

January 23, 2023

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

Re: Revised Restoration Plan  
The Villages at Oak Hill, DEP File #: CE 159-1164

Dear Franklin Conservation Commission:

Goddard Consulting is pleased to submit this revised restoration plan on behalf of The Villages at Oak Hill Condominium Trust with respect to Special Condition 23 from the Order of Conditions for DEP File #: CE 159-1164. Special Condition reads “The Commission must receive a written report with respect to a project’s conformance to Orders of Conditions every April and October from a registered professional until a Certificate of Compliance is issued. On September 9, 2021, the “Wetland Replication Enhancement Plan” titled September 1, 2021, by Goddard Consulting LLC, was approved by the Franklin Conservation Commission. The report was written regarding four areas of concern examined during a site walk between Goddard and Jen Delmore, the Franklin Conservation Agent on August 18, 2021. The report described the four main remaining areas of concern that held the project from being compliant with the Order of Conditions for DEP File #: CE 159-1164 and proposed a mitigation strategy for each.

The approved work was not carried out in the fall of 2021 before the weather turned and remains to be completed at present time. As a result, on August 4, 2022, Goddard conducted a site visit with Breeka Li Goodlander, Franklin’s Conservation Agent. The purpose of the site walk was to re-analyze the areas in question and revise the restoration plans to the site as necessary to best fit existing conditions as the areas continued to revegetate.

### **Compliance with the OOC**

Upon the completion of the approved enhancement plan, the project will become fully compliant with the Order of Conditions as the proposed restoration plan seeks to restore all required areas. Erosion controls were maintained throughout the construction process and were not removed until the area had restabilized and revegetated. Construction was carried out according to the approved plans referenced in the Order of Conditions for DEP File #: CE 159-1164. All limits of work were clearly marked in all areas and no footprint was made outside of any limit of work. Rock Salt, fertilizers, herbicides, and pesticides are not allowed within 100 feet of any wetland resource areas. No violations have occurred among any of the required special conditions.

## Present Deviations from the OOC

Currently, the only deviations from the Order of Conditions remain the areas of concern discussed at the Conservation Commission hearing on September 9, 2021. Each area is described below and includes the revised mitigation strategy to be carried out in the Spring of 2023 (exact timing to be weather dependent).

### Area 1: Intersection of Dante Ave and Vail Ave



Photo 1: Area of concern circled in orange

This wetland area has successfully revegetated with wetland indicator species. The herbaceous layer has thickly revegetated with jewelweed, sensitive fern, and skunk cabbage. However, many of the proposed plantings in this area are missing, and so additional plantings are necessary. When decks were installed at the backs of the adjacent properties, trees were cut to avoid branches causing any problems. Due to the proximity of the decks, Goddard's plan proposes that most of the new plantings be shrub layer plantings, with the proposed red maple plantings at the back portion of the replication area so as not to interfere with the existing decks. As the herbaceous layer is fully revegetated, no seed mix will be required. Overall, 3 additional highbush blueberry shrubs are proposed to be planted, along with 6 winterberry shrubs and 4 red maple trees. In this area, the approved plantings from the 9/1/2021 plan remain the same.

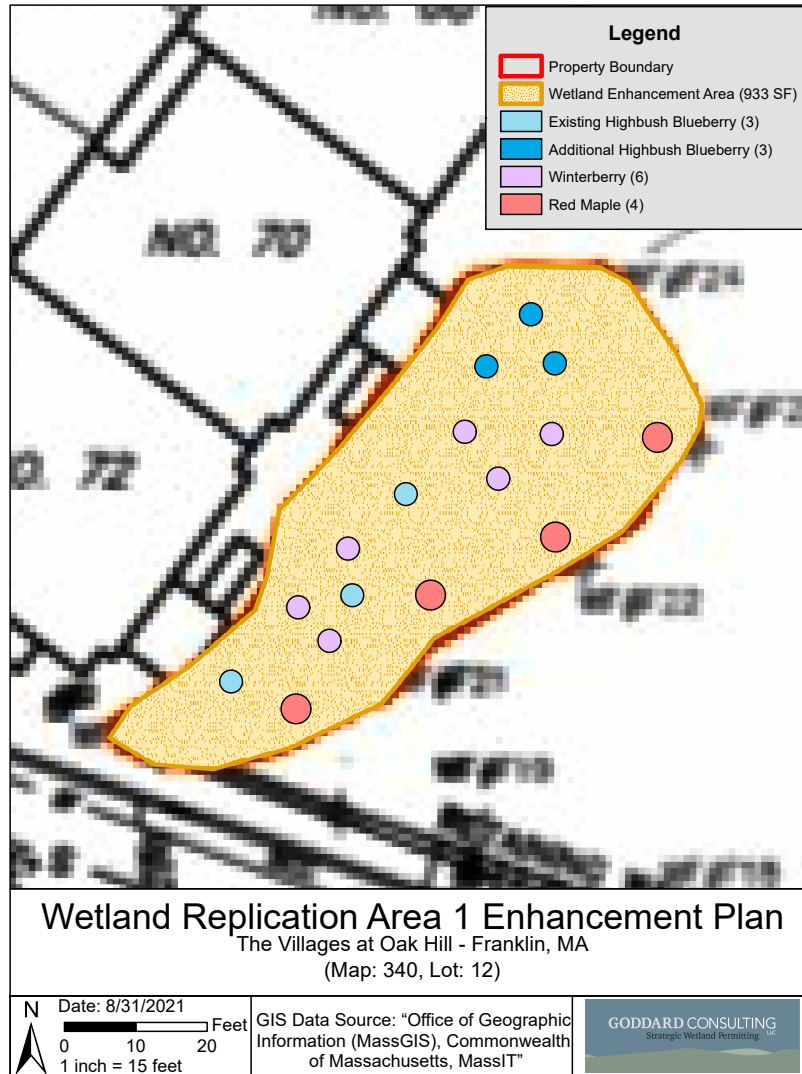
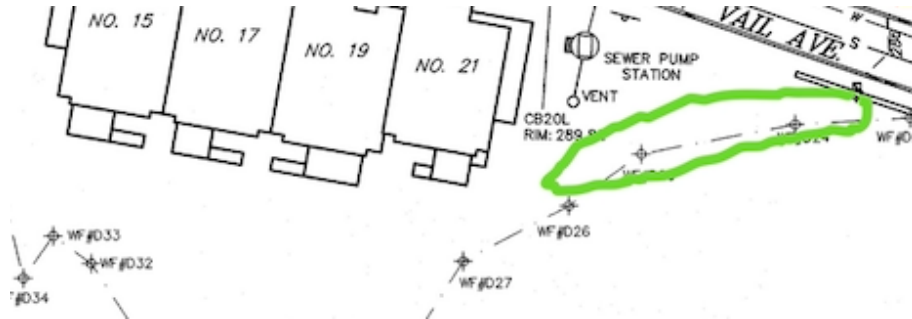


Photo 2: Prior Approved Planting List for Intersection of Dante Ave and Vail Ave

## Area 2: Vail Ave Pond Edge



*Photo 3: Area of concern circled in green*

Roughly 90% of the proposed plantings along the pond edge were missing from the site during both the 2021 and 2022 site walks. Two rugosa rose bushes remain in good health, but significant portions of the bank lacked the proposed plantings. The area appears to be mowed frequently (see photo 7). The approved plan requires that the area is no longer mowed or disturbed. Goddard's approved enhancement plan proposed 5 serviceberry shrubs to replace those that were cut from the original plantings. It additionally proposed 5 winterberry shrubs and 5 silky dogwood that will thrive along the pond's edge. The plan shows a break in proposed plantings on the bottom left of the planting plan (see photo 6). This area has an existing bench, and this section will remain open to allow residents a view of the water's edge. To prevent cutting or mowing again, signage will be posted along the pond's edge signifying that it is a habitat enhancement area and must be left alone. This planting plan remains the same as what was approved in 2021.





Photo 4: Mowed edges of the pond with sparse plantings visible

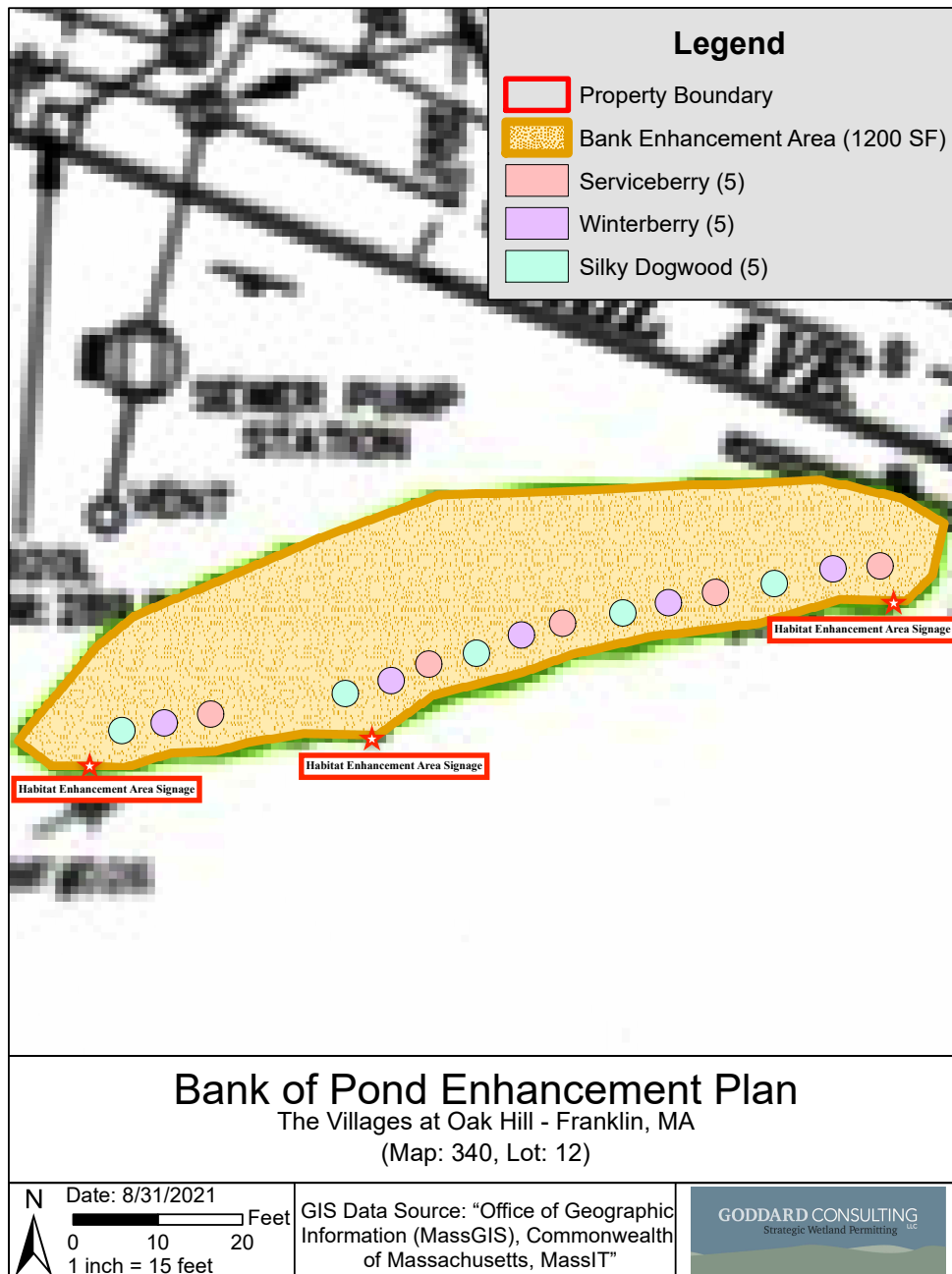


Photo 5: Originally Approved Planting Plan for Bank of the Pond

## **Revisions From Original Submitted Plan**

The areas outlined below were outlined as original areas of concern addressed during the 10/29/2021 conformance report issued by Goddard Consulting, LLC. Goddard re-visited the site on August 4, 2022, with Breeka Li Goodlander, Franklin's Conservation Agent. The purpose of the site walk was to re-analyze the areas in question and revise the restoration plans to the site as necessary to best fit existing conditions. The two areas outlined below were examined and are no longer areas of concern. Details on each area are outlined below.

### **Area 3: Innsbruck Way**

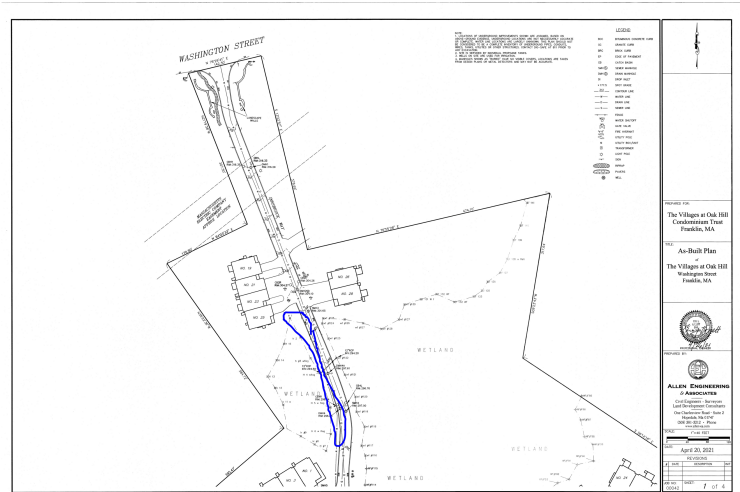


Photo 6: Area of concern circled in blue.

The upland buffer on the edge of the forest adjacent to the roadway has revegetated with dense cover and is rich in species diversity within the herbaceous, shrub, and tree layers. The mulched section from the road is clear of invasive species and is serving the intended purpose as a buffer from the roadway to the resource areas beyond. Some mulch had spilled over in 2021 and was required to be raked away from the forest edge. During the August 4, 2022, site walk, no mulch was observed to be spilled over and the forested area is now in compliance with the Order of Conditions.





Photo 7: Confined Mulched Barrier Along the Forest Edge with Natural Forest Adjacent

#### Area 4: Tuscany Drive Wet Meadow

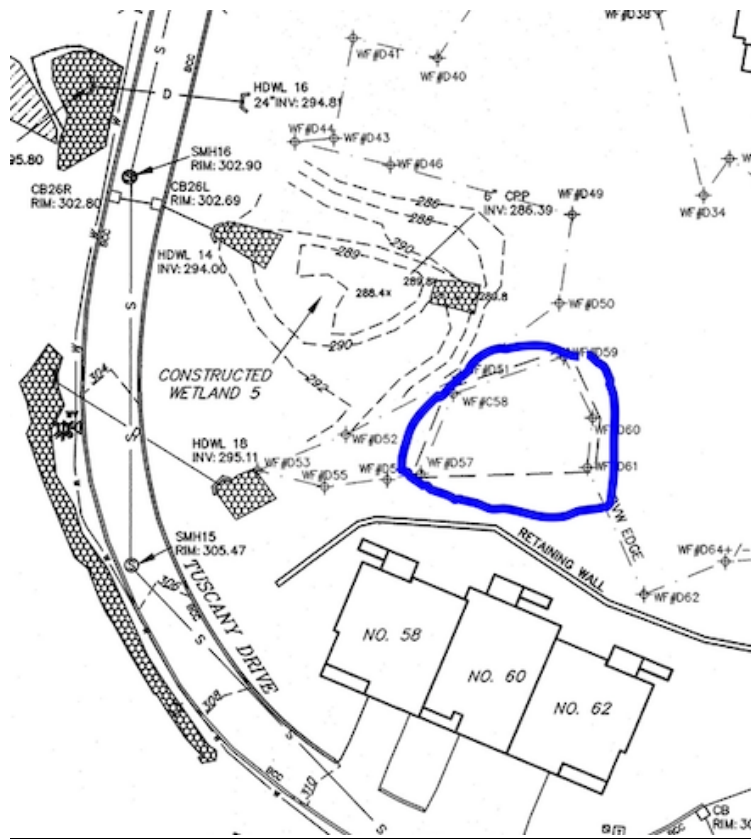


Photo 8: Area of concern circled in blue

Within Constructed Wetland 5, wetland hydrology and indicator species were found throughout the area of concern adjacent to Constructed Wetland 5, indicating a successful wetland ecosystem. The species most dominant within this area of concern include sensitive fern, joe pye weed, grapevine, blue vervain, sedges, and rushes. The area functions as a wet meadow as many of the proposed plantings in the construction plan were not found during the site walk. During the 2021 site walk, concerns were brought up over purple loosestrife found within the area. As a result, this area was brought up as an area of concern as proposed plantings were missing and purple loosestrife was found. Originally, the approved plan dated 9/1/2021 proposed the replanting of the missing plants to create a forested ecosystem. The plantings were not installed in 2021 and the area has continued to revegetate. Presently, on the August 4, 2022, site walk, Goddard and Breeka Li Goodlander observed a wet meadow ecosystem that was thickly vegetated with Joe-Pye Weed, Blue Vervain, Sensitive Fern, and multiple sedges and rushes. The purple loosestrife in the area has reduced in range and is not a concern over the native vegetation. A plethora of pollinators including Swallowtail Butterflies, Monarch Butterflies, and Honeybees filled the meadow due to the native pollinators. As Massachusetts continually loses meadow habitat, Goddard and Breeka Li Goodlander agreed that the meadow and pollinator habitat the area is now providing is more beneficial to the area than the originally proposed replanting into forested habitat. This area is now proposed to be left as meadow habitat.





Photo 9: Joe-Pye Weed Blooms throughout Wet Meadow





Photo 10: Sensitive Fern and Joe-Pye Weed Throughout Wet Meadow





Photo 11: Joe-Pye Weed, Blue Vervain, and Sensitive Fern Throughout Wet Meadow



### **Installation of Plantings**

Goddard Consulting will supervise the approved enhancement plan in the Spring of 2023 (exact timing to be weather dependent). Goddard will oversee the installation of plantings and provide the Franklin Conservation Commission with a report upon completion. Conformance reports will be issued according to Special Condition 23 until a Certificate of Compliance is issued.

### **Conclusions**

Goddard ensures that the only remaining deviance from the Order of Conditions is the completion of this revised enhancement plan to bring each wetland replication area into compliance. Upon completion of this enhancement plan, all local, state and federal statutory interests and performance standards will be met by the project, as described above. Therefore, Goddard Consulting requests that the Franklin Conservation Commission approve the 1/23/2023 revised restoration plan to bring the remaining restoration areas on-site into compliance with the Order of Conditions for the project. Following completion, the areas will be monitored, and conformance reports will be given to the town according to Special Condition 23 in the Order of Conditions in preparation for the issuance of a Certificate of Compliance.

Please do not hesitate to reach out with questions.

Sincerely,

**Goddard Consulting, LLC.**

***Andrew Thibault***

**Andrew Thibault**

*Environmental Scientist, WPIT, WSA*

CC: The Villages at Oak Hill Condominium Trust, 1 Innsbruck Way, Franklin, MA 02038