



Town of Ashland

MASSACHUSETTS

MEETING MINUTES
ASHLAND CONSERVATION COMMISSION
October 29, 2018

1
2 Present: Gene Crouch (Chair)
3 William Moulton (Vice Chair)
4 Carl Hakansson (entered at 8:20)
5 Jeff Lingham
6 K. G. Narayana
7 Cathy Van Lancker
8 Greg Wands
9
10 Maeghan Dos Anjos (Agent)
11
12

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

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15 **7:04 Review of the October 15, 2018, Meeting Minutes**

16 Mr. Lingham requested that minutes be done a week after the meeting to give time for the
17 Commission to review them prior to the meeting.
18

19 The Commission stated that the review of the Notice of Completion for 30 Riverview Drive
20 should be added to the minutes. It should be noted that the Notice of Completion was signed
21 on October 16, 2018.
22

23 Mr. Narayana made a motion, seconded by Mr. Lingham to accept the October 15, 2018,
24 Meeting Minutes as amended. Motion passed 5-0-1. Mr. Moulton abstained.
25

26 **7:16 Discussion, Stormwater Advisory Committee, proposed Fall Town Meeting**
27 **Warrant Article regarding an enterprise fund for stormwater**

28 Mr. Robert St. Germain (Stormwater Advisory Committee Chair) was present for the meeting.
29 He had handed out small rubber ducks before the meeting had started. Mr. St. Germain stated
30 that compliance with the Municipal Separate Storm Sewer Systems (MS4) regulations requires
31 funding and he is looking for support on the establishment of an enterprise fund for
32 stormwater.
33

34 Mr. St. Germain stated that the primary charge of the Stormwater Advisory Committee was to
35 find a funding source for the MS4 permit. He stated that the Committee has looked at options,
36 and met with Town staff. The Committee's understanding from meetings and research is that
37 there is no room in the general fund for MS4 compliance. The Committee has concluded that
38 a sustainable source would be needed to fund compliance with the MS4 permit. Mr. St.
39 Germain stated that a presentation was given at the May Town Meeting to help people better
40 understand the difference between storm and sewer drains. Mr. St. Germain stated that the
41 Town has since contracted with Fuss & O'Neill, as a consultant [for MS4 Guidance].
42

43 Mr. St. Germain explained current expenditures and the current budget on stormwater. He also
44 explained a brief history of the Stormwater Advisory Committee, the history of Compliance
45 and the fines that EPA could issue. He also explained that the 2016 MS4 permit is stricter than
46 the previous (2003) permit. He explained that more testing and reporting is mandated under the
47 2016 permit.

48
49 The Stormwater Advisory Committee supports Doug Small (Department of Public Works
50 director). He explained that Think Blue, Massachusetts program and the purpose of the rubber
51 ducks. He further explained that the Commission would see more rubber ducks leading up to
52 Town Meeting.

53
54 Mr. St. Germain stated that there are five enterprise funds in Town. The warrant would be to
55 approve the Enterprise Fund for stormwater and the rate would be decided by the Board of
56 Selectmen.

57
58 Mr. St. Germain spoke about Waushakum Pond. Mr. Lingham clarified the watersheds in
59 Ashland.

60
61 Mr. St. Germain stated that to meet compliance the cost would be \$250,000- \$300,000 per year
62 over the course of the MS4 permit, and that that fee could be covered at a flat rate of \$40.00
63 per year. Mr. Lingham stated that if it gets the Town of Ashland in compliance with the EPA,
64 that it is affordable. The Commission asked about rates for duplexes and other properties.
65 Mr. St Germain stated that he could forward the sheets that were drafted for the rate structure.

66
67 Mr. Lingham stated that the enterprise fund makes the use of fees accountable. Mr. St.
68 Germain stated that over the next few years, joint meetings will be necessary to determine what
69 needs to be done and if bylaws are sufficient to meet the MS4 regulations.

70
71 Mr. Crouch stated asked if all landowners will pay. Mr. St. Germain stated that all landowners
72 will pay their fair share.

73
74 Mr. Lingham made a motion, seconded by Mr. Narayana, to support the Stormwater Advisory
75 Committee in the creation of the enterprise fund. Motion passed 5-0-0

76
77 **7:45 NOI, Antonio Silva, 20 Mulhall Drive, after-the-fact permit fir drainage**
78 **improvements**

79 Mr. Gene Crouch recused himself from the hearing.

80
81 Mr. Antonio Silva (Applicant/Owner) and Ms. Susan McArthur (Wetland Scientist-
82 Representative) were present for the hearing.

83
84 Ms. McArthur stated that Mr. Silva bought the property in December 2017, and had not
85 noticed water in the basement of the single family home. The basement took on water in the
86 spring and summer so he drilled a hole in the concrete of his basement to install a sump pump.
87 A drain line was added on the side of the house and outlet to a pit that was excavated. The pit
88 was 18 feet by 22 feet and about three feet deep. However, it is already filled with the water

89 from the sump pump. The work was done in the floodplain and the 25 foot no Disturb Zone.
90 Ms. McArthur stated that it was excavated in a previously disturbed grass area.

91
92 Mr. Moulton stated that the groundwater is high in that area given the proximity near the
93 wetlands. Ms. McArthur stated that they are thinking about draining the water toward the
94 lower part of the lot located in the front corner of the property, and drain some of it toward the
95 excavated pit which will be turned into a french drain.

96
97 Ms. McArthur stated that the work also included the expansion of a driveway, by a width of 11
98 feet.

99
100 Mr. Lingham stated that she would need to get elevations on water versus the cellar floor. He
101 also stated that elevations should be recorded at the basement window, inside the cellar floor, if
102 the floor is above the groundwater level. Mr. Lingham stated that the hole will need to be
103 plugged. Mr. Silva stated that he made window wells, and did a french drain, which created
104 more water in the basement.

105
106 The Commission and Ms. McArthur discussed a few options for drainage improvements and
107 requested revised plans.

108
109 Mr. Lingham made a motion, seconded by Ms. Van Lancker, to continue the hearing to
110 November 5, 2018. Motion passed 5-0-0.

111
112 **8:07 Discussion, David Butenas, 40 Cherry Street, to see if a SMP is required for**
113 **proposed work**

114 Mr. David Butenas and Isabel Perez (Property Owners and Applicants) were present for the
115 discussion. Mr. David Faist (McClure Engineering- Representative) was also present for the
116 discussion.

117
118 The Agent stated that they were required to file a Stormwater Management Permit under the
119 local stormwater regulations, when a Site Plan Review was filed for a change of use.

120
121 Mr. McClure explained that the Applicants live in the home currently. He also explained that
122 the Applicants are using an existing commercial building in back for the proposed Ashland
123 Brew House. The consultant stated that they will improve downtown parking, and stormwater
124 management systems per the Site Plan Review process. Mr. McClure stated that they will be
125 doing a solarium in back that would consist of 1,475 square feet to use as outdoor space. He
126 stated that there are no wetlands or other resource areas on site.

127
128 There is a leaching catch basin in the Town Hall parking lot and that there is no way to connect
129 stormwater drainage. He stated that raised beds are proposed for stormwater mitigation.

130
131 The Commission asked about the provisions of the Waiver Request. Mr. Crouch read section
132 6.2 of the Stormwater Regulations. Mr. Moulton stated that he felt comfortable with assigning
133 this project to the Planning Board. Mr. Hakansson asked about infiltration on the project. Mr.
134 McClure stated that no chambers are proposed.

135

136 Mr. Butenas explained the process with the Planning Board and how it triggered a Stormwater
137 Management Permit.

138

139 Mr. Lingham stated that he was okay with a waiver from the Stormwater Management Permit.
140 Mr. Moulton stated that the discussion needed to be posted as a hearing. The Agent stated that
141 the hearing can be posted to November 19, 2018, and apologized to the applicant's for the mix-
142 up of a hearing versus a discussion.

143

144 **8:33 Member Prerogative**

145 Ms. Van Lancker spoke about the Community Preservation Committee. Ms. Van Lancker
146 mentioned the housing trust for affordable housing and that they are asking for funds.

147

148 **8:37 Executive Session pursuant to M.G.L. c. 30A, sec 21 (a)(3) to consider strategies in**
149 **the matter of DEP Decision regarding 0 Tri Street the public discussion of which will**
150 **have a detrimental impact on the litigation position of the Board.**

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

156

157 Roll Call Vote (Jeff Lingham, K.G. Narayana, Greg Wands, Carl Hakansson, Cathy Van
158 Lancker, William Moulton, Gene Crouch). Motion passed 7-0-0.

159

160 **9:17 The Commission returned from Executive Session**

161

162 **Note: no documents were signed at this meeting**

163

164 **Documents Reviewed by the Conservation Commission on 10/29/2018**

165

- 166 • Conservation Commission Agenda 10-29-2018
- 167 • Document entitled, *Meeting Minutes Ashland Conservation Commission October 15,*
168 *2018*
- 169 • NOI Application for Antonio Silva, 20 Mulhall Drive
- 170 • Site plans entitled, *Antonio Leite da Silva, 20 Mulhall Drive Ashland, MA,* and dated
171 November 10, 2017
- 172 • Letter from McClure Engineering, Inc. entitled, *Stormwater Management Permit*
173 *Waiver Request Proposed 'Ashland Brew-Café' #40 Cherry Street, Ashland, MA.*
174 *01721,* and dated October 23, 2018
- 175 • Site plans entitled, *Proposed 'Ashland Brew-Café' Concept Plan #40 Cherry Street,*
176 *Ashland, MA. 01721* with a revision date of 10/23/2018

176

177 **9:17 Adjournment**

178 Mr. Hakansson made a motion, seconded by Mr. Moulton to adjourn the meeting.

179 Motion passed 7-0-0.