Call the Meeting to Order

Mr. Trefethen called the meeting to order at 7:00 PM. Mr. Trefethen explained that the meeting is being held virtually due to the current social distancing regulations and how members of the public can access the meeting. WACA recorded the meeting.

Public Hearing – 11 Frankland Road Special Permit

Mr. Trefethen stated that the public hearing was resuming after two continuances. Marissa Hannon, Doggy Dates, shared that they are hoping to get the Board’s thoughts on the direction the Board is heading in, in light of the Town Counsel opinion. Mr. Trefethen summarized Town Counsel's opinion, which was that the property has a principle use already, a kennel is not an allowed accessory use, and Ashland allows one principle use on a parcel. Mr. Trefethen shared his opinion that his vote would be no, since the bylaws do not allow the proposed use as an accessory use or as a second principle use, and that the special permit requires a unanimous vote. Ms. Hannon asked if they need to find an empty lot, and Mr. Trefethen stated they would not have this same issue with an empty lot. Ms. Hannon asked whether the business could fall under a different definition, and Mr. Trefethen stated that the ZBA cannot give advisory opinions. The property owners asked if the five acre requirement is set in stone, and Mr. Trefethen stated that he cannot give an opinion on that issue. Ms. Hannon requested to withdraw the application without prejudice. The Board briefly discussed the request. Mr. Band motioned, and Mr. Forestal seconded, to allow the applicant to withdraw their application without prejudice, which passed with the following vote:

Mr. Trefethen: Aye
Mr. Band: Aye
Mr. Forestal: Aye

Public Hearing – 0 Memorial Drive Comprehensive Permit

Mr. Trefethen opened the public hearing and read the legal notice into the record. Mr. Trefethen explained that, due to the size and complexity of the application, the public hearing will be structured to focus the hearing on different subjects at different meetings. Mr. Trefethen stated that the focus of this meeting will be on a general overview of the project, the next meeting will focus on the peer review of the project, and the third meeting will begin with discussion of traffic and its peer review, and other issues that arise. Peter Matchak, Town Planner, introduced Michael Herbert, Town Manager, to provide
background on the project. Mr. Herbert provided background on how the development agreement for this project was developed. Mr. Herbert also stated that during the creation of the development agreement, the buffer was increased, the affordable housing was increased, fees were agreed upon, and road maintenance fees were secured in perpetuity. Mr. Trefethen stated that Mr. Band, Mr. Forestal and himself will be sitting on the hearing. Mr. Siegel and Mr. Green will be attending the hearings in case they need to step in.

Robert Buckley, applicant attorney from Riemer and Braunstein, introduced the project and the history of the site. Mr. Buckley stated that the emphasis of the zoning is to provide housing, and this project fills a need for senior housing. The project is a 40B project to help the town meet its subsidized housing goals, and it is a Local Initiative Program (LIP), which allows the applicant to seek the support of the town before going to the state for approval. The applicant approached the state with the support of the Select Board, and is now in front of the ZBA for review. There is a development agreement in place between the applicant and the town. The applicant has initial comments from the peer reviewers, and hope to present the board with a satisfactory response to those issues.

Michael Uccellini, President and CEO of United Group (UGC), stated that it was a collaborative effort to create this project for active senior living. Mr. Uccellini shared that they are long term owners that will operate the property themselves. Phil Cordeiro, civil engineer with Allen and Major Associates, presented the site plan for the project. Mr. Cordeiro showed the location of the site and presented some history of the area, including recent upgrades to the road. The 38 acre site is completely undeveloped and wraps around the Cirrus development, and the development will be as dense as possible to be good neighbors. The parcel is in RTD zones A, E and F. Site constraints included neighbors, and the grade changes across the site, as there is approximately 100 feet of rise from the roadway to the peak of the site. Mr. Cordeiro explained that the project has gone through many iterations of the site plan and the Town requested a 150 foot buffer minimum and to shift the roadway as north as possible. The preferred site plan was presented to the Select Board last Fall, showing 180 residential units that will be located in six buildings. The buildings include four townhouse buildings and two garden apartment buildings. The apartment buildings, because of the grade, will be four stories in the front and five stories in the back. There will be four detached garages on the northerly part of the site, a clubhouse for leasing and activities and an outdoor amenity area near the clubhouse. UGC will retain approximately 18 acres and approximately 20 acres will be turned over to the Town for open space. There will be one parking space for each apartment, two spaces for each townhouse, and each townhouse has a garage space. The roadway is elongated to navigate the grade change without making it a burdensome earthwork exercise and there will be minimal export of material from the site. Due to the high elevations, the first two townhouse buildings will sit 75 feet lower than the Apple Ridge neighborhood, which helps with screening the buildings. The plans include a completely contained storm water management system.

The applicant has met with the DPW to review the water and sewer plans, and will support the water pressures needed through an on-site booster. The applicant has presented the plan to the Fire Chief and Police Chief and certified that the plan meets their requirements. Lighting on site will be LEDs and down-lit to shield against light spillage. The landscape plan will provide screening of the storm water basin, landscaping at the road juncture and entryway to the building area, and along tree line. The applicant has met with the Conservation Commission and has been issued a negative determination of applicability so no further permitting is required through the Commission.

Anthony DeFelice, architect with Cube3, presented the architecture of the project. The clubhouse is a focal point as people enter the site. Building One is a five/four story building, with amenity space on the first floor, outdoor gathering space in front, an outdoor community balcony on the second floor, and the sidewalk connects the building to amenity spaces and the street. Building Two is similar to Building
One. The townhouse buildings, numbered Four, Five, Six and Seven, have six two-bedroom units in each building, and each unit has its own garage and front door entry from the street, with private patios on the back of the buildings.

Mr. Uccellini stated that the apartments are very spacious, with one bedroom units at 700-1100 square feet and two bedroom units at 1100-2200 square feet. The development will offer a lifestyle program called Sun which provides many amenities. Mr. Trefethen asked if the applicant has other projects in the state, to which Mr. Uccellini replied that this will be the first project in the Boston area. Mr. Band asked about staffing on site. Mr. Uccellini stated that there will be 5-6 staff members, including leasing, activities and maintenance staff.

Peter Dana, 41 Wilbur Drive, stated that he was at presentations in the Fall of 2019 and asked if the buffer zone will be cleared as a part of the construction, and whether a pathway will be put in the buffer zone. Mr. Cordeiro stated that there were many iterations of the plans, but current plans include a 100 foot buffer that will not be touched, and an average of 200 feet of buffer. Mr. Cordeiro added that the tops of slopes will be supplemented with plantings. Mr. Dana asked about the intent of the Town for the buffer zone, and Mr. Trefethen stated that the plans of the Town are outside of the scope of the ZBA hearing, and suggested that the Select Board would be making those decisions. Steve Mitchell, 5 Newcastle Road, Select Board member, confirmed that the plans for the open space area have not been determined.

Mr. Trefethen stated that the completed peer review might not be available by the next meeting on March 8, and suggested continuing the hearing to March 22. Mr. Buckley asked to continue to March 8 with a plan to continue to March 22 if the peer review is not ready by next Tuesday, March 2. Mr. Forestal motioned, and Mr. Band seconded, that the hearing be continued to March 8 at 7:30PM, which passed with the following vote:
  Mr. Trefethen: Aye
  Mr. Band: Aye
  Mr. Forestal: Aye
  Mr. Green: Aye
  Mr. Siegel: Aye

Minutes Approval

Minutes were continued until the next meeting.

Administrative Matters and Staff Updates

Ms. Snellings stated that an ADU special permit public hearing will be on the agenda on Mar 8.

The meeting was adjourned at 8:35PM.

Documents Presented

  1) ZBA Meeting Agenda for Feb. 22, 2021
  2) Application materials for 0 Memorial Drive Comprehensive Permit