



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building
257 Fisher Street
Franklin, MA 02038-3026

March 10, 2025

Ms. Breeka Li Goodlander, Conservation Agent
Members of the Franklin Conservation Commission
355 East Central Street
Franklin, MA 02038

Re: Prospect Street Culvert Repairs – Peer Review Comments Amendment

Dear Conservation Commission Members:

The Department of Public Works (DPW) has filed this Notice of Intent with the Conservation Commission, after-the-fact, for the emergency repair to the drainage culvert under Prospect Street, a public roadway, in Franklin. The NOI was discussed at the November 14, 2024 meeting and continued to the December 12, 2024 meeting as the MassDEP file number was not issued in time and we were awaiting the peer review comments. We requested continuance to allow time to respond to the comments from BETA and MassDEP. On March 7, 2025 the DPW met with the Vice Chair of Conservation, Mark LePage, and the Conservation Director, Breeka Li Goodlander, for a working session to discuss the comments.

As previously mentioned, we would also like to request a waiver for the work that occurred within the 25' No Disturb Zone and the 50' No Structure Zone.

Below is a compilation of the November 25, 2024 comments and responses from BETA's peer review, the December 5, 2024 comments and responses from the MassDEP and the most recent, February 13, 2025, comments from BETA (BETA2) with the DPW responses identified in red (DPW2):

Plan and General Comments

A1. MassDEP has not issued a file number as of this writing.

DPW: The file number (CE 159-1304) was issued on December 5, 2024.

BETA2: MassDEP released a file number (No.159-1304) with technical comments and responses were submitted by the Applicant as follows:

MassDEP: This project was filed as an ecological restoration limited project NOI; however, because the filing is an after-the-fact filing, it appears that some of the submittal requirements for an ER limited

project cannot be met. MassDEP recommends that this be reviewed as a replacement culvert under 310 CMR 10.53(8).

DPW: WPA Form 3 has been revised to removed references to an ecological restoration limited project. The standards were complied with to the maximum extent practicable due to the emergency nature of the project

MassDEP: In the absence of a headwall, MassDEP recommends the Applicant should provide a cross-sectional detail that indicates how infiltration into roadway embankments will be prevented.

DPW: Filter fabric, crushed stone and the granite blocks from the existing culvert were placed to reinforce the roadway embankment surrounding the pipe at both the inlet and outlet and then further reinforced with riprap for additional stabilization. This method will prevent scour alongside the culvert and also prevent the migration of finer soils, both of which will be beneficial to the longevity of the structure.

MassDEP: The Applicant should clarify if proposed scour protection represents fill to LUWW. If so, a revised WPA form 3 should be submitted to MassDEP and the Commission with impacts to LUWW quantified.

DPW: The area of culvert and riprap on the outlet side within the land under water (LUWW) has been added to WPA form 3.

DPW2: OK

A2. The following elements are missing from the provided plans:

- a. Existing and proposed vegetation (i.e., tree lines and any applied seed mix) should be provided on the plans per Bylaw Regulation Sections 7.18.1.5. and 7.18.1.6.

DPW: The project area was not surveyed so the approximate tree lines were added to the plans based off field conditions and Autocad Online background map. There were no changes in the tree line and no seed mix applied as part of this project.

BETA2: Comment addressed.

DPW2: OK

- b. Buffer Zones should be shown on the plans per Bylaw Regulation Section 7.18.1.8.

DPW: The entirety of the plan is within the 200 foot riverfront buffer zone. A majority of the plan is located within the 100 foot wetland buffer zone, see top left corner of the viewport. This was noted in the Legend on the plan.

BETA2: BETA defers to the Commission on the approval of the plans without the 25-foot, 50-foot or 100-foot Buffer Zones shown.

DPW2: A separate GIS map has been included in this submission identifying Resource Area Impacts.

- c. The location of erosion controls and water controls used during construction should be shown on the plans per Bylaw Regulation Section 7.18.1.9.

DPW: Construction was expedited to minimize the amount of time this area was destabilized. Filter fabric and stone was used during the dewatering process. Stone materials were placed at the outlets of the pumps to dissipate some of the water velocity.

BETA2: The Applicant should clarify if erosion controls were used during the culvert replacement. BETA defers to the Commission on the approval of the plans without the information required in Bylaw Regulation Section 7.18.1.9.

DPW2: See the previous comment on this item from DPW. No additional erosion controls were utilized.

d. A Professional Land Surveyor (PLS) stamp is normally required for NOI filings; however, the Commission could consider waiving this requirement given that the work was conducted to abate an emergency and GIS / GPS data is being used to approximate the scope of work.

DPW: We request the Commission waive this requirement as noted due to the emergency nature of the work.

BETA2: BETA defers to the Commission on the requirement to provide a PLS stamp on the provided plans.

DPW2: Per our discussion, this was determined to be acceptable due to the emergency nature of the work.

e. The assessor's references for the abutting properties should be shown on the plans.

DPW: These have been added to the plan.

BETA2: Comment addressed.

DPW2: OK

f. A survey benchmark is normally required on plans for NOI filings; however, the Commission could consider waiving this requirement given that the work was conducted to abate an emergency and GIS / GPS data is being used to approximate the scope of work.

BETA2: BETA defers to the Commission on the requirement to provide a survey benchmark on the provided plans.

DPW2: Per our discussion, this was determined to be acceptable due to the emergency nature of the work.

DPW: We request the Commission waive this requirement as noted due to the emergency nature of the work.

A3. The locations of Resource Area impacts should be labeled on the Plans.

DPW: The entirety of the plan is within the 200 foot riverfront buffer zone. A majority of the plan is located within the 100 foot wetland buffer zone, see top left corner of the viewport. This was noted in the Legend on the plan.

BETA2: Locations of the reported Resource Area impacts are not included on the plans – comment remains.

DPW2: A separate GIS map has been included in this submission identifying Resource Area impacts.

A4. The WPA Form 3 requires the following sections to be filled out:

DPW: These sections were not completed due to the instructions for the Ecological Restoration Limited Project. Since this project will not be considered as such, these sections have now been completed and will be included in the revision.

BETA2: Comment addressed.

DPW2: OK

a. The Massachusetts Endangered Species Section;

DPW: See above note.

BETA2: Comment addressed.

DPW2: OK

b. The Other Applicable Standards and Requirements Section; and

DPW: See above note.

BETA2: Comment addressed.

DPW2: OK

c. The Additional Information Section.

DPW: See above note.

BETA2: Comment addressed.

DPW2: OK

A5. The WPA Form 3 should also be revised to remove references to an Ecological Restoration Project, as the Project does not meet the associated criteria provided in the definition at 310 CMR 10.04.

DPW: All references in WPA Form 3 have been removed.

BETA2: Comment addressed.

DPW2: OK

Resource Area and Boundary Comments

Construction Comments

W1. Two (2) areas of riprap were observed to the northeast and northwest of the Project approximately 15-feet north of the limits of work depicted on the plan. The Applicant should clarify if this riprap was placed as a part of this Project and reflect it on the plans. The limits of all riprap used to stabilize the roadway slopes should be depicted.

DPW: The areas of riprap on the slopes have been added to the plan. This riprap was placed as part of this project.

BETA2: The areas of riprap have been added to the plans. Comment addressed.

W2. An area of asphalt that appears to be discarded from repaving the road was observed northeast of the limits of work within Buffer Zone and requires removal.

DPW: This asphalt was removed on December 3, 2024.

BETA2: Comment addressed.

DPW2: OK

Mitigation Comments

W3. The Applicant should provide additional information regarding mitigation conducted to date if applicable. The permanent impacts to Bank, BVW, and LUW resulting from the installation of a longer pipe and stabilization of the roadway slopes should be quantified to confirm if additional mitigation is required.

DPW: The existing culvert was failing and not allowing water to properly flow through. This issue was causing the roadway to begin eroding away causing an unsustainable and dangerous condition. To mitigate this issue and prevent future occurrences, it was necessary to extend the pipe and stabilize the roadway slope. The area of permanent impacts to the Bank surrounding the waterway was included in the calculations. A rock apron was installed to mitigate scour. The area of the culvert and riprap on the outlet side within the land under water (LUWW) has been added to WPA form 3 and the Resource Area Impact Summary.

BETA2: Comment addressed.

DPW2: OK

W4. The Applicant could consider placing loam/compost, a native seed mix, and an erosion control blanket over the placed rip rap to vegetate the slopes without needing to remove stone. If

this is pursued, it is recommended that the Applicant consult Section 4.5.3 of the MassDOT Stormwater Design Guide for further details. It is also recommended that coir logs be installed at the toe of slopes to prevent potential migration of fine materials.

DPW: We have reviewed the MassDOT Stormwater Design Guide as recommended above and considered adding loam and a native seed mix to create a vegetated riprap slope as noted. However, after reviewing the Design Guide and the site conditions, we do not feel this would provide any significant benefit to the current conditions.

As noted in the Design Guide, this stormwater control measure (SCM) is often used to improve existing conditions on redevelopment projects and to reduce thermal impacts of runoff to cold-water fisheries. We note that this stream is not a cold-water fishery per the Massachusetts Division of Fisheries and Wildlife, and that the current riprap slope is already a substantial improvement over the pre-construction conditions which included a paved waterway that directed surface runoff directly into the stream.

Additionally, as per the Design Guide, if the slope directly discharges into a water body, which this site does, the slope design and vegetation require special considerations. Also, the compost and vegetation must not extend below the elevation of Ordinary High Water. Due to the limited height of the slope, the effective area above Ordinary High Water is only a couple of feet.

We note that there is already some leaf cover and naturally growing vegetation on the riprap slope. We recommend that the riprap slope be allowed to naturally fill in over time and that further construction to create a vegetated riprap would not provide any significant benefit.

BETA2: BETA defers to the Commission on any requirements for further stabilization / revegetation of this slope.

DPW2: Per the above notes and our discussion, the slope has begun to reseed naturally and will continue to revegetate itself - no further stabilization will be required. Current photographs of the inlet and outlet sides have been included with this submittal.

WPA Performance Standard Comments

W5. The Applicant provided an alternatives analysis to comply with Performance Standards for RA as required by the regulations. BETA defers to the Commission on the acceptance of the alternatives analysis.

DPW: We request the Commission accept the alternatives analysis as provided. We note that due to the nature of the culvert failure and immediate need to close the road, the constructed project was the only practical alternative at the time.

BETA2: BETA defers to the Commission on the approval of the provided alternatives analysis.

DPW2: Per our discussion, it was decided that there were no practical alternatives at the time of construction.

W6. The Applicant stated on the WPA Form 3 that impacts to BVW totaled 3,125 square feet but later indicated that the 3,125 square feet of impacts were associated with Buffer Zone. The Applicant should clarify the quantity of impacts that occurred in BVW versus Buffer Zone. If BVW impacts were required, additional mitigation to meet the Performance Standards at 310 CMR 10.55(4)(b) may be required.

DPW: The 3,125 square feet of impacts are associated with the Buffer Zone. The disturbance to the BVW was approximately 328 square feet and was restored following construction.

BETA2: The Applicant should confirm how BVW was restored and depict the impact/restoration area on the plans. If impacts resulted in loss of BVW, the Applicant should provide the required mitigation as stated in 310 CMR 10.55(4)(b).

DPW2: Prior to the completed replacement, untreated water flowed directly from the road into the resource area via a paved waterway. Rip-rap was added to the slope following construction and will be allowed to continue to naturally reseed. Conditions of the BVW have been significantly improved compared to the pre-existing conditions. See plan for rip-rap locations and photographs for current inlet/outlet conditions.

Bylaw Regulatory Comments

W7. The Applicant should request a formal waiver for work that occurred within the 25' No Disturb Zone and the 50' No Structure Zone.

DPW: This request for a waiver has been included in the start of this letter.

BETA2: The Variance Request submitted does not include the required information for a Variance Request as stated in Section 5 of the Bylaw Regulations. Comment remains.

DPW2: A waiver has been requested again in the beginning of this letter, an alternatives analysis is included in the original NOI submittal.

W8. The Applicant should provide calculations for impacts within the 0 to 25-foot, 25 to 50-foot, and 50 to 100-foot Buffer Zones.

DPW: The impacts to these Buffer Zones are as follows:

0-25-foot: 2217 sf

25-50-foot: 580 sf

50-100-foot: 0 sf

BETA2: Comment addressed.

DPW2: OK

If you require additional information, please contact this office at 508-553-5500.

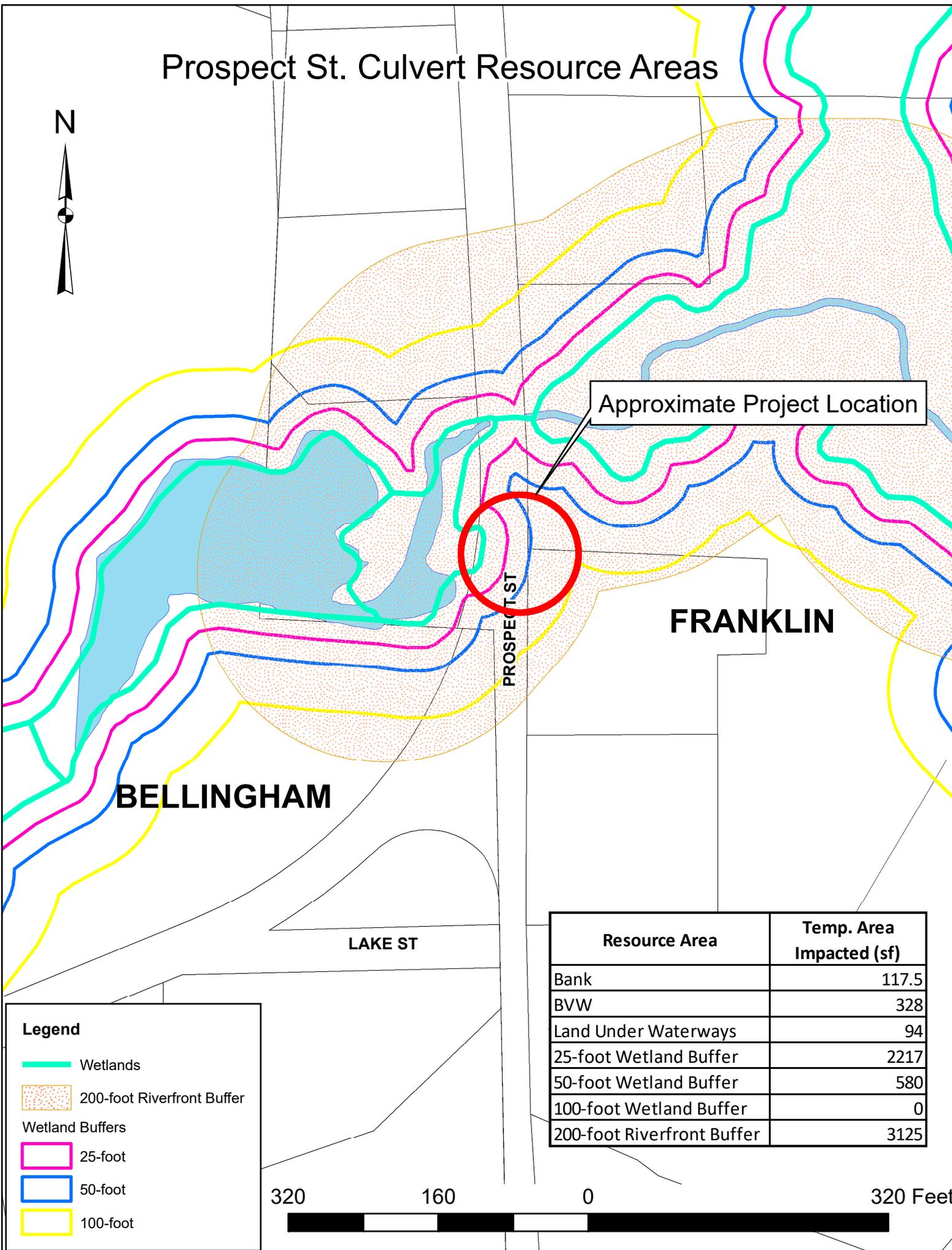
Sincerely,

A handwritten signature in blue ink that reads "Brooke Morganelli". The signature is written in a cursive, flowing style.

Brooke Morganelli, P.E.
Assistant Town Engineer

Attachments: Resource Area Map and Photographs of Current Condition

Prospect St. Culvert Resource Areas



Approximate Project Location

BELLINGHAM

FRANKLIN

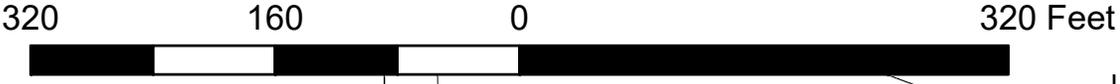
PROSPECT ST

LAKE ST

Legend

- Wetlands
- 200-foot Riverfront Buffer
- Wetland Buffers**
- 25-foot
- 50-foot
- 100-foot

Resource Area	Temp. Area Impacted (sf)
Bank	117.5
BVW	328
Land Under Waterways	94
25-foot Wetland Buffer	2217
50-foot Wetland Buffer	580
100-foot Wetland Buffer	0
200-foot Riverfront Buffer	3125





March 10, 2025 - Photo of outlet side of Prospect Street Culvert.



March 10, 2025 - Photo of inlet side of Prospect Street Culvert.