



# Town of Ashland

MASSACHUSETTS

MEETING MINUTES  
ASHLAND CONSERVATION COMMISSION  
January 11, 2021

1  
2 Present: Gene Crouch  
3 Cathy Van Lancker  
4 Carl Hakansson  
5 K.G. Narayana  
6 Gabriel Toledo  
7 Greg Wands  
8  
9 Maeghan Dos Anjos (Agent)

10  
11 Absent:  
12 William Moulton (Vice Chair)

13  
14 **Meeting held by Zoom**

15  
16 **Call to order: 7:04 P.M.**

17  
18 **7:04 Mr. Crouch reviewed the protocol for the meeting**

19  
20 **7:05 Review 12/28/2020 Meeting Minutes**

21 The Commission tabled the meeting minutes to the next meeting.

22  
23 **7:07 Review Draft OOC 95-949, Brigs, LLC., Captain Eames Circle near units 415, and**  
24 **443, repairing existing roadway**

25 The Commission reviewed and revised the Draft OOC for the pavement work at Captain  
26 Eames Circle.

27  
28 A motion was made by Mr. Narayana to issue the OOC, seconded by Ms. Van Lancker.  
29 Motion passed 4-0-2. (Roll call vote: KN, GT, GW, CVL, GC). Mr. Crouch and Mr.  
30 Hakansson abstained.

31  
32 **7:12 Member Prerogative**

33 Mr. Narayana announced that there was COVID-19 testing at the High School today.

34  
35 **7:15 NOI/SMP, Magunko Realty Trust, 9 Pennock Road, single family home**  
36 **(continued from 12/14/2020)**

37 Mr. Steve Hickey (Applicant) and Ms. Joyce Hastings (Representative- GLM Engineering)  
38 were present for the hearing.

39  
40 The Agent gave an update to the Commission about her conversation with Eversource.

41

42 Ms. Hastings shared her screen. Mr. Crouch said that he did not remember the pipe. Ms.  
43 Hastings stated that we talked about it at the last Conservation Commission Meeting. Mr.  
44 Crouch and Ms. Hastings talked further about the pipe. Ms. Hastings said that the elevation of  
45 the driveway is at 324', and that the driveway is over the pipe, and that the water line, and the  
46 sewer line will be much deeper.

47  
48 Ms. Hastings said that they are working on the replication area for the 25' No Disturb Zone,  
49 and that she was not prepared to present tonight. Mr. Crouch said that if you were to give this  
50 to Eversource, they would be okay. Mr. Crouch asked if there is something that can be done to  
51 avoid impacts to wetlands. Ms. Hastings explained the process of working within or near the  
52 Eversource Gas Transmission Easement. She stated that they need to notify Eversource that  
53 they will be doing work, and that Eversource needs to be present when the work starts. Ms.  
54 Hastings stated that the minimum depth for their gas line is 24" but they prefer a depth of 36".

55  
56 Mr. Hickey said to the Agent that when they spoke, Eversource had indicated that they would  
57 be hard pressed to allow the bridge [over the wetland]. The Agent confirmed this.

58  
59 Mr. Crouch said that if they keep the driveway lower, water can still get to the wetland, but  
60 water may pass over the driveway and freeze in the winter. Mr. Crouch said that they are  
61 trying to see that the water flows under the driveway. Ms. Hastings said that in past  
62 discussions, they were told not to use pipes within the Eversource easement.

63  
64 Mr. Hakansson said that they can install rip rap up to the road. Mr. Narayana said that Ms.  
65 Hastings and Mr. Hickey would have more room to work with.

66  
67 Mr. Hickey asked the Commission if they want the drain line moved. Ms. Van Lancker said  
68 that another option is to add a second drain line over on the left. Ms. Van Lancker asked if this  
69 will work. Mr. Crouch said that it doesn't need another pipe.

70  
71 Mr. Desheng Wang (present for another discussion) made a suggestion to the upstream side.  
72 Ms. Hastings said that the swale is running this way, and that this is where a majority of the  
73 water is coming from. Mr. Crouch said that instead of the low point, can the Applicant carry  
74 the 324' elevation over and create a berm and some minor grading to make sure water gets into  
75 the pipe.

76  
77 Mr. Hakansson said that this idea is simple, and that we want to capture the water that we  
78 witnessed cross over the proposed driveway within the easement. Mr. Hakansson said that if  
79 we can get that pipe out, it should address it. Mr. Crouch suggested that they move the pipe to  
80 the center of the driveway. Mr. Crouch said that if Eversource says "no", then look at minor  
81 grading. Mr. Crouch said that the invert of their drainage pipe is on top of Eversource's gas  
82 transmission pipe and that they [Eversource] won't like that. Ms. Hastings said that she will  
83 move the pipe to the edge of the wetland, and configure it to capture the water, replicate the  
84 disturbed areas of the 25' No Disturb Zone, move the bounds, and install the plaques.

85  
86 Mr. Hakansson asked if there is a way to relocate the pipes that are shown off-site. Mr.  
87 Hickey said that there is not and he does not own that property. Mr. Hakansson said so there  
88 is no way to redirect it. Mr. Hickey confirmed this.

89 A motion was made by Mr. Narayana to continue the hearing to 1/25/2021, seconded by Mr.  
90 Toledo. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).

91  
92 **7:51 NOI, 58 Exchange Ashland, LLC. 16 Union Street, Lot 2, four-unit residential**  
93 **building (continued from 12/28/2020)**

94 The applicant requested a continuance.

95  
96 A motion was made by Mr. Narayana to continue the hearing to 1/25/2021, seconded by Mr.  
97 Toledo. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, CVL, GW, GC).

98  
99 **7:51 NOI, Nina Shopalovich, 75 Woodland Road, addition**

100 Ms. Karon Skinner Catrone (Wetland Consultant) was present for the hearing.

101  
102 Ms. Catrone said that the work involves the construction of an addition on the side and rear of  
103 the single family home. Ms. Catrone said that no trees will be removed, but some shrubs will  
104 be relocated on the site. Ms. Catrone said that they are showing four boulders outside the 25'  
105 No Disturb Zone with plaques on them. Ms. Catrone said that during the [pre-hearing] site  
106 visit, we did stumble across a pipe on the side of the house where the addition is going. Ms.  
107 Catrone said that they will test it to see what it is, but not until they get their permit.

108  
109 Mr. Crouch said that the easement and drainage line do not line up, and suggested that they  
110 address this appropriately. Mr. Crouch asked what is within the area where the addition is  
111 going. Ms. Catrone said that it is grass, and there is a small retaining wall toward the back.  
112 Mr. Wands asked about the drainage easement. Ms. Catrone said that it's a "Y" connection  
113 under wetland flag number 5.

114  
115 Mr. Hakansson asked the location of the street in relation to the to Town. The Agent said that  
116 it is off of Union Street near the Hopkinton Line. Ms. Catrone said that it is an old road and 75  
117 Woodland Road is one of the original homes. Mr. Hakansson said that the wetland there is  
118 probably draining toward Weston Nurseries properties.

119  
120 Mr. Narayana made a motion, to close the hearing, seconded by Mr. Wands. Motion passed 6-  
121 0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).

122  
123 **Mr. Hakansson recused the next discussion**

124 **8:13 Request for NOC 2018-01, Carlos Hanzi, 128 Main Street, mixed development**  
125 **(tabled from 12/28/2020)**

126 Mr. Desheng Wang (Representative- Creative Land and Water Engineering) was present for  
127 the meeting

128  
129 Mr. Wang gave a summary of the project from its initial design, to the final approved design.  
130 Mr. Wang said that the only difference between the approved plans and the as-built plans were  
131 the inspection ports. Mr. Crouch asked the Agent about the SMP and if there is an ongoing  
132 condition for the Operations and Maintenance Plan. The Agent shared her screen and showed  
133 the O&M Plan the condition in the SMP referring to the O&M Plan. The Commission  
134 expressed a concern about the maintenance of the system given that that only three inspection

135 ports were installed. Mr. Wang said that inspection ports are meant for monitoring, not  
136 cleaning.

137  
138 Ms. Van Lancker suggested that they submit a letter. Mr. Narayana said that we cannot  
139 enforce it.

140  
141 Mr. Crouch asked why they put in only one port per row. Mr. Wang said that this came from a  
142 review of the Planning Board, along with an 50% increase in the galley. Mr. Wang also said  
143 that the original design only called for two galley rows. Mr. Narayana said that they had time  
144 to come back before the Commission to get a plan change.

145  
146 Ms. Van Lancker, made a motion to issue the NOC, seconded by Mr. Toledo.

147  
148 Mr. Wands asked if they deny it, what would the Applicant have to do. Mr. Crouch said that  
149 they would have to dig it up and put in three additional ports. Mr. Wands asked if the  
150 Commission would then ask for 9 total ports. Mr. Crouch said if we wanted to be tough we  
151 could do that.

152  
153 Mr. Narayana said that he still thinks that they had time to come back for a plan change, and  
154 would vote against the motion made by Ms. Van Lancker.

155  
156 Motion passed. 4-1-0. (Roll call vote: GT, GW, CVL, GC). Mr. Narayana voted no.

157  
158 **Mr. Hakansson returned to the meeting**

159  
160 **8:55 Request for COC, 95-933, Virginia Gentile, 10 Wenzell Road, addition**

161 Mr. Mitch Maslanka (Representative- Goddard Consulting LLC), and Ms. Virginia Gentile  
162 (Applicant/Owner) were present for the discussion.

163  
164 The Agent stated that the request was received but that there was a condition to certify the  
165 vernal pool on the property.

166  
167 Mr. Maslanka said that they had done a survey of the vernal pool on April 28, 2020. Mr.  
168 Crouch indicated that this time is marginal for properly surveying and observing vernal pool  
169 activity.

170  
171 Mr. Narayana stated that there is no X or Y information on the diagram, and that there are no  
172 points of latitude or longitude. Mr. Narayana said that the diagram also does not reference  
173 Shore Road and asked if this is required or not.

174  
175 Mr. Maslanka said that there was insufficient data to certify the vernal pool. Mr. Crouch  
176 asked if they would resurvey, and asked the Agent about her conversation she had with the  
177 Natural Heritage and Endangered Species Program (NHESP). The Agent stated that she spoke  
178 with Jake Kubal with NHESP. The Agent stated that he felt that the vernal pool could be  
179 certified given what he saw in aerial photography. The Agent asked Mr. Maslanka what his  
180 findings were during the survey. Mr. Maslanka said that he found wood frog, snail egg

181 masses, clam shrimp, and that he found a lot of life. The Agent said that she thinks he should  
182 try harder and to evaluate the vernal pool again.

183  
184 Mr. Hakansson said that they did what we asked them to do, and that he thinks that we owe it  
185 to vernal pool to evaluate this. Mr. Narayana said that he does not think that the Commission  
186 can hold the owner to certifying the vernal pool when the Commission can certify it. Mr.  
187 Hakansson said that due diligence has been done.

188  
189 The Agent also stated that there is a condition that requires monitoring reports for two growing  
190 seasons, and that these are still needed. The Commission agreed and stated that the vernal  
191 pool will be certified by the Commission in the spring.

192  
193 **9:50 Member Prerogative**

194 Mr. Hakansson announced that Mr. Jim Hannah (a long-time resident of Ashland) passed away  
195 last week.

196  
197 Mr. Narayana spoke about the Board of Health and stated that one member left, and one  
198 member won't continue his appointment.

199  
200 Mr. Toledo stated that his advisor stated that he (Mr. Toledo) needs an internship for his  
201 graduate program. Mr. Toledo said that he has been speaking with the Agent, and that the  
202 Agent informed him to speak with the State's Ethics Board.

203  
204 **9:55 Agent's Announcements**

205 The Agent spoke about the issuance of a SMP and an OOC, and whose condition/jurisdiction it  
206 is. In the past, the Commission voted to allow the Department of Public Works to act as an  
207 agent of the Commission to enforce Stormwater Management Permits that were issued. The  
208 Agent said that this has been somewhat confusing because when both a wetlands application  
209 and a local stormwater management application are submitted, the permit that is issued is an  
210 OOC, but has one condition stating that the OOC will also function as a SMP. The Agent said  
211 that it may be easier to issue two permits, but stated that it would be more work to do that.

212  
213 Mr. Hakansson said that the Conservation Commission and the Department of Public Works  
214 have overlapping interests, but not the exact same interests. Mr. Crouch stated that the  
215 template conditions are in need of revisions. Mr. Hakansson stated that when he was on the  
216 Select Board, they would do retreats to discuss policy changes, things that work, and things  
217 that didn't work. Mr. Hakansson stated that sometimes the retreats would be held on a  
218 weekend, and that they would focus on three or four different topics.

219  
220 The Commission concluded that they can work on a OOC template, with different sections for  
221 the OOC and the SMP.

222  
223 Mr. Narayana asked about the scheduling for next Executive Session.

224  
225 The Agent also stated that the Town of Ashland will be submitting a NOI for the Trolley Brook  
226 Trail from Megunko Road, to Memorial Drive. The Agent stated that the Town asked about  
227 whether a site visit was necessary, and if so, they respectfully asked that they schedule this

228 soon as there is no snow on the ground, and no snowfall in the forecast. The Commission  
229 said that it was worthy of a site visit and asked the Agent to schedule this soon.

230

231 **10:03 Member Prerogative**

232 Mr. Hakansson spoke about the summit pointe drainage, and that some of the work addressed  
233 earlier drainage concerns, but he raised a concern about the retaining walls, and that they need  
234 to be addressed. Mr. Wands said that the grass is grown and looks like the plantings have  
235 survived.

236

237 Mr. Narayana asked about 65 Hardwick Road. The Agent said that the NOI was submitted to  
238 them and they were looking through it. The Agent said that she will contact them.

239

240 **10:06 Meeting Adjournment**

241 A motion was made by Mr. Narayana, and seconded Ms. Van Lancker to adjourn the meeting.  
242 Motion passed 5-0-0. (Roll call vote: KN, GT, GW, CVL, GC).

243

244 **Documents Reviewed by the Conservation Commission on 1/ 11/ 2021**

245

- Document entitled, *Agenda* dated 1/11/2021
- Plans entitled, "*Ashland Special Conditions: Findings of Fact: 75 Woodland Road*"
- Plans entitled, "*As-built Management Plan*", dated 1/19/2021
- Document entitled, "*Stormwater Managemetn Permit 2018-01*" for 128 Main Street
- Document entitled, "*Operations and Maintenance Plan for Stormwater BMPs for 128 Main Street, Ashland, MA.*"

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