

February 1, 2024

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 November 2, 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

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).

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.

Response: LDG does, by this letter, request the appropriate waiver for the offsite topography. Earthwork calculations have been provided based on the existing and proposed topography and calculations to account for import/export of material.

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

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.

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).

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.

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.

Response: The curtain drain, and detention pond have been modified and the outlet of the curtain drain is elevation 321.00 above the outlet of the basin achieving the 2' of separation from groundwater.

- 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.

Response: The existing detention basin has been revised to be an infiltration basin and has been included the HydroCAD model and Stormwater calculations. Also based upon the way in which infiltration is currently calculated in the stormwater regulations it is a static volume below the outlet of the basin itself. As determined by the state and the DEP judicial decisions the lowering of groundwater does not negate the infiltration by current 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.

Response: The above ground basin has been modified in scale and size to accommodate the flow which currently exists as well as the modifications. The basin has been retrofitted with an outlet structure and the curtain drain connected to that structure to allow free flow from the drain.

- 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.

Response: LDG notes that it is flagged as a local jurisdictional resource area and is noted as such in the reports and discussions with Conservation. There is one flagged resource which has been the subject of a Notice of Intent filing with the state and the work is greater than 50' from that resource.

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)

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.

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. 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.

Response: *Landscape plan has been revised to show 18 trees.*

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.

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.

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

Response: *Landscape plan has been revised to show 18 trees.*

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.

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.

Response: *LDG does, by this letter, request the appropriate waiver of the minor overspill from the proposed lighting.*

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.

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.

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.

Response: *The existing detention basin has been revised to be an infiltration basin using an infiltration rate of 0.17 inches/hour and has been included the HydroCAD model and Site Plans.*

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

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:

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.**

Response: The development has been isolated by design from the remainder of the property. In addition the development is proposing to regrade and maintain two detention/treatment areas for the park and surrounding properties. These improvements will be a vast improvement to water quality, allow continued maintenance under the permitting and permit the ease of access to the sewer and drainage easement in this portion of the park. The existing system for this property is an almost continuous underground piped system which discharges to a communal detention area to the southeast. This area is used by a few of the surrounding businesses as well as the industrial park roadways. The modifications for the property requested would be an undue burden as the primary discharge is not one within the property but one to be maintained for the development as a whole.

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.

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.

Response: Project specific calculations for the treatment device has been prepared on the manufacturers website and are provided in the revised Stormwater Report.

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.

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.

Response: The infiltration counted on property is greater than 50' from the state regulated resource area as determined with the commission.

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.

Response: Calculations demonstrating a minimum of 60% Phosphorous and 90% TSS removal have been provided with the revised Stormwater Report for the new development area.

BETA2: See SW4 above.

See response above

MASSDEP STORMWATER STANDARDS

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.

Response: The areas have been accounted for in the revised report, there is a substantial portion which enters the existing swale. This swale has been the subject of the local conservation permit for reconstruction.

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.

Response: The plan and HydroCAD model have been revised to clarify that the overflow from the swale will bypass the proposed trench drain and will drain to the existing parking lot instead of the infiltration basin.

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.

Response: The plan and HydroCAD model have been revised to clarify that the overflow from the swale will bypass the proposed trench drain and drain to the existing parking lot.

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.

Response: Gabion baffles, installed correctly, in a small area such as this act as an impervious barrier as far as the calculations are concerned. The gabion permits flow, as noted but in a small cross section such as this the flow typically will enter the system at a rate to allow it to act impervious. At least in this style calculation. That being said the swale was removed from the HydroCAD model.

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.

Response: Infiltration Basin-1 (modified basin) has been added through the calculations as well as the proposed basin modified. The on-site basin has been modified to allow greater separation to GW while still allowing the curtain drain to increase that separation.

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.

Response: The TSS calculations have been revised to show 10% TSS removal for both proposed catch basins.

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.

Response: While I understand that the reviewer has a standard, the calculation is based upon the NJCAT certification which is the MA DEP standard for review. The certification shows the methodology for calculations as well as the manufacturer removal efficiencies detailing exceedance. The certification allows 72% tss in the unit itself.

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.

Response: With the modified basin, per discussions with the Conservation Commission, LDG has added a sediment forebay for the inflow in this area.

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.

Response: See response 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.

Response: A SWPPP will be provided prior to construction as permitted under the regulations.

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

Response: A permit will be applied for prior to construction.

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.

Response: The note referencing the Home Owners Association has been corrected and maintenance of proprietary units has been added to the plan.

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

Response: Maintenance for Drain Manholes, Trench Drains, Infiltration Basins, and Interceptor trenches have been added to the plan.

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

Response: Within the O&M plan a small sheet which details BMP's has been added.

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

SW22. A signed Illicit Discharge Statement is required.

Response: A signed Illicit Discharge Statement will be provided prior to discharge as permitted in the regulations

PLANNING BOARD COMMENTS

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.

DEPARTMENT OF PUBLIC WORKS 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.

Response: Calculations demonstrating a minimum of 60% Phosphorous and 90% TSS removal have been provided with the revised Stormwater Report for the portion of the sit which is being developed. The remainder of the site drains to existing above-ground stormwater structures shared by the industrial/commercial park. These basins, assuming they were installed corrected would achieve the removals requested.

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.

Response: This pipe has been revised to be a 12" RCP

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.

Response: The curtain drain has been revised to be connected to the proposed outlet structure for the modified infiltration basin at elevation 321.0.

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.

Response: Inspection ports have been added to the plans

5. The plan details include HDPE flared ends although at least one of the outlets is called out for RCP.

Response: The flared end detail has been revised to be RCP.

6. There is a detail for a cleanout on a PVC pipe, however it is unclear where this is to be used.

Response: The Cleanout has been labeled on plans.

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.

BETA Comments – Wetlands Resources – January 2, 2024

ADMINISTRATIVE AND PLAN COMMENTS

A3. Two IVW's are described within the NOI narrative; however only one is shown on the Project plan. Furthermore, associated 0-25', 25-50', and 50-100' Buffer Zones are not depicted on any of the plan sheets as required per Section 7.18.1.8 of the Bylaw.

BETA3: Buffer Zones have been depicted on the plans but are missing labels. In addition, it appears that Buffer Zones have been offset from the boundaries of non-jurisdictional swales within the center of the Site. Buffer Zones should be revised to be accurate and labeled in accordance with the Act and the Bylaw. Comment remains.

Response: The plans have been revised to correctly depict and label the buffer zones for jurisdictional wetlands.

WETLAND RESOURCE AREAS AND REGULATORY REVIEW

GC: The applicant has provided revised site plan sheets (titled Liberty Parking Expansion, dated 1/13/23) and updated documents as described herein to address BETA's comments. WPA jurisdiction has been identified by BETA, compliance with Stormwater Management Standards and the Town of Franklin's Bylaw has been demonstrated, and resource area boundaries have been reassessed and confirmed by BETA.

BETA2: The revised materials provided by the Applicant have not demonstrated compliance with the requirements of the Act and Bylaw. Although Act jurisdiction has been identified and Resource Area boundaries have been reviewed in the field, the Applicant has not yet filed with MassDEP nor has compliance with the Stormwater Management Standards been demonstrated through the concurrent Planning Board review process. Additional information is required to support the success of the proposed invasive species management plan, and the Applicant will also be required to submit additional information in order to comply with the Bylaw.

BETA3: The Applicant has filed with MassDEP and received a MassDEP file number with no technical comment; however, compliance with the Stormwater Management Standards has not been demonstrated through the concurrent Planning Board review process. Additional information is required to adequately describe the proposed invasive species management plan and to comply with the Bylaw, including details on the proposed methods of treatment and considerations for working within a maintained easement. Prior to further revisions to the proposed invasive species management plan, BETA recommends that the Commission determine if the proposed mitigation is sufficient as mitigation for the filling of Bylaw-jurisdictional wetlands.

Response: will be provided through Goddard Consulting.

RESOURCE AREA AND BOUNDARY COMMENTS

W1. As discussed in Section 1.1 of the NOI narrative, the wetland referenced as an IVW was not flagged in the field. Although the boundary appears to be generally defined by a rip-rap slope, the Applicant should flag this area for BETA to confirm the delineated boundary. Existing conditions as shown on the Project plan are not sufficient to determine the accuracy of this Resource Area as observed in the field. The boundary of the IVW should be determined in the field so it can be confirmed. In addition, the Applicant should provide additional information on **BETA2: Comment addressed. BETA reviewed the delineation during the August 2, 2023 Site visit and concurs with the locations of flags.**

W2. South and east of the wetland described in comment W1 within the easement area and along the existing chain link fence (see attached sketch), BETA observed hydric soils consisting of a depleted matrix with redoximorphic features within 12” of the soil surface. Hydrologic indicators observed included leaf staining, saturation, and hydrophytic vegetation such as purple loosestrife (*Lythrum salicaria*), common reed (*Phragmites australis*), deer-tongue (*Dichanthelium clandestinum*), and pointed broom sedge (*Carex scoparia*). Based on BETA’s observations, the Applicant should reevaluate this area and flag the boundaries of additional wetlands in accordance with the definition at 310 CMR 10.55(2).

BETA2: Comment addressed. BETA reviewed the delineation during the August 2, 2023 Site visit and concurs with the locations of flags.

W3. A man-made channel (identified as Channel 1 on the attached sketch), as evidenced by sections of rip rap, was observed upgradient of and connected to the resource area described in comment W1. Hydric soil indicators consisting of organic streaking with depletions and redoximorphic features within 12” of the soil surface, as well as a dominance of hydrophytic vegetation including sensitive fern (*Onoclea sensibilis*), jewelweed (*Impatiens capensis*), purple loosestrife and sallow sedge (*Carex lurida*) was observed. Additionally, evidence of prior flow was observed within the channel including eroded banks, organic debris deposits, and drift marks. Based on BETA’s observations, the Applicant should re-evaluate this area and flag the boundaries of additional wetlands and/or bank in accordance with the definition at 310 CMR 10.54(2) and 10.55(2). The source of water flowing to this channel should also be provided by the Applicant.

BETA2: Comment addressed. BETA reviewed the delineation during the August 2, 2023 Site visit and concurs with the locations of flags.

W4. An offsite ditch running parallel to the northern property line, referenced in Section 1.2 of the NOI as an unmaintained stormwater ditch (identified as Channel 2 on the attached sketch), was observed in the field. This ditch

is separated from the remainder of the parcel by an upland berm until its outlet to the easement directly northwest of the Project parcel, upgradient of the channel described in comment W3. Pockets of standing water were observed along the length of the ditch, in addition to channelized flow observed near its western limit (see attached sketch and Photos 4 through 7). The Applicant identified this area as an IVW, but its boundary was not observed to have been flagged in the field; therefore, BETA cannot confirm the accuracy of this delineation. The boundary of the IVW should be determined in the field so it can be reviewed, and buffer zones can be shown accordingly.

BETA2: Comment addressed. BETA reviewed the delineation during the August 2, 2023 Site visit and concurs with the locations of flags. The boundary of Bank associated with the interior intermittent stream was not delineated; however, the Applicant has noted its presence and associated Act jurisdiction.

W5. A rip rap mound was observed between the start of the channel discussed in comment W3 and the end of a channel discussed in comment W4. Although these areas have been discussed separately and a rip rap mound was observed to visually separate these two areas, an apparent hydrologic connection was observed as evidenced by ponded water and saturation on either side of the rip-rap mound. This is further supported by the evidence of prior flow discussed in comment W3. Based on BETA's observations, the Applicant should re-evaluate this area and flag the boundaries of bank in accordance with the definition at 310 CMR 10.54(2).

BETA2: Comment addressed. BETA reviewed the delineation during the August 2, 2023 Site visit and concurs with the locations of flags. After holding discussions with the Applicant in the field, BETA also concurs that there is not sufficient evidence of a surficial channel connecting these two (2) areas.

W6. Hydric soil indicators consisting of a depleted matrix underlying a dark mineral layer within 12" of the soil surface, as well as stained leaves and ponding were observed within the northern portion of the site (see attached sketch). A dominance of hydrophytic vegetation including royal fern (*Osmunda regalis*), cinnamon fern (*Osmundastrum cinnamomeum*), black tupelo (*Nyssa sylvatica*), red maple (*Acer rubrum*) and Sphagnum moss were observed despite some upland ground cover including Canada mayflower (*Maianthemum canadense*) and princess pine (*Lycopodium obscurum*). Based on BETA's observations, the Applicant should re-evaluate this area and flag the boundaries of additional wetlands in accordance with the definition at 310 CMR 10.55(2).

BETA2: Comment addressed. BETA reviewed the delineation during the August 2, 2023 Site visit and concurs with the locations of flags.

W7. The interior drainage ditch described as non-jurisdiction in Section 1.3 of the NOI narrative (see attached sketch) was generally observed to be dry and sparsely vegetated with upland species such as hay-scented fern (*Denmstaedtia punctilobula*) and partridge berry (*Mitchella repens*). BETA concurs with the Applicant that this drainage ditch is not jurisdictional under the WPA or the Bylaw.

BETA2: Comment addressed.

CONSTRUCTION COMMENTS

W8. The project as currently depicted will disturb more than one acre of land, therefore, a Notice of Intent (NOI) with EPA and a Stormwater Pollution Prevention Plan (SWPPP) are required.

BETA2: Comment addressed.

W9. Material stockpile and laydown areas should be labeled on the Project plans.

BETA2: Comment addressed.

W10. Proposed erosion controls include inlet protection measures and 12-inch diameter Silt Soxx. These controls are appropriate for this Project, however, Sheet C-5.0 of the plans includes a detail depicting silt fence and straw wattles for stockpile protection and Sheet C-4.0 references use of erosion control fencing under the Erosion Control Plan Notes. BETA defers to the Commission on whether they will approve the use of these controls.

BETA2: BETA defers to the Commission for approval of silt fence as an erosion control measure.

BETA3: Comment remains.

MITIGATION COMMENTS

W11. The Applicant is proposing approximately 11,000 sf of invasive species management as a form of mitigation. To support this, the Applicant should submit a comprehensive Invasive Species Management Plan (ISMP) that includes the following:

- a. Species-specific treatment methods (mechanical, chemical, or a combination of the two) for each species identified on site;
- b. Proposed methods to prevent the accidental spread of any invasive removed while clearing and grubbing;
- c. Monitoring of the areas subject to the ISMP; and
- d. Seed mix and/or native plantings proposed to revegetate areas where invasive species were removed.

GC: An invasive species management plan, dated 9/7/23, has been developed and is attached to this submittal. Invasive species management proposed now totals 37,621 square feet.

BETA2: Based on the Project plans, the proposed invasive species management area appears to be located within existing drainage and utility easements. As noted by the Applicant, native herbaceous cover will be established at this location due to anticipated future maintenance of the easements (i.e., mowing). BETA offers the following comments on the provided invasive species management plan.

- a. Section 2.2 “Cut-Stem Treatment” requires that target plants be cut flush with the ground and that the cut stems treated with herbicide. When performing cut-stem treatment, however, approximately five (5) inches of the stem should be retained in case resprouting occurs. This will allow for enough material to remain for a second treatment.
- b. The time of year for the proposed treatment should be identified in the invasive species management plan. Cut-stem herbicide treatment is most effective in the late summer or early fall.
- c. Additional species identified in the invasive species management plan such as multiflora rose (*Rosa multiflora*) and honeysuckle (*Locinera* spp.) could also be treated using cut-stem method. This method would result in less soil disturbance than grubbing and would ensure a higher kill rate for the undesirable species. The Applicant should indicate if use of this method for treatment of those species was reviewed, and if so, why it is not the preferred treatment method for those species.

BETA3: Comments W11.a. through c. have not been addressed. Comment remains.

Response: will be provided through Goddard Consulting.

BETA understands that a portion of the proposed invasive species management will occur within a Town sewer easement and that the Applicant has coordinated with the Town of Franklin Department of Public Works (DPW) regarding the Project. It is also BETA’s understanding that woody plantings are not permitted by the Town within the sewer easement. It is recommended that the invasive species management plan be revised to incorporated multiple rounds of seeding with a native seed mixture, as the mowing schedule may impact certain species’ abilities to establish seed heads and self-seed.

In addition, the Applicant notes that a formal planting plan within the areas subject to the invasive species management plan will only be prepared once mitigation efforts are underway and it is determined which native species will be preserved. The Commission could consider including a Special Condition in the Order of Conditions requiring the Applicant to submit a formal planting plan for review and approval by the Commission prior to construction, after an inventory of native species to remain is performed.

WPA PERFORMANCE STANDARDS COMMENTS

The Applicant asserts that Project does not propose any work within Resource Areas Subject to Protection under the Act; however, the Project does propose work within the locally jurisdiction IVW and its associated buffer zone

Resource Areas. Depending on the outcome of the resource area boundary review (comments W1 – W6), an evaluation of compliance with the WPA Performance Standards may be necessary.

BETA3: An NOI has been submitted to MassDEP. Comment resolved.

BYLAW REGULATORY COMMENTS

W12. The Applicant has requested a variance for management of invasive species within resource areas. A variance should additionally be requested for work proposed with the 0-25' No Disturb and the 25-50' buffer zones of the IVW per the Bylaw.

GC: The request for variance, initially dated 5/24/23, has been revised and is attached here.

BETA2: BETA defers to the Commission for approval of the Variance Request for work proposed within the IVW, the 0-25' Buffer Zone, and 25-50' Buffer Zone.

BETA3: Comment remains.

Response: will be provided through Goddard Consulting.

W13. Section 4.4.1 of the Bylaw indicates that “mitigation offsets may be required by the Commission when the applicant proposes that more than 30% of the 50-100 foot buffer zone resource area is proposed to be impervious surface”. The Applicant should provide the Commission with calculations of proposed impervious area within the 50-100 foot buffer zone for the Commission to determine appropriate mitigation measures.

BETA2: Comment not addressed. The Applicant should provide the percentage of impervious surface increase associated with the 18,894 sf of impervious surface proposed in the 50-100' Buffer Zone. BETA defers to the Commission for a determination on whether the proposed mitigation is sufficient for the proposed impacts.

BETA3: Comment remains.

Response: will be provided through Goddard Consulting.

W14. The Applicant states that 264 sf of work is proposed within the onsite IVW associated with two proposed stormwater outlets and associated rip-rap apron. Work proposed within a wetland is subject to the requirements of section 7.14 of the Bylaw for the submission of a Replication Plan and Protocol.

BETA3: Comment remains. BETA defers to the Commission for a determination on whether the proposed mitigation is sufficient for the proposed impacts, with the understanding that restoration within the sewer easement will only consist of the application of a native seed mixture in lieu of woody plantings.

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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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: February 21, 2024
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, February 26, 2024 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 and currently working with the Commission.

Comments from the December 18, 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.*