



February 16, 2024

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

**Re: 100 and 110 East Central Street
Notice of Intent Peer Review**

Dear Ms. Goodlander:

BETA Group, Inc. (BETA) has reviewed documents and plans for the redevelopment of the existing buildings and parking areas and the construction of a multi-use buildings with commercial space and apartments located at **100 and 110 East Central Street** in Franklin, Massachusetts. 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:

- Notice of Intent entitled **Notice of Intent Site Plan 100 and 110 East Central Street Franklin, MA**; prepared by United Consultants Inc., dated January 15, 2024.
- Plans (11 Sheets) entitled **Site Plan 100 and 110 East Central Street**; dated January 5, 2024; prepared by United Consultants Inc; stamped and signed by Carlos A Quintal PE. No. 30812.
- Plan (1 Sheet) entitled **Site Plan Stormwater Facilities Plan**, dated January 5, 2024, prepared by United Consultants Inc.
- Plan (1 Sheet) entitled **Site Plan Watershed Plans**, dated January 5, 2024, prepared by United Consultants Inc.
- Drainage Analysis entitled **Drainage Analysis for Site Plan 110 and 110 East Central Street**; dated January 5, 2024; prepared by United Consultants, Inc.; stamped and signed by Carlos A Quintal PE. No. 30812.

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

- Site Visit on February 15, 2024
- **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 includes two (2) parcels located at 100 and 110 East Central Street in Franklin, Massachusetts, further identified by the Franklin Assessor's Office as Assessor's Parcels 286-031-000-000 and 286-030-

000-000. The Site is bounded to the north by East Central Street, to the south and west by residential properties, and to the east by residential properties and commercial businesses. Existing improvements at the Site consist of two (2) buildings, and a parking lot and driveway. Minimal topographic relief is present. Vegetation observed within the upland areas at the Site includes white ash (*Fraxinus americana*), privet (*Ligustrum vulgare*) and Asiatic bittersweet (*Celastrus orbiculatus*).

No 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”) exist on the Site. Resource Areas subject to the Franklin Wetlands Protection Bylaw (Chapter 181) and its associated regulations (collectively “the Bylaw”) present at the Site include an Isolated Vegetated Wetland (IVW) which is considered jurisdictional as a Freshwater Wetland.

There are also 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. The Site is not located within Surface Water Protection Areas (Zone A, B, or C) or Zone I or Interim Wellhead Protections Areas. The Site is located adjacent to a Zone II Wellhead Protections Area; however, this area is located entirely outside of the limits of the Site.

Natural Resource Conservation Service (NRCS) soil maps indicate the presence of various soil groups at the Site including Urban land with an unranked Hydrologic Soil Group (HSG), and Hollis-Rock outcrop-Charlton complex with a HSG rating of B/D.

Proposed work is associated with the redevelopment of the current buildings and parking areas and the construction a multi-use building, inclusive of the following activities (collectively referred to as “the Project”):

- Installation of erosion controls and signage;
- Clearing of trees and removal of stumps/soils;
- Removal of existing utilities
- Demolition of the existing building;
- Excavation of the foundation hole;
- Construction of a new foundation and multi-use building;
- Installation of site utilities;
- Construction of retaining walls;
- Grading and construction of paved areas;
- Construction of walkways;
- Installation of curbing; and
- Landscaping in all disturbed areas with loam, seed, and trees.

The Project will result in temporary and permanent impacts within the Buffer Zone to IVW.

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	✓	
Registered PLS Stamp (Existing Condition Plans Only)	✓	
Assessors' Reference	✓	
Abutting Property Assessors' Reference	✓	
Survey Benchmark	✓	
Accurate Plan Scale	✓	

PLAN AND GENERAL COMMENTS

- A1. The Project was filed under the Bylaw only; therefore, no MassDEP file number has been issued.
- A2. The plan should be revised to include a note stating the source(s) and date(s) of the wetland delineation.
- A3. Existing woody planted to be removed within Buffer Zone that are larger than one (1) inch in diameter should be depicted on the plans (Bylaw Regulations Section 7.18.1.5).
- A4. Flags UC-5 and UC-6 are located outside of the Site boundaries on private property. BETA recommends that the Commission exclude approvals of the locations of these flags in the Order of Conditions (OOC) unless permission is sought from the property owner by the Applicant.
- A5. It is BETA's understanding that Buffer Zone is considered a Resource Area under the Bylaw. Accordingly, the Applicant should provide a revised local fee that calculates the fee for disturbance within the Buffer Zone Resource Area based on the total area of the Project.

WETLAND RESOURCE AREAS AND REGULATORY REVIEW

BETA has conducted an onsite and regulatory review of the submitted documents and plans, focusing on compliance with Resource Area definitions and Performance Standards set forth in the Bylaw. The Project is proposed adjacent to a Resource Area identified by the Applicant as an IVW that is jurisdictional under the Bylaw only.

The NOI application generally requires the submission of additional materials to meet all submission requirements of the Bylaw. The Applicant should clarify certain aspects of proposed conditions including the proposed activities that will occur within the Buffer Zone to the existing house. In addition, details regarding mitigation and edits to the Plan Set should also be completed. 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.

At this time, the Applicant has not provided the Conservation Commission with sufficient information to describe the Site, the work, and the effect of the work on the interests identified in the Bylaw.

RESOURCE AREA BOUNDARY COMMENTS

BETA conducted a Site visit on February 15, 2024 to assess existing conditions and to review Resource Area delineations, focusing on the definitions and methodologies referenced under the Bylaw.

- W1. BETA concurs with the boundary of the IVW as delineated by the Applicant. Although upland vegetation including multiflora rose (*Rosa multiflora*) was observed within the IVW, a dominance of hydrophytic vegetation including red osier dogwood (*Swida sericea*) and red maple (*Acer rubrum*) was observed. Hydric soils consisting of a saturated, loamy soil with high organic content and redoximorphic concentrations near the surface were observed.
- W2. BETA concurs with the determination that the IVW is isolated due to there being no observable surficial hydrologic connections to waterbodies or waterways.

CONSTRUCTION COMMENTS

- W3. The building proposed for demolition should be called out as such on the Site Layout plans.
- W4. Inlet protection measures should be provided for the existing catch basins within the public right-of-way. The use of silt sacks is mentioned within the Operation and Maintenance Plan on the Erosion Control Plan; however, the relevant catch basins should be called out in plan view.
- W5. The Applicant should be cognizant of invasive plant species including privet, multiflora rose, and Asiatic bittersweet that will be disturbed and require the use of best management practices (BMPs) during construction to prevent the spread of the invasive species. While eradication is likely outside of the scope of work, BMPs to limit spread of viable seeds and rhizomes should be provided if determined to be appropriate.

MITIGATION COMMENTS

- W6. The Applicant should clarify the locations of proposed snow storage on the plans and locate them outside of Buffer Zone to the extent feasible. BETA recommends a Special Condition requiring the installation of signage demarcating snow storage areas.
- W7. Proposed erosion controls in the narrative include use of silt fence and compost filter tubes. Silt fence is not a permitted erosion control measure 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.
- W8. Provide specifications of the proposed seed mixtures(s) proposed for the stabilization of disturbed areas within Buffer Zone. BETA recommends that native species with wildlife habitat value (i.e.,

pollinator species) be proposed within Buffer Zone. In addition, consideration should be given to woody plantings in these areas to mitigate the loss of woody vegetation from clearing efforts.

WPA PERFORMANCE STANDARDS COMMENTS

The Project does not propose any work within Resource Areas Subject to Protection under the Act.

BYLAW REGULATORY COMMENTS

The Applicant is proposing alterations within Areas Subject to Protection under the Bylaw, including the Buffer Zone Resource Area.

- W9. The Applicant should clarify which buildings will be demolished versus retained in the Construction Schedule and Sequence.
- W10. The Project appears to exceed 30% coverage of impervious area within Buffer Zone; however, the Applicant should provide calculations disclosing this information. BETA defers to the Commission if additional mitigation offsets (e.g., further reductions in impervious area and/or installation of additional plantings) are required per Bylaw Regulations Section 4.4.1 should more than 30% of the Buffer Zone be proposed as impervious.
- W11. BETA defers to the Commission on the approval of the Project Narrative due to several Bylaw requirements being absent from the current Project Narrative (Bylaw Regulations Section 7.9.1) including, who is performing the work, a detailed description of all of the activity within Conservation jurisdiction, how the activity will or will not affect the Functions and Characteristics of the resource areas, when the proposed activity will be done and what measures will be used to mitigate any impacts to the functions and characteristics of the resource area.
- W12. Due to the proposal of alteration to undisturbed areas within the Buffer Zone a separate narrative must be provided describing the steps taken to mitigate impacts (Bylaw Regulations Section 7.11.2). According to the Landscaping Plan, plantings do not appear to be proposed within Buffer Zone. It is recommended that an invasive species control plan be implemented during the growing season(s) following the reestablishment of vegetation within Buffer Zone to promote success, at the Commission's discretion.
- W13. The Construction Sequence and Schedule should be provided within the NOI application in addition to the plans (Bylaw Regulations Section 7.15.1).

STORMWATER MANAGEMENT

The Project is subject to the Massachusetts Stormwater Management Regulations and Standards and is also required to comply with the Town of Franklin Best Development Practices Guidebook. A review of the Project's compliance with the Massachusetts Stormwater Management Regulations and Standards is currently ongoing through the Planning Board Site Plan Review process.

REVIEW SUMMARY

Based on our review of the NOI submittal and Project plans, the Applicant has not provided the Conservation Commission with sufficient information to describe the Site, the work, and the effect of the work on the interests identified in the Bylaw.

Ms. Breeka Lí Goodlander, Agent

February 16, 2024

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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
Senior Project Scientist

cc: Amy Love, Town Planner

Bryan Taberner, AICP, Director of Planning & Community Development

Matt Crowley, P.E., BETA

