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February 26, 2024

Mr. Gregory Rondeau, Chair  
Franklin Planning Board and  
Ms. Meghann Hagen, Chair  
Franklin Conservation Commission  
355 East Central Street  
Franklin, MA 02038

**Re: 100 – 110 East Central Street -Site Plan Peer Review**

Mr. Chairman and Board Members,

On behalf of the owner, 100 East Central Street RE, LLC and 110 East Central Street RE, LLC, we have provided a summary of the following comments from The Town Planner, Franklin Fire Department and BETA Group, Inc. BETA Group, Inc. has provided review comments for the Planning Board as well as the Conservation Commission. We have also provided comments received from the Town of Franklin Planning Board and Conservation Commissions at the public hearings. Our responses are immediately following each comment and they have been italicized.

## Town Planner

### General:

1. The site is located at 100-110 East Central St in the Commercial I Zoning District  
*Agreed.*
2. The applicant is proposing to construct a mixed use three story building with 20 residential units and 1 commercial unit. A Special Permit is required in the Commercial I Zoning District, Under 185 Attachment 7, 6.1.a.(footnote 3) – No more than one dwelling unit per 2,250 sq/ft, additional dwelling units may be allowed by Special Permit from the Planning Board.  
*The applicant has filed a Special Permit request.*
3. Letter will be submitted from BETA, Fire and DPW.  
We have received letters from BETA and the Franklin Fire Department. Their comments as well as responses can be found in this letter.

### Overview:

- 10 Units are allowed and the Applicant is proposing 20 Units under Special Permit.  
*Agreed*
- 30 Parking Spaces are required; the applicant is proposing 10 parking spaces on the current lot. The applicant is proposing an additional 35 spaces on abutting lot and will provide an easement agreement.  
*The applicant agrees to provide an easement agreement to the Planning Board.*

### Requested Waivers:

- To allow the use of PVC and HDPE pipe for the roof drains and underground stormwater storage area.
- To allow site lighting to extend past the property line.  
*The applicant has requested the two above waivers.*

## Franklin Fire Department

The proponent has agreed to provide an updated plan that would include an emergency access driveway on the east side of the exiting apartment building up to the telephone pole.

*The access driveway has been added to the plan set. A detail has been added to sheet 7.*

## BETA Group, Inc - Planning Board

- GI. The proposed dumpster pad is shown off the property. The designer should review this location and confirm that the pad can be installed within the property limits and/or an easement can be obtained.  
*The applicant controls the abutting property. A proposed easement has been added to the plans. The applicant will provide the Planning Board an easement agreement for the dumpster pad area.*

The Site is located within the Commercial 1 Zoning District. The boundary between the Single-Family V Zone and the Commercial 1 district is coincidental with the rear property line across both lots, where the abutters are residential dwellings on Cross Street. The proposed development is to maintain the existing 10-unit residential structure at 100 East Central and replace the existing single family dwelling structure at 110 East Central with a 20-unit multi-family structure with 500 sq. ft. of commercial use on the first floor. The applicant has requested to maintain the existing lot configuration as 2 separate lots rather than combine them into a single lot. As presented at the hearing, they will provide cross easements between the 2 lots for access, utilities, parking, and maintenance. They have also asked that the Board look at the residential unit density of the development as a single lot rather than 2 individual lots.

### SCHEDULE OF LOT, AREA, FRONTAGE, YARD, AND HEIGHT REQUIREMENTS (§185 ATTACHMENT 9)

Each of the 2 lots meets the requirements for lot area, depth, frontage, width; front and side yards; building height; and impervious coverage. The proposed building at 110 will also meet all the setback requirements, for the underlying zone. A Zoning Schedule of existing and proposed conditions is shown on the Cover Sheet (Sheet 1) of the drawing set.

- Z1. The table on Sheet 1 should be changed to read 100 and 110 rather than 122  
And 138 East Central Street.  
*The table on Sheet 1 has been revised.*
- Z2. Since the 2 lots are to remain as individual lots, BETA recommends that the table  
Be revised to show that each lot individually will continue to comply with  
Zoning for setbacks, lot configuration and coverage.  
*Two separate zoning tables have been added to sheet 1.*

### PARKING, LOADING AND DRIVEWAY REQUIREMENTS (§185-21)

Existing access to the Site is via three curb cuts on East Central Street. Two of the openings provide access to the multi family structure at 100 East Central and the third provides access to the existing single-family dwelling at 110 East Central Street. The proposed driveway access into the site will be limited to a single driveway opening at the lot line which is where the 2nd driveway into 100 East Central is located today. This opening will be widened to provide a 24' wide driveway which will access a total of 49 parking spaces. The existing 8 parking spaces in front of the building at 100 East Central Street will be maintained. The remaining 41 spaces will be located behind the proposed building at 110 East Central Street.

Parking requirements defined by the Zoning Bylaw are for Commercial Uses, 1 space is required per 500 sq. ft. Of gross floor area; for Residential use 1.5 spaces are required per unit. The areas provided in the parking requirement summary result in a total required parking space count of 46 spaces.

Pl. In accordance with §185-21.(5) of the bylaws, "*Parking lots for 20 or more Cars shall contain or be bordered within five feet by at least one tree per 10 Parking spaces,...*" For the proposed 49 space this would equate to 5 trees. The proposed 5 trees are shown on sheet 5 of 10.  
*Agreed.*

P2. In accordance with §185-21.(4), (4) loading areas and parking areas for 10 or more cars shall provide screening in accordance with § 185-35. See L1 below.  
*See response to comment L1 below.*

#### SIDEWALKS (§185-28)

No public sidewalks are proposed under this project. There are sidewalks across the frontage on East Central Street. A concrete sidewalk from the proposed new building at 110 East Central will be extended to the sidewalk along East Central and match at the far west edge of the parcel at 100 East Central. Because the buildings are higher than the sidewalk on East Central Street, masonry retaining walls will be installed along the backside of the sidewalk along East Central to provide the fill necessary to bring the grades up at the front of the structures to match the proposed foundation grades. These walls will range in height from 2.5-7'. There are no Landscaping plans proposed for this area between the new structure and the existing parking spaces and East Central. The proposed subsurface infiltration structure in front 100 East Central will restrict the landscaping capabilities in this area to shallow rooted shrubs and flowers.

#### CURBING (§185-29)

Cl. Based upon the site plans, it appears that the entirety of the parking lot will have vertical granite curbing. However, the curbing is not labeled. BETA recommends that the curbing be labeled on Sheet 3 of 10.  
*Curbing labels have been added to sheet 3.*

#### SITE PLAN AND DESIGN REVIEW (§185-31)

The project has been submitted for Site Plan Review and is required to conform to the requirements of this section. The proposed lighting plan shows that the lighting will primarily be mounted on the face of the 2 buildings with only 1 pole mounted fixture in the middle of the rear parking lot. These will effectively light the driveway entrance from East Central Street and the entrances at each of the buildings. There will be some minor spillage onto East Central Street at the driveway entrance and along the sidewalk.

SP1. There are no architectural plans included in the submission. BETA recommends that building elevations be provided especially from the front along East Central Street where the proposed masonry retaining walls will impact the street view.  
*The applicant will provide architectural plans to the Board.*

SP2. As previously noted, there will be some minor spillage of light beyond the property line along East Central Street. The waiver from §185-31(4) (e) has been requested.  
*Agreed. No comment.*

#### SCREENING (§185-35)

The project proposes outdoor parking for 10 or more cars which must be screened in accordance with this section. Residential districts are located to the south of the Site along Cross Street. There are 3 single family residential dwellings abutting the parcel at 57, 65 & 71 Cross Street.

- L1. There is no screening proposed at the rear of the parking lot, and based on aerial imagery, it does not appear that the existing vegetation in this area is thick enough to screen the area. However, there will be a structural retaining wall ranging in height from 6-16 feet, along the edge of the parking across this entire common property line. At its closest, the wall will be less than 3' from the property line. Based upon the exposed height of the wall, BETA recommends that a 4' fence be placed along the top of the wall to act as a screen for the abutters. This will act to prevent headlights from shining into the 2nd story windows of the abutting homes.

*A 4 foot wood stockade fence has been added to the wall detail on sheet 10.*

## Utilities

Each of the structures will be provided with new service connections to the utilities in East Central Street for sewer, water, and stormwater. Electricity and communication will be connected overhead. Detailed review of utilities is anticipated to be provided by the DPW and Fire Chief, as applicable.

## Storm Water Management

The overall impervious surface coverage across the site will be increased by 30%. In addition, overall site disturbance will exceed 1.0 acre and it is therefore subject to the stormwater by law. Based upon the grade differential across the lot, all the areas associated with the new development will be raised up to 16' above existing grades. Retaining walls are proposed along East Central Street and along the entire southerly edge of the parking to support the fill. The exception to the fill will be the area of exposed ledge directly behind the structure at 100 East Central. In this area approximately 8' of ledge will need to be removed to allow the parking lot pavement. A proposed subsurface infiltration system will be provided at the northeast corner of the parcel adjacent to East Central Street. This system will accept runoff from the roof of each structure and the pavement area near the front of the lot. The overflow from this system will be directed into the existing municipal stormwater collection system in East Central Street. A discharge from the rear parking lot will be directed into the isolated wetlands at the southeast corner of the parcel. This discharge will be treated with a proprietary separator and deep sump catch basin. Overall, the site is a combination of redevelopment and new development.

### STORMWATER MANAGEMENT REGULATIONS (CHAPTER 153)

The project proposes to disturb land in excess of one acre within the Town of Franklin. It is therefore subject to the Stormwater Management Regulations. The project is also required to comply with the Town of Franklin Best Development Practices Guidebook (BDPG). Compliance with these regulations is outlined below and throughout the following sections.

### SUBDIVISION REGULATIONS- STORMWATER MANAGEMENT REGULATIONS (§300-11)

Additional requirements for stormwater management are outlined in §300-11 of the Town of Franklin Subdivision Regulations.

- SW1. The applicant has requested a waiver from §300-11. (2.a) to allow the use of PVC and HDPE pipe for the roof drains and subsurface infiltration system. BETA has no issues with this request but will defer the matter to the Board.

*The applicant has requested a waiver.*

### MASSDEP STORMWATER STANDARDS

The project is subject to the Massachusetts Stormwater Standards as outlined by MassDEP. Compliance with these standards is outlined below:

**NO UNTREATED STORMWATER (STANDARD NUMBER 1):** *Nonew stormwater conveyances (e.g., outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.* The project proposes one new outfall which will discharge on to a rip rap apron prior to discharge towards the isolated wetlands. This runoff will be treated by a proprietary separator and deep sump catch basin. A portion of the impervious surfaces along the front of the site which includes the sidewalk, and the entrance driveway will flow untreated onto East Central Street.

SW2. BETA recommends that a de minimus calculation be conducted for the Untreated flow towards East Central Street.

*The de minimus calculation was conducted and resulted in a removal of 74% TSS. The pre-development conditions have an impervious area of 10,967 sq. ft. which is un-treated, directed toward East Central Street. The storm-water system has provided for capture of all but 2,906 sq. ft. of the impervious area which results in a reduction of 73.5% of the untreated storm-water flow toward East Central Street.*

SW3. The impervious surface area which discharges towards the isolated wetlands at the southeast corner of the parcel is greater than existing conditions and is therefore subject to the standards to the full extent of the regulations. BETA does not support the use of the proprietary separator as a terminal treatment process and recommends that the designer consider the use of a sand filter installed offline. This would eliminate the need for the proprietary separator and provide the nutrient removal required by the laws.

*A stormwater system, pond 2, has been added to the rear parking area. Catch basin 4 has been revised to a standard deep sump hooded catch basin.*

**POST-DEVELOPMENT PEAK DISCHARGE RATES (STANDARD NUMBER 2):** *Stormwater management systems must be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates.* The project proposes a net increase in impervious area and changes to site hydrology. Stormwater runoff will be mitigated via a new subsurface infiltration BMP. Calculations indicate a decrease in peak discharge rate to all watersheds.

**RECHARGE TO GROUNDWATER (STANDARD NUMBER 3):** *Loss of annual recharge to groundwater should be minimized through the use of infiltration measures to maximum extent practicable.* NRCS soil maps indicate that soil in the area of proposed infiltration system is Charlton-Hollis-Rock complex with a Hydrologic Soil Group (HSG) rating of A (high infiltration potential). The proposed subsurface infiltration system will provide the static storage volume required for all the impervious surfaces on site.

SW4. Based upon the calculations, the impervious surface area tributary to the Infiltration system is 18,994 sq. ft. which represents 53.7% of the total 35,327 Sq. ft. on site. Accordingly, the system does not meet the requirements of the Standard since it is less than 65%. BETA recommends that the designer review the Potential to direct additional impervious surface area through the infiltration System to increase the percentage to 65%.

*A storm-water system, pond 2, has been added to the rear parking area. Refer to Appendix A for storage volume provided.*

TOTAL SUSPENDED SOLIDS (STANDARD NUMBER 4): *For new development, stormwater management systems must be designed to remove 80% {90% per Town Bylaw} of the annual load of Total Suspended Solids (TSS).*

The project is required to treat the 1.0-inch water quality volume per Town Bylaws. At the front of the site, the static storage volume provided in the proposed infiltration BMP is more than what is required. The Deep sump catch basin will provide the pretreatment required. At the rear of the site, the treatment will be provided by a deep sump catch basin and a proprietary separator.

SW5. The impervious surface area tributary to CB 4 is greater than 0.25 acres. In accordance with Volume 2, Chapter 2 of the standards, the impervious surface area tributary to a deep sump catch basin should be less than 0.25 acres. BETA recommends that this design be modified to meet the criteria.

*Catch basin 5 has been added and the impervious area directed to catch basin 4 has been reduced to have 7,587 sq. ft.*

HIGHER POTENTIAL POLLUTANT LOADS (STANDARD NUMBER 5): *Stormwater discharges from Land Uses with Higher Potential Pollutant Loads (LUHPPLs) require the use of specific storm-water BMPs.* The project is not considered a LUHPPL- not applicable.

CRITICAL AREAS (STANDARD NUMBER 6): *Stormwater discharges to critical areas must utilize certain storm water management BMPs approved for critical areas.* The project is not located within a critical area - not applicable.

REDEVELOPMENT {STANDARD NUMBER 7}: *Redevelopment of previously developed sites must meet the Stormwater Management Standards to the maximum extent practicable.* The design has been designed to meet the standards without considering the redevelopment issues associated with the site.

EROSION AND SEDIMENT CONTROLS (STANDARD NUMBER 8): *Erosion and sediment controls must be implemented to prevent impacts during construction or land disturbance activities.* As the project proposes to disturb greater than one acre of land, it will be required to file a Notice of Intent with EPA and develop a Stormwater Pollution Prevention Plan (SWPPP). Erosion control measures are depicted on the plans include silt fence, inlet protection, stabilized construction entrance, dust control, and designated stockpile area.

SW6. The applicant is reminded that a Stormwater permit from the Franklin DPW is required based upon the size of the disturbance.

*Upon receipt of approvals the applicant will file for a Stormwater permit prior to commencing with construction.*

OPERATIONS/MAINTENANCE PLAN (STANDARD NUMBER 9): *A Long-Term Operation and Maintenance Plan shall be developed and implemented to ensure that storm water management systems function as designed.* A Stormwater Operation and Maintenance Manual were provided with the Stormwater Management Report.

SW7. The manufacturer's maintenance requirements for the proprietary separator should be included in the manual.

*The proprietary separator has been removed from the project.*

**ILLICIT DISCHARGES (STANDARD NUMBER 10):** *All illicit discharges to the stormwater management system are prohibited.* A signed Illicit Discharge Compliance Statement was provided with the submiss

### **BETA Conservation Commission Review Comments**

A1. The project was filed under the Bylaw only; therefore, no DEP file number has been issued.  
*Agreed. No comment.*

A2. The plan should be revised to include a note stating the sources(s) and date(s) of the wetland delineation.  
*The requested information has been added to sheet 4.*

A3. Existing woody planted to be removed within Buffer Zone that are larger than one (1) inch in diameter should be depicted on the plans (Bylaw Regulations Sections 7.18.1.5)  
*As discussed at the public hearing, we have added the existing trees with a diameter of 3" or greater within the buffer zone area of work. See sheet 2.*

A4. Flags UC-5 and UC-6 are located outside of the Site boundaries on private property. BETA recommends that the Commission exclude approvals of the location of these flags in the Order of Conditions (OOC) unless permission is sought from the property owner by the applicant.  
*The applicant is amenable to this proposed Condition.*

A5. It is BETA's understanding that Buffer Zone is considered a Resource Area Under the Bylaw. Accordingly, the Applicant should provide a revised fee that calculated the fee for disturbance within the Buffer Zone Resource Area based on the area of the project.  
*Additional fee of \$7,752 was paid by the applicant for the buffer zone disturbance.*

W1. BETA concurs with the boundary of the IVW as delineated by the Applicant. Although upland vegetation including multiflora rose (*Rosa multiflora*) was observed within the IVW, a dominance of hydrophytic vegetation including red osier dogwood (*Swida sericea*) and red maple (*Acer rubrum*) was observed. Hydric soils consisting of a saturated, loamy soil with high organic content and redoximorphic concentration near the surface were observed.  
*Agreed. No comment.*

W2. BETA Concurs with the determination that the IVW is isolated due to there being not observable surficial hydrologic connections to waterbodies or waterways.  
*Agreed. No comment.*

W3. The building for demolition should be called out as such on the Site Layout Plans  
*The building has been labeled on sheet 4.*

W4. Inlet protection measures should be provided for the existing catch basins within the public right-of-way. The use of silt saks is mentioned within the Operations and Maintenance Plan; however, the relevant catch basins should be called out in plan view.  
*Silt sak locations within East Central Street ROW have been added to sheet 6.*

W5. The applicant should be cognizant of invasive species including privet, multiflora rose, and Asiatic bittersweet that will be disturbed and require the use of best management practices (BMPs) during construction to prevent the spread of the invasive species. While eradication is likely outside of the scope of work, BMPs to limit spread of viable seeds and rhizomes should be provided if determined to be appropriate.  
*The applicant conducted a pre-construction meeting with the Conservation Agent at their 122 - 138 East Central Street site. A note has been added to the 5 indicating that the applicant shall schedule a pre-construction meeting with the Conservation Agent to discuss the invasive species removal.*

W6. The applicant should clarify the locations of proposed snow storage on the plans and located them outside of Buffer Zones to the extent feasible. BETA recommends a Special Condition requiring the installation of signage demarcating snow storage areas.

*Snow storage areas have been labeled on sheet 5.*

W7. Proposed erosion controls in the narrative include use of silt fence and compost filter tube. Silt fence is not a permitted erosion control measure in the Town of Franklin (Pg 13 11 of Town of Franklin Best Development Practices Guidebook). The applicant should coordinate with the Conservation Commission to determine the appropriate erosion control measures for the site. Twelve (12)-inch diameter compost filter tubes may be an appropriate option commensurate with the scope of the project.

*Erosion Control Note 10 has been added to sheet 6.*

W8. Provide specifications of the proposed seed mixture(s) proposed for the stabilization of disturbed areas within the Buffer Zone. BETA recommends that native species with wildlife habitat value (i.e., pollinator species) be proposed within the Buffer Zone. In addition consideration should be given to woody plantings in these areas to mitigate the loss of woody vegetation from clearing efforts.

*New England Conservation and Wildlife Mix has been proposed for the planning areas within the Buffer Zone.*

*A note has been added to seed the listed area with a New England Conservation and Wildlife mix.*

*Twenty two shrubs were added within the disturbed buffer zone area. See sheet 5.*

W9. The applicant should clarify which buildings will be demolished versus retained in the Construction Schedule and Sequence.

*The buildings labels have been added to the existing site feature notes and the Construction Sequence Notes.*

W10. The project appears to exceed 30% coverage of impervious area within the Buffer Zone however; the Applicant should provide calculations disclosing this information. BETA defers to the Commission if additional mitigation offsets (e.g., further reductions in impervious area and/or installation of additional plantings) are required per Bylaw Regulation Section 4.4.1 should more than 30% of the Buffer Zone be proposed impervious.

*The project proposes approximately 52 percent coverage within the buffer zone. The applicant has proposed planting within the disturbed buffer zone area for mitigation as discussed at the public hearing. See sheet 5.*

W11. BETA defers to the Commission on the approval of the Project Narrative due to several Bylaw requirements being absent from the current Project Narrative (Bylaw Regulations Section 7.9.1) including, who is performing the work, (will be added) a detailed description of all activities within Conservation jurisdiction, (will be added), how the activities will or will not affect the Functions and Characteristics of the resource areas, when the proposed activity will be done and what measures will be used to mitigate any impacts to the functions and characteristics of the resource area.

*The project narrative has been revised.*

W12. Due to the proposal of alteration to undisturbed areas within the Buffer Zone a separate narrative must be provided describing the steps taken to mitigate the impacts (Bylaw Regulations Section 7.11.2). According to the Landscaping Plan, plantings do not appear to be proposed within Buffer Zone. It is recommended that an invasive species control plan be implemented during the growing season(s) following the reestablishment of vegetation within the Buffer Zone to promote success, at the Commission's discretion.

*A buffer zone impact mitigation plan has been provided. The applicant would agree to a condition of approval that a pre-construction meeting be held with the Conservation Agent to determine the invasive species removal and ongoing monitoring of the buffer zone area planting.*

W13. The Construction Sequence and Schedule should be provided within the NOI application in addition to the plans (Bylaw Regulations Section 7.15.1)

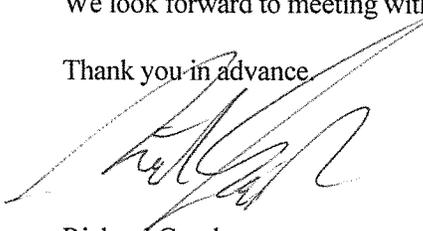
*The Construction Sequence and Schedule has been provided for inclusion within the NOI.*

## Planning Board Comments

1. Provide screening with fencing.  
*Fencing has been added to provide screening.*
2. Retaining wall at infiltration system.  
*The proposed retaining wall 3 has been removed.*
3. Appropriate place for this density in Town.  
*Agreed.*
4. Add abutting houses to sheet 3.  
*The abutting houses have been added to sheet 3.*
5. Site traffic.  
*The applicant will provide a traffic memorandum.*
6. Snow storage.  
*Snow storage areas have been added to sheet 6.*
7. Provide elevation of the top of retaining walls.  
*Top of retaining wall elevations have been added to sheet 10.*
8. Increase Commercial space.  
*The commercial space has been increased to 949 sq. ft.*

We look forward to meeting with the Planning Board and the Conservation Commission to discuss this project further.

Thank you in advance.



Richard Goodreau  
Project Manager