



Town of Ashland

MASSACHUSETTS

MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
August 8, 2022

1
2 Present: Cathy Van Lancker (Chair)
3 Greg Wands (Vice Chair)
4 Carl Hakansson
5 Gene Crouch
6 Owen Ackerman
7 Preston Crow

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9 Absent: William Moulton

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11 Agent: Becca Solomon
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13 **Meeting held by Zoom**
14 **Call to order: 7:00 P.M.**
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16 **Chair Cathy Van Lancker read the Ashland Conservation Commission virtual meeting protocols, and**
17 **meeting recording announcement.**
18

19 **Request for Determination of Applicability, Meredith Huff, 34 High Street, Invasive Vegetation**
20 **Management**

21 Ms. Huff introduced Mr. Whittaker from Green Abundance by Design who would be doing the work. Mr.
22 Whitaker summarized the proposal to manage invasive plant species on the property. Plants would be cut
23 and painted with a Triclopyr 3 based formula. Ms. Solomon stated that the Ashland Board of Health has
24 restrictions on herbicides and would need to provide approval as well. Within jurisdiction, Ms. Solomon
25 stated that the Poison Ivy and Fox Grape listed in the application while acting as invasives are native species
26 that provide valuable food and habitat for wildlife, and is located within a stream area. Ms. Solomon
27 recommended that the herbicide is not applied while plants are fruiting, or only cut and not apply herbicide
28 for the grape. It is not a Natural Heritage area, so the wildlife in question would be general wildlife not
29 necessarily protected wildlife.
30

31 Mr. Crouch asked what the blue foaming agent shown in the herbicide application consisted of. Mr.
32 Whittaker stated it consisted of blue dye with soap to create viscosity so the herbicide doesn't run off and a
33 visual cue of which plants have been treated. Mr. Crouch stated so it is non-toxic. Mr. Whittaker stated it is
34 far less toxic than the herbicide being used. Mr. Crouch asked how long lived the foam is. Mr. Whittaker
35 responded that it persists on the stump for 10-15 minutes. Ms. Van Lancker stated that the application
36 mentions use of Glyphosate, but it is not permitted by the Ashland Board of Health. Ms. Van Lancker asked
37 if Glyphosate was proposed for use as well. Mr. Whittaker stated that it is used commonly in their invasive
38 species management but the species outlined do not require it and they can use Triclopyr as an alternate.
39 Ms. Van Lancker asked if it is possible to apply the herbicide before or after fruiting on the poison ivy. Mr.
40 Whittaker stated that it could be done prior to fruiting. Ms. Van Lancker asked that the fox grape be only cut
41 and not applied with herbicide.
42

43 Mr. Hakansson asked if the Board of Health had any other concerns. Ms. Solomon responded that the Board
44 of Health had not reviewed the file yet as the Health Director did not feel the Board would approve the
45 request without Conservation approval due to the proximity of the wetlands.
46

47 Mr. Wands asked if this would be a one-time treatment or if it would require follow up. Mr. Whittaker
48 stated that their plan does include yearly follow-ups for a late spring analysis and Summer re-treatment in
49 the 2023-2024 season to treat regrowth and newly germinating invasives in the site from the seed bank, and
50 continuing as needed to the next season if needed. The plan would include long-term revegetation outlines
51 to be made after the existing seed bank is better understood. Mr. Crouch asked if Mr. Whittaker who was
52 doing the application of the herbicides. Mr. Whittaker stated himself, and other licensed applicators. Three
53 of the six members of the crew are licensed.
54

55 **Motion:** Mr. Wands motioned to issue a negative 3 determination with conditions that the Board of Health
56 issue approval for use of Triclopyr 3; that the wild grape will be only cut and not applied with herbicide, and
57 the poison ivy treated outside of the fruiting period. The motion was seconded by Mr. Crow.

58 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL).
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61 **Notice of Intent, Jamie Posterro, 25 Sudbury Road, Pool and Patio Construction, DEP File No. 95-971**

62 Ms. Catrone, Wetland Consultant, presented the plans on screen and summarized the project to construct
63 an in-ground pool with associated fence and patio. Erosion Control will surround the area of work. Mr.
64 Crouch asked how the property would be accessed. Ms. Catrone showed an arrow on the plans showing the
65 access way. The erosion control in that section will be straw wattle to allow for it to be easily moved while
66 vehicles enter and exit. Mr. Crouch asked if all excavated materials would be removed from site. Ms.
67 Catrone confirmed. Ms. Catrone stated the existing conditions of the property is lawn. Ms. Van Lancker
68 asked if dewatering would be necessary. Mr. Crouch stated it is possible. Ms. Catrone stated she would send
69 over a dewatering plan if necessary. Mr. Crow asked if there was septic on the property. Ms. Catrone stated
70 the house is on sewer. Mr. Hakansson stated they had received correspondence from an abutter regarding
71 concerns for flooding. Mr. Hakansson stated the concern was that the excavation would impact the ground
72 water. Mr. Hakansson stated that the Commission does not have knowledge or jurisdiction on the topic. Ms.
73 Solomon stated the person who sent in the correspondence is present on the meeting. Ms. Van Lancker
74 asked that the item be returned to during the public comment period.
75

76 Mr. Wands asked if there would be any stockpile on site. Ms. Catrone stated there would not be any
77 material stockpiled. Material will be removed from site as it is excavated. Ms. Van Lancker stated that straw
78 or filter socks with silt fence is the preferred erosion control.
79

80 Ms. Mutcherson, 31 Sudbury Road, stated she had sent in the note and had concern about flooding. When
81 the houses were built, she had been told to be careful about disturbing anything as Ashland has a high
82 water table and disturbance could send water into the basements. Ms. Catrone said she did not expect
83 ledge would be a concern while digging in this area. Ms. Mutcherson said there is a lot of ledge that makes it
84 hard to dig. Mr. Crouch asked what the size of the rocks were, if they were boulders. Ms. Mutcherson
85 agreed. Mr. Crouch said, boulders are different from ledge. Mr. Crouch stated that groundwater, even when
86 studied well, often defies what people think it will do. When the hole is dug for the pool water will be drawn
87 into it and they will need to dewater. Once the pool is in place, the water will flow around it in the direction
88 it wants to go, which is generally towards a wetland or river. It won't be a dam; the water can go around it.
89 Mr. Crouch stated that it won't be much different than the large rocks that were in the ground originally.
90 Mr. Hakansson stated the area is part of the granite deposit that's in the Town Forest and over on Blueberry
91 Lane. Mr. Hakansson stated that the water will most likely go towards the Sudbury River and not towards
92 Ms. Mutcherson's house. Mr. Crow stated it is outside the scope of jurisdiction mostly due to the fact that
93 the engineering and understanding of it is very opaque.

94 Mr. Crouch asked if the pool would be fiberglass. Ms. Posterro stated that the pool would be a liner. Mr.
95 Crouch responded that the pool would have sand installed around it to prevent punctures to the liner. Sand
96 will be more transmissive, allowing water to move around the pool easier than the material currently there.
97

98 Mr. Dassoni, 49 Hawthorne Road, asked if water table of the wetlands is impacted by gravity or flow of
99 water, and would digging into the ground affect it. Ms. Catrone responded that there is flow through the
100 existing drainage easement on the property, but it won't be disturbed by the work as it will be protected by
101 the erosion control. Mr. Dassoni asked if the pool being an in-ground pool would affect the water table. Mr.
102 Catrone stated that test pits weren't done on the property, so it's not clear if they will hit water while
103 digging. A dewatering plan will be submitted to the commission which will allow for any water that is hit to
104 be handled appropriately. Mr. Dassoni asked about water usage during a drought. Ms. Van Lancker stated
105 that the question was not jurisdictional to the Conservation Commission.
106

107 **Motion:** Mr. Wands motioned to close the public hearing. The motion was seconded by Mr. Crow.

108 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL).
109

110 **The Commission determined to go over the Order of Conditions later in the meeting**

111
112 **Abbreviated Notice of Resource Area Delineation, Capital Properties Group, 123 Pond Street (Map 22**
113 **parcels 7, 9, 10, 13 and Map 23 Parcel 192), DEP File No. 95-970**

114 Mr. Gorman, Beals and Thomas, introduced himself as representative with Ms. Thompson, Beals and
115 Thomas, and Mr. Depietri, Capital Properties Group. Mr. Gorman summarized amendments to the plans
116 based on the Commission's site visit. Between A20 and A21, and additional flag labelled A20a has been
117 added creating a pinch point of the wetlands, containing spicebush and other wetland indicator plants. Flag
118 A31 was bumped out to include an area with hydric soils and plants including multiple goldenrod species
119 and sensitive fern. WFA38 was connected to WFA41, eliminating the two flags between, and adding a
120 triangle of wetlands which were previously shown as upland. WFA47 was removed, linking WFA46 to
121 WFA48 as WFA47 was not found in the field and there were indicator plants within the increased wetland
122 area.
123

124 Mr. Crouch stated he had been on the site visit with Mr. Crow and Ms. Solomon. The area is very challenging
125 for a delineation; however, he felt it was well done. Mr. Crouch noted that the wetlands have three
126 elevations associated with it, and asked if that was due to the stream having slope to it heading towards
127 Pond Street. Mr. Gorman agreed and stated they had both a culvert off site and groundwater breakout on
128 site. Mr. Crouch stated that the floodplain boundary shown is the highest boundary determined by FEMA
129 for the area. Ms. Thompson agreed and clarified there are three profiles relevant to the site, and the highest
130 elevation was chosen as a conservative approach. The elevation chosen closely follows the wetland line, and
131 also the FEMA line on their mapping for the site, which is not tied to a specific contour. Mr. Crouch clarified
132 the blue line shown is an elevation contour not an approximate. Ms. Thompson confirmed. Ms. Thompson
133 stated it is an Approximate Zone A by FEMA's maps. Ms. Thompson showed on screen the FEMA overlay on
134 the site and described how the elevation was chosen. Mr. Crouch stated in reality the line chosen is
135 conservative for the area.
136

137 **Ms. Van Lancker temporarily left the meeting at this time. Mr. Wands took over as Chair.**
138

139 Mr. Wands asked what the overall conditions were on the site visit, if it was dry or not. Mr. Crouch stated
140 the area was completely dry and all the soil borings came up with powder, even with the surface being wet
141 from the rain. Mr. Crow added that the site was very messy and used, covered with trash, cinderblocks,
142 farm equipment, mounds of historical earth moving, mostly invasive plants, and car tires. Mr. Crow stated it
143 will need significant clean up. Mr. Crouch agreed, and added the place was overrun with bittersweet, poison
144 ivy, garlic mustard, and everything under the sun that isn't wanted.

145 **Motion:** Mr. Crouch motioned to close the public hearing. The motion was seconded by Mr. Crow.

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

147

148 **Motion:** Mr. Crouch motioned to issue an Accurate delineation with a final plan as opposed to a redlined
149 plan. The motion was seconded by Mr. Crow.

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

151

152 **Ms. Van Lancker rejoined the meeting at this time and took over as Chair. Mr. Hakansson temporarily left**
153 **the meeting at this time.**

154

155 **Emergency Certification Ratification, Aaron Ladd, 153 Pleasant Street, Hazard Tree Removal**

156 Ms. Solomon stated an arborist letter had been provided.

157

158 **Motion:** Mr. Wands motioned to ratify the Emergency certification. The motion was seconded by Mr. Crow.

159 **Vote:** The motion passed with a 5-0-0 vote. (Rollcall vote: OA, PC, GC, GW, CVL).

160

161

162 **Emergency Certification Ratification, Northeast Water Wells, 10 Saddle Hill Lane, emergency Well**

163 **Installation**

164 Mr. Catrone, Wetlands Consultant, stated she flagged the wetlands for the property owner for the original
165 RDA submission, which was ultimately withdrawn to allow an Emergency Certification as the residents were
166 without water. Ms. Catrone showed the wetlands on the plan. The well is more than 50 feet from the
167 wetlands.

168

169 **Mr. Hakansson rejoined the meeting at this time.**

170

171 Mr. Saulnier, Civil Engineer, stated the original well had gone dry a few years ago, was fracked further, and
172 has since gone dry again. Mr. Saulnier stated they had chosen a new site as shown on the plan, to be as far
173 away from the old well as possible while maintaining the 100 feet from the existing septic system. The Board
174 of Health has a requirement to be outside 125 feet but has already provided approval of the current plan.
175 Mr. Saulnier stated a hole would be dug for the spoils with a three-foot-wide trench from the well to the
176 house. The area will be circled with compost sock as erosion control. The residents have been without water
177 for several weeks and are not currently living in the house. Ms. Solomon added that the Board of Health
178 approved the project as an Emergency due to concerns for public health and safety. Ms. Solomon stated
179 that she had been out on site for the RDA submission before it was withdrawn, and prior to the wetlands
180 being mapped. Ms. Solomon stated at the time she had measured the well to be approximately 67 feet from
181 where the presumed wetland edge was, which appears to match what is on the plans.

182

183 Mr. Crouch asked how deep the existing well is. Ms. Doytchinov, the homeowner, stated the well is 900 feet
184 deep. Ms. Doytchinov stated the well was fracked last year, and this year at the same time the water
185 disappeared completely. Mr. Saulnier stated there is no way of knowing how deep the new well will need to
186 be as it depends on the fractures. Ms. Solomon added that the property is at the top of a large hill, and that
187 likely adds to the depth of the well. Mr. Crouch asked if there was town water in the area. Ms. Saulnier
188 stated there was not. Mr. Saulnier stated that the casing will be drilled down and sealed into the bedrock so
189 there will not be connected to surface water. The existing well was the same and would not have been
190 affected by the drought and is solely dependent on ground water. Mr. Crouch asked for erosion controls to
191 be installed around the well. Mr. Saulnier stated there will be a 30' diameter circle around the well
192 consisting of compost sock.

193

194 **Motion:** Mr. Wands motioned to ratify the Emergency certification. The motion was seconded by Mr. Crow.

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

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Request for Certificate of Compliance, Peter Venuto, Lot 7 Whittemore Estates, DEP File No. 95-883

Ms. Van Lancker asked if all the required paperwork had been received. Ms. Solomon stated additional documents were submitted that afternoon. Lot 7 is missing the certified engineer letter and the paper copy of said letter. Regarding the other Lots requesting a Certificate of Compliance on the agenda, Lot 8 is missing the engineer letter and draft deed, Lots 12 and 13 are missing the engineer letter, draft deeds, and as-built plans. Ms. Solomon added for the Commission that a draft deed was submitted as according to Mr. Venuto, there is no original deed to be modified.

Mr. Venuto stated that the draft deed for Lot 8 had been submitted later in the day. Mr. Venuto continued that the engineer Letter was not provided as the only one at Connerstone able to make the letter was Mr. Colonna who was on vacation. Mr. Venuto stated for Lot 7 the final grading had been established the lot seeded. The properties are on well water which is being used to establish the grass seed. Mr. Venuto stated the house is complete and needs to be closed on. Mr. Venuto stated he has a \$300,000 bond with the Town to protect everything that isn't completed in cash and requests that the Commission grant a Partial Release of the lot so the home could be closed on.

Ms. Van Lancker asked if Lot 7 and 8 were only waiting on the certified engineer letter. Ms. Solomon confirmed and stated she was able to find the Lot 8 draft deed which appears to have come in after close of business. The engineer letter is a requirement of the special conditions for the Order. Mr. Crouch asked if Mr. Venuto was only asked for Lots 7 and 8 at this time. Mr. Crouch stated that it was unclear why the existing deed couldn't be recorded with the required language. Mr. Venuto stated that to transfer the deed of the property the funds need to be transferred, and to transfer funds they need a partial release so the bank will fund the buyer to purchase the house, and the deed isn't recorded until the time the mortgage is put on the house. Mr. Crouch stated that an owner can record a deed at any time such as for easements without having to transfer the property. Mr. Venuto asked if that would be creating a new deed to themselves. Mr. Venuto continued that he had spoken with the Town Planner and that it was common to receive a draft deed until the deed could be recorded. Mr. Crouch stated that he does not understand why it can't be recorded, but that it can be included as a condition that the property is not release from.

Mr. Crow asked if having just the draft deed as opposed to a recorded deed create any legal risk or problems from a Conservation stand-point. Ms. Solomon stated that she is not aware of any issues that would be caused by it, other than the Order requiring the recording of the deed. Ms. Solomon continued that this parcel was one that was bought and then subdivided into smaller parcels. As far as a Certificate of compliance goes, they are not appealable and the Commission has final say. Mr. Crow asked if the Commission could make it contingent upon receiving the engineer letter and if there is any risk involved. Ms. Solomon stated there are normally a couple reasons why a Partial Release may be granted. In this case it's to release individual lots from an Order on an entire subdivision. Mr. Venuto would still need to come for a complete Certificate of Compliance once all work has been done in order to close the Order of Conditions. In a normal Partial Release, it unties the Order form the deed for the property for whatever the Commission allows. The Commission can put in continuing conditions that remain tied to the deed after the issuance of a Certificate of Compliance.

Mr. Venuto stated that the Order of Conditions is on all 7 lots and he is asking for a partial release of two right now. Mr. Crow asked when the engineer letter will be received. Mr. Venuto stated to get that letter they need to have other work done on the stormwater, detention pond, and everything else going on onsite. Ms. Van Lancker stated she had understood the only reason the engineer letter was not being provided was because Mr. Colonna was on vacation. Mr. Venuto agreed. Ms. Van Lancker responded that the engineer letter is not delayed because of other things that need to be finished then. Mr. Crow stated if the Commission was asking for an engineer letter on the whole site then that would be true; however, the Commission is only asking for a letter on the parcels being asked for release. Mr. Venuto stated he was

247 thinking about the Stormwater and misspoke. Ms. Van Lancker stated the engineer letter will include the
248 stormwater for the lot in question. Mr. Crouch stated a partial release would normally carves the parcel out
249 from the larger Order. In this case the commission would be issuing an incomplete partial release requiring
250 the additional materials be submitted, and a full partial release would still be needed. Mr. Venuto stated
251 that a full release is still needed for the whole subdivision. Mr. Crouch stated that issuing a Certificate of
252 Compliance means everything that the applicant was asked to do and was supposed to do has been done. If
253 that isn't the case a Certificate of Compliance shouldn't be issued for that parcel.
254

255 Ms. Van Lancker suggested issuing an incomplete partial release on Lot 7, and continuing the other Request
256 for Certificates of Compliances for Lots 8, 12, and 13 on the Agenda to a future meeting. Mr. Crouch stated
257 there is no block on the Certificate of Compliance forms for an incomplete partial release. Ms. Solomon
258 clarified that the process being discussed for an incomplete partial release would be a partial release
259 requiring Mr. Venuto to come back with the certified engineer letter and deed recording. Once those are
260 received Mr. Venuto would come back for a full partial release of the one lot or if the entire subdivision is
261 done, a complete Certificate of Compliance request for the whole subdivision. Mr. Crouch agreed. Mr.
262 Crouch stated regarding Mr. Crow's earlier question about risk, that as long as a partial Certificate of
263 Compliance does not release the lot entirely, there is an encumbrance on the deed. Even though an
264 incomplete partial release is issued on Lot 7, the encumbrance will go forward on the deed for that
265 property.
266

267 Ms. Williams, 34 Whittemore Drive, asked if passing the Certificate of Compliance as an incomplete partial
268 release or a complete partial release have any effect on the un-remedied dysfunctional stormwater system.
269 Mr. Crouch stated that releasing lots typically release them from the Order of Conditions, and there have
270 been situations in the past where Orders were not overseen, and when the last lot came before the
271 Commission for a Certificate of compliance, it was discovered that the required mitigation area had not
272 been built and it fell upon that homeowner to build a wetland on his property to receive a Certificate of
273 Compliance. Mr. Venuto said the detention pond is part of the stormwater which the bond covers. Ms.
274 Solomon added that the basin doesn't appear to be on Lot 7. There is half of the basin on Lot 8. Ms.
275 Solomon stated the Commission could add a continuing condition on the incomplete partial release stating
276 that stormwater requirements are not being released.
277

278 Mr. Cavanaugh, 32 Whittemore Drive, stated when they first met with Mr. Venuto back in May, Mr. Venuto
279 asked the Homeowner's Association (HOA) how they were going to fix the detention pond, and the HOA
280 informed Mr. Venuto it was his responsibility. Ms. Van Lancker stated there is a plan for restoring the basin
281 that has already been approved and is not relevant to the discussion at the time. Mr. Cavanaugh expressed
282 his continued concern over the basin. Mr. Crow stated that the conversation was getting into the Planning
283 Board side of things, and how that works is when the road and the basin is completed the bond will be
284 released. The Conservation Commission does not have access to the bond.
285

286 Ms. Deibler, 40 Whittemore Drive, stated their property backs onto Lot 7, and wanted to confirm that the
287 basin is not on Lot 7 as the plans she has it is partially on Lot 7. Ms. Solomon clarified that the bank of the
288 basin may be on Lot 7, and the plans may have originally included more, but that is not how it is currently.
289

290 **Request for Certificate of Compliance, Peter Venuto, Lot 8 Whittemore Estates, DEP File No. 95-883**

291 Mr. Venuto asked that the item be continued.
292

293 **Motion:** Mr. Crouch motioned to issue partial Certificate of Compliance for Lot 7 with a requirement for the
294 materials needed for a full partial release including the engineer letter, recorded deed, and completion and
295 acceptance of the completed detention basin be submitted for a full partial release of the lot; and that the
296 lot not be released from any stormwater requirements of the Order of Conditions. The motion was
297 seconded by Mr. Crow.

298 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL).
299

300 **Motion:** Mr. Hakansson motioned to table General Business 4. Request for Certificate of Compliance, Peter
301 Venuto, Lot 8 Whittemore Estates, DEP File No. 95-883 until august 22, 2022. The motion was seconded by
302 Mr. Crow.

303 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL).
304

305 **Request for Certificate of Compliance, Peter Venuto, Lot 12 Whittemore Estates, DEP File No. 95-883**

306 Mr. Venuto asked that this item and the next item be continued.
307

308 **Motion:** Mr. Hakansson motioned to table General Business 5 Request for Certificate of Compliance, Peter
309 Venuto, Lot 12 Whittemore Estates, DEP File No. 95-883 and general Business 4 request for Certificate of
310 Compliance, Peter Venuto, Lot 13 Whittemore Estates, DEP File No. 95-883 until the required materials have
311 been received. The motion was seconded by Mr. Crow.

312 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL).
313

314 **Request for Certificate of Compliance, Peter Venuto, Lot 13 Whittemore Estates, DEP File No. 95-883**

315 This item was skipped over per the Motion and Vote in the previous item.
316

317 **Discussion and Vote, Peter Bemis, Legacy Farms, Request for Release of Units 33, 35, 37/39, and 41**

318 Mr. Bemis summarized the previous release of lots from the Enforcement Order by the Commission. Ms.
319 Solomon shared the 28-day construction plan showing the lots being asked for release currently. Mr. Crouch
320 asked if the other four lots released had been started. Mr. Bemis confirmed and stated that a large amount
321 of stockpiled fill has been removed. The four additional units released by the Conservation Commission,
322 70/72 and 74/76 are in progress. Mr. Bemis showed the units being requested currently, 33, 35, 37/39, and
323 41. Mr. Bemis stated that three draft Notice of Intents had been submitted with the town. Ms. Solomon
324 stated the drafts had not been submitted to the Commission as they had not been signed yet and could not
325 go to public hearing. Mr. Crouch asked after the symbology of the plans shown. Mr. Bemis stated the
326 shaded in units are ones that have been built. The blue areas are stabilized zones.
327

328 **Motion:** Mr. Ackerman motioned to release units 33, 35, 37/39, and 41 from the Enforcement Order. The
329 motion was seconded by Mr. Crow.

330 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL).
331

332 **Review and Vote of Order of Conditions for Jamie Posterro, 25 Sudbury Road, Pool and Patio**

333 **Construction, DEP File No. 95-971**

334 The Commission Members reviewed and edited the Order of Conditions for 25 Sudbury Road presented on
335 the screen by Ms. Solomon.
336

337 **Motion:** Mr. Crouch motioned to issue the Order of Conditions as discussed. The motion was seconded by
338 Mr. Crow.

339 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL).
340

341 **Member Prerogative**

342 Mr. Hakansson asked if Conservation Commission was the only issuing authority for stormwater. Ms.
343 Solomon stated that Planning Board has jurisdiction over stormwater as well, and there are instances when
344 projects have gone to Planning Board and had their stormwater peer reviewed and permitted before being
345 brought to the Conservation Commission for their review. Mr. Hakansson asked if 100 Chestnut Street is
346 coming to the Conservation Commission. Mr. Hakansson stated he has had residents contact him about the
347 project and it is more than 10,000ft². Mr. Hakansson added that the project is currently before the Planning
348 Board, and it is concerning that it had not come before the Conservation Commission. Mr. Crow stated it is

349 conceivable that since the property is part of the Village of America’s project that they are going off the
350 stormwater permit for the whole site and it should be reviewed. Mr. Crouch stated that if the project is
351 changing and it was part of an original Order of Conditions, then they should be coming before the
352 Commission for an Amended Order. Ms. Solomon stated the owners of Village of America’s is working on
353 filing a Certificate of Compliance to close out the Order and then come before the Conservation Commission
354 for the new project at 100 Chestnut Street. Mr. Hakansson stated that he understood this project was going
355 to be closed out on the new proposal at the Planning Board at the next meeting, and it was unclear how
356 they could do that without input from the Conservation Commission. Ms. Solomon stated she would check
357 in with the Town Planner in the morning.
358

359 **Review minutes from 7/25/22**

360 **7/25/22 Meeting Minutes:**

361 Commission Members reviewed and edited the July 25, 2022 meeting minutes.
362

363 **Motion:** Mr. Wands motioned to approve the July 25, 2022 meeting minutes as amended. The motion was
364 seconded by Mr. Crow.

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

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

370 **Vote:** The motion passed with a 6-0-0 vote. (Rollcall vote: OA, PC, GC, CH, GW, CVL).
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373 The meeting was adjourned at 9:33p.m.
374

375 **Documents reviewed by the Conservation Commission on 8/8/2022**

- 376 ● Document entitled, *Agenda, dated 8/8/2022*
- 377 ● Document entitled, *Meeting Minutes, dated 7/25/2022*
- 378 ● Document entitled, *WPA Form 1- Request for Determination of Applicability 34 High Street, dated*
379 *7/20/2022*
- 380 ● Document entitled, *Notice of Intent 25 Sudbury Road, dated 7/21/2022*
- 381 ● Plans entitled, *Proposed Pool 25 Sudbury Road, dated 6/3/2022*
- 382 ● Plans entitled, *ANRAD Plan 123 Pond Street, dated 7/7/2022*
- 383 ● Document entitled, *WPA Emergency Certification Form 153 Pleasant Street, dated 8/2/2022*
- 384 ● Document entitled, *Arborist Letter 153 Pleasant Street, dated 8/1/2022*
- 385 ● Document entitled, *WPA Emergency Certification Form 10 Saddle Hill Lane, dated 7/27/2022*
- 386 ● Plans entitled, *Proposed Replacement Well 10 Saddle Hill Lane*
- 387 ● Document entitled, *WPA Form 8A- Request for Certificate of Compliance Lot 7 Whittemore Estates*
- 388 ● Document entitled, *WPA Form 8A- Request for Certificate of Compliance Lot 8 Whittemore Estates*
- 389 ● Document entitled, *WPA Form 8A- Request for Certificate of Compliance Lot 12 Whittemore Estates*
- 390 ● Document entitled, *WPA Form 8A- Request for Certificate of Compliance Lot 13 Whittemore Estates*
- 391 ● Plans entitled, *Septic As-Built Plan Lot 7 Burnham Circle, dated 7/7/2022*
- 392 ● Plans entitled, *Septic As-Built Plan Lot 8 Burnham Circle, dated 7/7/2022*
- 393 ● Plans entitled, *Interim Site As-built and 28-day Construction Sequencing Exhibit, dated 7/26/2022*
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