

Friendly 40B Project Preliminary Review Application

*444 East Central Street*

Submitted: December 22, 2023

1. Project Information

a. Project Name: Central Street Residences

b. Application Point of Contact:

- i. Name: A.J. Alevizos
- ii. Phone Number: 561.685.5336
- iii. Email: aj@tagdevco.com

c. Project Team:

Architect

Cube3  
370 Merrimack Street, Suite 337  
Lawrence, MA 01843

Civil Engineer/Landscape Architect/Surveyor

Allen & Major Associates, Inc.  
100 Commerce Way, Suite 5  
Woburn, MA 01801

Planning/Fiscal Impact Consultant

Fougere Planning and Development, Inc.  
253 Jennison Road  
Milford, NH 03055

Wetlands

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

Geotechnical

KNM Geotechnical Consultants, LLC  
7 Marshall Road  
Hampstead, NH 03841

Traffic Engineer

Vanasse & Associates, Inc  
35 NE Business Center Dr., Suite 140  
Andover, MA 01810

Local Counsel

Doherty, Dugan, Cannon, Raymond & Weil, P.C.  
124 Grove Street, Suite 220  
Franklin, MA 02038

Environmental

EBI Consulting  
21 B Street  
Burlington, MA 01803

- d. Project Location:
  - i. 444 East Central Street
  - ii. Parcel ID: 284-066-000
  - iii. Please find the Project Summary attached hereto as Exhibit A.
- e. Number of Units:
  - i. 265
- f. Bedroom Count/Unit Mix:
  - i. 1 Bedrooms: 123 / 46.4%
  - ii. 2 Bedrooms: 115 / 43.4%
  - iii. 3 Bedrooms: 27 / 10.2%
- g. Rental or Ownership:
  - i. Rental
- h. Waiver Requests List:
  - i. Please find the Waivers Requests List attached hereto as Exhibit D.
- i. Preliminary Plans:
  - i. Please find the accompanying Preliminary Plans dated 12/20/23.

### 2. Criteria for Review

- a. Percent of Affordable Units:
  - i. 25%
- b. Number of Affordable Units:
  - i. 67
- c. Number of Units to count on the SHI:
  - i. 67
- d. Public Benefits and Impacts:
  - i. Please see Exhibit B attached hereto.

### 3. 30-Day Preliminary Project Review Process

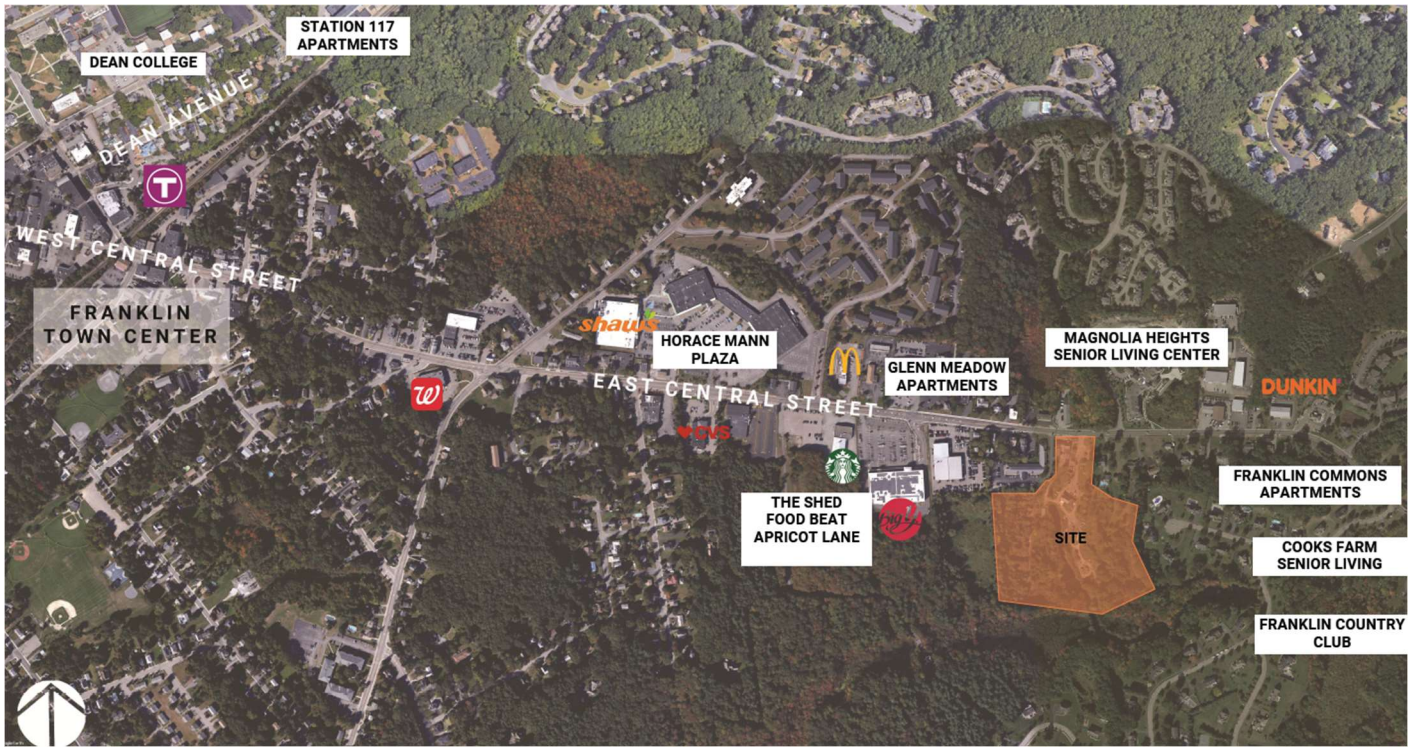
- a. The Applicant understands this application will be distributed to the Town's Administration and Technical staff, Planning Board and Conservation Commission for their review.
- b. The Applicant looks forward to coordinating with the Town on any comments prepared by the Technical Staff and other town departments.
- c. Technical Review Meeting
  - i. Please note the Applicant previously attended a Technical Review Meeting for the project held on 11/1/2023.
- d. Planning Board
  - i. The Applicant is available to attend a Planning Board Meeting to present the proposed project at the Board's convenience.
  - ii. Planning Board Project Review: Please see Exhibit C attached hereto.
- e. Conservation Commission
  - i. The Applicant is available to attend a Conservation Commission Meeting at the Commission's convenience.
  - ii. Conservation Commission Project Review: Please see Exhibit E attached hereto.

4. **Department of Housing and Community Development (DHCD)**
  - a. If the results of this review indicate support from the Town, the Applicant will submit a request to DHCD for a letter acknowledging the number of units that will be accepted on the Town's Subsidized Housing Inventory (SHI) List.
  
5. **Town Council Presentation & Local Initiative Program (LIP) Determination**
  - a. If the results of this review indicate support from the Town, the Applicant will present the proposal to the Town Council.
  - b. The Applicant looks forward to coordinating with the Town Council on any comments relative to this application.
  - c. The Applicant welcomes the Town Council's decision regarding support for the project and willingness to jointly submit an application to DHCD for project eligibility review.
  
6. **Zoning Board of Appeals Approval**
  - a. Once the Project Eligibility Letter is issued by DHCD, the Applicant will prepare and submit a Comprehensive Permit application to the Zoning Board of Appeals.

# The Alevizos Group

## Exhibit A: Project Summary

### 1. Location



The Project is located at 444 East Central Street, or Parcel ID #284-066-000, which is currently occupied by Stobbart's Landscape Nursery. The +/- 15 acre site features four structures containing a mix of office, greenhouses, warehouses, and sheds in use by the landscaping business. The balance of the property is currently used as a construction yard and outdoor storage yard for landscaping supplies, machinery, vehicles and other equipment. A stream bisects the center of the site and splits the site in roughly two equal halves on the east and west. The location is ideal for housing given its proximity to a significant number of area amenities including retail such as Shaws, Big Y, Starbucks, CVS and Walgreens, one (1) mile from Franklin MBTA Station and Town Center, and Town Hall as illustrated by the site locus aerial above.

### 2. Project Description

As illustrated by the Preliminary Plans, the project is proposed as 265 residential units housed in five separate structures ranging from three to four stories in height plus a standalone, one-story clubhouse including amenities commensurate with a first class, for-rent residential community such as a swimming pool, fitness center, dog-park and free-standing garage parking (Project). Parking for the community is provided via surface parking spaces at a ratio of 1.35 spaces per unit, or 358 parking spaces in total. Of the 265 total units, 25%, or 67 units, shall be affordable up to 80% of area median income (AMI) thresholds as per Chapter 40B and the balance shall be market rate.



## Exhibit B: Public Benefits and Impacts

### i. Roadway Improvements

East Central Street and the intersecting roadways in the vicinity of the Project site appear to provide sufficient capacity to accommodate the additional traffic that will be generated by the Project with consideration of the dispersal of trips over the respective peak hours. That being said, it is expected that minor improvements may be required at the signalized intersections along East Central Street including King Street/Chestnut Street and the Big Y driveway/Franklin Town Hall driveway that may include the following: 1) traffic signal timing and phasing improvements, 2) replacement/repair of pedestrian pushbuttons and/or signal indications, and 3) sign and pavement marking installation. Improvements associated with access to the Project site off East Central Street including curb cuts, grading, sign and pavement markings will also be required.

### ii. Other Infrastructure Improvements

In addition, the existing sidewalk along the south side of the East Central Street Right of Way (ROW) may be extended east to the Project site driveway (a distance of approximately 175 linear feet) to provide connectivity between the Project and the Big Y Supermarket and other retail uses. In conjunction with the sidewalk construction, it is anticipated the curb line along the south side of East Central Street may need to be established to support the extension of 5-foot shoulders that serve as a bicycle accommodation to the west of the Project site. This may necessitate a minor widening of the roadway and minor modifications/adjustments to the drainage system.

As the Project progresses further through the permitting process, design and new information unfolds, other necessary infrastructure improvements will be considered in coordination with the Town.

### iii. Public Access/Trails/Open Space

Subject to the filing of a Notice of Intent with the Conservation Commission, the Project is planned to incorporate open space and walking paths/trails surrounding the eastern and western banks of the stream that currently bisects the site. Project will restore and reestablish the associated wetland buffer protection zones of the stream and responsibly amenitize this natural feature through open space, elimination of onsite invasive species, planting of wetland buffer species and incorporation of walking trails which shall all be done in cooperation with the Conservation Commission. Access to the community will be limited to residents and their guests.

### iv. Other Public Amenities

Given the mixed income component featuring a mix of affordable and market rate units, the Project provides much needed housing options for a wide array of demographics. The affordable units will remain affordable in perpetuity restricted to households earning equal to or less than 80% of the area median income. As the Project progresses through the permitting process, further opportunities for the development to implement or contribute towards additional public improvements will be considered in coordination with the Town.

### v. Positive or Negative Impacts to the Town

- The site is poised for redevelopment. The existing use as a landscape contractor and nursery yard has contributed to dilapidation of the property overall. Some of these impacts include outdoor storage for heavy machinery, vehicles and other construction related equipment, fill and brush piles, and a wide variety of general debris which is generally visible from Central Street. The redevelopment will transform this longstanding underutilized parcel into a first class residential community.
- This also results in an opportunity for redevelopment to drastically improve existing conditions from a conservation and ecological standpoint.
  - Some of the land disturbance and related activity to the existing use mentioned above occurs right up to the banks of the existing stream and Isolated Vegetated Wetlands (IVWs). A focus of the redevelopment program is to mitigate these existing issues through restoration and re-establishment of buffer protection zones and replication of the IVWs.

## The Alevizos Group

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- Nearly the entire site is non-naturally vegetated featuring an abundance of invasive species. The Project will mitigate via removal of the invasive species and replacement with healthy non-invasive species including wetland specific plantings within the buffer zones conducive to the overall function of the wetlands.
- Current conditions result in unmitigated, sheet flowing surface runoff directly into the wetlands. Redevelopment will provide a modern stormwater management system in compliance with MassDEP Stormwater Management Standards.
- The Project will result in a significant increase to the tax assessment and as such tax revenue to the Town. The Applicant’s planning/fiscal impact consultant, Fougere Planning & Development Inc, estimated annual revenues to the Town including property taxes, CPA surcharge and vehicle excise tax will increase by ~\$650,000 per year.
- The increase in population living in the area associated with the Project will result in an increase in emergency services calls. Additionally, given the proposed two and three bedroom units, there will be an increase in the number of school-aged children who will attend the local public school system. Fougere Planning & Development Inc. estimated the proposed community is anticipated to generate approximately 51 new school aged children utilizing comparable analysis of the number of school aged children living at existing Franklin apartment communities (Table 4 below). That said, the substantial increase in tax revenue is expected to cover the increase in costs associated with emergency services and school aged children.

**Table Four  
Estimated School Age Children**

<b>Complex</b>	<b>Total Units</b>	<b>SAC</b>	<b>Per Unit Ratio</b>
Union Place	300	68	0.227
Westerly at Forge Park	281	45	0.160
Average	581	113	<b>0.194</b>
<b>Proposed Apartment Community</b>	<b>265</b>	<b>51</b>	

vi. Impacts to Abutters

- Impacts to abutting property owners is limited given the existence of largely vacant land bordering the western edge of the property and the substantial distance and naturally vegetated buffer between the site and its southerly abutters. In regards to the residential abutters to the east, thoughtful planning has gone into limiting the height of the proposed structures nearest to these neighbors. The proposed buildings along the easterly border have been limited to one story (clubhouse) and three stories, but for one, four story building at the back of the property. The majority of the four story structures have been positioned west of the stream in the area which abuts the undeveloped land and commercial property. In the same way the proposed heights step down sequentially in general from west to east, the same occurs from south to north as the site approaches Central Street. The taller structures and density overall is strategically focused towards the back of the site, as far away from the street front as possible, resulting in less massing being viewable from the street front.
- While the Project will result in additional trips/cars on the road, the Project’s Traffic Engineer, Vanasse and Associates Inc, prepared a Preliminary Transportation Impact Assessment and concluded that the identified traffic volume increases outside of the immediate proximity of the Project site is not expected to result in a significant impact on traffic operations (i.e., increase in motorist delay or vehicle queuing) over existing or anticipated future conditions without the Project. East Central Street and the intersecting roadways in the vicinity of the Project site appear to provide sufficient capacity to accommodate the additional traffic that will be generated by the Project with consideration of the dispersal of trips over the respective peak hours. A full traffic study and associated impacts will be conducted, presented and peer-reviewed in detail should the Project progress to the Zoning Board of Appeals level.

vii. Safety/Fire Impacts to Town

**Table Three  
Estimated Emergency Calls**

Project	Units	Avg. Police Calls Per Year	Avg. Call Per Unit	Projected Yearly Calls
Union Place - Franklin	300	186	0.620	
Weston Woods - Franklin	281	100	0.356	
Total Average	581	286	<b>0.492</b>	
<b>Proposed Apartment Community</b>	<b>265</b>			<b>130</b>

Project	Units	Avg. Fire Calls Per Year	Avg. Call Per Unit	Projected Yearly Calls
Union Place - Franklin	300	42	0.140	
Weston Woods - Franklin	281	21	0.075	
Total Average	581	63	<b>0.108</b>	
<b>Proposed Apartment Community</b>	<b>265</b>			<b>29</b>

Project	Units	Avg. EMS Calls Per Year	Avg. Call Per Unit	Projected Yearly Calls
Union Place - Franklin	300	53	0.177	
Weston Woods - Franklin	281	47	0.167	
Total Average	581	100	<b>0.172</b>	
<b>Proposed Apartment Community</b>	<b>265</b>			<b>46</b>

- A detailed analysis of the estimated impacts to emergency services will be presented to the ZBA, however, the Applicant’s planning consultant prepared the above preliminary analysis relative to the estimated number of emergency calls at the Project. Based upon emergency call data from the Union Place and Westerly at Forge Park apartments, the proposed 265 unit project is estimated to generate 130 police calls annually, 29 fire related calls and 46 EMS calls.
- Please note that the Applicant has coordinated the site plan with the Fire Department to review and revise certain aspects related to fire safety and access. The Fire Department has confirmed the latest site plan addresses all concerns to date and the Department has no further comments on the site plan at this time. The Applicant will coordinate with the Police and Fire Department to ensure all of their respective comments are addressed during the Zoning Board of Appeals process.

# The Alevizos Group

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## Exhibit C: Planning Board

1. Compliance with Section 185-31 of Town Zoning By-Law

Applicant is seeking a waiver from proceeding under the Site Plan Review Process outlined in Section 185-31. Per Chapter 40B regulations, the Zoning Board of Appeals is required to act in place of all local permit granting authorities through the Comprehensive Permit process, and as such, site plan review is not applicable for this application. Please find the Waivers List including this waiver request in Exhibit D on the following page.

2. Special Permit Criteria

State statute, Chapter 40B, provides for all local approvals to be contained in one Comprehensive Permit issued under the Zoning Board of Appeals rather than through separate permits and approvals such as a special permit issued by other local department(s). As such, a special permit is not relevant for this application.

3. Stormwater Review

Please refer to the accompanying Limited Drainage Report prepared by Allen & Major Associates.

4. Parking Review

The proposed parking at the Project is 1.35 spaces per unit, or 358 spaces per unit, all contained in the surface parking lot including free-standing garages and uncovered surface spaces. Multiple factors are weighed to determine the appropriate parking count including the unit mix, the anticipated number of onsite staff, proximity to public transportation, visitor parking and market data. The proposed parking ratio is further verified by a comparable parking analysis, specifically, a review of parking demand ratios at existing comparable communities in similar MA suburban settings (ie. the number of parking spaces actually utilized divided by the number of units at the subject property). Further, Traffic Engineer, VAI, has reviewed the proposed parking ratio and verified it “is within the range of values documented by the ITE for a multifamily residential community in a similar setting” (Preliminary Transportation Impact Assessment, Page 3).

5. Traffic Review

Please find the Preliminary Transportation Impact Assessment (“PTIA”) submitted as a separate attachment.



Exhibit D  
Waiver Requests

**Waiver Requests as of December 21, 2023**

Through a Comprehensive Permit, the Franklin Zoning Board of Appeals has the authority under M.G.L. Chapter 40B and its implementing regulations to waive requirements of local bylaws; further, the Board of Appeals can act on behalf of any local permitting authority through the Comprehensive Permit process. The project plans reflect an attempt to minimize the number of waivers requested. Please find a table of the preliminary waivers necessary to permit the proposed project. The waiver requests list will be updated, if necessary, as the permitting process and design progresses.

<b>WAIVERS FROM ZONING BYLAW OF THE TOWN OF FRANKLIN FOR 444 EAST CENTRAL STREET</b>			
<b>LOCAL REGULATION</b>	<b>REQUIREMENT</b>	<b>PROPOSED</b>	<b>EXPLANATION</b>
<b>Section 185-7 Attachment 7– Use Regulations Schedule</b>	Multifamily Use is not allowed in the Commercial II Zoning District	Waiver granted to allow Multifamily Use is not allowed in the Commercial II Zoning District	This is a customary waiver request for a 40B proceeding. As the regulations mandate, the Zoning Board is required to act in place of all local permit granting authorities as part of the issuance of the Comprehensive Permit.
<b>185-11 – Number of Buildings on a Lot</b>	Not more than one single-family or two-family dwelling shall be erected on a lot. More than one principal building other than a single-family or two-family dwelling may be erected on a lot, provided that access, drainage and utilities serving each structure are functionally equivalent to that required for separate lots by the Planning Board rules and regulations, as certified to the Commissioner of Buildings by the Department of Public Works regarding access and drainage and by the Water Department and Fire Department regarding water; and further provided that lot area requirements are met for each building and use without counting any lot area twice.	Waiver granted to allow more than one principal building regardless of if the lot area requirements are met for each building and use without counting any lot area twice.	The final design will be needed to verify if the waiver will be required.

<b>Section 185-13 Attachment 9 – Schedule of Lot, Area, Frontage, Yard and Height Requirements</b>	Maximum Height of Building shall be 3 stories and/or 40 feet.	Waiver granted to allow height of building to be greater than 3 stories and 40 feet.	The final design will be needed to verify if the waiver will be required.
<b>185-16 – Setback from Streams and Ponds</b>	No building, parking area or leaching field shall be located within 35 horizontal feet of the normal bank of any stream or pond. A "stream" is a body of regularly running water having a year-round flow. A "pond" is a body of water which contains 1,000 square feet or more of water 11 months of the year.	Waiver granted to allow buildings and parking lots within 35 horizontal feet of a stream.	A final ANRAD will be needed to verify if the waiver will be required.
<b>Section 185-21.B.3.a.i – Parking Schedule</b>	Each dwelling unit, regardless of number of bedrooms requires 2 parking stalls	Waiver granted to provide less than 2 parking stalls per dwelling unit	Project proposes 1.35 parking stalls per unit.
<b>Section 185-30 – Tree Planting</b>	Any lot abutting a right-of-way of 75 feet or more in which a building is constructed within 150 feet of the right-of-way must have trees planted at least every 30 feet in a row between 30 and 50 feet back from the right-of-way, unless a sufficient number of trees already exists. Trees must be of two-inch caliper and approved by the Tree Warden. If any of the trees do not live through the first winter, they must be replaced.	Waiver granted to not require trees be required for a building constructed within 150 feet of the right-of-way.	The final design will be needed to verify if the waiver will be required. The clubhouse is currently proposed to be partially within 150' of the right-of-way.
<b>Section 185-31 – Site Plan Review</b>	No building permit shall be issued for, and no person shall undertake, any construction, alteration, or other improvements unless they have first obtained site plan review	Waiver granted from Site Plan Review by Planning Board	This is a customary waiver request for a 40B proceeding. As the regulations mandate, the Zoning Board of Appeals is required to act in place of all local permit granting authorities as part of the issuance of the Comprehensive Permit.

	approval from the Planning Board.		
<b>Section 185-40.D.1.I.i – Impervious Coverage</b>	Rendering impervious coverage up to 80% of the upland area of a lot located within the Water Resource District is permitted only in nonresidential zones provided an application for site plan approval has been provided. An applicant for site plan approval must provide artificial recharge that does not degrade groundwater quality. The proposed water recharge efforts shall be permitted only upon the approval of a hydrogeologist retained by the Town of Franklin at the expense of the applicant, under the provisions of MGL c. 44, § 53G	Waiver granted to allow impervious coverage up to 80% of the upland area within the Water Resource District without an application for site plan approval being provided.	This is a customary waiver request for a 40B proceeding. As the regulations mandate, the Zoning Board of Appeals is required to act in place of all local permit granting authorities as part of the issuance of the Comprehensive Permit.
<b>Section 185-40.E.4 – Drainage</b>	Drainage. Provision shall be made for on-site recharge of all stormwater runoff from impervious surfaces unless, following consultation with, and written approval from, the Conservation Commission, the Building Inspector determines that either recharge is infeasible because of site conditions or is undesirable because of uncontrollable risk to water quality from such recharge. Recharge shall be by surface infiltration through vegetative surfaces unless otherwise approved by the Building Inspector following consultation	Waiver granted to allow subsurface infiltration without the approval of the building inspector.	This is a customary waiver request for a 40B proceeding. As the regulations mandate, the Zoning Board of Appeals is required to act in place of all local permit granting authorities as part of the issuance of the Comprehensive Permit.

	with the Conservation Commission. Dry wells shall be used only where other methods are infeasible and shall employ oil, grease and sediment traps. Drainage from loading areas for hazardous materials shall be separately collected for safe disposal. Floor drainage systems in commercial/industrial process areas which discharge to the ground without a Department of Environmental Protection permit are specially prohibited.		
<b>WAIVERS FROM STORMWATER MANAGEMENT BYLAW OF THE TOWN OF FRANKLIN FOR 444 EAST CENTRAL STREET</b>			
<b>Franklin Stormwater Management By-Law Chapter 153</b>	Requires local approvals for stormwater management.	Waiver granted from Stormwater Management By-law by Planning Board	This is a customary waiver request for a 40B proceeding. As the regulations mandate, the Zoning Board of Appeals is required to act in place of all local permits granted by authorities as part of the issuance of the Comprehensive Permit. The project will be permitted under the MassDEP Stormwater Guidelines.
<b>WAIVERS FROM WETLANDS PROTECTION BYLAW OF THE TOWN OF FRANKLIN FOR 444 EAST CENTRAL STREET</b>			
<b>Franklin Wetlands Protection Bylaw Chapter 181-2</b>	Wetlands permit under local bylaw	Waiver granted for issuance of permit under local bylaw issued from Franklin Conservation Commission.	Waiver from local bylaw requirement. Project will comply with MA Wetlands Protection Act.
<b>Franklin Wetlands Protection Bylaw Chapter 181-8(C)(1)</b>	No adverse effect from work in 200-foot Riverfront Area	Waiver granted for expansion of impacted area within Riverfront Area	Proposed work is likely to result in an expansion of impervious area within Riverfront Area.
<b>Franklin Wetlands Protection Bylaw Regulations 4.2.1</b>	25' "No Disturb" Buffer Zone Protections	Waiver granted for work in 25' No Disturb Buffer Zone	Work in 25' No Disturb Buffer Zone to consist primarily of reuse of previously degraded Riverfront Area and/or restoration of previously degraded Riverfront Area.

<b>Franklin Wetlands Protection Bylaw Regulations 4.3.1</b>	25-50' "No Structure" Buffer Zone Protections	Waiver granted for work in 25-50' No Structure Buffer Zone	Work in 25-50' No Structure Buffer Zone to consist primarily of reuse of previously degraded Riverfront Area and/or restoration of previously degraded Riverfront Area (May be permitted under 4.3.2. if disturbed prior to 6/29/2006).
<b>Franklin Wetlands Protection Bylaw Regulations 4.4.1</b>	50-100' Buffer Zone Protections	Waiver granted for work resulting in >30% impervious area in 50-100' Buffer Zone	Work in 50-100' Buffer Zone may result in greater than 30% impervious surface area. Impervious surfaces will be located in previously degraded Riverfront Area to the greatest extent possible, and stormwater management will be provided per MassDEP Stormwater Guidelines.
<b>Franklin Wetlands Protection Bylaw Regulations 7.13</b>	Submittal of Alternatives Analysis	Waiver granted for Alternatives Analysis submittal for: <ul style="list-style-type: none"> <li>- Riverfront resource area</li> <li>- Alteration of riparian zone</li> <li>- Wetland filling up to 5,000 square feet</li> <li>- Structures proposed within the 50-foot buffer zone resource area</li> </ul>	Waiver from local regulation requirements for Alternatives Analysis.
<b>Franklin Wetlands Protection Bylaw Regulations 7.14.2</b>	Functions and values included in Replication Plan and Protocol	Waiver granted for evaluation of functions and values of lost wetlands and inclusion of these functions and values in Replication Plan/Protocol	Waiver from local regulation requirements. Project will comply with MA Wetlands Protection Act.
<b>Franklin Wetlands Protection Bylaw Regulations 7.15</b>	Construction Sequence and Schedule	Waiver granted for submittal of Construction sequence and schedule	Waiver from local regulation requirements.

By requesting the foregoing waivers from local bylaws and regulations, it is the intention of the Applicant to request a Comprehensive Permit to permit construction of the Project as shown on the Plan. If, in reviewing the Applicant's building permit application(s), the Building Commissioner determines that any additional waiver from local bylaws or regulations is necessary to permit construction to proceed as shown on the Plan, the Applicant requests that the Building Commissioner proceed as follows: The Applicant shall be informed of any additional waiver required and (a) any matter determined by the Building Commissioner to be of a de minimis nature shall be deemed within the scope of the waivers granted by the Comprehensive Permit; or (b) for any matter determined by the Building Commissioner not of a de minimis nature, including but not limited to potential adverse impacts on public health, safety, welfare or the environment, Applicant may submit a request to the Board for a determination under 760 CMR 56.05(11).

## **Exhibit E: Conservation Commission Project Review**

Site Locus: 444 East Central Street, Franklin MA

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

Date: 12/21/2023

### **1. Wetland Resource Impacts**

Several wetland resource areas are present on the locus site. Wetland resources include a perennial stream that roughly bisects the site, its associated 200-foot Riverfront Area, adjacent Bordering Vegetated Wetlands and/or Bank associated with the perennial stream, an expansive Bordering Vegetated Wetland system near the southern property boundary, and three small Isolated Vegetated Wetlands in the interior of the site. All of these resource areas are jurisdictional under the Franklin Wetlands Protection Bylaw. Apart from the three Isolated Vegetated Wetlands, all other wetland resources are jurisdictional under the MA Wetlands Protection Act.

The areas on site within Conservation Commission jurisdiction currently contains large areas impacted by fill and brush piles, impervious surfaces, and a wide variety of general debris. Nearly the entire site is non-naturally vegetated. Many areas are comprised of mowed turfgrass fields, large stands of invasive species including common reed (*Phragmites australis*), Japanese knotweed (*Reynoutria japonica*), and mugwort (*Artemisia vulgaris*), or remnants of historic nursery growing operations where large stands of mature, nonnative landscape plant species dominate.

Some southern portions of the site, along the perennial stream, are located within a FEMA Flood Zone A, which constitutes the resource area Bordering Land Subject to Flooding (BLSF). The precise extent of BLSF on the site will be determined with topographic survey data.

According to the MassGIS data layers for NHESP, the site is not located within Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife. The site has no mapped certified or potential vernal pools. The site is not located in an Area of Critical Environmental Concern or within an Outstanding Resource Waters area.

### **2. Abbreviated Notice of Resource Area Delineation (ANRAD)**

Goddard Consulting LLC (Goddard) has conducted an inspection of the site, traced approximate resource area boundaries with GPS and generated mapping of the various wetland resources with GIS software for planning purposes. Precise field delineation has not yet occurred. Prior to submission of a Notice of Intent to the Franklin Conservation Commission, Applicant will file an ANRAD with precise field-delineated wetland boundaries.

### **3. Wetland Crossings**

One stream crossing is required for access to the western portion of the site. However, this crossing will be located at the exact same location as the existing stream crossing onsite (which occurs along the proposed main access drive) and therefore reusing/reconstructing the existing crossing is proposed rather than creating a new, additional crossing. The existing crossing and culvert will likely need to be repaired or reconstructed entirely with a more modern concrete box culvert. Temporary impacts to BVW and/or Bank will likely be required. While field measurements have verified the width of the existing crossing is adequate for the proposed access drive, the crossing may need to be widened slightly subject to further design progression. Reconstruction of this crossing also provides an opportunity to install a larger culvert which will improve hydraulic connectivity.

#### 4. Area Wetland Maps and Disturbance

Redevelopment of the site will make use of the substantial amount of existing degraded areas and previously developed areas within the Riverfront Area, pursuant to section 310 CMR 10.58(5), to the greatest extent possible. These areas consist of an absence of topsoil, existing structures, existing roads, dumping grounds/junkyards including general debris, fill/brush piles, abandoned vehicles, etc., storage yard for heavy machinery, vehicles and other equipment, and other degraded/previously developed areas associated with the existing landscape contractor business use which meet the examples/definition provided in the regulations. Many of these activities take place right up to the banks of the stream particularly on the east side of the property. The existing degraded areas can be observed on the Wetland Recon Sketch dated 10/13/23 attached on the following page and the previously developed areas are shown in the historical site aerial dated 1996 included in this section. Reuse of these areas will require the least amount of restoration or mitigation under 310 CMR 10.58(5). Expansion of development beyond such degraded areas will require restoration of degraded areas at a 1:1 ratio, or mitigation in the form of invasive species management, native plantings, or similar, at a 2:1 ratio. Work to redevelop the previously developed/existing degraded areas will conform to the criteria outlined in 310 CMR 10.58(5.a-h); the Project will result in a vast improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in MGL c. 131 sect. 40.

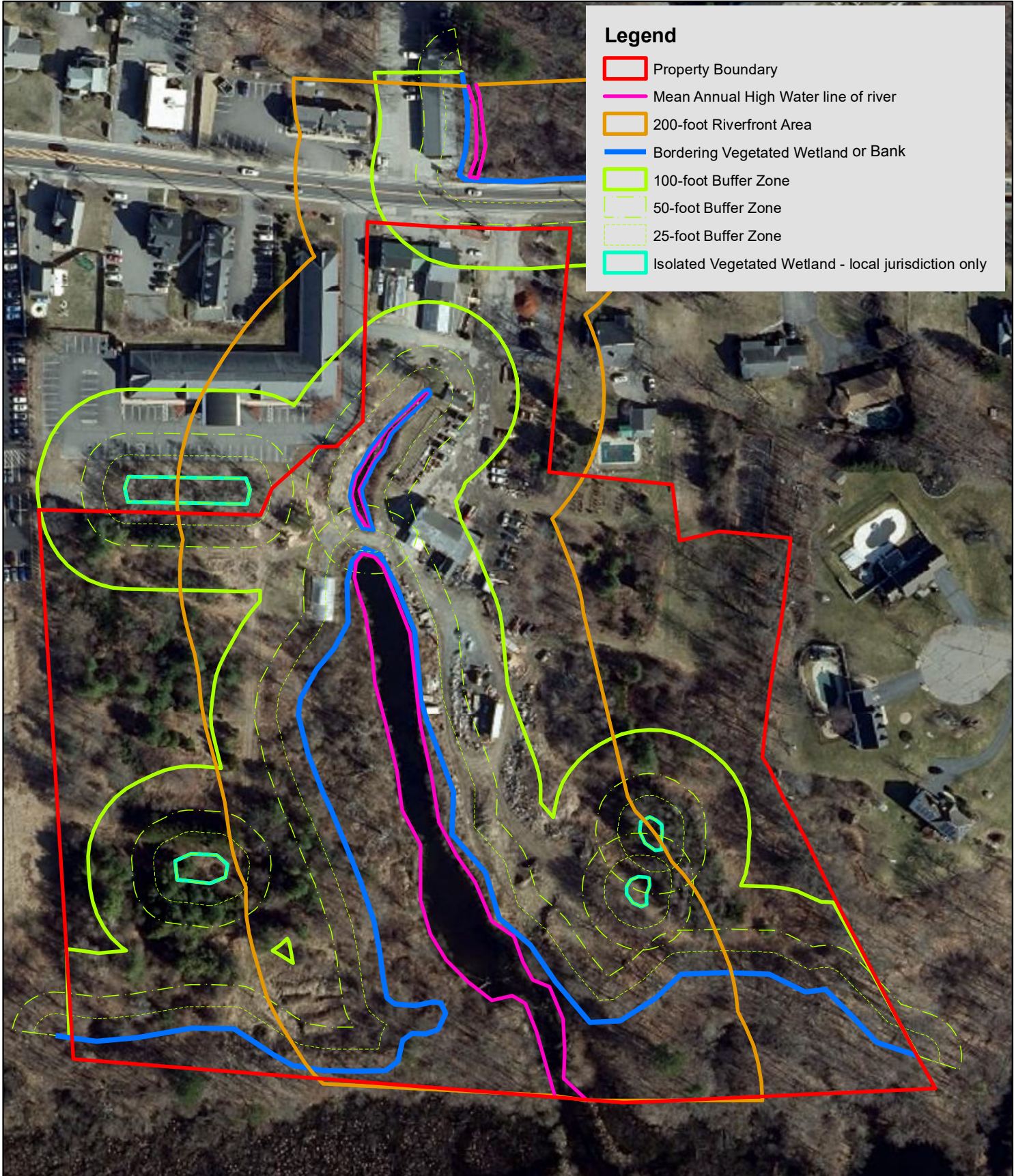


Fill of three small Isolated Vegetated Wetlands (IVWs) is proposed. As stated above, the wetland resources have not been field-delineated, but based on GPS/GIS estimations, the loss of IVW will total approximately 1,500 square feet. Replication of the lost wetland areas is proposed at a 2:1 ratio and has been reflected on the site plan.

As discussed above, temporary impacts to BVW and/or Bank will likely be required for the reconstruction of the existing stream crossing.

Work in the 0-25' and 25-50' Buffer Zones onsite is proposed but will consist primarily of the reuse and/or restoration of previously degraded Riverfront Area. The Applicant seeks a waiver for work in the Buffer Zones. Specific mitigation measures have not yet been finalized, but the degraded nature of the site provides sufficient opportunity for a variety of mitigation measures to be implemented.





**Legend**

- Property Boundary
- Mean Annual High Water line of river
- 200-foot Riverfront Area
- Bordering Vegetated Wetland or Bank
- 100-foot Buffer Zone
- 50-foot Buffer Zone
- 25-foot Buffer Zone
- Isolated Vegetated Wetland - local jurisdiction only

Date: 10/13/2023	GC Job Number: 101-088	<b>Wetland Recon Sketch</b>	0      75      150 Feet
<b>GODDARD CONSULTING</b> Strategic Ecological Consulting		444 E. Central St. Franklin MA	1 in = 150 ft
		Map: 284, Lot: 66	