



Town of Ashland

MASSACHUSETTS

MINUTES OF MEETING
ASHLAND CONSERVATION COMMISSION
August 22, 2016

1 Present: Gene Crouch (Chair)
2 Bill Moulton (Vice Chair)
3 Cathy Van Lancker
4 Jeffrey Lingham
5 Carl Hakansson
6 K.G. Narayana (entered at 7:25 p.m.)
7
8 Maeghan Walters (Agent)
9

10 **Call to order: 7:02 P.M.**
11

12 **7:02 Request for Certificate of Compliance (95-749), Desheng Wang, West Union**
13 **Street (currently Ashland Woods)**

14 Desheng Wang (Creative Land & Water Engineering, LLC) was present for the meeting.
15 Wang provided an overview of the project and spoke about the replication area. The Agent
16 stated that work appeared to be in compliance with the Order of Conditions and approved
17 plans. The Commission asked about the status with the Army Corps of Engineers. Wang
18 stated that he would need to file an after-the-fact, Category 1 Notification Form with them. The
19 Commission asked Wang to obtain a letter from the Army Corps of Engineers (ACOE) stating
20 compliance with the ACOE's conditions and requirements.
21

22 **7:36 Discussion, Tennessee Gas Pipeline, mowing of right of way**

23 Gene Crouch recused himself from the discussion
24

25 Matthew Nowak (Tennessee Gas Pipeline) was present for the discussion. Mr. Nowak stated
26 that the Tennessee Gas Pipeline has an exemption for the maintenance of the right way. The
27 Agent stated that she felt that the exemption would apply if they were replacing the line itself
28 without expanding it. The Agent stated that a Request for Determination of Applicability
29 should be filed.
30

31 Nowak stated that TGP is not exempt from MESA review and the Vegetative Management
32 Plan was approved. Nowak stated that they will be mowing the right of way. Nowak offered a
33 conference call with the Department of Environmental Protection. The Commission and Agent
34 agreed to this.
35

36 **7:57 NOI, 95-889, Town of Ashland, MBTA Access Road bike path and roadway**
37 **work**

38 Paul McManus (Eco Tech, Inc.), and Phil Cordeiro (Representative- Allen and Major Associates,
39 Inc.) were present for the hearing. The MBTA Access Road will be reduced by six feet. It will
40 then be expanded to include a grass filter strip and a 10 foot wide bike path on the westerly side
41 of the roadway.
42

43 Cordeiro stated that the grass strip will be in select locations as depicted on the plans and where
44 grades and slopes allow. The grass strip will contain a stone infiltration trench with an overflow
45 pipe. This pipe will discharge stormwater runoff to the easterly wetlands. Cordeiro stated that
46 the standards for peak discharge rates, volume, attenuation, and recharge have been met under
47 this project and improves existing conditions.

48
49 Cordeiro stated that the path will run along the MBTA Access Road from the intersection to
50 Route 135 (West Union Street) to the intersection of the MBTA Parking Lot. The bike path will
51 run approximately 5,000 feet. The bike path will be bituminous.

52
53 Mr. McManus stated that he delineated the wetland line and that there will be some impacts to
54 wetlands and the 25 foot No Disturb Zone. McManus stated that temporary impacts will be
55 restored. McManus stated that about 118 square feet of wetlands will be impacted in total, but
56 51 square feet will be impacted permanently and will be replicated.

57
58 Phil Cordeiro stated that this work is required as part of the Complete Streets Grant through
59 MassDOT. Cordeiro explained that Complete Streets is a program to allow access and safety
60 of streets for all modes of transportation. The Chair stated that Complete Streets typically require
61 sidewalks on both sides. Cordeiro stated that MassDOT reviewed this and MassDOT concluded
62 that it did not make sense to create sidewalks on both sides due to the nature of the site and
63 development along the roadway.

64
65 Cordeiro stated that portions of the project that occur on slopes with a ratio greater than three-
66 to-one will have a retaining wall. Phil Cordeiro stated that ten catch basins will need to be
67 relocated. The catch basins will be retrofitted into hoods and deep sumps. Hoods will be
68 attached to catch basins that do not have them.

69
70 Motion was made by Mr. Lingham, seconded by Ms. Van Lancker, to close the hearing. Motion
71 passed 6:0:0.

72
73 **8:22 Discussion, erosion control failure, OOC 95-878, Rail Tranist District Phase I,**
74 **MBTA Access Road**

75 K.G. Naryana recused from the discussion.

76
77 David Kelly (Kelly Engineering), David Eastridge (Thorndike Development), Dan DeMarco
78 (Applicant, Campanelli Acquisitions II, LLC), Lloyd Geisinger (Thorndike Development
79 Corporation), and Paul McManus (Wetland Scientist- EcoTech Inc) were present for the
80 hearing.

81
82 Eastridge stated that berms were constructed to direct flow to detention basins. The detention
83 basins were in place for six weeks. Eastridge stated that the typical measures were in place
84 including siltation fence, straw wattles and the berm. Eastridge stated that silt sacks were also
85 in the road adjacent to the site.

86
87 Eastridge said that the silt runoff from the storm (on August 14, 2016), collected rain in back of
88 a berm behind house number seven and eventually breached the berm. The runoff traversed
89 down the path, breaching additional erosion controls, and discharged from a rip rap area along

90 the side of the MBTA Access Road. As the silt moved down and across the road, it discharged
91 into two catch basins. One catch basin, across from the rip rap area, discharges into wetlands.
92 The other catch basin, at the corner of the MBTA Access Road and the MBTA parking lot,
93 discharges to a detention basin east of the MBTA Parking Lot. Eastridge stated that proper
94 erosion controls were in place but were not “beefy enough”.

95
96 McManus stated that some sediment was discharged into the wetlands and in the detention
97 basin. McManus distributed four photos showing the sediment in various sections of the
98 wetland system and the detention basin.

99
100 The streets were swept on Monday, August 15 and Tuesday, August 16 with a street sweeper.
101 Catch basins and drainage lines were jetted on Friday, August 19. Additional erosion controls
102 were added on the site and the berm was reestablished after the event. The Agent stated that
103 she directed McManus not to remove any sediment from the wetlands until confirmation from
104 the Department of Environmental Protection and the Environmental Protection Agency have
105 been received as the wetland system is north west of the Nyanza site and on the same property.
106 The Commission requested the Agent to call DEP and the EPA tomorrow, August 23, 2016.

107
108 The Commission requested that the Agent forward project managers’ contact information to
109 them so they can be contacted during a similar events that may occur. The Commission stated
110 that the sediment shall be moved using hand tools only. The Commission discussed issuing an
111 Enforcement Order to remove fill from the wetland using hand tools pending approval from the
112 EPA and DEP. The Commission discussed issuing a fine of \$100.00 for the first offense.

113
114 Mr. Moulton made a motion, seconded by Ms. Van Lancker, to issue a \$100.00 fine and to
115 issue an Enforcement Order requiring the cleaning of the wetland using hand tools and pending
116 no objections from EPA and DEP. Motion passed 5-0-0.

117
118 **9:49 NOI, Jonathan Kazarian, 123 Green Street, mitigation, restoration, landscaping**
119 **work**

120 The Applicant sent an e-mail to the Agent to ask for a continuance of the hearing to October 17,
121 2016.

122
123 Mr. Narayana made a motion, seconded by Mr. Lingham to continue the hearing to October 17,
124 2016. Motion passed 6:0:0

125
126 **9:50 NOI, Colbea Enterprises LLC. 125 Union Street, commercial work**

127 The Applicant sent an e-mail to the Agent to ask for a continuance of the hearing to September
128 12, 2016.

129
130 Mr. Narayana made a motion, seconded by Ms. Van Lancker to continue the hearing to
131 September 12, 2016. Motion passed 6:0:0

132
133 **9:54 Discussion, Request for COC, 95-864, Dan Aho, 226/224 Olive Street**

134 The agent stated that a trench drain was placed in the driveway. The trench drain spans the
135 length of driveway next to the swale. The Agent also stated that a pipe was added underneath

136 the swale to collect runoff from the trench drain and discharge it to the rain garden. The Agent
137 stated that some of the plants did not survive.

138

139 Mr. Lingham made a motion, seconded by Ms. Van Lancker to issue the Certificate of
140 Compliance. Motion passed 6:0:0

141

142 **10:21 Review of the July 25, 2016, Meeting Minutes**

143 Ms. Van Lancker made a motion, seconded by Mr. Lingham, to accept the July 25, 2016,
144 Meeting Minutes as amended. Motion passed 5-0-1. KG Narayana abstained.

145

146 **10:27 Review of the August 1, 2016, Meeting Minutes**

147 Ms. Van Lancker made a motion, seconded by Mr. Lingham, to accept the August 1, 2016,
148 Meeting Minutes as amended. Motion passed 5-0-1. KG Narayana abstained.

149

150 **10:27 Hazard Mitigation Plan (2009)**

151 The Agent stated that the 2009 Hazard Mitigation Plan for natural or man-made disaster events
152 had a high priority to add a 125 foot Buffer Zone in the Wetlands Protection Bylaw. The
153 Commission stated that they had no knowledge regarding the plan or the 125 foot buffer zone.
154 The Agent stated that with the Stormwater Management Bylaw, adding an additional buffer zone
155 may be redundant and suggested adding a 50' No Build Zone from the edge of a wetland. The
156 Agent stated that no impervious surfaces would be allowed within the no build zone and
157 absolutely no work would be allowed in the 25' No Disturb Zone, with limited exceptions
158 improve it. The Commission stated that it would be challenging to add this to the Bylaw and
159 suggested not to pursue the buffer zone or no build zone.

160

161 The Agent also spoke about a medium priority in the plan regarding open space. The Agent
162 stated that it should be high, not medium. The Commission stated that it should be more with
163 Open Space Committee than Conservation Commission. The Chair stated the agent could
164 change the priority from medium to high.

165

166 **10:34 Member Prerogative**

167 The Commission discussed about amending the bylaw regarding work within appeal periods.
168 The Commission further discussed either enforcing it as written in the Bylaw or removing it.

169

170 **10:34 Property at 22 Eliot Street**

171 Mr. Hakansson provided an update to the property at 22 Eliot Street stating that the Commission
172 has care and custody of the property and the Warren Woods Ad Hoc Committee.

173

174 The Commission discussed voting to allow Mr. Hakansson to go to the Board of Selectmen to
175 release funding.

176

177 A motion was made by Mr. Narayana, seconded by Mr. Lingham to allow Mr. Hakansson to go
178 in front of the Board of Selectmen to release the money from the Green Company for
179 improvements on the house, and to release the money from Audubon for maintenance on the
180 property. Motion passed 6-0-0.

181

182 **10:41 Sign Documents:**

183 COC, 95-864, Dan Aho, 224 and 226 Olive Street

184

185 **10:42 Adjournment**

186 Ms. Van Lancker made a motion, seconded by Mr. Lingham, to adjourn the meeting. Motion
187 passed 6-0-0.