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Zoning Board of Appeals
& Planning Board
Town of Ashland
Main Street
Ashland MA 01721

October 21, 2020

Re 10 Metcalf Avenue- ZBA Special Permit & PB Site Plan Review- Contractor garage + yard

Dear Members of the Boards:

On behalf of Mr. Barbieri, applicant, for the construction of a new contractor's garage and yard at the above captioned address, please find the completed application packages for both the Zoning Board Special Permit and the Planning Board Site Plan Review.

Please note the Co-Urbanize fee is included with the Planning Board application package.

Very truly

George Connors



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: 10 METCALF AVE
Zoning District: INDUSTRIAL Overlay District: ADD/Solar
Assessor's Map: 13 Lot: 0 Deed Book: 71572 Page: 050
Current Property Owner*: JUDITH BARBIERI

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: JUDITH BARBIERI
Address: 7 DAKLEY PLACE, FRAMINGHAM
Phone: _____ Email: _____
Agent's Name: GEORGE F CONNORS ESQ
Agent's Address: 10 S.W. Wtfd, Northborough MA 01532
Agent's Phone: 5-393-9727 Agent's Email: george@gfconnorslaw.com

4. Additional Information:

Are all real estate taxes and other assessments to the Town current?: _____
Is the parcel on a scenic road?: NO
Is this an amendment to a previously issued Special Permit? (attach approved permit): NO
Date structure was built? (Buildings built before 1940 may need review by Historical Commission.): N/A
Is the property within 100 ft. of a wetland, within 200 ft. of a stream, or in a floodplain?: NO

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

Non Conforming LOT (Area + Frontage)
Regulated by Section 3.32 - Non Conforming USE - only
to Area + Frontage.
TABLE of uses Allows Contractors Garage/yard

What specific zoning bylaws is this application associated with?: 3.3.2

6. Justification for why the application should be approved:

Meets Allowable use per Table
Meets Exemption for Non Conforming USE on Area / Frontage
MATCHES MOST uses in neighborhood

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

- 1) Recently removed trailers.
- 2) Current open GRAVEL SURFACED lot - some pavement
- 3) Lot size + frontage but subject to unlocatable Variance.
- 4) USE 4.1.5 Average Setback SEE ATTACHED.

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

Signatures:

Applicant/Agent: g fconnors Applicant's Name: Geo. Connors J. Barbieri

Email Address: george@gfconnorslaw.com Phone Number: 5-393-9727

Agent's Relationship to Applicant: Att/Ag Firm: GF Connors Counselor @ LAW

Owner: [Signature] Owner's Name: J. Barbieri

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

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).
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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.


RICHARD P. BARBIERI
CHERRY STREET
7 DAISLEY PLACE
FRAMINGHAM, MA 01702-7218

234
53-7181/2113


10/15/2020

Date  CHECK ARMOR
TRAUD PROTECTION

Pay to the Order of TOWN OF ASHLAND \$ 250.00

TWO HUNDRED FIFTY Dollars ^{00/100} Dollars  Photo Safe Deposit®
Details on back

MUTUALOne
BANK

For Maat Reiff special permit 

⑆ 211371816⑆ 1067959333⑆ 00231

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. *See Peter Metdals*
- 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.)

NARRATIVE

Narrative for permits at 10 Metcalf Avenue

Assessors Map 13 Block 090 Lot 0

Applicant proposes to construct a building on an existing undersized lot on Metcalf Street.

This lot is located in the INDUSTRIAL Zone requiring 30,000 sf land area, 150 feet of frontage. As a pre-existing+non-conforming lot the lots area is 12,540 sf with 147.01 feet of frontage.

The use for a contractor's garage and yard is an allowed use (see table of uses attached).

A Planning Board endorsed plan dated February 6, 1964 (copy attached) shows, in the endorsement section, that the land is "*subject to zoning variance dated Oct.10, 1960.*" It is unknown what the variance was for: a requested record search of the Town Clerk and Planner resulted in no file being found, this is after an exhaustive search of the Registry of Deeds for the property. Discussions thereafter with the Building Inspector resulted in treating the proposal as a Special Permit project.

The site plan shows a proposed 30 X 40 foot metal building (1200 sf) on the lot at the average setback of the adjacent lot. This allows for most parking and contractor yard space to be to the rear and south of the building, furthest away from the residence at 8 Metcalf. Privacy fencing is proposed along this abutters lot line. Existing chain-link fencing exist along the rear line, and various construction/storage 'things' are along the south line.

The entire site is currently an open gravel/bituminous concrete lot and will remain much the same. Stormwater will be managed by a stone infiltration trench along the sides and rear lot lines, with another bisecting the rear yard behind the building.

Four designated parking spaces for the building size are located behind the building.

ZONING CODE PROVISIONS ---

The site comports with the following zoning code items-

DEFINITION - Nonconforming Lot

A parcel of land which does not conform to the presently applicable lot frontage and/or lot area requirements of the Zoning Chapter.

RESPONSE-

This lot is an undersized lot having less area than the present 30,000 sf requirement (12,540 sf). It does not have sufficient frontage of 150 (147.01) feet.

Section 3.3.2

Nonconforming Uses. The Board of Appeals may award a special permit to change a nonconforming use in accordance with this section only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood. The following types of changes to nonconforming uses may be considered by the Board of Appeals:

(A).

Change or substantial extension of the use;

(B).

Change from one nonconforming use to another, less detrimental, nonconforming use.

RESPONSE-

This lot was subdivided in 1964 where the endorsement noted a variance had been given. As such it is a non-conforming lot whose use is conforming under the Table of Uses. Its non-conformity is only as to area and frontage. It is similar to most of the lots in the immediate area to some degree.

Section 4.1.5

Average of Building Setbacks. No building need provide a front setback greater than the average of the setbacks provided by existing buildings on abutting lots, fronting on the same street.

RESPONSE-

The zone requires a Front Yard Setback of 40 feet however per the above captioned provision the building is proposed to be set back 7 feet applying the average setbacks of abutting lots, in particular the lot to the north which has a setback distance of 6.5 feet. This allows for the building to be accessed from the rear thus enhancing the street curb appeal.

SPECIAL PERMIT DISCUSSION

9.3.2

Criteria. Special permits shall be granted by the Special Permit Granting Authority, unless otherwise specified herein, only upon its written determination that 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. In addition to any specific factors that may be set forth in this By-Law, the determination shall include consideration of each of the following:

1. Community needs served by the proposal;

RESPONSE-

This area is currently being used for contractor type activities in and amongst residential housing expressing the need for such sites. Significant improvements have been made to the site including cleaning up the lot. Landscapers are ubiquitous in the area demonstrating the need for the services.

2. Traffic flow and safety, including parking and loading;

RESPONSE-

The site provides adequate access to the various other uses in the area. Traffic patterns have been established showing full access and looping around the building. The entirety of the site can provide for many vehicles, loading, and storage areas.

3. Adequacy of utilities and other public services;

RESPONSE-

Both sewer and water mains are in Metcalf Street. Adequate overhead utilities appear to be available. It is suspected the maximum power draw would be for a shop welder operating on 220v.

4. Neighborhood character and social structures;

RESPONSE-

Metcalf hosts a mix of uses, some in conjunction with housing, including a landscaper, a painter, a garage mechanic among other miscellaneous operations at that site, a propane distribution operation and one sole residence. This site will serve a small landscaper/contractors garage and yard area and masons shop.

5. Impacts on the natural environment; and

RESPONSE-

The site is an industrial area, hosting small businesses and has been essentially that for decades. This new operation will be more modern and contribute to better housekeeping in the area.

6.

Potential fiscal impact, including impact on town services, tax base, and employment.

RESPONSE-

The site will provide employment for the contractors' employees including the landscapers and the mason's personnel. The value of the site will improve and contribute to the tax base with a minimal demand on public services.

9.4.6

Site Plan Review Criteria and Design Plan Review; General Criteria. The following criteria shall be considered by the aforementioned Boards in the review and evaluation of a site plan, consistent with a reasonable use of the site for the purposes permitted or permissible by the regulations of the district in which it is located. If the proposal also requires a special permit, it must conform to the special permit requirements set forth herein. The development shall be integrated into the existing terrain and surrounding landscape and shall be designed to protect abutting properties and community amenities. Before approval of a site plan, the Planning Board may request the applicant to make modifications in the proposed design of the project to ensure that these criteria are met. Site plans shall, to the extent feasible:

1.

Minimize use of wetlands, steep slopes, floodplains and hilltops;

RESPONSE-

There is no impact to these items. No wetlands exist on or near the site. The site is flat and open.

2.

Minimize obstruction of scenic views;

RESPONSE-

There is no scenic views here in a heavily industrially used area with a railroad nearby.

3.

Preserve unique natural or historical features;

RESPONSE-

There are no natural or historical features nearby.

4.

Minimize tree, vegetation and soil removal and grade changes;

RESPONSE-

There are no trees or vegetation except for hardy weeds growing in gravel. Only minor grading is proposed to provide positive drainage to the stormwater collection system(s).

5.
Maximize open space retention;

RESPONSE-

There is no open space nearby.

6.
Screen objectionable features from neighboring properties and roadways.

RESPONSE-

A dumpster is proposed to be enclosed.

7.
Consideration shall be given to the impacts of the project on town services and infrastructure.

RESPONSE-

Minimal water and sewer use is required. Only service connections are required

8.
Electric, telephone, cable television, gas, water, sewer, drainage and other such utilities shall be underground except in cases of extreme physical and environmental constraints.

RESPONSE-

Overhead drops from existing utility poles are appropriate here where the utility pole is 5 feet in front of the building

9.
Exposed storage areas, machinery, service areas, truck loading areas, utility buildings and structures and other unsightly uses shall be set back or screened to protect the neighbors and those using public ways from objectionable features. Such areas shall not impede the flow of traffic on public ways.

RESPONSE-

Privacy fencing is proposed along the northerly property line to the residential abutter. Parking is behind the proposed building. Yard activities are in the south section of the site.

10.
When applicable, the site plan shall show measures to reduce and abate noise generated from the site that will impact surrounding properties.

RESPONSE-

Privacy fencing is proposed along the northerly property line to the residential abutter. Parking is behind the proposed building. Yard activities are in the south section of the site.

11.

The site plan shall comply with all zoning requirements for parking, loading, signage, dimensions and environmental performance standards and all other provisions of this By-law.

RESPONSE-

The lot is pre-existing undersized, and deficient in frontage (3 feet). Setback of the building matches the average.

12.

The site plan shall be consistent with the objectives of the Comprehensive Plan and other applicable specific plans adopted by the Planning Board.

RESPONSE

9.4.7

Building Design. For all buildings other than single- and two-family structures, consideration should be given to architectural style and its relation to the prevailing character and scale of buildings in the neighborhood and the town. Factors to be considered include the use of appropriate building materials, screening, breaks in roof and wall lines and other architectural techniques. Variation in detail, form and sitting should be used to provide visual interests and to avoid monotony. Proposed buildings shall relate harmoniously to each other with adequate light, air, circulation and separation between buildings.

9.4.8

Traffic. The plan shall maximize the convenience and safety of vehicular and pedestrian movement within the site, in relation to abutting properties and in relation to adjacent ways. On-site areas for loading, unloading and storage shall not impede the flow of traffic on streets. In cases where the Planning Board deems it necessary to have a professional traffic analysis, such analysis shall describe estimated average daily and peak hour vehicle trips to be generated by the site and traffic flow patterns for vehicles and pedestrians showing adequate access to and from the site and adequate circulation within the site. An analysis of traffic data (as is reasonably available from public agencies and departments) or all relevant intersections shall also be provided by the applicant. Plans shall demonstrate efforts to minimize the number of curb cuts. Parking plans shall maximize the extent to which employee parking is provided by the applicant so as not to overburden public parking facilities.

9.4.9

Water. The site plan shall show adequate measures to prevent pollution of surface or ground water, to minimize erosion and sedimentation and to prevent changes in groundwater levels, increased volume and rate of runoff and potential for flooding. Drainage shall be designed so that runoff shall not be increased in rate or volume, groundwater recharge is maximized and neighboring properties will not be adversely affected.

9.4.10

Landscaping. Landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas and shall be related harmoniously to the terrain and to the use.

1.

Site shall be developed in a coordinated manner to complement adjacent structures through placement, architecture, colors, and size/mass.

2.

Whenever possible, buildings on the same site should be clustered and incorporate plazas, courtyards, pocket parks, and other pedestrian use areas.

3.

Provide unity of design through repetition of plans and coordination with adjacent developments.

4.

Landscape materials should be hardy species that are adaptable to local conditions, easily maintained and drought tolerant. Use of native plants is strongly encouraged.

5.

Landscape treatment should be provided to enhance the building design and other site improvements.

9.4.11

Buildings. Sites should be developed in a coordinated manner to complement adjacent structures through placement architecture, colors, size, mass. Proposed buildings shall be related to their surroundings with respect to height, street facade, rhythm of solids and voids; spacing of buildings or signs; materials, textures, and color, roof slopes, and scale. All exterior building components including windows, doors, eaves, and parapets are to be included as elements of building design. Excessive brilliance or brightness shall be avoided except where that would enhance the character of the area. Mechanical equipment or other utility hardware on the roof, grounds or buildings shall be screened from view.

1.

Building shall reflect an individual design that has considered site location, conditions, and surrounding development. Building design should provide a sense of permanence and timelessness. High quality construction and materials should be used to ensure that buildings will not look dated or worn down over time.

2.

A consistent visual identity shall be applied to all sides of buildings visible to the general public. In these areas, all building sides shall have an equivalent level of quality of materials, detailing, and window placement. Abrupt ending of architectural details shall be avoided with no radical change in details, features, or materials.

3.

Building design shall incorporate traditional building materials such as masonry, stone, heavy timbers, brick, and other natural appearing materials.

9.4

SITE PLAN REVIEW

9.4.1

Applicability. Site plan review shall apply to:

1.

The construction of a commercial or industrial structure in the Commercial A, Commercial B or Industrial Zoning District;

2.

The enlargement of floor area or change of use of a commercial or industrial structure in the Commercial H, Commercial D or Industrial Zoning District;

3.

The change of use of a residential structure in the Commercial H, Commercial D or Industrial Zoning District;

4.

The construction, exterior alteration or change of use of a structure in the Commercial H or D Zoning District so as to contain a mixture of residential and nonresidential uses;

5.

The construction or erection of buildings or accessory structures (whether otherwise allowed by right or by special permit), except for single family homes and their accessory structures, including the enlargement or change in location of the exterior walls so as to increase the building footprint by ten (10%) or more, or increase its gross floor area by more than twenty-five percent (25%) whether or not accompanied by exterior construction except in conformity with a site plan bearing an endorsement of approval by the Planning Board.

6.

The physical expansion of a parking area by ten percent (10%) or more; changes in use resulting in an increase in parking area requirements greater than or equal to six (6) spaces; new or expanded.

7.

All applications for building permits including six (6) or more parking spaces, unless a site plan and design plan review have been endorsed by the Planning Board after consultation with other boards, departments and committees, including but not limited to the following: Inspector of Buildings, Board of Health, Board of Selectmen, Town Planner, Town Engineer, Water and Sewer Commission, Town Manager, Conservation Commission, Highway Department, Fire Department, Police Department and Technical Review Committee.

No building permit shall be issued for the construction of any of the above without site plan review approval and design plan approval.

9.4.2

Purpose. The purpose of site plan review is to further the purposes of this chapter and to ensure that new development is designed in a manner which reasonably protects safety or internal circulation and egress, provides adequate access to each structure for fire and service equipment, assures adequate utility service and drainage, protects visual and environmental qualities and protects the property values in the town. Site plan review and design plan review are intended to require plan submittal for review by the Planning Board or its designee, as advisory to the Building Inspector and the Special Permit Granting Authority (SPGA), prior to the issuance of a building or special permit.

1.

The purpose of Design Plan Review is to provide detailed review of uses and structures having a substantial impact upon the character of the Town; to prevent blight; to enhance the natural and aesthetic qualities of the Town; to conserve the value of land and buildings; to protect and preserve the historic and cultural heritage of the Town; and to promote design which is compatible with present character of the Town.

9.4.3

Application.

1.

Site plan review, design plan review and approval shall occur prior to the application for a building permit.

2.

Prior to official application to the Planning Board, all requests for waivers from the provisions of this section shall be made, in writing, to the Planning Board for its review and decision. The Planning Board shall issue a written statement specifying waivers and/or additional information that must be included with the application within a fourteen-day period from the date of the first Planning Board meeting that follows the written waiver or condition request.

3.

Incomplete applications shall not be accepted by the Planning Board. Following submission of an application to the Planning Board, the Board or its agent shall review the application for completeness within three (3) business days of the submission. Completeness shall be based on the requirements of Subsection D(1) as modified by the Planning Board in its pre-application review. If determined incomplete by the Planning Board or its agent, the applicant shall be notified by certified mail that the plan is not accepted due to incompleteness.

4.

Each application for site plan review and design plan review shall be submitted to the Planning Board by the current owner of record or by a prospective buyer with a signed agreement to purchase, accompanied by six (6) paper copies of the site plan at 24 x 36 and six (6) copies at 11 x 17. The Town Planner may reduce the number of copies as he/she deems necessary and appropriate. PDFs of the application, site plan, and all other associated documents shall also be emailed to the Town Planner.

[Amended 5-7-2014 ATM, Art. 23]

5.

The Planning Board may require with any submission a payment sufficient to cover any expenses connected with a public informational meeting, review of plans, inspection services or

on-site monitoring or installation of utilities as designated, including the cost of any engineering or planning consultant services necessary for review and/or determination of compliance with the construction standards adopted by the Planning Board as part of its rules and regulations. Such standards shall govern all construction in support of the aforesaid purposes, unless waived by the Planning Board. Said fees may be described in the Planning Board's fee schedule as periodically amended and available for public review in the Town Clerk's office. The Planning Board or its designee may communicate directly with the proponent in all matters concerning site plan review and may solicit comments from any party as it deems necessary.

6.

For any project located on a Priority Development Site (PDS) and requiring site plan review, design plan review and approval hereunder, an application therefor shall be submitted simultaneously with any other permit application(s) required by the Code of the Town of Ashland, including these Zoning By-laws, relating to the use or development of the PDS or the buildings and/or structures located thereon, and not otherwise exempted by G.L. c. 43D. Site plan and design plan review shall be combined with any other review(s) required of the Planning Board; where the Board of Appeals is responsible for said other review(s), all reviews shall occur at joint session(s) of the Planning Board and the Board of Appeals, when feasible.

[Added 5-5-2010 ATM, Art. 17]

9.4.4

Required Site Plans and Design Plan Review Contents. All site plans shall be prepared by a registered architect, landscape architect or professional engineer, unless this requirement is waived by the Planning Board because of unusually simple circumstances. The construction standards set forth in the Planning Board's Regulations Governing the Subdivision of Land, or the standards otherwise adopted by the Planning Board as part of its rules and regulations, shall govern all construction, unless waived by the Planning Board. The Planning Board may waive any information requirements it judges to be unnecessary to the review of a particular plan. All site plans shall be on standard twenty-four-by-twenty-six-inch sheets and shall be prepared at a minimum scale of one (1) equals forty (40) feet or as approved by the Planning Board or its agent and shall show:

1.

The location and boundaries of the lot and adjacent streets or ways and the location and owners' names of all adjacent properties.

RESPONSE- Current new survey shows the boundaries and abutters.

2.

Existing and proposed topography, including contours, the location of the wetlands (as defined by the Massachusetts Wetlands Protection Act), streams, water bodies, drainage swales, areas subject to flooding and unique natural land features.

RESPONSE- attached town GIS map shows nearby wetlands but much greater than 100 feet from site.

3.

Existing and proposed structures, including dimensions and elevations.

RESPONSE- vacant open gravel/paved lot. 30 X 40 foot single story building w/ paved parking and access driveway from Metcalf Avenue.

4.

The location of parking and loading areas, driveways, walkways, access and egress points, curb cuts, handicapped spaces and fire lanes. Such information shall be provided on a separate sheet which also depicts and assures accessibility and travel flow compatibility, using recognized standards (DOT), for all types of vehicles intended to utilize the proposed site.

RESPONSE- 4 parking spaces behind building. Open contractor yard for equipment storage.

5.

The location and description of all proposed septic systems, water supply, storm drainage systems, utilities and refuse and other waste disposal methods, including compactors, dumpsters and the equivalent.

RESPONSE- connections to existing water, sewer and overhead electric/tel/comm. Screened dumpster area. infiltration trench for stormwater.

6.

Proposed landscape features, including the location and description of screening, fencing and plantings.

RESPONSE- new stockade fencing along residential abutters lot line. Retain existing chainlink fencing along other lotlines

7.

The location, dimensions, height and characteristics of proposed signs.

RESPONSE- small business name sign on the face of the building above mail box, approximately 1.5 X 3 feet. Non-illuminated

8.

The location and description of all outdoor and streetlighting, including methods of screening adjacent properties and public ways from glare.

RESPONSE- timer operated spotlights illuminating parking and yard areas directed away from the abutting residential structure. Carriage type lighting at doorways. Privacy fencing along residential abutters lot line.

9.

The location and description of proposed open space or recreation areas, if provided.

RESPONSE- none provided

10.

In the case of commercial or industrial projects, information on the types of business that may be operating on the property, so as to plan accordingly for the needs of specific types of businesses. In the case of projects where it is unclear what specific use will be involved, the applicant shall be required to provide information on the general characteristics to which uses on the site shall conform.

RESPONSE- Mason and landscaper. Storage of equipment and inside storage of cement/concrete products in bags.

11.

A construction timetable indicating estimated startup and completion dates.

RESPONSE- Commencing immediately, completed in 1 year.

12.

An architectural rendering and/or cross-section of the development shall be submitted.

RESPONSE- See attached contractors sketch

13.

A separate Project Narrative that includes a description of the proposed uses and a written summary of the site plan.

RESPONSE- See beginning of this package

9.4.5

Procedures for Site Plan Review and Design Plan Review.

1.

The maximum period of review and decision for site plans and design plan reviews shall be one hundred twenty days (120) days from the date of submittal of a complete application, unless the review period is extended by mutual agreement of the Planning Board and applicant. Failure by the Planning Board to vote a decision before the end of the review period shall be deemed approval of the plan.

[Amended 5-7-2014 ATM, Art. 23]

2.

The Planning Board shall within seven (7) days from the date of submittal of a complete application transmit one (1) 24 x 36 paper copy of the site plan to the Board of Health, Building Inspector, Conservation Commission, and Department of Public Works, and one (1) 11 x 17 paper copy to the Fire and Police Departments. Any comments and recommendations shall be issued to the Town Planner within seven (7) days of receipt of the abovementioned materials.

[Amended 5-7-2014 ATM, Art. 23]

3.

The Planning Board may hold a fact-finding and public information meeting within thirty (30) days of the receipt of an application. The applicant or his agent shall attend such a meeting in order to assist the Planning Board in responding to public questions and concerns. Failure to attend shall be deemed lack of compliance with the requirements of this chapter.¹¹

[1]

Editor's Note: Former Subsection 9.4.5.4, concerning time limits for decisions for projects in a priority development site (PDS), added 5-5-2010 ATM, Art. 17, was repealed 5-7-2014 ATM, Art. 23.

9.4.6

Site Plan Review Criteria and Design Plan Review; General Criteria. The following criteria shall be considered by the aforementioned Boards in the review and evaluation of a site plan, consistent with a reasonable use of the site for the purposes permitted or permissible by the regulations of the district in which it is located. If the proposal also requires a special permit, it must conform to the special permit requirements set forth herein. The development shall be integrated into the existing terrain and surrounding landscape and shall be designed to protect abutting properties and community amenities. Before approval of a site plan, the Planning Board may request the applicant to make modifications in the proposed design of the project to ensure that these criteria are met. Site plans shall, to the extent feasible:

1.

Minimize use of wetlands, steep slopes, floodplains and hilltops;

2.

Minimize obstruction of scenic views;

3.

Preserve unique natural or historical features;

4.

Minimize tree, vegetation and soil removal and grade changes;

5.

Maximize open space retention;

6.

Screen objectionable features from neighboring properties and roadways.

7.

Consideration shall be given to the impacts of the project on town services and infrastructure.

8.

Electric, telephone, cable television, gas, water, sewer, drainage and other such utilities shall be underground except in cases of extreme physical and environmental constraints.

9.

Exposed storage areas, machinery, service areas, truck loading areas, utility buildings and structures and other unsightly uses shall be set back or screened to protect the neighbors and those using public ways from objectionable features. Such areas shall not impede the flow of traffic on public ways.

10.

When applicable, the site plan shall show measures to reduce and abate noise generated from the site that will impact surrounding properties.

11.

The site plan shall comply with all zoning requirements for parking, loading, signage, dimensions and environmental performance standards and all other provisions of this By-law.

12.

The site plan shall be consistent with the objectives of the Comprehensive Plan and other applicable specific plans adopted by the Planning Board.

9.4.7

Building Design. For all buildings other than single- and two-family structures, consideration should be given to architectural style and its relation to the prevailing character and scale of buildings in the neighborhood and the town. Factors to be considered include the use of appropriate building materials, screening, breaks in roof and wall lines and other architectural techniques. Variation in detail, form and sitting should be used to provide visual interests and to avoid monotony. Proposed buildings shall relate harmoniously to each other with adequate light, air, circulation and separation between buildings.

9.4.8

Traffic. The plan shall maximize the convenience and safety of vehicular and pedestrian movement within the site, in relation to abutting properties and in relation to adjacent ways. On-site areas for loading, unloading and storage shall not impede the flow of traffic on streets. In cases where the Planning Board deems it necessary to have a professional traffic analysis, such analysis shall describe estimated average daily and peak hour vehicle trips to be generated by the site and traffic flow patterns for vehicles and pedestrians showing adequate access to and from the site and adequate circulation within the site. An analysis of traffic data (as is reasonably available from public agencies and departments) or all relevant intersections shall also be provided by the applicant. Plans shall demonstrate efforts to minimize the number of curb cuts. Parking plans shall maximize the extent to which employee parking is provided by the applicant so as not to overburden public parking facilities.

9.4.9

Water. The site plan shall show adequate measures to prevent pollution of surface or ground water, to minimize erosion and sedimentation and to prevent changes in groundwater levels, increased volume and rate of runoff and potential for flooding. Drainage shall be designed so that runoff shall not be increased in rate or volume, groundwater recharge is maximized and neighboring properties will not be adversely affected.

9.4.10

Landscaping. Landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas and shall be related harmoniously to the terrain and to the use.

1.

Site shall be developed in a coordinated manner to complement adjacent structures through placement, architecture, colors, and size/mass.

2.

Whenever possible, buildings on the same site should be clustered and incorporate plazas, courtyards, pocket parks, and other pedestrian use areas.

3.

Provide unity of design through repetition of plans and coordination with adjacent developments.

4.

Landscape materials should be hardy species that are adaptable to local conditions, easily maintained and drought tolerant. Use of native plants is strongly encouraged.

5.

Landscape treatment should be provided to enhance the building design and other site improvements.

9.4.11

Buildings. Sites should be developed in a coordinated manner to complement adjacent structures through placement architecture, colors, size, mass. Proposed buildings shall be related to their surroundings with respect to height, street facade, rhythm of solids and voids; spacing of buildings or signs; materials, textures, and color, roof slopes, and scale. All exterior building

components including windows, doors, eaves, and parapets are to be included as elements of building design. Excessive brilliance or brightness shall be avoided except where that would enhance the character of the area. Mechanical equipment or other utility hardware on the roof, grounds or buildings shall be screened from view.

1.

Building shall reflect an individual design that has considered site location, conditions, and surrounding development. Building design should provide a sense of permanence and timelessness. High quality construction and materials should be used to ensure that buildings will not look dated or worn down over time.

2.

A consistent visual identity shall be applied to all sides of buildings visible to the general public. In these areas, all building sides shall have an equivalent level of quality of materials, detailing, and window placement. Abrupt ending of architectural details shall be avoided with no radical change in details, features, or materials.

3.

Building design shall incorporate traditional building materials such as masonry, stone, heavy timbers, brick, and other natural appearing materials.

9.4.12

Final Action. The Planning Board's final action shall consist of:

1.

A stamped determination that the proposed project will constitute a suitable development and is in compliance with the criteria set forth in this chapter; and

2.

Written approval subject to any conditions, modifications and restrictions as the Planning Board may deem necessary, filed with the Town Clerk; or

3.

A written denial of the application stating reasons for such denial and the specific changes required in the site plan in order to receive site plan approval. Any such denial shall refer to the site plan review criteria that are inadequately met in the plan and the expected negative impacts thus resulting.

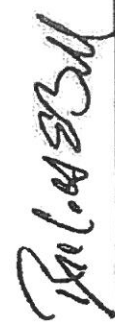
ABUTTERS LIST

October 8, 2020

To The Zoning Board of Appeals
 10 Metcalf Avenue
 Judith P. Barbieri
 Abutters To Map 13 Parcel 90

PARCEL ID	PARCEL LOCATION	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY/TOWN	STATE	ZIP
13-076-00-000	99 PLEASANT ST	CARLSON HENRY W		99 PLEASANT ST	ASHLAND	MA	01721
13-077-00-000	95 PLEASANT ST	RICE PAUL J & MARILYN B	TRUSTEES OF THE RICE FAMILY TRUST	309 WILLIS RD	SUDBURY	MA	01776
13-085-00-000	60 PLEASANT ST	SIXTY PLEASANT REALTY LLC		60 PLEASANT ST / SUITE 1	ASHLAND	MA	01721
13-086-00-000	0 PLEASANT ST	SIXTY PLEASANT REALTY LLC		60 PLEASANT ST / SUITE 1	ASHLAND	MA	01721
13-087-00-000	88 PLEASANT ST	OWNER UNKNOWN		101 MAIN ST	ASHLAND	MA	01721
13-087-01-001	3 FOREST AVE	PLEASANT FOREST LLC		5 ANNETTA RD	ASHLAND	MA	01721
13-087-01-002	90 PLEASANT ST	PLEASANT FOREST LLC		5 ANNETTA RD	ASHLAND	MA	01721
13-087-01-003	90 PLEASANT ST	PLEASANT FOREST LLC		5 ANNETTA RD	ASHLAND	MA	01721
13-087-01-004	92 PLEASANT ST	MCDONALD DAVID		92A PLEASANT ST	ASHLAND	MA	01721
13-087-01-005	92 PLEASANT ST	PLEASANT FOREST LLC		5 ANNETTA RD	ASHLAND	MA	01721
13-088-00-000	5 FOREST AVE	STILWELL VICTOR C		P O BOX 423	ASHLAND	MA	01721
13-089-00-000	9 FOREST AVE	SPINAZZOLA MARY T & BRET NICHOLAS	TRS SPINAZZOLA REVOCABLE TRUST	9 FOREST AVE	ASHLAND	MA	01721
13-091-00-000	8 METCALF AVE	MILES WILLIAM L	DOREEN MILES	8 METCALF AVE	ASHLAND	MA	01721
13-092-00-000	94 PLEASANT ST	POPOVICH FREDERICK MAXIM		14 HARRINGTON DR	ASHLAND	MA	01721
13-093-00-000	5 METCALF AVE	ELDRIDGE DAVID	TRUSTEE METCALF AVENUE REALTY TRUS	5 METCALF AVE	ASHLAND	MA	01721
13-094-00-000	11 METCALF AVE	WEST ADAM		26 TERESA RD	HOPKINTON	MA	01748
13-095-00-000	15 METCALF AVE	CJCSM LLC		15 METCALF AVE	ASHLAND	MA	01721
13-096-00-000	0 PLEASANT ST	TOWN OF ASHLAND		101 MAIN ST	ASHLAND	MA	01721
13-097-00-000	98 PLEASANT ST	QUINLAN JAMES		98-100 PLEASANT ST	ASHLAND	MA	01721
13-098-00-000	102 PLEASANT ST	DAVIS JERILYN M	C/O JOHNSON JERILYN M	102 PLEASANT ST	ASHLAND	MA	01721
13-099-00-000	106 PLEASANT ST	DE LA MORA ADELINA		106 PLEASANT ST	ASHLAND	MA	01721
13-100-00-000	110 PLEASANT ST	OWNER UNKNOWN		101 MAIN ST	ASHLAND	MA	01721
13-100-01-001	110 PLEASANT ST	WAHI GERMAINE A		110 PLEASANT ST / UNIT 1	ASHLAND	MA	01721
13-100-01-002	112 PLEASANT ST	NOGUEIRA FERNANDA D		112 PLEASANT ST	ASHLAND	MA	01721
13-127-00-000	171 MEGUNKO RD	CAMILLE E J FAMILY LIMITED PARTNERSHIP	EDWARD J CAMILLE GENERAL PARTNER	PO BOX 1157	WESTBORO	MA	01581
13-128-00-000	165 MEGUNKO RD	NO SMILE LLC		183B MEGUNKO RD	ASHLAND	MA	01721
13-129-00-000	135 MEGUNKO RD	LEACU WILLIAM M		PO BOX 182	ASHLAND	MA	01721
13-130-00-000	123 MEGUNKO RD	LEFTER CLAUDIA J & JAMES L	TRUSTEES FOUNTAIN STREET RLTY TR	105 S SPENCER RD	SPENCER	MA	01562
13-131-00-000	101 MEGUNKO RD	LEFTER CLAUDIA J & JAMES L	TRUSTEES FOUNTAIN STREET RLTY TR	105 S SPENCER RD	SPENCER	MA	01562
13-132-00-000	93 MEGUNKO RD	MCL DEVELOPMENT CORP		62 TEMPLE DR / PO BOX 300	ALTON	NH	03809

The above reflects the latest information available on our records.



Richard E. Ball, M.A.A.
 Director of Assessing

10/08/2020
 Date

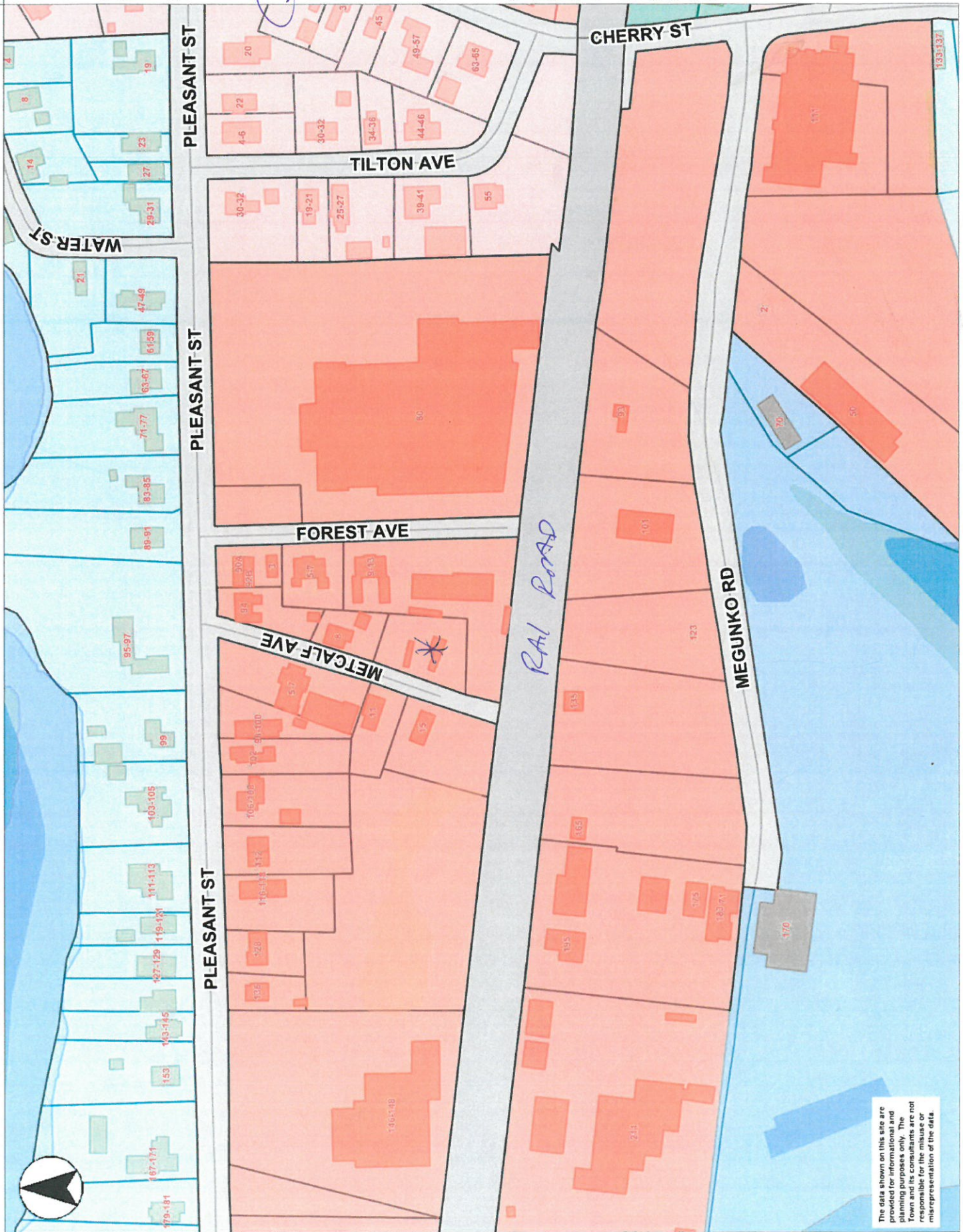
30 parcels / abutters

BUILDING



PROPOSED Building
10 METCALF AVE

LOCUS & ZONING MAP



- Parcels for Identify (Public)
- Places
 - Fire Station
 - Police Station
 - Town Hall
 - School
- Zoning
 - Res. A
 - Res. B
 - Res. Multi Family
 - ADD - B
 - ADD - C
 - Downtown Commer
 - Highway Commerce
 - Village Commerce
 - NBMP Commerce
 - Industrial
 - Community Remed
 - RTD - A
 - RTD - B
 - RTD - C
 - RTD - D
 - RTD - E
 - RTD - F
 - WMUSD - A
 - WMUSD - B
 - WMUSD - C
 - WMUSD - D
 - WMUSD - E
 - WMUSD - BUFFER
 - ROADWAY
 - RAIL RIGHT OF WA
 - WATER
- Wetlands
 - Deep Marsh
 - Open Water
 - Shallow Marsh/Mead
 - Upland Swamp
 - Wooded Swamp Dec
- ROWs
- Buildings
- Parcels
- Abutting Town Labels
- MA Highways
 - Interstate
 - US Highway
 - Numbered Routes
- Town Boundary
- Abutting Towns
- Streets
- Streams
- Town Mask

Zoning = IND.

The data shown on this site are provided for informational and planning purposes only. The town and its consultants are not responsible for any errors or misrepresentation of the data.

ASSESSORS PROPERTY CARD

Property Record Card

Parcel ID: 014/013.0-0090-0000.0 MAP: 013.0 BLOCK: 0090 LOT: 0000.0 Parcel Address: 10 METCALF AVE FY: 2020

PARCEL INFORMATION
 Use-Code: 106 Sale Price: 140,000 Book: 71572 Road Type: T Inspect Date: 01/12/2018
 Tax Class: T Sale Date: 09/04/2018 Page: 0050 Rd Condition: P Meas Date: 01/12/2018
 Tot Fin Area: 0 Sale Type: P Cert/Doc: Traffic: L Entrance: X
 Tot Land Area: 0.290 Sale Valid: U Water: PS Collect Id: REB
 Sewer: CAISSIE LINDA A Sewer: SW Inspect Reas: M
 Exempt-B/L% 0/0 Resid-B/L% 100/100 Comm-B/L% 0/0 Indust-B/L% 0/0 Open Sp-B/L% 0/0

LAND INFORMATION

Seg	Type	Code	Method	Sq-Ft	Acres	Influ-YIN	Value	Class
1	P	106	S	12662	0.290	N	175,183	

DETACHED STRUCTURE INFORMATION

Str	Unit	Msr-1	Msr-2	E-YR-Blt	Grade	Cond	%Good	PIF/EIR	Cost	Class
OT	C	1		1975	P	P	///0		500	
OT	C	1		1975	P	P	///0		500	

VALUATION INFORMATION

Current Total:	176,200	Bldg:	1,000	Land:	175,200	MktLnd:	175,200
Prior Total:	174,900	Bldg:	3,500	Land:	171,400	MktLnd:	171,400

Photo

Sketch

**No Sketch
Available**

**No Picture
Available**

DEED & PLAN OF RECORD

Middlesex South Registry of Deeds
Electronically Recorded Document

This is the first page of the document - Do not remove

Recording Information

Document Number : 136322
Document Type : DEED
Recorded Date : September 04, 2018
Recorded Time : 10:39:38 AM

Recorded Book and Page : 71572 / 50
Number of Pages(including cover sheet) : 3
Receipt Number : 2245959
Recording Fee (including excise) : \$763.40

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 09/04/2018 10:39 AM
Ctrl# 288738 00855 Doc# 00136322
Fee: \$638.40 Cons: \$140.000.00

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

QUITCLAIM DEED

Linda A. Caissie, surviving joint tenant, of Mills, MA

For consideration paid and in full consideration of **One Hundred Forty Thousand and 00/100 (\$140,000.00) Dollars**

Grant to **Judith P. Barbieri**, of 7 Daisley Place, Framingham, Massachusetts

With **QUITCLAIM COVENANTS**,

The land in Ashland, Middlesex County, Massachusetts with the buildings thereon, being shown as Lot #2 on a plan of land entitled, "Plan of Land om Ashland, Mass., Owned by Eglantine L. Dancause Feb. 6, 1964, Survey by MacCarthy Engineering Service, Inc., C.E.", which plan is recorded with Middlesex South District Registry of Deeds in Book 10461, Page 85, said Lot 2 being bounded and described as follows:

- NORTHEASTERLY by Lot #1 on said plan, 79.80 feet;
- SOUTHEASTERLY by land now or formerly of Henry Spinazzola, 118.32 feet;
- SOUTHWESTERLY by land now or formerly of Leonard & Marianna Piechowski, 114.92 feet;
- NORTHWESTERLY by Metcalf Avenue, 147.01 feet.

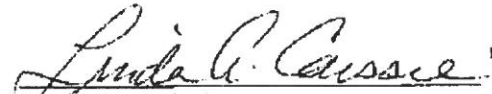
Said Lot 2 contains 12,662 square feet more or less.

Said premises are hereby conveyed subject to and with the benefit of restrictions of record, if any, insofar as now in force and applicable. Grantor hereby warrants and represents that no non-titled person is entitled to homestead rights in the property.

Meaning to convey and hereby conveying the premises described in a deed recorded in the Middlesex South District Registry of Deeds in Book 34985, Page 231.

10-12 Metcalf Avenue, Ashland
Property Address:

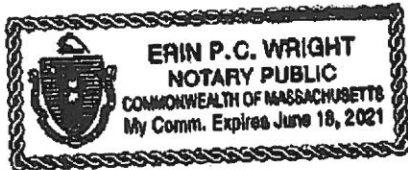
EXECUTED AS A SEALED INSTRUMENT this 31 day of August, 2018.



Linda A. Caissie

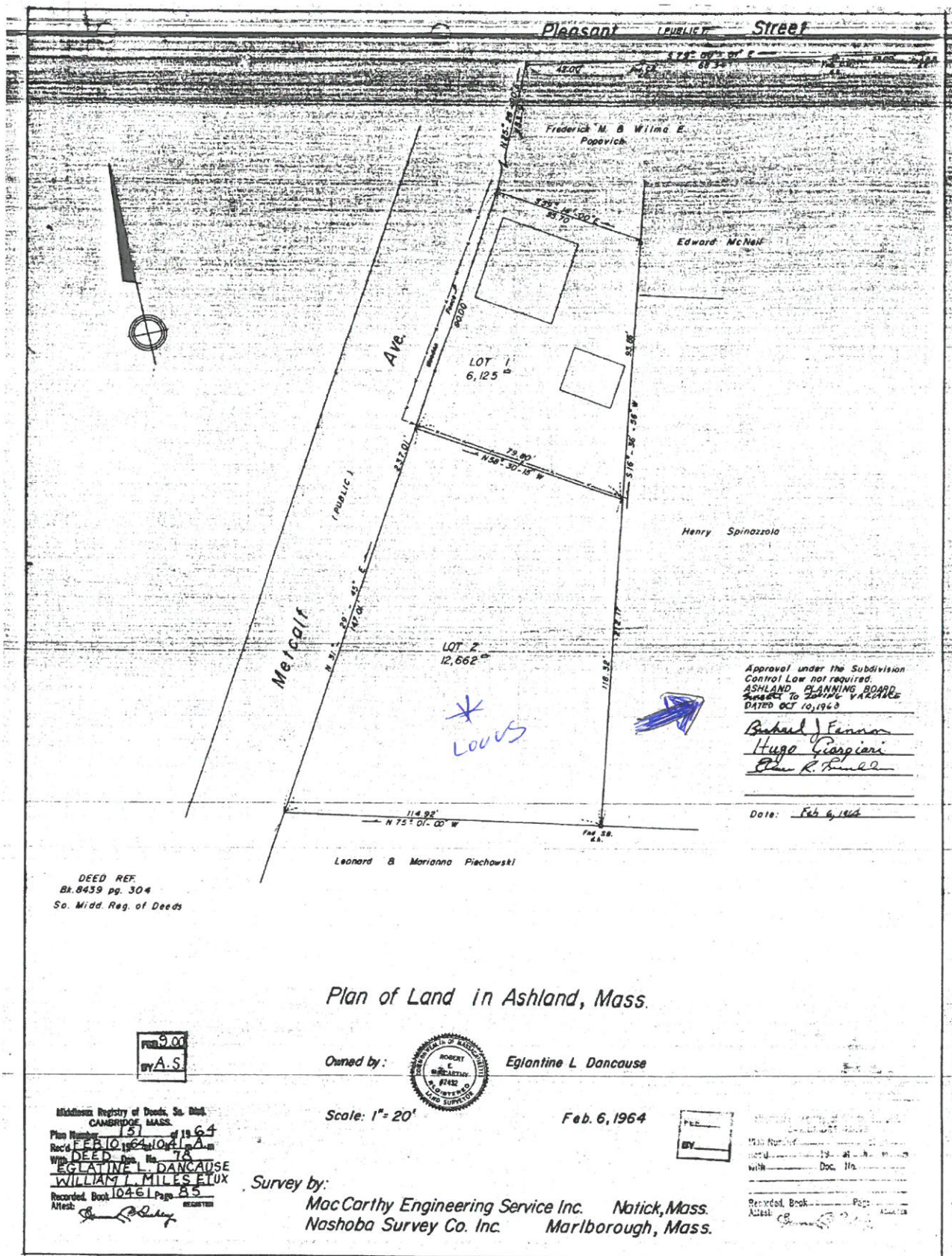
THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 31 day of August, 2018, before me, the undersigned Notary Public, personally appeared Linda A. Caissie proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the above document, and acknowledged to me that he/she signed it voluntarily its stated purpose.




Notary Public ERIN PCWRIGHT
My Commission Expires 6/18/21



DEED REF.
Bk. 8439 pg. 304
So. Midd. Reg. of Deeds

Approval under the Subdivision
Control Law not required
ASHLAND PLANNING BOARD
Consent to Zoning VARIANCE
DATED OCT 10, 1963

Richard J. Fenn
Hugo Giampieri
Edw. R. Bunker

Date: Feb 6, 1964

Plan of Land in Ashland, Mass.

FORM 9.00
BY A.S.

Owned by:



Eglantine L. Dancause

Scale: 1" = 20'

Feb. 6, 1964

Middlesex Registry of Deeds, So. Dist.
CAMBRIDGE, MASS.
Plan Number 151 of 1164
Rec'd FEB 10 1964 10:41 A.M.
DEED No. 7A
Wm. Eglantine L. DANCAUSE
WILLIAM L. MILES ETUX
Recorded Book 10461 Page 85
Attest: *William L. Miles*

Survey by:

MacCarthy Engineering Service Inc. Natick, Mass.
Nashoba Survey Co. Inc. Marlborough, Mass.

FILED BY

Map Number _____
Set at _____
with _____ Doc. No. _____
Recorded Book _____ Page _____
Attest _____

151

23,796 ✓

Email Calendar Files

peter Go

Compose

Select all

- Inbox (3)
- Drafts (200)
- Sent Items
- Templates
- Send Later
- Junk Mail
- Trash Empty (6)

Folders

- croft marist
- Junk
- Saved Mail (98)
- Sent

Search: "peter"

Peter Matchak	Tue, 12:01 pm	
RE: Re: Message from KMBT_C454e		Inbox
"Peter Matchak"	Tue, 11:22 am	
Re: Message from KMBT_C454e		Inbox
"Peter Matchak"	Tue, 10:42 am	
FWD: Message from KMBT_C454e		Inbox
"Rich Gordon"	Sep 25, 11:49 am	
Re:		Inbox
"Craig Seymour"	Sep 25, 11:38 am	
RE: Re:		Inbox
"Peter Matchak"	Sep 25, 11:23 am	
Re:		Inbox
"Rich Gordon"	Sep 24, 8:41 am	
No Subject		Inbox
"Peter Matchak"	Sep 22, 12:37 pm	
FWD: Message from KMBT_C454e		Inbox
"Craig Seymour"	Sep 15, 4:50 pm	
RE: 10-50 Main presentation		Inbox
"Susan Robie"	Sep 15, 9:24 am	
Re:		Inbox
"Richard Gordon"	Sep 14, 5:47 pm	
No Subject		Inbox
638 Messages		1 of 13

Reply Reply All Forward More

Re: Message from KMBT_C454e (12 k)

"Peter Matchak" [pmatchak@ashlandmass.com]

Sent: Tue, 11:22 am

To: "George Connors"

George,

Town staff has looked in all records for the variance concerning 10 Metcalf and have found no documentation. Have you tried the Registry of Deeds? We will keep looking however when you made your original request to the Town Clerk's Office, I was contacted.

Pete

Peter



Peter Matchak
 Town Planner/Director
 Town of Ashland
 a: 101 Main Street, Ashland, MA 01721
 p: 508-532-7927



On Tue, Sep 29, 2020 at 10:42 AM <george@gfconnorslaw.com> wrote:

Peter

were doing a site plan for 10 Metcalf ave....

Ref: Variance Document

TABLE OF USES EXCERPT

NEARBY WETLANDS



**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: 10 Motcalf Ave
Zoning District: INDUSTRIAL Overlay District: ADD / solar
Assessor's Map: 13 Lot: 0 Deed Book: 71572 Page: 50
Current Property Owner: Judith Barbieri

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: Judith Barbieri
Address: 7 ~~75~~ DAISLEY PLACE
Phone: _____ Email: _____
Agent's Name: George F Connors Esq.
Agent's Address: 10 S.W. Wtff Northborough MA 01532
Agent's Phone: 5-343-9727 Agent's Email: george@gfconnorslaw.com

Additional Information:

Are all real estate taxes and other assessments to the Town current?: _____
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: NO
Is this an amendment to a previously issued Special Permit? (attach approved permit): N/A
Date structure(s) built?: N/A



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

Site Plan Approval Section 9.4
Zoning Relief being sought for Special Permit Non Conforming Lot
Section 3.3.2

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

Benefits of Project:

Highest And Best use of land conforming to use Allowed

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

Vacant Parking Lot - Part GRAVEL Part PAVEMENT
Pre-Existing + Non-Conforming Lot Area + Frontage
Meet Average Set Back -

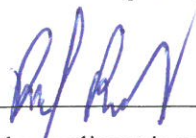
Attach Building Permit Denial letter if applicable.

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

Signatures:

Applicant/Agent:  Applicant's Name: Judith Barbieri

Agent's Relationship to Applicant: Atty Firm: Georg Connors Counselor at Law

Owner:  Owner's Name: Judith Barbieri

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



Application Requirements

All applications:

All applications must include a fully completed application form and two checks for the full amount of the application fee and the peer review deposit made to the Town of Ashland.

All applications must include a copy of the Assessor's Card for the property or properties in question.

Attach Building Permit Denial letter if applicable.

All other applicable taxes and fees on the property must be paid before any permits can be issued. It is strongly advised to check with the Treasurer's Office before the application process is begun.

Applications for Special Permits must include the type of permit applied for: use, Flood Plain Overlay District, environmental standards, parking, landscaping, loading requirements, adult entertainment, or any other Special Permit type.

Special Permit, Site Plan Review and Subdivision Approval Applications:

All site plan review and subdivision approval applications must include ten (10) copies of the Site Plan and/or Design Plan, two (2) 24x36", and eight (8) 11x17" sizes. Please discuss with the Planning Department plans or information that may be required specific to your project. In addition, a .pdf version of the submitted plans must be either handed to the Planning Department or sent by email to planning@ashlandmass.com. A georeferenced CAD file (NAD83) of the as-built plans are required before occupancy permits are issued.

Special Permit applicants must submit a certified abutter's list of abutters within 300' of the subject property. Abutters lists are requested from the Assessor's Office at least 10 days before the application deadline.

Please note that Definitive Subdivision Applications must include all items as required in Chapter 344 Section 8 of the town bylaws unless specifically waived by the Planning Board.

All peer review deposits must include a W-9 form if the town does not already have this on file. This is to allow us to return any remaining funds at the end of the process. Applicants may request a balance of the funds at any time.

Scenic Road Special Permit:

All scenic road special permits must include three (3) copies of the plans along with an electronic copy of submitted materials.

Earth Removal Special Permit:

All earth removal permits must include three (3) copies of the contour plan showing original grades and drainage, along with three (3) copies of the same at completion. The application must also include a detail of the amount and type of material to be removed, and the proposed truck route including truck size.

Site Alteration Special Permit:

Site Alteration Permits must include photographs of the site, location of trees and vegetation, amount of landscaping materials, a certified plot plan, a timetable and a written narrative of the reasons for the project and how erosion will be controlled. See Chapter 282 Section 5.8 for exact requirements.



Ashland Planning Department Fees

<u>Site Plan Review:</u>		
Industrial / Commercial (Square Feet):		
	0-2,000 SF	\$775
	2,001-5,000 SF	\$1,025 + peer review deposit of \$2,000
	5,001-10,000 SF	\$2,025 + peer review deposit of \$3,500
	Greater than 10,000 SF	\$2,025 + \$0.15 per SF of Gross Floor Area + peer review deposit of \$6,000
Residential:		\$25 + \$250 per residential unit + peer review deposit of \$2,500
<u>Special Permit Application:</u>		\$400
<u>Special Permit Modification*:</u>		\$400*(may be waived at Board's discretion if changes are deemed minor)
<u>Subdivision Application:</u>		
	Approval Not Required:	\$250 + \$150 per additional lot created
	Preliminary Plan Approval:	\$1,600 + \$150 per lot + peer review deposit of \$2,500
	Definitive Plan Approval:	\$2,100 + \$500 per lot + peer review deposit of \$5,000
	Modification of Preliminary Plan	\$1,600 + peer review deposit of \$1,500
	Modification of Definitive Plan	\$1,600 + peer review deposit of \$2,500
<u>Other Costs:</u>		
	Lot Release:	\$150 per lot
	Lot Re-Release:	\$50 per lot
	Design Review Fee:	\$50
	Abutter List:	\$2 per abutter, \$50 max (Obtained at Assessors Department)
	CoUrbanize Fee:	Varies (see CoUrbanize Fee Schedule)

CoUrbanize Fee Schedule

Application Type	CoUrbanize Requirement
Site Plan Review	CoUrbanize Required
Site Plan Review (Pertaining to Uses Proposed for ADD, A, B & C)	Town Planner or Planning Board determines whether CoUrbanize is required
Special Permit	Town Planner or Applicable Regulatory Board (PB / ZBA) determines whether CoUrbanize is required
Subdivision Permit (Cluster Included)	CoUrbanize Required
Comprehensive Permit (40B)	CoUrbanize Required
Additional Customization*	Applicable Regulatory Board determines whether CoUrbanize is required

The requirement to engage the services of CoUrbanize, as listed above, only pertains to the basic CoUrbanize package, not additional customization services.

Project Type	Building Size (Square Feet)	Total Fee Charged by the Planning Department
Small	0-24,999 SF	\$600.00 <i>See zoning</i>
Medium	25,000-74,999 SF	\$1,100.00
Large	75,000-149,999 SF	\$2,500.00
Very Large	150,000 SF and Greater	\$3,950.00

*The Town Planner and / or Planning Board will determine whether and to what extent additional customization services are required. Any applicant can be granted a waiver from engaging the services of CoUrbanize, at the discretion of the Planning Board.

Additional Customization*	
Traffic	\$1,500.00
Shadow	\$1,750.00
Parking	\$500.00
Other Impact Study	\$1,500.00

Ashland Planning Department Fees

Site Plan Review:

Industrial/Commercial:

0-2,000 ft²:

\$750

2,001-5,000 ft²:

\$1000

+ peer review deposit of \$2,000

5,001-10,000 ft²:

\$2000

+ peer review deposit of \$3,500

Greater than 10,000 ft²:

\$2000 + \$0.15 per ft² of Gross Floor Area

+ peer review deposit of \$6,000

Residential:

\$250 per residential unit

+ peer review deposit of \$2,500

Special Permit Application:

\$300*

Subdivision Application:

Approval Not Required:

\$250 + \$150 per additional lot created

Preliminary Plan Approval:

\$1,500 + \$150 per lot

+ peer review deposit of \$2,500

Definitive Plan Approval:

\$2,000* + \$500 per lot

+ peer review deposit of \$5,000

Modification of Prelim Plan:

\$1,500

+ peer review deposit of \$1,500

Mod. of Definitive Plan:

\$1,500 + \$100 per lot

+ peer review deposit of \$2,500

Other Costs:

Lot Release:

\$150 per lot

Lot Re-release:

\$50 per lot

CoUrbanize Fee:

varies (see CoUrbanize Fee Schedule)

*: Special Permits and Definitive Subdivision Plan Approval require public hearings. There are additional fees for the following:

Legal Advertisement:

Cost (usually around \$60-80)

Abutter list:

\$2 per abutter, \$50 max (Obtained at Assessors Department)

Abutter notification:

\$2 per abutter, \$50 max (Planning Department will mail notifications)



RICHARD P. BARBIERI
CHERRY STREET
7 DAISLEY PLACE
FRAMINGHAM, MA 01702-7218

233
53-7181/2113

10/15/2020

Date



Pay to the
Order of

Town of Ashland

\$ 750.00

Seven Hundred Fifty Dollars

xx/100

Dollars



Photo Safe Deposit
Details on back



For

Match site plan review

⑆ 211371816⑆ 1047959333⑆ 00233

CoUrbanize Fee Schedule

Application Type	CoUrbanize Requirement
Site Plan Review	CoUrbanize Required
Site Plan Review (Pertaining to Uses Proposed for ADD, A, B & C)	Town Planner or Planning Board determines whether CoUrbanize is required
Special Permit	Town Planner or Applicable Regulatory Board (PB / ZBA) determines whether CoUrbanize is required
Subdivision Permit (Cluster Included)	CoUrbanize Required
Comprehensive Permit (40B)	CoUrbanize Required
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Parking	\$500.00
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Town of Ashland

\$ 600.00

Six hundred Dollars

xx/100

Dollars



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Details on back



For

Metcalf planning board

⑆211371816⑆ 1047959333⑆ 00737