



Town of Ashland

MASSACHUSETTS

MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
April 11, 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
9 Agent: Becca Solomon

10 **Meeting held by Zoom**
11 **Call to order: 7:00 P.M.**

12
13 **Chair Cathy Van Lancker read the Ashland Conservation Commission virtual meeting protocols, and**
14 **meeting recording announcement.**

15
16 **Review minutes from 3/28/22**

17 **3/28/22 Meeting Minutes:**

18 Commission Members reviewed and edited the March 28, 2022 meeting minutes.

19 **Motion:** Mr. Wands motioned to approve the March 28, 2022 meeting minutes as amended. The motion was
20 seconded by Mr. Crow.

21 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: Rollcall vote: OA, PC, GC, CH, GW, CVL).
22

23 **Request for Determination of Applicability, Julianna Prouty, Gas Line Installation**

24 Ms. Prouty summarized the project. There is an existing Eversource Line under the road. Ms. Prouty is
25 looking to make a connection from the main line to their residence. Ms. Solomon clarified that the work
26 would be done with an Open Trench Method. The work would be within the 100-foot buffer zone. Ms.
27 Solomon shared the plans. Ms. Van Lancker asked if the work was within 25-foot no disturb zone. Ms.
28 Solomon responded that the existing line was within the 25-foot no disturb and the new connection would be
29 off of that line. Mr. Hakansson clarified that the 25-foot no disturb zone is in the roadway.
30

31 Mr. Crouch asked if Eversource was completing the work. Ms. Prouty confirmed. Mr. Crouch asked if there
32 was sidewalk in front of the house. Ms. Prouty stated the opposite side of the road has a guardrail. Mr. Crouch
33 asked if there was a plan to put in erosion control under the guardrail. Ms. Solomon stated that it could be
34 added as a condition to the Determination of Applicability (DOA). Mr. Crouch asked for erosion control to be
35 placed on either side of the trench 10 feet away. Mr. Crouch asked if there were any catch basins in the road.
36 Mr. Crouch stated that if there are catch basins they should have silt sacks. Mr. Wands asked what the
37 timeline for work would be. Ms. Prouty said she did not know exactly when they would begin work, but that
38 there was a back-up and it might not be until fall. Mr. Hakansson stated that the main gas line was on the
39 other side of the road, so the work should not take long. Ms. Prouty clarified that the process is not long, but
40 the scheduling would take a while. Mr. White, town engineer, stated the closest catch basin was at the end of
41 Ashland Woods Lane. Mr. White stated the catch basin was within 100 feet of the proposed work. Mr. Crow
42 stated that there is a gentle slope to that catch basin.
43

44 Mr. Dassoni, 49 Hawthorne Road, asked where Ashland Woods Lane was located in relation to the plans
45 being shown. Ms. Prouty described the location. Mr. Dassoni asked if Eversource was planning to dig in the

46 road to make the connection. Mr. Crouch responded that they would need to trench across the road. Mr.
47 Dassoni stated that a police detail would be needed. Mr. Crow responded that it was not under their
48 jurisdiction. Ms. Van Lancker clarified that Eversource would be responsible to organize a police detail. Mr.
49 Dassoni asked for clarification on the map symbology. Mr. Dassoni asked if the proposal could pass through
50 Conservation rulings if work was within the no-disturb zone. Ms. Van Lancker stated that it could if there was
51 determined to be no impact by the work, which the Commission was discussing. This application is a Request
52 for Determination of Applicability (RDA) and the Commission was discussing if they would issue a
53 Determination on it.

54
55 Mr. White corrected his previous statement regarding the catch basin distance from work. The catch basin is
56 within 200 feet rather than 100 feet, estimated to be 180 feet. Mr. Crow asked that the condition still be put
57 in, but rephrased to any catch basin within 100 feet should have a silt sack.

58
59 **Motion:** Mr. Wands motioned to issue a Negative 3 determination with conditions requiring silt sacks be
60 placed in any catch basin within 100 feet of the work, and erosion control installed within 10 feet of the
61 trench line on either side adjacent to the wetlands. The motion was seconded by Mr. Crow.

62 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL)
63
64

65 **Notice of Intent, Matt Lundsted, Aikens Road Sudbury River Access Facility**

66 Mr. Lundsted summarized the proposed project of a formal fishing and canoe/kayak access off of the existing
67 Aikens Road at the Sudbury River, with an associated parking lot. An informal trail exists in the proposed
68 work location. The work will be over the already disturbed area, over an existing peninsula. The bank has
69 some existing debris on site. The path is designed t an angle to meet ADA requirements for the slope. The
70 material for the fishing area will be stone dust surrounded with granite curb. The kayak/canoe launch will be
71 stone dust, stabilized with a precast concrete slab to prevent erosion. The parking area will not be paved. It
72 will be a gravel lot with a stone drench graded away from the river to provide storage of stormwater runoff.
73 Compensatory Storage is proposed for flood zone. Mr. Lundsted summarize the exact values of disturbance
74 per resource area and buffer zone. The parking lot was considered as an alternative analysis to be located
75 further down the road; however, that alternative would not allow for meeting the necessary ADA
76 requirements.

77
78 **Cathy Van Lancker left the meeting at this time. Greg Wands took over as Chair of the meeting.**
79

80 Mr. Crow commented on the proximity of the Southborough Town Line and asked that the Southborough
81 Conservation Commission be notified if they have not already, as a courtesy. Mr. Wands added that any
82 abutters in Southborough should be notified as well. Mr. Crouch asked for clarification on the symbology of
83 the map. Mr. Crouch asked if the point where the fishing area was proposed was being filled. Mr. Lundsted
84 responded that the existing conditions were already fairly flat, but it was not to the full extent of the circle.
85 Mr. Crouch asked for clarification on the grading marked in blue on the plan. Mr. Crouch asked if the
86 Sudbury River had a floodway and if the work was within the floodway. Mr. Lundsted responded that he was
87 unsure. Mr. Crouch asked that it be clarified for the next meeting. Mr. Crouch asked if the precast concrete
88 pad was something being brought in and set in place. Mr. Lundsted stated that the pad was a proprietary
89 system that is used at other boat ramps, and is set to match bank grade but allow a stable slope that won't
90 erode from boat launch activity.

91
92 **Cathy Van Lancker rejoined the meeting at this time and took back over as Chair.**
93

94 Mr. Lundsted stated that the thinnest the concrete pads are typically seen is six inches. The plans show a one-
95 foot thick slab to be conservative in the estimates. The pad will be flush mounted. Mr. Crouch asked if there
96 was more grading required for the launch. Mr. Lundsted responded that the ADA accessibility is only for the
97 fishing area, but not for the kayak/ canoe launch. Mr. Crouch clarified that the compensatory storage is done
98 by grading back the bank, with the lower part floodplain and the upper part wetland. Mr. Lundsted confirmed,
99 and added that the area was intended to mitigate fill at the fishing platform, as well as wetland mitigation. Mr.

100 Lundsted clarified that the area provided 213 cubic feet of flood storage. Mr. Crouch asked for the increments
101 to be summarized for the floodplain which were outlined in Table 3 of the NOI narrative. Mr. Crouch stated
102 that the floodplain is at elevation 234 but the table shows fill down to 230 without cut. Mr. Shaw, also from
103 CEI Engineering, clarified that Table 3 showed the values prior to the proposed compensatory storage being
104 considered. Table 3 only shows what is needed for the compensatory flood storage. Mr. Crouch clarified that
105 according to the summary on the plan 213 cubic feet are needed for flood storage. Mr. Lundsted confirmed.
106 Mr. Crouch mentioned there was a cut shown between elevation 234 and 235 which is above floodplain and
107 would not add or deduct flood storage. Mr. Crouch asked that a table be provided showing the compensatory
108 flood storage. Mr. Crouch reiterated that the floodway mapping should be checked as well, and if work is
109 being done within the floodway a No Rise Certificate should be provided. Ms. Van Lancker clarified on
110 Table 3 the row for elevation 234-235 should be removed.

111
112 Mr. Crouch asked for clarification on the disturbance per resource area. Table 2 was shown on screen which
113 details the temporary and permanent impacts for each resource area on site. Mr. Crouch asked if the areas of
114 temporary disturbance would be stabilized after construction. Mr. Lundsted confirmed. Mr. Crouch noted that
115 the Compensatory Storage cannot simultaneously be wetland replication, and further added that Bordering
116 Land Subject to Flooding (BLSF) only consists of the floodplain outside of Bordering Vegetated Wetland
117 (BVW). Floodplain impacts over BVW do not need to be counted. BVW and BLSF do not overlap. Mr.
118 Crouch asked if DEP had provided comment on the Riverfront Area impacts. Mr. Lundsted stated that no
119 NOI Number has been issued and no comments had been provided yet. Ms. Solomon, clarified that the
120 Circuit Rider had detailed the process of issuing file numbers for DEP NERO. Once the NOI materials have
121 been received with the fee, then an NOI number is issued and the applications assigned to analyst for review,
122 which may result in NOIs being provided an NOI number prior to comments being submitted. Neither have
123 been received yet. Mr. Crouch noted that there is work within the 25-foot no disturb zone, but the proposed
124 work of a kayak/ canoe launch would require work in that area to be functional. Mr. Wands asked if the
125 project would need a Chapter 91 License. Mr. Crouch stated that the proposed work is a permanent structure
126 into a public waterway, which may or may not need a license. Mr. Cameron from the Office of Fishing and
127 Boating Access, noted that Chapter 91 protects the public's right to have access to Waters of the
128 Commonwealth, and generally anything below the first dam in a river requires a license and anything above
129 does not, excluding special circumstances. Mr. Cameron will look into any Chapter 91 requirements as part of
130 their process.

131
132 Mr. Dassoni, 49 Hawthorne Road, asked for clarification on the geographical location of project. Mr. Dassoni
133 asked if the area was stable enough to support the proposed work. Mr. Lundsted stated that the site is stable,
134 and the peninsula, where work is proposed, appeared to be man-made. Mr. Dassoni asked about the
135 conditions of the road itself. Mr. Lundsted stated that the road is a substantial gravel road that is drivable. Mr.
136 Dassoni asked if resident living on that road would have any say. Mr. Lundsted stated that abutters were
137 notified. Mr. Dassoni asked if the work would be providing access to the Hopkinton State Park. Mr. Lundsted
138 clarified that the work would provide access to the Sudbury River no the State Park, with the property owned
139 by the Department of Fish and Game. Mr. Dassoni asked if this was the Ashland Department of Fish and
140 Game. Mr. Cameron clarified that it was the State of Massachusetts Department of Fish and Game that owned
141 the land and was proposing the work, there are divisions within that Department, which includes the Office of
142 Fish and Boating Access which Mr. Cameron is a part of.

143
144 The Commission scheduled a site visit for Saturday morning.

145
146 **Motion:** Mr. Wands motioned to continue the hearing until April 25, 2022 at 7:05pm. This motion was
147 seconded by Mr. Crow

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

149
150
151 **Enforcement Order, Peter Venuto, Burnham Circle, Ratification and Discussion**

152 Ms. Solomon summarize the events leading up to the issuance of the Enforcement Order. On April 1, 2022
153 Ms. Solomon was called to the site and witness significant sediment entering the wetland area and adjacent

154 pond, with pictures that were provided to the Commission. The erosion control on site was deteriorated. The
155 DEP Circuit Rider was contacted for recommendation due to the amount of area impacted. The
156 recommendation was to procure silt fencing and hay bales as a way to slow the sediment flow down, and to
157 issue the enforcement order. DEP Emergency Spill was contacted for some additional concerns, which had
158 since been remedied. The sediment run-off was largely coming off the berm that held water within the
159 stormwater basin on site. The berm had been partly undermined with a small section releasing a significant
160 amount of turbid water. Ms. Solomon noted that there was a report from Connerstone in 2021 that stated the
161 berm had been constructed incorrectly. An Enforcement Order was issued by Ms. Solomon, which included a
162 cease and desist of all work that would cause earth disturbance, and an order to install the hay bales, silt
163 fence, and other require erosion and sedimentation controls, and any other actions requested by DEP.
164

165 Mr. Venuto noted that the stormwater basin, referred to as a detention pond, had been installed six years prior
166 and is related to all the lots on Whittemore Road in addition to the new street with ongoing work on Burnham
167 Circle. The berm had water leeching through the bottom of the berm. Within less than 24 hours from the
168 Agent providing the Enforcement Order additional erosion control had been installed, the street had been
169 cleaned, and the silt sacks on site were cleaned and replaced. Mr. Venuto stated he was unaware of the breach
170 prior to the Order. Mr. Venuto noted he had the letter from Cornerstone stating the detention pond was not
171 built in the correct position, and the headwall was $\frac{3}{4}$ foot off, but the pipe was in the correct position. Mr.
172 Venuto showed photos of hay bales he had installed within the detention pond itself to mitigate the sediment
173 at the inlet of the detention pond.
174

175 Mr. Venuto stated that he had found the spot where the water was breaching and placed a large rock over the
176 hole. The placement of the rock had significantly slowed the flow of water leaving the basin at the breach.
177 Mr. Venuto stated there was a pipe running around the tow of the basin, and questioned why it would be that
178 a single rock would solve the problem, and felt it may have been happening over the years and not noticed.
179 Mr. Venuto stated that he wanted to fix the situation so it doesn't continue to happen. Mr. Venuto asked for
180 permission to fix the problem. Ms. Van Lancker responded that if Mr. Venuto is to fix the issue, then the
181 Commission needs a plan showing what it would look like. Mr. Venuto said he spoke to Cornerstone
182 Engineering, and he could get a plan, but they know where the location of the problem is, and they would like
183 to pump the water into the headwall and open up the berm on a dry period to see what's going on.
184

185 Ms. Van Lancker stated there are existing plans of the detention pond and berm, and that those need to be
186 updated to show what is being proposed now. Ms. Van Lancker continued that it appeared the detention pond
187 was poorly built all together and may need to be replaced. Ms. Van Lancker asked for Connorstone to provide
188 an opinion on that as well. Mr. Venuto asked where all the inspections were when the basin was initially
189 constructed. Mr. Hakansson noted that the Commission requires straw not hay per the local bylaw. Mr.
190 Venuto stated that they used salt marsh hay purchased from Fitchburg, MA. Mr. Hakansson reiterated that it
191 is part of the bylaw. Mr. Hakansson suggested that a site visit to Burnham Circle is also scheduled for
192 Saturday morning.
193

194 The Commission scheduled a site visit for Saturday morning prior to the site visit at Aikens Road. Mr.
195 Venuto asked if the repairs would be constituted as an emergency. Ms. Van Lancker responded that the
196 Commission needed to see a plan and Connerstone's recommendation prior to making a decision. A Decision
197 cannot be made at the site visit, and must be voted on at open meeting.
198

199 **Motion:** Mr. Crouch motioned to ratify the Enforcement Order. This motion was seconded by Mr. Crow.

200 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL)
201

202 **Motion:** Mr. Wands motioned to continue the discussion to the next meeting on April 25, 2022. This motion
203 was seconded by Mr. Crow.

204 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL)
205

206 **56 Fountain Street, Fabio Fragale, Plan Change Request**

207 Mr. Marquedant summarized the proposed change to the plans to alter the end of the driveway where it
208 connects to the street. The original plan had the driveway connect straight. The proposal would be to maintain
209 the original location of the driveway and connect it to the new location higher up. Mr. Marquedant noted
210 concerns of safety with the existing grade to the low spot adjacent. The curb cut, driveway width, and grades
211 will all be the same as the original approved plan. Mr. Marquedant asked the Commission if the proposed
212 change would be considered a minor plan change not requiring an amended order.
213

214 Mr. Crow asked if the curve in the driveway would be adding additional impervious surface and if it affects
215 the stormwater calculations. Mr. Hakansson asked for clarification if the barn was being moved, or additional
216 trees being cut, as well as DPW concerns. Ms. Solomon stated that those additional changes were in previous
217 discussions with Mr. Fragale, and did not end up being brought before the Commission, only the driveway
218 change is being proposed. Ms. Solomon added that it seemed the DPW concerns have since been resolved.
219 Mr. White stated that between the two properties there a 12-inch RCP pipe and a pipe heading in the direction
220 of the low-point, and they consider that pipe abandoned, and was not sure if it would take water from the site.
221 Mr. White further clarified that the way the plan is designed it does not appear that it would be directing
222 substantial water towards that pipe.
223

224 Mr. Hakansson asked for Mr. Crouch to provide an opinion on Mr. Crow's previous question. Mr. Crouch
225 responded that he felt there would likely some increase in the impervious cover, but that it appeared minor.
226 Mr. Crouch asked how much of the driveway is contributing to the infiltration basin. Mr. Marquedant showed
227 the high point on the plans. Mr. Crouch stated there still appeared to be a net reduction of runoff to the street,
228 and everything else was directed to on site infiltration basins. Mr. Marquedant agreed. Mr. Wands asked if the
229 cape cod berm would still be along the entire length of the driveway. Mr. Marquedant confirmed.
230

231 **Motion:** Mr. Crouch motioned to accept the proposed change as a minor plan change not requiring an
232 amended order. This motion was seconded by Mr. Crow.

233 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL)
234

235 **Ms. Van Lancker left the meeting at this time. Mr. Wands took over as Chair of the meeting.**
236

237 **Emergency Certification Request, Kenneth Fickie, 27 Cedar Street**

238 Mr. Fickie, summarized the change from his previous request. Only two trees would be removed, and an
239 arborist has stated that the trees have structural integrity concerns. Mr. Fickie noted that the trees have
240 changed in the past 6 months, and does not believe they will be standing much longer. Mr. Fickie shared
241 photos of the trees he had taken, and noted the rot on the trees.
242

243 Mr. Crouch clarified that only the two trees were proposed for removal. Mr. Fickie confirmed. Mr. Crouch
244 asked if the trees were within the wetlands or bordering the lawn. Mr. Fickie stated that one was on the border
245 of the wetlands and one is bordering the grass. Ms. Solomon clarified that the tree next to the house is within
246 the 25-foot no disturb zone, and the other tree may or may not be within the wetland itself, but it was difficult
247 to determine at the time. Mr. Wands asked if a valid order for the tree's removal had been granted
248 previously. Mr. Fickie stated that there was an emergency removal provided for Tree 1 which was removed
249 from this request. Mr. Wands asked if the work could be done within the 30 days as required by the
250 Emergency Certification. Mr. Fickie said he had confirmation the work would be done within the 30-day
251 timeframe. Mr. Crow stated that the trees appeared to be a legitimate need. The process could be different, but
252 it would not change what would be done on the ground. Mr. Ackerman agreed. Mr. Hakansson stated that
253 there had already been discussion about using the Emergency Certification instead of the Request for
254 Determination of Applicability, and it should be kept in mind for future deliberations.
255

256 **Motion:** Mr. Ackerman motioned issue the Emergency Ratification for the removal of the two trees. This
257 motion was seconded by Mr. Crow.

258 **Vote:** The motion passed with a 5-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW)
259
260

261 **Ms. Van Lancker rejoined the meeting at this time and took back over as Chair of the meeting.**

262
263
264 **Discussion, Public Lands Preservation Act Letter of Support, Phillip Saunders**

265 Ms. Solomon summarized the purpose of the Public Lands Preservation Act which codifies the existing
266 requirement that alternatives are proposed if there is a change in use for Article 97 land. It is currently before
267 the Senate and the Commission was asked to provide a letter of support to Senate President Spilka. Mr.
268 Saunders added that the Senate is voting on Thursday, but there had been a change in the language that
269 allowed for cash fee to be provided instead of land replacement. Senator Eldridge filed an amendment to
270 remove that new language. Mr. Saunders asked that the Commission support the Act not called as an Act
271 Preserving Open Space in the Commonwealth with the Amendment proposed by Senator Eldridge. Mr.
272 Hakansson stated that this has directly impacted the Commission in the past years and codifies what the
273 current policy is.

274
275 **Motion:** Mr. Hakkanson motioned to have Ms. Solomon draft and send a letter to Senator Spilka with their
276 support for the amendment. This motion was seconded by Mr. Crow.

277 **Vote:** The motion passed with a 5-0-0 vote. (Rollcall vote: OA, PC, CH, GW, CVL). *It is noted that Mr.
278 Crouch was present at this time, but was having connection issues with the internet that prevented him from
279 voting.

280
281 **Discussion, Request for Comment: 100 Fountain Street Preliminary Subdivision, Joe Marquedant**

282 Mr. Marquedant shared the preliminary plans provided to the Planning Board. There are two paper roads
283 existing on which the preliminary subdivision is proposed with municipal water and sewer connections.
284 Ballard Road would be extended with a cul-de-sac allowing for two new house lots. Highland Road is
285 proposed as a common driveway also terminating in a cul-de-sac with two additional house lots. Stormwater
286 is planned at the downslope of the properties. A general basin is illustrated but no exact system is proposed.
287 There is additional land available should it be needed. The plan is preliminary and is just a general overview.
288 The Planning Board had requested the Commission provide comment.

289
290 Mr. Hakansson asked how many lots were being proposed. Mr. Marquedant responded that four lots were
291 proposed, and the additional lots shown are existing. Mr. Hakansson asked if the wetlands have been
292 delineated. Mr. Marquedant stated that there are not wetlands on site, but there is the Sudbury River on the
293 south side of Fountain Street. Mr. Crouch asked if special permission is required for a common drive. Mr.
294 Crow stated that the roads proposed are paper roads. Common driveways typically require a special permit,
295 but if it is actually being built as a road, it may not. From a Zoning standpoint the houses would need the
296 frontage from it being an actual road. Mr. Crow stated that these points are not jurisdictional to the
297 Commission. Mr. Crouch asked if there would be individual infiltration from each structure pursuant to the
298 bylaw. Mr. Marquedant stated that they would likely consider individual dry wells for the rooftops.

299
300 Ms. Van Lancker asked about the 200-foot Riverfront Area. Mr. Marquedant noted the location of the
301 Riverfront Area on the plans and stated that the proposed preliminary design is beyond the Riverfront Area;
302 however, if a connection is needed to Fountain Street, then they would come before the Commission for that.
303 Mr. Hakansson noted that this might have some stormwater issues coming down to Fountain Street due to the
304 slope. Ms. Van Lancker asked Ms. Solomon to provide those comments to the Planning Board.
305 Mr. Tessicini, 9 Upland Road, stated that there was water that bubbled up at the edge of the asphalt on the
306 existing paved area of Ballard Road. Mr. Tessicini stated that Riverview residents stated that historically there
307 was a stream running underneath, and there are ongoing water issues. Mr. Tessicini asked in the Conservation
308 Commission inspects this property. Ms. Van Lancker stated they would do a site visit when the project is
309 officially before the Commission. Mr. Hakansson stated that the Planning Board was asking for the
310 Commission's input to add to their conversation, but it is not officially before the Commission and does not
311 have any specifics at this point. When you create impervious surface above a development it can change the
312 hydrology of what is down gradient, and it would be a concern. Mr. Tessicini asked if a hydrology study
313 would be done. Mr. Crouch stated that the Planning Board would likely require the hydrology study.

314

315 Mr. Lee, 20 Upland Road, reiterated that there is a water issue, with stormwater runoff from Ballard Road
316 that flows down to Upland Road. Mr. Lee felt there is some spring water issue there, that impervious cover
317 may impact relative to stormwater. Mr. Lee added that there are existing wetlands on the other side of the
318 Upland Road, the west side, impacted by the Fiske Hill Estate. Mr. Hakansson stated that the Fiske Hill Estate
319 did impact the area, but the issue is to make mitigations on the four lots if they are developed, to keep any
320 negative impact from happening to the existing properties. Mr. Lee asked if there is an existing spring issue
321 on the Tessicini/ McGee property does that catch basin countermeasure that or not. Mr. Crow responded that
322 stormwater is thoroughly reviewed by Planning Board, when things are built as engineered the net result is
323 usually better stormwater management than before. Ms. Van Lancker added that it would also be reviewed by
324 the Conservation Commission as well. Mr. Crow commented on the challenges of understanding ground
325 water.

326
327 Ms. Van Lancker asked Ms. Solomon to summarize the comments and provide them to Planning Board.
328

329 **Discussion, Submission Deadlines for Applicants**

330 Ms. Solomon summarized that changes in the company policy with the newspaper for legal ads resulted in
331 more time needed to process legal ads. Ms. Solomon recommended that the submission dates be changed to
332 reflect this. Two dates are recommended, one for new public hearings requiring legal ads and the second date
333 for non-public hearings and revised materials. There may be some dates that would then be waiting longer
334 than 21 calendar days to be before the Commission, and the alternative would be to make the revision
335 submission date the requirement for all materials; however, it may result in some applications having less
336 than 24 hours to pay their legal ad.
337

338 Ms. Van Lancker asked if it's easier to get permission to go beyond the 21 calendar days or to pay a legal ad
339 in less than 24 hours. Ms. Solomon stated it would likely be an individual concern, regardless of the choice
340 there will likely be some issues. Mr. Crouch asked which is easier for Ms. Solomon. Ms. Solomon stated that
341 the two date plan would likely be the easiest. If an applicant was waiting longer than 21 days and did not want
342 to give the written permission to extend, it would still need to be posted and processed in the short notice.
343 Most would likely be willing to provide the written permission. If an application is delivered to Town Hall
344 the day a legal ad needs to be submitted, and the Agent isn't present due to site visits or emergency situations,
345 legal ads might not get posted in time. Mr. Crouch noted that many Commissions for other municipalities
346 meet only once a month, and it could be well over 21 days before the hearing is heard. Requesting a letter be
347 submitted acknowledging that it will take longer than 21 days is acceptable.
348

349 Mr. Crow noted that for Planning Board the Town pays for the legal ads and the filing fees were increased to
350 accommodate it. Mr. Crouch asked if that filing fee goes into a revolving fund. If the Commission takes in
351 money, it goes into a general fun, and to expense money out of the fund requires Town Meeting vote. Mr.
352 Crow responded that Planning Board has their own budget. Mr. Crouch noted concerns about being the
353 money handler in the situation.
354

355 **Motion:** Mr. Hakansson motion to accept the new submission dates as shown, with one date for new public
356 hearings, and a different date for non-public hearings and revised materials. This motion was seconded by
357 Mr. Crow.

358 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL)
359

360 **Member Prerogative**

361 Mr. Crouch informed the Commission he had visited the Mindess site with Ms. Solomon that afternoon,
362 following another release. Mr. Crouch stated that the construction team was advised of some alternatives to
363 help mitigate the sediment and erosion concerns. Ms. Van Lancker added that Mindess will be on the next
364 meeting for discussion.
365

366
367 **Meeting Adjournment:**

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

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

370

371 The meeting was adjourned at 10:01p.m.

372 **Documents reviewed by the Conservation Commission on 4/11/2022**

373

- Document entitled, *Agenda, dated 4/11/2022*

374

- Document entitled, *Meeting Minutes, dated 3/28/2022*

375

- Document entitled, *WPA Form 1- Request for Determination of Applicability 268 West Union Street*

376

- Plans entitled *Eversource Environmental Map 268 West Union Street, dated May 2018*

377

- Document entitled, *Natural Gas Pipe Service Project Narrative*

378

- Document entitled, *Notice of Intent for Ashland, Massachusetts Aiken Road Sudbury River Access Facility, dated 4/4/2022*

379

- Plans entitled, *Sudbury River Access Facility, dated April 2022*

381

- Document entitled, *WPA Form 9- Enforcement Order, Burnham Circle, dated 4/1/2022*

382

- Email Correspondence entitled, *Whittemore Estates, Burnham Circle, dated 4/1/2022*

383

- Document entitled, *Burnham Circle- Infiltration Basin Inspection, dated 4/26/2021*

384

- Document entitled, *Construction Inspection Form Whittemore Estates, dated 11/5/2021*

385

- Plans entitled, *Definitive Subdivision Plan of Whittemore Esates, dated 7/11/2019*

386

- Document entitled, *WPA Form 5- Order of Conditions File Number 95-943*

387

- Email Correspondence entitled, *Reduce Scope of work, dated 4/1/2022*

388

- Email Correspondence entitled, *FWD: 27 Cedar St Ashland, dated 3/27/2022*

389

- Email Correspondence entitled, *Conservation Tree Removal Permitting, dated 3/29/2022*

390

- Document entitled, *RE: MA DEP File No 095-0962, dated M3/14/2022*

391

- Plans entitled, *Sketch Plan of Land, 56 Fountain Street, revision date 3/14/2022*

392

- Email Correspondence entitled, *Public Lands Preservation Act and Senator Spilka, dated 2/3/2022*

393

- Document entitled, *Open Space Lands Fight Climate Change, dated 1/26/2022*

394

- Plans entitled, *Sketch Plan of Land, 100 Fountain Street, dated 1/3/2022*

395

- Document entitled, *Application for Planning Board Approval/ Permit, dated 2/15/2022*

396

- Email Correspondence entitled, *100 Fountain Street Conservation Review, dated 3/24/2022*

397

- Email Correspondence entitled, *Request for Review- Preliminary Subdivision Plan 100 Fountain Street, dated 3/2/2022*

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399

- Document entitled, *Proposed Revised submission dates 2022*