



Town of Ashland

MASSACHUSETTS

MINUTES OF MEETING
ASHLAND CONSERVATION COMMISSION
July 25, 2016

1 Present: Gene Crouch (Chair)
2 Bill Moulton (Vice Chair)
3 Cathy Van Lancker
4 Jeffrey Lingham
5 Carl Hakansson
6
7 Maeghan Walters (Agent)
8
9 Absent: K.G. Narayana

10
11 **Call to order: 7:11 P.M.**
12

13 **7:11 July 11, 2016 Meeting Minutes**

14 The Commission reviewed the July 11, 2016, Meeting Minutes.

15
16 Ms. Van Lancker made a motion, seconded by Mr. Lingham, to accept the meeting minutes as
17 amended. Motion passed 5-0-0.
18

19 **7:19 RDA, Ashland Chestnut Realty, Queen Isabella Way, irrigation well installation**

20 The Agent received a letter on July 25, 2016 from Guerrier and Halnon, Inc to withdraw the
21 Request for Determination of Applicability.
22

23 Mr. Moulton made a motion, seconded by Ms. Van Lancker, to accept the applicant's request
24 to withdraw the Request for Determination of Applicability. Motion passed 5-0-0.
25

26 **7:20 RDA, 158 Realty Pond Street, Realty Trust, 166 Pond Street, drainage
27 improvements and grading, and resurfacing of the parking area**

28 Mike Kane was present for the meeting. Mike Kane stated that a Negative Determination of
29 Applicability was issued in August of 2005 for a determination on a drainage ditch.
30

31 Kane stated that work under this current Request for Determination of Applicability would
32 consist of installing gravel at an existing parking lot. Some work will consist of stormwater
33 improvements.
34

35 The Agent stated that the work would need to come back for a Stormwater Management
36 Permit. Mr. Kane stated that he needs a Site Plan Modification from Planning Board as well.
37

38 Mr. Lingham made a motion, seconded by Ms. Van Lancker, to close the hearing and issue a
39 Number 3 Negative Determination of Applicability. Motion passed 5-0-0.
40
41
42

43 **7:31 RDA, Sandra Moallemian, 10 Chickering Lane, porch expansion**
44 John J. Tartaglione (Representative/contractor- JMS Partners, Inc.) was present for the
45 meeting. Tartaglione stated that work would consist of installing seven new sonatubes and the
46 porch would expand from 11 feet to 16 feet.

47
48 The Agent stated that work will take place in the 100 foot Buffer Zone but outside of the 25
49 foot No Disturb Zone.

50
51 Mr. Lingham made a motion, seconded by Mr. Hakansson, to close the hearing and issue a
52 Number 3 Negative Determination of Applicability. Motion passed 5-0-0.

53
54 **7:43 Marlies & Joop Plaggenborg, 30 Riverview Drive, question on wetland area**
55 **Jeff Lingham recused**

56 Marlies Plaggenborg was present for the meeting. Ms. Plaggenborg stated that she owns a parcel
57 that contains her house on a ¾ acre lot and an additional 4.1 Acres in back of her home. Ms.
58 Plaggenborg stated that a Zoning Board of Appeals decision was issued in 2009 which allowed
59 for the 4.1 Acres lot to be subdivided for the construction of a single family home. Ms.
60 Plaggenborg stated that she has potential buyers to purchase the lot and they would like to build
61 a home on that lot.

62
63 Ms. Plaggenborg also explained that Schofield Brothers produced a map showing wetland areas
64 on it. Ms. Plaggenborg stated that work was done to improve drainage at Hilldale Road which
65 abuts the 4.1 Acres lot. Ms. Plaggenborg also stated that the outlet from a drainage is located
66 in the northern portion of the property. The drainage area intermittent streams runs south
67 through a culvert underneath an existing driveway on the lot.

68
69 The Commission stated that wetlands can form over time. The Commission stated that they
70 were not comfortable issuing a determination on a resource area.

71
72 **8:07 ANRAD, Alan Marks, 0 Tri St, wetland delineation, continued from 7/11/2016**

73 George Connors was present for the hearing. Mr. Connors presented plans from an Order of
74 Resource Area Delineation that was issued in 2007. Mr. Connors stated that the wetland in
75 question in a “B” Flag Series is shown on the plans from the ORAD as an Isolated Vegetated
76 Wetland. The Commission has found and photographed a channel within the “B” series wetland
77 and is determining that it is a Bordering Vegetated Wetland. Mr. Connors cited the Craig &
78 Hope Beckman Case, and the Pyramid Mall of Hadley Newco LLC case where pipes were
79 blocked.

80
81 The Commission stated that this is not the same situation. The Commission stated that this is
82 three separate wetlands one within one large channel. The Commission stated that the channel
83 had flow. The Commission asked about isolated land subject to flooding. Mr. Connors stated
84 that it does not constitute ILSF because of the gradient.

85
86 Mr. Connors stated that he would like to close the hearing tonight. The Commission stated that
87 the wetland system with a “B” Flag Series would require a 401 Water Quality Certification for
88 any proposed or future work.

89

90 Mr. Richard James (29 Adams Road) was present for the hearing.

91

92 Mr. Moulton made a motion, seconded by Ms. Van Lancker to close the hearing. Motion
93 passed 5-0-0.

94

95 **8:41 Request for Certificate of Compliance 95-864, Dan Aho, 224 Olive Street**

96 Joe Marquedant (J.D. Marquedant & Associates Inc- Representative) was present for the
97 meeting.

98

99 The Commission explained some of the deviations from the approved plans compared to site
100 conditions and the as-built plans. The Commission stated that plants need to be installed in the
101 rain garden. The Commission asked about drainage. Mr. Marquedant stated that plantings
102 would be replaced, and that water currently drains to the street. The Commission also stated
103 that a vegetated swale needs to be installed.

104

105 Mr. Marquedant stated that work could be done to meet compliance with the Order. The
106 Commission asked Mr. Marquedant to correspond with the Agent to verify compliance once
107 adjustments are made.

108

109 Ms. Van Lancker said that she would not be present for the next meeting (August 8). Mr. Gene
110 Crouch, and Mr. Lingham stated that they could not be present either. The Agent stated that
111 there is no quorum for the August 8, 2016 Meeting. The Commission stated that they will
112 meet on August 1, 2016, and this discussion shall reconvene at that meeting. Mr. Marquedant
113 stated that this date works.

114

115 **9:15 Discussion, Farmers Market**

116 Ms. Van Lancker stated that she is scheduled to be at the Farmer's Market, Dog Day on Saturday,
117 June 30, 2016.

118

119 **9:21 Beaver Dam Emergency Certifications**

120 The Agent stated that three emergency certifications were issued to breach dams underneath a
121 bridge on Spring Street, underneath a bridge on Main Street, and behind the land fill off of
122 Howe Street and Indian Brook Road. The Agent stated that a Notice of Intent will need to be
123 filed for further work.

124

125 Mr. Moulton said he needs to recuse from the Spring Street discussion.

126

127 The Agent also stated that a fourth emergency certification was issued to clear debris from a
128 water lowering control device that was previously installed.

129

130 Ms. Van Lancker made a motion, seconded by Mr. Moulton, to ratify the Main Street Beaver
131 Dam Emergency Certification, the Howe Street/ Indian Brook Road Beaver Dam Emergency
132 Certification, and the Whittemore Drive Beaver Dam Emergency Certification. Motion passed
133 5-0-0.

134

135 **Mr. Moulton recused himself from Spring Street.**

136 Ms. Van Lancker made a motion, seconded by Mr. Lingham to ratify the emergency
137 certification for Spring Street. Motion passed 4-0-0 (**Mr. Moulton had recused**).

138 **9:26 Make-Up of Land Stewardship Committee**

139 The Land Stewardship Committee consists of two members from the Conservation
140 Commission, one member from the Open Space Committee and two at large members.

141 Mr. Hakansson stated that the make-up needs to change in order to allow devoted people that
142 can spend time at the properties. Mr. Hakansson also asked about expenditures. The Chair
143 stated that any expenditures should come in front of the Commission prior to going to the
144 Selectmen so everyone can be appraised of it.

145

146 **9:36 Discussion, Pre-construction meeting at 7 Walcott Road**

147 The Agent stated that she completed a site walk at 7 Walcott Road but the applicant installed
148 straw wattles and not filter mitt. The Agent stated that the site is flat and did not have an
149 immediate concern of run-off especially given the drought. The Agent asked if it was okay
150 that straw wattles was used or if the Commission was something different.

151

152 The Commission stated that the straw wattles may be used as the site is flat.

153

154 **9:36 Discussion, Conservation Restrictions**

155 The Agent stated that a previous Notice of Intent was filed by the Town of Ashland and an
156 Order of Conditions was issued for 95-577. The Agent stated that one of the conditions was to
157 submit a Conservation Restriction on the property to prevent the lot from being subdivided.
158 This condition is also a requirement in their deed. The Agent told the Commission that a CR
159 is forthcoming and asked if this needs to go to the CR Working Group. The Commission
160 stated that the CR Working Group is for CRs received by CPA Funding.

161

162 The Commission also stated that a CR is being worked on by the CR Working Group for the
163 Oak Street property next to the Town Forest.

164

165 **9:37 Discussion, Conservation Commission Vacant Position**

166 The Commission discussed Megan Selby as a potential applicant for the vacant position on the
167 Conservation Commission. The Chair stated that he will contact her.

168

169 **9:39 Discussion, Tennessee Gas Pipeline**

170 Gene Crouch recused himself from the discussion.

171

172 The Agent stated that the recent letter submitted to the Commission regarding a vegetation
173 maintenance plan requires the filing of a Notice of Intent. The exemption provided by the
174 Tennessee Gas Pipeline and their consultants is for maintenance of the pipeline itself. The
175 Agent also stated that she spoke with an analyst at the Department of Environmental Protection
176 and they agreed.

177

178 The Commission felt that the exemption could apply and did not think a Notice of Intent was
179 necessary but that a Request for Determination of Applicability must be filed.

180

181 **9:10 Sign Documents:**

182 DOA- Sandra Moallemian, 10 Chickering Lane, porch expansion

183 DOA- 166 Pond Street, drainage improvements and grading, and resurfacing of the
184 parking area
185 Main Street Emergency Certifications for beaver dam breaching- ratification
186 Spring Street Emergency Certifications for beaver dam breaching- ratification
187 Whittemore Drive Emergency Certifications for clearing of water lowering control
188 devce
189 Howe Street/ Indian Brook Road Emergency Certifications for beaver dam breaching-
190 ratification

191
192 **10:15 Adjournment**
193 Mr. Lingham made a motion, seconded by Mr. Moulton, to adjourn the meeting. Motion passed
194 5-0-0