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Town of Ashland
Planning Department
101 Main St.
Ashland, MA 01721
508.881.0101
Ashlandmass.com/193/Planning

Application for Planning Board Approval/Permit

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

Property Information:

Street Address: 81 West Union Street
Zoning District: CH Overlay District: ----
Block 0067
Assessor's Map: 19 Lot: 0.0 Deed Book: 64417 Page: 299
Current Property Owner: 81 West Union Street, LLC

Permit/Approval Sought:

Special Permit (§9.3) Special Permit Amendment/Modification Design Plan Review (§9.6)
 Site Plan Review (§9.4) Site Plan Modification Scenic Road Permit (Ch. 249 §20)
 Earth Removal Permit (Ch. 242 §3) Site Alteration Special Permit (§5.8)
 Subdivision (Include Subdivision Application Form) Wireless Communication Facilities (§6.4)

Use Type: Residential: Commercial: Industrial: Mixed Use:

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

Name: 81 West Union Street, LLC
Address: 70 Bartzak Drive, Holliston, MA 01746
Phone: 508-429-9553 Email: bill@rodenhiser.biz
Agent's Name: Peter R. Barbieri, Esquire
Fletcher Tilton PC
Agent's Address: 161 Worcester Road, Suite 501, Framingham, MA 01701
Agent's Phone: 508-532-3517 Agent's Email: pbarbieri@fletchertilton.com

Additional Information:

Are all real estate taxes and other assessments to the Town current?: Yes
Is the parcel on a scenic road?: No Is the parcel in a flood plain?: No
Is the parcel within 100 feet of a wetland or 200 feet of a river: Yes
Is this an amendment to a previously issued Special Permit? (attach approved permit): Permits attached to Impact Statement.
Date structure(s) built?: 2019



Description of the Relief Sought: (attach additional pages if needed)

See attached Impact Statement.

What specific zoning bylaws and/or Special Permit types are relevant to this application?:

Site Plan, Stormwater and Site Alteration

Benefits of Project:

See attached Impact Statement.

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

See attached Impact Statement.

Attach Building Permit Denial letter if applicable.

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

Signatures:

Applicant/Agent: William Rodonhise Applicant's Name: William Rodonhise

Agent's Relationship to Applicant: _____ Firm: _____

Owner: William Rodonhise Owner's Name: William Rodonhise, Manager

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



Subdivision Application Supplemental Form:

Approval Sought: N/A

Preliminary Plan Definitive Plan Plan Modification Lot Line Revision
 Approval Not Required (ANR)

Subdivision Name (if not an ANR): _____

Number of Lots Proposed: _____ Total Acreage: _____ Total Open Space: _____

Linear Feet of Proposed/Modified Road: _____

Are there any easements or deed restrictions on/in the development? (attach copies): _____

Will the development be any of the following?:

Senior Residential Community (See Ch.282 §7.2): No

Cluster Development (See Ch.282 §7.3): No

Assisted Elderly Facilities (See Ch.282 §7.4): No

Multi-family Dwelling (See Ch.282 §7.5): No

Accessory Family Dwelling (See Ch.282 §7.6): No

Additional Considerations:

Is the project in a Flood Hazard Area? (See Ch.282 §8): No

Was a plan submitted to the Conservation Commission?: Yes If yes, when?: Simultaneously

Will a plan be submitted?: _____ If no, signature of Conservation Agent: _____

Is the site within 500 ft. of another municipality?: No

Does the property contain walking trails and/or trees 14" in diameter or larger?: Yes

Additional Parties:

Engineer: Grady Consulting LLC Phone: 781-585-2300 Email: darren@gradyconsulting.com

Architect: _____ Phone: _____ Email: _____

Landscape Architect: _____ Phone: _____ Email: _____

Attorney: Peter R. Barbieri Phone: 508-532-3517 Email: pbarbieri@fletchertilton.com



PROJECT STATEMENT
FOR
81 WEST UNION STREET

DATED: June, 2019

**PROJECT STATEMENT
81 WEST UNION STREET,
ASHLAND, MASSACHUSETTS
June 2019**

Owner/Applicant: 81 West Union Street, LLC
70 Bartzak Drive
Holliston, Mass 01746

Attorney: Peter R. Barbieri
Fletcher Tilton PC
161 Worcester Road, Suite 501
Framingham, MA 01701
(508) 532-3517
pbarbieri@fletchertilton.com

Plan By: Grady Consulting, LLC
71 Evergreen Street, Suite 1
Kingston, Mass. 02364
Tel. 781-585-2300

PROJECT STATEMENT

I. Project History

1.1 Site History

The subject of this Application is the property with the existing improvements thereon at 81 West Union Street (the Property). Ashland Assessor's Map 19, Block 67, Lot 0 depicts the Property. The Property consists of 8.68 acres of which approximately 5.24 acres is upland and the remaining 3.44 acres is Resource Area. The Property has frontage of two hundred forty-two (242) feet on West Union Street. The property complies with the area and frontage requirements of the Zoning By-Law. Through the Ashland Conservation Commission, the Resource Area on the property was delineated in 2015.

In 2006 the Ashland Town Meeting voted unanimously to adopt and extend along the north side of West Union Street from the intersection of the MBTA Access Road to Indian Spring Road an increased intensity from Commercial A to Highway Commerce District (CH). This Property, along with five (5) other parcels fronting West Union Street, was affected by this zone change. The CH zone change contemplated was meant to encourage a redevelopment of the Property.

In January of 2016, Approvals were received for Phase I of the Project. A copy of the Site Plan Approval is attached. In March of 2018, an Amendment of the Site Plan Approval was issued allowing for additional use of the site. A copy of the 2018 Site Plan Approval is attached.

At the present time, the main storage building is under construction with completion anticipated within the next two to three months.

1.2 Project Description

The Applicant seeks approval for Phase II of the development of the Property. Specifically, the plans submitted with this Application depict three (3) buildings with a footprint of approximately twenty-six thousand nine hundred five (26,905) square feet. The buildings have been designed to comply with the Dimensional Requirements of the Zoning By-Law. Parking is also provided to satisfy the requirements of the Zoning By-Law.

Building I is located towards the front of the site and is setback over thirty (30) feet from West Union Street. The Zoning By-Law requires that the setback for buildings within the Commercial Highway District provide a minimum of thirty (30) feet; therefore, the location of the building complies with the Front Setback Requirement. The building, as proposed, will be three (3) stories in height, which is allowed under the Zoning By-Law. The building is a minimum of ten (10) feet from the easterly property line and over three hundred (300) feet from the rear property line; whereas, only ten (10) feet and twenty (20) feet are required for building setbacks in the CH Zone. The building has a footprint of approximately five thousand six hundred twenty (5,620) square feet. The first and second building are proposed for non-medical office and retail services with the third floor being for storage, with no employees. (No tenants have been obtained).

Buildings II and III are proposed for contractor's facilities/landscape business (no tenants have been identified), which are allowed in the CH District. Buildings II and III follow the Setback Requirements for Buildings in the Commercial Highway District as they are located over ten (10) feet from the nearest side property line and over three hundred (300) feet from the rear property line. Building II and III are proposed to be one (1) story in height and include mezzanine space (five hundred (500) square feet per prospective tenant. The footprint of Building II is approximately eight thousand five hundred eighty (8,580) square feet, and Building III has a footprint of twelve thousand seven hundred five (12,705) square feet. Building II has mezzanine space of two thousand (2,000) square feet, and Building III has mezzanine space of three thousand (3,000) square feet. Outside storage west of Building III is proposed.

Accordingly, the lot, as well as, the location and size of the buildings comply in all respects with the requirements of the Zoning By-Law.

II. Parking and Traffic Assessment

2.1 Parking

As to the parking for Phase II, the By-Law requires that Industrial/Warehouse Facilities provide one (1) parking space per 1.3 employees per shift. A total of thirty-three (33) employees is anticipated in Buildings II and III; thereby requiring twenty-five (25) parking spaces. Building I, with its ten thousand two hundred (10,200) square feet of gross leasable space, requires fifty-seven (57) parking spaces (one (1) per one hundred eighty (180) square feet of leasable area). As there are no employees associated with the storage space no parking is required, although there is one extra parking space. Provision has been made for eighty-three (83) parking spaces, which exceeds the Parking Requirement (eighty-two (82) parking spaces required).

2.2 Transportation Impact and Access

Attached please find Traffic Impact Study.

III. Project Impact Assessment

3.1 Drainage

The Drainage System is consistent with the Massachusetts Department of Environmental Protection (MA DEP) Stormwater "Best Management Practices (BMP)." As shown on the Site Plan and detailed in the Drainage Report, deep sump catch basins and subsurface recharge (located below the parking areas) are proposed to address Stormwater Requirements for Phase II, as were approved for Phase I. These Stormwater elements are sized to accept and dispose of the runoff water for the 100 Year Storm Event. By design the recharge allows collected water to leach into the soils and provide quality and quantity mitigation (See attached System Drainage Report).

3.2 Utilities

Both public water and sewer, along the West Union Street frontage will service the Project. Connections to the existing mains were approved as part of Phase I. Water consumption and wastewater generation is anticipated to be minimal for Phase II.

The water and wastewater demands will not have a detrimental impact on Ashland's municipal services and are significantly below the requirements for the previously contemplated mixed-use development of the Property. National Grid will supply electrical power and natural gas to the site. Verizon will provide dial tone and internet connectivity.

IV. Standards for Review

4.1 Site Plan Standards

Associated impacts from Phase II will be significantly below those that would be created from the prior anticipated commercial mixed-use of the Property. The location of the development, as approved with Phase I, is beneficial to its occupants and visitors, due to its convenient Route 135/West Union Street access.

Although the Property is on Route 135, the buildings' setback from West Union Street and the designed landscape buffer will create a pleasant and enjoyable setting free from excessive noise, and harmful and detrimental influences. As stated, adequate and serviceable utilities, the parking layout and associated stormwater systems meet the site plan requirements for approval. As shown on the plans, the project size will be sufficiently served by the Property in a manner which will not create a detrimental impact to the abutting commercially zoned properties or the Ashland Middle School.

The Project has been designed in a manner providing safe vehicle and pedestrian access to and through the Property. Additionally, adequate utility connections, a self-contained drainage design and minimal vehicle trips will establish protections for nearby and abutting properties (all commercially zoned) against declining property values. Redress of an existing building also serves to enhance neighborhood and community values. At the completion of the Project, the site will be enhanced in a manner consistent with and allowed under the By-Law.

The Project design minimizes grade changes while providing for a compliant building in accordance with the requirements of the Zoning, Wetland, and Stormwater By-Laws and the Wetland Protection Act. The improvements, as depicted on the Plans, have no wetland impacts and satisfy the Conservation Commission's "25' No Disturbance" Buffer Zone Requirement. The Wetland and Buffer Zone Areas limit the developable portion of the site and necessitate grade changes and "steep slopes" in the identified location in order to establish suitable and compliant grades.

With regard to utilities, they will be all underground. There will be no detrimental impact to municipal services. Water pressure and volume have been tested and both quantities satisfy fire and safety concerns for the proposed use.

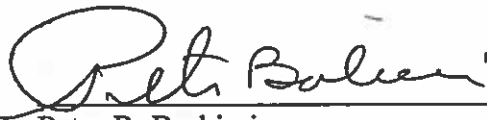
With regard to trash service, a dumpster is shown on the plans for the commercial building. The tenants of Buildings II and III will be required to maintain dumpster with their units.

The Project has been designed in a manner providing safe vehicle and pedestrian access to and through the Property. Additionally, adequate utility connections, a self-contained drainage design and minimal vehicle trips will establish protections for nearby and abutting properties (all commercially zoned) against declining property values. Redress of an existing building also serves to enhance neighborhood and community values. At the completion of the Project, the site will be enhanced in a manner consistent with and allowed under the By-Law.

V. Conclusion

Site plan approval will allow for the use of the site for commercial purposes in compliance with the requirements of the Town's By-Law.

Respectfully Submitted,



Peter R. Barbieri
Fletcher Tilton, PC
161 Worcester Road, Suite 501
Framingham, MA 01701
Direct Telephone No. 508-532-3517



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TOWN OF ASHLAND MASSACHUSETTS, MA

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OFFICE OF
PLANNING BOARD
101 MAIN STREET

2017 JAN 25 PM 4:49

Preston Crow, Chairman

TEL: (508) 881-0100

Certificate of Approval
Site Plan Review
81 West Union Street
January 12, 2016

Applicant: 81 West Union Street, LLC *and owner*
70 Bartzak Drive
Holliston, MA 01746

The Property: 81 West Union Street *deed: 64487/211*

BACKGROUND AND PROCESS

1. The Planning Board (the "Board") received an application on August 30, 2016 for approval of a site plan review of a proposed 98,600 square foot mini-storage facility consisting of two buildings. This application is for Phase I which is part of a future mixed use development.
2. The application packet for the Site Plan Review stamped on August 30, 2016 contained:
 - Application for Site Plan Review from 81 West Union, LLC dated from August 29, 2016.
 - Project statement for 81 West Union Street dated August, 2016.
 - Abutters List dated August 23, 2016.
 - Site Plan Set prepared by Grady Consulting, LLC, signed and stamped by Darren Grady, Registered Professional Engineer No. 40715 titled "Cover", "Existing Conditions", "Phasing", "Layout", "Grading", "Drainage", "Sewer", "Utilities", "Landscape Plantings" (prepared by EcoTerra Design and Consulting), "Details", "Details", "Details", and "Drainage Details", dated August 12, 2016.
 - Set of Architectural Plans by Boardwalk Storage Solutions, LLC and Remus Architecture titled "Conceptual Elevation", "Unit 1B - Conceptual Elevation", "Preliminary Elevations", "Preliminary Elevations", and "Preliminary Exterior Elevations - Building 1B". Plans not dated.
 - Stormwater Report prepared by Grady Consulting, LLC, signed and stamped by Darren Grady, Registered Professional Engineer No. 40715, dated August 12, 2016.
3. At the September 22, 2016 meeting the Board decided to engage the services of a Peer Reviewer. GCG Associates was engaged to review to project on behalf of the Town.
4. The Applicant, the Peer Reviewer, and Town staff submitted additional material:

- Peer Review from GCG Associates, Inc., dated October 19, 2016.
 - Invoice from GCG Associates, Inc., dated November 2, 2016.
 - E-mail from Peter Barbieri, dated November 16, 2016.
 - Revised Site Plan Set, with cover sheet, prepared by Grady Consulting, LLC, signed and stamped by Darren Grady, Registered Professional Engineer No. 40715, titled “Cover”, “Existing Conditions”, “Phasing”, “Layout”, “Grading”, “Drainage”, “Sewer”, “Utilities”, “Landscape Plantings” (prepared by EcoTerra Design and Consulting), “Details”, “Details”, “Details”, “Drainage Details”, and “Details”, dated November 16, 2016.
 - Stormwater Report prepared by Grady Consulting, LLC, signed and stamped by Darren Grady, Registered Professional Engineer No. 40715, dated August 12, 2016 and revised November 16, 2016.
 - E-mail from Peter Barbieri, dated December 8, 2016.
 - Peer Review from GCG Associates, Inc., dated December 14, 2016.
 - Cover letter for Revised Site Plans (plans not included).
 - E-mail from Keith Robie dated December 22, 2016.
 - Photometric Analysis prepared by Visual dated August 8, 2016, received on December 22, 2016.
 - Peer Review from GCG Associates, Inc., dated December 22, 2016.
 - Revised Site Plan Set, with cover sheet, prepared by Grady Consulting, LLC, signed and stamped by Darren Grady, Registered Professional Engineer No. 40715 titled “Cover”, “Existing Conditions”, “Phasing”, “Layout”, “Grading”, “Drainage”, “Sewer”, “Utilities”, “Details”- sheet 10, “Details”- sheet 11, “Details”- sheet 12, “Drainage Details”, and “Details” –sheet 14, dated August 12, 2016; revised November 16, 2016 and November 19, 2016.
 - “Landscape Plantings-9” dated August 10, 2016; revised November 14, 2016; “Landscape Details-1”,” Landscape Details -2”; and “Landscape Details – 3” dated December 22, 2016; revised from November 14, 2016 all prepared by EcoTerra Design and Consulting.
 - Lighting Plan prepared by Robert Lindstrom dated August 8, 2016 revised to December 15, 2016.
5. The 8.68 acre property is located at 81 West Union Street in the Commerce Highway District where mini-storage is an allowed use. Because this project is a change of use and the change of use increases the required parking by more than 6 parking spaces at site plan review and approval is required by the Planning Board before a building permit can be issued.
 6. Approximately 3.44 acres of the 8.68 parcel are Wetland Resource Area. The applicant is concurrently applying to the Conservation Commission for a Notice of Intent and Storm water Management Permit. An Order of Conditions will be issued for both.
 7. A public discussion on the Site Plan was opened on September 22, 2016 continued to October 27, 2016, December 8, 2016, December 22, 2016 and closed on January 17, 2017.
 8. Emery Bond, 59 West Union Street, said he was concerned about the landscaping and line of sight. Tom Ferris, 73 West Union Street, an immediate abutter, asked for details about the lighting and landscaping. He said he would like a fence.
 9. The Board determined that the 17 parking spaces provided was adequate for this use.
 10. Following presentations by the Applicant and its consultants, a review by Board members and comments from the public and the Board’s own consultants, the Board voted to

approve the Project as conditioned below based on the following documentation and shall constitute the "Final Plans":

a) Revised Site Plan Set, with cover sheet, prepared by Grady Consulting, LLC, signed and stamped by Darren Grady, Registered Professional Engineer No. 40715 titled "Cover", "Existing Conditions", "Phasing", "Layout", "Grading", "Drainage", "Sewer", "Utilities", "Details" - sheet 10, "Details" - sheet 11, "Details" - sheet 12, "Drainage Details", and "Details" - sheet 14: dated August 12, 2016; revised November 16, 2016; November 19, 2016; January 4, 2017.

b) "Landscape Plantings - 9" dated August 10, 2016; revised November 14, 2016; "Landscape Details-1"; "Landscape Details -2"; and "Landscape Details - 3" dated December 22, 2016; revised from November 14, 2016 all prepared by EcoTerra Design and Consulting.

c) Lighting Plan prepared by Robert Lindstrom dated August 8, 2016 revised to December 15, 2016.

d) Stormwater Report prepared by Grady Consulting, LLC, signed and stamped by Darren Grady, Registered Professional Engineer No. 40715, dated August 12, 2016; revised December 17, 2016.

DETERMINATION AND DECISION

In accordance with Section 9.4.12 of the Zoning Bylaw, the Board concluded that the Revised Project shown in the plans listed in a) b) c) and d) above will constitute a suitable development and is in compliance with the Zoning Bylaw's site plan review criteria, subject to the following conditions:

- 1) This site plan approval is only for Phase I (Unit 1a and Unit 1b along with related parking lot, landscaping, etc.) as depicted in the final plans.
- 2) This certificate of approval shall remain valid only if all required permits and approvals from the Ashland Conservation Commission are obtained by the applicant.
- 3) This approval shall comply with the Order of Conditions issued by the Ashland Conservation commission.
- 4) The hours of operation shall not extend outside the hours of 6:00 a.m. to 10:00 p.m. seven days a week.
- 5) The landscaping along 73 West Union Street (the Ferris property) shall consist of a minimum of (15) green giant arborvitae 10'-12' high staggered every five feet and a fence along the property line or some other landscaping agreeable to both parties. Any landscaping along the property line of 73 West Union Street can be modified by written agreement between the Applicant and the owner of the abutting property; and shall not need a site plan modification from this Board.
- 6) The landscaping shall be substantially in accordance with the landscape plan approved by the Board with the provision of 5) above and shall be maintained by the owner in good condition. Any tree or plant material that dies or becomes diseased shall be replaced by the owner.
- 7) Hours of construction shall be 7:00 a.m. to 7:00 p.m. unless the school has a large event and requests no work or limited work on a particular day. The Applicant shall provide the school secretary and principal with contact information of the construction supervisor.

- 8) The line of sight from the school access road shall be maintained at all times. If this cannot be avoided during construction a traffic detail shall be hired at the expense of the applicant.
- 9) The applicant shall comply with any requirements of the Building Department.
- 10) The applicant shall comply with any Department of Public Works requirements. Any connection to the existing sewer and drainage systems on West Union shall require normal DPW Approvals; and Street Opening Permit(s) and Trench Permit(s) from Ashland DPW.
- 11) The owner shall implement the following maintenance plan (at a minimum): parking lot sweeping twice per year after snow melt and in the fall; catch basin cleaning and inspection twice per year in the spring and fall; oil and gas separators in drainage system to be inspected monthly and cleaned four (4) times per year, once in each season; unless otherwise required by the Conservation Commission.
- 12) The owner shall be responsible for snow plowing and removal so that all parking spaces remain available.
- 13) This site plan approval does not constitute any approvals for signs. Any special permit or building permit for a sign shall be applied for separately.
- 14) The lighting shall be in accordance to the approved plans. There shall be no light spillage across the property lines.
- 15) Architectural and floor plans shall be reviewed by the Building Commissioner and the Fire Department before any building permits are issued. The applicant shall comply with any code requirements determined by the Building Commissioner and the Fire Department upon this review.
- 16) Building 1b shall contain self storage units, common hallways and mechanical rooms only, no other proposed uses and sewerage disposal plumbing shall be allowed without further Site Plan Review approval by the Ashland Planning Board. Ashland Planning Board shall reserve the their right to reject any future floors plans for Building 1b and shall be subject to a Site Plan Modification, if the Planning Board deems necessary.
- 17) Bollards or other protection shall be placed by the fire stands if required by the Fire Department.
- 18) Prior to the issuance of a building permit the applicant shall receive a letter produced by the Ashland Fire Department stating that the department is satisfied with the design of the facility to the extent that it accommodate fire stands and appropriate fire protection. Such letter shall be delivered to the Planning Board.
- 19) This approval shall be recorded at the South Middlesex Registry of Deeds. This Site Plan Approval shall not take effect until a copy of this Approval bearing the certification of the Town Clerk that twenty (20) days have elapsed after the Approval has been filed with the Town Clerk's Office with no appeal taken or that if such appeal has been filed, that it has been dismissed or denied and the Approval is recorded. A copy of the first page of the recorded document bearing the date of recording and the book and page number shall be delivered to the Planning Department before any building permits are issued.
- 20) Prior to the issuance of an occupancy permit the applicant shall file two stamped as-built plans prepared by an engineer certifying the project was built substantially according to

the approved documents. The as-built shall show all structures, all finished grades and final construction layout of driveways, parking areas, drainage systems, utility installations, and sidewalk and curbing improvements in their true relationship to the lot lines as well as any location, size and depth and material of all public and private utilities on-site and their points of connection and all utilities which have been abandoned. In addition the as-built plan shall be certified by a Massachusetts Registered Land Surveyor.

- 21) Prior to issuance of an occupancy permit an as-built plan showing the final location, number and type of plant material, landscape features, parking areas and light installations. The plan shall be prepared by the project engineer and shall include a certification that such improvements were completed substantially in accordance to the approved plans.

In accordance with Section 9.4.14 of the Zoning Bylaw, site plan approval shall lapse after two (2) years from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Site plan approval may, for good cause, be extended in writing by the Board upon written request of the Applicant.


The Provisions of this Site Plan Review shall be binding upon every owner or owners of the lots and its successors and the obligations and restrictions set forth in this approval shall run with the land.

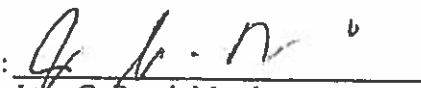
Pursuant to Section 9.4.17 of the Zoning Bylaw, any appeal of this certificate of approval shall be made in accordance with G.L. c. 40A, § 17, to a court of competent jurisdiction.

Town of Ashland Planning Board

By: 
Preston Crow, Chairman

By: _____
Michael J. Mokey, Vice-Chairman

By: 
Dale M. Buchanan, Clerk

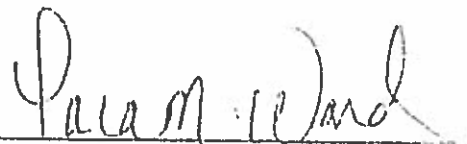
By: 
John G. Rossi, Member

By: _____
Joseph D. Rubertone, Member

Filed with Town Clerk on:

DATE: January 25, 2017 Town Clerk: 
Tara M. Ward, Town Clerk

I HEREBY CERTIFY THAT TWENTY DAYS HAVE ELAPSED FROM THE DATE THIS DECISION WAS FILED IN THE TOWN CLERK'S OFFICE AND THAT NO APPEAL HAS BEEN FILED.

DATE: February 21, 2017 Town Clerk: 
Tara M. Ward, Town Clerk

Middlesex South Registry of Deeds
Electronically Recorded Document

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Recording Information

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Receipt Number	: 2203171
Recording Fee	: \$75.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.cambridgedeeds.com



2018 APR 24 PM 2:16

Town of Ashland, Massachusetts
Office of the Town Clerk and the Board of Registrars
101 Main Street, 01721-1191
Phone# 508-881-0100 ext. 7127; fax 508-881-0145

20 DAY NO APPEAL LETTER

RE: 81 West Union Street

I HEREBY CERTIFY THAT TWENTY DAYS HAVE ELAPSED FROM THE DATE THIS DECISION WAS FILED IN THE TOWN CLERK'S OFFICE MARCH 23, 2018 AND THAT NO APPEAL HAS BEEN FILED.

DATE: April 24, 2018

Tara M. Ward, Town Clerk

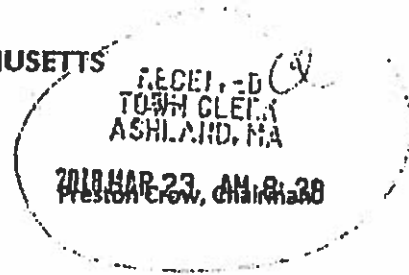
Locus: 81 West Union Street, Ashland, MA 01721

Deed Reference: Book 64487, Page 299



TEL: (508) 831-0100

**TOWN OF ASHLAND MASSACHUSETTS
OFFICE OF
PLANNING BOARD
101 MAIN STREET**



**Certificate of Approval - Site Plan Modification
81 West Union Street, LLC**

**81 West Union Street
Map 19 Lot 67
March 22, 2018**

The Planning Board received an application on January 8, 2018 for approval of a site plan modification to expand the limit of work to allow the stockpiling of material from the construction of a self-storage facility containing two buildings. The construction of the storage facility was approved January 12, 2017. The applicant and property owner is 81 West Union Street, LLC.

The application packet for the Site Plan Modification stamped at Town Clerk's Office on January 8, 2018 contained:

- Application and cover letter for Site Plan Modification dated December 20, 2017.
- Planset consisting of 2 plans titled "Proposed Storage Facility - Site Plan - Layout" and "Proposed Storage Facility - Site Plan - Grading" prepared by Grady Consulting, LLC of Kingston, MA, signed and stamped by Darren M. Grady, Registered Professional Engineer No. 40715. The plans are dated August 12, 2016 then revised November 16, 2016; November 19, 2016; January 4, 2017; November 27, 2017; and November 29, 2017.

Materials submitted during the discussion process

- Plan titled "Proposed Storage Facility - Site Plan - Layout" prepared by Grady Consulting, LLC of Kingston, MA, signed and stamped by Darren M. Grady, Registered Professional Engineer No. 40715. The plans are dated August 12, 2016 revised November 16, 2016; November 19, 2016; January 4, 2017; November 27, 2017; November 29, 2017; and February 1, 2018.

The Planning Board held public discussions on January 11, 2018, January 25, 2018, March 1, 2018 and March 8 2018. Neighbors participated in the discussion.

Facts and Findings

Based on the evidence presented, the Board makes the following findings:

1. The application is to modify a Site Plan Review that was approved by the Ashland Planning Board on January 12, 2017 and stamped by the Town Clerk on January 25, 2017. The review approved Phase I of the property development. The Applicant plans to develop a mixed-use project as Phase II on the remainder of the property at a later date.
2. The 8+ acre property is located in the Highway Commerce Zoning District and is currently occupied by a single family home. The property abuts the middle school property to the west north and a single family home to the east.

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3. The Applicant seeks to clear the site beyond the originally approved limit of work to allow the stockpiling on site of the soil from the excavation and construction of the storage facility. This material can then be used for the construction of the Phase II – a future mixed-use development.
4. Because the Phase II portion of the parcel slopes northward towards the wetlands, this material would likely be used for grading and leveling.
5. Phase II of the project is not approved and will need a separate Site Plan Approval.
6. The Applicant also seeks to modify their Order of Conditions with the Conservation Commission.
7. The Applicant hopes to move the existing house at 81 W. Union Street back north and west. Because of the historic features, the Applicant would like to use the house in the future Phase II development. In the original Site Plan Approval this house was to be demolished.
8. Neighbors at 73 and 67 West Union asked for a cedar fence and arborvitae trees to block the view of the stockpiling. The neighbor at 59 West Union ask for a berm with the trees and cedar fence on top. Neighbors also expressed concern that this modification was beyond the scope of Phase I.
9. The neighbor who asked for the berm is approximately 140 feet away from the proposed stockpiling. The Board felt that there was adequate buffer for the modified project as proposed. The Board also said that buffering for that property will be addressed when the Applicant submits an application for Phase II site plan review.
10. Because there are existing large white pines near the rear property line of 65 West Union there were concerns of the viability of the proposed trees. In addition, the requested fence may need to meander to work around the roots. The neighbor acknowledged that new trees would be difficult to plant. They later asked that the fence be placed on top of a 30-inch berm.
11. Because the applicant is asking for a modification to allow work behind the neighbor's property, the Board felt it was appropriate that the Applicant extend the fence and landscaping. Consequently, Condition #5 of the January 25, 2017 Approval will be modified.
12. Condition #5 in the original decision states:

"The landscaping along 73 West Union Street (the Ferris property) shall consist of a minimum of (15) green giant arborvitae 10'-12' high staggered every five feet and a fence along the property line or some other landscaping agreeable to both parties. Any landscaping along the property line of 73 West Union Street can be modified by written agreement between the Applicant and the owner of the abutting property; and shall not need a site plan modification from this Board."

Decision

Following presentations by the Applicant and its consultants, a review by Board members, the Board voted 4-0 to approve the Modification to allow stockpiling and land clearing beyond the originally approved limit of work as shown on the "Proposed Storage Facility - Site Plan - Layout" prepared by Grady Consulting, LLC of Kingston, MA, signed and stamped by Darren M. Grady, Registered Professional Engineer No. 40715, dated August 12, 2016; revised November 16, 2016; November 19, 2016; January 4, 2017; November 27, 2017; and November 29, 2017 February 1, 2018, February 26, 2018 subject to the following conditions:

- a) In addition to what is shown on the modified layout plan, the applicant shall comply with all conditions stipulated in the original Site Plan Review decision stamped in to the Town Clerk's Office on January 25, 2017 with the exception of "Condition #5".
- b) Condition # 5 shall be replaced with: "The landscaping and buffering along the west and north sides of 73 West Union Street (the Ferris property) shall consist of a 6-foot high cedar fence and a minimum of (16) green giant arborvitae 10'-12' high staggered every 8 to 10 feet.

The trees shall be planted on the Applicant's side of the fence. The fence shall be 1-foot from the property line on the Applicant's side. The fence shall continue along the rear property line of 69 West Union (the Montaquila property). Any landscaping along the abutting property line can be modified by written agreement, filed with the Planning Board, between the Applicant and the owner of the abutting properties; and shall not need a site plan modification from this Board.

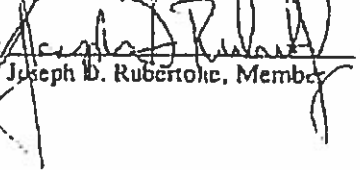
- c) The fence shall be installed before any stockpiling can begin. The trees shall be planted in the same calendar year as any stockpiling begins, timed to maximize tree survival. The Applicant shall replace any trees that die within two years.
- d) If the Applicant determines that moving the house is feasible, the house shall remain unoccupied with no water service until Phase II occupancy permits are issued.
- e) The stockpiles shall be no higher than one foot below the top of the newly installed fence to ensure the stockpiles cannot be seen above the fence from the back yards. No stockpiles shall be closer than 15 feet from the fence.
- f) Before the final occupancy permit for the Phase I - Site Plan Approved dated January 25, 2017 is issued and if the Applicant has not submitted a complete application for approval of Phase II, the stockpiles shall be removed or leveled and the area shall be regraded to a maximum final height no higher than the base of the fence; the grading shall also maintain the original drainage flow pattern to the wetland as approved by the Conservation Commission; and shall be loamed and seeded, and stabilized or planted as required by the Conservation Commission. The original drainage pattern is shown on "Proposed Storage Facility - Site Plan - Grading" prepared by Grady Consulting, LLC of Kingston, MA, signed and stamped by Darren M. Grady, Registered Professional Engineer No. 40715, dated August 12, 2016; revised November 16, 2016; November 19, 2016; January 4, 2017; November 27, 2017; and November 29, 2017".
- g) The Applicant shall submit an as-built plan and a geo-referenced CAD drawing prepared and stamped by a Registered Land Surveyor before final occupancy permit can be issued.
- h) The Applicant shall implement any slope stabilization and erosion controls required by the Conservation Commission or deemed necessary by the Conservation Agent.
- i) The Applicant shall provide notice to the school before any hydrologic hammering or rock crushing can commence.
- j) This approval shall be recorded at the South Middlesex Registry of Deeds. A copy of the recorded document and approved plan bearing the date of recording and the book and page number shall be delivered to both the Planning and Building Departments before any clearing can occur beyond the limit of work line approved in the original Site Plan Approval.
- k) In accordance with Section 9.4.14 of the Zoning Bylaw, site plan modification approval shall lapse after two (2) years from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Site plan modification approval may, for good cause, be extended in writing by the Board upon written request of the Applicant.

Pursuant to Section 9.4.17 of the Zoning Bylaw, any appeal of this certificate of approval shall be made in accordance with G.L. c. 40A, § 17, to a court of competent jurisdiction.

Town of Ashland Planning Board

By: 
Preston Crow, Chairman

By: 
John G. Rossi, Member

By: 
Joseph D. Rubertone, Member

By: 
Michael J. Mokey, Vice-Chairman

By: 
Dale M. Buchanan, Member