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**TOWN OF ASHLAND MASSACHUSETTS  
OFFICE OF  
PLANNING BOARD  
101 MAIN STREET**

RECEIVED  
TOWN CLERK  
ASHLAND, MA  
2022 MAY -6 AM 11:53

Patricia Kendall, Chairman  
Peter Matchak, Town Planner

**Certificate of Approval  
Site Plan Review  
311 Pleasant Street  
Map 13, Lot 052**

In Accordance with Chapter 40A, Section 6 of the Massachusetts Zoning Act and Chapter 282, 8.1 (Floodplain Overlay District), 9.3 (Special Permits), 9.6 (Design Plan Review) and 9.4 (Site Plan Review) of the Ashland Bylaws, the Planning Board (the "Board") received an application on October 28, 2021 (the "Application") and subsequently held a public hearing for the Application of Next Grid, PO Box 7775 #3069 San Francisco, CA 94120. C/O Nathan A. Collin, P.E. – CLC Design, 23 Deer Hollow Rd, Forestdale, MA 02644. The current property owner is Ashland Memorial Associates, C/O Richard H. Smith, 311 Pleasant Street, Ashland, MA 01721. The property in question is located at 311 Pleasant Street, Assessors Map 13, Lot 052 and is within the Residential B Zoning District.

The Public Hearing and continuances were held pursuant to notice published in the Metro-West Daily News on December 29, 2021 and January 5, 2022 and mailed to Parties of Interest.

The Board opened the public hearing as advertised on January 13, 2022. Public discussion of the aforesaid application was therefore continued on February 10, 2022, March 3, 2022, March 31, 2022 and April 14, 2022. The public hearing was closed on April 14, 2022. Due to the Covid-19 Massachusetts State of Emergency Planning Board public hearing were held via video conference. Meeting were held in full compliance with Massachusetts Open Meeting guidelines as modified by Governor Charlie Baker's Emergency Order dated March 12, 2020 suspending certain provisions of the Open Meeting Law. Agendas and meeting material were available on the Town of Ashland website.

***Documents of Record***

The Application was received and stamped at the Town Clerk's Office on October 28, 2021, and contained:

- Application for Special Permit and Site Plan Review
- A letter summarizing the application dated September 10, 2021

311 Pleasant Site Plan Review  
Planning Board Decision

- Abutters List dated August 3, 2021
- Assignment and Conveyance between Team Solar Inc. and NextGrid Falsebox LLC
- First Amendment to Solar Land Lease Agreement dated May 22, 2019
- Second Amendment to Solar Land Lease Agreement dated October 30, 2020
- A one (1) sheet Set of Proposed Site Plans titled “311 Pleasant Street Solar Canopy Project Ashland, Massachusetts; Dated September 17, 2021 holding a revision dated of March 9, 2022; Scale: 1”= 20’; developed by CLC Design 23 Deer Hollow Road Forestdale MA 02644”:

Sheet:	Description:	Plan Date:	Revision Date:
1	Proposed Site Plan	Sept 17, 2021	March 9, 2022

***Materials Submitted During the Public Hearing:***

- a) Screening Sketch received January 31, 2022
- b) Continuance request from Nathan Collins, dated February 8, 2022
- c) Email from Nathan Collins, dated March 9, 2022
- d) Cross Section Profile received March 29, 2022
- e) Letter from Attorney Kampas, dated April 7, 2022
- f) Additional correspondence from Attorney Kampas, received April 10, 2022
- g) Other correspondence from abutter(s), neighbor(s), resident(s) and/or others relative to the Project.
- h) Set of plans entitled “Sudbury Riverwalk Enhancement Project Town of Ashland Open Space Committee Ashland Massachusetts; Dated January 30, 2013; Scale 1”=100’; Prepared by GLM Engineering Consultants, Inc 19 Exchange St Holliston MA 01746”

***Facts and Findings***

Based on the evidence presented by the Applicant, the Board makes the following findings outlined in Chapter 282, Section 9.4.6 (Site Plan Review Criteria) of the Ashland Zoning Bylaws:

1. The project proposal includes development of solar canopy structures within the parking area as an accessory structure. All work shall be within the limits of the existing parking lot and there shall be no proposed changes to the existing building.
2. The plan was revised to include landscape screening on the north and west sides of the canopies and the east side of the utility box.
3. The Riverwalk is an existing trail that currently runs along the Sudbury River and Mill Pond. There has been substantial investment by the Town of Ashland to increase accessibility and extend the trail, including the recent construction of an

accessible observation deck and a bridge that connects the trail with Mill Pond Park and the Bay Circuit Trail, as well as trail improvements to increase accessibility, as shown on the plans entitled “Sudbury River Walk Enhancement Project.” The next phase of development for the River Walk includes extending the trail to Marathon Park, which includes construction of a bridge over the Sudbury River.

4. The proposed project was certified by a registered professional engineer that the proposed encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood.
5. Based on the evidence presented by the Applicant, the Board is required to apply the criteria found in Chapter 282 section 9.4 (Site Plan Review) of the Ashland Zoning Bylaw as it applies to the proposed uses which are set forth in Sections 3.1 (Use Regulations), as follows:

- a. **Minimize use of wetlands, steep slopes, floodplains and hilltops;**

- Finding:* The proposed canopies are located within a floodplain of the Sudbury River. The Board finds that no additional impervious surface will be created with the proposed location over an existing asphalt parking lot.

- b. **Minimize obstruction of scenic views;**

- Finding:* The Planning Board finds the proposed solar canopies will negatively affect the natural aesthetic including the viewshed of the river from both Pleasant Street and Ponderosa Road. The Board in reviewing the community’s ongoing investment and development of the Ashland River Walk and proposed plans to develop the extension of the present trail along Ponderosa Road and with a connection point to Marathon Park finds that the River Walk will serve all community members by providing access to natural areas. Again the proposed solar canopies if placed within the floodplain at the locus will negatively obstruct residents’ view shed when traveling and interacting with the natural environment of the Sudbury River.

- c. **Preserve unique natural or historical features;**

- Finding:* The Sudbury River is located along the northerly property line and has an intricate part of Ashland history. In the 1800 and 1900 hundreds falling water and two nearby dams were used to power Ashland’s mills and industrial sites in the commercial center of town. Today the Sudbury River is returning to its unique natural character and state. For community’s members to access this unique natural environment within close proximity to Ashland downtown and MBTA train station the community has developed plans and has made recent investments of the Ashland River Walk granting an outlet for passive recreation along the Sudbury River. The Ashland Planning Board finds the proposed

installation of the solar panels will create a negative impact on the view shed of the unique and natural environment that Ashland is making investments to preserve for the community and future generations.

- d. Minimize tree, vegetation and soil removal and grade changes;**  
*Finding:* The proposed project will involve no tree, vegetation or soil removal, nor grade changes.
- e. Maximize open space retention;**  
*Finding:* There is no open space on the Locus.
- f. Screen objectionable features from neighboring properties and roadways;**  
*Finding:* Efforts to screen the canopies from the adjacent parcels and the future River Walk have been made through the inclusion of three lines of Leyland Cypress trees, however the visibility of the solar panels from across the Sudbury River from Ponderosa Road are seen to be intrusive to the natural environment of uniqueness of the river.
- g. Consideration shall be given to the impacts of the project on town services and infrastructure**  
*Finding:* The impacts of the project on town services and infrastructure has been considered and are not detrimental to the town.
- h. Electric, telephone, cable television, gas, water, sewer drainage and other such utilities shall be underground except in the case of extreme physical and environmental constraints**  
*Finding:* The utilities serving this project shall be underground.
- i. Exposed storage areas, machinery, service areas, truck loading areas, utility buildings and structures and other unsightly uses shall be set back or screened to protect the neighbors and those using public ways from objectionable features. Such areas shall not impede the flow of traffic on public ways.**  
*Finding:* The utility box and the panels will be screened by a vegetative buffer and fencing.
- j. When applicable, the site plan shall show measures to reduce and abate noise generated from the site that will impact surrounding properties**  
*Finding:* The proposed project will not generate noise.
- k. The site plan shall comply with all zoning requirements for parking, loading, signage, dimensions and environmental performance standards and all other provisions of this By-law**  
*Finding:* The site plan complies with all relevant zoning requirements for parking, loading, signage, dimensions and environmental performance standards.

- I. The site plan shall be consistent with the objectives of the Comprehensive Plan and other applicable specific plans adopted by the Planning Board**

*Finding:* The site plan is consistent with all applicable plans.

***Decision***

Following presentations by the Applicant and its consultants, a review by the Planning Board and its consultant and members of the public, the Planning Board made a motion to approve the described application.

The Board Voted as follows:

To approve the project proposal per Section 9.4 (Site Plan Review) and Section 9.6 (Design Plan Review) of the Ashland Zoning Bylaws.

**Planning Board Vote: Approved**

**Site Plan Review**

Vote: Approved (3-2)

VOTE: (N) Tricia Kendall, Chair                      (A) Marcelo Arjona

(Y) Lakshmi Krishnan, Clerk                      (Y) Deepa Venkat                      (N) Anna Tesmenitsky

(Y) Kevin McClean, Associate Member


*(A) = Absent or not present during the entire hearing process and therefore not eligible to vote.*


*(NA) = Associate Member no vote cast*

By a 3-2 vote, the Planning Board approval the Site Plan and Design Review under Section 9.4 (Site Plan Review) and 9.6 (Design Plan Review).

**Town of Ashland Planning Board**

  
\_\_\_\_\_  
Tricia Kendall, Chair

  
\_\_\_\_\_  
Lakshmi Krishnan, Clerk

  
\_\_\_\_\_  
Deepa Venkat

  
\_\_\_\_\_  
Anna Tesmenitsky

  
\_\_\_\_\_  
Kevin McClean, Associate Member

Filed with the Town Clerk on:

Date: \_\_\_\_\_

\_\_\_\_\_  
Cindy Livingstone, Town Clerk

In accordance with Section 11 of Chapter 40A, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Ashland Town Clerk, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Cindy Livingstone, Town Clerk