



Town of Ashland

MASSACHUSETTS

Planning Board Meeting Minutes
Board of Selectmen Meeting Room
Town Hall, 101 Main Street, Ashland Massachusetts 01721

*approved at the
Dec 13, 2018 Planning
Board Mtg.
SP*

October 11, 2018

1 ***Call to Order***

2 Preston Crow, Chair called the meeting to order at 7:15 p.m. Joe Rubertone, Member; Dale
3 Buchanan, Member; and Phillip Williams, Member were present. Sheila Page, Town Planner
4 was also present. Mr. Rubertone arrived at 7:25 p.m., after the zoning amendment public
5 hearing.

6
7 Mr. Crow announced that the meeting is being and broadcast on WACA TV. Mr. Crow reviewed
8 the meeting agenda.

9
10 **Public Hearing for Chapter 282 (Zoning) Section 8.6.12 Zoning Amendment**

11 Mr. Crow opened the public hearing by reading the public notice concerning a vote to amend
12 Chapter 282, Section 8.6.12 - Nuisance Standards and Section 8.6.4 - Table of Uses of the Town of
13 Ashland Bylaw to allow 24-hour municipal use in the Wildwood Mixed Use Special District.

14
15 Mr. Crow reviewed the proposed language modifications and explained the changes will apply to
16 the entire Wildwood Mixed Use Special District zone, not just the parcel the town has an interest
17 in. Mr. Crow noted that the subsection heading was missing in the table and needed to be fixed
18 for the final zoning language.

19
20 The proposed zoning amendment language is available at the Community Development Office
21 and the Town Clerk's Office during regular Town Hall hours or on the website:
22 <http://www.ashlandmass.com/197/Planning-Board>.

23
24 Mr. Crow asked for public comment. There was none.

25
26 Mr. Buchanan made a motion to close the public hearing. The motioned was seconded by Mr.
27 Williams and the motion passed with a vote of 3-0-0.

28
29 Mr. Buchanan made a motion to recommend that the Town Meeting vote in favor of this zoning
30 change. The motioned was seconded by Mr. Williams and the motion passed with a vote of 3-0-
31 0.

32
33 **48 Tri Street and 0 Tri Street Rear – Approval Not Required**

34 Mr. Crow explained that the Approval Not Required (ANR) is for the subdivision of land at 48 Tri
35 Street and 0 Tri Street Rear.

36

37 Peter Antoniuk, 50 Tri Street, explained that in 1998 he and his wife purchased their property
38 and in 2000 purchased an additional three acres behind their property that is zoned for 11 lots.
39 Mr. Antoniuk said Mr. Gorman who lives at 48 Tri Street wants to purchase a third of an acre at
40 the rear lot.

41
42 Ms. Page explained that 48 Tri St. is a nonconforming lot. Mr. Crow advised that the lot's zoning
43 status should be understood by the property owners.

44
45 Mr. Buchanan made a motion to approve the ANR plan. The motioned was seconded by Mr.
46 Williams and the motion passed with a vote of 4-0-0.

47
48 **Subdivision Review: Signature Estates II**
49 Mr. Crow said that the discussion is about whether or not Road Acceptance for Royal Colony
50 Circle should be recommended to the Board of Selectmen.

51
52 Ms. Page said Fafard Development has almost completed a punch list presented to them last
53 August and have three items remaining: replacing a catch basin frame, raising two manhole
54 covers and leveling the accessible ramp edge.

55
56 Ms. Page said that she will check with the consulting engineer concerning the required
57 accessible ramp repair. In addition, there is puddling at the top of the circle that will need to be
58 addressed and there are a few floppy trees that will need to be better staked.

59
60 Mr. Crow asked for public comment.

61
62 Tracy Osimboni, 16 Royal Colony Cir., raised concern regarding the water ponding on her
63 property and driveway. Ms. Osimboni asked if fabric should be added to the center island to
64 minimize the weeds and maintenance.

65
66 Ann Newberry, 21 Old Connecticut Path, asked that two inches of mulch is added to the center
67 island and questioned the quality of the island landscaping. Ms. Newberry said a tree on her
68 property is leaning and an appropriate tree stake is needed, and the pine trees are dying and the
69 grass at the side of the property need to be reseeded. Ms. Newberry said there is a damaged
70 sprinkler head on her property and that Fafard committed to plant ten pine trees and have only
71 installed six. She also asked to have the survey pins reinstalled.

72
73 Priti Chugh, 5 Royal Colony Cir., asked if an evergreen barrier can be installed between her lot
74 and the town's property at the rear of her property. Mr. Crow responded that this request does
75 not tie into the Road Acceptance. The resident also raised concern regarding the water ponding
76 on the easement.

77
78 Ekundayo Osimboni, 16 Royal Colony Cir., said his mailbox is in the asphalt on the sidewalk and
79 is too close to the driveway. Mr. Crow said given the mailbox is in the right of way it pertains to
80 the Road Acceptance and should be addressed. Mr. Osimboni said suggested adding gravel as a
81 cover for the center island.

82
83 Ravi Vuta, 11 Royal Colony Cir., suggested adding grass or stone to the center island. Mr. Vuta
84 said his mailbox is also in the right of way and close to his driveway.

85
86 Tracy Osimboni, 16 Royal Colony Cir., said her car was damaged from hitting the mailbox and
87 asked whether Fafard is liable. Mr. Crow said she would have to take up the issue with Fafard.
88
89 Fareez Baig, 12 Royal Colony Cir., said there is a trench between his lot and 16 Royal Colony Cir.
90 that does not drain properly. Mr. Crow said the trench is on private property and therefore he
91 would have to take up the issue with Fafard.

92
93 Mr. Rubertone asked to add the puddling issue at 16 Royal Colony to the list and the need for
94 additional swales.

95
96 Alan McAlpine, 16 Lyndon Ln., said there is water ponding next to his lot within the right of way.
97 He also said that the six-foot skirt added to the easement looks out of place. Ms. Page said she
98 will consult DPW concerning the skirt's design.

99
100 Mr. Buchanan made a motion to continue the Signature Estates/Royal Colony discussion to the
101 next meeting in two weeks. The motioned was seconded by Mr. Williams and passed with a
102 vote of 4-0-0.

103
104 **Tydeman Road Extension – Road Acceptance**

105 Ms. Page reported that the developer needs to add rip rap to the top of the retention basin. The
106 Selectmen will hold a road layout hearing on November 7th.

107
108 Steve Hickey from Richmond Development said the Town's consulting engineer has provided
109 feedback on outstanding items that need to be incorporated into the plans. He estimates
110 completing the work by next week.

111
112 Mr. Crow asked for public comment.

113
114 Nathan Phillips, 6 Tydeman Rd., said the retention pond and drainage easement are located at
115 the rear of his lot. He raised concern that Town workers and contractors walk through his
116 property unannounced to access the easement and asked in the future that they provide him
117 with notice. Mr. Phillips also said that wet conditions in the drainage easement would not
118 accommodate vehicle access without damaging the lawn. Mr. Phillips also questioned the plug
119 that was inserted into the drainage pipe. Mr. Hickey explained the plug and the drainage design.

120
121 Mr. Hickey said he will investigate ways to mitigate lawn damage.

122
123 Mr. Buchanan made a motion to continue the Tydeman Road Extension discussion until the next
124 meeting in two weeks. The motioned was seconded by Mr. Rubertone and the motion passed
125 with a vote of 4-0-0.

126
127 **40 Cherry Street – Special Permit/Site Plan Review**

128 Mr. Crow opened the continuation of the Special Permit public hearing and Site Plan Review for
129 the proposed brewery operation at 40 Cherry St.

130
131 David Butenas and Isabel Perez, the applicants, appeared before the Board and provided an
132 update on the outstanding items including, the location of the air handler and glycol unit,

133 stormwater management and parking plans. Mr. Butenas said that their architect confirmed
134 that the glycol unit can be located on the ground near their driveway, however it is essential that
135 the air handler is centrally located to operate efficiently, and they would prefer to position it on
136 the roof and take steps to mitigate the noise.

137
138 The applicants said additional conversations are needed with the Conservation Commission and
139 DPW to develop and confirm the storm water mitigation plan.

140
141 Mr. Rubertone agreed with the applicants that a contribution towards the Cherry St. and Tilton
142 St. parking lot construction fund would be an appropriate mitigation.

143
144 Ms. Page said the cost to design and build the Cherry St. and Tilton St. parking lot with
145 approximately 21 spaces is estimated to be \$15,000 and \$60,000, respectively. Ms. Page said
146 that other communities charge businesses that cannot meet their parking obligations between
147 \$2,000 and \$4,500 per space.

148
149 The Board discussed the potential issue if patrons parking on Cherry St. Mr. Crow said if it
150 becomes an issue the Board of Selectmen will need consider parking rules such as residential
151 parking permits.

152
153 The applicants said the proposed hours of operations are 9:00 a.m. to 11:00 p.m. The Board
154 questioned whether 11:00 p.m. during week nights was too late. Mr. Butenas cited businesses in
155 the area, including Erica's and Stones that are open later than 11:00 p.m. during the week.

156
157 Mr. Crow asked for public comment.

158
159 Don Rushford, 48 Cherry St., asked the applicants if it was possible to put the air handlers in the
160 attic of the building to mitigate its noise. The applicant said the equipment's proposed location
161 is on the roof and shielded from the abutting residences by a pitched roof. Mr. Rushford said
162 that he appreciates the steps the applicants have taken to make everyone happy, but he is still
163 worried about the unknown.

164
165 Mr. Rubertone made a motion to continue the 40 Cherry St. public hearing and public discussion
166 until October 25, 2018 at 7:45 pm. The motioned was seconded by Mr. Buchanan and the
167 motion passed with a vote of 4-0-0.

168
169 Mr. Rubertone made a motion to accept the request for the 40 Cherry St. extension until November
170 15, 2018. The motioned was seconded by Mr. Buchanan and the motion passed with a vote of 4-0-0.

171
172
173 **310 Pond Street - Waiver Request**

174 This item is postponed.

175
176 **128 Main Building - Color Review and Discussion**

177 This item is postponed.

178
179 **Report from Town Planner and Board Members**

180 **Sheila Page**

181 Ms. Page reported that the Board of Selectmen put forth a request for two members from the
182 Planning Board to participate as liaisons in a quarterly Development Project meeting.

183

184 **Joe Rubertone**

185 Mr. Rubertone said there will be Community Preservation Committee meeting with the Ashland
186 Affordable Housing Trust next Monday night at 7:30 pm in the B/C Room in Town Hall to discuss
187 potential future projects.

188

189 **Administrative Matters**

190 Mr. Crow asked if there are any significant projects pending that the Board should be aware of.

191 Ms. Page said a daycare proposed at 310 Pond St. will be presented at a future meeting.

192

193 **Review and Approve Minutes**

194 This item is postponed.

195

196 ***Adjournment***

197 Mr. Buchanan made a motion to adjourn the meeting 9:43 pm. The motion was seconded by

198 Mr. Rubertone and the motion passed with a vote of 4-0-0.

199

200

201 ***Documents Used at the October 11, 2018 Meeting***

- 202 1. Agenda for October 11, 2018 Meeting.
- 203 2. Proposed Zoning Amendment Document
- 204 3. ANR Application submitted by Peter Antoniuk
- 205 4. Plan of Land dated September 11, 2018
- 206 5. Set of eight photographs of Royal Colony Circle
- 207 6. Royal Colony/Signature Estates II Punch list by GCG dated October 10, 2018
- 208 7. Letter from Guierre & Halnon, Inc dated October 4, 2018
- 209 8. As-built Plan for Royal Colony Circle dated October 11, 2018
- 210 9. Plan of Land Street Acceptance Tydeman Road dated September 27, 2018
- 211 10. As-built Plan Tydeman Road dated September 27, 2018

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