



Town of Ashland

MASSACHUSETTS

MINUTES OF MEETING
ASHLAND ZONING BOARD OF APPEALS
April 26, 2016

1 Present: Stanley Daner, Vice Chair
2 John Trefethen
3 Stuart Siegel
4 Pete Kopecky
5 Brian Forestal
6

7 Absent: Phil Jack, Chair
8 Tom McNulty
9

10 Guest: George Connors
11 Alan Micale
12
13

14 **Prior Meeting Minutes:** Mr. Kopecky moved and Mr. Daner seconded the motion to approve
15 the minutes of March 31, 2016 as amended. The motion passed 5-0-0.
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17 Mr. Daner moved and Mr. Forestal seconded the motion to approve the minutes of April 12, 2016
18 as amended. The motion passed 5-0-0.
19

20 **366 Pleasant St., Burnam's – Special Permit:** A Public Hearing convened at 7:05PM to discuss a
21 Special Permit application for a commercial parking lot at 366 Pleasant Street/2 High Street. The
22 application has been submitted on behalf of the owner: 5D Realty Trust, Daniel Giargiari, Trustee.
23

24 Mr. Daner, Mr. Trefethen, Mr. Kopecky are sitting members on the hearing.
25

26 Atty. George Connors, representing 5D Realty appeared before the Board. Atty. Connors stated
27 that Mr. Giargiari is the owner of Burnam Restaurant and 5D Realty. Mr. Giargiari's initial
28 request was for an additional 17 parking spaces; however the number was adjusted to 24.
29

30 There are currently 128 spaces on the property and 173 spaces were originally proposed by the
31 MBTA; 45 spaces were not built at that time.
32

33 Atty. Connor reported that the applicant has filed for a permit with the Conservation Commission
34 to work within the river zone. Atty. Connor stated that proposed rain gardens will take in the run
35 off from the sloped pavement. The project does not impact the neighborhood character, because
36 the area is surrounded by parking and there is no environmental or fiscal impact.
37

38 Mr. Daner asked for the applicant's comments concerning the letter from the Building Inspector,
39 Mr. Crisafulli, which suggested reconfiguring 8 spaces into tandem parking to avoid backing out
40 onto traffic. Atty. Connor responded that the suggested solution is no longer required with the
41 new design.
42

43 The Board concurred that ticketing cars that park on the grassy areas would be a suitable
44 deterrent. Atty. Connor indicated that the storage container currently onsite, will be moved to a
45 location that will not impede the line of sight entering and exiting the site.
46

47 Mr. Trefethen moved and Mr. Kopecky seconded the motion to suspend the 366 Pleasant St.,
48 Special Permit Hearing. The motion passed 5-0-0.
49

50 **125 Union Street – Special Permit/Variance:** A Public Hearing convened at 7:30 PM to discuss
51 applications for a Special Permit and a Variance for signage and a drive thru window at 125 Union
52 Street. The application has been submitted on behalf of the owner: Colbea Enterprises, LLC
53

54 Mr. Trefethen moved and Mr. Forestal seconded the motion to suspend the 125 Union St.,
55 Special Permit Hearing. The motion passed 5-0-0.
56
57 **366 Pleasant St., Burnam's – Special Permit:** A Public Hearing resumed.
58
59 Mr. Forestal asked and Atty. Connor responded that the area around the storage container will be
60 cleaned up as part of the project.
61
62 Mr. Daner opened the meeting for public comment:
63
64 Charlie Lagassi, representing the abutter at 350 Pleasant St., asked for clarification of how the
65 reconfigured spaces will be positioned. Atty. Connor replied that the 7 spaces will be incorporated
66 into the 24 spaces planned for the current patio area.
67
68 Atty. Connors commented that given the original plan requested 17 new spaces; the Board's
69 decision should state 17 new spaces and reconfigured parking along High St. included.
70
71 Mr. Daner stated that the Board will deliberate at the next meeting.
72
73 Mr. Kopecky moved and Mr. Trefethen seconded the motion to continue the 366 Pleasant St.
74 Special Permit Hearing until May 24, 2016 at 7:05 PM. The motion passed 5-0-0.
75
76 **125 Union Street – Special Permit/Variance:** A Public Hearing resumed.
77
78 Mr. Daner, Mr. Forestal, Mr. Siegel are sitting members on the hearing.
79
80 Alan Micale, Ayoub Engineering, appeared before the Board. Mr. Micale stated that the applicant
81 will address comments from the Planning Board on May 12th and will appear before the Design
82 Review Board on May 2nd.
83
84 Mr. Micale provided a description of the current site and reviewed the proposed plan and rendering.
85
86 Mr. Micale stated that the proposal is to raze the entire site and rebuild the facility. The carwash
87 will be eliminated, thus reducing peak runoff rates and volumes. The dispensers and fueling
88 facilities will be set back from their current location. The site currently has no storm water
89 management, which will be corrected in the new plan that will include a complete in ground water
90 quality mitigation system.
91
92 Mr. Micale stated that adding the drive thru to the existing Dunkin Donut business will improve its
93 efficiency.
94
95 Mr. Siegel asked for a description of the traffic flow around the fueling stations. Mr. Micale replied
96 that vehicles will enter from Union and Homer Streets and there is adequate space for vehicles to
97 circulate when vehicles are at the fueling stations. Mr. Micale explained that signage will be
98 installed to direct traffic exiting the site.
99
100 Mr. Siegel asked and Mr. Micale responded that the facility will offer diesel for cars and small
101 trucks.
102
103 Mr. Kopecky commented that cars queuing on the site will likely cause traffic issues on Homer St.
104
105 Mr. Micale reviewed proposed signage plan for the Season Market sign with digital pricing. The
106 proposal exceeds the number of signs and the square footage.
107
108 Mr. Daner said that he would like to hear the results of the other pending committee meetings.
109
110 Mr. Trefethen asked the applicant to address the comments submitted by the peer review consultant
111 at the next meeting.
112
113 Mr. Daner moved and Mr. Forestal seconded the motion to continue the hearing until May 24, 2016
114 at 7:45PM. The motion passed 5-0-0.
115
116 Mr. Trefethen moved and Mr. Siegel seconded the motion to adjourn. The motion passed 5-0-0.
117

- 118 The next meeting is scheduled for May 10, 2016 at 7:00 PM.
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120 The meeting concluded at 8:30 P.M.