



Town of Ashland

MASSACHUSETTS

MINUTES OF MEETING
ASHLAND ZONING BOARD OF APPEALS
June 28, 2016

1 Present: Tom McNulty
2 John Trefethen
3 Stuart Siegel
4 Brian Forestal
5
6 Absent: Phil Jack, Chair
7 Stanley Daner, Vice Chair
8 Pete Kopecky
9
10 Guest: Al Micale

11
12 **125 W. Union St. Special Permit and Variance:** A continuation of the Public Hearing convened
13 at 7:05 pm to consider the application for a Special Permit at the request of Colbea Enterprises,
14 LLC

15
16 Mr. Forestal, Mr. Siegel and Mr. Trefethen are sitting on the hearing.

17
18 Al Micale, Consulting Engineer of AB Engineering Co., distributed 4 sets of plans that were
19 approved by the Planning Board and the Design Review Board. Mr. Micale provided an overview
20 of the project's current status and the Planning Board's comments, such as to extend the stone
21 along the side of the building, install goose neck lighting and a fence. Mr. Micale also explained
22 that the applicant has proposed installing significant storm water runoff collection and treatment
23 structures, removing the carwash bay, and installing a drive-thru for the Dunkin Donuts.

24
25 Mr. Micale stated that the applicant will seek the longest possible hours of operations the Board of
26 Selectmen will approve, however they have stated there will be no trash pickup between the hours
27 of 10:00 pm to 6:00 am, and the volume of the take-out order speakers will be lowered during
28 those hours as well.

29
30 The applicant will maintain the landscaping for 5 years and Mr. Micale said excess snow that
31 accumulates will be trucked offsite.

32
33 Mr. Micale presented the details of the monument signage that will be 8ft. to 9ft. high and broken
34 into 3 sections to accommodate the Season's Corner Market and the Dunkin Donut signs, all three
35 totaling less than 150 sq. ft.

36
37 Mr. Micale said the applicant will also appear before the Selectmen and the Conservation
38 Commission.

39
40 Mr. Trefethen asked if the curb cuts and openings on W. Union St. and Homer St. will change and
41 Mr. Micale responded no.

42
43 Mr. Trefethen summarized that the applicant is seeking a special permits, for the drive thru, for not
44 complying with the front and setback requirements for the building and canopy, and for the
45 electronic signage.

46
47 Mr. Micale said the proposed canopy front setback is 22.8 ft. from W. Union St. and is required to be
48 40 ft., the building side and setback is required to be 40 ft. from Homer St., and the proposed building
49 is at 15 ft. from Homer St., and on the side yard the building will be at 23.6 ft. and the canopy will be
50 17 ft.

51
52 Mr. Trefethen read the peer review report concerning the signage and Mr. Micale said he agreed
53 with the findings and detailed the location of the proposed 10 signs included in the plans.

54

55 Mr. Siegel raised the Board's stipulation for another Dunkin Donuts drive-thru that required
56 customers who place large orders at the drive-thru to park while waiting for the order to be
57 prepared.
58

59 Mr. Siegel asked and Mr. Micale responded that all deliveries and trash pickup will be done off
60 peak hours.
61

62 Mr. Siegel asked and Mr. Micale responded that the building will have a canopy over the door to
63 protect customers entering and exiting the building from potential roof runoff.
64

65 The Board announced that they would start deliberations.
66

67 Concerning the variance for relief from the town's restrictions that signage is not to exceed 150 sq.
68 ft.; the Board approved and stated that the signs are attractive, an improvement on what is currently
69 there, in line with those in the district and the type of business.
70

71 Mr. Trefethen, Mr. Siegel and Mr. Forestal voted to approve the variance as present. The variance
72 was approved with a unanimous vote of 3-0-0.
73

74 Concerning the special permit request for the proposed drive thru; the Board stated that the
75 proposed plans for the drive-thru meet and or satisfy the criteria for the special permit with the
76 condition that when large orders are placed the customers will be instructed to park while the order
77 is prepared.
78

79 The Board reviewed the six categories of Section 9.3.2 and concluded that all conditions are met
80 and there are no overarching adverse impacts based upon the information presented during the
81 hearing.
82

83 Mr. Trefethen, Mr. Siegel and Mr. Forestal voted to approve the special permit for the drive-thru
84 with the condition as discussed. The special permit was approved with a unanimous vote of 3-0-0.
85

86 Concerning the special permit request for the proposed front and side setback, the Board reviewed
87 the six categories of Section 9.3.2 and concluded that all conditions are met and there are no
88 overarching adverse impacts based upon the information presented during the hearing
89

90 Mr. Trefethen, Mr. Siegel and Mr. Forestal voted to grant a special permit and waive the front and
91 side setback requirements as discussed. The special permit was approved with a unanimous vote of
92 3-0-0.
93

94 Concerning the special permit request for the proposed electronic price sign the Board reviewed the
95 six categories of Section 9.3.2 and concluded that all conditions are met and there are no
96 overarching adverse impacts based upon the information presented during the hearing
97

98 Mr. Trefethen, Mr. Siegel and Mr. Forestal voted to grant a special permit for one electronic digital
99 sign for gas pricing with the specifications as discussed. The special permit request for a digital
100 sign was approved with a unanimous vote of 3-0-0.
101

102 Mr. Trefethen moved and Mr. Forestal seconded the motion to close the hearing. The motion
103 passed 4-0-0.
104

105 Mr. Trefethen moved and Mr. Forestal seconded the motion to adjourn. The motion passed 4-0-0.
106

107 The meeting concluded at 8:20 P.M.
108