



# Town of Ashland

M A S S A C H U S E T T S

MEETING MINUTES  
ASHLAND CONSERVATION COMMISSION  
January 10, 2022

1  
2 Present: Cathy Van Lancker (Chair)  
3 Greg Wands (Vice Chair)  
4 Owen Ackerman  
5 Gene Crouch  
6 Preston Crow  
7 Carl Hakansson  
8 William Moulton  
9 Agent: Becca Solomon

10  
11 **Meeting held by Zoom**

12  
13 **Call to order: 7:00 P.M.**

14  
15 **Chair Cathy Van Lancker read the Ashland Conservation Commission virtual**  
16 **meeting protocols, and meeting recording announcement.**

17  
18 **Review minutes from 12/27/21**

19 **12/13/21 Meeting Minutes:**

20 Commission Members reviewed and edited the December 27, 2021 meeting  
21 minutes.

22 **Motion:** Mr. Hakansson motioned to approve the December 27, 2021 meeting minutes  
23 as amended. The motion was seconded by Mr. Crow.

24 **Vote:** The motion passed with a 6-0 vote. (Rollcall vote: OA, PC, CH, WM, GW, CVL)

25  
26 **Emergency Certification, Emily Lauer, 17 Hunters Lane**

27 Becca Solomon summarized the previous Emergency Certification provided for  
28 the project, and explained that it could not be completed due to equipment failure. The  
29 applicant has asked for a new Certification to finish building the required retaining wall,  
30 now that they have the equipment to do so. The new Certification was signed by Ms.  
31 Solomon, with added language stating that it was a new certification due to the  
32 equipment failure.

33 Bill Moulton asked applicant Emily Lauer if work had begun. Ms. Lauer  
34 confirmed the old boulder wall was being removed and gravel base put in. The next  
35 stage is for the new wall to be installed with the drainage system behind it. Carl

36 Hakansson asked if there was a new contractor. Ms. Lauer confirmed they had a new  
37 subcontractor, but it was still the same mason and overseeing engineer. Mr. Moulton  
38 asked how long it would take to build the wall. Ms. Lauer stated she thought it would  
39 take a week at most. Cathy Van Lancker asked Ms. Lauer to contact the agent when the  
40 work was complete.

41 **Motion:** Mr. Moulton motioned to ratify the Emergency Certification. This motion was  
42 seconded by Mr. Crow.

43 **Vote:** The motion passed with a 6-0 vote. (Rollcall vote: OA, PC, CH, WM, GW, CVL)

44

45 **Violation, Vin Gately, Legacy Farms, Hopkinton Reservoir/ Howe Street sediment**  
46 **breach**

47 Ms. Van Lancker summarized that the check was received from Peter Bemis, and  
48 provided to the Town Planner, to work with GCG. Ms. Solomon explained that the NOI  
49 submitted was for work on land owned by the Town of Ashland but located in  
50 Hopkinton, with some work proposed on the Ashland side of the boundary. Work done  
51 within Hopkinton will not be jurisdictional to the Ashland Conservation Commission. A  
52 separate filing would be needed for work on the Ashland side.

53

54 Mr. Bemis clarified that the commission was in receipt of two draft NOIs, one for  
55 Hopkinton and the other for Ashland. Mr. Bemis stated that Doug Small had  
56 communicated with GCG and someone has been assigned the project. A design plan has  
57 been provided as part of the draft NOI, and someone from the Town Management  
58 needs to sign the applications, as both NOI's are for land owned by the Town of  
59 Ashland. Ms. Solomon stated that she will make sure the NOIs are signed.

60

61 Mr. Bemis noted that the both filings are only in draft form and they need to be vetted  
62 further before starting the process of opening the hearings. Ms. Van Lancker asked if  
63 this could be a discussion topic at the next meeting. Mr. Moulton stated the peer review  
64 with GCG should go through before being viewed by the commission. Mr. Bemis stated  
65 that the plans had been outlined to the commission at a previous meeting, but the  
66 design details have now been added. Mr. Bemis asked that the peer reviewers weigh in  
67 first, then speak with the commission members as it is town owned land.

68

69 Mr. Hakansson asked Mr. Small if he was satisfied with the direction they were moving.  
70 Mr. Small agreed and felt they needed more time with GCG, and preferred to have that  
71 worked out before being on another meeting.

72

73 No motion was made and no vote was taken.

74

75 **Half Crown Circle, Curb Installation**

76 Mr. Moulton summarized the work that was down to the catch basin and curbing, and  
77 explained that there were wetlands at the toe of the slope, and an RDA should have  
78 been filed.

79  
80 Tracey Rhodes apologized and stated she was unaware of the wetlands and was willing  
81 to fill out any necessary forms and come back before the commission with the vendor.  
82 Mr. Moulton clarified that they should have an after-the-fact RDA filed to get this on the  
83 record, and explained any work there should be a filing, or at least a call to the  
84 Conservation Agent to determine if a filing is needed.

85  
86 Ms. Van Lancker asked the agent to send Ms. Rhodes the link for the RDA form and  
87 provide any further information to fill it in, and information on how to look at wetlands  
88 for the area. Ms. Solomon confirmed she can provide that information, and provide  
89 maps from the municipal GIS showing where the buffer zones and Riverfront Areas are.

90  
91 Mr. Hakansson asked if this is the same project as the Captain Eames Circle COC that  
92 was reviewed at the last meeting. Mr. Moulton stated it's the same condo association,  
93 but a different location. Mr. Hakansson asked if it was a condition of the entire  
94 development to maintain the storm drains. Mr. Moulton agreed that typically it is a  
95 condition, but they would have to go back and see what exactly was required. Ms. Van  
96 Lancker stated they were supposed to reach out and get the maintenance logs from the  
97 company. Ms. Rhodes clarified there were four different associations, but she was  
98 managing them. They had been cleaning the catch basins, and that was when the  
99 realized there was an issue with the catch basins.

100  
101 No motion was made and no vote was taken.

102  
103 **Correspondence, 56 Fountain Street**

104 Ms. Van Lancker summarized that they were being told there is fill on the property, and  
105 they wanted to speak with Fabio Fragale concerning that.

106  
107 **Gene Crouch joined the meeting at this point**

108  
109 Mr. Hakansson further summarized a past site visit where they discussed the areas of  
110 concern. There is a sloping area that comes down and empties into a dry well, and a  
111 depression on the other side of the garage against Fountain Street, with a storm drain.  
112 Mr. Hakansson stated that a pipe had been found to lead back to Mr. Fragale's property,  
113 and they had asked Mr. Fragale if he was aware of it, and if there was connection  
114 between the drywell and the pipe leading to the street. It was asked at the time if the  
115 residue in the depression was natural, and the answer was yes. The concern was that it  
116 may be important in regard to the management of stormwater coming from that site.

117 Mr. Hakansson stated they had asked Mr. Fragale to try to find if it did daylight. After  
118 the last hearing, the commission received correspondence, that appeared to contradict  
119 what the commission was told.

120

121 Mr. Crouch added that it appears there was fill material placed previously, but when  
122 they asked about it, they were told it was just leaves and grass put there by the previous  
123 owners. The current pictures show Mr. Fragale dumping fill in the current area, and asks  
124 why it wasn't explained in that way.

125

126 Mr. Fragale agreed he did dump materials, on September 16, 2020, consisting of three  
127 yards of loam to fill in some holes. Ms. Van Lancker informed Mr. Fragale that such work  
128 still requires approval by the commission as it is within a resource area. Mr. Fragale  
129 apologized and stated he did not know at the time it was a resource area. Mr. Fragale  
130 used the bricks and stones shown in the picture to build his landscaping wall. Ms. Van  
131 Lancker asked about the additional fill that appeared to be mixed with the stones and  
132 bricks. Mr. Fragale stated that it was leaves and grass that was previously there, and he  
133 cleaned it up and built the wall. He noted he hadn't done anything since.

134

135 Mr. Crouch asked why the material was being dumped. Mr. Fragale responded he had  
136 put it there with the intent to fill some divots around the property. Mr. Crouch asked for  
137 clarification on where the fill was in the pictures. Mr. Fragale described the location.

138

139 Mr. Hakansson clarified that they do not know if this was in a resource area, because the  
140 200-foot Riverfront Area does not extend all the way into the property.

141

142 Mr. Marquedant showed the plans for the property and highlighted the area that Mr.  
143 Fragale was referring to. The area was within the 200-foot Riverfront Area. Mr. Fragale  
144 confirmed the location was accurate. The commission further discussed the location and  
145 orientation of the work and the pictures. Mr. Crouch asked about Mr. Fragale's attempts  
146 to find the pipe in the area. Mr. Fragale described his efforts to dig three holes by hand.  
147 Mr. Crouch asked how deep the pipe is from the catch basin. Mr. Fragale clarified he was  
148 five feet below the sidewalk already, and dug down four feet, and did not find the pipe.

149

150 Mr. Hakansson stated that it was important to have this on the record in the case  
151 something was to happen subsequent to the development. If the Commission didn't  
152 have the information or personal testimony from Mr. Fragale, then they would be  
153 derelict in what they were supposed to do. It was important to have this late information  
154 on the record.

155

156 No motion was made and no vote was taken.

157

158 **Member Prerogative**

159 Ms. Van Lancker asked Ms. Solomon for an update on an issue at 65 Concord St. Ms.  
160 Solomon stated that she hasn't received an NOI yet, but she had been kept updated  
161 that it was in progress.

162

163 Mr. Hakansson asked about the status of the appeal on Pennock Road. Ms. Solomon  
164 stated that she had received an email from Assistant Town Manager Jenn Ball that  
165 evening concerning the project, but it had not yet been reviewed. Ms. Van Lancker  
166 asked Ms. Solomon to keep them updated.

167

168 K.G. Narayana, 49 Thomas Street, informed the commission that he had found a pipe on  
169 his property that may be draining into a wetland, which Ms. Solomon had agreed to  
170 inspect the next day. Ms. Van Lancker asked Ms. Solomon to keep the commission  
171 updated on the issue.

172

173 **Meeting Adjournment**

174 **Motion:** Mr. Hakansson motioned to adjourn the meeting. The motion was seconded by  
175 Mr. Crow.

176 **Vote:** The motion passed with a 7-0 vote. (Rollcall vote: OA, PC, GC, CH, WM, GW, CVL).

177

178 The meeting was adjourned at 8:01 p.m.

179

180 **Documents reviewed by the Conservation Commission on 1/10/2022**

- 181 • Document entitled, *Agenda, dated 1/10/2022*
- 182 • Meeting Minutes, *dated 12/27/2021*
- 183 • WPA Emergency Certification Form, *17 Hunters Lane, issued 1/4/2022*
- 184 • Correspondence entitled, *Fwd: Historic 56 Fountain Street, dated 12/30/2021*