



June 16, 2022

Email

Franklin Conservation Commission
355 East Central Street
Franklin, MA 02038

Re: Notice of Intent Application – Supplemental Information #3 [LEC File #: MP\21-209.01]
585 King Street, King Street, and Washington Street
Assessor’s Parcels 313-007, 313-008, 313-053, 313-054, & 313-055
Franklin, Massachusetts

Dear Members of the Commission:

On behalf of the Applicant, MP Properties III, LLC c/o Marcus Partners (MP), LLC, LEC Environmental Consultants, Inc. (LEC) is submitting this Supplemental Information #3 associated with the Notice of Intent (NOI) Application for the proposed construction of a warehouse distribution facility project on property located off King Street in Franklin, Massachusetts. The information contained herein addresses comments provided by the Commission’s peer review consultant, Wetland Strategies, Inc. (WSI), in Memorandum #3, dated June 7, 2022.

Attached to this letter, please find the following:

- Letter from Marcus Partners addressing off-site alternatives, dated June 16, 2022 (Attachment A).

The responses numbered based on the list of comments (#1-#4) in the WSI letter.

1. Alternatives Analysis

MP has prepared a second letter (Attachment A) describing their evaluation of the Grove Street property, noting that the property is not large enough for this development, and if it was, presents transportation issues that are insurmountable. From the wetlands perspective, the sole access point to the property is located at the end of Old Forge Hill Road where the parcel contains 40 feet of frontage on Old Forge Hill Road. According to Franklin GIS, the Old Forge Hill Road right-of-way is oddly configured, narrowing near it’s terminus and adjacent to the site frontage. This condition, along with the configuration of adjacent properties, creates a complicated access situation for tractor trailers. This matter is further discussed in MP’s letter.

In addition to the transportation issues near the site entrance, it is important to note that approximately 5-8 feet of the 40 feet of frontage is within Mine Brook. Any activity in this area would occur in the 200-foot Riverfront Area to Mine Brook and would occur within the 25-foot Buffer Zone to Bank associated with Mine Brook. The project would therefore require a Variance from the Bylaw Regulations. The area is also mapped as 100-year floodplain associated with Mine Brook. The

floodplain, protected under the wetland regulations as Bordering Land Subject to Flooding (BLSF) also contains a regulatory floodway. Filling in BLSF presents major permitting challenges including compensatory flood storage and demonstrating that the work in BLSF will not restrict flows. While a detailed comparison of the wetland disturbances is not feasible without quantifying wetland disturbances, access to the Grove Street property does involve complicated wetland issues, would require permitting as a Limited Project, and would require a Variance from the Bylaw Regulations. The proposed project at King Street does not require a Variance as discussed at the most recent public hearing.

## 2. Wetland Replication Area Details

The WSI letter (comment #2) requested additional information to support the Wetland Replication Area design. The attached revised *Wetland Replication Plans* (Sheets C-906 and C-907), prepared by Bohler, dated June 16, 2022 provide the location of the Test Pits submitted with Supplement Information #2 and show the groundwater elevations in cross-section based on the Test Pit data.

## 3. Wetland Replication Areas within Electric Easement

The Wetland Replication Area Plans were revised, as noted in Supplemental Information #2 to exclude a portion that was proposed within the existing cleared portion of the electric easement. As shown on the *Wetland Replication Area Plans*, a portion of Wetland Replication Area 1 and 2 is located within the limits of the easement outside the cleared portion of the easement. In reviewing the feasibility and functionality of these Wetland Replication Areas, we noted two important conditions which indicate that they are feasible and will functionally replicate the wetland area to be filled.

First, the history of vegetation management of this easement by the electric company indicates that vegetation has never been cut beyond the existing clearing limits. Review of historic aerial photos extending from when the easement was originally constructed around 1968, through the subsequent +/-50 years to the present, indicates that the footprint of vegetation management has been largely consistent and does not include the areas where Wetland Replication is proposed.

Second, if the electric company decided to cut vegetation to the limits of the easement, the existing wetland to be filled is within the electric easement, and therefore would be subject to the same vegetation management disturbance. In other words, the existing forested wetland would be cut if the electric company decided to expand clearing to the limits of the easement. As a result, the Wetland Replication Areas in the easement would be subject to the same conditions as the existing wetland and would therefore be functionally equivalent. Furthermore, the Wetland Replication Areas outside the easement would not be subject to potential future clearing, resulting in a net increase in forested wetland outside the easement.

## 4. Culvert Replacement Standards

LEC is in the process of reviewing the applicability of these standards and will respond in writing in a subsequent submittal.



## Summary

LEC has prepared this supplemental information in response to comments from the Commission's peer review consultant. Our team looks forward to discussing these responses with the Commission and the peer reviewer at the upcoming June 23, 2022 Public Hearing.

Sincerely,

**LEC Environmental Consultants, Inc.**

A handwritten signature in black ink that reads "Mark L. Manganello".

Mark L. Manganello

Assistant Director of Ecological Services

Attachment

cc: Bohler Engineering  
Marcus Partners

**Attachment A**

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Marcus Partners Letter, Dated June 16, 2022



## MARCUS PARTNERS

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

Re: 585 King Street, King Street, & Washington Street  
Assessor's Parcel IDs: 313-007, 313-008, 313-053,  
313-054, & 313-055  
Franklin, Massachusetts  
Response to Memo #3

Dear Members of the Commission:

In response to Wetland Strategies, Inc.'s Memorandum dated June 7, 2022 ("Memo #3"), MP Properties III, LLC (MP) has further evaluated the Grove Street property, specifically in the context of site access and grading.

Upon further investigation, MP maintains that the property does not have appropriate access for a commercial warehouse project. The only feasible means of access is limited to a 40-foot-wide swath of land, which is bordered by 7 Old Forge Hill Road to the south and 21 Grove Street to the north. The road that this piece of land intersects with (Old Forge Hill Road) is discontinued and is no longer a Town owned road. At least 5-feet of the 40-foot section is within Mine Brook, a perennial stream.

The 40-foot-wide access point is too narrow to construct an access driveway that would accept the trailers that would be required to enter and exit the site. Old Forge Hill Road intersects with the access point at a perpendicular angle. This angle creates turning radii issues that would result in a wide arching driveway entrance that would require work in/over Mine Brook, or on adjacent property. The site access also contains a right-of-way that serves as a driveway for 15 Old Forge Hill Road, which could create safety concerns during construction, and logistical impacts for time-sensitive warehouse deliveries.

Grade change at the driveway entrance would exacerbate the already problematic site access. A 10-foot-wide strip of the 40-foot-wide frontage is impacted by a steep slope to the north. Filling this area would be required to build a level condition. Filling would impact the 100-year flood plain, creating a requirement for compensatory flood storage elsewhere on site. It would also require a Variance from the Bylaw Regulations for work in the 25-foot Buffer Zone to the Bank of Mine Brook.

In addition to grading issues at the proposed site entryway, the overall topography of the site will significantly limit the footprint of a warehouse building on the Grove Street property. The western portion of the parcel is challenged by significant grade change and the eastern side of the site is broken up by 15 Old Forge Hill Road. These constraints limit the footprint of a structure to 40,000 SF +/- (see Appendix A). A structure of this size would significantly impact the economics of the proposed development.

In summary, the Grove Street property is suboptimal for the development and future uses being proposed. We appreciate your attention, and we look forward to continuing our relationship with the Town of Franklin.



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Sincerely,

Josh Berman,  
Principal, Director of Construction  
MP Development, LLC  
As Agent for MP Properties III, LLC

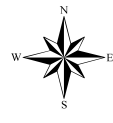
**Appendices:**

Appendix A: Conceptual Warehouse Layout



**APPENDIX A:  
CONCEPTUAL WAREHOUSE LAYOUT**





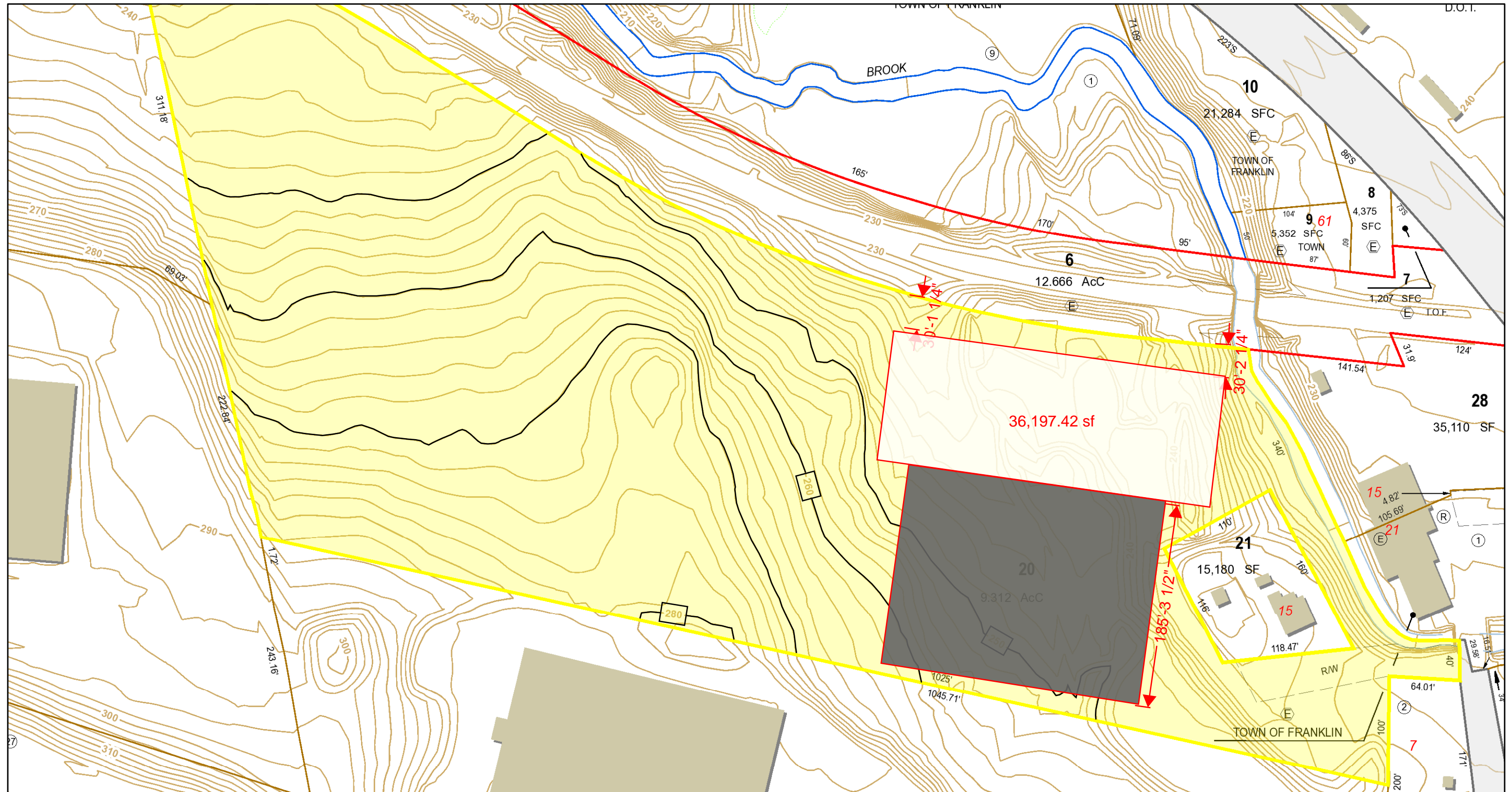
June 14, 2022

Franklin, MA

1 inch = 85 Feet



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