

June 3, 2022

Mr. Peter Matchak, Town Planner/Director  
Town of Ashland  
101 Main Street  
Ashland, MA 01721

RE: Site Plan Review & Special Permit, Drive Through Service Windows  
225 Pond Street (Assessor's Map 26, Lot 3)

Dear Mr. Matchak:

GCG Associates, Inc. has reviewed the following information for the Site Plan Review at 225 Pond Street in Ashland, MA.

Document References:

Planning Board Site Plan Review and Special Permit Application cover letter, prepared by Bohler, dated April 4, 2022.

Application for Planning Board Approval/Permit form signed by Bohler.

Plan References:

"Proposed Site Plan Documents for Existing McDonald's with Drive-Thru, location of site, 225 Pond Street, in the Town of Ashland, Middlesex County, Massachusetts, Map 26, Lot 3", prepared by Bohler dated January 14, 2022, last revised April 22, 2022.

"Boundary & Topographic Survey, McDonald, USA, LLC. 225 Pond Street, Lot 3, Map 26, Town of Ashland, Middlesex County, Massachusetts", prepared by Control Point Associates, Inc., dated 9/14/2021.

Town of Ashland Comments:

Police Department E-mail dated March 3, 2022.

Fire Department E-mail dated March 9, 2022.

Building Commissioner E-mail dated April 6, 2022.

Architectural Access Board E-mail dated March 30, 2022.

This Site Plan application requires a Stormwater Management Permit (SMP) per Chapter 247-6 A, B, and C with Ashland Conservation Commission, and compliance with Chapter 343 Stormwater Management. The proposed site area and limit of work is under the 1-acre

threshold and no NPDES General Permit for Stormwater Discharges from Construction Activity required. Portion of the proposed work is within the 200' Riverfront area, a Notice of Intent filing with the Ashland Conservation Commission is required.

Based upon our review of the above information, we offer the following comments with respect to compliance with Town of Ashland Zoning Bylaw (Chapter 282), Stormwater Management requirements and Massachusetts Stormwater Handbook (MSH) (Chapters 247 & 343). The numerical section of the regulations is referenced at the beginning of each comment unless it is a general comment.

### **GENERAL COMMENTS:**

This is a re-development project. The developed 0.855+/- acres parcel (Map 26, Lot 3) was built in 1987 (per Assessors record), with a single one-story (McDonald's) commercial restaurant - fast food (per Chapter 282 Section 10.0 -Definitions) building and associated paved parking lot. The restaurant is equipped with a single drive-through lane and service windows.

The site is in Highway Commerce (CH) Zoning District and Pond Street Mixed Use Overlay District (PSMUOD). The existing restaurant – fast food use (282-3. Uses 'D') in (CH) Zone requires Board of Appeals (ZBA) Special Permit approval with condition that, “no access via Pond Street”, and “Drive-through” accessory use, (282-3. Uses 'G') in (CH) is also require ZBA special permit approval. A ZBA special permit was issued for the expansion of the use (Drive Through Lane). ZBA should confirm that the existing non-conforming use (Restaurant – fast food with access via Pond Street) is being extended with the expansion of Drive Through Lane use.

There are some concerns by the Police Department that the Pond Street exit vehicle making (disobedient to the existing “No Left Turn” traffic sign) left turn onto Pond Street. Based on the Demolition & Erosion Control Plan (C-201) and the referenced MassDOT Route 126 (Pond Street) Plan and Profile (100% Submission) Construction Plans, sheet (6 of 17), dated 1/17/2020. The MassDOT plan shows the landscape center island at the McDonald's site Pond Street entrance (Route 126 Construction Baseline, Station 44+50 left) will be straightened toward pond street. The existing island was intentionally curved southward to discourage vehicles exiting making a left turn onto Pond Street. There is an existing “No Left Turn” traffic sign facing west (exit traffic) in the landscape island not shown on the plan set. The existing “Keep Right” sign as shown has been removed as observed by GCG during a Pond Street site visit on April 1, 2022, GCG recommends preserving the existing landscape island with the curved configuration to aid vehicle to make a right turn exit. The island was not altered during the April 1 visit. The “Keep Right” sign should be reinstalled in the island as shown on the plan. Additional “No Left Turn” sign might be added to the existing exit Stop sign to enhance the no left turn warning. Applicant should coordinate with MassDOT for the landscape island configuration through their State Highway Access Permit.

Chapter 282, Section 8.8 (PSMUOD), sub-sections 3.0, requires Planning Board Special Permit approval for 5.2.2. – Drive through services windows, and 5.2.5 – All uses allowed by right or by special permit in the underlying zoning district, uses.

The southeast portion of the proposed work is within the 200' Riverfront area of an unnamed steam tributary to the Beaverdam Brook and requires filing a Notice of Intent with the Ashland

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Conservation Commission. The approximate location of the perennial stream was based on a "Mortgage Plot Plan" dated April 26, 1985, and the approximate location of wetland boundary was based on the MassGIS mapping tool as stated on the Bohler site plan labels. Resource area delineation boundary requires Conservation Commission approval. Subject site is in Zone 'X' – Areas determined to be outside the 0.2% annual chance floodplain per current Flood Insurance Rate Maps (FIRM). There is no NHESP priority habitats of rare species or estimated habitats of rare wildlife identified in the site vicinity per MassMapper (formerly MassGIS).

## **SITE PLAN**

### **C-101 - Cover Sheet**

1. Chapter 282-10.0 - Parking Information Table's proposed parking space dimensions should comply with the nine by twenty feet as stated in the section 10.0 Parking Space definitions. (See additional parking space comments under Site Layout Plan below).

### **C-102 – General Notes Sheet**

1. No comments.

### **C-201 – Demolition & Erosion Control Plan**

1. Plan should clarify the type, function, and ownership of the existing masonry structure to remain at the southwesterly lot corner. The structure wall appears to be part of the dumpster enclosure brick wall. The structure's roof was added between year 2014 and 2019, (based on Google Map's historic street view images), which transformed the status of a dumpster enclosure wall to a structure. The structure is on the abutter's (Lot 1) side yard setback and within the 10' wide existing access easement. Applicant should clarify the right and zoning compliance of this structure to remain. In addition, the dumpster is in violation of Fire Code 19.2.1.4. - "Dumpsters and containers with an individual capacity of 1.5 cubic yard or more shall not be stored in buildings or placed within 10 feet of combustible walls, openings, or combustible roof eave lines."
2. An existing dumpster (to remain) and a bollard is occupying a parking stall next to (north of) the dumpster pad. The bollard disqualified the stall for a valid parking space. The outside dumpster is without enclosure screening. Dumpster location is not controlled and potentially too close to the abutter's 2 story frame building and violating Fire Code 19.2.1.4.
3. The Pond Street reconstruction had installed two catch basins along the project frontage. Silt sack erosion protection should be provided.
4. Pond Street access drive pavement between the two proposed work areas is in poor conditions with alligator crack and trench patches, applicant should consider extending the repaving area to meet the new Pond Street pavement limit.
5. Temporary ADA compliance pedestrian access and accessible parking spaces should be maintained during construction period.

### **C301 – Site Layout Plan**

1. Chapter 282 Section 3.0 – Proposed existing Restaurant – fast food use requires Board of Appeals special permit approval, the Table of Principal Use Regulations also stated,

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- “No Access via Pond Street”. The existing Pond Street Access is classified as an existing nonconforming condition, extending Pond Street access with modified landscape island as shown on the MassDOT construction plan and this site plan sheet C-201 – Demolition and Erosion Control Plan requires ZBA special permit approval.
2. Applicant should update the existing signage at the Pond Street site access. A “No Left Turn” sign was observed in the landscape island on April 1, 2022, and the “Keep Right” sign was missing. The “Keep Right” sign should be reinstalled immediately to avoid head on collision at the site exit lane. The straightened island layout as shown on MassDOT plan and sheet C-201 requires Planning Board approval. GCG does not recommending the landscape island modification, which defeats the propose of aiding exit vehicle to prevent right turn exit onto Pond Street.
  3. Chapter 282-8.8.6.4.1.a. - Zoning Analysis Table’s minimum rear yard setback in PSMUOD district should be 15 feet.
  4. Chapter 164-2 – A 3<sup>rd</sup> ADA accessible parking space is required. The 2 accessible spaces meet the current AAB/ADA requirements. However, 164-2 requires parking spaces more than forty (40) but not more than hundred (100), 4% of such spaces but not fewer than three (3), should be accessible spaces.
  5. Chapter 282-5.1.2 requires 1 space per 4 seats for restaurant use, the required minimum 20 parking spaces calculations are based on 80 seats seating capacity. Which should be verified by the Ashland Inspectional Services Departments and match their restaurant use occupancy permit. The calculated 20 minimum parking spaces meets the PSMUOD 8.8.8.2. requirements.
  6. 282-10.0 - Definitions - Parking Space requires not less than nine by twenty (9 x 20) feet, plus means of access. The current Zoning Bylaw does not have any compact parking space policy. Section 8.8.8.6 requires off-street parking facilities shall meet Section 5.1 “Off Street Parking Requirements” standards as the minimum criteria. In addition, Section 9.4.6.11 requires “The site plan shall comply with all zoning requirements of parking, loading, signage, dimensions, and environmental performance standards and all other provisions of this by-laws.” Majority of the parking layout presented are existing nonconforming parking stalls. Proposed new parking spaces dimensions should comply with the current regulations. Existing nonconforming spaces to remain should be demonstrated (by providing vehicle maneuvering path) that they are physically accessible. As presented, the northeasterly parking stalls were scaled 9’ x 17’ with 20’ maneuvering aisle at the narrowest. The northeast new 60° angled parking stalls were scaled 9’ x 15.5’ (length should be measured perpendicular to the parking lines for all angled parking spaces), parked vehicle will partially be encroaching the drive aisle. The east parking stalls were scaled 10’ x 17.5’ to 18’ with 20’ wide maneuvering aisle, one parking space is occupied by the existing dumpster to remain with a bollard. The south parking stalls were scaled 8’ to 9’ wide by 17’ length (78° angled spaces), the two proposed new spaces were scaled 17’ length, with 21’ wide aisle. The east parking spaces were scaled 18’ length (proposed new 90° spaces, including ADA accessible spaces) and 17’ length (82° spaces, new and existing) with 21.5’ aisle. Applicant should enhance the existing nonconforming parking layout to improve traffic safety.
  7. 282-5.1.4.6 – “Restaurant, fast food, drug store. There should be at least four spaces provided between the pickup window and order point, at least four spaces provided in advance of the menu board, one space at the order point, and one space at the menu board.” Applicant should demonstrate compliance with section 5.1.4.6. with accessibility of the northeast angled parking spaces and address Fire Department’s concern with traffic backing up on to Pond Street (Route 126).

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8. 282-5.2. – Show off-street loading space or area.
9. Proposed “Yield to Pedestrians Sign” is within the driving path.
10. MUTCD Section 3B.18.05 – Crosswalk should not be less than 6’ wide.
11. Restore or modify Pond Street access landscape island to aid vehicle to exit right turn only. Modify and update existing and proposed traffic signage as necessary.
12. No new lighting proposed, existing lighting to remain.
13. No new sign proposed, existing signs to remain.

#### C401 – Grading and Drainage Plan

1. Chapters 247 and 343 - Project requires a Stormwater Management Permit through Ashland Conservation Commission. Project site as shown is subject to Massachusetts Stormwater Handbook (MSH) regulations and requires Stormwater Management Report and associated checklist. The proposed site changes as shown have a net decrease of impervious area (100+/- s.f.) and is qualified as a redevelopment project, MSH (Standard #7), which requires compliance to the MSH standards to the maximum extent practicable. The plan appears to meet MSH Standards #1, 2, 5, 6, and 7. For Redevelopment project, the stormwater management system should meet standards #3 and #4 to the maximum extent practicable. At a minimum, the plan should identify the existing drainage system on-site, for Conservation Commission to determine the site plan meeting their maximum extent practicable expectations. Standard #9 and #10 should be complied to the full extent. An Operation and Maintenance Plan, (long term and during construction period), identifying the responsible parties, sample maintenance log, annual budget, and Illicit discharge statement should be provided according to the Stormwater Management standards.

#### C701 – Landscape Plan

1. Chapter 282-5.4.3 and 5.4.5 – Existing nonconforming buffer and interior plantings do not meet current requirements, Board approval required.

#### C702 – Landscape Notes and Details

1. No comments.

#### C901 – Detail Sheet

1. MUTCD Section 3B.18.05 – Crosswalk Detail, the gap between the transverse lines should not be less than 6 feet.
2. Typical Pavement Markings – Note: all pavement marking shall meet the latest MUTCD standards.
3. Stall striping – call out minimum parking stall length, stall length for angled parking should be measured perpendicular to the side lines.

#### C-902 – Detail Sheet

1. 282-5.1.4.6 - Drive-Thru detail should meet 5.1.4.6 spaces requirements.

2. 164-3 – Accessible Parking Sign detail, signs should comply with the latest MUTCD standards and bear the words “Handicapped Parking: special Plate Required. Unauthorized Vehicle May be Removed at Owners Expense”.

### Boundary & Topographic Survey

The signage at the Pond Street access island had been altered since 09-01-2021 (field date). Updated signage should be provided on the site layout plan.

### Summary

Existing nonconforming parking stall dimensions and maneuvering aisle width are tight for general uses. Some spaces are deemed non-useable with the drive-thru queuing. Proposed new Drive-thru lanes should at a minimum comply with Chater 282 Section 5.1.4.6 requirements, without affecting the Pond Street traffic and interior loop intersection. Applicant should consider investigating the entire parking lot layout and provide a safer traffic maneuvering path for the proposed double drive-thru lanes use.

If you have any questions regarding this matter, please contact our office.

Respectfully submitted,  
GCG ASSOCIATES, INC.

*Michael J. Carter*

Michael J. Carter, P.E.  
Project Manager

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