



Town of Ashland

MASSACHUSETTS

MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
February 10, 2020

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

10
11 Absent: Gene Crouch (Chair)
12
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14 **Call to order: 7:02 P.M.**

15
16 **7:02 95-936, George Harrington, Lot 4 Harrington Drive, single family home**
17 **(continued from 1/ 23 /2020)**

18 Mr. Matthew Marro (Representative- Marro Consulting), and Ms. Deborah Harrington (realtor)
19 were present for the hearing. Mr. Marro stated that the plans were revised to show the
20 comments from the Commission, the Agent, and the Town Engineer. The revisions included a
21 report regarding the efficiency of the current culvert. The Agent stated that the report stated
22 that there is some debris within the culvert that should be removed. Mr. Marro stated that the
23 plans were revised to have a note on the plan set to remove debris from the culvert.
24

25 Ms. Van Lancker, made a motion seconded by Mr. Narayana, to close the hearing. Motion
26 passed 4-0-2. (Mr. Moulton, and Mr. Toledo abstained.)
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28 **7:07 95-938, NOI, Marissa Hannon, 40 Pond Street, proposed fence, vegetation**
29 **management, private dog park (continued for January 27, 2020)**

30 The Applicant withdrew the NOI application. The Agent said that the Applicant requested that
31 the application fees be refunded to her. The Agent said that she spoke with Town
32 Management, because the bylaw states that the fees cannot be refunded to the Applicant. The
33 Agent said there was no mechanism to issue a refund.
34

35 **7:10 Agent's Announcements**

36 Mr. Jonathan Kazarian (Applicant for an OOC File Number 95-902) was present for the
37 discussion. The OOC was issued for work at 123 Green Street. The Agent explained that an
38 after-the-fact NOI was required after the Applicant removed some plants within the Buffer
39 Zone, but out of the No Disturb Zone. The Agent said that mitigation required plantings of
40 native species within the area where vegetation was removed, and that vegetation has since
41 grown back which consists of sweet pepperbush, and blackberries. The Agent said that the
42 Applicant never got to the work, and then received a letter from the Agent which stated that his

43 OOC will expire soon. Mr. Kazarian explained that his children were born during the time
44 that the permit was issued, and was unable to get to the work. The Agent explained that there
45 is bittersweet taking over the trees in the back behind his existing fence. The Agent stated that
46 he would also like to replace the existing fence, but would need to prune back some vegetation
47 in order to install the fence.

48

49 The Commission stated that he does not need to do the plantings, but can remove the
50 bittersweet. The Commission said that that the Agent should observe conditions after one
51 growing season.

52

53 The Agent also mentioned that the OOC needs to be recorded, and that she cannot finish
54 drafting the Extension until recording information is received. The Agent said that the OOC
55 speaks to the mitigation area. Ms. Van Lancker said that the Meeting Minutes will address the
56 change in the work. Mr. Moulton said that it can be a condition of the extension.

57

58 **Mr. Narayana recused himself from the 30 Raymond Way discussion**

59

60 **7:23 Caryn and William Kane, 30 Raymond Way, deed restriction**

61 Ms. Caryn Kane, and Mr. William Kane (owners) were present for the discussion. The Agent
62 explained that the Deed Restriction has been reviewed by Town Management and changes
63 have not been made. The Commission reviewed the deed restriction.

64

65 Ms. Van Lancker made a motion, seconded by Mr. Wands to accept the Deed Restriction.
66 Motion passed 5-0-0.

67

68 **Mr. Narayana returned to the meeting**

69

70 **7:30 Executive Session pursuant to M.G.L. c. 30A, sec 21 (a)(3) to consider litigation**
71 **strategies in the matter of D. Zani First 2009 Realty Trust v. Town of Ashland et.**
72 **al. Civil Action No. 1681 CV 01770 the public discussion of which will have a**
73 **detrimental impact on the litigation position of the Board.**

74

75 Mr. Moulton made a motion to enter into Executive Session pursuant to M.G.L. c. 30A, sec 21
76 (a)(3) to consider litigation strategies in the matter of D. Zani First 2009 Realty Trust v. Town
77 of Ashland et. al. Civil Action No. 1681 CV 01770 the public discussion of which will have a
78 detrimental impact on the litigation position of the Board. The motion was seconded by Mr.
79 Wands. Roll Call Vote (Mr. Hakansson, Mr. Wands, Mr. Narayana, Mr. Toledo, Ms. Van
80 Lancker, Mr. Moulton). Motion passed 6-0-0.

81

82 **7:57 The Commission returned from Executive Session into Open Session**

83

84 **7:57 Review 95-931, Massachusetts Department of Transportation, Route 126 (Pond**
85 **Street), Wetland Replication Plan**

86 The Commission reviewed a set of replication plans that were required as part of the Order.
87 The current replication areas are within a Butterfield Drive property.

88
89 Mr. Narayana made a motion, seconded by Ms. Van Lancker to accept the replication plan.
90 Motion passed 5-0-1. (Mr. Toledo abstained).

91
92 **8:08 Review of the January 27, 2020 Meeting Minutes**

93 The Commission reviewed the Meeting Minutes.

94
95 Mr. Wands made a motion, seconded by Mr. Narayana, to accept the January 27, 2020,
96 Meeting Minutes as amended. Motion passed 6-0-0.

97
98 **8:13 Review Draft OOC, 95-936, George Harrington, Lot 4 Harrington Drive, single**
99 **family home**

100 The Commission reviewed a draft OOC for George Harrington, Lot 4 Harrington Drive. The
101 Commission stated that there should be bounds within the 25 foot No Disturb Zone, and looked
102 at the plans to determine where the bounds should be located. The Commission stated that the
103 bounds should be located across from the wetland flag numbers 102, 103, 105, 107, 201, 203,
104 208, and 210.

105
106 Mr. Narayana made a motion seconded by Mr. Toledo to approve the OOC as amended.
107 Motion passed 4:0:2 (Mr. Moulton abstained).

108
109 **8:26 Adjournment**

110 Mr. Toledo made a motion, seconded by Ms. Van Lancker to adjourn the meeting.
111 Motion passed 6-0-0.

112
113 **Documents Reviewed by the Conservation Commission on 2 / 13 / 2020**

- 114
- Conservation Commission Agenda 2/ 13 /2020
 - 115 • Document entitled, *Conservation Commission Meeting Minutes* and dated 1/ 27 / 2020
 - 116 • Plans entitled, *Site Plan/ Notice of Intent*, dated 2/ 5 / 2020
 - 117 • Document entitled, *Conservation Covenant Lot 13R Raymond Way*, not dated
 - 118 • Plans entitled, *Ashland, MA. Route 126 (Pond Street)*, Sheet Number 189 of 327