



Town of Ashland

M A S S A C H U S E T T S

Planning Board Meeting Minutes

Remote via Zoom Video Conferencing

January 12, 2023, at 7:15 PM

Minutes Approved March 23, 2023

Present: Tricia Kendall, Chair
Anna Tesmenitsky, Vice-Chair
Catherine Jurczyk, Clerk
Marcelo Arjona, Member
Deepa Venkat, Member
Kevin McClean, Associate Member

Others: Peter Matchak, Town Planner
Cathy Rooney, DRC

Call to Order

Tricia Kendall called the meeting to order at 7:15 pm, mentioned that the session was being recorded and broadcast, and reviewed the meeting agenda.

Clerk's Report

Catherine Jurczyk, the Planning Board Clerk, provided an update on the Clerk's report.

Public Hearings

301 Pond Street Special Permit and Site Plan Review – Reopening of Public Hearing.

Remy Schneider, representing Winn Development, requested a continuance until February 9, 2023.

Ms. Tesmenitsky stated that she is a direct abutter of 301 Pond St.

Ms. Jurczyk motioned to continue the 301 Pond St. Special Permit and Site Plan until February 9, 2023. Mr. Arjona seconded the motion. Venkat-aye, Tesmenitsky-abstain, Jurczyk-aye, Arjona-aye, and Kendall-aye; vote of 4-0-1.

Mr. Matchak confirmed that due to the time the application has been pending, it would be readvertised, and the abutters would be notified again.

9-49 Homer Avenue Site Plan and Special Permit

Mr. Matchak read the public notice to open the 9-49 Homer Ave. hearing. He noted a typo on the agenda concerning the address that would be corrected.

Ms. Kendall explained that no public comments would be taken this evening due to the full agenda and given that this was the applicant's first presentation and there would be future opportunities for public comments. However, she said comments could be emailed to the Planning Office.

Terry Morris, the attorney representing the applicant, WJK Homer LLC, reviewed aerial photos of the site, including three lots and several existing buildings across from the former train station. He said the proposed development would have a three-story structure with 29 residential units and 65 parking spaces, 41 subsurface, and 24 surface spaces.

Ron Bourque, the project architect, said that commercial space is planned for the Homer St. side of the building, the residential space on Alden St., and a pocket park and public amenities. Mr. Bourque

described the second-floor residential-style townhomes and green space. He stressed the reduction of flat roof areas and the incorporation of green living space. Mr. Bourque reviewed renderings of the building's front, back, and side elevations and the high-level landscape plan.

Julian Salvucci, the landscape designer, reviewed his concept for the development and detailed the various green elements and plant species that would be used on the lot's surface and the green roof.

The board members provided initial comments regarding information they would expect the applicant to provide. Ms. Tesmenitsky asked for more details on how development will meet the intent of the bylaw and integrate with the surrounding existing or historical buildings. Mr. Arjona mentioned the site's challenging geographic area. He wanted to ensure that the development's design of the edge of the street would be entirely consistent with recent improvements to the downtown streetscape and design elements that the Design Review Committee (DRC) would likely address. Ms. Jurczyk was disappointed that the application materials were not provided for review ahead of the meeting. She felt the economic development aspects would have to be examined and asked for more information regarding the inclusion of compact parking spaces. Mr. McClean asked for more details concerning the proposed frontage and the parking plan. Ms. Kendall asked for information about sustainability features in line with the checklist and an affordable component.

Ms. Tesmenitsky motioned to continue the 9-49 Homer St. Special Permit and Site Plan Review until January 26, 2023, at 7:15 pm. Ms. Jurczyk seconded the motion. Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, and Kendall-aye; vote of 5-0-0.

399 Union Street Site Plan Review

Ms. Kendall noted that the application is for a Starbucks in Walgreens' previously occupied space.

Mr. Matchak reported that the applicant had provided pictures of completed Starbucks buildings for the board's review. He also said the applicant indicated they would work with the town regarding a "Welcome to Ashland" sign to be installed in the area. They submitted an updated lighting plan and confirmed that the hours of operations would be 5:00 am to 11:00 pm daily. He noted that the Planning Office received a letter from an abutter, the Romanos. Mr. Matchak reviewed the revised site plan and the photos of the Starbucks in Easton and Foxborough, MA.

Jerry Effren, the attorney representing the applicant, said the applicant had submitted all requested information.

Ms. Jurczyk stated several questions and concerns regarding the project, including the queue, the impact on the abutters, the O&M Plan review by the Conservation Commission (ConCom), and a letter submitted by an abutter concerning landscaping at the pavilion.

Ms. Tesmenitsky cited the Site Plan Review criteria and bylaw that the board needs to consider. There was a discussion regarding the potential drive-thru noise, increased traffic, and adding landscaping to the pavilion area to mitigate the impact on the abutters.

Scott Rogers, the design engineer from JK Homes & Engineering, reported that the O&M Plan was submitted to ConCom, the requested bollards were added, and the queuing plan was updated. All comments from the third-party consultant GCG and Mueller Associates were accepted. He talked about the steps taken with ConCom to resolve the outstanding issues concerning the stormwater and draining system identified in 2002 by reducing the size of the building and the system cleaned and inspected.

Mr. Rogers displayed the site renderings dated 9/27/22. The board questioned the building's proposed generic façade and finishings not in line with the enhanced design that they expected for the Ashland location. Mr. Rogers reminded the board that a local developer owns the site, not Starbucks; therefore, resources are not extensive, as Starbucks is the tenant in this case.

Cathy Rooney, the DRC Chair, rebutted an earlier comment that implied the DRC was fully satisfied with the recent Site Plan modifications. She noted comments the DRC provided the applicant that had

yet to be addressed, such as installing eco-grass and additional trees in the apex triangle and providing renderings showing the building as vehicles approach from the west on Rte. 135. Ms. Kendall added that the Union St. elevation is critical and should have a front façade with character. She recommended continuing the hearing to provide the applicant time to consider these comments and the changes the direct abutters requested, and the applicant agreed to them.

Ms. Kendall allowed two brief comments from the public.

Town Manager Michael Herbert asked the applicant if enough information and specific direction were provided regarding the design to provide a complete response. The applicant responded no. Mr. Arjona summarized that the building needs to be attractive on three sides, not two.

Chris Gazard, 21 Park Rd, asked about the traffic plan and questioned whether the proposed three exits and one entrance to the site would result in safety issues. Ms. Kendall responded that a third-party traffic engineer reviewed the traffic plan.

Ms. Jurczyk motioned to continue the 399 Union St. Site Plan Review hearing until January 26, 2023. Ms. Tesmenitsky seconded the motion. Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, and Kendall-aye; vote of 5-0-0.

34 Albert Ray Drive Special Permit – T-Mobile

Mr. Matchak read the public notice to open the 34 Albert Ray Dr. Special Permit public hearing concerning the proposed installation of 5G-capable equipment by T-Mobile. He noted that the notice was sent to abutters in both Ashland and Framingham.

Tim Green, representing T-Mobile and Crown Castle, the owner of the tower. Mr. Green explained that T-Mobile is one of the four carriers with antennas mounted on the 100 ft. tower. T-Mobile's antennas are second from the top at 94 ft. The existing six antennas will be replaced with 9 5G capable equipment.

Ms. Kendall opened the meeting for public comments. There were none.

Ms. Jurczyk motioned to approve the 34 Albert Ray Dr. Special Permit for T-Mobile. Ms. Tesmenitsky seconded the motion. Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, and Kendall-aye; vote of 5-0-0.

"Village at Clocktown" Preliminary Subdivision – 58 Exchange Ashland

Ms. Kendall reopened the Village at Clocktown Preliminary Subdivision public hearing, which was continued from the December 15, 2022, meeting.

Mr. Matchak explained that at the last meeting, the applicant proposed this zoning freeze mechanism before the adoption of the building moratorium, and the board requested a Town Counsel review of the plan/subdivision and whether it meets regulations. Atty. Mead's response was distributed to the members. The members reviewed the Site Plan.

Angela Conforti, the attorney representing the Fafard Co. for 58 Exchange Ashland LLC, explained that the proposal is a straightforward subdivision road and two lots.

Ms. Kendall opened the meeting for public comments. There were none.

Ms. Kendall reminded the board that this is a preliminary subdivision, and the Planning Board's decision is non-binding.

Ms. Tesmenitsky motioned to approve the Village at Clocktown preliminary subdivision 58 Exchange Ashland. Mr. Arjona seconded the motion. Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, and Kendall-aye; vote of 5-0-0.

Scenic Road Public Hearing: 34 High Street Stonewall Opening

Mr. Matchak read the public notice to open the 34 High St public hearing. Mr. Matchak mentioned that on December 1, 2022, the board reviewed and approved the Approval Not Required (ANR).

Matthew LeBrie reviewed the proposed plan to add an 18 ft. wide easement to the lot and relocate and restack the existing stone wall to create the proposed driveway that would have a width of 12 ft. The original application submission showed the removed portion of the stone wall at the public way being re-used along the driveway on applicants property. The Board felt that because the stone wall was public property it should not be put onto private property. Applicant agreed and made suggestions of potential places to relocate and rebuild that portion.

Mr. LeBrie displayed pictures of the stonewall at 34 High St. and a portion of a wall that was disturbed during the Cirrus Apartment construction and offered to include in the project reconstructing that wall. Mr. Matchak recommended researching why the wall adjacent to the Cirrus property was moved before rebuilding it.

The members discussed the bylaw to confirm the integrity of the stonewalls and driveway. They also discussed reusing the stones moved from the public portion of the wall at 34 High St. in another public location and not placed on private property.

Ms. Kendall recommended the board approve the removal of the stonewall along High St. as shown, the town retains ownership of the stones removed, and the owner agrees when a suitable location is found along a scenic road to place the rocks in that location versus on their property.

The owners and the applicant agreed to continue the hearing to allow time to investigate whether the Cirrus easement location would be suitable.

Ms. Jurczyk motioned to continue the 34 High St. public hearing until February 9, 2023. Ms. Tesmenitsky seconded the motion. Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, and Kendall-aye; vote of 5-0-0.

Review of Decisions for the following cases:

Mr. Matchak reviewed additional edits made to the following decision documents.

- 225 Pond Street Special Permit and Site Plan Approval
- 34 Albert Ray Drive: Verizon Wireless
- 34 Albert Ray Drive: Dish Network
- 34 Albert Ray Drive: AT & T Mobility

Ms. Kendall motioned to accept the AT&T Mobility decision as modified by Peter Matchak. Ms. Tesmenitsky seconded the motion. Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, and Kendall-aye; vote of 5-0-0.

Ms. Kendall motioned to accept the Verizon Wireless decision as modified by Peter Matchak. Ms. Tesmenitsky seconded the motion. Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, McClean-aye, and Kendall-aye; vote of 5-0-0.

Ms. Kendall motioned to accept the Dish Network decision as written. Mr. Arjona seconded the motion. Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, McClean-aye, and Kendall-aye; vote of 5-0-0.

Ms. Jurczyk motioned to accept the 225 Pond St. decision as modified by Peter Matchak to match discussed edits to be redistributed to the members for review. Ms. Tesmenitsky seconded the motion. Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, McClean-aye, and Kendall-aye; vote of 5-0-0.

Design Review Committee Appointments

Ms. Kendall reported that Brendan Carey requested that he be appointed to an alternate seat on the DRC. Kevin asked to fill the permanent seat that expires in June 2023, and Hannah also requested a permanent seat.

Ms. Jurczyk motioned to approve the DRC seats as presented. Mr. Arjona seconded the motion. Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, McClean-aye, and Kendall-aye; vote of 6-0-0.

Planning Topics

Scenic Roads Outreach

No discussion.

MBTA Communities

No discussion.

Economic Impact Tool

No discussion.

Reports from Board Members and Town Planner

Sustainability Committee

No discussion.

Design Review Committee (DRC)

No discussion.

Comprehensive Plan

No discussion.

Inclusionary Zoning

No discussion.

Community Preservation Committee (CPC)

No discussion.

Other

None.

Administrative Matters: future meetings, public hearings

Applications Received

No update.

Meeting Schedule

No update.

Topics for Future Meetings

Because the covenant transfer from the Village of the Americas to Baystone Development was missed from the agenda, the members agreed to schedule a brief emergency meeting on January 17, 2023, to vote on that item.

Minutes Review

Ms. Jurczyk motioned to accept the November 10, 2022, minutes as drafted. Ms. Tesmenitsky seconded the motion. Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, McClean-aye, and Kendall-aye; vote of 6-0-0.

Adjournment

Ms. Kendall motioned to adjourn the meeting at 11:17 pm. Mr. Arjona seconded the motion; Venkat-aye, Tesmenitsky-aye, Arjona-aye, Jurczyk-aye, McClean-aye, and Kendall-aye, with a vote of 5-0-0.