



Town of Ashland

MASSACHUSETTS

MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
April 13, 2020

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

10
11 Absent: Gene Crouch (Chair)

12
13 **Meeting held by Zoom**
14 **Call to order: 7:11 P.M.**

15
16 **7:11 Review 3/23/2020 Meeting Minutes.**
17 The Commission reviewed the Meeting Minutes.

18
19 Mr. Narayana made a motion, seconded by Ms. Van Lancker, to accept the March 23, 2020,
20 Meeting Minutes as amended. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, CVL, GW,
21 WM).

22
23 **7:12 95-849, Request for Extension, Town of Ashland, Riverwalk Trail Project**
24 Ms. Jennifer Ball (Assistant Town Manager), and William Paille (Representative-BSC Group)
25 were present for the meeting.

26
27 Ms. Ball requested to talk about both the Extension and the Request for an Amended OOC at
28 the same time. Mr. Hakansson said that these came to the Commission before, and asked why
29 it was continued. Ms. Ball stated that she wanted to have Mr. Paille present to discuss the
30 technical aspects of the project.

31
32 Ms. Van Lancker asked if the extension would grant enough time to do the work that is
33 proposed under the Amended Order of Conditions. Ms. Ball said that it will be enough time.

34
35 Mr. Narayana made a motion, seconded by Ms. Van Lancker to issue an extension to 95-849
36 for two years. Motion passed. 6-0-0. (Roll call vote: CH, KN, GT, CVL, GW, WM).

37
38 **7:15 Amended OOC 95-849, Town of Ashland, Pine Hill Road, Mill Pond Park**
39 Ms. Jennifer Ball (Assistant Town Manager), and William Paille (Representative-BSC Group)
40 were present for the hearing. The Commission reviewed plans submitted by BSC Group
41 through Screen Share.

42

43 Ms. Ball said that there are a few outstanding conditions from the Order of Conditions, which
44 requires the boat launch to be finalized. Ms. Ball stated that they are proposing to connect the
45 walkway from the parking area to the approach of the long span bridge and the canoe launch.
46 The bridge will connect to Pine Hill Road. Mr. Paille said that they are proposing to create a
47 gravel landing that will transition down to the existing grade. Mr. Paille said that stabilize
48 earth material will be used, and that the material is compacted and porous. Mr. Paille said that
49 the material will not erode. The parking lot will also be enhanced. It will need to be
50 excavated, and then a crusher run will be installed. The pathway will allow access to people
51 on a wheelchair. Granite curbing will be installed along an asphalt driveway. Stormwater will
52 be directed to the new catch basins that will be installed in Myrtle Street and Pine Hill Road.
53 The trees will remain as they are, and a meadow mix will be planted.

54
55 Mr. Moulton asked if they are in the floodplain. Mr. Paille said that floodplain is present on
56 the site. Mr. Moulton asked if the existing grades will be changed. Mr. Paille said that some
57 grading changes will remain the same and some changes will take place. Mr. Paille explained
58 these changes. Mr. Moulton asked about the flood storage. Mr. Paille said that they are
59 working on finalizing the number to determine flood storage.

60
61 Ms. Van Lancker asked about the canoe launch. The canoe launch was pointed out on the
62 screen share. Mr. Wands asked if there would be interference with a person carrying a canoe
63 from the boat launch. Mr. Paille said that we want to encourage people to use that path, which
64 is proposed to be six feet wide.

65
66 Mr. Hakansson asked if the other side of the bridge is handicapped accessible. Ms. Ball said
67 that it was not. Ms. Ball said that they are trying to make the bridge as accessible as possible.
68 Mr. Hakansson said that you can get up to the bridge but not across it. Ms. Ball confirmed this.

69
70 The Agent stated that Mill Pond Park is in the care and the custody of the Conservation
71 Commission and requested that native plantings be placed within the Park and the jurisdiction
72 of the Commission.

73
74 Mr. Moulton asked how the Commission felt about receiving revised plans to address flood
75 storage. The Commission agreed. The Agent said that she did not anticipate that the plans
76 would deviate much from what is proposed and asked if the Commission would entertain
77 submitting revised plans as part of a condition of the amendment.

78
79 Mr. Narayana made a motion, seconded by Mr. Wands to issue an Amended OOC. Motion
80 passed. 6-0-0 (Roll call vote: CH, KN, GT, CVL, GW, WM).

81
82 **Mr. Narayana recused himself from the 30 Raymond Way discussion**

83
84 **7:52 Request for COC, 95-577, Caryn and William Kane, 30 Raymond Way, Single**
85 **Family Home**

86 Ms. Caryn Kane (owner) was present for the discussion. The Agent stated that the
87 Commission should recall that the Order of Conditions was issued to the Town of Ashland for
88 a Single Family Home, and that part of the conditions was to require a CR. The Agent
89 explained that the Commission recently allowed the owner to file a Deed Restriction that

90 would run with the land in perpetuity. The Agent said that there was a condition in the OOC
91 for a replication area as well. The Agent said there was a note in the file speaking to the
92 replication area as functioning properly. The Agent said that she did an inspection and saw that
93 it was functioning as designed and recommended a Complete Certification. The Agent said
94 that there is an ongoing condition speaking to fertilizer use, and the condition should be cited
95 in the COC. The Agent said to the Commission that DEP has a Superceding OOC on it and
96 that Caryn is aware to go to DEP next. The Agent said there was no note in the file to state
97 why there was a Superceding OOC.

98
99 Mr. Hakansson made a motion, seconded by Ms. Van Lancker to issue a COC for 95-577.
100 Motion passed. 5-0-0. (Roll call vote: CH, GT, CVL, GW, WM).

101
102 **Mr. Narayana returned to the meeting.**

103
104 **7:55 Request for Extension, 95-883, Agapito Feliciano, Whittemore Estates**

105 Mr. Agapito Feliciano (Applicant), and Nic Edwards (Contractor) were present for the
106 discussion.

107
108 The Agent stated that the Commission has issued an extension previously. The Agent said that
109 work that took place is the installation of the bounds, the installation of the erosion controls,
110 and tree removal. The Agent said that she is corresponding with Mr. Feliciano and his
111 engineers to get the NOIs and SMPs for individual lots, and that is forthcoming.

112
113 Mr. Feliciano introduced himself and asked if the Commission had any questions. The
114 Commission asked how long he would like to extend the permit for. Mr. Feliciano said that he
115 would like to extend it for three years.

116
117 Mr. Narayana made a motion, seconded by Ms. Van Lancker to grant an Extension for 95-883
118 for three years. Motion passed. 6-0-0. (Roll call vote: CH, KN, GT, CVL, GW, WM).

119
120 **8:06 Warren Woods**

121 The Agent said that she would like to go over two things regarding Warren Woods. One topic
122 is the drainage and erosion from Summit Pointe (a development in Holliston), and the other
123 was the closure of Warren Woods.

124
125 Mr. Wands provided a summary of the conditions at Warren Woods as it relates to trails and
126 drainage to a Vernal Pool from Summit Pointe. Mr. Wands said that the basin at Summit
127 Pointe is not functioning properly. He also explained that the basin was addressed at one
128 point, but there is quite a bit of leakage coming from a cement wall at the base of the basin.
129 The drainage makes its way toward Jar Brook. Mr. Wands said that there was quite a bit of
130 clearing done around the basin, and that large amounts of water is coming from there.

131
132 Mr. Hakansson confirmed what Mr. Wands had said. Mr. Hakansson also stated that the
133 leakage from last year, is not the same as the leakage from this year, and that it is two different
134 spots at the base of the basin. Mr. Hakansson said that the drainage is migrating from the
135 basin to the east, and that it is like the Everglades. Mr. Toledo asked why they were allowed
136 to do this. Mr. Hakansson said that 99% of the project is in Holliston.

137 Mr. Wands brought up a concern of the water quality within the pool and stated that there are
138 eutrophic conditions now.

139
140 The Agent asked about if the vernal pool was certified, because she noticed that it was not
141 mapped. Mr. Hakansson mentioned that there were several phases, and that the previous
142 agent had worked on it and there may be something in the files on Warren Woods. Mr.
143 Hakansson brought up a concern of fertilizer usage from the homes. The Agent said she can
144 send out a letter.

145
146 The Agent asked about the boundary, and if the vernal pool was in Holliston or Ashland. Mr.
147 Hakansson said that the stone wall is the boundary of Warren Woods, and that the border
148 between Holliston and Ashland are marked further down the trail. Mr. Hakansson said that
149 Holliston is about 100 yards from the trail intersection.

150
151 The Agent said that she corresponded a site visit for 9 a.m. on Wednesday, April 15, 2020,
152 with the Holliston Conservation Agent, Ryan Clapp.

153
154 Ms. Judy Rosenthal (land steward) was present and said that she was familiar with the site and
155 can do a site walk with Mr. Clapp and the Agent. Ms. Rosenthal said that she can show Mr.
156 Clapp and the Agent the impacted trails, and the vernal pool.

157
158 The Agent said that she also wanted to understand the closure of Warren Woods and how it
159 was decided. Mr. Hakansson explained that the parking lot at Warren Woods was overflowing
160 on the weekends, after the Warren Conference Center closed their parking lot. Mr. Hakansson
161 said that he spoke with the Police Chief, because people started parking on the side of the road
162 along Chestnut Street, and Eliot Street, and started crossing the street. Mr. Hakansson
163 explained that it became a public safety concern. Mr. Hakansson suggested a vote from the
164 Commission to delineate the boundary of the parking lot, as people have been parking on the
165 grass.

166
167 Mr. Moulton revisited the discussion on the drainage issue from Summit Pointe into Warren
168 Woods. Mr. Moulton said to start with Holliston and try DEP.

169
170 **8:35 Policy Updates and Acceptance**

171 The Agent spoke about signing documents during the State of Emergency, and provided
172 examples of what other Conservation Commissions are doing in other communities. The
173 Agent said that the Town of Concord had the Commission vote to authorize the Agent to sign
174 the permits. The vote would then get signed by the Chair and a notary. Once notarized, the
175 agent signed the permit with their signature, and showed the registry Book and Page numbers
176 of the vote at the bottom of her signature.

177
178 The Agent said that the problem with this is that DEP accepts the electronic signature, but
179 needs a majority of the signatures from the Commissioners so the permit can be issued.
180 However, the Middlesex South Registry of Deeds, does not accept electronic signatures. The
181 Agent said that the Concord Agent confirmed that the registry accepted the electronic
182 signature. The Agent said that other towns have been doing what the Ashland Commission
183 has been doing, which is to sign pages in an area where the permits can be protected from

184 weather conditions. The Agent asked the Commission's preference. The Commission stated
185 that given the confusion and discrepancies from the Registry of Deeds, and the MA. DEP, they
186 would like to sign the physically sign the pages in an area protected by the weather.

187
188 The Agent explained that during the State of Emergency (as it relates to the COVID-19
189 pandemic), she mentioned that she is unable to drive around Town to drop off packets to the
190 Commission ahead of their meetings. She said that instead, she has been corresponding with
191 Applicants and telling them to submit one hard copy by mail, and to email a pdf to her. She
192 said that she spoke with Gene Crouch (Chair, absent for this meeting) about this process and he
193 agreed.

194
195 The Agent also mentioned accepting applications during the State of Emergency. The
196 Commission expressed concern about abutter input. The Commission discussed scope of
197 projects. Ms. Van Lancker said that it should not be up to the Agent to determine which
198 projects can move forward and which projects should wait until the State of Emergency is
199 lifted. Mr. Moulton said that the Commission should look at it by scope of work, and that it
200 should be on a case by case basis.

201
202 Mr. Preston Crow (Planning Board Chair) mentioned what other boards and committees are
203 doing throughout the state. Mr. Hakansson asked the Agent to speak with Peter Matchak
204 (Town Planner).

205
206 The Agent asked about scope and what hearings should be heard versus what hearings should
207 be tabled. Mr. Hakansson said that if a project triggers both the Planning Board and the
208 Conservation Commission that it should be a red flag. Mr. Toledo said that they need to look
209 at plans. Mr. Moulton asked the Agent to speak with Gene Crouch (Conservation
210 Commission Chair). Ms. Van Lancker said that replacing septic systems would be fine.

211
212 The Agent also stated that she has revised the Applicant Checklist, and the Abutter Templates
213 for submitted a filing at this time. The Agent said the abutter forms needed to be revised due
214 to meeting by Zoom, rather than by having in-person meetings. The Commission reviewed
215 these documents and Mr. Moulton asked for a motion to accept these.

216
217 Mr. Narayana made a motion, seconded by Mr. Toledo to accept the applicant checklist, and
218 the Abutter template. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, CVL, GW, WM).

219
220 **9:12 Member Prerogative**

221 Mr. Hakansson spoke about the conference call with the Agent, DEP (Kyle Lally), and himself
222 regarding the Eversource appeal. Mr. Hakansson expressed his thoughts on the call, and asked
223 the Agent what she thought. The Agent said it left her a better impression, then when the site
224 walk was held.

225
226 **9:30 Adjournment**

227 Ms. Van Lancker made a motion to adjourn the meeting, seconded by Mr. Wands to adjourn
228 the meeting. Motion passed 6-0-0. (Roll call vote: CH, KN, GT, CVL, GW, WM)

229
230 **Documents Reviewed by the Conservation Commission on 4/ 13 / 2020**

- 231 • Document entitled, *Conservation Commission Agenda* dated 4/ 13 /2020
- 232 • Document entitled *Meeting Minutes Ashland Conservation Commission* dated
- 233 3/23/2020
- 234 • Document entitled, *WPA Form 7: Extension Permit for Order of Conditions* for 95-849
- 235 Riverwalk
- 236 • Plan entitled *Downtown Streetscape Improvements* dated 3/13/2020
- 237 • Document entitled *WPA Form 8A: Request for Certificate of Compliance* by Caryn
- 238 Kane
- 239 • Document entitled, *WPA Form 7: Extension Permit for Order of Conditions* for 95-883,
- 240 Whittemore Estates, Agipato Feliciano
- 241 • Document entitled, *Conservation Applications During COVID-19 State of Emergency*
- 242 dated April 13, 2020.