Call to Order

Preston Crow, Chair called the meeting to order at 7:17 pm. Joe Rubertone, Member; Tricia Kendall, Member; Dale Buchanan, Member; Phillip Williams, Member (left early) were present. Peter Matchak, Town Planner and Emma Snellings, Assistant Planner were also present.

Mr. Crow announced that the meeting is being recorded and broadcast by WACA TV. Mr. Crow reviewed the meeting agenda.

Continuation of Public Hearing – Scenic Roads Public Hearing (Chestnut Street and Cedar Street)

Mr. Crow reopened the public hearing continued from July 25 by reading the public notice.

The Ashland Planning Board will hold a public hearing to hear the petition of NSTAR Gas d/b/a Eversource Energy (Eversource) for approval of a Scenic Roads Application for the Eversource Energy Hopkinton to Ashland Transfer Line Project in accordance with Chapter 40, Section 15C of the Massachusetts General Laws and Chapter 249, Section 20 of the Town of Ashland Code.

The project will replace approximately 3.71 miles of existing six (6’) inch-diameter steel natural gas pipeline with twelve (12’) inch-diameter steel natural gas pipe. The project consists of temporary disturbance within the existing pipeline easement at two designated scenic roads, Chestnut Street and Cedar Street, consisting of in-street construction and temporarily removal and reassembly of existing stone walls, but no disturbance to nearby trees along the two scenic roads.

Mr. Waldrip, from Eversource, appeared and asked whether the board had questions as a result of their site visit. Tricia Kendall clarified that the board members conducted informal individual site visits.

Mr. Crow asked the applicant to provide an update on their August 26th and 27th meetings with the Conservation Commission.

Joe Rubertone asked, and Peter Matchak responded that the Land Court Declaratory Judgement concerning the easement is still outstanding. Mr. Waldridge indicated that the Declaratory Judgement was filed for two town owned parcels and have little bearing on the Scenic Road Permit.
Mr. Matchak suggested the applicant request a continuance until the Conservation Commission has made their ruling. He also stated that he will consult Town Counsel on whether it is recommended to wait for the Declaratory Judgement.

Mr. Crow asked for comments from the public.

Members of the public appeared, including Mark Dassoni, 49 Hawthorne Rd. who mentioned a right-of-way contract executed for Hopkinton and asked if Ashland has a similar contract. Diane Ring, 42 Bay Colony Dr. objected to the notion that the Declaratory Judgement will not affect the in-street construction, and Eversource’s opinion that the judgement could take up one to two years.

Mr. Crow mentioned that the board received several letters from residents concerning the permit.

Mr. Buchanan made a motion to continue the Eversource Scenic Roads public hearing until October 10, 2019 at 7:15 pm. The motion was seconded by Ms. Kendall with a vote of 4-0-0.

Public Hearing – Site Plan Review for 310-320 Pond Street

Mr. Crow opened the public hearing by reading the public notice.

The Ashland Planning Board will hold a Public Hearing on Thursday, September 12, 2019, at 7:15 PM in the Board of Selectmen Meeting Room, 2nd Floor, Ashland Town Hall, 101 Main Street, Ashland, MA, to hear the petition of Baypath Plaza LLC, c/o Bohler Engineering – John Kucich, 352 Turnpike Road Southborough, MA 01772, requesting Design Plan Review and Site Plan Review per Chapter 40A, Section 6 of the Massachusetts Zoning Act and Chapter 282, Sections 9.6 (Design Plan Review) and 9.4 (Site Plan Review) of the Ashland Bylaws.

The applicant is proposing the renovation of the building located at 310 and 320 Pond Street which was formerly used as a Blockbuster Video. The building will be converted to a 145 seat (120 interior seats, 25 exterior seats) restaurant.

Nathan Mahonen, from Bohler Engineering, representing the applicants appeared and provided an overview of the project. Mr. Mahonen pointed out that the number of interior seats will be reduced to 99. He indicated the existing utilities will remain; however, a grease trap will be installed to service the restaurant use. Loading for the site will be done at the existing loading area at the rear of the building. Also, no waivers or variances are required for signage; however, two new light poles will be added in the parking area.

Mr. Mohonan explained that a Technical Review meeting was held on Tuesday and reviewed the minor comments that resulted. He reported that the Design Review Board meeting was continued until the September 24th.

Mr. Buchanan asked, and Mr. Mohonan responded that the Rte. 126 project will have a very minor impact on the proposed lot, as it includes a small taking that was accounted for in the design.
Mr. Crow asked about trash pick-up noise. Mr. Mohanan noted that the dumpster location is on the south-west corner of the building and the earliest trash and delivery pick-ups will be at 7:00 am or later. He also indicated that a parking analysis was completed to confirm the propose parking plan is adequate for the site’s two uses.

Mr. Mohanan explained the potential snow removal and storage plan. He also reviewed the drainage plan that will have minimal impact on the stormwater system and explained that the applicant will address GCG’s stormwater plan recommendations and MS4 Permit conditions.

The applicant and principal stated that the building design is not finalized, and the restaurant will serve upscale American food. The hours of operation will be until 10:00 pm or 11:00 pm Thursday through Saturday and until 9:00 pm to 9:30 pm Sunday through Wednesday.

Mr. Crow asked for comments from the public.

Several members of the public appeared, including Ann Manning, E. Bluff Rd.; Bruce Harding, 73 E. Bluff Rd.; Tamara, Spyglass Hill Rd., Paul Mccarrick, an abutter; Nancy Berry, 1 Trailside Way; Beth Reynolds, Ashland Economic Development Director; Brandi Kinsman, 6 Lucy French Way; Mark Dassoni, 49 Hawthorne Rd.; George Dorsey, 37 Captain Ames Cir.; and Elaine Praysmen, Spy Glass Hill Dr. The residents stated their support of the proposed restaurant use but expressed their concerns regarding internal and external noise abatement protocols and the trash collector’s adherence to the noise ordinance, egress vehicle traffic and traffic signage, and an establishment that will serve alcohol in the proximity of a childcare center.

Mr. Mohanan indicated the proposed opening date is March 2020. He also noted that the applicant will ensure the dumpster area is locked, will address the traffic concerns, as well as confirm the round-about does not impeded safety vehicle access to the site.

Mr. Matchak explained that next steps, include Design Review and the board’s vote on the Site Plan Review.

Ms. Kendall made a motion to continue the 310-320 Pond Street Site Plan public hearing until September 26, 2019 at 7:45 pm. The motion was seconded by Mr. Buchanan with a vote of 4-0-0.

128 Main Street – Color Determination

Mr. Crow read the following statement, per Condition 29 in the Planning Board Decision for 128 Main Street: “All façade material i.e. siding, and roofing shall be of high quality such as Hardie plank siding with color scheme as per plans or as otherwise approved by the Planning Board at a later date, approval not to be held unreasonably. If for some reason Hardie plank is unavailable, material of similar quality shall be proposed and approved by the Planning Board designee.”

Mr. Matchak explained that 128 Main St. applicant completed a pre-construction meeting and one of the outstanding issues was the color of the building. He indicated a committee, including Michael Herbert and Dale Buchanan, selected Hardy Plank Navaho Beige for the color of the exterior of the building.
Mr. Rubertone made a motion to approve the proposed color scheme of Navaho Beige. The motion was seconded by Mr. Buchanan with a vote of 4-0-0.

**The Lower 126 Group Informal Discussion**

Mr. Crow explained that the 126 Group are residents that have assembled to express their concerns about the development at the Fusion site. He also explained there is no Permit filed for this site before the Planning Board at this time.

Members of the Group appeared, including Kathryn Jurczyk, 11 Rodman Rd.; Janet Platt, Rodman Rd.; Velma Burnell, Rodman Rd.; Rose Flarety, 18 Douglass Rd.; and Carol Grant, 30 Lakeview Dr. They explained the group’s concerns and asked for an independent evaluation of the project. In addition, to confirm overall expectations of the potential project Ms. Platt provided a presentation that covered the purpose, criteria, review standards and applicable bylaws. She stressed their interest in a true commercial or mixed-use development that is beneficial and appealing to the area.

The Group presented a petition that has so far been signed by 115 residents that state their concerns.

Mr. Matchak asked the 126 Group, for the time being, to focus their discussion on the bylaws and not the 12 Pond St. project, which at this time is not before the board.

There was further discussion about the review process and the best approach to have the 126 Group’s views heard to affect the potential Pond St. project. Mr. Crow expressed that the benefit of this discussion was the review of the values presented as well as spending the time to discuss the provisions of the bylaw, the purpose and criteria in order to match them up to see how well they work. The board thanked the Group for their presentation.

Mark Dassoni offered his views of the discussion and his support of the 126 Group’s presentation.

**Discussion of possible zoning changes, including setting a minimum commercial percentage on mixed-use projects**

The board discussed the following changed to the Use Table under Industrial Uses:

- **Self-storage** - Change CH from Yes to No. Change CV from Planning Board to No. Change CN from Planning Board to No.

- **Construction Yard or Landscaping Business** – Change CH from Yes to No. Change CV from Planning Board to No. Change CN from Planning Board to No.

Dimensional Table: The board discussed building height limits and the definition of a “story”, and discussed changing the maximum building height from 45 ft. to 35 ft.

Concerning the minimum commercial percentage on mixed-use projects, the board discussed setting the minimum at 20% commercial but concluded that more research is required to determine an optimal percentage.
The board agreed to go forward with two Zoning Articles for the fall Town Meeting; the Use Table and Dimensional Table building height changes.

Review and Approve Minutes

Mr. Crow made a motion to release the notes from June 27, 2019. The motion was seconded by Mr. Rubertone with a vote of 4-0-0.

Ms. Kendall made a motion to approve the minutes of July 25, 2019 as drafted. The motion was seconded by Mr. Buchanan with a vote of 4-0-0.

Mr. Buchanan made a motion to approve the minutes of August 22, 2019 as amended. The motion was seconded by Mr. Rubertone with a vote of 4-0-0.

Report from Board Members and Town Planner

Peter Matchak

Mr. Matchak mentioned that he completed the 81 Union St. site walk to assess the dust issue but unfortunately it rained that morning.

He also noted that the solar array construction has begun.

Administrative Matters: future meetings, public hearings

Mr. Matchak noted that the next meeting is September 26, 2019, and suggested the board discuss the meeting schedule for the remainder of the year.

Adjournment

Ms. Kendall made a motion to adjourn the 10:42 pm. The motion was seconded by Mr. Buchanan with a vote of 4-0-0.

Documents Presented

1. Agenda
2. 310-320 Pond Street Site Plan Review Application and Site Plan
3. Lower 126 Group petition
4. June 27, 2019 Draft Minutes
5. July 25, 2019 Draft Minutes
6. August 22, 2019 Draft Minutes