

February 13, 2026

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

**Re: Lewis Street
MassDEP File No. 159-1324
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) off of **Lewis Street** in Franklin, Massachusetts (the “Site”).

This letter is provided to present BETA’s current findings, comments, and recommendations. At this time, an onsite review has not been completed by BETA due to significant snow cover. Accordingly, comments regarding review of existing conditions and Resource Area boundaries are not included in this letter. A Site visit will be conducted by BETA once weather permits.

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 Land Planning, Inc., dated January 8, 2026.
 - Attachments include:
 - Figures (Plan Book 52 Plan No. 2488 Map, FEMA Map, USGS map, NHESP map, and Franklin GIS Map);
 - Local Forms;
 - WPA Form 3;
 - Filing Fees;
 - Field Data Sheets;
 - Abutters Information.
- Plans (1 Sheet) entitled **Conservation Site Design Plan**, dated January 6, 2026, prepared by Land Planning, Inc.; stamped and signed by Norman G Hill MA PE No. 31887.

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

- Site Visit on N/A
- **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 0.23-acre Site consists of two (2) parcels located off of Lewis Street in Franklin, Massachusetts, further identified by the Franklin Assessor's Office as Assessor's Parcel 298-013-000 and 298-014-000. The Site is bounded to the north by a residential property and to the south, east, and west by undeveloped forested areas. Existing conditions at the Site consist of undeveloped/wooded upland and wetland complexes. The Site is generally flat with slight topographic relief to the south.

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 or adjacent to 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 or Interim Wellhead Protection Areas, nor is it located within Surface Water Protection Areas (Zone A, B, or C) or Outstanding Resource Waters (ORWs). The Site is located within a Zone II Wellhead Protection Area. There are no Areas of Critical Environmental Concern (ACECs) 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 25021C0309F, 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 Scarboro and Birdsall soils with a Hydrological Soil Group (HSG) rating of C/D and Walpole sandy loam with the HSG rating of B/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 and sedimentation controls;
- Installation of a temporary construction entrance;
- Clearing and grubbing of portions of the Site;
- Grading of portions of the Site;
- Construction of the proposed house and infiltration system;
- Paving of the roadway and driveway; and
- Stabilization of the Site.

The Project proposes 1,559 square feet of impacts to the 25-50-foot No Build Zone and 4,261 square feet of impacts to the 50-100-foot Buffer Zone. Work proposed within Buffer Zones includes installation of erosion and sedimentation controls; clearing of vegetation; grading; and construction of the single-family home, driveway, roadway, and the infiltration system.

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

PLAN AND GENERAL COMMENTS

A1. The Massachusetts Department of Environmental Protection (MassDEP) issued a DEP file number (File No. 159-1324) with the following technical comments:

MassDEP recommends that the applicant demonstrate that adequate separation exists to allow the installation of the proposed sewer line and existing stormwater culvert which conveys flows developed parts of Lewis St to downgradient wetlands and provide details on how this stormwater conveyance will be maintained during project construction.

A2. The following elements are missing from the provided plan set:

- a. Existing and proposed vegetation should be included on the plans as referenced in Bylaw Regulations Section 7.18.1.5 and 7.18.1.6, 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. However, the existing tree line, areas of proposed lawn, and any other proposed vegetation should be depicted on the plans.
- b. A Construction Sequence with all proposed activities within Jurisdictional Areas should be provided on the plans per Bylaw Regulations Section 7.18.1.14.
- c. A PLS stamp should be provided on the plans to verify the existing conditions survey.

A3. Impacts to both the 25-50-foot and 50-100-foot Buffer Zone should be 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 proposed conditions as they relate to plantings, seed mixtures, and the sewer line crossing over the existing drainage line. In addition, the Applicant is required to provide calculations of proposed impervious area within the 50-100-foot Buffer Zone.

At this time, the Applicant is required to provide the Conservation Commission with additional information to describe the work and the effect of the work on the interests identified in the Act and the Bylaw.

RESOURCE AREA AND BOUNDARY COMMENTS

As noted earlier in this letter, BETA will be conducting a Site visit once ground conditions improve and will subsequently provide any resulting comments.

CONSTRUCTION & MITIGATION COMMENTS

W1. 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.

Per the Erosion & Sediment Controls Notes on the plans, Note 6 provides a suggestion for proposed seed that consists of non-native grasses for stabilization. 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.

W2. The Applicant should provide a cross section to demonstrate that the proposed sewer can be constructed over or under the existing drain without conflict.

W3. Material storage and laydown areas should be depicted on the Project plans and located outside of jurisdictional areas to the extent feasible.

W4. Groundwater may be encountered when excavating for the new foundation and utilities. 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.

W5. The Applicant should consider providing a planting plan to mitigate for additional development within Buffer Zone. Specifically, areas within Buffer Zone closest to BVW should be prioritized for the planting of native vegetation and the application of native seed mix.

W6. The Applicant should quantify impacts to the 0-25-foot No Disturb Zone, as the proposed tree line depicts vegetation clearing within this Buffer Zone up to the BVW boundary at one location. Additionally, erosion and sedimentation controls should be depicted at the limits of work in this area. If the Commission permits this vegetation clearing, BETA suggests that the Commission include a Special Condition requiring the Applicant to provide signage at the proposed limits of work to prevent future encroachments further into jurisdictional areas.

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

- W7. A Variance Request should be submitted for vegetation clearing within the 0-25-foot Buffer Zone and construction of impervious surfaces within the 25-50-foot Buffer Zone in accordance with the procedure per Bylaw Regulation Section 5.
- W8. A Construction Sequence should also be provided on the Plans per Bylaw Regulation Section 7.15.1.
- W9. The Applicant should provide an Erosion & Sedimentation Control Plan which includes the name and phone number of the person(s) responsible for inspecting and maintaining erosion controls as required in Section 7.12.1 of the Bylaw Regulations. The erosion & sedimentation control plan should be included on the plan.
- W10. According to Section 7.9.1 of the Bylaw, the Project Narrative should include the following missing content:
- a. The entity performing the work; and
 - b. When the proposed activities will be completed.
- W11. 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 work and the effect of the work on the interests identified in the Act and the Bylaw.

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
Scientist


Jonathan Niro, PWS
Project Manager

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February 13, 2026

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cc: Amy Love, Town Planner

Matt Crowley, P.E., BETA

