

2021 JUN 29 A 8:15

**MEETING HELD VIRTUALLY USING GOTOWEBINAR PLATFORM**

MANSFIELD  
MASSACHUSETTS

Present: Michael Healey, Chair; Dr. Aaron Roth, Vice Chair; Aaron Gallagher; Kostas Loukos; Sarah Joynes; Diane Simms; Katelyn Gonyer, Conservation and Environmental Planner.

The Chair read the following notice:

*Whereas both the Federal Centers for Disease Control and Prevention and the Massachusetts Department of Public Health have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19, Governor Baker has issued an order suspending certain provisions of the Open Meeting Law, Massachusetts General Law c. 30A, §20.*

*In order to satisfy the Open Meeting Law requirements, today's Town of Mansfield Conservation Commission meeting will be available to the public via GoToWebinar and Mansfield Cable. The instructions for joining via GoToWebinar are in the Meeting Notice on the Town's Website at [www.mansfieldma.com](http://www.mansfieldma.com) and then clicking on today's date on the calendar.*

- 1. Meeting called to order at 6:05 pm**
- 2. Request for Determination of Applicability: Town of Mansfield, DPW, Mill Street.**

Mr. Healey opened the hearing for the Town of Mansfield, DPW, Mill Street, for the roadway reconstruction & utility improvements within 100 feet of resource areas.

Joshua Reinke, Town Engineer II, explained this is a town project for the reconstruction of a portion of Mill Street from Cherry Street to Essex Street. He said there are three areas of the roadway within the wetland buffer.

Sheet 3 – at this section of the site, located north of Ephriam Drive, the roadway will be rebuilt. Mr. Reinke said there is a wetland to the west of the road and, because of a drop off in this area, silt sock will be installed to protect the wetland line here and will also include the installation of rip rap to protect against erosion, which could potentially cause the new roadway to degrade and eventually needing to be repaired.

Sheet 4 – Mr. Reinke said the Canoe River, which connects to Mill Pond Dam, is located on the right side in this area and in this area the new roadway is within the buffer area. He said there is an existing catch basin here and they will be adjusting the elevation of the catch basin. He said silt sock will be installed in the catch basin prior to the start of work.

Sheet 6 - the Canoe River is located in this area, with more work within the buffer. Mr. Reinke said there is a culvert and drain pipes in this area that allows the Canoe River to flow underneath Mill Street. He said there is a lot of vegetation growing in the river, impeding the flow, so they will remove some of the vegetation and add rip rap to prevent any erosion from flowing into the river. He said there is a significant low point by the culvert on Mill Street, where stormwater drainage flows down from the north and south of the street that currently drains off to the side of the road, through vegetation and into the river. Rip rap will be installed for stabilization in this area to prevent any channeling, erosion and weakening of the side slope here.

Ms. Gonyer said the work areas shown on Sheet 6 are basically located in the existing roadway and shoulder of the road. She noted this area is overgrown, impeding the flow of water through the culverts on Mill Street. She would like to be notified when this work begins.

Board Comments:

Mr. Healey asked if the culverts are in good structural shape other than the vegetation. Mr. Reinke said this is correct, the culvert and pipes are all working and no changes will be made to these structures because they are working as intended.

Dr. Roth said he did not have any questions but noted they need to make sure they are not sending seeds downstream. Mr. Reinke recommended they contact Mark Cook, DPW, regarding vegetation removal.

Public Comments:

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There were no public comments.

Ms. Simms made the motion to issue a Negative Determination for Reason #3, work will not impact the resource area, to Town of Mansfield, DPW, for roadway reconstruction & utility improvements within 100 feet of a bordering resources area with the following Special Conditions:

1. Erosion control to be installed as detailed
2. Agent to inspect erosion control prior to the start of work
3. Agent is to be notified when the work depicted on Sheet 6 begins
4. Agent is to be notified when work is complete
5. Silt bag to be installed in the catch basin shown on Sheet 4 prior to any work

Mr. Gallagher seconded the motion.

Ms. Joynes – favor

Mr. Gallagher – in favor

Ms. Simms – in favor

Dr. Roth – in favor

Mr. Loukos – in favor

Mr. Healey – in favor

Motion passed 6-0-0

Hearing ended at 6:26 pm.

### **3. Request for Determination of Applicability: TEC Associates, Amtrak's Right-of-Way.**

Mr. Healey opened the hearing for TEC Associates for the renewal of the wetland delineation along Amtrak's Right-of-Way to allow for vegetation management.

Thomas Lewis, TEC Associates, explained railroads in Massachusetts manage vegetation under the rights-of-way regulations and, as part of this, they are required to have a Vegetation Management Plan (VMP), which is a five (5) year plan. They are required to go to each municipality and obtain confirmation of the boundary delineation of the resource areas. The most recent plan expired December 2020. Mr. Lewis said on the maps no color means it is an upland area, where multiple applications are allowed, the lighter blue areas are within the buffer zone and are only allowed one application of herbicide per year using sensitive area materials; he noted the regulations allow for an application in the buffer zone but no closer than 10 feet to the resource areas. The dark blue hatched areas are in a Zone 2 wetland section and herbicides can only be applied every two (2) years. The yellow areas are considered no spray areas.

Ms. Gonyer asked Mr. Lewis if the RDA was filled for the actual spraying or was it filed to determine the boundaries. Mr. Lewis said they have to submit every five (5) years for the renewal of the VMP in order to confirm the bounds.

Ms. Gonyer noted each year we receive the Yearly Operating Plan (YOP) and are usually notified with a link when the VMP is finalized

Board Comments:

Dr. Roth made a full disclosure that he is an abutter to this project.

Public Comments:

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*who are making their comments by patiently and quietly waiting your turn. Thank you."*

There were no public comments.

Mr. Gallagher made the motion to issue a Negative Determination for reason #3, work will not impact the resource area; Negative Determination for Reason #5; work is exempt from the Riverfront Protection Act under 333 CMR 11.00; and Positive Determination for Reason #2a, the boundaries of the resource areas as shown are accurately delineated for the VMP activities within compliance of 333 CMR 11.00 to TEC Associates for the renewal of the wetland delineation along Amtrak's Right-of-Way to allow for vegetation management.

Mr. Loukos seconded the motion.

Mr. Healey – in favor

Ms. Simms – in favor

Dr. Roth – in favor

Mr. Loukos – in favor

Ms. Joynes – in favor

Motion passed 6-0-0

Hearing ended at 6:44 pm.

#### **4. Request for Determination of Applicability: TEC Associates.**

Mr. Healey opened the hearing for TEC Associates for the renewal of the wetland delineation along Mass Coastal Railroad Right-of-Way to allow for vegetation. Management.

Thomas Lewis, TEC Associates, said this Vegetation Management Plan is for the Mass Coastal railroad right-of-way, which expired in December 2020. He said the area of interest for this renewal of the wetland delineation is much smaller than the Amtrak delineation. He said this segment of the track only runs from the passenger station in the center of town and goes in a north, northwest direction to County Street and is approximately ¼ mile of track before it goes into Foxboro. He said there is only one stream crossing, which is a no spray area.

There were no Board comments.

Public Comments:

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There were no public comments.

Dr. Roth made the motion to issue a Negative Determination to TEC Associates for the renewal of the wetland delineation along Mass Coastal Railroad Right-of-Way to allow for vegetation management for reason #3, work will not impact the resource area; Negative Determination for Reason #5; work is exempt from the Riverfront Protection Act under 333 CMR 11.00; and Positive Determination for Reason #2a, the boundaries of the resource areas as shown are accurately delineated for the VMP activities within compliance of 333 CMR 11:00.

Ms. Joynes seconded the motion.

Dr. Roth – in favor

Ms. Joynes – in favor

Mr. Gallagher – in favor

Mr. Loukos – in favor

Mr. Simms – in favor

Mr. Healey – in favor

Motion passed 6-0-0.

Hearing ended at 6:55 pm.

**5. Request for Determination of Applicability: Janet McGowan, 86 Rumford Avenue, Unit A, Map 23, Parcel 207.**

Mr. Healey opened the hearing for Janet McGowan for the removal of three (3) trees after-the-fact, future paving of existing gravel driveway and small fire pit/patio within 100 feet of Inland Bank of Fulton Pond.

Ms. Gonyer said this filing is the result of an Enforcement Order; six (6) trees were reported cut within the buffer. She said she responded to the site and met with the homeowner, who recently purchased the property and was unaware there were any jurisdictional issues. Ms. McGowan immediately filed an RDA. Ms. Gonyer said one tree located to the left of the existing detached garage within the 50-foot buffer was removed and four (4) trees, two Maples and two pine trees were also removed. Ms. Gonyer said Ms. McGowan would also like to pave the existing gravel driveway up to the detached garage; the rest of the area would remain as lawn. Ms. Gonyer asked that the paving be as minimal as possible to service the two doors of the garage and said there should be a 2:1 or 1:1 mitigation for the removed trees; she noted the area is in desperate need of a shrub layer/middle strata and a few saplings, woody bushes or shrubs within the 25-foot would help. She said low bush blueberry or arrowwood would be great in this area and said she would help the homeowner with the planting plan. Ms. Gonyer asked that the homeowner email or call the Conservation Department so anything that is jurisdictional would be permitted.

Board Comments:

Mr. Healey noted Ms. McGowan never defined the size of the patio. Ms. Gonyer said the Applicant would have to submit a plan showing the footprint of the patio. Ms. McGowan said the patio would be 18'x20' and located at the end of the existing driveway. Ms. Gonyer said the paving of the driveway would stabilize the area. She said the distance from the proposed fire pit to the pond is approximately 65 feet. She said the Commission can ask for a plan showing the driveway and patio/fire pit area.

Dr. Roth said he was not sure what the Commission is voting on tonight because there is no plan. Ms. Gonyer said there is no plan because there are three trees within 50 feet of the Inland Bank of Fulton Pond. Ms. Joynes said there is a hand-drawn plan. Dr. Roth said he was concerned about the driveway and wants to make sure there are boundaries so the driveway does not expand further. Mr. Healey said there should be some mitigation with plantings. He noted the rest of the project is not well defined. Ms. McGowan said she would also like a paved area large enough for a turnaround for the cars. Ms. Gonyer said the driveway, the turnaround and the fire pit can be incorporated into a recently dated plan. Mr. Healey suggested the hearing be continued and have the Applicant submit a sketch with more details about the plantings, the driveway/turnaround outline and the location of the fire pit/patio. Mr. Loukos agreed with Mr. Healey that there is no plan that the Commission can accurately see the location and size of everything proposed. Ms. Joynes disagreed and said if Ms. McGowan is only doing the driveway, the plan submitted shows the dimensions of the driveway and the garage. Dr. Roth said he just wants to clearly define the limit of work; he is not saying the hearing needs to be continued as long as we establish a clear delineation of work before any work is started. Mr. Healey said the Commission can ask that prior to the start of work the Agent will work with the homeowner on site to stake out the limit of work with some mitigation to help protect the resources after any unpermitted activity. Ms. Gonyer said they will require another plan showing all mitigation, the location and size of the fire pit/patio and a better depiction of the driveway; she said work is not to start until the revised plan is submitted.

Ms. McGowan asked if she would still be able to grind the stumps down. Ms. Gonyer said yes but only below grade and the root ball is not to be pulled out.

Public Comments:

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There were no public comments.

Ms. Joynes made the motion to issue a Negative Determination for reason #3, work will not impact the resource area, to Janet Mc Gowan at 86 Rumford Avenue for the removal of three (3) trees, paving of existing gravel

driveway, and installation of a fire pit/patio within 100 feet of the inland bank of Fulton Pond with the following special conditions:

1. Agent is to be notified prior to the start of paving
1. Applicant may grind the stumps only; do not remove the root ball
2. Agent to inspect erosion control prior to the start of work
3. Agent is to be notified when work is complete
4. Applicant is to plant six (6) native plantings (including but not limited to ground covers, woody shrubs, saplings) within the 25-ft. No Disturb Zone of the Inland Bank of the pond to protect the resource area. Agent is to approve the planting type and location with the Applicant.

Ms. Simms seconded the motion.

Mr. Healey – in favor

Ms. Simms – In favor

Dr. Roth – in favor

Mr. Loukos – in favor

Mr. Gallagher – in favor

Ms. Joynes– in favor

Motion passed 6-0-0.

Hearing ended at 7:47 pm.

**6. Request for Determination of Applicability: Craig and Sara Regnier, 295 Ware Street, Map 32, Parcel 244.**

Mr. Healey opened the hearing for Craig and Sara Regnier for the construction of an addition with grading within 100 feet of Bordering Vegetated Wetland.

Homeowner Craig Regnier and Michael Trowbridge, Hutchins Trowbridge Associates, were present.

Ms. Gonyer said this is a single-family home and the wetlands within jurisdiction are located to the south and the northwest. She said this is going to be a 30'x30' addition, to be located at the southwestern side of the dwelling at the end of the existing paved driveway and a drywell and erosion control are shown on the plan. She said the area is very flat but she would like to minimize any cutting into the woods on the southside of the property. Mr. Regnier said the intended area for the addition is almost completely paved so no vegetation would be removed. Mr. Gonyer asked if the driveway would be expanded. Mr. Regnier said the driveway would be shorter. Ms. Gonyer said there is a fence that demarcated the extent of the lawn. Ms. Gonyer noted lawn debris has been dumped in the 25-foot area; she asked that it be removed and that Mr. Regnier find an upland area to compost the clippings.

There were no Board comments:

Public Comments:

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There were no public comments.

Ms. Simms made the motion to issue a Negative Determination for reason #3, work will not impact the resource area, to Craig and Sara Regnier at 295 Ware Street (Map 32, Parcel 244) for the construction of an addition with grading within 100 feet of Bordering Vegetated Wetland with the following special conditions:

1. Erosion control to be installed as detailed
2. Agent to inspect erosion control prior to the start of work
3. Agent is to be notified when work is complete
4. Applicant to cease dumping of any yard debris in the 25-foot area
5. Applicant must submit an As-built plan after the completion of the project

Mr. Gallagher seconded the motion.

Dr. Roth - in favor

Ms. Simms – in favor

Ms. Joynes – in favor

Mr. Gallagher – in favor

Mr. Loukos – In favor

Mr. Healey – in favor

Motion passed 6-0-0.

Hearing ended at 7:57 pm.

#### **7. Request to Extend Order of Conditions: Michael Yunits, Mansfield Avenue, Map 16, Parcel 26.**

Mr. Healey opened the hearing for the Extension of the Order of Conditions for Michael Yunits for the Norton Reservoir Aquatic Plant Management Program under DEP SE 211-0956.

Ms. Gonyer said the Commission issued an Order of Conditions in May 2012 for the Aquatic Management Plan for invasive species vegetation. She explained the majority of the work is in Norton but there is a small portion that is jurisdictional in Mansfield. She said she has no problem with the methodology being used to remove the vegetation and noted she was notified when they were doing the treatments. She said the Norton Conservation Commission recently approved the extension of the Order of Conditions for the invasive species management. She recommended the Order of Conditions be extended for another five (5) years to May 2026. All of the existing conditions shall apply.

There were no Board comments:



Public Comments:

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There were no public comments.

Mr. Gallagher made the motion to issue the extension of the Order of Conditions to Michael Yunits, Mansfield Avenue, Map 16, Parcel 26. Norton Reservoir Aquatic Plant Management Program under DEP SE 211-0956 for an additional five years. The Order will expire in May of 2026. All of the existing conditions shall apply.

Ms. Joynes seconded the motion.

Mr. Healey – in favor

Mr. Loukos – in favor

Mr. Gallagher – in favor

Ms. Joynes – in favor

Ms. Simms – in favor

Dr. Roth – in favor

Motion passed 6-0-0.

Hearing ended at 8:03 pm.

**8. Notice of Intent: Fran Pyne, 215 Oak Street, Map 15, Parcel 85.**

Mr. Healey opened the hearing for Fran Pyne, 215 Oak Street for the construction of a new single-family house within 100 feet of Bordering Vegetated Wetland under DEP SE 211-0988.

Homeowners Fran and Stephen Pyne and Michael Trowbridge, Hutchins Trowbridge Associates, were present.

Ms. Gonyer said this is an undeveloped lot with a wetland that does not show on GIS. She said the lot is primarily wooded and the proposed dwelling with a porch is reasonably sized with a garage slab in front with a paved driveway and septic system. There will be minor grading between the 25-foot NDZ and the 50-foot Buffer Zone, but all work is outside the 50-foot area, which Ms. Gonyer noted is what we want to see with new construction. Erosion control is shown on the plan as well as drywells for roof runoff. Ms. Gonyer said Oak Street is designated

as a scenic road so there is a 75-foot setback. She asked that the limit of established lawn area be shown on the plan. Mr. Trowbridge said they only went into the 25- and 50-foot area where it was absolutely necessary and gave it a fairly modest lawn/limit of clearing in the rear yard and on the right side closest to the wetlands.

There were no Board comments.

Public Comments:

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There were no public comments.

Mr. Gallagher made the motion to issue an Order of Conditions to Fran Pyne at 215 Oak Street, Map 15, Parcel 85. For the construction of a new single-family house within 100 feet of Bordering Vegetated Wetland (BVW) with the following Findings and Special Conditions under DEP SE 211-0988:

**FINDINGS:**

- At their April 26, 2021 public hearing the Mansfield Conservation Commission issued an Order of Conditions to Fran Pyne, 215 Oak Street, Mansfield, MA. The site plan to accompany the OOC was drafted by Hutchins-Trowbridge Associates, Inc. The plan of record is dated March 17, 2021.
- The jurisdictional resource(s) on site is a Bordering Vegetated Wetland.
- The scope of work includes: the construction of a new single-family house with new septic system in a Residential 1 zone.
- The house is located approximately 62 feet from the wetland boundary.
- All roof run off is being directed to drywells.

**SPECIAL CONDITIONS UNDER THE BYLAW:**

1. No work can be started until the Order of Conditions has been recorded with the Bristol County Registry of Deeds and the receipt of the Order is returned to the Commission filled in by the Registry.
2. All work must conform to the plan dated March 17, 2021, referenced as "the plan of record" in this Order.
3. All limits of work and erosion controls shall be installed prior to any construction, clearing, or excavation. The erosion controls shall consist of a 8" diameter biodegradable mulch-filled silt sock with wooden stakes every 10 feet on each sides of sock or equivalent (do not pierce silt sock

with stakes). In addition to the silt sock, trenched-in silt fence may be required depending on the specific site conditions. See the Conservation Agent (Agent) for specific erosion control design standards. The Applicant shall notify the Agent when any such devices or measures are installed so that a site visit can be conducted prior to the commencement of work.

4. The Commission reserves the right to require additional mitigation or erosion control devices or measures if mitigation or erosion control devices are not adequately installed or maintained on site.
5. The Applicant shall ensure that all demarcation (i.e. limits of work) and erosion control devices will remain in place and be maintained throughout the construction process and until all disturbed areas are stabilized. Stabilization shall be achieved once a complete vegetative cover is reached. Seeded areas shall be covered with a suitable protective cover to allow the seed to germinated and become established. All side slopes greater than 3:1 (but less than 2:1) are to be covered with jute mesh and seeded. At no point shall erosion occur resulting in sediment entering the wetland areas. If erosion occurs, the Agent is to be contacted to review the extent of the erosion and determine follow-up actions.
6. All roof runoff is to be directed in drywells or equivalent drainage components approved by the Commission. The Commission or its agent shall review the locations of the drywells.
7. The Conservation Commission or its agent is to be notified of the starting date of the work prior to its commencement.
8. Wetland flagging must remain in place until the project has been completed and the Certificate of Compliance issued.
9. The Certificate of Compliance shall be requested in writing upon completion of the project. At the same time, the applicant or any successor shall, upon completion of the project; submit an as-built plan and letter signed by a professional engineer, certifying that the work has been done in accordance with the approved plan. The as-built plan must include all hardscaping, patios, walkways, sheds, etc.
10. Any modifications or revisions to the plan(s) referenced in this Order must be submitted to the Commission for review. For single family lots, this Order is for the structures shown on the plan of record only. Any additional structures including, but not limited to, decks, patios, sheds, pools, walkways and/or any hardscape features must be reviewed by the Commission. If, after their review, the Commission finds that the changes are not significant enough (minor modifications) to warrant an Amended Order or new Notice of Intent, then the revised plans shall be considered the new plan of record. If the changes are significant enough to warrant an Amended Order or new Notice of Intent, then the applicant is required to file accordingly.
11. Signage for single family lots:  
Prior to receiving a Certificate of Compliance, the Applicant must install permanent "Environmentally Sensitive Area" signs on the subject lot. The quantity and location of the sign are to be designated by Commission or the Agent on a case by case basis. The 4" discs (reading "Environmentally Sensitive Area, Do Not Disturb"), hardware and method of installation are available at Conservation Department.
12. No synthetic fertilizer, herbicides, pesticides or fungicides can be used; only organic products may be used.
13. Dumping of lawn clippings and/or yard debris into wetland and/or 25-foot No Disturb Zone is prohibited. Storage is prohibited in these areas as well.
14. Applicant must include any hardscaping, patios, walkways, etc. on this site plan.
15. Applicant must show the limit of proposed lawn area on the plan. This area must not occur in the 25-foot NDZ and should be minimized on the north side of the lot (adjacent to the wetland). The erosion control line would be a reasonable limit of lawn.

Mr. Loukos seconded the motion.  
Dr. Roth – in favor  
Ms. Simms – in favor  
Ms. Joynes – in favor  
Mr. Gallagher – in favor  
Mr. Loukos – in favor  
Mr. Healey – in favor

Motion passed 6-0-0.

Hearing ended at 8:13 pm.

**9. Notice of Intent: David & Rachel Hall, 33 Oak Leaf Drive, Map 15, Parcel 96.**

Mr. Healey opened the hearing for David & Rachel Hall for the construction of an addition, grading and septic within 100 feet of Bordering Vegetated Wetland under DEP SE 211-0987.

Homeowner David Hall and Michael Trowbridge, Hutchins-Trowbridge Associates, were present.

Ms. Gonyer said this is an existing single-family home with a failing septic system; the new system will be located in the front of the house on the west side of the lot in an area that was previously disturbed. She said there is a Bordering Vegetated Wetland associated with Hodges Brook on the site. The Applicant is also proposing a 26'x18' addition; the addition will be located over the existing leaching field. Ms. Gonyer said the plan shows some trees, identified as Maples, that may have to be removed when the septic system is done. She suggested a 1:1 mitigation with saplings or small bushes.

Mr. Trowbridge said the intent is to try to keep the trees if they can; if the septic system has to be moved a little to the east, they will try to save the trees. Mr. Trowbridge said there will be a drywell for the roof drains behind the proposed addition.

Ms. Gonyer asked if the silt sock ends at the back of the house. Mr. Trowbridge said yes because the area is fairly level. Additional erosion control shall be placed from the existing house to the east property line, to include the proposed addition as shown on the plan dated March 17, 2021. The limit of work is shown on the plan.

Board Comments:

Ms. Simms asked about the plantings. Ms. Gonyer said if they are going to try to save the trees there will be no need for mitigation. Ms. Simms said a Special Condition should read a 2:1 mitigation for any newly cut trees.

Dr. Roth asked if the tree species would be approved by the Agent. Ms. Gonyer said she would approve any plantings; she said Red Maples would do well in this area.

Public Comments:

The Chair read the following notice:

*"It is important to us that you have a platform for your questions and comments during this meeting, therefore to ask questions or make a public comment during tonight's virtual meeting you must have registered*

*and joined the meeting via GoToWebinar where you now have the ability to submit your question or comments through the questions option in your control panel, or you can use the raise your hand option to be allowed to speak.*

*For those who have joined the meeting via telephone who would like to ask a question or make a comment, you are now welcome to unmute your phone. We ask that you only have your phone unmuted while you are asking your question. Please mute when you are no longer live.*

*You can unmute your phone by pushing \*6. Please then state your name and address, and when acknowledged by the Chairperson you can then state your question or comment. When you are done with your comment please mute your phone again by pushing \*6.*

*As with any public meeting we ask you to be respectful of the Board members and the other residents who are making their comments by patiently and quietly waiting your turn. Thank you."*

There were no public comments.

Mr. Gallagher made the motion to issue an Order of Conditions to David & Rachel Hall at 33 Oak Leaf Drive, Map 15, Parcel 96 (DEP Number not issued yet) for the construction of an addition, grading and septic within 100 feet of Bordering Vegetated Wetland. with the following Findings and Special Conditions under DEP SE 211-0987:

**FINDINGS:**

- At their April 26, 2021 public hearing the Mansfield Conservation Commission issued an Order of Conditions to David & Rachel Hall, 33 Oak Leaf Drive, Mansfield, MA. The site plan to accompany the OOC was drafted by Hutchins-Trowbridge Associates, Inc. The plan of record is dated March 17, 2021.
- The jurisdictional resource(s) on site is a Bordering Vegetated Wetland.
- The scope of work includes: the construction of addition, grading and septic system in a Residential 1 zone.
- All roof run off is being directed to a drywell.

**SPECIAL CONDITIONS UNDER THE BY-LAW**

1. No work can be started until the Order of Conditions has been recorded with the Bristol County Registry of Deeds and the receipt of the Order is returned to the Commission filled in by the Registry.
2. All work must conform to the plan dated March 17, 2021, referenced as "the plan of record" in this Order.
3. All limits of work and erosion controls shall be installed prior to any construction, clearing, or excavation. The erosion controls (additional erosion control shall be placed from the existing house to the east property line, to include the proposed addition as shown on the plan of record dated March 17, 2021) shall consist of an 8" diameter biodegradable mulch-filled silt sock with wooden stakes every 10 feet on each sides of sock or equivalent (do not pierce silt sock with stakes). In addition to the silt sock, trenched-in silt fence may be required depending on the specific site conditions. See the Conservation Agent (Agent) for specific erosion control design standards. The Applicant shall notify the Agent when any such devices or measures are installed so that a site visit can be conducted prior to the commencement of work.
4. The Commission reserves the right to require additional mitigation or erosion control devices or measures if mitigation or erosion control devices are not adequately installed or maintained on site.
5. The Applicant shall ensure that all demarcation (i.e. limits of work) and erosion control devices will remain in place and be maintained throughout the construction process and until all disturbed areas are stabilized. Stabilization shall be achieved once a complete vegetative cover

is reached. Seeded areas shall be covered with a suitable protective cover to allow the seed to germinated and become established. All side slopes greater than 3:1 (but less than 2:1) are to be covered with jute mesh and seeded. At no point shall erosion occur resulting in sediment entering the wetland areas. If erosion occurs, the Agent is to be contacted to review the extent of the erosion and determine follow-up actions.

6. All roof runoff is to be directed in drywells or equivalent drainage components approved by the Commission. The Commission or its agent shall review the locations of the drywells.
7. The Conservation Commission or its agent is to be notified of the starting date of the work prior to its commencement.
8. The Certificate of Compliance shall be requested in writing upon completion of the project. At the same time, the applicant or any successor shall, upon completion of the project; submit an as-built plan and letter signed by a professional engineer, certifying that the work has been done in accordance with the approved plan. Applicant must include any hardscaping, patios, walkways, etc. on the as built plan.
9. Any modifications or revisions to the plan(s) referenced in this Order must be submitted to the Commission for review. For single family lots, this Order is for the structures shown on the plan of record only. Any additional structures including, but not limited to, decks, patios, sheds, pools, walkways and/or any hardscape features must be reviewed by the Commission. If, after their review, the Commission finds that the changes are not significant enough (minor modifications) to warrant an Amended Order or new Notice of Intent, then the revised plans shall be considered the new plan of record. If the changes are significant enough to warrant an Amended Order or new Notice of Intent, then the applicant is required to file accordingly.
10. Signage for single family lots:  
Prior to receiving a Certificate of Compliance, the Applicant must install permanent "Environmentally Sensitive Area" signs on the subject lot. The quantity and location of the sign are to be designated by Commission or the Agent on a case by case basis. The 4" discs (reading "Environmentally Sensitive Area, Do Not Disturb"), hardware and method of installation are available at Conservation Department.
11. No synthetic fertilizer, herbicides, pesticides or fungicides can be used; only organic products may be used.
12. Dumping of lawn clippings and/or yard debris into wetland and/or 25-foot No Disturb Zone is prohibited. Storage is prohibited in these areas as well.
13. Any new trees to be cut must be mitigated 2:1 within the 25-foot No Disturb Area and the 50-foot buffer.

Mr. Loukos seconded the motion.

Dr. Roth – in favor

Ms. Simms – in favor

Ms. Joynes – in favor

Mr. Gallagher – in favor

Mr. Loukos – in favor

Mr. Healey – in favor

Motion passed 6-0-0.

Hearing ended at 8:29 pm.

#### 10. Old Business:

Approval of March 22, 2021 minutes: Minutes were no approved.

Annual Trail Management Plan draft update:

Ms. Gonyer said this document was worked on by DPW and the Open Space Committee last year. The majority of the plan has been drafted but she is waiting for the annual routine that will be the responsibility of DPW and the Conservation Department. She said Conservation has recently received a small budget of \$5,000.00 for trail maintenance under the Conservation Department. She said she has been meeting with Mark Cook once a month to discuss what needs to be done in the Conservation areas. They will do a spring and fall assessment of the Conservation areas and all information regarding the conditions of the trails as well as safety issues will be added to a spreadsheet. She said hopefully by the end of this fall they will have a better idea of what we can commit to as a town and what DPW can do. She said they will then look for additional funding or an increase in the budget. Ms. Gonyer said she will also develop a notification process for anyone visiting any of the Conservation areas to report any issues with the trails.

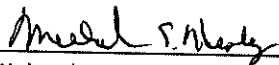
Ms. Gonyer said she and Mr. Healey went before the Select Board for an update of what is happening in the department, including enforcement issues, grants, the pilot project with EPA and the adoption of the stormwater management regulations.


Ms. Simms said safety issues are obviously a first priority but wanted to know if it would be possible to do some trail widening. Ms. Gonyer said now that the safety issues are done we need to get into the regular maintenance and figure out what can be done internally and what funding we would need for contract work.

**11. Adjournment:**

Motion to adjourn at 8:40 pm. (Gallagher/Loukos). Motion passed 6-0.

Next meeting will be May 17, 2021 at 6:30 pm.

  
\_\_\_\_\_  
Michael Healey, Chair

  
\_\_\_\_\_  
Date