
Attachment B

Request for Variance



May 11, 2022

Franklin Conservation Commission
355 E. Central Street
Franklin, MA 02038

**Re: Request for Variance
King Street & Constitution Boulevard Right-of-Way
Franklin, Massachusetts**

[LEC File #: MP\21-209.01]

Dear Members of the Commission:

On behalf of the Applicant, MP Properties III, LLC c/o Marcus Partners, LLC, LEC Environmental Consultants, Inc. (LEC) is submitting this Request for Variance as a supplement to the Request for Determination of Applicability (RDA) for roadway and transportation improvements on King Street and Constitution Boulevard in Franklin, Massachusetts. This Request for Variance is being filed under Section 5 of the *Town of Franklin Wetland Bylaw* (Chapters 281 and 271, the *Bylaw*) and its implementing *Franklin Conservation Commission Regulations* (the *Bylaw Regulations*).

The Applicant respectfully requests a Variance from the Buffer Zone Performance Standards since the proposed work cannot be designed to avoid the Buffer Zone and will not have any adverse effect upon any of the interests protected in Chapter 181 of the *Town of Franklin Wetlands Protection Bylaw*.

The project is designed to improve an existing transportation intersection that occurs within the 25-foot and 50-foot Buffer Zone. Relocating the project away from the Buffer Zone is not possible due to the constraints of the town roadway right-of-way. To minimize potential disturbance to the Buffer Zone and nearby wetlands, the project has been designed with no increase in the existing footprint of pavement or expansion of the existing footprint of development.

Given the project's purpose, there are no alternative locations for the project. Alternative designs within the project footprint, such as leaving the travel lanes in their current configuration, were discarded as they would not result in the traffic safety improvements that will occur with the preferred alternative. Similarly, the no-build alternative was deemed impractical as it would not achieve the traffic and safety improvements associated with the preferred alternative.

The vehicle and pedestrian safety improvements associated with the project are a form of non-wetland mitigation that will serve to benefit the public. Without this project, the four-way intersection that will be created with the new commercial development access driveway would not be optimal in terms of transportation safety. Additionally, erosion controls associated with the commercial development will be in place to mitigate construction period erosion and sedimentation into the wetlands.

We look forward to discussing the project at the May 18, 2023 Public Hearing.

Sincerely,

LEC Environmental Consultants, Inc.

Mark L. Manganello
Assistant Director of Ecological Services

cc: Marcus Partners; Vanasse and Associates, Inc.

LEC Environmental Consultants, Inc.					www.lecenvironmental.com
12 Resnik Road Suite 1 Plymouth, MA 02360 508.746.9491	380 Lowell Street Suite 101 Wakefield, MA 01880 781.245.2500	100 Grove Street Suite 302 Worcester, MA 01605 508.753.3077	P.O. Box 590 Rindge, NH 03461 603.899.6726	680 Warren Avenue Suite 3 East Providence, RI 02914 401.685.3109	
PLYMOUTH, MA	WAKEFIELD, MA	WORCESTER, MA	RINDGE, NH	EAST PROVIDENCE, RI	