



Town of Ashland

MASSACHUSETTS

MEETING MINUTES ASHLAND CONSERVATION COMMISSION July 10, 2023

Present: Catherine Van Lancker (Chair)
Greg Wands (Vice Chair)
Owen Ackerman
Carl Hakansson
William Moulton

Absent: Preston Crow
Gene Crouch

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

Chair Catherine Van Lancker read the Ashland Conservation Commission virtual meeting protocols, and meeting recording announcement

Request for Determination of Applicability, 110 West Union Street, Terri Tusa-Pelosi, Fence and Yard Improvements

Ms. Van Lancker summarized Ms. Solomon's notes that the filing is in response to the Commission's requirements for unpermitted work. The work will include the already completed work to level the yard and the proposed fence, clean-up of debris and trash, and installation of patio pavers in front of the shed.

Motion: Mr. Wands moved to issue a Determination of Applicability with a negative 3 determination. The motion was seconded by Mr. Moulton.

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

Request for Determination of Applicability, 43 Strobus Lane, Matthew Reynolds, Tree Removal

Mr. Reynolds displayed the revised map requested at the previous meeting. Mr. Wands stated the individual trees were gone over last time. Mr. Reynolds briefly summarized where each of the trees are on the map.

Motion: Mr. Wands moved to issue a Determination of Applicability with a negative 3 determination. The motion was seconded by Mr. Moulton.

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

Request for Determination of Applicability, 94 Heritage Avenue, René Rouleau, Fence and Patio

Mr. Rouleau summarized that the front portion of the fence would be vinyl and the rear chain link fence, and it had been continued to evaluate the approved limit of disturbance. The Commission reviewed the documents submitted by Ms. Solomon and reviewed her notes. Mr. Moulton noted the shed was not in the 2001 plan but does in the 2021 plan. Ms. Rouleau responded that the shed was there when she purchased the home. Mr. Moulton noted that it was within the old No Disturb Zone. Mr. Moulton asked if the shed should be permitted after-the-fact as part of this filing. Mr. Hakansson responded that the shed should be

acknowledged that it is present in the No Disturb Zone and it is unpermitted and pre-existing to the current owner. Mr. Wands agreed that the statement should be added.

Motion: Mr. Wands moved to issue a Determination of Applicability with a negative 3 determination including language stating that there is an existing shed is pre-existing before the application, may be in the No Disturb Zone, and is not approved by the Conservation Commission. The motion was seconded by Mr. Moulton.

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

Notice of Intent 0 Myrtle Street, Ashland DPW, Pedestrian Pathway and Deck, DEP File No. 95-985

Mr. White stated the item was continued from the last meeting as the DEP File Number was not issued yet. The plan has not changed.

Motion: Mr. Wands moved to close the hearing. The motion was seconded by Mr. Moulton.

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

The Commission determined the review the special conditions at the next meeting on July 24, 2023.

Emergency Certification Ratification, Cold Spring Brook at Spring Street, Ashland DPW, Emergency Beaver Dam Breach

Mr. White summarized that the state had contacted DPW regarding flooding in the area. Inspection found that a beaver dam had blocked the majority of the culvert and needed to be removed, at which point the Health and Conservation Agents were contacted for emergency declarations. Mr. White stated a tire was pulled out along with as much of the dam as possible. They will be back out with a trapper to see about a more permanent solution, as the beavers have already been back out rebuilding the dam.

Motion: Mr. Moulton moved to ratify the Emergency Certification. The motion was seconded by Mr. Wands

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

Request for Extension, Sudbury Riverwalk Enhancement, Town of Ashland, DEP File Number 95-849

Ms. Ball stated the initial phase of the project was completed, but the second phase to extend the trail down to Ponderosa Road and across to Marathon Park wasn't able to be completed yet, due to the need for engineering designs, and changes with the floodplain. Ms. Ball requested a three year extension.

Motion: Mr. Wands moved to issue a 3-year extension to Order of conditions with DEP File Number 95-849. The motion was seconded by Mr. Wands

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

Wetlands Violations, 220 Oregon Road, No Associated DEP File Number

Ms. Van Lancker stated that the property owner had hired a wetland scientist. Mr. Cai, the property owner confirmed the status, and that he had hired Ms. Skinner Catrone for the work. Mr. Moulton asked what Ms. Skinner Catrone's timeline was. Mr. Cai responded that Ms. Skinner Catrone had already been on site at the house and had marked the wetland line already. Mr. Cai continued that she was waiting on another engineer to put the wetland line onto a plan.

No motion was made and no vote taken.

Wetlands Violations, 65 Concord Street, DEP File Number 95-967

Ms. Van Lancker noted that the property owner was not present, and the previous vote was to go to daily fines at \$300. Mr. Hakansson recommended that Ms. Solomon visit the property owner in person and better explain the situation more clearly. Ms. Van Lancker responded that Mr. Campos Souza had been provided the DEP translation services. Mr. White volunteered Mr. Corriera from DPW to go with Ms. Solomon and translate and explain the situation. Mr. Moulton asked how the Building Department was handling the situation. Ms. Ball stated that they've had some conversations with Mr. Campos Souza at the counter in Town Hall and had some discussion through translation services, but the Building Department was not fining them at this time.

No motion was made and no vote taken.

Review minutes 6/12/2023

6/12/2023 Meeting Minutes:

The Commission determined to vote on the minutes at the next meeting.

Review minutes 6/26/2023

6/15/2023 Meeting Minutes:

The Commission determined to vote on the minutes at the next meeting.

Member Prerogative

Mr. Hakansson brought up a letter received from Dr. Van Roo regarding Warren Woods, and that he asked Ms. Solomon to put it on a future agenda where most of the Commission members would be present.

Meeting Adjournment:

Motion: Mr. Hakansson moved to adjourn the meeting. The motion was seconded by Mr. Moulton.

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

The meeting was adjourned at 8:45p.m.

Documents reviewed by the Conservation Commission on 7/10/2023

- Document entitled, *Agenda, dated 7/10/2023*
- Document entitled, *Meeting Minutes, dated 6/12/2023*
- Document entitled, *Meeting Minutes, dated, 6/26/2023*
- Document entitled, *WPA Form 1 110 W Union Street*
- Document entitled, *Additional Information to Project Description 110 W Union Street*
- Plans entitled, *110 West Union Street*
- Plans entitled, *2023 Wetlands Estimate 110 W Union Street*
- Plans entitled, *As Built Plan Lot 23 Howard Estates, dated 11-27-2023*
- Plans entitled, *Mortgage Inspection Plan 94 Heritage Avenue*
- Plans entitled, *Proposed site plan Lot 22 and 23 Heritage Avenue, dated 7/2/1998*
- Plans entitled, *94 Heritage Extent of Clearing 2001*
- Plans entitled, *94 heritage 2021 Aerial Imagery with 2001 Xclearing Extent (red)*
- Document entitled, *Emergency Certification Form Cold Spring Brook at Spring Street Crossing, dated 6/29/2023*
- Email correspondence entitled, *Riverwalk Order of Conditions, dated 7/27/2023*