



Town of Ashland

MASSACHUSETTS

MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
April 12, 2021

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

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11 Absent: Carl Hakansson
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13 **Meeting held by Zoom**

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15 **Call to order: 7:02 P.M.**

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17 **7:02 Mr. Crouch reviewed the protocol for the meeting**

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19 **7:03 GLM Engineering, Informal Discussion, 46 West Union Street**

20 Ms. Joyce Hastings (Representative- GLM Engineering) and Mr. Marc Ruben (Potential
21 Applicant) were present for the discussion.

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23 Ms. Hastings provided a history of the site, and the previous permit that was issued, but has
24 since expired. The permit was issued in 2006. Ms. Hastings spoke about the wetland line from
25 the previous filing, and explained where it is now. Ms. Hastings said that they would like to
26 install an office building with parking, but the wetland lines have extended. Ms. Hastings
27 explained that a wall was constructed, and a building pad was installed. Ms. Hastings
28 requested that the Commission to do a site visit.

29
30 Mr. Narayana asked where they are planning on constructing the building. Ms. Hastings
31 showed the approximate location on the plans, and said that it would encroach into the 25' No
32 Disturb Zone (NDZ).

33
34 Mr. Crouch asked where the wetland line changed. Mr. Hastings explained that there is water
35 coming down between two of the property lines, and demonstrated this on the plans. Ms.
36 Hastings stated that there are some invasive plants on the site. Mr. Crouch said that there is a
37 culvert under the road there.

38
39 Mr. Narayana asked about any other areas that will be impacted or altered. Mr. Crouch said
40 that Ms. Hastings had called him, and he suggested an informal discussion. Mr. Narayana
41 asked if any changes will impact the retaining wall. Mr. Crouch said it will not, and that he
42 thought an informal discussion would be the best thing to do.

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Mr. Wands asked if it has been reflagged or surveyed. Ms. Hastings said that it was flagged in 2006, and some of the flags are still remaining, but they are old. Mr. Crouch said that it would definitely have to be reflagged. Ms. Van Lancker said that the flags should be up before an inspection is held. Mr. Crouch agreed with Ms. Van Lancker's comment.

Mr. Moulton asked if they would have to request a COC. Mr. Crouch said that they will.

Ms. Hastings explained that they are trying to get a feeling for how the Commission will review the project.

Mr. Narayana asked if the red boundary on the plan is the retaining wall. Ms. Hastings confirmed that it is. Mr. Narayana asked if the wetlands are moving toward the wall. Ms. Hastings confirmed that they are. Mr. Narayana asked if she anticipates it to increase. Ms. Hasting said that she expects it to increase.

Mr. Crouch said that the retaining wall is an existing structure, and that the wall won't change. Ms. Van Lancker said that the building could be impacted. Ms. Hastings confirmed this. Mr. Narayana said that at worse they can do replication. Mr. Crouch said that the reason he suggested this informal discussion is because of what happened at 9 Pennock Road (95-944).

Mr. Crouch said that they need to flag the wetlands, and file a NOI. Mr. Narayana asked if they will look at the site before or after the NOI filing. Mr. Toledo said that it would save some time if the Commission does the site walk before the NOI is filed. Ms. Hastings said that she would like for the Commission to go out there. Ms. Van Lancker said that they cannot have a discussion on the site visit.

Mr. Moulton explained that the NOI filing outlines what an applicant wants to do on a site, and that is the process. Mr. Moulton acknowledged that they are in front of the Commission with an informal discussion, but they will need a plan with a delineation on it. Mr. Narayana agreed with Mr. Moulton's comments.

Ms. Van Lancker said that Ms. Hastings is concerned that the building will have to be relocated. Mr. Moulton said that they have walls in place, and that the Commission permitted into the 25' NDZ under the initial NOI filing. Mr. Moulton said that he cannot remember why they permitted it. Mr. Moulton explained that the tendency is to take everything out of the 25' NDZ, but when it is previously disturbed it is taken into consideration. Mr. Moulton said that the Commission may give some latitude there, but it is not a given. Mr. Crouch explained that that is what Ms. Hastings is looking for.

Mr. Crouch asked about Stormwater Management. Ms. Hastings said that it is under the parking lot.

Ms. Hastings said that it does not seem like the Commission is inclined to do a site visit. Mr. Crouch told Ms. Hastings to get it flagged and inform the Commission when the flagging is done. Mr. Crouch said that the Commission will visit it independently.

90 **7:37 Review Draft ORAD 95-953, Town of Ashland, Mindess School, 90 Concord**
91 **Street, wetland delineation confirmation**

92 The Commission reviewed, and edited the draft ORAD for the Mindess School. Mr. Narayana
93 asked about an email he received that spoke about an older permit application. Mr. Crouch said
94 that the Commission needs to take current site conditions into consideration.

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96 Mr. Narayana made a motion, seconded by Mr. Toledo to issue the ORAD as amended. Motion
97 passed 6-0-0. (Roll call vote: KN, GT, CVL, GW, WM, GC).

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99 **7:40 Request for COC, 95-735, Sharon Tomlinson, addition**

100 Ms. Sharon Tomlinson (Owner/Applicant) was present for the discussion.

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102 The Agent stated that the work was performed in compliance with the OOC and the approved
103 plans. The Agent stated that Ms. Tomlinson is working on a document to include the deed
104 recording conditions from the OOC. The Agent said that she will hold the COC until she
105 receives the recording information, which is expected be finalized at the end of the week.

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107 Ms. Van Lancker made a motion seconded by Mr. Narayana to issue a COC. Motion passed 6-
108 0-0. (Roll call vote: KN, GT, CVL, GW, WM, GC).

109

110 **7:44 Request for COC, 95-878, Campanelli Acquisitions II, LLC. Cirrus apartments**

111 Mr. David Mackwell (Representative- Kelly Engineering) was present for the discussion.

112

113 Mr. Mackwell gave an overview of the site and the work that was performed. The Commission
114 stated that there is an upcoming development around the cirrus apartments, and expressed an
115 interest in attending a site visit with Mr. Mackwell. The Commission scheduled the inspection
116 for Sunday, April 18, 2021 at 10:00 a.m.

117

118 **7:52 Review Draft SMP 2021-01, Richard Barbieri, 10 Metcalf Ave, garage installation,**
119 **driveway, and utilities**

120 The Commission reviewed a draft SMP for 10 Metcalf Avenue.

121

122 Mr. Narayana made a motion seconded by Mr. Toledo to issue the SMP for 10 Metcalf
123 Avenue. Motion passed 6-0-0. (Roll call vote: KN, GT, GW, CVL, WM, GC).

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125 **7:57 Review Meeting Minutes 3/8/2021**

126 The Commission reviewed and edited the meeting minutes.

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128 Mr. Narayana made a motion seconded by Mr. Wands to approve the Meeting Minutes as
129 amended. Motion passed 6-0-0. (Roll call vote: KN, GT, GW, CVL, WM, GC).

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131 **8:03 Review Meeting Minutes 3/22/2021**

132 The Commission reviewed and edited the meeting minutes.

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134 Mr. Narayana made a motion seconded by Ms. Van Lancker to approve the Meeting Minutes
135 as amended. Motion passed 6-0-0. (Roll call vote: KN, GT, GW, CVL, WM, GC).

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137 **8:06 Member Prerogative**

138 Mr. Narayana asked about a violation at Metcalf Avenue. The Agent said she is bringing it
139 under Agent's Announcements.

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141 Mr. Narayana asked about 56 Hardwick Road. The Agent said that they filed a NOI with
142 eDEP, but that it is not showing up in DEP's portal. The Agent explained that she is working
143 with the Applicant and DEP to sort this out, and that a video conference is scheduled for next
144 week with the applicant.

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146 **8:27 Member Prerogative**

147 The Agent stated that DEP is moving on regulation changes to require permits to be submitted
148 through eDEP.

149
150 The Agent briefly spoke about the violation at 11 Metcalf Avenue. Mr. Bruno Garcia (owner)
151 was present:

152 Mr. Crouch said that he did a site visit and asked about the flags on the property. Mr.
153 Garcia said that the previous owner had the flags installed for the property boundary.
154 Mr. Crouch said that he needs to get a wetland delineation, and a NOI needs to be filed.

155
156 Mr. Crouch explained the wetland system there and asked if he had any plans for
157 expansion. Mr. Garcia said that the only thing he was planning on was a deck. Mr.
158 Crouch said to include that in his application. Mr. Garcia said that he can put money
159 into plantings. Mr. Crouch explained that the Commission needs a wetland delineation.

160
161 Mr. Garcia said that he took down trees, but that they were not in the 25' NDZ. Mr.
162 Crouch said that the fact that he disturbed it was an activity that required a NOI. Mr.
163 Crouch said that the Commission enforces those laws. Mr. Crouch said that Mr.
164 Garcia's house is entirely within the 100' Buffer Zone. Mr. Crouch said that he needs to
165 include in the filing, anything that he wants to do.

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167 The Commission asked about taking out invasive plants or trash. Mr. Moulton said that
168 Mr. Garcia needs to include pictures of the ground before work started.

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170 The Agent spoke about DPW's intention to maintain a basin at 18 Hardwick Road. Mr. Crouch
171 said that it is an exempt activity.

172
173 The Agent asked about 15 Tyler Lane. Mr. Wands and Mr. Narayana did a site visit there. Mr.
174 Wands said that the owner wanted to bring in a bobcat to scratch the surface of the top soil and
175 remove discarded trash from the previous owners. Mr. Wands said that it looked like he was
176 out of the 25' NDZ. The Commission discussed whether or not he should file a permit, and if
177 the Commission should waive the fees. Mr. Moulton, Mr. Toledo and Ms. Van Lancker said
178 that the owner should file a RDA, and the Commission will make a vote to waive the fees.

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180 **8:38 Meeting Adjournment**

181 A motion was made by Mr. Narayana, and seconded Mr. Toledo to adjourn the meeting.
182 Motion passed 6-0-0. (Roll call vote: KN, GT, GW, CVL, WM, GC).

183

- 184 **Documents Reviewed by the Conservation Commission on 4/12/ 2021**
- 185 • Document entitled, *Agenda* dated 4/12/2021
- 186 • Document entitled, *Attachment A*, for the Mindess School ORAD
- 187 • Plans entitled, *As-Built Plan: 14 Tyler Lane*, and dated 3/ 18/ 2021
- 188 • Document entitled, *Stormwater Management Plan* for 10 Metcalf Avenue
- 189 • Document entitled, *Meeting Minutes*, and dated 3/ 8 /2021
- 190 • Document entitled, *Meeting Minutes*, and dated 3/ 22 /2021