Meeting Minutes
Ashland Conservation Commission
April 12, 2021

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

Absent:
Carl Hakansson

Meeting held by Zoom

Call to order:  7:02 P.M.

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

7:03  GLM Engineering, Informal Discussion, 46 West Union Street
Ms. Joyce Hastings (Representative- GLM Engineering) and Mr. Marc Ruben (Potential Applicant) were present for the discussion.

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

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

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

Mr. Narayana asked about any other areas that will be impacted or altered. Mr. Crouch said that Ms. Hastings had called him, and he suggested an informal discussion. Mr. Narayana asked if any changes will impact the retaining wall. Mr. Crouch said it will not, and that he thought an informal discussion would be the best thing to do.
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. Hastings 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.
Review Draft ORAD 95-953, Town of Ashland, Mindess School, 90 Concord Street, wetland delineation confirmation

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

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

Request for COC, 95-735, Sharon Tomlinson, addition

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

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

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

Request for COC, 95-878, Campanelli Acquisitions II, LLC. Cirrus apartments

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

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

Review Draft SMP 2021-01, Richard Barbieri, 10 Metcalf Ave, garage installation, driveway, and utilities

The Commission reviewed a draft SMP for 10 Metcalf Avenue.

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

Review Meeting Minutes 3/8/2021

The Commission reviewed and edited the meeting minutes.

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

Review Meeting Minutes 3/22/2021

The Commission reviewed and edited the meeting minutes.

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

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8:06 Member Prerogative
Mr. Narayana asked about a violation at Metcalf Avenue. The Agent said she is bringing it under Agent’s Announcements.

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

8:27 Member Prerogative
The Agent stated that DEP is moving on regulation changes to require permits to be submitted through eDEP.

The Agent briefly spoke about the violation at 11 Metcalf Avenue. Mr. Bruno Garcia (owner) was present:
- Mr. Crouch said that he did a site visit and asked about the flags on the property. Mr. Garcia said that the previous owner had the flags installed for the property boundary.
- Mr. Crouch said that he needs to get a wetland delineation, and a NOI needs to be filed.
- Mr. Crouch explained the wetland system there and asked if he had any plans for expansion. Mr. Garcia said that the only thing he was planning on was a deck. Mr. Crouch said to include that in his application. Mr. Garcia said that the can put money into plantings. Mr. Crouch explained that the Commission needs a wetland delineation.
- Mr. Garcia said that he took down trees, but that they were not in the 25’ NDZ. Mr. Crouch said that the fact that he disturbed it was an activity that required a NOI. Mr. Crouch said that the Commission enforces those laws. Mr. Crouch said that Mr. Garcia’s house is entirely within the 100’ Buffer Zone. Mr. Crouch said that he needs to include in the filing, anything that he wants to do.
- The Commission asked about taking out invasive plants or trash. Mr. Moulton said that Mr. Garcia needs to include pictures of the ground before work started.

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

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

8:38 Meeting Adjournment
A motion was made by Mr. Narayana, and seconded Mr. Toledo to adjourn the meeting. Motion passed 6-0-0. (Roll call vote: KN, GT, GW, CVL, WM, GC).
Documents Reviewed by the Conservation Commission on 4/12/2021

- Document entitled, *Agenda* dated 4/12/2021
- Document entitled, *Attachment A*, for the Mindess School ORAD
- Plans entitled, *As-Built Plan: 14 Tyler Lane*, and dated 3/18/2021
- Document entitled, *Stormwater Management Plan* for 10 Metcalf Avenue