

April 19, 2023

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

**Re: 25 Forge Parkway
MassDEP File No. 159-1265
Notice of Intent Peer Review #2**

Dear Ms. Goodlander:

BETA Group, Inc. (BETA) has reviewed supplemental documents and revised plans for the project entitled: **25 Forge Parkway** located in Franklin, Massachusetts (the “Site”). This letter is provided to present BETA’s updated findings, comments, and recommendations.

BASIS OF REVIEW

The following supplemental documents were received by BETA and will form the basis of the review:

- Letter entitled ***NOI Response Letter***; prepared by Brian Jones, P.E. of Allen & Major Associates, Inc.; dated April 4, 2023.
- Notice of Intent entitled ***25 Forge Parkway Franklin, Massachusetts***; prepared by Allen & Major Associates Inc.; dated February 21, 2023, revised April 4, 2023.
- Drainage report entitled ***25 Forge Parkway Drainage Report***; prepared by Allen & Major Associates, Inc.; signed by Brian Jones, P.E. No. 49212; dated February 21, 2023, revised April 4, 2023.
- Site plans entitled ***25 Forge Parkway Site Development Plans***; prepared by Allen & Major Associates, Inc.; signed by Norman Lipsitz, P.L.S. No. 28446; dated February 15, 2023, revised April 4, 2023.

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

- Site visit on March 22, 2023
- ***Massachusetts Wetlands Protection Act 310 CMR 10.00*** effective October 24, 2014
- ***Wetlands Protection Chapter 181 From the Code of the Town of Franklin***, dated August 20, 1997
- ***Conservation Commission Bylaws Chapter 271 From the Code of the Town of Franklin***, dated July 11, 2019
- ***Town of Franklin Conservation Commission Regulations***, dated October 3, 2019
- ***Town of Franklin Best Development Practices Guidebook***, dated September 2016

PEER REVIEW UPDATE—APRIL 19, 2023

The Applicant has provided revised materials and written comment responses pursuant to BETA’s March 29, 2023 peer review letter. For ease of review, BETA’s original comments from the March 29, 2023 peer review letter are included in plain text. Comment responses attributed to Allen & Major Associates, Inc

(A&M) are written in *italics* and are prefaced with “A&M:” BETA’s most recent responses are written in **bold** and are prefaced with “**BETA2:**”.

Although the Applicant has provided supplemental information, BETA’s responses in this letter identify additional information that should be provided by the Applicant to demonstrate compliance with the Act and Bylaw.

SITE AND PROJECT DESCRIPTION

The Site includes one (1) parcel located at 25 Forge Parkway in Franklin, Massachusetts, further identified by the Franklin Assessor’s Office as Assessor’s Parcel 275-014-000-000. The Site is bounded by commercial parcels to the north, east, and west, and by Forge Parkway to the south. Existing improvements at the Site include an 18,619 square foot (sf) commercial building, a paved parking area, maintained lawn, and landscaped areas. The northern portion of the Site is wooded, and an electric utility easement crosses the Site at the northeast corner.

Resource Areas Subject to Protection under the Massachusetts Wetlands Protection Act (M.G.L. ch.131 s.40) and its implementing regulations at 310 CMR 10.00 (collectively “the Act”), as well as the Town of Franklin Wetlands Protection Bylaw (Chapter 181) and its associated regulations (collectively “the Bylaw”) present at the Site include Bordering Vegetated Wetlands (BVW), Isolated Vegetated Wetlands (IVW), and Bank (to a pond and stream).

The Site is not located within any Wellhead Protections Areas (Zone I, Zone II, & Interim) or Surface Water Protection Areas (Zone A, B, or C). There are also no Outstanding Resource Waters (ORWs) or Areas of Critical Environmental Concern (ACEC) present, and the most recent Natural Heritage and Endangered Species Program (NHESP) mapping does not depict any Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife at the Site. There are no NHESP-mapped Certified or Potential Vernal Pools located within 100 feet of the Site.

Natural Resource Conservation Service (NRCS) soil maps of the Site indicate the presence of Scarborough Birdsall with a Hydrologic Soil Group (HSG) rating of A/D, Ridgebury fine sandy-loam with a HSG rating of D, Charlton-Hollis-Rock outcrop complex with a HSG rating of A, and Canton fine sandy-loam with a HSG rating of B. According to the FEMA Flood Insurance Rate Map (FIRM) community panel number 25021C0304E, dated July 17, 2012, the parcel is not located within the 100-year floodplain.

The Applicant seeks approval for construction of a 16,000 sf addition and associated Site improvements within the buffer zone to BVW. Proposed work includes the following activities (collectively referred to as the “Project”):

- Construction of a 16,000 sf addition to the existing commercial building;
- Construction of a paved contractor yard, inclusive of additional parking and a concrete pad for dumpsters;
- Installation of an infiltration system with an outfall near the western property line;
- Installation of roof drains to direct stormwater from the proposed addition to the infiltration system;
- Vegetation clearing and grubbing.

The Project will result in temporary and permanent impacts within the buffer zone to BVW, IVW, and Bank Subject to Protection under the Act and the Bylaw.

BETA2: The Applicant revised the plans to include plantings as depicted on the Landscape Plan (Sheet L-101) within one existing landscaped island in the parking lot, as well as within areas north of the proposed contractor yard at the upgradient edge of the snow storage areas. All proposed species are native to Massachusetts, with exception to Black Eyed Susan (*Rudbeckia fulgida*). Methods of stabilization through loam and seed with NE Erosion Control Seed mix area also identified on the plan.

ADMINISTRATIVE AND PLAN COMMENTS

The plan set (as identified above) is missing information and requires additional information for clarity.

Table 1. NOI Plan

NOI Plan Requirements	Yes	No
Scale of 40'=1" or larger	✓	
North Arrow (with reference)	✓	
Topographic contours (2' intervals)	✓	
Existing Conditions Topography (with source and date of survey)	✓ (BETA2:)	
Proposed Topography	✓ (BETA2:)	
Existing and Proposed Vegetation	✓	
Existing Structures and Improvements	✓	
Resource Areas and Buffer Zones labeled	✓ (BETA2:)	
Location of Erosion Controls	✓	
Details of Proposed Structures	✓	
Construction Sequence and Schedule	✓ (BETA2:)	
Registered PLS Stamp (Existing Condition Plans Only)	✓	
Assessors' Reference	✓	
Abutting Property Assessors' Reference	✓ (BETA2:)	
Survey Benchmark	✓	
Accurate Plan Scale	✓	

PLAN AND GENERAL COMMENTS

A1. A file number has not yet been issued by the Massachusetts Department of Environmental Protection (MassDEP) as of March 28, 2022.

A&M: As of the date of this letter, the NOI is listed on the Mass DEP data portal, but no DEP file number has been issued.

BETA2: MassDEP has issued a file number (DEP File No. 159-1265) and provided the following technical comments:

- *Calculations should be provided to determine if the isolated wetlands shown on the plans qualify as ILSF*
- *All boundaries confirmed under this NOI should be accurately located and confirmed in the field*
- *This project appears to be a LUHPPL as it may be used as an exterior fleet storage area and therefore may require 44% TSS removal pre-treatment prior to infiltration*
- *DEP ask: why was the isolator row in the infiltration BMP not included in the TSS removal TX train?*

BETA recommends the Applicant provide responses to DEP's comments for the Commission's record.

- A2. Include the date(s) and method(s) of the topographic survey in the plan notes.

A&M: The topographic map survey is the result of an actual on the ground survey performed on or between April 1, 2021 and February 15, 2023. The vertical datum is NAVD 88, established using RTK GPS observation. This information is noted on the Existing Conditions, sheet V-101 in the upper right corner with the surveyor's certification.

BETA2: Comment addressed.

- A3. While the proposed topography is shown on Sheet C-103, the existing contours and labels are not all legible. In addition, all proposed contours should be labeled.

A&M: Contour labels have been revised and added on sheet C-103 to address this comment.

BETA2: Comment addressed. The existing contours and labels are legible.

- A4. While the buffer zones are labeled on all sheets, they are hard to identify on C-101 through C-103. Recommend more clearly depicting the buffer zones on these sheets.

A&M: The appearance of the buffer zone lines has been revised and additional notation has been added to address this comment.

BETA2: Comment addressed. All buffer zones are clearly labeled on Sheets C-101 through C-103.

- A5. Provide a Construction Schedule and Sequence in the plan notes, as required under Section 7.18.1.14. of the Bylaw.

A&M: These notes have been added to sheet C-101 as requested.

BETA2: Comment addressed. The Construction Schedule and Sequence has been provided in the plan notes.

- A6. Include assessors' references of the abutting properties.

A&M: The map and lot numbers for the abutters to address this comment.

BETA2: Comment addressed. The assessors' references of the abutting properties have been added to the project plans.

- A7. Provide the Erosion and Sedimentation Control Notes, as discussed in the Drainage Report, in the plan notes, as required under Section 7.12.1. of the Bylaw.

A&M: Erosion control notes have been added as requested, see sheet C-001.

BETA2: Comment addressed. Erosion control notes have been added as Sheet C-001.

WETLAND RESOURCE AREAS AND REGULATORY REVIEW

BETA has conducted an onsite and completed a regulatory review of the submitted documents and plans, focusing on compliance with Resource Area definitions and Performance Standards set forth in the Act and the Bylaw. The Project is proposed is within buffer zone only and as such is not subject to specific Performance Standards under the Act. The Project is subject to the MassDEP Stormwater Standards and a review of compliance with these Standards has been completed as a portion of the Planning Board Review.

The NOI application includes narrative information describing the Project, and the proposed impacts within the buffer zone have been generally described. Mitigation measures include use of erosion controls and installation of Stormwater Best Management Practices (BMP's) to manage stormwater runoff from the new building and the new paved areas. Additional information is required to describe the effects of the work on the interests of the Act and the Bylaw, including demonstration of compliance with the Stormwater Management Standards, demonstration of compliance with the Bylaw, and supporting information regarding classification of the intermittent stream east of the Site.

BETA2: Supporting information regarding classification of the intermittent stream east of the Site has been provided through the Stream Stats program.

RESOURCE AREA AND BOUNDARY COMMENTS

BETA conducted a Site visit on March 22, 2023 to assess existing conditions, and to review Resource Area delineations, focusing on the definitions and methodologies referenced under the Act and the Bylaw.

W1. BETA concurs with the Applicant's identification of the W1-W9 Series as an IVW. Additionally, the boundary flagging of the W1-W9 Series appeared accurate, and all flags were found in the field.

A&M: No response required.

W2. The Wetland Border Report included within the Notice of Intent indicates that the GC 1-30 Series is the boundary of Bank/BVW. Based on field observations, the GC 1-30 Series generally delineates the Bank/Mean Annual High-Water Mark (MAHW), whichever is higher, per the Bylaw's definition of Bank. While the GC 1-30 Series accurately delineates the boundary of protected Resource Areas, the delineation report does not differentiate between flags that delineate Bank from BVW. It is recommended that the Commission approve the flagged boundary for this filing only, with a recommendation that if any future Projects are proposed onsite, an updated delineation will be required.

A&M: No response required.

W3. The stream located east of the Site is referred to as intermittent within the NOI narrative. The Applicant should provide proof of the stream's status as intermittent using the Stream Stats method identified in 310 CMR 10.58 (2)(a)1.c.i. to ensure that the stream does not meet the definition of a River/perennial stream.

A&M: We have reviewed StreamStats and confirmed that the stream is intermittent. Flow during the 99 Percent Duration is undefined, which is less than the 0.01 CFS for perennial, and the Drainage Area is 0.0579 square miles, which is less than the required 0.5 square miles. The StreamStats Report is included in the appendix of the Notice of Intent.

BETA2: Comment addressed.

CONSTRUCTION COMMENTS

W4. The proposed erosion control boundary does not extend along the eastern limit of work. The Applicant should extend the erosion controls around the perimeter of the Site.

A&M: The erosion control boundary has been revised.

BETA2: Comment addressed.

- W5. Installation of the proposed drainage network east of the building will require a trench depth of approximately ten feet. The Applicant should confirm there is sufficient space to install the drainage network along the eastern limit of work to ensure no additional clearing will be required.

A&M: The tree cleaning line has been revised to ensure that it will accommodate the trenching required for the drainage installation.

BETA2: Comment addressed.

- W6. Given the depth of excavation for installation of the drainage network (Comment W5), the Applicant should indicate whether dewatering is anticipated for construction. If dewatering is anticipated, the plans should be revised to include a dewatering detail and to depict the dewatering discharge location.

A&M: Dewatering may be required for the construction of the building addition and trenching. A dewatering location has been added to sheet C-101 to address this comment. Any dewatering will be kept on site using a temporary recharge pit within the limit of disturbance.

BETA2: Comment addressed. The dewatering discharge location is located within upland area interior of the of the work area.

- W7. Given the slope of the proposed riprap along the northwestern limit of work, supplemental erosion controls are recommended at the limit of work.

A&M: An additional row of tubular barriers has been added to the Site Preparation Plan, sheet C-101, in the vicinity of the rip rap slope, as requested.

BETA2: Comment addressed. A double row of erosion controls is called out on the Site Preparation Plan in areas where the slope exceeds 3:1.

- W8. Detail 4 on Sheet C-503 depicts a 3-foot-wide riprap toe along the bottom of the riprap slope, however, this is not depicted along the toe-of-slope in plan-view on Sheet C-103. The plans should be updated to depict the limit of proposed riprap.

A&M: The riprap hatching has been revised to include the 3-foot wide toe along the bottom of the slope, as requested.

BETA2: Comment addressed. The riprap hatching now includes the 3-foot-wide riprap toe along the bottom of the riprap slope on Sheet C-103.

- W9. The Applicant should note the proposed methods of post-construction stabilization on the Plan Set.

A&M: All disturbed areas shall be loamed and seeded. This has been noted on the Landscape Plan, sheet L-101.

BETA2: Comment addressed. The Landscape Plan calls out areas to be loamed and seeded.

MITIGATION COMMENTS

- W10. Although generally outside of the Commission's jurisdiction, the Applicant should note the method of stabilization within the "Snow Storage" area northeast of the paved contractor yard on the plans. Consideration should be given to the use of a conservation seed mix for stabilization in these areas.

A&M: Conservation seed mix has been included on the Landscape Plan, sheet L-101.

BETA2: Native plantings and/or seeding are proposed along the northern and eastern extents of the Site. The proposed plantings, however, include FACW and FAC species. The Applicant should confirm that the plants selected are suitable for the conditions at the Site.

WPA PERFORMANCE STANDARDS COMMENTS

The Project does not propose any work within Resource Areas Subject to Protection under the Act; however, the Project does propose work within the local buffer zone Resource Areas.

BYLAW REGULATORY COMMENTS

W11. The Project complies with the local 25-foot No-Disturbance and 50-foot No-Structure performance standards.

A&M: No response required.

W12. The Applicant has provided calculations pursuant to Section 4.4.1 of the Bylaw Regulations indicating that less than 30% of the 50-100 foot buffer zone is proposed to be impervious. To confirm these calculations are accurate, the Applicant should depict the areas included in the calculations on a plan.

A&M: A figure depicting the areas described in the comment above has been added to the appendix of the Notice of Intent, to address this comment.

BETA2: Comment addressed.

W13. While the Resource Area Impact Summary Form has been submitted pursuant to Section 7.1.4 of the Bylaw Regulations, the impacts quantified appear to only include the proposed area of impervious surface. The alteration to buffer zone should include all impacts, including areas of clearing, grading, and the proposed riprap slope.

A&M: The Resource Area Impact Summary Form has been revised as requested.

BETA2: Comment addressed. The Resource Area Impact Summary Form now includes all proposed impacts for proposed alteration totaling 19,839 sf.

W14. The following materials must be submitted per the submission requirements of the Bylaw Regulations:

- a. A Construction Sequence and Schedule (Section 7.15); and
- b. A Functions and Characteristics Statement (Section 7.10)

A&M: a) These notes have been added to sheet C-101 as requested.

b) This statement has been added to the Notice of Intent.

BETA2: Both comments 14a and 14b have been addressed.

STORMWATER MANAGEMENT

The Project proposes a subsurface infiltration system along the western limit of the proposed parking lot. Runoff from the paved parking area will be collected by catch basins located on either side of the system. Roof runoff from the proposed building, as well as discharge from the existing catch basin at the rear of the existing building, will be piped directly into the system. Overflow from this system will be conveyed to a new outfall at the far northwest corner of the Site.

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A review of the Project's compliance with the Massachusetts Stormwater Management Standards and the applicable local Regulations was issued to the Planning Board on March 13, 2023. Currently, the Project does not fully comply with the Massachusetts Stormwater Standards, and revisions to the design are required to comply with the Standards.

BETA2: Revisions to the stormwater report and design are required to meet the Massachusetts Stormwater Standards and Local Stormwater Standards. Several outstanding comments must be addressed to confirm compliance as outlined in BETAs peer review letter to be issued to the Franklin Planning Board.

REVIEW SUMMARY

Based on our review of the NOI submittal and Project plans, additional information is necessary to provide the Commission with sufficient information to describe the Site, the work, and the effect of the work on the interests identified in the Act and the Bylaw. Specifically, the Applicant should provide reasoning behind the proposed plant selection, responses to MassDEP's technical comments, and additional information and design revisions to document compliance with the local and Massachusetts Stormwater Standards. Once those comments are addressed, the Commission could find they have sufficient information to issue an Order of Conditions.

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

Very truly yours,

BETA Group, Inc.



Elyse Tripp
Staff Scientist



Laura Krause
Project Manager

cc: Amy Love, Town Planner
Bryan Taberner, AICP, Director of Planning & Community Development
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