



Town of Ashland

MASSACHUSETTS

Planning Board Meeting Minutes

Remote via Zoom Video Conferencing

February 9, 2023, at 7:15 PM

Approved April 27, 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

1 **Call to Order**

2 Tricia Kendall called the meeting to order at 7:16 pm, mentioned that the session was being recorded
3 and broadcast, and reviewed the meeting agenda.

4
5 **Clerk's Report**

6 Catherine Jurczyk, the Planning Board Clerk, reported that since January 26, 2023, the board had
7 received six written public comments.

8
9 **Public Hearings**

10 **399 Union Street Site Plan Review – Continued from Jan 26, 2023**

11 Mr. Matchak reviewed the 399 Union St. Site Plan Review draft decision, which was updated to
12 include the members' comments and notes from town counsel. He also noted that Ms. Venkat
13 would not vote due to missing two meetings, and Mr. McClean would be the fifth voting member.

14
15 The members discussed several edits, including whether the requested hours of operation of 5:00 am
16 to 11:00 pm were appropriate for the location. They concluded that 5:00 am to 8:00 pm was better
17 suited and comparable to similar businesses in the area.

18
19 The letter to Mr. Matchak from Ron Mueller & Associates dated January 25, 2023, was discussed
20 including whether the safety concerns raised were fully addressed. The members concurred with
21 Mr. Mueller that all of his comments were addressed except for limiting the site triangle vegetation
22 growth to two feet, the RRFB light at the crossing, and the size of the trucks, which the members
23 added as conditions.

24
25 The members discussed the potential need for a third party to confirm the lighting plan.

26
27 Language was added to the site traffic condition that specified that the applicant would take financial
28 responsibility for unusual traffic mitigation needs.

29
30 Concerning the eight-foot fence request from an indirect abutter, the members felt that including
31 that height condition would be excessive and not fitting.

32
33 Ms. Tesmenitsky motioned to approve the 399 Union St. decision as drafted with the changes
34 discussed. Mr. Arjona seconded the motion; Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, McClean-
35 aye, and Kendall-aye; vote of 5-0-0.

36

37 Ms. Jurczyk motioned to allow Tricia Kendall, Chair of the Planning Board, the authority to sign said
38 decision as modified by the Planning Board on February 9, 2023. Ms. Tesmenitsky seconded the
39 motion; Tesmenitsky-aye, Jurczyk-aye, Arjona-aye, McClean-aye, and Kendall-aye; vote of 5-0-0.
40

41 **301 Pond St. Special Permit and Site Plan Review - Continued from Jan 12, 2023**

42 Ms. Tesmenitsky, an abutter of 301 Pond St., recused herself from the hearing.
43

44 Mr. Matchak reported that the applicant requested a continuance until the April 13, 2023, meeting
45 and reposted the public notice. Remy Schneider, representing the applicant, explained that the
46 reason for the continuance was that the applicant was taking a global economic revisit of their entire
47 portfolio. The members noted that a five-month continuation was highly unusual, the project may
48 not have actually been ready for submittal, and that when the project is discussed the public,
49 including the condo boards, should get proper notification and opportunity to comment on the
50 application. Mr. Matchak mentioned that if the application is altered in any way, the applicant would
51 be required to resubmit.
52

53 Ms. Jurczyk motioned to continue the 301 Pond St. Special Permit and Site Plan Review public
54 hearing until April 13, 2023, subject to reposting the public notice and a memo jointly created with
55 the applicant and town planning staff published on the town's website and sending to the condo
56 boards. Ms. Venkat seconded the motion; Venkat-aye, Jurczyk-aye, McClean-aye, and Kendall-aye,
57 with a vote of 5-0-0.
58

59 **"Village of Americas" Phase VIII Preliminary Subdivision - Continued from Jan 26, 2023**

60 Ms. Kendall explained that the applicants, Ashland Chestnut Reality, LLC, and Ashland Commercial,
61 LLC., requested to withdraw the application. Mr. Matchak added that the Fafard Co., the owner of
62 the site, recently sold the property to Roy MacDowell of Baystone Development.
63

64 Ms. Kendall motioned to accept the applicant's request to withdraw the Village of Americas Phase
65 VIII Preliminary Subdivision application. Ms. Tesmenitsky seconded the motion; Venkat-aye,
66 Tesmenitsky-aye, Jurczyk-aye, McClean-aye, and Kendall-aye, with a vote of 5-0-0.
67

68 **Review of Decision for 34 High Street - Scenic Road:**

69 Ms. Kendall reported reorganizing the decision document to follow the Planning Board's established
70 format. She added the Scenic Road bylaw considerations but made no content changes to the
71 board's decision. Ms. Kendall displayed and reviewed the updates she made to the document.
72

73 Ms. Jurczyk motioned to approve the decision as written and shown this evening and give
74 authorization to the Chair to sign on behalf of the board. Ms. Tesmenitsky seconded the motion;
75 Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, McClean-aye, and Kendall-aye, with a vote of 5-0-0.
76

77 **Planning Topics**

78 **Comprehensive Plan**

79 Ms. Tesmenitsky reported that the town had issued a call for volunteers for a steering committee
80 comprised of members from boards and committees and residents from the town precincts.
81

82 **Town Meeting Warrants**

83 Ms. Jurczyk reported that action on a tree bylaw is pending from the Sustainability Committee.
84

85 A potential change to the parking space bylaw was discussed, and Mr. Matchak said he would consult
86 the Traffic Consultant on the status.
87

88 A potential bylaw change was discussed to allow accessory dwelling units by right and include those
89 units in the Ashland housing production plan.
90

91 **Scenic Roads Outreach**

92 No discussion.
93

94 **MBTA Communities**

95 Mr. Matchak reported that MBTA Communities would be removed from the Planning Topics list, as
96 the town currently complies with the MBTA zoning.

97

98 Economic Impact Tool

99 No discussion.

100

101 **Reports from Board Members and Town Planner**

102 Sustainability Committee

103 No discussion.

104

105 Design Review Committee (DRC)

106 No discussion.

107

108 Inclusionary Zoning

109 Ms. Kendall said that Inclusionary Zoning would be removed from the Board Report list, as the
110 Inclusionary Zoning Committee is on hold until the Comprehensive Plan takes shape.

111

112 Community Preservation Committee (CPC)

113 Ms. Kendall reported that the CPC could not fund scenic road trees. However, she noted that CPC
114 funds are available for affordable housing and recommended that the board keep that in mind.

115

116 Other

117 None.

118

119 **Administrative Matters: future meetings, public hearings**

120 Future Retreat Date

121 The members agreed to schedule a retreat in March after the new Assistant Planner is present.

122

123 Applications Received

124 No update.

125

126 Meeting Schedule

127 The next meeting is scheduled for February 26, 2023.

128

129 Topics for Future Meetings

130 Mr. Matchak noted that a meeting with Upper Charles Trail Committee is scheduled for Feb 26, 2023.

131

132 Ms. Jurczyk suggested inviting a Fire Dept member to a future meeting to discuss safety bollard
133 options and fire protection plans for large developments.

134

135 Minutes Review

136 Ms. Kendall motioned to approve the minutes of December 1, 2022, as drafted, based on the
137 members' recollection of the discussion after line 135, as the recording ended prematurely. Ms.
138 Tesmenitsky seconded the motion; Venkat-aye, Tesmenitsky-aye, Jurczyk-aye, McClean-aye, and
139 Kendall-aye, with a vote of 5-0-0.

140

141 **Adjournment**

142 Ms. Kendall motioned to adjourn the meeting at 10:30 pm. Ms. Tesmenitsky seconded the motion;
143 Venkat-aye, Tesmenitsky-aye, Arjona-aye, Jurczyk-aye, McClean-aye, and Kendall-aye, with a vote of
144 6-0-0.

145