



Case No.: _____

**Town of Ashland
Planning Department**

101 Main St.
Ashland, MA 01721
508.881.0101

ashlandmass.com/316/Zoning-Board-of-Appeals

Application to Zoning Board of Appeals

Note: Application must be complete, with a certified plot plan and all application fees to be accepted.

1. Property Information:

Street Address: Captain Eames Circle and Algonquin Trail

Zoning District: Residence Multifamily Overlay District: None

Assessor's Map: 21, 22, & 25 Lot: n/a Deed Book: 62585 Page: 302

Current Property Owner*: Ashland Open Space Trust

2. Permit/Approval Sought:

Special Permit (Section 9.3) Amendment to Special Permit (Section 9.3) Variance (Section 9.2.2.2)

Appeal of Building Inspector Decision (M.G.L. Ch. 40A) Comprehensive Permit (M.G.L. Ch. 40B)

Use Type: Residential: Commercial: Industrial:

3. Applicant Information: Owner: Tenant: Prospective Purchaser/Tenant:

Name: Ashland Open Space Trust

Address: Captain Eames Circle & Algonquin Trail, c/o Briggs LLC, 185 Dudley Street, Boston, MA 02119

Phone: 617-536-4900 Email: swolf@brigsllc.com

Agent's Name: Ethan Dively

Agent's Address: Harrington Heep, LLP, 40 Grove Street, Suite 190, Wellesley, MA 02482

Agent's Phone: 617-874-7888 Agent's Email: edively@harringtonheep.com

4. Additional Information:

Are all real estate taxes and other assessments to the Town current?: N/A, the roadways are not separately assessed.

Is the parcel on a scenic road?: No

Is this an amendment to a previously issued Special Permit? (attach approved permit): No, but prior special permit is attached

Date structure was built? (Buildings built before 1940 may need review by Historical Commission.): 1985

Is the property within 100 ft. of a wetland, within 200 ft. of a stream, or in a floodplain?: Yes, Conservation approval pending

5. Description of the Relief Sought: (Attach Letter of Denial of Building Permit.)

This is an appeal, pursuant to G.L. c. 40A, §§ 8 & 15, of a determination by the Building Commissioner. As fully described in the Notice of Appeal filed herewith, the Ashland Open Space Trust seeks a determination that roadway paving and safety improvements to Captain Eames Circle and Algonquin Trail are consistent with previously approved plans, see special permit 85-14, and do not require the modification of any prior approvals.

For complete detail please see the Notice of Appeal filed with this application.

What specific zoning bylaws is this application associated with?: The development surrounding and including Captain Eames Circle and Algonquin Trail was authorized in 1985 by special permit, issued under the Town's multi-family zoning bylaw, which at the time was Section 4400.

6. Justification for why the application should be approved:

Please see the Notice of Appeal filed herewith.

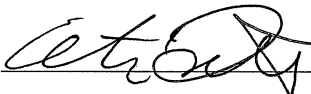
The requested relief should be granted because the proposed roadway improvements are minor in scope, necessary for public safety, do not alter the layout or configuration of the roadways, and are consistent with the Town's subdivision regulations.

7. Existing use and condition of the property and surrounding neighborhood: (Please list all relevant non-conformities.)

Private roadways 50 feet in width serving residential multi-family housing.

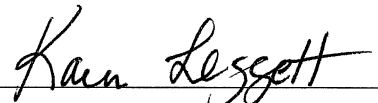
By signing below you assert this application is complete and accurate to the best of your knowledge:

Signatures:

Applicant/Agent:  Applicant's Name: Ethan Dively

Email Address: edively@harringtonheep.com Phone Number: 617-874-7888

Agent's Relationship to Applicant: Attorney Firm: Harrington Heep, LLP

Owner:  Owner's Name: Ashland Open Space Trust, Karen Leggett, Trustee

*Note: If the applicant is not the owner, the owner MUST sign above or submit a letter of permission with the application.

Application Requirements

All applications must include a fully completed application form, all required documents, and a check for the full amount made to the Town of Ashland. Any application not complete may lead to the Zoning Board of Appeals issuing a denial without prejudice.

All applications must include:

- A letter of Denial of a Building Permit from the Building Commissioner.
- Abutters list (300') from the Ashland Assessors office (and other towns if applicable)
- A copy of the property card from the Assessors Office.
- One (1) 24x36" sized copy of the certified (signed and stamped by a registered land surveyor) Site Plan and must include a dimensional table of required and proposed setbacks.
- Sixteen (16) packets containing the following: a copy of the application, an 11x17" sized copy of the plot plan, and any supporting documentation. (Note: Make sure the 11x17" copies of the plans are readable. Feel free to consult with the Planning Department if at all unsure.).
- A .pdf copy of the submitted plans must be either handed in to the Planning Department or sent by email to planning@ashlandmass.com, and a georeferenced CAD file (MA State Plain NAD83 Feet) will be required for final approval.

Note that additional fees associated with the Public Hearing process must also be paid with a separate check, along with a copy of the abutters list. See Public Hearing Associated Costs on page 4 for details.

Criteria

The criteria for a Special Permit is either: (from Chapter 282 Section 9.3.2) "...the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site." or (from Chapter 282 Section 3.3.2/3.3.3) "...only if determines that such [change of use or change of a structure] shall not be substantially more detrimental than the existing nonconforming [use or structure] to the neighborhood."

Expect to discuss the following:

- Community needs served by the proposal
- Traffic flow and safety, including parking and loading
- Adequacy of utilities and other public services
- Neighborhood character and social structures
- Impacts on the natural environment
- Potential fiscal impact, including impact on town services, tax base, and employment

The criteria for a Variance is that you need to create or extend a nonconformity due to a hardship derived from the physical conditions of the lot or else the lot can't be used. Note that the threshold for granting a variance is somewhat substantial. (See MGL Ch. 40A Section 10.)

Ashland Zoning Board of Appeals Fees

Application Type	Fee
Special Permit	\$250
Modification / Extension of Special Permit	\$200
Variance	\$400
Modification / Extension of Variance	\$400
Administrative Appeal of Building Inspector Decision	\$400

Peer Review Deposit	
2-15 Lots/Units	\$4,000
16-20 Lots/Units	\$6,000
21-25 Lots/Units	\$10,000
26-74 Lots/Units	\$20,000
75 or More Lots/Units	\$30,000
20 or Fewer Parking Spaces	\$2,500
21 or More Parking Spaces	\$5,000
Wireless Commercial Facility	\$3,000
Appeal of Building Inspector for 2+ Lots	\$1,000

Note: Unused Peer Review funds will be returned to the applicant at the end of the process. The applicant may request details on the account at any time from the Planning Department.

Public Hearing Associated Costs

Pursuant to State Law (M.G.L. Ch. 40A, Section 11), the ZBA requires public hearings for the above matters. There are additional fees for the following:

Abutter List	\$2 per abutter, \$50 max (Obtained and Paid at Assessors Department).
--------------	--

The Zoning Board of Appeals may require a peer review consultant and/or posting of the project on coUrbanize.com at the expense of the applicant.

Please be aware that the Planning Department may hold back decisions and/or permits until all checks have been received.



Town of Ashland, *Inspectional Services*

January 21, 2026

Scott Wolf
CEO of Brigs Property Maintenance

Re: Ashland Open Space Trust (Ledgemere Condominiums)

Dear Mr. Wolf,

It has been brought to my attention that your group (AOPST) is planning to rework the roadways on Algonquin Trail and Captain Eames Circle, close off a portion to public traffic, install median strips, add sidewalks etc.

Please be informed that this development and its owner (Ledgemere Land Corporation) received its original approval from both the Zoning Board of Appeals, through a Special Permit and approval from the Planning Board (Site Plan Approval).

Since this proposed project is a change from the original approvals, you will need to go before both the Planning Board and the Zoning Board of Appeals. I offer you a section of the original ZBA approval back in April 1, 1985:

Section A- The configuration of streets, buildings, parking and utilities must substantially conform to that shown on the Site Plan of Ledgemere Country III in Ashland, Mass, dated August 5, 1985, and shall conform to the requirements of the Subdivision Regulations of the Planning Board, except as they may be subsequently waived by the Planning Board.

Should you feel aggrieved by my determination, you may file an appeal with the Zoning Board of A

Sincerely,

Douglas Scott
Building Commissioner

Cc: Zoning Board of Appeals
Jasmine Farinacci, Planning Director



BK 16876 PG 417

5



Office of
TOWN CLERK 03/31/86 03:45 TR 955 ~~000~~ 11.00
Ashland, Massachusetts

VII-

-19-

ZONING

APPEAL CERTIFICATIONS

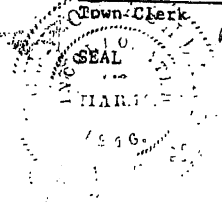
If no appeal is filed the following statement should be added by the clerk to either certificate 20 days after issuance:

Sept 4, 1985 # 85-14
(Date of Certification)

I hereby certify that 20 days have elapsed from the date this certificate was issued and that no appeal has been filed in this Office.

A True Copy, Attest:

Anthony J. Curtis
Town Clerk



COMMONWEALTH OF MASSACHUSETTS
ASHLAND ZONING BOARD OF APPEALS

No. 85-14

The Petitioner Ledgemere Land Corporation by Howard A. Pafard has petitioned the Zoning Board of Appeals for a Special Permit to allow the construction of multi-family dwellings pursuant to Sections 4400 et seq. of the Zoning By-Laws of the Town of Ashland. The locus of said proposed construction is shown on the Assessor's Atlas as Sheet 14, Block A, Lots 29, 30 and 31, Registry of Deeds' Book 13067, Pages 337 to 340. The said locus is located in a multi-family zoning district.

Due notice of the April 1, 1985 public hearing on this Petition was given, by the Board's secretary, by certified mail, to all persons shown on the latest tax list of the Town of Ashland, deemed to be affected by the Petition. Notice was also given March 15 and 18, 1985, by publication in the Middlesex News, a newspaper circulated in the Town of Ashland. Notice was also given to the Planning Board.

For the reasons and subject to the conditions hereinafter stated, the Zoning Board of Appeals grants the Petition for a Special Permit. Based upon the testimony and documentary evidence presented to the Board, the Zoning Board of Appeals finds that

the Petitioner's Proposed Garden Apartment Development meets the requirements of the Zoning By-Law, Section 4400;

that it will be of substantial benefit in broadening the range of housing availability in the Town and in providing fiscal benefits; and

that there are not conditions peculiar to this particular case which render it to likely cause nuisance, hazard, congestion or any other reason to cause substantial harm to the neighborhood or from the derogation of the By-Law.

Accordingly, the Board of Appeals by unanimous decision grants Special Permit approval for Garden Apartment Development subject to Section 4400 of the Zoning By-Law and subject to the following conditions:

Section A The configuration of streets, buildings, parking and utilities must substantially conform to that shown on the Site Plan of Ledgemere Country III in Ashland, Massachusetts, dated August 5, 1985, and shall conform to the requirements of the Subdivision Regulations of the Planning Board, except as they may be subsequently waived by the Planning Board.

Section B - Prior to any tree removal, grading, or application for Building Permit on any portion of the site, detailed site plans of that portion shall have been submitted to and certified by the Planning Board to be in technical compliance with the design and construction requirements of the Zoning By-Law, the Subdivision Regulations, except as may subsequently be waived by the Zoning Board and this Special Permit and submitted to and accepted by the Conservation Commission under the Wetlands Protection Act, Section 40, Chapter 131 of the General Laws. All construction shall conform to those plans, and the plan shall be at a scale of 1" = 80', and shall show the following:

Conditions of Section B

1. Existing and proposed topography shall be at 5' contour intervals;
2. Trees and landscaping with distinction between the retained, removed and proposed vegetation;
3. Parking areas;
4. Building locations indicating dwelling, type and floor grades;
5. All information required under Section 342 of the Ashland Subdivision Regulations. In addition, first

floor plans and elevations at 1" = 16' or larger shall be submitted for each dwelling type proposed keyed to the site plan.

Section C - Dwellings and parking areas shall be designed and sited to follow existing grade differentials without cuts or fills (except for cellar excavations) exceeding six feet vertically; except that in approving plans under item b above, the Zoning Board of Appeals authorize greater cuts or fills on land totalling not more than 150,000 square feet.

Section D - The Subdivision will consist of two 8 plex structures, four cape structures, twelve deck structures, thirty-eight ell structures and eighty-six long ell structures for a total of 576 individual two-bedroom units. No more than 105 individual units to be constructed within a calendar year providing permits are available and that a Land Court Decree be presented to the Planning Board establishing title to the land shown on the above referenced plan.

Section E - No site plans as required under Section B above shall be approved prior to Planning Board receipt of documents that the sewer extension to service that plan has been approved by the Massachusetts Division of Water Pollution Control and the Ashland Sewerage Commission.

Section F - In any transfer of ownership of land, Ledgemere Land Corporation shall retain rights of review regarding building, siting, and variations in design. Covenants accomplishing that shall be reviewed and approved by the Board of Appeals prior to Covenant execution.

Section G - Performance Security as required in Section 4423 of the Zoning By-Law shall be accomplished through security placed with the Planning Board prior to issuance of any Building Permits. The above-referenced Performance Security will not be released until notarized As-Built Plans are provided to the Planning Board.

Section H - The developer shall provide improvements of intersections as outlined on the Plan #1079 dated July 16, 1985.

Section I - Within one year after the installation of all utilities, the developer will regrade and repave the Cedar Street roadway from Eliot Street to the furthestmost

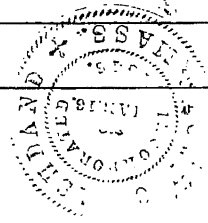
property line of the development to the width of 28', or the limit of the Town-owned land, whichever is less, according to the specifications of roadways in the Planning Board Subdivision Rules and Regulations under the supervision of the Highway Surveyor.

ZONING BOARD OF APPEALS

Steven J. Leary

[Signature]

[Signature]



Filed with the
Town Clerk
on:

Aug. 13, 1985
Date

E Elizabeth Strand
Asst Town Clerk

NOTICE OF APPEAL PURSUANT TO G.L. c. 40A, §§ 8 & 15

February 18, 2026

Ashland Town Clerk
and
Ashland Zoning Board of Appeals
Ashland Town Hall
101 Main Street
Ashland, MA 01721

Re: Appeal of Building Commissioner's Determination
Owner: Ashland Open Space Trust
Property: Captain Eames Circle & Algonquin Trail

Dear Zoning Board of Appeals Members:

Please be advised that Harrington Heep LLP has been retained by the Trustees of the Ashland Open Space Trust, in connection with a proposed project to repair and improve private roadways that it owns in Ashland, known as Captain Eames Circle and Algonquin Trail.

This letter serves as a formal Notice of Appeal pursuant to G.L. c. 40A, §§ 8 & 15, of a determination letter issued by the Building Commissioner on January 21, 2026 (the "Determination").¹ As discussed more fully herein, the Trustees of the Ashland Open Space Trust ("AOST" or the "Trust") respectfully request that the Town of Ashland Zoning Board of Appeals ("ZBA") overturn or clarify the Building Commissioner's Determination and issue a decision permitting the Trust to proceed with its proposal for modest repairs and traffic safety updates to Captain Eames Circle and Algonquin Trail (or collectively the "Roadways").

The Trust brings this appeal primarily out of caution and the need to preserve its right to object to the Building Commissioner's characterization of the approvals which may be required. For more than a year, the Trust has engaged with the Town in the hopes of determining what, if any, approvals would be required for its roadway improvement project. At a variety of times the Trust has been informally advised by the Town that no approvals would be required, except from the Conservation Commission. With that guidance, the Trust applied for, and expects to receive, an Order of Conditions in the coming weeks.

The Trust does not necessarily object to additional review by the Town, however, the Determination does not specifically detail the scope of review that may be required. Due to this ambiguity, the Trust has determined it is prudent to file this appeal, and minimally, reserve the right to object to the Determination on the bases detailed herein.

¹ Copies of the Determination, and the email by which it was transmitted, are appended as Exhibit A.

BACKGROUND

Beginning in 1985, Howard Fafard, acting for the Ledgemere Land Corporation, developed four multifamily condominium communities known as Starlight Village, Half Moon Village, Village of a Thousand Pines, and Village of Westerly (collectively the “Condominiums”), all situated between Cedar Street and Pond Street, public ways in the Town of Ashland. Two private roadways were constructed to provide access from these condominium developments to the adjacent public roads, these are Captain Eames Circle and Algonquin Trail.

At the completion of development, the property transactions to establish the Condominiums had not consistently addressed ownership of and responsibility for Captain Eames Circle and Algonquin Trail. The resulting divided ownership posed a problem for the neighborhood, which would have no straightforward process for maintaining these private roadways. To resolve this problem, the Ashland Open Space Trust was created in 2007 to take ownership of all the land underlying the Captain Eames Circle and Algonquin Trail right of ways. By 2013, AOST was fully established, had been deeded all of the ownership interests in Captain Eames Circle and Algonquin Trail, and was empowered to maintain, repair, and improve such roadways for the benefit of the unit owners of the Condominiums.

Approximately 40 years have passed since the construction of the Condominiums began, and the Roadways are in need of repair. In that same span of time, non-residential traffic has exploded, with vehicles using the Roadways to cut through the Condominiums to travel between Pond Street and Cedar Street. This high volume of non-residential traffic contributes to the premature degradation of the Roadways, and due to excessive speed poses a safety hazard for residents of the Condominiums.

Together, the damage to the roadways, excessive travel speed, and recurring trespass by nonresidents, are the motivation for the Trust’s current proposal to improve the Roadways (the “Project”). This proposal includes the following improvements:

- Repaving the existing layouts of Captain Eames Circle and Algonquin Trail
- Replacing or repairing existing sidewalks and curbing
- Installing crosswalks
- Installing center medians to calm the speed of traffic; and
- Installing gates at the ends of Captain Eames Circle to control unlawful access

This proposal is the result of years of traffic study and engagement by AOST with the Town of Ashland, dating back to at least 2015. A sample of this record includes:

- 2015 traffic speed survey captured by Ashland Police
- 2021 letter to the Town of Ashland documenting traffic safety concerns
- 2021 Traffic Calming Evaluation by MDM Transportation Consultants
- 2021-2025 engagement with Town Manager and Road Traffic Safety Committee
- 2022 and 2023 traffic speed data collected by Ashland DPW
- 2024 engagement with the Town regarding speed cushions
- 2024 follow-up traffic evaluation by MDM Transportation Consultants
- 2025 preliminary plans presented to Town departments for feedback

- 2025 review by the Ashland Conservation Commission

The full records of the Trust's engagement with Town of Ashland officials are not relevant to the question presented to the ZBA at this time, but it is critical to note that the work now proposed has been carefully vetted over many years, and alternative less restrictive means, such as increased signage and speed cushions, have been considered and employed before reaching the decision to proceed with the current plan.

THE DETERMINATION AND THIS APPEAL

On January 21, 2026, the Building Commissioner, Douglas Scott, provided the Determination which is the subject of this appeal. The Determination was not specifically requested by the Trust and does not provide a particularized opinion regarding the Trust's actual plans prepared for the Project. Instead, the Determination recites that the Trust "is planning to rework the roadways on Algonquin Trail and Captain Eames Circle, close off a portion to public traffic, install median strips, add sidewalks etc." With this information, the Building Commissioner determined that the project would require a modification by the ZBA of a 1985 special permit and review by the Planning Board, described as "Site Plan Approval."

The Trust objects to the Determination with respect to both conclusions, believing that its Project represents minor *de minimis* upgrades which are substantially in conformity with any prior approvals that were issued for the Ledgemere Land Corporation project to develop the Condominiums, and should all be allowed as by-right repairs to the existing infrastructure.

I. The 1985 Special Permit

The Trust is aware of the 1985 special permit, number 85-14, issued by the ZBA to allow for the construction of the multifamily development which comprises the Condominiums today (the "1985 Special Permit").² In support of his Determination, the Building Commissioner referred to a condition within the Special Permit that reads as follows:

Section A The configuration of streets, buildings, parking and utilities must substantially conform to that shown on the Site Plan of Ledgemere Country III in Ashland, Massachusetts, dated August 5, 1985, and shall conform to the requirements of the Subdivision Regulations of the Planning Board, except as they may be subsequently waived by the Planning Board.

Critically, the Trust is not proposing to "rework" or in any way alter the "configuration of streets" in the development as it currently exists. In large part, the proposed modifications are simply maintenance work, long overdue, to repair or replace degraded asphalt, curbing, and sidewalks. The only structural change, which again will not alter the configuration of the roadways, is the inclusion of approximately ten (10) center islands which are designed and engineered to calm excessive traffic speeds and ensure safety. Two of these center islands, would be located at either end of Captain Eames Circle and include gates to control access entering and exiting the Roadways from the west. These gates would be positioned such that there is room for vehicles approaching from either direction to safely turn around, and would be equipped with technology to allow rapid access by residents to prevent congestion, and also to provide

² A copy of this special permit as recorded with the Registry of Deeds is appended hereto as Exhibit B.

unrestricted access to emergency vehicles should they have a need to traverse the Roadways for any purpose.

The Trust has searched for, and has been unable to obtain a copy of the original “Site Plan of Ledgemere Country III” dated August 5, 1985 (the “1985 Site Plan”), referenced in the conditions to the 1985 Special Permit. A *Public Records Law* request to the Town in 2023 produced a thirteen-sheet plan entitled “Ledgemere Country III Plan of Land” which is dated June 21, 1986.³ It is unclear whether this plan is the same, or an update to the 1985 Site Plan which shows the configuration of Captain Eames Circle and Algonquin Trail exactly as they are in place today, but does not include any construction details or dimensions.

Following the issuance of the Determination, on February 6, the Building Commissioner shared by email scans of two sheets (of a four sheet plan) which appears to be the 1985 Site Plan, but with revision dates noted in October 1985, January 1986, and February 1988.⁴ Again, this plan does not depict particular construction details or dimensions for Captain Eames Circle and Algonquin Trail, or the associated sidewalks or curbing.

The plans available show the location of the 50-foot right of ways for Captain Eames Circle and Algonquin Trail, and the condition in the 1985 Special Permit requires the “configuration of streets” to “substantially conform” to the 1985 Site Plan. The Trust does not propose to alter the locations of the right of ways, and they will continue to exist exactly as depicted on the available plans. The Trust does intend to repave the existing locations of Captain Eames Circle and Algonquin Trail, install new sidewalks and curbing, and install a number of center medians.

The Trust respectfully asks that the ZBA overturn so much of the Determination as it relates to the requirement to modify the 1985 Special Permit, and make a finding that a plan submitted to the Building Commissioner hereafter will be in substantial conformity with the 1985 Site Plan provided it does not alter the location of the Captain Eames Circle and Algonquin Trail right of ways as shown on plans of record. Such a finding is consistent with the original text of the 1985 Special Permit, and allows the Trust to proceed, with review occurring by the Planning Board, if appropriate.

II. “Site Plan Review”

The second finding in the Determination asserts that the project was initially subject to a so-called site plan review by the Planning Board, and in a subsequent email exchange⁵ with the Building Commissioner, he makes reference to review under the Subdivision Control Law.

There is no record of a subdivision approval, under G.L. c. 41, §§81L-81GG, for the Captain Eames Circle and Algonquin Trail on file with the Registry of Deeds, nor did a *Public*

³ A copy of this plan is appended hereto as Exhibit C.

⁴ Copies of these scans together with the transmittal email from the Building Commissioner are appended hereto as Exhibit D. Please note that the image quality is poor and the Trust does not possess higher resolution copies of these plans.

⁵ A copy of this email exchange is appended hereto as Exhibit E.

Records Law request filed with the Town in 2023 return any plans or approvals which appear to indicate that formal subdivision review was required in 1985, or ever performed thereafter.

Instead, it appears that conformity with the Town's Subdivision Regulations was ensured by requiring an informal submission of a number site plans to the Planning Board as a condition of obtaining a building permit. The second condition in the 1985 Special Permit reads as follows:

Section B – Prior to any tree removal, grading, or application for Building Permit on any portion of the site, detailed site plans of that portion shall have been submitted to and certified by the Planning Board to be in technical compliance with the design and construction requirements of the Zoning By-Law, the Subdivision Regulations, except as may be subsequently waived by the Zoning Board and submitted to and accepted by the Conservation Commission under the Wetlands Protection Act, Section 40, Chapter 131 of the General Laws. All construction shall conform to those plans, and the plan shall be at a scale of 1" = 80', and shall show the following:

- 1. Existing and proposed topography shall be at 5' contour intervals;*
- 2. Trees and landscaping with distinction between the retained, removed, and proposed vegetation;*
- 3. Parking areas;*
- 4. Building locations indicating dwelling, type and floor grades;*
- 5. All information required under Section 342 of the Ashland Subdivision Regulations. In addition, first floor plans at elevations at 1" = 16' or larger shall be submitted for each dwelling type proposed keyed to the site plan.*

Consistent with this condition, at the time Captain Eames Circle and Algonquin Trail were constructed the developer would have been required to submit such detailed plans to the Planning Board, for a certification that the proposed construction is "in technical compliance with the design and construction requirements of the Zoning By-Law, the Subdivision Regulations except as may be subsequently waived by the Zoning Board".

While Captain Eames Circle and Algonquin Trail were not subject to formal subdivision approval, as provided in G.L. c. 41, §§81S-81V, the ZBA included a special permit condition to ensure that the Roadways would be reviewed by the Planning Board. The Trust does not necessarily object to a limited administrative review in the context of its current project, however, it requests that the scope of such technical review be clarified by the ZBA in this Appeal.

Where the above quoted condition requires the submission of detailed site plans to the Planning Board for a certification of "technical compliance," the Trust is willing to submit its project plans to the Planning Board for such administrative review consistent with the 1985 Special Permit. There is no suggestion, however, that such review requires a public hearing subject to the formality detailed in G.L. c. 40A, §11, or the procedure for subdivision review, approval, or modification described in G.L. c. 41, §§81S-81W.

Therefore, the Trust respectfully requests that the ZBA issue a finding clarifying the Building Commissioner's Determination, and requiring that the Trust submit a detailed plan to the Planning Board for confirmation that the proposed work will comply with the technical

February 18, 2026

Page 6 of 6

requirements of the applicable Subdivision Regulations, and that such technical review may occur without hearing in a regularly posted open meeting of the Planning Board.

REQUEST FOR RELIEF

As highlighted at the beginning of this letter, the Trust has pursued this appeal primarily out of caution and to preserve its rights while it seeks further clarification regarding the effect of the 1985 Special Per.it, and the process for review needed to pursue its modest improvements to Captain Eames Circle and Algonquin Trail. To summarize, the Trust requests that the ZBA issue a decision containing findings that clarify the scope of further review indicated by the Building Commissioner as follows:

Find that a modification to the 1985 Special Permit is not required, and that that a plan hereafter submitted to the Building Commissioner will be in substantial conformity with the 1985 Site Plan provided it does not alter the location of the Captain Eames Circle and Algonquin Trail right of ways as shown on plans of record; and

Find that the 1985 Special Permit requires the Trust to submit a detailed plan to the Planning Board for confirmation that the proposed work will comply with the technical requirements of the applicable Subdivision Regulations, and that such technical review may occur administratively, without hearing in a regularly posted open meeting of the Planning Board

I thank the members of the ZBA for their time and attention to this matter. The Trust has endeavored to work collaboratively with the Town to ensure the safety of the residents living on Captain Eames Circle and Algonquin Trail and hopes to continue that effort through its current plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Ethan B. Dively". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Ethan B. Dively, Esq.

EXHIBIT A



Town of Ashland, *Inspectional Services*

January 21, 2026

Scott Wolf
CEO of Brigs Property Maintenance

Re: Ashland Open Space Trust (Ledgemere Condominiums)

Dear Mr. Wolf,

It has been brought to my attention that your group (AOPST) is planning to rework the roadways on Algonquin Trail and Captain Eames Circle, close off a portion to public traffic, install median strips, add sidewalks etc.

Please be informed that this development and its owner (Ledgemere Land Corporation) received its original approval from both the Zoning Board of Appeals, through a Special Permit and approval from the Planning Board (Site Plan Approval).

Since this proposed project is a change from the original approvals, you will need to go before both the Planning Board and the Zoning Board of Appeals. I offer you a section of the original ZBA approval back in April 1, 1985:

Section A- The configuration of streets, buildings, parking and utilities must substantially conform to that shown on the Site Plan of Ledgemere Country III in Ashland, Mass, dated August 5, 1985, and shall conform to the requirements of the Subdivision Regulations of the Planning Board, except as they may be subsequently waived by the Planning Board.

Should you feel aggrieved by my determination, you may file an appeal with the Zoning Board of A

Sincerely,

Douglas Scott
Building Commissioner

Cc: Zoning Board of Appeals
Jasmine Farinacci, Planning Director

Town of Ashland
101 Main Street
Ashland, MA 01721

Phone: 508-881-0100 x 7970 / 7123

Fax: 508-881-0182

Email: dscott@ashlandmass.com

Website: ashlandmass.com



Tuesday, February 17, 2026 at 12:53:05 PM Eastern Standard Time

Subject: FW: AOST road work proposal
Date: Tuesday, February 17, 2026 at 12:52:59 PM Eastern Standard Time
From: Ethan Dively
Attachments: Ledgemere Condos road project.docx

From: Doug Scott <dscott@ashlandmass.com>
Sent: Wednesday, January 21, 2026 12:53 PM
To: Scott Wolf <swolf@brigslc.com>; Jasmin Farinacci <jfarinacci@ashlandmass.com>;
Melissa Adams <madams@ashlandmass.com>
Subject: AOST road work proposal

You don't often get email from dscott@ashlandmass.com. [Learn why this is important](#)

Dear Mr. Wolf,

It is my understanding that your group, the AOST Board, is planning to make changes to both Algonquin Trail and Captain Wames Cr.
After reviewing what is proposed and the original approval from both the Zoning Board of Appeals and the Planning Board, it is my determination that you will need to go before both the ZBA and the Planning Board for a determination.

Please see the enclosed letter.

Douglas Scott
Building Commissioner

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record. This e-mail is intended to be conveyed only to the designated recipient(s) named above. Any use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

EXHIBIT B

BK 16876 PG 417

5



Office of

TOWN CLERK 03/31/86 03:45 TR 955 11.00
Ashland, Massachusetts

VII-

-19-

ZONING

APPEAL CERTIFICATIONS

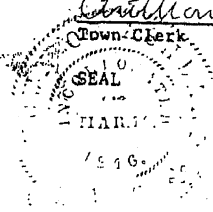
If no appeal is filed the following statement should be added by the clerk to either certificate 20 days after issuance:

Sept 4, 1985 # 85-14
(Date of Certification)

I hereby certify that 20 days have elapsed from the date this certificate was issued and that no appeal has been filed in this Office.

A True Copy, Attest:

Anthony J. Lewis
Town Clerk



COMMONWEALTH OF MASSACHUSETTS
ASHLAND ZONING BOARD OF APPEALS

No. 85-14

The Petitioner Ledgemere Land Corporation by Howard A. Pafard has petitioned the Zoning Board of Appeals for a Special Permit to allow the construction of multi-family dwellings pursuant to Sections 4400 et seq. of the Zoning By-Laws of the Town of Ashland. The locus of said proposed construction is shown on the Assessor's Atlas as Sheet 14, Block A, Lots 29, 30 and 31, Registry of Deeds' Book 13067, Pages 337 to 340. The said locus is located in a multi-family zoning district.

Due notice of the April 1, 1985 public hearing on this Petition was given, by the Board's secretary, by certified mail, to all persons shown on the latest tax list of the Town of Ashland, deemed to be affected by the Petition. Notice was also given March 15 and 18, 1985, by publication in the Middlesex News, a newspaper circulated in the Town of Ashland. Notice was also given to the Planning Board.

For the reasons and subject to the conditions hereinafter stated, the Zoning Board of Appeals grants the Petition for a Special Permit. Based upon the testimony and documentary evidence presented to the Board, the Zoning Board of Appeals finds that

the Petitioner's Proposed Garden Apartment Development meets the requirements of the Zoning By-Law, Section 4400; that it will be of substantial benefit in broadening the range of housing availability in the Town and in providing fiscal benefits; and

that there are not conditions peculiar to this particular case which render it to likely cause nuisance, hazard, congestion or any other reason to cause substantial harm to the neighborhood or from the derogation of the By-Law.

Accordingly, the Board of Appeals by unanimous decision grants Special Permit approval for Garden Apartment Development subject to Section 4400 of the Zoning By-Law and subject to the following conditions:

Section A The configuration of streets, buildings, parking and utilities must substantially conform to that shown on the Site Plan of Ledgemere Country III in Ashland, Massachusetts, dated August 5, 1985, and shall conform to the requirements of the Subdivision Regulations of the Planning Board, except as they may be subsequently waived by the Planning Board.

Section B - Prior to any tree removal, grading, or application for Building Permit on any portion of the site, detailed site plans of that portion shall have been submitted to and certified by the Planning Board to be in technical compliance with the design and construction requirements of the Zoning By-Law, the Subdivision Regulations, except as may subsequently be waived by the Zoning Board and this Special Permit and submitted to and accepted by the Conservation Commission under the Wetlands Protection Act, Section 40, Chapter 131 of the General Laws. All construction shall conform to those plans, and the plan shall be at a scale of 1" = 80', and shall show the following:

Conditions of Section B

1. Existing and proposed topography shall be at 5' contour intervals;
2. Trees and landscaping with distinction between the retained, removed and proposed vegetation;
3. Parking areas;
4. Building locations indicating dwelling, type and floor grades;
5. All information required under Section 342 of the Ashland Subdivision Regulations. In addition, first

floor plans and elevations at 1" = 16' or larger shall be submitted for each dwelling type proposed keyed to the site plan.

Section C - Dwellings and parking areas shall be designed and sited to follow existing grade differentials without cuts or fills (except for cellar excavations) exceeding six feet vertically; except that in approving plans under item b above, the Zoning Board of Appeals authorize greater cuts or fills on land totalling not more than 150,000 square feet.

Section D - The Subdivision will consist of two 8 plex structures, four cape structures, twelve deck structures, thirty-eight ell structures and eighty-six long ell structures for a total of 576 individual two-bedroom units. No more than 105 individual units to be constructed within a calendar year providing permits are available and that a Land Court Decree be presented to the Planning Board establishing title to the land shown on the above referenced plan.

Section E - No site plans as required under Section B above shall be approved prior to Planning Board receipt of documents that the sewer extension to service that plan has been approved by the Massachusetts Division of Water Pollution Control and the Ashland Sewerage Commission.

Section F - In any transfer of ownership of land, Ledgemere Land Corporation shall retain rights of review regarding building, siting, and variations in design. Covenants accomplishing that shall be reviewed and approved by the Board of Appeals prior to Covenant execution.

Section G - Performance Security as required in Section 4423 of the Zoning By-Law shall be accomplished through security placed with the Planning Board prior to issuance of any Building Permits. The above-referenced Performance Security will not be released until notarized As-Built Plans are provided to the Planning Board.

Section H - The developer shall provide improvements of intersections as outlined on the Plan #1079 dated July 16, 1985.

Section I - Within one year after the installation of all utilities, the developer will regrade and repave the Cedar Street roadway from Eliot Street to the furthestmost

property line of the development to the width of 28', or the limit of the Town-owned land, whichever is less, according to the specifications of roadways in the Planning Board Subdivision Rules and Regulations under the supervision of the Highway Surveyor.

ZONING BOARD OF APPEALS

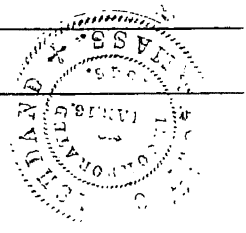
Stewart J. Leach

Richard J. Rostrom

A. M. DeBaton

Filed with the
Town Clerk
on:

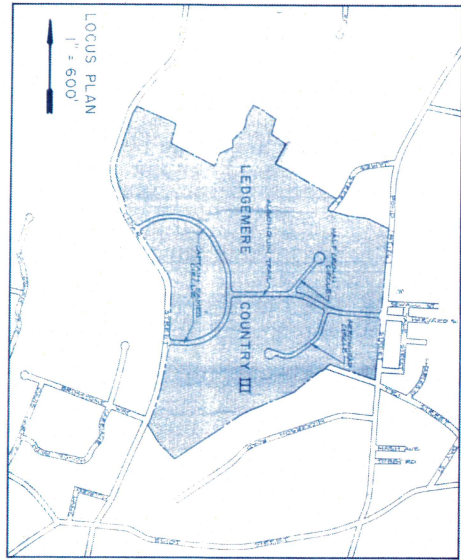
Aug. 13, 1985
Date



Elizabeth Strand
Asst. Town Clerk

EXHIBIT C

APPROX. MASS. COORD. SYSTEM



NOTE
 ALL BOUNDARY INFORMATION IS BASED ON A PLAN BY ALLEN & DEWBURIAN, INC. ENTITLED "PLAN OF LAND IN ASHLAND, MASS., SCALE 1" = 180', DEC. 24, 1985, PREPARED FOR EDWARD & RICHARD KAZMIAN, AS TRUSTEES OF THE KAZMIAN TRUST & STEPHEN & KARRI TENANTS IN COMMON." THE BOUNDARIES ON THE ABOVE MENTIONED PLAN HAVE BEEN ROTATED 12 1/2 TO 100' COUNTER-CLOCKWISE IN AN ATTEMPT TO APPROXIMATE THE MASS PLANE COORDINATE SYSTEM. NO CLAIM IS MADE OR INTENDED REGARDING THE VALIDITY OF ALLEN & DEWBURIAN'S PLAN.

DAVID C. GARCELON, P.L.S.

FOR REGISTER USE ONLY

M A T C H S H E E T 3



LEGEND

OH	BRILL HOLE FOUND
IP	IRON PIPE FOUND
SB	STONE BOUND FOUND
CB	CONCRETE BOUND WITH BRILL HOLE FOUND
SW	STONE WALL
WF	WIRE FENCE
BS	BOUND (STONE OR CONCRETE) TO BE SET

ALL PER ALLEN & DEWBURIAN INC'S BOUNDARY PLAN



1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16

M A T C H S H E E T 2

LEDGEMERE COUNTRY III
 PLAN OF LAND
 IN
 ASHLAND, MA

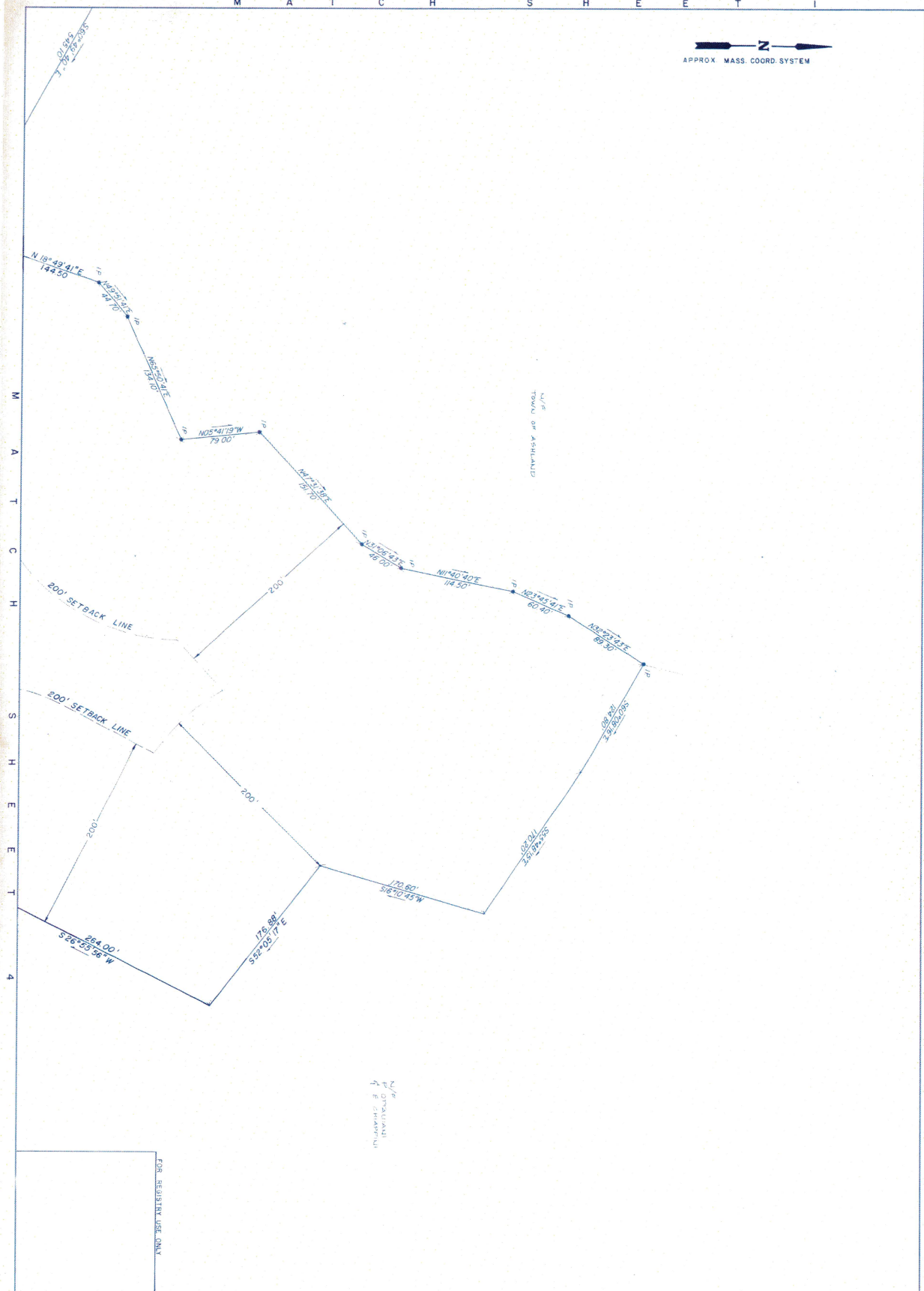
REVISION BLOCK
 DATE: 1/21/86
 REVISION: 1

ASHLAND PLANNING BOARD

DATE: JAN 21, 1986



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



00 64.01#

FAFARD
THE FAFARD COMPANIES
290 E 1st St
Ashland, MA
0172

2	9	6	3	1
13	10	7	4	2
11	8	5		

SHEET 2 of 13

LEDGERME COUNTRY
PLAN OF LAND
IN
ASHLAND, MA

OWNER:
E. B. R. HAZARDIAN, TRUSTEES OF K. REALTY

PLANNING BOARD:
ASHLAND PLANNING BOARD

DATE: JAN 21, 1988
SCALE: 1" = 40'
PETITIONER: LEDGERME LAND CORPORATION
ZONING: MULTIFAMILY

REVISION BLOCK	
DATE	REVISION

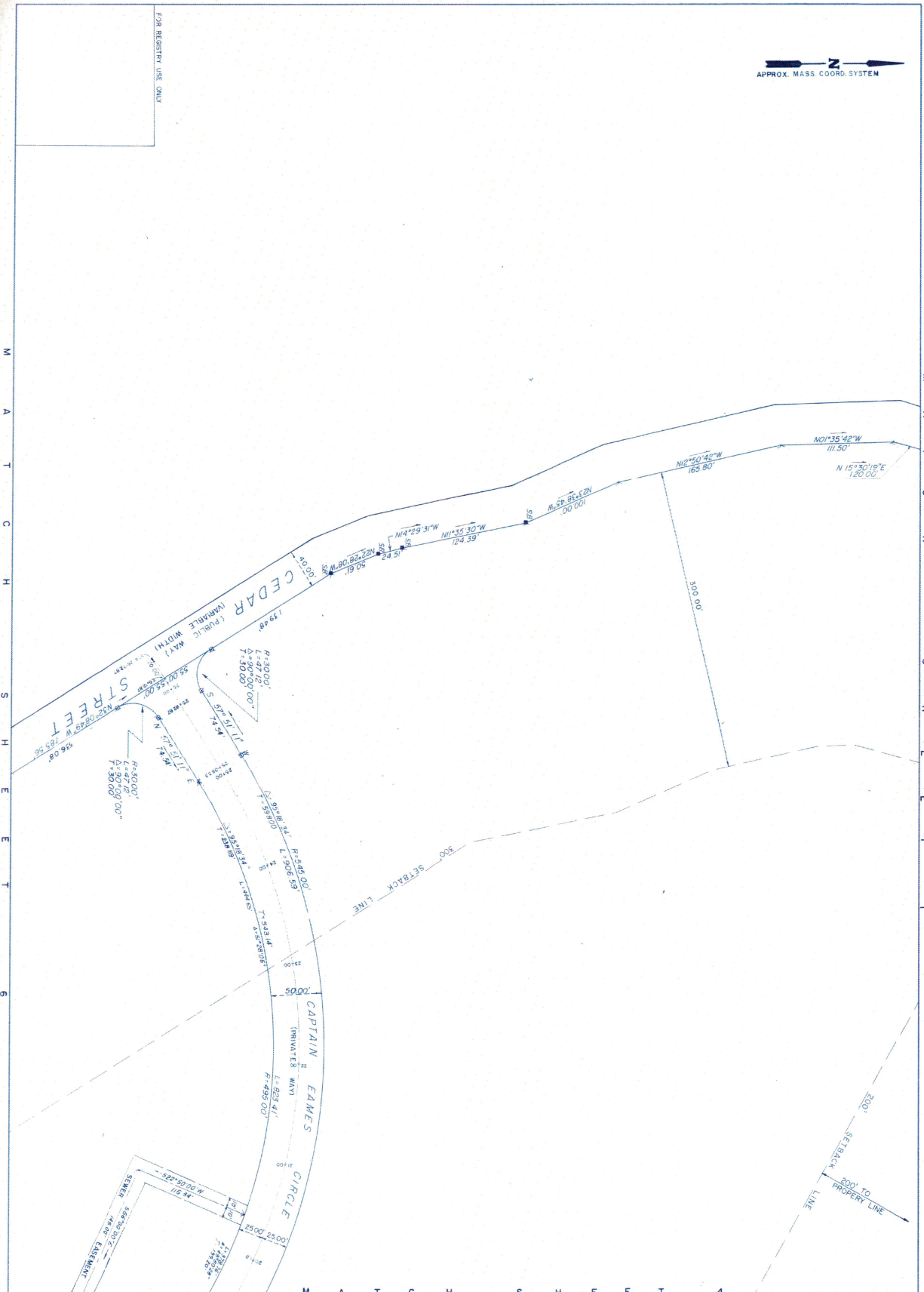
ASHLAND PLANNING BOARD	
DATE	


ENGINEER _____
DATE _____

STEPHEN H. KEMP
SURVEYOR

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

APPROX. MASS COORD. SYSTEM




 THE FAFARD COMPANIES
 290 FIRST ST
 ASHLAND, MA 01721


 SHEET 3 of 13

12	9	6	3	1
13	10	7	4	2
11	8	5		

LEDGEMERE COUNTRY II
PLAN OF LAND
 IN
 ASHLAND, MA
 OWNER:
 E. & P. KAZANIAN, TRUSTEES OF K. REALTY
 AND STEPHEN R. KARR, TENANT IN COMMON
 PETITIONER: LEDGEMERE LAND CORPORATION.
 SCALE: 1" = 40'
 DATE: JAN 21, 1985
 ZONING: MULTI-FAMILY


REVISION BLOCK

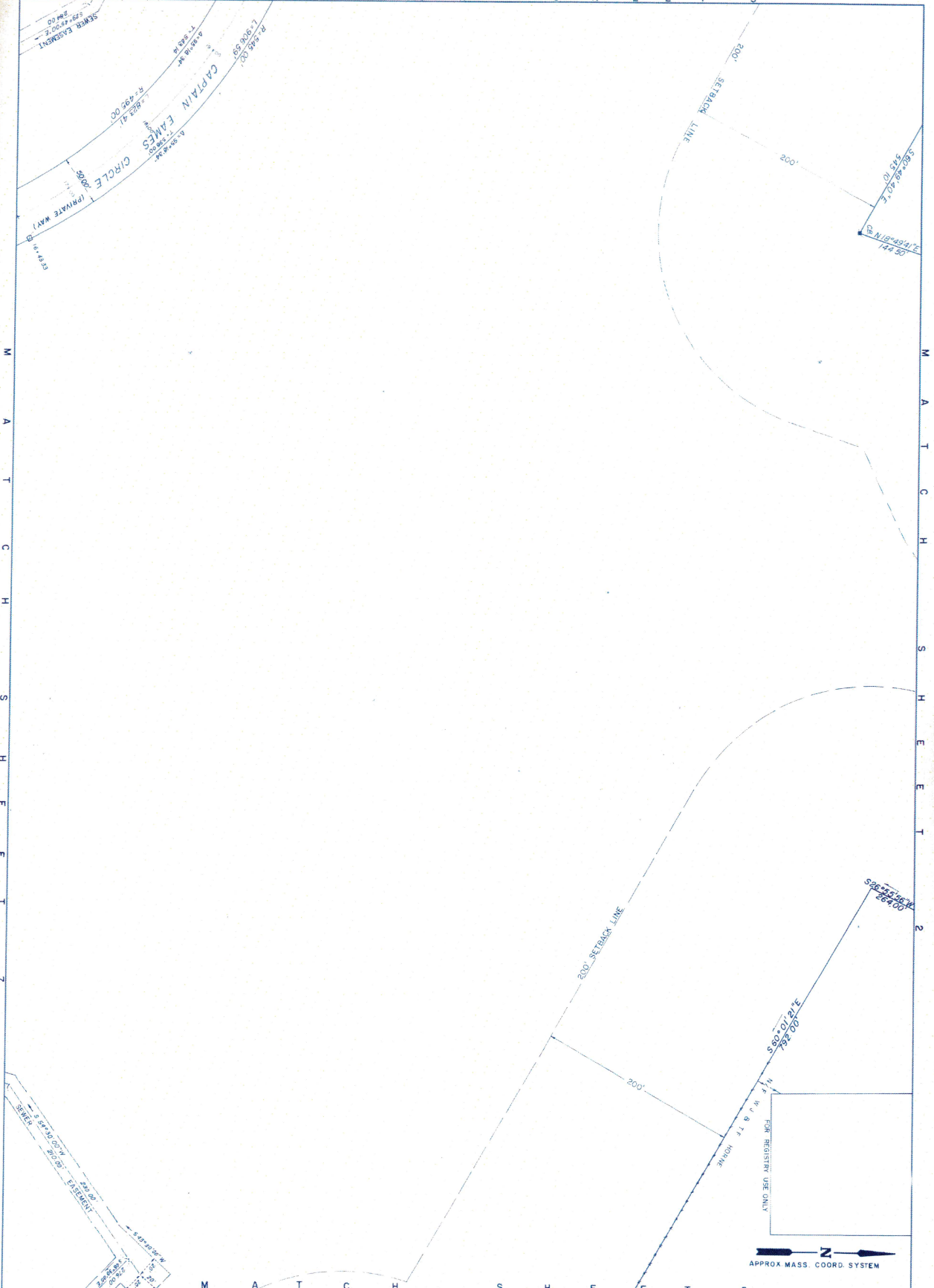
DATE	REVISION

ASHLAND PLANNING BOARD

 DATE _____

ENGINEER _____
 DATE _____
 SURVEYOR _____
 DATE _____


 I CERTIFY THAT THIS PLAN
 HAS BEEN PREPARED IN ACCORDANCE
 WITH THE RULES AND
 REGULATIONS OF THE REGISTERS
 OF DEEDS OF THE COMMON-
 WEALTH OF MASSACHUSETTS.



M
A
T
C
H
S
H
E
E
T
3

M
A
T
C
H
S
H
E
E
T
5

#1079 00

THE FAFARD COMPANIES
280 E 1st St
Ashland, MA 01721

12 9 6 3 1
13 10 7 4 2
11 8 5

SHEET 4 of 13

LEDGEMERE COUNTRY III
PLAN OF LAND
IN
ASHLAND, MA

OWNER
R. R. P. KATZMAN TRUSTEES OF A REALTY
AND STEPHEN H. KARP TENANT IN COMMON
PRETTIKER LEDGEMERE LAND CORPORATION

SCALE 1" = 40'
DATE JAN 21, 1990
ZONING MULTI-FAMILY

REVISION BLOCK

DATE	REVISION

ASHLAND PLANNING BOARD

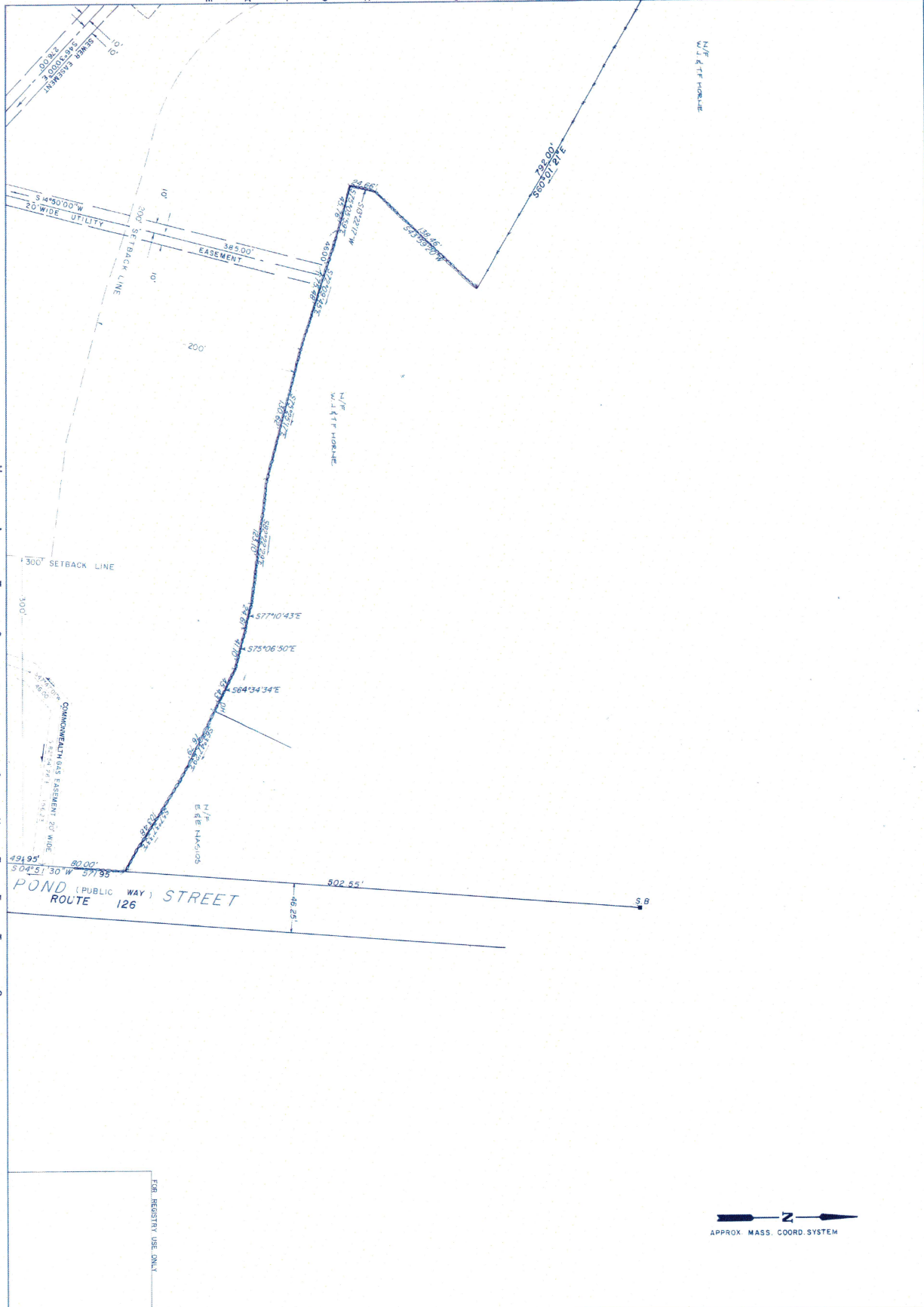
DATE

ENGINEER

DATE



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



DC-61079-BLOW

THE FAFARD COMPANIES
280 East St
Ashland, MA 01721

LEDGEMERE COUNTRY III
PLAN OF LAND
IN
ASHLAND, MA

OWNER
E. & H. HAZARDIAN, TRUSTEES OF A REALTY
AND STEPHEN R. KARP, TENANT IN COMMON
PETITIONER: LEDGEMERE LAND CORPORATION ZONING MULTI-FAMILY

SCALE: 1" = 40'
DATE: JAN. 21, 1986

REVISION BLOCK	
DATE	REVISION

ASHLAND PLANNING BOARD

DATE _____

ENGINEER

DATE _____

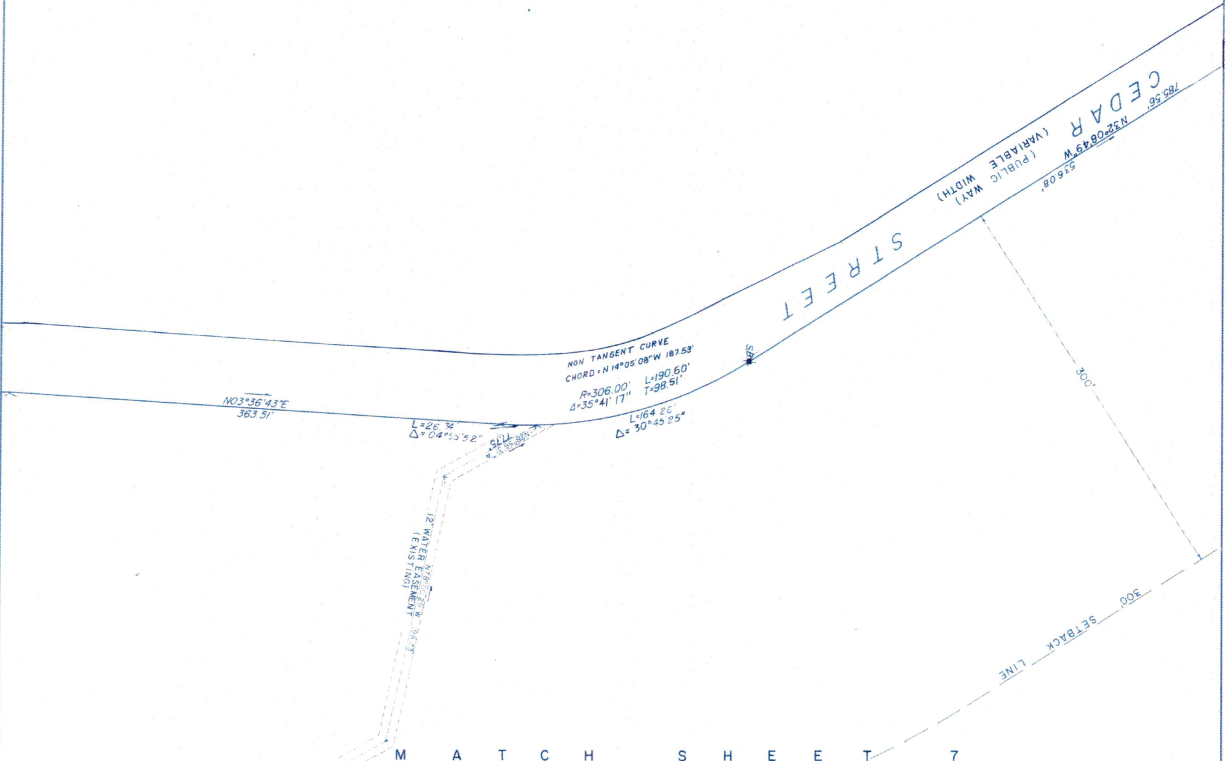


I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

M A T C H S H E E T 9

M A T C H S H E E T 3

FOR REGISTRY USE ONLY



00-6204#

FAFARD
 THE FAFARD COMPANIES
 290 Elliot St
 Ashland, MA 01721

SCALE 1" = 40'

DATE JAN 21, 1986

JOINING MULTI-FAMILY

SHEET 5 of 13

LEDGERME COUNTRY III
 PLAN OF LAND
 IN
 ASHLAND, MA

OWNER
 E. B. R. KAZANJIAN TRUSTEES OF P. REALTY
 AND STEPHEN R. KARP TENANT IN COMMON
 PETTYGOWER LEDGERME LAND CORPORATION

SCALE 1" = 40'
 DATE JAN 21, 1986
 JOINING MULTI-FAMILY

REVISION BLOCK	
DATE	REVISION

ASHLAND PLANNING BOARD

DATE _____

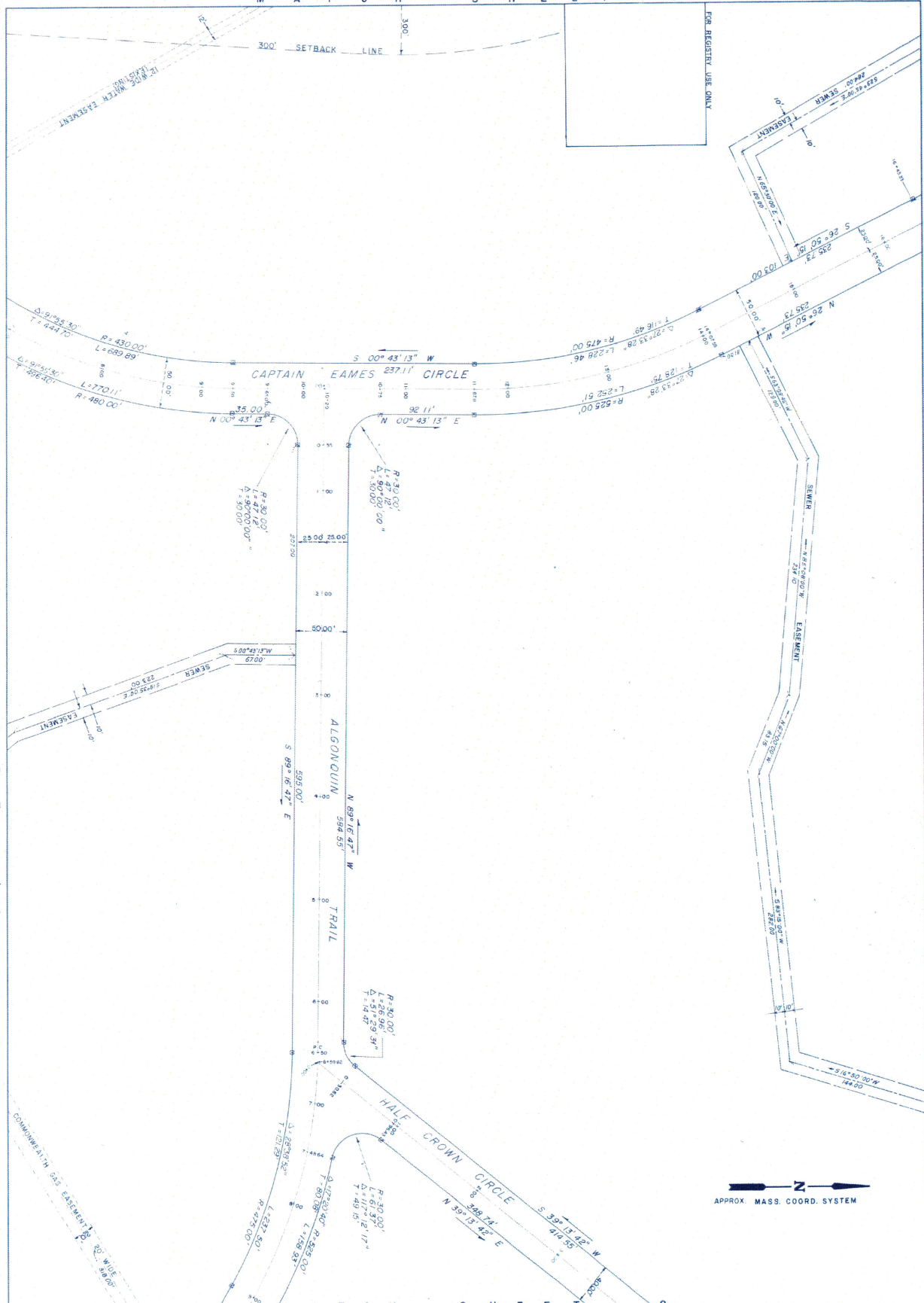
ENGINEER _____

DATE _____

SURVEYOR _____

DATE _____

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



LEDGEMERE COUNTRY III
PLAN OF LAND
 IN
 ASHLAND, MA

OWNER:
 E. B. R. HAZARDIAN TRUSTEES OF A REALTY
 AND STEPHEN R. KAMP TENANT IN COMMON
 PETITIONER: LEDGEMERE LAND CORPORATION.

SCALE: 1" = 40'
 DATE: JAN 21, 1986
 ZONING: MULTI-FAMILY

REVISION BLOCK

DATE	REVISION

ASHLAND PLANNING BOARD

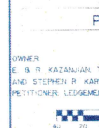
ENGINEER: _____ DATE: _____

SURVEYOR: _____ DATE: _____

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

12	9	6	3	1
13	10	7	4	2
11	8	5		

SHEET 7 of 13



LEDGEMERE COUNTRY III
PLAN OF LAND
 IN
 ASHLAND, MA

OWNER:
 E. B. R. HAZARDIAN TRUSTEES OF A REALTY
 AND STEPHEN R. KAMP TENANT IN COMMON
 PETITIONER: LEDGEMERE LAND CORPORATION.

SCALE: 1" = 40'
 DATE: JAN 21, 1986
 ZONING: MULTI-FAMILY

REVISION BLOCK

DATE	REVISION

ASHLAND PLANNING BOARD

ENGINEER: _____ DATE: _____

SURVEYOR: _____ DATE: _____

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



APPROX. MASS. COORD. SYSTEM

ENGINEER: _____ DATE: _____

SURVEYOR: _____ DATE: _____

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

00-6101



LEDGERE COUNTRY III
PLAN OF LAND
IN
ASHLAND, MA

OWNER: E. B. R. KATZMAN TRUSTEES OF A REALTY AND STEPHEN H. KARP TENANT IN COMMON
PETITIONER: LEDGERE LAND CORPORATION ZONING: M-2.1 FAMILY

SCALE: 1" = 40'
DATE: JAN 21, 1986

REVISION BLOCK

DATE	REVISION

ASHLAND PLANNING BOARD

DATE: _____

ENGINEER: _____ DATE: _____

SURVEYOR: _____ DATE: _____

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

FOR REGISTRY USE ONLY

12 9 6 3 1
13 10 7 4 2
11 8 5

SHEET 8 of 13

110212

491.95'

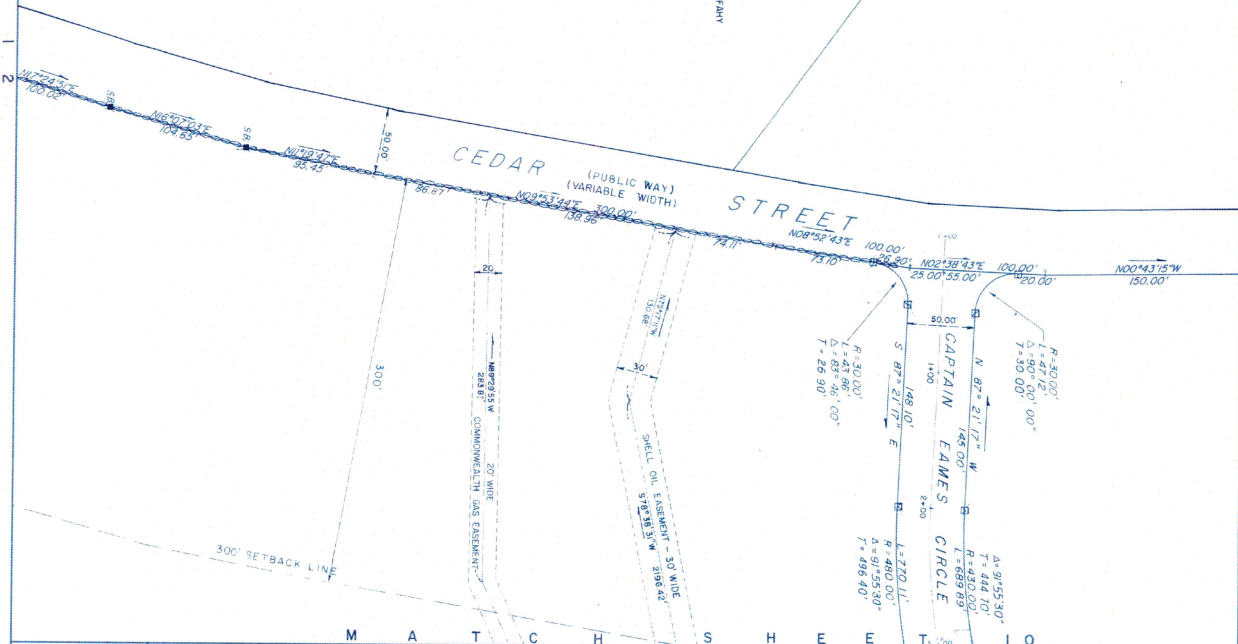
304°51'30" W 571.95'

FOR REGISTRY USE ONLY



M
A
T
C
H
S
H
E
E
T

M
A
T
C
H
S
H
E
E
T



00-640#

FAFARD
THE FAFARD COMPANIES
230 E. 5th St.
Ashland, MA 01721

REVISION BLOCK

12	9	6	3	1
13	10	7	4	2
11	8	5		

SHEET 9 of 13

LEDGEMERE COUNTRY
PLAN OF LAND
IN
ASHLAND, MA

OWNER: B. W. H. ASSOCIATION, TRUSTEES OF A REALTY
AND STEPHEN F. KEEFER, TENANT IN COMMON
PETITIONER: LEDGEMERE LAND CORPORATION

SCALE: 1" = 40'
DATE: JAN 21, 1988
ZONING: MULTI-FAMILY

REVISION BLOCK	DATE	REVISION
1	5/11/88	

ASHLAND PLANNING BOARD

APPROVED: _____
DATE: _____

ENGINEER: _____
DATE: _____

SURVEYOR: _____
DATE: _____

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



FOR REGISTRY USE ONLY



12	9	6	3	1
13	10	7	4	2
11	8	5		

SHEET 11 of 13

LEDGEMERE COUNTRY
PLAN OF LAND
 IN
 ASHLAND, MA

OWNER
 F & R KAZEMIAN TRUSTEES OF R REALTY
 AND STEVEN R KARR TENANT IN COMMON
 PETITIONER LEDGEMERE LAND CORPORATION

SCALE 1" = 40'
 DATE JAN 21, 1988
 ZONING MULTI-FAM-1

DATE	REVISION

ASHLAND PLANNING BOARD

DATE _____

ENGINEER _____

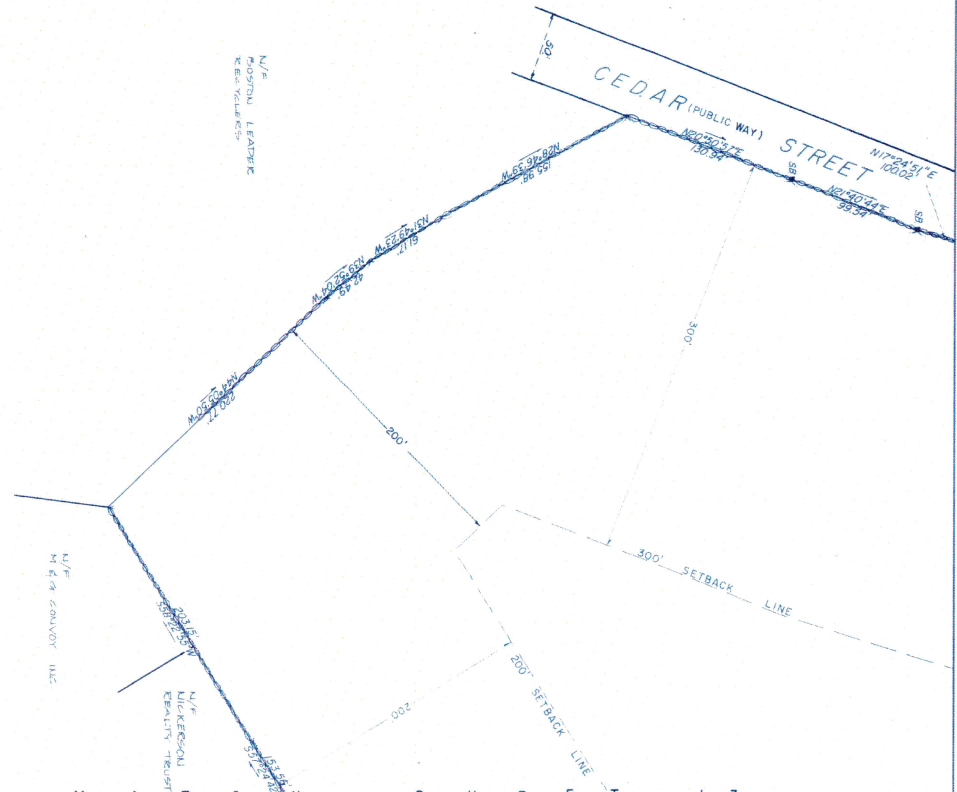
DATE _____



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

#1079-00

M A T C H S H E E T 9



FOR REGISTRY USE ONLY

		<p>LEDGEMERE COUNTRY II PLAN OF LAND IN ASHLAND, MA</p>	<p>REVISION BLOCK</p> <table border="1"> <tr> <th>DATE</th> <th>REVISION</th> </tr> <tr> <td>1/27/86</td> <td></td> </tr> </table>	DATE	REVISION	1/27/86		<p>ASHLAND PLANNING BOARD</p>		<p>I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.</p>
	DATE	REVISION								
1/27/86										
<p>OWNER: S. B. H. ALZABIAN, TRUSTEES OF K. REALTY AND STEPHEN H. KAMP, TENANT IN COMMON PETITIONER: LEDGEMERE LAND CORPORATION</p>	<p>SCALE: 1" = 40' DATE: JAN 21, 1986 ZONING: MULTI-FAMILY</p>	<p>DATE</p>	<p>DATE</p>							

CP-601#



M A T C H S H E E T 1 0



FOR REGISTRY USE ONLY




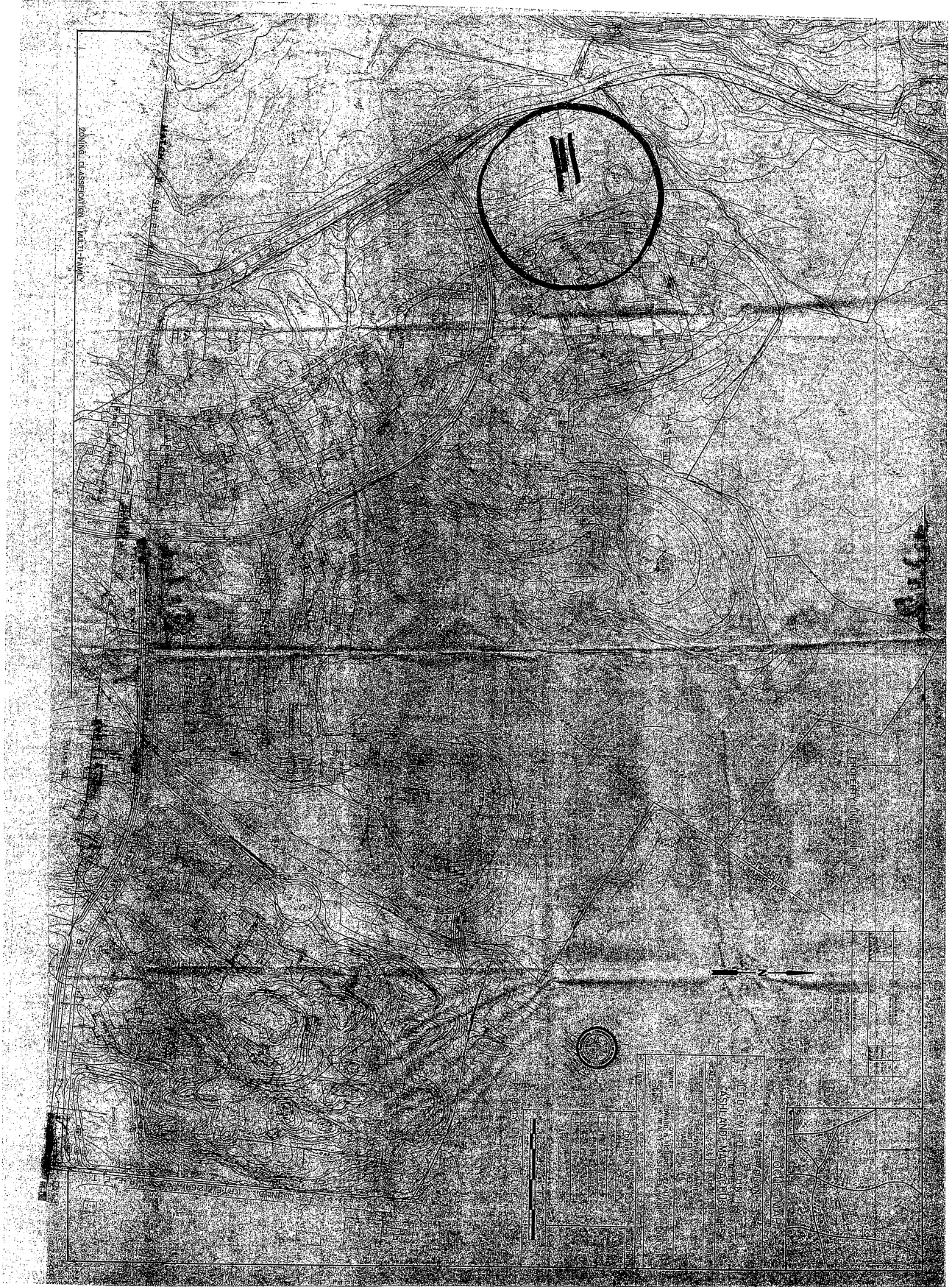
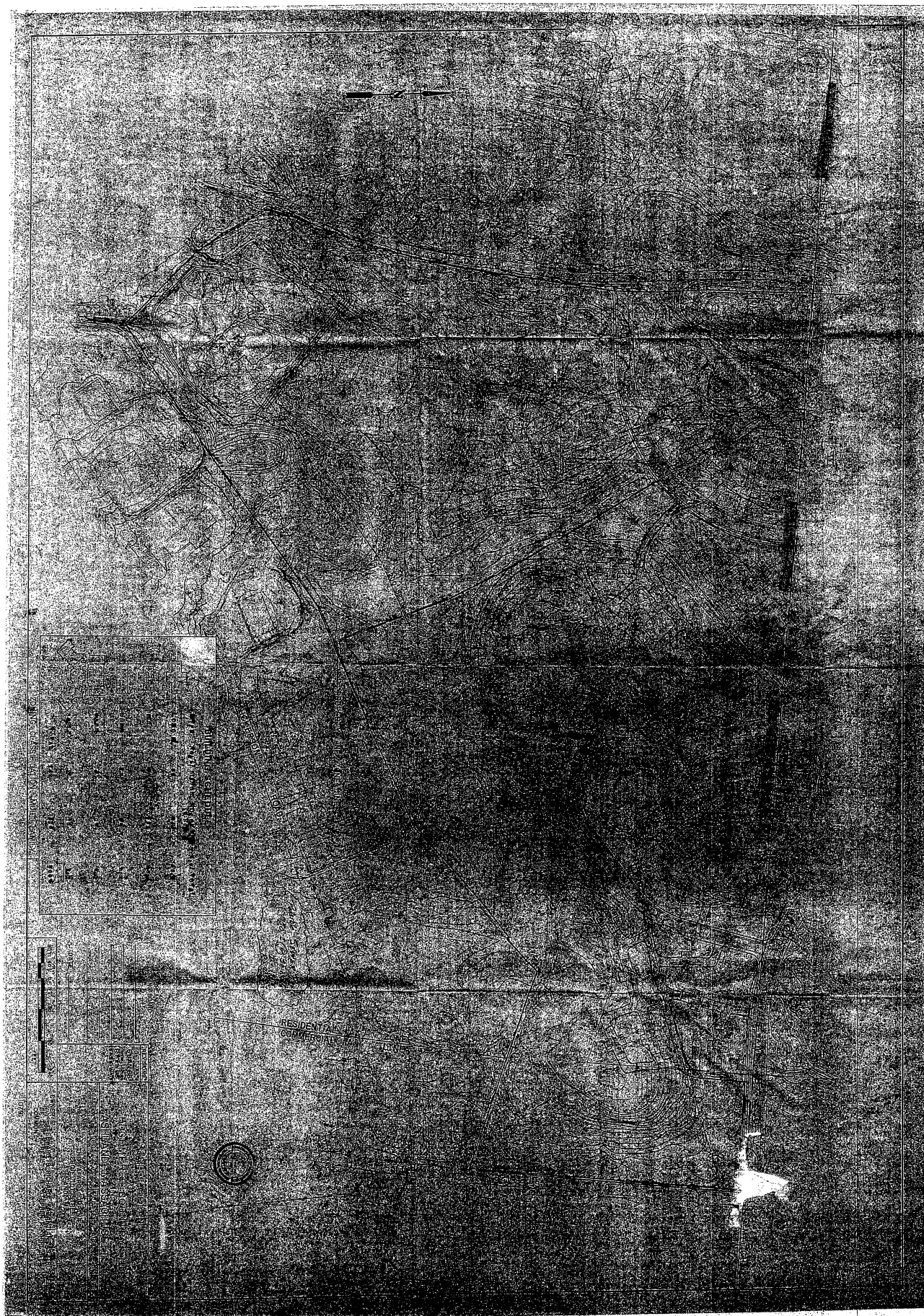
	 <table border="1" style="margin: auto;"> <tr><td>12</td><td>9</td><td>6</td><td>3</td><td>1</td></tr> <tr><td>13</td><td>10</td><td>7</td><td>4</td><td>2</td></tr> <tr><td>11</td><td>8</td><td>5</td><td></td><td></td></tr> </table>	12	9	6	3	1	13	10	7	4	2	11	8	5			<p>LEDGEMERE COUNTRY II PLAN OF LAND IN ASHLAND, MA</p> <p><small>DATE: 01/21/1998 BY: TERRY R. ROSE, TRUSTEE & REGISTRAR FOR: LEDGEMERE LAND CORPORATION</small></p>	<table border="1"> <tr><th>NO.</th><th>REVISION</th></tr> <tr><td>542</td><td></td></tr> </table>	NO.	REVISION	542		ASHLAND PLANNING BOARD ENGINEER		I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
12	9	6	3	1																					
13	10	7	4	2																					
11	8	5																							
NO.	REVISION																								
542																									

EXHIBIT D



III

UNCLASSIFIED
DATE 03/14/2013 BY 60322 UCBAW/STW



Tuesday, February 17, 2026 at 12:57:08 PM Eastern Standard Time

Subject: Fwd: Scanned image from BP-70C55
Date: Friday, February 6, 2026 at 8:20:09 AM Eastern Standard Time
From: Doug Scott
To: Ethan Dively
Attachments: SecureScan@ashland.k12.ma.us_20260206_090919.pdf

Ethan,

Here are the records that we found related to Ledgemere. they relate to the original approval granted by both the Zoning Board and Planning Board.
You would be applying for a modification of the original approvals from both Boards.

Doug Scott
Building Commissioner

----- Forwarded message -----

From: SecureScan@ashland.k12.ma.us <seurescan@ashland.k12.ma.us>
Date: Fri, Feb 6, 2026 at 8:13 AM
Subject: Scanned image from BP-70C55
To: <dscott@ashlandmass.com>

Reply to: SecureScan@ashland.k12.ma.us <SecureScan@ashland.k12.ma.us>
Device Name: Not Set
Device Model: BP-70C55
Location: Not Set

File Format: PDF MMR(G4)
Resolution: 600dpi x 600dpi

Attached file is scanned image in PDF format.

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record. This e-mail is intended to be conveyed only to the designated recipient(s) named above. Any use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

EXHIBIT E

Tuesday, February 17, 2026 at 12:58:24 PM Eastern Standard Time

Subject: Re: Scanned image from BP-70C55
Date: Monday, February 9, 2026 at 12:39:50 PM Eastern Standard Time
From: Doug Scott
To: Ethan Dively, Jasmin Farinacci
Attachments: image001.png, image002.png, image003.png, image004.png

To find the answer for the question you are asking, you will need the Subdivision Control Laws, Section 81W. If you are not aware of the purpose of the Law, (Subdivision Control Law) then you should read section 81M

Douglas Scott
Building Commissioner

On Fri, Feb 6, 2026 at 12:35 PM Ethan Dively <edively@harringtonheep.com> wrote:
Hello Doug,

Thank you very much for this additional information. I have reviewed and understand the Zoning Board of Appeals Special Permit. While I have seen a variety of unsigned and unrecorded plans depicting the Ledgemere development, I have not seen anything that was signed or approved by the Planning Board. When you refer to the “site plan” needing reviewed and modification by the Planning Board, is this a zoning bylaw requirement? If it is, could you point me to the portion of the bylaw which requires such review?

I appreciate your time and assistance in this matter.

Best,
Ethan



ETHAN B. DIVELY

Counsel at Harrington Heep LLP

—
office [617-489-1600](tel:617-489-1600)

cell [617-874-7888](tel:617-874-7888)

email edively@harringtonheep.com

website harringtonheep.com

address 40 Grove Street, Suite 190 Wellesley, MA 02482

Follow Us:





From: Doug Scott <dscott@ashlandmass.com>
Date: Friday, February 6, 2026 at 8:20 AM
To: Ethan Dively <edively@harringtonheep.com>
Subject: Fwd: Scanned image from BP-70C55

Ethan,

Here are the records that we found related to Ledgemere. they relate to the original approval granted by both the Zoning Board and Planning Board.
You would be applying for a modification of the original approvals from both Boards.

Doug Scott
Building Commissioner

----- Forwarded message -----

From: SecureScan@ashland.k12.ma.us <securescan@ashland.k12.ma.us>
Date: Fri, Feb 6, 2026 at 8:13 AM
Subject: Scanned image from BP-70C55
To: <dscott@ashlandmass.com>

Reply to: SecureScan@ashland.k12.ma.us <SecureScan@ashland.k12.ma.us>
Device Name: Not Set
Device Model: BP-70C55
Location: Not Set

File Format: PDF MMR(G4)
Resolution: 600dpi x 600dpi

Attached file is scanned image in PDF format.

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record. This e-mail is intended to be conveyed only to the designated recipient(s) named above. Any use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record. This e-mail is intended to be conveyed only to the designated recipient(s) named above. Any use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.