

**George F. Connors**  
**Counselor At Law**

10 Southwest Cutoff, Northboro, MA 01532  
Zero Cranberry Lane, Hopkinton, MA 01748  
Phone (508) 393-6055 • Fax (508) 393-5242  
george@gfconnorslaw.com

Ashland Planning Board  
Mr. Peter Matchak Planner  
Town Hall  
Ashland, MA 01721

**By email**

February 1, 2021

RE 0 Megunko Road—Re-Review Site Plan

Dear Mr. Matchak and Members of the Board:

I represent Mark Orlando of Ashland Landscape Supply, LLC., project proponent for 0 Megunko Road, renewal of his Site Plan Approval.

Mr. Orlando's 2016 permit has expired. A Certificate of Approval, dated as received by the Town Clerk on June 27, 2016, Recorded in the Middlesex South District Registry of Deeds in Book 68332, Page 542, is attached for your review.

Additionally, the Order of Conditions (File No. 95-886) has been extended through November 2022, copy of Extension Permit for Order of Conditions is attached as well.

Copies of the Design Review Committee –Meeting Minuets for the project are also attached.

(A nearly complete file is also available on the Ashland Courbanize website for your information)

Mr. Orland has installed a sewer main extension from the intersection of Cherry Street and Park Street and onto Megunko Road.

In addition, Mr. Orland has provided use of the property, at the request of the DPW, for the contractor on the recent water main work in the downtown area.

In the original approval Mr. Orlando had provided an easement for towns use along the eastern side of his site for improvements to improve conditions at the rail road grade crossing project in furtherance of the noise mitigation goals.

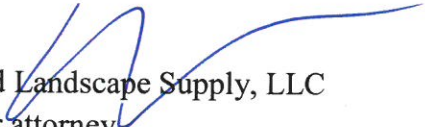
He recently filed for a building permit and was informed of the time lapse.

Mr. Orlando is desirous of commencing the project as soon as possible. The totality of the file including review comments is attached for your convenience in anticipation the reapproval can be expedited.

Please feel free to contact me with any questions or concerns. As we discussed there may be a waiver of fees. Please contact me when you ascertain that.

We have included a new application where the format has appeared to have changed.

Very truly



Ashland Landscape Supply, LLC  
By their attorney  
George Connors



**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: 0 MOQUAKO ROAD  
Zoning District: INDUSTRIAL Overlay District: \_\_\_\_\_  
Assessor's Map: 14 Lot: 0 Deed Book: 6696 Page: 300  
Current Property Owner: ASHLAND LANDSCAPE SUPPLY LLC

**Permit/Approval Sought:**

site PLAN (Re) Review  
\_\_\_\_ 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: MARK OILANDO

Address: 18 WAVERLY ST FRAMINGHAM 01721  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Agent's Name: George Connor's Esq

Agent's Address: 10 S.W. cutoff Northborough 01532

Agent's Phone: 508-393-9727 Agent's Email: gconnors@comcast.net

**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: yes - see cc ofc  
Is this an amendment to a previously issued Special Permit? (attach approved permit): SITE PLAN REVIEW  
Date structure(s) built?: VACANT



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

Site Plan Review - Section 9.4.12 + 9.4.1 & 9.6.1  
Contractors GARAGE

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

**Benefits of Project:**

USE in CONFORMANCE w/ Zoning + Appropriate to Area  
TAX Base Increase

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

VACANT INDUSTRIAL zone lot / RR Abutting + 2 streets

NO nonconformities

Attach Building Permit Denial letter if applicable.

N/A

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

**Signatures:**

Applicant/Agent: [Signature] Applicant's Name: Ben Connors

Agent's Relationship to Applicant: Atty + Eng's Firm: Connors Engineering

Owner: [Signature] Owner's Name: MARK OSLANDO

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



Middlesex South Registry of Deeds  
Electronically Recorded Document

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

---

Recording Information

Document Number	: 196598
Document Type	: DECIS
Recorded Date	: November 02, 2016
Recorded Time	: 09:27:49 AM
Recorded Book and Page	: 68332 / 542
Number of Pages(including cover sheet)	: 4
Receipt Number	: 2013757
Recording Fee	: \$75.00

**Middlesex South Registry of Deeds**  
**Maria C. Curtatone, Register**  
208 Cambridge Street  
Cambridge, MA 02141  
617-679-6300  
[www.middlesexsouthregistry.com](http://www.middlesexsouthregistry.com)



TEL: (508) 881-0100

TOWN OF ASHLAND MASSACHUSETTS  
OFFICE OF  
PLANNING BOARD  
101 MAIN STREET

RECEIVED  
TOWN CLERK  
ASHLAND, MA

2016 JUN 27 AM 9:44

*[Handwritten signature]*

Preston Crow, Chairman  
Nat Strosberg, Director

Certificate of Approval  
Site Plan Review  
0 Megunko Road

Date: June 8, 2016  
To: Town Clerk  
RE: Application of Ashland Landscape Supply, LLC under Section 9.4 of the Town of Ashland Zoning Bylaw

Applicant: Mark Orlando  
Ashland Landscape Supply, LLC  
18 Waverly Street  
Ashland, MA 01721

The Property: 0 Megunko Road

*Box 66506 page 300*

BACKGROUND AND PROCESS

1. The Planning Board (the "Board") received an application on February 9, 2016 for approval of a site plan review of a proposed landscapers garage.
2. The Proposed Development is more fully set forth on a site plan set entitled, "Proposed Site Plan of 0 Megunko Road in Ashland, Massachusetts", compiled by Connorstone Consulting Civil Engineers and Land Surveyors, 10 Southwest Cutoff, Suite 7, Northborough, Massachusetts 01532, dated January 27, 2016, revised May 12, 2016 and consisting of 5 sheets. (i.e., the "Development Plans").
3. A public discussion on the Site Plan was held on February 25, 2016, March 10, 2016, March 24, 2016, April 14, 2016, May 12, 2016 and May 26, 2016.
4. Following presentations by the Applicant and its consultants, a review by Board members and comments from the Board's own consultants, the Board voted to approve the Project as conditioned below. It did so based on the following documentation:
  - a) "Proposed Site Plan of 0 Megunko Road in Ashland, Massachusetts," compiled by Connorstone Consulting Civil Engineers and Land Surveyors, 10 Southwest Cutoff,

*0 Megunko Road, Ashland*

12/17/16 Suite 7, Northborough, Massachusetts 01532, dated January 27, 2016 and revised May 12, 2016.

b) Site Information for Site Plan Review, compiled by Connorstone Consulting Civil Engineers and Land Surveyors, 10 Southwest Cutoff, Suite 7, Northborough, Massachusetts 01532, dated January 29, 2016.

d) Peer Review, prepared by Professional Services Corporation, Inc. and dated March 18, 2016 and May 20, 2016.

### DETERMINATION AND DECISION


In accordance with Section 9.4.12 of the Zoning Bylaw, it was determined by the Board that the Project will constitute a suitable development and is in compliance with the Zoning Bylaw's site plan review criteria, subject to and only when the Applicant meets all of the following conditions:

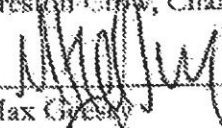
- 1) The applicant shall construct and maintain a permanent fixtured fence along the northern side of the property.
- 2) This certificate of approval shall remain valid only if all required permits and approvals from the Ashland Conservation Commission are obtained by the applicant.
- 3) Prior to any disturbance to the site or to the issuance of a building permit, whichever first occurs, 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 accommodates fire apparatus. Such letter shall be delivered to the Planning Board.

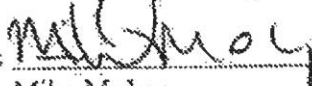
In accordance with Section 9.4.14 of the Zoning Bylaw, site plan approval shall lapse after two (2) years from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Site plan approval may, for good cause, be extended in writing by the Board upon written request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

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, Chair

By:   
Max Green

By:   
Mike Mokey

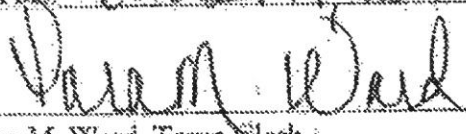
Filed with the Town Clerk on:

Date: June 27, 2016

  
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: October 19, 2016

  
Tara M. Ward, Town Clerk



**WPA Form 7 – Extension Permit for Orders of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:  
Mark Orlando- Ashland Landscap Supply, LLC.  
Name  
18 Waverly Street  
Mailing Address  
Ashland MA. 01721  
City/Town State Zip Code

2. Property Owner (if different):  
Name  
Mailing Address  
City/Town State Zip Code

**B. Authorization**

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

6/27/2019 Date Issued by: Ashland Conservation Commission

for work at: 0 Megunko Road Street Address 14 Assessor's Map/Plat Number 44 Parcel/Lot Number

recorded at the Registry of Deeds for:

Middlesex South County 67577 Book 45 Page

Certificate (if registered land)

is hereby extended until: 6/27/2022 Date Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (<http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

Signatures:  
William Mantle  
Gregory W. Winer

10/7/2019 Date  
[Signature]



**WPA Form 7 – Extension Permit for Orders of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**C. Recording Confirmation**

The applicant shall record this document in accordance with General Condition 8 of the Order of Conditions (see below), complete the form attached to this Extension Permit, have it stamped by the Registry of Deeds, and return it to the Conservation Commission.

Note: General Condition 8 of the Order of Conditions requires the applicant, prior to commencement of work, to record the final Order (or in this case, the Extension Permit for the Order of Conditions) in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, it shall be noted in the Registry's Granter Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, it shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done.

Detach this page and submit it to the Conservation Commission prior to the expiration of the Order of Conditions subject to this Extension Permit.

To:

\_\_\_\_\_  
Conservation Commission

Please be advised that the Extension Permit to the Order of Conditions for the project at:

\_\_\_\_\_  
Project Location

\_\_\_\_\_  
DEP File Number

has been recorded at the Registry of Deeds of:

\_\_\_\_\_  
County

for:

\_\_\_\_\_  
Property Owner

and has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original Order of Conditions on:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Book

\_\_\_\_\_  
Page

If recorded land the instrument number which identifies this transaction is:

\_\_\_\_\_  
Instrument Number

If registered land, the document number which identifies this transaction is:

\_\_\_\_\_  
Document Number

\_\_\_\_\_  
Signature of Applicant

## Design Review Committee – Meeting Minutes

Date of Meeting: 03/22/2016 Time of Meeting: 7:45 p.m. – 9:30 p.m.

Location: Ashland Town Hall – Meeting Room C

<b>Design Review Committee Members in Attendance</b>		
<b>Name:</b>	<b>Position:</b>	<b>Present:</b>
Patrick McKelvey	Chairman	X
Sara Hines	Vice-Chairman	
Raffe Khazadian	Member	X
Bill Savage	Member	X
Catherine Rooney	Member	X
<b>Applicants for Design Review</b>		
<b>1. 166 Pond Street – Vehicle Storage Area</b>		
<b>2. 0 Megunko Road – Contractor Garage Storage Area</b>		
<b>Town of Ashland Residents Present: Yes</b>		

<b>Meeting Minutes</b>			
<b>Item No:</b>	<b>Discussion</b>	<b>Vote</b>	
		<b>Yes</b>	<b>No</b>
<b>1:</b>	<b>Presentation by Mike Kane and George Connors - 166 Pond Street – 126 Self Storage Vehicle Storage Area</b>		
<b>2:</b>	<p><b><u>Project History - Design Summary:</u></b>                      Project includes:</p> <ul style="list-style-type: none"> <li>• Gravel covered site on RT. 126.</li> <li>• This is an interim project until RT. 126 is redesigned in the future.</li> <li>• Relocate vehicle parking.</li> <li>• This is a temporary use for the site.</li> <li>• Parking for recreational vehicles.</li> <li>• Control access into the site through the 126 self-storage area.</li> </ul>		
<b>3:</b>	<p><b><u>Presentation Notes:</u></b></p> <ul style="list-style-type: none"> <li>• Controlled exit at Sewell Street.</li> <li>• Large vehicles will exit on Sewell Street. Smaller cars will exit through the drive at 126 Self Storage.</li> <li>• Site lighting will be provided.</li> <li>• The presenter provides a lighting study.</li> <li>• The presenter provides landscaping and planting photographs.</li> <li>• The planning board has approved the site plan.</li> <li>• Minimal grading will be provided.</li> <li>• Landscaping, salt resistant plants will be provided.</li> <li>• 8 Japanese lilacs will be provided and planting beds will be provided.</li> </ul>		

	<ul style="list-style-type: none"> <li>The fence will be a 6 foot high cedar fence (stained / painted light grey) with decorative posts and a caps.</li> <li>The owner has a landscaping plan to maintain planters.</li> <li>Planting beds and fence are coordinated with future 126 improvements that includes a sidewalk.</li> <li>Currently all storm water runs off the property. The property is totally impervious.</li> <li>Dark sky friendly light fixtures will be provided. The lighting will be security light levels at night.</li> <li>There will be no additional signs.</li> </ul>		
4:	<p><b><u>Design Review Committee Comments:</u></b></p> <ul style="list-style-type: none"> <li>The DRC suggests a pervious paving material.</li> <li>Decorative posts will not be required.</li> <li>Landscaping is everything for this project. The problem with creating a berm is that irrigation will be tough.</li> <li>DRC suggests providing additional ground cover.</li> <li>This is an important area to the town and should be maintained.</li> <li>Site plan review with the Planning Board this Thursday, 3/24/2016.</li> </ul>		
5:	<p><b><u>Public Comments:</u></b>  Karen Gerard: Algonquin Trail:  Question: Plants look great. Photographs show a straight top fence vs a scalloped top fence. Answer: Straight fence will cover more of the parked cars.</p>		
6:	<p><b><u>Design Review Committee Decisions:</u></b></p> <ul style="list-style-type: none"> <li><u>Design is approved as is.</u></li> <li>N/A</li> </ul> <p><b><u>Design is approved with the following recommendations:</u></b></p> <ul style="list-style-type: none"> <li>The DRC will provide the applicant with a list of preferred salt resistant ground cover that will be included in the project planting scheme.</li> </ul> <p><u>Design requires second presentation to the DRC with the following presentation deliverables:</u></p> <ul style="list-style-type: none"> <li>N/A</li> </ul>	4	0
7	<p><b>Presentation by George Connors – 0 Megunko Road – Contractor Garage Storage Area</b></p>		
8	<p><b><u>Project History - Design Summary:</u></b>  Proposed contractors garage.  Project includes:</p> <ul style="list-style-type: none"> <li>Metal Structure Building for rental / Lease.</li> <li>2 new driveways.</li> <li>Vacant gravel lot is 20% of the site.</li> </ul>		
9	<p><b><u>Presentation Notes:</u></b></p> <ul style="list-style-type: none"> <li>Owner and Attorney are present.</li> </ul>		

	<ul style="list-style-type: none"> <li>• Sewer will be run up to the site.</li> <li>• Several changes requested by the site:</li> <li>• Improvements to Cherry Street. Widen road. Include sidewalk.</li> <li>• 70,000 SF Site.</li> <li>• West side of site has a ditch that the EPA has lined as part of the Nyanza Superfund Site. This area will not be touched.</li> <li>• Gravel area near Cherry Street.</li> <li>• Fencing and trees will be on the Northern edge of the site.</li> <li>• The site will have some cut / fill associated with it to eliminate steep land sloping for larger vehicles. The site will be raised approximately 2 feet.</li> <li>• No water is running out to Cherry Street. All storm water will be captured on site.</li> <li>• Crushed rock base beneath pavement at parking areas.</li> <li>• Landscaping plan is being provided per DPW guidelines.</li> <li>• Garages will have doors in both the front and back of the bays. Both overhead doors and man doors adjacent.</li> <li>• Gooseneck type fixtures over each garage door.</li> <li>• Placard sign on each unit, as well as a main sign at the street corner.</li> <li>• The building will have a 4 foot high concrete block base and then the metal skin would be above that. The purpose of the concrete block base is to eliminate damage to the metal skin.</li> </ul>		
10	<p><b><u>Design Review Committee Comments:</u></b></p> <p>SITE:</p> <ul style="list-style-type: none"> <li>• Is there a landscaping list? The DRC has objections to the use of Callery Pear Trees due to the brittleness of the tree in winter weather.</li> <li>• Other plant species specified (Eastern or Columnar arborvitae) are prone to being eaten by deer. The DRC recommends non-deer edible plants.</li> <li>• Submitted trees as shown on the plan are acceptable, but the additional 14 trees/shrubs shown in pictures brought to the meeting need to be incorporated into the submitted plans to the town.</li> </ul> <p>BUILDING:</p> <ul style="list-style-type: none"> <li>• Color: Tan or Light Grey</li> <li>• The building will be constantly lit at night.</li> <li>• There will be bathrooms, but no mechanicals on the roof.</li> <li>• The garage will have power in them so contractors could be performing work within the garage that generates a certain level of noise.</li> <li>• The applicant suggests that there will be solar panels on the roof of the building.</li> <li>• The applicant shall consider introducing glazing in the garage doors.</li> </ul>		

	<ul style="list-style-type: none"> <li>• Parking spaces will not be allowed for over-flow storage of contractor materials.</li> <li>• Shutters are expected to be used at building office space associated with the garage area.</li> <li>• Have you explored other materials other than a vertical metal panel? Horizontal hardi-plank? No. Only considering vertical metal panels.</li> <li>• Have you looked at any thin stone covering over the CMU base. The applicant is considering a stone veneer or split-cmu.</li> <li>• DRC wants provided plant species incorporated into the design.</li> <li>• The project is headed to the planning board for site review on Thursday 3/24/2016.</li> </ul>		
<b>11</b>	<p><b>Public Comments:</b> Michael Brogin – East Point Properties – Ashland House – 119 main street:</p> <ul style="list-style-type: none"> <li>• Drainage is all coming West. There is a big drainage problem. The project is not adding any drainage to Cherry Street because the Cherry Street drainage is inadequate. All drainage will go into the ditch on the West side of the building.</li> <li>• Flooding occurs on site because ditch has a 36” pipe with a screen on it that gets clogged. The town does not regularly clean it, the applicant is not responsible for cleaning it.</li> <li>• Answer: The property will be raised to eliminate flooding of the site. This project will not add to the flooding problem.</li> </ul>		
<b>12</b>	<p><b>Design Review Committee Decisions:</b></p> <ul style="list-style-type: none"> <li>• <u>Design is approved as is.</u></li> <li>• N/A</li> </ul> <p><b>Design is approved with the following recommendations:</b></p> <ul style="list-style-type: none"> <li>• Submitted shrubs are acceptable, but they need to be incorporated into the submitted plans to the town with additional screening on the Cherry Street side.</li> <li>• The applicant shall consider introducing glazing in the garage doors or above.</li> <li>• The applicant shall consider a stone veneer or split-cmu at the building base.</li> <li>• The applicant shall consider horizontal siding options vs. vertical metal panel.</li> <li>• Plant screening shall be measurable to the 14 photographs of planting species presented to the DRC.</li> </ul> <p><u>Design requires second presentation to the DRC with the following presentation deliverables:</u></p> <ul style="list-style-type: none"> <li>• N/A</li> </ul>	4	0
<b>13</b>	DRC Meeting Adjourns: Time:		

These meeting minutes are assumed correct as recorded if no comments are received within (3) days of distribution.

**Next Design Review Committee Meeting:** To Be Determined  
(To be confirmed with formal agenda approval)

**Next Meeting time:** To Be Determined  
(To be confirmed with formal agenda approval)

**Next Meeting Location:** Ashland Town Hall  
(Meeting Room to be confirmed with formal agenda approval)

**Distribution to:**

Design Review Committee Members  
Nathaniel Strosberg – Ashland Town Planner  
Karen Martin - Ashland Town Assistant Planner  
Town of Ashland – Town Hall

(Pending any comments within 3 days of distribution)

These Meeting Minutes were prepared and distributed by **Patrick McKelvey – Design Review Chairman** on 3/23/2016.