

NOTICE OF INTENT

**Under the Massachusetts Wetlands Protection Act
M.G.L. Chapter 131, Section 40
And
The Franklin Wetlands Protection By-Law
Franklin Town Code Section 181**

Site Location:

30 Uncas Brook Row
Franklin, MA

Prepared for:

Brian Osborne
30 Uncas Brook Row
Franklin, MA 02038

Prepared by:

Land Planning, Inc.
167 Hartford Avenue
Bellingham, MA 02019

October 5, 2022



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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):

<u>30 Uncas Brook Row</u>	<u>Franklin</u>	<u>02038</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>316</u>	<u>4</u>	<u></u>
f. Assessors Map/Plat Number	g. Parcel /Lot Number	e. Longitude

2. Applicant:

<u>Brian</u>	<u>Osborne</u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u>30 Uncas Brook Row</u>		
d. Street Address		
<u>Franklin</u>	<u>MA</u>	<u>02038</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

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

<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>William</u>	<u>Halsing</u>	
a. First Name	b. Last Name	
<u>Land Planning, Inc.</u>		
c. Company		
<u>167 Hartford Avenue</u>		
d. Street Address		
<u>Bellingham</u>	<u>MA</u>	<u>02019</u>
e. City/Town	f. State	g. Zip Code
<u>508-966-4130</u>	<u>508-966-5054</u>	<u>bellingham@landplanninginc.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>220.00</u>	<u>97.50</u>	<u>122.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

replace cesspool with septic system and construct foundation under existing dwelling

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> 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 CMR 10.24(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

40553

c. Book

b. Certificate # (if registered land)

434

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 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.
- 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
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:

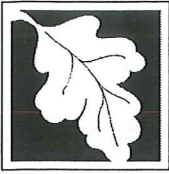
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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.



Massachusetts Department of Environmental Protection
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Provided by MassDEP:

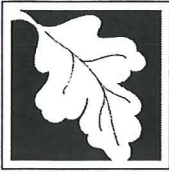
MassDEP File Number
Document Transaction Number
Franklin
City/Town

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. <input type="checkbox"/> 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. <input type="checkbox"/> 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

2017
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 **

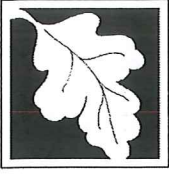
(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(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/mass-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:

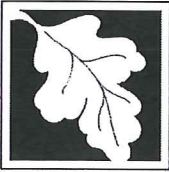
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

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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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.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



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Bureau of Resource Protection - Wetlands

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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.

Repair of Subsurface Sewage Disposal System

a. Plan Title

Land Planning, Inc.

b. Prepared By

10/4/22

d. Final Revision Date

Norman G. Hill

c. Signed and Stamped by

1"=10'

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:

2. Municipal Check Number 203

3. Check date 11/11/22

4. State Check Number 205

5. Check date 11/11/22

6. Payor name on check: First Name Brian

7. Payor name on check: Last Name Osborne



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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Franklin

City/Town

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.

1. Signature of Applicant

11/11/2022

2. Date

X

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

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.

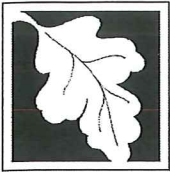
For MassDEP:

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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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:

30 Uncas Brook Row
 a. Street Address
 Franklin
 b. City/Town
 220.00
 d. Fee amount

2. Applicant Mailing Address:

Brian
 a. First Name
 Osborne
 b. Last Name
 c. Organization
 30 Uncas Brook Row
 d. Mailing Address
 Franklin MA 02038
 e. City/Town f. State g. Zip Code
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

a. First Name b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town f. State 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.



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 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
work on septic system	1	110.00	110.00
work on single family lot (foundation)	1	110.00	110.00

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	220.00
State share of filing Fee:	97.50
City/Town share of filling Fee:	122.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	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.)

BRIAN OSBORNE
214 UNION ST
APT B
FRANKLIN, MA 02038

205
53-9182/2113
31

11/11/2022
State

Pay to the
order of Commonwealth of MA \$ 97.50
Ninety seven dollars 50/100 *Dollars*

DCU Digital Federal
Credit Union
www.dcu.org



For NOI state fee

⑆ 211391825⑆ 19186857⑆ 0205

Honorand Clarke

BRIAN OSBORNE
214 UNION ST
APT B
FRANKLIN, MA 02038

203
53-9182/2113
31

11/11/2022
State

Pay to the
order of Town of Franklin \$ 122.50
One hundred twenty two 50/100 *Dollars*

DCU Digital Federal
Credit Union
www.dcu.org



For NOI Town Fee

⑆ 211391825⑆ 19186857⑆ 0203

Honorand Clarke

BRIAN OSBORNE
214 UNION ST
APT B
FRANKLIN, MA 02038

207
53-9182/2113
31

11/11/2022
State

Pay to the
order of Town of Franklin \$ 50.00
fifty 00/100 *Dollars*

DCU Digital Federal
Credit Union
www.dcu.org



For town by law fee

⑆ 211391825⑆ 19186857⑆ 0207

Honorand Clarke

Town of Franklin Conservation Commission

NOTIFICATION TO ABUTTERS

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

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following proposed project:

Brian Osborne has filed a Notice of Intent with the Franklin Conservation Commission for the **construction of a septic system & modification of a dwelling** on **December 29, 2022**, under the Wetlands Protection Act (M.G.L. c.131 §40).

Copies of the Notice of Intent may be examined during regular office hours at
Land Planning, Inc., 167 Hartford Avenue, Bellingham, MA

Copies may also be examined by contacting the Franklin Conservation Department located at 355 East Central Street, Franklin, MA, (508) 520-4929.

Notice of the public hearing including the date, time, and place will be published at least five (5) days in advance in the Milford Daily News.

Notice of the public hearing including the date, time, and place will be posted in the Franklin Town Hall at least forty eight (48) hours in advance of the public hearing.

The public hearing will be held on **Thursday, January 12, 2023**, at **7:06pm**, 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. Please call the Conservation Department at (508) 520-4929 if you have any questions.

You may also contact the Massachusetts Department of Environmental Protection, Central Regional Office, Worcester, MA at (508) 792-7650.



Town of Franklin, MA

11/26/2022

120124

Abutter's List Request Form

Status: Active

Date Created: Nov 16, 2022

Applicant

Betty Halsing
bettyh@landplanninginc.com
167
Hartford Avenue
Bellingham, MA 02019
5089664130

Primary Location

30 UNCAS BROOK ROW
FRANKLIN, MA 02038

Owner:

OSBORNE JR BRIAN M
30 UNCAS BROOK ROW FRANKLIN, MA 02038

Abutter's List Request Form

Which Board/Commission is requiring this list?

Conservation

What is the purpose for the request?

NOI

How would you like to receive this abutters list?

Emailed

What email address should we use to send you the abutters list?

bettyh@landplanninginc.com

General Parcel Information

Assessor's Parcel ID

316-4

Property Street Address

30 Uncas Brook Row

Property Owner Information

Property Owner

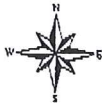
Brian Osborne

Property Owner's Mailing Address

30 Uncas Brook Row

Town/City

Zip/Postal Code



30 UNCAS BROOK ROW - 300' ABUTTERS

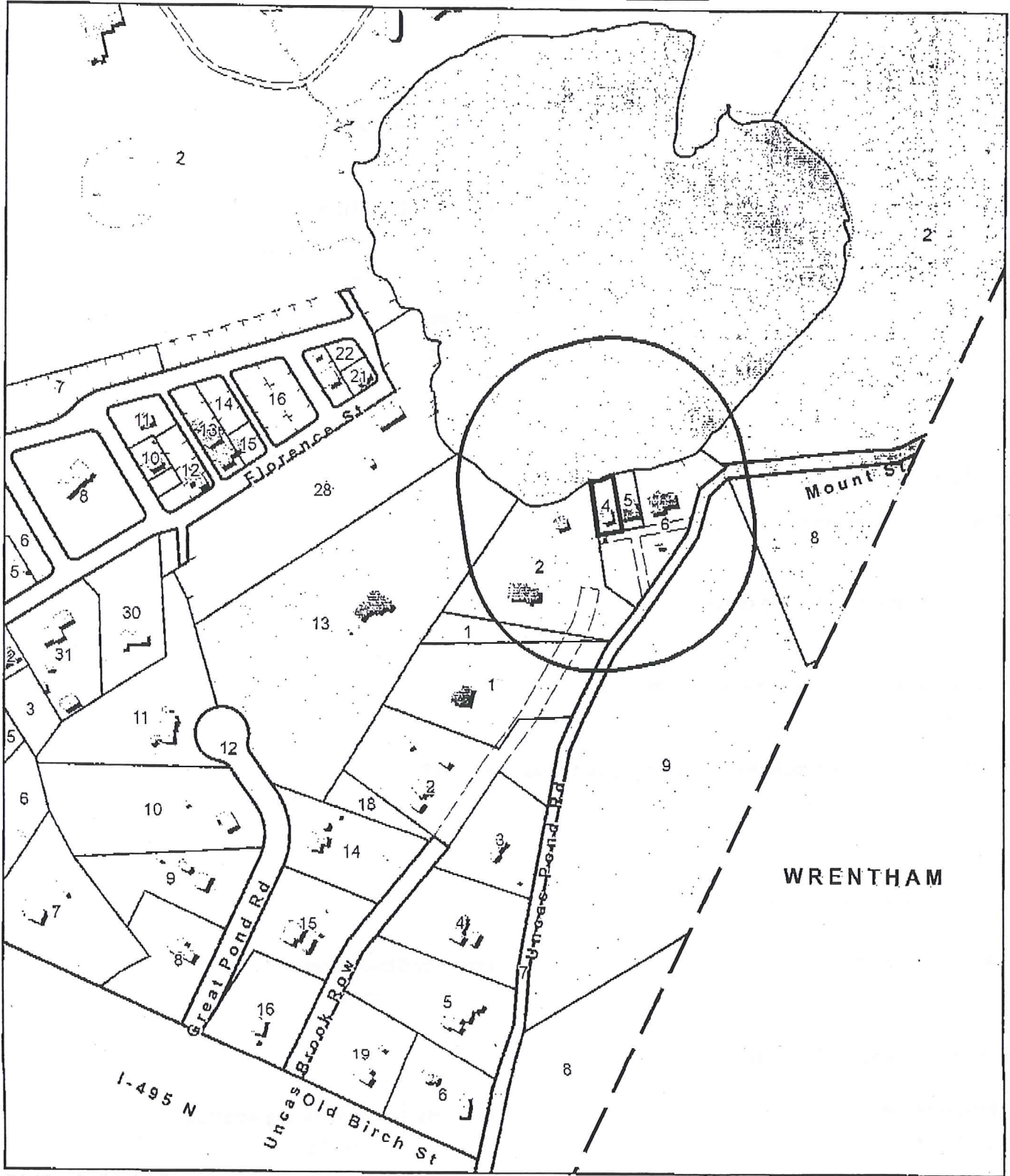
Franklin, MA



November 26, 2022

1 inch = 300 Feet

www.cai-tech.com



WRENTHAM

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



300 1001 Abutters List Report

Franklin, MA

November 26, 2022

Subject Property:

Parcel Number: 316-004-000
CAMA Number: 316-004-000-000
Property Address: 30 UNCAS BROOK ROW

Mailing Address: OSBORNE JR BRIAN M
30 UNCAS BROOK ROW
FRANKLIN, MA 02038

Abutters:

Parcel Number: 300-002-000
CAMA Number: 300-002-000-000
Property Address: 672 EAST CENTRAL ST

Mailing Address: FRANKLIN COUNTRY CLUB INC
672 EAST CENTRAL ST
FRANKLIN, MA 02038

Parcel Number: 316-001-000
CAMA Number: 316-001-000-000
Property Address: UNCAS POND RD

Mailing Address: CARLUCCI ROBYN M
24 UNCAS BROOK ROW
FRANKLIN, MA 02038

Parcel Number: 316-002-000
CAMA Number: 316-002-000-000
Property Address: 24 UNCAS BROOK ROW

Mailing Address: CARLUCCI PAUL L CARLUCCI ROBYN M
24 UNCAS BROOK R.O.W.
FRANKLIN, MA 02038

Parcel Number: 316-004-000
CAMA Number: 316-004-000-000
Property Address: 30 UNCAS BROOK ROW

Mailing Address: OSBORNE JR BRIAN M
30 UNCAS BROOK ROW
FRANKLIN, MA 02038

Parcel Number: 316-005-000
CAMA Number: 316-005-000-000
Property Address: 32 UNCAS BROOK ROW

Mailing Address: CARR COREY M LIPOCKY SARAH
32 UNCAS BROOK ROW
FRANKLIN, MA 02038

Parcel Number: 316-006-000
CAMA Number: 316-006-000-000
Property Address: 34 UNCAS BROOK ROW

Mailing Address: CARLUCCI DONALD A CARLUCCI LYDIA
M
34 UNCAS BROOK R.O.W.
FRANKLIN, MA 02038

Parcel Number: 316-008-000
CAMA Number: 316-008-000-000
Property Address: UNCAS POND RD

Mailing Address: BIRD & SON INC C/O RYAN & CO,
PAMELA SMITH
13155 NOEL RD, 12TH FL, LB71
DALLAS, TX 75240-5090

Parcel Number: 317-001-000
CAMA Number: 317-001-000-000
Property Address: 20 UNCAS BROOK ROW

Mailing Address: ROBINSON RANDALL W & KATHLEEN M
TR ROBINSON LIVING TRUST
20 UNCAS BROOK R.O.W.
FRANKLIN, MA 02038

Parcel Number: 317-007-000
CAMA Number: 317-007-000-000
Property Address: UNCAS POND RD

Mailing Address: C/O MAIORANA NANCY A
10 UNCAS POND RD
FRANKLIN, MA 02038

Parcel Number: 317-009-000
CAMA Number: 317-009-000-000
Property Address: UNCAS POND RD

Mailing Address: BIRD & SON INC C/O RYAN & CO,
PAMELA SMITH
13155 NOEL RD, 12TH FL, LB71
DALLAS, TX 75240-5090



www.cai-tech.com

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



Nov. 29, 2022 11:24AM

300 1001 Abutters List Report

Franklin, MA

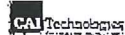
November 26, 2022

No. 2330 P. 4

Parcel Number: 318-013-000
CAMA Number: 318-013-000-000
Property Address: 7 GREAT POND RD

Mailing Address: FRENCH MICHAEL J & DEANA M, TRS
DEANA FAMILY TRUST II
P O BOX 195
FRANKLIN, MA 02038

Kevin M. Doyle, 11-26-2022



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

11/26/2022

Page 2 of 2

Abutters List Report - Franklin, MA

Town of Franklin Conservation Commission

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of Environmental Protection and the Franklin Conservation Commission when filing a Notice of Intent)

I, Betty Halsing hereby certify under the pains and penalties of perjury that on 12/29/22, I gave Notification to Abutters in compliance with second paragraph of Massachusetts General Laws Chapter 131, Section 40 in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by Land Planning, Inc with the Franklin Conservation Commission on 12/29/22 for property located on 300 ACRES BROOK AVE Franklin, MA.

The Notification to Abutters form and list of the abutters to whom it was given and their addresses are attached to the Affidavit of Service.

Betty Halsing _____ 12/29/22 _____
Signature Date

Town of Franklin Conservation Commission

RESOURCE AREA IMPACT SUMMARY FORM

**The Franklin Wetlands Protection Bylaw
Franklin Town Code Section 181**

Resource Area	Alteration Proposed	Mitigation Proposed
Bordering Vegetated Wetland (SF)	—	
Bank (LF)	—	
Land Under Water Bodies (SF)	—	
Isolated Wetland (SF)	—	
Vernal Pool (SF)	—	
Buffer Zone (SF)	4,000 SF	See plan
Riverfront (SF)	—	
100-Year Floodplain (CF)	—	
(SF) = Square Feet (LF) = Linear Feet (CF) = Cubic Feet Flood Storage		

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 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 _____
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	=	_____

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) \$ 122.50

Local Filing Fee Calculated Above \$ 50.00

TOTAL Due Town of Franklin (Check No.1) \$ 172.50

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

TOTAL Due DEP (Check No. 2) \$ 97.50

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.

30 Uncas Brook Row

Vernal Pool Statement

No vernal pools within 200 feet of the site are shown in the most recent Massachusetts Natural Heritage Atlas.

Narrative

The proposal for this site is to replace the failing cesspool with a new septic system and upgrade the foundation under the existing dwelling. The new septic system will consist of a 1500 gallon septic tank and a leaching field. Both of these components are sited at a maximum distance from the resource areas. The existing foundation for the dwelling is to be replaced with a concrete foundation in the same location. No work is proposed in a resource area; the impacts are in the buffer zone only. It is anticipated that environmental site conditions will improve with the removal of the cesspool and construction of a septic system.

Functions and Characteristics Statement

1. Public Water Supplies- The nearest public well is over 1,500' away from the site
2. Private Water Supplies- All private wells near the site are shown on the plan
3. Groundwater- The elevation of groundwater in the area of the proposed septic system is less than elevation 86. The bottom of the foundation will be three feet above this elevation and should have no impact on groundwater.
4. Flood Control- The proposed work is not located within a 100 year flood boundary; therefore, there will be no impact to a flood zone.
5. Erosion and Sedimentation- A compost sock will be placed, as shown on the site plan, before construction begins. Any siltation trapped by the compost sock is to be removed as necessary so that adequate storage of silts will be available during rain events. The siltation barrier will be maintained during construction until a Certificate of Compliance is issued.
6. Storm Damage Prevention- This project should have no adverse impacts during storm events. Stormwater runoff will have a flow direction similar to the preconstruction conditions. Rainwater will flow over the existing vegetated area before reaching the wetland.
7. Water Quality- The proposed project will not change water quality of surface waters at or near the site. The runoff from the site will be rainwater. The amount of impervious surface will be similar to pre-construction
8. Water Pollution Control- There should be no polluted water as a result of this project.
9. Fisheries- The project should have no impact on fisheries as there are no fisheries in the area
10. Shellfish- Not applicable to this project
11. Wildlife Habitat- Because all work is in a developed area; we anticipate no change in wildlife habitat.
12. Rare Species Habitat- This site is not located in an Estimated Habitat of Rare Species or Rare Wildlife.
13. Agriculture- No agricultural activities are being proposed or exist on the site.

14. Aquaculture- No aquacultural activities exist in Franklin
15. Recreation- Typical activities are expected on this residential property.

Mitigation Plan

All proposed work will occur in areas that were previously disturbed. A compost sock will be staked into the ground prior to construction and will be maintained during construction. All areas of current landscaping will be returned to land scaping or have grass.

Erosion & Sedimentation Control Plan

The compost sock siltation barrier will be installed per the site plan. The sock will be maintained during and after construction until a Certificate of Compliance is issued. The erosion control barrier shall be inspected weekly and after significant rain events. Any siltation trapped by the compost sock is to be removed as necessary so that adequate storage of silts will be available during rain events.

Brian Osborne, owner, will be responsible for inspection and maintenance of the erosion control barrier and shall keep a log of inspections and maintenance. If requested, the inspection log will be available to the Commission or the Commission's staff for review.

Construction Sequence

1. Install DEP sign with file number
2. Install compost sock
3. Request inspection of erosion control barrier by professional engineer and submit a stamped letter to the Conservation Commission
4. Remove vegetation and topsoil in work area, stockpile topsoil
5. Excavate for foundation and remove excess material off site
6. Construct foundation and backfill
7. Construct retaining walls and septic system
8. Grade and plant areas on the wetland side of the retaining walls
9. Install driveway base
10. Pave driveway
11. Survey site improvements, prepare as-built plan, and request a certificate of compliance from the Conservation commission.
12. After the Certificate of Compliance is issued, remove siltation barrier.

Alternatives

There are no logical alternatives to this work. It is imperative to replace the cesspool with a septic system. The proposed foundation for the existing dwelling is a much needed improvement to the stability of the house.

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: B. Osborne Prepared by: NES (Scott Heim) Project Location: 30 Uncas Brook Row, Franklin DEP File #: NA

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 4-UPL		Transect Number: 1	Date of Delineation: 4-13-22
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Tree				
Black Birch/ <i>Betula lenta</i>	2.03	81	Yes	FACU
Red Maple/ <i>Acer rubrum</i>	0.47	19	No	-
Sapling				
Red Maple/ <i>Acer rubrum</i>	38	100	Yes	*FAC
Shrub				
Red Maple/ <i>Acer rubrum</i>	20.5	66	Yes	*FAC
Multiflora Rose/ <i>Rosa multiflora</i>	10.5	34	Yes	FACU
Ground				
Blackberry/ <i>Rubus allegheniensis</i>	20.5	25	Yes	FACU
Spotted Jewelweed/ <i>Impatiens capensis</i>	20.5	25	Yes	*FACW
Asiatic Bittersweet/ <i>Celastrus orbiculatus</i>	20.5	25	Yes	FACU
Sensitive Fern/ <i>Onoclea sensibilis</i>	10.5	12	No	-
Goldenrod/ <i>Solidago</i> sp.	10.5	12	No	-
Vine				
Asiatic Bittersweet/ <i>Celastrus orbiculatus</i>	8	100	Yes	FACU

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 3

Number of dominant non-wetland indicator plants: 5

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes no
 title/date: Norfolk & Suffolk Counties
 map number: Web Soil Survey
 soil type mapped: 422B – Canton fine sandy loam
 hydric soil inclusions: Swansea

Are field observations consistent with soil survey? yes no

Remarks: Sand fill material

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
C	0 – 8"	10YR 3/4	
Ab	8 – 14"	10YR 2/2	
R	@14"		

Remarks:

C: medium sand Ab: fine sandy loam

3. Other:

Conclusion: Is soil hydric? yes no

Other Indicators of Hydrology: (check all that apply & describe)

- Site Inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment Deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded Data (streams, lake, or tidal gauge; aerial photo; other):

- Other: _____

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	_____	<u>X</u>
Wetland hydrology present:		
Hydric soil present	_____	<u>X</u>
Other indicators of hydrology present	_____	<u>X</u>
Sample location is in a BVW	_____	<u>X</u>

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: B. Osborne Prepared by: NES (Scott Heim) Project Location: 30 Uncas Brook Row, Franklin DEP File #: NA

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 4-WET	Transect Number: 1	Date of Delineation: 4-13-22
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)
Tree			
NA			
Sapling			
NA			
Shrub			
S. Arrow-wood/ <i>Viburnum dentatum</i>	10.5	78	Yes
Red Maple/ <i>Acer rubrum</i>	3	22	Yes
Ground			
Tussock Sedge/ <i>Carex stricta</i>	20.5	100	Yes
			*FAC
			*FAC
			*OBL

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 3

Number of dominant non-wetland indicator plants: 0

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? **yes** no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent



USGS QUAD

Located at
30 Uncas Brook Row
Franklin, MA



Land Planning, Inc.

167 Hartford Avenue
 Bellingham, MA 02019

508-966-4130

bellingham@landplanninginc.com

Date **10/4/22**

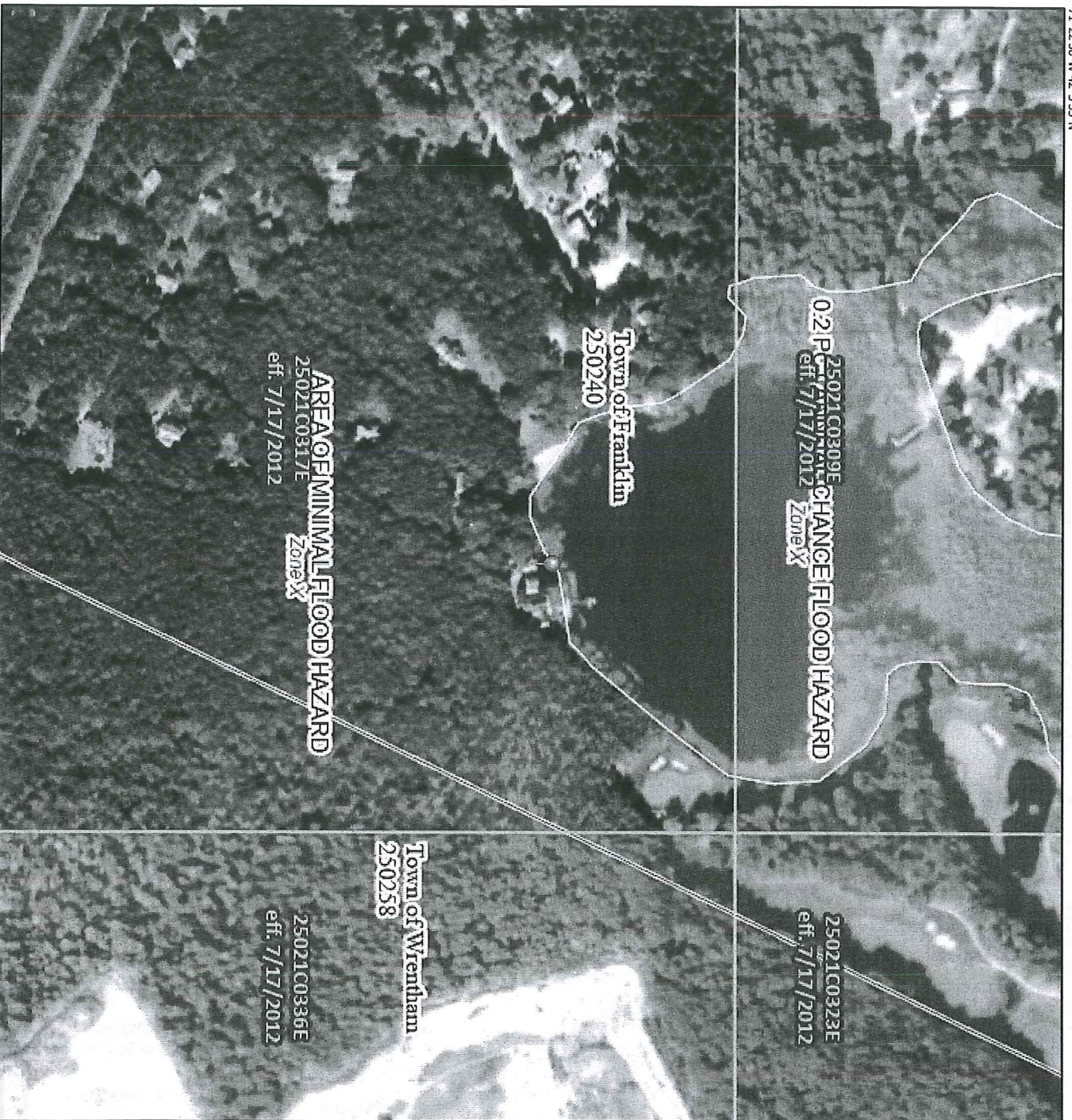
Scale **1:24000**

Job **B2741**

National Flood Hazard Layer FIRMette



71°22'58"W 42°3'53"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, AE99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

OTHER AREAS OF FLOOD HAZARD

- Area with Reduced Flood Risk due to Levee. See Notes, Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

GENERAL STRUCTURES

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone D
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
- 17.5 Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

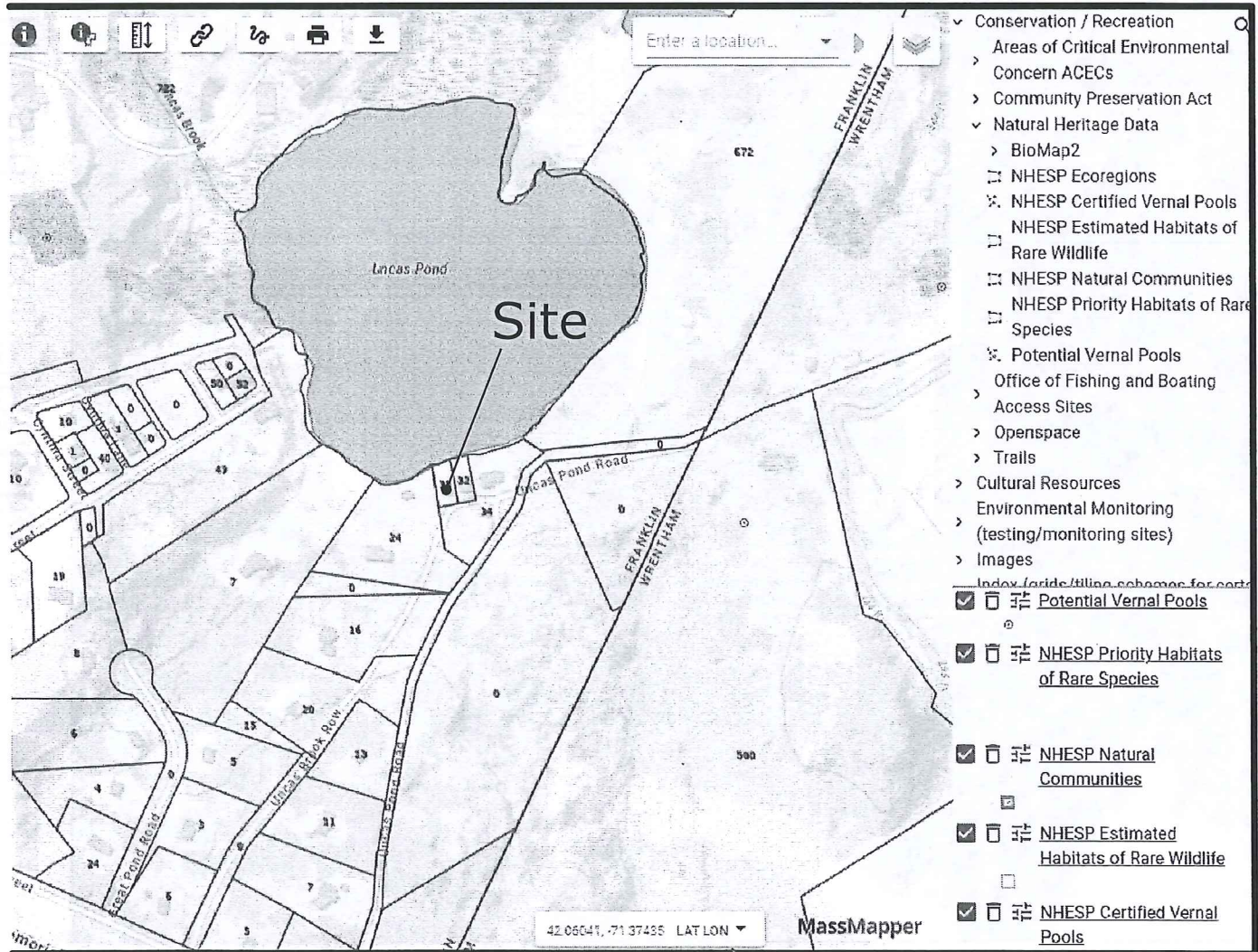
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/4/2022 at 9:35 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmoderized areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

71°22'20"W 42°3'37"N



Natural Heritage Map

Located at
30 Uncas Brook Row
Franklin, MA



Land Planning, Inc.

167 Hartford Avenue
 Bellingham, MA 02019
 508-966-4130

bellingham@landplanninginc.com

Date 10/4/22

Scale none

Job B2741

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.



Signature of Property Owner

11/11/2022

Date

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.



Signature of Property Owner

11/11/2022
Date