



February 16, 2023

Patrick Gallagher, Chair
Franklin Conservation Commission
355 E Central Street
Franklin, MA 02038

**Re: Notice of Intent
Grove Street Shared Use Path & Roadway Improvements
Franklin, MA**

Dear Chairperson Gallagher and Commissioners:

On behalf of the Town of Franklin Department of Public Works (DPW), BETA Group, Inc. (BETA) is submitting a Notice of Intent (NOI) for the construction of a shared-use path and associated roadway improvements along Grove Street in the Town of Franklin, Massachusetts (the Project). This Project is the second phase of a two-phase project that aims to improve the use of Grove Street by motorists, pedestrians, and bicyclists (the Overall Project).

The DPW previously secured \$2.2M in funding through a MassWorks grant to improve the Town of Franklin's public infrastructure. This grant, in addition to supplemental local funding, was used to support Phase I of the Overall Project, which received an Order of Conditions from the Franklin Conservation Commission under MassDEP File No. 159-1247 on February 22, 2022. The Overall Project consists of the construction of an approximately 6,000-linear foot shared use path along Grove Street; pavement and roadway geometry improvements; signage improvements; intersection improvements; and upgrades to the existing stormwater management infrastructure. Phase II of the Overall Project, as presented under this NOI, will consist of several activities including the construction of stormwater management improvements; grading; continued construction of the shared use path; and repaving along Grove Street between Tobacco Road and Kenwood Circle.

Work associated with the Project will take place within Areas Subject to Protection/Jurisdiction under the Massachusetts Wetlands Protection Act (M.G.L. ch.131 s.40) and its Regulations at 310 CMR 10.00 (the Act), as well as the Town of Franklin Wetlands Protection Bylaw (Chapter 181) and associated regulations (the Bylaw) including Bordering Vegetated Wetland (BVW), Bordering Land Subject to Flooding (BLSF), Riverfront Area (RA), the local 100-foot Buffer Zone Resource Area, and the state and local 100-foot Buffer Zone. Proposed mitigation measures for Resource Area impacts include wetland replication and restoration, stabilization of disturbed soils, and improvements to the municipal stormwater management system. Erosion controls will be maintained throughout the duration of the Project to protect the adjacent Resource Areas.

This NOI has been concurrently submitted to the Massachusetts Department of Environmental Protection (MassDEP) Central Regional Office. As a municipal project, this NOI filing is not subject to fees under the Act or Bylaw. Abutter notification has been undertaken in accordance with the Act and the Bylaw.

Patrick Gallagher, Chair

February 16, 2023

Page 2 of 2

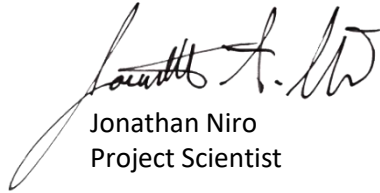
We trust that the following application provides adequate information to facilitate the issuance of an Order of Conditions. Should you have any additional questions, please do not hesitate to contact us.

Very truly yours,

BETA Group, Inc.



Elyse Tripp
Staff Scientist



Jonathan Niro
Project Scientist

cc: Michael Maglio, P.E., Town of Franklin
Robert Cantoreggi, Town of Franklin
Benjamin Boynton, BETA
William McGrath, BETA
Emily Slotnick, AICP, CFM, BETA
Laura Krause, BETA
MassDEP CERO, Division of Wetlands

Job No: 22.10613.00

Franklin, Massachusetts

Shared Use Path & Roadway Improvements

*Grove Street
February 2023*

NOTICE OF INTENT



BETA

89 Shrewsbury Street
Suite 300
Worcester, MA 01604
508.756.1600
www.BETA-Inc.com

Shared Use Path & Roadway Improvements

Franklin, Massachusetts

Grove Street

NOTICE OF INTENT

Prepared by: BETA GROUP, INC.

Prepared for: The Town of Franklin Department of Public Works

February 2023

TABLE OF CONTENTS

WPA FORM 3 – NOTICE OF INTENT

LOCAL FILING FORMS

ABUTTERS INFORMATION

PROJECT NARRATIVE

- 1.0 Introduction 1
- 2.0 Site Description 2
 - 2.1 Wetland Resource Areas 2
 - 2.2 NHESP-Mapped Habitat and Other Sensitive Areas 2
 - 2.3 Buffer Zones..... 3
- 3.0 Work Description 3
 - 3.1 Work within Jurisdictional Resource Areas 3
 - 3.1.1 100-foot Buffer Zone Resource Area – Bylaw Regulations Section 4 3
 - 3.1.2 Bordering Vegetated Wetlands – 310 CMR 10.55 (4)(b) 4
 - 3.1.3 Bordering Land Subject to Flooding – 310 CMR 10.57..... 4
 - 3.1.4 Riverfront Area – 310 CMR 10.58 5
 - 3.2 Work in Buffer Zones 5
- 4.0 Mitigation Measures 5
 - 4.1 Erosion and Sedimentation Controls..... 5
 - 4.2 Stormwater Management 6
 - 4.3 Wetland Replication and Restoration 6
 - 4.4 Undisturbed Buffer Zone Restoration 6
 - 4.5 Avoid / Minimize / Mitigate..... 7
- 5.0 Regulatory Compliance 7
 - 5.1 Massachusetts Wetlands Protection Act and Regulations 7
 - 5.1.1 Limited Project Provisions – 310 CMR 10.53(6) 7
 - 5.1.2 Bordering Vegetated Wetlands General Performance Standards – 310 CMR 10.55 (4)(b)..... 7
 - 5.1.3 Bordering Land Subject to Flooding – 310 CMR 10.57(4)(a) 8
 - 5.1.4 Riverfront Area – Performance Standards – 310 CMR 10.58 (4) 8
 - 5.2 Town of Franklin Wetlands Protection Bylaw and Regulations 9
 - 5.2.1 0 to 25-Foot Buffer Zone Resource Area..... 9
 - 5.2.2 25 to 50-Foot Buffer Zone Resource Area..... 9
 - 5.2.3 50 to 100-Foot Buffer Zone Resource Area..... 10
 - 5.2.4 Functions and Characteristics Statement 10
- 6.0 Alternatives Analysis 11

6.1 Scope and Evaluation of Alternatives 12

 6.1.1 Project Purpose 12

 6.1.2 Scope of Alternatives 12

 6.1.3 Evaluation of Alternatives 12

6.2 Project Alternatives 12

 6.2.1 No-Build Alternative 12

 6.2.2 Shared Use Path Design Alternatives 13

 6.2.3 Findings 13

7.0 Variance Request 13

8.0 Summary 14

LIST OF FIGURES

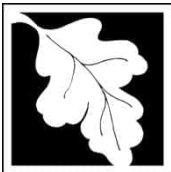
- Figure 1 Site Locus
- Figure 2 Environmental Resources
- Figure 3 FEMA FIRMette

PHOTOGRAPHIC DOCUMENTATION

LIST OF APPENDICES

- Appendix A Functions & Values Form
- Appendix B Resource Area Boundary Delineation Report
- Appendix C Stormwater Management Report & Checklist
- Appendix D Project Plans – Bound Separately

WPA FORM 3 – NOTICE OF INTENT



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Franklin
City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Grove Street	Franklin	02038
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.055968	-71.427835
	d. Latitude	e. Longitude
N/A - Public ROW	N/A - Public ROW	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Michael	Maglio	
a. First Name	b. Last Name	
Town of Franklin Department of Public Work (DPW)		
c. Organization		
257 Fisher Street		
d. Street Address		
Franklin	MA	02038
e. City/Town	f. State	g. Zip Code
508-553-5500	mmaglio@franklin.ma.us	
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

a. First Name	b. Last Name	
Town of Franklin		
c. Organization		
355 E Central Street		
d. Street Address		
Franklin	MA	02038
e. City/Town	f. State	g. Zip Code
508-258-7900		
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Jonathan	Niro	
a. First Name	b. Last Name	
BETA Group, Inc		
c. Company		
89 Shrewsbury Street, Suite 300		
d. Street Address		
Worcester	MA	01604
e. City/Town	f. State	g. Zip Code
774-573-9694	jniro@beta-inc.com	
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

Fee Exempt	Fee Exempt	Fee Exempt
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Franklin

City/Town

A. General Information (continued)

6. General Project Description:

The Project consists of Phase II of a two (2)-phase Overall Project to improve public infrastructure through a MassWorks grant supplemented with local funding along Grove Street in Franklin, Massachusetts. Specific activities proposed under this filing include the construction of a shared use path, general roadway improvements, wetland replication and restoration, and upgrades to the municipal stormwater management system.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

310 CMR 10.53(6) for construction of a shared use path.

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

N/A
 a. County
 N/A
 c. Book

N/A
 b. Certificate # (if registered land)
 N/A
 d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Franklin

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	32 (perm) 1,363 (temp) 1. square feet	66 (replication) 1,363 (restoration)
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	773 1. square feet 111 3. cubic feet of flood storage lost	773 2. square feet 122 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced

- f. Riverfront Area
1. Name of Waterway (if available) - **specify coastal or inland**
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
 - 100 ft. - New agricultural projects only
 - 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 74,612
square feet

4. Proposed alteration of the Riverfront Area:

<u>34,251 (non degraded)</u> a. total square feet	<u>21,190 (non degraded)</u> b. square feet within 100 ft.	<u>13,061 (non-degraded)</u> c. square feet between 100 ft. and 200 ft.
--	---	--

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Franklin

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____	_____
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Franklin

City/Town

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. Yes No

If yes, include proof of mailing or hand delivery of NOI to:

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

August 2021

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. Assessor's Map or right-of-way plan of site

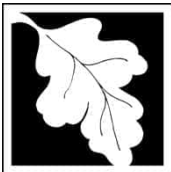
2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

- (a) Project description (including description of impacts outside of wetland resource area & buffer zone)

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:	
MassDEP File Number	
Document Transaction Number	
Franklin	
City/Town	

(b) Photographs representative of the site

C. Other Applicable Standards and Requirements (cont'd)

(c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # b. Date submitted to NHESP

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

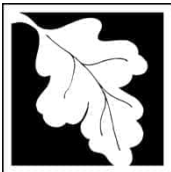
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

c. Is this an aquaculture project? d. Yes No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Franklin
City/Town

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

C. Other Applicable Standards and Requirements (cont'd)

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
 b. No. Check why the project is exempt:
 1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Franklin

City/Town

- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative

D. Additional Information (cont'd)

- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

- 4. List the titles and dates for all plans and other materials submitted with this NOI.

Grove Street Improvements Phase 2

a. Plan Title

BETA Group, Inc.

b. Prepared By

February 2023

d. Final Revision Date

William P. McGrath, MA P.E. No. 33716

c. Signed and Stamped by

As noted

e. Scale

f. Additional Plan or Document Title

g. Date

- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form
- 9. Attach Stormwater Report, if needed.

E. Fees

- 1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Franklin

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

	2/15/23
1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
	2/15/2023
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

LOCAL FILING FORMS

Town of Franklin Conservation Commission

APPLICATION PROCESS SIGNATURE FORM

There are three different applications that can be submitted to undertake work in a jurisdictional area: a Notice of Intent (NOI), a Request for Determination (RDA) and a Minor Buffer Zone Activity (MBZA). All three applications have different criteria for submission and approval and the NOI and RDA are governed by both the state law and the local bylaw. The MBZA is issued under the local bylaw only.

When a potential applicant requests advice from the Conservation Agent on which application to file, the opinion of the Agent is based on the information given by the potential applicant and any other information available to the Agent, e.g. the town's GIS system. The Agent has no legal right to go onto private property at any time until after an application is filed or permission of the property owner is given.

It is important that all applicants understand that after an application is filed, additional information may come to light e.g. via a field inspection or a review of the application, that may impact the scope of the submitted application and the approval process. **Therefore, it is the ultimate responsibility of the applicant to decide which application to file.**

In light of the above, please sign below indicating an understanding of this policy and submit it with the application.



Signature of Property Owner

2/15/23

Date

Town of Franklin Conservation Commission

PROPERTY ACCESS SIGNATURE FORM

I hereby request that the Franklin Conservation Commission review this NOI/RDA/ANRAD application. I (we) grant authority to the Franklin Conservation Commission members and agents to go onto my (our) property solely for purposes directly related to the inspection and approval of this application and for follow-up compliance with the permit conditions.



Signature of Property Owner

2/15/23

Date

Town of Franklin Conservation Commission

RESOURCE AREA IMPACT SUMMARY FORM

**The Franklin Wetlands Protection Bylaw
Franklin Town Code Section 181**

Resource Area	Alteration Proposed	Mitigation Proposed
Bordering Vegetated Wetland (SF)	32 (perm) 1,363 (temp)	66 (replication) 1,363 (restoration)
Bank (LF)	0	0
Land Under Water Bodies (SF)	0	0
Isolated Wetland (SF)	0	0
Vernal Pool (SF)	0	0
Buffer Zone (SF)	60,985 SF (34,410 SF within existing paved areas)	Stormwater improvements – see NOI narrative.
Riverfront (SF)	76,612 sf (40,361 sf within degraded Riverfront Area)	Stormwater improvements – see NOI narrative.
100-Year Floodplain (CF)	111	122
(SF) = Square Feet (LF) = Linear Feet (CF) = Cubic Feet Flood Storage		