

March 21, 2025

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

**Re: MassDEP File No. 159-1308
47 Partridge Street
Abbreviated Notice of Resource Area Delineation Peer Review
Franklin, Massachusetts**

Dear Ms. Goodlander,

BETA Group, Inc. (BETA) is pleased to provide peer review services for the Abbreviated Notice of Resource Area Delineation (ANRAD) submitted for the parcels located at **47 Partridge Street and 0 Partridge Street, further identified as the Town of Franklin Assessor's Parcel ID: Map 220 Lot 013-000, Map 220 Lot 015-000, and Map 220 Lot 014-00 in Franklin, Massachusetts** (the Site). This letter provides BETA's peer review findings and comments as they relate to the Massachusetts Wetlands Protection Act (M.G.L. ch.131, §40) and its implementing regulations at 310 CMR 10.00 (collectively "the Act") and the Town of Franklin Wetlands Protection Bylaw (Chapter 181) and its implementing regulations (collectively "the Bylaw").

BETA performed a Site visit on March 10, 2025 to review the onsite Resource Area boundaries and confirm existing conditions as they relate to the ANRAD filing.

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

DOCUMENTS REVIEWED

- Report entitled **Abbreviated Notice of Resource Area Delineation (ANRAD), for 47 Partridge Street, Franklin, MA 02038**; dated December 23, 2024; prepared by United Consultants, Inc. Includes the following attachments:
 - WPA Form 4A
 - Filing Fees and Local Forms
 - Abutters Information
- Plan (1 sheet) entitled **Donovan Estate Existing Conditions Plan**; dated December 23, 2024; prepared by United Consultants, Inc. signed and stamped by Andrew C Murphy, MA PLS No. 35042, scale: 1" = 50'.
- Wetland Report entitled **Wetland Border Report**; dated September 11, 2024 and revised on Dec 3emebr 27, 2024; prepared by Goddard Consulting. Includes the following attachments:
 - Page 1 of WPA Form 4; and
 - Figures (NHESP Map, FEMA Flood Map, and NRCS Soil Survey Map).

SCOPE SUMMARY

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

- 1,780 linear feet (lf) of Bordering Vegetated Wetlands (BVW);
- 1,059 lf of Bordering Land Subject to Flooding (BLSF); and
- 652 lf of Riverfront Area (RA).

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 W2.a) |
| Survey Benchmark | ✓ | |
| Existing Conditions and Topography Sourced with date of survey | | ✓ (Comment W2.b) |
| Topography/Contours | ✓ | |
| Lot Line Surveyed | ✓ | |
| Accurate Plan Scale | ✓ | |
| Resource Areas Identified and Labeled (including Buffer Zones) | ✓ | |

EXISTING CONDITIONS AND ONSITE RESOURCES

The Site is located on three (3) parcels at 47 Partridge Street and two lots identified as 0 Partridge Street further identified as Map 220 Lot 013-000, Map 220 Lot 015-000, and Map 220 Lot 014-00 in Franklin, Massachusetts. The Site is bounded to the north by Partridge Street, to the east and west by residential homes, maintained herbaceous fields and undeveloped forested areas, and to the south by undeveloped forested areas. The northwestern portion of the Site consists of disturbed agriculture land.

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

Table 2: MassGIS Environmental Data Layers

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

| | | |
|----------------------------------|--|---|
| Zone II Wellhead Protection Area | | ✓ |
|----------------------------------|--|---|

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

- Bordering Vegetated Wetland (BVW);
- Land Under Water (LUW);
- Bordering Land Subject to Flooding (BLSF); and
- Riverfront Area (RA).

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 | GCA1 to GCA80 | ✓ | ✓ |
| 200-Foot Riverfront Area (Measured from MAHW) | N/A | ✓ | ✓ |
| Bordering Land Subject to Flooding | N/A | ✓ | ✓ |

COMMENTS

W1. BETA offers the following administrative/plan comments after conducting a review of the submitted application and plans based on generally accepted existing conditions plan standards and the applicable plan requirements per the Bylaw Regulations:

- a) The filing has been assigned MassDEP File No. 159-1308 with the following technical comments from MassDEP:

Section B of the ANRAD requests the review of Bordering Vegetated Wetlands, Bordering Land Subject to Flooding, and Riverfront Area. The delineation report provided indicates that only BVW resource area was delineated in the field. The site plan measures Riverfront Area extending from Shepard’s Brook from the brook’s centerline. Per 310 CMR 10.58(2)(a), Riverfront Area is measured from the MAHW line, and 310 CMR 10.58(2)(a)2. defines MAHW line field indicators which may be used for delineation purposes. A river or stream’s centerline should not be used for measuring Riverfront Area. The limits of MAHW may fall beyond the mapped channel and that visible on aerial imagery. Additionally, the site plan states that “River location taken from plan 1469 of 1987 and was not field located”. MassDEP notes that the age of the plan used to locate Shepard’s Brook may not be an accurate reflection of the brook’s riverine characteristics in the present day. Zone AE 100-year floodplain exists on the subject parcels and has a base flood elevation defined by FEMA. The site plan indicates that the base flood elevation is 169 which is consistent with FEMA’s NFIP profile data. MassDEP recommends that the Commission field-verify the BVW boundary for accuracy.

- b) The Applicant should provide the abutting properties assessors’ references on the plan; and
 c) The source of the existing conditions topography should be included on the plan.

- W2. The Applicant should provide a cover letter with all required information as described in Section 7.3 of the Bylaw.
- W3. BETA concurs with the Applicant's onsite delineation of the BVW (flags GCA-1 to GCA-37) based on observations of hydrophytic vegetation including speckled alder (*Alnus incana*), joe-pye weed (*Eutrochium purpureum*), and soft rush (*Juncus effusus*); indicators of hydrology including standing water and saturation; and observations of hydric soil indicators consisting of Depleted Below Dark Surface within interior portions of the BVW and Redox Dark Surface near the boundary. A portion of the BVW is within a historically disturbed meadow with hydrophytic vegetation present within both upland and wetland. The wetland boundary general coincides with the presence of soft rush and joe-pye weed.
- W4. BETA observed BVW between flags GCA-1 and Partridge Street based on observations of hydrophytic vegetation, indicators of hydrology, and hydric soils consistent with the delineated portions of the BVW. This area should be delineated and survey-located to depict the full extent of BVW on the parcel.
- W5. As stated in MassDEP comments, the RA depicted on the Plans is not accurate, as the RA shown is measured from the centerline of Shepard's Brook and not the Mean Annual High-Water (MAHW). The Applicant should delineate the MAHW boundary in the field in accordance with 310 CMR 10.58(2)(a)2 to establish the 100- and 200-foot RA.
- W6. The extent of BLSF at the Site was not confirmed as a part of this peer review due to the Act/Bylaw stating that BLSF is based on the most up-to-date data from FEMA or a competent engineering professional. BLSF at the Site is mapped as a Zone AE flood hazard with a base flood elevation (BFE) of 169 feet (NAVD88) with an associated Regulatory Floodway; however, it is recommended that this boundary be confirmed at the time of a future Notice of Intent (NOI) submission.
- W7. BETA recommends that the Commission excludes the approval of flags located outside of the Site boundaries in the ANRAD unless permission is secured from abutting property owners. These flags include GCA-38 to GCA-80.

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, PWS
Project Manager