



Town of Ashland

MASSACHUSETTS

Planning Board Meeting Minutes

Remote via Zoom Video Conferencing

March 23, 2023, at 7:15 PM

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

Minutes Approved by Planning Board on June 8, 2023



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March 23, 2023, at 7:15 PM

1 **Call to Order**

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

4
5 **Clerk's Report**

6 Catherine Jurczyk, the Planning Board Clerk, reported that since the March 9, 2023, meeting, the
7 board had received one email correspondence concerning the MBTA communities.

8
9 **Joint Meeting with Conservation Commission - Discussion**

10 Cathy Van Lancker, the Conservation Commission (ConCom) Chair, opened the joint ConCom meeting
11 with the Planning Board and noted that they had a quorum. The ConCom and Planning Board
12 members, Peter Matchak, the Town Planner, and Becca Solomon, the Conservation Agent,
13 introduced themselves.

14
15 The ConCom members explained, at a high level, their jurisdiction concerning wetlands and
16 stormwater, the ConCom bylaw triggers, and when the Planning Board should communicate and
17 refer an application to them to comply with conditions and/or permitting.

18
19 There was a brief discussion regarding federal PFAS regulations and the potential impact on local
20 wetlands, stormwater, and drinking water enforcement standards. Also, the ConCom members
21 mentioned the change in their regulations requiring NOAA Atlas 14 stormwater calculations using
22 higher runoff for the standard storm level.

23
24 The members noted the need to support effective communications between the Planning Board and
25 the Conservation Commission.

26
27 Mr. Moulton motioned to adjourn the joint meeting. Mr. Crow seconded the motion; Ackerman-aye,
28 Crouch-aye, Crow-aye, Hakansson-aye, Moulton-aye, and Van Lancker-aye; vote of 6-0-0.

29
30 **Approval Not Required: 10 Loring Dr.**

31 Mr. Matchak reported receiving an approval not required (ANR) application from an LLC. He
32 explained that the applicant seeks permission to remove one property line and create a defined
33 parcel of 60,422 sq. ft by combining Lot 2 (30,375 sq. ft) and Lot 3 (30,047 sq. ft). The applicant's
34 interest in merging the lots is to realize a lower tax rate. Mr. Matchak displayed an aerial photo of

35 the two lots and noted that both have adequate frontage and are buildable. However, only one
36 single-family residence could be built on the combined lot because it is in Residential Zone A.

37
38 After a brief review and discussion, Ms. Kendall motioned to approve the ANR for 10 Loring Dr. Ms.
39 Tesmenitsky seconded the motion; Venkat-aye, Tesmenitsky-aye, Arjona-aye, Jurczyk-aye, and
40 Kendall-aye; vote of 5-0-0.

41
42 **Proposed Revisions to Meeting Agenda: Control of meeting length**

43 The members reviewed the proposed meeting structure to streamline and control the length of
44 future meetings.

45
46 The members discussed the need to provide adequate time for public comments.

47
48 Ms. Kendall opened the discussion to allow for public comments.

49
50 Steve Mitchell commented on the importance of allowing the public to speak and express opinions
51 on items not necessarily on public forum meeting agendas.

52
53 Mark Dassoni said a limited time frame for comments still allows freedom of speech.

54
55 The members debated whether the length of discussions and member comments should be closely
56 limited.

57
58 Based on tonight's discussion, Ms. Kendall said she would review the proposal and the red lines again
59 and update the document.

60
61 **Housing Inventory Memo: Review/discussion of affordable housing status**

62 Mr. Matchak said the housing inventory memo he drafted is a working document, updated as items
63 change. He circulated it to the board to ensure members were informed of the town's shared
64 housing inventory status. The town's current subsidized housing inventory (SHI) is 6.37%; when
65 approved projects are completed, it will be 8.37%. If the Arbella Apartment development is
66 completed, the SHI will rise to 10.02% for ten years. Maintaining an SHI over 10% achieves safe
67 harbor, which protects the town from 40B projects which are exempt from the Planning process.

68
69 Regarding the Arbella project land dispute, Mr. Matchak said the last update from the applicant and
70 UGC Group of Companies indicated that they were moving forward with litigation and felt confident
71 the project would be built.

72
73 Mr. Matchak provided a brief update on the pending developments, including 100 Chestnut St., 501
74 Pond St., and 12 Pond St., which he said were pending building or occupancy permits, but all were on
75 track.

76
77 **Proposed Pre-Application Conference with Planning Board - Discussion**

78 Ms. Tesmenitsky reviewed the draft language for the pre-application process. She recommended
79 updating the pre-hearing language on the Meeting/Hearing Process web page and linking that page
80 to the Planning Board landing page. The pre-application step was added to the Site Plan Review
81 process timeline. Also, language was suggested to offer a pre-application consultation with the
82 Planning Board and timing the Design Review process within 120 days from the completed
83 application.

84
85 The board discussed the need to update the related bylaws to align with the updated process.

86
87 Ms. Jurczyk motioned to approve an optional pre-application conference with the Planning Board.
88 Ms. Kendall seconded the motion; Venkat-aye, Tesmenitsky-aye, Arjona-aye, Jurczyk-aye, and
89 Kendall-aye; vote of 5-0-0.

90

91 **Sewer Moratorium and Housing Moratorium – Status Update**

92 Mr. Matchak reported that the sewer moratorium was under Town Manager and Select Board
93 review, and they are considering an extension.

94

95 Regarding the housing moratorium, he said the Attorney General (AG) had not yet approved it, and
96 there was a request from the AG’s Office for more information about the town’s SHI, the increased
97 number of housing units permitted and built since 2010, and the population growth. Consequently,
98 the review period for the housing moratorium has been extended and is pending the AG’s approval.

99

100 **Review of Planning Board Decisions for March 9th Planning Board Meeting**

101 Ms. Tesmenitsky chaired this part of the meeting and this portion of the March 9, 2023 meeting.

102

103 **Eversource Scenic Road Application**

104 Mr. Matchak displayed the updated draft decisions for the Eversource Scenic Road application. The
105 board had no further changes.

106

107 Ms. Jurczyk motioned to accept the Eversource Scenic Road decision with the edits shown this
108 evening. Mr. Arjona seconded the motion; Venkat-aye, Tesmenitsky-aye, Arjona-aye, and Jurczyk-
109 aye voted; 4-0-0.

110

111 **0 Sewell Street, Reconsider of Application**

112 Regarding the 0 Sewell Street application reconsideration, Ms. Tesmenitsky noted that a super-
113 majority board vote is required, including Mr. McClean’s vote. The board had no further changes.

114

115 Ms. Jurczyk motioned to approve the decision as drafted with the signature of Vice-Chair Anna
116 Tesmenitsky. Mr. Arjona seconded the motion; Venkat-aye, Tesmenitsky-aye, Arjona-aye, Jurczyk-
117 aye, and McClean-aye; voted; 5-0-0.

118

119 **Report on Planning Topics:**

120 **Scenic Roads Outreach**

121 Mr. Matchak reported that Alvaro Esparza, Assistant Town Planner, and the Conservation Agent
122 are working on the scenic road outreach process. They are developing a flyer, and a scenic road
123 page on the town's website is in progress.

124
125 Ms. Tesmenitsky asked for an update on replacing the tree on the scenic road that was agreed
126 upon two years ago. Mr. Matchak responded that it would be addressed during Arbor Day.

127
128 Mr. McClean asked if CPC funds could be used to purchase scenic road signs. Mr Matchak noted
129 that DPW provides the scenic road signs. Ms. Kendall noted that CPC funds are regulated, and
130 requests must be evaluated to determine their qualifications.

131
132 MBTA Communities

133 Mr. Matchak reported that the Town of Ashland's MBTA Action Plan, due on January 30th and
134 submitted by the Planning Office, was approved. Therefore, the town complies with the MBTA
135 Communities until the law goes into effect on December 31, 2024.

136
137 The next step is to determine the pros and cons of adopting the plan, how the town zones for this
138 project, and the impacts on land use and funding. Mr. Matchak noted the consequences of non-
139 compliance, including being ineligible for Mass Works grants and MVP funds.

140
141 It was noted that the Economic Impact Tool would be valuable in determining the best course of
142 action.

143
144 Economic Impact Tool

145 Ms. Kendall explained that discussing this item has been on hold because the Economic Impact Tool
146 developer was associated with an application recently before the board.

147
148 Parking Memo

149 No discussion.

150
151 Reports on Board Members and Town Planner:

152 Comprehensive Plan

153 No discussion.

154
155 Sustainability Committee

156 On Monday, Ms. Kendall and Mr. Arjona met with the Sustainability Committee and Design Review
157 Committee members to discuss the checklist. Another iteration is in progress to be completed by
158 April 13, 2023.

159
160 Design Review Committee (DRC)

161 No discussion.

162
163 Inclusionary Zoning

164 No discussion.

165
166 Community Preservation Committee (CPC)
167 Ms. Kendall reported that she continues to learn when CPC funds can be used and how they may be
168 helpful for Planning Board Projects.

169
170 Other

171
172 **Administrative Matters: future meetings, public hearings**
173 Future Joint Meeting with Upper Charles Trail Committee: April 27, 2023
174 Ms. Kendall confirmed the joint meeting on April 27, 2023, with the Upper Charles Trail Committee.

175
176 Future Joint Meeting with Ashland Sustainability Committee: TBA
177 Ms. Kendall noted the pending joint meeting with the Sustainability Committee to discuss the tree
178 bylaw.

179
180 Future Retreat Date
181 No discussion.

182
183 Applications Received
184 No updates.

185
186 Next Meeting
187 The next meeting is scheduled for April 13, 2023.

188
189 Minutes Review
190 Ms. Jurczyk motioned to approve the amended January 12, 2023, minutes. Ms. Tesmenitsky
191 seconded the motion; Venkat-aye, Tesmenitsky-aye, Arjona-aye, Jurczyk-aye, and Kendall-aye, with a
192 vote of 5-0-0.

193
194 Ms. Jurczyk motioned to accept March 17, 2022, April 28, 2022, and June 9, 2022, minutes, as
195 amended. Ms. Tesmenitsky seconded the motion; Venkat-aye, Tesmenitsky-aye, Arjona-aye, Jurczyk-
196 aye, and Kendall-aye, with a vote of 5-0-0.

197
198 ***Adjournment***
199 Ms. Tesmenitsky motioned to adjourn the meeting at 10:15 pm. Ms. Jurczyk seconded the motion;
200 Venkat-aye, Tesmenitsky-aye, Arjona-aye, Jurczyk-aye, McClean-aye, and Kendall-aye, with a vote of
201 6-0-0.

202