MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
January 11, 2021

Present:  Gene Crouch
          Cathy Van Lancker
          Carl Hakansson
          K.G. Narayana
          Gabriel Toledo
          Greg Wands
          Maeghan Dos Anjos (Agent)

Absent:   William Moulton (Vice Chair)

Meeting held by Zoom

Call to order:  7:04 P.M.

7:04  Mr. Crouch reviewed the protocol for the meeting

7:05  Review 12/28/2020 Meeting Minutes
      The Commission tabled the meeting minutes to the next meeting.

7:07  Review Draft OOC 95-949, Briggs, LLC., Captain Eames Circle near units 415, and
      443, repairing existing roadway
      The Commission reviewed and revised the Draft OOC for the pavement work at Captain
      Eames Circle.

      A motion was made by Mr. Narayana to issue the OOC, seconded by Ms. Van Lancker.
      Motion passed 4-0-2. (Roll call vote: KN, GT, GW, CVL, GC).  Mr. Crouch and Mr.
      Hakansson abstained.

7:12  Member Prerogative
      Mr. Narayana announced that there was COVID-19 testing at the High School today.

7:15  NOI/SMP, Magunko Realty Trust, 9 Pennock Road, single family home
      (continued from 12/14/2020)
      Mr. Steve Hickey (Applicant) and Ms. Joyce Hastings (Representative- GLM Engineering)
      were present for the hearing.

      The Agent gave an update to the Commission about her conversation with Eversource.
Ms. Hastings shared her screen. Mr. Crouch said that he did not remember the pipe. Ms. Hastings stated that we talked about it at the last Conservation Commission Meeting. Mr. Crouch and Ms. Hastings talked further about the pipe. Ms. Hastings said that the elevation of the driveway is at 324’, and that the driveway is over the pipe, and that the water line, and the sewer line will be much deeper.

Ms. Hastings said that they are working on the replication area for the 25’ No Disturb Zone, and that she was not prepared to present tonight. Mr. Crouch said that if you were to give this to Eversource, they would be okay. Mr. Crouch asked if there is something that can be done to avoid impacts to wetlands. Ms. Hastings explained the process of working within or near the Eversource Gas Transmission Easement. She stated that they need to notify Eversource that they will be doing work, and that Eversource needs to be present when the work starts. Ms. Hastings stated that the minimum depth for their gas line is 24” but they prefer a depth of 36”.

Mr. Hickey said to the Agent that when they spoke, Eversource had indicated that they would be hard pressed to allow the bridge [over the wetland]. The Agent confirmed this.

Mr. Crouch said that if they keep the driveway lower, water can still get to the wetland, but water may pass over the driveway and freeze in the winter. Mr. Crouch said that they are trying to see that the water flows under the driveway. Ms. Hastings said that in past discussions, they were told not to use pipes within the Eversource easement.

Mr. Hakansson said that they can install rip rap up to the road. Mr. Narayana said that Ms. Hastings and Mr. Hickey would have more room to work with.

Mr. Hickey asked the Commission if they want the drain line moved. Ms. Van Lancker said that another option is to add a second drain line over on the left. Ms. Van Lancker asked if this will work. Mr. Crouch said that it doesn’t need another pipe.

Mr. Desheng Wang (present for another discussion) made a suggestion to the upstream side. Ms. Hastings said that the swale is running this way, and that this is where a majority of the water is coming from. Mr. Crouch said that instead of the low point, can the Applicant carry the 324’ elevation over and create a berm and some minor grading to make sure water gets into the pipe.

Mr. Hakansson said that this idea is simple, and that we want to capture the water that we witnessed cross over the proposed driveway within the easement. Mr. Hakansson said that if we can get that pipe out, it should address it. Mr. Crouch suggested that they move the pipe to the center of the driveway. Mr. Crouch said that if Eversource says “no”, then look at minor grading. Mr. Crouch said that the invert of their drainage pipe in on top of Eversource’s gas transmission pipe and that they [Eversource] won’t like that. Ms. Hastings said that she will move the pipe to the edge of the wetland, and configure it to capture the water, replicate the disturbed areas of the 25’ No Disturb Zone, move the bounds, and install the plaques.

Mr. Hakansson asked if there is a way to relocate the pipes that are shown off-site. Mr. Hickey said that there is not and he does not own that property. Mr. Hakansson said so there is no way to redirect it. Mr. Hickey confirmed this.
A motion was made by Mr. Narayana to continue the hearing to 1/25/2021, seconded by Mr. Toledo. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, GW, CVL, GC).

7:51 NOI, 58 Exchange Ashland, LLC. 16 Union Street, Lot 2, four-unit residential building (continued from 12/28/2020)
The applicant requested a continuance.

A motion was made by Mr. Narayana to continue the hearing to 1/25/2021, seconded by Mr. Toledo. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, CVL, GW, GC).

7:51 NOI, Nina Shopalovich, 75 Woodland Road, addition
Ms. Karon Skinner Catrone (Wetland Consultant) was present for the hearing.

Ms. Catrone said that the work involves the construction of an addition on the side and rear of the single family home. Ms. Catrone said that no trees will be removed, but some shrubs will be relocated on the site. Ms. Catrone said that they are showing four boulders outside the 25’ No Disturb Zone with plaques on them. Ms. Catrone said that during the [pre-hearing] site visit, we did stumble across a pipe on the side of the house where the addition is going. Ms. Catrone said that they will test it to see what it is, but not until they get their permit.

Mr. Crouch said that the easement and drainage line do not line up, and suggested that they address this appropriately. Mr. Crouch asked what is within the area where the addition is going. Ms. Catrone said that it is grass, and there is a small retaining wall toward the back.

Mr. Wands asked about the drainage easement. Ms. Catrone said that it’s a “Y” connection under wetland flag number 5.

Mr. Hakansson asked the location of the street in relation to the to Town. The Agent said that it is off of Union Street near the Hopkinton Line. Ms. Catrone said that it is an old road and 75 Woodland Road is one of the original homes. Mr. Hakansson said that the wetland there is probably draining toward Weston Nurseries properties.

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

Mr. Hakansson recused the next discussion

8:13 Request for NOC 2018-01, Carlos Hanzi, 128 Main Street, mixed development (tabled from 12/28/2020)
Mr. Desheng Wang (Representative- Creative Land and Water Engineering) was present for the meeting.

Mr. Wang gave a summary of the project from its initial design, to the final approved design. Mr. Wang said that the only difference between the approved plans and the as-built plans were the inspection ports. Mr. Crouch asked the Agent about the SMP and if there is an ongoing condition for the Operations and Maintenance Plan. The Agent shared her screen and showed the O&M Plan the condition in the SMP referring to the O&M Plan. The Commission expressed a concern about the maintenance of the system given that that only three inspection
ports were installed. Mr. Wang said that inspection ports are meant for monitoring, not cleaning.

Ms. Van Lancker suggested that they submit a letter. Mr. Narayana said that we cannot enforce it.

Mr. Crouch asked why they put in only one port per row. Mr. Wang said that this came from a review of the Planning Board, along with an 50% increase in the galley. Mr. Wang also said that the original design only called for two galley rows. Mr. Narayana said that they had time to come back before the Commission to get a plan change.

Ms. Van Lancker, made a motion to issue the NOC, seconded by Mr. Toledo.

Mr. Wands asked if they deny it, what would the Applicant have to do. Mr. Crouch said that they would have to dig it up and put in three additional ports. Mr. Wands asked if the Commission would then ask for 9 total ports. Mr. Crouch said if we wanted to be tough we could do that.

Mr. Narayana said that he still thinks that they had time to come back for a plan change, and would vote against the motion made by Ms. Van Lancker.

Motion passed. 4-1-0. (Roll call vote: GT, GW, CVL, GC). Mr. Narayana voted no.

Mr. Hakansson returned to the meeting

8:55 Request for COC, 95-933, Virginia Gentile, 10 Wenzell Road, addition
Mr. Mitch Maslanka (Representative- Goddard Consulting LLC), and Ms. Virginia Gentile (Applicant/Owner) were present for the discussion.

The Agent stated that the request was received but that there was a condition to certify the vernal pool on the property.

Mr. Maslanka said that they had done a survey of the vernal pool on April 28, 2020. Mr. Crouch indicated that this time is marginal for properly surveying and observing vernal pool activity.

Mr. Narayana stated that there is no X or Y information on the diagram, and that there are no points of latitude or longitude. Mr. Narayana said that the diagram also does not reference Shore Road and asked if this is required or not.

Mr. Maslanka said that there was insufficient data to certify the vernal pool. Mr. Crouch asked if they would resurvey, and asked the Agent about her conversation she had with the Natural Heritage and Endangered Species Program (NHESP). The Agent stated that she spoke with Jake Kubal with NHESP. The Agent stated that he felt that the vernal pool could be certified given what he saw in aerial photography. The Agent asked Mr. Maslanka what his findings were during the survey. Mr. Maslanka said that he found wood frog, snail egg
masses, clam shrimp, and that he found a lot of life. The Agent said that she thinks he should try harder and to evaluate the vernal pool again.

Mr. Hakansson said that they did what we asked them to do, and that he thinks that we owe it to vernal pool to evaluate this. Mr. Narayana said that he does not think that the Commission can hold the owner to certifying the vernal pool when the Commission can certify it. Mr. Hakansson said that due diligence has been done.

The Agent also stated that there is a condition that requires monitoring reports for two growing seasons, and that these are still needed. The Commission agreed and stated that the vernal pool will be certified by the Commission in the spring.

**9:50 Member Prerogative**

Mr. Hakansson announced that Mr. Jim Hannah (a long-time resident of Ashland) passed away last week.

Mr. Narayana spoke about the Board of Health and stated that one member left, and one member won’t continue his appointment.

Mr. Toledo stated that his advisor stated that he (Mr. Toledo) needs an internship for his graduate program. Mr. Toledo said that he has been speaking with the Agent, and that the Agent informed him to speak with the State’s Ethics Board.

**9:55 Agent’s Announcements**

The Agent spoke about the issuance of a SMP and an OOC, and whose condition/jurisdiction it is. In the past, the Commission voted to allow the Department of Public Works to act as an agent of the Commission to enforce Stormwater Management Permits that were issued. The Agent said that this has been somewhat confusing because when both a wetlands application and a local stormwater management application are submitted, the permit that is issued is an OOC, but has one condition stating that the OOC will also function as a SMP. The Agent said that it may be easier to issue two permits, but stated that it would be more work to do that.

Mr. Hakansson said that the Conservation Commission and the Department of Public Works have overlapping interests, but not the exact same interests. Mr. Crouch stated that the template conditions are in need of revisions. Mr. Hakansson stated that when he was on the Select Board, they would do retreats to discuss policy changes, things that work, and things that didn’t work. Mr. Hakansson stated that sometimes the retreats would be held on a weekend, and that they would focus on three or four different topics.

The Commission concluded that they can work on a OOC template, with different sections for the OOC and the SMP.

Mr. Narayana asked about the scheduling for next Executive Session.

The Agent also stated that the Town of Ashland will be submitting a NOI for the Trolley Brook Trail from Megunko Road, to Memorial Drive. The Agent stated that the Town asked about whether a site visit was necessary, and if so, they respectfully asked that they schedule this
soon as there is no snow on the ground, and no snowfall in the forecast. The Commission said that it was worthy of a site visit and asked the Agent to schedule this soon.

10:03 Member Prerogative
Mr. Hakansson spoke about the summit pointe drainage, and that some of the work addressed earlier drainage concerns, but he raised a concern about the retaining walls, and that they need to be addressed. Mr. Wands said that the grass is grown and looks like the plantings have survived.

Mr. Narayana asked about 65 Hardwick Road. The Agent said that the NOI was submitted to them and they were looking through it. The Agent said that she will contact them.

10:06 Meeting Adjournment
A motion was made by Mr. Narayana, and seconded Ms. Van Lancker to adjourn the meeting. Motion passed 5-0-0. (Roll call vote: KN, GT, GW, CVL, GC).

Documents Reviewed by the Conservation Commission on 1/11/2021

- Document entitled, Agenda dated 1/11/2021
- Plans entitled, “Ashland Special Conditions: Findings of Fact: 75 Woodland Road”
- Plans entitled, “As-built Management Plan”, dated 1/19/2021
- Document entitled, “Stormwater Management Permit 2018-01” for 128 Main Street
- Document entitled, “Operations and Maintenance Plan for Stormwater BMPs for 128 Main Street, Ashland, MA.”