MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
January 25, 2021

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

Absent:  Carl Hakansson
         William Moulton (Vice Chair)

Meeting held by Zoom

Call to order:  7:02 P.M.

7:02  Mr. Crouch reviewed the protocol for the meeting

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

Mr. Narayana made a motion, seconded by Mr. Toledo to approve the Meeting Minutes as amended. Motion passed 5-0-0. (Roll call vote: KN, GT, GW, CVL, GC).

7:12  Review 1/11/2021 Meeting Minutes
The Commission reviewed the meeting minutes.

Mr. Narayana made a motion, seconded by Mr. Toledo to approve the Meeting Minutes as amended. Motion passed 5-0-0. (Roll call vote: KN, GT, GW, CVL, GC).

7:15  NOI/SMP, Magunko Realty Trust, 9 Pennock Road, single family home
(continued from 1/11/2021)
Mr. Steve Hickey (Applicant) and Ms. Joyce Hastings (Representative- GLM Engineering) were present for the hearing.

Ms. Hastings explained the changes to the plan which consisted of minor grading to eliminate a low point, and that the flow of water was redirected and a trench was added alongside the driveway. Ms. Hastings said that the water line was moved, and disturbed areas to the No Disturb Zone (NDZ) was calculated to be 1,600 square feet. Ms. Hastings said that they are proposing an area of 3,360 square feet for mitigation. Ms. Hastings explained that the mitigation area will consist of native plants. Ms. Hastings also said that a planting schedule was created, and bounds will be located at the new areas of the NDZ.
Mr. Narayana asked about the depth of the gas pipe. Mr. Hickey said that he believes that it is 24” deep. Mr. Narayana asked if the water line will go beneath it, or above it. Mr. Hickey and Ms. Hastings both said it would go underneath the gas line.

Ms. Van Lancker asked about the planting schedule. Ms. Hastings went over the planting schedule for the Commission. Mr. Crouch noted some discrepancies on the names of the plants and stated that she needs to change and correct the plant names.

Mr. Crouch asked if invasive plants will be removed from the mitigation area. Ms. Hastings said that they are going through the whole area, and they will have a few seasons to monitor the replication area. Mr. Crouch said that there is a lot of bittersweet there and that he would like to see invasive plants removed as well.

Mr. Narayana asked if they are still waiting on a letter from Eversource. Mr. Hickey said that he thought that they didn’t need it given the Agent’s discussion at the last Conservation Commission Meeting (1/11/2021). Mr. Narayana asked if they are obligated to respond. Mr. Hickey said that they generally do not respond.

Mr. Toledo said that he thinks that this is a better plan than what has been submitted previously.

Mr. Crouch asked Ms. Hastings to go over the grading changes with the Commission. Ms. Hastings went over the grading changes.

Mr. Wands asked about the overall annual maintenance to the drainage structures. Ms. Hastings said that it will be to the benefit of the owner to keep the pipe cleaned, and the idea is that the future owner will go out there and clean it regularly. Mr. Narayana asked about the trench. Ms. Hastings said that it will be wrapped in fabric so it shouldn’t need maintenance. Mr. Narayana asked what happens if the fabric gets clogged. Ms. Hastings explained that she is not using the pipe and the trench as a sole source, and that the main function is to capture the water.

Mr. Crouch opened the hearing to the public.

Mr. Yaron Rachmany (11 Pennock Road) asked about the distance of the driveway to the lot line. Ms. Hastings said that it is three feet from the lot line. Mr. Rachmany said that the Town Bylaws require the distance of the driveway to be not within five feet of a lot line. Mr. Crouch said that it is a good question, but it is not the jurisdiction of the Conservation Commission. Mr. Crouch asked Mr. Rachmany if he had any wetland-related questions for the Commission.

Mr. Rachmany said that there is a lot of water coming from the easement and that he was not sure if a 12” pipe would be adequate. Mr. Rachmany said that the Commission requested a bridge and it would be best to protect the wetland system. Mr. Rachmany quoted Ms. Hastings from the 8/24/2020 hearing, and the Agent from 1/11/2021 hearing. Mr. Rachmany said that why give up and that they [Mr. Hickey and Ms. Hastings] should give plans to Eversource. Mr. Rachmany concluded his comments by stating that the Commission is to
Mr. Crouch asked Mr. Hickey where the pipe is within the easement. Ms. Hastings said that is indicated in the plans and showed the location. Mr. Crouch said that the Commission’s first discussion on this was for a three-sided culvert, and for a response from Eversource.

Mr. Rachmany spoke about deicing agents and fertilizers. Ms. Van Lancker explained that there is a requirement within the Commission’s OOCs to add a statement to the deed restricting types of deicing agents and fertilizers. Mr. Rachmany said that the reality of enforcing this, and how it is enforced is that it is impossible to do so.

Mr. Narayana asked if the plans were submitted to Eversource. Ms. Hastings said that they did and that Eversource would love to see a driveway there. Mr. Narayana said that they do not have this in writing. Mr. Hickey said that he has a development in Hopkinton along the same gas line. Mr. Hickey said that they [Eversource] do not deal with you in writing. Mr. Hickey also explained that when work starts, Eversource asks to be notified.

Ms. Van Lancker stated that this is getting to a reasonable solution.

Mr. Crouch asked if it would be possible for the Applicant to put a plan together showing the structure [culvert/bridge] within the easement and bring it to Eversource. Ms. Hastings deferred to Mr. Hickey. Mr. Hickey said that they could try, but his concern is drafting the plans. Mr. Hickey said that he can send very basic, conceptual plans. Mr. Crouch said that he is not looking for final plans.

Mr. Mark Dassoni (49 Hawthorne Road) asked about the easement. Mr. Hickey said that it has been in effect for several years. Mr. Narayana said that the area of the proposed home is landlocked, because the easement runs throughout the property.

Mr. Crouch said that he would like to continue the hearing and explained to the Applicant that he needs to get a graphic together and to give it to Eversource. Mr. Crouch said that he is sure that they will respond quickly. Mr. Hickey said for every time that he has worked with them, they were never quick to respond.

A motion was made by Mr. Narayana to continue the hearing to 2/8/2021, seconded by Ms. Van Lancker. Motion passed 5-0-0. (Roll call vote: KN, GT, GW, CVL, GC).

8:09 NOI, 58 Exchange Ashland, LLC. 16 Union Street, Lot 2, four-unit residential building (continued from 1/11/2021)

The applicant requested a continuance.

A motion was made by Mr. Narayana to continue the hearing to 2/22/2021, seconded by Ms. Van Lancker. Motion passed 5-0-0. (Roll call vote: KN, GT, CVL, GW, GC).

8:12 Extension for 95-914, Pelletier Realty Trust, 231 Pond Street, replace existing garage.
Mr. Ray Pelletier and Ms. Donna Pelletier (Applicant/owner) were present for the discussion.

The Agent explained that the OOC expired on January 23, 2021, but that Mr. Pelletier had asked about extending his permit a week ago. The Agent said that under the regulations of the Wetlands Protection Act, requests for extensions must come in within 30 days of the expiration date.

Mr. Pelletier stated that the garage was installed and the only outstanding work is for the installation of a berm and to plant ten bushes.

A motion was made by Ms. Van Lancker to grant an extension for three years, seconded by Mr. Narayana. Motion passed 5-0-0. (Roll call vote: KN, GT, CVL, GW, GC).

8:16 Reissue COC 95-352, FAB Trust, Ballard Hill Estates, off of Green Street

The Agent explained that a COC was issued for the OOC for Ballard Hill Estates, but was never recorded. Mr. Crouch said that he needed to recuse. The Agent said that a house in the subdivision is up for sale, and the OOC came up during a title search.

A motion was made by Ms. Van Lancker to reissue the COC for Ballard Hill Estates, seconded by Mr. Narayana. Motion passed 4-0-0. (Roll call vote: KN, GT, CVL, GW).

8:20 Review Draft OOC 95-951, Nina Shopalovich, 75 Woodland Road, addition

Ms. Karon Skinner Catrone (Wetland Consultant) was present for the discussion.

The Commission reviewed the draft OOC for 75 Woodland Road. The Agent pointed out the conditions that are unique to the project and separate from the standard conditions.

Ms. Skinner said that the OOC can be sent to the owner.

A motion was made by Mr. Narayana to issue the OOC as amended, seconded by Mr. Wands. Motion passed 5-0-0. (Roll call vote: KN, GT, GW, CVL, GC).

8:29 Member Prerogative

Mr. Narayana announced that February 1, 2021, will start the vaccinations for people who are 75 years old and older. Mr. Narayana said that the Board of Health asked for more vaccines, and that the Department of Health has announced that. Mr. Crouch asked about the vaccines.

Mr. Toledo stated that his professor stated that the volunteer work is okay, but that the State Ethics Board said no to the internship, because he is not allowed to use his position of power for himself according to ethics regulations. Mr. Toledo further explained that he is creating a position in order for him to graduate, and that this is the issue that the Ethics Board explained to him. Mr. Crouch said that he could understand that.

8:30 Agent’s Announcements

The Agent announced upcoming site visits with the Great Bend Farm Trust CR, and the Mass DOT pre-construction site visit. Mr. Toledo said that he will attend the site visit for the CR.
8:38 Meeting Adjournment

A motion was made by Mr. Narayana, and seconded Mr. Toledo to adjourn the meeting. Motion passed 5-0-0. (Roll call vote: KN, GT, GW, CVL, GC).

Documents Reviewed by the Conservation Commission on 1/25/2021

- Document entitled, Agenda dated 1/25/2021
- Document entitled, Meeting Minutes Ashland Conservation Commission dated 12/28/2020
- Document entitled, Meeting Minutes Ashland Conservation Commission dated 1/11/2021
- Plans entitled, Proposed House Location Plan Lot 50R-9 Pennock Road Ashland, Massachusetts, and dated 1/19/2021
- Document entitled, Ashland Special Conditions: Findings of Fact: 75 Woodland Road