



# TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building

257 Fisher Street

Franklin, MA 02038-3026

January 30, 2023

Ms. Breeka Li Goodlander, Conservation Agent  
Members of the Franklin Conservation Commission  
355 East Central Street  
Franklin, MA 02038

## **Re: Chilson Park Playground Expansion**

Dear Conservation Commission Members:

On behalf of the Recreation Department, the Department of Public Works (DPW) is requesting a field change for the expansion of the playground at Chilson Park on Beaver Street in Franklin. This work is proposed to take place during the 2023 construction season.

The area called out as "Playground Area" was proposed to be upgraded with new wood chips and a new playground structure for this project. Due to a newly received donation, we are proposing to update that substrate to the same synthetic turf surface as was installed at the Proposed Fitness Area. This synthetic turf surface material should be considered semi-permeable. This proposed change will affect 598 square feet within the 100 foot Wetland Buffer Zone of a non-natural and pre-disturbed area.

There are compost filter socks in place around the proposed area of work which will be maintained during the synthetic turf installation. This buffer zone does not contain estimated wildlife habitat.

No other buffer zones will be affected by this change.

The DPW is the proponent of this project and is requesting that the filing fees be waived for this project.

If you require additional information, please contact this office at 508-553-5500.

Sincerely,

Brooke Morganelli, P.E.  
Assistant Town Engineer

Attachments: MBZA Application, Revised Project Plan, Site Photos

# **TOWN OF FRANKLIN CONSERVATION COMMISSION**

## **MINOR BUFFER ZONE ACTIVITY APPLICATION AS PER FRANKLIN BY-LAW CHAPTER 181**

**In order to be considered complete, all information, requirements and conditions must be completed and the \$50.00 filing fee submitted with the application.**

**Applicant: (Please Print the following information)**

Town of Franklin - Department of Public Works

---

Applicant's Name

257 Fisher Street

---

Mailing Address

Franklin

MA

02038

---

City/Town

State

Zip Code

508-553-5500

bmorganelli@franklinma.gov

---

Telephone Number and e-mail address of primary contact for this application.

**Property & Plan Information:**

---

Land Owner's Name (If Different from Applicant)

380 Beaver Street, Franklin, MA 02038

---

Project Location (Street Address)

288-002

---

Assessor's Map & Parcel Number

Chilson Park Playground Expansion Field Change 1/30/23

---

Plan Name and date

All plans and information submitted for an MBZA must contain information to adequately depict the following: (NOTE: 2 hard copies of all material must be submitted to the Town Hall and an electronic copy of the entire application to the Conservation Agent's email.)

1. Plans:

1.1. Existing conditions of the property showing all existing structures;

1.2. Area of proposed work including total area of disturbance and whether the disturbances are permanent or temporary;

1.3. Location of all wetlands and buffer zones, including the 25', 50' and 100' buffers;

1.4. Location, type and size of any vegetation being removed and any vegetation to be planted as a mitigation measure;

1.5. Existing slopes and direction of drainage; and

1.6. Location of any required erosion control.

2. Narrative:

2.1. Detailed description of the activity to take place; and

2.2. Detailed description of how and when the work will be performed.

3. Other:

3.1. A photograph of the area where the activity is to take place.

3.2. A filing fee of \$50.00.

**Authorization:**

**I hereby request that the Franklin Conservation Commission review this Application for a Minor Buffer Zone Activity. I (we) affirm that the project will comply with all criteria as stated in Section 14 of the Franklin Wetlands Protection Regulations as well as all information submitted. I (we) also grant authority to the Franklin Conservation Commission members and agent to go onto my (our) property solely for purposes directly related to the inspection and approval of this application**

---

Property owner's Signature

Date

## **2. PERFORMANCE STANDARDS**

2.1. These are the requirements for a Minor Buffer Zone Activity (MBZA)

2.1.1. The Conservation Commission (The Commission) shall presume that activity proposed to occur:

- Exclusively within a previously disturbed or clearly delineated buffer zone; and
- The alteration is less than 1,000 Square Feet or 5% of the buffer zone on the lot, whichever is less; and
- At a minimum, a 25 foot wide area is preserved between the activity and the resource area boundary; and
- The buffer zone does not contain estimated wildlife habitat which is indicated on the most recent Estimated Habitat Map of State listed Rare Wetlands Wildlife; and
- Erosion and sedimentation controls, if required, are provided at the limit of work to protect the resource areas, and
- Shall constitute activities within the buffer zone that would be eligible for a Negative Determination of Applicability with conditions.

2.2. The Commission may determine that this presumption should not apply based on unusual circumstances such as steep slopes, the potential for negative impacts over time or because the proposed project would require oversight through continuing conditions. The Commission may waive any or all of the above requirements if they find that there is an emergency situation. In order for the site to be declared an emergency, a vote of the Commission shall be required.

2.3. In order for a property owner to apply for an MBZA they must meet all of the above requirements and provide a plan of the activity, a detailed project narrative and photographs of the project area. The distance between the proposed project and the wetlands must be noted on the plan and may require delineation if requested by the Commission or Agent. Additional items detailed on the MBZA form or requested by the Commission, or its Agent, may be required. The applicant is required to prove by a preponderance of the evidence that their proposed MBZA will not result in a negative impact to the wetlands.

2.4. The minor nature of these projects will not require the Commission to hold an advertised public hearing on the matter. The Agent shall review the application and may perform a site visit to confirm information provided in the plan, project narrative and photographs. The Agent may request additional information if s/he deems necessary. Upon review of the MBZA application, the commission may issue an approval, with or without conditions, a denial, or require the applicant to provide further information. If the commission issues a denial, the applicant shall be required to file a Notice of Intent if they wish to pursue the activity.

2.5. The work must conform to the plans submitted in the Minor Buffer Zone Activity application and all applicable conditions or modifications imposed by the Commission in the approval. If the applicant fails to perform the work according to the approved plan or in conformance with the applicable conditions of the approval, the permit will be revoked. Failure to conform to the plans and specifications shall constitute grounds for requiring a Notice of Intent and/or an Enforcement Action, including fines, by the Commission.

2.6. Upon completion of the project the applicant shall notify the Agent. The Agent shall inspect the work for and inform the Commission of the results.

2.7 Minor activities within Riverfront Zone, the 100' buffer zone, but not within the 25' "no touch" zone, and not within 25' of a perennial stream, may be authorized by the Conservation Agent under the following conditions:

2.7.1. The proposed activity will not run counter to the interests of the Wetlands Protection Act;

2.7.2. The proposed activity shall collectively not encompass more than 150 ft<sup>2</sup> of land area;

2.7.3. The proposed activity shall be only those activities permitted under 310 CMR 10.02 (2) (b) as well as the removal of vegetative debris and trees;

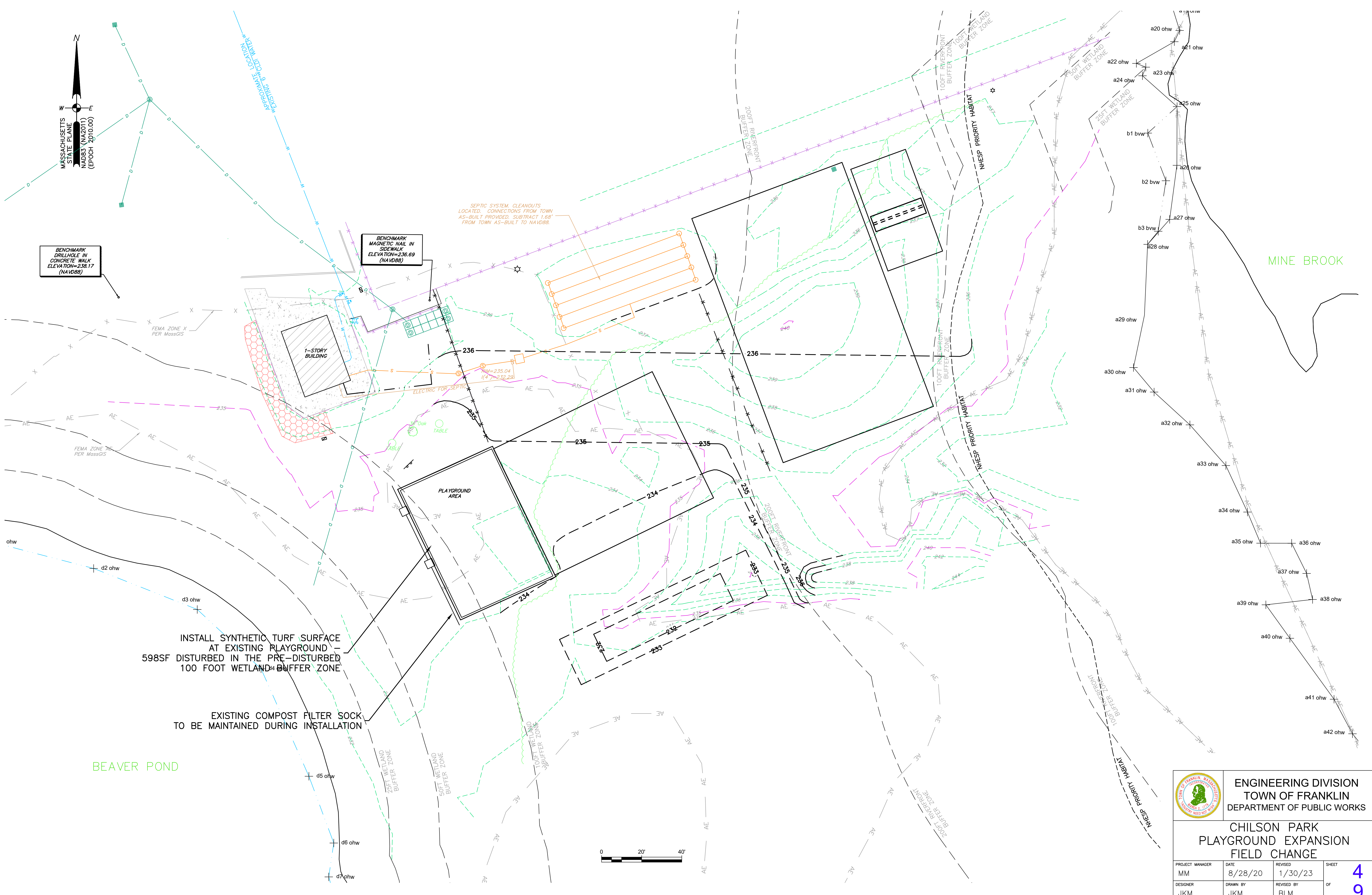
2.7.4. These activities shall be outlined on a MBZA application providing all required information and accompanied by the required filing fee;

2.7.5. All decisions of the Conservation Agent may be appealed to the Conservation Commission following the procedures outlined in section 8 of these regulations;

2.7.6. The agent shall prepare and submit a report, at least monthly, to the Commission on all permits approved under this section.



S:\DFW\_Engineering\Projects\Beaver St\Chilson Park Playground Expansion\CAD\Revised 2020 Park Expansion - Chilson Park.dwg Jan 30, 2023, 10:31am



MASSACHUSETTS  
STATE PLANE  
NAD83 (NA2011)  
(EPOCH 2010.00)

BENCHMARK  
DRILLHOLE IN  
CONCRETE WALK  
ELEVATION=236.17  
(NAVD88)

BENCHMARK  
MAGNETIC NAIL IN  
SIDEWALK  
ELEVATION=236.69  
(NAVD88)

SEPTIC SYSTEM CLEANOUTS  
LOCATED. CONNECTIONS FROM TOWN  
AS-BUILT PROVIDED. SUBTRACT 1.68'  
FROM TOWN AS-BUILT TO NAVD88.

FEMA ZONE X  
PER MASSGIS

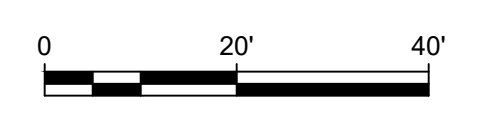
FEMA ZONE AE  
PER MASSGIS

INSTALL SYNTHETIC TURF SURFACE  
AT EXISTING PLAYGROUND -  
598SF DISTURBED IN THE PRE-DISTURBED  
100 FOOT WETLAND BUFFER ZONE

EXISTING COMPOST FILTER SOCK  
TO BE MAINTAINED DURING INSTALLATION

BEAVER POND

MINE BROOK



ENGINEERING DIVISION  
TOWN OF FRANKLIN  
DEPARTMENT OF PUBLIC WORKS

CHILSON PARK  
PLAYGROUND EXPANSION  
FIELD CHANGE

PROJECT MANAGER	DATE	REVISED	SHEET
MM	8/28/20	1/30/23	4
DESIGNER	DRAWN BY	REVISED BY	OF
JKM	JKM	BLM	9





Photo 1 – Site of Existing Playground





Photo 2 – View from Existing Fitness Area – same material as proposed turf