

Notice of Intent

for

32 Forge Parkway
(Map 290, Lot 8)
Franklin, MA

DATE:

March 7, 2024

ADDRESSED TO:

Franklin Municipal Building
Franklin Conservation Commission
355 East Central Street
Franklin, MA 02038

PREPARED BY:

Goddard Consulting LLC
291 Main Street, Suite 8
Northborough, MA 01532

PREPARED FOR:

Valta Energy
24941 Dana Point Harbor Dr, Suite C220
Dana Point, CA, 92629



March 7, 2024

Franklin Municipal Building
Franklin Conservation Commission
355 East Central Street
Franklin, MA 02038

Re: Notice of Intent (NOI) Application
32 Forge Parkway, Franklin MA (Map 290, Lot 8)

Dear Franklin Conservation Commission,

Goddard Consulting, LLC (Goddard) is pleased to submit this Notice of Intent on behalf of the applicant, Valta Energy, for the property known as 32 Forge Parkway, Franklin MA (Map 290, Lot 8). This Notice of Intent is for proposed utility work within the 100-foot Buffer Zone to a Bordering Vegetated Wetland and the Riverfront Area to a perennial stream. The project proposes the installation of four utility poles (only two within jurisdictional buffer zones) with associated guy wires to connect to existing solar infrastructure on the property. All proposed wiring will be overhead, minimizing earthwork necessary to make the required connections. Two of the four required utility poles are located within jurisdictional buffer zones, and one is located fully outside of all jurisdictional areas. The applicant seeks an Order of Conditions that would allow the proposed work to begin. This NOI application is a filing under the Franklin Wetlands Protection Bylaw only due to utility exemptions at the state level.

Included in this submittal is the original hardcopy of the application, with 8 copies of the application and sets of plans. In addition, an electronic copy has been submitted to the Conservation Department. If you have any questions about this Notice of Intent application, please feel free to contact Andrew Thibault at (603) 718-0605.

Sincerely,

Goddard Consulting, LLC

Andrew Thibault

Andrew Thibault, WPIT, WSA
Environmental Scientist

CC: Valta Energy, 24941 Dana Point Harbor Dr, Suite C220, Dana Point, CA 92629

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WPA FORM 3



Franklin Conservation Commission

WPA Form 3 – Notice of Intent

Chapter 181 - Franklin Wetlands Protection Bylaw

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):

32 Forge Parkway

a. Street Address

Franklin

b. City/Town

02038

c. Zip Code

Latitude and Longitude:

42.08074 N

d. Latitude

71.44219 W

e. Longitude

290

f. Assessors Map/Plat Number

8

g. Parcel /Lot Number

2. Applicant:

John

a. First Name

Harrington

b. Last Name

Valta Energy

c. Organization

24941 Dana Point Harbor Dr, Suite C220

d. Street Address

Dana Point

e. City/Town

CA

f. State

92629

g. Zip Code

413-726-8898

h. Phone Number

i. Fax Number

jharrington@valtaenergy.com

j. Email Address

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

a. First Name

b. Last Name

Knickerbocker Properties Inc

c. Organization

3520 Piedmont Rd NE Suite 410

d. Street Address

Atlanta

e. City/Town

GA

f. State

30305

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Andrew

a. First Name

Thibault

b. Last Name

Goddard Consulting LLC

c. Company

291 Main Street, Suite 8

d. Street Address

Northborough

e. City/Town

MA

f. State

01532

g. Zip Code

508-393-3784

h. Phone Number

i. Fax Number

andrew@goddardconsultingllc.com

j. Email address

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

(\$700 bylaw)

a. Total Fee Paid

(None)

b. State Fee Paid

(\$700 bylaw)

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The project proposes the installation of four utility poles (only two within jurisdictional buffer zones) to connect to existing solar infrastructure within the property. The project proposes utility poles within maintained right-of-ways. Utility poles will be embedded and supported by guy wires, and will be installed within 10 feet of the existing roadway, within fully maintained/mowed areas.

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)

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:

Norfolk	
a. County	b. Certificate # (if registered land)
10726	260
c. Book	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.



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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 type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

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

Unnamed Perennial Stream

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: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ 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.



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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. 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.

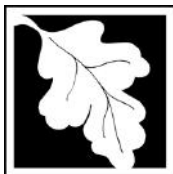
a. square feet of BVW

b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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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)

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/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.



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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:

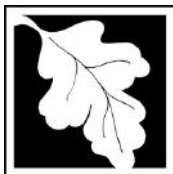
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

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).



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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.)
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 to the boundaries of each affected resource area.



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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.

Proposed Utilites, Plan of Land

a. Plan Title

RealMapInfo LLC

Todd P. Chapin

b. Prepared By

c. Signed and Stamped by

2/29/24

1" = 30'

d. Final Revision Date

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:

5900 (Bylaw fee)

3/6/24

2. Municipal Check Number

3. Check date

(None)

4. State Check Number

5. Check date

Goddard Consulting LLC

6. Payor name on check: First Name

7. Payor name on check: Last Name



Franklin Conservation Commission

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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.

John Harrington
1. Signature of Applicant (John Harrington, Valto Energy)

3.7.24
2. Date

3. Signature of Property Owner (if different)
Andrew Thibault
5. Signature of Representative (Andrew Thibault, Goddard Consulting LLC)

4. Date
3/7/24
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.



Franklin Conservation Commission

NOI Wetland Fee Transmittal Form

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



A. Applicant Information

1. Location of Project:

32 Forge Parkway

a. Street Address

(No check to DEP, Bylaw fee check #5900)

c. Check number

Franklin

b. City/Town

(Bylaw fee - \$700)

d. Fee amount

2. Applicant Mailing Address:

John

a. First Name

Valta Energy

c. Organization

24941 Dana Point Harbor Dr, Suite C220

d. Mailing Address

Dana Point

e. City/Town

413-726-8898

h. Phone Number

i. Fax Number

CA

f. State

92629

g. Zip Code

jharrington@valtaenergy.com

j. Email Address

3. Property Owner (if different):

a. First Name

Knickerbocker Properties Inc

c. Organization

3520 Piedmont Rd NE Suite 410

d. Mailing Address

Atlanta

e. City/Town

GA

f. State

30305

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Franklin Conservation Commission

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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Bylaw Commercial/Industrial Base Fee	1	\$600	\$600
Bylaw Accessory Improvements Fee	1	\$100	\$100
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$700
Step 6/Fee Payments:			
Total Project Fee:			(\$700 bylaw only)
			a. Total Fee from Step 5
State share of filing Fee:			None
			b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:			(\$700 bylaw only)
			c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Notice of Intent – Regulatory Compliance Narrative

REGULATORY COMPLIANCE NARRATIVE

1.0 EXISTING CONDITIONS

The locus site is located at 32 Forge Parkway in the southwestern portion of Franklin, abutting the Franklin State Forest to the West. The property is surrounded by neighboring commercial developments to the north, east, and south. The property contains an existing 147,964 square foot commercial Mattress Firm warehouse with associated parking and driveway entering the site from Forge Parkway. An existing access drive borders the entire eastern edge of the property, providing access to the commercial development to the south known as 34 Forge Parkway. The existing access road provides a permanent separation between the 32 Forge Parkway development and the delineated resource areas off-site to the east. Beyond the access drive to the east, the land gently slopes to a narrow, wooded area between the existing commercial developments. Within this area, a perennial stream channel flows north, parallel to the eastern property line. The perennial stream originates to the south, exiting the Franklin Town Forest. The perennial stream crosses under the access road to 32 Forge Parkway, and continues off-site to the northwest, flowing into West Central Street Pond. Bordering Vegetated Wetlands lie along low areas of low topography surrounding the perennial stream channel along both sections of the delineated stream channel.

The boundary of the unnamed mapped perennial stream was delineated in the field just off-site adjacent to the Eastern extent of the site. The perennial stream originates to the South, exiting the Franklin Town Forest. The perennial stream flows primarily off-site, until crossing under the access road to 32 Forge Parkway, and continues off-site to the northwest, flowing into West Central Street Pond. The mean annual high-water (MAHW) line of the portion of river off-site to the East, below the existing crossing, was delineated in the field with flag series MAHW 50 – MAHW 112. The mean annual high-water line of the portion of river that extends partially onto the northern extent of the site, above the existing crossing, was delineated in the field with flag series MAHW 1 – MAHW 25. Delineating both sections ensured the entirety of the Riverfront Area applicable to the proposed project would be included in any site survey.

In addition to the perennial stream channel, Bordering Vegetated Wetlands (BVW) lie along low topographical areas surrounding the perennial stream channel. The existing topography gradually slopes off the existing access road toward wooded BVW systems along the stream. The BVW systems facing the site from the east were delineated with series GC 1 – GC 56, GC 60 – GC 135, GC 1110 – GC 1115, and GC 1120 – GC 1125. Vegetation within the BVW area consisted of red maple, yellow birch, white pine, European buckthorn, and cinnamon fern. Vegetation upgradient of the BVW consisted of red maple, red oak, white pine, and princess pine. Additional wetland systems are present off-site to the West and Southwest, but do not cast jurisdictional buffer zones onto any site work areas and are not included as part of the project.

A number of stormwater management features were included in the wetland delineation throughout the project site to demonstrate the movement of stormwater throughout the site, as well as to demonstrate their functionality as stormwater management systems, separate from the delineated wetland resource areas. On the eastern edge of the property, a stormwater management swale was delineated with series GC 500 – GC 523. This swale sits between the existing parking lot at 32 Forge Parkway and the access drive to 34 Forge Parkway. The swale is sloped to capture runoff, transporting water toward a pipe under the existing driveway crossing. Stormwater outlets opposite the access drive to the site through a rip-rap drainage swale. This stormwater management feature is connected to a concrete-lined swale, delineated with series GC 600- GC 662. This concrete lined drainage swale is situated between the existing parking lots and takes parking lot runoff via a rip-rap swale delineated with series GC 800 – GC 809, as well as piped stormwater to a detention basin in the northern portion of the site (as seen in the attached site survey).

Feb 14, 2024 at 9:57:34 AM
32 Forge Pkwy
Franklin MA 02038
United States



Figure 1: View of existing warehouse. Solar transformers can be seen against building.

Feb 14, 2024 at 9:55:01 AM
32 Forge Pkwy
Franklin MA 02038
United States



Figure 2: Existing generator pad within parking lot.



Figure 3: Concrete drainage swale adjacent to generator pads



Figure 4: Additional portion of concrete drainage swale adjacent to generator pads. Drainage outlet is visible.

These wetland resource areas were delineated in the field by Goddard Consulting during the week of October 23, 2023. The wetland border was flagged using the criteria in the most recent edition of MA Wetland Protection Act (WPA) and Regulations 310 CMR 10.00 et al and Chapter 181, the Franklin Wetlands Protection Bylaw. Hydric soil indicators, vegetation changes, hydrological indicators, and topography were all considered for delineation purposes. Detailed information about the wetland delineation is provided in the attached Wetland Border Report, dated 3/6/2024.

According to the MassGIS data layers for NHESP, this site is not located within Estimated and/or Priority Habitat of Rare Wildlife. There are no certified or potential vernal pools on or in the adjacent to the site. The site is not mapped within an Area of Critical Environmental Concern (ACEC) or Outstanding Resource Waters Area (ORW). The site is not located within a jurisdictional FEMA Flood Zone. The closest flood zone, Zone X, is located off-site to the west and northwest of the site.

2.0 PROPOSED PROJECT

The project proposes the installation of four utility poles (two of which are within jurisdictional buffer zones) connected by overhead wiring to existing solar infrastructure on the property. As shown in the attached plan, the utility poles will connect to an existing manhole adjacent to the proposed easternmost utility pole. This area is labeled as elec. MH 21 and is located within the mowed and maintained right of way. In preparation of the proposed work, solar infrastructure has been installed on portions of the property outside of all jurisdictional buffer zones. Solar panels have been installed on the roof of the existing commercial warehouse. As shown on the attached site plan in the northwest corner of the building, the solar panels connect to a narrow equipment area along the building outfitted with transformers. From the transformers, connections are trenched under the existing parking lot and concrete drainage swale to the north. This connects to equipment area 2, located within an existing parking lot to the north of the building. Power generated by the solar panels connects to generators before being converted and prepared for utility connections. All associated infrastructure to date has been installed over previous impervious surfaces, limited to the roof of the commercial building and the parking areas on site. Trenching and underground wiring through the asphalt parking lot and stormwater management features have provided connections from the solar panels to the generators and equipment to the north. As all work outside of jurisdictional resource areas has concluded, no further work will be conducted on-site until a permit is issued by the Franklin Conservation Commission to allow for the remaining required utility work to take place.

The remaining site work to date will include required work within the 100-Foot Buffer Zone to Bordering Vegetated Wetlands and the 200-Foot Riverfront Area to a perennial stream. As such, no further work on site will occur until an Order of Conditions is received from the Franklin Conservation Commission. The remaining utility work will consist of four utility poles (only two within jurisdictional buffer zones) anchored by guy wires, with above ground electrical wiring. Two of the four required utility poles are located within jurisdictional buffer zones, and two are located fully outside of all jurisdictional areas. The westernmost proposed utility pole is located within the edges of equipment area 2, within the existing impervious area, outside of all jurisdictional resource areas. The second western utility pole is proposed at the western edge of the site's access drive, over existing maintained surfaces adjacent to the roadway, outside of all jurisdictional buffer zones. The third proposed utility pole is located on the eastern edge of the site's access drive, situated between the access drive to the locus site and the access drive to 34 Forge Parkway. The pole is proposed to be built within a maintained/mowed strip between the existing paved areas. This pole is proposed within the 200-Foot Riverfront Area to a perennial stream but is outside of the 100-Foot Buffer Zone to the delineated Bordering Vegetated Wetlands. The easternmost utility pole is located on the eastern edge of the access drive to 34 Forge Parkway. The utility pole is proposed to be installed within the mowed and maintained limits adjacent to the roadway. The pole is proposed to be located on the edge of the 50-Foot Buffer Zone, fully outside of the 25-Foot No Disturb.



Figure 5: Approximate location of easternmost utility pole to be embedded within mowed right of way



Figure 6: Approximate location of second utility pole to be embedded within mowed right of way between access roads. Wooden stake demarcates location of proposed pole.

3.0 REGULATORY COMPLIANCE WITH WETLANDS PROTECTION ACT

3.1 BUFFER ZONE (100-FOOT)

The WPA Regulations do not contain performance standards for Buffer Zone Alteration (310 CMR 10.02(2)(b)). All reasonable efforts to avoid, minimize and mitigate adverse impacts on the Buffer Zone have been considered. The project proposes to span utility poles along the existing roadway, within the limits of the mowed and maintained limits of the roadway. No encroachments into the undisturbed forest edges are proposed with the utility work as designed.

3.1.1 MINOR ACTIVITY EXEMPTIONS

In addition, the proposed work is considered exempt, and is not subject to M.G.L. c. 131, § 40. As outlined in 310 CMR 10.02(2)(b)(2)(h), “The following minor activities, provided that they comply with 310 CMR 10.02(2)(b)1., are not otherwise subject to regulation under M.G.L. c. 131, § 40:”

Installation of directly embedded utility poles and associated anchors, push braces or grounding mats/ rods along existing paved or unpaved roadways and private roadways/ driveways, and their existing maintained shoulders, or within existing railroad rights-of-way, provided that all work is conducted within ten feet of the road or driveway shoulder and is a minimum of ten feet from the edge of the Bank or Bordering Vegetated Wetland and as far away from resource areas as practicable, with no additional tree clearing or substantial grading within the buffer zone, and provided that all vehicles and machinery are located within the roadway surface during work;

It is the opinion of Goddard that the proposed utility pole installation meets the exemption criteria outlined in 310 CMR 10.02(2)(b)(2)(h). Each of the utility poles proposed with the aforementioned project will be directly embedded, utilizing guy wires to stabilize. All poles will be located along maintained rights-of-way associated with site access and parking. All utility poles will be located within ten feet of the existing pavement and will be located over maintained and mowed areas. No tree clearing or grading will be required to meet the project design. All vehicles and machinery will utilize the existing roadways during work.

3.2 RIVERFRONT AREA

As outlined above, it is the opinion of Goddard that the proposed utility work is to be considered an exempt activity within the Buffer Zone, as outlined in 310 CMR 10.02(2)(b)(2)(h). In addition to the 100-Foot Buffer Zone to BVW, two of the proposed utility poles are located within the Riverfront Area to a perennial stream and must be examined per the applicable Riverfront Area regulations.

According to 310 CMR 10.58(6):

Notwithstanding the Provisions of 310 CMR 10.58(1) through (5), Certain Activities or Areas Are Grandfathered or Exempted from Requirements for the Riverfront Area:

310 CMR 10.58(6)(b) states: “Certain minor activities as identified in 310 CMR 10.02(2)(b)1.”

According to 310 CMR 10.02(2)(b)(1),

Minor activities, as described in 310 CMR 10.02(2)(b)2., within the buffer zone and outside any areas specified in 310 CMR 10.02(1)(a) through (e) are not otherwise subject to regulation under M.G.L. c. 131, § 40 provided that the work is performed: solely within the buffer zone, as prescribed in 310 CMR 10.02(2)(b)2.a. through q., in a manner so as to reduce the potential for any adverse impacts to the resource area during construction, and with post-construction measures implemented to stabilize any disturbed areas. Factors to consider when measuring the potential for adverse impacts to resource areas include the extent of the work, the proximity to the resource area, the need for erosion controls, and the measures employed to prevent adverse impacts to resource areas during and following the work.

The provisions outlined under 310 CMR 10.02(2)(b)(2)(h) are included in the above exemptions. As outlined above, each of the utility poles proposed with the aforementioned project will be directly embedded, utilizing guy wires to stabilize. All poles will be located along maintained rights-of-way associated with site access and parking. All utility poles will be located within ten feet of the existing pavement and will be located over maintained and mowed areas. No tree clearing or grading will be required to meet the project design. All vehicles and machinery will utilize the existing roadways during work. In addition, erosion controls will be installed around each pole. As such, it is the

opinion of Goddard that the required utility work is exempt under both the applicable Buffer Zone and Riverfront Regulations within the Massachusetts Wetlands Protection Act.

4.0 REGULATORY COMPLIANCE WITH CHAPTER 181: FRANKLIN WETLANDS PROTECTION BYLAW

4.1 0-25' BUFFER ZONE

To remain fully compliant with the 25' Buffer Zone outlined under the Franklin Wetlands Protection Bylaw, the project does not propose any work to occur within the 25-Foot Buffer Zone. As shown in the attached site plans, prepared by RealMapInfo LLC, dated 2/29/24, all proposed utility poles and associated guy wires have been located outside of the 25' Buffer Zone. At its closest, the easternmost pole is located roughly 50 feet from the edge of the wetlands. Furthermore, the utility poles are proposed over existing developed lawn surfaces that are mowed and maintained as part of the on-site and neighboring commercial developments.

4.2 25-50' BUFFER ZONE

Portions of work associated with the easternmost utility pole are proposed right at the edges of the 50-Foot Buffer Zone as necessary to meet the project needs. Section 4.3.1 of the Franklin Wetlands Protection Bylaw states, "Alteration in the 25–50-foot buffer zone resource area is limited to grading, tree clearing, stormwater management system components, lawns, gardens, and other low impact uses as determined by the Commission or as otherwise approved by the Commission by the variance procedures set forth in Section XVII of these regulations." Work proposed in the 25-50' Buffer Zone consists of the installation of one utility pole. The remaining utility poles are located further than 100 feet from the jurisdictional wetlands. As the utility pole will be installed within the limits of mowed and maintained grassed areas and all wiring is above ground, it is the opinion of Goddard that the required utility work is considered a low impact use. Therefore, this work will not require the filing of a variance request under the local bylaw.

4.3 50-100' BUFFER ZONE

As the remaining three utility poles will be located outside of the 100-Foot Buffer Zone, the only remaining work within 100 Feet of the Bordering Vegetated Wetlands consists of above ground wiring stemming from the easternmost utility pole. All work will be proposed within existing developed areas, and all connections will be above-ground.

4.4 RIVERFRONT AREA

As outlined above, the proposed two easternmost utility poles are located within the Riverfront Area to the delineated perennial stream channel. As outlined in the Franklin Wetlands Protection Bylaw, Section (181-8)(C)(1),

In the case of areas within 200 feet of rivers and streams, no permit issued hereunder shall permit any activities unless the applicant, in addition to meeting the otherwise applicable requirements of this chapter, has proved by a preponderance of the evidence that there is no practicable alternative to the proposed project with less adverse effects, and, as well, should there be no such practicable alternative, that such activities, including proposed mitigation measures, will have no impact on the resource area functions and characteristics protected by this chapter. The Commission shall regard as practicable an alternative which is reasonably available and capable of being done after taking into consideration the proposed property use, overall project purposes, logistics, existing technology, costs or the alternatives and overall project costs.

It is the opinion of Goddard that the proposed project will have no impact on the resource area functions of the 200-Foot Riverfront Area. As outlined above, the project proposes both utility poles within the Riverfront Area to be installed within the maintained rights of way. The proposed utility pole locations are within 10 feet of the roadways, within mowed limits. The project will not encroach further into a resource area or buffer zone and will have no impacts on the abilities of the existing Riverfront Area functions and characteristics.

4.5 FUNCTIONS AND CHARACTERISTICS STATEMENT

In accordance with §7.10.1 of the Town of Franklin Conservation Commission Regulations, please find below a summary of the proposed project's impacts on the functions and characteristics of floodplains and wetlands. It is Goddard's opinion that the project will have no significant individual or cumulative adverse effects on these functions and characteristics.

1. Public Water Supplies – The project site is located approximately 6500 feet from the nearest mapped public water supply wells, located off-site to the east adjacent to Blue Star Memorial Highway and Public Works Way. Because the project proposes only utility poles and associated wiring, it is not expected that the proposed work will have any impact on public water supplies.

2. Private Water Supplies – According to MassDEP's Well Drilling Database, the neighboring property, 34 Forge Parkway, has a private well documented as irrigation use. The nearest domestic well within MassDEP's Well Drilling Database is located approximately 3400 square feet away at 99 South Maple Street in Bellingham. Because the project proposes only utility poles and associated wiring, it is not expected that the proposed work will have any impact on private water supplies.

3. Groundwater – Stormwater management on the project site is not proposed to be changed at all. Changes in impervious cover are negligible, and groundwater recharge is expected to continue unabated. The final condition of the site will have no impact on stormwater direction or runoff, and the stormwater management systems are anticipated to function in the same manner as existing conditions.

4. Flood Control – There is no floodplain mapped on the subject parcel and impervious cover increases with the associated utility poles are negligible. The project is not anticipated to have any impact on flood control or the site's existing stormwater management systems.

5. Erosion and Sedimentation – Erosion and sedimentation controls consisting of an 8" straw wattle with entrenched silt fence will be utilized along all areas of land disturbance associated with the site utility work. The attached site plans prepared by RealMapInfo contain a detail for erosion control installation that will be adhered to throughout construction.

6. Storm Damage Prevention – The work is limited to low impact utility use along the mowed and maintained roadway edges. The project is not anticipated to have any impact on storm damage control or the site's ability to handle stormwater.

7. Water Quality – The work is limited to low impact utility use along the mowed and maintained roadway edges. The existing forested buffer to the bordering vegetated wetlands and perennial stream will not be encroached into with the proposed project. As such, the natural forested buffer will remain unimpacted, and stormwater runoff will not be altered by the project. No impacts to water quality are anticipated by the proposed project.

8. Water Pollution Control – During construction, erosion and sediment controls as described above will minimize any potential water pollution by runoff during construction. No chemical pollution (fertilizer, pesticide, hazardous

waste) or biological pollution (bacteria or viruses) is expected to occur as a result of construction activities or post-construction use of the site, as the work is limited to utility work within a previously developed footprint.

9. Fisheries – Work is proposed within the Riverfront Area to a perennial stream, which is presumably home to fish populations. Erosion and sedimentation controls will be in place throughout construction to minimize any potential runoff to the River. No other potential impacts to the River are foreseen, as the project does not develop further into the natural area than existing conditions.

10. Shellfish - Not applicable in Franklin.

11. Wildlife Habitat – Construction activities are not expected to harm wildlife habitat value, as all proposed work is located within existing landscaped and hardscaped areas within the limits of the on-site and surrounding commercial developments.

12. Rare Species Habitat (including rare plant species) – No rare species are mapped on or near the project site. There are no mapped potential or certified vernal pools onsite or in proximity.

13. Agriculture – The project site is not located in proximity to any agricultural operations. In addition, the soil units mapped within the proposed work area (Montauk and Ridgebury Fine Sandy Loams) are not considered prime farmland by the NRCS Soil Survey.

14. Aquaculture – There are no aquaculture operations on or near the project site.

15. Recreation – The proposed work will have no impact on recreation. The site is a commercial development, utilized as a mattress firm warehouse, and is not currently used for recreational purposes.

4.4 VERNAL POOL STATEMENT

There are no mapped potential or certified vernal pools on or in proximity to the site. The nearest mapped vernal pool is a potential vernal pool (PVP 8231), located approximately 1000 feet to the north of the site. The nearest mapped certified vernal pool (CVP 6394) is located approximately 2100 feet southwest of the site, within the Franklin State Forest.

4.5 EROSION AND SEDIMENTATION (E&S) CONTROL NARRATIVE

Erosion and sedimentation controls will be employed throughout construction. The erosion control barrier to be used is an 8” straw wattle by with a 42” silt fence entrenched 6” below existing grade. E&S controls will be maintained weekly and after significant rain events throughout the duration of the construction, including the removal of accumulated sediment once accumulation reaches half the height of the wattle. The erosion controls will be inspected regularly by the contractor performing the work.

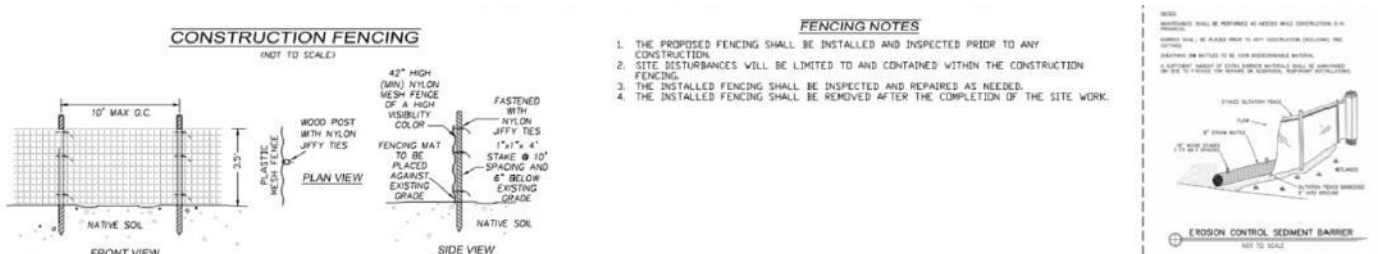


Figure 6: Schematic of erosion control installation (see attached site plans)

5.0 CONCLUSION

In summary, Goddard Consulting believes that the proposed project will not have any significant adverse impacts on the interests identified in the Wetlands Protection Act or the Franklin Wetlands Protection Bylaw. The project has been designed with sensitivity to the resource areas near the site. The project will not result in encroachments closer to the resource areas than existing conditions. The proposed project meets all regulatory compliance standards under the Wetlands Protection Act and the Franklin Wetlands Protection Bylaw; therefore, Goddard Consulting respectfully requests that the Franklin Conservation Commission issue an Order of Conditions approving the project.

Please feel free to contact us if you have any questions about this Notice of Intent submission.

Sincerely,

Goddard Consulting, LLC

Andrew Thibault

Andrew Thibault, WPIT, WSA

Environmental Scientist



Appendix A

Abutter Information

Town of Franklin – Board of Assessors

355 East Central St
Franklin, MA 02038
Tel # 508-520-4920
Fax # 508-520-4923



Abutters List Request Form

Please Note: A \$25.00 fee per list is required to process your request. Payment is due at the time of submission of this form. Please allow **10 days** from the date of both payment and submission of the form for the Assessors office to complete processing your request. (Revised 1-1-17)

Date of Request 02 / 14 / 2024

Assessors Parcel ID # (12 digits) 290 - 008 - 000 - 000

Property Street Address 32 Forge Parkway

Distance Required From Parcel # listed above (Circle One) 500 **300** 100
(Note: if a distance is not circled, we cannot process your request)

Property Owner Knickerbocker Properties Inc

Property Owner's Mailing Address 3520 Piedmont Road NE, Suite 410

Town/City Atlanta State GA Zip Code 30305

Property Owner's Telephone # _____ - _____ - _____

Requestor's Name (if different from Owner) Andrew Thibault, Goddard Consulting LLC

Requestor's Address 291 Main Street, Suite 8, Northborough, MA 01532

Requestor's Telephone # 603 - 718 - 0605

Office Use Only: Date Fee Paid 2/15/24 Paid in Cash \$ _____

Paid by Check \$ 25.00 Check # 5789 Town Receipt # 30158



32 FORGE PKWY - 300' ABUTTERS

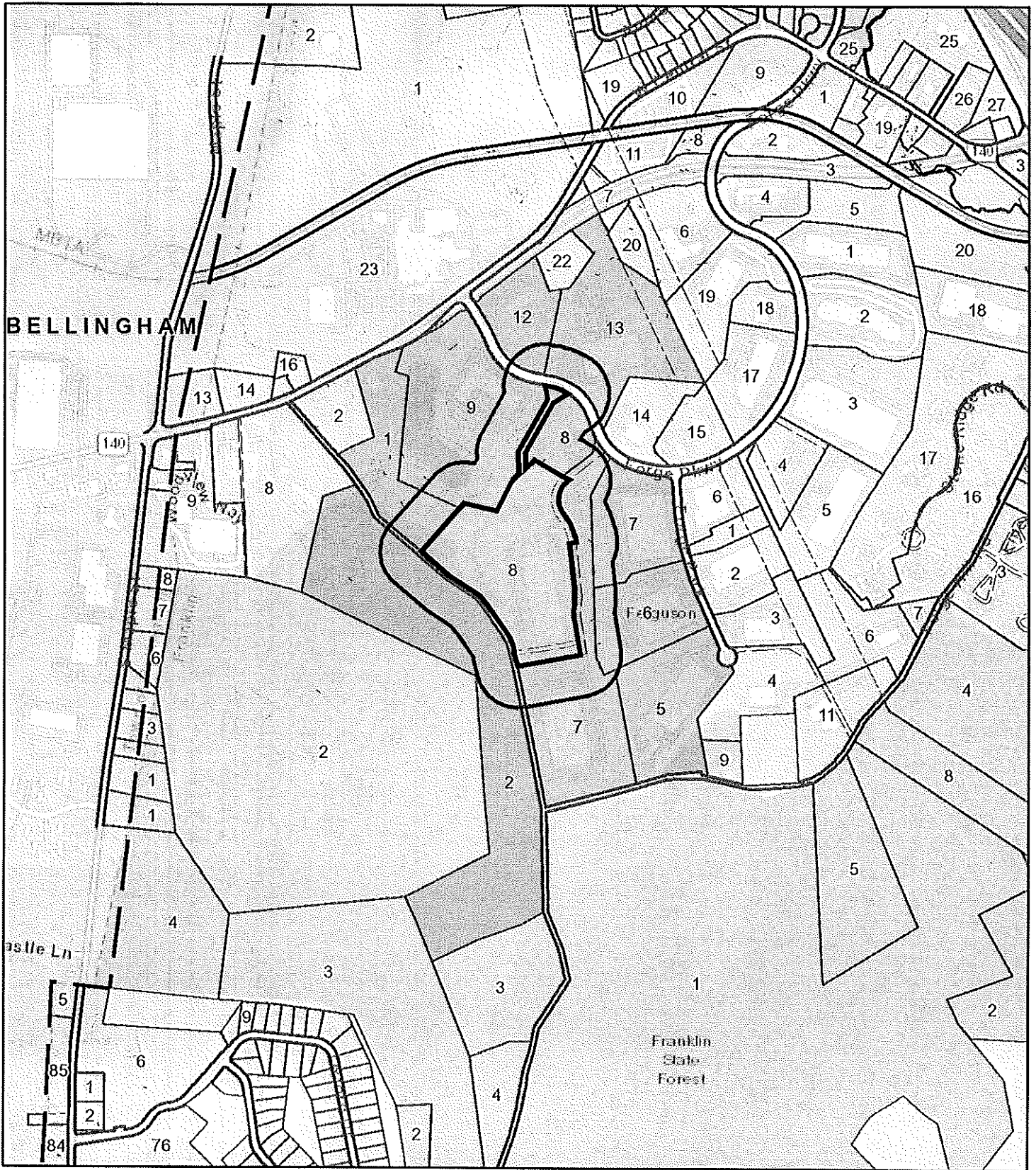
Franklin, MA



February 26, 2024

1 inch = 1000 Feet

www.cai-tech.com



This information is believed to be correct but is subject to change and is not warranted.



300 foot Abutters List Report

Franklin, MA
February 26, 2024

Subject Property:

Parcel Number: 290-008-000
CAMA Number: 290-008-000-000
Property Address: 32 FORGE PKWY

Mailing Address: KNICKERBOCKER PROPERTIES INC C/O
MARVIN F POER & COMPANY
3520 PIEDMONT RD NE SUITE 410
ATLANTA, GA 30305

Abutters:

Parcel Number: 274-001-000
CAMA Number: 274-001-000-000
Property Address: 1256 WEST CENTRAL ST

Mailing Address: GTE FRANKLIN REALTY LLC
PO BOX 2844
BROCKTON, MA 02305

Parcel Number: 275-007-000
CAMA Number: 275-007-000-000
Property Address: 20 FORGE PKWY

Mailing Address: BIG BOX PROPERTY OWNER C LLC C/O
EXETER PROPERTY GROUP
101 WEST ELM ST SUITE 600
CONSHOHOCKEN, PA 19428

Parcel Number: 275-008-000
CAMA Number: 275-008-000-000
Property Address: 28 FORGE PKWY

Mailing Address: DONOVAN HOLDINGS LLC
28 FORGE PKWY
FRANKLIN, MA 02038

Parcel Number: 275-009-000
CAMA Number: 275-009-000-000
Property Address: 38 FORGE PKWY

Mailing Address: NV FORGE OWNER LLC ATTENTION
PETER CARBONE III
265 FRANKLIN ST STE 1001
BOSTON, MA 02110

Parcel Number: 275-012-000
CAMA Number: 275-012-000-000
Property Address: 33 FORGE PKWY

Mailing Address: MASSACHUSETTS INTERSCHOLASTIC
C/O RICHARD NEAL
33 FORGE PARKWAY
FRANKLIN, MA 02038

Parcel Number: 275-013-000
CAMA Number: 275-013-000-000
Property Address: 27 FORGE PKWY

Mailing Address: 27 FORGE PARKWAY LLC
27 FORGE PKWY
FRANKLIN, MA 02038-3135

Parcel Number: 290-005-000
CAMA Number: 290-005-000-000
Property Address: 24 NATIONAL DR

Mailing Address: MTP-24 NATIONAL DRIVE LLC C/O
SOMERAROAD INC
1 HANOVER SQUARE
NEW YORK, NY 10004

Parcel Number: 290-006-000
CAMA Number: 290-006-000-000
Property Address: 22 NATIONAL DR

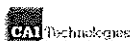
Mailing Address: BIG BOX PROPERTY OWNER C LLC C/O
EXETER PROPERTY GROUP
101 WEST ELM ST SUITE 600
CONSHOHOCKEN, PA 19428

Parcel Number: 290-007-000
CAMA Number: 290-007-000-000
Property Address: 34 FORGE PKWY

Mailing Address: PIERCE REALTY LLC
34 FORGE PKY
FRANKLIN, MA 02038

Parcel Number: 290-008-000
CAMA Number: 290-008-000-000
Property Address: 32 FORGE PKWY

Mailing Address: KNICKERBOCKER PROPERTIES INC
C/O MARVIN F POER & COMPANY
3520 PIEDMONT RD NE SUITE 410
ATLANTA, GA 30305



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.



300 foot Abutters List Report

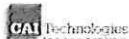
Franklin, MA

February 26, 2024

Parcel Number: 293-002-000
CAMA Number: 293-002-000-000
Property Address: SPRING ST

Mailing Address: COMMONWEALTH OF MASS
DEPARTMENT OF CONSERVATION
251 CAUSEWAY STREET
BOSTON, MA 02114

Kevin W. Doyle, 2-26-24



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.

2/26/2024

Page 2 of 2

27 FORGE PARKWAY LLC
27 FORGE PKWY
FRANKLIN, MA 02038-3135

BIG BOX PROPERTY OWNER C
C/O EXETER PROPERTY GROUP
101 WEST ELM ST SUITE 600
CONSHOHOCKEN, PA 19428

COMMONWEALTH OF MASS
DEPARTMENT OF CONSERVATIO
251 CAUSEWAY STREET
BOSTON, MA 02114

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28 FORGE PKWY
FRANKLIN, MA 02038

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PO BOX 2844
BROCKTON, MA 02305

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3520 PIEDMONT RD NE SUITE 410
ATLANTA, GA 30305

MASSACHUSETTS INTERSCHOLA
C/O RICHARD NEAL
33 FORGE PARKWAY
FRANKLIN, MA 02038

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1 HANOVER SQUARE
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34 FORGE PKY
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Parcel Number: 290-007-000
CAMA Number: 290-007-000-000
Property Address: 34 FORGE PKWY

Mailing Address: PIERCE REALTY LLC
34 FORGE PKY
FRANKLIN, MA 02038

Parcel Number: 290-008-000
CAMA Number: 290-008-000-000
Property Address: 32 FORGE PKWY

Mailing Address: KNICKERBOCKER PROPERTIES INC
C/O MARVIN F POER & COMPANY
3520 PIEDMONT RD NE SUITE 410
ATLANTA, GA 30305



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.



300 foot Abutters List Report

Franklin, MA
February 26, 2024

Parcel Number: 293-002-000
CAMA Number: 293-002-000-000
Property Address: SPRING ST

Mailing Address: COMMONWEALTH OF MASS
DEPARTMENT OF CONSERVATION
251 CAUSEWAY STREET
BOSTON, MA 02114



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.

2/26/2024

Page 2 of 2

27 FORGE PARKWAY LLC
27 FORGE PKWY
FRANKLIN, MA 02038-3135

BIG BOX PROPERTY OWNER C
C/O EXETER PROPERTY GROUP
101 WEST ELM ST SUITE 600
CONSHOHOCKEN, PA 19428

COMMONWEALTH OF MASS
DEPARTMENT OF CONSERVATIO
251 CAUSEWAY STREET
BOSTON, MA 02114

DONOVAN HOLDINGS LLC
28 FORGE PKWY
FRANKLIN, MA 02038

GTE FRANKLIN REALTY LLC
PO BOX 2844
BROCKTON, MA 02305

KNICKERBOCKER PROPERTIES
C/O MARVIN F POER & COMPA
3520 PIEDMONT RD NE SUITE 410
ATLANTA, GA 30305

MASSACHUSETTS INTERSCHOLA
C/O RICHARD NEAL
33 FORGE PARKWAY
FRANKLIN, MA 02038

MTP-24 NATIONAL DRIVE LLC
C/O SOMERAROAD INC
1 HANOVER SQUARE
NEW YORK, NY 10004

NV FORGE OWNER LLC
ATTENTION PETER CARBONE I
265 FRANKLIN ST STE 1001
BOSTON, MA 02110

PIERCE REALTY LLC
34 FORGE PKY
FRANKLIN, MA 02038

Notification to Abutters

By Hand Delivery, Certified Mail (return receipt requested), or Certificates of Mailing

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) and the Franklin Wetlands Protection Bylaw.

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations, you are hereby notified that:

- A. A Notice of Intent was filed with the Franklin Conservation Commission on 3/07/24 seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:

The project proposes the installation of two utility poles within the 100-Footer Buffer Zone to Bordering Vegetated Wetlands and the 200-Footer Riverfront Area to a perennial stream. The utility poles are proposed to tie into existing solar infrastructure on the property. Four utility poles are proposed to achieve the project goals, but only two lie within jurisdictional resource areas. Utility poles are proposed to be embedded, anchored by guy wires, and located along existing maintained right of ways.

- B. The name of the applicant is: Valta Energy
- C. The address of the land where the activity is proposed is: 32 Forge Parkway, Franklin MA (Map 290, Lot 8)
- D. Copies of the Notice of Intent may be examined or obtained at the office of the Franklin Conservation Commission, located at 355 E. Central St. Franklin MA. The regular business hours of the Commission are Monday - Thursday 8:00am to 4:00pm and Friday 8:00am to 1:00pm and the Commission may be reached at (508) 520-4929.
- E. Copies of the Notice of Intent may be obtained from the applicant or their representative by Goddard Consulting LLC at 508-393- 3784. An administrative fee may be applied for providing copies of the NOI and plans.
- F. The public hearing about this Notice of Intent is scheduled for 3/21/24 in Town Council Chambers, located on the Second Floor of the Municipal Building on 355 East Central Street. The meeting is also available via Zoom and can be accessed through the Conservation Commission agenda for that night, which will be posted on the Town's website 48 hours prior to the meeting. Information regarding the date, time, and location of the public hearing regarding the Notice of Intent may be obtained from the Franklin Conservation Commission. Notice of the public hearing will be published at least five business days in advance, in a newspaper in local circulation.

Notification provided pursuant to the above requirement does not automatically confer standing to the recipient to request Departmental Action for the underlying matter. See 310 CMR 10.05(7)(a)4.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act
And the Franklin Wetlands Protection Bylaw

(to be submitted to the Massachusetts Department of Environmental
Protection and the Franklin Conservation Commission)

I, Andrew Thibault, hereby certify under the pains and penalties of perjury that on 3/07/2024 I gave notification to abutters in Compliance with the second paragraph of Massachusetts General Law Chapter 131, Section 40, and the DEP Guide to Abutter Notification dating April 8, 1994 in connection with the following matter:

A Notice of Intent was filed under the Massachusetts Wetlands Protection Act by Valta Energy with the Franklin Conservation Commission on 3/07/2024 for property located at 32 Forge Parkway, Franklin MA (Map 290, Lot 8) for the proposed work consisting of the installation of two utility poles within the 100-Foot Buffer Zone to Bordering Vegetated Wetlands and the 200-Foot Riverfront Area to a perennial stream. The utility poles are proposed to tie into existing solar infrastructure on the property. Four utility poles are proposed to achieve the project goals, but only two lie within jurisdictional resource areas.

The form of the notification, and the list of abutters to whom it was given, and their addresses, are attached to this Affidavit of Service.

Andrew Thibault
(Name)

3/07/2024
(Date)



Appendix B
Wetland Information

Wetland Border Report

Site Locus: 32 Forge Parkway, Franklin, MA

Prepared for: Valta Energy

Prepared by: Goddard Consulting LLC, 291 Main St, Suite 8, Northborough MA 01532

Date: March 6, 2024

INTRODUCTION

During the week of Oct 23, 2023, the wetland resources were delineated on land located on or near 32 Forge Parkway in Franklin, MA (refer to enclosed locus maps). The wetland border was flagged using the criteria in the most recent edition of the MA Wetland Protection Act (WPA) and Regulations 310 CMR 10.00 et al and Chapter 181, The Franklin Wetlands Protection Bylaw. Hydric soil indicators, vegetation changes, hydrological indicators, and topography were all considered for delineation purposes.

The titles of attached documents are as follows:

- DEP Bordering Vegetated Wetland Determination Forms
- Orthophoto View of Site, Goddard Consulting LLC, 10/16/2023
- Orthophoto View of Site with Flood Zones, Goddard Consulting LLC, 10/16/2023
- Orthophoto View of Site with NRCS Soil Survey, Goddard Consulting LLC, 10/16/2023
- USGS of Site, Goddard Consulting LLC, 10/16/2023

SUMMARY OF FINDINGS

The boundary of an unnamed mapped perennial stream was delineated in the field just off-site adjacent to the Eastern extent of the site. The perennial stream originates to the South, exiting the Franklin Town Forest. The perennial stream flows primarily off-site, until crossing under the access road to 32 Forge Parkway, and continues off-site to the Northwest, flowing into West Central Street Pond. The Mean Annual High-Water of the portion of river off-site to the East, below the existing crossing, was delineated in the field with flag series MAHW 50 – MAHW 112. The Mean Annual High-Water of the portion of river partially onto the Northern extent of the site, above the existing crossing, was delineated in the field with flag series MAHW 1 – MAHW 25. Delineating both sections ensured the entirety of the Riverfront Area applicable to the proposed project would be included in any site survey.

In addition to the perennial stream channel, Bordering Vegetated Wetlands lie along low topographical areas surrounding the perennial stream channel. The existing topography gradually slopes off of the existing access road toward wooded BVW systems along the stream. The BVW systems facing the site from the East were delineated with series GC 1 – GC 56, GC 60 – GC135, GC 1110 – GC 1115, and GC 1120 – GC 1125. Vegetation within the wetland area consisted of red maple, yellow birch, white pine, European buckthorn, and cinnamon fern. Vegetation upgradient of the BVW consisted of red maple, red oak, white pine, and princess pine. Additional wetland systems are present off-site to the West and Southwest, however, do not cast jurisdictional buffer zones onto any site work areas, and are not included as part of the ongoing project.

A number of stormwater management features were delineated throughout the project site to demonstrate the movement of stormwater throughout the site, as well as to demonstrate their functionality as stormwater management systems, separated from the delineated wetland resource areas. On the Eastern edge of the property, a stormwater management swale was delineated with series GC 500 – GC 523. This swale sits between the existing parking lot at

32 Forge Parkway and the access drive to 34 Forge Parkway. The swale is sloped to capture runoff, transporting water toward a pipe under the existing driveway crossing. Stormwater outlets opposite the access drive to the site through a rip-rap drainage swale. This stormwater management feature is connected to a concrete lined swale, delineated with series GC 600- GC 662. The concrete lined drainage swale is situated between the existing parking lots and takes parking lot runoff via a rip-rap swale delineated with series GC 800 – GC 809, as well as piped stormwater to a detention basin in the Northern portion of the site (as seen in the attached site survey).

Soils identified on the property include fine sandy loams associated with urban land use. In the wetland soil sample, a deep, fine sandy loam soil was found from 0-10”, (matrix color 10YR2/1) at soil horizon A. This soil was underlain by a fine, sandy loam depleted matrix (color 10YR 6/1) beginning at 10” and continuing through the rest of the soil sample. This hydric soil is indicative of high groundwater conditions. In the upland soil sample, a fine sandy loam topsoil (matrix color 10YR2/2) was found from 0-10.” From 10-20”, a fine sandy loam (matrix color 10YR5/6) was pulled from soil horizon B. This soil color is typical of dry conditions, matching the upland vegetation found within the area. More detailed information about soils is included in the attached NRCS Soil Map and the DEP Bordering Vegetated Wetland Determination Forms, performed at wetland flag GC 38.

According to the MassGIS data layers for the Natural Heritage & Endangered Species Program (NHESP), the locus site is not located within Estimated and/or Priority Habitat of Rare Wildlife or an Area of Critical Environmental Concern (ACEC). The site is not located within a jurisdictional FEMA Flood Zone. There are no mapped certified or potential vernal pools on site.

Any work within a state or local resource area including the 100-foot Buffer Zones requires a Request for Determination (RDA) or Notice of Intent (NOI) to be filed with the Franklin Conservation Commission.

DESCRIPTION OF REGULATED INLAND RESOURCE AREA

The table below provides the regulatory jurisdiction, flag numbers/colors, and wetland types and locations for the resource areas delineated.

Resource Area	Regulatory Jurisdiction	Flag Numbers and Color	Wetland Types and Locations
Bordering Vegetated Wetlands	100-ft Buffer Zone (State and Local) 50-Foot No Build Zone (Local) 25-Foot No Disturb Zone (Local)	Blue: GC 1-58, 60-135, 1100-1115 and 1120-1125,	Forested wetland system on the eastern edge of the site
MAHW & Bank Perennial River	100-Foot Riverfront Area 200-Foot Riverfront Area	Pink: MAHW 1-25, 50-112	Perennial river located off-site to the East
Stormwater Basin	None	Blue: 600-610, 657-662	Detention Basin in Northern site portion,

			fed by concrete drainage ditches
Stormwater Management Swales	None	Blue: 500-523, 800-809, 611-656	Drainage swales constructed on eastern and western portions of site to transport stormwater



Photo 1. A view of the Perennial Stream located off-site to the East



Photo 2. Concrete lined swale delivering stormwater adjacent to parking lot.



Photo 3. Rip-Rap drainage swale taking stormwater under site access drive



Photo 4. Drainage swale pitched between parking lots



Photo 5. Typical upland composition on-site

Sincerely,

Goddard Consulting, LLC

Andrew Thibault

Andrew Thibault, WPIT, WSA

Environmental Scientist



Legend

Property Boundary

Date: 10/16/2023

GC Job Number:
101-089

**Wetland Border Report
Orthophoto View of Site**

0 125 250
Feet



32 Forge Parkway
Franklin, MA 02038

1 in = 250 ft

Map: 290
Lot: 8

Figure 1



Legend

Property Boundary

FEMA National Flood Hazard Layer

X: 0.2% Annual Chance of Flooding

Date: 10/16/2023

GC Job Number:
101-089

Wetland Border Report Orthophoto View of Site

0 125 250
 Feet




32 Forge Parkway
Franklin, MA 02038

1 in = 250 ft

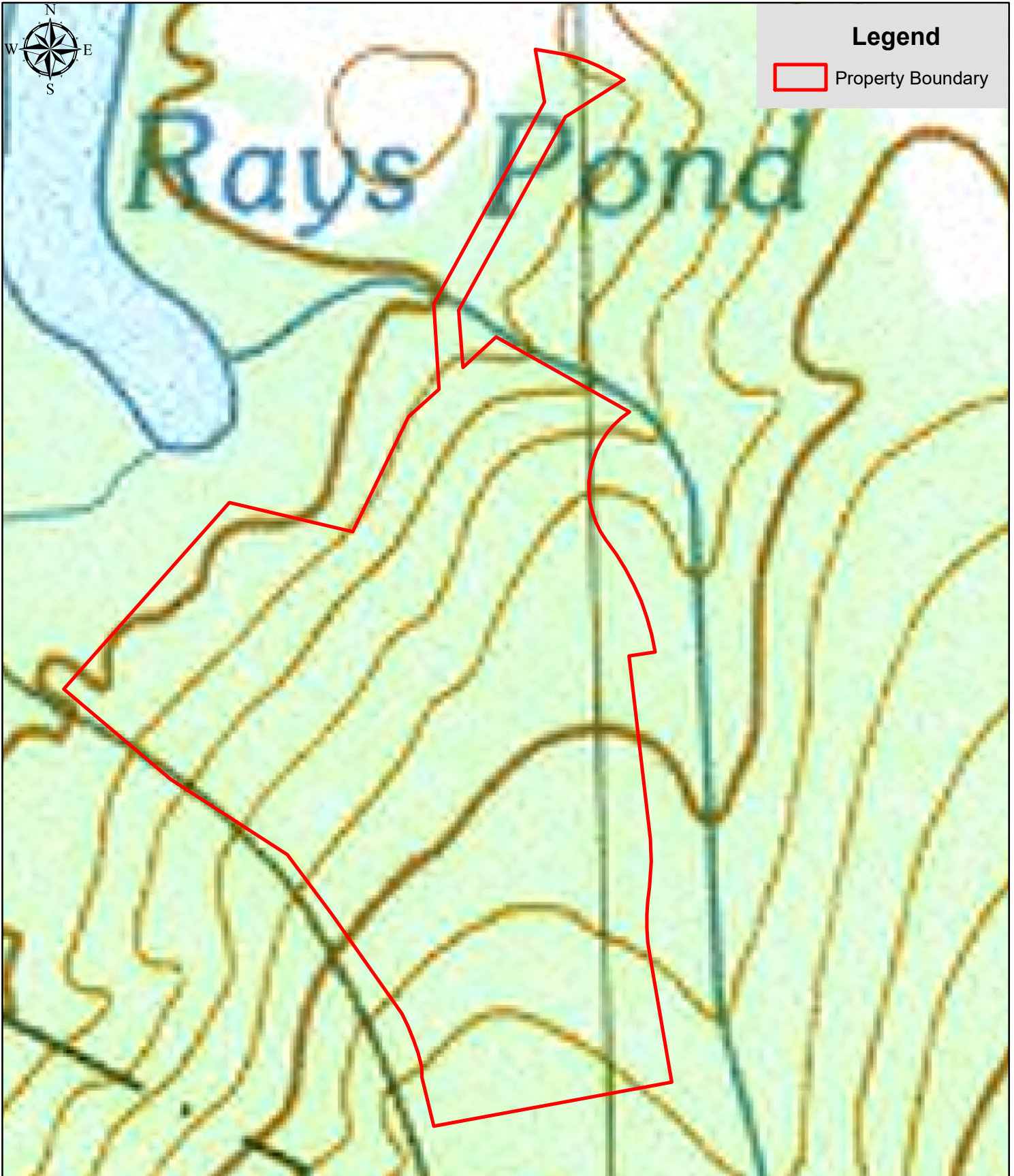
Map: 290
Lot: 8

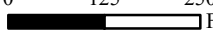

Figure 2



Date: 10/16/2023	GC Job Number: 101-089	<p style="text-align: center;">Wetland Border Report Orthophoto View of Site With NRCS Soil Survey</p>	<p style="text-align: center;">0 125 250 Feet</p>
			

32 Forge Parkway
Franklin, MA 02038



Date: 10/16/2023	GC Job Number: 101-089	<p style="text-align: center;">Wetland Border Report USGS of Site</p>	<p style="text-align: center;">0 125 250  Feet</p>	
 <p>GODDARD CONSULTING Strategic Ecological Consulting</p>			1 in = 250 ft	<p>Figure 5</p>
<p>32 Forge Parkway Franklin, MA 02038</p>		<p>Map: 290 Lot: 8</p>		



Appendix C

Site Plans & Additional Materials

Goddard Consulting, LLC
291 Main Street, Suite 8
Northborough, MA 01532
508-393-3784

5900
63-7052/2113

3/06/2024

CHECKSAFE

Pay to the Order of City/Town of Franklin \$ 700.00
Seven Hundred and 00/100 Dollars

AVIDIA BANK
Hudson, MA

For 101-089 Bylaw No. 5 Fee

Rebecca Seal

⑆ 211370529⑆ 31 623507⑈ 5900

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.

<i>John Harrington</i>	3.7.24
_____ Signature of Property Owner	_____ Date

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.

John Harrington
Signature of Property Owner

3.7.24
Date

Town of Franklin Conservation Commission

LOCAL FILING FEE CALCULATION WORKSHEET

1. NOTICE OF INTENT (NOI)

1.1. New Individual Single Family Home (SFH) \$200.00 _____
This includes all projects associated with a SFH

1.2. Work Associated with Existing Residential Property \$50.00
Above-ground pools, fences or other incidental projects involving land disturbance that are not covered by the MBZA

1.3. Control of Nuisance Vegetation \$50.00 _____
This category shall not apply to any non-natural deposition of material e.g. vegetative debris

1.4. Subdivisions

Base Fee \$600.00 _____
Infrastructure in Buffer Zone **or** Resource Area
Roads _____ linear feet x \$2.00 = _____
*Drainage Structures _____ X \$10.00 each = _____
Wetland Resource Area Disturbed _____ square feet x \$0.50= _____

(If single family homes are proposed as part of a subdivision application, for each house in jurisdiction, individual NOI fees will apply.)

1.5. Multifamily Dwellings, including Condominium Units:
____ MFDU x \$100.00 _____

1.6. Commercial/Industrial

Base Fee \$600.00 _____ X _____
Infrastructure in Buffer Zone **or** Resource Area

Roads	_____ linear feet x \$2.00	= _____
*Drainage Structures	_____ X \$10.00 each	= _____
Wetland Resource Area Disturbed	_____ square feet x \$0.50	= _____
Buildings	_____ X \$125 each	= _____
All Accessory Improvements	\$100.00	= <u> X </u>

2. REQUEST FOR DETERMINATION (RDA) \$100.00

3. MINOR BUFFER ZONE ACTIVITY (MBZA) \$50.00

4. ABBREVIATED NOTICE OF RESOURCE AREA DETERMINATION (ANRAD)

\$0.50/foot/resource area: = _____

5. OTHER PERMITS/SERVICES

Order of Conditions Extension	\$50.00	_____
Certificate of Compliance Request	\$50.00	_____
Certificate Re-Inspection	\$50.00	_____
Status Letter for Financial Institution	\$100.00	_____
Permit Amendment	\$100.00	_____

6. FILING FEE CALCULATION

Town Share of State Fees (See NOI Wetland Fee Transmittal Form) \$ 0 – Bylaw only

Local Filing Fee Calculated Above \$ 700

TOTAL Due Town of Franklin (Check No.1) \$ 700

State Share of Filing Fee (See NOI Wetland Fee Transmittal Form)

TOTAL Due DEP (Check No. 2) \$ 0 - Bylaw

7. ADVERTISING FEE (Check No. 3) TBD

The fee will be the exact amount the newspaper charges for that specific advertisement. Once the advertisement is placed with the paper, by the Conservation Commission, the applicant will be notified of the cost and will be expected to submit a check for that exact amount, payable to the Town of Franklin, to the Conservation Department prior to the first hearing.

*Drainage structures: catch basins, manholes, leaching basins, gutter inlet or any other man-made structure (other than a pipe) for purposes of controlling drainage.