

MINUTES
MANSFIELD INLAND WETLANDS AGENCY
Regular Meeting
Monday, April 6, 2009
Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger,
P. Plante, B. Pociask, B. Ryan
Alternates present: M. Beal, G. Lewis, L. Lombard
Staff present: G. Meitzler (Wetlands Agent)

Chairman Favretti called the meeting to order at 7:01 p.m. If needed to act, alternates Beal, Lewis, and Lombard will act in the order listed.

Minutes:

3-02-09 - Pociask MOVED, Ryan seconded, to approve the 3-02-09 minutes as written. MOTION PASSED with Plante and Gardner disqualified.

3-16-09 Field Trip - Holt MOVED, Gardner seconded, to approve the 3-16-09 Field Trip minutes as written. MOTION PASSED with Ryan, Holt, Favretti, Gardner, Lombard and Beal in favor and all others disqualified.

3-16-09 - Plante MOVED, Hall seconded, to approve the 3-16-09 minutes as written. MOTION PASSED UNANIMOUSLY. Lombard noted that he listened to the tapes.

Communications:

The 3-18-09 Conservation Commission Draft Minutes and 4-1-09 Wetlands Agent's Monthly Business report were noted. There were no questions or comments.

Outstanding Enforcement Actions:

W1400 – Glode – Stafford Rd

Meitzler stated that a contractor has been hired, and the site is expected to be restored by the end of next week.

W1419 - Chernushek, 473 Middle Turnpike-violation notice

Tabled pending outcome of related application.

Old Business:

1. W1419 - Chernushek, 473 Middle Turnpike-application

Holt MOVED, Hall seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Henry M. Chernushek (file no. W1419), for clear cutting in wetlands and regulated areas within 150 feet of wetlands, as shown on plans dated January 2, 2009 and received at the January 5, 2009 meeting of the Wetlands Agency, and as described in other application submissions including a 2/25/09 Attachment #1 and 2/26/09 Attachment #2, both drawn by

Grant Meitzler, Wetlands Agent. This action is based on the application submissions, consideration of applicable regulations, information observed on field trips to the site on December 10, 2008 and January 12, 2009, and information presented in public hearing sessions held on February 2, 2009 and March 2, 2009.

Based on the above considerations, the Agency hereby finds this project will not cause significant impact, provided the following conditions are met:

1. Work is to be done according to the applicant's plan, submitted to staff on January 2, 2009 and received at the January 5, 2009 meeting, with the following modifications, which shall be attached to and made a part of the plan:
 - A. A second row of silt fence shall be installed along the downstream edge of "crossing #4", as shown on the 1/02/2009 plan.
 - B. The indicated 10-foot wide grassed separation area (#9 on the 1/02/09 plan) between the riding area (#6 on the 1/02/09 plan) and the sediment pond (#7) and the garden (#8) shall be increased to 25 feet. This increase will allow the flat riding area to be raised about two feet and lessen the volume of excavation.
 - C. Disturbed areas downstream of "crossing #4" and upstream of "crossing #5" shall be finish-graded and seeded by April 30, 2009. The 25 foot wide grassed areas between the sediment pond (#7) and garden (#8) shall be finish-graded and seeded by April 30, 2009. These are areas directly adjacent to wetlands and most in need of stabilization. Adequacy of seeding is to be assessed by the Chairman and the Wetlands Agent. The applicant is directed to local seed suppliers and/or the Natural Resources Conservation Service who can provide specific manufacturers recommendations for type of seed and recommended planting instructions.
 - D. Stumps shall be moved to the area marked #14 on the January 2, 2009 plan.
 - E. A 6-inch diameter pipe shall be added under "crossing #5" on the January 2, 2009 plan.
 - F. Minor changes are recommended to the rectangular shape of the riding area (#6) to reduce disturbance due to excavation. Any such change is to be approved by the Wetlands Agent prior to that change being made.
2. It is understood that areas that were clear cut are not intended for general pasture use. Unless a change in use is specifically authorized by the Inland Wetlands Agency, the applicant shall restrict animal use to the approved riding area (#6).
3. Work is to start and continue on or before April 15, 2009 and is to be completed by July 1, 2009. The Wetlands Agent is to make regular

inspections of this site and to regularly report to the Wetlands Agency until the July 1, 2009 completion date.

4. The applicant is to be provided with a report entitled "A Guide to Composting Horse Manure" and strongly encouraged to follow those guidelines to minimize wetlands impact.
5. All erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized. Particular care should be taken to control erosion on the steep slope between the house/barn area and the garden/wetlands area below.

This approval is valid for a period of five years (until April 6, 2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED UNANIMOUSLY.

Outstanding Enforcement Actions:

W1419 - Chernushek, 473 Middle Turnpike-violation notice

Chairman Favretti opened the continued Public Hearing for the Chernushek Violation Notice. Members present were R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, P. Plante, B. Pociask, B. Ryan, and alternates M. Beal, G. Lewis, L. Lombard. Chairman Favretti noted that an approval has been granted to the applicant and the consensus of the Agency was to close the public hearing. Holt MOVED, Hall seconded, to close the Public Hearing on the violation and the order on file #W1419. MOTION PASSED UNANIMOUSLY. It was noted that Wetland Agent Meitzler will be monitoring this project closely and will report back to the Agency on the progress.

Continued Old Business:

2. W1423 - Shafer, 45 Echo Road - shed within 75'

Holt MOVED, Gardner seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Rebecca Shafer (file #W1423) for construction of a shed for lawn mower and gardening, on property owned by the applicant, located at 45 Echo Road, as shown on a plan bearing the latest revision date of February 24, 2009, and as described in other application submissions. This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;
2. The 10-foot by 16-foot garden shed shall be built on blocks.

This approval is valid for a period of five years (until April 6, 2014), unless additional time is requested by the applicant and granted by the Inland

Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY.

3. W1424 - Whispering Glen, 73 Meadowbrook Road - 37 units
Tabled pending May 4, 2009 Public Hearing.

New Business:

1. W1425-Town of Mansfield, Stonemill Rd- Bridge Replacement
Goodwin MOVED, Holt seconded, to receive the application submitted by the Town of Mansfield (IWA File #1425) under Section 5 of the Wetland and Watercourses Regulations of the Town of Mansfield for the replacement of the Stone Mill Bridge over the Fenton Rover, located 546 feet from Stonemill Road's northern intersection with Chaffeeville Road, on property owned by the applicant, as shown on a map dated March 3, 2009 and as described in other application submissions and to refer the application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.
2. W1426-Hallock, East side of Wormwood Hill Rd - 3 lots
Goodwin MOVED, Holt seconded, to receive the application submitted by the Kathryn Hallock (IWA File #1426) under Section 5 of the Wetland and Watercourses Regulations of the Town of Mansfield for a 3 lot subdivision on 10.6 acres, located on the east side of Wormwood Hill Road, on property owned by the applicant, as shown on a map dated March 20, 2009 and as described in other application submissions and to refer the application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.
3. W1427-Hartley, 72 Crane Hill Road- gazebo
Hall disqualified himself. Goodwin MOVED, Holt seconded, to receive the application submitted by Tim and Kathy Hartley (IWA File #1427) under Section 5 of the Wetland and Watercourses Regulations of the Town of Mansfield for the installation of a 10 foot octagonal gazebo on an 11 foot round crushed stone base, located at 72 Crane Hill Road, on property owned by the applicant, as shown on a map dated March 31, 2009 and as described in other application submissions and to refer the application to the staff and Conservation Commission for review and comment. MOTION PASSED with all in favor except Hall who disqualified himself.
4. W1428-Ponde Place, Hunting Lodge and Northwood Rd - well drilling & testing
Goodwin MOVED, Holt seconded, to receive the application submitted by Ponde Place LLC (IWA File #1428) under Section 5 of the Wetland and Watercourses Regulations of the Town of Mansfield for Phase I well drilling and testing, located at Hunting Lodge and Northwood Roads, on property owned by the Keystone Companies, LLC, as shown on a map dated March 31, 2009 and as described in other application submissions and to refer the

application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

5. W1429-Kleinfelder/Exxon, 4 Corners Remediation.

Goodwin MOVED, Holt seconded, to receive the application submitted by Kleinfelder, Inc. (IWA File #1429) under Section 5 of the Wetland and Watercourses Regulations of the Town of Mansfield for the installation and operation of a groundwater extraction and treatment system, located at 632 Middle Turnpike, on property owned by Merchant Mansfield, LLC, as shown on a map dated March 30, 2009 and as described in other application submissions and to refer the application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

Field Trip:

A field trip date was set for Monday, April 15, 2009 at 1:00 p.m.

Reports of Officers and Committees:

None noted.

Other Communications and Bills:

Noted

Adjournment:

The meeting was adjourned at 7:34 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary