



Town of Ashland , Office of the Planning Board

Planning Board Meeting (Hybrid)

January 22, 2026 at 7:15 PM

Approved by the Planning Board on: February 12, 2026

1 **Members Present:**

2 Tricia Kendall, Chair

3 Anna Tesmenitsky, Vice-Chair

4 Scott Pelletier, Member

5 Paul Montesino, Member

6 Angel Khazadian, Associate Member

7

8 **Also Present:**

9 Jasmin Farinacci, Director of Planning & Economic Development

10

11 **Call Meeting to Order**

12 Chair, Tricia Kendall, called the Planning Board meeting to order at 7:18 PM and announced that
13 the meeting was being recorded.

14

15 **Chair/Clerk's Report**

16 Ms. Kendall acknowledged receiving one email pertaining to the Housing Production Plan, as well
17 as several emails regarding 0 Cross Street, which Ms. Farinacci will address tonight.

18

19 **Public Comment**

20 None.

21

22 **Informal Discussion: Caroline Estates Preliminary Subdivision**

23 Ms. Kendall explained that the Board had discussed this matter at a previous meeting; there were
24 some questions pertaining to aspects of the project but no one was present at that time representing
25 the project. The Board had recommended that an ANRAD be done to ascertain the uplands for the
26 site.

27

28 Paul Desimone, representative for the project, presented a plan showing the 6.8-acre parcel of land
29 that was left over in 1954 when the subdivision was built; there are two road stubs. The project
30 was never completed due to wetlands and a high water table. In 2006, they ran a sewer line through
31 the property. Mr. Desimone shared a map showing the location of four lots. They have gone
32 through the ANRAD process with Conservation Commission. There is a brook on an area of the

33 property that Conservation is still working to identify. The applicant noted having a short
34 conversation with the Deputy Fire Chief, Lyn Moraghan.

35
36 Ms. Khazadian inquired as to whether the setbacks could change when the stream or water body
37 is identified; Ms. Farinacci noted that it could, she also noted that the Conservation Commission
38 has made it clear that the corner of the right cul-de-sac will not be allowed to be constructed, they
39 cannot fill the wetlands. There is also a culvert outlet at the end of the cul-de-sac that would have
40 to be designed around.

41
42 Ms. Kendall noted there are still many unanswered questions, she stated that the Board typically
43 doesn't approve anything unless approved by the Conservation Commission; the roadways would
44 also need to be approved by the Fire Department.

45
46 Becca Solomon, Conservation Agent, joined the meeting remotely and confirmed that the
47 Conservation Commission has not approved the wetland lines on this yet; they are waiting for the
48 file number from the State. In regards to the streams on the site, under the Wetlands Protection
49 Act Regulations, the Applicant would be required to show that there are no alternatives, that they
50 cannot put the cul-de-sac somewhere else on the site, other than inside the wetlands. The Applicant
51 stated they would have everything ironed out before they submit the Definitive Plan and come
52 back before the Board.

53
54 **Public Meetings**

55 **Ballard Road/Highland Road – ANR**

56 Attorney Jason Panos, was present at the meeting on behalf of the Applicant, the Depietri Group
57 LLC; Sandra Depietri, Manager of the Depietri Group, was also present, as well as Civil Engineer
58 Marc Alencar of MP Design Consultants.

59
60 Attorney Panos shared a slide presentation of the ANR (Approval Not Required) Plan for two lots
61 off of Ballard Road and Highland Road, proposed as Parcel A and Parcel B, as shown on a
62 Subdivision Plan that had been approved and recorded in 1950, which was submitted as part of
63 their application. The owner of those lots, Parcel A and Parcel B, will be subject to easements to
64 continue the use of Highland Road and Ballard Road. Attorney Panos discussed the undeveloped
65 lots depicted in the 1950 Plan, he noted that Lots 31, 30, 29, 28, 21, 20, 19, 18, portions of 22, 23,
66 15, 16, 17, and adjacent portions of Ballard Road, Marietta Road (non-existent road), and Highland
67 Road, are all under common ownership.

68
69 Attorney Panos explained that they believe that these two lots will be beneficial to the
70 neighborhood; the development of these parcels and lots will help address the housing crisis by
71 providing efficient use of land. With a smaller footprint, these homes will diversify the Ashland
72 home ownership demographic, and will provide for stormwater management, as well as public
73 utility connections. Attorney Panos noted they are here to create the two back parcels, Parcels A
74 and B, which are conforming to dimensional requirements and zoning; the other parcels are
75 preexisting nonconforming, those will get pulled forward by a statute that came into play in
76 November.

77
78 Attorney Panos referenced Sheet Two, Plan Note #4, MGL Chapter 40A, Section 6: "Adjacent
79 lots under common ownership shall not be treated as a single lot for local zoning purposes. If at
80

81 the time of recording or endorsement the lots conform to the then-existing requirements of area,
82 frontage, width, yard or depth, for each such lot has not less 10,000 square feet of area and 75 feet
83 of frontage, and are located in a zoning district that allows for single family residential use, any
84 single family residential structure constructed on set land shall not exceed 1,850 square feet of
85 heated living area, shall contain not less than three bedrooms, and shall not be used as a seasonal
86 home or short-term rental.” Ms. Tesmenitsky inquired, and Ms. Farinacci responded, that Town
87 Counsel did confirm that the interpretation is accurate; Ms. Farinacci will get it in writing.

88
89 Ms. Tesmenitsky inquired, and Attorney Panos confirmed, that this allows the Subdivision to be
90 grandfathered in. Attorney Panos noted that the lots were created in 1950; zoning did not come
91 into Town until 1954.

92
93 To create Parcels A and B, they needed to take from Marietta to create zoning-conforming lots,
94 they needed 30,000 square feet and 150 feet of frontage; combining three lots that didn’t work
95 into two that did work. Ms. Kendall inquired, and Mr. Alencar responded, in regards to Rule 22 of
96 the Ashland Bylaws, that they will shift Parcel B’s area to mirror Parcel A, to make a more regular
97 shaped lot, isolating off the stormwater/non-buildable lot.

98
99 Mr. Pelletier inquired, and Attorney Panos responded, that the remaining three ‘outside lots’, and
100 Lot 21, will also be developed subject to 40A, Section 6; Until this statute came into play, they
101 were dead lots. The small lot (8,191 square feet) will be used as the stormwater management lot.

102
103 Attorney Panos noted they are currently preparing their Stormwater Permit application; they
104 expect to be in front of the Conservation Commission by the end of February. The ANR
105 endorsement and the Stormwater Permit are the only two permits they will need. The cul-de-sacs
106 have been reviewed by Deputy Chief Moraghan; she found the swept path analysis and turning
107 radius were fine; she has one condition, to not allow parking in the cul-de-sac to allow for constant
108 flow in the event of an emergency. Ms. Kendall is glad to see the building of smaller homes on
109 smaller lots.

110
111 The Board agreed to have this come back for the February 12th meeting with the revised Plan.

112 **Motion:** Ms. Tesmenitsky motioned to continue Ballard Road, Highland Road ANR to February
113 12th; the motion was seconded by Mr. Montesino.

114 **Vote:** 4-0-0. The motion was approved by rollcall vote (Tesmenitsky-aye, Pelletier-aye,
115 Montesino-aye, Kendall-aye).

116
117 Ms. Kendall suggested the two lots be outlined in black in the revised plan.

118
119 **Public Hearings**

120 The Board discussed their schedule of upcoming hearings; the hearing for Tilton Avenue is
121 scheduled for February 26th.

122
123 **Memorial Drive – YMCA**

124 **Motion:** Ms. Tesmenitsky motioned to continue Memorial Drive-YMCA public hearing to
125 February 12th; the motion was seconded by Mr. Pelletier.

126 **Vote:** 4-0-0. The motion was approved by rollcall vote (Tesmenitsky-aye, Pelletier-aye,
127 Montesino-aye, Kendall-aye).

128 **240-260 Pleasant Street – SPR, DPR & Site Alteration SP**

129 **Motion:** Ms. Tesmenitsky motioned to continue 240-260 Pleasant Street – SPR, DPW and Site
130 Alteration SP to February 26th; the motion was seconded by Mr. Pelletier.

131 **Vote:** 4-0-0. The motion was approved by rollcall vote (Tesmenitsky-aye, Pelletier-aye,
132 Montesino-aye, Kendall-aye).

133
134 Ms. Farinacci noted that also on February 26th is the Housing Production Plan Draft Goals and
135 Strategies presentation to the Planning Board and Select Board jointly on that evening. Ms.
136 Tesmenitsky noted that they will also need to schedule a joint meeting with the Select Board for
137 the Implementation Committee piece of the Comprehensive Plan; it is possible that they could
138 discuss both matters on February 26th. Ms. Tesmenitsky agreed to change the last motion/hearing
139 date.

140
141 **Motion:** Ms. Tesmenitsky motioned to amend the last motion, and move 240-260 Pleasant Street
142 SPR, DPR and Site Alteration SP to February 12th. The motion was seconded by Mr. Pelletier.

143 **Vote:** 4-0-0. The motion was approved by rollcall vote (Tesmenitsky-aye, Pelletier-aye,
144 Montesino-aye, Kendall-aye).

145
146 **In-Law Apartments – Zoning Bylaws Amendment**

147 *In accordance with the provisions of M.G.L, Ch. 40A, Section 5, the Ashland Planning Board will*
148 *hold a Public Hearing on proposed amendments to the Ashland Zoning Bylaws. The changes*
149 *proposed are to add Section 7.8 in the Ashland Bylaws (In-law Apartments), and amend Section*
150 *3.0 Use Regulations – 3.1.G. Table of Use Regulations – Accessory Uses.*

151
152 Ms. Kendall explained that after their last meeting and discussion, she went through the draft
153 document to make sure the In-Law Apartments Bylaw and the ADU Bylaw relate to each other,
154 and compared them side-by-side to show the differences more clearly; Ms. Kendall, Ms. Farinacci,
155 Building Commissioner Doug Scott, and Town Counsel Lisa Mead, went through and reviewed
156 the changes the Board had discussed.

157
158 The Board discussed why the Bylaw needs the amendment; Ms. Farinacci explained that the State
159 Law uses ADU and In-Law interchangeably, but the Building Code runs into issues with the way
160 the ADU Bylaw was written, which states there must be two means of egress, as well as fire
161 separation between a house and the ADU. An In-Law apartment does not require two means of
162 egress, or fire separation; if that that provision is not included in the Bylaw, the Building
163 Commissioner cannot issue a permit for one. Mr. Pelletier inquired, and Ms. Farinacci responded,
164 that many other communities, including Dover, have had to do the same thing, they have also had
165 to amend the ADU Bylaw to add in the In-Law apartment. Ms. Farinacci noted that the provisions
166 under the ADU are more complicated and expensive, and burdensome for someone who may just
167 want an In-Law apartment.

168
169 Board Members discussed other points that were brought up at the last meeting:

- 170 • Changing the wording of ‘In-Law’. which may confuse people to think it must be used by
171 a relative. It can also be a friend that you’re taking in.
- 172 • An ADU is allowed if you also have an In-Law apartment.
- 173 • In-Law apartments should be equally-flexible; like ADUs they should be by-right.

174

175 Ms. Tesmenitsky suggested the Board look at the State Regulations and see how they are defining
176 an ADU under the State’s new ADU Law. If they are defining ADU to include In-Law apartments,
177 the Bylaw, in referencing In-Law apartments, needs to honor the State law.

178
179 Ms. Farinacci noted that the State using ADU and In-Law apartments synonymously is a mistake;
180 under the Building Code, the Building Commissioner has to treat them differently. Ms. Kendall
181 stated that we will get more information from the State, and more information from the Building
182 Commissioner, about where exactly the problem is. Ms. Farinacci noted the Warrant Article
183 deadline is March 23rd; she suggested Town Counsel attend a meeting to discuss. Ms. Kendall
184 would like to keep this on the agenda. Mr. Pelletier inquired, and Ms. Kendall confirmed, that the
185 Building Commissioner was at the last Planning Board meeting for over an hour, answering
186 questions from the Board.

187
188 **Public Hearing:**

189 Janet Platt, resident, noted an error on the link to the website.

190
191 **Motion:** Ms. Tesmenitsky motioned to continue the In-Law Apartment Zoning Bylaw
192 Amendment to February 12th. The motion was seconded by Mr. Pelletier.

193 **Vote:** 4-0-0. The motion was approved by rollcall vote (Tesmenitsky-aye, Pelletier-aye,
194 Montesino-aye, Kendall-aye).

195
196 **Planning Board Task List:** Discussion and Comment

197 Ms. Kendall noted that Members’ meeting binders include a Planning Board Task List, which she
198 has broken down by priority level. The projects will be put in chronological order, and frequently
199 referenced Bylaws are included in the back of the binders.

200
201 **Reports**

- 202 • Community Preservation Committee – Mr. Pelletier reported that CPC is planning to meet
203 again in January, they have only one thing that they will be reviewing.
- 204 • Metro West Regional Collaborative
- 205 • Comprehensive Plan – Ms. Tesmenitsky reported that Yolanda Greaves will create a draft
206 process guide for the Implementation Committee; she will let her know the Planning Board
207 is looking to discuss this during the February 26th joint meeting, time permitting.

208
209 **Administrative Matters**

210 a. Planning Updates

- 211 • Ongoing & New Projects
- 212 • Housing Production Plan – to be reviewed on February 26th.
- 213 • Update on 40Bs and SHI – Ms. Farinacci updated the Board on the 40B Projects:
214 61 Waverly Street has been approved; the 21-day appeal period has passed. They
215 are now before the Conservation Commission.
216 10-60 Main Street was approved; their 21-day appeal period will expire on
217 February 3rd. They will be applying with the Conservation Commission and should
218 be on Conservation’s first meeting in March. The preliminary ground work is going
219 to take a lengthy amount of time.
220 55 West Union Street is finishing up with Design Review, there are a few questions
221 left regarding Water & Sewer from Haley Ward. Their deadline is February 22nd,
222

223 they are not anticipating any extensions. They will have 40 days to write the
224 Decision, and then a 20-day appeal period. Ms. Khazadian inquired, and Ms.
225 Farinacci confirmed, that Conservation requirements cannot be waived by the
226 Zoning Board of Appeals.

227 Ms. Khazadian inquired, and Ms. Farinacci responded, that the MWRA supplies
228 our water; for a cost, the Town may acquire more water supply.
229

230 The Board discussed adding to the Planning Board Task List researching the
231 creation of a water conservation mitigation plan. Ms. Kendall noted that there is a
232 section on the Task List to understand DPW infrastructure capacity and potential
233 updates to Regulations; the Board may want to invite Doug Small, DPW Director,
234 to a meeting in March. Ms. Farinacci will put Mr. Montesino in touch with Director
235 Small.
236

237 0 Cross Street: Ms. Farinacci shared a plan with the Board showing a large plot of
238 land on 0 Cross Street. A contractor had applied to put in a solar array at 71
239 Frankland Road in Hopkinton. A section of the parcel is in Ashland. Hopkinton
240 approved the project with the condition that the remaining owned land be put into
241 either Open Space or Conservation Restriction; the owner agreed. Somehow when
242 the Building Permit was approved, only a small section was restricted, and the area
243 in Ashland, as well as the rest of the parcel, was not put into the Open Space. The
244 project has been built; Town Counsel has said there is nothing we can do legally; it
245 is up to Hopkinton to enforce it. If Board Members are inclined, they may write a
246 letter to Hopkinton, encouraging them to take action and enforce the full extent of
247 their conditions of their decision and to put this parcel into restriction. Ms. Farinacci
248 stated they are no plans for the parcel at this time, but it could easily be built upon.
249

250 Ms. Kendall allowed public comment from abutters of 0 Cross Street, Tony
251 Quattrone and Susan Thorne; Ms. Thorne noted that during the Open Space and
252 Recreation Committee Meeting, the Committee made a motion in support of
253 Ashland having a coordinated effort with Hopkinton, to let them know that this
254 land matters to us and this parcel should be part of Open Space per the agreement.
255 Ms. Thorne explained that during the Select Board meeting last night, the Select
256 Board agreed to discuss this matter with Town Counsel and send a letter to the
257 Town of Hopkinton as well. As abutters, they only learned about this through an
258 abutter notification / hearing notice from Ashland Conservation, that an entity was
259 working with Agilitas Energy. Knowing there was an agreement from 2020, they
260 have had to do a lot of research to enforce the terms of the Special Permit. It is a
261 beautiful piece of forested property and is part of the trail system, it was meant to
262 be protected habitat and Agilitas should be upheld to that commitment to the
263 community.
264

265 Ms. Kendall asked for Board feedback in regards to sending a letter to Hopkinton.
266 Ms. Tesmenitsky suggested the Board come up with a standard of when we respond
267 with a letter to another town, and how we do it, so that they are consistent; it should
268 only be when it is impactful to Ashland. Ms. Thorne noted that the designated Open
269 Space land was to offset the deforestation from the 23-acre solar array, it was

270 mitigation that justified the solar project’s approval, something that was promised to
271 both communities, to protect the watershed and the downstream resources. Mr.
272 Pelletier suggested adding their names to the Select Board’s letter; Ms. Kendall
273 will speak with Joe Magnani.
274

275 **Minutes Review:** January 8

276 **Motion:** Ms. Tesmenitsky motioned to approve the January 8th meeting minutes as is. The motion
277 was seconded by Mr. Montesino.

278 **Vote:** 4-0-0. The motion was approved by rollcall vote (Tesmenitsky-aye, Pelletier-aye,
279 Montesino-aye, Kendall-aye).
280

281 **Upcoming Meetings:** February 12
282

283 **Adjournment**

284 **Motion:** Ms. Tesmenitsky motioned to adjourn the meeting at 9:29 PM; Mr. Montesino seconded
285 the motion.

286 **Vote:** 5-0-0. Motion approved. (Tesmenitsky-aye, Pelletier-aye, Montesino-aye, Khazadian-aye,
287 Kendall-aye).
288

288 Documents Referenced during the 01/22/2026

- 289 • Caroline Estates – Preliminary Subdivision Plan
- 290 • Ballard Road, Highland Road - ANR
- 291 • Draft In-law Apartment Bylaw
- 292 • 0 Cross Street, Plan
- 293 • Draft Meeting Minutes, January 8, 2026