



# Town of Ashland

MASSACHUSETTS

MEETING MINUTES  
ASHLAND CONSERVATION COMMISSION  
August 9, 2021

1  
2 Present: Gene Crouch (Chair)  
3 William Moulton (Vice Chair)  
4 Cathy Van Lancker  
5 Carl Hakansson  
6 Greg Wands  
7 Gabriel Toledo  
8  
9 Maeghan Dos Anjos (Agent)

10  
11 **Meeting held by Zoom**

12  
13 **Call to order: 7:03 P.M.**

14  
15 **7:04 Discussion Robert Thomas, 188 East Union Street, erosion within yard**

16 Mr. Robert Thomas (owner) was present for the discussion, but his audio and camera were not  
17 working.

18  
19 The Agent displayed photo of 188 East Union Street, and explained that the owner had called  
20 her due to concerns of erosion at his property abutting the roadway, and a stream. The Agent  
21 said that according to the owner, the erosion occurred during the storms in July. Mr. Crouch  
22 said that he didn't think that this was just from the storms. The Agent said that the runoff is  
23 coming from a curb cut on East Union Street. The Agent said that he would restore this area  
24 by loaming and seeding it. Mr. Crouch said that it would not solve the problem.

25  
26 Mr. Hakansson suggested that he needs to come to the next meeting. Mr. Hakansson suggested  
27 that the Commissioners do an inspection there.

28  
29 **7:13 Discussion, OOC 95-933, Virginia Gentile, 10 Wenzell Road vernal pool condition**

30 Ms. Virginia Gentile (Applicant/ Owner) was present for the discussion.

31  
32 The Agent explained that Ms. Gentile is looking for a COC, and that all conditions have been  
33 met, with the exception of the requirement for the vernal pool. The Commission reviewed  
34 previous Meeting Minutes from January 11, 2021, in which they had discussed doing a site  
35 visit and certifying the pool in the spring of this year.

36  
37 The Agent and the Commission stated that they never did the site visit for the vernal pool. The  
38 Commission discussed this further and asked the Agent if they can certify the pool next, and if  
39 not, would Ms. Gentile be willing to send in a letter to them, allowing the Commission to  
40 access her property.

42 **7:21 RDA, Town of Ashland, Marathon Park, 0 Pleasant Street, park maintenance and**  
43 **vegetative pruning**

44 Mr. Steve Greenberg, and Mr. Steve Cosmos (Representative) were present for the meeting.

45  
46 Mr. Cosmos described the overall improvements which will consist of invasive and nuisance  
47 plant removal and pruning, the pathway will be power washed, and new porous pavers will be  
48 installed. Mr. Cosmos also explained that the wooden boards on the pedestrian bridge will be  
49 replaced.

50  
51 The Commission asked if soap would be used to power wash the pathway. Mr. Cosmos said  
52 that it will be just water.

53  
54 Mr. Cosmos also expressed an interest in vista pruning a section of overgrown vegetation. The  
55 Agent said that this is an exempt activity.

56  
57 Ms. Van Lancker made a motion, seconded by Mr. Toledo to issue a Negative #3 DOA.  
58 Motion passed 6-0-0. (Roll call vote: CH, GT, CVL, GW, WM, GC).

59  
60 **7:31 RDA, Global Montello Group Corp., 272 Pond Street, septic abandonment and**  
61 **sewer tie-in**

62 Mr. Andrew Platt (Representative- Bohler Engineering) was present for the meeting.

63  
64 Mr. Platt said that the Mobil Gas Station on Route 126 would like to abandon the septic  
65 system, and tie into the sewer. Mr. Platt explained that the store and the car wash will connect  
66 to the sewer line. Mr. Platt said that the work will consist of installing an oil-water separator.

67  
68 Mr. Wands asked how the septic will be abandoned. Mr. Platt said that holes will be punched  
69 in the bottom of the tank and it will be filled with sand. The leaching field will be abandoned  
70 in place.

71  
72 Ms. Van Lancker made a motion, seconded by Mr. Hakansson to issue a Negative #2 DOA.  
73 Motion passed 6-0-0. (Roll call vote: CH, GT, CVL, GW, WM, GC).

74  
75 **7:41 NOI, David Morgan, 6 Pond View Lane, addition, and driveway extension**  
76 **(continued from 6/28/2021)**

77 Mr. David Morgan (Applicant) was present for the hearing.

78  
79 Mr. Morgan said that the hearing was continued for further information. The Agent provided a  
80 brief summary of the revised plans.

81  
82 The Commission expressed concern that the driveway is on top of the property line and that  
83 they need to be more than five feet away under zoning laws. Mr. Wands asked if trees need to  
84 be removed for the addition. Mr. David Morgan said that one maple tree will need to be  
85 removed due to its proximity to the proposed foundation.

86  
87 Mr. Steve Morgan (136 Concord Street) said that he is concerned, and that Commission's  
88 comment on the driveway should be resolved before pavement is laid. Mr. Steve Morgan also

89 expressed concern about the removal of one tree. Mr. Crouch said that the tree is in the 100'  
90 Buffer Zone and that it is not in a resource area. Mr. Crouch explained the difference of buffer  
91 zone and a resource area.

92

93 Mr. Moulton made a motion seconded by Ms. Van Lancker to close the hearing. Motion  
94 passed 6-0-0. (Roll call vote: CH, GT, CVL, GW, WM, GC).

95

96 **7:57 NOI, Chantal Kokaram, 80 Cross Street, pool, patio, retaining wall, and pool**  
97 **house**

98 Mr. David Marquedant (Representative) was not present for the hearing. Ms. Chantal  
99 Kokaram (Owner/Applicant, and Mr. Kokaram (Owner) were present for the hearing.

100

101 The Agent displayed the plans and explained the revisions. The Agent said that the corner of  
102 the pool house is now 25.3' away from the wetland. Mr. Moulton asked if the wetland  
103 wrapped around the house. The Agent said that it wraps around the site.

104

105 Ms. Van Lancker made a motion seconded by Mr. Wands to close the hearing. Motion passed  
106 6-0-0. (Roll call vote: CH, GT, CVL, GW, WM, GC).

107

108 **8:04, NOI/SMP, 95-958, Town of Ashland, Mindess School, 90 Concord Street, new**  
109 **school (continued from 6/28/2021)**

110 Mr. Jared Gentilucci (Representative- Nitsch Engineering), Mr. Mike Quinlan (Representative-  
111 Compass Project Management), Mr. Bill Beatrice (Representative- Flansburgh), and Ms.  
112 Brittney Veeck (Representative-Nitsch Engineering), Ms. Sandy Brook (Representative-Nitsch  
113 Engineering), and Mr. Paul Kendall were present for the hearing.

114

115 Mr. Beatrice summarized the site visit that was held with the Commission on Saturday, August  
116 7, 2021. Ms. Brook provided an overview of the revisions made to the plans, and discussed the  
117 proposed drainage areas. Ms. Veeck explained that stormwater will be treated with stormwater  
118 BMPs before they discharge to the pond.

119

120 Ms. Brook discussed the 12" pipe that was located under the ground to drain the fields and that  
121 they found four-inch lateral clay pipes connected to the 12" pipe. Ms. Brook said that the clay  
122 laterals were not inspected because they were too small. Ms. Brook said that the pipe ends in  
123 a wooded area. Ms. Brook explained that the revised plans had not been reviewed by the peer  
124 review, GCG Associates [contracted by the Planning Board].

125

126 Mr. Crouch had a few questions regarding stormwater flow and volume. Mr. Crouch said that  
127 the Commission needs a clear understanding of high groundwater at the site. Mr. Crouch said  
128 that under the previously issued ORAD, the Commission had approved the I-B5 series as an  
129 isolated system, but given the presence of flow observed within the channel, Mr. Crouch said  
130 that the Commission should have called it a BVW. Mr. Hakansson reiterated Mr. Crouch's  
131 point. The Commission asked if the applicant can move the parking lot on either side of this  
132 wetland system, rather than right up against it.

133

134

135

136 The hearing was opened to the public:

137

138 Mr. Mark Dassoni (42 Hawthorne Road) asked about the drainage plans and wanted a  
139 better understanding of the flow rate.

140

141 Ms. Catherine Rooney (136 Fountain Street) said that the site visit was helpful and  
142 raised a few comments that she had dealing with the swale, the slope, and the  
143 maintenance of the swale. Ms. Brook said that the maintenance activities are  
144 documented in the O&M Plans. Ms. Rooney said that she is concerned due to the  
145 hydrology, and that a lot of cutting will take place on a steep slope. Ms. Rooney said  
146 that they are changing pervious cover to impervious cover. Mr. Crouch thanked Ms.  
147 Rooney for her comments.

148

149 Mr. Stephen Morgan (136 Concord Street) said that he is not getting the information  
150 and that it came in at the last minute. Mr. Crouch said that that the Commission knew  
151 that the plans were coming in late. Mr. Morgan shared some photos taking during the  
152 exploration of the underground drainage pipe. Mr. Morgan explained the standing water  
153 on the site. Mr. Crouch said that it is water, and not mud. Mr. Morgan said that you  
154 can see the flow [in the fifth photo]. Mr. Morgan asked about the stream. Mr. Crouch  
155 said that it is an intermittent stream. Mr. Hakansson briefly explained the difference of  
156 intermittent and perennial stream status.

157

158 The Commission discussed incorporating educational signs near the pond and the bioretention  
159 area. The Commission discussed holding the Mindess School hearings on special meeting  
160 days.

161

162 Ms. Van Lancker made a motion seconded by Mr. Wands to continue the hearing to August 24,  
163 2021. At 7:00 p.m. Motion passed 6-0-0. (Roll call vote: CH, GT, CVL, GW, WM, GC).

164

165 **10:02 RDA, Grant and Debra Kieffer, 23 High Street Extension, after-the-fact RDA for**  
166 **patio and retaining wall**

167 Mr. Grant Kieffer (Owner/Applicant) was present for the meeting.

168

169 The Agent explained that while she was on site for a separate matter next door, she saw some  
170 work taking place at 23 High Street Extension. The Agent said that she needed to be at another  
171 site and briefly spoke with the owner before leaving. The Agent said that she required an after-  
172 the-fact RDA for a patio and retaining wall. The Agent stated that some of the work took  
173 place in the outer reaches of the 100' Buffer Zone.

174

175 Mr. Kieffer said that the work is substantially complete and that the construction is done. Ms.  
176 Van Lancker asked about the lawn. Mr. Kieffer said that he has not seeded it yet, but they will  
177 in a few days.

178

179 The Commission discussed why people do not know the presence of wetlands and local  
180 protection laws when the Commission requires bounds to be in place and statements be  
181 recorded on their deeds. Mr. Hakansson said that most people do not read their deeds.

182

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

185  
186 **10:15 Discussion, re. Richard Barbieri, 10 Metcalf Ave, garage installation, driveway,**  
187 **and utilities**

188 The Agent recommended continuing this discussion.

189  
190 Ms. Van Lancker made a motion, seconded by Mr. Toledo to continue the discussion to August  
191 23, 2021. Motion passed 6-0-0. (Roll call vote: CH, GT, CVL, GW, WM, GC).

192  
193 **10:15 RDA, Town of Ashland, 133 West Union Street, invasive species management**  
194 **(continued from 7/26/2021)**

195 The Applicant requested a continuance to the next meeting.

196  
197 Ms. Van Lancker made a motion, seconded by Mr. Toledo to continue the meeting to August  
198 23, 2021. Motion passed 6-0-0. (Roll call vote: CH, GT, CVL, GW, WM, GC).

199  
200 **10:16 NOI, Ryan Mulcunry, 56 Hardwick Road, after-the-fact NOI for vegetative**  
201 **clearing (continued from 7/26/2021)**

202 Mr. Ryan Mulcunry was not present for the hearing, and had requested a continuance to the  
203 next meeting.

204  
205 The Agent provided an update about the DEP File Number.

206  
207 Mr. Moulton made a motion, seconded by Ms. Van Lancker to continue the hearing to August  
208 23, 2021. Motion passed 6-0-0. (Roll call vote: CH, GT, CVL, GW, WM, GC).

209  
210 **10:18 Violation, Legacy Farms, (Hopkinton), Hopkinton Reservoir/ Howe Street,**  
211 **sediment breach**

212 Mr. Peter Bemis (Engineer), and Mr. Vin Gately (Applicant) were present for the discussion.

213  
214 A breach occurred on August 5, 2021. Mr. Bemis said that a drainage line was connected as  
215 part of the cross country work that does not have a large containment area. Mr. Bemis  
216 explained that the way that the drain is connected allowed the silt to enter the area. Mr. Bemis  
217 said that the silt did not reach the reservoir. The sediment went into the drainage channel that  
218 goes down to Wilson Street. The water then went back into the ground and through a series of  
219 voids between rocks. Mr. Bemis said that the pipe will be rectified tomorrow.

220  
221 Mr. Bemis said that they did a turbidity analysis. Mr. Moulton asked about the NTU. Mr.  
222 Bemis said that they did not exceed the threshold of 50 NTUs. Mr. Crouch said that he had  
223 worked on project and their threshold was 3 NTU which is basically crystal-clear water.

224  
225 Mr. Bemis expressed a concern about connecting the roof drains from three roof areas to the  
226 cross country drainage. Mr. Bemis said that they should be paving in a week, and everything  
227 has been silt stopped.

228

229 Mr. Hakansson asked Mr. Bemis if he spoke with the DPW Director. Mr. Bemis said that he  
230 did speak with Doug Small (Ashland DPW Director) and John Westerling (Hopkinton DPW  
231 Director). Mr. Hakansson said that something needs to be negotiated between Mr. Small and  
232 Mr. Westerling and Mr. Bemis.

233  
234 Ms. Van Lancker wanted assurance that this will not happen again. The Commission  
235 discussed getting required documents in a timely fashion. Mr. Bemis said that he is meeting  
236 with the Hopkinton Conservation Commission tomorrow, and Mr. Crouch asked if they will be  
237 lifting their cease and desist. Mr. Bemis said that he thinks they will because they have  
238 complied with enforcement actions.

239  
240 The Commission asked the Agent to share BETA's (peer review hired by the Hopkinton  
241 Planning Board) documents with the Commission.

242

243 **10:37 Review Meeting Minutes 7/12/2021**

244 The Commission tabled the review of these minutes.

245

246 **10:37 Request for COC, 95-841, EA Fish, Robert Hill Way, 55 and over community**

247 Mr. Dana Angelo (Applicant), and Mr. Joe Henderson (Representative- Horsley and Witten)  
248 were present for the discussion.

249

250 The Agent said that all documents have been forwarded, and the wetland signage was installed.  
251 The Agent recommend that the Commission do a site visit out there.

252

253 The Commission briefly reviewed the as-built plans and Mr. Crouch said that the DMH rim in  
254 the bioretention area needed to be updated. Mr. Henderson said that he will correct the  
255 overflow structure and will spot check it. The Commission scheduled a site visit for Saturday,  
256 August 14, at 9:00 a.m.

257

258 **10:49 95-684, Richard Terrill, Chestnut Street, Queen Isabell and Avenue of the**  
259 **Americas, Village of the Americas**

260 Mr. Bob Poxon was present for the discussion.

261

262 The Agent said that she used the auger in a few locations, and from her observations she  
263 concluded that a replication area was attempted, but it did not succeed. [Two monitoring  
264 reports were required, but only one was found in the file, and it did not reflect positively on the  
265 wetland replication area.] The Agent said that the applicant has two options:

266

267 1. Redo a replication area but this OOC expired. The Agent said that the applicant will  
268 need to look at previously disturbed area, and that the Commission needs to issue an  
269 EO.

270 2. The Applicant can look at downstream and upstream impacts. Did the failure of the  
271 replication area have impacts downstream or upstream? The Agent said that the  
272 wetland system is entirely within the property limits of the Village of the Americas.

273

274 Mr. Poxon said that the area seemed to be an isolated wetland that went from one side of the  
275 road to the other, and that the wetland scientist seemed to think that the area was for flood

276 storage and that it is not a wetland. Mr. Poxon said that it was about 20 years since it was done  
277 and that there are no wetland species. Mr. Crouch said that the Commission found a few  
278 wetland plants, but not greater than 50%.

279  
280 Mr. Hakansson said that this is similar to what the Commission experienced when the public  
281 safety building and the Route 126 permits were submitted to the Commission. Mr. Hakansson  
282 said that that the Commission expects wetland replication areas to function and the fact that it  
283 is not, is a problem for the applicant.

284  
285 Mr. Moulton explained that they can propose alternative replication area to the Commission.  
286 Mr. Poxon spoke about the wetland scientist's findings. Mr. Hakansson said that they should  
287 not approve the COC and move on.

288  
289 Ms. Rooney said that this is in front of Design Review and that there is P&S contingent on  
290 permitting. Ms. Rooney described the potential project and said the Commission is making the  
291 right choice.

292  
293 The Commission looked at the condition in the OOC. Mr. Poxon asked if the wetland systems  
294 need to be reflagged. Mr. Crouch said that needs to be reflagged. Mr. Crouch said that they  
295 will need to look at it and inspect it, and the flagging needs to be done by today's standards.  
296 Mr. Poxon said that they will take that approach. Mr. Poxon said that he will let the Agent  
297 know when they are ready to submit something.

298  
299 **11:16 Member Prerogative**

300 Mr. Toledo said that this is his last meeting and thanked everyone for his experiences while on  
301 the Commission.

302  
303 Mr. Hakansson said that the Commission needs to consider replacing Mr. Narayana and Mr.  
304 Toledo.

305  
306 Mr. Hakansson said that they got a new tractor for Warren Woods.

307  
308 Mr. Hakansson said that Mr. Crouch, and Mr. Wands need to be reappointed to the Land  
309 Stewardship Committee and to put this on the next agenda.

310  
311 **11:20 Agent's Announcements**

312 The Agent spoke about the current status with 178 Prospect Street (EO). The Agent said that  
313 he has contracted a wetland scientist but could not get the plans in time for this meeting. The  
314 Commission said that this was okay and the Agent confirmed that he has been regularly calling  
315 the Agent for the current status of the EO requirements.

316  
317 **11:22 Meeting Adjournment**

318 A motion was made by Mr. Toledo, and seconded Ms. Van Lancker, to adjourn the meeting.  
319 Motion passed 6-0-0. (Roll call vote: CH, GW, CVL, GC).

320  
321 **Documents Reviewed by the Conservation Commission on 8/ 9 / 2021**

- 322
- Document entitled, *Agenda* dated 8/ 9 /2021

- 323 • Photo of 188 East Union Street, submitted by Robert Thomas
- 324 • OOC #95-933, Virginia Gentile, 10 Wenzell Road
- 325 • Plans submitted by Steven Greenberg and Steve Cosmos for Marathon Park
- 326 • Plans entitled, *Proposed Site Plan Documents for Global*, and dated 6/24/2021
- 327 • Plans entitled, *Plot Plan of Map 250, Lot 16*, dated 8/5/2021
- 328 • Plans entitled, *Locus 80 Cross Street, Existing Conditions Plan in Ashland*
- 329 *Massachusetts*, and dated 7/27/2021
- 330 • Plans entitled, *David Mindess School 90 Concord Street, Ashland MA 01721*, and dated
- 331 8/6/2021
- 332 • Photos displayed by Mr. Stephen Morgan
- 333 • Photos of 23 High Street Extension
- 334 • Photos displayed by Mr. Peter Bemis
- 335 • OOC #95-684, Village of the Americas