

December 4, 2025

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

**Re: 80 Spring Street
MassDEP File No. Not Yet Issued
Notice of Intent Peer Review**

Dear Ms. Goodlander:

BETA Group, Inc. (BETA) has reviewed documents and plans for the proposed construction of a single-family dwelling (the Project) at **80 Spring Street** in Franklin, Massachusetts (the "Site"). This letter is provided to present BETA's findings, comments, and recommendations.

BASIS OF REVIEW

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

- Notice of Intent entitled **Notice of Intent**; prepared by Dillis & Roy Civil Design Group, dated August 28, 2025.
 - Attachments include:
 - WPA Form 3;
 - Local Forms;
 - Project Narrative;
 - Abutters Information;
 - Recorded Deed;
 - Wetland Delineation Report;
 - Figures (USGS Locus, Assessors Map, ACEC Map, NHESP Priority Habitat Map, and FEMA Flood Plain Map).
- Plans (1 Sheet) entitled **Notice of Intent Plan Spring Street, Lot 2**, dated August 26, 2025, prepared by Dillis & Roy Civil Design Group; stamped and signed by Francis M McPartlan MA PE No. 49572.

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

- Site Visit on November 25, 2025
- **Massachusetts Wetlands Protection Act 310 CMR 10.00** effective October 24, 2014
- **Wetlands Protection Chapter 181 From the Code of the Town of Franklin**, dated August 20, 1997
- **Conservation Commission Bylaws Chapter 271 From the Code of the Town of Franklin**, dated July 11, 2019
- **Town of Franklin Conservation Commission Regulations**, dated October 3, 2019
- **Town of Franklin Best Development Practices Guidebook**, dated September 2016

SITE AND PROJECT DESCRIPTION

The Site consists of a 3.56-acre parcel located at 80 Spring Street in Franklin, Massachusetts, further identified by the Franklin Assessor's Office as Assessor's Parcel 310-002-003. The Site is bounded to the north and west by undeveloped forested areas, to the east by Spring Street, and to the south by a solar field and undeveloped forest. Existing conditions at the Site consist of undeveloped/wooded upland and wetland complexes. The lot is generally flat with slight topographic relief to the west.

According to the Applicant, Resource Areas Subject to Protection and Jurisdiction 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") present at the Site include Bordering Vegetated Wetland (BVW), the 25-foot No Disturbance Zone, the 50-foot No Build Zone, and the 100-foot Buffer Zone.

The Site is not located within Zone I, Zone II, or Interim Wellhead Protection Areas, nor is it located within Surface Water Protection Areas (Zone A, B, or C) or Outstanding Resource Waters (ORWs). There are no Areas of Critical Environmental Concern (ACEC) present, and the most recent Natural Heritage and Endangered Species Program (NHESP) mapping does not depict Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife at the Site. There are no NHESP-mapped Certified Vernal Pools or Potential Vernal Pools (PVPs) mapped within 100 feet of the Site. According to the FEMA Flood Insurance Rate Map (FIRM) community panel number 25021C0304F, dated July 8, 2025, the Site is not located within a FEMA Flood Zone.

Natural Resource Conservation Service (NRCS) soil maps of the Site indicate the presence of Montauk fine sandy loam with a Hydrological Soil Group (HSG) rating of C, Ridgebury fine sandy loam with the HSG rating of D, and Woodbridge fine sandy loam with an HSG rating of C/D.

The Applicant seeks approval for the construction of a single-family dwelling and other associated Site features within the 100-foot Buffer Zone to BVW. Proposed work includes the following activities (collectively referred to as the "Project"):

- Installation of erosion controls;
- Installation of a temporary construction entrances;
- Clearing and grubbing to prepare site for excavation;
- Grading of portions of the Site;
- Construction of the proposed house and septic system;
- Installation of the well;
- Installation of a pool and pool house;
- Paving of the driveway; and
- Stabilization of the Site.

The Project proposes 7,550 square feet of temporary and permanent impacts to the 25-50-foot and the 50-100-foot Buffer Zone. Work proposed within Buffer Zones includes vegetation clearing, grading, installation of erosion controls, and construction of a pool, pool house, patio, and portions of the single-family home.

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
Scale of 40'=1" or larger	✓	
North Arrow (with reference)		✓ (Comment A2.a)
Topographic contours (2' intervals)	✓	
Existing Conditions Topography (with source and date of survey)	✓	
Proposed Topography	✓	
Existing and Proposed Vegetation		✓ (Comment A2.b)
Existing Structures and Improvements	✓	
Resource Areas and Buffer Zones labeled	✓	
Location of Erosion Controls	✓	
Details of Proposed Structures	✓	
Construction Sequence and Schedule		✓ (Comment A2.c)
Registered PLS Stamp (Existing Condition Plans Only)		✓ (Comment A2.d)
Assessors' Reference	✓	
Abutting Property Assessors' Reference	✓	
Survey Benchmark		✓ (Comment A2.e)
Accurate Plan Scale	✓	

PLAN AND GENERAL COMMENTS

- A1. MassDEP has not issued a file number as of this writing.
- A2. The following elements are missing from the provided plan set:
 - a. A north arrow reference should be provided on the plans per Bylaw Regulations Section 7.18.1.3.
 - b. Existing and proposed vegetation referenced in Bylaw Regulation Section 7.18.1.5 and 7.18.1.6 should be included on the plans, including individual trees/shrubs with a diameter greater than 1" proposed for removal. It is BETA's understanding that the Commission generally increases the size threshold for tree location based on the Project and therefore defers to the Commission on this matter. The existing tree line should be depicted on the plans.
 - c. A Construction Sequence with all proposed activities within Jurisdictional Areas should be provided on the plans per Bylaw Regulations Section 7.18.1.14.
 - d. A PLS stamp should be provided on the plans to verify existing conditions information as accurate.
 - e. A survey benchmark should be provided on the plans.
- A3. Impacts to both the 25-50-foot and 50-100-foot Buffer Zone should be quantified separately and noted on the plans.

WETLAND RESOURCE AREAS AND REGULATORY REVIEW

BETA has completed a regulatory review of the Site and the submitted documents and plans, focusing on compliance with jurisdictional regulations set forth in the Act and Bylaw. The Project is proposed within Buffer Zone only and is accordingly not subject to the Resource Area Performance Standards set forth by the Act.

The NOI application generally requires the submission of additional materials to meet all submission requirements of the Bylaw. In addition, the Applicant should clarify certain aspects of proposed conditions including the extent of proposed lawn and any Jurisdictional Areas that could potentially be re-naturalized following construction activities. At this time, the Applicant is required to provide the Conservation Commission with additional information to describe the Site, the work, and the effect of the work on the interests identified in the Act and the Bylaw.

RESOURCE AREA AND BOUNDARY COMMENTS

BETA conducted a Site visit on November 25, 2025, to assess existing conditions and to review Resource Area delineations, focusing on the definitions and methodologies referenced under the Act and the Bylaw. Review of Resource Area delineations included all flagged areas on the Site, with a focus on areas closest to where work is proposed. BETA concurs with the Resource Area boundaries as flagged in the field based on the presence of hydrophytic vegetation including highbush blueberry (*Vaccinium corymbosum*), red maple (*Acer rubrum*), cinnamon fern (*Osmunda cinnamomea*), and sweet pepperbush (*Clethra alnifolia*); and indicators of hydrology including hydric soil characteristics and saturation. At select locations, FACW vegetation was observed upgradient of the flagged wetland boundary; however, hydric soils were not observed.

CONSTRUCTION & MITIGATION COMMENTS

- W1. Proposed erosion controls include use of silt fence and straw wattles. Silt fence and straw are not permitted erosion control measures in the Town of Franklin (Pg. 13 of *Town of Franklin Best Development Practices Guidebook*). The Applicant should coordinate with the Conservation Commission to determine the appropriate erosion control measures for the Site. Twelve (12)-inch diameter compost filter tubes may be an appropriate option commensurate with the scope of the Project.
- W2. Provide specifications of the seed mixture(s) proposed for stabilization of disturbed areas within Buffer Zone, including any areas that are proposed to be lawn. All areas of proposed lawn should be demarcated on the Project plans. BETA recommends that native species with wildlife habitat value be proposed within Buffer Zone where lawn is not required as mitigation for Buffer Zone clearing.
- W3. Material storage and laydown areas should be depicted on the Project plans and located outside of jurisdictional areas to the extent feasible.
- W4. It is not anticipated that groundwater will be encountered when excavating for the pool; however, the Commission could include a Special Condition in the Order of Conditions requiring the submission and approval of a dewatering plan prior to discharge in the event that groundwater is encountered.

WPA PERFORMANCE STANDARDS COMMENTS

The Project does not propose any work within Resource Areas Subject to Protection under the Act; therefore, the Project is not required to comply with Performance Standards under the Act.

BYLAW REGULATORY COMMENTS

- W5. A Construction Sequence should also be provided on the Plans per Bylaw Regulation Section 7.15.1.
- W6. The Applicant should provide an Erosion & Sedimentation Control Plan which includes contact information of the person(s) responsible for inspecting and maintaining erosion controls, the requirement to inspect erosion controls weekly or following significant rain events, and all other requirements listed in Section 7.12.1 of the Bylaw Regulations. These notes could be included on the proposed conditions plan.
- W7. According to Section 7.9.1 of the Bylaw, the Project Narrative should include the following missing content:
- a. All activities required to construct the Project;
 - b. The entity performing the work; and
 - c. When the proposed activities will be completed.
- W8. Section 4.4.1 of the Bylaw states that “mitigation offsets may be required by the Commission when the applicant proposed that more than 30% of the 50-100-foot Buffer Zone Resource Area is proposed to be impervious surface.” The Applicant should provide the Commission with calculations of proposed impervious area within the 50-100-foot Buffer Zone as it compares to existing conditions to allow the Commission to determine if additional mitigation measures are warranted.

STORMWATER MANAGEMENT

The proposed Project is not subject to the MassDEP Stormwater Management Standards as a single-family home construction project.

REVIEW SUMMARY

Based on our review of the NOI submittal and Project plans, the Applicant is required to provide the Conservation Commission with additional information to describe the Site, the work, and the effect of the work on the interests identified in the Act and the Bylaw.

Breeka Li Goodlander, PWS, CERPIT

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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

cc: Amy Love, Town Planner
Matt Crowley, P.E., BETA