Present: Gene Crouch (Chair) (entered at 7:52 p.m.)
William Moulton (Vice Chair)
Carl Hakansson
Cathy Van Lancker
Greg Wands
Maeghan Dos Anjos (Agent)

Absent: Jeff Lingham
K.G. Narayana

Call to order: 7:10 P.M.

7:07 Review of the June 24, 2019, Meeting Minutes
The Commission reviewed the Meeting Minutes from June 24, 2019.
Mr. Wands made a motion, seconded by Ms. Van Lancker, to accept the June 24, 2019, Meeting Minutes as amended. Motion passed 4-0-0.

7:10 RDA, Town of Ashland- Upper Charles Trail Committee, trail maintenance
(continued from 6/10/2019)
The meeting was tabled as no quorum was present.

7:20 Duplicate copy of COC, 95-206, Andy Schwartz, 208 Prospect Street
The Agent stated that a COC was issued for the Order of Conditions, but the COC was never recorded. Mr. Schwartz requested a duplicate copy to be recorded at the Registry of Deeds.
Ms. Van Lancker made a motion seconded by Mr. Wands to issue a duplicate COC. Motion passed 4-0-0.

7:25 Agent Announcements
The Agent stated that that an applicant asked about amending an Order of Conditions (95-841 Robert Hill Way) to remove a condition regarding blasting near an isolated vegetated wetland.
The Agent asked if the Commission recalled the reasoning, and if the Commission would entertain an amendment to remove that condition. The Commission provided a brief history to the best of their knowledge, and stated that they would not issue an Amendment Order of Conditions to remove that condition.

7:27 NOI, Francis Venuto, 93 Nickerson Road, storage facilities, continued from 6/24/2019
Francis Venuto (Applicant) was present, however, his representative was not present. The Agent spoke about the comments that she issued, and that the comments were responded to by the Applicant’s representative. The Commission tabled the hearing to the end of the meeting.

7:43 Discussion, 95-893, Nadine and Brett Abigana, 28 Old Central Turnpike, clarification on permit
Nadine and Brett Abigana (Owners and Applicants) were present for the discussion.

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

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

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

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

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

7:59 NOI, Francis Venuto, 93 Nickerson Road, storage facilities, continued from earlier
Francis Venuto (Applicant) was present for the hearing, but the representative had not yet arrived. The Commission stated that they previously issued a permit for the other warehouses. Mr. Hakansson stated that to be fair to the Applicant, last time the Commission held the hearing (June 24, 2019) the Commission only requested a file number to be issued from DEP, and for some changes to be made to the plans.

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

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

8:22 RDA, Town of Ashland- Upper Charles Trail Committee, trail maintenance (continued from earlier)
Mr. Wands recused himself from the meeting

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

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

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

Mr. Wands returned to the meeting.

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

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

Mr. Moulton recused himself from the meeting.

Mr. Jonathan Andrews (Representative- GZA, GeoEnvironmental, Inc.) was present for the hearing. Mr. Andrews briefly explained that the work is necessary to bring the dam into compliance with Dam Safety Regulations. Mr. Andrews defined terminology, and described the work. He also passed around photos to the members of the Conservation Commission.

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

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

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

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

Mr. Crouch clarified a few points. Mr. Wands asked about how the spill way gets repointed, and Mr. Andrews replied.
The Agent spoke about her comments and that they had been addressed.

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

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

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

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

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

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

**9:58 Sign Documents**

- COC  Duplicate copy, 95-206, Andy Schwartz, 208 Prospect Street
- DOA  Town of Ashland- Upper Charles Trail Committee, trail maintenance

**10:00 Adjournment**

Mr. Wands made a motion, seconded by Ms. Van Lancker to adjourn the meeting. Motion passed 5-0-0.

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

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