



April 18, 2025

Franklin Conservation Commission  
Municipal Building  
355 East Central Street  
Franklin, MA 02038

Re: Notice of Intent  
444 East Central Street, Franklin MA 02038

Dear Franklin Conservation Commission,

Goddard Consulting, LLC (Goddard) is pleased to submit this Notice of Intent (NOI) on behalf of the applicant, A.J Alevizos, for the property known as 444 East Central Street in Franklin (Parcel ID: 284-66). The applicant proposes the construction of a 264-unit multifamily residential development with associated parking, stormwater management, habitat enhancement/invasive species management and wetland replication within Riverfront Area, Bordering Land Subject to Flooding, Isolated Vegetated Wetlands, and 100-foot buffer zones. The applicant seeks an Order of Conditions that would allow the work to proceed as designed. The project is being filed pursuant to MGL Chapter 40B and currently is under review by the Franklin Zoning Board of Appeals (ZBA). Therefore, this NOI application is a filing under only the MA Wetlands Protection Act (WPA) and its implementing regulations; the proposed project meets all regulatory compliance standards under the Wetlands Protection Act. Enclosed are the supporting documentation for the project for your review and approval.

A list of enclosed documents is as follows:

- NOI Application (WPA Form 3), including Fee Transmittal Form
- Local Signature Pages
- Order of Resource Area Delineation, Franklin Conservation Commission, issued 4/1/2025 (attached documents of record omitted)
- *Wetland Border Report*, Goddard Consulting, LLC, 07/15/2024, inclusive of:
  - DEP Bordering Vegetated Wetland Determination Form
  - USGS of Locus Site, Goddard Consulting, LLC, 10/11/2023
  - Orthophoto of Locus Site, Goddard Consulting, LLC, 10/11/2023
  - FEMA Flood Map of Locus Site, Goddard Consulting, LLC, 10/11/2023
  - NRCS Soil Survey of Locus Site, Goddard Consulting, LLC, 10/11/2023
- Restoration, Replication and Mitigation Plan, Goddard Consulting, 4/15/2025
- Regulatory Compliance Analysis, Goddard Consulting, 4/16/2025
- Drainage Report, Allen & Major Associates, Inc., 2/7/2025
- Site Plan Set: *40B Multifamily Development 444 East Central Street Franklin, MA, Allen & Major Associates Inc., 2/11/2025*

## 1.0 EXISTING CONDITIONS

The locus site consists of a +/- 14.58-acre site located at 444 East Central Street in Franklin, MA (Parcel ID: 284-66). The site presently consists of a historically used nursery grow operation, and landscape/contractor yard areas. Two main buildings exist on site, along with a variety of outbuildings including sheds and greenhouses. Many portions of the site closest to wetland resource areas contain a wide variety of compost/brush piles, construction and landscaping supplies, abandoned vehicles and other anthropogenic impacts. Much of the wooded upland areas are comprised of non-natural vegetation, including remnants of the historic use of the site as a nursery grow operation. Rows of non-native trees that were never harvested for nursery sale can be found, as well as semi-maintained fields and unpaved access roads and paths. The site exhibits a strong diversity of invasive plant species, most notably common reed (*Phragmites australis*) and Japanese knotweed (*Fallopia japonica*). Under existing conditions, stormwater is not managed. Surface flow of runoff flows generally towards wetland resource areas unmitigated and untreated.

The locus site contains one main Bordering Vegetated Wetland (BVW) system, Three Isolated Vegetated Wetlands (IVW), a Perennial Stream and associated 200-foot Riverfront Area, Bordering Land Subject to Flooding (BLSF), and 100-foot buffer zones. The Perennial Stream bisects the site and is presently culverted in three places. The resource areas onsite were delineated in July of 2024 and confirmed in the winter of 2024/2025 with an Order of Resource Area Delineation (ORAD), which is attached to this submittal.

### Bordering Vegetated Wetland (BVW)

The BVW onsite was delineated with flag series GCA-A109. Another portion of BVW across East Central Street was delineated with flag series GCE1-E9. The BVWs cast a 100-foot buffer zone into the locus site.

### Isolated Vegetated Wetland (IVW)

The three IVWs onsite were delineated with flag series GCB1-B15, GCC1-C22, and GCD1-D31. However, these IVWs are not jurisdictional under the WPA.

### Perennial Stream

The Mean Annual High Water (MAHW) and bank for the perennial stream was delineated with flag series GCMAHW A1-GCMAHW A30, GCMAHW B1-GCMAHW B19, GCMAHW C1-GCMAHW C107, and GCMAHW D1-GCMAHW D4. This resource area casts a 200-foot Riverfront Area.

### Bordering Land Subject to Flooding

A FEMA Flood Zone A is present on site, which constitutes the resource area Bordering Land Subject to Flooding (BLSF). Elevation 271' was established as the flood elevation for BLSF on the site.

See attached Wetland Border Report for detailed delineation information and BVW Determination Field Data Forms as well as the issued ORAD. According to the MassGIS data layers for NHESP,

this site is not located within Estimated Habitat of Rare Wildlife or Priority Habitat of Rare Species. No mapped certified or potential vernal pools are located on the site or nearby. The site is not mapped within an Area of Critical Environmental Concern (ACEC) or Outstanding Resource Waters (ORW) Area. The site partially falls within a jurisdictional FEMA Flood Zone, constituting the resource area Bordering Land Subject to Flooding.



**Figure 1.** Aerial view of the locus site (MassGIS 2023 Aerial Imagery layer).

## 2.0 PROPOSED PROJECT

The applicant proposes the construction of 264 units as part of this multifamily development, comprised of 5 residential buildings and one clubhouse building. Surface parking is provided, including four free standing single-level garages. A dog park is proposed near the site's frontage. The two existing stream crossings are proposed to be reused in their present condition.

Fire access driveways are provided throughout the site in accordance with the Franklin Fire Department's requirements. Town water and sewer service is available in the street, so no septic systems or wells will be required. These utilities, as well as electrical and telecom service will enter the site from the street below grade.

Stormwater management is proposed to comply with the MA Stormwater Management Standards. Stormwater management on the site will consist of a combination of trench drains, roof drains, catch basins and manholes that will be directed to water quality units, subsurface infiltration

chambers, and surface infiltration basins. Please see attached Drainage Report for documentation regarding the proposed stormwater management program on site.

Due to proposed impacts to Isolated Vegetated Wetlands, wetland replication is proposed in the southeastern corner of the property. The impacted IVWs will be replicated at a 1:1 ratio contiguous with the BVW onsite. Please see attached Restoration, Replication and Mitigation Plan for detailed information regarding the proposed replication area, as well as other proposed restoration programs.

Erosion control barriers (ECB) as shown in the site plan set will be installed around the limit of work prior to any earth disturbance to limit the potential for any erosion or sedimentation to leave the work area and travel offsite or towards resource areas on-site. This ECB will demarcate the limit of work and will be located as shown on the attached site plans. Additionally, a stabilized construction entrance will be provided to limit the potential for vehicles or machines to track sediment offsite. After all soil disturbance is complete, any disturbed areas will be loamed and seeded to establish permanent stability.

### 3.0 CONCLUSION

The project has been designed with sensitivity to the resource areas on site. Proposed construction has been located as far from wetland resources as possible and new stormwater management is provided, along with rehabilitation of degraded and otherwise low-quality buffer zones and riverfront area. The project, as designed, will enable a dramatic transformation of this property in a way that results in positive ecological changes. Relocating degraded areas farther from wetland resources and enhancing vegetated buffer areas serves a tremendous function in protecting the onsite and downgradient wetland areas. Control of invasive species provides an opportunity to improve wildlife habitat and forage value. In summary, Goddard Consulting believes that the proposed project meets all applicable regulatory performance standards and will not have any adverse impact on the interests identified in the Wetlands Protection Act as outlined herein.

If you have any questions, please feel free to contact us at (508) 393-3784.

Sincerely,  
Goddard Consulting, LLC



Chris Frattaroli  
Lead Wetland Scientist

Cc:

AJ Alevizos, TAG Central LLC, 275 Regatta Dr, Jupiter FL 33477

Wayne Stobbart, Stobbart Properties LLC, 444 East Central Street, Franklin, MA 02038

MassDEP Central Regional Office - Worcester, 8 New Bond Street, Worcester, MA 01606



**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:

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MassDEP File Number

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Document Transaction Number

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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):

_____	_____	_____
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
_____	_____	_____
d. Latitude	e. Longitude	
_____	_____	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

_____	_____	
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

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):

_____	_____	
a. First Name	b. Last Name	
_____		
c. Company		
_____		
d. Street Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

_____	_____	_____
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

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

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  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)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(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:

_____	_____
a. County	b. Certificate # (if registered land)
_____	_____
c. Book	d. Page Number

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

- 1.  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.
- 2.  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.



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**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.

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	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. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

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.



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**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	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> 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. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings



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## 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](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**

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 <https://www.mass.gov/endangered-species-act-mesa-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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**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

**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.



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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.

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

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:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



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Bureau of Resource Protection - Wetlands

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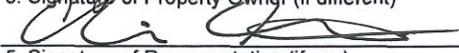
Franklin

City/Town

**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.

	<u>4/16/25</u>
1. Signature of Applicant	2. Date
<u>Wayne Stobbart</u>	<u>4/16/25</u>
3. Signature of Property Owner (if different)	4. Date
	<u>4/16/25</u>
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.

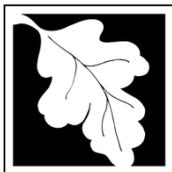
**For MassDEP:**

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.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 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:

a. Street Address \_\_\_\_\_ b. City/Town \_\_\_\_\_  
 c. Check number \_\_\_\_\_ d. Fee amount \_\_\_\_\_

2. Applicant Mailing Address:

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 \_\_\_\_\_

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 \_\_\_\_\_

**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.

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



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee: \_\_\_\_\_  
 a. Total Fee from Step 5

State share of filing Fee: \_\_\_\_\_  
 b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: \_\_\_\_\_  
 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.)

## Town of Franklin Conservation Commission

### APPLICATION PROCESS SIGNATURE FORM

There are three different applications that can be submitted to undertake work in a jurisdictional area: a Notice of Intent (NOI), a Request for Determination (RDA) and a Minor Buffer Zone Activity (MBZA). All three applications have different criteria for submission and approval and the NOI and RDA are governed by both the state law and the local bylaw. The MBZA is issued under the local bylaw only.

When a potential applicant requests advice from the Conservation Agent on which application to file, the opinion of the Agent is based on the information given by the potential applicant and any other information available to the Agent, e.g. the town's GIS system. The Agent has no legal right to go onto private property at any time until after an application is filed or permission of the property owner is given.

It is important that all applicants understand that after an application is filed, additional information may come to light e.g. via a field inspection or a review of the application, that may impact the scope of the submitted application and the approval process. **Therefore, it is the ultimate responsibility of the applicant to decide which application to file.**

In light of the above, please sign below indicating an understanding of this policy and submit it with the application.

Wayne Stobbart  
Signature of Property Owner

4/16/25  
Date

**Town of Franklin Conservation Commission**

**PROPERTY ACCESS SIGNATURE FORM**

I hereby request that the Franklin Conservation Commission review this NOI/RDA/ANRAD application. I (we) grant authority to the Franklin Conservation Commission members and agents to go onto my (our) property solely for purposes directly related to the inspection and approval of this application and for follow-up compliance with the permit conditions.

Wayne Stobbart  
Signature of Property Owner

4/16/25  
Date

# Town of Franklin



## Conservation Commission

April 1, 2025

Goddard Consulting, LLC.  
Attn: Chris Frattaroli  
291 Main Street, Suite 8  
Northborough, MA 01532

RE: Order of Resource Area Delineation, 444 East Central Street, CE #159-1306

Mr. Frattaroli,

Please find enclosed the Order of Resource Area Delineation for 444 East Central Street recently confirmed through the Franklin Conservation Commission. Per state statute, the Order of Resource Area Delineation must be recorded in the Registry of Deeds and evidence of this recording must be given to the Conservation Department.

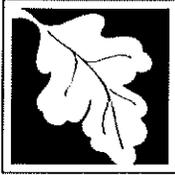
If you have any questions, please feel free to contact me 508-520-4929 or via email at [bgoodlander@franklinma.gov](mailto:bgoodlander@franklinma.gov).

Sincerely,

Breeka Li Goodlander, PWS, CERPIT  
Conservation Director



CC: A.J. Alevizos, TAG Central LLC, 275 Regatta Dr., Jupiter, FL 33477



Massachusetts Department of Environmental Protection

# eDEP Transaction Copy

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Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: FRANKLINCONCOM

Transaction ID: 1881073

Document: WPA Form 4B - ORAD

Size of File: 101.78K

Status of Transaction: In Process

Date and Time Created: 4/1/2025:10:15:40 AM

**Note:** This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 4B - Order of Resource Area Delineation**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

Provided by MassDEP:  
 MassDEP File #:159-1306  
 eDEP Transaction #:1881073  
 City/Town:FRANKLIN

**A. General Information**

1. Conservation Commission FRANKLIN

2. This Issuance is for (Check one):

- a.  Order of Resource Area Delineation
- b.  Amended Order of Resource Area Delineation

3. Applicant Details

a. First Name	A.J.	b. Last Name	ALEVIZOS	
c. Organization	TAG CENTRAL LLC			
d. Mailing Address	275 REGATTA DR.			
e. City/Town	JUPITER	f. State	FL	g. ZIP 33477

4. Property Owner (if different from applicant):

a. First Name	WAYNE	b. Last Name	STOBBART	
c. Organization	STOBBART PROPERTIES LLC			
d. Mailing Address	444 EAST CENTRAL STREET			
e. City/Town	FRANKLIN	f. State	MA	g. ZIP 02038

5. Project Location

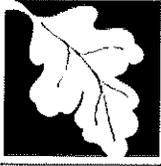
a. Street Address	444 EAST CENTRAL STREET			
b. City/Town	FRANKLIN	c. Zip	02038	
d. Assessors Map/Plat#	284	e. Parcel/Lot#	66	
f. Latitude	42.12837N	g. Longitude	71.44142W	

6. Dates

a. Date ANRAD Filed	11/27/2024	b. Date Public Hearing Closed	3/20/2025	c. Date Of Issuance	4/1/2025
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7. Final Approved Plans and Other Documents

Plan Title	Plan Prepared By	Plan Signed By	Plan Final Date	Plan Scale
?LIP APPLICATION PLANS? (1 SHEET/SHEET 1) WITHIN ?PEER REVIEW RESPONSE-02-13-25? (5 SHEETS) PREPARED FOR TAG CENTRAL LLC (275 REGATTA DRIVE, JUPITER, FL 33477) BY ALLEN & MAJOR ASSOCIATES (100 COMMERCE WAY, WOBURN, MA 01801) STAMPED BY CARLTON M. QUINN, P.E. NO. 49923 DATED JANUARY 2, 2025 WITH A SCALE OF 1"=40'	ALLEN & MAJOR ASSOCIATES, INC.	CARLTON M. QUINN, P.E. NO. 49923	January 2, 2025	1"=40'
?ANRAD PLAN? (1 SHEET/SHEET 5) WITHIN ?PEER REVIEW RESPONSE-02-13-25? (5 SHEETS) PREPARED FOR TAG CENTRAL LLC (275 REGATTA DRIVE, JUPITER, FL 33477) BY ALLEN & MAJOR ASSOCIATES (100 COMMERCE WAY, WOBURN, MA 01801) STAMPED BY ANDREW J. RUGGLES, P.L.S. NO. 58014 DATED NOVEMBER 26, 2024, REVISED FEBRUARY, 10, 2025 WITH A SCALE OF 1"=60'	ALLEN & MAJOR ASSOCIATES	ANDREW J. RUGGLES, P.L.S. NO. 58014	February 10, 2025	1"=60'



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 4B - Order of Resource Area  
Delineation**

Provided by MassDEP:  
MassDEP File #:159-1306  
eDEP Transaction #:1881073  
City/Town:FRANKLIN

Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

## B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable)

a.  **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1.  Bordering Vegetated Wetlands

2.  Other resource area(s), specifically

a.1) ISOLATED VEGETATED WETLAND (IVW)/FRESHWATER WETLAND FLAG SERIES GCB1 TO GCB15, GCC1, TO GCC22, AND GCD1 TO GCD31; 2) BORDERING VEGETATED WETLAND (BVW)/FRESHWATER WETLAND FLAG SERIES GCA1 TO GCA109, AND GCE1 TO GCE9; 3) BANK/MEAN ANNUAL HIGH WATER (TO ESTABLISH RIVERFRONT AREA) FLAG SERIES GCGMAHW A1 TO GCGMAHWA30, GCGMAHW B1 TO GCGMAHW B19, GCGMAHW C1 TO GCGMAHW C107, AND GCGMAHW D1 TO GCGMAHW D4; AND 4) BORDERING LAND SUBJECT TO FLOODING SOUTH OF CONFLUENCE REFERENCED IN BETA PEER REVIEW LETTER DATED FEBRUARY 24, 2025 (-71.377480, 42.078607) AT ELEVATION 271.

b.  **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1.  Bordering Vegetated Wetlands

2.  Other resource area(s), specifically

a.1) THIS ORAD DOES NOT APPROVE FLAGS LOCATED OUTSIDE OF THE SITE BOUNDARIES NOR ANY LAND UNDER WATER BODIES AND WATERWAY. 2) LIMITS OF BLSF NORTH OF THE CONFLUENCE (-71.377480, 42.078607) ARE NOT DETERMINED UNDER THIS ORAD. LIMITS OF BLSF NORTH OF THE CONFLUENCE (-71.377480, 42.078607) SHALL BE DETERMINED UPON SUBSEQUENT FILING OF A NOTICE OF INTENT.

c.  **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1.  Bordering Vegetated Wetlands

2.  Other resource area(s), specifically

a.

3. The boundaries were determined to be inaccurate because:

## C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, S 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation. This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

## D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**WPA Form 4B - Order of Resource Area**  
**Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

Provided by MassDEP:  
MassDEP File #:159-1306  
eDEP Transaction #:1881073  
City/Town:FRANKLIN

and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination. The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, S 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 4B - Order of Resource Area**  
**Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

Provided by MassDEP:  
 MassDEP File #: 159-1306  
 eDEP Transaction #: 1881073  
 City/Town: Franklin

**E. Signatures**

[Signature]  
[Signature]  
MICHAEL ROY  
Roger Trahan

- 1. Date of Original Order
- 2. No. of Signatures required

[Signature]  
[Signature]

**This Order is valid for three years from the date of issuance.**

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, and the Amended Order will expire on the date of the Original Final Order unless extended in writing by the Department.

This Order is issued to the applicant and the property owner (if different) as follows:

3.  By hand delivery on

4.  By certified mail, return receipt requested on

a. Date \_\_\_\_\_

a. Date April 1, 2025

## Town of Franklin



### Conservation Commission

444 East Central Street, Map 284, Lot 066  
Franklin, Massachusetts  
Order of Resource Area Delineation  
Massachusetts Wetlands Protection Act & Regulations  
Town of Franklin Wetlands Protection Bylaw & Regulations  
DEP File #159-1306

#### List of Submittals for the Record:

- Abbreviated Notice of Resource Area Delineation for 444 East Central Street, Franklin, MA 02038, prepared for TAG Central LLC (275 Regatta Drive, Jupiter, FL 33477) by Goddard Consulting LLC (291 Main Street, Suite 8, Northborough, MA 01532) dated November 26, 2024
- "LIP Application Plans" (1 sheet/Sheet 1) within "Peer Review Response-02-13-25" (5 sheets) prepared for TAG Central LLC (275 Regatta Drive, Jupiter, FL 33477) by Allen & Major Associates (100 Commerce Way, Woburn, MA 01801) stamped by Carlton M. Quinn, P.E. No. 49923 dated January 2, 2025 with a scale of 1"=40'
- "ANRAD Plan" (1 sheet/Sheet 5) within "Peer Review Response-02-13-25" (5 sheets) prepared for TAG Central LLC (275 Regatta Drive, Jupiter, FL 33477) by Allen & Major Associates (100 Commerce Way, Woburn, MA 01801) stamped by Andrew J. Ruggles, P.L.S. No. 58014 dated November 26, 2024, revised February, 10, 2025 with a scale of 1"=60'
- Peer review letters from BETA Group, Inc. (89 Shrewsbury Street, Suite 300, Worcester, MA 01604) dated January 31, 2025 and February 24, 2025
- Peer review response letters from Goddard Consulting LLC (291 Main Street, Suite 8, Northborough, MA 01532) dated January 2, 2025, February 13, 2025, and February 27, 2025

#### Wetland Resource Areas:

Resource Areas under M.G.L. 131, S 40, 310 CMR 10.00 and covered under the Franklin Wetlands Protection Bylaw Chapter 181 and associated Regulations. **This ORAD approves the delineation of the Resource Areas series flags as drafted on the "ANRAD Plan" dated November 26, 2024, revised February, 10, 2025 with a scale of 1"=60' incorporating revisions reflecting the Franklin Conservation Commission, Franklin Conservation Department, and BETA Group, Inc. review comments from review comment letters from BETA Group, Inc. dated January 31, 2025 and February 24, 2025.**

#### Findings:

- 1) Isolated Vegetated Wetland (IVW)/Freshwater Wetland flag series GCB1 to GCB15, GCC1, to GCC22, and GCD1 to GCD31;
- 2) Bordering Vegetated Wetland (BVW)/Freshwater Wetland flag series GCA1 to GCA109, and GCE1 to GCE9;

- 3) Bank/Mean Annual High Water (to establish Riverfront Area) flag series GCMAHW A1 to GCMAHWA30, GCMAHW B1 to GCMAHW B19, GCMAHW C1 to GCMAHW C107, and GCMAHW D1 to GCMAHW D4; and
- 4) Bordering Land Subject to Flooding south of confluence referenced in BETA peer review letter dated February 24, 2025 (-71.377480, 42.078607) at elevation 271.

**Modified Delineation:**

- 1) This ORAD does not approve flags located outside of the Site boundaries nor any Land Under Water Bodies and Waterway.
- 2) Limits of BLSF north of the confluence (-71.377480, 42.078607) are not determined under this ORAD. Limits of BLSF north of the confluence (-71.377480, 42.078607) shall be determined upon subsequent filing of a Notice of Intent.

## **Wetland Border Report**

Site Locus: 444 East Central Street, Franklin MA

Prepared for: TAG Central LLC

Prepared by: Goddard Consulting LLC, 291 Main St, Suite 8, Northborough MA 01532

Date: 7/15/2024

### **INTRODUCTION**

On July 3 and 8, 2024, wetland resources were delineated for TAG Central LLC on land located on or near 444 East Central Street in Franklin, MA (refer to enclosed locus maps). The wetland border was flagged using the criteria in the most recent edition of MA Wetland Protection Act (WPA) and Regulations 310 CMR 10.00 et al. Hydric soil indicators, vegetation changes, hydrological indicators, and topography were all considered for delineation purposes.

The titles of attached documents are as follows:

- DEP Bordering Vegetated Wetland Determination Form
- Orthophoto of Locus Site, Goddard Consulting LLC, 10/11/2023
- Orthophoto with NRCS Soil Survey, Goddard Consulting LLC, 10/11/2023
- Orthophoto with FEMA Flood Zones, Goddard Consulting LLC, 10/11/2023
- USGS of Locus Site, Goddard Consulting LLC, 10/11/2023

### **SUMMARY OF FINDINGS**

The boundary of the Bordering Vegetated Wetland (BVW) partially on site was delineated with flag series GCA1-GCA109. Another portion of BVW across East Central Street from the locus site was also delineated with flag series GCE1-GCE9. The sampling point for the BVW determination took place near flag GCA42. Vegetation upgradient of the BVW at this point is dominated by buckthorn, multiflora rose, blackberry, mugwort, Phragmites, and Asiatic bittersweet. Vegetation downgradient of the BVW is dominated by gray willow, multiflora rose, silky dogwood, Phragmites, wrinkle-leaf goldenrod and Asiatic bittersweet.

Three Isolated Vegetated Wetlands (IVWs) were also identified and delineated with flag series GCB1-GCB15, GCC1-GCC22, and GCD1-GCD31. The GCC-series IVW appears to be a stormwater basin that has developed wetland characteristics over time, and therefore is likely jurisdictional under the Franklin Wetlands Protection Bylaw.

In addition to the delineated vegetated wetlands, the mean annual high-water (MAHW) line of a perennial stream that bisects the site was also delineated in the field. This stream is culverted in three locations. The MAHW line was delineated with flag series GCMAHW A1-GCMAHW A30, GCMAHW B1-GCMAHW B19, GCMAHW C1-GCMAHW C107, and GCMAHW D1-GCMAHW D4.

Soils identified on the property include sandy loams. In the upland soil sample taken downgradient of flag GCA42, fine sandy loam (FSL) with matrix color 10YR2/2 was found from 0-6", FSL (10YR4/3) was found from 6-18", and FSL (10YR5/4) was found from 18-24". In the wetland soil sample, FSL (10YR2/1) was found from 0-20", and FSL (10YR4/2) with redoximorphic features was found past 20". More detailed information about soils is included in the attached NRCS Soil Map and the DEP Bordering Vegetated Wetland Determination Forms.

According to the MassGIS data layers for the Natural Heritage & Endangered Species Program (NHESP), the locus site is not located within Estimated and/or Priority Habitat of Rare Wildlife or an Area of Critical Environmental Concern (ACEC). The site is not located in an Outstanding Resource Waters Area (ORW). The site partially falls within a jurisdictional FEMA Flood Zone, constituting the resource area Bordering Land Subject to Flooding. There are no mapped certified or potential vernal pools on site.

The MA Wetlands Protection Act and the Town of Franklin take jurisdiction over Bordering Vegetated Wetlands, perennial streams and their associated Riverfront Area, and Bordering Land Subject to Flooding. Additionally, the Town of Franklin takes jurisdiction over Isolated Vegetated Wetlands. The BVW and IVWs onsite have a jurisdictional 100-foot Buffer Zone that casts into the locus site. The perennial stream that bisects the site also has a jurisdictional 200-foot Riverfront Area extending from the MAHW line.

Any work within these resource areas including the 100-foot Buffer Zones and 200-foot Riverfront Area requires a Request for Determination (RDA) or Notice of Intent (NOI) to be filed with the Franklin Conservation Commission.

**DESCRIPTION OF REGULATED INLAND RESOURCE AREA**

The table below provides the regulatory jurisdiction, flag numbers/colors, and wetland types and locations for the resource areas delineated.

<b>Resource Area</b>	<b>Regulatory Jurisdiction</b>	<b>Flag Numbers and Color</b>	<b>Wetland Types and Locations</b>
Bordering Vegetated Wetland (BVW)	BVW & 100-foot Buffer Zone (WPA)  BVW & 100-foot Buffer Zone, including 25-foot No Disturb Zone and 50-foot No Build Zone (bylaw)	GCA1-GCA109 GCE1-GCE9 (Blue flags)	The boundary of the main BVW system associated with the onsite stream.
Isolated Vegetated Wetland (IVW)	IVW & 100-foot Buffer Zone, including 25-foot No Disturb Zone and 50-foot No Build Zone (bylaw)	GCB1-GCB15 GCC1-GCC22 GCD1-GCD31 (Blue flags)	The boundary of 3 isolated wetlands located around the site. GCC-series wetland is likely a historic stormwater basin.
Perennial Stream	Land Under Water & 200-foot Riverfront Area (WPA & bylaw)	GCMAHW A1-GCMAHW A30, GCMAHW B1-GCMAHW B19, GCMAHW C1-GCMAHW C107, & GCMAHW D1-GCMAHW D4 (Pink flags)	The mean annual high-water line of the perennial stream that bisects the site.
Bordering Land Subject to Flooding	BLSF (WPA & bylaw)	Not flagged in field.	Extent of BLSF to be determined with topographic survey data.



Photo 1: View of stream that bisects site, facing north, near southern property boundary.



Photo 2: View of BVW just offsite to the south.



Jul 8, 2024 at 1:48:53 PM  
444 E Central St  
Franklin MA 02038  
United States

Photo 3: View of typical upland onsite. Stream at right. Photo taken from existing stream crossing.

Sincerely,  
Goddard Consulting, LLC



Chris Frattaroli  
Wetland Scientist

*Andrew Thibault*

Andrew Thibault  
Environmental Scientist

**BORDERING VEGETATED WETLAND DETERMINATION FORM**

Project/Site: 444 East Central Street City/Town: Franklin Sampling Date: 7/8/24  
 Applicant/Owner: TAG Central LLC Sampling Point or Zone: A42  
 Investigator(s): Goddard Consulting, LLC Latitude/Longitude: 42.07805, -71.37784  
 Soil Map Unit Name: Scarborough 10, Merrimac 254A & B NWI or DEP Classification: Shrub-Swamp and Open Water

**UPGRADIENT**

Are climatic/hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks)  
 Are Vegetation  , Soil  , or Hydrology  significantly disturbed? (If yes, explain in Remarks)  
 Are Vegetation  , Soil  , or Hydrology  naturally problematic? (If yes, explain in Remarks)

**SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc**

Wetland vegetation criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hydric Soils criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
Wetlands hydrology present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			

Remarks, Photo Details, Flagging, etc.:

Property used as former nursery and landscaping supply

**HYDROLOGY**

<b>Field Observations:</b>				
Surface Water Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (in)	
Water Table Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (in)	
Saturation Present (including capillary fringe)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (in)	

<b>Wetland Hydrology Indicators</b>		
Reliable Indicators of Wetlands Hydrology	Indicators that can be Reliable with Proper Interpretation	Indicators of the Influence of Water
<input type="checkbox"/> Water-stained leaves	<input type="checkbox"/> Hydrological records	<input type="checkbox"/> Direct observation of inundation
<input type="checkbox"/> Evidence of aquatic fauna	<input type="checkbox"/> Free water in a soil test hole	<input type="checkbox"/> Drainage patterns
<input type="checkbox"/> Iron deposits	<input type="checkbox"/> Saturated soil	<input type="checkbox"/> Drift lines
<input type="checkbox"/> Algal mats or crusts	<input type="checkbox"/> Water marks	<input type="checkbox"/> Scoured areas
<input type="checkbox"/> Oxidized rhizospheres/pore linings	<input type="checkbox"/> Moss trim lines	<input type="checkbox"/> Sediment deposits
<input type="checkbox"/> Thin muck surfaces	<input type="checkbox"/> Presence of reduced iron	<input type="checkbox"/> Surface soil cracks
<input type="checkbox"/> Plants with air-filled tissue (aerenchyma)	<input type="checkbox"/> Woody plants with adventitious roots	<input type="checkbox"/> Sparsely vegetated concave surface
<input type="checkbox"/> Plants with polymorphic leaves	<input type="checkbox"/> Trees with shallow root systems	<input type="checkbox"/> Microtopographic relief
<input type="checkbox"/> Plants with floating leaves	<input type="checkbox"/> Woody plants with enlarged lenticels	<input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
<input type="checkbox"/> Hydrogen sulfide odor		

Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available):

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

**VEGETATION** – Use both common and scientific names of plants.

**Tree Stratum** Plot size     30'    

	Common Name	Scientific name	Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)	% Dominant
1	Common Buckthorn	Rhamnus cathartica	FAC	10.5%	X	X	100.0%
2							
3							
4							
5							
6							
7							
8							
9							

    10.5%     =Total Cover

**Shrub/Sapling Stratum** Plot size     15'    

	Common Name	Scientific name	Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)	% Dominant
1	Multiflora Rose	Rosa multiflora	FACU	38.0%	X		50.7%
2	Allegheny Blackberry	Rubus allegheniensis	FACU	20.5%	X		27.3%
3	Japanese Knotweed	Reynoutria japonica	FACU	10.5%			14.0%
4	Black Raspberry	Rubus occidentalis	UPL	3.0%			4.0%
5	Silky Dogwood	Cornus amomum	FACW	3.0%		X	4.0%
6							
7							
8							
9							

    75.0%     =Total Cover

**Herb Stratum** Plot size     5'    

	Common Name	Scientific name	Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)	% Dominant
1	Common Mugwort	Artemisia vulgaris	UPL	20.5%	X		55.4%
2	Phragmites	Phragmites australis	FACW	10.5%	X	X	28.4%
3	Wrinkle-Leaf Goldenrod	Solidago rugosa	FAC	3.0%		X	8.1%
4	Vetch	Vicia sp.	FACU	3.0%			8.1%
5							
6							
7							
8							
9							
10							
11							
12							

    37.0%     =Total Cover

VEGETATION – continued.

Woody Vine Stratum Plot size 30'							
	Common Name	Scientific name	Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)	% Dominant
1	Asian Bittersweet	Celastrus orbiculatus	FACU	3.0%	X		100.0%
2							
3							
4							
				3.0%	=Total Cover		

<b>Rapid Test:</b>	Do all dominant species have an indicator status of OBL or FACW?		Yes		No	X
<b>Dominance Test:</b>	Number of dominant species	Number of dominant species that are wetland indicator plants	Do wetland indicator plants make up ≥ 50% of dominant plant species?			
	6	2	Yes		No	X
<b>Prevalence Index:</b>		Total % Cover (all strata)	Multiply by:	Result		
	OBL species	0%	x1	=	0%	
	FACW species	14%	x2	=	27%	
	FAC species	14%	x3	=	41%	
	FACU species	75%	x4	=	300%	
	UPL species	24%	x5	=	118%	
	Column Totals (A)	126%		(B)	485%	
	Prevalence Index	B/A=	3.86	Is the Prevalence Index ≤ 3.0?		
				Yes	No	X
<b>Wetland vegetation criterion met?</b>	Yes	No	X			

Definitions of Vegetation Strata

- Tree Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub/Sapling Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.00%
6-15 %	10.50%
15-25 %	20.50%
26-50 %	38.00%
51-75 %	63.00%
76-95 %	85.50%
96-100 %	98.00%

**SOIL**

<b>Profile Description:</b> (Describe to the depth needed to document the indicator or confirm the absence of indicators)							
Depth (inches)	Matrix		Redox Features			Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>		
0-6"	10YR2/2	100				FSL	
6-18"	10YR4/3	100				FSL	
18-24"	10YR5/4	100				FSL	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains <sup>2</sup>Location: PL=Pore Lining, M=Matrix

<b>Hydric Soil Indicators</b> (Check all that apply)		<b>Indicators for Problematic Hydric Soils</b>	
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 2 cm Muck (A10)	
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Polyvalue Below Surface (S8)	<input type="checkbox"/> Dark Surface (S7)	
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Thin Dark Surface (S9)	<input type="checkbox"/> Polyvalue Below Surface (S8)	
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	<input type="checkbox"/> Thin Dark Surface (S9)	
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Iron-Manganese Masses (F12)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Mesic Spodic (A17)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Redox Dark Surface (F7)	<input type="checkbox"/> Red Parent Material (F21)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Depleted Dark Surface (F8)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)	
<input type="checkbox"/> Dark Surface (S7)		<input type="checkbox"/> Other (Include Explanation in Remarks)	

**Restrictive Layer (if observed)**      Type: \_\_\_\_\_      Depth (inches): \_\_\_\_\_  
 Remarks \_\_\_\_\_

Hydric Soils criterion met?      Yes      No      X

**DOWNGRADIENT**

Are climatic/hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks)  
 Are Vegetation  , Soil  , or Hydrology  significantly disturbed? (If yes, explain in Remarks)  
 Are Vegetation  , Soil  , or Hydrology  naturally problematic? (If yes, explain in Remarks)

**SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc**

Wetland vegetation criterion met?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Hydric Soils criterion met?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			
Wetlands hydrology present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			
Remarks, Photo Details, Flagging, etc.:					

**HYDROLOGY**

<b>Field Observations:</b>					
Surface Water Present?	Yes	<input checked="" type="checkbox"/>	No	Depth (in)	0
Water Table Present?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Depth (in)
Saturation Present (including capillary fringe)?	Yes	<input checked="" type="checkbox"/>	No	Depth (in)	Surface
<b>Wetland Hydrology Indicators</b>					
<b>Reliable Indicators of Wetlands</b>	<b>Indicators that can be Reliable with</b>	<b>Indicators of the Influence of Water</b>			
<input checked="" type="checkbox"/> Water-stained leaves	<input type="checkbox"/> Hydrological records	<input type="checkbox"/> Direct observation of inundation			
<input type="checkbox"/> Evidence of aquatic fauna	<input type="checkbox"/> Free water in a soil test hole	<input type="checkbox"/> Drainage patterns			
<input type="checkbox"/> Iron deposits	<input checked="" type="checkbox"/> Saturated soil	<input type="checkbox"/> Drift lines			
<input type="checkbox"/> Algal mats or crusts	<input type="checkbox"/> Water marks	<input type="checkbox"/> Scoured areas			
<input type="checkbox"/> Oxidized rhizospheres/pore linings	<input type="checkbox"/> Moss trim lines	<input type="checkbox"/> Sediment deposits			
<input type="checkbox"/> Thin muck surfaces	<input type="checkbox"/> Presence of reduced iron	<input type="checkbox"/> Surface soil cracks			
<input type="checkbox"/> Plants with air-filled tissue (aerenchyma)	<input type="checkbox"/> Woody plants with adventitious roots	<input type="checkbox"/> Sparsely vegetated concave surface			
<input type="checkbox"/> Plants with polymorphic leaves	<input type="checkbox"/> Trees with shallow root systems	<input type="checkbox"/> Microtopographic relief			
<input type="checkbox"/> Plants with floating leaves	<input type="checkbox"/> Woody plants with enlarged lenticels	<input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)			
<input type="checkbox"/> Hydrogen sulfide odor					
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available):					

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

Sampling Point     A42    

**VEGETATION** – Use both common and scientific names of plants.

**Tree Stratum** Plot size     30'    

	Common Name	Scientific name	Indicator	Absolute %	Dominant?	Wetland Indicator?	% Dominant
1	Gray Willow	Salix bebbiana	FACW	20.5%	X	X	100.0%
2							
3							
4							
5							
6							
7							
8							
9							

    20.5%     =Total Cover

**Shrub/Sapling Stratum** Plot size     15'    

	Common Name	Scientific name	Indicator	Absolute %	Dominant?	Wetland Indicator?	% Dominant
1	Multiflora Rose	Rosa multiflora	FACU	20.5%	X		50.0%
2	Silky Dogwood	Cornus amomum	FACW	20.5%	X	X	50.0%
3							
4							
5							
6							
7							
8							
9							

    41.0%     =Total Cover

**Herb Stratum** Plot size     5'    

	Common Name	Scientific name	Indicator	Absolute %	Dominant?	Wetland Indicator?	% Dominant
1	Phragmites	Phragmites australis	FACW	20.5%	X	X	31.5%
2	Wrinkle-Leaf Goldenrod	Solidago rugosa	FAC	20.5%	X	X	31.5%
3	Common Boneset	Eupatorium perfoliatum	FACW	10.5%		X	16.2%
4	Joe-Pye Weed	Eutrochium dubium	FACW	10.5%		X	16.2%
5	Spotted Touch-Me-Not	Impatiens capensis	FACW	3.0%		X	4.6%
6							
7							
8							
9							
10							
11							
12							

    65.0%     =Total Cover

VEGETATION – continued.

<b>Woody Vine Stratum</b>		Plot size <u>30'</u>					
	Common Name	Scientific name	Indicator	Absolute %	Dominant?	Wetland Indicator?	% Dominant
1	Asian Bittersweet	Celastrus orbiculatus	FACU	3.0%	X		100.0%
2							
3							
4							
				3.0%	=Total Cover		

<b>Rapid Test:</b>		Do all dominant species have an indicator status of OBL or FACW?		Yes		No	X
<b>Dominance Test:</b>	Number of dominant species	Number of dominant species that are		Do wetland indicator plants make			
	6	4		Yes	X	No	
<b>Prevalence Index:</b>		Total % Cover	Multiply by:	Result			
	OBL species	0%	x1	=	0%		
	FACW species	86%	x2	=	171%		
	FAC species	21%	x3	=	62%		
	FACU species	24%	x4	=	94%		
	UPL species	0%	x5	=	0%		
Column Totals (A)		130%		(B)	327%		
Prevalence Index		B/A=	2.52	Is the Prevalence Index ≤ 3.0?			
				Yes	X	No	
<b>Wetland vegetation criterion met?</b>		Yes	X	No			

**Definitions of Vegetation Strata**

- Tree                               Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub/Sapling                 Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb                               All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines                    All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.00%
6-15 %	10.50%
15-25 %	20.50%
26-50 %	38.00%
51-75 %	63.00%
76-95 %	85.50%
96-100 %	98.00%

**SOIL**

<b>Profile Description:</b> (Describe to the depth needed to document the indicator or confirm the absence of indicators)							
Depth (inches)	Matrix		Redox Features			Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>		
0-20"	10YR2 /1	100				FSL	
20"+	10YR4/2	85	5YR4/6	15		FSL	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains <sup>2</sup>Location: PL=Pore Lining, M=Matrix

<b>Hydric Soil Indicators</b> (Check all that apply)		<b>Indicators for Problematic Hydric Soils</b>	
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 2 cm Muck (A10)	
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Polyvalue Below Surface (S8)	<input type="checkbox"/> Dark Surface (S7)	
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Thin Dark Surface (S9)	<input type="checkbox"/> Polyvalue Below Surface (S8)	
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	<input type="checkbox"/> Thin Dark Surface (S9)	
<input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Iron-Manganese Masses (F12)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Mesic Spodic (A17)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Redox Dark Surface (F7)	<input type="checkbox"/> Red Parent Material (F21)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Depleted Dark Surface (F8)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)	
<input checked="" type="checkbox"/> Dark Surface (S7)		<input type="checkbox"/> Other (Include Explanation in Remarks)	
<b>Restrictive Layer (if observed)</b> Type: _____		Depth (inches): _____	
Remarks Saturated at surface, groundwater present at 20"+			
<b>Hydric Soils criterion met?</b>		Yes	X No



**Legend**

 Property Boundary

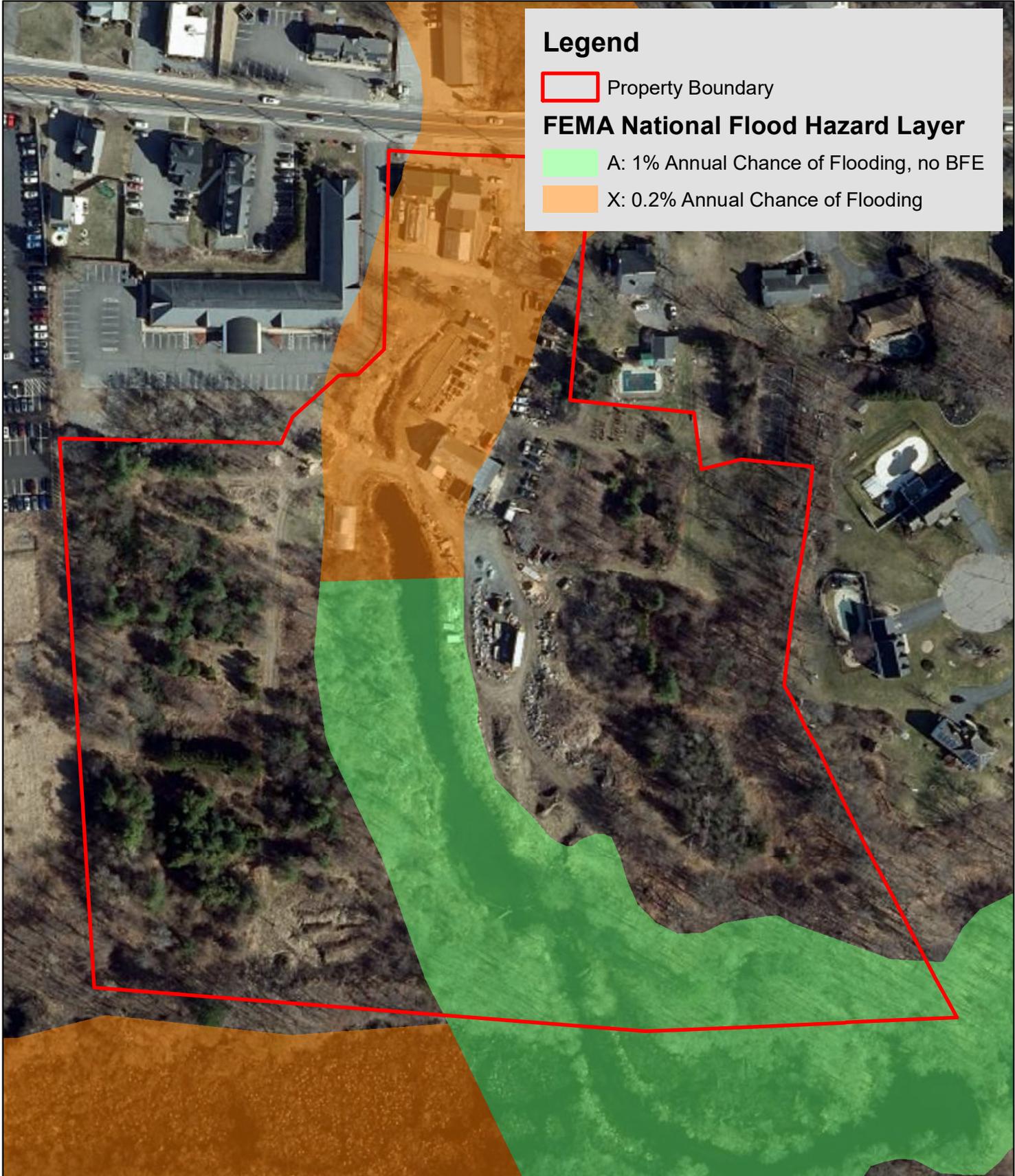
Date: 10/11/2023	GC Job Number: 101-088	<p align="center"><b>Wetland Border Report</b> <b>Orthophoto of Locus Site</b></p> <p align="center">444 E. Central St. Franklin MA</p>	<p align="center">0      75      150   Feet</p>
 <p><b>GODDARD CONSULTING</b> Strategic Ecological Consulting</p>			1 in = 150 ft
			Map: 284, Lot: 66



**Legend**

- Property Boundary
- Soils (Polygon Outlines)

Date: 10/11/2023	GC Job Number: 101-088	<b>Wetland Border Report Orthophoto with NRCS Soil Survey</b>	0      75      150 ————— Feet
<b>GODDARD CONSULTING</b> Strategic Ecological Consulting		444 E. Central St. Franklin MA	1 in = 150 ft
		Map: 284, Lot: 66	



**Legend**

Property Boundary

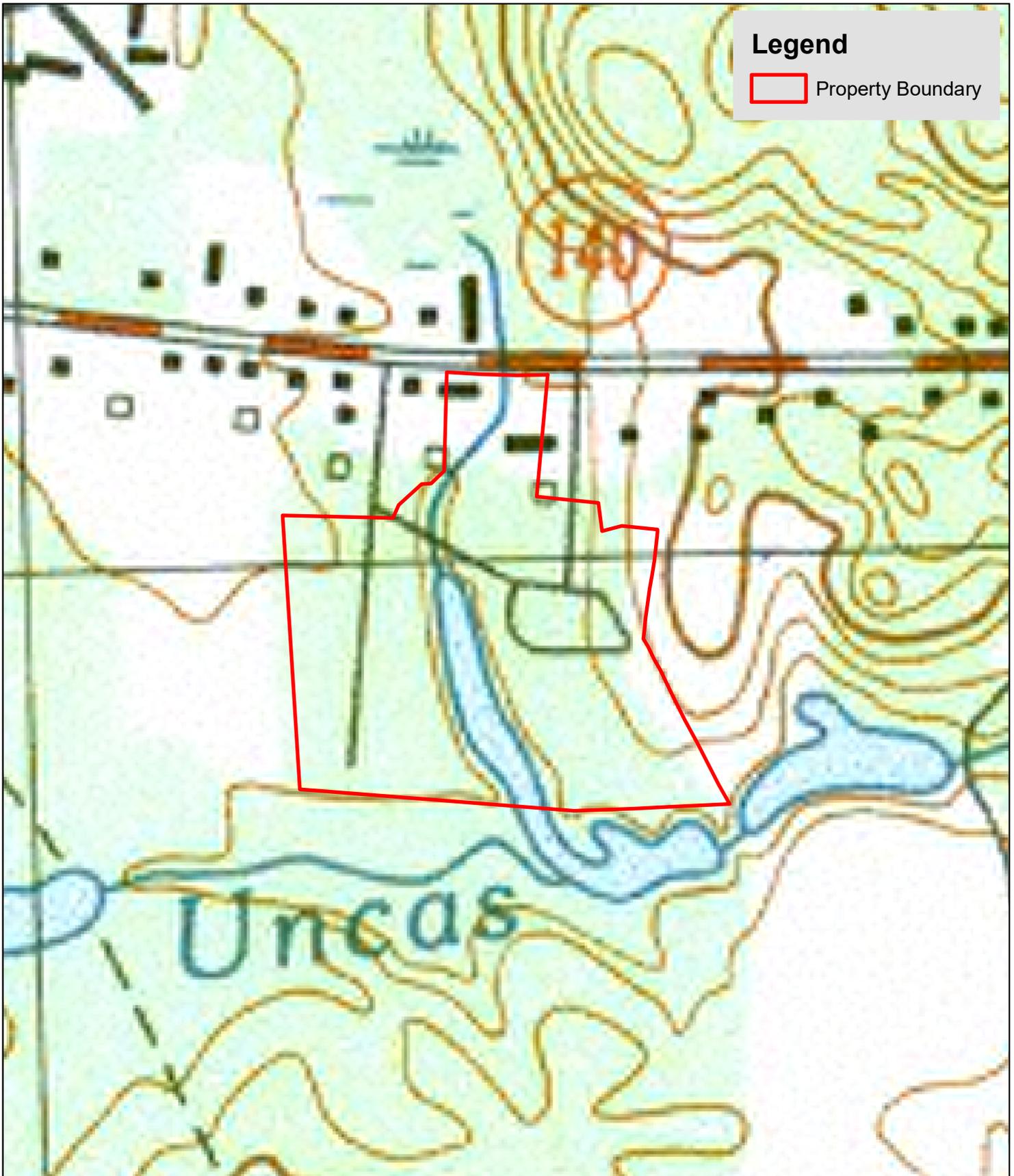
**FEMA National Flood Hazard Layer**

A: 1% Annual Chance of Flooding, no BFE

X: 0.2% Annual Chance of Flooding

Date: 10/11/2023	GC Job Number: 101-088	<b>Wetland Border Report</b> <b>Orthophoto with FEMA</b> <b>Flood Zones</b>	0      75      150  Feet	
 <b>GODDARD CONSULTING</b> Strategic Ecological Consulting			444 E. Central St. Franklin MA	1 in = 150 ft

Map: 284, Lot: 66



Date: 10/11/2023	GC Job Number: 101-088	<b>Wetland Border Report</b> <b>USGS of Locus Site</b>	0    150    300  Feet
 <b>GODDARD CONSULTING</b> Strategic Ecological Consulting			
444 E. Central St. Franklin MA		Map: 284, Lot: 66	

# **Restoration, Replication and Mitigation Plan**

for  
444 East Central Street  
Franklin, MA  
(Assessor's Map 284, Parcel 66)

**DATE:**

April 17, 2025

**ADDRESSED TO:**

Franklin Conservation Commission  
355 East Central Street  
Franklin, MA 02038

**PREPARED BY:**

Goddard Consulting LLC  
291 Main Street, Suite 8  
Northborough, MA 01532

**PREPARED FOR:**

TAG Central LLC  
275 Regatta Drive  
Jupiter, FL 33477

## A. Site History

The locus site, 444 East Central Street in Franklin, is presently in use as a nursery and landscape facility known as Stobbart's Nursery. The site has been used as such for several decades. The Franklin Assessor's records indicate that the main building on the site was built in 1950, and historic aerial imagery corroborates that the site has been used for farming, nursery, and/or landscape operations since at least the mid-1960s. The site has been used, cultivated and altered repeatedly over the last 75 or more years.

The land had historically been used primarily as a nursery grow operation, cultivating plants for sale. Over time, as nursery cultivation and sale operations dwindled, portions of the site went unmaintained. This has resulted in the presence of large stands of nonnative species that were never harvested for sale. In addition to the nonnative landscape plants that have been allowed to grow to maturity, the site contains a significant contingent of both invasive species, and nonnative species that have escaped from cultivation.

While the storefront remains active, the nursery no longer cultivates plants for sale on the site. However, portions of the site do continue to be used sporadically as a construction and landscape yard, primarily on the eastern half of the property. Large brush, compost and fill piles are present variously throughout the site, along with laydown areas for construction materials, equipment and abandoned vehicles.



Photo 1: View of contractor yard area in eastern portion of the site.

## **B. Proposed Development**

As part of the construction of a residential development on the site as a “friendly 40B,” consisting of multiple residential buildings and one clubhouse building with associated interior and exterior amenities, parking, and open areas, this document has been prepared to outline proposed restoration, replication and mitigation efforts. Because much of the site is encompassed by wetland resource areas and their buffer zones, extensive restoration of the site is proposed as part of the project.

## **C. Restoration Programs**

Based on Goddard’s detailed observation of the site on multiple occasions, there are four components of proposed restoration, replication and mitigation activities. These programs are as follows:

- Brush, Fill and Compost Pile Removal
  - o This program consists of the removal of several large piles consisting of brush, compost and fill materials, which have accumulated over years of activities on the site. These piles are located primarily in the southeastern quadrant of the site.
- Contractor Laydown Yard Cleanup
  - o This program consists of the removal of the abandoned vehicles, construction materials and various equipment that are present scattered throughout the site. This work will be focused on the north-central portion of the site and will continue southerly along the eastern side of the river.
- Invasive Species Management
  - o This program consists of the management of large stands of invasive species by mechanical, chemical and cultural practices.
- Wetland Replication
  - o This program consists of the replication of impacted isolated vegetated wetlands (IVWs) as a Bordering Vegetated Wetland in the southeast corner of the site, with associated grading and planting.

Large portions of the above restoration programs will be addressed through site preparation, grading, and demolition required for the proposed development. However, additional restoration activities will be undertaken to ensure that the site is satisfactorily restored and, in fact, improved over existing conditions. Restored areas that are intended to naturalize will be planted and seeded with appropriate native species to aid in the protection of the interests of the Wetlands Protection Act.

## **D. General Procedures**

### **Supervision:**

Work specific to carrying out the Restoration Programs outlined in Sections E through H shall be supervised by a qualified wetland scientist with experience in ecological restoration and invasive species management. The supervisor shall submit monitoring reports to the Conservation Commission as described below. Reports shall contain written details of all work performed and photographs of completed work.

### **Timing:**

Removal of brush, fill and compost piles may be accomplished at any time of year but should be coordinated such that the area can be stabilized, if necessary, either temporarily or permanently, shortly after the

completion of removal. Similarly, wetland replication should also be executed such that the replication area can be stabilized with vegetation shortly after completion of grading.

The timing of invasive species management activities will be dependent on the target species and means of management as outlined in section G.

Seeding and installation of plantings should ideally be accomplished during the spring or fall growing seasons (i.e. approximately between April 16 and May 31 or between September 16 and October 30). Work outside of these windows is acceptable, but plant mortality may be greater.

## **E. Brush, Fill and Compost Removal**

Brush, fill and compost piles are present sporadically throughout the site. Materials in these piles will be removed with machinery. This work can be largely accomplished simultaneously with site preparation and grading. Access will be obtained via upland routes to the greatest extent practicable. Any debris or intact brush will be exported from all wetland resource areas.

Some of these piles are present in very close proximity to wetland resource areas. Care shall be taken to ensure that erosion control barriers remain intact and functional throughout this work. In areas to be revegetated, loam will be spread to provide a suitable medium for planting and seeding.

## **F. Contractor Laydown Yard Cleanup**

Similarly to the brush, fill and compost pile removal, the majority of the cleanup of the existing contractor yard will be accomplished in tandem with site preparation and grading. This effort will consist of the removal of all abandoned and dilapidated vehicles and machinery, construction materials such as masonry stone and pallets, and other scattered anthropogenic debris. All of these items shall be disposed of offsite in accordance with any applicable local, state and federal laws. In areas to be revegetated, loam will be spread to provide a suitable medium for planting and seeding.

## **G. Invasive Species Management**

Invasive species management is proposed as part of restoration and mitigation activities for the project. Invasive species present on site consist primarily of common reed (*Phragmites australis*), Japanese knotweed (*Reynoutria japonica*), buckthorn (*Rhamnus cathartica*) and Asiatic bittersweet (*Celastrus orbiculatus*).

### MANAGEMENT GOALS

The invasive plant species onsite have varying densities, distributions, and effects on the natural ecosystem. As a result, we will have different management goals for each species and area. Due to the massive extent of invasive species pressure on site and on neighboring sites, total eradication of invasive species is likely not feasible. Therefore, the goal of this management plan is to control invasive species on site. Control consists of the reduction of a species' density and abundance to a level that does not compromise the integrity of the ecosystem and allows native species to repopulate and thrive. For invasive plant populations which are large and pervasive, eradication is not feasible. In this situation, the more realistic management goal is to control the invasive species, primarily to deter the spread into new areas and reduce invasive species pressure in existing areas.

## INVASIVE SPECIES DESCRIPTIONS

### **Common Reed (*Phragmites australis*):**

Common reed is a tall (up to 15 ft.), densely growing, perennial grass with purple or golden flowers in bushy panicles. It was likely introduced to North America from Europe by accident in ballast material in the late 1700s or early 1800s. It is similar to a native North American subspecies, *Phragmites australis* ssp. *americanus*. Common reed is a vigorous growing plant that forms dense stands that push out other plants including the native subspecies. It also alters wetland hydrology and degrades wetland wildlife habitat due in part to its very dense growth habit.

### **Glossy Buckthorn (*Rhamnus frangula*, aka *Frangula alnus*):**

Glossy buckthorn is a perennial understory shrub or a small tree that can reach heights of 20 ft. It has oval, smooth, glossy, toothless, leaves that stay green late into the fall. Its berries transition from green to red before finally ripening to a dark purple in August and September. This species was introduced to North America as an ornamental shrub and used for living fence rows and wildlife habitat. It has spread aggressively and become a threat to the degradation of native forest habitats where it out-competes native plant species.

### **Japanese Knotweed (*Fallopia japonica*, aka *Polygonum cuspidatum* & *Reynoutria japonica*):**

Japanese knotweed is a shrubby, herbaceous perennial which grows 4-10 ft. tall. It is often compared to bamboo, with smooth hollow stems, and stem leaf junctures with a membranous sheath. Its leaves are approximately 6 in by 4 in and range from oval to triangular with a tapered tip. In the summer it produces clusters of small white flowers. It was introduced to North America from East Asia in the 1800s as an ornamental plant and is now invasive throughout the northeastern and northwestern United States. It forms dense monotypic thickets which displace native vegetation. In addition to reproducing by seed, it also spreads through long rhizomes that can be challenging to remove completely.

### **Oriental Bittersweet (*Celastrus orbiculata*):**

Oriental bittersweet is a deciduous, woody vine, sometimes occurring as a trailing shrub, with alternate, rounded, finely toothed leaves. It has globular, green to yellow fruits which split open at maturity to reveal fleshy red-orange arils that cover the seeds. Originally from east Asia, it was introduced into the United States in the 1860s as an ornamental plant and has been widely dispersed by the many bird species who consume its fruit. Oriental bittersweet is a vigorous growing plant that threatens native vegetation from the ground to the canopy. Thick masses of vines sprawl over shrubs, small trees, and other plants, producing dense shade that weakens and kills them. Oriental bittersweet also appears to be displacing the native American bittersweet (*Celastrus scandens*).

## DESCRIPTIONS OF TREATMENT METHODS

When treating invasive vegetation within the upland, mechanical removal methods will be prioritized over herbicidal treatment whenever it can be practicable and effective. However, due to the aggressive and pervasive nature of invasive plants, herbicide treatment is often necessary. Herbicide treatment will selectively target invasive vegetation, taking care to avoid impact to surrounding native vegetation. More detailed information on the appropriate removal methods that may be utilized as part of the proposed work are as follows:

## Mechanical Treatment Methods

- *Cutting*: Cutting entails the gross removal of above ground plant material, either by manual cutting, mechanical cutting, or mowing. This method only removes the surface vegetation and, in most circumstances, invasive plants re-grow from the rootstock or latent seeds. Treatments using only this method will usually require repeated follow-up treatments. The timing of cutting should occur and be species specific to avoid inadvertent spread of any mature seed.
- *Weed Wrench*: The weed wrench is a tool which is used to uproot saplings of woody plants. The weed wrench grasps the base of the plant and uses a lever to uproot the entire plant including the roots. Using the weed wrench results in minimal disturbance to the surrounding soil and plants and is usually successful at removing the majority of the target plant's roots. Invasive plants to be targeted using this method include any woody species.
- *Deadheading*: Deadheading is the removal of a plant's seed head before it goes to seed. This will not kill the plant but can prevent it from reproducing and spreading. It is also useful in depleting the plant's energy reserves for future herbicide applications. This method is useful primarily for herbaceous plants. At the moment this plan does not include deadheading, but it may be recommended during post-management monitoring.
- *Excavation*: In cases where the invasive species are particularly dense, the most efficient way to remove the bulk of the invasive plant species will be to remove the topsoil and root mass. Further, site work that is otherwise required for development can additionally serve this purpose. Removal of soil containing invasive species also removes the latent seed stock, thereby reducing the need for follow-up treatments of newly sprouting invasive plants. Any topsoil removed will be replaced with an equal amount of topsoil imported from off-site and inspected for evidence of invasive species prior to use.

## Chemical Treatment Methods

Herbicide application is the most effective way to ensure the long-term removal of target species. All use of this method would be conducted by a licensed herbicide applicator with specific herbicide and concentrations as outlined on the herbicide's label. Deviation from the stipulations of the herbicide's label is a violation of federal law. The herbicides recommended for the target species in this management plan include Glyphosate (RoundUp Custom or equivalent) and Triclopyr (Garlon 4 or equivalent). Glyphosate is recommended for most cut-stem applications and as a foliar application for phragmites, knotweed, and oriental bittersweet. Triclopyr is preferred for foliar applications of most invasive trees and shrubs because it primarily affects broadleaf plants and not grasses or conifers. These herbicides are effective and have a short half-life. Both are registered by the US EPA and MA Department of Agricultural Resources. Appropriate use by a licensed herbicide applicator will have limited impact on surrounding non-target vegetation.

- *Cutting and Dabbing with Herbicide*: Cutting & dabbing involves removing most of the above-ground plant material as described above, and then immediately treating the remaining cut surface with herbicide. This is the easiest and most efficient method to remove invasive trees and shrubs with woody stems. It is also effective against Phragmites reeds. It is a very controlled treatment method, leaving the surrounding non-target native vegetation unaffected. This method also decreases the likelihood of regrowth and the need for repeated treatments.
- *Bundle, Cut, & Treat*: This method is similar to the Cut & Dab treatment method, but is used exclusively on densely clustered vegetation with tall, narrow stems/canes. In this management plan, it will be used to target Phragmites. Treatment involves bundling large groups of phragmites canes and tying them together with twine at approximately waist height. Then the canes are cut just above the twine. Finally, an appropriate herbicide is painted directly onto the cut surfaces of the canes. Applying herbicide directly to the cut surface of the stems is a very controlled treatment method and

limits potential herbicide exposure to non-target vegetation. Bundling the canes prior to treatment allows for greater efficiency.

- *Stem Injection Herbicide Application:* Stem injection involves the use of an injector gun with a hollow needle to inject herbicide directly into the inside of plants with hollow stems. Examples of these injector guns include JK Injector Systems. Injecting herbicide directly inside the plant stem is a very controlled method of herbicide application, and significantly limits risk of herbicide exposure to non-target plants. This treatment method will be used on Japanese Knotweed.
- *Foliar Herbicide Application (Spray):* Foliar herbicide application is a method of control which involves a tank-mixed solution of herbicide diluted with water to a concentration specified by the herbicide's label. This treatment method will be used as a last resort only, after all other treatments are considered and eliminated as viable options. A non-ionic surfactant is added to improve coverage and penetration of the herbicide. A non-toxic forestry dye is also added to allow for visibility of treated areas. This solution is sprayed from a backpack tank sprayer to thoroughly wet the majority of the target plants' leaves. Application will be carefully targeted to invasive vegetation and will cease before herbicide drips from leaves. The herbicide is absorbed through the leaves and transported into the plant's tissues. This treatment method will be conducted by a herbicide applicator trained to use foliar spray appropriately and will have limited impact on surrounding non-target vegetation. All invasive plant species in this management plan will likely be targeted using foliar spray, primarily for repeat or follow-up treatments.

## H. Wetland Replication

The Isolated Vegetated Wetlands (IVWs) proposed to be impacted will be replicated contiguous with the BVW system onsite in the southeastern corner of the property. Grading of the replication area shall be overseen by a qualified wetland scientist with authority to make field decisions in order to ensure sufficient wetland hydrology and a successful replication area. Wetland replication protocols shall adhere to the following sequence.

### **Step 1: Stake Limits of Work, confirm wetland flags in place & install ECB**

Stake out limits of work for replication areas and confirm wetland flags are in place on site. Erosion control barriers shall then be installed in the form of straw wattles (or similar invasive-free barrier) placed at the limit of work for the replication area. These will remain in place and be maintained until the areas are completely stabilized and then may be removed after approval of the Conservation Commission or its Agent.

### **Step 2: Remove trees and vegetation**

Save woody debris specimens and stockpile for reuse. Clear and remove all remaining vegetation as necessary within the replication areas and the IVW alteration areas in preparation for excavation and grading. If native vegetation can be retained, it shall. Access to the replication area will be obtained via an existing cart path, which will avoid the destruction of vegetation to the greatest extent possible.

### **Step 3: Excavation of IVW Alteration Areas**

Pull all invasive plants and shrubs prior to transporting soils. Excavate IVW alteration areas and transport organic-rich topsoils to the wetland replication area for reuse if possible.

#### **Step 4: Excavation of new BVW Replication Area**

An excavator or backhoe shall remove existing soils up to the edge of the staked BVW replication area boundary. Excavation will continue until redoximorphic features are reached in the soil profile. Once redoximorphic features are reached, excavation will cease. Subsoil of the C-horizon shall be loosened prior to Step 5 to ensure soils aren't compacted prior to topsoil placement. Care will be taken to remove any invasive roots and plants within the area to ensure soils used in the replication area are uncontaminated.

#### **Step 5: Final Grading of Replication Area**

The target finished elevation of the replication area is anticipated to be approximately 270', subject to final grading plans and observed field conditions. Upon removal of existing soils down to the proper depth (as determined by the wetland scientist based on the presence of redoximorphic features in the soil profile), 6-12" of organic rich topsoil will be spread throughout the replication area. Soil excavated from the IVW impact areas may be reused for this purpose. If necessary, supplemental material to be added to the replication area shall consist of a 50:50 mix of loam and organic material with an organic content between 12 and 20%. This material shall be placed within the replication area to a total depth 6-12" and even with the surrounding proposed elevation on design plan, to be determined by the supervising wetland scientist. Final grade shall be confirmed to be proper by the wetland scientist prior to plantings. Placement of soil shall be such that no equipment drives over, or compacts placed soils. Final grading will result in microtopographic relief of pits and mounds. Topography will create areas that pool and flood during heavy rain events and see water near the surface during the wet seasons. Slopes around the replication area shall be graded to less than 2H:1V where practical and shall have erosion control mats installed as necessary. The wetland scientist onsite has authority to adjust grade based on field observations during construction in order to ensure sufficient wetland hydrology within the replication area.

#### **Step 6: Place woody debris and boulders**

Woody debris and boulders, if available, shall be randomly placed throughout the replication area to provide cover for wildlife.

#### **Step 7: Planting**

Precise siting of plants may be determined by the wetland scientist in the field prior to installation. All plantings shall be distributed throughout the area according to the attached planting plan; trees spaced at 10-15' on center; shrubs spaced at 6-10' on center. All plantings will be removed from burlap sacks, wire cages and plastic containers prior to planting. Each plant will have its roots loosened prior to planting to encourage root growth away from the planting bulb. After woody plantings are installed, seed will be spread evenly throughout the planting and lightly raked in to ensure sufficient seed-to-soil contact. Seed will be applied at the manufacturer's recommended application rate. Leaf litter shall be spread throughout area if available. The erosion control barrier shall remain in place until the disturbed soils have been stabilized.

#### **Step 8: Erosion Controls Removal**

Once the replication area is stable, a request shall be submitted to the Conservation Commission's Agent to remove the erosion controls around wetland replication area. Upon approval of stabilization, erosion controls shall be removed promptly and any significant disturbance seeded with a wetland seed mix as specified above.



**Proposed Plantings for Replication Area (+/- 7,145 s.f.)**

Common Name	Scientific Name	Number	Minimum Size
<b>Trees (n= 35)*</b>			
Red Maple (FAC)	<i>Acer rubrum</i>	15	3'
Yellow Birch (FAC)	<i>Betula allegheniensis</i>	10	3'
Swamp White Oak (FACW)	<i>Quercus bicolor</i>	10	3'
<b>Shrubs (n=75)*</b>			
Black Elderberry (FACW)	<i>Sambucus nigra</i>	15	1-2 gal. pot
Highbush Blueberry (FACW)	<i>Vaccinium corymbosum</i>	15	1-2 gal. pot
Winterberry (FACW)	<i>Ilex verticillata</i>	15	1-2 gal. pot
Spicebush (FACW)	<i>Lindera benzoin</i>	15	1-2 gal. pot
Swamp Azalea (FACW)	<i>Rhododendron viscosum</i>	15	1-2 gal. pot
<b>Seed Mix-</b> New England Wetland Plants WetMix			6 lbs.

\*Planting species and seed mixes may be substituted with similar native species with the same wetland indicator status if certain species are unavailable at the discretion of the supervising wetland scientist.

## **I. Monitoring**

Annual monitoring reports will be prepared by a qualified wetland scientist for a period of 2 growing seasons after completion of restoration activities for the areas that will be left to naturalize. This monitoring program will consist of early summer and early fall inspections and will include photographs and details about the vitality of the mitigation and restoration areas. Monitoring reports shall describe, using narratives, plans, and color photographs, the physical characteristics of the enhancement areas with respect to stability, survival of vegetation and plant mortality, aerial extent and distribution, species diversity and vertical stratification (i.e. herb, shrub and tree layers). All areas will be monitored for invasive species to ensure the success of native plantings. Reports shall be submitted to the Commission by the end of each calendar year.

## REGULATORY COMPLIANCE ANALYSIS

444 East Central Street, Franklin MA

Prepared by: Goddard Consulting LLC

Prepared for: TAG Central LLC

Date: 4/16/2025

### 1.0 INTRODUCTION

On behalf of TAG Central LLC (the Applicant), Goddard Consulting, LLC (Goddard) is pleased to submit this Regulatory Compliance Analysis as a supplement to the Notice of Intent. This analysis describes existing conditions, proposed conditions and project compliance with relevant performance standards contained within 310 CMR 10.00 et seq.

The project site is located at 444 East Central Street in Franklin (Map: 284, Lot: 66) and totals approximately 15 acres. The site is comprised of previously degraded and disturbed riverfront area consisting of the two existing buildings and outbuildings, variety of compost/brush piles, construction and landscaping supplies, abandoned vehicles and other anthropogenic impacts. One perennial stream is located centrally within the parcel with associated Bordering Vegetated Wetlands (BVW) and Bordering Land Subject to Flooding (BLSF).

According to Natural Heritage Endangered Species Program (NHESP) mapping, the Project Site is not within an area mapped as Priority Habitat of Rare Species, Estimated Habitat of Rare Wildlife, or an Area of Critical Environmental Concern. There are no mapped certified or potential vernal pools on the site. The site is located partially within a FEMA Flood Zone. The site is not located within an Outstanding Resource Waters (ORW) area.



Photo 1: View of existing degraded area onsite east of the stream.

## 2.0 RIVERFRONT AREA

The Mean Annual High-Water (MAHW) line of the perennial stream on site was delineated by Goddard and confirmed with an Order of Resource Area Delineation. Massachusetts WPA Regulations define the Riverfront Area as “the area of land between a river’s mean annual high-water line measured horizontally outward from the river and a parallel line located 200 feet away.” A total of 422,920 square feet of Riverfront Area is present on the locus site. The following table summarizes the cover types within the 200-foot and 100-foot Riverfront Areas on site under existing conditions.

<b>Riverfront Area Existing Conditions</b>		
Degraded 0-100’ RFA	125,905 sf	180,565 sf
Degraded 100-200’ RFA	54,660 sf	
Vegetated 0-100’ RFA	90,005 sf	189,330 sf
Vegetated 100-200’ RFA	99,325 sf	

The applicant proposes to develop the site as a multifamily housing development. The project will reuse existing degraded Riverfront Area to the greatest extent practicable and will restore existing degraded Riverfront Area with native vegetation. The following table summarizes the cover types within the 200-foot Riverfront Areas on site under proposed conditions.

<b>Riverfront Area Proposed Conditions</b>		
Degraded 0-100’ RFA	54,525 sf	143,050 sf
Degraded 100-200’ RFA	88,525 sf	
Vegetated 0-100’ RFA	160,775 sf	227,990 sf
Vegetated 100-200’ RFA	67,215 sf	
<b>Riverfront Area Net Change</b>		
Degraded 0-100’ RFA	- 71,380 sf	- 37,515 sf
Degraded 100-200’ RFA	+ 33,865 sf	
Vegetated 0-100’ RFA	+ 70,770 sf	+ 38,660 sf
Vegetated 100-200’ RFA	- 32,110 sf	

The project has been designed to meet the Wetlands Protection Act’s performance standards for work within the 200-foot Riverfront Area and to minimize impacts to the greatest extent practicable. This project constitutes Riverfront Area redevelopment because it consists of the replacement and expansion of existing structures in a previously developed Riverfront Area. The project also proposes removal and rehabilitation of areas that have historically been negatively impacted by the presence of surfaces from existing structures or pavement, absence of topsoil, junkyards, and abandoned dumping grounds. An explanation of how the project meets the applicable performance standards follows.

§ 10.58	<b>Riverfront Area:</b> <b>The area of land between a river’s mean annual high-water line and a parallel line measured horizontally outward from the river and a parallel line located 200 feet away.</b>	
	<b>Performance Standard</b>	<b>Compliance</b>
10.58 (5)	<i>Notwithstanding the provisions of 310 CMR 10.58(4)(c) and (d), the issuing authority may allow work to redevelop a previously developed riverfront area, provided the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. A previously developed riverfront area contains areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. Work to redevelop previously developed riverfront areas shall conform to the following criteria:</i>	The proposed project has been designed as a Riverfront Area (RFA) redevelopment project. The existing buildings on site have been present within the RFA since the mid-1990s. The site has been in use as a nursery operation, including clearing, grading, cultivation and access roadways since at least the 1960s. Proposed work shall conform to the following criteria as outlined below.
10.58 (5)(a)	<i>At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58(4) shall be met.</i>	The proposed work will result in an improvement of the capacity of the RFA to protect the interests of the WPA. This will be achieved by removing impacted and developed areas from within feet of resource areas, by providing stormwater management where there is currently none, and by managing invasive species.
10.58 (5)(b)	<i>Stormwater management is provided according to standards established by the Department.</i>	Stormwater management has been designed to comply with the MassDEP Stormwater Standards.
10.58 (5)(c)	<i>Within 200 foot riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25 foot riverfront areas, except in accordance with 310 CMR 10.58(5)(f) or (g).</i>	Proposed work is not situated any closer to the river than existing conditions. Presently, degraded areas and anthropogenic debris are located immediately to the resource area boundary, and in some areas, debris can be found within the resource areas on site. With the exception of the two reused and unchanged stream crossings, proposed work is located farther from the river than under existing conditions.

10.58 (5)(d)	<i>Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(5)(f) or (g).</i>	One of the six proposed buildings is located entirely outside of the RFA, and two more buildings are located mostly outside of the RFA. Proposed work has been sited to be outside of the RFA to the greatest extent practicable, but some proposed work is slightly closer to the river than existing conditions. Therefore, the project must comply with 310 CMR 10.58(f) and/or (g) as described below.
10.58 (5)(e)	<i>The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).</i>	The total square footage of RFA onsite is 422,920 square feet, 10% of which is 42,292 square feet. Existing degraded RFA totals 183,565 square feet, which exceeds the 10% threshold. Therefore, the project must comply with 310 CMR 10.58(f) and/or (g) as described below.
10.58 (5)(f)	<i>When an applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Restoration shall include:</i> <ol style="list-style-type: none"> <li><i>1. removal of all debris, but retaining any trees or other mature vegetation;</i></li> <li><i>2. grading to a topography which reduces runoff and increases infiltration;</i></li> <li><i>3. coverage by topsoil at a depth consistent with natural conditions at the site; and</i></li> <li><i>4. seeding and planting with an erosion control seed mixture, followed by plantings of herbaceous and woody species appropriate to the site;</i></li> </ol>	Restoration of onsite degraded riverfront area is proposed. All existing degraded areas not to be reused for development will be revegetated, to result in a net increase of 1,145 square feet of vegetated riverfront area, thereby exceeding a 1:1 ratio of restoration. Please refer to the landscape sheets of the plan set for details regarding the native planting scheme.
10.58 (5)(g)	<i>When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Mitigation may include off-site restoration of riverfront areas, conservation restrictions under M.G.L. c. 184, §§ 31 through 33 to preserve undisturbed riverfront areas that could be otherwise altered under 310 CMR 10.00, the purchase of development rights within the riverfront area, the restoration of bordering vegetated</i>	Mitigation for purposes of compliance with this section is not proposed. However, invasive species management is included in the proposal. This invasive species management is an additional environmental benefit intended to allow the areas proposed for revegetation to thrive with reduced invasive species pressure. Further, the Applicant also proposes preserving a portion of the locus site's wetlands and buffer zones by conveying nearly 2 acres of land to the Town of Franklin as conservation land.

	<i>wetland, projects to remedy an existing adverse impact on the interests identified in M.G.L. c. 131, § 40 for which the applicant is not legally responsible, or similar activities undertaken voluntarily by the applicant which will support a determination by the issuing authority of no significant adverse impact. Preference shall be given to potential mitigation projects, if any, identified in a River Basin Plan approved by the Secretary of the Executive Office of Energy and Environmental Affairs.</i>	
10.58 (5)(h)	<i>The issuing authority shall include a continuing condition in the Certificate of Compliance for projects under 310 CMR 10.58(5)(f) or (g) prohibiting further alteration within the restoration or mitigation area, except as may be required to maintain the area in its restored or mitigated condition. Prior to requesting the issuance of the Certificate of Compliance, the applicant shall demonstrate the restoration or mitigation has been successfully completed for at least two growing seasons.</i>	The Applicant is amenable to such a condition. The Restoration, Replication and Mitigation Plan also outlines monitoring protocols to ensure success of the restoration areas for at least two growing seasons.

### Alternatives Analysis

The alternatives analysis below has been provided to demonstrate that the Applicant has evaluated options to avoid and minimize impacts to wetland resource areas per Section 310 CMR 10.55(4)(b). The alternatives presented include the 1) No-Build Alternative, 2) Five Story Building Alternative, and 3) Parking Alternative.

#### *No-Build Alternative*

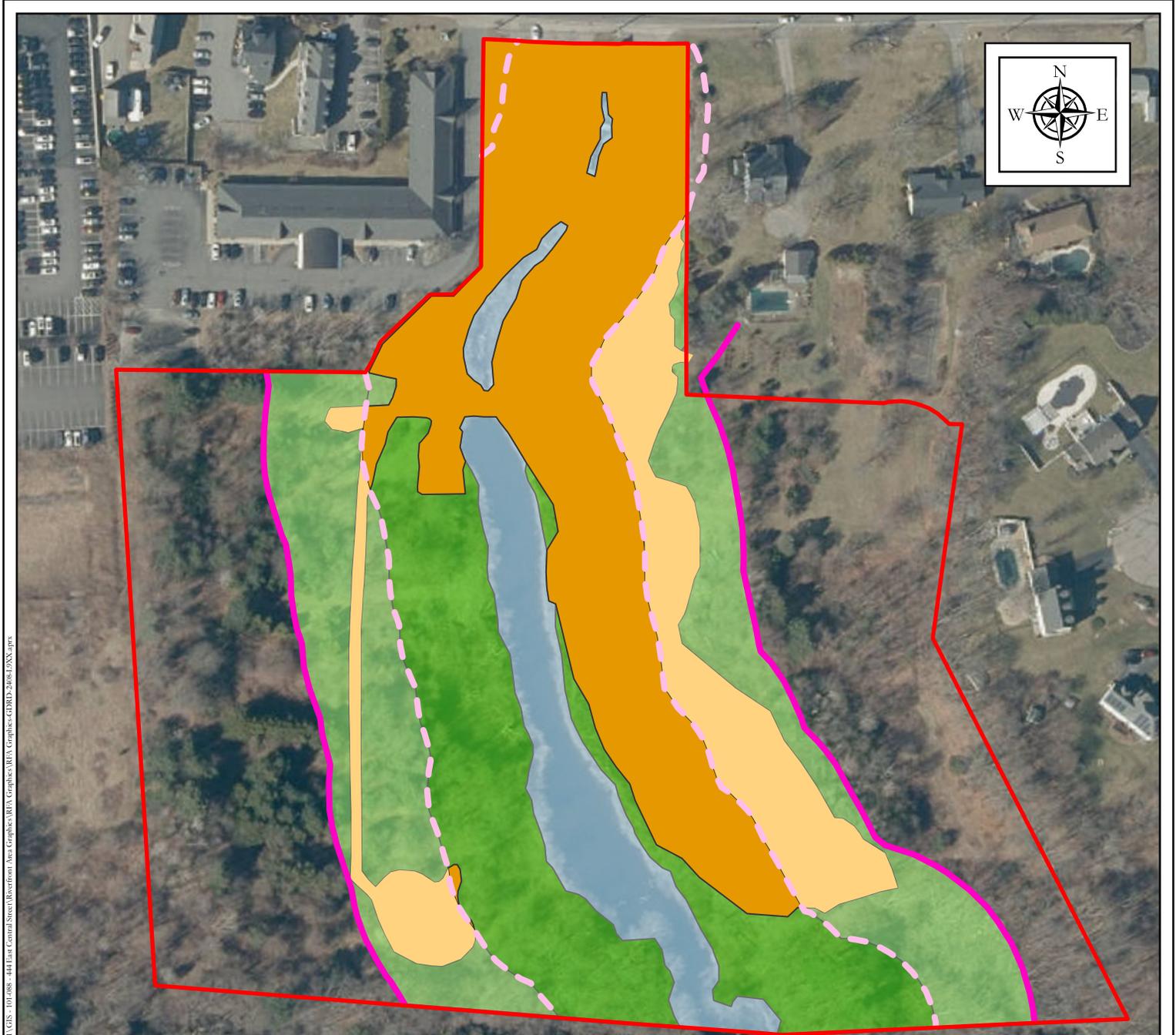
The site would not be developed under the No-Build Alternative. The proposed buildings could not be built. The No-Build Alternative's effects make it impossible to build sizable upland areas and disregards the necessity for mixed-income housing development on a local and regional level. A no-build alternative also would preclude cleanup of the site, installation of stormwater management, control of invasive species, and native plantings as proposed.

#### *Five Story Building Alternative*

This alternative proposes increasing the building heights to five stories to achieve a similar unit density and parking count while reducing building footprints, which would in turn yield less impact to the 100-foot Riverfront Area and the 200-foot Riverfront Area. This alternative would not be feasible due to conflicts with previously granted approvals including the Project Eligibility Letter issued by the State which were based on plans featuring a lower maximum building height. Furthermore, the proposed project as designed currently requires a zoning waiver due to the 4-story height for two of the proposed buildings. Increasing the maximum height of the buildings to five stories would increase the scope of the variance requested and would be inconsistent with local neighborhood character and prior project approvals.

#### *Parking Alternative*

This alternative proposes placing parking underneath the proposed buildings and elevating the buildings by one story. This alternative would allow for less impervious surface on-site as well as less impact to the Riverfront Area. As mentioned above, this alternative would conflict with Franklin's Zoning Bylaw and impact the neighborhood aesthetics. This alternative would require a further variance from the height limits. Locating the parking below grade underneath the buildings is similarly not feasible due to cost constraints and depth to estimated seasonal high groundwater.



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**Legend**

 Proposed Property Boundary	 100-200' Existing Degraded Riverfront Area (54,660sf)
 River	 0-100' Existing Vegetated Riverfront Area (90,005sf)
 100' Riverfront Area	 100-200' Existing Vegetated Riverfront Area (99,325sf)
 200' Riverfront Area (422,920sf)	 0-100' Existing Degraded Riverfront Area (125,905sf)



**Existing Conditions  
in Riverfront Area**



71.3771102°W, 42.0778722°N

Date: 04/16/2025

444 East Central Street  
Franklin, MA 02038

Parcel ID: 284-66



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### Legend

- River
- 100' Riverfront Area
- 200' Riverfront Area (422,920sf)
- Proposed Property Boundary
- 0-100' Proposed Degraded Riverfront Area - 54,523 sf
- 100-200' Proposed Degraded Riverfront Area - 88,525 sf
- 0-100' Proposed Vegetated Riverfront Area - 160,775 sf
- 100-200' Proposed Vegetated Riverfront Area - 67,215 sf



## Proposed Conditions in Riverfront Area

0 100 200 Feet 1" = 200'

71.3771102°W, 42.0778722°N

Date: 04/16/2025

444 East Central Street  
Franklin, MA 02038

Parcel ID: 284-66

### 3.0 BORDERING LAND SUBJECT TO FLOODING

Bordering Land Subject to Flooding (BLSF) is present on site as depicted on the site plans. Massachusetts WPA Regulations define BLSF as “an area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds, or lakes.”

§ 10.57	<b>Bordering Land Subject to Flooding:</b> <b>An area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds, or lakes.</b>	
<b>Performance Standard</b>		<b>Compliance</b>
10.57 (4)(a)(1)	<p><i>Compensatory storage shall be provided for all flood storage volume that will be lost as the result of a proposed project within Bordering Land Subject to Flooding, when in the judgment of the issuing authority said loss will cause an increase or will contribute incrementally to an increase in the horizontal extent and level of flood waters during peak flows.</i></p> <p><i>(1) Compensatory storage shall mean a volume not previously used for flood storage and shall be incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Further, with respect to waterways, such compensatory volume shall be provided within the same reach of the river, stream or creek.</i></p>	<p>Some fill of BLSF is proposed around the existing crossing to be improved at the center of the site. The project’s engineer, Allen &amp; Major Associates, Inc. has incorporated compensatory flood storage in the grading plan design. Compensatory flood storage will have an unrestricted hydraulic connection to the perennial stream on site. Compensatory storage is provided nearly immediately adjacent to areas where flood storage is lost.</p>
10.57 (4)(a)(2)	<p><i>(2) Work within Bordering Land Subject to Flooding, including that work required to provide the above-specified compensatory storage, shall not restrict flows so as to cause an increase in flood stage or velocity.</i></p>	<p>No work within BLSF will restrict flows to increase flood stage or velocity. Under proposed conditions, floodwater will be able to fill a slightly larger lateral space, serving to reduce flood stage and velocity.</p>
10.57 (4)(a)(3)	<p><i>(3) Work in those portions of bordering land subject to flooding found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions. Except for work which would adversely affect vernal pool habitat, a project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important</i></p>	<p>In the area of proposed work within BLSF, no significant wildlife habitat is present. No vernal pools or NHESP mapped habitats exist therein. Furthermore, the area of BLSF to be impacted is comprised primarily of degraded riverfront area and a near monoculture of common reed (<i>Phragmites australis</i>) in areas that do contain vegetation.</p>

	<p><i>wildlife habitat functions. Additional alterations beyond the above threshold, or altering vernal pool habitat, may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures contained in 310 CMR 10.60.</i></p>	
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#### **4.0 BORDERING VEGETATED WETLAND**

No work is proposed within the delineated Bordering Vegetated Wetland (BVW). ECB in the form of tubular barriers will be installed around the limit of work prior to any earth disturbance to limit the potential for any erosion or sedimentation to leave the work area and travel offsite or towards resource areas on site.

#### **5.0 BUFFER ZONE (100-FOOT)**

Work in the buffer zone is proposed. The WPA Regulations do not contain performance standards for Buffer Zone alteration (310 CMR 10.02(2)(b)). All reasonable efforts to avoid, minimize and mitigate adverse impacts on the Buffer Zone have been considered. Work within the 0-25’ buffer zone consists primarily of grading, revegetation, and stormwater management as well as pedestrian and vehicle paths required for access. None of the six buildings on site are located within 25’ of the BVW boundary. Only small portions of two buildings are located within 50’ of the BVW boundary. Work has been limited to the outer extents of the buffer zone to the greatest extent possible.

#### **6.0 FUNCTIONS AND VALUES ASSESSMENT**

An assessment of the impact of the project on the functions and values protected by the Wetlands Protection Act is provided below:

**1. Protection of Public and Private Water Supplies** – The nearest domestic well is located at 409 East Central Street. No septic system or wells are proposed as part of the project, and it is proposed that sewer and water will be tied into existing infrastructure. The project will result in substantial improvements over existing conditions with regard to stormwater management, which directly affects groundwater infiltration and ultimately water quality. Existing stormwater runoff conditions exhibit unmitigated, direct, sheet-flowing surface runoff towards wetland resources, whereas the proposed project will provide a modern stormwater management and infiltration system in compliance with MassDEP Stormwater Management Standards.

**2. Protection of Groundwater Supply** – No discharges are proposed to the groundwater supply other than infiltration of stormwater. This is an improvement over existing conditions on site. As mentioned above and described in the Drainage Report, the project satisfies all of the Massachusetts Stormwater Management Standards.

**3. Flood Control** – Minimal work is proposed in any FEMA Flood Zones. Compensatory storage is provided, resulting in no loss in flood storage capacity.

**4. Storm Damage Prevention** – As mentioned above and described in the Drainage Report, the project satisfies all of the Massachusetts Stormwater Management Standards. Infiltrating stormwater in this way serves to reduce runoff from the site, reducing the potential for flooding of downstream properties and infrastructure. Similarly, ensuring no loss of flood storage capacity also makes certain that potential floodwaters are not redirected elsewhere or offsite. The project will therefore not have a negative impact in terms of storm damage prevention.

5. **Pollution Prevention** – As mentioned above and described in the Stormwater Report, the project satisfies the Stormwater Management Standards. The proposed stormwater treatment train includes components designed to remove potential pollutants such as oil from treated stormwater. The project will therefore not have a negative impact on the on-site resource areas in terms of pollution protection.

6. **Fisheries** – The water bodies in proximity to the site are not fisheries. No alteration to Land Under Waterbodies and Water Ways that could impact potential fishery habitat is proposed.

7. **Shellfish** - Not applicable in Franklin.

8. **Wildlife Habitat** – According to MassWildlife’s BioMap, the work area is not considered either Core Habitat (areas that are critical for the long-term persistence of rare species, exemplary natural communities, and resilient ecosystems) or Critical Natural Landscape (large landscape blocks that are minimally impacted by development and buffers to core habitats and coastal areas). No NHESP habitat areas are mapped onsite, nor are any potential or certified vernal pools. In general, the site is comprised largely of invasive or nonnative species that provide minimal wildlife habitat value.

## **7.0 CONCLUSION**

In summary, Goddard Consulting believes that the proposed project will not have any adverse impacts on the interests identified in the Wetlands Protection Act. The proposed project meets all regulatory compliance standards under the Wetlands Protection Act; therefore, Goddard Consulting respectfully requests that the Franklin Conservation Commission issue an Order of Conditions approving the project as proposed.