

# United Consultants, Inc.

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April 7, 2025

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

**Re: 55 Milliken Avenue -Notice of Intent Peer Review**

Mr. Chairman and Commission Members,

On behalf of the owner, Joseph Newell, we have provided a summary of the following comments from BETA Group, Inc., for the Conservation Commission review of the 55 Milliken Avenue Notice of Intent. Our responses immediately following each comment and they have been italicized.

## **BETA Group, Inc.**

### **Plan and General Comments**

A1. MassDEP has issued a file number (No. 159-1312) for this project with no technical comments.  
*No response necessary.*

A2. The plan should include the following:

- a. The source and date of the survey of topography should be indicated on the plans.  
*The date of the topographic survey has been added to the plan.*
- b. A Construction Sequence with all proposed activities within jurisdictional Areas should be included on the plans and NOI application per Section 7.15 of the Bylaw.  
*A Construction Sequence has been added to the plans. A Construction Sequence narrative has also been provided for inclusion in the NOI.*
- c. A Registered PLS Stamp should be included on the Plans.  
*A RPLS stamp has been added to the plan.*
- d. A Survey Benchmark should be included on the Plans.  
*Two benchmark's have been added to the plans.*

### **Resource Area and Boundary Comments**

W1. BETA Concurs with the location of the BVW as depicted on the plan based on the presence of hydrophytic vegetation, indicators of hydrology and observations of hydric soils. However, BETA recommends that flag A-8 not be approved as part of this filing due to it being located offsite.  
*The applicant defers to the Commissions regarding the approval of flag A-8.*

W2. An area of landscaping debris consisting of leaves was observed as being placed within the wetland between flags AES-6 and AES-5.  
*Upon issuance of the Order of Conditions the contractor will remove the leaf pile from the wetland.*

## Construction Comments

W3. Erosion controls should be depicted on the western side of the proposed addition within Buffer Zone to establish the limit of work in the field.

*The erosion control has been extended as recommended.*

W4. Seed mixes proposed for the Site and areas where each type will be applied should be included on the plans.

*The proposed seed mixture and note regarding the seeding of disturbed areas has been added to the plan.*

W5. It is not anticipated that groundwater will be encountered when excavating for the new foundation; however, the Commission could include a Special Condition in the Order of Conditions requiring the submission and approval of a dewatering plan prior to discharge in the event groundwater is encountered.

*The applicant defers to the Commission regarding the inclusion of a Special Condition regarding dewatering.*

W6. The Applicant should include an Erosion and Sedimentation Control Plan which includes contact information of the person(s) responsible for inspections and maintaining erosion control, and all other requirements listed in Section 7.12.1 of the Bylaw Regulations.

*The Erosion and Sedimentation notes have been revised.*

W7. The Applicant should consider providing planting plan to mitigate for additional development within the Buffer Zone. Specifically, areas within the Buffer Zone should be prioritized for the planting of native vegetation and the application of native seed mix. The Applicant can also consider removing the aforementioned yard waste from the BVW and installing signage to deter future disturbances.

*The yard waste will be removed from the BVW upon the issuance of the Order of Conditions. Two highbush blueberry (*Vaccinium corymbosum*) plants have been added to the project. The area within the existing Town 20' wide water easement, which is located upgradient from the BVW, would appear to be the area suggested for removal of the existing grass and replanting with a native seed mix. The owner would prefer not to alter the existing grass within the Town's water easement.*

W8. 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 Regulations 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.

*The Project narrative has been revised.*

W9. A Variance Request should be submitted for work within the 25-50 foot Buffer Zone per Bylaw Regulation Section 5.

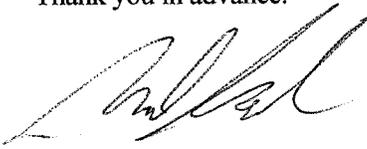
*The proposed stairs and limit of work have been revised. No work is proposed within the 25-50 foot buffer zone.*

W10. Section 4.4.1 of the Bylaw indicated that "mitigation offsets may be required by the Commission when the applicant proposes more than 30% of the 50-100 foot Buffer Zone Resource Area is proposed to be impervious surface." The applicant should provide the Commission with calculations of proposed impervious area within the 50-100 foot Buffer Zone as it compares to existing conditions to allow the Commission to determine if additional mitigation measures are warranted.

*The existing impervious coverage within the 50-100 foot Buffer Zone is 17.8 percent and the proposed project will increase the impervious coverage to 31.1 percent. The owner has proposed the planting of two highbush blueberry plants for mitigation.*

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

Thank you in advance.

A handwritten signature in black ink, appearing to read 'Richard Goodreau', written in a cursive style.

Richard Goodreau  
Project Manager