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically
 - a. BANK TO INTERMITTENT STREAM, ISOLATED VEGETATED WETLAND/FRESHWATER WETLAND - SEE ATTACHED FINDINGS

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

- 1. Bordering Vegetated Wetlands



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**WPA Form 4B - Order of Resource Area
Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

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MassDEP File #:159-1274
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2. Other resource area(s), specifically

a.

c. **Inaccurate::** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically

a.

3. The boundaries were determined to be inaccurate because:

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, S 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation. This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination. The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, S 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
**WPA Form 4B – Order of Resource Area
 Delineation**

Provided by MassDEP:

CE159-1274

MassDEP File Number

eDEP Transaction Number

Franklin

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

E. Signatures

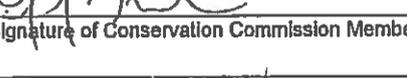
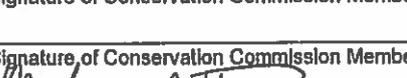
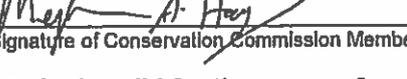
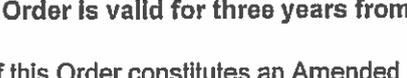
Date of Issuance

4

1. Number of Signers

Please indicate the number of members who will sign this form.

Signatures

	
Signature of Conservation Commission Member	Printed Name
	Mark LePage
Signature of Conservation Commission Member	Printed Name
	Jeffrey Livingstone
Signature of Conservation Commission Member	Printed Name
	Jeff Milne
Signature of Conservation Commission Member	Printed Name
	Richard Johnson
Signature of Conservation Commission Member	Printed Name
	Michael Rein
Signature of Conservation Commission Member	Printed Name
	Roger Trahan
Signature of Conservation Commission Member	Printed Name
	Meghann Hagen
Signature of Conservation Commission Member	Printed Name

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on _____ a. Date
3. By certified mail, return receipt requested on 02/13/2024 a. Date

Town of Franklin



Conservation Commission

124 – 126 Grove Street, Map 295, Lot 4 & Map 294, Lot 3
Franklin, Massachusetts
Order of Resource Area Delineation
Massachusetts Wetlands Protection Act & Regulations
Town of Franklin Wetlands Protection Bylaw & Regulations
DEP File #159-1274

List of Submittals for the Record:

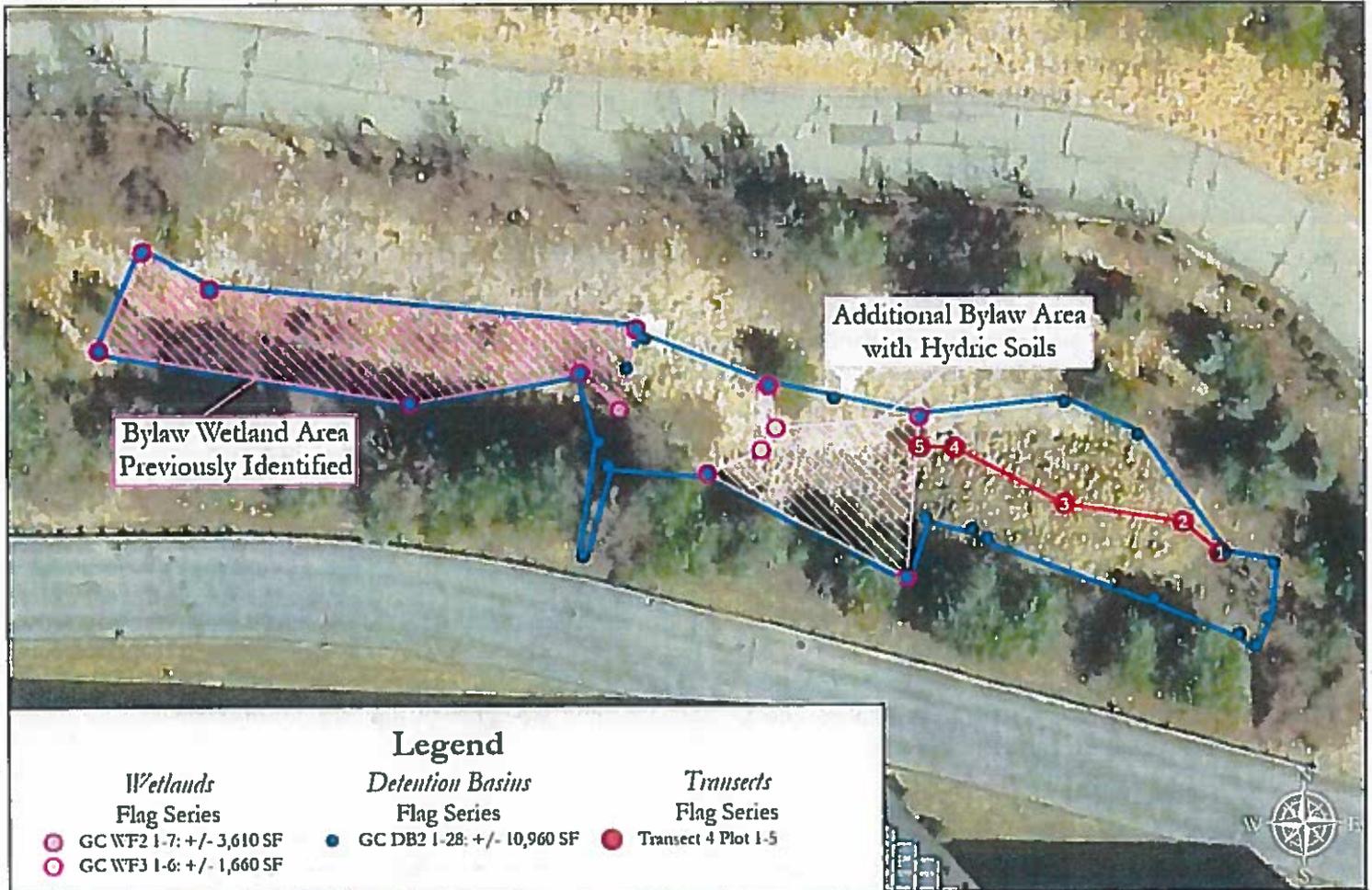
- "Resource Area Plan" 124 - 126 Grove Street, Franklin, MA prepared for Applicant Key Boston, Inc. (126 Grove Street, Franklin MA 02038) prepared by Guerriere & Halnon, Inc. (55 West Central Street, Franklin, MA 02038) stamped by Robert E. Constantine, II No. 49611, revision date January 12 2024 with a scale of 1" = 60'
- "Soil Analysis of Basin 2 and 3" prepared by Goddard Consulting (291 Main Street, Suite 8 Northborough, MA 01532) dated October 26, 2023
- Peer review letters from BETA Group, Inc. dated August 29, 2023, December 28, 2023, and January 23, 2024
- Final narrative letter from Nicole Hayes, PWS of Goddard Consulting dated January 18, 2024

Wetland Resource Areas:

Resource Areas under M.G.L. 131, S 40, 310 CMR 10.00 and covered under the Franklin Wetlands Protection Bylaw Chapter 181 and associated Regulations. **This ORAD approves the delineation of the Resource Areas series flag as drafted on revised plan dated January 12, 2024 incorporating revisions reflecting BETA Group, Inc. peer review comments from letters dated August 29, 2023, December 28, 2023, and January 23, 2024.**

Findings:

- 1) Bordering Vegetated Wetland/Freshwater Wetland flags GC-1 to GC-3, GC4A, GC-5R, GC-6, GC-7, GC-8A, GC-8R, GC-9, GC-10, GC-10R, GC-11, to GC-79.
- 2) Bordering Vegetated Wetland/Freshwater Wetland flags GC-100 To GC-146
- 3) Bordering Vegetated Wetland/Freshwater Wetland flags 109A to 109W
- 4) Bordering Vegetated Wetland/Freshwater Wetland ("Upland Island") flags U1 to U17
- 5) Bank (to Intermittent Stream) flags to GC-200 to GC-207 and GC-229 to GC-237
- 6) Bordering Vegetated Wetland/Freshwater Wetland flags to GC-208 to GC-228
- 7) Isolated Vegetated Wetland/Freshwater Wetland flags 1-1 to 1-14
- 8) Isolated Vegetated Wetland/Freshwater Wetland flags 2-1 to 2-7
- 9) Isolated Vegetated Wetland/Freshwater Wetland flags 3-1 to 3-6



Legend		
Wetlands	Detention Basins	Transects
Flag Series	Flag Series	Flag Series
● GC WF2 1-7: +/- 3,610 SF	● GC DB2 1-28: +/- 10,960 SF	● Transect 4 Plot 1-5
○ GC WF3 1-6: +/- 1,660 SF		

Date: 10/26/2023	GC Job Number: 101-080	October 13, 2023 Delineation	0 25 50 Feet	
 GODDARD CONSULTING <i>Strategic Ecological Consulting</i>			124-126 Grove Street Franklin, MA 02038	Figure 3: Area 2



August 29, 2023

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

Re: **124 and 126 Grove Street - Franklin, MA**
MassDEP File No. 159-1274
Abbreviated Notice of Resource Area Delineation Peer Review

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 parcels located at **124 Grove Street and 126 Grove Street**, further identified as the **Town of Franklin Assessor's Parcel Numbers: 295-004-000 and 295-003-000** 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 Wetland Scientists performed a Site visit on August 21, 2023 to review the onsite Resource Area boundaries and confirm existing conditions as they relate to the ANRAD filing.

DOCUMENTS REVIEWED

- Application entitled: *Abbreviated Notice of Resource Area Delineation (ANRAD) for 124 and 126 Grove Street (Assessor's Parcel Number 295-004-000 and 295-003-000)*; prepared by Goddard Consulting LLC; dated July 10, 2023.
- Plan (1 Sheet) entitled *Resource Area Plan 124/126 Grove Street Franklin Massachusetts*; prepared by Guerriere & Halnon, Inc.; dated June 26, 2023; stamped and signed by Robert E. Constantine II, MA PLS No. 49611.

SCOPE SUMMARY

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

- 6,015 linear feet (lf) of Bordering Vegetated Wetland (BVW); and
- 400 lf of Inland Bank.

In addition, the Applicant seeks confirmation that the three (3) stormwater basins¹ on Lot 4 do not qualify as Areas Subject to Protection under the Act or the Bylaw.

¹ These basins include Basin 1, 2, and 3 as depicted on the Basin Determination Overview figure.

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	✓	
Assessors' Reference	✓	
Abutting Property Assessors' Reference		✓ (Comment W1.a.)
Survey Benchmark		✓ (Comment W1.b.)
Existing Conditions and Topography Sourced with date of survey		✓ (Comment W1.c.)
Topography/Contours	✓	
Lot Line Surveyed	✓	
Accurate Plan Scale		✓ (Comment W1.d.)
Resource Areas Identified and Labeled (including Buffer Zones)		✓ (Comment W1.e.)

EXISTING CONDITIONS AND ONSITE RESOURCES

The 37.52-acre Site consists of the two (2) parcels identified above along the eastern limit of Grove Street. The Site is bounded to the north by a residential home, to the west by Amego School and Interstate 495, to the south by commercial businesses, and the east by Grove Street. The Site is currently improved by two (2) buildings, paved driveways, paved parking lots, and lawn area. The remainder of the Site consists of mixed hardwood and softwoods upland vegetation, including but not limited to Eastern white pine (*Pinus strobus*), red maple (*Acer rubrum*), red oak (*Quercus rubra*), and black cherry (*Prunus serotina*). Wetland and stream complexes are present within portions of the vegetated areas. Topographic relief at the Site generally follows a north-to-south orientation.

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

Table 3 – GIS-Mapped Areas

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 Applicant has stated that the following Resource Areas exist within 100 feet of the Site:

- Bordering Vegetated Wetland (BVW); and
- Bank (to intermittent stream).

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
BVW / Freshwater Wetland	GC-1 to GC-79	✓	✓
BVW / Freshwater Wetland	GC-100 to GC-146	✓	✓
BVW / Freshwater Wetland	109A – 109W	✓	✓
BVW / Freshwater Wetland ("Upland Island")	U1 – U17	✓	✓
Bank (to intermittent stream)	GC-200 to GC-237	✓	✓

COMMENTS

- W1. BETA provides the following administrative and plan comments after conducting a review of the submitted application and plan set:
- Provide Assessor’s references for the abutting properties.
 - Provide a survey benchmark.
 - Provide the date(s) and source(s) of existing conditions topography and the wetland delineation(s).
 - The Bylaw NOI plan requirements cite a plan scale of 1"=40'; however, the submitted plan is at a scale of 1"=60'. Although the plan was not submitted for an NOI, BETA defers to the Commission on this requirement.
 - Provide a legend to more clearly depict Buffer Zone boundaries and existing Site features.
- W2. Stormwater basins should be clearly labeled on the Site Plans and all basins should be depicted on the Plans. Basin 1 is not presently depicted.
- W3. The Applicant stated in the ANRAD narrative that the stormwater basins are non-jurisdictional due to their age, the years in which maintenance was performed, and the makeup of their vegetative communities and soils. BETA offers the following comments relative to the stormwater basins:

- a. The jurisdictional status of the stormwater basins at the Site are subject to review under the provisions of 310 CMR 10.02(2)(c)², which sets forth the regulatory criteria for determining whether stormwater features constitute Areas Subject to Protection under the Act.
- b. Although emergent hydrophytic vegetation and marginal hydric soils were observed, Basin 1 appears to have been well-maintained through mowing and application of stone. Therefore, BETA concurs that this area would not constitute an Area Subject to Protection under the Act or the Bylaw.
- c. Based on a review of historic aerial imagery taken around the time in which the Orders of Conditions provided by the Applicant were issued, it appears that Basins 2 & 3 were constructed and/or improved after 1996. Therefore, these basins may technically be considered non-jurisdictional under the Act. However, the Applicant should confirm that these Orders of Conditions actually permitted work on the basins, as this is not clear based on the documentation provided.
- d. Notwithstanding Comment W3.c. above, BETA disagrees with the Applicant's characterization of these basins. BETA observed a dense cover of hydrophytic vegetation throughout the entirety of Basin 2 including purple loosestrife (*Lythrum salicaria*), soft rush (*Juncus effusus*), marsh bedstraw (*Galium palustre*), broad leaved cattail, spotted Joe-pye weed (*Eutrochium maculatum*) and narrow-leaved cattail (*Typha angustifolia*) and observed hydric soils consisting of a depleted, silty mineral soil underlying riprap. Throughout the entirety of Basin 3, BETA observed a dense cover of hydrophytic vegetation including broad leaved cattail (*Typha latifolia*), purple loosestrife sensitive fern (*Onoclea sensibilis*), woolgrass (*Scirpus cyperinus*) and swamp loosestrife (*Decodon verticillatus*) as well as several areas exhibiting hydric soil indicators including redoximorphic features, depletions, and a hydrogen sulfide odor.

The Bylaw protects all Freshwater Wetland regardless of whether they border surface waters and does not distinguish between naturally occurring wetlands and unmaintained basins. Therefore, based on the Bylaw's protection of Resource Areas beyond that of the Act and the fact that Basins 2 & 3 appear to provide wetland functions and values pursuant to the Bylaw³, the Commission could find that Basins 2 & 3 are jurisdictional under the Bylaw as Freshwater Wetlands.

- W4. The following flags delineating BVW at the Site should be relocated approximately 5 to 10 feet upgradient of their current locations due to the presence hydric soils and a dominance of hydrophytic vegetation including cinnamon fern (*Osmunda cinnamomea*), skunk cabbage (*Symplocarpus foetidus*), and red maple (*Acer rubrum*):

- GC4;

² Notwithstanding the provisions of 310 CMR 10.02(1) and (2)(a) and (b), stormwater management systems designed, constructed, installed, operated, maintained, and/or improved as defined in 310 CMR 10.04 in accordance with the Stormwater Management Standards as provided in the Stormwater Management Policy (1996) or 310 CMR 10.05(6)(k) through (q) do not by themselves constitute Areas Subject to Protection under M.G.L. c. 131, § 40 or Buffer Zone provided that: 1. the system was designed, constructed, installed, and/or improved as defined in 310 CMR 10.04 on or after November 18, 1996; and 2. if the system was constructed in an Area Subject to Protection under M.G.L. c. 131, § 40 or Buffer Zone, the system was designed, constructed, and installed in accordance with all applicable provisions in 310 CMR 10.00.

³ Based on BETA's field observations, it appears that Basins 2 & 3 provide wetland functions and values pursuant to the Bylaw including protection of groundwater, protection of water quality, water pollution control, flood control, and wildlife habitat.

August 29, 2023

Page 5 of 5

- GC5;
- GC8; and
- GC10.

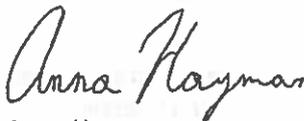
- W5. BETA concurs that the upland island identified within the BVW at the southern extent of the Site has been correctly delineated.
- W6. BETA concurs that an intermittent/ephemeral stream is present between flags GC200 to GC207 and GC229 to GC237. However, no bankfull indicators were observed east of the culvert adjacent to flags GC207/GC229 and the flagging within this eastern area appears to delineate the boundary of BVW. Further, the Wetland Border Report notes that only flags GC200 to GC218 delineate Bank, which is inconsistent with the Resource Area labeling on the plan. BETA recommends that the intermittent stream be identified as discussed in this comment and that all other flagging in the vicinity be characterized as BVW/Freshwater Wetlands.
- W7. BETA recommends that the Commission exclude approval of any wetland flags located on abutting properties (e.g., flags 100 to 105 and 132 to 138 located within the Interstate 495 State Highway Layout) within the Order of Resource Area Delineation (ORAD).

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.



Anna Haznar
Staff Scientist



Jonathan Niro
Project Scientist



December 28, 2023

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

Re: 124 and 126 Grove Street - Franklin, MA
MassDEP File No. 159-1274
Abbreviated Notice of Resource Area Delineation Peer Review

Dear Ms. Goodlander,

BETA Group, Inc. (BETA) is pleased to provide continued peer review services for the Abbreviated Notice of Resource Area Delineation (ANRAD) submitted for the parcels located at 124 Grove Street and 126 Grove Street, further identified as the Town of Franklin Assessor's Parcel Numbers: 295-004-000 and 295-003-000 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").

At this time, additional information is required in order to support the Conservation Commission's issuance of an Order of Resource Area Delineation (ORAD) for the Site.

DOCUMENTS REVIEWED

- Soil Analysis letter entitled: *Additional Information for ANRAD 124-126 Grove St (DEP #159-1274) Soils Analysis of Basin 2 and 3*; prepared by Goddard Consulting LLC; dated October 26, 2023.
- Updated Plan (1 Sheet) entitled *Resource Area Plan 124/126 Grove Street Franklin Massachusetts*; prepared by Guerriere & Halnon, Inc.; dated June 26, 2023, revision on 12/6/2023; stamped and signed by Robert E. Constantine II, MA PLS No. 49611.

PEER REVIEW UPDATE – DECEMBER 28, 2023

BETA Wetland Scientists performed an initial Site visit on August 21, 2023 to review the onsite Resource Area boundaries and confirm existing conditions as they relate to the ANRAD filing. Following the issuance of BETA's August 29, 2023 peer review letter, a second Site visit was performed on September 19, 2023 and was attended by the following individuals:

- Breeka LÍ Goodlander (Franklin Conservation Agent)
- Jonathan Niro (Peer Review Scientist from BETA)
- Scott Goddard (Goddard Consulting)
- Nicole Hayes (Goddard Consulting)

During this Site visit, the Applicant clarified the scope of the ANRAD and recognized that flagging in several locations where Resource Area boundary approval was being requested were not present for BETA's initial review. These areas primarily consisted of onsite stormwater basins that the Applicant had noted as being entirely non-jurisdictional in their original submission. However, the Applicant subsequently flagged portions of these basins as jurisdictional wetlands prior to the Site visit. These flags were not present in the field on BETA's August 21, 2023 Site visit or depicted on the originally submitted surveyed plans. To

further support this review of the newly flagged boundaries, the Franklin Conservation Agent requested the Applicant provide an assessment of soils within the onsite stormwater basins to assist in determining their jurisdictional status due to the nature of these basins being frequently flooded. The Applicant's assessment was performed in dry conditions.

An additional Site visit was performed by BETA Wetland Scientists on December 19, 2023, following the receipt of revised plans and the above-referenced soils data; however, no written comment responses to BETA's August 29, 2023 peer review comments were provided by the Applicant. BETA's original comments from the August 29, 2023 peer review letter are included below in plain text. BETA's most recent responses are included below in bold text and prefaced with "BETA2:".

SCOPE SUMMARY

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

- 6,015 linear feet (lf) of Bordering Vegetated Wetland (BVW); and
- 400 lf of Inland Bank.

In addition, the Applicant seeks confirmation that the three (3) stormwater basins¹ on Lot 4 do not qualify as Areas Subject to Protection under the Act or the Bylaw.

BETA2: Per the request of the Applicant, BETA conducted an additional Site visit on September 19, 2023 with the Applicant and the Franklin Conservation Agent to review additional areas to be flagged in the field (i.e., wetlands within onsite stormwater basins). The Applicant should provide the length of additional boundaries requested for confirmation.

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	✓	
Assessors' Reference	✓	
Abutting Property Assessors' Reference	BETA2: ✓ (Comment W1.a.)	
Survey Benchmark		✓(Comment W1.b.)
Existing Conditions and Topography Sourced with date of survey	BETA2: ✓ (Comment W1.c.)	
Topography/Contours	✓	
Lot Line Surveyed	✓	
Accurate Plan Scale		✓(Comment W1.d.)
Resource Areas Identified and Labeled (including Buffer Zones)	BETA2: ✓ (Comment W1.e.)	

¹ These basins include Basin 1, 2, and 3 as depicted on the Basin Determination Overview figure.



EXISTING CONDITIONS AND ONSITE RESOURCES

The 37.52-acre Site consists of the two (2) parcels identified above along the eastern limit of Grove Street. The Site is bounded to the north by a residential home, to the west by Amego School and Interstate 495, to the south by commercial businesses, and the east by Grove Street. The Site is currently improved by two (2) buildings, paved driveways, paved parking lots, and lawn area. The remainder of the Site consists of mixed hardwood and softwoods upland vegetation, including but not limited to Eastern white pine (*Pinus strobus*), red maple (*Acer rubrum*), red oak (*Quercus rubra*), and black cherry (*Prunus serotina*). Wetland and stream complexes are present within portions of the vegetated areas. Topographic relief at the Site generally follows a north-to-south orientation.

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

Table 3 – GIS-Mapped Areas

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 Applicant has stated that the following Resource Areas exist within 100 feet of the Site:

- Bordering Vegetated Wetland (BVW); and
- Bank (to Intermittent stream).

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
BVW / Freshwater Wetland	GC-1 to GC-79	✓	✓
BVW / Freshwater Wetland	GC-100 to GC-146	✓	✓
BVW / Freshwater Wetland	109A – 109W	✓	✓
BVW / Freshwater Wetland ("Upland Island")	U1 – U17	✓	✓
Bank (to Intermittent stream)	GC-200 to GC-237	✓	✓
BVW / Freshwater Wetland	1-1 – 1-14	✓	✓

Resource Area	Flag Series	Act	Bylaw
BVW / Freshwater Wetland	2-1 – 2-7	✓	✓
BVW / Freshwater Wetland	3-1 – 3-6	✓	✓

BETA2: The table above has been updated with additional Resource Areas flagged by the Applicant as depicted on the revised plans.

COMMENTS

W1. BETA provides the following administrative and plan comments after conducting a review of the submitted application and plan set:

- a. Provide Assessor’s references for the abutting properties.
- b. Provide a survey benchmark.
- c. Provide the date(s) and source(s) of existing conditions topography and the wetland delineation(s).
- d. The Bylaw NOI plan requirements cite a plan scale of 1”=40’; however, the submitted plan is at a scale of 1”=60’. Although the plan was not submitted for an NOI, BETA defers to the Commission on this requirement.
- e. Provide a legend to more clearly depict Buffer Zone boundaries and existing Site features.

BETA2: Comments W1.a., W1.c., and W1.e. were addressed in the revised materials submitted to BETA. However, a survey benchmark was not provided (Comment W1.b.) and BETA defers to the Commission on the resolution of Comment W1.d.

W2. Stormwater basins should be clearly labeled on the Site Plans and all basins should be depicted on the Plans. Basin 1 is not presently depicted.

BETA2: The stormwater basins are not clearly labeled on the plans and Stormwater Basin 1 is not depicted. Comment remains.

W3. The Applicant stated in the ANRAD narrative that the stormwater basins are non-jurisdictional due to their age, the years in which maintenance was performed, and the makeup of their vegetative communities and soils. BETA offers the following comments relative to the stormwater basins:

- a. The jurisdictional status of the stormwater basins at the Site are subject to review under the provisions of 310 CMR 10.02(2)(c)², which sets forth the regulatory criteria for determining whether stormwater features constitute Areas Subject to Protection under the Act.
- b. Although emergent hydrophytic vegetation and marginal hydric soils were observed, Basin 1 appears to have been well-maintained through mowing and application of stone.

² Notwithstanding the provisions of 310 CMR 10.02(1) and (2)(a) and (b), stormwater management systems designed, constructed, installed, operated, maintained, and/or improved as defined in 310 CMR 10.04 in accordance with the Stormwater Management Standards as provided in the Stormwater Management Policy (1996) or 310 CMR 10.05(6)(k) through (q) do not by themselves constitute Areas Subject to Protection under M.G.L. c. 131, § 40 or Buffer Zone provided that: 1. the system was designed, constructed, installed, and/or improved as defined in 310 CMR 10.04 on or after November 18, 1996; and 2. if the system was constructed in an Area Subject to Protection under M.G.L. c. 131, § 40 or Buffer Zone, the system was designed, constructed, and installed in accordance with all applicable provisions in 310 CMR 10.00.



Therefore, BETA concurs that this area would not constitute an Area Subject to Protection under the Act or the Bylaw.

- c. Based on a review of historic aerial imagery taken around the time in which the Orders of Conditions provided by the Applicant were issued, it appears that Basins 2 & 3 were constructed and/or improved after 1996. Therefore, these basins may technically be considered non-jurisdictional under the Act. However, the Applicant should confirm that these Orders of Conditions actually permitted work on the basins, as this is not clear based on the documentation provided.
- d. Notwithstanding Comment W3.c. above, BETA disagrees with the Applicant's characterization of these basins. BETA observed a dense cover of hydrophytic vegetation throughout the entirety of Basin 2 including purple loosestrife (*Lythrum salicaria*), soft rush (*Juncus effusus*), marsh bedstraw (*Galium palustre*), broad leaved cattail, spotted joe-pye weed (*Eutrochium maculatum*) and narrow-leaved cattail (*Typha angustifolia*) and observed hydric soils consisting of a depleted, silty mineral soil underlying riprap. Throughout the entirety of Basin 3, BETA observed a dense cover of hydrophytic vegetation including broad leaved cattail (*Typha latifolia*), purple loosestrife sensitive fern (*Onoclea sensibilis*), woolgrass (*Scirpus cyperinus*) and swamp loosestrife (*Decodon verticillatus*) as well as several areas exhibiting hydric soil indicators including redoximorphic features, depletions, and a hydrogen sulfide odor.

The Bylaw protects all Freshwater Wetland regardless of whether they border surface waters and does not distinguish between naturally occurring wetlands and unmaintained basins. Therefore, based on the Bylaw's protection of Resource Areas beyond that of the Act and the fact that Basins 2 & 3 appear to provide wetland functions and values pursuant to the Bylaw³, the Commission could find that Basins 2 & 3 are jurisdictional under the Bylaw as Freshwater Wetlands.

BETA2: BETA concurs with the boundaries of Freshwater Wetlands delineated within Basins 2 & 3 based on wetland indicators observed in the field and the Applicant's soils assessment.

As noted in Comment W2.c. above, the Applicant should provide sufficient information to document that the historic work at the Site was for the construction and/or improvement of the basins in order to determine the jurisdiction of the basins under the Act. Unless further information is provided by the Applicant, these areas may be considered Subject to Protection under the Act.

- W4. The following flags delineating BVW at the Site should be relocated approximately 5 to 10 feet upgradient of their current locations due to the presence hydric soils and a dominance of hydrophytic vegetation including cinnamon fern (*Osmunda cinnamomea*), skunk cabbage (*Symplocarpus foetidus*), and red maple (*Acer rubrum*):

- GC4;
- GC5;
- GC8; and
- GC10.

³ Based on BETA's field observations, it appears that Basins 2 & 3 provide wetland functions and values pursuant to the Bylaw including protection of groundwater, protection of water quality, water pollution control, flood control, and wildlife habitat.

BETA2: BETA did not observe revised flagging in the field or on the plans per this comment. Comment remains.

- W5. BETA concurs that the upland island identified within the BVW at the southern extent of the Site has been correctly delineated.

BETA2: No further comment required.

- W6. BETA concurs that an intermittent/ephemeral stream is present between flags GC200 to GC207 and GC229 to GC237. However, no bankfull indicators were observed east of the culvert adjacent to flags GC207/GC229 and the flagging within this eastern area appears to delineate the boundary of BVW. Further, the Wetland Border Report notes that only flags GC200 to GC218 delineate Bank, which is inconsistent with the Resource Area labeling on the plan. BETA recommends that the intermittent stream be identified as discussed in this comment and that all other flagging in the vicinity be characterized as BVW/Freshwater Wetlands.

BETA2: The Applicant has not clarified the classification of Resource Areas as depicted on the plans. Comment remains.

- W7. BETA recommends that the Commission exclude approval of any wetland flags located on abutting properties (e.g., flags 100 to 105 and 132 to 138 located within the Interstate 495 State Highway Layout) within the Order of Resource Area Delineation (ORAD).

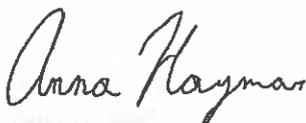
BETA2: No further comment required.

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.



Anna Haznar
Staff Scientist



Jonathan Niro
Project Scientist



January 23, 2024

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

Re: **124 and 126 Grove Street - Franklin, MA**
MassDEP File No. 159-1274
Abbreviated Notice of Resource Area Delineation Peer Review

Dear Ms. Goodlander,

BETA Group, Inc. (BETA) is pleased to provide continued peer review services for the Abbreviated Notice of Resource Area Delineation (ANRAD) submitted for the parcels located at **124 Grove Street** and **126 Grove Street**, further identified as the Town of Franklin Assessor's Parcel Numbers: **295-004-000** and **295-003-000** 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").

At this time, the Conservation Commission has been provided with sufficient information to issue of an Order of Resource Area Delineation (ORAD) for the Site.

DOCUMENTS REVIEWED

- Soil Analysis letter entitled: **Additional Information for ANRAD 124-126 Grove St (DEP #159-1274) Soils Analysis of Basin 2 and 3**; prepared by Goddard Consulting LLC; dated October 26, 2023.
- Updated Plan (1 Sheet) entitled **Resource Area Plan 124/126 Grove Street Franklin Massachusetts**; prepared by Guerriere & Halnon, Inc.; dated June 26, 2023, revision on 12/6/2023; stamped and signed by Robert E. Constantine II, MA PLS No. 49611.

PEER REVIEW UPDATE – January 24, 2024

BETA Wetland Scientists performed an initial Site visit on August 21, 2023 to review the onsite Resource Area boundaries and confirm existing conditions as they relate to the ANRAD filing. Following the issuance of BETA's August 29, 2023 peer review letter, a second Site visit was performed on September 19, 2023 and was attended by the following individuals:

- Breeka Lf Goodlander (Franklin Conservation Agent)
- Jonathan Niro (Peer Review Scientist from BETA)
- Scott Goddard (Goddard Consulting)
- Nicole Hayes (Goddard Consulting)

During this Site visit, the Applicant clarified the scope of the ANRAD and recognized that flagging in several locations where Resource Area boundary approval was being requested were not present for BETA's initial review. These areas primarily consisted of onsite stormwater basins that the Applicant had noted as being entirely non-jurisdictional in their original submission. However, the Applicant subsequently flagged portions of these basins as jurisdictional wetlands prior to the Site visit. These flags were not present in the field on BETA's August 21, 2023 Site visit or depicted on the originally submitted surveyed plans. To

BETA Group, Inc.
89 Shrewsbury Street, Suite 300 Worcester, MA 01604
P: 508.756.1600 | W: www.BETA-Inc.com

further support this review of the newly flagged boundaries, the Franklin Conservation Agent requested the Applicant provide an assessment of soils within the onsite stormwater basins to assist in determining their jurisdictional status due to the nature of these basins being frequently flooded. The Applicant's assessment was performed in dry conditions.

An additional Site visit was performed by BETA Wetland Scientists on December 19, 2023, following the receipt of revised plans and the above-referenced soils data; however, no written comment responses to BETA's August 29, 2023 peer review comments were provided by the Applicant for consideration in BETA's December 28, 2023 peer review letter. The Applicant provided comment responses and revised plans on January 18, 2024.

BETA offers the following summary of the peer review timeline as it relates to the structure of this letter:

- BETA's original comments from the August 29, 2023 peer review letter are included below in plain text.
- BETA's responses from the December 28, 2023 peer review letter are included below in bold text and prefaced with "BETA2:".
- Responses attributed to Goddard Consulting, LLC. (GC)'s January 18, 2024 letter are included below in *italics* and prefaced with "GC:".
- BETA's most recent responses are included below in bold text and prefaced with "BETA3:". These responses consider the comment responses and revised materials submitted by GC on January 18, 2024.

SCOPE SUMMARY

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

- 6,015 linear feet (lf) of Bordering Vegetated Wetland (BVW); and
- 400 lf of Inland Bank.

In addition, the Applicant seeks confirmation that the three (3) stormwater basins¹ on Lot 4 do not qualify as Areas Subject to Protection under the Act or the Bylaw.

BETA2: Per the request of the Applicant, BETA conducted an additional Site visit on September 19, 2023 with the Applicant and the Franklin Conservation Agent to review additional areas to be flagged in the field (i.e., wetlands within onsite stormwater basins). The Applicant should provide the length of additional boundaries requested for confirmation.

BETA3: The Applicant has noted on the plans that the ANRAD now seeks approval of 6,207 lf of BVW and 478 lf of Bank.

¹ These basins include Basin 1, 2, and 3 as depicted on the Basin Determination Overview figure.

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	✓	
Assessors' Reference	✓	
Abutting Property Assessors' Reference	BETA2: ✓ (Comment W1.a.)	
Survey Benchmark	BETA3: ✓ (Comment W1.b.)	
Existing Conditions and Topography Sourced with date of survey	BETA2: ✓ (Comment W1.c.)	
Topography/Contours	✓	
Lot Line Surveyed	✓	
Accurate Plan Scale		✓ (Comment W1.d.)
Resource Areas Identified and Labeled (including Buffer Zones)	BETA2: ✓ (Comment W1.e.)	

EXISTING CONDITIONS AND ONSITE RESOURCES

The 37.52-acre Site consists of the two (2) parcels identified above along the eastern limit of Grove Street. The Site is bounded to the north by a residential home, to the west by Amego School and Interstate 495, to the south by commercial businesses, and the east by Grove Street. The Site is currently improved by two (2) buildings, paved driveways, paved parking lots, and lawn area. The remainder of the Site consists of mixed hardwood and softwoods upland vegetation, including but not limited to Eastern white pine (*Pinus strobus*), red maple (*Acer rubrum*), red oak (*Quercus rubra*), and black cherry (*Prunus serotina*). Wetland and stream complexes are present within portions of the vegetated areas. Topographic relief at the Site generally follows a north-to-south orientation.

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

Table 3 – GIS-Mapped Areas

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 Applicant has stated that the following Resource Areas exist within 100 feet of the Site:

- Bordering Vegetated Wetland (BVW); and
- Bank (to intermittent stream).

Table 3 further details these Resource Areas.

Table 3 – Resource Areas and Act/Bylaw Jurisdiction

Resource Area	Flag Series	Act	Bylaw
BVW / Freshwater Wetland	GC-1 to GC-79 GC-1 to GC-3, GC-4A, GC-5R, GC-6, GC-7, GC-8A, GC-8R, GC-9, GC-10, GC10R, GC-11 to GC-79	✓	✓
BVW / Freshwater Wetland	GC-100 to GC-146	✓	✓
BVW / Freshwater Wetland	109A – 109W	✓	✓
BVW / Freshwater Wetland ("Upland Island")	U1 – U17	✓	✓
Bank (to intermittent stream)	GC-200 to GC-237 GC-200 to GC-207 & GC-229 to GC-237	✓	✓
BVW / Freshwater Wetland	GC-208 to GC-228	✓	✓
BVW / Freshwater Wetland	1-1 – 1-14	*	✓
BVW / Freshwater Wetland	2-1 – 2-7	*	✓
BVW / Freshwater Wetland	3-1 – 3-6	*	✓

* Based on the plans, historic aeriels, and discussion below under Comment W3.c., the three areas labeled as BVW within Basins 2 and 3 on the plans actually qualify as Isolated Vegetated Wetlands, which are only Subject to Protection under the Bylaw.

BETA2: The table above has been updated with additional Resource Areas flagged by the Applicant as depicted on the revised plans.

BETA3: The table above has been further revised to distinguish between areas of intermittent stream with jurisdictional Bank versus BVW per BETA's previous comments and the most recently revised plans. In addition, revised flagging within the southwestern portion of the Site has been reflected.

COMMENTS

W1. BETA provides the following administrative and plan comments after conducting a review of the submitted application and plan set:

- a. Provide Assessor's references for the abutting properties.
- b. Provide a survey benchmark.
- c. Provide the date(s) and source(s) of existing conditions topography and the wetland delineation(s).
- d. The Bylaw NOI plan requirements cite a plan scale of 1"=40'; however, the submitted plan is at a scale of 1"=60'. Although the plan was not submitted for an NOI, BETA defers to the Commission on this requirement.
- e. Provide a legend to more clearly depict Buffer Zone boundaries and existing Site features.

BETA2: Comments W1.a., W1.c., and W1.e. were addressed in the revised materials submitted to BETA. However, a survey benchmark was not provided (Comment W1.b.) and BETA defers to the Commission on the resolution of Comment W1.d.

GC: The updated Anrad plan dated 1-12-24 by Guerrier & Halnon (G&H) was electronically provided to the agent on 1-17-24 and via 7 paper copies on 1-18-24 (one week prior to the hearing) and has the requested survey benchmark.

The plan is at a 1"=60' scale to clearly show the wetland resource areas on site on one sheet for convenience.

BETA3: A survey benchmark has been provided and BETA defers to the Commission on the acceptance of the plan scale.

W2. Stormwater basins should be clearly labeled on the Site Plans and all basins should be depicted on the Plans. Basin 1 is not presently depicted.

BETA2: The stormwater basins are not clearly labeled on the plans and Stormwater Basin 1 is not depicted. Comment remains.

GC: The updated plan dated 1-12-24 by (G&H) labels each stormwater basin including basin 1.

BETA3: Comment resolved.

W3. The Applicant stated in the ANRAD narrative that the stormwater basins are non-jurisdictional due to their age, the years in which maintenance was performed, and the makeup of their vegetative communities and soils. BETA offers the following comments relative to the stormwater basins:

- a. The jurisdictional status of the stormwater basins at the Site are subject to review under the provisions of 310 CMR 10.02(2)(c)², which sets forth the regulatory criteria for

² Notwithstanding the provisions of 310 CMR 10.02(1) and (2)(a) and (b), stormwater management systems designed, constructed, installed, operated, maintained, and/or improved as defined in 310 CMR 10.04 in accordance with the Stormwater Management Standards as provided in the Stormwater Management Policy (1996) or 310 CMR 10.05(6)(k) through (q) do not by themselves constitute Areas Subject to Protection under M.G.L. c. 131, § 40 or Buffer Zone provided that: 1. the system was designed, constructed, installed, and/or improved as defined in 310 CMR 10.04 on or after November 18, 1996; and 2. if the system was constructed in an Area Subject to Protection under M.G.L. c. 131, § 40 or Buffer Zone, the system was designed, constructed, and installed in accordance with all applicable provisions in 310 CMR 10.00.

determining whether stormwater features constitute Areas Subject to Protection under the Act.

- b. Although emergent hydrophytic vegetation and marginal hydric soils were observed, Basin 1 appears to have been well-maintained through mowing and application of stone. Therefore, BETA concurs that this area would not constitute an Area Subject to Protection under the Act or the Bylaw.
- c. Based on a review of historic aerial imagery taken around the time in which the Orders of Conditions provided by the Applicant were issued, it appears that Basins 2 & 3 were constructed and/or improved after 1996. Therefore, these basins may technically be considered non-jurisdictional under the Act. However, the Applicant should confirm that these Orders of Conditions actually permitted work on the basins, as this is not clear based on the documentation provided.
- d. Notwithstanding Comment W3.c. above, BETA disagrees with the Applicant's characterization of these basins. BETA observed a dense cover of hydrophytic vegetation throughout the entirety of Basin 2 including purple loosestrife (*Lythrum salicaria*), soft rush (*Juncus effusus*), marsh bedstraw (*Galium palustre*), broad leaved cattail, spotted joe-pye weed (*Eutrochium maculatum*) and narrow-leaved cattail (*Typha angustifolia*) and observed hydric soils consisting of a depleted, silty mineral soil underlying riprap. Throughout the entirety of Basin 3, BETA observed a dense cover of hydrophytic vegetation including broad leaved cattail (*Typha latifolia*), purple loosestrife sensitive fern (*Onoclea sensibilis*), woolgrass (*Scirpus cyperinus*) and swamp loosestrife (*Decodon verticillatus*) as well as several areas exhibiting hydric soil indicators including redoximorphic features, depletions, and a hydrogen sulfide odor.

The Bylaw protects all Freshwater Wetland regardless of whether they border surface waters and does not distinguish between naturally occurring wetlands and unmaintained basins. Therefore, based on the Bylaw's protection of Resource Areas beyond that of the Act and the fact that Basins 2 & 3 appear to provide wetland functions and values pursuant to the Bylaw³, the Commission could find that Basins 2 & 3 are jurisdictional under the Bylaw as Freshwater Wetlands.

BETA2: BETA concurs with the boundaries of Freshwater Wetlands delineated within Basins 2 & 3 based on wetland indicators observed in the field and the Applicant's soils assessment.

As noted in Comment W2.c. above, the Applicant should provide sufficient information to document that the historic work at the Site was for the construction and/or improvement of the basins in order to determine the jurisdiction of the basins under the Act. Unless further information is provided by the Applicant, these areas may be considered Subject to Protection under the Act.

GC: Goddard Consulting has issued a report dated March 2, 2023 as part of the ANRAD submission package that states the basins were created and approved under two NOIs and corresponding Orders of Conditions. These basins would not be subject to the Wetland Protection Act.

³ Based on BETA's field observations, it appears that Basins 2 & 3 provide wetland functions and values pursuant to the Bylaw including protection of groundwater, protection of water quality, water pollution control, flood control, and wildlife habitat.

Goddard Consulting agrees Basin 1 is not jurisdictional.

Goddard provided this in a report dated March 2, 2023 as part of the ANRAD submission packet in which states that these basins were permitted by the Commission and would not be subject to the Act.

Beta and Goddard Consulting are in agreement on the areas and limits within basin 2 and 3 that may be jurisdictional under the local bylaw only. These are shown on the 1-12-24 ANRAD plan.

BETA3: The Orders of Conditions provided by the Applicant do not describe the nature or context of the approved work on Basins 2 and 3. Based on review historic aerials beyond what was provided by the Applicant, Basin 3 appears to have been constructed after November 1996. Similarly, based on historic aerials and the dates associated with the OOCs issued for the Site, it appears that work was completed on Basin 2 to maintain/improve its function. Accordingly, under 310 CMR 10.02(2)(c), Basins 2 and 3 are not Subject to Protection under the Act.

- W4. The following flags delineating BVW at the Site should be relocated approximately 5 to 10 feet upgradient of their current locations due to the presence hydric soils and a dominance of hydrophytic vegetation including cinnamon fern (*Osmunda cinnamomea*), skunk cabbage (*Symplocarpus foetidus*), and red maple (*Acer rubrum*):

- GC4;
- GC5;
- GC8; and
- GC10.

BETA2: BETA did not observe revised flagging in the field or on the plans per this comment. Comment remains.

GC: Goddard Consulting inspected these flags and replaced GC4, 5, 8 and 10 with GC4R, 5R, 8R and 10R up-gradient to include these areas. Add added an additional 8A flag. These flag changes were surveyed and put on the 1-12-24 ANRAD plan that was submitted.

BETA3: The revised flags noted above were not in the field during BETA's December 19, 2023 Site visit; however, they appear accurate based on BETA's knowledge of the Site and a comparison to the originally submitted plans. Comment resolved.

- W5. BETA concurs that the upland island identified within the BVW at the southern extent of the Site has been correctly delineated.

BETA2: No further comment required.

GC: No comment needed.

- W6. BETA concurs that an Intermittent/ephemeral stream is present between flags GC200 to GC207 and GC229 to GC237. However, no bankfull indicators were observed east of the culvert adjacent to flags GC207/GC229 and the flagging within this eastern area appears to delineate the boundary of BVW. Further, the Wetland Border Report notes that only flags GC200 to GC218 delineate Bank, which is inconsistent with the Resource Area labeling on the plan. BETA recommends that the intermittent stream be identified as discussed in this comment and that all other flagging in the vicinity be characterized as BVW/Freshwater Wetlands.

BETA2: The Applicant has not clarified the classification of Resource Areas as depicted on the plans. Comment remains.

GC: This notation was corrected/added to the 1-12-24 plan.

BETA3: Comment resolved.

- W7. BETA recommends that the Commission exclude approval of any wetland flags located on abutting properties (e.g., flags 100 to 105 and 132 to 138 located within the Interstate 495 State Highway Layout) within the Order of Resource Area Delineation (ORAD).

BETA2: No further comment required.

GC: No comment needed.

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 Commission has sufficient information to issue an ORAD for the Site.

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

Very truly yours,
BETA Group, Inc.



Anna Haznar
Staff Scientist



Jonathan Niro
Senior Project Scientist

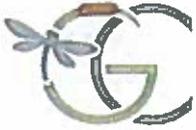
Jan 18, 2024

Franklin Conservation Commission
355 East Central St
Franklin, MA 02038

Re: Response to Peer Review
Beta Letter dated 12-12-24
126-128 Grove St, Franklin

Dear Conservation Commission:

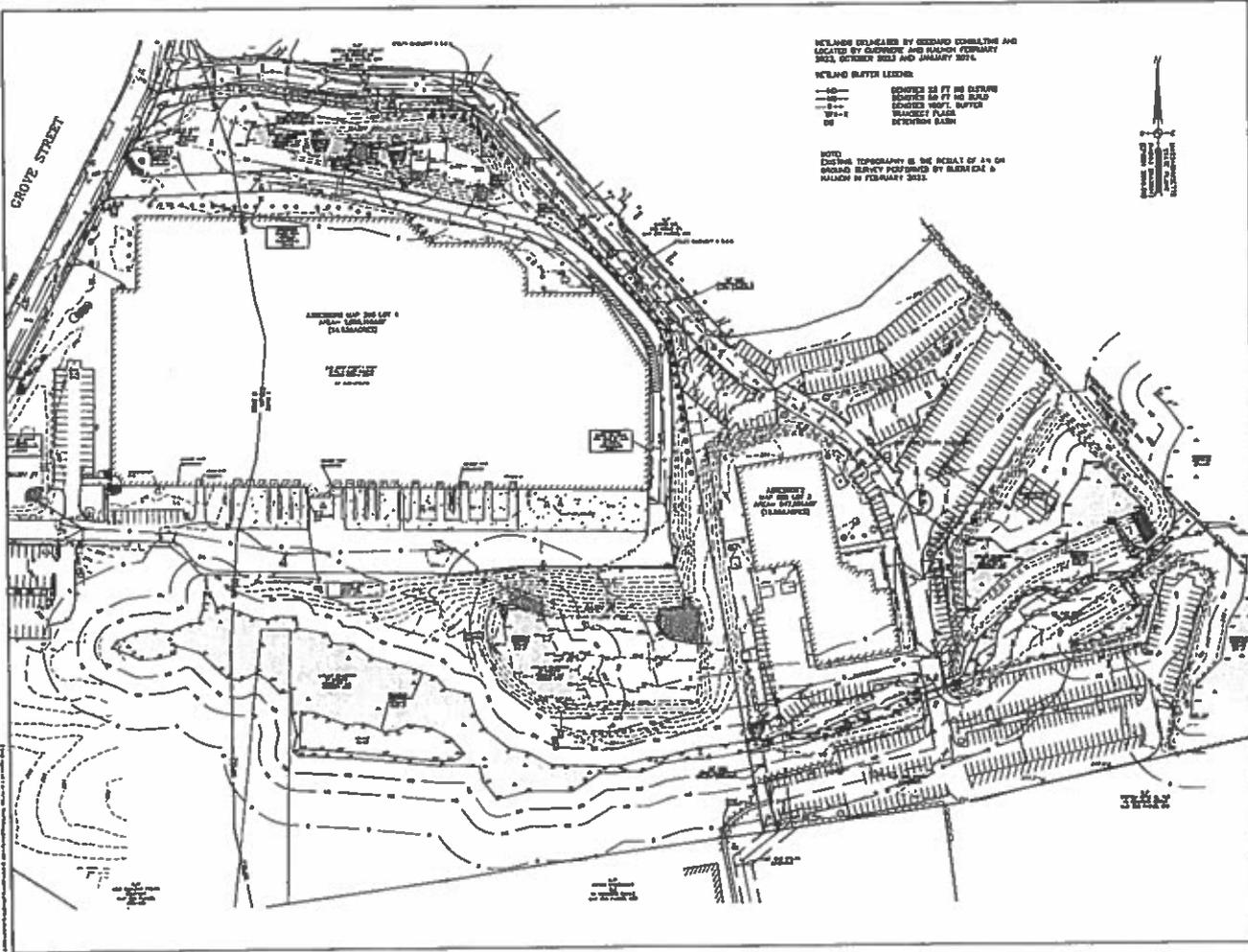
Beta Peer Review Comment		Goddard's Response
#W1	<ol style="list-style-type: none"> Beta requests that a survey benchmark be put on the plan Beta states that the ANRAD Plan is at a 1"=60' scale which is not the typical 1"= 40' scale however Beta defers to the Commission on this 	<ol style="list-style-type: none"> The updated Anrad plan dated 1-12-24 by Guerrier& Halnon (G&H) was electronically provided to the agent on 1-17-24 and via 7 paper copies on 1-18-24 (one week prior to the hearing) and has the requested survey benchmark. The plan is at a 1"=60' scale to clearly show the wetland resource areas on site on one sheet for convenience.
#W2	<ol style="list-style-type: none"> Beta requested that the stormwater basins including basin 1 be shown on the plan 	<ol style="list-style-type: none"> The updated plan dated 1-12-24 by (G&H) labels each stormwater basin including basin 1.
#W3	<ol style="list-style-type: none"> Beta states that the jurisdictional status of the stormwater basins are set forth by 310 CMR 10.02(2)(c)2 Beta states they agree that Basin 1 would not be jurisdictional under the bylaw due to lack of wetland vegetation and soils. Beta requested information on the permitting of Basins 2 and 3. Beta states that they concur with the boundaries of the wetlands in basin 2 and 3 	<ol style="list-style-type: none"> Goddard Consulting has issued a report dated March 2, 2023 as part of the ANRAD submission package that states the basins were created and approved under two NOIs and corresponding Orders of Conditions. These basins would not be subject to the Wetland Protection Act. Goddard Consulting agrees Basin 1 is not jurisdictional. Goddard provided this in a report dated March 2, 2023 as part of the ANRAD submission packet in which states that these basins were permitted by the Commission and would not be subject to the Act. Beta and Goddard Consulting are in agreement on the areas and limits within basin 2 and 3 that may be jurisdictional under the local bylaw only. These are shown on the 1-12-24 ANRAD plan.
#W4	<ol style="list-style-type: none"> Beta requested that flags GC4, GC5, GC8 and GC10 be re-inspected and potentially moved up-gradient in the field due to the presence of wetland soil and indicator species up-gradient of the wetland line. 	<ol style="list-style-type: none"> Goddard Consulting inspected these flags and replaced GC4, 5, 8 and 10 with GC4R, 5R, 8R and 10R up-gradient to include these areas. Add added an additional 8A flag. These flag changes were



		surveyed and put on the 1-12-24 ANRAD plan that was submitted.
#W5	1. Beta states that the issue was resolved and had no further comment	1. No comment needed
#W6	1. Beta recommended that the intermittent stream be identified as such on the plan (within flags 200-207 and 229-237. Other resources on site should be labeled as BVW	1. This notation was corrected/added to the 1-12-24 plan.
#W7	1. Beta states no further comment is required	1. No comment needed

Sincerely,
Goddard Consulting, LLC.

Nicole Hayes, PWS
Senior Wetland Scientist



WETLAND DELINEATED BY GEORGE COMBATHS AND LOCATED BY GUERRE & HALON FEBRUARY 2002, SCREEN 2002 AND JANUARY 2001.

WETLAND BUFFER LEGEND

- 50' BUFFER 20 FT OF BUFFER
- 50' BUFFER 20 FT OF BUILD
- 50' BUFFER 50 FT BUFFER

NOTE: EXISTING TOPOGRAPHY IS THE RESULT OF A 1/4" ON HORIZONTAL SURVEY PERFORMED BY BLEDIET & HALON IN FEBRUARY 2002.



PLAN NO. 2002-001

BYW LINEAR FEET	
#124 GROVE STREET:	2,521 LF
#126 GROVE STREET:	3,886 LF
TOTAL:	6,207 LF
ISLAND BANK LINEAR FEET	
#124 GROVE STREET:	478 LF

UNITS: FEET

NOTES: SEE DRAWING FOR A DESCRIPTION OF THE WETLANDS AND BUFFER ZONES. THE WETLANDS ARE CLASSIFIED AS SWAMPY MUDFLATS (S1) AND SWAMPY OPEN WETLANDS (S2). THE BUFFER ZONES ARE CLASSIFIED AS SWAMPY MUDFLAT BUFFER (S1B) AND SWAMPY OPEN WETLAND BUFFER (S2B). THE WETLANDS AND BUFFER ZONES ARE SHOWN ON THIS PLAN IN ACCORDANCE WITH THE MASSACHUSETTS WETLANDS PROTECTION ACT (92A CMR 2.00). THE WETLANDS AND BUFFER ZONES ARE SHOWN ON THIS PLAN IN ACCORDANCE WITH THE MASSACHUSETTS WETLANDS PROTECTION ACT (92A CMR 2.00). THE WETLANDS AND BUFFER ZONES ARE SHOWN ON THIS PLAN IN ACCORDANCE WITH THE MASSACHUSETTS WETLANDS PROTECTION ACT (92A CMR 2.00).

RESOURCE AREA PLAN
 124/126 GROVE STREET
 FRANKLIN
 MASSACHUSETTS

JUNE 26, 2023

DATE: 06/26/23
 DRAWN BY: GCH
 CHECKED BY: GCH

SCALE: 1"=40'

Guerrere & Halon, Inc.
 ENGINEERS & LAND SURVEYORS
 10 WEST CENTRAL ST., FL. 2ND FLOOR
 FRANKLIN, MA 01832
 TEL: 978-326-1100
 WWW.GUERREREHALON.COM

PLAN NO. 2002-001



Basemap: Maxar, Microsoft

Legend

 Property Boundary

S:\Franklin - 101101-080 - 124 & 126 Grove Street\GIS\GroveStreet\W01\GIS\GroveStreet.aprx



Orthophoto of the Locus Site

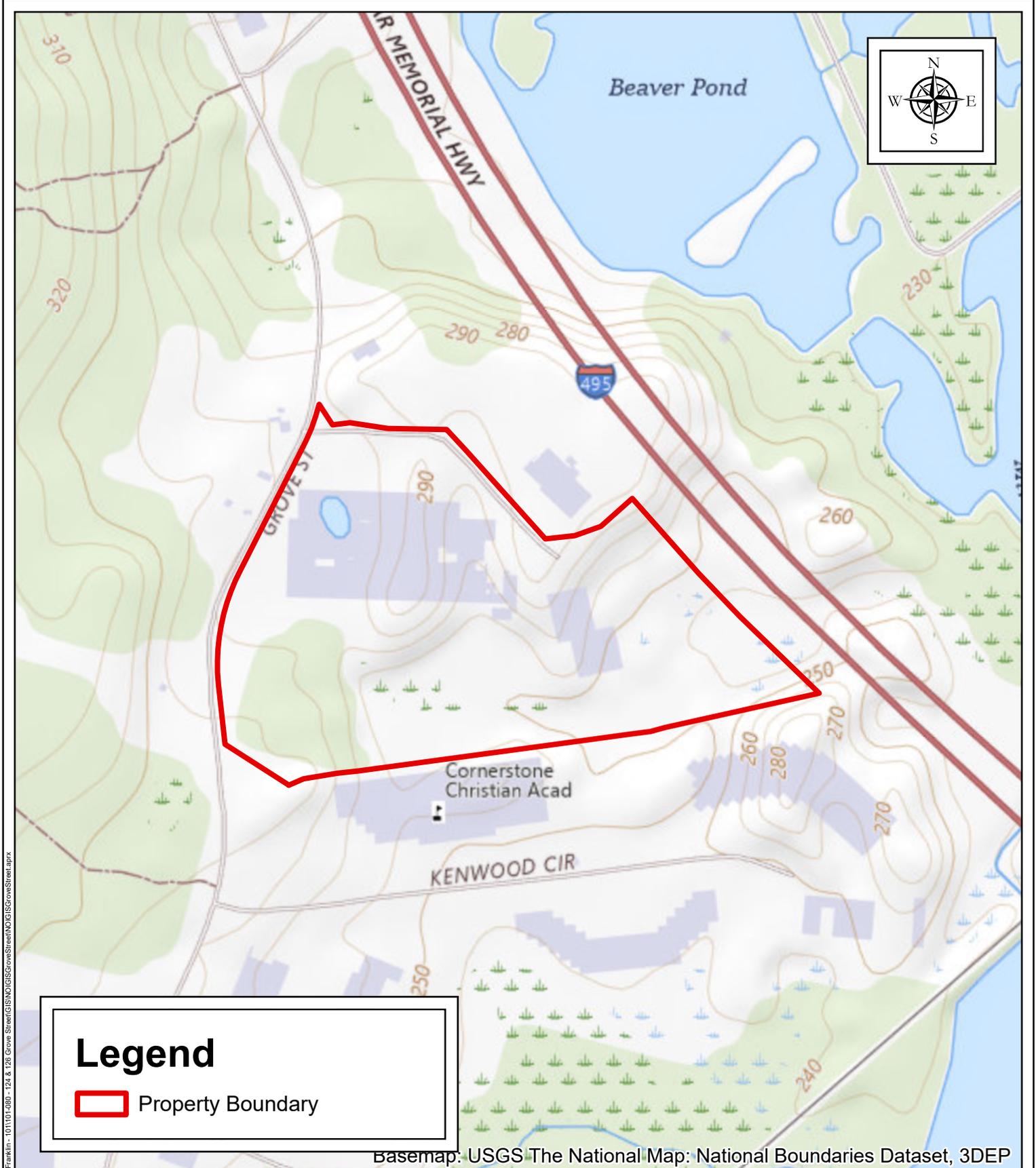
0 150 300 1" = 300'
Feet

71.4195903°W,

Date: 10/25/2024

124 & 126 Grove Street
Franklin, MA 02038

Map: 295, Parcels: 3 & 4



Legend

 Property Boundary

Basemap: USGS The National Map: National Boundaries Dataset, 3DEP

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USGS of Locus Site

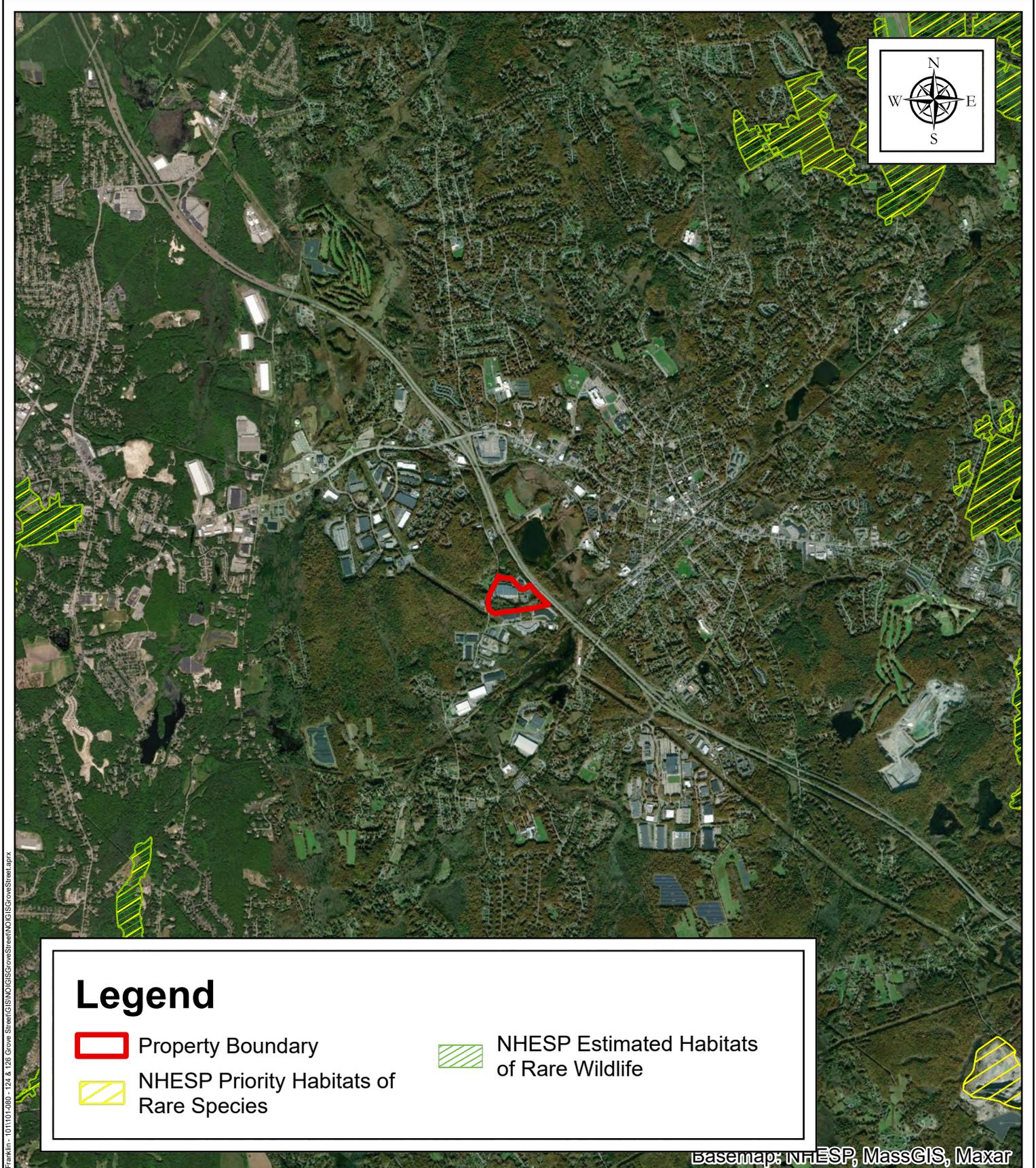
0 150 300 Feet 1" = 450'

71.4195903°W,

Date: 10/25/2024

124 & 126 Grove Street
Franklin, MA 02038

Map: 295, Parcels: 3 & 4



Legend

-  Property Boundary
-  NHESP Estimated Habitats of Rare Wildlife
-  NHESP Priority Habitats of Rare Species

Basemap: NRESP, MassGIS, Maxar



Estimated and Priority Habitat near the Locus Site

1300 Feet 1" = 4,500'

71.4195903°W,

Date: 10/25/2024

124 & 126 Grove Street
Franklin, MA 02038

Map: 295, Parcels: 3 & 4

S:\Franklin - 101101-080 - 124 & 126 Grove Street\GIS\GIS\GrowsStreet\WOF\GIS\GrowsStreet.aprx

Appendix D

Site Plans & Additional Materials



Isolated Vegetated Wetland Replication Plan

for

124 & 126 Grove Street
(Map: 29, Lots: 3 & 4)
Franklin, MA 02038

DATE:

October 31, 2024

ADDRESSED TO:

Franklin Conservation Commission
Franklin Municipal Building
Franklin, MA 02038

PREPARED BY:

Goddard Consulting LLC
291 Main Street, Suite 8
Northborough, MA 01532

PREPARED FOR:

Ryan Lichwell
New England Appliance Group
126 Grove Street
Franklin, MA 02038

A. EXISTING CONDITIONS

The Project Site, 124 & 126 Grove Street, Franklin, MA 02038 (Map: 295, Lots: 3 & 4) The site is comprised of two parcels and is approximately 37.49-acres. The site is primarily developed. The interior of the site is comprised of an existing 269,105sf industrial/commercial building, truck parking and turnarounds, and car parking lots. The southern portion of the site is primarily forested. The property is bordered by commercial/industrial developments to the south and east, and single-family house lots to the north and west on with frontages on Grove Street.

As approved in the ORAD (DEP File #159-1290), several wetland resource areas are located on the locus site. A BVW exists in the southern portion of 126 Grove Street. An intermittent stream, originating in the southern BVW, flows east through 126 and 124 Grove Street, and eventually off the property. Additional BVW is located 124 Grove Street and directly connects to the intermittent stream. An Isolated Vegetated Wetland (IVW) exists within the northern portion of 126 Grove Street. A second IVW is located south of the existing building on 126 Grove Street. These IVWs are only jurisdictional under the Franklin Wetland Bylaw and Regulations.

According to the MassGIS data layers for NHESP, the property is not located within any Estimated Habitat of Rare Wildlife / Priority Habitat of Rare Species. No potential or certified vernal pools or Outstanding Resource Waters (ORW) are mapped within the site. The property does not fall within a jurisdictional FEMA Flood Zone. The site is not located in an Area of Critical Environmental Concern (ACEC).

B. PROPOSED CONDITIONS

The applicant proposes an 85,150sf addition to the north side of the existing commercial building on-site. South of the proposed building, additional truck parking, and turnaround space is proposed for additional access to the existing loading bays and building. A retaining wall is proposed bordering the proposed parking expansion south of the existing building. In order to construct the proposed project, portions of the 25, 50 and 100-foot Buffer Zones will inevitably be impacted. The addition to the building and the truck parking expansion will result in the filling of +/- 7,842sf of Isolated Vegetated Wetland. The project has been designed minimize impacts to BVW. Alternative designs would result in a far greater impact on BVW.

As mitigation, a greater than 2:1 (15,729sf) replication area is proposed to the south of the parking lots within a BVW system. This replication area will result in the net gain of 7,887sf of wetland. A temporary access path is proposed in the southern portion of the site to access the wetland replication areas. Due to the presence of an upland island, the access path will need to temporarily impact BVW (\pm 185sf) to excavate the wetland replication area. This path has been designed for the least amount of tree removal and temporary BVW impacts. The wetland replication area and the temporarily impacted BVW will be seeded and planted with appropriate native species as described in Section D. Shrub and tree quantities have been selected based on DEP spacing guidelines. 90 trees and 201 shrubs will be planted within the proposed isolated vegetated wetland replication areas. The proposed tree species include Red Maple / *Acer rubrum*, Black Tupelo / *Nyssa sylvatica*, Swamp White Oak / *Quercus bicolor*, and Yellow Birch / *Betula alleghaniensis*. The proposed shrub species include Common Winterberry / *Illex verticillata*, Highbush Blueberry / *Vaccinium corymbosum*, Northern Spicebush / *Lindera benzoin*, Silky Dogwood / *Cornus amomum*, Speckled Alder / *Alnus incana*, and Sweet Pepperbush / *Clethra alnifolia*.

C. GENERAL INSTALLATION PROCEDURES

Supervision: All work within the restoration areas shall be supervised by a qualified wetland scientist. The supervisor shall submit monitoring reports to the Franklin Conservation Commission as described below. Reports shall contain details of all work performed and photographs of completed conditions.

Timing: The installation of the plantings should be accomplished during the spring or fall growing seasons (between April 16 and May 31 or between September 16 and October 30).

Stake Limits of Work: Prior to planting, the limits of work will be staked, and wetland flags confirmed. Erosion control barriers shall be installed along the limits of work for the replication area. These will remain in place until the replication areas have stabilized, and approval is received from the Franklin Conservation Commission. The wetland scientist shall have the authority to require additional erosion control measures if deemed necessary.

Identify Plants in Replication & BVW Impact Area: The wetland scientist shall identify, and flag native species found within the replication and the BVW impact areas that may be dug up and stockpiled for use as additional plantings.

Excavation: A storage area for soil and leaf litter from the BVW impact area will be prepared prior to excavation, outside of any resource areas or buffer zone. Wetland soil from the impact zone will be excavated and transported to the replication area. The upland soils immediately surrounding the BVW impact area will be transplanted to the edges of the replication area to create a natural transition. Large trees should be avoided when excavating.

An excavator or backhoe will remove existing soils in the entirety of the soils in the replication zone, to a depth at which redoximorphic features become visible in the C-horizon at the soil's surface and at least one foot below the proposed final grade. This removal will be supervised and directed by the wetland scientist. Topsoil and subsoil shall be removed from the area to either be reused or removed from the site. Subsoil of the C-horizon will be loosened prior to final grading to ensure the soils aren't compacted before topsoil placement.

Once existing soils have been removed to the proper depth determined by the wetland scientist, the organic soils from the BVW impact areas will be placed into the replication zone. If the soil from the impact area is not sufficient, supplemental soil shall be imported and sourced from composted organic materials and shall consist of a 50:50 mix of loam and organic material with an organic content between 12% and 20%. Topsoil shall be placed within the replication area to a depth of 6-12", to be determined by the wetland scientist. Placement of the soil shall be such that no equipment drives over or compacts the placed soil. Final grading will mimic topography with areas of pooling and flooding during heavy rain events, and surface water during wetter seasons.

Planting: Plantings will be installed according to the plan. The precise siting of plants may be determined by the wetland scientist or landscaper in the field prior to installation. All plantings (reference the planting list in section D) shall be distributed randomly throughout the area with trees spaced at 12-15' on center, shrubs spaced at 8-10' on center, and herbaceous species 3' or less on center. Shrubs shall be placed in clumps of 3-4 of the same species. Same species will be placed in groupings that more closely mimic natural conditions.

All plantings will be removed from burlap sacks, wire cages, and plastic containers prior to planting. Trees will be planted on mounds, while shrubs and herbaceous species will be planted in depressions. Each plant will have its roots loosened prior to planting to encourage root growth away from the planting bulb. Plants will be adequately watered immediately following planting. Leaf litter will be spread throughout the area if it is available. Any significant disturbances shall be seeded with a wetland seed mix as specified in the Planting List tables in Section D.

Restoration Monitoring

a. **Seasonal monitoring reports** shall be prepared for the enhancement areas by a qualified wetland scientist for a period of 2 additional years after installation or every year until a COC is issued by the Franklin Conservation Commission. This monitoring program will consist of early summer and early fall inspections and will include photographs and details about the vitality of the enhancement area. Monitoring reports shall be submitted to the Commission by the end of each year. Monitoring reports shall describe, using narratives, plans, and color photographs, the physical characteristics of the enhancement area with respect to stability, survival of vegetation and plant mortality, aerial extent and distribution, species diversity and vertical stratification (i.e., herb, shrub, and tree layers).

b. **At least 75% of the surface area** of the restoration areas shall be re-established with indigenous plant species within two growing seasons. If the enhancement area does not meet the 75% re-vegetation requirement by the end of the second growing season after installation, the applicant shall submit a remediation plan to the Commission for approval that will achieve enhancement goals, under the supervision of a Wetland Scientist. This plan must include an analysis of why the areas have not successfully re-vegetated and how the applicant intends to resolve the problem.

D. PLANTING LIST

Wetland Replication Area (15,729 SF)			
Common Name	Scientific Name	Number	Size
Trees (90)*			
Red Maple (FAC)	<i>Acer rubrum</i>	21	4-5'
Yellow Birch (FAC)	<i>Betula alleghaniensis</i>	21	4-5'
Black Tupelo (FAC)	<i>Nyssa sylvatica</i>	24	4-5'
Swamp White Oak (FACW)	<i>Quercus bicolor</i>	24	4-5'

Common Name	Scientific Name	Number	Size
Shrubs (201)*			
Highbush Blueberry (FACW)	<i>Vaccinium corymbosum</i>	36	1 or 2 gal. pots
Silky Dogwood (FACW)	<i>Cornus amomum</i>	33	1 or 2 gal. pots
Northern Spicebush (FACW)	<i>Lindera benzoin</i>	33	1 or 2 gal. pots
Common Winterberry (FACW)	<i>Ilex verticillata</i>	33	1 or 2 gal. pots
Sweet Pepperbush (FAC)	<i>Clethra alnifolia</i>	33	1 or 2 gal. pots
Speckled Alder (FACW)	<i>Alnus incana</i>	33	1 or 2 gal. pots
Seed Mix			

New England Wetland Plants WETMIX or equivalent*	7 lbs.
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*Species selection dependent on nursery availability.

E. CONCLUSION

This mitigation will enhance the Bordering Vegetated Wetlands over current conditions and will improve the functions and values of the BVW. All local, state, and federal statutory interests and performance standards have been protected and will be met by the project, as described above.

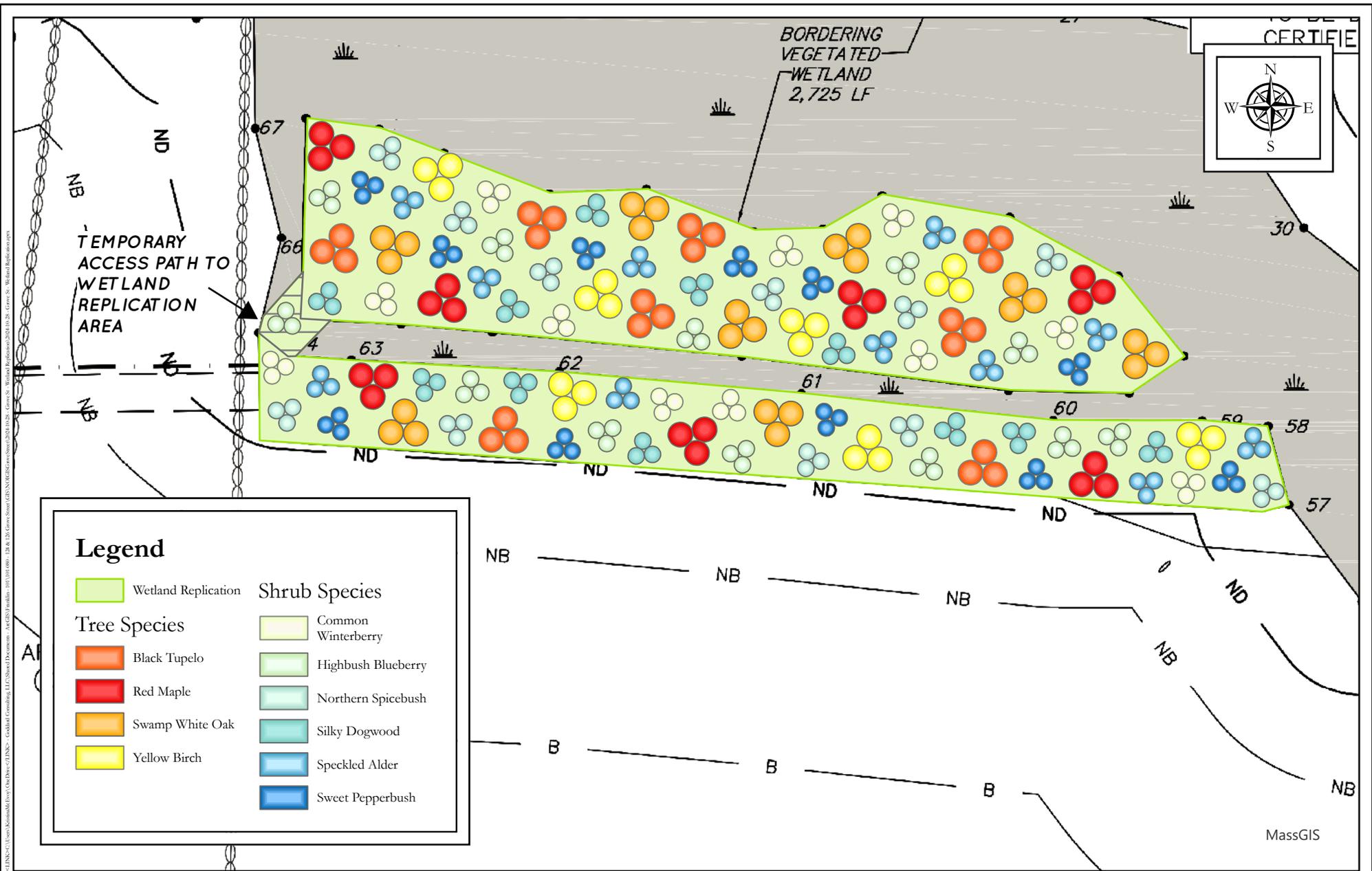
Sincerely,
Goddard Consulting, LLC



Tom Schutz, WPIT
Wetland Scientist



Kristina McEvoy
Wetland Scientist



Date: 10/29/2024

Isolated Vegetated Wetland Replication Plan

124-126 Grove Street
Franklin, MA 02038



1" = 35'

71.421168°W, 42.0739676°N

Parcel ID: 295-3; 295-4