



# Town of Ashland

MASSACHUSETTS

MEETING MINUTES  
ASHLAND CONSERVATION COMMISSION  
January 24, 2022

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Present: Greg Wands (Vice Chair)  
Owen Ackerman  
Gene Crouch  
Preston Crow  
Carl Hakansson  
William Moulton

Absent: Cathy Van Lancker (Chair)

Agent: Becca Solomon

**Meeting held by Zoom**

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

**Vice Chair Greg Wands read the Ashland Conservation Commission virtual meeting protocols, and meeting recording announcement.**

**Review minutes from 1/10/22**

**1/10/22 Meeting Minutes:**

Commission Members reviewed and edited the January 10, 2021 meeting minutes.

**Motion:** Mr. Hakansson motioned to approve the January 10, 2021 meeting minutes as amended. The motion was seconded by Mr. Crow.

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

**Notice of Intent, Nathan Collins, 311 Pleasant Street, DEP File Number not received**

Mr. Collins summarized the proposed project of installing three solar canopies located within jurisdictional area. The canopies would be located entirely within the existing parking lot area, with no work proposed within the 25-foot no-disturb zone. The extent of earth work will be a total of twelve drilled footings for the canopies. An erosion control barrier will be installed prior to the beginning of work. Mr. Collins explained the

36 existing stormwater flow, which will not change as a result of the project. The flood  
37 storage being lost by the project for the Riverfront Area was stated by Mr. Collins to be  
38 less than 3 cubic feet.

39  
40 Mr. Crouch asked for clarification on the flow of stormwater. Mr. Collins showed on the  
41 plans where the water flowed to, and further explained that the stormwater will largely  
42 fall between gaps in the canopies. Mr. Crouch asked what the height of the canopies  
43 would be. Mr. Collins stated the lowest height is designed at fourteen feet. The largest  
44 panel will have a maximum height of twenty feet. Mr. Crouch asked if any consideration  
45 had been given onto the shading the panels would cause on the grass and other  
46 vegetation within the Riverfront Area. The grass may suffer from being shaded all the  
47 time by the canopies. Mr. Collins agreed to the suggestion of supplementing the  
48 existing lawn with a seed mix that consists of shade tolerant grass. Mr. Crouch clarified  
49 that the existing lawn receives the stormwater flow and is stable, any shading that  
50 affects the grass and causes it to thin out, may result in erosion problems later on.

51  
52 Mr. Hakansson asked for confirmation on the depth of the footings and stated he  
53 thought the property may be within the Nyanza Plume and that the DEP should be  
54 contacted to confirm. Mr. Collins stated the topic had been brought up at Planning  
55 Board's site plan review, but that it was not determined whether the site was part of the  
56 plume. Mr. Collins explained that the footings for the canopies could be installed as a  
57 shallow spread, which would be an option to minimize the depth into the potential  
58 plume. Mr. Hakansson clarified that the issue was not jurisdictional for the Conservation  
59 Commission, but was worth having a conversation with DEP. Mr. Crouch clarified that  
60 the section of DEP that is dealing with the NOI is different from that which deals with  
61 the Nyanza Plume.

62  
63 Mr. Crow asked if the footings were the only things going into the ground. Would the  
64 wires connecting this to the electrical system be above ground? Mr. Collins responded  
65 an electrical conduit trench will be installed within the parking lot for the distribution  
66 line. Mr. Wands asked if there was a plan in place to treat any removed soils as  
67 hazardous if the site was located within the Nyanza Plume. Mr. Collins stated that if they  
68 determine the site to be within that area, they would modify the footing design and  
69 present the information prior to the next hearing date.

70  
71 Mr. Moulton asked if a formal request for a waiver is needed for the Stormwater  
72 Management Permit. Mr. Crouch suggested that it be discussed at the next meeting.  
73 The proposal is an "impervious surface over an impervious surface" and stormwater will  
74 drain through the canopy and not change the ground surface, or affect the amount of  
75 runoff. Mr. Moulton asked if a waiver should still be requested and issued. Mr.

76 Hakansson agreed and stated it would formalize the decision. Mr. Collins will prepare a  
77 waiver request.

78  
79 Mr. Crouch asked if there may be an old septic system in the back of the lot. Mr. Collins  
80 responded they did not find any records that would suggest a septic system. Mr. Wands  
81 asked if the canopies would interfere with the Riverwalk plans. Mr. Collins stated that it  
82 was being worked out with site plan review. The commission discussed what information  
83 was still needed. Mr. Crouch stated in regards to the earlier comments on the Nyanza  
84 Plume, that it appeared to be to the west of, and not including, the project site, but that  
85 it may be necessary to verify. Mr. Wands summarized the action items decided on.

86  
87 Mr. Narayana, *address not stated*, asked if the footing could be pile-driven into the  
88 ground to reduce the earth disturbance. Mr. Collins stated it would need to be reviewed  
89 by the structural engineer, but what the proposal is to drill, limiting the amount of  
90 excavation. The footings would be augured with a concrete plate, and support brackets  
91 on top of it. The spread footings cause more disturbance, so they typically try to avoid it.

92  
93 **Motion:** Mr. Hakansson motioned to continue the hearing to February 14<sup>th</sup>, 2022 at  
94 7:15pm. The motion was seconded by Mr. Crow.

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

96  
97 **COC Request, Joyce E. Hastings, 14 Wesson Road, DEP File Number 95-913**

98 Ms. Solomon summarized the originally approved project of a house addition on  
99 existing lawn. A letter was received by the commission prior to installation, stating the  
100 foundations would be changed to a crawl space instead of slab foundation. Ms.  
101 Solomon explained the addition was built to plan with the crawl space foundation  
102 instead of slab. The wetland and lawn was clean of debris and bittersweet had been  
103 removed as required.

104  
105 Mr. Crouch asked if the Order required the Protected Resource Area markers be placed.  
106 Ms. Solomon stated that the markers were required, but she did not see them on the  
107 bounds. Mr. Hakansson asked if the COC could be approved with a condition that the  
108 bounds be purchased and attached. Mr. Crouch replied that the Commission could issue  
109 the COC, but not allow the agent to release the document until the markers are installed  
110 on the bounds. Mr. Hakansson stated it was important the markers were placed so  
111 future owners would know what the bounds are for. The commission discussed methods  
112 that would allow the markers to be attached. Mr. Moulton requested that the condition  
113 38, listed on the original OOC as a continuing condition, be removed on the COC, as it  
114 refers to emergency spills and is not needed in perpetuity.

115

116 **Motion:** Mr. Moulton motioned the Certificate of Compliance be approved and issued  
117 with condition 38 removed from the continuing conditions. The COC should be held  
118 until confirmation is received that the markers have been attached to the concrete  
119 bounds. This motion was seconded by Mr. Crow.

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

121

122 **Request from Professor Brandi Van Roo to conduct small mammal trap and release**  
123 **at Warren Woods**

124 Ms. Solomon read the request from Dr. Van Roo for small mammal trap and release,  
125 which is separate from a previous bird banding request. Mr. Hakansson summarized the  
126 project on behalf of Dr. Van Roo, explaining that this was done historically by Dr. Van  
127 Roo, and the information resultant was found to be useful by the Stewardship  
128 Committee. Mr. Hakansson recommended the request be approved.

129

130 Mr. Crow asked clarification of what jurisdiction the Conservation Commission held. Mr.  
131 Hakansson stated that the Commission had care and custody of both Warren Woods  
132 and the Eliot Street property across the street. Mr. Wands stated that in the past Dr. Van  
133 Roo provided details and methodology on the trapping. Mr. Moulton provided some  
134 information on the process. Mr. Hakansson stated Dr. Van Roo could provide more  
135 information if needed. Mr. Hakansson will request Dr. Van Roo include more detail on  
136 how often the traps would be checked prior to the next meeting on February 14<sup>th</sup>, 2022.

137

138 No motion was made and no vote was taken.

139

140 **The Commission discussed when the next meeting was in regard to the February**  
141 **holiday.**

142

143 **0 Prospect Street, possible violation**

144 Mr. Narayana (Concord, MA) explained that he owned the property and recently had the  
145 wetlands surveyed, during which it was discovered that there was a pipe on his property  
146 draining into the wetlands. The Agent was called to look at the pipe prior to the  
147 meeting. The Commission discussed possible solutions. Mr. Hakansson informed Mr.  
148 Narayana that he should reach out to the neighbors to ask what the pipe is and for it to  
149 be removed. Mr. Crouch shared the photos sent by the Agent showing the erosion  
150 around the pipe, and further stated that they do not know what is flowing through the  
151 pipe. Mr. Crouch noted the stain on the bottom of the pipe. The Commission discussed  
152 what the pipe might be for, also showing stains on an adjacent rock, and that the snow  
153 had melted where the flow had presumably been.

154

155 Mr. Hakansson asked if the house in the background of one photo was the closest to  
156 the pipe. Mr. Narayana confirmed this was the case. Mr. Hakansson reiterated that the

157 owner of the house should be contacted. Mr. Hakansson asked the distance from the  
158 house to the pipe. Mr. Narayana estimated the distance to be 60 feet. Mr. Crouch  
159 remarked on the material of the pipe. Mr. Wands asked if the pipe was buried. Mr.  
160 Narayana confirmed. The Commission discussed the location of the property.

161

162 No motion was made and no vote was taken.

163

164 **The joint-meeting with the Sustainability Committee began at 8:31pm**

165 Sustainability committee Chair, Ashwin Ratanchandani called the meeting to order and  
166 took attendance. Mr. Ratanchandani shared his screen and began a presentation of The  
167 NetZero Plan for Ashland, summarizing the goals of the plan, strategies, and findings of  
168 the Committee.

169

170 Mr. Crouch asked for clarification on the efficiency of electric energy as a power source  
171 compared to other sources. Mr. Ratanchandani presented a chart summarizing the  
172 electricity generation sources in the U.S. from 1950-2020, showing renewable sources  
173 had grown in the past two decades. Mr. Ratanchandani further explained the current  
174 heating sources in Ashland and identified it as an area for improvement. There are  
175 grants available to make a switch to electricity for heating, making it more affordable.

176

177 Mr. Crouch asked after Zoning and Planning policies towards the NetZero Plan. Mr.  
178 Ratanchandani stated that it should be a combination of legislations and compensation  
179 to achieve that goal. The Sustainability Committee is working with the Planning Board to  
180 determine what policies are already in place that could help achieve the NetZero goal.  
181 Mr. Ratanchandani summarized some of the areas where policy and compensation, as  
182 well as other strategies, may be affective. Mr. Crouch emphasized that there should be  
183 goals that are achievable, and not only goals that are commendable but not necessarily  
184 achievable. Mr. Ratanchandani agreed, but further stated that some of the larger more  
185 complicated goals are necessary to put in now, so the Town can begin building the  
186 framework to achieve them in the future.

187

188 Mr. Crouch asked for more clarification on the discussed Tree Protection Bylaw. Ms.  
189 Gassel summarized the previous efforts towards the bylaw, and the new efforts being  
190 made to approach the protection bylaw in a different way. Mr. Crouch expressed some  
191 bylaws require a 2:1 caliber replacement policy. For some properties, the lots were too  
192 small or the proposed use, such as parks, was in conflict with a significant forested  
193 element, and resulted in issues with the bylaw. Mr. Ratanchandani asked the  
194 Commission if they would partner with Ms. Gassel in coming up with a sensible bylaw  
195 that would avoid those issues. Mr. Hakansson stated that the simple solution would be  
196 to create a waiver that applicants can apply for, and then let the committee in charge  
197 determine whether the reason or issue provided is acceptable. Ms. Gassel clarified that

198 their intention was to limit the bylaw to properties that developers were building on and  
199 excluding private residential property.

200

201 Mr. Hakansson stated that the idea of incentives was key, and anything proposed should  
202 be part of a comprehensive plan. Mr. Hakansson recalled what had and hadn't worked  
203 in his previous experience with such plans. Mr. Ratanchandani agreed and stated that  
204 they were working to identify unintentional consequences, and that the Committee was  
205 looking for partnership with other boards and commissions to help refine and avoid  
206 those pitfalls as much as possible.

207

208 Mr. Ratanchandani asked if there were items the Conservation Commission was already  
209 working on that may align with the goals of NetZero, which the Sustainability  
210 Committee could support. Mr. Hakansson summarized some of the issues the  
211 Conservation Commission runs into, and recommended a consistent dialogue between  
212 both committees be established and continued. Mr. Ratanchandani asked if the  
213 Conservation Commission would want to be involved in the early stages of a new Tree  
214 Bylaw proposal. Mr. Crouch expressed his support for the idea, and further added he  
215 had experience with avoiding the pitfalls that such a bylaw could cause in  
216 implementation. Mr. Crouch noted that the Sustainability Committee may want to add  
217 examples of how the plan will physically benefit individuals. Mr. Crouch and Mr.  
218 Ratanchandani discussed some examples they had been involved in that would relate.  
219 Mr. Moulton stated that DCR has an Urban Tree Planting Program, which reduces  
220 heating and cooling costs, which may be able to be incorporated as a benefit, or to fund  
221 street tree plantings. Mr. Moulton further noted that a Tree Preservation Bylaw should  
222 not be a deterrent for managing land for endangered or threatened species habitat,  
223 which may not be forested. Both committees discussed other possible policies that  
224 could be considered.

225

226 Mr. Hakansson noted that communication and collaboration between committees is  
227 vital. The issues are not just land issues, they are economic issues and otherwise. Mr.  
228 Ratanchandani agreed and said they are open to a partnership.

229

230 **The Sustainability Committee adjourned their meeting at 9:19pm.**

231

232 Mr. Dassoni, 49 Hawthorne Road, stated that there had been good communication and  
233 understanding on the Net Zero Plan, and asked what Conservation could do to help the  
234 townsfolk recognize and understand the differences between the two committees and  
235 what their roles are. Mr. Hakansson summarized some misunderstandings the public  
236 may have on the role and jurisdiction of the Conservation Commission. The  
237 Sustainability Committee should engage the public and explain their own role. Mr.  
238 Hakansson discussed the difference between the two committees, expounding on the

239 fact that the Conservation Commission is created by an act of legislature, has a statutory  
240 charge, and has administrative assistants, while the Sustainability Committee is a town  
241 committee, has a different charge, and is self-sustaining. Mr. Crouch added that the  
242 Conservation Commission has a regulatory responsibility to issue permits and the  
243 Sustainability Committee does not. The Commission discussed some options the  
244 Sustainability Committee could take. Mr. Hakansson elaborated that a comprehensive  
245 plan is needed to ensure decisions that are made are followed through on. Mr. Dassoni  
246 asked about changes in idealisms across generations and if the charter has kept up, and  
247 stated it may not be for the Conservation Commission to answer. Mr. Hakansson  
248 responded, clarifying his statement did not necessarily reflect the views of the  
249 Conservation Commission, and further that the question was not under Conservation  
250 purview. Mr. Dassoni spoke to some of the issues he saw in the town, including  
251 communication and understanding.

252

253 No motion was made and no vote was taken.

254

### 255 **Meeting Adjournment**

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

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

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260 The meeting was adjourned at 9:34p.m.

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### 262 **Documents reviewed by the Conservation Commission on 1/24/2022**

- 263 • Document entitled, *Agenda, dated 1/24/2022*
- 264 • Meeting Minutes, *dated 1/10/2022*
- 265 • Document entitled, *311 Pleasant St-Ashland NOI, dated 1/5/2022*
- 266 • Plans entitled, *Parking Lot Canopy Solar Installation Project 311 Pleasant Street*
- 267 • Document entitled, *Request for Certificate of Compliance 14 Wesson Road, dated*  
268 *12/27/2021*
- 269 • Plans entitled, *As-Built Plan 14 Wesson Road*