



Town of Ashland

MASSACHUSETTS

Planning Board Meeting Minutes Remote via Zoom Video Conferencing

August 26, 2021, at 7:15 PM

1 Present: Tricia Kendall, Chair
2 Joe Rubertone, Vice Chair
3 Anna Tesmenitsky
4 Deepa Venkat
5
6 Others: Peter Machak, Town Planner
7
8
9

10 *Call to Order*

11 Joe Rubertone, Vice-Chair, called the meeting to order at 7:17 PM. Mr. Rubertone explained that
12 per the Governor's order the meeting will be held remotely via Zoom. The meeting will also be
13 recorded and broadcast by WACA TV. Mr. Rubertone reviewed the meeting agenda.
14

15 **Public Hearing – 90 Concord St. Special Permit and Site Plan Review**

16 Mr. Rubertone reopened the public hearing continued from August 12, 2021 concerning the new
17 Mindess School Building Project.
18

19 Bill Beatrice, project manager from Flansburg Architects, provided an update on their response to
20 issues raised at the prior meetings, including the preservation of the memorial site at the exiting oak
21 tree, and the parking spaces in the rear of the site.
22

23 Mr. Beatrice reported that an arborist met onsite with Mr. Matchak, Mr. Kendall, Mr. Herbert, and
24 the landscape architect to evaluate the tree and provide a report concerning its condition. Prior to
25 tonight's meeting, the report was shared with the Planning Office, the Planning Board, and was
26 posted on the town's website.
27

28 Michael Quinlan, a Sr. Project Manager from Compass Project Management, explained that the
29 arborist could not recommend salvaging the tree, due to 50% of its root system already being
30 compromised by the concrete wall, and its proximity to the construction site. In the event the tree is
31 cut, Mr. Quinlan reviewed options for reuse of the materials, such as using the lumber to build a
32 bench or preserve the tree trunk and its rings for an educational exhibit.
33

34 Concerning the parking spaces at the rear of the building, Mr. Quinlan reported that the
35 Conservation Commission (ConCom) recommended shifting the spaces from the proposed location
36 to maintain the 25 ft. no disturb zone from the wetlands.

37
38 Eddie Marshall, principal from Stimson Studio Landscape Architects, reviewed the specific tree
39 types and plantings on the north side of the site. He explained that the oak tree would be flush cut
40 with 4 to 5 inches of the stump remaining. To avoid disturbing the gravesite, he recommended
41 planting a replacement oak tree outside of that immediate area.
42
43 Ms. Tesmenitsky asked, and Mr. Beatrice responded that reconfiguring the corner of the building
44 near the oak tree at this point would require an additional standard review by MSBA, and would be
45 extremely cost prohibitive and time consuming. Several of the members expressed their dismay that
46 preserving the oak tree at this point was not feasible.
47
48 The board requested additional information concerning the entryway electronic sign's hours of
49 operation from 5:00 am to 10:00 pm. They requested that the sign location details be included in the
50 final design. Also, information regarding the potential blasting at the rear of the site was requested.
51
52 Jim Adams, the Superintendent, explained that the sign's proposed hours of operation were
53 considered to be appropriate to effectively communicate with the community.
54
55 Concerning the blasting, the applicant explained that blasting may be required, and the ConCom's
56 order of conditions, as well as the Mass Division of Fire Safety CMR regulations, would be adhered
57 to. The blasting scheduled would be coordinated with the school staff to avoid any disturbance to
58 the school day. Also, cutting into the hillside and the grading decisions considered run-off and silt
59 controls as well as the replanting requirements.
60
61 The members agreed to keep the public hearing open since not all Planning Board members were in
62 attendance and additional points of clarification from the applicant may be needed.
63
64 Mr. Rubertone opened the meeting for public comments.
65
66 Several members of the public spoke, including Mark Dassoni, 49 Hawthorne Rd.; Steve Morgan;
67 Brandi Kinsman, 6 Lucy French Way; Amanda Hayes, 21 Rose Bay Dr.; Claudia Bennett, 9
68 Sandstone Way; Laurie Tosti; Rob Scherer, 41 Bay Colony Dr.; and Michael Herbert. Comments
69 included questioning the dominance of the tree discussion. Concern was raised regarding
70 information that had not been provided, such as the peer review comments, the traffic study, the
71 gravesite setback requirements, and trees that have been removed on Mr. Morgan's property line.
72 The letter of support from the Select Board was mentioned. Support of the project and the project
73 process was expressed by several meeting participants as well as thanks to the committees and
74 boards that have participated. A suggestion was made to add a "lessons learned" task to the building
75 project plan.
76
77 The board members discussed specific draft conditions.
78
79 Regarding the electronic sign, the members asked to have the sign's design details included in the
80 plan. The members discussed proposed language for the electronic sign condition, including a
81 reference to the Dover Amendment and modifying the hours of operation to end at 8:00 pm.
82

83 Concerning the fence, Mr. Rubertone read the clause written by Mr. Matchak. The members agreed
84 to include that condition, including input from the four individual abutters from 120 to 126 Concord
85 St. concerning the final height and design of the fence.

86
87 The board agreed to add an aspirational goal and language to express their support of the addition of
88 solar panels on the building roof.

89
90 Regarding the memorial site and the oak tree, the members discussed and agreed to the draft
91 language Ms. Tesmenitsky proposed and read that addressed the potential removal of the tree, and
92 the use of components harvested from the tree by the School Committee and or the Historical
93 Commission for the purpose of celebrating the tree, providing an educational element, and the
94 preserving of the gravesite.

95
96 Mr. Rubertone read draft language concerning preserving land and the identification of human
97 remains on the locus outside of the area surrounding the memorial site. The members agree to the
98 draft language with minor tweaks and the addition of instructions concerning the replanting of the
99 specimen white oak tree in the vicinity.

100
101 Mr. Matchak said he would compile the proposed conditions for the member's review at the next
102 meeting.

103
104 Ms. Kendall made a motion to continue the 90 Concord St. Special Permit and Site Plan Review
105 public hearing until September 9, 2021, at 7:15 pm. The motion was seconded by Tesmenitsky;
106 Venkat-aye, Tesmenitsky-aye, Kendall-aye, and Rubertone-aye; with a vote of 4-0-0.

107
108 **100 Chestnut Street Special Permit and Site Plan Review**

109 Ms. Kendall made a motion to continue the 100 Chestnut St. Special Permit and Site Plan Review
110 public hearing until September 9, 2021, at 8:00 pm. The motion was seconded by Ms. Tesmenitsky;
111 Venkat-aye, Tesmenitsky-aye, Kendall-aye, and Rubertone-aye; with a vote of 4-0-0.

112
113 **355 West Union Street Site Plan Review**

114 Ms. Kendall made a motion to continue the 355 W. Union St. Site Plan Review public hearing until
115 September 23, 2021, at 9:00 pm. The motion was seconded by Ms. Tesmenitsky; Venkat-aye,
116 Tesmenitsky-aye, Kendall-aye, and Rubertone-aye; with a vote of 4-0-0.

117
118 **0 Meguko Road Site Plan Review**

119 Ms. Kendall made a motion to continue the 0 Megunko Rd. Special Permit and Site Plan Review
120 public hearing until September 9, 2021, at 9:30 pm. The motion was seconded by Ms. Tesmenitsky;
121 Venkat-aye, Tesmenitsky-aye, Kendall-aye, and Rubertone-aye; with a vote of 4-0-0.

122
123 **ANR Plan 100-130 Chestnut Street.**

124 Ms. Kendall made a motion to continue the 100-130 Chestnut Street ANR Plan review until
125 September 9, 2021, at 9:00 pm. The motion was seconded by Ms. Tesmenitsky; Venkat-aye,
126 Tesmenitsky-aye, Kendall-aye, and Rubertone-aye; with a vote of 4-0-0.

127
128 **Response to 8/13/2021 Open Meeting Law Complaint – Mr. Morgan**

129 Mr. Matchak explained that the Planning Board received an open meeting law (OML) violation on
130 August 13, 2021. Town Counsel drafted a response that was circulated to the board members for
131 their review. The members accepted the draft response. Mr. Matchak noted that a copy will be sent
132 to the Secretary of State's Office.

133
134 Ms. Tesmenitsky made a motion to accept the draft response to the OML violation written by Town
135 Counsel. The motion was seconded by Ms. Venkat; Venkat-aye, Tesmenitsky-aye, Kendall-aye,
136 and Rubertone-aye; with a vote of 4-0-0.

137
138 **Approval of Minutes**

139 Approval of the minutes from July 15, 2021, was postponed.

140

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

142 Discussion of the Planning Board Retreat will be added to the next meeting agenda.

143

144 The next regular Planning Board meeting is scheduled for September 9, 2021.

145

146 **Design Review Committee nominee: Catherine Rooney**

147 There was no discussion.

148

149 **Report from Board Members and Town Planner**

150 None.

151

152 ***Adjournment***

153 Ms. Kendall made a motion to adjourn the meeting at 10:40 pm. The motion was seconded by Mr.
154 Rubertone; Venkat-aye, Tesmenitsky-aye, Kendall-aye, and Rubertone-aye; with a vote of 4-0-0.