February 27, 2025

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

Re: Peer Review Comment Response
444 East Central Street, Franklin, MA

Dear Franklin Conservation Commission,

Goddard Consulting, LLC, (Goddard) is pleased to submit this response letter on behalf of TAG Central LLC (the Applicant), to provide responses to the Peer Review Comment Letter dated 2/24/25 issued by BETA Group, Inc. regarding the Abbreviated Notice of Resource Area Delineation (ANRAD) application filed for 444 East Central Street.

Two hard copies and a digital copy have been submitted for the Commission's review and approval. If you have any questions, please feel free to contact Chris Frattaroli at (617) 620-2740.

Sincerely,
Goddard Consulting, LLC

Chris Frattaroli
Lead Wetland Scientist

CC: A.J. Alevizos, TAG Central LLC, 275 Regatta Dr, Jupiter, FL 33477

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1.0 PEER REVIEW COMMENTS AND RESPONSES

Goddard and the project's engineer, Allen and Major Associates, Inc. (A&M), reviewed BETA's comments and offer the following responses. Comments that have been previously resolved are omitted.

	BETA Comment	Goddard Response
#9	BETA2: The Applicant did not provide sufficient information regarding the potential for wetland fill resulting from the placement of the compost pile. The Commission could consider requiring that the Applicant investigate the soils under the pile to confirm whether this area constitutes filled BVW and requires consideration in the issuance of the Order of Resource Area Delineation.	Goddard has further investigated the compost pile in question. Please see Section 2.0 and Attachments A and B for further discussion.
#11	BETA2: The Applicant has not provided sufficient information to confirm the extent of BLSF at the Site. At a minimum, evaluating the extent of the floodplain when no base flood elevation is available requires the development of a hydraulic model to take into account the existing terrain, land cover types, and characteristics of the watershed. Recording the elevation of the downstream obstruction is not sufficient to confirm the boundary of BLSF. While the base flood elevation established by the Applicant appears generally accurate downstream of the Site and closely correlates with FEMA data for the mapped Zone A, there is an apparent deviation between the data sets north of the confluence. The presence of this confluence and additional culverts within the center/north of the Site could result in backwater conditions and a higher floodplain elevation for the central/northern portions of the Site. As previously noted, the boundary of BLSF can change as a result of more up-to-date engineering data, including FEMA studies. Therefore, it is recommended that the Commission consider approving this boundary only upon receipt of a Notice of Intent (NOI) for any future development project. Comment remains.	Goddard and A&M agree that the stated base flood elevation appears generally accurate and closely correlates with the FEMA data available downstream of the confluence. The project team has used the most up-to-date data available to make the determination as shown. 310 CMR 10.57(2)(a)3. states, in part, "Where NFIP Profile data is unavailable," as is the case on this site, "the boundary of Bordering Land Subject to Flooding shall be the maximum lateral extent of flood water which has been observed or recorded." In discussion with Wayne Stobbart, the current owner of the property, the project team has inquired about the maximum lateral extent of flood water observed or recorded on the site. Mr. Stobbart, who is 72 years old, grew up on the locus site and is still today on site most days. Mr. Stobbart has confirmed that the portions of the on-site stream delineated with A- and C-series flagging have never overtopped their banks in his 72 years of knowledge of the site. The B-series portion of the stream has only overtopped its banks when there has been obstructions to its flow path, and has immediately receded when such obstructions were removed. As such, Goddard and A&M believe that the 271' contour as shown on site plans is in fact a conservative depiction of the maximum lateral extent of flood waters. In certain locations, the 271' contour is situated as much as 40' to 60' laterally away from the delineated banks, which have never been observed to have been overtopped, further suggesting that using the 271' contour as the flood elevation is a conservative depiction. To be clear, the Applicant does seek confirmation of BLSF under this ANRAD.
#12	BETA2: BETA recommends that the Commission include a finding in the Order of Resource Area Delineation stating that LUW was not confirmed as a part of this filing.	The Applicant is amenable to such a finding.

#13	BETA2: Acknowledged. BETA recommends that the Commission include a finding in the Order of Resource Area Delineation that excludes the approval of flags located outside of the Site boundaries.	The Applicant is amenable to such a finding.

2.0 COMPOST PILE ANALYSIS

Goddard Consulting reviewed the peer review comment issued by BETA regarding the compost pile between the delineated A-Series Bordering Vegetated Wetland (BVW) and D-Series Isolated Vegetated Wetland (IVW). BETA's comment regarding the compost pile is as follows:

> #9 The Applicant has asserted that the GCB1 to GCB15, GCC1 to GCC22, and GCD1 to GCD31 Series wetlands are isolated due to a lack of surficial connection to another BVW or surface waterbody/waterway. BETA concurs that the B- and C-Series IVWs appear isolated; however, it is recommended that the Applicant conduct further due diligence with regard to the D-Series IVW. The compost pile between the D Series IVW and A Series BVW appears to have been placed in this location in approximately 2005[2]. The Applicant should provide information regarding when this compost pile was created; whether it resulted in wetland fill; and whether it was permitted through a valid Order of Conditions. It is BETA's opinion that the presence of wetlands directly north and south of this compost pile warrants further investigation to determine if the D-Series IVW is isolated as a result of unpermitted fill.

It is believed that the compost pile in question was placed in its location in approximately 2005, and its placement did not result in wetland fill; however, it was not permitted under an Order of Conditions. It is the understanding of the Applicant and the opinion of Goddard that the D-series IVW has always been isolated and was not made isolated by the placement of fill/compost. The site has a history of disturbance as seen in the attached Historic Aerial Imagery Exhibit. The first evidence of disturbance due to use as a nursery can be seen in the first exhibit taken in 1961. The site appears to be cleared in the aerial. The following aerial taken in 2001 clearly displays evidence of site clearing, a vehicle roadway along the now delineated A-series BVW, and rows of planted trees. In the 2008 exhibit the fill/compost pile is now visible from the aerial photograph along with the roadway. The 2021 aerial shows the site beginning to revegetate with a roadway intact still in use and the now vegetated fill/compost pile.

An additional site visit was conducted by Goddard on February 20, 2025, and photographs from the visit are attached (Attachment B). Photos 1 and 2 show mature white oaks along the 271' contour upgradient of BVW flag GCA91. The fill/compost pile rests against the large oak at the same elevation. Photo 3 in the attachment shows 3 white oaks at elevation 271' upgradient of the A-series BVW line to the south of the compost pile within an agreed upon upland area. The age and maturity of these white oaks suggest that they predate the placement of the fill pile. These trees are not buried, suggesting that their location represents an unchanged grade. In the opinion of Goddard, wetland hydrology was not observed in the surrounding areas at elevation 271'.

Photo 4 shows a row of planted yews on the northern side of the fill pile near the D-Series IVW. These plantings are holdovers from the site's use as a nursery as displayed in the historic aerial exhibit. In this photo, the compacted roadway is also visible. It is Goddard's opinion that the fill/compost pile is the leftover material from the clearing of the roadway and nursery which was then pushed into the upland area adjacent to the BVW. Photo 5 shows a constructed berm as a result of the fill/compost pile that can be seen near the IVW. The berm created by the fill/compost pile appears to have obstructed the natural movement of water downgradient toward the BVW, which

has impounded water and likely caused the creation of the IVW. The site topography pitches downgradient in this area from the nursery development toward the BVW.

Photo 6 shows a soil sample which was taken near flag GCA91 next to the compost pile displaying a loamy topsoil with a subsoil of 10YR5/3, a typical upland subsoil. Due to the historic nursery work, push and pull of soil, and construction of the roadway, it is Goddard's opinion that the obstruction of water flowing downgradient has led to water pooling within the low-lying areas associated with the previous work areas upgradient of the fill pile in question, and has formed a bylaw jurisdictional Isolated Vegetated Wetland.

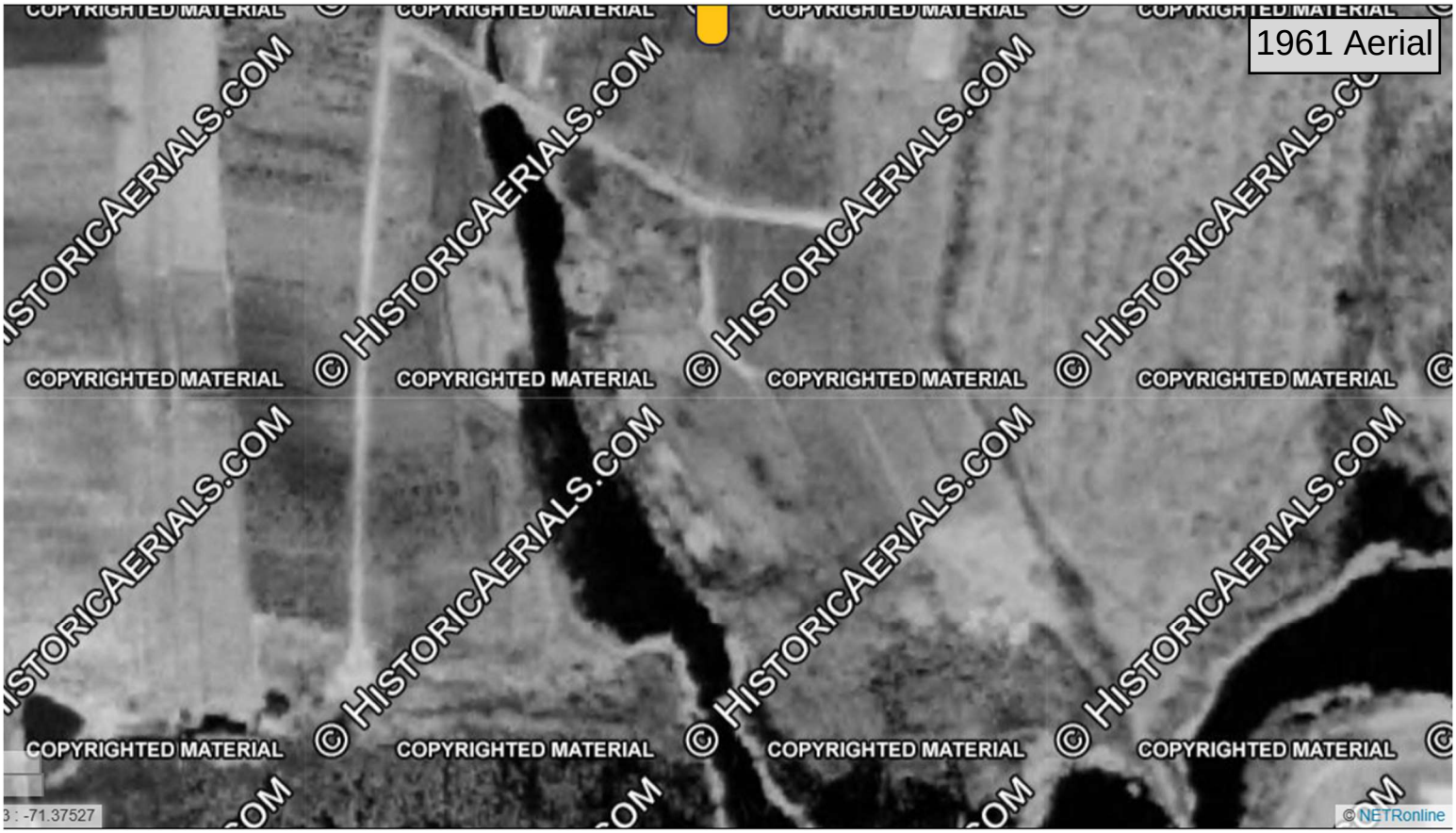

Photo 1. 1961 Aerial showing cleared site.

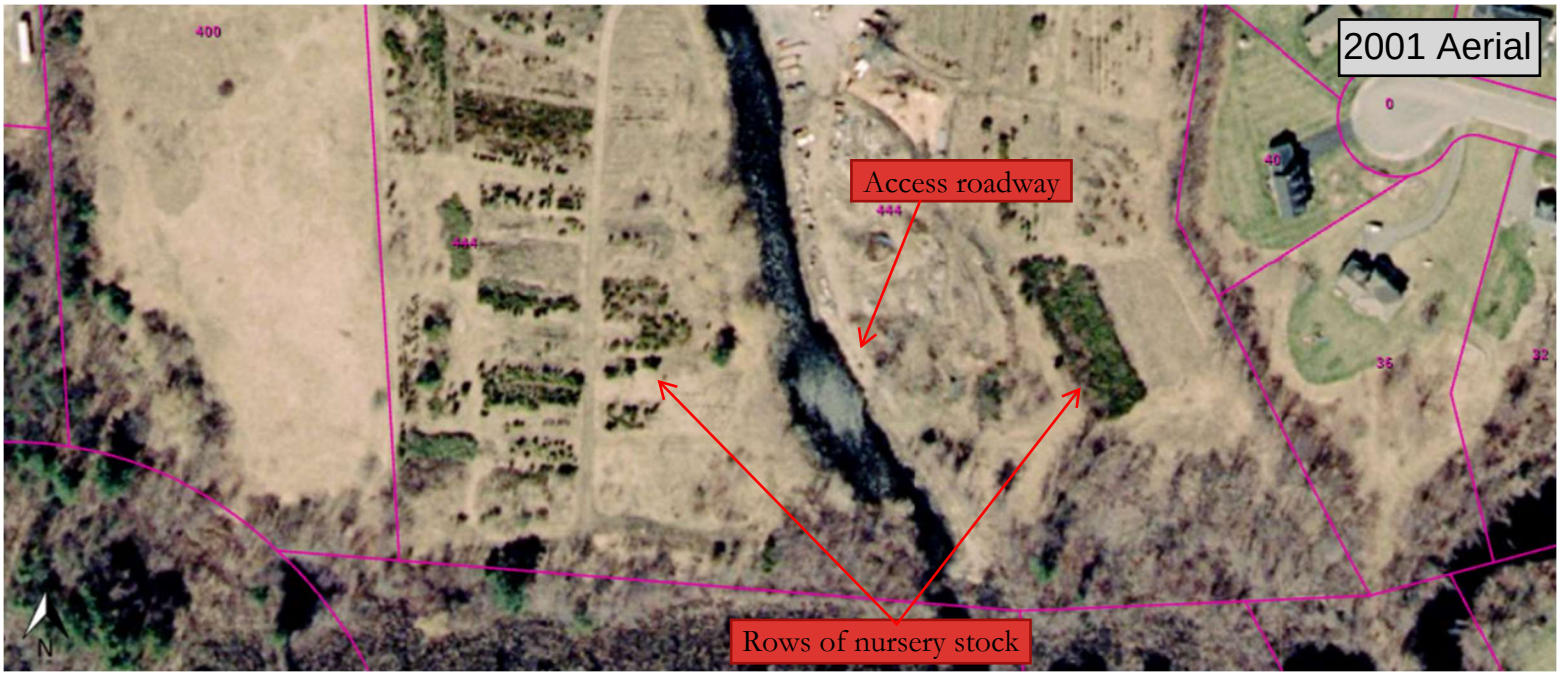

Photo 2. 2001 Aerial displaying cleared site and constructed roadway along the A-Series BVW.

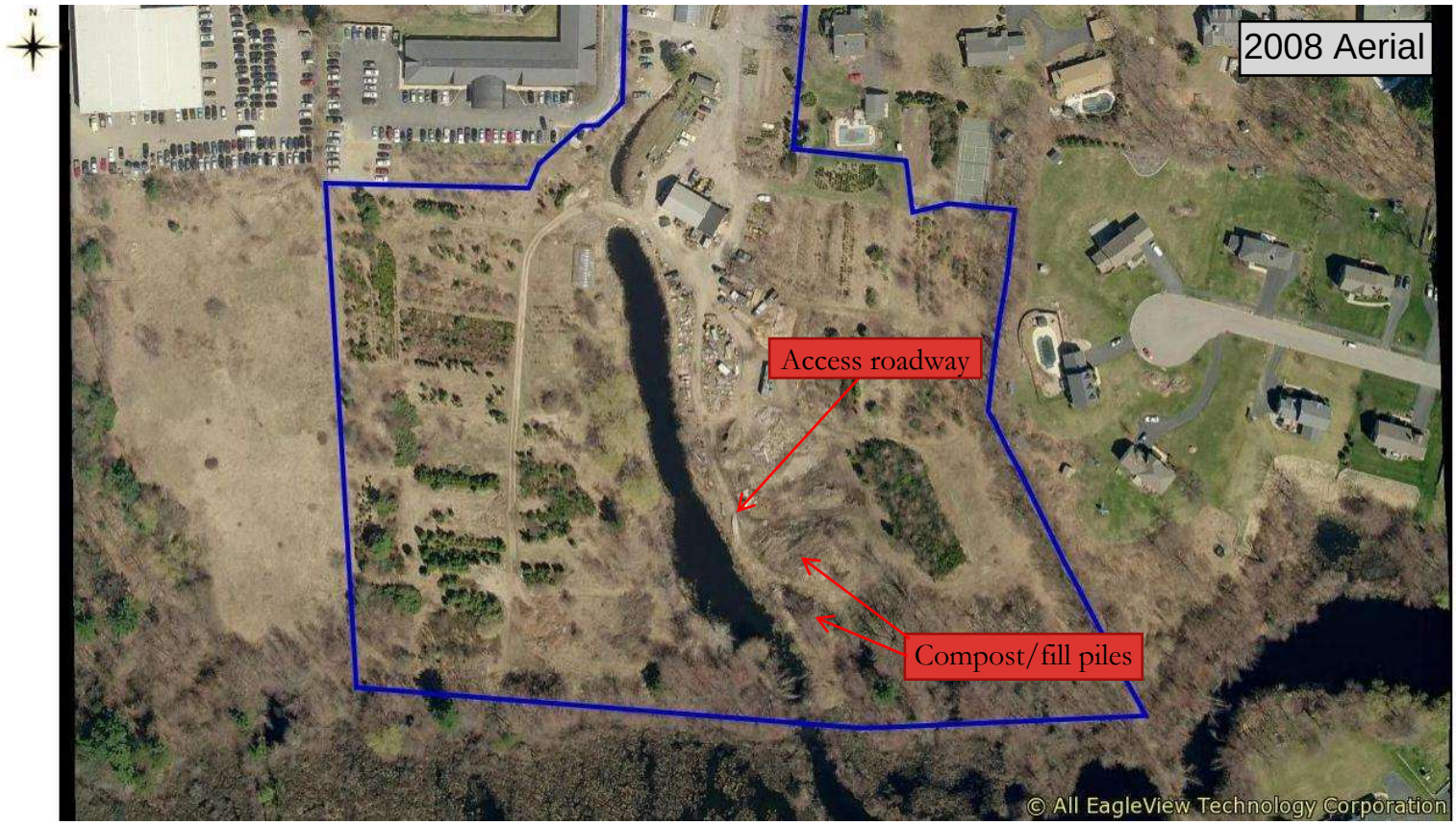

Photo 3. 2008 Aerial showing cleared site, constructed roadway, and nursery work.

Photo 4. 2021 Aerial displaying revegetated site, constructed roadway, and vegetated fill/compost pile.

Photo 1. Large white oak upgradient of flag GCA91 with visible fill/compost pile.

Photo 2. Another view of the large white oak upgradient of flag GCA91.

Photo 3. Three large white oaks upgradient of A-Series BVW at elevation 271'.

Photo 4. Yews lining the compacted roadway.

Photo 5. Berm and standing water within the D-Series IVW.

Photo 6. Photo of soil sample taken near GCA91 flag.