



December 14, 2023

Mr. Gregory Rondeau, Chairman
Franklin Planning Board
355 East Central Street
Franklin, MA 02038

Re: 15 Liberty Way- Proposed Parking Expansion

Dear Mr. Rondeau:

BETA Group, Inc. (BETA) has reviewed the revised documents for the project entitled: **Liberty Parking Expansion, 15 Liberty Way** in Franklin, MA which were submitted in response to the review submitted November 02, 2023. This letter is provided to present BETA's findings, comments, and recommendations.

BASIS OF REVIEW

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

- Plans (13 sheets) entitled: **Liberty Parking Expansion**, dated January 13, 2023, revised November 22, 2023, prepared by Level Design Group of Plainville, MA.
- Letter to Gregory Rondeau, Chairman Franklin Planning Board **RE: 15 Liberty Way-Proposed Parking Expansion** dated November 22, 2023, prepared by Level Design Group.
- **Stormwater Report for 15 Liberty Way, Franklin, MA** Revised November 22, 2023, prepared by Level Design Group, L.L.C.
- Copy of Recommended Final Decision from Department of Environmental Protection Office of Appeals and Dispute Resolution, In the Matter of Elite Home Builders, LLC, OADR Docket Nos. WET-2014-027&028, dated August 14, 2015.

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

- **Zoning Chapter 185 From the Code of the Town of Franklin**, current through January 1, 2015
- **Zoning Map of the Town of Franklin, Massachusetts**, attested May 1, 2015
- **Stormwater Management Chapter 153 From the Code of the Town of Franklin**, Adopted May 2, 2007
- **Subdivision Regulations Chapter 300 From the Code of the Town of Franklin**, current through January 9, 2012

INTRODUCTION

The project site includes one parcel, Lot 320-004, with a total area of 15 acres located at 15 Liberty Way in the Town of Franklin (the "Site"). The Site is located within the Industrial zoning district. Lots surrounding the Site to the north, east, and south are also within this district, while lots to the west are within the Single-Family III district. The Site is not located within the Water Resource District.

The existing Site is the location of a 1-story warehouse. Paved parking and loading areas are present to the east and west of the building, with driveways providing access from Liberty Way to the south. The

northernmost and westernmost portions of the Site are woodlands. All proposed work is located within the portion of the Site to the north of the existing building.

Topography within the limit of work is generally directed west, from the top of a small hill, towards an existing on-site retention pond. Smaller sections of the work area are graded to the north, east or south. The Site is not located within a wellhead protection area, a FEMA mapped 100-year floodplain, an NHESP-mapped estimated habitat of rare or endangered species, or any other critical area. NRCS soil maps indicate the presence of Woodbridge fine sandy loam with a Hydrologic Soil Group (HSG) rating of C/D (low infiltration potential when unsaturated).

The project proposes to clear the woodlands in the northern portion of the Site and construct a new 67-69,000± sq. ft. paved area. This area will connect to the existing driveways adjacent to the warehouse building. Stormwater management is proposed via a new subsurface retention system with overflow directed to the existing detention basin.

FINDINGS, COMMENTS AND RECOMMENDATIONS

This is the 3rd review and to assist with the review, the response to comments from Level Design Group to the BETA comments are identified as **LDG2: The** and the response by BETA will be **BETA2: The** Comments addressed in the previous revisions will be discontinued in this review.

DRAWING REQUIREMENTS (§185-31)

Drawings must be prepared in accordance with the Zoning Bylaw (§185-31).

DR2. Existing topography for the entire site is required. In addition, earth removal quantities should be shown. (§185-31.C.(3).(f)).

LDG: *As discussed during the initial Planning Board hearing, LDG has provided the enclosed aerial photo overlain with the proposed parking area to detail location on property. The entire property has not been resurveyed as part of the limited project.*

BETA: *Existing topography and earthworks quantities have not been provided. Comment remains*

LDG2: *Existing Topography is shown for the developed areas, the site as a whole is not being modified as discussed, thereby, as noted in the public hearing LDG has only provided an aerial image for the remainder of the property not being modified by the development. For reference, LDG has printed the Town of Franklin GIS map with contours.*

Earthwork calculations have been provided with this submittal.

BETA2: *The contours for the site outside of the development are not shown. Nor are the earthwork calculations. BETA recommends that the 2021 LIDAR contours be brought onto the plan from MASSMAPPER. Comment remains.*

DR4. In accordance with the requirements of §185-31.C.(3).(k), a Landscaping Plan should be provided.

LDG: *A Landscape Plan is included with this submittal.*

BETA: *The landscape plan is not in the sheet set. Comment remains.*

LDG2: *A Landscape Plan is included in the revised plan set with this submittal.*

BETA2: Plan submitted, comment addressed.

- DR5. In accordance with §185-31.C.(3).(s) a detailed description of traffic circulation, safety and capacity in sufficient detail to allow the Board to make a determination of whether a traffic impact analysis is necessary should be provided.

LDG: LDG has prepared the attached turning analysis for the expected vehicle pathways within the new trailer storage parking area as requested. The revised submittal includes an Emergency Vehicle Parking Plan which shows the vehicle pathways and turning analysis.

BETA: The plan indicates a 20' wide fire lane to be striped on the proposed pavement. Emergency access through the entire site should be identified. Comment remains.

LDG2: LDG has prepared a turning analysis and it is included as part of the revised plan set.

BETA2: Comment addressed.

- DR6. Provide data which shows that no site feature or activity will create glare or illumination which extends beyond the site's property line (§185-31.C.(4).(e)).

LDG: A Photometric Plan is included with this submittal.

BETA: The Photometric plan is not in the sheet set. Comment remains.

LDG2: A Photometric Plan is included in the revised plan set with this submittal.

BETA2: Comment addressed.

GENERAL COMMENTS

- G1. In accordance with the test pits that were conducted on site, groundwater levels are generally 2.5-3.0' below the surface. In accordance with the grading plan, the proposed cut along the easterly side of the parking ranges from 7-10'. At the test pit 1 location the proposed surface will be 2.78' below groundwater. The design will essentially dewater the parking lot area and direct the flow through both proposed and existing Stormwater BMPs. At times, this groundwater flow is anticipated to overwhelm all existing stormwater improvements in the area and produce continued surface water flow where it does not exist today, potentially impacting the down gradient abutters. Provide additional test pit data along the easterly edge of the proposed parking and show that the swale along the easterly edge will not intercept groundwater.

LDG: Additional soil testing has been performed and the testing locations are shown on the revised plans. No soil testing was performed along the easterly edge of the parcel as the swale is intended to intercept groundwater.

BETA: BETA does not agree with the design intent to intercept groundwater and lower the groundwater table to allow the proposed improvements to penetrate below the groundwater level. The proposed swale will have an impact on flagged wetland resource areas both east and west of the site by modifying runoff patterns and groundwater movement patterns. BETA recommends that the grading be modified to stay above estimated seasonal high groundwater.

LDG2: Stormwater design which artificially lowers groundwater is based upon an approved method illustrated in a Mass DEP court decision between Elite Home Builders, LLC, and the North Attleboro Conservation Commission (OADR Docket Nos. WET-2014-027&028). Copies of the decision are

attached. The decision details that lowering groundwater to achieve the required separation is permitted within the stormwater design regulations and in accordance with 310CMR10.0 since there is no detailed prohibition in the local regulations and only a reference to the state standards, this is thereby recognized and approved method of achieving groundwater separation.

BETA2: BETA has read the decision, and it does appear that because the methodology is not specifically prohibited by the standards, that the court allowed the design to stand. However, there are several issues associated with this design that must be addressed. Which include.

- 1) The outlet from the retention basin where the curtain drain will discharge is at Elevation 320.78. Since the intent of the curtain drain is to lower the groundwater elevation to 320.0, the system no longer has a positive gravity flow pattern. Groundwater elevation below the system will remain at elevation 320.78 consistent with the outfall invert. Thus the 2' of separation will not be achieved.**
- 2) The proposed curtain drain goes around the system in its entirety and will not allow the groundwater beneath the infiltration system to mound. The design of the curtain drain will effectively negate any potential recharge simply by performing its design function. The system will function as a sand filter and will provide the treatment required by the standards. However, it will not provide the recharge required by the standards.**
- 3) Since the curtain drain flows by gravity to the detention basin, water levels in the curtain drain during rainfall events will fluctuate with the water level in the basin. An analysis of the basin will be required to ensure that the groundwater level beneath the system will remain low enough that it will not submerge the infiltration system.**
- 4) The detention basin at the southwest corner of the development is currently flagged as a wetland resource. The proposed Infiltration system does not provide the minimum 50' setback from this wetland resource required by the standards and therefore must be moved a sufficient distance to establish the minimum 50' setback if it is meant to continue to meet the recharge design requirement for new construction.**

SCHEDULE OF LOT, AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS (§185 ATTACHMENT 9)

The Proposed Lot will comply with area, frontage, depth, yard dimensions, interior landscape and maximum impervious coverage.

PARKING, LOADING AND DRIVEWAY REQUIREMENTS (§185-21) AND SCREENING (§185-35)

The Project proposes to expand the parking at the rear of the site by providing an additional 67-69,000 sq. ft. of pavement that will tie directly into the existing paved edge of the perimeter roadway around the building. The proposed use of the additional pavement area is not indicated on the plans. The only note on the plan is a label "Proposed Truck Bituminous Concrete Pavement". The area will be sloped at a 2.0+% slope from the northeast corner to the southwest corner.

BETA provides the following comments relative to the parking, loading access and landscaping:

- P1. The Zoning Table indicates that 96 spaces are required by Zoning which is satisfied by existing parking

- P2. The proposed parking lot expansion will create an additional 67-69,000 square feet of pavement area on site. There are no proposed traffic signs, signals or painted lines indicated. BETA recommends that the designer at a minimum provide travel lane markings through the lot.

LDG: *The proposed lot will have trailer parking, the plans detail and area of parking, and a clear area for fire apparatus movement. The intention of the lot is to provide access for the renter to move trailers safely, with maintained corridors for public safety this methodology should be adequate for design.*

BETA: *The plan shows the minimum requested. No trailer parking spaces are identified. BETA recommends that trailer parking spaces be identified.*

LDG2: *The intent of the paint markings shown is to provide a clear path for emergency vehicles as well as trucks. The remaining area is to be flex space for moving and storing trailers and box trucks. And as such is left unstriped as noted in the original BETA comment.*

BETA2: *BETA will defer this issue to the Planning Board.*

- P3. Based upon the area of the expansion, BETA estimates that this is sufficient space to add an additional 175± parking spaces to the site. In accordance with §185-21.C.5. parking lots for 20 or more cars shall contain or be bordered within 5' by at least one tree per 10 spaces... BETA recommends that a minimum of 18 trees be provided.

LDG: *The Landscape Plan has been revised accordingly.*

BETA: *The landscape plan is not in the sheet set. Comment remains.*

LDG2: *A Landscape Plan is included in the plan set with this submittal.*

BETA2: *The landscape plan has been provided, however as previously noted, BETA recommends that a minimum of 18 trees be provided. Only 13 are shown.*

- P4. In accordance with §185-35.C. "any use in an Industrial or Business District if located on premises within 500 feet of a residentially used structure in an adjacent residential district Such uses shall provide a greenbelt along the portion of the lot which abuts the residential district or abutting lot cited above. Such greenbelt shall consist of an area not less than 15 feet wide containing a dense grouping of trees and shrubs providing a natural barrier between the lot and the adjacent premises." The property line along the westerly edge of the parcel is not shown. Based upon the height differential of the abutting residential parcels above this site and the 6' wooden fence at the crest of the hill behind the residences, BETA does not believe that this will be an issue, however, this property line should be shown to document that a greenbelt remains intact for the residential abutters in this area.

LDG: *The plans have been revised to show the western property line and that a minimum 15' greenbelt area exists and will remain.*

BETA: *No further comments*

LANDSCAPING

There is no proposed landscaping plan. The Applicant should provide a landscaping Plan which demonstrates compliance with the screening requirements set forth by §185-21.C.5 and §185-35.

LDG: *A Landscape Plan is included with the revised submittal.*

BETA: *The landscape plan is not in the sheet set. Comment remains.*

LDG2: *A Landscape Plan is included in the plan set with this submittal.*

BETA2: *The landscape plan has been provided See Comment P3 above.*

LIGHTING (§185-31.C(4)(E))

No additional site lighting was indicated to be provided with the proposed expansion. If any lighting is proposed, photometric plans should be provided.

LDG: *A Photometric Plan is included with the revised submittal.*

BETA: *The Photometric plan is not in the sheet set. Comment remains.*

LDG2: *A Photometric Plan is included in the plan set with this submittal.*

BETA2: *The Photometric plan has been provided as well as proposed fixture details. Some light extends outside the property line however the area is currently vegetated with no development within the lighted area. Regardless, a waiver should be requested.*

STORMWATER MANAGEMENT

The proposed stormwater management design is a new subsurface detention system along the westerly edge of the pavement area with an overflow directed to the existing detention basin. The infiltration system will be a subsurface chamber system that will be 13 rows of 16 Storm Tech SC 740 HDPE chambers with 6" of ¾" stone both below and above the chambers for a total height of 3.5'. Runoff from the pavement will be collected by 222' of trench drain along the edge of the existing perimeter roadway and a double grated catch basin. Runoff collected in these structures will flow through a proprietary filter prior to discharge into the chambers. Overflow from the chambers will flow into an existing detention basin. An additional double grated catch basin will be provided along the outside edge of the existing perimeter roadway at the far southwest corner. This basin will be a proprietary treatment unit which will also discharge into the same detention basin as the overflow.

The Project is subject to the Massachusetts Stormwater Management Standards (Stormwater Regulations §153-16) and Stormwater Management Plan requirements (§153-15). The applicant has provided a Stormwater Report, dated January 13, 2023, prepared by Level Design Group. Overall, the design concept should meet the intent of the stormwater standards, however, there are some significant issues that must be addressed before a complete review for compliance with the state standards and the bylaws can be completed. Specifically, the test pits conducted on site all indicated that the groundwater was only 2.5-3.0' below grade. The proposed detention system as proposed is 3-5.0' below existing grade.

The following comments are provided by BETA:

SW1. There are no soil observations located in the proposed subsurface detention system location. Based upon the size of the system (11,100± sq. ft.) and the requirements of the Stormwater Standards, a minimum of 4 additional test pits should be conducted in this area.

LDG: Additional soil testing has been performed and the testing locations are shown on the revised plans.

BETA: The revised Stormwater report was not submitted, and I am assuming that the soil logs are in the report. BETA will wait for the revised report.

LDG2: The Stormwater Report, which contains the soil logs, was submitted October 20,2023 with the hard copy submission and emailed to BETA on November 15,2023 and the revise stormwater report with updated soil logs is included with the submittal.

BETA2: Soil logs provided no further comments.

SW2. There is no information regarding the design of the existing detention basin, including inlet and outlet configuration, design assumptions, treatment provided and ultimate discharge point.

LDG: The Stormwater Report has been revised to show the information for the existing detention basin. As part of the design of the new stormwater system, the existing basin is used as a design point but does not affect the calculations for the proposed stormwater system.

BETA: The revised Stormwater report was not submitted, comment remains.

LDG: The Stormwater Report, which contains the soil logs, was submitted October 20,2023 with the hard copy submission and emailed to BETA on November 15,2023 and the revised stormwater report with updated soil logs is included with the submittal.

BETA2: The soil logs all indicate groundwater levels just below the B horizon at 27-30". In addition, the underlying C mineral soils are noted as compact and very compact. Based upon the logs and the description, BETA recommends that a design infiltration rate of 0.17 inches per hour be used to determine recharge volumes. The information regarding the design of the existing basin has not been provided. Since the proposed stormwater improvements will all discharge into this basin and are dependent upon water surface elevations in the basin it is important that these levels be established and reviewed.

SW3. All the existing stormwater BMP designs and locations on site should be identified and shown on the existing conditions plan.

LDG: An aerial mapping Overall Site Plan has been provided.

BETA: The plan is not adequate to describe the stormwater system. In addition, in accordance with the bylaws, this qualifies as new development and the runoff from the entire site must be brought into compliance with the standards, not just the new development. (See SW7 below)

LDG2: The Development, in accordance with 153-16 is classified as new development. The regulations under 153-16 do not define new construction and redevelopment activities so it is assumed that these are per the state stormwater guidance in the regulations. With that definition the area in question would need to fully comply with the section noted and 300-111 for piping, etc. but the overall site would not be regulated as there is no development throughout these areas.

The project as designed removes 96% of the total TSS on the new development which is greater than the required 90% as noted in 153-16.B. The site also infiltrates 0.25 inches of stormwater over the entire new development area.

The site in question is part of a much larger drainage system constructed for the industrial park at large. Noted in the Conservation filings, the applicant will be providing maintenance and reconstruction of drainage swales adjacent to the property which have not been maintained to date as well as maintenance to the discharge point adjacent to the area of construction. This maintenance is within the town easements as well as park easements and appears to have not been conducted in the past decade or two. This is the cause of some onsite isolated wetlands and weeps which have been addressed with the Commission. It is the applicant's intent to clean up some of the issues surrounding the site allowing for on-going maintenance to be completed. This is in addition to compliance noted above.

BETA2: In accordance with the MS4 permit, the site is defined as the limit of the development. Thus in accordance with the bylaw, the site is new development and the stormwater improvements must meet the requirements fully for the entirety of the runoff from the development area only. However, under the Stormwater Standards, Volume 1, Chapter 1, redevelopment is defined as

2. Development, rehabilitation, expansion and phased projects on previously developed sites, provided the redevelopment results in no net increase in impervious area; and

Based upon this definition, there is an increase in impervious area on site and the site does not qualify as redevelopment. Based upon the example in this section of the standards, the site outside the limits of the new development would qualify as redevelopment. As noted in the standards, the applicant should document that the site stormwater has been improved to the maximum extent possible for the redevelopment. Since most of the site is not being impacted by the proposed development, BETA will defer this to the Franklin DPW as to whether the site must be brought into compliance to the Maximum Extent Possible.

- SW5.** The proposed proprietary stormwater treatment filters are each proposed to be in line. In accordance with the standards, the manufacturer should provide the data necessary to document that the units will provide the treatment required by the design.

LDG: *The manufacturers specification sheets have been included in the revised Stormwater Report.*

BETA: *The revised Stormwater report was not submitted, comment remains.*

LDG2: *The Stormwater Report was emailed to BETA on November 15,2023 and the revised Stormwater Report is included with this submittal.*

BETA2: *The information submitted is only a download from the Manufacturer's website and in accordance with the standards the calculations must be submitted directly from the manufacturer. Comment Remains.*

In addition to the above comments, based on the revised design, BETA has the following additional comments.

- SW6.** ***Based on the groundwater elevations noted on the revised site plans, the bottom of the proposed subsurface infiltration system is greater than a foot below groundwater. In accordance with the standards, this system must be a minimum of 2' above groundwater. In addition, the system must also***

be setback a minimum of 50' from the wetlands. As designed, the system is in the wetlands resource areas as flagged. The system must be moved to comply with the standards.

LDG2: The stormwater system design which artificially lowers groundwater is based upon an approved method illustrated in a MassDEP court decision between Elite Home Builders, LLC and the North Attleboro Conservation Commission. (OADR Docket Nos. WET-027&028). Copies of the decision are attached. The decision details that lowering groundwater to achieve the required separation is permitted within the stormwater design regulations and in accordance with 310CMR10.0 since there is no detailed prohibition in the local regulations and only a reference to the state standards, this is thereby a recognized and approved method of achieving the groundwater separation. The wetlands as noted are created by poor maintenance of stormwater feature as noted in the conservation filings. The areas in question are regulated only under local regulations which classify them as drainage features and part of the rationale for reconstruction of the stormwater features adjacent to the site.

BETA2: BETA agrees that the isolated wetlands are only subject to the bylaw. However, the wetlands bordering the detention basin do qualify as a bordering vegetated wetland based on the age of the basin construction. Thus, regardless of the design engineer's interpretation of the wetlands, they are still waters of the Commonwealth and the setback requirements espoused in Volume 1, Chapter 1 of the handbook must be met. See Comment G1 relative to the groundwater issue.

SW7. As previously noted, the proposed additional pavement qualifies as new development under the bylaws. Thus, runoff from the entire site must be brought into compliance with the bylaws. Specifically, for a new Site, meet one of the following criteria (§153-16.B(1))

- a. Retain the volume of runoff equivalent to, or greater than, 1.0 inch multiplied by the total post-construction impervious surface area on the Site; and/or***
- b. Remove 90% of the average annual post-construction load of TSS and 60% of the average annual load of total phosphorus.***

LDG2: LDG reviewed the regulations the and the regulations do not support this interpretation. New construction and Redevelopment are not defined in the specific regulatory section 153., thereby the definitions are taken from referenced regulations, or the state stormwater regulations. State regulations govern the area of construction not the entire site unless there is a portion of the site which is being modified. However, in accordance with the enacting regulations that would make the project a mixed redevelopment/new development. In this project there is only new development for the site area being modified, there is no written regulatory requirement for modification or evaluation of the site as a whole.

BETA2: See SW4 above.

MASSDEP STORMWATER STANDARDS

The project is subject to the Massachusetts Stormwater Standards as outlined by MassDEP. Compliance with these standards is outlined below:

NO UNTREATED STORMWATER (STANDARD NUMBER 1): No new stormwater conveyances (e.g., outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth. The project proposes two new outfalls. The project proposes 2 new outfalls which will each discharge into the

existing detention basin at the westerly edge of the development. The primary discharge will be from the proposed infiltration basin and the second will be from a proposed catch basin behind the existing building at the existing edge of the pavement. Treatment will be primarily provided by the infiltration basin. While the second discharge point will be through a proprietary inlet.

POST-DEVELOPMENT PEAK DISCHARGE RATES (STANDARD NUMBER 2): *Stormwater management systems must be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates.* The project proposes an increase in impervious area and minor changes to site hydrology. Stormwater runoff will be mitigated via a new subsurface infiltration system. Calculations indicate a decrease in peak discharge rate and runoff volume to all watersheds.

- SW8.** There is a large watershed area that comes from the site at both 77 and 101 Constitution Boulevard that will flow into the interceptor trench along the easterly edge of the proposed pavement area which is not accounted for in the calculations. Because the flow from the trench is directed into the infiltration basin, this runoff must be accounted for to determine the impact on the basin design.
- SW9.** Because the design is intercepting groundwater flow and directing this flow through the infiltration basin, the rate and volume of this flow should be accounted for in the design.
- SW10.** The HYDRO-CAD calculations incorrectly show the flow from the proposed interceptor trench bypassing the infiltration system. The discharge from the trench is into TD-2 which flows into the infiltration basin.
- SW11.** The Hydro CAD calculations incorrectly assume that the gabion check dam in the interceptor trench is a solid structure. There are no detention capabilities behind this structure and the design calculations must be modified accordingly or the structure design modified to be a real embankment.

RECHARGE TO GROUNDWATER (STANDARD NUMBER 3): *Loss of annual recharge to groundwater should be minimized through the use of infiltration measures to maximum extent practicable.* NRCS soil maps indicate that soil on site is predominantly Woodbridge fine sandy loam with HSG C/D (low infiltration).

Recharge is proposed via a proposed subsurface infiltration system which will capture runoff from most of the proposed parking lot area.

- SW12.** The proposed infiltration system will be located 2' above estimated seasonal high groundwater only based on a perimeter drain which will artificially suppress the groundwater table. As previously noted, this perimeter drain will effectively prevent groundwater levels below the system from developing. Accordingly, the system will not have the ability to recharge groundwater levels. Another method of recharge will be needed for the proposed development.

TOTAL SUSPENDED SOLIDS (STANDARD NUMBER 4): *For new development, stormwater management systems must be designed to remove 80% (90% per Town Bylaw) of the annual load of Total Suspended Solids (TSS).* The project includes treatment of the proposed impervious surfaces on site using a subsurface infiltration basin.

In accordance with the bylaws, all new development is required to treat the 1.0-inch water quality volume. The static storage provided in the infiltration basin is certainly sufficient to meet the intent of the standards and by laws, however this is dependent upon the design of the pretreatment required by the handbook.

- SW13.** The watershed areas tributary to the catch basin exceeds 0.25 acres and therefore is not entitled to a 25% TSS Removal rate. Thus, the TSS Calculations for this treatment train must be modified.

- SW14.** Based upon an EPA study of the efficiency of proprietary separators, BETA has limited the efficiency of these units to 45%. The TSS Calculations should be modified accordingly.
- SW15.** The TSS removal rate of the infiltration system is predicated on the pretreatment. The Pretreatment cannot be included in the total for this treatment train.
- SW16.** The TSS Removal rate for CB3 is based only on the use of a proprietary separator. This practice is normally reserved for redevelopment where there are no other options. BETA recommends that a “*deminimus*” calculation be provided for this discharge to ensure that it meets the new development requirements.

HIGHER POTENTIAL POLLUTANT LOADS (STANDARD NUMBER 5): *Stormwater discharges from Land Uses with Higher Potential Pollutant Loads (LUHPPLs) require the use of specific stormwater management BMPs. Site does not qualify as a LUHPPL. Not Applicable*

CRITICAL AREAS (STANDARD NUMBER 6): *Stormwater discharges to critical areas must utilize certain stormwater management BMPs approved for critical areas. The project is not located within a critical area. Not Applicable*

REDEVELOPMENT (STANDARD NUMBER 7): *Redevelopment of previously developed sites must meet the Stormwater Management Standards to the maximum extent practicable. See SW4 above.*

CONSTRUCTION PERIOD EROSION AND SEDIMENT CONTROLS (STANDARD NUMBER 8): *Erosion and sediment controls must be implemented to prevent impacts during construction or land disturbance activities.*

The project will disturb an area greater than one acre of land; therefore, a Notice of Intent with EPA and a Stormwater Pollution Prevention Plan (SWPPP) is required. The project proposes the use of erosion control barrier (straw wattle), catch basin inlet protection, and stabilized construction entrance.

SW17. *As previously noted, a permit from the DPW for the site development is required.*

OPERATIONS/MAINTENANCE PLAN (STANDARD NUMBER 9): *A Long-Term Operation and Maintenance Plan shall be developed and implemented to ensure that stormwater management systems function as designed.*

A Long-Term Operation and Maintenance (O&M) Plan has been provided.

SW18. *There is a note on the plan that references a Home Owners Association which should be removed.*

SW19. *Maintenance of the proprietary units is not noted on the plan.*

SW20. *Outfall maintenance is not noted on the plan. Maintenance of the trench drains, and the interceptor trench should also be noted.*

SW21. *A plan of all the stormwater features on the site should be included in the plan.*

ILLICIT DISCHARGES (STANDARD NUMBER 10): *All illicit discharges to the stormwater management systems are prohibited.*

SW22. *A signed Illicit Discharge Statement is required.*

Mr. Gregory Rondeau, Chairman
December 14, 2023
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WETLANDS PROTECTION (§181)

The revised plans identify wetland resource areas within the limits of the proposed development which are to be altered in conjunction with the new pavement. Prior to completing the revised design in response to the above comments, BETA recommends that the applicant move forward with the Conservation Commission to determine if the commission will allow the resource alteration proposed in conjunction with the proposed pavement expansion prior to resubmission. At this point, BETA has not been advised that the alterations to the resource areas will be allowed.

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

Very truly yours,
BETA Group, Inc.



Gary D. James, PE
Senior Project Engineer

cc: Amy Love, Town Planner

Job No: 10519.03



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building
257 Fisher Street
Franklin, MA 02038-3026

December 14, 2023

Mr. Greg Rondeau, Chairman
Members of the Franklin Planning Board
355 East Central Street
Franklin, MA 02038

RE: Site Plan Modification – Parking Expansion, #15 Liberty Way

Dear Mr. Chairman and Members:

We have reviewed the submitted materials for the subject project and offer the following comments:

1. In addition to the Massachusetts Stormwater Standards, the stormwater narrative should also address how the design meets the Town's bylaw requirements for retaining 1" of runoff, or 90% TSS and 60% Total Phosphorous.
2. The revised plans show RCP where HDPE pipe was previously proposed, however the outlet pipe for CB-3 is called out as 8" HDPE. If the intention is to keep this outfall pipe as HDPE we believe a waiver should still be requested.
3. The infiltration system curtain drain has been updated to show it discharging to the detention basin. Additional details or callouts should be included to clarify how that connection will be made. The plan shows what appears to be a valve on the outlet but the size, type, and connection is not clear.
4. Additionally, whereas the design is proposing to utilize the curtain drain to drawdown the water table in order to achieve the required separation, we'd like to see some type of inspection ports along the curtain drain so that the ground water elevation can be verified post construction to ensure the that system is working as designed.
5. The plan details include HDPE flared ends although at least one of the outlets is called out for RCP.
6. There is a detail for a cleanout on a PVC pipe, however it is unclear where this is to be used.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'M Maglio', written in a cursive style.

Michael Maglio, P.E.
Town Engineer

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907
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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: December 13, 2023
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: 15 Liberty Way
Site Plan Modification

The DPCD has reviewed the above referenced Site Plan Modification application for the Monday, December 18, 2023 Planning Board meeting and offers the following commentary:

General:

1. The site is located at 15 Liberty Way located in the Industrial Zoning District (Assessors Map 320 Lot 004).
2. The proposed project includes the construction of new pavement to expand the existing driveway and truck parking areas for the existing warehouse.
3. The Applicant has filed with the Conservation Commission.

Comments from the March 27, 2023 meeting:

1. Include the entire building with existing parking spaces on the site plan. *The entire building has been added to the plan set.*
2. Provide on the Site Plan the curbing details. *Curbing details have been provided.*
3. Provide parking lot details, such as travel ways and spaces on the new proposed lot. *Pathways have been added to the plans.*
4. Provide full landscaping plan, including landscaping plan for abutting property. *A landscaping plan has been provided.*
5. Provide the square footage of the new parking area and striping on the plans. *The new parking area has been to the plans.*
6. Provide a diagram showing fire truck access. *Lines have been added to the plan.*



November 22, 2023

Mr. Gregory Rondeau, Chairman
Franklin Planning Board
355 East Central Street
Franklin, MA 02038

Re: 15 Liberty Way- Proposed Parking Expansion
Franklin, MA
LDG Project No. 2081.00

Dear Mr. Rondeau:

Level Design Group, LLC (LDG), on behalf of Oliver Street Capital, Inc., hereby submits the attached documentation for response to comments from Beta Group, Inc. on March 8, 2023, Amy Love, Planner, Department of Planning and Community Development, October 31, 2023, Department of Public Works dated, November 6, 2023 and the Franklin Fire Department, the responses are in the same order as the original referenced letter.

BETA COMMENTS

FINDINGS, COMMENTS AND RECOMMENDATIONS

DRAWING REQUIREMENTS (§185-31)

Drawings must be prepared in accordance with the Zoning Bylaw (§185-31).

DR1. All existing land and building uses on the lot should be included on the plan. (§185-31.C.(3).(e).

BETA: No further comments.

DR2. Existing topography for the entire site is required. In addition, earth removal quantities should be shown. (§185-31.C.(3).(f).

LDG: *As discussed during the initial Planning Board hearing, LDG has provided the enclosed aerial photo overlain with the proposed parking area to detail location on property. The entire property has not been resurveyed as part of the limited project.*

BETA: Existing topography and earthworks quantities have not been provided. Comment remains.

Response: Existing Topography is shown for the developed areas, the site as a whole is not being modified as discussed, thereby, as noted in the public hearing LDG has only provided an aerial image for the remainder of the property not being modified by the development. For reference LDG has printed the Town of Franklin GIS map with contours.

Earthwork calculations have been provided with this submittal.

DR3. Based upon the site visit, it appears that there may be wetland resources north and west of the site based on both standing water and vegetation. These areas should be confirmed with the Conservation Commission agent.

BETA: No further comments wetland flags are shown.

DR4. In accordance with the requirements of §185-31.C.(3).(k), a Landscaping Plan should be provided.

LDG: *A Landscape Plan is included with this submittal.*

BETA: The landscape plan is not in the sheet set. Comment remains.



Response: A Landscape Plan is included in the revised plan set with this submittal.

DR5. In accordance with §185-31.C.(3).(s) a detailed description of traffic circulation, safety and capacity in sufficient detail to allow the Board to make a determination of whether a traffic impact analysis is necessary should be provided.

LDG: LDG has prepared the attached turning analysis for the expected vehicle pathways within the new trailer storage parking area as requested. The revised submittal includes an Emergency Vehicle Parking Plan which shows the vehicle pathways and turning analysis.

BETA: The plan indicates a 20' wide fire lane to be striped on the proposed pavement. Emergency access through the entire site should be identified. Comment remains.

Response: LDG has prepared a turning analysis and it is included as part of the revised plan set.

DR6. Provide data which shows that no site feature or activity will create glare or illumination which extends beyond the site's property line (§185-31.C.(4).(e)).

LDG: A Photometric Plan is included with this submittal.

BETA: The Photometric plan is not in the sheet set. Comment remains.

Response: A Photometric Plan is included in the revised plan set with this submittal.

GENERAL COMMENTS

G1. In accordance with the test pits that were conducted on site, groundwater levels are generally 2.5- 3.0' below the surface. In accordance with the grading plan, the proposed cut along the easterly side of the parking ranges from 7-10'. At the test pit 1 location the proposed surface will be 2.78' below groundwater. The design will essentially dewater the parking lot area and direct the flow through both proposed and existing Stormwater BMPs. At times, this groundwater flow is anticipated to overwhelm all existing stormwater improvements in the area and produce continued surface water flow where it does not exist today, potentially impacting the down gradient abutters. Provide additional test pit data along the easterly edge of the proposed parking and show that the swale along the easterly edge will not intercept groundwater.

LDG: Additional soil testing has been performed and the testing locations are shown on the revised plans. No soil testing was performed along the easterly edge of the parcel as the swale is intended to intercept groundwater.

BETA: BETA does not agree with the design intent to intercept groundwater and lower the groundwater table to allow the proposed improvements to penetrate below the groundwater level. The proposed swale will have an impact on flagged wetland resource areas both east and west of the site by modifying runoff patterns and groundwater movement patterns. BETA recommends that the grading be modified to stay above estimated seasonal high groundwater.

Response: Stormwater design which artificially lowers groundwater is based upon an approved method illustrated in a MassDEP court decision between Elite Home Builders, LLC and the North Attleboro Conservation Commission (OADR Docket Nos. WET-2014-027 & 028). Copies of the decision are attached. The decision details that lowering groundwater to achieve the required separation is permitted within the stormwater design regulations and in accordance with 310CMR10.0 since there is no detailed prohibition in the Local regulations and only a reference to the state standards, this is thereby a recognized and approved method of achieving the groundwater separation.

SCHEDULE OF LOT, AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS (§185 ATTACHMENT 9)

Z1. The Zoning table provided on sheet 3 of 8 should be revised to identify both existing and proposed.

It is understood that the only change in the use will be the additional Impervious Coverage, however, the



proposed increase in area should be documented.

LDG: *The Zoning Table has been revised accordingly.*

BETA: *No further comments.*

Z2. Provide a plan of the existing conditions on the lot which documents compliance with the zoning requirements.

LDG: *The proposed lot will have trailer parking, the plans detail and area of parking, and a clear area for fire apparatus movement. The intention of the lot is to provide access for the renter to move trailers safety, with maintained corridors for public safety this methodology should be adequate for design.*

BETA: *The proposed impervious coverage complies with Zoning. No further comments.*

PARKING, LOADING AND DRIVEWAY REQUIREMENTS (§185-21) AND SCREENING (§185-35)

P1. The Zoning Table indicates that 96 spaces are required by Zoning which is satisfied by existing parking spaces on site. However, there are no plans which corroborate this notation. Provide a plan which documents the number of parking spaces on site.

LDG: *An Overall aerial Site Plan has been included with this submittal which shows the total number of parking spaces.*

BETA: *The Plan is difficult to read but does show 100 existing spaces. No further comments*

P2. The proposed parking lot expansion will create an additional 67-69,000 square feet of pavement area on site. There are no proposed traffic signs, signals or painted lines indicated. BETA recommends that the designer at a minimum provide travel lane markings through the lot.

LDG: *The proposed lot will have trailer parking, the plans detail and area of parking, and a clear area for fire apparatus movement. The intention of the lot is to provide access for the renter to move trailers safety, with maintained corridors for public safety this methodology should be adequate for design.*

BETA: *The plan shows the minimum requested. No trailer parking spaces are identified. BETA recommends that trailer parking spaces be identified.*

Response: *The intent of the paint markings shown is to provide a clear path for emergency vehicles as well as trucks. The remaining area is to be flex space for moving and storing trailers and box trucks. and as such is left unstriped as noted in the original BETA comment.*

P3. Based upon the area of the expansion, BETA estimates that this is sufficient space to add an additional 175± parking spaces to the site. In accordance with §185-21.C.5. parking lots for 20 or more cars shall contain or be bordered within 5' by at least one tree per 10 spaces... BETA recommends that a minimum of 18 trees be provided.

LDG: *The Landscape Plan has been revised accordingly.*

BETA: *The landscape plan is not in the sheet set. Comment remains.*

Response: *A Landscape Plan is included in the revised plan set with this submittal.*

P4. In accordance with §185-35.C. "any use in an Industrial or Business District if located on premises within 500 feet of a residentially used structure in an adjacent residential district Such uses shall provide a greenbelt along the portion of the lot which abuts the residential district or abutting lot cited above. Such greenbelt shall consist of an area not less than 15 feet wide containing a dense grouping of trees and shrubs providing a natural barrier between the lot and the adjacent premises." The property line along the westerly edge of the parcel is not shown. Based upon the height differential of the abutting residential parcels above



this site and the 6' wooden fence at the crest of the hill behind the residences, BETA does not believe that this will be an issue, however, this property line should be shown to document that a greenbelt remains intact for the residential abutters in this area.

LDG: The plans have been revised to show the western property line and that a minimum 15' greenbelt area exists and will remain.

BETA: No further comments

LANDSCAPING

There is no proposed landscaping plan. The Applicant should provide a landscaping Plan which demonstrates compliance with the screening requirements set forth by §185-21.C.5 and §185-35.

LDG: A Landscape Plan is included with the revised submittal.

BETA: The landscape plan is not in the sheet set. Comment remains.

Response: A Landscape Plan is included in the revised plan set with this submittal.

LIGHTING (§185-31.C(4)(E))

No additional site lighting was indicated to be provided with the proposed expansion. If any lighting is proposed, photometric plans should be provided.

LDG: A Photometric Plan is included with the revised submittal.

BETA: The Photometric plan is not in the sheet set. Comment remains.

Response: A Photometric Plan is included in the revised plan set with this submittal.

STORMWATER MANAGEMENT

SW1. There are no soil observations located in the proposed subsurface detention system location. Based upon the size of the system (11,100± sq. ft.) and the requirements of the Stormwater Standards, a minimum of 4 additional test pits should be conducted in this area.

LDG: Additional soil testing has been performed and the testing locations are shown on the revised plans.

BETA: The revised Stormwater report was not submitted, and I am assuming that the soil logs are in the report. BETA will wait for the revised report.

Response: The Stormwater Report, which contains the soil logs, was Submitted October 20, 2023 with the hard copy submission and emailed to BETA on November 15, 2023 and the Revised Stormwater Report with updated soil logs is included with this submittal.

SW2. There is no information regarding the design of the existing detention basin, including inlet and outlet configuration, design assumptions, treatment provided and ultimate discharge point.

LDG: The Stormwater Report has been revised to show the information for the existing detention basin. As part of the design of the new stormwater system, the existing basin is used as a design point but does not affect the calculations for the proposed stormwater system.

BETA: The revised Stormwater report was not submitted, comment remains.

Response: The Stormwater Report is included with this submittal and has been revised to show the information for the existing detention basin. As part of the design of the new stormwater system the existing basin is used as a design point but does not affect the calculations for the proposed stormwater system.



SW3. All the existing stormwater BMP designs and locations on site should be identified and shown on the existing conditions plan.

LDG: An aerial mapping Overall Site Plan has been provided.

BETA: The plan is not adequate to describe the stormwater system. In addition, in accordance with the bylaws, this qualifies as new development and the runoff from the entire site must be brought into compliance with the standards, not just the new development. (See SW7 below)

The development, in accordance with 153-16 is classified as new development, however the development of this new area does not then transform the remainder of the property into new development. The regulations under 153-16 do not define new construction and redevelopment activities so it is assumed that they are per the state stormwater guidance in the regulations. With that definition the area in question would need to fully comply with the section noted and 300-11 for piping, etc. but the overall site would not be regulated as there is no development throughout those areas.

The project as designed removes 96% of the total TSS on the new development which is greater than the required 90% as noted in 153-16.B. The site also infiltrates 0.25 inches of stormwater over the entire new development area.

The site in question is part of a much larger drainage system constructed for the Industrial Park at large. Noted in the Conservation Filings, the applicant will be providing maintenance and reconstruction of drainage swales adjacent to the property which have not been properly maintained to date as well as maintenance to the discharge point adjacent to this area of construction. This maintenance is within the town easements as well as park easements and appears to have not been conducted in the past decade or two. This is the cause of some onsite isolated wetlands and weeps which have been addressed with the Commission. It is the applicant's intent to clean-up some of the issues surrounding the site allowing for on-going maintenance to be completed. This is in addition to compliance noted above.

SW4. The proposed expansion will disturb greater than 1.0 acre and is therefore subject to the EPA Construction General Permit. A Storm Water Pollution Prevention Plan will be required. The applicant is reminded that a stormwater permit from the DPW will be required for this site.

LDG: A draft SWPPP will be prepared and provided prior to construction.

BETA: No further comments.

SW5. The proposed proprietary stormwater treatment filters are each propose to be in line. In accordance with the standards, the manufacturer should provide the data necessary to document that the units will provide the treatment required by the design.

LDG: The manufacturers specification sheets have been included in the revised Stormwater Report.

BETA: The revised Stormwater report was not submitted, comment remains.

Response: The Stormwater Report was emailed to BETA on November 15, 2023 and the Revised Stormwater Report is included with this submittal.

In addition to the above comments, based on the revised design, BETA has the following additional comments.

SW6. Based on the groundwater elevations noted on the revised site plans, the bottom of the proposed subsurface infiltration system is greater than a foot below groundwater. In accordance with the standards, this system must be a minimum of 2' above groundwater. In addition, the system must also be setback a minimum of 50' from the wetlands. As designed, the system is in the wetlands resource areas as flagged. The system must be moved to comply with the standards.

Response: The Stormwater system design which artificially lowers groundwater is based upon an approved



method illustrated in a MassDEP court decision between Elite Home Builders, LLC and the North Attleboro Conservation Commission (OADR Docket Nos. WET-2014-027 & 028). Copies of the decision are attached. The decision details that lowering groundwater to achieve the required separation is permitted within the stormwater design regulations and in accordance with 310CMR10.0 since there is no detailed prohibition in the Local regulations and only a reference to the state standards, this is thereby a recognized and approved method of achieving the groundwater separation. The wetlands, as noted above are created by poor maintenance of stormwater features as noted in the Conservation Filings. The areas in question are regulated only under local regulations which classify them as drainage features and part of the rationale for reconstruction of the stormwater features adjacent to the site.

SW7. As previously noted, the proposed additional pavement qualifies as new development under the bylaws. Thus, runoff from the entire site must be brought into compliance with the bylaws. Specifically, for a new Site, meet one of the following criteria (§153-16.B(1))

LDG: LDG reviewed the regulations and the regulations do not support this interpretation. New Construction and Redevelopment are not defined in the specified regulatory section 153, thereby the definitions are taken from referenced regulations, or the state stormwater regulations. State regulations govern the area of construction not the entire site unless there is a portion of the site which is thereby being modified. However in accordance with the enacting regulations that would make the project a mixed redevelopment/new development. In this project there is only defined new development for the site area being modified, there is no written regulatory requirement for modification or evaluation of the site as a whole.

- a. Retain the volume of runoff equivalent to, or greater than, 1.0 inch multiplied by the total post-construction impervious surface area on the Site; and/or**
- b. Remove 90% of the average annual post-construction load of TSS and 60% of the average annual load of total phosphorus.**

Response: TSS and Phosphorous Removal calculations have been prepared and are included in the Stormwater Report for the New Development area, not the entire property.

PLANNING BOARD COMMENTS

1. Include the entire building with existing parking spaces on the site plan.

Response: An Overall Site Plan created from a MassGIS Aerial Image has been added to the plan set which shows the entire building.

2. Provide on the Site Plan the curbing details.

Response: The previous submittal had a duplicate curbing detail reference which has been removed from the detail sheets. A Curbing Detail has been added to the plans detailing reinforced precast concrete curbing for the new development parking area. This is also detailed on the Layout & Materials sheet in the plan package.

3. Provide parking lot details, such as travel ways and spaces on the new proposed lot.

Response: The vehicle pathways, for fire access and a general travel lane through the area, have been added to the Layout and Materials Plan and are shown on the Emergency Vehicle Access Plan which is included with this submittal.

4. Provide snow storage.



Response: Snow storage areas have been added to the Layout and Materials Plan, they are on-pavement and outside of the emergency vehicle travel lane.

5. Provide the square footage of the new parking area and striping on the plans.

Response: The area of the new parking lot has been added to the plans.

6. Provide a diagram showing fire truck access.

Response: Paint lines have been added to the plans which includes a 20' Access Aisle. An Emergency Vehicle Access plan using a Franklin Aerial fire truck turning template is included with this submittal for the area and the site as a whole as requested by BETA.

DEPARTMENT OF PUBLIC WORKS COMMENTS

1. The revised storm water report includes a comparison of the total runoff volumes as requested. We note that there is an increase in total runoff volume to the existing detention basin for each storm event. The narrative states that the increase is negligible, however for the 100 year event the runoff volume increase is 14,600 cf, or a 40% increase over the existing conditions. We recommend evaluating both the onsite detention basin and the downstream detention basin to insure the additional flow does not result in any overtopping or significant reduction in freeboard.

Response: Both the Existing and Proposed Drainage Plans and models have been revised to include the onsite area flowing to the existing detention basin and the Stormwater Report has been updated accordingly.

2. The Board typically requires reinforced concrete pipe for on-site drainage systems, if the applicant proposes to use HDPE for some of the drainage pipes a waiver should be requested.

Response: The design has been redesigned to use reinforced concrete pipe.

3. The infiltration system details show both an underdrain and curtain drain associated with the design. Details for where and how these two drains are to be connected to discharge.

Response: The plans have been revised to show how the curtain drain connects to the discharge point and, the underdrain has been removed from the design.

4. Additionally, the underdrain detail indicates that the size and number per the Engineer. This information should be indicated on the plans.

Response: The underdrain has been removed from the design.

5. It doesn't appear that the underdrains to be installed at the bottom of the infiltration system are accounted for in the stormwater model for the system. It seems the underdrains would reduce the amount of infiltration the system could achieve.

Response: The underdrain has been removed from the design.

FIRE DEPARTMENT COMMENTS

- We would note that the plan did not show exactly how trucks will be strategically parked on the proposed parking expansion. The Fire Department needs to have the ability to access all of the trucks on the lot in the event of a truck or trailer fire. If consideration can be given to how the trucks or trailers are parked for the reason mentioned.

Response: The parking area will be designed with consideration to fire truck access and An Emergency Vehicle



Access plan using a Franklin Aerial fire truck turning template is included with this submittal.

I look forward to working with the Board for approval of the Site Plan. If there are any questions prior to the next hearing about this revised Site Plan or the paperwork contained herein please do not hesitate to ask.

Enclosed please find the following:

- Two (2) full size copies of revised Site Plans
- Five (5) reduced size (11x17) copies of revised Site Plans
- Two (2) copies of revised Stormwater Report

Truly yours,
LEVEL DESIGN GROUP, LLC

Adam Hunt, E.I.T.
Civil Designer



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LDG: *Additional soil testing has been performed and the testing locations are shown on the revised plans.*

BETA: *The revised Stormwater report was not submitted, and I am assuming that the soil logs are in the report. BETA will wait for the revised report.*

Response: *The Stormwater Report, which contains the soil logs, was Submitted October 20, 2023 with the hard copy submission and emailed to BETA on November 15, 2023 and the Revised Stormwater Report with updated soil logs is included with this submittal.*

SW2. There is no information regarding the design of the existing detention basin, including inlet and outlet configuration, design assumptions, treatment provided and ultimate discharge point.

LDG: *The Stormwater Report has been revised to show the information for the existing detention basin. As part of the design of the new stormwater system, the existing basin is used as a design point but does not affect the calculations for the proposed stormwater system.*

BETA: *The revised Stormwater report was not submitted, comment remains.*

Response: *The Stormwater Report is included with this submittal and has been revised to show the information for the existing detention basin. As part of the design of the new stormwater system the existing basin is used as a design point but does not affect the calculations for the proposed stormwater system.*



SW3. All the existing stormwater BMP designs and locations on site should be identified and shown on the existing conditions plan.

LDG: An aerial mapping Overall Site Plan has been provided.

BETA: The plan is not adequate to describe the stormwater system. In addition, in accordance with the bylaws, this qualifies as new development and the runoff from the entire site must be brought into compliance with the standards, not just the new development. (See SW7 below)

The development, in accordance with 153-16 is classified as new development, however the development of this new area does not then transform the remainder of the property into new development. The regulations under 153-16 do not define new construction and redevelopment activities so it is assumed that they are per the state stormwater guidance in the regulations. With that definition the area in question would need to fully comply with the section noted and 300-11 for piping, etc. but the overall site would not be regulated as there is no development throughout those areas.

The project as designed removes 96% of the total TSS on the new development which is greater than the required 90% as noted in 153-16.B. The site also infiltrates 0.25 inches of stormwater over the entire new development area.

The site in question is part of a much larger drainage system constructed for the Industrial Park at large. Noted in the Conservation Filings, the applicant will be providing maintenance and reconstruction of drainage swales adjacent to the property which have not been properly maintained to date as well as maintenance to the discharge point adjacent to this area of construction. This maintenance is within the town easements as well as park easements and appears to have not been conducted in the past decade or two. This is the cause of some onsite isolated wetlands and weeps which have been addressed with the Commission. It is the applicant's intent to clean-up some of the issues surrounding the site allowing for on-going maintenance to be completed. This is in addition to compliance noted above.

SW4. The proposed expansion will disturb greater than 1.0 acre and is therefore subject to the EPA Construction General Permit. A Storm Water Pollution Prevention Plan will be required. The applicant is reminded that a stormwater permit from the DPW will be required for this site.

LDG: A draft SWPPP will be prepared and provided prior to construction.

BETA: No further comments.

SW5. The proposed proprietary stormwater treatment filters are each propose to be in line. In accordance with the standards, the manufacturer should provide the data necessary to document that the units will provide the treatment required by the design.

LDG: The manufacturers specification sheets have been included in the revised Stormwater Report.

BETA: The revised Stormwater report was not submitted, comment remains.

Response: The Stormwater Report was emailed to BETA on November 15, 2023 and the Revised Stormwater Report is included with this submittal.

In addition to the above comments, based on the revised design, BETA has the following additional comments.

SW6. Based on the groundwater elevations noted on the revised site plans, the bottom of the proposed subsurface infiltration system is greater than a foot below groundwater. In accordance with the standards, this system must be a minimum of 2' above groundwater. In addition, the system must also be setback a minimum of 50' from the wetlands. As designed, the system is in the wetlands resource areas as flagged. The system must be moved to comply with the standards.

Response: The Stormwater system design which artificially lowers groundwater is based upon an approved



method illustrated in a MassDEP court decision between Elite Home Builders, LLC and the North Attleboro Conservation Commission (OADR Docket Nos. WET-2014-027 & 028). Copies of the decision are attached. The decision details that lowering groundwater to achieve the required separation is permitted within the stormwater design regulations and in accordance with 310CMR10.0 since there is no detailed prohibition in the Local regulations and only a reference to the state standards, this is thereby a recognized and approved method of achieving the groundwater separation. The wetlands, as noted above are created by poor maintenance of stormwater features as noted in the Conservation Filings. The areas in question are regulated only under local regulations which classify them as drainage features and part of the rationale for reconstruction of the stormwater features adjacent to the site.

SW7. As previously noted, the proposed additional pavement qualifies as new development under the bylaws. Thus, runoff from the entire site must be brought into compliance with the bylaws. Specifically, for a new Site, meet one of the following criteria (§153-16.B(1))

LDG: LDG reviewed the regulations the and the regulations do not support this interpretation. New Construction and Redevelopment are not defined in the specified regulatory section 153, thereby the definitions are taken from referenced regulations, or the state stormwater regulations. State regulations govern the area of construction not the entire site unless there is a portion of the site which is thereby being modified. However in accordance with the enacting regulations that would make the project a mixed redevelopment/new development. In this project there is only defined new development for the site area being modified, there is no written regulatory requirement for modification or evaluation of the site as a whole.

- a. Retain the volume of runoff equivalent to, or greater than, 1.0 inch multiplied by the total post-construction impervious surface area on the Site; and/or**
- b. Remove 90% of the average annual post-construction load of TSS and 60% of the average annual load of total phosphorus.**

Response: TSS and Phosphorous Removal calculations have been prepared and are included in the Stormwater Report for the New Development area, not the entire property.

PLANNING BOARD COMMENTS

1. Include the entire building with existing parking spaces on the site plan.

Response: An Overall Site Plan created from a MassGIS Aerial Image has been added to the plan set which shows the entire building.

2. Provide on the Site Plan the curbing details.

Response: The previous submittal had a duplicate curbing detail reference which has been removed from the detail sheets. A Curbing Detail has been added to the plans detailing reinforced precast concrete curbing for the new development parking area. This is also detailed on the Layout & Materials sheet in the plan package.

3. Provide parking lot details, such as travel ways and spaces on the new proposed lot.

Response: The vehicle pathways, for fire access and a general travel lane through the area, have been added to the Layout and Materials Plan and are shown on the Emergency Vehicle Access Plan which is included with this submittal.

4. Provide snow storage.



Response: Snow storage areas have been added to the Layout and Materials Plan, they are on-pavement and outside of the emergency vehicle travel lane.

5. Provide the square footage of the new parking area and striping on the plans.

Response: The area of the new parking lot has been added to the plans.

6. Provide a diagram showing fire truck access.

Response: Paint lines have been added to the plans which includes a 20' Access Aisle. An Emergency Vehicle Access plan using a Franklin Aerial fire truck turning template is included with this submittal for the area and the site as a whole as requested by BETA.

DEPARTMENT OF PUBLIC WORKS COMMENTS

1. The revised storm water report includes a comparison of the total runoff volumes as requested. We note that there is an increase in total runoff volume to the existing detention basin for each storm event. The narrative states that the increase is negligible, however for the 100 year event the runoff volume increase is 14,600 cf, or a 40% increase over the existing conditions. We recommend evaluating both the onsite detention basin and the downstream detention basin to insure the additional flow does not result in any overtopping or significant reduction in freeboard.

Response: Both the Existing and Proposed Drainage Plans and models have been revised to include the onsite area flowing to the existing detention basin and the Stormwater Report has been updated accordingly.

2. The Board typically requires reinforced concrete pipe for on-site drainage systems, if the applicant proposes to use HDPE for some of the drainage pipes a waiver should be requested.

Response: The design has been redesigned to use reinforced concrete pipe.

3. The infiltration system details show both an underdrain and curtain drain associated with the design. Details for where and how these two drains are to be connected to discharge.

Response: The plans have been revised to show how the curtain drain connects to the discharge point and, the underdrain has been removed from the design.

4. Additionally, the underdrain detail indicates that the size and number per the Engineer. This information should be indicated on the plans.

Response: The underdrain has been removed from the design.

5. It doesn't appear that the underdrains to be installed at the bottom of the infiltration system are accounted for in the stormwater model for the system. It seems the underdrains would reduce the amount of infiltration the system could achieve.

Response: The underdrain has been removed from the design.

FIRE DEPARTMENT COMMENTS

- We would note that the plan did not show exactly how trucks will be strategically parked on the proposed parking expansion. The Fire Department needs to have the ability to access all of the trucks on the lot in the event of a truck or trailer fire. If consideration can be given to how the trucks or trailers are parked for the reason mentioned.

Response: The parking area will be designed with consideration to fire truck access and An Emergency Vehicle



Access plan using a Franklin Aerial fire truck turning template is included with this submittal.

I look forward to working with the Board for approval of the Site Plan. If there are any questions prior to the next hearing about this revised Site Plan or the paperwork contained herein please do not hesitate to ask.

Enclosed please find the following:

- Two (2) full size copies of revised Site Plans
- Five (5) reduced size (11x17) copies of revised Site Plans
- Two (2) copies of revised Stormwater Report

Truly yours,

LEVEL DESIGN GROUP, LLC

A handwritten signature in dark ink, appearing to read "Adam Hunt", is written over the printed name.

Adam Hunt, E.I.T.
Civil Designer