

The following waivers are requested from the Stormwater Management Bylaw Chapter 153, the referenced Subdivision and Land Management Regulations Chapter 300-11, Chapter 181 Wetlands Protection Bylaw, Chapter 271 Conservation Commission Bylaws and the Conservation Commission Regulations:

Franklin Stormwater Management Bylaw Chapter 153		
Bylaw Section	Description	Waiver Request
Section 153-3 Applicability	No person shall perform any activity that results in a land disturbance activity of an acre or more of land without an approved soil erosion and sediment control plan and stormwater management plan	Waiver from the local Bylaw for local approvals/permit.
Section 153-7 Inspections; submission of final plans	DPW Inspection requirements and DPW approved Plans to be kept on-site. As-built plan submittal	Waiver from DPW Inspections and DPW approved plans. Waiver from requirement for as-built plan submittal.
Section 153-8 Project Changes	Notification of Project Changes and submittal of amended plans for approval	Waiver from this requirement.
Section 153-9 Fees	Payment of Review Fees	Waiver from this requirement.
Section 153-10 Surety	Posting a Surety	Waiver from this requirement.
Section 153-12 & 14 Soil Erosion & Sediment Control Plan	Submitted to the Department of Public Works (DPW)	Waiver from submittal requirement to DPW. A Soil Erosion and Sediment Control Plan will be prepared.
Section 153-15 & 17 Stormwater Management Plan	A Stormwater Management Plan shall be prepared by a licensed civil engineer and submitted to the Department of Public Works for review	Waiver from submittal requirement to DPW. A Stormwater Management Plan will be prepared.
Section 153-15.A(9) Groundwater	Groundwater levels at the time of probable high groundwater elevation (November to April) in areas to be used for stormwater retention, detention, or infiltration.	Waiver from groundwater determination between November and April. Groundwater determinations were completed between October 24 and October 27.

Section 153-16.A Standards	Control of stormwater runoff shall meet all federal and state requirements, including the Massachusetts Stormwater Handbook, the requirements of the Town of Franklin's Subdivision of Land Stormwater Management Regulations, the most recent Town of Franklin MS4 stormwater permit, and the Town of Franklin's Best Development Practices Guidebook.	Waiver from compliance with portions of the Town of Franklin's Subdivision of Land Stormwater Management Regulations and the Town of Franklin's Best Development Practices Guidebook.
Section 153-32.E Stormwater Utility Fee	The stormwater utility fee is to be assessed to each developed parcel in Town whether the property is occupied or not. The fee shall be calculated on an annual basis and billed to the record title owner of the property.	Waiver from payment of the Stormwater Utility Fee

Franklin Subdivision of Land Stormwater Management Regulations Chapter 300-11

Bylaw Section	Description	Waiver Request
Section 300.11.A.(1) Control of Stormwater	Control of stormwater runoff shall meet all federal and state requirements, including the Massachusetts Stormwater Management Standards, the requirements of Chapter 153, Stormwater Management of the Town of Franklin's Town Code, and the Town of Franklin's Best Development Practices Guidebook.	Waiver from compliance with the requirements of Chapter 153, Stormwater Management of the Town of Franklin's Town Code, and the Town of Franklin's Best Development Practices Guidebook.
Section 300.11.B(2)(a) Piping	The drainage pipe shall be reinforced concrete, with bell and spigot gasketed joints.	Waiver from this requirement. The drainage pipes will be concrete except for the subsurface detention and infiltration systems which will be plastic chambers or

		pipes, or corrugated metal pipe.
Section 300.11.B(2)(a) Piping	The minimum cover is 42 inches above the top of the pipe.	Waiver from this requirement
Section 300.11.B(2)(c)	At each outfall of a drain line, a Type B winged headwall of reinforced concrete shall be constructed	Waiver from this requirement
Section 300.11.B(3)(b)	Flat-topped structures are not allowed, unless with written authority of the Department of Public Works Director	Waiver from this requirement
Section 300.11.B(3)(d)	Drain manholes shall have a four-inch-thick concrete base. At least one row of blocks shall be set on the base to allow the construction of a brick table within the manhole. Arched inverts of 1/2 the pipe diameter shall be sloped upward to the sides of the manhole. The tops of the main drain lines entering and leaving a manhole shall be matched	Waiver from these requirements. Structures to all be per industry standards.
Section 300.11.B(3)(g)	Catch basin and drain manhole frames shall be at least 265 pounds and shall be of North American manufacture. Covers or grates shall be no less than 210 pounds, in accordance with the Standard Specifications and shall be of North American manufacture	Waiver from these requirements. Structures to all be per industry standards.

Franklin Chapter 181 Wetlands Protection Bylaw		
Bylaw/Regulation Section	Description	Waiver Request (Pursuant to issuance of Comprehensive Permit under MGL c.40B by ZBA)
Section 181-1 Purpose.	Additional functions, characteristics, standards, and procedures listed under the Bylaw.	General waiver from application of additional standards and procedures of local Bylaw to the Project; Project subject solely to the requirements of the Massachusetts Wetlands Protection Act and Regulations (MGL c. 131, s. 40 and 310 CMR 10.00) thereunder.
Section 181-2 Jurisdiction.	Permit under more expansive jurisdiction under the local Bylaw required from Conservation Commission.	Waiver from local Bylaw jurisdiction; Project to be subject solely to Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 181-3 Presumption of Significance.	May require a strip of continuous, undisturbed vegetative cover within 100 feet or 200 feet of resource areas.	Waiver from local Bylaw if buffer strip were to be required.
Section 181-4 Definitions.	Definitions of terms under the Bylaw.	Waiver from additional or more onerous local Bylaw definitions; Project subject solely to definitions established by the Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 181-5.A.(1) Applications for permits;	No activities shall commence without receiving and complying with a permit issued pursuant to the local Bylaw.	Waiver from local Bylaw permit requirements; Project to be subject solely to Massachusetts Wetlands Protection Act and Regulations Filing Fees.
Section 181-5.C. Filing Fee.	Local filing fee requirements.	Waiver from local Bylaw filing fee requirements; Project to be subject solely to filing fee requirements for a

		Comprehensive Permit and those required by Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 181-8. Permits & Conditions.	Local permit and conditions requirements under the Bylaw.	Waiver from authority of local Bylaw permit and conditions requirements; Project to be subject solely to Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 181-12 Burden of Proof.	Local requirements to show no adverse effect on local functions and characteristics subject to the Bylaw.	Waiver from authority and local Bylaw requirements; Project to be subject solely to Massachusetts Wetlands Protection Act and Regulations thereunder.
Franklin Chapter 271 – Conservation Commission Bylaws		
Section 271-6.C(3) Chairman: Powers and Duties	Administering the Town Wetland Protection Bylaw, Chapter 181.	Waiver from local Bylaw requirements. The Project to be subject solely to the Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 271-9.D. Vote Requirements	A motion to conduct separate hearings under the Town Wetland Protection Bylaw, Chapter 181, shall require a vote	Waiver from local Bylaw requirements. Voting requirements relating to the Project to be subject solely to the Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 271-9. H, I, J, K, L & M. Vote Requirements	Motions under or per the Town Wetland Protection Bylaw, Chapter 181.	Waiver from local Bylaw requirements. Voting requirements relating to the Project to be subject solely to the Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 271-13. Definition of key terms in Town Wetland Protection Bylaw	Definitions of terms under the Bylaw.	Waiver from local Bylaw definitions and requirements, to the extent these vary from those applicable to the Project per the Massachusetts

		Wetlands Protection Act and Regulations thereunder.
Town of Franklin Conservation Commission Regulations		
Town of Franklin Conservation Commission Regulations	Compliance with Franklin Conservation Commission Regulations	Waiver from compliance with Franklin Conservation Commission Regulations. Project to be subject solely to Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 1. Definition of Key Terms	Definitions of terms under the Franklin Conservation Commission Regulations.	Waiver from local Franklin Conservation Commission Regulations definitions, to the extent these vary from those applicable to the Project per the Massachusetts Wetlands Protection Act and Regulations thereunder
Section 2. Performance Standards	Performance Standards under the Franklin Conservation Commission Regulations	Waiver from compliance with the Performance Standards; Project to be subject solely to the performance standards set forth in the Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 4.1. Buffer Zone Preamble	Franklin considers 100 feet from a defined/delineated resource area as the buffer zone and consequently an additional protected resource.	Waiver of the local buffer zone requirements; Project to be subject solely to the resource areas established in the Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 4.2.1 0 to 25 Foot Buffer Zone Resource Area.	No work/disturbance including grading activities is allowed within the 0-25 foot buffer zone resource area.	Waiver to allow work associated with the Project within 0-25 foot buffer zone resource area.
Section 4.3.1 25 to 50 Foot Buffer Zone Resource Area.	No structures including but not limited to, concrete, stone, or other impervious foundations and/or slabs for construction purposes that for all intents and purposes would significantly increase runoff withing 25-50 foot	Waiver to allow concrete, stone, pavement, and other impervious surfaces such as foundations, slabs, buildings and the like, stormwater management system components, lawns, gardens, and other low impact uses

	buffer zone resource area are allowed. Alteration in the 25-50 foot buffer zone resource area is limited to grading, tree clearing.	associated with the Project within the 25-50 foot buffer zone resource area, in addition to tree clearing and grading.
Section 4.4.1 50 to 100 Foot Buffer Zone Resource Area.	The Commission may require additional mitigation offsets when the slope within the 50-100 foot buffer zone resource area is steeper than 10%. Additionally, mitigation offsets may be required by the Commission when the applicant proposes that more than 30% of the 50-100 foot buffer zone resource areas is proposed to be impervious surface.	Waiver from requirement for additional mitigation offsets under this section to allow for the Project.
Section 7.4.4 Local Filing Fee	Local Filing Fee worksheet and check	Waiver from this requirement; Project to be subject solely to filing fee requirements for a Comprehensive Permit and those required by Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 7.9 Project Narrative	The Commission requires a Narrative to describe the project in and its impacts on the local requirements.	Waiver from this requirement. Project impacts are described in the Comprehensive Permit application and in the NOI as required by Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 7.10.1 Functions & Characteristics Statement	The Commission requires a statement that describes whether the project will have an adverse effect on several functions and characteristics.	Wavier from this requirement for the local functions and characteristics (i.e., erosion and sedimentation, water quality, water pollution control, agriculture, and recreation). Project impacts are described in the Comprehensive Permit application and in the NOI as required by Massachusetts

		Wetlands Protection Act and Regulations thereunder.
Section 7.11.2 Mitigation Plan	The Commission requires a narrative describing measures to avoid the local Buffer Zone Resource Area.	Waiver from this requirement. Project impacts and measures at avoidance are described in the Comprehensive Permit application and in the NOI as required by Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 7.13.1 Alternatives Analysis	Alternatives analysis for structures proposed within 50 foot buffer zone	Waiver from this requirement; Project to be subject solely to requirements of the Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 7.14 Replication Plan and Protocol	Local wetland replication requirements.	Waiver from these requirements; Project to be subject solely to the requirements of the Massachusetts Wetlands Protection Act and Regulations thereunder.
Section 7.18.1.5 Information to be shown on the plans	Existing vegetation, including turf lawn areas, cultivated herbaceous and woody plant areas, uncultivated field, scrub and woodland areas and woody plants larger than 1" diameter at the base proposed to be removed.	Waiver from these requirements. The limits of wooded and open field areas are shown on the plans included with the Comprehensive Permit filing and NOI.

End of 5.a.ix.