



Town of Ashland

MASSACHUSETTS

MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
May 21, 2018

1
2 Present: Gene Crouch (Chair)
3 William Moulton (Vice Chair)
4 Jeff Lingham
5 Carl Hakansson
6 Cathy Van Lancker
7 Greg Wands
8
9 Maeghan Dos Anjos (Agent)

10
11 Absent: K.G. Narayana
12

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

14
15 **7:15 NOI, Town of Ashland- Town Forest Committee, 0 Oak Street, trail**
16 **improvements**

17 **Mr. Moulton recused himself.**

18
19 Cathy Rooney (Chair- Ashland Town Forest Committee), and Rob St. Germain (member of the
20 Ashland Town Forest Committee) were present for the hearing. Ms. Rooney and Mr. Germain
21 explained the project at various sites, stating that there are five locations in total. Mr. Germain
22 explained that they will have scouts perform some of the work. Ms. Rooney explained that
23 two bridges will be replaced in Location A. A wooden bridge will be added in Location B with
24 gravel ramps leading to and from it to allow bikes to cross the bridge without altering the
25 wetland. Culverts will be added in Locations C, and D. A bog bridge will be installed at
26 location E.

27
28 The Commission asked about the size of the culverts. Members of the Town Forest Committee
29 stated that it would be a four inch culvert in Location A. Mr. Crouch explained that the culvert
30 would get clogged during the spring and fall if not maintained properly. Mr. Germain stated that
31 they do maintain existing culverts and pipes on the property. The Commission asked about how
32 the bridges would be fasten to the site.

33
34 Mr. Lingham stated that the work will take place in wetlands and No Disturb Zone, but that it
35 will improve existing conditions.

36
37 Mr. Wands made a motion, seconded by Ms. Van Lancker to close the hearing. Motion passed
38 5-0-0.

39
40 The Commission discussed conditions to be added to the Order, which will include the
41 following:

- 42 • Construction of the bridges, and the placement of culverts shall take place in low flow
43 periods.
44 • The culverts shall be regularly cleaned and maintained.
45

46 The Commission explained the importance of stream continuity to prevent the culverts from
47 becoming a barricade.
48

49 **Mr. Moulton returned to the meeting.**
50

51 **8:12 Richmond Development 95-674: Encroachment Update to the Open Space**

52 Mr. Steve Hickey (Applicant, Developer), and Scott Goldsmith (owner of 38 Summit Lane) were
53 present for the discussion. The Agent explained the three encroachments along within the
54 Hillcrest Estates open space parcels. Mr. Hickey explained that Mr. Goldsmith was present,
55 whose encroachment consisted of lawn expansion, and a retaining wall (roughly 100 square feet
56 of disturbance).
57

58 Mr. Goldsmith explained that he hired a contractor to do the work. The Commission explained
59 the importance of demarcating the boundaries of open space properties to preserve such
60 properties and prevent encroachments. The Commission stressed an importance of demarcating
61 the lot lines. Mr. Hickey asked about adding a fence along the line, and planting the area behind
62 the fence that is on the open space properties.
63

64 Mr. Crouch stated that there are four options to address the retaining wall:

- 65 1. Relocate the wall to the property line of 38 Summit Lane
66 2. Rebuild the wall to gently slope it off from the lot line into the open space
67 3. Fill over the wall and create a slope.
68 4. Remove the wall.
69

70 Mr. Wands asked about whose responsibility it is to maintain the wall once the open space
71 properties are transferred to the Town.
72

73 Mr. Moulton asked if the Selectmen will accept the open space parcels with the encroachments.
74 Mr. Hakansson stated that they would likely defer to the Conservation Commission. Mr. Hickey
75 spoke about the Planning Board Covenant and its conditions relating to the open space parcels.
76

77 Mr. Crouch stated that he had no concern with the fence and plantings proposal. Mr. Goldsmith
78 asked about sloping a corner of his lot.
79

80 **8:57 Duplicate copy, OOC 95-911, Theresa Kaliszewski, 89 Warren Road, septic system**
81 **replacement**

82 Mr. Alan de Faria (owner) was present for the discussion. The Agent stated that a permit was
83 issued on the day that the property was sold and closed. The work started without holding a
84 pre-construction meeting, posting a DEP File number, and recording the Order of Conditions.
85 The Agent stated that deed recording language is required along with the bounds along the 25
86 foot No Disturb Zone.
87

88 Mr. de Faria stated that he is selling the property now and asked about the steps to receive a
89 Certificate of Compliance.

90
91 The Commission suggested that Mr. de Faria record the Order of Conditions, the required
92 statements and install the bounds along the No Disturb Zone. The Commission stated that
93 once these are done, Mr. de Faria can submit a request for Certificate of Compliance.

94
95 Ms. Van Lancker made a motion, seconded by Mr. Hakansson, to issue a duplicate OOC for 95-
96 911. Motion passed 6-0-0.

97
98 **9:11 Duplicate copy, COC, 95-366, Christopher Carr, single family home**

99 The Agent stated that a COC exists in the file, but that it references OOCs with different DEP
100 File Numbers. The Agent was unsure why.

101
102 The Commission asked the Agent to look into the referenced files for the next meeting.

103
104 **9:11 Review of the May 7, 2018, Meeting Minutes**

105 Ms. Van Lancker made a motion, seconded by Mr. Hakansson to accept the May 7, 2018,
106 Meeting Minutes as amended. Motion passed 6-0-0.

107
108 **9:21 Review of the May 7, 2018, Executive Session Meeting Minutes**

109 Ms. Van Lancker made a motion, seconded by Mr. Wands to accept the May 7, 2018,
110 Executive Session Meeting Minutes as amended. Motion passed 6-0-0.

111
112 **9:23 Conservation Land Inventory- Review and Approve Section 05: Procedures and**
113 **Protocols for Town Staff, and Town Volunteers**

114 The Commission reviewed Section 05 of the Inventory. The Commission made some edits and
115 told the Agent to refer to any bylaws that may deal with open space in Town. The Commission
116 asked for the Environmental Police to handle hunting violations within Conservation Lands.

117
118 **9:36 Warren Woods Bird Survey**

119 The Agent stated that Dr. Van Roo submitted the results from the bird study from January-
120 May 2018.

121
122 **9:40 Executive Session pursuant to M.G.L. c. 30A, sec 21 (a)(3) to consider litigation**
123 **strategies in the matter of D. Zani First 2009 Realty Trust v. Town of Ashland et.**
124 **al. Civil Action No. 1681 CV 01770 the public discussion of which will have a detrimental**
125 **impact on the litigation position of the Board.**

126 Ms. Van Lancker made a motion seconded by Mr. Wands, to enter into Executive Session
127 pursuant to M.G.L. c. 30A, sec 21 (a)(3) to consider litigation strategies in the matter of D.
128 Zani First 2009 Realty Trust v. Town of Ashland et. al. Civil Action No. 1681 CV 01770 the
129 public discussion of which will have a detrimental impact on the litigation position of the
130 Board, and to enter back into open session upon the conclusion of Executive Session.

131
132 Roll Call Vote (Carl Hakansson, Gregory Wands, Jeffrey Lingham, Cathy Van Lancker,
133 William Moulton, Gene Crouch). Motion passed 6-0-0.

134

135 **9:43 The Commission returned from Executive Session**

136

137 **Documents Reviewed by the Conservation Commission on 5/21/2018**

- 138 • Conservation Commission Agenda 05-21-2018
- 139 • Conservation Commission Meeting Minutes 05-07-2018
- 140 • Conservation Commission Meeting Minutes Executive Session 05-07-2018
- 141 • NOI application and supporting documents for Town Forest Committee, 0 Oak Street
- 142 • File folder, 95-366, Christopher Carr, single family home
- 143 • OOC Signature Page, 95-911, Theresa Kaliszewski, septic system replacement
- 144 • Document, entitled "*May 7, 2018 Meeting Minutes*"
- 145 • Document, entitled "*May 7, 2018 Executive Session Meeting Minutes*"
- 146 • Document, entitled "*Section 05: Procedures and Protocols for Town Staff and Town*
- 147 *Volunteers*"

148

149 **Sign Documents:**

150 OOC Duplicate Copy 95-911, Theresa Kaliszewski, septic system replacement

151

152 **9:50 Adjournment**

153 Ms. Van Lancker made a motion, seconded by Mr. Moulton to adjourn the meeting.

154 Motion passed 6-0-0.