



# Town of Ashland

MASSACHUSETTS

MEETING MINUTES  
ASHLAND CONSERVATION COMMISSION  
July 8, 2019

- 1  
2 Present: Gene Crouch (Chair) (entered at 7:52 p.m.)  
3 William Moulton (Vice Chair)  
4 Carl Hakansson  
5 Cathy Van Lancker  
6 Greg Wands  
7  
8 Maeghan Dos Anjos (Agent)  
9  
10 Absent: Jeff Lingham  
11 K.G. Narayana  
12  
13

14 **Call to order: 7:10 P.M.**

15  
16 **7:07 Review of the June 24, 2019, Meeting Minutes**

17 The Commission reviewed the Meeting Minutes from June 24, 2019.  
18

19 Mr. Wands made a motion, seconded by Ms. Van Lancker, to accept the June 24, 2019,  
20 Meeting Minutes as amended. Motion passed 4-0-0.  
21

22 **7:10 RDA, Town of Ashland- Upper Charles Trail Committee, trail maintenance**  
23 **(continued from 6/10/2019)**

24 The meeting was tabled as no quorum was present.  
25

26 **7:20 Duplicate copy of COC, 95-206, Andy Schwartz, 208 Prospect Street**

27 The Agent stated that a COC was issued for the Order of Conditions, but the COC was never  
28 recorded. Mr. Schwartz requested a duplicate copy to be recorded at the Registry of Deeds.  
29

30 Ms. Van Lancker made a motion seconded by Mr. Wands to issue a duplicate COC. Motion  
31 passed 4-0-0.  
32

33 **7:25 Agent Announcements**

34 The Agent stated that that an applicant asked about amending an Order of Conditions (95-841  
35 Robert Hill Way) to remove a condition regarding blasting near an isolated vegetated wetland.  
36 The Agent asked if the Commission recalled the reasoning, and if the Commission would  
37 entertain an amendment to remove that condition. The Commission provided a brief history to  
38 the best of their knowledge, and stated that they would not issue an Amendment Order of  
39 Conditions to remove that condition.  
40

41 **7:27 NOI, Francis Venuto, 93 Nickerson Road, storage facilities, continued from**  
42 **6/24/2019**

43 Francis Venuto (Applicant) was present, however, his representative was not present. The  
44 Agent spoke about the comments that she issued, and that the comments were responded to by  
45 the Applicant's representative. The Commission tabled the hearing to the end of the meeting.  
46

47 **7:43 Discussion, 95- 893, Nadine and Brett Abigana, 28 Old Central Turnpike,**  
48 **clarification on permit**

49 Nadine and Brett Abigana (Owners and Applicants) were present for the discussion.  
50

51 The Agent spoke about an Order of Conditions (95-893) that was an after- the-fact permit for  
52 28 Old Central Turnpike. The Agent stated that there were some discrepancies from the Order  
53 of Conditions, the approved plans, and the cover letter that was sent to the Applicant when the  
54 OOC was mailed to them.  
55

56 Mr. Abigana stated that there was an above ground pool in the backyard that was removed  
57 when 28 Old Central Turnpike was placed on the market. He stated that they were trying to  
58 put grass in that area. The Agent stated that she confirmed that there was a pool in the  
59 backyard given previous aerial photographs. The Agent said she arrived on scene and it had  
60 looked like they were doing grading and other work, and it wasn't until a recent meeting with  
61 the Abigana's that it was just meant for hydro seeding.  
62

63 Mr. Abigana further stated that when they got a plan for the mitigation area, the plants were for  
64 a full sun area on a slope. However, when the OOC was issued, the Commission asked to  
65 move the replication area into the No Disturb zone. The Agent and Mr. Abigana confirmed  
66 that no work had taken place in the NDZ. The Agent stated that the area is now stabilized.  
67

68 At the Agent's recommendation, the Applicant requested a discussion to clarify the OOC and  
69 the work. The Agent asked the Commission if the Applicant needs to do the mitigation area.  
70

71 Mr. Moulton made a motion seconded by Mr. Hakansson that the Commission does not require  
72 the Applicant to do the plantings on the site. Motion passed 4-0-1 (Mr. Crouch abstained).  
73

74 **7:59 NOI, Francis Venuto, 93 Nickerson Road, storage facilities, continued from earlier**

75 Francis Venuto (Applicant) was present for the hearing, but the representative had not yet  
76 arrived. The Commission stated that they previously issued a permit for the other warehouses.  
77 Mr. Hakansson stated that to be fair to the Applicant, last time the Commission held the  
78 hearing (June 24, 2019) the Commission only requested a file number to be issued from DEP,  
79 and for some changes to be made to the plans.  
80

81 The Agent requested that the O&M Plan be revised according to her comments. The Agent  
82 also revisited her comments and stated which ones are open and which ones have been issued.  
83

84 Mr. Moulton made motion, seconded by Mr. Hakansson to continue the hearing to July 22,  
85 2019. Motion passed 5-0-0.  
86

87 **8:22 RDA, Town of Ashland- Upper Charles Trail Committee, trail maintenance**  
88 **(continued from earlier)**  
89

90 **Mr. Wands recused himself from the meeting**  
91 Tony Lewis, and Matthew Marsquist (members of the Upper Charles Trail Committee) were  
92 present for the meeting. Mr. Hakansson stated that the maintenance work is done. Mr.  
93 Hakansson and Mr. Crouch had done an inspection and spoke to an abutting owner, and that  
94 owner had stated that a landscape company did some vegetation removal. Mr. Hakansson  
95 suspected that it may have to do with Eversource and the Citizens Solar Project (95-919). Mr.  
96 Crouch stated that the work area did not appear to impact the wetlands.

97  
98 Mr. Moulton had asked about the clearing in relation to height and width.  
99

100 Mr. Moulton made a motion, seconded by Ms. Van Lancker to issue a Negative 3 DOA. Motion  
101 passed 4-0-0.

102  
103 **Mr. Wands returned to the meeting.**

104  
105  
106 **8:37** (Mr. Dale MacKinnon Representative for 96 Nickerson Road had arrived, but the  
107 Applicant left. The Commission provided an update of the hearing. Mr. MacKinnon apologized  
108 for his tardiness as the computers had crashed. )

109  
110  
111 **8:40 NOI, Department of Conservation and Recreation, 274 Howe Street, dam**  
112 **maintenance work (continued from 6/10/2019)**

113  
114 **Mr. Moulton recused himself from the meeting.**  
115 Mr. Jonathan Andrews (Representative- GZA, GeoEnvironmental, Inc.) was present for the  
116 hearing. Mr. Andrews briefly explained that the work is necessary to bring the dam into  
117 compliance with Dam Safety Regulations. Mr. Andrews defined terminology, and described  
118 the work. He also passed around photos to the members of the Conservation Commission.

119  
120 Mr. Andrews stated that trees need to be removed near the dam, and stumps will remain intact.  
121 In addition rip rap will be restored in existing areas. A turbidity curtain will be placed when  
122 work will be performed to repaint the outlet. Mr. Andrews further explained that smaller  
123 stones will be used to fill in the gaps within the training walls. In addition, an ADA compliant  
124 pedestrian bridge will replace an existing bridge, and a footpath along the dam will be restored.  
125 Mr. Andrews also described the repainting of the spillway and that it would take place after  
126 Labor Day.

127  
128 Ms. Van Lancker asked about the vegetation to be removed.

129  
130 The Agent stated that the file number has been issued as 95-928.

131  
132 Mr. Andrews also stated that in addition to a turbidity curtain, a sandbag berm will also be  
133 used.

134  
135 Mr. Crouch clarified a few points. Mr. Wands asked about how the spill way gets repointed,  
136 and Mr. Andrews replied.

137 The Agent spoke about her comments and that they had been addressed.

138

139 Ms. Van Lancker, made a motion, seconded by Mr. Wands to close the hearing to August 12,  
140 2019. Motion passed 4-0-0.

141

142 **Mr. Moulton returned to the meeting.**

143

144 **9:29 Executive Session pursuant to M.G.L. c. 30A, sec 21 (a)(3) to consider strategies in**  
145 **the matter of DEP Decision regarding 0 Tri Street the public discussion of which**  
146 **will have a detrimental impact on the litigation position of the Board.**

147

148 The Chair made a motion, seconded by Mr. Hakansson, to enter into Executive Session  
149 pursuant to M.G.L. c. 30A, sec 21 (a) (3) to consider strategies in the Matter of DEP Decision  
150 regarding 0 Tri Street the public discussion of which will have a detrimental impact on the  
151 litigation position of the Board, and to enter back into open session upon the conclusion of  
152 Executive Session.

153

154 Roll Call Vote (Mr. Hakansson, Mr. Wands, Ms. Van Lancker, Mr. Moulton, Mr. Crouch).  
155 Motion passed 5-0-0.

156

157 **9:58 The Commission returned from Executive Session**

158

159 **9:58 Sign Documents**

160 COC Duplicate copy, 95-206, Andy Schwartz, 208 Prospect Street

161 DOA Town of Ashland- Upper Charles Trail Committee, trail maintenance

162

163 **10:00 Adjournment**

164 Mr. Wands made a motion, seconded by Ms. Van Lancker to adjourn the meeting.

165 Motion passed 5-0-0.

166

167 **Documents Reviewed by the Conservation Commission on 7 / 8 / 2019**

- 168 • Conservation Commission Agenda 7-8-2019
- 169 • Document entitled, *Meeting Minutes 6/24/2019*
- 170 • RDA filing submitted by Town of Ashland/ Upper Charles Trail Committee
- 171 • NOI filing, submitted by Guerriere and Halnon
- 172 • Document entitled, *Notice of Intent 96 Nickerson Road, Ashland Massachusetts*  
173 *(response to comments) and dated July 3, 2019*
- 174 • NOI filing, submitted by GZA, GeoEnvironmental Inc.
- 175 • Plans entitled, *Hopkinton Reservoir Dam Maintenance Project*, and dated April 2019.
- 176 • Document submitted by Conservation Agent, and entitled *Comments on NOI for 274*  
177 *Howe Street* and dated May 24, 2019.
- 178 • Photographs submitted by GZA, GeoEnvironmental Inc.,
- 179 • Document submitted by GZA, GeoEnvironmental, Inc, entitled *Response to*  
180 *Conservation Agent Comments on NOI for Hopkinton Reservoir Dam Maintenance*  
181 *Project Hopkinton State Park* and dated July 8, 2019.