



## Town of Ashland , Office of the Zoning Board of Appeals

MINUTES OF MEETING  
ASHLAND ZONING BOARD OF APPEALS -  
101 Main Street, Ashland MA / Zoom Video Conferencing Meeting Only  
March 10, 2026, 7:00 PM

Minutes Approved on: March 24, 2026

Present: John Trefethen, Chair  
Brian Forestal, Member  
Stuart Siegel, Associate Member  
Kiran Gurrán, Associate Member

Absent: Nathan Band, Member  
Ryan Sullivan, Associate Member  
Alex Mironovas, Associate Member

Also present: Jasmin Farinacci, Director of Planning and Economic Development  
Attorney Brian Winner, Town Counsel

### **Call the Meeting to Order**

Mr. Trefethen called the meeting to order at 7:00 PM. Mr. Trefethen announced that tonight's meeting is via Zoom only, and that the meeting will be recorded and will be broadcast at a later time on WACA-TV.

### **Public Hearing – 55 West Union Street; 40B Comprehensive Permit**

Mr. Trefethen explained this hearing was first opened on August 26, 2025; they most recently met on February 24, 2026, at which time the matter was continued to this evening. Mr. Trefethen explained that a letter was received from Lynn Sweet, LDS Consulting Group, on March 8, 2026, which will be discussed and entered into the record.

Mr. Trefethen stated that Item 1 of the letter, CCTV Inspections, indicates that this work was completed on March 4<sup>th</sup> and that a report shall be submitted this week.

Lynn Sweet, on behalf of the applicant, stated their consultant has informed them that they were able to access most of the manhole covers and he is ready to write his report. There was nothing problematic identified. Ms. Sweet stated that the camera footage is a large file and will be uploaded to her server and distributed to the Board.

36 Item 2, was in regards to the rainfall monitoring, Ms. Sweet stated they have not had as much success  
37 with this. The hearing is open until March 24<sup>th</sup>, they have not had a 1.75-inch rainstorm (in six hours).  
38 Ms. Sweet would like this requirement eased.

39 Bethany Ordnung of Haley Ward, the Town's peer reviewer, explained that ideally, with this type of  
40 storm, it is a distinct response, but we cannot wait indefinitely for this rainfall to occur; she proposed  
41 pulling the meters next week, March 20, 2026. Ms. Ordnung noted there have been a couple of ½-inch  
42 storms and plenty of snow melt. Ms. Sweet said this would be very helpful.

43 The next item was the sewer relocation issue; Ms. Sweet stated they do not know what to do at this  
44 point; they are looking at this from a practicality standpoint. Mr. Trefethen discussed receiving a  
45 letter from the Department of Public Works Director, Doug Small, dated March 5, 2026, which stated  
46 that they strongly prefer the proposed utilities connect to the infrastructure located within Memorial  
47 Drive rather than West Union Street; that regardless of the connection location, the applicant must  
48 evaluate the receiving sewer main to confirm sufficient capacity exists to accommodate the additional  
49 flows. The existing sewer currently runs beneath the proposed building's footprint; they believe a  
50 relocation is necessary to accommodate construction, and recommend evaluating relocation along  
51 Memorial Drive.

52 Attorney Winner explained that until we write up the conditions and how the Board wants to move  
53 forward with the Comprehensive Permit conditions, the applicant cannot make an evaluation, whether  
54 it is a cost they want to take on. The statement from the DPW Director is clear; some of the objections  
55 raised in Ms. Sweet's March 8th letter are clear as well. however, some of the objections laid out are  
56 only logistical; it may make sense for this Board to express a direction of where the Board is leading,  
57 based on the information, and start putting together conditions the Applicant may be looking at.  
58

59 Mr. Trefethen, Mr. Forestal and Mr. Siegel will be the sitting Members for this hearing when the  
60 Decision is written.  
61

62 Mr. Forestal stated the DPW's letter is valid, they need to be able to get at that sewer pipe without  
63 cars in the way, without it being in a parking lot; he thinks it should be relocated. Mr. Siegel agreed,  
64 in the event of an emergency, if DPW is called upon it would create unwanted duress from their  
65 logical stated position. Mr. Trefethen stated that he is also inclined to go with the recommendations  
66 of the DPW, as the party who will be responsible for the maintenance after construction.  
67

68 Attorney Winner confirmed that the Board is in agreement that the Decision should include a  
69 condition to relocate the sewer lines to Memorial Drive. Ms. Sweet stated this will be difficult  
70 outcome for everyone involved. Attorney Paul Haverty, for the applicant, discussed the associated  
71 costs, including testing, that would be required. Ms. Sweet stated this is most likely a decision that  
72 would lead to the developer not moving forward on the project. Attorney Haverty stated that if this  
73 condition is imposed, they will have no choice to but to take an appeal to the Housing Appeals  
74 Committee. Attorney Haverty stated the associated cost would be substantial, the DPW's reasoning  
75 was inadequate to support a legitimate concern, that it was a statement of preference.  
76

77 Mr. Trefethen said he would like to think on this; he noted that he understands the applicant's position,  
78 and their reasoning behind it, he also understands that as a Board, they have a responsibility to make  
79 sure the project proceeds safely and is able to be maintained once it's been built. The parties discussed  
80 availability for a follow-up meeting; all agreed to meet again on March 30<sup>th</sup>.  
81

82 Ms. Sweet discussed a letter from Haley Ward pertaining to a miscalculation of water capacity; Ms.  
83 Ordnung confirmed that this was a correction to the original letter they had sent after a resident had  
84 noted an inconsistency. There is still capacity, but it is less than what they originally calculated.

85

86 Public Comment

87 None.

88

89 **Motion:** Mr. Forestal motioned and Mr. Siegel seconded, to continue the hearing to Monday,  
90 March 30, 2026, which passed with the following vote: 4-0-0.

91 Mr. Trefethen: Aye

92 Mr. Forestal: Aye

93 Mr. Siegel: Aye

94 Ms. Gurrán: Aye

95

96 **Public Hearing – 35 Nickerson Road; Special Permit**

97 Mr. Trefethen explained that he will need to recuse himself from this hearing due to a conflict of  
98 interest. Ms. Farinacci read the public hearing notice into the record:

99

100 *The petition is from ORB Investments LLC, requesting a Special Permit per M.G.L. Chapter 40A*  
101 *Section 9 and Chapter 282, Section 9.3 (Special Permits), Section 3.3.3 (Nonconforming*  
102 *Structures), and Section 3.3.5 (Nonconforming Single and Two Family Residential Structures) of*  
103 *the Ashland Bylaws. The applicant seeks a Special Permit to extend the existing building by building*  
104 *a garage. The building and lot are pre-existing non-conforming. The property in question is located*  
105 *at 35 Nickerson Road, Assessors Map 25, Lot 340, in the Industrial zone.*

106

107 Ms. Farinacci noted that the applicant is aware that the meeting was being held via Zoom tonight,  
108 but they are not present this evening. Ms. Farinacci suggested the Board continue the matter.

109 Board Members agreed to continue to the next regularly scheduled meeting

110

111 **Motion:** Mr. Siegel motioned and Ms. Gurrán seconded, to continue the hearing to Tuesday,  
112 March 24, 2026, which passed with the following vote: 3-0-0.

113 Mr. Forestal: Aye

114 Mr. Siegel: Aye

115 Ms. Gurrán: Aye

116

117 Ms. Farinacci will let the applicant know that the meeting has been continued.

118

119 **Meeting Minutes: February 17, February 24**

120 February 24, 2026

121 **Motion:** Mr. Forestal motioned and Mr. Siegel seconded, to approve the meeting minutes of  
122 February 24, 2026, which passed with the following vote: 4-0-0.

123 Mr. Trefethen: Aye

124 Mr. Forestal: Aye

125 Mr. Siegel: Aye

126 Ms. Gurrán: Aye

127

128 **Staff Updates and Administrative Matters**

129 Mr. Trefethen noted that in regard to their special meeting next week on Monday, for the appeal of  
130 the Building Commissioner's decision, he will be recusing himself from that matter, as he is one  
131 of four Trustees of the Trust that has appealed the decision.

132 **Adjournment**

133 **Motion:** Mr. Forestal motioned and Mr. Siegel seconded, to adjourn the meeting, which passed  
134 with the following vote: 4-0-0.

135 Mr. Trefethen: Aye

136 Mr. Forestal: Aye

137 Mr. Siegel: Aye

138 Ms. Gurrán: Aye

139

140 The meeting adjourned at 7:54 PM.

141

142 Documents reviewed during the March 10, 2026 meeting

143 1. Letter from LDS Consulting, Letter from DPW – 55 West Union Street

144 2. Draft Meeting Minutes, February 24, 2026

145