

November 20, 2025

Breeka Li Goodlander, PWS, CERPIT
Conservation Director
Town of Franklin Conservation Commission
355 East Central Street
Franklin, MA 02038

Re: 444 East Central Street
MassDEP File No. 159-1320
Notice of Intent Peer Review #4

Dear Ms. Goodlander:

BETA Group, Inc. (BETA) has reviewed revised documents and plans for the Notice of Intent (NOI) seeking approval for the construction of 40B multifamily residential development and associated site features (the Project) at **444 East Central Street** in Franklin, Massachusetts (the Site). This letter is provided to present BETA's findings, comments and recommendations.

As noted by the Applicant, the Project's status as a 40B development precludes compliance with local bylaws if waived by the Zoning Board of Appeals. BETA has prepared this letter with the assumption that local Conservation Commission and stormwater management bylaws / regulations will be waived; therefore, compliance with these bylaws and regulations are not addressed.

BASIS OF REVIEW

The following revised documents were received by BETA and will form the basis of the review:

- Response Letter entitled ***Response to BETA & MassDEP Comments – Notice of Intent Peer Review #3***; prepared by Goddard Consulting, LLC, Allen & Major Associates, Inc., and Beals Associates, Inc.; dated November 4, 2025. Attachments include:
 - WPA Form 3
 - Culvert Analysis Report;
 - Regulatory Compliance Analysis;
 - Riverfront Area Figures;
 - Plans (16 Sheets) entitled ***Existing Flood Plain Volume Exhibit***; prepared by Allen & Major Associates, INC.; dated June 18, 2025, and revised through September 16, 2025, October 9, 2025, and November 3, 2025; unstamped and unsigned; and
 - Restoration, Replication and Mitigation Plan;
- Drainage Report entitled ***40B Multi-Family Site Development***; prepared Allen & Major Associates, INC.; dated February 7, 2025, and revised through October 29, 2025; stamped and signed by Carlton M. Quinn, MA P.E. No. 49923.
- Plans (43 Sheets) entitled ***Civil Site Plans For: 40B Multi-Family Site Development***; prepared by Allen & Major Associated, INC. dated February 11, 2025, and revised through October 29, 2025; signed and stamped by Carlton M Quinn MA P.E. No. 49923 and Andrew J Ruggles, MA PLS. No. 58014.

Review by BETA included the above items along with the following, as applicable:

- Site Visit on June 27, 2025
- **Massachusetts Wetlands Protection Act 310 CMR 10.00** effective October 24, 2014
- **Massachusetts Stormwater Handbook** effective January 2, 2008 by MassDEP
- **Stormwater Management Chapter 153 From the Code of the Town of Franklin**, Adopted May 2, 2007
- **Wetlands Protection Chapter 181 From the Code of the Town of Franklin**, dated August 20, 1997
- **Chapter 300: Subdivision of Land From the Code of the Town of Franklin**, adopted September 29, 1986
- **Town of Franklin Best Development Practices Guidebook**, dated September 2016

PEER REVIEW UPDATE – NOVEMBER 20, 2025

The Applicant has provided revised materials and written comment responses pursuant to BETA's October 29, 2025 peer review letter. BETA's original comments from the original peer review letter are included in plain text. Comment responses attributed to Goddard Consulting, LLC. (GC) July 28, 2025 letter, are provided in *italics* and are prefaced with "GC:". Comment responses attributed to Allen & Major Associates, INC. (AM) July 28, 2025 letter are provided in *italics* and are prefaced with "AM:". BETA's responses from the August 21, 2025 letter are provided in **bold** and are prefaced with "**BETA2:**". GC and AM responses from the September 25, 2025 letter are prefaced with "GC2:" and "AM2:".

A working session was held on October 9, 2025, with attendees including the Applicant, BETA, Goddard Consulting, and members of the Franklin Conservation Commission. Responses throughout this letter include information discussed at the working session. Follow up emails were received on October 10, 2025, and October 16, 2025, that include responses to comments discussed during and around the time of the working session regarding stormwater management and the BLSF Elevation Determination Study. Comment responses attributed to Beal's Associates (BEAL) September 23, 2025, letter regarding the BLSF Elevation Determination Study are prefaced with "*BEAL:*". Comment responses attributed to Goddards September 25, 2025 letter are prefaced with "GC2:". BETAs responses from the October 29, 2025 letter are preface with "**BETA3:**". Any information received from the Applicant's team around the time of the working session is referenced as part of the BETA3 responses.

Comment responses attributed to Goddard Consulting, LLC. most recent letter are preface with "GC3:" and comment responses from Allen & Major Associates, Inc. most recent letter are preface with "AM3:". Beals Associates Inc. provided one comment responding to comments BLSF1-BLSF4 and this response is provided under Comment BLSF4 and is prefaced with "*BEAL2:*". BETAs most recent comment responses are preface with "**BETA4:**".

Responses provided by Goddard Consulting, LLC that exceed a paragraph in length are not provided within this letter for readability. Where responses are not provided, a note is provided to reference the original letter from Goddard Consulting, LLC.

BETA's responses in this letter identify the Project complies with the Act; however, a WPA Form 3 should be provided with all Resource Area impacts.

SITE AND PROJECT DESCRIPTION

The 15-acre Site is located at 444 East Central Street and consists of one (1) parcel identified as Map 284 Lot 066-000 in Franklin, Massachusetts. The Site is bounded to the north by East Central Street, to the west by commercial buildings and undeveloped forested areas, to the south by undeveloped forested areas and wetland complexes, and to the east by residential homes. The Site has historically been the operating location of Stobbs's Nurseries, Inc. and includes several associated permanent and temporary structures within the northern portion of the Site. The southern, eastern, and western portions of the Site consist of undeveloped forested areas and wetland complexes. Stone, waste/compost, and fill piles are present in various locations throughout the Site.

Resource Areas Subject to Protection under the Massachusetts Wetlands Protection Act (M.G.L. ch.131 s.40) and its implementing regulations at 310 CMR 10.00 (collectively "the Act"), as well as the Town of Franklin Wetlands Protection Bylaw (Chapter 181) and its associated regulations (collectively "the Bylaw") are present at the Site and include:

- Bank/Mean Annual High Water (MAHW);
- Bordering Vegetated Wetlands (BVW);
- Land Under Water (LUW);
- Bordering Land Subject to Flooding (BLSF);
- Riverfront Area (RA); and
- Isolated Vegetated Wetlands (IVW).

The boundaries of onsite Resource Areas were previously confirmed by an Order of Resource Area Delineation (ORAD) issued under MassDEP File No. 159-1306 on April 1, 2025. These boundaries include:

- Flags GCB1 to GCB15 (IVW);
- Flags GCC1 to GCC22 (IVW);
- Flags GCD1 to GCD31 (IVW);
- Flags GCA1 to GCA109 (BVW);
- Flags GCE1 to GCE9 (BVW);
- Flags GCMAHW A1 to GCMAHW30 (Bank/MAHW)
- Flags GCMAHW B1 to GCMAHW B19 (Bank/MAHW)
- Flags GCMAHW C1 to GCMAHW C107 (Bank/MAHW);
- Flags GCMAHW D1 to GCMAHW D4 (Bank/MAHW); and
- Portions of the onsite BLSF.

The Site is not located within any Surface Water Protection Areas (Zone A, B, or C), or Zone I, or Interim Wellhead Protection Areas. The Site is located within a Zone II Wellhead Protection Area. There are no Outstanding Resource Waters (ORWs) or Areas of Critical Environmental Concern (ACEC) present, and the most recent Natural Heritage and Endangered Species Program (NHESP) mapping does not depict any Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife at the Site. There are no NHESP-mapped Certified or Potential Vernal Pools located within 100 feet of the Site.

Natural Resource Conservation Service (NRCS) soil maps indicate the presence of the following soil type at the Site, Scarboro and Birdsall soils, 0 to 3 percent slopes with a Hydrologic Soil Group (HSG) rating of , 3 to 8 percent slopes, extremely stony slope with a Hydrologic Soil Group (HSG) rating of C/D, Freetown Muck, 0 to 1 percent slopes with a HSG rating of B/D, Merrimac fine sandy loam, 0 to 3 percent slopes

with a HSG rating of A, Merrimac fine sandy loam, 3 to 8 percent slopes with a HSG rating of A, and Sudbury fine sandy loam, 2 to 8 percent slopes with a HSG rating of B.

Proposed work is associated with the construction of a 40B multi-family development consisting of four (4) residential buildings and one clubhouse buildings, surface parking, five (5) garage buildings, a dog park, two (2) stream crossings, stormwater management system, a dock, and other Site features (collectively referred to as “the Project”). More specifically, proposed activities include:

- Installation of a crushed stone-stabilized construction entrance;
- Stakeout of the grading and clearing limits and initiation of clearing;
- Installation of erosion and sediment controls;
- Demolition of existing structures;
- Removal of existing vegetation;
- Installation of the stormwater management system;
- Reuse of two (2) existing stream crossings;
- Installation of proposed roadways and pavement throughout the Site;
- Construction of the proposed buildings;
- Installation of utilities;
- Construction of a pool;
- Construction of a dock within the river;
- Construction of a wetland replication area
- Placement of loam and seed in all temporarily disturbed areas;
- Installation of Site features including lighting, bike racks, and fencing;
- Installation of plantings; and
- Removal of erosion and sediment controls following inspection by the Conservation Commission.

As reported by the Applicant, Project will result in direct impacts to the following Resource Areas:

- 385 square feet of impacts to Bordering Land Subject to Flooding;
- 211,010 square feet of impacts to Riverfront Area;
- 7,145 square feet of impacts to Isolated Vegetated Wetlands; and
- 100-foot Buffer Zone to BVW.

The Project proposes 1,682 square feet of compensatory flood storage to mitigate fill within BLSF and also proposes 7,145 square feet of wetland replication to mitigate for the fill of IVW.

BETA2: Impacts have been updated to include the following:

- **16.5 linear feet of impacts to Bank;**
- **72 square feet of impacts to BVW;**
- **160 square feet of impacts to LUW;**
- **2,580 square feet of BLSF and 4,131 cubic feet of flood storage lost; and**
- **151,710 square feet of impacts to Riverfront Area.**

Proposed mitigation has been updated to include the following:

- **12.5 linear feet of replacement of Bank;**
- **6,180 square feet of replacement of BVW; and**
- **6,604 square feet of replacement of BLSF and 15,957 cubic feet of replacement of flood storage.**

BETA3: Impacts have been updated to include the following:

- 16.5 linear feet of impacts to Bank;
- 72 square feet of impacts to BVW;
- 160 square feet of impacts to LUW;
- 23,451 square feet of impacts to BLSF; and
- 151,710 square feet of impacts to Riverfront Area.

The Applicant is proposing to increase flood storage capacity at the Site to include 15,669.75 cubic feet of compensatory flood storage. The Applicant should provide an updated WPA Form 3 with proposed impacts and mitigation quantified based on the most recent plans.

BETA4: According to the submitted WPA Form 3 the following impacts and replacement are proposed:

- 16.5 linear feet of impacts and 16.5 linear feet of replacement of Bank;
- 63 square feet of impacts to BVW and 7,145 square feet of replacement of BVW;
- 162 square feet of impacts to LUW and 162 square feet of replacement of LUW;
- 13,651.4 cubic feet of replacement of BLSF; and
- 147,930 square feet of impacts to Riverfront Area.

Proposed BLSF impacts have not been included on the WPA Form 3. The Resource Area Impact plan shows approximately 26,149 square feet of impacts to BLSF. All impacts to Resource Areas should be quantified and provided on the WPA Form 3.

ADMINISTRATIVE AND PLAN COMMENTS

The plan set (as identified above) is missing information and requires additional information for clarity.

Table 1. NOI Plan

NOI Plan Requirements	Yes	No
North Arrow	✓	
Registered PLS Stamp (Existing Condition Plans Only)	✓	
Assessors' Reference	✓	
Abutting Property Assessors' Reference	✓	
Survey Benchmark	✓	
Existing Conditions Topography (with source and date of survey)	✓	
Accurate Plan Scale	✓	
Plan Scale 1" = 40' or smaller	✓	

PLAN AND GENERAL COMMENTS

- A1. The Massachusetts Department of Environmental Protection (MassDEP) has not issued a DEP file number as of this writing.

GC: Goddard has reached out to MassDEP Central Regional Office to confirm that they have received all necessary materials and to inquire about the status of the issuance of a file number.

BETA2: MassDEP has not issued a DEP file number as of this writing.

GC2: Goddard has continued to inquire with MassDEP CERO regarding the issuance of a file number, and MassDEP has confirmed a file number is forthcoming.

BETA3: MassDEP has issued file number (No. 159-1320) with the following technical comments:

The applicant should update Section B of the NOI form to reflect the currently proposed impacts to wetland resource areas.

GC3: The Applicant has attached the updated Form 3 to reflect the current proposed impact to wetland resource areas.

Additional information is needed to demonstrate that the project meet the performance standards for work in Riverfront Area found in 310 CMR 10.58(4) and/or 310 CMR 10.58(5).

GC3: The Regulatory Compliance Analysis has been updated to incorporate these comments and demonstrate compliance with 310 CMR 10.58(5) and other applicable regulations.

The applicant should confirm that the calculated area of existing degraded area reflects areas that were degraded prior to August 7, 1996 and excludes newer structures (ex. the building to the west of the river).

GC3: Goddard has reevaluated the condition of the site based on historic aerial imagery and has concluded that the site is presently in nearly the same condition as it was in 1996. However, upon further review, Goddard concurs with DEP that the shed/garage building to the west of the river, near the southerly crossing, does not appear to be present in 1996 based on historic aerial imagery. This structure, which totals +/- 3,800 sf has been removed from the calculation of existing degraded Riverfront Area, and the Regulatory Compliance Analysis has been updated accordingly. The project remains in compliance with the WPA.

Compost piles should not be quantified as degraded areas.

GC3: Certain areas were misidentified as "compost piles" on the initial Existing Conditions Plan due to surveyors' field notations which inaccurately represent the materials these piles consist of. The Existing Conditions Plan has been revised to accurately label the piles as abandoned dumping grounds. The dumping ground piles indeed consist of a mix of trash, debris, construction and demolition waste, coarse woody debris, and some yard waste. Examples of non-compostable materials identified within the dumping ground piles on site include brick, cinder block, concrete washout, large diameter logs, asphalt and gravel/fill.

The WPA identifies degraded riverfront area as "[...] areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds." Therefore, Goddard believes that these features which were previously misidentified on site plans as "compost piles" do indeed qualify as degraded riverfront areas by virtue of being abandoned dumping grounds, which have not been turned, moved or exported, and the labels on the plans have been corrected accordingly.

Additional information should be provided describing the characteristics of proposed "Non-Degraded" areas. Areas that are not restored with topsoil, and both woody and herbaceous vegetation do not qualify as areas eligible to help satisfy the redevelopment performance standards. Areas of proposed lawn/landscaping must be excluded from mitigation calculations.

GC3: Landscape plans have been revised to ensure that coverage by topsoil and planting with woody and herbaceous vegetation is proposed everywhere possible such that they can be considered areas that are eligible to help satisfy the redevelopment performance standards. Areas where this is not proposed have been excluded from the tabulation of proposed Riverfront Area restoration.

If elevations of the ground beneath any portion of the compost piles is similar to the adjacent floodplain, compensatory flood storage should be provided for the unpermitted filling of the BLSF. It appears that the upper limit of BLSF does not follow the 271 contours between flags A94 and A100, and to the west of flag A20. Additional compensatory flood storage may be required if these areas have been filled.

GC3: The Applicant's civil engineer, Allen and Major Associates, contemplated this and already included the additional compensatory flood storage in the design. Although it is impossible to verify the ground elevation below the compost/dumping piles without substantial material removal, Allen and Major has estimated the likely lost flood storage capacity caused by the presence of this material to be approximately 3,498.5 cubic feet. This calculation assumes that the dumping piles were not permitted, and that under existing conditions, the flood storage volume should include space occupied by these piles. This volume was added to the tabulation of existing flood storage capacity in the south half of the site (i.e. floodplain elevation 271'), resulting in an updated existing flood storage capacity of 27,780.5 cubic feet. Proposed flood storage capacity in this portion of the site is 37,035.5 cubic feet, an increase of 9,255 cubic feet. The increase in flood storage capacity already provided by the project sufficiently compensates for the loss caused by the presence of this pile.

Does Riverfront Area extend north onto the site from Uncas Brook?

GC3: While the Riverfront Area does appear to extend ever so slightly into the bottom of the site, it remains outside of the proposed limit of work, reaching only the tree line. As a result, no development is proposed within this extension of Riverfront Area aside from the BVW replication area, which is inherently excluded from Riverfront Area impact calculations. As such, the inclusion of this portion of Riverfront Area does not impact the documentation of compliance with applicable performance standards in any way. (This was discussed and coordinated at the 10/9/2025 work session with BETA and the Commission). Because the river that casts this portion of Riverfront Area is offsite, it could not and was not confirmed as part of the approved ORAD.

In recent years, MassDEP has received complaints related to BVW filling on this property. All areas of recent unpermitted BVW filling must be mitigated as part of this NOI.

GC3: During the ANRAD process, the possibility of BVW fill resulting from compost/dump piles was raised in BETA's review letter(s). Goddard responded to this question specifically in a February 27, 2025, memorandum titled Peer Review Comment Response. This response provided an analysis of historic aerial imagery, soil sampling conducted on site and other indicators, which confirmed that BVW fill has not in fact occurred, as an ORAD was subsequently issued confirming the BVW boundary as shown. That said, these piles do appear to extend essentially immediately to the BVW boundary, and cleanup/restoration is proposed as part of this NOI, and the submitted Restoration, Replication and Mitigation Plan regardless. Although relating to BLSF filling rather than BVW filling, this NOI does propose to mitigate potential past unpermitted filling of BLSF onsite; please refer to previous response above.

The applicant should confirm that all infiltration structures/basins are set back at least 50' from wetlands and that soil testing was performed at all proposed infiltration locations.

GC3: Allen & Major has confirmed that all infiltration structures/basins are in fact set back at least 50' from wetland and that soil testing was performed at all proposed infiltration locations.

TSS removal worksheets should be provided for all treatment trains.

GC3: Allen & Major has confirmed that the TSS worksheets have been provided for all treatment trains.

Groundwater mounding shall not intrude into basins/structures.

GC3: The groundwater mounding analysis indicates that the basin/structure is fully sweated within 72 hours as required.

Due to the location of the project within a Zone II, the applicant should confirm that the roofs will not be metal, or provide additional treatment for roof runoff.

GC3: No metal roofs are proposed.

New England Wetland Seed Mix is not recommended for upland (Buffer Zone, Riverfront Area) seeding.

GC3: The New England Wetland Seed Mix has been changed to the Conservation/Wildlife Mix or similar upland mix for all upland areas where it was previously proposed.

A longer period of treatment and monitoring, may be needed to control the invasive species on this site, particularly Japanese Knotweed.

GC3: As full eradication of Japanese Knotweed is not proposed, Goddard believes the proposed monitoring period is appropriate. BETA, the Commission's peer review consultant, has concurred with the recommended monitoring period as well.

All updated site plans, calculations, and narratives submitted to the Commission should also be submitted to MassDEP.

GC3: MassDEP comments and responses are provided later in this document.

BETA4: The Applicant's responses to MassDEP comments are provided above.

- A2. The proposed tree line is currently only depicted on the Layout & Material Plan. Depict the proposed tree line on all sheets.

GC: Site plans have been revised to depict the proposed tree line on all relevant sheets.

BETA2: Comment addressed.

- A3. Resource Area impacts (both permanent and temporary) should be clearly labeled on the Project plans.

GC: A Resource Area Impacts plan sheet has been added to the plan set to illustrate impacts to resource areas proposed.

BETA2: Proposed impacts to IVWs and some impacts to BLSF have been depicted on Sheet EXH-5; however, Riverfront Area impacts; all BLSF impacts; LUW, Bank, and BVW impacts associated with the dock; and impacts associated with invasive species removal have not been depicted or quantified. The Applicant should confirm if impacts associated with invasive species removal have been quantified and included on the WPA Form 3 and within any provided impact summary. With regard to BLSF impacts, the Applicant appears to show alteration to some areas that are not currently designated as BLSF. As noted later in this letter, the boundary of BLSF may change upon further analysis of the floodplain. Comment remains.

GC2: The Resource Area Impacts plan sheet has been updated to include impacts to BLSF, incorporating the newly updated BLSF boundary, and LUW/Bank/BVW associated with the dock. Riverfront Area impacts are quantified in the Regulatory Compliance Analysis. Invasive species management impacts are quantified separately on the attached Landscape Plan sheet.

All resource area impacts, both temporary and permanent, have been clearly labeled and depicted on updated project plans and materials as included in this submittal.

BETA3: Impacts associated with the installation of the dock have been quantified for Bank, LUW, BVW, and BLSF. Impacts associated with the dock are not depicted on the RA impact figure; these impacts should be depicted on the plans and figures and the Applicant should confirm that the impacts are included in the currently proposed impact totals.

The Applicant should provide an updated WPA Form 3 with all proposed impacts to Resource Areas.

GC3: Impacts associated with the dock that were not previously depicted on the Riverfront Area impact figures were omitted because this feature is raised and will not constitute degraded area. Nevertheless, this features has been added to the Riverfront Area figures and impact totals for clarity and for sake of being conservative. An updated WPA Form 3 is also provided as an attachment to this submittal.

BETA4: Comment addressed; impacts associated with the dock are now depicted on the RA figure. However, proposed BLSF impacts have not been included on the WPA Form 3. The Resource Area Impact plan shows approximately 26,149 square feet of impacts to BLSF. All impacts to Resource Areas should be quantified and provided on the WPA Form 3.

Additionally, the Applicant has also stated on the WPA Form 3 that 162 square feet of replacement is proposed within LUW. The Applicant should provide information regarding the “replacement” that will occur within LUW. The Applicant has also stated that LUW impacts are only associated with shading from the dock; however, they should also confirm if impacts associated with helical piles will be proposed.

- A4. Provide a note on the plans referencing the approved ORAD in effect for the Site.

GC: General Note #31 on Abbreviations and Notes Sheet C-001 has been added noting “An Order of Resource Area Delineation (ORAD), DEP File #159-1306, was issued for this site on April 1, 2025.”

BETA2: Comment addressed.

- A5. Update the WPA Form 3 to include the proposed amount of fill within BLSF. The supporting calculations for BLSF fill should be summarized in a single table that discloses proposed fill, proposed cuts, and the resulting flood storage capacity at each elevation. The plan sheets depicting flood storage volumes are helpful but need to be summarized for the Commission to fill out an Order of Conditions.

GC: WPA Form 3 has been updated to more thoroughly and accurately represent alterations and replacements proposed within resource areas. A single table summarizing proposed fill and cut is provided in the revised Regulatory Compliance Analysis. Please see plan sheets depicting existing and proposed floodplain volumes, as well as quantities of cut and fill proposed within the floodplain, attached to the Regulatory Compliance Analysis.

BETA2: Comment addressed.

WETLAND RESOURCE AREAS AND REGULATORY REVIEW

BETA has completed a regulatory review of the submitted documents and plans, focusing on compliance with the regulations set forth in the Act.

The NOI application includes narrative information describing the Project and plans depicting the proposed work. BETA recommends that the Applicant review and address the comments in this letter related to the delineation of degraded RA, compliance with the RA Performance Standards, mapping of BLSF, and compliance with the BLSF Performance Standards prior to addressing other comments as these may have impacts of the proposed design. The proposed design also presents some constructability challenges that may result in additional Resource Area impacts and therefore warrants a closer review of grading and realistic limits of work. The Applicant will also be required to provide additional information on specific Project aspects such as the proposed dock, as the associated Resource Area impacts have been omitted from analysis in the NOI.

The Applicant has proposed several mitigation measures including the use of erosion controls, installation of a stormwater management system, construction of a wetland replication area even when not required by the Act, management of invasive species, planting of native vegetation, and preservation of land for conservation purposes. However, the submitted information documenting the proposed mitigation measures including the management of invasive species is not detailed enough to provide meaningful metrics for implementation or success and require additional consideration by the Applicant.

At this time, the Applicant has not provided sufficient information to demonstrate compliance with the provisions of the Act.

BETA2: The Applicant has provided plan updates and the submission of additional documentation to respond to BETA's previous comments regarding details of proposed work activities, providing realistic extents of grading and erosion controls, demonstrating compliance with applicable Performance Standards, and mitigation measures including invasives species management.

At this time, the Applicant has not resolved several comments from BETA's original letter that are critical to demonstrating compliance with the Act. Specifically, BETA is providing further justification in this letter as to why a floodplain analysis is warranted (notwithstanding FEMA's July 2025 mapping updates) and the necessity to correctly evaluate RA compliance on the Site, regardless of whether the Applicant elects to review the Site under 310 CMR 10.58(5) alone or in conjunction with 310 CMR 10.58(4). The RA Performance Standards evaluation, in BETA's opinion, will also require the Applicant to re-delineate the extents of degraded RA at the Site as previously requested. In addition, further details on invasive species management, construction of the proposed dock, and compliance with LUW/Bank Performance Standards are required.

It is recommended that the Applicant prioritize addressing comments related to BLSF and RA, as these may have impacts on the proposed design.

BETA3: Supplemental information has been provided by the Applicant regarding proposed mitigation at the Site and how the Project addresses the Performance Standards set forth in the Act (particularly regarding RA). The Applicant has also provided plan updates to show proposed impacts to Resource Areas.

Impacts proposed to RA as a part of invasive species management and installation of the dock should be quantified and depicted on all associated plans and figures. The invasive species management plan should also be revised as appropriate per BETA's most recent response to Comment W11. In addition,

the Applicant should reevaluate select areas of degraded RA proposed for restoration to ensure that the RA Redevelopment Performance Standards are fully met. The Applicant should provide an updated WPA Form 3 with all proposed impacts to Resource Areas to confirm consistency across all Project documents.

Based on MassDEP's comments and discussions with the Town, unpermitted work in BVW and BLSF on the property and proposed mitigation may also be required as part of this application. Several Special Conditions have been suggested for the Commission's consideration throughout this letter.

BETA4: The Applicant has provided information to describe the impacts proposed work will have on Resource Areas and has demonstrated compliance with the applicable Performance Standards. Information including impacts associated with the dock, impacts associated with invasive species management, and an updated WPA Form 3 have been provided. However, proposed impacts to BLSF have not been provided on the WPA Form 3, and the Applicant should clarify if any LUW are attributed to helical pile installation (permanent impact).

Additionally, updates have been made to the Restoration, Replication and Mitigation plan for management of invasive species and to further describe the proposed work associated with management of invasive species. BETA defers to the Commission regarding proposed Special Conditions, the invasive species management plan, and mitigation for any potentially unpermitted work that has already occurred at the Site.

CONSTRUCTION COMMENTS

W1. The Project, as currently depicted, will disturb more than one (1) acre of land; therefore, a Notice of Intent (NOI) must be submitted to the Environmental Protection Agency (EPA) under the Construction General Permit (CGP) and a Stormwater Pollution Prevention Plan (SWPPP) must be prepared. The Commission could consider a Special Condition within the Order of Conditions that requires the submission of the SWPPP for review and approval prior to the commencement of work.

GC: The Applicant is aware that the project, as proposed, will be subject to jurisdiction under the EPA CGP and a SWPPP must be prepared. As noted by BETA, there are specific federal regulations already in place that the Applicant must adhere to, so the Applicant does not think this special condition is necessary, but ultimately defers to the Commission.

BETA2: BETA defers to the Commission on including a Special Condition within the Order of Conditions that requires the submission of the SWPPP for review and approval prior to the commencement of work. The Commission has historically required this on large development projects.

GC2: Acknowledged, please see previous response to this comment. The SWPPP is under the jurisdiction of the United States Environmental Protection Agency and outside of the jurisdiction of the MA Wetlands Protection Act.

BETA3: BETA defers to the Commission on the Special Condition recommended above.

GC3: As agreed upon at the 10/9/2025 working session, the Applicant is amenable to providing a copy of the SWPPP to the Conservation Commission prior to the commencement of work; however, for the sake of clarity, a separate approval of the SWPPP by the Conservation Commission is not required/necessary given the Applicant must already follow state and federal regulations mandated for this process.

BETA4: BETA defers to the Commission on the Special Condition recommended above.

- W2. The construction stockpile/staging area is currently depicted within the 200-foot RA with erosion controls surrounding a portion of the area. The construction stockpile/staging should be relocated out of the Resource Areas. If this is not feasible, erosion controls should be depicted around the entire stockpile/staging area within Resource Areas.

GC: Site plans have been revised to relocate stockpile and staging areas outside of the 200-ft Riverfront Area.

BETA2: Comment addressed.

- W3. The Applicant should provide further information on the proposed construction of the dock within the perennial stream including how the dock will be constructed and details on the structures proposed within the stream/LUW; any permanent and temporary impacts to Resource Areas (Bank, LUW, and BVW) associated with the construction of the dock; and how the dock will be maintained. Sufficient information has not been provided to permit the construction of the dock.

GC: Landscape Plans have been updated to provide all requested information as it relates to the design and construction of the dock including details illustrating the structures proposed within the stream/LUW and impacts to the Resource Areas (Bank, LUW and BVW). The dock and gangway are planned to be a prefabricated product similar or equal to the product line offered by the manufacturer, EZ-Dock (image included for illustrative purposes). The dock is low-maintenance, durable, and slip-resistant made of polyethylene. As such, maintenance is limited to sweeping the surface of the dock clean, and as it's a modular system, can be easily disassembled and stored as/if necessary during winter months.

BETA2: The Applicant provided sufficient information on the proposed dock. Proposed Resource Area impacts associated with the dock should be shown on Sheet EXH-5. Should the Commission approve the construction of the dock, it is recommended that a Special Condition requiring the removal and appropriate storage of the dock during winter months be included in the Order of Conditions.

Although not directly under the Conservation Commission's purview, the onsite stream may qualify as a "navigable waterway" per the Massachusetts Public Waterfront Act (Chapter 91) and therefore require a Chapter 91 license. It is recommended that a Special Condition be included in the Order of Conditions that requires the Applicant to either provide the Commission with a copy of the Chapter 91 License prior to construction of the dock or to provide written confirmation from MassDEP that the waterway does not qualify as "navigable". MassDEP is the only entity that can make the determination of navigability under the Chapter 91 program.

GC3: No response necessary.

GC2: The proposed Resource Area impacts associated with the dock have been shown on Sheet EXH-5. The applicant is amenable to a Special Condition requiring the removal and appropriate storage of the dock during the winter months. The applicant must follow all State and Federal laws and regulations, including with respect to Chapter 91 licensing, if applicable. The Massachusetts Public Waterfront Act (Chapter 91) is outside the purview of the Conservation Commission as noted by BETA. The Applicant will conduct thorough due diligence to confirm the proper permits are obtained prior to the installation of the dock, as is done for every aspect of the project. As such, a special condition is unnecessary in the Applicant's opinion. Regardless, the Applicant is happy to

accept a Special Condition stating: "Should a Chapter 91 License be required for the dock, the Applicant shall submit a copy of the License to the Commission prior to construction of the dock."

BETA3: Proposed impacts to RA associated with the dock should be depicted on the associated plans and figures and quantified, as it appears that a small area of the dock footprint is not depicted as degraded on the RA Proposed Conditions exhibit. BETA concurs with the Applicant's suggestion above for a Special Condition, subject to Commission concurrence.

GC3: No response necessary.

BETA4: Impacts to RA associated with the dock have been quantified and are now depicted on the RA figures. See the recommended Special Condition above.

W4. The proposed location of erosion controls conflict with proposed structures/grading at the following locations:

- FES1;
- FES5;
- FES6;
- FES7;
- The proposed dock;
- Retaining wall construction north of flag C50;
- The riprap proposed along FES8; and
- The grading near flag A10.

The proposed work and/or locations of erosion controls should be revised as necessary to resolve these conflicts.

GC: The erosion control line has been updated to avoid conflicts with proposed work.

BETA2: Comment addressed.

W5. The proposed work does not appear constructable without some level of temporary and/or permanent impacts to facilitate access and sufficient space to work at the following locations:

- FES1;
- The retaining wall north of C50;
- FES4;
- The proposed dock;
- The grading north of flag A40;
- FES3;
- FES5; and
- The placement of riprap north of flag A90.

The proposed design should be revised to either avoid impacts at these locations, or the associated impacts should be disclosed and appropriately mitigated. Particular attention should be given to the proposed retaining wall, as over excavation is required to install the leveling pad and place impervious fill per the detail provided.

GC: Locations of proposed features have been revised to limit impacts. The only unavoidable impacts are associated with the construction of the retaining wall north of flag A40. These impacts are now disclosed on the Resource Area Impacts plan sheet, which has been added to the plan set to illustrate permanent and temporary impacts proposed.

BETA2: All previously mentioned locations where impacts would be required have been revised with the exception of the retaining wall north of flag C50 and the proposed dock. Impacts associated with the retaining wall are shown on the Resource Area Impact Plan sheet. Impacts associated with the proposed dock are not depicted on the Resource Area Impact Exhibit. The Applicant should depict all proposed impacts on the Resource Area Impact Exhibit and confirm all associated narratives and resubmit the WPA form to reflect proposed impacts.

BETA3: No response has been provided; however, impacts associated with the proposed dock for Bank, LUW, and BVW have been provided on the Resource Area Impact Exhibit. Impacts associated with the dock are not currently depicted on the RA impact figure, and all impacts should be quantified and depicted on the plans and figures.

GC3: See GC3 response to comment A3. No further comment.

BETA4: Comment addressed.

- W6. The Project will require a significant area of earthwork. Provide a phasing plan to supplement the erosion control plan that limits the total area of disturbance at the Site at any time, with provisions to temporarily stabilize previous phases as appropriate before further advancing work.

GC: Detail regarding construction sequencing has been added to plan sheet C-002.

BETA2: Comment remains. Phasing to limit disturbance was not provided within the construction sequence. The Applicant notes that the schedule of work will be completed by the site contractor. The Commission could consider including a Special Condition requiring the chosen site contractor to provide a final construction sequence with phasing of construction, including temporary stabilization measures, prior to the commencement of work.

GC2: Acknowledged. The Applicant is amenable to providing a phasing plan to the Commission prior to the commencement of work.

BETA3: No further response required. See W6 BETA2 for the recommended Special Condition.

- W7. Proposed snow storage is shown within the 100-foot Buffer Zone of the A Series wetland. Relocate snow storage outside of the 100-foot Buffer Zone to wetlands where feasible.

GC: Snow storage areas have been removed from within the 100-foot Buffer Zone of the A Series wetland.

BETA2: Comment addressed.

- W8. The work proposed over the existing southern stream crossing (i.e., north of flag C50) depicts proposed linework that appears to denote a new culvert. The Applicant should clarify the intent at this location. If no new crossing is proposed, provide a cross section that demonstrates that proposed utilities can be installed without conflicting with the existing pipe. Should the Applicant propose a new crossing, documentation of compliance with the Massachusetts Stream Crossing Standards to the extent practicable is required, and the plans will need to be supplemented with additional details, water control provisions, etc.

GC: No new stream crossing culverts are proposed, nor do the plans indicate such – perhaps the linework in the previous plan set was unclear. Regardless, a cross section of the stream crossing has been added to the plans illustrating utilities can be installed without conflicts with the existing pipe.

BETA2: Comment addressed. As noted on the provided profile, a Structural Engineer will be required to confirm the foundation, which will need to be constructed with the existing pipe placed through it. BETA recommends that a Special Condition be included in the Order of Conditions that requires the Applicant to secure an Amended Order of Conditions in the event that replacement of the pipe (or a section thereof) is required.

GC2: Acknowledged. The Applicant is amenable to this being included as a condition of approval, if necessary, and suggests that this be completed prior to the issuance of the final certificate of occupancy.

BETA3: No further response required. See W8 BETA2 for the recommended Special Condition.

- W9. The northern stream crossing is proposed to be reused, and the existing piping will remain in place. BETA recommends that the engineer of record provide a statement certifying the condition of the pipe and the structural capacity to support the loading of the pavement courses, vehicular traffic, and construction equipment.

GC: The Applicant is amenable to a condition of approval requiring a statement from a structural engineer indicating the structural capacity of the northern stream crossing can support the loads. This can be provided prior to the commencement of construction.

BETA2: Comment addressed. See GC Response and W8 BETA2 for the recommended Special Conditions.

GC2: Acknowledged. The Applicant is amenable to this being included as a condition of approval.

BETA3: No further response required. See GC Response and W8 BETA2 for the recommended Special Conditions.

- W10. Use of silt fencing is traditionally not accepted by the Franklin Conservation Commission. BETA concurs with the use of the 12-inch compost filter tube as noted in the details. Additional controls will be required should the dock construction be pursued.

GC: Plans have been revised to remove silt fencing. Plans have been coordinated accordingly with the further detailed dock plans.

BETA2: Comment addressed.

MITIGATION COMMENTS

- W11. The Applicant has stated that invasive species including common reed (*Phragmites australis*), glossy buckthorn (*Frangula alnus*), Japanese knotweed (*Fallopia japonica*), and bittersweet (*Celastrus orbiculatus*) are present at the Site. During BETA's Site visit, these species and the following additional species were observed: purple loosestrife (*Lythrum salicaria*), multiflora rose (*Rosa multiflora*), garlic mustard (*Alliaria petiolata*), Norway maple (*Acer platanoides*), autumn olive (*Elaeagnus umbellata*), winged euonymus (*Euonymus alatus*), and bush honeysuckle (*Lonicera spp.*). These species were observed in areas proposed for development, but no formal invasive species removal plan has been provided for these species. The Applicant should provide

information regarding the removal¹ of all invasive species at the site to ensure further spread does not occur during construction.

GC: The management methods proposed are applicable to all identified invasive species on site. The Restoration, Replication and Mitigation Plan has been updated to reflect this and to provide additional detail regarding preferred management techniques and access considerations. An Invasive Species Management Coordination Plan (sheet L0) has also been added to the Landscape Plans which depicts the areas in which invasive species management is proposed.

BETA2: The Applicant should state if excavation is proposed within Resource Areas as a method to remove invasive species; if so, these impacts should be quantified. Within the ongoing management section, it is stated that mowing is a viable management option for continued maintenance. Japanese knotweed is a species that can vegetatively sprout by any fragment of the plant. This plant should not be mowed as it can cause the spread of the species. This should be detailed in any ongoing maintenance plans. With regard to the invasive species management plan as a whole, it does not appear that Site-specific recommendations for treatment are provided for specific areas of the Site. For example, there are general note about herbicide use, but it is anticipated that the Conservation Commission would want the Applicant to avoid herbicide use within wetlands to the extent feasible. In addition, it does not appear that the landscape plans capture all areas of the Site with invasive species populations (i.e., directly along the Bank of the onsite stream).

The Commission could consider requiring the Applicant to prepare a more Site-specific invasive species management plan during the public hearing process. Alternatively, the Commission could consider including a Special Condition in the Order of Conditions that requires this to be prepared prior to construction for review and approval.

GC2: The Restoration, Replication and Mitigation Plan has been updated to specify that (1) excavation of invasive species is not to occur within Bank, BVW or LUWW resource areas, (2) any cutting of Japanese knotweed must be done stalk-by-stalk, rather than by mowing, and all vegetative material must be removed from the site, and that (3) chemical treatment will not occur unless mechanical treatment has been demonstrated to be ineffective. The Applicant does not propose applying herbicide to open water, but because of the potential for application to occur close to water, herbicides that are approved for such use have been selected. Additionally, the specific landscape plan sheet in question has been revised to better depict the extents of existing invasive vegetation and those areas proposed for ongoing management and is attached to this submittal. A complete, final Landscape Plan Set including all sheets properly updated and coordinated will be submitted for review prior to the end of the public hearing process. The areas proposed for management comprise 86,205 square feet, of which 59,672 square feet is located within proposed planting areas and 23,187 square feet is located outside of the proposed planting areas.

BETA3: The invasive species management plan states that “mowing may be conducted with hand-operated power tools or a walk-behind brush mower in any locations where target

¹ Where invasive species removal/control/management is referenced in these comments, it is understood that complete long-term eradication is not intended by the Applicant’s proposal.

vegetation is located". This should be revised to state that mowing may be conducted on species excluding Japanese knotweed.

Within the invasive species management plan, the Applicant stated that excavation is acceptable within RA, BLSF, and the 100-foot Buffer Zone. The Applicant should clarify if impacts associated with excavation have been included in the quantified impacts for these Resource Areas.

Areas where Japanese knotweed and common reed are present adjacent to the eastern side of Uncas Brook are not proposed for management and are only proposed for monitoring and treatment where practical. These species will most likely encroach into the adjacent areas proposed for restoration/management. The Commission could consider requiring the Applicant to provide a more long-term management plan for locations proposed for restoration/management given the anticipated invasive species pressure.

The Commission could consider including a Special Condition requiring the selected contractor to provide an invasive species management plan with specific information including who will be performing the work, a copy of the Massachusetts Pesticide License for any applicator, documentation of existing plant populations, selected removal methods for each species, representative photographs, and documentation of post-work conditions. See suggested monitoring requirements for invasive species management areas in Comment W12.

GC3: The Restoration, Replication and Mitigation Plan has been revised to exclude mowing of Japanese knotweed and to clarify that excavation will only be employed within areas that will otherwise be graded for site work. As such, impacts resulting from this excavation work do not extend beyond impacts quantified for other site work as shown on the project plans. Goddard believes that the monitoring and maintenance requirements for the restoration areas sufficiently address the anticipated invasive species pressure from surrounding areas. Monitoring will note invasive species regrowth or spread and will recommend corrective actions if the restoration areas do not exhibit at least 75% cover by native vegetation. With regard to any potential herbicide applications, the applicant is amenable to a condition requiring the submittal of specific information including who will be performing the work and a copy of the Massachusetts Pesticide License for any applicator.

BETA4: The Applicant has updated the Restoration, Replication and Mitigation plan to include the above-stated information. BETA defers to the Commission regarding the proposed Restoration, Replication, and Mitigation Plan including proposed restoration work, follow-up maintenance, and the Special Condition recommended above.

- W12. The Applicant should provide the locations and areal extent of invasive species proposed for removal and provide additional details on the means and methods of removal in the submitted invasive species management plan. Dense stands of common reed are present along the Banks of the River and will require specific access and treatment considerations. Significant invasive species control efforts will be required along the River to ensure that the adjacent native plantings and restoration areas are not compromised. It is recommended that areas subject to invasive species management be monitored for at least three (3) growing seasons to document the efficacy of the control efforts.

GC: Additional details regarding invasive species management methods, especially with regard to the Phragmites and Japanese knotweed along the Banks of the River, have been added to the Restoration, Replication and Mitigation Plan. An Invasive Species Management Coordination Plan

(sheet L0) has also been added to the Landscape Plans. The Applicant is amenable to monitoring for three (3) growing seasons.

BETA2: See BETA2 response to Comment W11.

GC2: See GC2 response to Comment W11.

BETA3: Further details and a plan have been provided on the location of proposed invasive species management. See W11 BETA3 response and comment W12 for recommended Special Conditions related to monitoring.

GC3: No further comment.

- W13. Areas proposed to be vegetated with native, herbaceous species should be monitored for at least three (3) growing seasons to demonstrate successful establishment and limited invasive species pressure. This could be conducted concurrently with the recommended invasive species control monitored noted above.

GC: This monitoring requirement has been incorporated into the Restoration, Replication and Mitigation Plan.

BETA2: Comment addressed. BETA recommends a Special Condition be included within the Order of Conditions requiring monitoring and documentation of areas vegetated with native, herbaceous species for at least three (3) growing seasons.

- W14. A monitoring protocol should be submitted by the Applicant to address the recommendations above for the Commission's review and approval. This protocol should include monitoring frequency, methodologies, corrective actions, metrics for success, and reporting schedule.

GC: The above monitoring protocols have been incorporated into the Restoration, Replication and Mitigation Plan.

BETA2: The Applicant should provide specific contents of the monitoring reports and metrics for determining success as it relates to the invasive species management plan. Comment remains.

GC2: Specific items to be included in monitoring reports, and clearer metrics for determining success, have been added to the Restoration, Replication and Mitigation Plan.

BETA3: Comment addressed. BETA defers to the Commission on the submitted monitoring protocol.

- W15. It is recommended that areas subject to native plantings/restoration be mowed only once per year during late fall; this could be included as a Special Condition. If so, it is recommended that signage be required to demarcate these areas and this requirement in the field.

GC: The Applicant is amenable to the inclusion of a Special Condition prohibiting the wholesale mowing of naturalized areas more than once per year in late fall; however, mechanical removal of invasive species in these areas, including mowing, may be implemented for invasive species management purposes in limited portions of these areas. Due to these areas not being contiguous, installing signage is not practical.

BETA2: To ensure the success of native species and to support native fauna, mowing should not occur as a removal method for invasive species within naturalized areas. Invasive species found throughout naturalized areas should either be hand removed or treated with herbicide using a cut and treat method.

Signage could still be installed to demarcate the extents of naturalized areas, even if fragmented. BETA defers this to the Commission.

GC3: No further comment.

GC2: The Restoration, Replication and Mitigation Plan has been updated to stipulate that mowing of naturalized areas is not proposed. Rather, mechanical removal in these areas should be completed by targeted cutting performed by hand-operated tools or equipment. Signage indicating that mowing is only intended to occur once per year in late fall has been added to the landscape plan sheets.

BETA3: Comment addressed. The Applicant has provided proposed signage for areas planted with native vegetation that will state “Native plantings. Mow only once per year in late fall”. BETA defers to the Commission on the approval of this signage.

GC3: No further comment.

- W16. The species proposed for planting throughout the Site have been provided; however, the proposed quantity of native shrubs, native ferns & grasses, and native herbaceous plants should be provided within the plant schedule.

GC: Quantities of proposed plantings have been added to the plant schedules on Sheets L2.1-L2.3 of the landscape plans.

BETA2: Comment addressed.

- W17. The species include in the proposed seed mixes that will be used for stabilization should be provided on the plans.

GC: The species included in proposed seed mixes has been provided on the plans.

BETA2: Comment addressed.

- W18. Provide additional information on the preservation of land at the Site, including the legal means of preserving the land; the responsible entity for monitoring compliance with any deed restrictions or conservation restrictions; and an Operation and Maintenance Plan that ensures protection of Areas Subject to Protection/Jurisdiction under the Act. Any related Project facets that may be required to support this endeavor (i.e., establishing trails and posting signage) should also be disclosed.

GC: The southern portion of the site as depicted on the exhibit in the NOI submittal will be divided off as its own unbuildable lot and deeded to the Town of Franklin under the ANR process, to be approved by the ZBA under the Comprehensive Permit. As the Applicant will no longer own the land, future management of the property is at the discretion of the Town. The Applicant is amenable to post signage along the southerly edge of the parking lot in front of the land to be deeded. Details for this signage can be coordinated with the Commission and can be added to the Plans in the next resubmission.

BETA2: BETA recommends the Commission include Special Conditions within the Order of Conditions stating that the transfer of property must occur prior to the commencement of work and that the Applicant must provide the Commission with a signage plan for review and approval, which the Applicant will then implement at their expense.

GC2: The Applicant is amenable to a condition requiring that the land transfer occur prior to the commencement of work. Landscape plans have been updated to include locations and details for the signage. The Applicant seeks the Commission's approval of the signage as a part of this Order of Conditions rather than as a condition. A final landscape plan set will be submitted with this updated information prior to the end of the public hearing process for the review and approval of BETA and the Commission.

BETA3: No further response required. See W18 BETA2 comment for suggested Special Condition.

W19. BETA offers the following comments regarding the wetland replication area:

- a. The Applicant should provide the species within the proposed seed mix to be used in the Wetland Replication Area.
- b. The access point to the proposed wetland replication area should be demarcated on the plans to ensure the adjacent wetland is not impacted.
- c. Erosion controls should be depicted around the northern and eastern side of the wetland replication area to ensure sedimentation from adjacent grading work does not enter the existing wetland complex.
- d. A note should be provided requiring the Wetland Scientist to contact the Commission for review and approval of the final grades and proposed planting stock prior to planting. This could be included as a Special Condition in the OOC.
- e. The Applicant is proposing the reuse of the soil within the IVW that is proposed to be filled; however, the NOI states that invasive species are present within the existing IVW. It is recommended that the soil used in the wetland replication area be invasive species free to ensure the success of the wetland replication area.
- f. The monitoring requirements should include a requirement to document development of hydric soils and hydrology. In addition, the monitoring protocol should include corrective actions as necessary to ensure success of the area. BETA recommends that the monitoring period occur over three (3) growing seasons.

GC: The project team has made the following revisions to wetland replication plans:

- a. *The species included in the seed mix proposed in the replication area has been added to the site plans. See also response to comment W17.*
- b. *The site plans have been updated to show that access to the replication area will be obtained via an existing cart path to limit disturbance to the greatest extent possible. The access path will be seeded upon completion.*
- c. *Erosion controls surrounding the replication area are now shown on the plans.*
- d. *A note has been added for the supervising wetland scientist to call for inspection and approval of completed grades and planting stock in the replication area.*
- e. *The narrative has been updated to indicate that soil originating from areas known to support invasive species shall not be reused.*
- f. *The monitoring requirements have been expanded and more clearly described.*

BETA2: Comment addressed.

WPA PERFORMANCE STANDARDS COMMENTS

According to WPA Form 3, the Project proposes 385 square feet of alteration to Bordering Land Subject to Flooding and 211,010 square feet of alteration to Riverfront Area (98,400 within the 0-100 foot RA and 112,610 within the 100- 200 foot RA) and is required to comply with the applicable Performance Standards set forth in the Act. Additionally, the Project proposes the installation of a dock within the onsite BVW, Bank, and LUW.

- W20. Invasive species proposed for removal including common reed and Japanese knotweed are present within the BVW and Bank associated with the onsite perennial stream. The Applicant should clarify if temporary impacts to Resource Areas will occur as a result of removing this vegetation. The Applicant should also clarify if supplemental plantings are proposed within Resource Areas where vegetation is removed.

GC: Temporary impacts in the form of invasive species management are likely to occur with the management of invasive vegetation. The Restoration, Replication and Mitigation plan has been updated to specify that native potted plants and/or native seed mix shall be placed in these areas if invasive vegetation is sufficiently managed that areas become unvegetated; however, the likelihood of this being a problem is believed to be low.

BETA2: Impacts related to the removal of invasive species should be quantified. The Applicant should determine if excavation of invasive species, specifically those that spread via rhizome, will occur within Resource Areas.

GC2: Impacts related to invasive species management have been better quantified on the landscape plans; the singular sheet is provided as an attachment to this submittal. A final landscape plan set will be coordinated, compiled and submitted prior to the end of the public hearing process for the review and approval of BETA and the Commission. The Restoration, Replication and Mitigation plan has been updated to specify that excavation is acceptable within Riverfront Area, Bordering Land Subject to Flooding, and the 100-foot buffer zone, and that excavation shall not impact Bank, Bordering Vegetated Wetlands, or Land Under Water Bodies and Waterways

BETA3: The Applicant should clarify if the proposed excavation work within RA, BLSF, and the 100-foot Buffer Zone has been quantified as a part of the proposed Resource Areas impacts.

GC3: See GC3 response to comment W11. Excavation is proposed only within areas already subject to site work, and therefore excavation impacts will not extend beyond areas already quantified as impacts.

BETA4: Comment addressed.

BANK (310 CMR 10.54)

- W21. Impacts to Bank associated with the installation of the proposed dock should be quantified and details regarding how the Project complies with the Performance Standards set forth in Act should be provided. Construction of a dock is considered a Limited Project under 10.53(3)j if all applicable standards are met.

GC: Proposed impacts to Bank for the installation of the dock amount to 4 lf (i.e. the width of the gangway). The impact does not consist of direct alteration, only the overhanging dock walkway. Nevertheless, this aspect of the project is eligible to be treated as a Limited Project

under 10.53(3)j. The dock has been selected to ensure that its minimal width does not materially effect the amount of light reaching below, such that vegetation is maintained.

310 CMR 10.53(j) states that limited projects may be permitted, such as, “[t]he construction and maintenance of catwalks, footbridges, wharves, docks, piers, boathouses, boat shelters, duck blinds, skeet and trap shooting decks and observation decks; provided, however, that such structures are constructed on pilings or posts so as to permit the reasonably unobstructed flowage of water and adequate light to maintain vegetation,” among others.

BETA2: The Applicant did not provide information on how the Project complies with the Performance Standards set forth in 310 CMR 10.54(4). The Limited Project provisions are at the discretion of the Commission and require the Applicant to demonstrate that the Performance Standards are met to the maximum extent practicable. Comment remains.

GC2: Discussion of compliance with the Performance Standards at 310 CMR 10.54(4) has been added to Section 5.0 of the Regulatory Compliance Analysis, and a section has been added documenting compliance with the Limited Project provisions. The Resource Area Impact Exhibit (Sheet EXH-5) has been updated to depict this impact.

BETA3: Comment addressed.

BORDERING VEGETATED WETLAND (310 CMR 10.55)

W22. Impacts to BVW for the installation of the proposed dock should be quantified and details regarding how the Project complies with the Performance Standards set forth in Act should be provided. Construction of a dock is considered a Limited Project under 10.53(3)j if all applicable standards are met.

GC: Proposed impacts to BVW for the installation of the dock amount to 32 sf. The impact consists primarily of the overhanging dock gangway, and a minor direct impact for the installation of piles. Nevertheless, this aspect of the project is eligible to be treated as a Limited Project under 10.53(3)j as described in our response to comment W21.

BETA2: The Applicant states in the BVW Performance Standards narrative that 40 square feet of BVW impacts are proposed associated with improvements on the stream crossing; however, impacts associated with the installation of the dock are not mentioned. All proposed impacts should be quantified and discussed within the Performance Standard narrative and shown on the Resource Area Impact Exhibit.

GC2: Discussion of compliance with the Performance Standards at 310 CMR 10.55(4) has been added to Section 3.0 of the Regulatory Compliance Analysis, and a section has been added documenting compliance with the Limited Project provisions. The Resource Area Impact Exhibit (Sheet EXH-5) has been updated to depict this impact.

BETA3: Comment addressed. Based on MassDEP comments and discussions with the Town, the Applicant may be required to provide an analysis of the unpermitted BVW impacts and provide mitigation for this work. BETA defers this issue to the Commission.

GC3: As noted in our responses to MassDEP’s comments, during the ANRAD process, the possibility of BVW fill resulting from compost/dump piles was raised in BETA’s review letter(s). Goddard responded to this question specifically in a February 27, 2025, memorandum titled Peer Review Comment Response. This response provided an analysis of historic aerial imagery, soil

sampling conducted on site and other indicators, which confirmed that BVW fill has not in fact occurred, as an ORAD was subsequently issued confirming the BVW boundary as shown. That said, these piles do appear to extend essentially immediately to the BVW boundary, and cleanup/restoration is proposed as part of this NOI, and the submitted Restoration, Replication and Mitigation Plan regardless. As a note, this topic was discussed with BETA and the Commission at the 10/9/2025 working session.

BETA4: BETA defers to the Commission regarding the need for any additional mitigation.

LAND UNDER WATER (310 CMR 10.56)

- W23. Impacts to LUW for the installation of the proposed dock should be quantified and details regarding how the Project complied with the Performance Standards set forth in the Act should be provided. Construction of a dock is consider a Limited Project under 10.53(3)j if all applicable standards are met.

GC: Proposed impacts to LUW for the installation of the dock amount to 160 sf. The impact consists only of shading caused by the dock float. This impact is unlikely to have any adverse impact, as no significant amount of aquatic vegetation is present within LUW in this area. Nevertheless, this aspect of the project is eligible to be treated as a Limited Project under 10.53(3)j as described in our response to comment W21.

BETA2: The Applicant did not provide information on how the project complies with the Performance Standards set forth in 310 CMR 10.56(4) and has not depicted proposed LUW impacts on the Resource Area Impact Exhibit.

GC2: Discussion of compliance with the Performance Standards at 310 CMR 10.56(4) has been added to Section 6.0 of the Regulatory Compliance Analysis, and a section has been added documenting compliance with the Limited Project provisions. The Resource Area Impact Exhibit (Sheet EXH-5) has been updated to depict this impact.

BETA3: Comment addressed.

BORDERING LAND SUBJECT TO FLOODING (310 CMR 10.57)

- W24. The Applicant should provide further information regarding how the extent of BLSF at the Site was determined, as the ORAD only approved portions of the BLSF at the Site. Given the number of stream crossings / hydraulic restrictions present at the Site, this evaluation should be prepared by a Professional Engineer with experience in hydraulics. The Commission may require more up to date engineering information than what is provided by FEMA per (310 CMR 10.57(2)(a)3., particularly given the presence of a Zone A with no published base flood elevation.

GC: This response has not been provided in this letter for readability. Please see GC's response to this comment within the attached document.

BETA2: Regarding the Applicant's assertion of recorded/observed flood events, no tangible evidence has been provided to depict conditions related to any storm event at the Site. Therefore, a conflict exists in that no credible data of Site conditions relevant to the floodplain has been provided to support the Applicant's stance of the extent of flooding in a Zone A. It is BETA's position that the Commission reserves the right to require a floodplain analysis to accurately confirm the extents of BLSF at the Site. In addition, the Applicant mentions that a

Zone X was present at the Site at the time of their writing, which is used as a basis to claim that the 100-year floodplain cannot also be present in that area. As noted in the Applicant's response, there was no NFIP data in that portion of the Site; therefore, it is not accurate to accept the Zone X designation as a matter of fact.

As of July 8, 2025, FEMA has updated the map panel 25021C0309F to depict that a Zone A with no Base Flood Elevation (BFE) is present throughout the Site. Therefore, it is BETA's opinion that the change in floodplain mapping further supports the request for an analysis to accurately determine a BFE for the Site. It is BETA's understanding that the Applicant indicated to the Town via email on August 20, 2025 that this analysis would be performed in the coming weeks.

GC2: The Applicant retained a second civil engineering firm with experience in hydrology and establishing a base flood elevation (BFE) in a Zone A, Beals Associates, Inc., to provide further engineering analysis, in accordance with MA WPA regulations, of hydraulic restrictions and floodplain conditions to establish a base flood elevation in the northern portion of the site. This analysis corroborates the use of elevation 271' in the southern portion of the site, as confirmed in the ORAD, and establishes elevation 271.5' as the flood elevation in the northern portion of the site based on hydraulic modeling. Civil plans have been updated to reflect the additional BLSF, including a compensatory flood storage and riverfront naturalization area located in the northwest corner of the site.

BETA3: Comment addressed.

- W25. The Applicant stated that no significant wildlife habitat is present in the area of proposed work within BLSF. However, according to 310 CMR 10.57(1)(a)3, areas of BLSF located within the 10-year floodplain or within 100 feet of a Bank or BVW (whichever is further away) are presumed to be significant to the protection of wildlife, unless they have been extensively altered by human activity as defined in the regulations. While some portions of the BLSF within 100 feet of the Bank and BVW appear to meet the definition of "altered", portions of BLSF where work is proposed do not. Therefore, the Applicant should depict the 10-year floodplain boundary and quantify impacts to BLSF as appropriate to determine if a wildlife habitat evaluation is warranted.

*GC: As is necessary for human safety and vehicular access, the existing southern stream crossing needs to be bolstered. This area is the only location where fill is proposed within BLSF. Figure 3 below, dated 3/7/2025, depicts the approximate location of fill within BLSF in yellow. Goddard believes that this work clearly is proposed in an extensively human-altered area. The majority of this work area is comprised of a hardpacked gravel access roadway. Vegetation is limited, but the dominant vegetation in this area is common reed (*Phragmites australis*) and Japanese knotweed (*Fallopia japonica*), both invasive species that provide little habitat value.*

BETA2: As of July 8, 2025, FEMA has updated the map panel 25021C0309F showing a Zone A with no Base Flood Elevation (BFE) is present throughout the Site. The Applicant should provide an updated regulatory review of work proposed within BLSF, which should reflect the floodplain analysis that is anticipated to be performed by the Applicant.

GC2: The Regulatory Compliance Analysis has been updated to provide a regulatory review of work within BLSF based on the previously mentioned hydraulic analysis provided by Beals

Associates, Inc. This analysis was submitted to the Commission previously and site plans have been updated accordingly.

BETA3: Comment addressed. Based on MassDEP comments and discussions with the Town, further mitigation may be required for unpermitted BLSF impacts at the Site. BETA defers this issue to the Commission.

GC3: As noted in our responses to MassDEP's comments, the Applicant's civil engineer, Allen and Major Associates, contemplated this and already included the additional compensatory flood storage in the design. Although it is impossible to verify the ground elevation below the compost/dumping piles without substantial material removal, Allen and Major has estimated the likely lost flood storage capacity caused by the presence of this material to be approximately 3,498.5 cubic feet. This calculation assumes that the dumping piles were not permitted, and that under existing conditions, the flood storage volume should include space currently occupied by these piles. This volume was added to the tabulation of existing flood storage capacity in the south half of the site (i.e. floodplain elevation 271'), resulting in an updated existing flood storage capacity of 27,780.5 cubic feet. Proposed flood storage capacity in this portion of the site is 37,035.5 cubic feet, an increase of 9,255 cubic feet. The increase in flood storage capacity already provided by the project sufficiently compensates for the loss caused by the presence of this pile.

BETA4: BETA defers to the Commission on the proposed flood storage and mitigation for unpermitted BLSF impacts at the Site. Additionally, proposed BLSF impacts have not been included on the WPA Form 3. The Resource Area Impact plan shows approximately 26,149 square feet of impacts to BLSF. All impacts to Resource Areas should be quantified and provided on the WPA Form 3.

RIVERFRONT AREA (310 CMR 10.58)

- W26. The Applicant should provide further information regarding the assertion that 153,170 square feet of the existing RA is degraded. BETA agrees that some areas of the RA are considered degraded as pavement, debris piles, and absence of topsoil were observed; however, several areas that are shown as degraded by the Applicant were determined to be non-developed/not degraded, as topsoil and vegetation are present. It is recommended that the Applicant reassess vegetated areas of the RA to determine if topsoil is present in all areas currently depicted as degraded. MassDEP precedent has established that the presence of topsoil can be a primary determining factor of whether RA is degraded². BETA has attached a field sketch with photographs to this letter for reference.

Compliance with Performance Standards should be reevaluated once these revisions are complete.

GC: While the presence or absence of topsoil can be a factor for determining whether riverfront area is degraded, it is not the only consideration. The WPA regulations at 310 CMR 10.58(5) state that degraded riverfront area can be comprised of "impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds." Here, junkyards and abandoned dumping grounds define much of the area of degradation. Therefore,

² Superseding Order of Conditions issued under MassDEP File No. 002-1015 (Attached)

such areas are considered degraded by virtue of being junkyards or abandoned dumping grounds, regardless of the presence or absence of topsoil therein.

At this juncture, Goddard has not yet performed a follow-up site visit to review BETA's recommendations regarding existing degraded areas. This will be completed in the coming weeks. Regardless, the total square footage of the degraded areas in question would not amount to enough to impact whether the project remains compliant with the Performance Standards under 310 CMR 10.58(5).

BETA2: Comment remains. Areas of dumping are present throughout the site; however, areas determined as degraded by the Applicant on both the eastern and western side of the stream were not observed to, in BETA's opinion, qualify as "junkyards". Further, impervious surfaces are not present in these areas, and the presence of topsoil was observed. The Applicant should reassess the delineation of degraded versus non-degraded areas at the Site prior to completing their analysis of RA Performance Standards compliance.

GC2: Goddard has conducted a thorough site walk to review the areas in question and concurs with BETA's assertion that certain areas initially depicted as degraded are not in fact degraded. These areas are depicted on the field sketch in BETA's previous review letter and are identified as follows:

- Photo 1 (between A-series MAHW flags and long greenhouse building)*
- Photo 2 (grass parking area in eastern portion near site's frontage)*
- Photo 3 (vegetated areas to the west of A-series MAHW flags)*
- Photo 5 (portions, but not all, of the cart path on the west side of the stream)*

Goddard maintains that other areas mentioned by BETA in the previous review letter are in fact degraded. These areas are depicted on the field sketch in BETA's previous review letter and are identified as follows:

- Photo 4 (compost/dump pile in proximity of BVW flags A85-A95)
 - o This area is comprised of dump piles and clearly constitutes "junkyards and abandoned dumping grounds" despite the fact that there is topsoil present.**
- Photo 5 (portions, but not all, of the cart path on the west side of the stream)
 - o Some of this cart path has regenerated topsoil, but other portions still lack topsoil.**
- Photo 6 (a location was not provided by BETA in the field sketch, but this area was assumed to be the dump piles to the west of the stream near the southern property boundary)
 - o This area is comprised of dump piles and clearly constitutes "junkyards and abandoned dumping grounds" despite the fact that there is topsoil present. Graphics depicting the existing onsite degraded areas have been revised accordingly, as well as the tabulations of square footage measurements for existing and proposed conditions in the regulatory analysis.**

BETA3: MassDEP has provided further guidance on what constitutes a degraded RA. The RA figure that depicts degraded and non-degraded RA should be reevaluated to confirm that MassDEP's comments are addressed. However, based on the discussions held during the working sessions, BETA is substantially in agreement with the Applicant's delineation of degraded areas (barring any issues that are presented by the Applicant's response to MassDEP's comments). Since the Applicant has indicated that the compost piles consist

predominantly of trash and debris, the Commission may find that these constitute degraded areas. Comment addressed.

W27. Areas of the RA that are not considered degraded are subject to the Performance Standards at 310 CMR 10.58(4). Details regarding how the Project complies with these Performance Standards set forth in the Act should be provided. As noted in the Superseding Order of Conditions referenced in Comment W26, a single Site can be evaluated under both 310 CMR 10.58(4) and (5) depending on the degraded status of different areas.

GC: This response has not been provided in this letter for readability. Please see GC's response to this comment within the attached document.

BETA2: Comment remains. The Applicant states in their response that RA at the site “consists predominantly of junkyards, absence of topsoil and dumping grounds.” However, the figure provided by the Applicant shows that 178,830 sf of RA is degraded and 191,000 sf of RA is vegetated and considered non-degraded. BETA conducted a Site visit to specifically review RA, and it was determined based on field observations that several areas delineated by the Applicant as degraded RA are vegetated, have topsoil, and do not consist of junkyards or impervious surfaces (See W26, BETA2). Further, several of the Applicant's submitted documents provide different values for RA areas and impacts at the Site and should be corrected to the accurate values.

The disagreement between BETA and the Applicant on the RA Performance Standards provision is based in application. While BETA has specifically been asked by MassDEP to evaluate Sites under both sets of RA Performance Standards, the Applicant could elect to evaluate the Site under 310 CMR 10.58(5) if performed correctly. BETA's initial review recommended the use of both provisions at the Site due to several key issues identified with the Applicant's assessment of compliance under 310 CMR 10.58(5):

- The Applicant will be required to re-delineate the extents of degraded RA at the Site and depict these areas on the Project plans, as the delineation currently shown is incorrect based on BETA's Site observations. The proposed work and supporting calculations should be overlaid onto this plan as previously requested to confirm that impacts are being quantified correctly.
- According to the Applicant's documentation, the majority of the RA on the west side of the Site is non-degraded, while BETA found the entire area to be non-degraded. In either scenario, the Project plans depicts work within 100 feet of the MAHW of the River where no degraded areas are currently present, which is non-compliant with the provisions of 310 CMR 10.58(5)(c).
- In reviewing the plans, it is clear that essentially the entirety of the outer 100-foot RA on the western side of the River (which BETA identified to be entirely non-degraded) will be subject to the proposed work. This would likely require far more restoration of RA than is currently proposed, and it is critical that the Applicant note that conducting restoration of RA in the interest of getting “credits” to alter non-degraded areas must consist of the restoration of currently degraded areas. Several areas of restoration are sited within non-degraded areas, and several areas of degraded RA are not proposed for restoration. The “Proposed Conditions in Riverfront Area” figure should be revised to include all areas of proposed work per 310 CMR 10.58(5)(d). Per

this provision, the allowable area of proposed work does not only include proposed degraded areas.

It is recommended that the Applicant reevaluate compliance with RA Performance Standards, regardless of if one or both sets of Performance Standards are applied.; however, the reassessment of the delineation of degraded versus non-degraded areas should be completed first.

GC2: The Applicant has re-delineated the extent of existing degraded Riverfront Area as mentioned in the response to comment W26 above. The Regulatory Compliance Analysis has been updated to further address compliance with the Riverfront Area performance standards, specifically, correcting the key issues BETA identified with the Applicant's assessment of compliance under 310 CMR 10.58(5), including re-delineating the extents of degraded Riverfront Area at the site and overlaying the proposed work onto the plans to confirm impacts are being quantified correctly. Work is proposed within 100 feet of the MAHW, which is non-compliant with 310 CMR 10.58(5)(c); however, this provision goes on to read "except in accordance with 310 CMR 10.58(5)(f-g)", with which the proposed work does comply.

BETA3: The Applicant has re-delineated area of RA at the Site. See W26 BETA3 response for further details regarding the designation of developed/degraded RA.

The Applicant has provided a narrative describing how the Project complies with the Performance Standards set forth at 310 CMR 10.58(5). Specifically, they indicate that there will now be a net reduction in degraded areas at the Site which would indicate that sufficient mitigation is being provided in accordance with the RA Redevelopment Standards. However, MassDEP has provided a comment stating that "Areas that are not restored with topsoil, and both woody and herbaceous vegetation do not qualify as areas eligible to help satisfy the redevelopment performance standards. Areas of proposed lawn/landscaping must be excluded from mitigation calculations." The Applicant should clarify if these areas are included within the calculations. It appears that, at a minimum, some grass islands within parking areas may have been included and should be subtracted from the mitigation total. In addition, the Applicant has depicted mitigation occurring up to the faces of buildings; this should be reevaluated to determine if it is feasible (i.e., if building code requires access around the entire building). If this is the case, RA mitigation calculations may require revisions.

The Applicant has also provided an alternatives analysis that generally complies with the requirements set forth in 310 CMR 10.58(4)c.

The Commission should include a Special Condition to comply with the Performance Standard set forth at 310 CMR 10.58(5)h that prohibits further alteration with the restoration or mitigation areas, except as may be required to maintain the area in its restored or mitigated condition. The Applicant shall also demonstrate that the restoration/mitigation has been successfully completed for at least two growing seasons prior to the issuance of the COC.

GC3: Calculations pertaining to compliance with the Riverfront Area performance standards (i.e. restoration and mitigation totals) have been updated to exclude areas proposed as lawn/landscaping and now only include areas that will be seeded with a native seed mix and planted with native woody specimens. The Applicant is amenable to the condition to comply with the performance standard set forth by 310 CMR 10.58(5)h that prohibits further alteration

with the restoration or mitigation areas, except as may be required to maintain the area in its restored or mitigated condition. However, the Applicant would like to ensure that, for the purposes of obtaining a Certificate of Occupancy, a Partial Certificate of Compliance can be requested and issued prior to the completion of restoration/mitigation monitoring.

BETA4: Comment addressed. Areas of degraded and restored Riverfront Area appear to be depicted correctly on the provided figures. BETA defers to the Commission on the request stated by the Applicant in comment response GC3.

STORMWATER MANAGEMENT REVIEW

The proposed stormwater management design consists of five proposed underground infiltration systems (UIS) to be located throughout the development. Stormwater runoff will be conveyed to these systems via a closed drainage system consisting of catch basins, manholes, water quality units, trench drains, and roof drains. Overflow from the systems will be conveyed through outlet control structures to new outfalls which discharge to the existing perennial stream that flows across the property (A, B, and C Series wetlands).

GENERAL

- SW1. Identify rim elevations on drain structure tables and ensure that adequate separation is provided between the rim and invert elevations. *AM: The grading and drainage plan was revised to include rim elevations on the drain structure table.* BETA2: BETA recommends that the designer review the structure table. Several catch basins have less than 2.5' to the invert (CB Nos. 1,2, 4C, 9A, 9B, 9D, 18) which may not be buildable.

AM2: The structure table has been reviewed, and the drainage design has been updated to incorporate stepped water quality units and a flat-top catch basin with a profile frame and grate/rim. Due to the site's relatively high water table, these design elements are necessary. Stepped manholes provide a 1-foot rise between inlet and outlet inverts. A detail for the flat-top catch basin and low-profile frames has been added to the plans for clarity.

BETA3: Structures revised. Issue resolved.

- SW2. Provide map delineating watershed areas for each of the proposed catch basins to verify data in structure table. *AM: The Catch Basin Watershed Exhibit (EXH-3) has been added to the Civil Plan Set. This plan illustrates the delineated watershed areas contributing to each catch basin.*

BETA2: Comment addressed.

- SW3. Review hydraulic calculations for drainage pipes. Several pipe spans appear to be absent from the calculations. Ensure that drain pipes conveying stormwater runoff from offsite locations are adequately sized to prevent flooding of adjacent properties. *AM: All drainage piping has been added to the HydroCAD model. All drain pipes conveying stormwater runoff from abutters have been proposed to meet existing pipe capacities (size and slope) or been included in the pipe sizing analyses.* BETA2: The drainage piping design has been presented in the Hydro-CAD analysis. The calculations demonstrate that for most of the piping, the water surface elevations in the manholes are controlled by the tailwater conditions created by the proposed subsurface infiltration systems. Submergence of the collection system during a 100 Year frequency storm is normally anticipated, however in this design this situation occurs during the 10-year storm. In some instances, the tailwater effects are so significant that the velocities are less than 1.0 ft/sec (DMH

27) yet for a 2-year storm velocities in the same manhole are 3.35 ft/sec. BETA recommends that the collection system be designed to convey the 10 year design event similar to the 2 year storm flow conditions where the flows through the culverts are not controlled by the tailwater conditions.

AM2: Given the site's high groundwater table, the stormwater infrastructure has been designed with minimal cover, resulting in the system operating under tailwater conditions for short periods during larger storm events. These conditions are primarily influenced by the outlet control structures of the proposed subsurface infiltration systems, which are intentionally designed to promote groundwater recharge.

Under normal conditions, including the "first flush" of the 10-year design event, the design achieves pipe velocities that meet or exceed self-cleaning criteria, as documented in the pipe sizing table. However, during peak flow periods of the 10-year storm, tailwater effects reduce velocities in some pipes, as observed at DMH 27. Eliminating tailwater effects entirely during the 10-year storm would require raising the site by approximately 1 to 2 feet—an option that is not economically feasible given current site constraints and not required for the system to be compliant.

To address these challenges, the proposed Stormwater Operation & Maintenance (O&M) Plan includes measures to mitigate the impacts associated with tailwater conditions. Overall, the stormwater management system has been designed in accordance with accepted engineering standards and regulatory requirements, balancing site limitations with long-term functionality, sustainability, and compliance.

BETA3: Plans revised. Issue resolved.

- SW4. Review hydraulic calculation for the pipe segment between DMH21WQU to DMH20. The required capacity is greater than the provided capacity. *AM: Hydraulic calculations for pipe segments have been reviewed to confirm adequate capacity. BETA2: See SW3 above*

AM2: The pipe sizing table has been updated to reflect plan revisions and confirm adequate capacity.

BETA3: Calculations revised. Issue resolved.

- SW5. Provide a label and invert information for the proposed DM to be installed on top of the existing drainage line, located directly west of the proposed pool. In addition, provide the data associated with the existing stormwater facilities on the adjacent lot at 440 East Central Street to ensure that this proposed connection does not interfere with the performance of the existing stormwater facilities. *AM: Invert information has been added to the drain manholes intercepting the drainage lines from 440 East Central Street that are discharged on the applicant's parcel. Proposed drainage pipes have been designed to match or exceed the drainage capacity of the existing pipes to confirm they will not interfere with the performance of the existing stormwater facilities.*

BETA2: Comment addressed.

- SW6. Identify the existing invert for the existing catch basin upstream of DMH25. Confirm that the outlet invert for DMH25 has been selected to maintain positive drainage from this existing catch basin to the new outfall. *AM: The existing invert has been identified on the plans, and the proposed design maintains positive drainage from the existing catch basin to the new outfall. BETA2: Provide calculations which document the hydraulic capability of the existing catch basin is not*

impacted by the extension. In addition, BETA recommends that the watershed data for these 2 culverts be developed and routed through SP-2.

AM3: The size and material of the two pipes highlighted in the attached exhibit will be added to the EC plan. The attached record plan was used as the basis of design.

BETA3: The referenced DMH 25 is now DMH-34 and BETA has requested for the size and material of the existing pipe to be identified on the plans to confirm that existing hydraulic capacity is maintained. Based upon an email provided by the designer on October 16, 2025, the requested information will be added to the existing conditions plan and a record plan has been provided that demonstrates proposed piping is consistent with size, slope, and material of the original design. Provided the existing conditions plan is updated, this comment is considered resolved.

BETA4: The requested information has been added to the existing conditions plan. Comment addressed.

- SW7. Indicate the disposition of existing pipe segments and outfalls associated with offsite drainage connections from the west and all culvert crossings. Clearly indicate which segments are to be retained and which will be abandoned or removed. *AM: Plans have been updated to clearly indicate which segments of existing pipes will be retained.*

BETA2: Comment addressed.

- SW8. Provide catch basin catchment and pipe size calculations to determine adequacy of grate inlet capacity and pipe sizes to accommodate 25-year storm event. *AM: A grate inlet capacity has been provided in the drainage report.* BETA2: See SW3 above.

AM2: Grate inlet capacity calculations have been updated to reflect current plan revisions.

BETA3: Calculations provided. Issue resolved.

- SW9. Review all locations where drainage and sewer utilities cross. Inverts for the proposed sewer system appear to be at a similar elevation to the proposed drainage, and therefore conflicts may occur at crossings. Recommend depicting all inverts on a single plan to evaluate conflicts. *AM: Sewer and drainage crossings have been called out on the utilities plan.*

BETA2: Comment addressed.

- SW10. Provide details for trench drain. *AM: A detail for the gravel trench drain has been provided.* BETA2: Trench drain detail has been provided; however, BETA recommends that surface elevations be shown on sheet C-103A for the trench at the northeast property line. It is difficult to see if the trench works with the grades on the abutting parcel.

AM2: Surface elevations for the trench drain at the northeast property line have been added to Sheet C-103A, allowing verification that the trench aligns with existing grades and functions as intended.

BETA3: BETA has requested further design clarification as the existing grade along the property line varies from below elevation 273' to approximately 274' and it appears grading beyond the property line may be required to achieve the proposed top of trench top elevation of 272.90'. The designer has clarified that additional grading information will be provided in this area and an ANR plan has been provided to show both the existing and proposed property line in this area. Based on the ANR plan, it appears that any required grading would be within the limits of

the existing property line. BETA notes that both properties currently appear to be under the same ownership and no access/rights are anticipated. Provided the designer provides the requested grading information, no further comment.

AM3: Spot grades will be provided at every 25' interval along the property line as requested.

BETA4: Spot grades have been provided; however, several areas on the submitted plans appear to be lower than the top of the proposed trench drain. The designer has provided a supplemental Grading Plan via email to clarify the design intent and to denote that additional grading will be provided from the existing property line to the trench drain to ensure positive drainage. Provided this information is incorporated into the final plan set, this comment is addressed.

- SW11. BETA recommends that the proposed outfalls be pulled back to the edge of fill and allow existing vegetation to be maintained to help stabilize the area prior to discharge. In addition, invert elevations at these outfalls should be noted on the plans. *AM: The proposed outfalls have been pulled back to the edge of fill to the maximum extent possible. The invert elevation of the outfalls has been added to the grading and drainage plan.*

BETA2: Comment resolved.

- SW12. Consider providing a grate or similar measure at outfalls and culverts to prohibit access by pedestrians and wildlife. *AM: The proposed pipe outfalls are not large enough for access to pedestrians.*

BETA2: BETA will defer this issue to the Commission.

- SW13. Evaluate if fencing or a similar barrier is needed along the proposed retaining walls and the crest of the slope along the perennial stream for pedestrian safety. *AM: The layout and materials plan were revised to show fall protection fencing on top of the retaining walls for pedestrian safety. Please see sheet C-507 for details of the wall with fence protection.*

BETA2: No further comments

- SW14. Indicate any existing or proposed easements for the conveyance of stormwater across property lines. The proposed stormwater management system includes piped connections from the abutting lot to the west, and the perennial stream and culverts carry stormwater runoff from offsite properties. *AM: There are no existing or proposed drainage easements on the site.* BETA2: There are 2 pipes that discharge onto the site from the abutting parcel at 440 East Central Street. As indicated by the response, there are no existing or proposed easements associated with either culvert. In addition, there are no calculations which indicate what the flow characteristics through these culverts will be. BETA recommends that calculations be provided which show that the proposed improvements will not impact the hydraulic capacity of the existing culverts. (See SW6 above)

AM2: See response to SW6.

BETA3: Refer to SW6 for further discussion on capacities. BETA notes that providing easements for discharges onto the subject site would typically be considered private property matters between the abutters. No further comment.

MASSDEP STORMWATER STANDARDS

The project is subject to the Wetlands Protection Act and therefore must comply with the Massachusetts Stormwater Standards as outlined by MassDEP. Compliance with these standards is outlined below:

LOW IMPACT DEVELOPMENT (LID) TECHNIQUES

The project does not include any LID techniques as identified in the MA Stormwater Handbook.

NO UNTREATED STORMWATER (STANDARD NUMBER 1): *No new stormwater conveyances (e.g., outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.* The project proposes eight new outfalls (FES 1 thru FES-8) which will discharge to locations immediately upgradient of wetlands. Stormwater runoff to these outfalls from on-site sources will first be treated by a subsurface infiltration system. Stormwater runoff from off-site sources will typically not receive treatment. Riprap aprons are proposed to mitigate erosion potential.

SW15. Provide calculations for sizing of riprap aprons, including stone sizing. *AM: Riprap sizing calculations have been provided.* BETA2: Calculations not found and detail on page C-504 does not call out the size and/or pad dimensions. Comment remains.

AM2: Flared end details for the overflow pipes have been revised to call out size and pad dimensions on page C-504. Rip Rap sizing is included in the drainage report.

BETA3: Calculations provided. Issue resolved.

POST-DEVELOPMENT PEAK DISCHARGE RATES (STANDARD NUMBER 2): *Stormwater management systems must be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates.* The project proposes to mitigate increases to runoff rates with the use of subsurface infiltration systems. Calculations indicate a decrease in peak discharge rate to each study point.

SW16. Provide table comparing pre- and post-development runoff volumes for each design point. *AM: A table of pre- and post-development volumes has been provided in the drainage report.*

BETA2: Comment addressed.

SW17. Revise watershed plans such that the soil group labels are not obstructing important existing and proposed information. *AM: The soil group labels on the existing and proposed watershed plans were revised to not obstruct the existing and proposed information.*

BETA2: Comment addressed.

SW18. Revise node numbers for Ponds in HydroCAD model to clarify which system is being referred to. UIS4 is titled "Underground Chamber #5" and UIS5 is titled "Underground Chamber #6". *AM: The node numbers for ponds UIS5 and UIS6 were revised to correctly reflect the drainage system labels in the grading and drainage plan.*

BETA2: Comment addressed.

SW19. Revise HydroCAD model to include UIS #4. This system's catchment area is anticipated to include portions of subcatchment P-2. Overflow from this system should be routed to Pond CC: Culvert Crossing. *AM: The proposed HydroCAD model was revised to include UIS #4. The proposed subcatchment "CB2" was added to delineate the outdoor area, which includes a paved pathway that was included in the model.*

BETA2: Comment addressed

- SW20. Revise the pre-development HydroCAD model to also include Pond CC: Culvert Crossing, modified for existing grading, for consistency between the pre- and post-development models. *AM: All culvert crossings have been added to both pre- and post-development models.*

BETA2: Comment addressed.

- SW21. Provide ponding analysis at 2nd culvert crossing also to ensure that the wetlands are not providing any attenuation capability more than the existing conditions. In addition, flood levels associated with Uncas Brook should be considered in the hydraulic calculations associated with the culverts. *AM: The stream crossings have been added to the model and provide ponding elevations.* BETA2: The ponding analysis is not complete because it does not include any flow from the watershed on the north side of East Central Street, nor does the calculation account for the potential flood levels in Uncas Brook. The calculations assume free discharge on LP2 and the real issue is that there are 2-24" culverts at the first crossing and only 1 at the second. In addition, there is no data shown on the plans relative to any of the existing structures at either location, including the outfall from East Central Street.

BETA has queried the USGS StreamStats for this site. The peak flow rates from the hydro cad analysis when compared with the StreamStats results are:

Storm frequency	2-year	10-year	100-year
Peak flow rates from Hydro Cad Analysis			
1 st crossing	0.83 cfs	2.24 cfs	6.88 cfs
2 nd crossing	0.78 cfs	2.08 cfs	7.42 cfs
Peak flow rate crossing East Central Street from StreamStats			
Inlet from East Central	11.7 cfs	26.9 cfs	54.8 cfs

Based on StreamStats, the watershed tributary to the East Central Street culvert is 109± acres. Based upon the statistics, the contribution from the site to the peak flood flows through the site are not significant. However, the potential impact of the backwater effects of the flooding in the stream on the proposed stormwater improvements and/or the project itself must be reviewed. This is extremely important because the proposed grading at the 2 crossings has elevated the roadways sufficiently that they now have the capability of raising flood levels to Elevation 278.0. This would inundate the entire site above the second crossing, a few of the abutters, and East Central Street. A copy of the StreamStats report for the crossing at East Central Street is attached hereto.

AM2: A stream flow of 54.7 cfs has been added to HydroCAD model at the Northerly Culvert Crossing #1 (SP-1) node, to model the 100 year stream flow, which would create ponding at the crossing as noted. Six-36" RCP's have been added to this area to allow any flooding events to pass under both crossings

BETA3: The HydroCAD model has been updated. BETA notes that devices #1 and #2 for Pond SP-1 and device #1 for Pond SP-2 appear to reflect the existing culverts for each crossing location. Revise plans to clearly indicate that these culvert segments will be retained.

Revise plans to clearly indicate disposition of existing stream inflow at #B1/B19 flags.

BETA has reviewed the HY-8 culvert analysis provided with the 8/27/2025 BLSF Memorandum. BETA offers the following comments:

- The outlet elevation utilized for the southern on-site culvert (266.37') is inconsistent with the base plan (266.85').
- The outlet elevation utilized for the two northern on-site culverts (267.48' & 267.72') are inconsistent with the base plan (267.93' & 267.48').
- The roadway top width for the northern on-site culvert is inconsistent with the plans. The crossing diagram should be revised to better reflect existing conditions.

AM3: The existing conditions plan has been updated to illustrate existing culverts for each crossing location.

The plans have been revised to clearly indicate the disposition of the existing stream inflow at #B1/B19 flags.

See BLSF Technical Memorandum prepared by Beal Associated for updated HY-8 analysis.

BETA4: Plans have been updated to reflect that the existing culverts are to be retained. Also, as anticipated, the updated HY-8 analysis shows minimal change in peak flood elevations from the previous model and the new elevation has been noted by the designer. No further comment.

SW22. There are several isolated depressions on the site that should be considered in the existing conditions analysis. *AM: The existing conditions model has been updated to include low points in the analysis.*

BETA2: Comment addressed.

SW23. Review routing for subcatchment P-13. Based on the grading and drainage plan, a portion of this subcatchment will be captured by the trench drain, but the majority of stormwater runoff will flow, unhindered, onto the Site for conveyance to UIS-1 or UIS-5. *AM: The subcatchment areas have been updated.*

BETA2: This subcatchment area has been relabeled but it appears that the comment has been addressed.

SW24. Provide spot grades at the driveway entrance at East Central Street to confirm that roadway runoff will not be conveyed onto the Site. *AM: The grading and drainage plan was revised to show existing and proposed spot grades to ensure roadway runoff will not be conveyed onto the proposed site. The proposed design now incorporates a high point at the property line.*

BETA2: Comment addressed.

SW25. Provide spot grades at internal "corners" along parking lot curbs, particularly around landscaping islands, to ensure positive drainage towards catch basins. *AM: Spot grades have been added to the plans.*

BETA2: Comment addressed.

SW26. Review model for Subcatchment P-2. The plans indicate a paved pathway through this area that is not represented in the model. *AM: The subcatchment areas have been updated.*

BETA2: Areas corrected. No further comments.

SW27. Review model for Subcatchments P-3, P-5, and P-6. The areas modelled as paved parking are inconsistent between the plans and the model. *AM: The subcatchment areas have been updated.*
BETA2: Comment addressed.

SW28. Revise subcatchments E-5, E-6, E-7, P-10, P-12, and P-13 to use actual cover types, based on aerial imagery and survey data, rather than the more generic “1/4 acre lot” cover type. *AM: The cover types for subcatchment areas located off the property have been updated to accurately reflect the existing land cover based on aerial imagery.*

BETA2: Comment addressed.

SW29. Review soil group ratings utilized in the hydroCAD models. NRCS mapping indicates an HSGR of A for the majority of the Site, yet the hydroCAD model utilizes an HSGR of B. *AM: We selected the HSGR rating of A, based on evidence gathered through field investigations. Specifically, test pits excavated on-site revealed predominantly sandy soils. In addition, textural analyses confirmed low fines content, further supporting the classification. These findings collectively justify the assigned HSGR and ensure consistency with observed site conditions.*

BETA2: Comment addressed.

SW30. Provide calculations for time of concentration for all subcatchments, rather than assuming a minimum TC of 6 minutes or other “direct entry” values. The designer is reminded that the Tc for a watershed is the greatest travel time, not distance, especially in the existing conditions analysis. *AM: The time of concentration values for each of the subcatchments are revised.* **BETA2:** Review the Tc flow paths for E-1 & E-6 which would apply also for P-5 & P-6.

AM2: The time of concentration values have been reviewed and verified to accurately reflect existing site conditions. Subcatchment E-1 drains along a flow path to the stream at Low Point 1, which is mirrored in the proposed Subcatchment P-5. However, since P-5 is captured by a trench drain, the flow path segment from Points G to H is not included in the model. A similar condition exists between Subcatchment E-2 and its proposed counterpart, Subcatchment P-6. Additionally, Subcatchment P-7 is directed into the trench drain system, whereas Subcatchment E-6 continues to discharge directly to the stream.

BETA3: Explanation provided. Issue resolved.

SW31. Identify the weir elevation for proposed outlet controls structures on the plans to ensure consistency between the hydroCAD model and the design. *AM: Weir elevations for the proposed outlet control structures have been added to the plans.* **BETA2:** Comment partially addressed. Review DMH14OCS, the weir elevation is noted on sheet C-103B as 1.0' higher than the rim.

AM2: The outlet control structure (SMH14OCs) has been revised to ensure the weir elevation is at or below the rim elevation, consistent with HydroCAD modeling.

BETA3: Structure revised. Issue resolved.

SW32. Review HydroCAD model for UIS-1, UIS-2, UIS-3, UIS-4. The outlet invert elevation, and in some cases, the pipe diameter, is inconsistent with the plans. *AM: The HydroCAD and UIS system elevations on the plans have been coordinated.* **BETA2: Comment addressed.**

SW33. Clarify outlet design for UIS-3, UIS-4, and UIS-5. The models for each system identify two 9.0” vertical orifices/grates for each system. These orifices must be identified on the plans to ensure consistency between the model and the design. *AM: The outlet control design has been added to*

the plan set. BETA2: The plan view does not identify the size of the orifices at these outlets. Comment remains.

AM2: Plan labels have been updated to include the size and elevation of each orifice and outlet, ensuring consistency with the HydroCAD model.

BETA3: Plan revised. Issue resolved.

SW34. Provide calculations for sizing of trench drain to ensure that offsite runoff will be captured, rather than bypassing the drain and flowing into UIS-1. *AM: The gravel trench drain outlet pipe has been added to the HydroCAD model to ensure proper sizing.* BETA2: See SW10 above.

AM2: See SW10 response. The trench drain outlet pipe has been modeled in HydroCAD and confirmed to be adequately sized.

BETA3: Refer to SW10 for further discussion on this matter. No further comment.

RECHARGE TO GROUNDWATER (STANDARD NUMBER 3): *Loss of annual recharge to groundwater should be minimized through the use of infiltration measures to maximum extent practicable.* NRCS soil maps indicates the presence of various soil groups predominantly including Merrimac fine sandy loam with Hydrologic Soil Group Rating (HSGR) A (high infiltration), Scarboro and Birdsall soils with HSGR A/D (high infiltration when unsaturated, very low infiltration when saturated), and Sudbury fine sandy loam with HSGR B (moderate infiltration).

Test pits conducted at the Site indicate that subsurface soils are generally sand, with some areas of loamy sand or sandy loam. A Rawls Rate of **8.27** in/hr has been utilized in design of the subsurface infiltration systems. Groundwater (weeping, standing water, and/or redoximorphic features) was detected in test pits to varying depths ranging from 1.33 feet below grade to 5.83 feet below grade.

Groundwater recharge is proposed via six new subsurface infiltration systems. The project is expected to provide a recharge volume in excess of what is required. Calculations have been provided indicating five of the six SCMs will drawdown within 72 hours.

SW35. Recommend a condition that an agent of the town observe native soils after excavation for basins to confirm design assumptions. *AM: The applicant takes no exception to an agent of the town observing the excavation prior to infiltration installation as a condition of approval.*

BETA2: BETA will defer this issue to the Commission.

SW36. Provide plan identifying the location of previously completed test pits. Clarify if soil tests were completed in the footprint of proposed infiltration areas. *AM: The Test Pit Exhibit (EXH-1) has been added to the Civil Plan Set. This plan includes the locations and results of both previously completed and recently conducted test pits, as well as boring locations and monitoring wells. The proposed drainage system footprints are also shown to clearly demonstrate that the test pits were performed within the areas of the proposed drainage system.*

BETA2: Comment addressed.

SW37. Test pit logs identify two separate logs each for TP-112 and TP-113. Correct the labels as necessary. *AM: The compiled test pit log forms have been revised to correct the duplicate entries for TP-112 and TP-113.*

BETA2: Comment addressed.

- SW38. The plans indicate several boring locations throughout the Site. Clarify if these borings have been completed and provide boring logs if available. *AM: The completed boring locations have been added to the Test Pit Exhibit, and the corresponding boring log information has been included in the Drainage Report.*

BETA2: Comment addressed.

- SW39. Test pit logs identify a depth to groundwater ranging from 1.33 ft below grade to 5.83 ft below grade. As the test pit locations are not depicted on the plans, it is unknown if shallow groundwater will conflict with the proposed systems. *AM: The test pit locations have been added to the Grading and Drainage Plans and are also provided on a separate Test Pit Exhibit for clarity.*

BETA2: Based upon our review of the data, the ESHGW as noted on Sheet C-103A & B appear correct.

- SW40. Based on the average depth to groundwater encountered the test pits, systems UIS-3, UIS-5 do not have adequate separation to groundwater. Review and revise these systems as necessary. *AM: Underground infiltration systems have provided at least 2' of separation to the estimated seasonal high groundwater elevations.*

BETA2: No further comments.

- SW41. BETA notes that test pits were conducted in May, outside of the period of probably high groundwater. *AM: It should also be noted that late spring was unusually wet this year, and high groundwater levels were recorded until early June.*

BETA2: Based on USGS stream gauge data, stream flows in the region were high, thus based on the proximity of the site to Uncas Brook, BETA has no issues with the ESHGW determination.

- SW42. Provide required mounding analysis where infiltration SCMs have less than 4 feet of separation to estimated seasonal high groundwater. *AM: Mounding analysis has been provided for all drainage systems and can be found in the appendix of the drainage report.* BETA2: The mounding shows that the mound is greater than 2': however, BETA recommends that the designer review the input data for the analysis. The discharge volumes do not correlate with the hydro-cad printout and the saturated thickness hydraulic conductivity appear off. In addition, all the tables are labeled UIS-1.

AM2: The mounding analysis was reviewed and confirmed to be consistent with HydroCAD input data. It was completed per MassDEP Stormwater Handbook guidelines. All systems demonstrate drawdown within 72 hours.

BETA3: Mounding analyses have been revised. Issue resolved.

- SW43. Provide drawdown calculations for all six subsurface systems. Only five systems are represented in the calculations. *AM: The MA DEP standard calculation spreadsheet was revised to include all the proposed subsurface systems. The calculation sheet can be found in the appendix of the drainage report.*

BETA2: Comment addressed.

- SW44. Recommend providing separate infiltration systems for roof runoff. These typically will require less maintenance and have a longer life span. *AM: Separate infiltration systems for roof runoff are not economically feasible on this project and are not required.* BETA2: BETA defers to the Commission on the use of the Site drainage infiltration areas for roof leader connections.

However, the plans should depict the connection from the roof leaders at the rear of each building to the infiltration system if this approach is approved.

AM2: The buildings will have flat roofs with internal drainage coordinated with discharge points that are shown on the civil plans. Final coordination with plumbing engineer will need to be coordinated prior to building permit.

BETA3: Roof leader connections are depicted on the plans. Issue resolved.

SW45. The proposed subsurface systems are to be installed in fill areas. Include a requirement to overexcavate the systems, as needed, to remove undesirable material such as fill. *AM: Drainage Note #16 has been added to C-001 stating – “Underground infiltration systems shall not be installed above fill. Contractor must over excavate unsuitable material, backfill, and compact with suitable material to be approved by the engineer and Geotech prior to construction”.* **BETA2: BETA recommends that the Commission add a condition which states the same.**

TOTAL SUSPENDED SOLIDS (STANDARD NUMBER 4): *For new development, stormwater management systems must be designed to remove 80% of the annual load of Total Suspended Solids (TSS).*

The project includes the following treatment trains:

Treatment Train	SCM 1	SCM 2	Infiltration SCM	TSS Removal %
A	Deep Sump Catch Basin	Water Quality Unit	Subsurface Infiltration System	80%
B	Water Quality Unit w/ Inlet	None	Subsurface Infiltration System	80%

The project has been designed to provide at least 80% TSS removal for treated impervious areas. The proposed infiltration SCMs have been sized to treat the required 1-inch water quality volume.

Per Standards 5 and 6, the project is required to provide at least 44% TSS removal as pretreatment. Pretreatment is provided via deep sump catch basins and/or water quality units.

A Long Term Pollution Prevention Plan is included in the O&M Plan.

SW46. Remove pretreatment devices from TSS worksheet for total TSS; the 80% TSS provided by the subsurface system is inclusive of required pretreatment. *AM: The TSS worksheet has been revised.* **BETA2: Comment addressed.**

SW47. Provide separate TSS Removal calculations for each outfall including pretreatment at each treatment train. *AM: The TSS worksheet has been revised to include each outfall.*

BETA2: Comment addressed.

SW48. Some impervious surfaces are not draining to treatment SCMs, including subcatchments P-7, P-9, and P-14. Provide required treatment for these areas. *AM: Additional mitigation has been provided to treat impervious areas.*

BETA2: All the proposed impervious surfaces on site will be treated. No further comments.

SW49. Provide third party TSS removal rate documentation for proprietary water quality unit, including sizing calculations based on treatment flow rate. *AM: A third-party documentation has been provided in the drainage report.*

BETA2: No further comments.

SW50. Confirm that adequate water quality volume is provided for system UIS-3. As noted in a previous comment, the impervious area proposed for subcatchment P-3 appears to be greater than what has been identified in the model. As such, the required water quality volume calculation may be inaccurate as well. *AM: The water quality volume calculations have been updated to reflect the impervious areas outlined in the Catch Basin Watershed Exhibit.*

BETA2: Comment addressed.

SW51. Revise long-term pollution prevention narrative related to vehicle washing. There is a likelihood that residents may choose to wash their vehicles in the parking lot. *AM: There are no hose bibs or areas being designed for car washing on this project. The applicant takes no exception to the Commission adding a condition of approval that does not allow car washing infrastructure on this project.*

BETA2: BETA will defer this to the Commission.

HIGHER POTENTIAL POLLUTANT LOADS (STANDARD NUMBER 5): *Stormwater discharges from Land Uses with Higher Potential Pollutant Loads (LUHPPLs) require the use of specific stormwater management SCMs. The site is considered a LUHPPL and is thus required to comply with this standard. The project meets the additional treatment requirements for LUHPPLs (see standard 4). Subsurface structures are considered recommended SCMs for use in LUHPPLs. Source control and pollution prevention measures have been provided.*

SW52. Provide oil grit separator, sand filter, filtering bioretention area, or equivalent for treatment trains originating in any LUHPPL area. If the water quality units are intended to meet this requirement, demonstrate that they have similar oil and grease treatment capabilities to the aforementioned controls. *AM: The water quality units and the hoods on the deep sump catch basins are intended to meet this requirement for oil and grease treatment.*

BETA2: Comment addressed.

SW53. Indicate means of emergency shut-off or containment prior to discharge to an infiltration SCM. *AM: A shutoff valve has been added to the inlet pipes of UIS-1. All other parking areas are not considered a LUHPPL. BETA2: BETA does not agree with the interpretation being made by the applicant that only those portions of the site that qualify as a LUHPPL need to comply with the requirements of the standards. It is BETA's opinion that the entire site qualifies, therefore the entire site is subject. BETA recommends that shut off valves be added to all UIS inlets from the paved surfaces. Comment remains.*

AM2: The project consists of two separate parking areas, each generating ~705 VTPD. Although the total site exceeds 1,000 VTPD, the runoff from the parking lots does not mix with LUHPPL areas. Per the MassDEP Stormwater Handbook, only areas discharging LUHPPL are subject to Standard 5. Therefore, shutoff valves have been provided at UIS-1 (serving the driveway) and are not required for the parking lots.

BETA3: Information provided. BETA notes that the proposed deep sump catch basins with hoods and water quality units will provide passive capture and storage for any spills. No further comment.

CRITICAL AREAS (STANDARD NUMBER 6): *Stormwater discharges to critical areas must utilize certain stormwater management SCMs approved for critical areas.* The Site is located within a MassDEP mapped wellhead protection area – Zone II which is a critical area. The project meets the additional treatment requirements for critical areas (see standard 4). Subsurface structures are considered recommended SCMs for use in wellhead protection areas.

REDEVELOPMENT (STANDARD NUMBER 7): *Redevelopment of previously developed sites must meet the Stormwater Management Standards to the maximum extent practicable.* The project does not qualify as a redevelopment – **standard not applicable.**

EROSION AND SEDIMENT CONTROLS (STANDARD NUMBER 8): *Erosion and sediment controls must be implemented to prevent impacts during construction or land disturbance activities.* As the project proposes to disturb greater than one acre of land, a Notice of Intent will be required to file with EPA including development of a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP was not provided with the submission; the narrative indicates a SWPPP will be issued prior to construction. Erosion control measures are depicted on the plans including coir logs with silt fence, inlet protection, stabilized construction entrance, erosion control blanket, and designated stockpile areas with protection,

SW54. Provide measures to protect open excavations for subsurface structures during construction. AM: *As noted on sheets C-001 and C-002, excavations shall be protected with tubular barriers.*

BETA2: Comment addressed.

SW55. Provide a general construction sequence including phasing of work on the plan. AM: *An estimated construction sequencing plan has been provided on sheet C-002. A more detailed phasing plan can be provided prior to construction start as a condition of approval.*

BETA2: BETA recommends that submission of the SWPPP be considered as a condition.

OPERATIONS/MAINTENANCE PLAN (STANDARD NUMBER 9): *A Long-Term Operation and Maintenance Plan shall be developed and implemented to ensure that stormwater management systems function as designed.* A Stormwater Operation and Maintenance Manual was provided with the Stormwater Management Report.

SW56. Provide signature(s) of the owner(s) on the Operation and Maintenance Plan (§153-18.B(5)). AM: *The Operation and Maintenance Plan has been signed by the owner.*

BETA2: Comment addressed.

SW57. Include provision requiring a documentation submittal to the DPW confirming when maintenance has been satisfactorily completed (§153-18.B(6)). AM: *The applicant takes no exception to this being a condition of approval.*

BETA2: BETA will defer this to the Commission.

SW58. Provide map, drawn to scale, that shows the location of all stormwater SCMs in each treatment train and snow storage areas. AM: *The BMP plan (EXH-2) was added to the plan set to display all stormwater SCMS in each treatment train, as well as snow storage areas.* BETA2: The exhibit will need to be incorporated into the O&M Manual.

AM2: The BUMP plan (EXH-2) was added to the O&M Manual.

BETA3: O&M Manual revised. Issue resolved.

SW59. Include operation and maintenance requirements for trench drain and add to maintenance checklist. *AM: The stone trench drain has been added to the operation and maintenance checklist.*

BETA2: Comment addressed.

SW60. Include operation and maintenance requirements for Pond CC: Culvert Crossing. This basin has been incorporated into the hydroCAD model and therefore must be maintained similar to a detention basin. *AM: The stream crossings have been added to the stormwater operation and maintenance checklist.*

BETA2: Comment addressed.

SW61. Maintenance inspection ports are required on all subsurface systems which should be depicted in plan view and noted in the report. *AM: Maintenance Inspection ports were added to all subsurface systems and were noted in the drainage report.*

BETA2: Because manholes have been provided at both the inlets and outlets from all subsurface systems, no further inspection ports are required, and these will adequately serve as observation ports.

ILLICIT DISCHARGES (STANDARD NUMBER 10): *All illicit discharges to the stormwater management system are prohibited. An unsigned Illicit Discharge Compliance Statement was provided with the submission.*

SW62. Provide owner's signature on Illicit Discharge Compliance Statement. *AM: The illicit Discharge Compliance Statement has been signed by the owner.*

BETA2: Comment addressed.

BLSF ELEVATION DETERMINATION STUDY

BLSF1. The outlet elevations for the southerly and northerly culverts do not appear consistent with the plans. If the HY-8 program is unable to model the culvert with the outlet being high then the inlet, the higher of the inverts should be used.

BEAL: The outlet elevations are somewhat irrelevant for this analysis due to the fact that the culverts are operating in a surcharge condition. If this was a series of culverts that were experiencing only partial flow, then the pipe slope, including the negative slope condition, would be an impact factor.

BETA3: For clarity, the outlet elevation should be updated to reflect surveyed conditions.

BETA4: Refer to BLSF4.

BLSF2. Clarify input information (inverts, crossing elevation, embedment) for the Northern Spry Road Culvert. LiDAR information appears to show the roadway at elevation 271 and curb and sidewalk also present in this area.

BEAL: The input data at Northern Spry Road attempted to model a low point in a curve based solely on roadway geometry from LiDAR topography. Curb and sidewalk data were not included and were not anticipated to have a significant impact on the modeling of the area.

BETA3: BETA also does not anticipate a significant impact on the modeling; however, supporting information should be provided for the overtopping roadway elevation used in the model. BETA notes that contour information available via MassGIS appears to show an elevation no lower than 271 in this area.

BETA4: Refer to BLSF4.

BLSF3. Clarify input cross-section information for the northerly and southerly culverts. The existing conditions plan does not show sufficient spot grades to confirm the minimum crossing elevation of 270.5 and 270.34.

BEAL: The input data used is based on additional survey data obtained from Allen & Major at the location of the crossings.

BETA3: The additional survey data should be provided on a sketch/insert plan to demonstrate consistency with the model.

BETA4: Refer to BLSF4.

BLSF4. The culverts are modeled as having no embedment. BETA notes that field observations indicate some embedment for at least the northerly culvert. The designer should utilize any known embedment in the model and consider assumed embedment, where unknown, to determine model sensitivity.

BEAL: As noted above, the culverts are operating in a surcharged condition with overtopping at all crossings. The results of the model indicate that the majority of the flow is overtopping each crossing. The presence or lack of embedment in the model would have no appreciable effect on the results.

BETA3: BETA also does not anticipate a significant impact on the modeling; however, this should be supported through demonstration in the model.

BEAL2: Comments BLSF1, BLSF2 and BLSF4 have been addressed in the latest model run. The response to BLSF3 is contained on the sketch prepared by Allen & Major and is provided under separate cover to this memo. The data used in the area of the existing onsite culvert crossings was provided to our office by Carlton Quinn of Allen & Major via email on August 27, 2025. That spreadsheet data is attached. This data was further updated on October 31, 2025 with an adjustment to a single data point at the southerly culvert crossing. This change is also attached and was the main cause of the largest jump in the results.

Our office also received additional survey data at Northern Spy Road from the project team. This survey data shows elevations along the low point of the roadway and provides a more accurate representation of the overtopping condition.

The overall HY-8 model was updated to provide updates related to the requests in the other three BETA comments as well as the updated survey data obtained over the past two days.

- a. *Adjust the existing culverts to show negative slopes as indicated by the survey data (Comment BLSF1)*
- b. *Include a. above and add an estimated 50% pipe embedment depth (Comment BLSF4)*
- c. *Include a. and b. above and adjust the overtopping at Northern Spy Road to be 271.00 across the low spot. (Comment BLSF 2)*

The overall results are presented below. The various culverts that were modeled overtop the crossings during the higher storms and generally result in a near still-water condition that results in little gradient.

Upon making all of these changes, our opinion of the elevation of the 100-year floodplain between the southerly culvert and East Central Street is 271.75.

BETA4: As anticipated, the updated HY-8 analysis shows minimal change in peak flood elevations from the previous model and the new elevation has been noted by the designer. No further comment.

BLSF5. Clarify if site visit to Northern Spy Road was during a period of drought. If so assuming a tailwater instead of free discharge at this culvert may be appropriate.

BEAL: The observations at Northern Spy Road were made on August 12, 12, and 27, 2025. As of September 2, 2025, the area was not in drought condition. The free discharge assumption is valid since the area was not in a drought condition at the time of the observations.

As of August 15, 2025 the Southeast Region of Massachusetts was under Normal Conditions (see the first clip below). One September 9, 2025, the Southeast Region was moved from Normal Conditions to Level 1 Mild Drought (see the 2nd clip). The misconception about the “backdating” of the drought condition is due to the fact that the date on the top of the map (8/1/25) is not correct and reflective of a prior issuance. The bottom of the map (Declaration Date) and the press release clearly states the conditions were changed on September 9.

Even if there was a tailwater condition added, the resulting model shows no increase with a constant tailwater depth of 2.5 feet and only 0.17 feet with a constant tailwater depth of 4 feet (one foot below the roadway elevation). This would have very little impact on the overall results of the analysis.

BETA3: Information provided. No further comment.

REVIEW SUMMARY

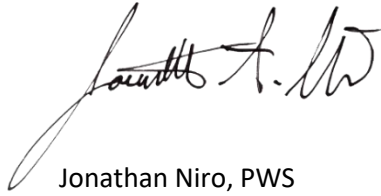
Based on our review of the NOI submittal and Project plans, the Applicant has addressed BETA's comments related to compliance with the Act and the Massachusetts Stormwater Management Standards. It is recommended that the Applicant provide an updated WPA Form 3 as noted herein.

If we can be of any further assistance regarding this matter, please contact us at our office.

Very truly yours,
BETA Group, Inc.



Anna Haznar
Staff Scientist



Jonathan Niro, PWS
Project Manager



Gary D. James, P.E.*
Senior Project Manager



Stephen Borgatti, PE, MENG
Senior Project Engineer



Matthew J. Crowley, PE
Associate

*Initial and "BETA2" stormwater comments only

cc: Amy Love, Town Planner