



Town of Ashland

MASSACHUSETTS

MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
February 8, 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: William Moulton (Vice Chair)
12

13 **Meeting held by Zoom**

14
15 **Call to order: 7:06 P.M.**

16
17 **7:06 Mr. Crouch reviewed the protocol for the meeting**

18
19 **7:09 Emergency Certification, Gina Klay, 46 Winter Street, septic replacement**

20 Mr. Daniel McIntyre (Representative- McIntyre Engineering) was present for the meeting.

21
22 Mr. McIntyre explained that they filed the RDA for the replacement of the existing cesspool,
23 with a Title 5 compliant septic system, but shortly after the filing of the RDA, the cesspool
24 collapsed. Mr. McIntyre stated that the contractor was scheduled to replace the cesspool with a
25 septic system this week, but was delayed due to the storm. Mr. McIntyre said that the wetlands
26 were delineated by Goddard Consulting and explained the plans and various buffer zones.
27 Mr. McIntyre concluded his comments by saying that they are trying to maximize what they
28 can get on the site given proximities to the wetlands and the well.

29
30 Mr. Narayana said that this was in front of the Board of Health. Mr. McIntyre said that they
31 have asked for a waiver from the board of health regarding their requirement to have a
32 separation of three feet from groundwater. Mr. Crouch asked about the existing system.

33
34 Mr. McIntyre explained that they had high groundwater so they are mounding up the side yard.
35 Mr. Narayana asked if the cesspool is functional. Mr. McIntyre said that the last time that he
36 was there, the cesspool was filled with dirt due to its collapse. Mr. McIntyre also said that the
37 only thing the applicant has is a cesspool. Mr. McIntyre said the side yard is being raised by
38 two feet.

39
40 Mr. Mark Dasoni (49 Hawthorne Road) asked about the pipe in the buffer, and about basin.
41 Mr. Crouch said that this is not a stormwater basin.
42

43 Mr. Wands made a motion, seconded by Mr. Toledo, to ratify the emergency certification.
44 Motion passed 6-0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).

45

46 **7:22 RDA, Gina Klay, 46 Winter Street, septic replacement**

47 Mr. Daniel McIntyre (Representative- McIntyre Engineering) was present for the meeting.

48

49 Mr. McIntyre said that that the cesspool is being replaced under the Emergency Certification,
50 but the leaching fields will be addressed through the RDA submittal.

51

52 Ms. Van Lancker asked what happens now that the Emergency Certification has been issued.

53 Mr. McIntyre said that once the RDA is approved, the contractor was hoping to install both the
54 tanks and the leaching fields at the same time.

55

56 Mr. Crouch commented on the erosion control barrier. Mr. McIntyre explained that there is a
57 stonewall along the property line and topography is complimented with the placement of the
58 erosion control.

59

60 The Commission asked how the contractor will work with the snow on the ground. Mr.
61 McIntyre said that the contractor will remove the snow and haul it off of the site. The
62 Commission also asked about the excavated soils. Mr. McIntyre said that some of it will be
63 used to make the berms along the sides of the septic system, and the rest of the soil will be
64 taken off site.

65

66 Ms. Van Lancker made a motion, seconded by Mr. Narayana, to issue a Negative #3 DOA.
67 Motion passed 6-0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).

68

69 **7:30 NOI, Town of Ashland, off of Megunko Road/ Memorial Drive, trolley brook trail
70 improvements**

71 Mr. Bill Paille (Representative- BSC Group), Mr. Keith Hannon (Representative- BSC Group),
72 and Ms. Jennifer Ball (Assistant Town Manager) were present for the hearing.

73

74 Ms. Ball explained that the Town of Ashland has received a grant that can be used toward
75 construction and engineering for a public trail system. Ms. Ball expressed her sincere
76 appreciation to the Conservation Commission regarding the site visit that they did before the
77 filing of this NOI. Mr. Paille also expressed his appreciation for the site visit with the
78 Commission and its Agent.

79

80 Mr. Paille explained that flashing beacons will be installed to allow pedestrians to cross from
81 the sidewalk on the opposite side of Memorial Drive to the trail. Mr. Paille shared his screen
82 and explained the plans. Mr. Paille said that a grading transition will take place along the
83 slope from the point of the trail where it immediately abuts Memorial Drive. Mr. Wands
84 asked if there is any history of a box culvert or stone culvert over the brook. Mr. Paille said
85 that it would have been made with timber in the days of the railroad, but they saw no evidence
86 when they surveyed the site. Mr. Hannon clarified that the brook is an intermittent stream.

87

88 Mr. Crouch asked about the symbols on the plans. Mr. Hannon explained that the yellow is the
89 25' No Disturb Zone (NDZ), and the green lines are the 100' Buffer Zone.

90 Mr. Paille stated that they are proposing a timber rail fence in some locations throughout the
91 trail and that they will use a natural method, (like boulders or plantings) to create a clear
92 delineation of the trail's edges. Mr. Paille said that some surficial work is needed behind the
93 recent solar project. Mr. Paille explained that the area will be loamed and seeded upon
94 completion of the surficial work. Mr. Paille said that there is a section of the plans that show
95 trees within the trail, but they are actually on the edge of the trail. Mr. Paille explained that the
96 plans will be revised and updated to reflect the proper location of the trees.

97
98 Mr. Paille said that another trail head will be created off of Megunko Road, and it will be
99 maintained with gravel, and one side will be delineated with a buffer. Mr. Paille also said that
100 that benches will be installed.

101
102 Mr. Toledo spoke about a black tube that the Commission observed on site behind the solar
103 array. Mr. Paille said that they think it was used to bring water from the project, but they are
104 not proposing to remove it.

105
106 Ms. Van Lancker said that the 25' NDZ has been previously disturbed and asked what they
107 will do to address invasive plants. Mr. Paille said that this is a good point, but he did not see
108 invasive species on the trail as the track bed is elevated. Mr. Paille said that from Memorial
109 Drive to the stream, they will excavate that area down by a depth of 12 inches. Ms. Van
110 Lancker asked about tree clearing. Mr. Paille said that some trees will need to be pruned, and
111 that they do not want to just clear the area. Mr. Paille explained that the current canopy is quite
112 nice, and they will try to preserve that.

113
114 Ms. Van Lancker asked about the Town's plan for ongoing maintenance of the trail. Ms. Ball
115 stated that they will work with the Upper Charles Trail Committee, and that the Department of
116 Public Works can do a little bit of work on the trail. Ms. Ball said that the Upper Charles Trail
117 Committee will create a subcommittee and will have a joint effort in regards to maintaining the
118 trail.

119
120 Mr. Narayana asked if the pipe should be removed. Mr. Narayana also asked if charging
121 stations will be installed on the bridge. The Commission asked him to clarify this. Mr.
122 Narayana said that the charging stations can charge a cell phone. Mr. Paille said that he has
123 heard of that, but they were not planning on installing charging stations.

124
125 Mr. Hakansson asked about the 25' No Disturb Zone and that he did not recall receiving the
126 NOI. Mr. Hakansson also asked how the Commission should address mitigation on this site.
127 Mr. Crouch said that he has done mitigation in the corridor of trails in the past. Mr. Crouch
128 said that this was done in terms of invasive species management. Mr. Hakansson asked if this
129 is a possibility and how the Commission should address this. Mr. Crouch asked if there is
130 another area that they can look at. Mr. Hakansson asked if there is no answer to his question.
131 Mr. Crouch said that he did invasive management within the corridor, and they were going to
132 hire somebody to restore habitat. Mr. Crouch said that this could be applied here.

133
134 Ms. Van Lancker suggested that the Applicant look into mitigation, and come back to the
135 Commission with that information. Mr. Crouch said that there needs to be an argument in the
136 narrative with off-setting measures. Mr. Crouch said that he has not seen the NOI.

137
138 The Agent stated that the waiver was requested, but did not offer off-site mitigation measures.
139

140 Mr. Crouch said that the Department of Environmental Protection (DEP) created a guidance
141 document on how to build a rail trail, and that you need eight inches of cover because the old
142 rail beds are assumed contaminated. Mr. Crouch said that you do not have to test it, but you
143 do need to cover it. Mr. Crouch said that if you use the guidance from DEP, they will assume
144 that you will segregate the public from the rail bed. Mr. Crouch stated that if you do not use
145 the guidance, he is not sure what DEP will make the Applicant do.
146

147 Mr. Crouch asked about compliance with the Stormwater Management Standards. Mr. Paille
148 said that they are not installing any stormwater structures. Mr. Paille said that they are
149 narrowing the width in some locations, and will loam and seed other areas. Mr. Paille said that
150 they are trying not to create low spots, and that they are trying to protect the intermittent
151 stream. Mr. Paille spoke to the erosion control barrier. Mr. Crouch said that to be honest with
152 you, DEP is adamant about demonstrating compliance to the maximum extent practicable with
153 the Stormwater Management Standards 2, 3, and 4.
154

155 The Agent stated that she did not forward the documents to the Commission. The Agent
156 apologized to the Conservation Commission, BSC Group, and the Town of Ashland for the
157 inconvenience.
158

159 The Commission opened the hearing to the public.
160

161 Mr. Mark Dassoni (49 Hawthorne Road) asked about the location of the pipe that the
162 Commission observed during their inspection. Mr. Hakansson explained where the
163 Commission observed the pipe during their inspection. Mr. Dassoni also asked if the soil has
164 been tested because of Nyanza. Mr. Hakansson said that it was to his understanding that the
165 soil has been remediated.
166

167 Mr. Joel Arbeitman (Chair, Upper Charles Trail Committee) said that there are hundreds of
168 trails, and most cannot be accessed by an ATV. Mr. Arbeitman asked if plans change, can they
169 work with Gene and the Conservation Agent. The Agent said he can contact her if changes in
170 the plans occurs.
171

172 Mr. Narayana said that the pipe is there, but no one filed a permit with us. Mr. Crouch said
173 that he does not see this as a problem. Mr. Narayana asked if they need to come before the
174 Commission. Mr. Crouch said that they do not.
175

176 Mr. Narayana made a motion, seconded by Mr. Toledo to continue the hearing to February 22,
177 2021. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).
178

179 **8:38 NOI/SMP, Magunko Realty Trust, 9 Pennock Road, single family home**
180 **(continued from 1/11/2021)**

181 The applicant requested a continuance.
182

183 Mr. Narayana made a motion, seconded by Mr. Wands to continue the hearing to February 22,
184 2021. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).

185
186 **8:39 SMP 2021-01, Richard Barbieri, 10 Metcalf Ave, garage installation, driveway,**
187 **and utilities**

188 Mr. George Connors (Representative- Connorstone Engineering), and John Reardon (tenant for
189 the garage installation) were present for the hearing.

190
191 Mr. Connors stated that the Zoning Board of Appeals, and the Planning Board have reviewed
192 this project. Mr. Connors stated that Mr. Reardon is with him, and he is the tenant for this
193 project once it is completed. Mr. Connors stated that the site is level and the drainage
194 currently sheet flows. Mr. Connors said that the garage will be installed and crushed stone
195 will be installed around it. Mr. Connors said that an infiltration trench will be installed.

196
197 Mr. Crouch asked about the groundwater level. Mr. Connors said that groundwater mottles
198 were observed between 32"-38". Mr. Crouch asked about the zone. Mr. Connors said that it
199 is in the industrial zone.

200
201 Mr. Connors said that there will be a paved area for three cars. Mr. Narayana expressed
202 concern of debris getting into the trench. Mr. Crouch asked if there will be a berm. Mr.
203 Connors said that a berm will not be installed. Mr. Crouch asked if you can drive over the
204 trench. Mr. Connors said that you can. Mr. Narayana asked how you clean the water. Mr.
205 Crouch asked about recharge. Mr. Connors said that the plan calls for 600 cubic feet for
206 recharge.

207
208 Mr. Crouch asked about the maintenance program, and stated that the crushed stone will need
209 to be maintained and this should be in the Operations and Maintenance Plan.

210
211 Mr. Connors said that a rock construction entrance will be installed during construction. Mr.
212 Narayana asked about snow removal. Mr. Connors said that the lot will be plowed. Mr.
213 Reardon said that he does plow in the winter, and he does use deicing agents. Mr. Crouch
214 asked if the deicing agents are stored on site. Mr. Reardon said that they are contained in a
215 truck. Mr. Crouch asked if the truck is covered. Mr. Reardon said that yes, it is covered.

216
217 The Agent asked if DPW has looked at these plans. Mr. Connors said that they have not, but
218 they will when they apply for street opening permits.

219
220 Mr. Connors said that they will be raising the building so they will not have to dig four feet
221 into the ground.

222
223 The Agent asked if the Commission should get comments back from DEP and the
224 Environmental Protection Agency (EPA) due to the proximity to the groundwater plume. Mr.
225 Hakansson said that the Commission has asked for this with past projects.

226
227 Mr. Crouch said that he would like to continue this.

228

229 Mr. Narayana made a motion, seconded by Mr. Toledo to continue the hearing to February 22,
230 2021. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).

231

232 Mr. Crouch said that he agrees to have the Agent send the plans to DEP and EPA.

233

234 **9:10 Review 1/25/2021 Meeting Minutes**

235 The Commission reviewed the meeting minutes.

236

237 Ms. Van Lancker made a motion, seconded by Mr. Narayana to approve the Meeting Minutes
238 as amended. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).

239

240 **9:18 Agent's Announcements**

241 The Agent announced that a Chapter 40B filing was submitted to the ZBA for Arbella. Mr.
242 Hakansson said that he spoke with the ZBA Chair stating that he (Mr. Hakansson) wants the
243 Commission to be involved. Mr. Hakansson explained that the Stormwater coming off of that
244 hill is concerning, and that the ZBA has no experience with dealing with that. Mr. Crouch
245 explained that 40Bs are a different animal, and that they are only subject to the decision of the
246 ZBA. Mr. Crouch said that they are exempt from bylaws. Mr. Crouch said that Stormwater
247 Standards are only triggered when a Notice of Intent is filed.

248

249 The Agent also explained that she held a pre-construction site visit with Mass DOT for the
250 roadway improvement project along Route 126/Pond Street. The Agent stated that they will
251 begin clearing trees toward the end of February, and utilities are anticipated to start in the
252 beginning of March. The Agent stated that they need to come back to the Commission to
253 allow the contractor to work on the culvert, and for staging.

254

255 The Agent said that the Stormwater Advisory Committee is scheduled to review the draft
256 regulation changes to the existing stormwater regulations (Chapter 343 of the Town Code).
257 The Agent said that once finalized, it will be sent to the Commission for their review.

258

259 **9:35 Meeting Adjournment**

260 A motion was made by Mr. Narayana, and seconded Mr. Toledo to adjourn the meeting.

261 Motion passed 6-0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).

262

263 **Documents Reviewed by the Conservation Commission on 2/ 8/ 2021**

264

- Document entitled, *Agenda* dated 2/6/2021
- Document entitled, *Meeting Minutes Ashland Conservation Commission* dated 1/25/2021
- Plans entitled, *Septic System Design: 46 Winter Street*, and dated 1/14/2021
- Plans entitled, *Ashland Trolley Brook Trail*, and dated 11/ 8 /2017
- Plans entitled, *Proposed Site Plan of 10-12 Metcalf Avenue in Ashland, MA.*, and dated 9/25/2020

265

266

267

268

269

270