

Town of Mansfield
Conservation Minutes
August 29, 2022

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MANSFIELD
MASSACHUSETTS

Present: Michael Healey, Chair; Dr. Aaron Roth, Vice Chair; Dr. Jeffrey Paten; Sarah Joynes; Katelyn Gonyer, Environmental and Conservation Planner.

1. Meeting opened at 6:05 pm.

2. Request for Determination of Applicability: Tyson & Kimberly Iddings, 10 Gander Lane, Map 040, Parcel 224.

Mr. Healey opened the hearing for Tyson and Kimberly Iddings, 10 Gander Lane, for the installation of an in-ground pool associated with an existing single-family house within the buffer zone of a Bordering Vegetated Wetland.

Craig Cygawnoski, RIM Engineering Co., Inc. was present and the homeowner, Mr. Iddings, attended virtually.

Mr. Cygawnoski said they were originally on the agenda for July but the meeting was cancelled. He explained Mr. Iddings was given permission under an Administrative Review to remove the exiting above-ground pool and the erosion control was installed. Mr. Cygawnoski said they will be installing a 16'x32' in-ground pool and will connect a patio area to the existing deck at the rear of the property. The wetland resource area is Bordering Vegetated Wetland and the property is within an ACEC of the Canoe River with no flood plain or Natural Heritage issues. Mr. Cygawnoski said the proposed patio is to be sloped to the east and west from the existing pool and will drain into a stone-lined trench along the edge of the pool, to infiltrate off the patio area before flowing down towards the wetland area. He said an existing shed will be moved approximately eight feet, within twenty-seven feet of the wetland area. He said some trees will be removed from the proposed location of the pool and a proposed 12'x16' cabana. He said the area behind the patio will become a lawn area.

There were no board comments.

There were on public or virtual comments.

Dr. Roth made the motion to issue a Negative 3 Determination to Tyson and Kimberly Iddings, 10 Gander Lane, Map 040, Parcel 224, for the installation of an in-ground pool associated with an existing single-family house within the buffer zone of a Bordering Vegetated Wetland with the following Special Conditions:

- Erosion control to be inspected by Agent prior to the start of work.
- Agent is to be notified when work is complete and all disturbed areas are stabilized.
- No dumping of lawn clippings within the 25-foot No Disturb Zone.
- Trees to be replaced behind the shed area (5-6 saplings)
- Pool O&M Conditions:
 1. All new in-ground pools shall use a cartridge filtration system or a filtration system where all backwash is directed into a drywell on the same property.
 2. At no point shall pool backwash be discharged into a wetland resources area.

3. All pool water is to be de-chlorinated before it is drained from a pool. All drained water is to be drained over the land/lawn of the same property.
4. Frog Logs or a similar product are to be used in the pool.

Dr. Paten seconded the motion.

Motion passed 4-0-0 at 6:16 pm.

3. Request for Determination of Applicability: Matthew Moniz, 6 Claire Avenue, Map 003, Parcel 341.

Mr. Healey opened the hearing for Matthew Moniz, 6 Claire Avenue, for the extension of the back yard, installation of a fence and construction of a six-foot retaining wall within the boundary of Bordering Vegetated Wetland.

Homeowner Mr. Moniz was present.

Ms. Gonyer said she met with Mr. Moniz several times on site to discuss his options, to include a retaining wall in the backyard area, and to square off the previously disturbed area by regrading. Under an Administrative Review Mr. Moniz started the retaining wall with drainage behind the wall. He said about 60% of the work has been completed. Erosion control is in and will be maintained until the entire project is completed.

There were no Board Comments.

There were no public or virtual comments.

Dr. Paten made the motion to issue a Negative Determination for reason #3, no work will impact the resource area, to Matthew Moniz, 16 Claire Avenue, Map 003, Parcel 341, for the extension of the back yard, installation of a fence and construction of a six-foot retaining wall within the buffer of Bordering Vegetated Wetland with the following Special Conditions:

- Erosion control to be inspected by Agent prior to the start of work.
- Agent is to be notified when work is complete and all disturbed areas are stabilized.
- No dumping of lawn clippings within the 25-foot No Disturb Zone.

Ms. Joynes seconded the motion.

The motion passed 4-0-0 at 6:25 pm.

4. Request for Determination of Applicability: Nic-Co Builders, LLC, Julia Lane, Lot 4, Map 028, Parcel 179.

Mr. Healey opened the hearing for Nic-Co Builders, LLC, Julia Lane, Lot 4, Map 028, Parcel 179, for grading associated with the construction of a single-family home within the buffer zone of a Bordering Vegetated Wetland.

Cameron Gray, Bay Colony Group and Applicant Nick Riccio were present.

Mr. Gray explained this lot is in the Willowdale Subdivision and currently consists of a drainage basin, which is located at the front of the lot. He said Mr. Riccio is proposing to construct a single-family home along with associated grading and utilities. He said the construction of the home and driveway will take place out of the 100-foot buffer zone but a portion of the grading will be within the 100-foot buffer; approximately 2,900 square feet of the buffer zone will be altered. He noted this area was previously disturbed and no work is proposed in the 25-foot No Disturb Area. Silt sock will be installed at the limit of work.

Ms. Gonyer asked about the ownership of the detention pond. Mr. Gray said there is an easement on the property and he believed the responsibility for the detention pond goes to the town.

Board Comments:

Dr. Paten asked if there is a buffer distance from the detention pond. Ms. Gonyer said the detention pond is non-jurisdictional.

Dr. Roth asked if they would be using drywells for the roof runoff. Mr. Gray said yes but the plan does not show the drywells; the drywells will be added to the plan. Ms. Gonyer said a dripline or stone trench should be added around the roof line, even though it is non-jurisdictional, to prevent anything from going into the resource area.

Dr. Paten asked about the time line for the construction. Mr. Riccio said he would like to start in the fall or early spring. Dr. Paten noted he is an abutter to the property.

There were no public or virtual comments.

Ms. Joynes made the motion to issue a Negative Determination for reason #3, no work will impact the resource area, to Nic-Co Builders, LLC, Julia Lane, Map 028, Parcel 179 for grading associated with the construction of a single-family home within the buffer zone of a Bordering Vegetated Wetland and Inland Bank of Cabot Pond with the following conditions:

- Erosion control to be inspected by Agent prior to the start of work.
- Agent is to be notified when work is completed and all disturbed areas are stabilized.
- No dumping of lawn clippings within the 25-foot No Disturb Zone.

Dr. Roth seconded the motion.

Motion passed 3-0-1 (Dr. Paten abstained) at 6:34 pm.

5. Request to Amend Order of Conditions: Ron Nation, 265 Fruit Street, Map 036, Parcel 015.

Mr. Healey opened the hearing for the request to amend the Order of Conditions for Ron Nation, 265 Fruit Street, for the construction of a new airplane hangar, "V" and the expansion of hangar "S" under DEP SE 211-0929 within 100 feet of Bordering Vegetated Wetland.

Mark Arnold, Craig Nation and Scott Goddard were present.

Mr. Arnold said this is the amended Notice of Intent for the Mansfield Airport for the proposed addition of a new 60'x64' square-foot hangar, "V", with additional pavement in front and utility work within existing disturbance. He said the Applicant is also proposing an extension of five feet to a previously proposed hangar, "S". All work is within the buffer zone but no work will be done in the 25-foot buffer. Erosion control is shown on the plan along the limit of work. He said a small retaining wall is proposed near hangar "V".

Ms. Gonyer said this is an amendment to the airport Quadrant 4 under DEP SE 211-0929. She said she went to the site with the consultants and the town engineer, Richard Alves. She said all the Stormwater Management has been reviewed by the engineering department since they are adding additional capacity into the system. She has been working with Josh Reinke, Interim Director, DPW, and he said he is satisfied with all comments. Mr. Arnold said the original proposal was to have the stormwater go into the existing stormwater basin but Mr. Alves wanted the Applicant to do recharge at the site of the new hangar versus directing the stormwater all the way down to the existing basin.

Ms. Gonyer asked that the 25-foot buffer area should be improved with plantings and said she would meeting on site to discuss the species and location for the mitigation of this area. She recommended the Amended Order of Conditions be issued.

There were no public or virtual comments.

Dr. Roth made the motion to issue an Amended Order of Conditions to the existing plan to Ron Nation 265 Fruit Street, Map 036, Parcel 015, approved under DEP SE 211-0929, to reflect changes on the plan, with the following Special Conditions:

**ADDITIONAL SPECIAL CONDITIONS FOR AMENDED ORDER OF CONDITIONS UNDER THE
MANSFIELD WETLAND PROTECTION BY-LAW, CHAPTER 220
FOR QUADRANT 4, MAP 36, PARCEL 15, 265 FRUIT STREET
DEP SE 211-0929 – Approved August 29, 2022**

- Erosion Control to be inspected by Agent prior to the start of work.
- Agent is to be notified when work is complete and all disturbed areas are stabilized.
- Tree saplings are to be planted along the 25-foot No Disturb Zone. Agent to meeting on site to discuss the buffer mitigation.

Plan "Site Plan for Airport Improvements 265 Fruit Street, Mansfield, MA, revision date August 25, 2022, and "Grading, Drainage and Utility Plan", revision date August 25, 2022.

The following Special Conditions from the original Order issued December 2, 2016 and the Amended Order dated March 8, 2017 for Quadrant 4, Map 36, Parcel 15, 265 Fruit Street, DEP SE 211-0929, shall remain active and are as followed:

**ADDITIONAL SPECIAL CONDITIONS FOR AMENDED ORDER OF CONDITIONS UNDER THE
MANSFIELD WETLAND PROTECTION BY-LAW, CHAPTER 220
FOR QUADRANT 4, MAP 36, PARCEL 15, 265 FRUIT STREET
DEP SE 211-0929 – Approved March 8, 2017**

- No work or siltation from erosion shall occur within the 25' No Disturb Zone. The NDZ is not to be entered into or accessed during and after construction.
- Erosion Control must be inspected by Agent prior to the construction of Building "S".
- The Applicant shall notify the agent when the construction of Building "S" begins.
- If existing erosion controls fail, they must be replaced or reinforced immediately.
- There will be no access from the rear of the building other than whatever is needed for fire safety.

Plan "Amended Site Plan" Plan of Land in Mansfield, MA, final revision date February 1, 2017 – added rip rap slope and adjusted grade.

The following Special Conditions from the original Order for Quadrant 4, Map 36, Parcel 15, 265 Fruit Street, DEP SE 211-0929, shall remain active and are as followed:

**ADDITIONAL SPECIAL CONDITIONS UNDER THE
MANSFIELD WETLAND PROTECTION BYLAW, CHAPTER 15
FOR QUADRANT 4, MAP 36, PARCEL 15, 265 FRUIT STREET
DEP SE 211-0929 – Approved April 2, 2015**

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 Mansfield Conservation Commission (Commission) filled in by the Registry.
2. All mitigation and erosion control devices and measures (compost or mulch waddles, siltation fences, etc.) shall be installed, per the approved plan, prior to any construction, clearing, or excavation. The applicant shall notify the Conservation Agent (Agent) when any such devices or measures are installed so that a site visit can be made prior to the commencement of work. The Agent shall request an onsite meeting with representative, contractor, owner and/or a qualified wetland scientist to review scope of work prior to the commencement of work.
3. Except within the approved wetland restoration and fill areas, no site access, staging, or construction activity of any kind is to occur within the 25-ft. "No Disturb Zone" as shown on the approved plans. There are no exceptions to this Condition.
4. The Commission reserves the right to require additional mitigation activities or erosion control devices or measures if mitigation or erosion control devices are not adequately installed or maintained in the field.
5. The Applicant shall ensure that all demarcation 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 with an approved Conservation seed mixture with native grasses, sedges and herbaceous plants. Once the seed has germinated, it shall be left to naturalize. 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 into stormwater drainage components as shown on the approved plan.
7. The Commission or the Agent is to be notified of the starting date of the work prior to its commencement.
8. The Applicant shall retain the Order of Conditions and all plans on site during the construction; these shall be made available to and reviewed with all contractors prior to notifying the Commission and/or Agent of the start of work.
9. Wetland flagging must remain in place until the project has been completed and the Certificate of Compliance issued.
10. 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, a letter signed by a professional engineer and a letter signed by a professional wetland scientist verifying the successful function of the wetland replication areas, certifying that the work has been done in accordance with the approved plans. Once a Certificate is requested, the Commission shall review the health and function of the replicated wetland. If the wetland is not functioning properly at the time of this review, on-going conditions may be included with the Certificate of Compliance for further restoration and monitoring activities.
11. Any modifications or revisions to the plan(s) referenced in this Order must be submitted to the Commission for review. If, after 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.
12. Prior to any work commencing under this Order, a pre-construction meeting shall take place with the Agent, the supervising wetland scientist, and the representative and/or contractor to discuss the project scope and construction sequence. The Agent is to be notified prior to filling of the designated wetland areas and the planting of the restoration areas.
13. All work must conform to the plans and conditions referenced in this Order below:

**Quadrant Four, Mansfield Municipal Airport
MAP 36, PARCEL 15, 265 FRUIT STREET
Mansfield, MA (DEP SE 211-0929)**

Description	Final Revision Date
C-1.0 Existing Plan of Land, Guerriere & Halnon	03/09/2015
C-2.0 Site Layout- Plan of Land, Guerriere & Halnon	03/09/2015
C-3.0 Grading & Drainage Plan of Land Guerriere & Halnon	03/25/2015
C-4.0 Utility Plan, Plan of Land, Guerriere & Halnon	03/025/2015
C-5.0 Erosion Control Plan of Land, Guerriere & Halnon	03/09/2015
Pipe Drainage, Guerriere & Halnon	03/25/2015
Pre- development Plan of Land, Guerriere & Halnon	01/31/2014
Post development Plan of Land, Guerriere & Halnon	01/31/2014
Replication Plan of Land, Guerriere & Halnon	01/17/2014

14. Permanent metal or plastic signs on mental posts (not on trees) to read “Environmentally Sensitive Area - Do Not Disturb” are to be placed on site every 100 feet along the 25-ft. “No Disturb Zone” as needed per the Agents recommendation. Signs shall be no less than 5 feet in height and approximately 12” x 18” in size. See the Agent for signage guidelines and individual signage locations.
15. No synthetic fertilizer, herbicides, pesticides or fungicides can be used; only organic products may be used.
16. The wetland replication area plantings shall have a 75% survival rate within the first three (3) growing seasons along with the replicated wetlands maintaining successful hydrologic conditions. If this survival rate and/ or hydrologic conditions are not met, then recommendations for additional plantings and additional restoration activities shall be proposed to the Commission.
17. The supervising wetland scientist shall oversee the filling of the Isolate Vegetated Wetland and the planting of the proposed replication areas. The supervising wetland scientist will submit a progress report including photographs to the Commission every month after the planting of the replication areas have commenced. These reports shall be submitted monthly until the areas have stabilized. Once stabilized, the Agent must be notified to conduct a site visit to verify stabilization. Once the areas have stabilized, a written report is to be submitted to the Commission in the spring and fall seasons until the three growing seasons have passed.

18. The "Construction Sequence" submitted by Goddard Consulting, LLC dated October 8, 2014 shall be included with this Order.
19. All comments included on the memo from Richard Alves, Jr. P.E., Town Engineer, dated November 3, 2014, February 24, 2015 and March 18, 2015 shall be included as part of this Order of Conditions.
20. The included "Hydrologic & Hydraulic Report" prepared by Guerriere & Halnon, Inc., revised February 10, 2015 is to be included with this Order of Conditions. All on-going O&M plan reports and checklists are to be submitted to the Commission as noted.
21. All procedures and conditions outlined in the "Wetland Replication Plan" prepared by Goddard Consulting, LLC, dated January 23, 2014, are to be included with this Order of Conditions.
22. All conditions outlined with the 401 Water Quality Report, issued on February 21, 2014 are to be included with this Order of Conditions.
23. Once construction is complete, the Agent shall meet with the applicant and representative onsite to review areas that may require permanent fencing or other forms of demarcation of sensitive wetland areas where high activity will occur on a regular basis. These areas are to be determined in the field.
24. If approved at the spring 2015 Town Meeting, a copy of the preservation restriction on the Town-owned Fruit Street parcel 34-415 as required the Army Corps of Engineers shall be submitted to the Conservation Department.

Ms. Joynes seconded the motion.

Motion passed 4-0-0 at 6:54 pm.

6. New Business:

- Conservation Department Updates:

Ms. Gonyer said there are two projects that are wrapping up with the SNEP Network. One project was to do an organizational capacity assessment of the department. She said this was discussed with the Town Manager and the Town Planner and will be presented to the Select Board. She said this was a review of the town's effort so far for climate change and resiliency planning and included recommendations to move forward. She said the second project was the Canoe River Aquifer Pilot Project and she has been working with them for 18 months through the SNEP Network. She said they started with 300 projects between five towns; the number is now down to 16 projects with four or five of the projects in Mansfield. She said the projects would be the Knotweed, an invasive species, along the Rumford River, and Fulton and Cabot Pond and the upgrading of certain culverts that are undersized, in anticipation of drought and flood situations.

Enforcement Order for 88 Highland Avenue: Ms. Gonyer said this is an ongoing issue and the town will be pursuing legal action. She said the violation occurred on someone else's property and she issued an Enforcement Order, asking that all the disturbed areas be restored, because there was disturbance within the Riverfront Area; she received no response from the violators. Town Counsel is now involved.

Ms. Gonyer said there is another violation on West Street. This involved the filling of one of the detention ponds on West Street and involves three different properties. She noted this area is a mixed-use area of residential and industrial use. She said the owner did respond to the Enforcement Order and LEC was hired. She will follow up with this.

Ms. Gonyer said she has been moved from the non-supervisory union to the supervisory union and is now a department head.

Ms. Gonyer told the board she has purchased an iPad and the funds to pay for the iPad purchase will come out of the General Fund account. She asked that a motion be made to allocate funds to pay for the iPad purchase.

Dr. Paten made the motion to approve the funds for the iPad purchase, up to \$625.00.
Ms. Joynes seconded the motion.

Motion passed 4-0-0 at 7:05 pm.

7. Old Business:

- Approval of June 27, 2022 Minutes

Motion to approve the minutes of June 27, 2022 (Joynes/Paten)

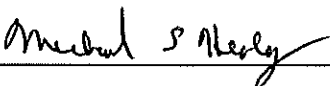
Motion passed 4-0-0 at 7:02 pm.

8. Adjournment:

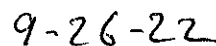
Motion to adjourn at 7:06 pm (Roth/Joynes)

Motion passed 4-0-0 at 7:06 pm.

Next meeting will be September 26, 2022



Michael Healey, Chair



Date