



Town of Ashland

MASSACHUSETTS

MINUTES OF MEETING
ASHLAND CONSERVATION COMMISSION
October 31, 2016

1
2 Present: Gene Crouch (Chair)
3 Bill Moulton (Vice Chair) entered at 7:27
4 Cathy Van Lancker
5 Carl Hakansson
6 K.G. Narayana
7 Greg Wands
8
9 Maeghan Walters (Agent)

10
11 **Call to order: 7:18 P.M.**
12

13 **7:18 RDA, Michael O'Neil, 83 Warren Road, septic system replacement**

14 Daniel McIntyre (McIntyre Engineering and Septic Systems, Inc.- Representative) was present
15 for the meeting. Mr Crouch stated that he worked with Mr. McIntyre previously and recused
16 himself from the meeting.

17
18 Mr. McIntyre stated that the property owner was selling the home that was built in 1961, and a
19 new septic system is needed. The septic system will be replacing the existing system. There is
20 no sewer connection in Warren Road. Wetland boundaries are approximate as a historic
21 drainage channel was created and soils appeared to be old fill soils.

22
23 Ms. Van Lancker made a motion, seconded by Mr. Narayana to issue a Negative #3 DOA.
24 Motion passed 4-0-0.
25

26 **7:27 RDA, Miguel Franco, 68 Waverly Street, septic system replacement**

27 Mr. Crouch returned for the meeting.
28

29 Peter Bemis (Engineering Design Consultants- Representative) was present for the meeting.
30 Mr. Bemis stated that the owner is in transition to sell the home, and that the septic system
31 failed a Title V inspection. The system was built in old fill. Mr. Bemis stated that sewer is not
32 available in Waverly Street. The septic system is outside the 50' Buffer to wetlands as
33 required by state law, and is further than 75' from wetlands as required by local laws. Work
34 will take place in the buffer zone.
35

36 Ms. Van Lancker made a motion, seconded by Mr. Narayana to issue a Negative #3 DOA.
37 Motion passed 6-0-0.
38

39 **7:30 NOI, 95-891, 81 West Union Street LLC., 81 West Union Street, storage facility,**
40 **parking, loading area, and drainage improvements (continued from 10/26/2016).**

41 The Agent received an e-mail to continue the hearing to November 28, 2016.
42

43 A motion was made by Mr. Moulton, seconded by Ms. Van Lancker, to continue the hearing to
44 November 28, 2016. Motion passed 6:0:0.

45

46 **7:35 Executive Session**

47 The Chair, Gene Crouch, stated that Executive Session is necessary to discuss litigation
48 strategy regarding Civil Action Number 1681CV01770J Donald Zani Trustee of D. Zani First
49 2009 Realty Trust vs. Conservation Commission et al. The Chair stated that having this
50 discussion in open session may have a detrimental impact on the litigating position of the
51 public body. The Chair stated that the Commission will reconvene in Open Session upon
52 closing of the Executive Session.

53

54 Mr. Narayana made a motion, seconded by Ms. Van Lancker to enter into executive session to
55 review previous executive session minutes and to discuss the litigation strategy regarding Civil
56 Action Number 1681CV01770J Donald Zani Trustee of D. Zani First 2209 Realty Trust vs.
57 Conservation Commission et. al., and the public discussion of which may have a detrimental
58 impact on the litigating position of the public body. Roll Call Vote (CH, GW, KN,CVL, WM,
59 GC) 6:0:0.

60

61 **7:52 The Conservation Commission returned from Executive Session**

62

63 **7:53 Review of the September 12, 2016, Meeting Minutes**

64 Mr. Moulton made a motion, seconded by Mr. Narayana to accept the September 12, 2016,
65 Meeting Minutes as amended. Motion passed 5-0-1 Mr. Wands abstained.

66

67 **8:02 Nyanza Advisory Group**

68 The Agent stated that Mr. Lingham was interested in joining the group, but at the previous
69 meeting, Mr. Lingham had stated that he will be resigning. The Agent stated that he will not be
70 reappointed and is not sure if Mr. Lingham would still like to participate in the group. The
71 Commission tabled this for the end of the meeting.

72

73 **8:10 Review of the September 26, 2016, Meeting Minutes**

74 Mr. Moulton made a motion, seconded by Ms. Van Lancker to accept the September 26, 2016,
75 Meeting Minutes as amended. Motion passed 5-0-1 Mr. Wands abstained

76

77 **8:14 Member Prerogative**

78 Mr. Crouch asked the status of the 0 Tri Street ANRAD appeal. The Agent said that she has not
79 heard anything as of yet.

80

81 **8:21 Draft OOC Review, 95-893, Nadine and Brett Abigana, 28 Old Central Turnpike,
82 restoration**

83 The Commission reviewed the draft special conditions for the OOC 95-893 and made some edits.

84

85 Ms. Van Lancker made a motion, seconded by Mr. Narayana to issue the Order of Conditions
86 for 95-893, Nadine and Brett Abigana, 28 Old Central Turnpike. Motion passed 4-0-2 Mr.
87 Moulton and Mr. Crouch abstained

88

89 **8:40 Request for COC 95-837, M.G. Kane Properties, 11 Wilson Circle**

90 The Agent stated that the irrigation well shifted to the northwest than what was approved. The
91 Agent also stated that the back porch staircase had switched locations and positions, but the
92 swale and detention basin were constructed and the site is stabilized.
93 Mr. Moulton made a motion, seconded by Mr. Narayana to issue a Complete COC. Motion
94 passed 6-0-0.
95

96 **8:49 Agent's Announcement**

- 97 I. RTD 95-878: The Agent stated that the silt ran off down the hill and flooded the
98 MBTA Parking lot. The fill was discharged to wetlands to the east of the parking
99 lot and in the Nyanza parking lot. The Agent stated that fill also entered 26 High
100 Street and a fall clean-up will be handled by Campenelli Thorndike Development to
101 clean the fill and leaves from the property.
- 102 II. MACC Conference: Annual conference for MACC will be held on March 4, 2017.
- 103 III. 89 Warren Road: The Agent stated that while doing an inspection at Warren Road,
104 trees were being cut at 89. Approximately three trees were cut and removed, and a
105 fourth was pruned. The three trees were hemlocks in front of the property, and the
106 fourth was a magnolia in the back. Work took place in the 100' Buffer Zone. The
107 Commission stated no filing was necessary.
- 108 IV. Wetlands layer update: The agent stated that she has been updating the wetlands
109 layer on the mapping system and as built plans are being used to accurately
110 "delineate" wetlands in the GIS program.
- 111 V. Staples: The Agent said she received word of a potential new subdivision on a
112 parcel owned by Staples in the northwestern portion of the town. The agent stated
113 that the property needs to pass through Town of Framingham Zoning Laws before it
114 comes to Ashland.
- 115 VI. COC reissue 95-553, 7 Independence Lane: Agent stated that a request came in to
116 reissue a COC that was previously issued.
117 Mr. Moulton made a motion, seconded by Mr. Narayana to reissue the COC. 5:0:0
- 118 VII. Vacation: The agent stated that she will be taking vacation from December 11 to
119 December 16, 2016.

120 **8:50 2017 Meeting Schedule**

121 The Commission tabled this for the next meeting when all Commissioners will be present.
122

123 **9:12 Member Prerogative**

- 124 I. Mr. Hakansson asked about the detention basin at 466 Chestnut Street. The Agent
125 stated that a site inspection will take place tomorrow.
- 126 II. Poaching problem. There is a potential poaching problem at Warren Woods, 466
127 Chestnut and the State Park.
- 128 III. CPC is set to meet tomorrow to discuss a grant that was received but the money may
129 be given back.

130
131 **9:24 Adjournment**

132 Ms. Van Lancker made a motion, seconded by Mr. Narayana to adjourn the meeting. Motion
133 passed 6-0-0.