



November 7, 2024
 Franklin Conservation Commission
 355 E. Central Street
 Franklin, MA 02038
 United States

Re: Response to Peer Review Comments for NOI
 Louise Drive Extension, (Map: 339, Lots 9, 13-16 and Map 349, Lot 2)

Dear Franklin Conservation Commission,

Goddard Consulting, LLC, (Goddard) is pleased to submit this response letter on behalf of Pam and Paul Longobardi (the Applicant), to provide responses to the project review comments issued by BETA Group, Inc. in regard to the Notice of Intent (NOI) filed for Louise Drive Extension, in Franklin, MA. (DEP File #159-1300).

On October 17, 2024, Anna Haznar and Jonathan Niro of BETA Group Inc. issued the comments attached in the table below after providing a peer review for the Notice of Intent filed for Louise Drive Extension, in Franklin, MA. (DEP File #159-1300). Goddard has provided responses to each comment at this time, and a revised site plan set is included with the submittal.

Table 1: Louise Drive Extension Notice of Intent Comment Responses	
Comments Issued 10/17/2024 by BETA Group, Inc	Goddard Consulting Responses issued 11/04/2024
Plan and General Comments	
A1. MassDEP has not issued a file number for this Project as of this writing.	Massachusetts DEP issued the file #159-1300 to the project.
A2-A. Existing vegetation and individual trees/shrubs with a diameter greater than 1" proposed for removal should be shown on the Existing Conditions Plans per Bylaw Regulation Section 7.18.1.5. It is BETA's understanding that the Commission generally increases the size threshold for tree locations based on the project scope and therefore defers to the Commission on this matter; and	The site plan does not depict vegetation that is 1" or greater on the existing conditions plan. Additional field survey would be needed to update the plan. Goddard suggests the minimum size threshold be increased. The plan can be updated and submitted as a special condition.
A2-B. Buffer Zones of Resource Areas including, associated 0-25', 25-50', and 50-100' Buffer Zones as required per Section 7.18.1.8 of the Bylaw.	The site plan has been updated to depict the 25, 50, and 100-foot buffer zones.
A3. The proposed tree line should be shown on the plans.	The site plan has been updated to depict the tree line.

<p>A4. Construction Sequence detailing the sequence of proposed activities should be depicted on the approved plan set and in the NOI application per Section 7.15 of the Bylaw.</p>	<p>Diprete Engineering provided a detailed Construction Sequence with the original Notice of Intent filing. The Construction Sequence is found within the submitted Stormwater Pollution and Prevention Plan (SWPPP) dated 9/18/2024. The Construction Sequence breaks the project into phases, providing sequencing and estimated dates of construction activities.</p>
<p>A5. The Bank to intermittent stream confirmed under the ORAD should be depicted on all plan sheets with the associated SB flagging series as detailed in the narrative.</p>	<p>The site plan has been updated to depict the Bank of intermittent stream as confirmed under the ORAD.</p>
<p>A6. Depict impact locations on the plan. The extents, locations, and nature of impacts to Bank and BVW are not clear. Specifically, BETA provides the following comments:</p> <ul style="list-style-type: none"> a. Based on BETA’s scaled area takeoffs, the entirety of BVW within the limits of work is attributed to fill. Clarify whether portions of these impacts will be temporary. b. The BVW impact area quantification appears to include the footprint of the intermittent stream. Quantify impacts to LUW and revise the total permanent impacts to BVW. c. Depict the extents of Bank impacts on the plans. d. Depict the locations of Bank on the cross sections in the plan set to demonstrate that the wall and culvert will not require permanent impacts to Bank. 	<p>The site plan has been updated to clarify the limits of the BVW fill, depict the extent, location and extent of Bank.</p>
<p>A7. The wetland replication area should be shown on the plans.</p>	<p>The site plan has been updated to depict the replication area.</p>
<p>A8. On page 4 of the WPA Form 3, the Applicant should indicate that the Project involves stream crossings and identify the number of stream crossings proposed.</p>	<p>The WPA Form 3 has been updated to indicate that the project involves stream crossings. The revised WPA Form 3, attached within this supplemental submittal, specifies that the project includes 1 new stream crossing.</p>
<p>Construction Comments</p>	
<p>W1. Material stockpile and laydown areas should be labeled on the Project plans. Erosion controls should be depicted</p>	<p>The site plan has been updated to label material stockpile locations and laydown areas. Erosion controls to the south are upgradient of the working locations. Water from the site</p>

along all areas of work. Currently erosion controls are only present within the northern extent of the Project.	will not travel in this location so sedimentation or erosion is not predicted to be an issue.
W2. The SWPPP that was submitted with the NOI was not completed. BETA recommends the Commission include a Special Condition that a SWPPP must be submitted to the Commission for review and approval prior to the commencement of wo	Goddard Consulting agrees with this comment. The SWPPP will be completed upon contractor selection.
W3. Depict all existing contours to indicate how proposed grading will tie in to surrounding grades on the grading plan.	The site plan has been updated to depict all existing contours. The proposed grades on the plan will tie directly into the existing grades.
W4. The limit of work around the proposed crossing appears to be larger than what is required based on the grading plans. The Applicant should clearly indicate how much area is required for wall construction and revise the limits of work accordingly. Resource Area impacts should be limited to the extent feasible.	The limit of work has been modified to depict only what is needed to provide access around the wall construction (10' minimum space). The updated areas are shown on Sheet 10 of the revised plans.
W5. Provide a preliminary plan for water control/dewatering of surface and groundwater during the construction of the crossing.	As outlined in the stream crossing protocol within this document, work shall not be performed during the wet period (i.e., March 1 to May 1) unless specified in writing by the conservation agent. Work shall be performed during low flow conditions and when the stream is as dry as possible to limit the need for dewatering to the extent feasible. However, the submitted Stormwater Pollution and Prevention Plan (SWPPP) provides the necessary information on dewatering protocols and inspections as required by the project.
W6. It is recommended that the Commission include a Special Condition in the Order of Conditions (OOC) prohibiting any clearing of individual lots beyond what is depicted on the submitted plans until OOCs are issued for individual home construction.	Goddard Consulting is agreeable with this special condition.
W7. It is recommended that the Commission include a Special Condition in the OOC requiring the Applicant to furnish approvals from the Planning Board and the U.S. Army Corps of Engineers (USACE) prior to the preconstruction Site meeting.	No submission to the Planning Board is proposed because the subdivision is pre-existing. The wetland impact is under 5,000sf, so no approval by the ACOE is required.
Mitigation Comments	

<p>W8-A. The Applicant should provide best management practices for the contractor to limit the introduction and spread of invasive species.</p>	<p>BMPs will be undertaken throughout the construction of the project to limit the introduction and spread of invasive species on site. The contractor will be responsible for ensuring machinery and construction equipment is cleaned prior to being brought on-site. If invasive plant species are encountered during construction, plant material and impacted soils will be removed so as not to be reused on site.</p> <p>Additionally, as outlined in the attached replication planting plan, any imported soils to be used within the replication area shall be clean fill. The project proposes two years of monitoring following construction to document the vitality and survival of the installed native plants and seedmix. During these inspections, invasive species, if present, are to be documented and removed.</p>
<p>W8-B. The Applicant should provide the species list for the seed mix that is intended to be used within the replication area on the plans.</p>	<p>The project proposes to utilize New England Wetland Plants Wetmix within the proposed wetland replication area to re-establish a native wetland groundcover within the area.</p> <p>As part of this supplemental submittal, Goddard has attached the species list provided by the supplier (common and scientific names) as well as wetland indicator statuses for each species found within the selected seedmix.</p>
<p>W8-C. The location of the wetland replication area should be depicted on the plans.</p>	<p>The site plan has been updated to depict the location of the wetland replication area.</p>
<p>W8-D. The storage area proposed in the narrative for soil and leaf litter should be shown on the plans.</p>	<p>The site plan has been updated to depict the location for the soil and leaf litter stockpile location.</p>
<p>W8-E. The Applicant should provide cross sections of altered and proposed replication areas, the replication plan, protocol and schedule should appear on the approved plan set and groundwater elevation data for the proposed replication area should appear on the plans. (Bylaw Regulation Section 7.14.2)</p>	<p>A detail of the proposed wetland replication area has been added to the revised site plans, prepared by Diprete Engineering. The site plan detail includes the protocols for installation, detailing the existing wetlands, the proposed erosion controls, the required excavation and fill, as well as the proposed elevation of the wetland replication area.</p> <p>In addition, Goddard prepared and provided a Wetland Replication Planting Plan, dated September 18, 2024, as part of the Notice of Intent submittal. The replication plan includes proper installation procedures, protocols, and timing.</p>
<p>W9. The Applicant should provide a planting plan for disturbed portions of the right-of-way that are not proposed</p>	<p>As seen in the Construction Sequence prepared by Diprete Engineering, all disturbed areas outside of the paved limits are to be seeded and stabilized.</p>

<p>to be pavement. Specifically, areas within Buffer Zone should be prioritized for the planting of native street trees and the application of native seed mix.</p>	<p>Goddard has prepared a visual markup of the site plans attached with this supplemental submittal to display the limits of the proposed seedmix. The project proposes to utilize New England Wetland Plants Conservation/Wildlife Seedmix for all disturbed areas. Goddard has attached the species list provided by the supplier (common and scientific names) as well as wetland indicator statuses for each species found within the selected seedmix.</p>
<p>W10. Provide a restoration plan for temporarily impacted Bank, BVW, and LUW.</p>	<p>Goddard recommends the following protocol be conditioned and adhered to during the installation of the required stream crossing to limit temporary impacts only to the extent required to install the crossing. As seen below, the protocol includes steps to restore all areas impacted during the installation, and requires monitoring for two years following installation to ensure all protocols have been followed, and that all portions of the area are functioning as designed and approved.</p> <p><u>Stream Crossing Protocol</u></p> <ol style="list-style-type: none"> 1. The conservation agent shall be notified at least 72 hours (three full business days) prior to the start of work associated with the stream crossing. 2. All work associated with the stream crossing shall be performed under the direct supervision of a qualified wetland scientist. 3. Work shall not be performed during the wet period (i.e., March 1 to May 1) unless specified in writing by the conservation agent. Work shall be performed during low flow conditions and when the stream is as dry as possible. 4. The erosion control barrier at the three-sided culvert location must be installed exactly as shown on the site plan. It is intended that the erosion control barrier be located just downgradient from the inner edge of the footing on both sides of the stream. Erosion controls shall not be placed within the stream channel or BVW. 5. The vegetation within the proposed driveway location near the crossing and the culvert footprint will be cut but not grubbed. The cut debris will be removed from the site. 6. Boulders will be carefully placed outside of the BVW on both sides of the stream. Road plates will be placed on the boulders to provide safe and stable access across the stream for a small excavator. The footing for the box culvert and wingwalls north of the stream will be excavated to firm

	<p>bearing soil and the footing(s) poured or installed. The excavator will be moved back across the temporary crossing. The road plates will be removed. The boulders will be carefully removed and damaged soil areas within the culvert footprint will be repaired with loam. The footing for the box culvert and wingwalls south of the stream will be excavated to firm bearing soil and the footing(s) poured or installed. Damaged erosion controls will be replaced, as needed.</p> <p>7. The box culvert and wing walls will be installed and backfilled. The area within the box culvert between the culvert and the erosion control barrier will be brought to proposed grade, compacted, and topped with rip-rap. This work is easier if the culvert were to be installed in three sections and each section backfilled and rip-rapped before the next section is installed. The rip-rap shall only be applied to the area between the erosion control barrier and the face of the culvert/wingwall as scour protection.</p> <p>8. Place and compact in layers general fill and gravel fill for the driveway within and near the crossing to the grades shown.</p> <p>9. Install proposed utility conduit(s) in a trench above the box culvert. Backfill and compact the fill within the utility trench. There shall be no trenching across the stream or BVW for utilities. Install the proposed guard rails.</p> <p>10. Pave the proposed driveway at and near the crossing with base and top coat to the width shown on the site plan.</p> <p>11. Loam and seed all disturbed areas at and near the wetland crossing which have not been stabilized. Apply and secure erosion control blankets to steep slopes in this area. Reseed as necessary until these areas are stabilized by vegetation.</p> <p>12. The erosion controls at the crossing may be removed when directed to do so by the supervising wetland scientist with concurrence from the conservation agent.</p> <p>13. The success of the crossing will be evaluated annually at the end of the growing season for two years after the crossing is installed to confirm that the proposed crossing, culvert, and the stream within and adjacent to the culvert is functioning per the approved design. A report, with representative photographs, shall be provided to the Commission after each inspection that details the condition of the area and any recommendation necessary to bring or</p>
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	keep the area in compliance with the approved plans and Order.
WPA Performance Standards Comments	
W1. The plans do not provide the methods for restoring the temporarily impacted banks. Provide a bank restoration/stabilization plan for review.	As seen in the stream crossing protocol outlined above, Goddard has provided a full breakdown of the steps to be adhered to during the installation of the crossing. The stream crossing protocol includes steps to restore and stabilize all temporarily impacted banks, with additional monitoring included to ensure long-term success.
W2. The Applicant appears to have provided sufficient justification for why the wetland/stream crossing is necessary for the Project. Although the reported BVW impacts will likely decrease as a result of addressing BETA's comments, BETA recommends maintaining the size of the wetland replication area in order to safeguard from areas potentially failing. The Applicant should also provide a restoration plan for temporarily impacted BVW.	All disturbed BVW outside of the paved limits are to be seeded and stabilized. The seedmix will consist of New England Wetland Plants WetMix, which consists of native herbaceous wetland plants, naturalizing any BVW disturbance.
W3. The Applicant should provide a summary of compliance with the LUW Performance Standards.	<p>Land Under Water Bodies and Waterways refers to perennial stream bodies. The intermittent stream to be crossed on-site does not meet the requirements to be considered as Land Under Waters; therefore, the project is not held to these performance standards.</p> <p>In addition, the stream crossing protocol provided by Goddard outlines the procedure to install the proposed crossing and avoid impacts to the streambed. By utilizing boulders and road plates, the excavator will cross the area without disturbing the streambed.</p>

Bylaw Regulatory Comments	
<p>W4. Provide a Natural Heritage and Priority Habitats and Estimated Habitats Map, as required for NOI submissions to the Franklin Conservation Commission (Bylaw Section 7.17.1).</p>	<p>Goddard has provided a supplemental map detailing the nearest mapped Natural Heritage Priority Habitats and Estimated Habitats, dated 11/04/2024.</p> <p>As seen in the attached map, no Priority or Estimated Habitats of Rare Wildlife are mapped on or adjacent to the project site. The nearest mapped habitat, PH 710, is located approximately 4200 feet to the West at closest from the project site.</p>
<p>W5. The Applicant has provided a Variance request for work within BVW, Bank and the 0-25', 25-50', and 50-100' Buffer Zones in accordance with Bylaw Regulation Section 5. An alternative analysis was submitted within the Variance request but only consists of the proposed Project and a no build alternative. BETA defers to the Commission on the approval of the Variance request and whether other alternatives should be assessed. Based on BETA's review of the Site and its surroundings, it appears that other opportunities for access to the Site are limited.</p>	<p>Goddard Consulting has no additional comment to BETA W5.</p>

<p>W6. The Applicant should provide a narrative with information on the steps taken to mitigate unavoidable impacts for work proposed within the Buffer Zones (Bylaw Regulation Section 7.11.2.). Plantings do not appear to be proposed within the cleared portions of Buffer Zone.</p>	<p>The applicant has submitted a variance request as part of the Notice of Intent submittal for the unavoidable impacts proposed within the Buffer Zones. As outlined in the variance request letter, in order to reach the associated uplands west of the BVW and intermittent stream, work within the BVW, Bank, 25, 50, and 100-Foot Buffer Zone is inevitable, requiring the proposed crossing.</p> <p>The project has been filed as a Limited Project (reference section 4.3 of the Notice of Intent Cover Letter for compliance standards). The project has been designed to minimize impacts to the extent feasible to reach the suitable upland areas. A stream crossing protocol has been provided to provide BMPs for the required crossing. All disturbed areas outside of the paved roadway and stormwater infrastructure are proposed to be reseeded with New England Wetland Plants Conservation Seedmix to restore all areas to a native groundcover. Wetland replication is proposed at a 2:1 rate.</p> <p>The applicant has requested a variance to allow for the required work to install the roadway and drainage as shown by the attached site plans. As only the roadway itself and the drainage system are proposed as permanent impacts, the project has been designed to minimize and avoid any further impacts. It is the opinion of Goddard that the project has been minimized to the extent feasible, and the granting of a variance will allow the project to conform with all interests outlined by the local bylaw.</p>
<p>W7. Proposed erosion controls include silt fence and haybales. Silt fence is not a permitted erosion control measure in the Town of Franklin (Pg. 13 of Town of Franklin Best Development Practices Guidebook). The Applicant should coordinate with the Conservation Commission to determine the appropriate control measures for the Site. Twelve (12)-inch diameter compost filter tubes may be an appropriate option commensurate with the scope of the Project.</p>	<p>The proposed ECB has been updated to remove the silt fence and hay bales. A Twelve (12)-inch diameter compost filter tube is now proposed.</p>

<p>W8. The applicant should revise the Erosion & Sedimentation Control Plan to include contact information of the person(s) responsible for inspecting and maintaining erosion controls, the requirement to inspect erosion controls weekly or following significant rain events, and all other requirements listed in Section 7.12.1 of the Bylaw Regulations.</p>	<p>The project's Stormwater Pollution Prevention Plan (SWPPP) dated 9/18/24, prepared by Diprete Engineering, contains all inspection requirements and protocols as listed in Section 7.12.1 of the Bylaw Regulations.</p> <p>As the project is under review at this time, the contact information of the person or party responsible for inspecting and maintaining erosion controls will be provided to the Conservation Agent prior to work beginning on-site.</p>
<p>W9. BETA defers to the Commission on the approval of the Project Narrative due to several Bylaw requirements being absent from the current Project Narrative (Bylaw Regulation Section 7.9.1.) including who is performing the work and when the proposed activity will be done. This information could be submitted prior to construction as part of a Special Condition.</p>	<p>Goddard Consulting has no comment.</p>
<p>W10. A Construction Sequence with all proposed construction activities should be included within the NOI and on the plan set (Bylaw Regulation Section 7.15.1). It is recommended that the Applicant also provide a standalone sequencing plan for the crossing construction.</p>	<p>Diprete Engineering provided a detailed Construction Sequence with the original Notice of Intent filing. The Construction Sequence is found within the submitted Stormwater Pollution and Prevention Plan (SWPPP) dated 9/18/2024. The Construction Sequence breaks the project into phases, providing sequencing and estimated dates of construction activities. This has been added to Sheet 3 of the updated site plan.</p>
<p>Stormwater Management</p>	
<p>The Project proposes the construction of a proprietary separator, a series of catch basins, a sediment forebay, a sand filter and detention pond. Stormwater Best Management Practices (BMPs) are proposed to connect to each other in series to remove total suspended solids (TSS). Four catch basins are proposed to the east of the cul-de-sac within the access drive. Stormwater from these catch basins will be distributed into the associated sediment forebay, then detention pond to infiltrate.</p> <p>A review of the Project's compliance with the Massachusetts Stormwater Management Standards and the applicable local Regulations is currently ongoing by Planning Board.</p>	<p>No submission to the planning board is proposed. Goddard and DiPrete defer to BETA Group and the Franklin Conservation Commission if there are any stormwater related peer review questions.</p>



As outlined in the table above, the following documents are attached to this supplemental submittal:

- Revised WPA Form 3, prepared by Goddard Consulting LLC
- *Adjacent NHESP Habitats Map*, Goddard Consulting LLC. 11/04/2024
- Grading & Drainage Plan Seeding Visual, Goddard Consulting LLC
- *New England Conservation/Wildlife Mix*, New England Wetland Plants
- *New England Wetmix*, New England Wetland Plants
- NOI Soumission- Louise Drive Extension, DiPrete Engineering- Revised 11/06/2024

As of 11/06/2024, it is Goddard's opinion that all comments issued during the peer review provided by BETA Group Inc. have been adequately addressed and all necessary materials have been submitted. Revised site plans, WPA Form 3, and visuals have been prepared and included with this submittal to demonstrate compliance with all applicable standards. Goddard respectfully requests that the Franklin Conservation Commission issues an Order of Conditions for the proposed work.

If you have any questions, please do not hesitate to reach out.

Sincerely,

Sincerely,
Goddard Consulting, LLC

Tom Schutz, WPIT, WSA
Wetland Scientist

CC: MassDEP, Central Regional Office, Wetlands Division, 8 New Bond Street, Worcester, MA 01606
Pam and Paul Longobardi, 18 James Street, Franklin, MA 02038



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):

Louise Drive Extension
a. Street Address

Franklin
b. City/Town

02038
c. Zip Code

Latitude and Longitude:
42.03893° N
d. Latitude

71.44867° W
e. Longitude

339, 349
f. Assessors Map/Plat Number

9, 13-16, 2
g. Parcel /Lot Number

2. Applicant:

Paul
a. First Name

Longobardi
b. Last Name

c. Organization

18 James Street
d. Street Address

Franklin
e. City/Town

MA
f. State

02038
g. Zip Code

sammie82@comcast.net
j. Email Address

h. Phone Number

i. Fax Number

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):

Tom
a. First Name

Schutz
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):

\$1,450
a. Total Fee Paid

\$712.50
b. State Fee Paid

\$737.50
c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
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A. General Information (continued)

6. General Project Description:

This Notice of Intent is for the construction of a +/- 626 private access road with a stream and wetland crossing, wetland replication and cul-de-sac, grading and associated stormwater management system

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

- | | |
|---|--|
| 1. <input type="checkbox"/> Single Family Home | 2. <input checked="" type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> 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)

310 CMR 10.53(3)(e)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(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

5613

c. Book

b. Certificate # (if registered land)

312

d. Page Number

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

- 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.
- 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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MassDEP File Number _____

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Franklin

City/Town

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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input checked="" type="checkbox"/> Bank	40.5 (temporary) 1. linear feet	40.5 2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	2,396 1. square feet	4,800 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 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. 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:

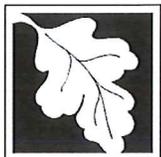
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
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5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number _____

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Franklin

City/Town _____

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 _____	
i. <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

1

_____ a. number of new stream crossings

_____ b. number of replacement stream crossings



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Provided by MassDEP:

MassDEP File Number _____

Document Transaction Number _____

Franklin

City/Town

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

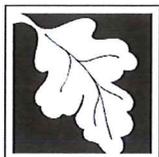
2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(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.



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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/nhosp/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/nhosp/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:

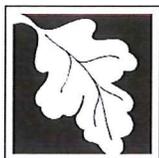
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

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.



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

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

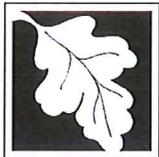
This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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.

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



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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.

NOI Submission - Louise Drive Extension

a. Plan Title

DiPrete Engineering

Brandon D. Carr

b. Prepared By

c. Signed and Stamped by

9/18/2024

1'=40"

d. Final Revision Date

e. Scale

Stormwater Management Report

9/18/2024

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:

1089

9/18/2024

2. Municipal Check Number

3. Check date

1089

9/18/2024

4. State Check Number

5. Check date

Paul

Longobardi

6. Payor name on check: First Name

7. Payor name on check: Last Name



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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.



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 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:

Louise Drive Extension	Franklin
a. Street Address	b. City/Town
1090	\$712.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Paul	Longobardi	
a. First Name	b. Last Name	
c. Organization		
18 James Street		
d. Mailing Address		
Franklin	MA	02038
e. City/Town	f. State	g. Zip Code
h. Phone Number		i. Fax Number
sammie82@comcast.net		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		

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

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.



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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 crossing for development	\$1,450	1	\$1,450
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: \$1,450

Step 6/Fee Payments:

Total Project Fee:	<u>\$1,450</u>
State share of filing Fee:	<u>\$712.50</u>
City/Town share of filling Fee:	<u>\$737.50</u>
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	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.)



Legend

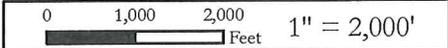
-  Locus Site
-  NHESP Priority Habitats of Rare Species: 1
-  NHESP Estimated Habitats of Rare Wildlife: 1

Basemap: MassGIS

S:\Franklin - 101\101-000 - Locus Maps & Report\Franklin Locus Drive - Locus Maps & Report.aprx



Adjacent NHESP Habitats Map



71.4498836°W, 42.0385855°N

Date: 11/04/2024

Louise Drive
Franklin, MA 02038

Parcel ID: 339-(14, 15, & 16) & 349-2

