

**Ashland Planning Board
Amended Meeting Minutes
Wednesday, December 4, 2024**

- CALL TO ORDER:** Kendall Hughes, Chair, called the meeting to order at 6:30 PM
- MEMBERS PRESENT:** Chris Janosa, Kendall Hughes, Mardean Badger, Paula Hancock Tricia Farris
- ALTERNATES** Linda Barnes (alternate), Bethany Franz (alternate), Donna Locurto
- PRESENT:** (alternate)
- OTHERS PRESENT:** Jane Sawyer, Land Use Assistant
Kevin Leonard, Northpoint Engineering
Frank McClain, representing Habitat for Humanity
Jeffrey Dirk, Vanasse and Associates Inc., Traffic Study
Tim Andrews, Nobis Group, Director of State and Municipal Projects

DISPOSITION OF MINUTES

The Board reviewed the minutes of Monday, November 25, 2024. Tricia Farris made a motion to accept the minutes as amended. Kendall Hughes seconded the motion. The motion passed with 3 yes votes, 0 no votes, 2 abstentions (Chris Janosa, Mardean Badger).

MILL POND DEVELOPMENT

The Planning Board inquired of Kevin Leonard, representative for Mill Pond Associates if Mill Pond Associates had received the Brown Engineering review. Kevin Leonard advised that he had received the Brown Engineering review. The Planning Board requested that the Mill Pond Associates submit a written response to the 17 pages of concerns expressed by Brown Engineering. The Planning Board further requested that the Board receive the written responses two weeks before the next meeting.

Kevin Leonard pointed out to the Board that the Board had met with Brown Engineering prior to the December 4 meeting to discuss the Mill Pond development project without any Mill Pond representatives present at the meeting. Further that the December 4 meeting should be a Public Hearing.

Kendall Hughes wanted to review both the Subdivision Application for Mill Pond Development as well as the Site Plan Review Application. Each application would be fully presented. Each application would be presented separately.

Kevin Leonard made the following presentation of the Subdivision Application:

- On November 21, 2024 sent a written letter to Ashland department heads outlining the current Mill Pond plans
- The letters were put in department heads' mailboxes
- November 21: DES requested more detail from Mill Pond regarding the wetlands and the topography of the property
- Kara LaSalle tracked down Aaron Zorwiski, the owner of the dam on the property. Mr. Zorwiski had concerns about the development. His concerns were: to retain the ability to get heavy

equipment to and from the dam for work on the dam; concerned about the connection of water and sewer lines near the dam; concerns about the removal plans and removing the existing easement; concern about the Mill Pond Lane extension over to the dam as well as continued access to the dam

- The dam owner expressed concern about the access of heavy equipment to the dam post 76 unit development. The owner was told that access road would be made wider and be paved with a better easement. Revisions would be made in the plans to meet the needs of the dam owner.
- Boundaries of the property: Mill Pond development (TML 110-073) boundary goes along the Mill Pond edge. The identified line of the boundary runs along the top of the bank. This line is a reference line. There is a 250' from the reference line. The property measures 27.28 acres.
- The setbacks for the development buildings are 35', 15'. The buildings will be 45' and will be three stories in height.
- DES needs more detail about the tree data and the wetland crossing
- There will be a culvert constructed under the road
- The developers will extend Mill Pond Lane 1,000' from Mill Pond Lane to Winter Street
- The cul de sac island when built will not allow enough turnaround for vehicles and emergency vehicles
- Mill Pond will talk to department heads about possible options at the end of Mill Pond Lane.
- Mill Pond Lane Associates will address the dam owner's concerns
- The Mill Pond removal plan needs to include the recognition of the building tracks
- The Mill Pond developers need to address the concern at the intersection of Winter Street
- The developers will need to remove some trees to have enough room for the width of the road
- There will be a gutter line from road drainage
- The stormwaters will be collected in catch basins; from the catch basins the storm water will go through pipes and sent back to the Mill Pond
- There are four lots north of Mill Pond Lane
- Habitat for Humanity construction will be a future phase
- Mill Pond developers will need to obtain a shoreline permit from DES
- The Mill Pond developers will install a low pressure sewer system; there will be septic tanks installed in the development with individual pumps; the sewer line will be brought in from Winter Street; the sewer line will be a gravity line coming in from Winter Street
- The Mill Pond developers needs fire protection (hydrants) added from Winter Street to Mill Pond Lane
- The Mill Pond developers will drop Mill Pond Lane down to Mill Pond
- The catch basin will drain into the wetlands
- The utilities will be overhead along Winter Street. The utility lines will then be installed underground from Winter Street to Mill Pond Lane. The utility lines will be underground to all residences in the development

The Planning Board advised Kevin Leonard that the letters that were sent to department heads had not been received by the department heads. The Planning Board requested that the written letters be sent in hard copy or electronic format to the Land Use Assistant, Jane Sawyer. The Planning Board will follow up with the Town Manager so that Mill Pond can meet with the department heads.

HABITAT FOR HUMANITY

Frank McClain made a presentation to the Planning Board concerning Habitat's partnership with Mill Pond to construct 4 private homes in the development. Frank McClane made the following points:

- Habitat for Humanity has a partnership with Mill Pond developers to construct 4 homes.
- This partnership will save Habitat \$40,000-\$50,000.
- A recent home cost \$135,000.
- Habitat has accepted donated parcels of land since 1985 on which was built private residences
- Habitat for Humanity has built in Ashland in the past
- The families to which these homes are given will eventually own the home, will take out a mortgage on the home, will give back to Habitat in work equity.
- Residents who are given Habitat homes are former veterans and administrators. They become local taxpayers.
- Habitat expects to have all 4 residences constructed in one year.
- The Habitat for Humanity construction will be in Phase III of the development
- Habitat is reassessed until the homes are built.
- Habitat pays all town taxes for the Habitat portion of the project until the homes are constructed
- The last 3 families that were given Habitat homes did have children
- There are procedures in place at Habitat to protect from individuals who might be tempted to flip the property.
- Mill Pond Lane to Rte 3 is part of Phase I of the development.

Kendall Hughes, Chair of the Planning Board, proposed that the Mill Pond meeting of Wednesday, December 4, 2024 be continued to Thursday, February 6, 2025 at 6:30 PM at the Ashland Booster Club. The Mill Pond Associates agreed to the continuation.

PUBLIC HEARING

The Planning Board opened a Public Hearing at 7:25 PM to review the Site Plan Review Application for Mill Pond Development.

The Planning Board advised that at the previous meeting that dealt with Mill Pond Development the Board accepted both the Subdivision and Site Plan Applications as complete. When the Board continued the meeting to December 4 the Public Hearing was continued as part of the continuation process. A Public Hearing does not need to be posted. Both the Subdivision Application and Site Plan Review Application were continued to this December 4 meeting.

SITE PLAN REVIEW APPLICATION MILL POND DEVELOPMENT (TML 110-073)

Kevin Leonard made a presentation to the Planning Board of the Site Plan Review Application for the Mill Pond Development. Kevin Leonard made the following points:

- The Mill Pond development will construct multiple housing units on the remaining property.
- The Subdivision will bring water, sewer and electricity to the rest of the property
- There is a 25' easement on the west side of the park
- Mill Pond has met with the Selectboard to discuss access to the development through Industrial Drive.
- The design of the development may change due to the DES process to obtain DES permits
- Mill Pond developers would like to come before the Selectboard to find common ground
- There is also Center Drive, This is the access between the first two buildings to the dam. The developer will flip the dumpster with the access drive to get heavy equipment through to the dam
- The developers would like to widen the radius of the cul de sac/roundabout

- The DPW is accommodating the proposal for a cul de sac
- Phase I of the Mill Pond development is Mill Pond Lane to Rte 3
- There will be 10 buildings constructed on the development; 4 of the buildings will have 6 units with two bedrooms each
- There will be 6 ADUs (accessible units) that are attached to the buildings
- The community room of the buildings will be 1,000 square feet
- There will be programming staff
- The parking regulation requires 2 parking spaces per unit; that would require at least 152 parking spaces in the development; Mill Pond is proposing 175 parking spaces; there will be handicapped parking spaces as well
- There will be a proposed playground area in the development
- Mill Pond is proposing sidewalks to connect the various buildings
- Mill Pond is proposing a sidewalk to Rte 3 and into town; There will be granite curbing on the sidewalks
- Sidewalks between the Habitat homes and the buildings will be a future project.
- The construction of sidewalks means more impact to the development
- The proposed dumpsters will have fencing around them and/or plantings; the dumpsters will be bear-proofed.
- The private drives on the property will be 22' wide; the private drives will be maintained by Mill Pond Associates
- Mill Pond is proposing a closed drainage (Alteration of Terrain)
- Crosswalks will be placed where necessary
- The development will impact the wetlands on the property
- There will be a sidewalk with an equalization culvert along the road
- The access road to the dam will be flipped; it will be a straight shot
- The details concerning Industrial Drive are currently up in the air

PUBLIC COMMENT

Richard Grinley, Mill Pond Lane: His concern is that a cul de sac has no exit.

Mill Pond Response: Cul de sac really means a round about. The road is a public road to the circle. Beyond the round about the road is private and the public road ends.

Yvonne Downes: There is going to be a 50' road and a sidewalk. My home is located 5' from the public road. I have sheds on my property, but I have Winter Street on the other side of my home.

Kendall Hughes, Chair, Planning Board: Ms. Downes can get the complete plans from the Land Use Assistant, Jane Sawyer

Sarah Stoppe, an abutter: My concern is that the dam project seems to be expanding. The Mill Pond will empty into the Squam River and on into Ames Brook.

Kendall Hughes, Chair, Planning Board: The Mill Pond dam is a separately owned property. The water will only rise 10'. DES is aware of the Mill Pond and Mill Pond dam. It will be part of the DES permitting process and procedure.

Matt Angel: Can the Mill Pond Lane become a shortcut to Winter and Depot Streets. Will there be signage.

Mill Pond Response: There will be signage. The cul de sac will be wide enough to accommodate a school bus and emergency fire equipment

Donald Stoppe: I would like to know where the buildings will be located. There are numerous snowmobile trails: Club trails, Primary trails, and Corridor trails pass through this development. The location of the buildings are close to the corridor trails. There are 8 corridor trails as well as a rail line trail. Local businesses benefit from the snowmobile industry and trails.

Mill Pond Response: You can be assured the state snowmobile system will not be interrupted.

MILL POND DEVELOPMENT TRAFFIC STUDY

Jeffrey Dirk, Vanasse and Associates Inc. made a presentation to the Planning Board explaining the results of his recent traffic study for Mill Pond Development. Jeffrey Dirk made the following points:

- Mill Pond would like to coordinate with the Town of Ashland
- There is more generated traffic coming from the 4 private residences on Mill Pond Lane; there is less traffic coming from the 76 multifamily units on the property
- The more beds means more traffic
- The traffic study looked at the spikes in traffic from 7-9 AM and 3-6 PM; for 1 hour of study between 7-9 AM resulted in 37-46 cars in that hour; from 7-8 AM there were 37 trips completed; from 8-9 AM the number of trips decreased to 36 trips
- The traffic study looked at dispersed traffic; the peak of the dispersal was at Rte 3 entrance
- Traffic requires a DOT permit
- 37-46 peak trips were handled through District 3
- Delays didn't rise by more than 10 seconds; it increases the impact by one car
- The traffic is dispersed not concentrated
- The study was done in the months of July-August
- The traffic study looks at how the roadways are being used; is the traffic dispersing locally for people who live and work in Ashland; is the traffic being dispersed by residents who live in Ashland and work elsewhere
- The traffic study looked at residents' employment
- 35% of the local traffic work in the Lakes Region
- Traffic coming from Depot Street is going east and south.
- 65% of the traffic are getting onto Rte 93 and heading south
- The traffic plan has a 10% variation
- In order to be given a traffic signal at the intersection of Rte 3 and Mill Pond Lane Ashland needs to meet both State and Federal criteria. There are 9 criteria/warrants that need to be met to obtain a traffic signal. Ashland does not meet the criteria so Ashland is not entitled to a traffic signal
- There was a speed and volume of traffic study. The study showed 100 vehicles/hr. over 8 hrs. There is not enough volume to warrant a traffic signal.
- There are no significant traffic delays
- The Site Design needs to incorporate recommendations for the inclusion of pedestrians and bike riders in the development; the plans need to accommodate bikers with vehicles on the road; the plan needs to show placement of bike racks on the Site Plan

- The speed and volume portions of the traffic study will be started next week (December 9-13)
- The traffic speed seems to be higher during the summer months
- The traffic study need to take into consideration the installation of a turn lane

The Planning Board recommended that Mill Pond do a traffic study during the academic school year. There should be a traffic study done during the spring and fall as well as during functions and events at the ballpark.

The Planning Board recommended that Mill Pond analyze Industrial Drive and the straight drop within a 10% grade. This is an issue that needs to be addressed.

TRAFFIC STUDY

Jeffrey Dirk made the following points about his recently completed traffic study:

- The private roads will be cleared later (winter).
- Mill Pond Lane will be maintained by Mill Pond Associates
- There will be a shift of traffic
- There is a grade percentage of Winter Street. It is a deeper percentage than Mill Pond Lane

PUBLIC COMMENT

There were comments from the public concerning the Site Plan Review Application. The public comment follows:

Bob Latourneau Thompson Street: There should be an analysis of Mill Pond Lane. There needs to be a separate analysis of Industrial Drive. The right of way is not wide enough to accommodate the construction of a road

Donald Stoppe: His concern was the amount of traffic that goes along the edge of the pond

Yvonne Downes, Mill Pond Lane: The traffic study analysis is too low. The street where I live is dangerous. Are there plans being made to make the street safer? The Mill Pond developers need to make additional calculations for accommodating the Park and Recreation events as well as school events and functions.

Kendall Hughes: Kendall explained that the Town has hired an engineer to look at the Mill Pond Traffic Report in more detail.

Sheila Grinley, Mill Pond Lane: Mill Pond needs to put some sort of signage on their property. There are no warning signs; there are no driveways; there is no light where there is a volume of traffic. Mill Pond needs to consider light at Winter Street.

Kendall Hughes: Light will be part of the driveway permit process; light will be considered as part of this process.

Sarah Stoppe: She questions when does a driveway become a public or private road?

Kendall Hughes: The voters will have a say. Mill Pond Lane needs to go through the process to make it a public road.

Kendall Hughes pointed out that there is a dance studio, a yoga studio with their own flow of traffic on the road. In addition there is traffic congestion and a problem of proper parking at Mill #3. The road and the easement will be discussed with DOT when a driveway permit is applied for. Mill Pond Lane is not a town road. The original pre-existing Mill is not well defined. The town maintains the road for emergency for residents in the private residences along Mill Pond Lane.

NOBIS GROUP PRESENTATION

The Lakes Region Planning Commission (LRPC) made a request of the Nobis Group to pursue an assignment of environmental research using their due diligence for this Mill Pond Project. Tim Andrews, Nobis Group, Director of State and Municipal Projects made a presentation to the Planning Board. He explained the results of an extensive study of the environment on the Mill Pond Project property. Tim made the following observations:

- Nobis Group collected extensive data for the Phase I of the Mill Pond Project
- Nobis Group started a research project, checked tax files of the property, the history of the property and the environmental history of the property. Nobis Group interviewed the owner of the property
- Nobis reviewed all past environmental reports on the property
- There was no testing data available at this time
- Nobis contacted all local banks, industries and realtors to determine any other history of the property
- Nobis made a base evaluation of the property to include any potential liabilities, improper disposal of several 55 gallon barrels
- Nobis found several unidentified waste piles
- There was potential use of PFAS and firefighting foam over the years; there was also several controlled burns on the property; there was also the use of fire fighting foam for training purposes
- There was concentrations of metals; the metals on the property exceeded state standards in the groundwater
- There were 4 monitoring wells located on the property
- There has been urban fill from other industries on the property in the past; this property was also a dumping site for ash and coal; there was asphalt mixed in with the soil samples
- There is concern at Nobis of the risk of exposure to the population; the issue of asbestos needs to be addressed

Tim Andrews explained to the Planning Board his recommendations for the site:

- It is recommended that the Phase I of the project have a complete assessment
- It is recommended that the soil and water on the property undergo further evaluation
- Test pits need to be created to look in more detail at the subsoils on the property
- Nobis needs to find out exactly what is out there on the full property
- Additional test pits need to be created
- There are presently six monitoring wells on the property. Nobis recommends that four more monitoring wells be created. The monitoring wells are needed to monitor the groundwater on the property
- Nobis needs to sample the waste piles; Nobis needs to sample waste characterization
- All the monitoring and sampling of waste materials and sampling of groundwater and soil samples will be done with Nobis, DES, EPA and LRPC (Lakes Region Planning Commission)

- There needs to be public transparency of the Nobis research until the property changes ownership
- The present owner and the future owner are responsible for all liabilities of the property
- All liabilities fall to the owner of the property. All liabilities need to be addressed by the owner
- The owner also takes on all financial responsibility for the property
- Nobis has been given full access to the property. However, due to dense vegetation in some areas of the property access is not attainable
- Monitor wells collects identified data
- EPA concerns need to be addressed in the research of the Phase II of the project
- Nobis will prepare a Site Plan of the property in early January 2025
- Access to the property will factor into the cleanup of the property
- There will be environmental support for unexpected professionals who will work with DES
- Nobis is recommending that there be significant management of all soils on the property
- If there are new risks found on the property the town health officer will be notified
- The weather will affect the costs of the project
- The site is not transversible but some trees can be cut to make the property accessible
- Nobis can use drills to get through the snow layers; costs will slow us down

Matt Angel: He expressed concern about protecting the four private residences from liability

Nobis Response: The residents could do a title search. The restrictions will be placed against the deed

Donald Stoppe: He had concerns for the metals found on the property

Kendall Hughes: The Planning Board will ask for a Phase III assessment. Phase I is the Analysis Phase. Phase II is the investigative phase. Phase III is the mitigation phase. Phase III will be taken into consideration. All results will be made public.

Sarah Stoppe: She expressed concern about the access of the metals on the property by kids

Nobis Response: Nobis will give the owner all data for the owner to mitigate the situation. The issue of liability and risk will be given to Lakes Region Planning Commission. Mill Pond Associates will need to mitigate the risk and manage the issues. The property needs to be mitigated, graded, and isolated. The area is then fill will be put over the area. Restrictions will be put on the property. The mitigation will be incorporated into the design. There will be 15' wells and 7' of water. Nobis will eventually put this property back on the tax rolls.. It will become beneficial property.

The Planning Board pointed out that the fiscal impact study from the applicant in their school study did not include high school costs. It does not include any elementary school building costs.

Mardean Badger made a motion to continue the Public Hearing on both the Subdivision and Site Plan Review Applications to Thursday, February 6, 2025 at 6:30 PM at the Booster Club. Chris Janosa seconded the motion. The motion passed unanimously. The applicant agreed to the continuance.

The applicant will supply information to the Planning Board two weeks before the upcoming meeting.

UPCOMING ISSUES NEEDING REVIEW/DISCUSSION

In 2025 the following issues will be addressed by the Planning Board:

- Jane Sawyer, Land Use Assistant, will put together a charette in January 2025
- The Building Regulations will be updated
- The Zoning Ordinance corrections
- All regulations and applications have been taken off the Planning Board page and added to the Forms and Documents page
- The meeting schedule for the Planning Board for 2025 needs to include the submission dates for all documents and forms. January 2025 is coming upon us. There needs to be submission time before the scheduled Planning Board meeting.

ADJOURNMENT

Kendall Hughes adjourned the meeting. The meeting adjourned at 9:20 PM. The next Planning Board meeting will be Thursday, January 2, 2025 at 6 Collins Street at 6:30 PM.

Minutes submitted by Paula Hancock