November 30, 2023

Ms. Breeka Lí Goodlander, Agent
Town of Franklin Conservation Commission
355 East Central Street
Franklin, MA 02038

Re: 0 Upper Union Street
MassDEP File No. 159-1281
Notice of Intent Peer Review Update

Dear Ms. Goodlander:

BETA Group, Inc. (BETA) has reviewed revised documents and plans for the project entitled: ***0 Upper Union Street*** located in Franklin, Massachusetts (the "Site"). This letter is provided to present BETA's findings, comments, and recommendations.

BASIS OF REVIEW

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

- Letter ***RE: Response to Peer Review Comments for NOI, Upper Union Solar Project, Franklin, MA***; prepared by Goddard Consulting, LLC.; dated November 13, 2023.
- Letter ***RE: Response to BETA Notice of Intent Peer Review Comments, August 18, 2023, Upper Union Solar Project – Franklin, MA***; prepared by Atlantic Design Engineers, Inc.; dated November 10, 2023.
- Letter ***RE: Response to MassDEP Comments, October 20, 2023, Upper Union Solar Project – Franklin, MA***; prepared by Atlantic Design Engineers, Inc.; dated November 10, 2023.
- Letter ***Re: Request for Newly Required Variances – 0 Upper Union Street, Franklin MA (Map: 319, Parcel: 9)***; prepared by Goddard Consulting, LLC.; dated November 14, 2023.
- Letter ***Re: Notice of Intent – 0 Upper Union Street, Franklin, MA (Map: 319, Parcel: 9)***; prepared by Goddard Consulting, LLC.; dated November 15, 2023.
- ***Wetland Replication Plan 0 Upper Union Street Solar***; prepared by Goddard Consulting, LLC.; dated November 14, 2023.
- ***Buffer Zone Mitigation Plan;*** prepared by Goddard Consulting, LLC.; revised November 13, 2023.
- ***Stormwater Addendum #1***; prepared by Atlantic Design Engineers, Inc.; dated November 10, 2023; signed and stamped by Richard J. Tabaczynski, MA P.E. No. 33746.
- StreamStats Report dated November 13, 2023.
- ***Construction Sequence & Schedule***; prepared by Atlantic Design Engineers, Inc.; dated November 10, 2023.*
- Plans (9 Sheets) entitled ***Site Development Plans for Upper Union Solar Project, Franklin Massachusetts***; dated June 19, 2023, revised November 10, 2023; prepared by Atlantic Design Engineers, Inc.; stamped and signed by Richard J. Tabaczynski, MA P.E. No. 33746.*

**Denotes a document submitting by the Applicant to the Franklin Planning Board.*

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

- Site visit on August 9, 2023
- Site visit on September 28, 2023
- ***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

PEER REVIEW UPDATE—NOVEMBER 30, 2023

The Applicant has provided revised materials and written comment responses pursuant to BETA's August 8, 2023 peer review letter. BETA's original comments from the August 8, 2023 peer review letter are included in plain text. Comment responses attributed to Goddard Consulting, LLC's (GC) November 13, 2023 letter are provided in *italics* and are prefaced with "*GC:*", and comment responses attributed to Atlantic Design Engineers, Inc.'s (ADE) November 10, 2023 letter are provided in *italics* and are prefaced with "*ADE:*". BETA's most recent responses are provided in **bold** and are prefaced with "**BETA2**:". The responses provided in this letter reflect observations made and discussed during the September 28, 2023 Site visit attended by BETA, GC, and the Franklin Conservation Commission Agent.

BETA's responses in this letter identify additional information that should be provided by the Applicant to demonstrate compliance with the Act and Bylaw. In addition, certain documents referenced in the Applicant's responses were received by BETA through the Planning Board peer review process; however, it is unclear if the Conservation Commission is in receipt of these materials. The Applicant should confirm that both entities are in receipt of all relevant Project documents.

SITE AND PROJECT DESCRIPTION

The approximately 6.2-acre Site is located at 0 Upper Union Street in Franklin, Massachusetts, further identified by the Franklin Assessor's Office as Assessor's Parcel 319-009-000. The Site is bounded to the east by undeveloped woodlands, to the south by a residential neighborhood, to the north by electrical transmission lines, woodlands, and an apartment complex, and to the west by Upper Union Street. Existing improvements at the Site include various footpaths and an access road that serves the transmission easement.

According to the Applicant, 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") present at the Site include Bordering Vegetated Wetland (BVW) and Isolated Vegetated Wetland (IVW).

The Site is not located within a Zone I, Zone II, or Interim Wellhead Protection Areas, and there are no 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 any Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife at the Site. There no NHESP-mapped Potential Vernal Pools or Certified Vernal Pools located within 100 feet of the Site. According to the FEMA Flood Insurance Rate Map (FIRM)

community panel number 25021C0317E, dated July 17, 2012, the Site is not located within the 100-year floodplain.

Natural Resource Conservation Service (NRCS) soil maps of the Site indicate the presence of Woodbridge fine sandy loam with a Hydrological Soil Group (HSG) rating of C/D and Charlton-Hollis-Rock rock outcrop complex with an HSG rating of B.

The Applicant seeks approval of a solar development within the Buffer Zones to BVW and IVW. Proposed work includes the following activities (collectively referred to as the "Project"):

- Installation of erosion controls;
- Clearing and of vegetation and subsequent grubbing;
- Site grading;
- Construction of a 20-foot-wide gravel access road;
- Construction of stormwater best management practices (BMP's) including swales and a stormwater basin;
- Installation of perimeter fencing;
- Installation of photovoltaic solar panels;
- Installation of associated above- and below-ground utilities;
- Installation of a 20 by 30-foot concrete equipment pad; and
- Establishment of a 616 square foot Buffer Zone mitigation area.

The Project will result in temporary and permanent impacts to Buffer Zone and IVW (Comment W6). Work proposed within Buffer Zones includes vegetation clearing and grubbing, installation of the gravel access road, installation of utilities and a concrete equipment pad, installation of erosion controls, and the Buffer Zone mitigation area. Work proposed within IVW includes the installation of solar panels.

BETA2: Based on the September 28, 2023 Site visit which resulted in revised flag locations and identification of an IVW, the following changes to the Project have been included in the revised materials:

- **Increase in impact to the 0-25' No Disturb Zone from 308 sf to 773 sf;**
- **Fill of a 1,647-sf locally protected IVW; and**
- **Construction of a 3,294 -sf wetland replication area.**

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	✓	
Existing Structures and Improvements	✓	
Resource Areas and Buffer Zones labeled	✓	

Location of Erosion Controls	✓	
Details of Proposed Structures	✓	
Construction Sequence and Schedule	**BETA2:** ✓	
Registered PLS Stamp (Existing Condition Plans Only)	**BETA2:** ✓	
Assessors' Reference	✓	
Abutting Property Assessors' Reference	✓	
Survey Benchmark	✓	
Accurate Plan Scale	✓	

PLAN AND GENERAL COMMENTS

A1. As of August 18, 2023, MassDEP has not issued a file number.

ADE: The DEP file number is CE 159-1281.

BETA2: A MassDEP file number has been issued with comments. Comments from MassDEP are provided below in plain text and ADE's responses are provided in italics.

a. The applicant should confirm that the detention basin will drain within 72 hours of precipitation events. The Cultec infiltration system should be clearly labelled on the Site Plans, and the applicant should verify that there is adequate separation (>4' or >2' with mounding calculations) between the bottom of the system and mean annual high groundwater.

ADE: Basin drawdown calculations are included in the Miscellaneous Calculations section of the Drainage Addendum. The Cultec chambers are labelled and clarified on the revised Site Plans, Sheet 6. The soil evaluated test pits confirmed adequate separation to groundwater.

b. A seed mix comprised of a diversity of native herbaceous species, sufficient topsoil, and infrequent mowing are recommended beneath the array.

ADE: The revised Site Plans indicate all areas disturbed due to solar construction to be planted with seed mix designed in accordance with the Town of Franklin Best Development Practices Guidebook along with a minimum of 6" of topsoil. Mowing is anticipated to be limited to twice a year.

c. Many solar arrays in Massachusetts experience erosion problems during construction. Phasing of the project, extra erosion control measures, and frequent monitoring are recommended to prevent erosion problems, particularly in areas with steep slopes, stony soils, or where panel configurations can cause gullies to form at the driplines.

ADE: Additional intermediate rows of erosion control measures are provided on the revised Site Plans and erosion control notes have been added to instruct the contractor to limit the time of exposed soil prior to stabilization.

Comment A.1.a. will be addressed through BETA's ongoing stormwater peer review with the Planning Board. The Applicant's responses to Comments A.1.b. and c. appear appropriate; however, it is recommended that a proposed seed mixture with species names and ratios be provided to the Conservation Commission prior to construction, and that mowing be limited to once per year between October 15th and November 30th. These could be included as conditions of approval.

A2. Provide a Construction Schedule and Sequence in the plan notes as required under Section 7.18.1.14. of the Bylaw.

ADE: Refer to the Construction Sequence and Schedule by Atlantic Design Engineers, Inc. dated 11/10/2023.

BETA2: Comment addressed. A Construction Sequence and Schedule has been provided and is included on the Project plans. BETA recommends that plantings within the Wetland Replication Area be installed as a soon as possible following Replication Area construction.

A3. The Existing Conditions Plans must be stamped by a Professional Land Surveyor registered in the state of Massachusetts.

ADE: The revised existing conditions plan sheets are stamped by a PLS.

BETA2: Comment addressed. The revised existing conditions plan sheets have been stamped by Edwin H. Gless, MA PLS No. 39045.

A4. The NOI narrative references a total of 31,676 sf of alteration proposed within the Buffer Zones to local and state jurisdictional Resource Areas; however, the Resource Area Impact Summary Form references a total of 33,923 sf of Buffer Zone alteration. The Applicant should clarify the correct square footage of proposed impact to Buffer Zone.

ADE: The square footage of impact to Buffer Zone was revised due to additional wetlands found and site design changes. It is provided on the revised site plans.

BETA2: Comment not addressed. Revised impact numbers for Buffer Zone alteration were not observed on the Site Plans. A revised Resource Area Impact Summary Form should also be provided.

A5. Provide a note stating who performed the wetland delineation and when it occurred.

ADE: This note is provided on Sheet 2 of the revised site plans.

BETA2: Comment addressed.

WETLAND RESOURCE AREAS AND REGULATORY REVIEW

BETA conducted an onsite review and completed a regulatory review of the submitted documents and plans, focusing on compliance with Resource Area definitions and Performance Standards set forth in the Act and the Bylaw. The Project Narrative states that proposed work will only occur within Buffer Zone; however, it appears that impacts to IVW will be required to construct the Project as designed (Comment W6). The Project is subject to the MassDEP Stormwater Standards and a review of compliance with these Standards is being completed by BETA as part of the Planning Board review process.

The NOI application includes narrative information describing the Project and the proposed impacts within the Buffer Zone. However, impacts to the IVW that BETA observed in the field will require quantification by the Applicant, as well as demonstration of the Avoid/Minimize/Mitigate sequencing. Mitigation measures presently include use of erosion controls, installation of Stormwater Best Management Practices (BMP's), and Buffer Zone restoration. It is recommended that the Applicant review the Resource Area boundary comments presented in this letter to determine if any modifications to the Bylaw Variance request or the proposed Buffer Zone mitigation plan are required. In addition, any revised

materials should include all materials required under the Bylaw including a construction sequencing plan and a functions and characteristics statement.

Additional information is required to describe the effects of the work on the interests of the Act and the Bylaw, including demonstration of compliance with the Massachusetts Stormwater Management Standards, demonstration of compliance with the Bylaw, and reassessment of Resource Area boundaries.

BETA2: The Applicant has provided the Conservation Commission with revised plans and documents that address BETA's comments regarding erosion controls, compliance with the provisions of the Bylaw, and measures to promote the successful establishment of the Buffer Zone Mitigation Area. In addition, the revised plans and documents accurately reflect the observations and discussions from the September 28, 2023 Site visit between BETA, GC, and the Franklin Conservation Agent. As a result of this Site visit, the Applicant has revised Resource Area boundaries, accurately documented the extent of impacts to the 25-foot No Disturb Zone, and quantified the fill of an onsite IVW. As mitigation for the fill of IVW, the Applicant now proposes at least a 2:1 replication of lost IVW along an existing BVW.

As of this writing, the Applicant will be required to provide a revised Resource Area Impact Summary Form and confirm compliance with the Massachusetts Stormwater Management Regulations.

RESOURCE AREA AND BOUNDARY COMMENTS

BETA conducted a Site visit on August 9, 2023 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 was limited to locations where the delineated boundary was within, or may be within, 100 feet of the Limit of Work (LOW) and located within the subject Site.

W1. BETA concurs with the identification of the B-Series as an IVW Subject to Protection under the Bylaw.

ADE: No response necessary

BETA2: No comment.

W2. To verify the conclusions made in the Vernal Pool Evaluation, BETA reviewed the B-Series IVW for Vernal Pool indicators. During the Site visit, little to no standing water was observed within the B-Series IVW. Although the time BETA's assessment is not seasonally appropriate for an evaluation of the presence of Vernal Pool species, BETA does concur that there was insufficient evidence to support ponding at a depth sufficient to support Vernal Pool species common to this region. No other areas at the Site were observed to meet the criteria for a Vernal Pool.

ADE: No response necessary

BETA2: No comment.

W3. Hydric soil meeting the criteria for Hydric Soil Indicator F6 Redox Dark Surface and hydrophytic vegetation including spotted joe-pye weed, smooth arrowwood *(Viburnum dentatum*) and sensitive fern were observed approximately 5-10 feet upgradient of flag B-26.

GC: Goddard Consulting, Breeka Lí Goodlander, and Jonathan Niro of BETA Group visited the site together on September 28, 2023, to review the existing wetland delineation per the attached comment. On the site walk, Goddard agreed with the BETA comment that both soils meeting the criteria for a hydric soil as well as a predominance of wetland vegetation were located upgradient

of flag GC B26. Two new flags, GC B26-1 and GC B26-2 were hung upgradient of the existing delineation. These flags were agreed upon in the field, surveyed, and added to the new site plan.

BETA2: Comment addressed.

W4. Hydric soil meeting the criteria for Hydric Soil Indicator F6 Redox Dark Surface[1] and hydrophytic vegetation including royal fern (*Osmunda regalis*), sensitive fern (*Onoclea sensibilis*), spotted joe-pye weed (*Eutrochium maculatum*), and purple loosestrife (*Lythrum salicaria*) were observed approximately 5-10 feet upgradient of flags A36-A38.

GC: Goddard Consulting, Breeka Lí Goodlander, and Jonathan Niro of BETA Group visited the site together on September 28, 2023, to review the existing wetland delineation per the attached comment. On the site walk, Goddard and BETA reached an agreement that the soils upgradient of the existing delineation did not meet the criteria to be considered a wetland soil. The delineation was agreed upon to remain in place.

BETA2: Comment addressed.

W5. Hydric soil meeting the criteria for Hydric Soil Indicator F6 Redox Dark Surface and hydrophytic vegetation including royal fern, sensitive fern, and cinnamon fern (*Osmundastrum cinnamomeum*) were observed 5-10 feet upgradient of flags A46 to A49.

GC: Goddard Consulting, Breeka Lí Goodlander, and Jonathan Niro of BETA Group visited the site together on September 28, 2023, review the existing wetland delineation per the attached comment. On the site walk, Goddard agreed with the BETA comment that both soils meeting the criteria for a hydric soil as well as a predominance of wetland vegetation were located upgradient of the existing delineation above A46 to A49. Flags GC A46 to A48 were removed in the field. New wetland flags GC A46R, GC A47R, GC A47-1, GC A48R, and GC A48-1 were hung in the field upgradient of the old flags. These flags were agreed upon in the field, surveyed, and added to the new site plan.

BETA2: Comment addressed.

W6. Hydric soil indicators consisting of a depleted matrix under a thick, dark A horizon within 12" of the surface and hydrophytic vegetation including highbush blueberry (*Vaccinium corymbosum*), royal fern, cinnamon fern, and silky dogwood *(Cornus amomum*) were observed north of an existing stone wall and east of the existing stockpile. Based on BETA's observations, the Applicant should re-evaluate this area and flag the boundaries of additional Areas Subject to Protection under the Act and/or Bylaw.

GC: Goddard Consulting, Breeka Lí Goodlander, and Jonathan Niro of BETA Group visited the site together on September 28, 2023, to review the existing wetland delineation per the attached comment. On the site walk, Goddard and BETA located the area in question. The area was identified as an isolated vegetated wetland jurisdictional under the local bylaw. As such, the area was flagged with series GC I1 to GC I15. These flags were agreed upon in the field, surveyed, and added to the new site plan.

BETA2: Comment addressed.

[1] As described in *Field Indicators of Hydric Soils in the United States, A Guide for Identifying and Delineating Hydric Soils, Version 7.0, 2010* published by the United States Department of Agriculture (USDA) and the Natural Resources Conservation Service (NRCS) in cooperation with the National Technical Committee for Hydric Soils

W7. Channelized flow along a hydraulic gradient was observed interior of the A Series wetland. This channel is not depicted on the Project plans but is described within the Wetland Border Report and depicted on Figure 1 of the Report. Based on BETA's observations, the channelized flow meets the definition of a stream with protected Bank and Land Under Water (LUW). This stream is not mapped on the most recent USGS maps; however, the Applicant should provide proof of the stream's status as intermittent using the StreamStats method identified in 310 CMR 10.58 (2)(a)1.c.i.

GC: Goddard agrees that there in an intermittent stream with channelized flow internal of the A-Series wetland. As the area is not proposed to be impacted, no delineation of the area was deemed necessary. However, to document the area as intermittent, Goddard has attached a StreamStats documentation of the area. The viable sampling point was significantly downstream of the site, however still yields an intermittent stream documentation, with a 99% flow duration of .00174, and a drainage area of .17 square miles.

BETA2: Comment addressed. BETA recommends that the Commission include a finding in the Order of Conditions stating that this internal stream is intermittent, and its associated Bank was not delineated or approved as part of the Project.

CONSTRUCTION COMMENTS

W8. Material storage and laydown areas should be depicted on the Project plans and located outside of jurisdictional areas.

ADE: Material storage and laydown areas are shown outside of jurisdictional areas on the revised site plans.

BETA2: Comment addressed.

W9. A swale with haybale check dams is proposed along the Site access roadway. The Applicant should clarify if this is intended to be a construction-period stormwater control, and BETA recommends that the haybales be replaced with straw to avoid the spread of non-native plant species.

ADE: The haybale check dams have been replaced with stone check dams in the revised site plans.

BETA2: Comment addressed.

W10. The NOI narrative indicates that compost filter tubes and/or silt fence will be used as an erosion control measure. Silt fence is not a permitted erosion control measure in the Town of Franklin (Pg. 13 of *Town of Franklin Best Development Practices Guidebook*). BETA defers to the Commission regarding the use of silt fence.

ADE: The silt fence is proposed only in conjunction with the compost filter tubes as a double erosion control measure. This has been clarified on the plans.

BETA2: Comment remains. BETA defers to the Commission regarding the use of silt fence. The Applicant could consider using an additional row of compost filter tubes in lieu of silt fence.

W11. The project as currently depicted will disturb more than (1) one acre of land which will require preparation of a Stormwater Pollution Prevention Plan (SWPPP) and filing of a Notice of Intent with the EPA.

ADE: Acknowledged.

BETA2: No comment.

MITIGATION COMMENTS

The Applicant proposed an approximately 617 sf mitigation area to offset approximately 308 sf of impact within the locally protected 25-foot No Disturb Buffer Zone associated with installation of a portion of the gravel access road and associated grading.

W12. The proposed mitigation is located within an existing unvegetated cart path. The path is well-defined, and the lack of vegetation may indicate soil compaction that could make establishment of the proposed plantings difficult. The Applicant should include a protocol within the Buffer Zone Mitigation Plan for use if the existing soil is compacted. Spreading a layer of loam of an undetermined thickness may not be a suitable planting medium if the underlying soil is compacted and/or unsuitable for planting. This protocol should also include a range of depths of loam that will be used dependent on soil conditions.

GC: Goddard Consulting has revised the original restoration plan with a date of 11/13/2023 to address the attached comment. In this revised plan, Goddard added a section discussing the potential for compacted soils, and how to ensure proper planting substrate if encountered.

BETA2: Comment addressed.

W13. Organic material (i.e. leaf litter) removed during preparation of the mitigation area for planting should be saved if feasible and spread within the mitigation area to increase organic content of the soil.

GC: Goddard agrees with the attached comment. Materials such as leaf litter, logs, and rocks will be saved and placed over the final restoration area. This will assist in the organic content of the soil, while also creating microhabitats along the previously barren path.

BETA2: Comment addressed.

W14. BETA defers to the Commission to determine if the proposed mitigation is sufficient to offset the proposed impact to the Buffer Zone Resource Area pursuant to Section 7.11 of the Bylaw.

ADE: Acknowledged.

BETA2: Comment remains. As noted in Comment W16, the impact area has increased which has resulted in the proposed mitigation to impact ratio now being less than 2:1.

WPA PERFORMANCE STANDARDS COMMENTS

The Project does not propose any work within Resource Areas Subject to Protection under the Act; however, the Project does propose work within Buffer Zone and local Buffer Zone Resource Areas.

BYLAW REGULATORY COMMENTS

W15. The following materials must be submitted per the submission requirements of the Bylaw Regulations:

a. A Construction Sequence and Schedule (Section 7.15); and

ADE: Refer to the Construction Sequence and Schedule by Atlantic Design Engineers, Inc. dated 11/10/2023.

BETA2: Comment addressed.

b. A complete Functions and Characteristics Statement (Section 7.10.1).

GC: In accordance with the local bylaw, Goddard has submitted a Functions and Characteristics Statement dated 11/13/ as part of this supplemental submittal.

BETA2: Comment addressed.

W16. The Applicant has requested a Variance per Section 5 of the Bylaw Regulations for work within the 0-25 No Disturb Buffer Zone. BETA defers to the Commission for approval of the requested Variance.

ADE: Acknowledged.

BETA2: Comment remains. Per the Buffer Zone Mitigation Plan, revised flagging has resulted in an increase in impacts to the 0-25' No Disturb Zone from 308 sf to 773 sf. The Applicant has provided an updated Variance Request to include the change in impact area. BETA defers to the Commission for approval of the requested Variance.

W17. Portions of the proposed gravel access road and Site fencing are proposed within the 25-50 Buffer Zone. BETA defers to the Commission regarding classification of the access road as a structure per Section 4.3.1 of the Bylaw Regulations and the requirement of an associated Variance request.

ADE: Acknowledged.

BETA2: Comment remains.

W18. **BETA2: An IVW was identified and delineated at the Site within the Project work limits. A Variance per Section 5 of the Bylaw Regulations has been requested to fill the locally protected 1,647-sf IVW. The Applicant has also submitted a Wetland Replication Plan for the construction of a 3,294-sf Wetland Replication Area in compliance with the Bylaw Regulation 2:1 ratio of replication to lost area. BETA defers to the Commission for approval of the proposed Wetland Replication Area under the Bylaw. This area will establish as BVW as opposed to IVW; however, it is BETA's opinion that constructing wetland mitigation off of an existing wetland boundary with an existing hydrologic regime will increase the likelihood of successful establishment. BETA also concurs with the procedures set forth within the wetland replication plan including the establishment of grades to support hydrology, reuse of hydric soils from the impacted IVW, transplanting of native hydrophytic vegetation from the impacted IVW, and monitoring protocols. It is recommended that the wetland mitigation plan include a provision requiring stockpiled hydric soils to be kept moist and covered until reuse; however, the Commission could consider requiring this revision as a condition of approval.**

STORMWATER MANAGEMENT

Stormwater management features proposed include the construction of a stormwater detention basin along the northerly edge of the access driveway at the western edge of the easement, a second detention basin at the far easterly edge of the parcel, and an infiltration trench and deep sump catch basin at the entrance. The two detention basins will capture stormwater runoff from the arrays and the gravel roadway. A catch basin is proposed at the Site entrance which will discharge to a subsurface infiltration trench beneath the driveway. Outfalls from this basin are proposed to convey captured stormwater runoff to the east. The remainder of the Site will generally follow pre-development flow patterns with no stormwater BMPs proposed.

A review of the Project's compliance with the Massachusetts Stormwater Management Standards and the applicable local Regulations was issued to the Planning Board on August 4, 2023. Currently, the Project does not fully comply with the Massachusetts Stormwater Standards, and revisions to the design are required to comply with the Standards.

BETA2: The Project is undergoing a separate review through the Planning Board for compliance with the Stormwater Management Standards.

REVIEW SUMMARY

Based on our review of the revised NOI submittal and Project plans, the Applicant has not provided sufficient information to describe the Site, the work, and the effect of the work on the interests identified in the Act and the Bylaw. Specifically, documentation of compliance with the MA Stormwater Standards under the Act (to be completed through the Planning Board review process) and a revised Resource Area Impact Summary Form should be provided.

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

Very truly yours,

BETA Group, Inc.

Elyse Tripp
Staff Scientist

Jonathan Niro
Project Scientist

cc: Amy Love, Town Planner
Bryan Taberner, AICP, Director of Planning & Community Development
Matt Crowley, P.E., BETA