

**MEETING HELD VIRTUALLY USING GOTOWEBINAR PLATFORM**

Present: Michael Healey, Chair; Dr. Aaron Roth, Vice Chair; Aaron Gallagher; Sara Joynes; Katelyn Gonyer, Conservation and Environmental Planner.

Also present: Sally Fehervari, Colin Cauldwell.

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.*

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."*

1. Meeting Called to Order at 6:32 pm.
2. New Business:
  - Sally Fehervari, Canoe River Heritage Trail, Cemetery Trail and Site Work.

Ms. Gonyer explained this is a request to talk about establishing a new trail system and noted there is a lot of history with this subject property.

Mr. Cauldwell suggested Ms. Fehervari do the overview of the project and he would present the details of the project. Ms. Fehervari said she is the Outreach Officer for the Mansfield Democratic Town Committee.

A GIS and proposed layout of the site were shown. Ms. Fehervari thanked the Commission for the opportunity to talk about this community service project. She said the path to the cemetery is one-half mile long and trees have obstructed the trail to the existing gravel pit. She said once you get to the gravel pit and you take the path to the left to arrive at the cemetery. She said the project is to clear the trail, have some signage, tidy up the cemetery area, research the history of the site, map the area and put up fencing around the cemetery. She said right now there are four graves for the Ephraim Leonard family and then there are graves sites within and outside the existing fencing for the Leonard family slaves. She said there is a bike trail surrounding the cemetery so this area would also need to be tidied up. She said the site contains granite stones, fencing and a sign that describes who Ephraim Leonard was and the history of the farm with a separate piece for the slave graves. Ms. Fehervari mentioned there is a construction site with materials on the Red Trail and Mr. Cauldwell said there are several of these on this site (a picture dated March 27, 2021 was shown). Ms. Fehervari said things to be done would be the Town Engineer would survey the entrance at Mill Street and also the 10-foot wide right-of-way from Ephraim Drive, the Red Trail, because it would be better to bring any fencing material from this area to the site; she said after all materials are on site, the right-of-way will not be used. She noted the project is just to go to the cemetery; the Boy Scouts will clear the half-mile trail.

Mr. Cauldwell said he has enlisted the aid of a Boy Scout troop to clear the Yellow Trail from Mill Street to the site. He said the site contains the graves of three women, the wives of Mr. Leonard, and one man. He explained Mr. Leonard was an industrialist and a founder of the Town of Mansfield and he also excavated Mill Pond by slave labor. Mr. Cauldwell noted Mr. Leonard had up to thirty slaves at a time and was the only slave owner in Mansfield. He said they want to preserve this site and recognize the contributions of the African Americans that are buried there. He said he has tentatively scheduled the Boy Scouts in June to clear the trail to the base of the cemetery. He said he is acting on behalf of Natural Resources Trust and noted Ms. Fehervari is also a member of NRT.

Mr. Cauldwell said they are looking into ground-penetrating radar technology, available to them at a reasonable cost, so they can see how many graves sites are there, because many of the stones marking the slave graves have been scattered or displaced. He said this would be a very important part of this project to determine how many graves are actually there; he said they will then design a substantial fencing system using granite posts with chain link fencing to surround the entire cemetery once they find the extent of the burials.

Mr. Cauldwell said they are asking permission to do this project on town-owned property (parcel 43-20) and will keep the Conservation Commission updated about what they discover and what the ultimate design will be. He said this will be a long-term project because there is a fundraising aspect to it as well. He said they would like the 10-foot town-owned land that goes from Ephraim Drive to the site staked out to get the equipment needed to do the ground penetrating radar analyst and the fencing to the site. He noted the ground penetrating radar would have to be one of the first things to be done.

Ms. Gonyer asked if anyone from this neighborhood has been notified about this project. Mr. Cauldwell said he spoke with the resident who lives at the end of the cul-de-sac who is aware of the cemetery and he also volunteered he is the only one who rides a dirt bike out there. Mr. Cauldwell believes this person has actually cleaned the cemetery area in the past.

Ms. Gonyer asked if the trails are social or historic trails. Mr. Cauldwell said in 1974 the Gonsalves family sold this lot to the town when they established the campground; he said the trail to the gravel pit, formally owned by Mr. Gonsalves, is the old roadway that has been there for fifty years. He noted the right-of-way to Mill Street is narrow, ten feet at its narrowest point, and said they do not want to trespass on anyone's property so this area would need to be well defined.

Ms. Gonyer asked about parking. Mr. Cauldwell said there will be parking at the end of the trail only because it is just too dangerous to park on the street. He said you could park on Ephraim Drive or park at the old Hartwell School, which is town-owned property, off Ephraim Drive on Mill Street.

Ms. Gonyer said her concern was the project would be taking on more land that we can maintain, but the project would be more for visiting the cemetery trail, focusing on the heritage and the history of the cemetery, as opposed to a new trail area. She said the Commission would need a parking plan with trash receptacles, signage, etc., and a good concept of how this would be maintained in perpetuity. She asked if NRT would help with the maintenance on this property. Mr. Cauldwell said yes they would help but the only reason they are doing the trail work is to access the cemetery and noted the trail is well defined. Ms. Gonyer said there is another historical cemetery, Happy Hollow Cemetery, in town under the Conservation Commission name, that Conservation may want to restore with fencing, granite posts and chain link and suggested maybe doing both sites in combination.

In regards to parking, Ms. Fehervari said when you look at other conservation land such as the Dorothy York and Marie Strese properties, there is not much parking at these sites either. She does not believe this would be a heavily traveled site, so parking on the street would be more than ample. She said there would have to be some signage at the trail head stating where to park. Ms. Gonyer asked if there would be trail signage, maybe even kiosks, and if this would be done through the town. Mr. Cauldwell said they are proposing to design and create a historical plaque at the cemetery and could also put a sign at the street that this is part of the Canoe River Green Belt and contains a historical site. He said they do not need kiosks or trail maps. He said they can do the trail marking.

#### Board Comments:

Mr. Healey said because the cemetery is located very close to someone's house, he was concerned people wanting to visit the cemetery would be walking through other people's property and said signage would help prevent this. Mr. Cauldwell said the only reason they want the right-of-way between the properties delineated is so they can have access to the cemetery during the construction phase, so this area would not be marked as an entry because they want them to access through Mill Street only. Mr. Healey said they can talk with Mr. Alves about what would be a safe area to park. Ms. Gonyer asked if the trail is dry. Mr. Cauldwell said the area is mostly dry.

Ms. Gonyer said she is working with the Police Department to get the dirt bike issue in Mansfield under control. She said there are 2 or 3 parcels that we have habitual dirt bike users that is causing degradation to the wetlands and vernal pools and noted if they are on town-owned land, motorized vehicles are prohibited. Ms. Fehervari said there are some nice paths here along the river also.

Dr. Roth said this is a great and important project but we would need to have some idea what the long-term trail maintenance would be but, other than this issue, he does not have any concerns and supports the project. Mr. Healey and Mr. Gallagher agreed. Ms. Joynes said it sounds like there will be no ground disturbance and they are just tidying up the graves. Mr. Cauldwell said the only penetration would be when the fencing is done for the posts. Ms. Gonyer said Mass Historic does get involved with these sites all the time and if this site was deemed to be a site of significance, Mass Historic would have a say in the project.

Mr. Cauldwell said if anyone wants to know the history of this property they can google Ephraim Leonard.

Ms. Gonyer asked about the topography of the parcel. Ms. Fehervari said the parcel is fairly level to the gravel pit and then there is an incline to the cemetery.

Ms. Gonyer will visit the site with Mr. Cauldwell and will also look at the subdivision plan to see the language for the right-of-way. She will follow up with all the different services they are asking about such as the engineering department potentially locating the right-of-way and making sure we are not dealing with any type of private issues. She said her biggest concern would be the parking on Mill Street. Ms. Fehervari said they will take the responsibility for talking with the neighbors.

Mr. Gallagher made the motion to accept the project for the cemetery and site work for the Canoe River Heritage Nature Trail as proposed.

Dr. Roth seconded the motion.

Ms. Joynes – favor

Mr. Healey – in favor

Mr. Gallagher – in favor

Dr. Roth – in favor

Motion passed 4-0-0 at 7:17 pm.

Tomorrow Ms. Gonyer will set up a time to walk the site.

3. Notice of Intent: Richard C. Alves, 499 East Street, Map 33, Parcel 11. DEP SE 211-0989.

Mr. Healey opened the hearing for 499 East Street for the construction of two (2) concrete building slabs and compensatory flood storage within 100 feet of Bordering Vegetated Wetland.

Mr. Alves explained a Request for Determination of Applicability was filed and approved in December 2018 and this Notice of Intent reduces the number of slabs from four to two. Mr. Alves presented a site plan to adjust the grading and construct two concrete slabs and a compensatory flood storage basin, in which a portion of the construction falls within Flood Zone AE, based on the FEMA Maps, effective date July 7, 2009; the flood maps show a flood elevation of approximately 121 in this area. He said they are proposing a net value of 1,418 cubic feet of filling with a ratio of 2:1 and they are also providing a 12" equalizer pipe to connect the flood elevations to eliminate additional work and clearing within the 50-foot to the Bordering Vegetated Wetland. He said under the RDA they were able to clear everything up to the 50-foot buffer and 8" mulch socks were installed along the 50-foot buffer and a small portion of mulch sock will be added near the compensatory storage area and will not be removed until all disturbed areas in the vicinity of the construction have been permanently stabilized; once the area has been stabilized the mulch sock will be spread evenly for the habitat. He said they are trying not to do anymore disturbance in the resource area. He noted Ms. Gonyer reviewed and agreed with the delineation for the application. Disposal of any materials will not be permitted within the wetlands, streams or any other water resource area and all care shall be taken to prevent any adverse impacts to the resource area. He said the intent is to have the work performed by a contractor hired by the town before the end of the fiscal year with assistance from DPW and the Engineering Division; Mr. Alves noted if the work is not done by the end of June, they will lose funding for the work.

Mr. Alves said they received a letter from Paula and Ulrich Bruggemann regarding noise issues.

Mr. Gallagher questioned the compensatory storage and asked if it is calculated on the foot per foot basis. Mr. Alves said yes with a 2:1 ratio, so roughly 28+ cubic feet of compensatory storage would be provided below the elevation of 121.

Mr. Healey asked if the firing range is currently in use. Mr. Alves said yes and to the best of his knowledge, it is only scheduled for two days a week. He said the slabs will be used for trailers. He said the proposed site location is approximately 800 feet to the closest single-family home and they will work with the abutters to try to mitigate the noise pollution. He said the plan

in front of the Commission is just for the trailers. He said he will work with Michael Ahern to try to get this constructed before the end of the fiscal year. He said the shooting range will still continue two day a week with no increase. He noted that guns are also being fired at the Mansfield Fish and Game Club across the street. Mr. Alves said they can work with them to figure out what the noise problem is and he deferred to Ms. Gonyer to get a better understanding of the potential issues with the Mansfield Fish and Game Club.

Ms. Gonyer read the letter from Paula and Ulrich Bruggemann into the record.

Mr. Alves and Ms. Gonyer talked with Detective Frank Archer and he said the firing range is only used two days a week and he believed a lot of the louder sounds were coming from the Fish and Game Club.

Ms. Gonyer said what the Bruggemanns' are asking is reasonable and we need to know the answers and at least establish communication with someone to get the answers; she said she is not sure who would be the one to decide what and how the firing range can be used and if there is a plan for it.

Public Comments:

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Ms. Bruggemann commented about Mr. Alves' comment about the firing range being 800 feet away and said Ms. Gonyer measured 500 feet from the property line. Ms. Gonyer said Mr. Alves measured from the shoot range, she measured from the edge of the limit of work. Ms. Bruggemann said she spoke with one of her neighbors who told her the noise is very loud. She said they have notice how much louder it has become and would like to know what type of weapons they are able to use. She said she also had concerns about the effect this would have on the birds and wildlife. Mr. Alves said a lot of the trees and vegetation in this vicinity are dead or the trees have fallen and this could increase the noise level. Ms. Bruggemann agreed this is part of the issue but there has been an increase in the type of weaponry that is being used with the training. She said there are one or two times a year where they are there the entire week and they are shooting from early in the morning to late at night. Ms. Gonyer said what she will reach out to the Chief and the regional group and to maybe get a schedule for when the week-long event happens and get a contact person. She would like to be on the property to hear the noise because it would be the best way to assess and experience the situation. She can also reach out to the Mansfield Fish and Game Club; she noted that most of the club's shooting area is enclosed.

Ms. Bruggemann said she had a conversation with someone today who said one of the other concerns is environmental and asked, when there is a shooting range, where do the shell casings go, because traditionally they have lead in them and if you are in a water shed area the lead could infiltrate into the water. Mr. Healey said the bullet is shot into a target and an inbankment. He said the town has wells in this system but believes the police shooting range and Fish and Game Club have been in operation long enough that if they were generating any type of a concern, we would have already found it with routine monitoring of our groundwater quality from those wells.

Ms. Bruggemann said it does sound like they are now using automatic weapons and this is something they would like to know about if this is the case. Mr. Healey said he lives in the neighborhood and said he hears the reports of gun fire, but he has

not heard anything that sounds like an automatic weapon. Ms. Bruggemann said she will send a video to Ms. Gonyer and she can pass it along to Mr. Healey. Ms. Bruggeman said they understand that the shooting range has been there for 40 years, long before most of the house were built, but maybe it is time to revisit this at some point. Mr. Alves said regarding the semi-automatic weapons, as per the Chief and to the best of his knowledge, they are using semi-automatic weapons two days a week and the Fish and Game Club is using automatic weapons. As to the sound and where it is coming from, he said we would have to talk with the Fish and Game Club. He said this seems to be a pre-existing condition and they are looking to put these two slabs in the vicinity to put trailers and there will be no additional firing. He said they can work with the Chief to answer any additional questions. As to how often they are shooting at the Club, Mr. Alves said he does not have the answer and suggested that Ms. Gonyer or the Chief follow up with Fish and Game Club.

In regards to the question of noise and the effect on wildlife, Dr. Roth said he did survey work on the Cape at Camp Edwards and they did not find any impacts on wildlife at all, but this is a more dense and fragmented area, which may have an effect but overall the relationship between that kind of noise and general wildlife behavior was ok. He said also it was his understanding that Mansfield does not have a noise ordinance because you cannot regulate noise; he said they have tried in the past to change this but it was voted down.

Mr. Healey said this is an existing historic use and we need to get a schedule from the town or the regional group official for when the shoot range will be used. Mr. Alves said he received a text that the Chief will reach out to Ms. Gonyer tomorrow.

Mr. Bruggmann said life is changing and we have to adapt to certain things. He said he realized the shoot range has been there for forty years but now there are more people around and maybe it is time to think of things to do. He said it is regional and maybe all can contribute to the solution.

Dr. Roth made the motion to issue an Order of Conditions to Richard C. Alves, 499 East Street, Map 33, Parcel 11, for the construction of two (2) concrete building slabs and compensatory flood storage within 100 feet of Bordering Vegetated Wetland under DEP SE 211-0989 with the following Special Conditions under the Mansfield Wetland Protection By-law Chapter 220:

#### Findings:

- At their May 17, 2021 public hearing the Mansfield Conservation Commission issued an Order of Conditions to Richard C. Alves, Jr., Six Park Row, Mansfield, MA. The site plan dated March 31, 2021 to accompany the OOC was drafted by Richard C. Alves, Jr., P.E., Town of Mansfield Engineering Division
- All roof run off is being directed to a drywell or equivalent drainage component.

#### Special Conditions under the Mansfield Wetland Protection By-law:

- **RECORD THE ORDER:** The start of work may not be issued 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.
- **SITE PLANS:** All work must conform to the plans "Site Plan" dated March 31, 2021, referenced as "the plan of record" in this Order.
- **LIMIT OF WORK/START WORK:** All limits of work and erosion controls shall be installed prior to any construction or excavation. The Applicant shall notify the Agent when the erosion controls have been installed (at least 5 business days in advance of the proposed start work date). Once the erosion control has been inspected, the Agent may authorize the start work date. Limited tree & shrub clearing may be permitted in order for the installation of the erosion controls under the direct guidance of the Commission or the Agent. The Agent or Commission must be notified of any clearing prior to the inspection of erosion control.
- **EROSION CONTROLS:** The erosion controls, to be installed at limit of clearing and work as per the plan, shall consist of a 8" diameter (min.) 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). See the Conservation Agent (Agent) for specific erosion control design standards.

- **ADDITIONAL MITIGATION:** 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.
- **LIMIT OF WORK MAINTAINED:** 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.
- **ROOF RUN OFF:** 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. All drainage components are to be maintained.
- **START OF WORK:** The Conservation Commission or its agent is to be notified of the starting date of the work prior to its commencement.
- **MODIFICATIONS TO ORDER:** Any modifications or revisions to the plan(s) referenced in this Order must be submitted to the 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.
- **CERTIFICATE OF COMPLIANCE:** 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.
- **STORMWATER MANAGEMENT & OPERATION AND MANAGEMENT PLAN:** All the terms and conditions set forth in the Stormwater Management Plan for the Notice of Intent for 499 East Street prepared by the Town of Mansfield Engineering Division and submitted on April 29, 2021 are to be included with this Order of Conditions. All on-going O&M plan activities are to be recorded as noted. All reports and checklist are to be submitted to the Commission as noted.

Ms. Joynes seconded the motion.

Dr. Roth – in favor

Mr. Gallagher – in favor

Mr. Healey – in favor

Ms. Joynes – in favor

Motion passed 4-0-0

Hearing ended at 8:19 pm.

Ms. Gonyer will follow up with the Police Department and the regional group to answer the abutting resident's concerns and questions.

4. Request for Determination of Applicability: Ralph Bellavance, 128 Lawndale Road, Map 40, Parcel 70

Mr. Healey opened the hearing for the construction of a detached 26'x32'two-car garage within 100 feet of Bordering Vegetated Wetland.

Michael Trowbridge, Hutchins-Trowbridge Associates, Inc. presented for Mr. Bellavance.

Mr. Trowbridge said this is a single-family house and the Applicant will be building a detached garage and will continue the existing driveway about ten feet to match up with the new garage. He said the area where Mr. Bellavance is proposing the garage is an existing grassed area, and a silt sock, as shown on the plan, will be installed to the rear of the house along with roof drains connected to a drywell. All work is being done within the lawn area, with the closest siltation control 50 feet away and the actual structure being proposed is approximately 78 feet from the Bordering Vegetated Wetland. Mr. Trowbridge

noted this was part of the original proposal when the house was built years ago but the garage was never done. He said maybe one tree will have to be removed.

There were no board comments.

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 Ralph Bellavance, 128 Lawndale Road, Map 40, Parcel 70 for the construction of a detached 26' x 32' two car-garage within 100 feet of Bordering Vegetated Wetland with the following conditions:

1. Erosion control installed per plan. Erosion control shall consist of 8" diameter (min.) biodegradable mulch-filled silt sock;
2. Agent to inspect erosion control;
3. All roof drains to be directed to a drywell as shown on plan;
4. Erosion control must remain in place until all disturbed areas have been seeded and stabilized;
5. Notify agent when project is complete.

Dr. Roth seconded the motion.

Ms. Joynes – in favor

Mr. Healey – in favor

Mr. Gallagher – in favor

Dr. Roth – in favor

Motion passed 4-0-0

Hearing ended at 8:28 pm.

5. Request for Determination of Applicability: Anil Kishore Atluri, 11 Stratton Road, Map 8, Parcel 12.

Mr. Healey opened the hearing for the removal of one (1) tree and installation of a fence within 100 feet of Bordering Vegetated Wetland.

Homeowner Mr. Anil Kishore Atluri was present.



Ms. Gonyer said she had been to this property a couple of times and had walked the property with the homeowner. She explained this is a single-family dwelling and the property is connected hydraulically with a very large surface water body that is listed as a potential vernal pool but it has not been certified. She said the water body is obviously also some flood control for the neighborhood, acting like a wet basin for retaining rain water and is groundwater fed as well and would be considered part of the resource area even though it is under 5,000 square feet. She said this is a small depression on the side of the property. Ms. Gonyer said Mr. Healey actually was out at the site and spoke with the homeowner. If Mr. Atluri was to fill the depression he would be filling a resource area. Ms. Gonyer said Mr. Atluri wanted to fence in his property and noted there is only 20+/-feet between the house and the depression; the area is flat at the house but then it slopes toward the depression. She said Mr. Atluri wants to level out the yard and she explained to the homeowner this can be very procedural considering that if you are filling in a wetland you would have to restore. She has no problem with the removal of the pine tree and will talk directly with the homeowner about where the fencing can go; she will discuss how to handle the situation with the depression.

Mr. Atluri said he measured the depression and it is about 150 square feet. He said he does not understand how taking care of this small area would impact the resource area. He said the depression is very close to the house and attracts flies, and yellow jackets and is a breeding ground for mosquitoes. He said he needs to level the area and fill the 150 square-foot area and get permission to cut the pine trees; he noted there are a couple of trees that need to be removed not just one pine tree and said he will use the cut trees as a barrier.

Mr. Healey said the depression is fed by ground water and while on site he noticed the homeowner was pumping water out of the depression; he said he observed ground water entering the depression so it is hydraulically connected to the ground water and represents a resource area and you cannot fill a resource area. To answer Mr. Atluri's question about the depression being a wetland, Mr. Healey said the area does have hydric soils and, if it is hydraulically connected, then it is a wetland.

Ms. Gonyer said the approved subdivision plan shows the edge of the Bordering Vegetated Wetland. To clarify, Ms. Gonyer said we are not saying you cannot do anything but you would need to have a surveyed plan of the land and then file a Notice of Intent. She said in the RDA application Mr. Atluri said he wanted to remove some trees, add fencing and wanted to stop erosion from the house, but no where in the application is there a solid plan of how you would fill this area in and where you would replicate. She said this is all permissible but you would have to go through the proper procedure and have a wetland scientist flagged the wetland, hire a land surveyor to survey the depression area and then hire a professional engineer to do an analysis of the area. She noted you can fill up to 5,00 square feet, which is permissible under state law if you go through the Notice of Intent process. She said we can talk about the fence and the trees under the RDA but touching that land form is not part of this application.

Mr. Atluri said the fencing of the lot is his primary concern along with protecting the house from erosion of the soils surrounding the house and preventing water from causing any future issues with the existing structure. Ms. Gonyer asked what type of fencing is proposed and the fence location. Mr. Atluri said he gave a sketch of where the fence would be. He asked what he could do with the water area and if the water could be used to water the lawn. Ms. Gonyer said no because it is a potential vernal pool. She explained this type of water body has a lot of protection and you cannot adversely impact and/or alter the area. She said the plan shows a chain link fence around the entire property but Mr. Atluri said he wants to enclose the dry areas only. Mr. Healey said the fence is also a barrier to the migration of animals that may use this resource area. He said the map is not adequate to answer the questions asked tonight and a more detailed, to scale, plan is needed with a description of what you are going to do.

Mr. Gallagher suggested Mr. Atluri talk with an engineer to get him through the process and have the application updated. He said the Commission cannot approve anything because right now we do not have a graphic that we can refer to in our decision that shows what you are going to do.

Ms. Joynes said there are other things Mr. Atluri wants to do and from a financial perspective, to do a fence now that you might want to move later would be expensive. She said it seems this is all one project. Mr. Healey said the Commission would need a site plan prepared and stamped by a professional engineer to indicate the current conditions at the property and the proposed activities Mr. Atluri is planning to do.

Mr. Atluri asked that the NOI packet be sent to him and said he would file. Ms. Gonyer will send the NOI, a list of local engineers and surveyors by email. He asked about the trees he wants to remove. Ms. Gonyer asked how many trees would be removed. Mr. Atluri said there are six trees. Ms. Gonyer said the Commission would need a plan to scale showing all six trees to be removed.

Mr. Gallagher suggested the hearing be continued to June and Mr. Atluri take the plan shown and mark the location of each tree.

Dr. Roth said Mr. Atluri mentioned cutting down the trees and using them as a barrier. Mr. Atluri said yes, it would be a natural barrier. Dr. Roth said no, the trees would have to be removed from the property.

Ms. Gonyer said the hearing should be continued to June 28<sup>th</sup> and no work can happen until after the June hearing; no permits have or will be issued tonight.

#### 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 comment 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.

Dr. Roth made the motion to continue the hearing for Anil Kishore Atluri, 11 Stratton Road, Map 8, Parcel 12 for the removal of one (1) tree and installation of a fence within 100 feet of Bordering Vegetated Wetland to June 28, 2021.

Mr. Gallagher seconded the motion.

Ms. Joynes – in favor

Mr. Healey – in favor  
Mr. Gallagher – in favor  
Dr. Roth – in favor

Motion passed 4-0-0.

Hearing ended at 9:17 pm.

6. Old Business:

- Proposed draft of new Stormwater Management Regulations under Stormwater Management By-law Chapter 185.

Mr. Gallagher made the motion to continue this item to the June meeting.

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

Motion passed 4-0-0 at 9:18 pm.

- Approval of April 26, 2021 minutes.

Dr. Roth made the motion to approve the April 26, 2021 minutes.

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

Motion passed 4-0-0 at 9:19 pm

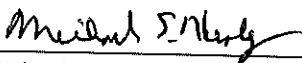
7. Adjournment:

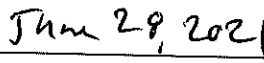
Motion to adjourn at 9:20 pm (Gallagher/Joynes)

Dr. Roth – in favor  
Mr. Gallagher – in favor  
Mr. Healey – in favor  
Ms. Joynes – in favor

Motion passed 4-0.

Next meeting will be June 28, 2021.

  
Michael Healey, Chair

  
Date