

TOWN OF MANSFIELD  
CONSERVATION COMMISSION  
Minutes of the May 18, 2016 Meeting  
Conference Room B, Audrey P. Beck Building  
MINUTES

*Members present:* Aline Booth (Alt), Neil Facchinetti, Quentin Kessel, Grant Meitzler, John Silander, and Michael Soares. *Members absent:* Scott Lehmann and Robert Dahn. *Others present:* Jennifer Kaufman (Wetlands Agent); Mary Harper (guest).

1. The meeting was **called to order** at 7:30 PM by Chair Kessel.
2. During the opportunity for Public Comment, Mary Harper was introduced as a possible new Conservation Commission member.
3. The Chair appointed Booth as a voting member for the meeting
4. The **draft minutes** of the April 20, 2016 were unanimously approved on a motion by Facchinetti and seconded by Booth.

**5. IWA referrals.**

**a. W1566 (7 Storrs Road)** is an application for remedial Soil Excavation. An undated letter from GES, Groundwater & Environmental Services, is proposing to excavate contaminated soil on behalf of ExxonMobil Environmental Services. Silander moved, and Booth seconded, that the work was within the regulated area and, provided that extra precaution is taken to protect the wetland, the project should not cause a significant impact upon the wetland if the work is carried out as proposed. This remediation should improve the site now, and in the future. The motion passed unanimously.

**b. W1567 (R. Henning, 166 Moulton Road).** This proposal is to place a pipe in the streambed of Mason's Brook to deliver water to a small water wheel for the purpose of generating electricity. Booth moved, and Soares seconded, that there should be no significant impact on the wetlands if the work is carried out as proposed. As the work will be carried out in and along the actual stream bed, it is important to minimize the disturbance associated with the construction and maintenance of this generating plant. The motion passed unanimously.

**c. W1564 (Storrs Lodges, Hunting Lodge Road – continued).** A letter from GEI Consultants to Inland Wetland Agent Kaufman reviewing pertinent mapping, reports and other application materials for W1564 was briefly discussed. It includes 20 comments and suggestions for the developer to consider and/or answer. Silander asked to recuse himself. Without knowing the responses of the developer to these 20 points, there seemed little point in discussing them. Kaufman indicated that on June 6th, the hearing on this application would open, but the hearing will probably be extended to July. W1564 will be on the agenda for the June meeting, which should provide time to prepare comments for the IWA.

6. The IWA held a hearing on **W1561 (H. Raphaelson, Dog Lane, 2-lot subdivision)** on May 2, 2016. Kessel expressed disappointment with the statement in the minutes,

"Pelletier responded that the applicant is not open to a conservation easement but they are exploring the Conservation Commission's recommendation for a trail connection. In later remarks, Pelletier said that a trail connection wasn't practical given the topography and the need to cross private property." The Commission feels that a trail on the southern edge of the property, exiting onto the lower end of Dog Lane (away from the proposed house sites) is practical. Without such a trail easement through the Raphaelson property, hikers on the Whetten Woods property are "bottled up" with no place to go on the eastern end. With such an easement from Whetten Woods, hikers would have access to the Town's Torrey Preserve and the Nipmuck Trail without trespassing on private property.

**7. Membership.** After a review of Mary Harper's qualifications, the Commission agreed to forward her name to Town Manager Matt Hart, recommending her appointment to the Commission.

**8. Conservation Easement Monitoring:** The Commission reviewed the Town Attorney's Freedom of Information (FOI) decision that if more than a single CC member were to inspect a Town easement, the field trip constitutes a meeting of the Conservation Commission and must be advertised to the public, even though the public cannot participate in such a field trip. It was noted that while IWA field trips are open to the public, the home owner gives this approval during the application process, this is not the case with the Town easements. It was agreed that a single member attempting to walk a property presented an unsafe solution. Kaufman agreed to return to the Town Attorney to seek a resolution of this problem. Kessel continued to suggest that since different courts have ruled differently on whether a "meeting" without a quorum is an official meeting or not, we should proceed as we have done in the past (walking the properties with less than a quorum). It is unlikely that anyone will protest this FOI issue, and if someone does, then let them take it to court and have the courts resolve this issue.

**9.** The meeting adjourned at 8:50 P.M.

Respectfully submitted,  
Quentin Kessel  
Acting Secretary

Approved as amended, June 15, 2016.