

# United Consultants, Inc.

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April 9, 2025

Mr. Jeffrey Livingstone, Chair  
Franklin Conservation Commission  
355 East Central Street  
Franklin, MA 02038

**Re: 47 Partridge Street - Abbreviated Notice of Resource Area Delineation Peer Review**

Mr. Chairman and Commission Members,

On behalf of the owner, Donovan Family Realty Trust,, we have provided a summary of the following comments from BETA Group, Inc., for the Conservation Commission review of the 47 Partridge Street Abbreviated Notice of Resource Area Delineation. Our responses immediately following each comment and they have been italicized.

## BETA Group, Inc.

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.*

*The river location was revised and was taken from the 2023 aerial imagery index. The 100 foot and 200 foot riverfront areas were measured from the edge of the river.*

- b) The Applicant should provide the abutting properties assessors' references on the plan; and  
*The abutting property assessor's reference has been added to the plan.*

- c) The source of the existing conditions topography should be included on the plan.  
*The field survey was completed between February 20, 2018 and April 4, 2025. This field survey was the basis for the existing conditions topography.*

W2. The Applicant should provide a cover letter with all required information as described in Section 7.3 of the Bylaw.

*A cover letter has been added to the ANORAD application.*

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.  
*No comment.*

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.  
*The BVW flags were added and survey located. The BVW flags have been added to the plan.*

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..

*The river location was revised and was taken from the 2023 aerial imagery index. The 100 foot and 200 foot riverfront areas were measured from the edge of the river.*

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.

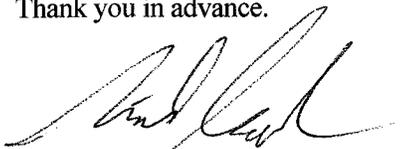
*As stated above the site is mapped as a Zone AE with a base flood elevation of 169. The plan depicts the filed locations of the 169 elevation contour. We anticipate the Conservation Commission will confirm the BLSF as part of the ANORAD permitting process.*

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.

*The applicant and their consultant will discuss the off site wetland flags with the Commission.*

We look forward to meeting with the Conservation Commission to discuss this project further.

Thank you in advance.



Richard Goodreau  
Project Manager