



# Town of Ashland

MASSACHUSETTS

MEETING MINUTES  
ASHLAND CONSERVATION COMMISSION  
January 25, 2021

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- 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.

43  
44 Mr. Narayana asked about the depth of the gas pipe. Mr. Hickey said that he believes that it is  
45 24” deep. Mr. Narayana asked if the water line will go beneath it, or above it. Mr. Hickey and  
46 Ms. Hastings both said it would go underneath the gas line.

47  
48 Ms. Van Lancker asked about the planting schedule. Ms. Hastings went over the planting  
49 schedule for the Commission. Mr. Crouch noted some discrepancies on the names of the  
50 plants and stated that she needs to change and correct the plant names.

51  
52 Mr. Crouch asked if invasive plants will be removed from the mitigation area. Ms. Hastings  
53 said that they are going through the whole area, and they will have a few seasons to monitor  
54 the replication area. Mr. Crouch said that there is a lot of bittersweet there and that he would  
55 like to see invasive plants removed as well.

56  
57 Mr. Narayana asked if they are still waiting on a letter from Eversource. Mr. Hickey said that  
58 he thought that they didn’t need it given the Agent’s discussion at the last Conservation  
59 Commission Meeting (1/11/2021). Mr. Narayana asked if they are obligated to respond. Mr.  
60 Hickey said that they generally do not respond.

61  
62 Mr. Toledo said that he thinks that this is a better plan than what has been submitted  
63 previously.

64  
65 Mr. Crouch asked Ms. Hastings to go over the grading changes with the Commission. Ms.  
66 Hastings went over the grading changes.

67  
68 Mr. Wands asked about the overall annual maintenance to the drainage structures. Ms.  
69 Hastings said that it will be to the benefit of the owner to keep the pipe cleaned, and the idea is  
70 that the future owner will go out there and clean it regularly. Mr. Narayana asked about the  
71 trench. Ms. Hastings said that it will be wrapped in fabric so it shouldn’t need maintenance.  
72 Mr. Narayana asked what happens if the fabric gets clogged. Ms. Hastings explained that she  
73 is not using the pipe and the trench as a sole source, and that the main function is to capture the  
74 water.

75  
76 Mr. Crouch opened the hearing to the public.

77  
78 Mr. Yaron Rachmany (11 Pennock Road) asked about the distance of the driveway to the lot  
79 line. Ms. Hastings said that it is three feet from the lot line. Mr. Rachmany said that the Town  
80 Bylaws require the distance of the driveway to be not within five feet of a lot line. Mr. Crouch  
81 said that it is a good question, but it is not the jurisdiction of the Conservation Commission.  
82 Mr. Crouch asked Mr. Rachmany if he had any wetland-related questions for the Commission.

83  
84 Mr. Rachmany said that there is a lot of water coming from the easement and that he was not  
85 sure if a 12” pipe would be adequate. Mr. Rachmany said that the Commission requested a  
86 bridge and it would be best to protect the wetland system. Mr. Rachmany quoted Ms.  
87 Hastings from the 8/24/2020 hearing, and the Agent from 1/11/2021 hearing. Mr. Rachmany  
88 said that why give up and that they [Mr. Hickey and Ms. Hastings] should give plans to  
89 Eversource. Mr. Rachmany concluded his comments by stating that the Commission is to

90 protect wetland, not to rush the decision today, and that Ashland gave them the power to  
91 protect the wetlands, and asked the Commission to think twice.

92  
93 Mr. Crouch asked Mr. Hickey where the pipe is within the easement. Ms. Hastings said that is  
94 indicated in the plans and showed the location. Mr. Crouch said that the Commission's first  
95 discussion on this was for a three-sided culvert, and for a response from Eversource.

96  
97 Mr. Rachmany spoke about deicing agents and fertilizers. Ms. Van Lancker explained that  
98 there is a requirement within the Commission's OOCs to add a statement to the deed restricting  
99 types of deicing agents and fertilizers. Mr. Rachmany said that the reality of enforcing this,  
100 and how it is enforced is that it is impossible to do so.

101  
102 Mr. Narayana asked if the plans were submitted to Eversource. Ms. Hastings said that they did  
103 and that Eversource would love to see a driveway there. Mr. Narayana said that they do not  
104 have this in writing. Mr. Hickey said that he has a development in Hopkinton along the same  
105 gas line. Mr. Hickey said that they [Eversource] do not deal with you in writing. Mr. Hickey  
106 also explained that when work starts, Eversource asks to be notified.

107  
108 Ms. Van Lancker stated that this is getting to a reasonable solution.

109  
110 Mr. Crouch asked if it would be possible for the Applicant to put a plan together showing the  
111 structure [culvert/ bridge] within the easement and bring it to Eversource. Ms. Hastings  
112 deferred to Mr. Hickey. Mr. Hickey said that they could try, but his concern is drafting the  
113 plans. Mr. Hickey said that he can send very basic, conceptual plans. Mr. Crouch said that he  
114 is not looking for final plans.

115  
116 Mr. Mark Dassoni (49 Hawthorne Road) asked about the easement. Mr. Hickey said that it has  
117 been in effect for several years. Mr. Narayana said that the area of the proposed home is  
118 landlocked, because the easement runs throughout the property.

119  
120 Mr. Crouch said that he would like to continue the hearing and explained to the Applicant that  
121 he needs to get a graphic together and to give it to Eversource. Mr. Crouch said that he is sure  
122 that they will respond quickly. Mr. Hickey said for every time that he has worked with them,  
123 they were never quick to respond.

124  
125 A motion was made by Mr. Narayana to continue the hearing to 2/8/2021, seconded by Ms.  
126 Van Lancker. Motion passed 5-0-0. (Roll call vote: KN, GT, GW, CVL, GC).

127  
128 **8:09 NOI, 58 Exchange Ashland, LLC. 16 Union Street, Lot 2, four-unit residential**  
129 **building (continued from 1/11/2021)**

130 The applicant requested a continuance.

131  
132 A motion was made by Mr. Narayana to continue the hearing to 2/22/2021, seconded by Ms.  
133 Van Lancker. Motion passed 5-0-0. (Roll call vote: KN, GT, CVL, GW, GC).

134  
135 **8:12 Extension for 95-914, Pelletier Realty Trust, 231 Pond Street, replace existing**  
136 **garage.**

137 Mr. Ray Pelletier and Ms. Donna Pelletier (Applicant/owner) were present for the discussion.

138

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

143

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

146

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

149

150 **8:16 Reissue COC 95-352, FAB Trust, Ballard Hill Estates, off of Green Street**

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

154

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

157

158 **8:20 Review Draft OOC 95-951, Nina Shopalovich, 75 Woodland Road, addition**

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

160

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

163

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

165

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

168

169 **8:29 Member Prerogative**

170 Mr. Narayana announced that February 1, 2021, will start the vaccinations for people who are  
171 75 years old and older. Mr. Narayana said that the Board of Health asked for more vaccines,  
172 and that the Department of Health has announced that. Mr. Crouch asked about the vaccines.

173

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

179

180 **8:30 Agent's Announcements**

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

183

184 **8:38 Meeting Adjournment**

185 A motion was made by Mr. Narayana, and seconded Mr. Toledo to adjourn the meeting.

186 Motion passed 5-0-0. (Roll call vote: KN, GT, GW, CVL, GC).

187

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

- 189
- Document entitled, *Agenda* dated 1/25/2021
  - 190 • Document entitled, *Meeting Minutes Ashland Conservation Commission* dated
  - 191 12/28/2020
  - 192 • Document entitled, *Meeting Minutes Ashland Conservation Commission* dated
  - 193 1/11/2021
  - 194 • Plans entitled, *Proposed House Location Plan Lot 50R- 9 Pennock Road Ashland,*
  - 195 *Massachusetts*, and dated 1/19/2021
  - 196 • Document entitled, *Ashland Special Conditions: Findings of Fact: 75 Woodland Road*
  - 197