

**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

Mr. Peter Matchak  
Ashland Planning Board  
Town Hall  
Main Street  
Ashland, MA 01721  
Vie email

October 5, 2012

Re: 0 Megunko Road Site Plan

Dear Mr. Matchak and members of the Board:

Attached please find revised plans for the above captioned site showing the details of the second buildings internal layout, and infrastructure connections to the second building (previously shown as a pad as a second phase).

The Board discussed another sidewalk along Megunko Road at the last hearing on September 23, 2021. Mr. Orlando, has evaluated the costs of adding that sidewalk along Megunko Road. After a recent inspection of the location we note that new utility poles have been installed behind the existing poles along the street (photo attached), accordingly there is not enough width in the Right of Way for a sidewalk. Any sidewalk would need to encroach on the lot along Megunko Road. In addition the traveled way pavement at the intersection is crossed into the lot by a few feet. A curvilinear connection from Megunko to Cherry would require an additional easement.

Mr. Orlando had agreed, during the 2016 time frame of the Site Plan approval, to (i) provide an easement along Cherry Street for the then proposed "Quiet Zone" improvements, (ii) agreed to install a sidewalk along Cherry Street on that property, which requires (iii) a retaining wall approximately 50 feet in length, and (iv) agreed to investigate and repair a drain line problem at the rear (northwest end of the property) where an unknown pipe seems to transmit water westerly from Cherry Street.

Six hundred feet of additional sidewalk, including the preparation of the subbase, installation of paving, and various curbing work at the two entrances for accessibility has been determined to be too costly, especially in light of the above other extraneous site improvements.

Mr. Orlando also notes the site is an Industrial Zoned property which allows for a “Construction Yard or Landscaping Business” pursuant to the Table 3 Uses of the Zoning Bylaws. In conjunction with this he will be using the yard for outside storage as provided in Section 10 Definitions:

**“Contractor's yard**

Premises used by a building contractor or subcontractor for storage of equipment and supplies, fabrication of subassemblies, and parking of wheeled equipment.”

Mr. Orlando also notes (a) he has provided a staging area for town work on site recently at no cost for a period of six months for the benefit of the community (this was done without hesitation), (b) installed 200 feet of sewer in Cherry street.

We also note, in the initial approval (copy attached) at Page 2 under Determination and Decision, second paragraph, last sentence, “*Site plan approval may, for good cause, be extended in writing y the Board upon written request of the Applicant.*”

In consideration of the Town’ request for connectivity to the rail trial, Mr. Orlando would provide a 5 foot permanent easement on the lot, along Megnuko Road, for the sidewalks placement and construction. This is in addition to the proposed one long Cherry Street. He offers this for an approval of this plan at this time.

Very truly

  
George Connors

Encl.

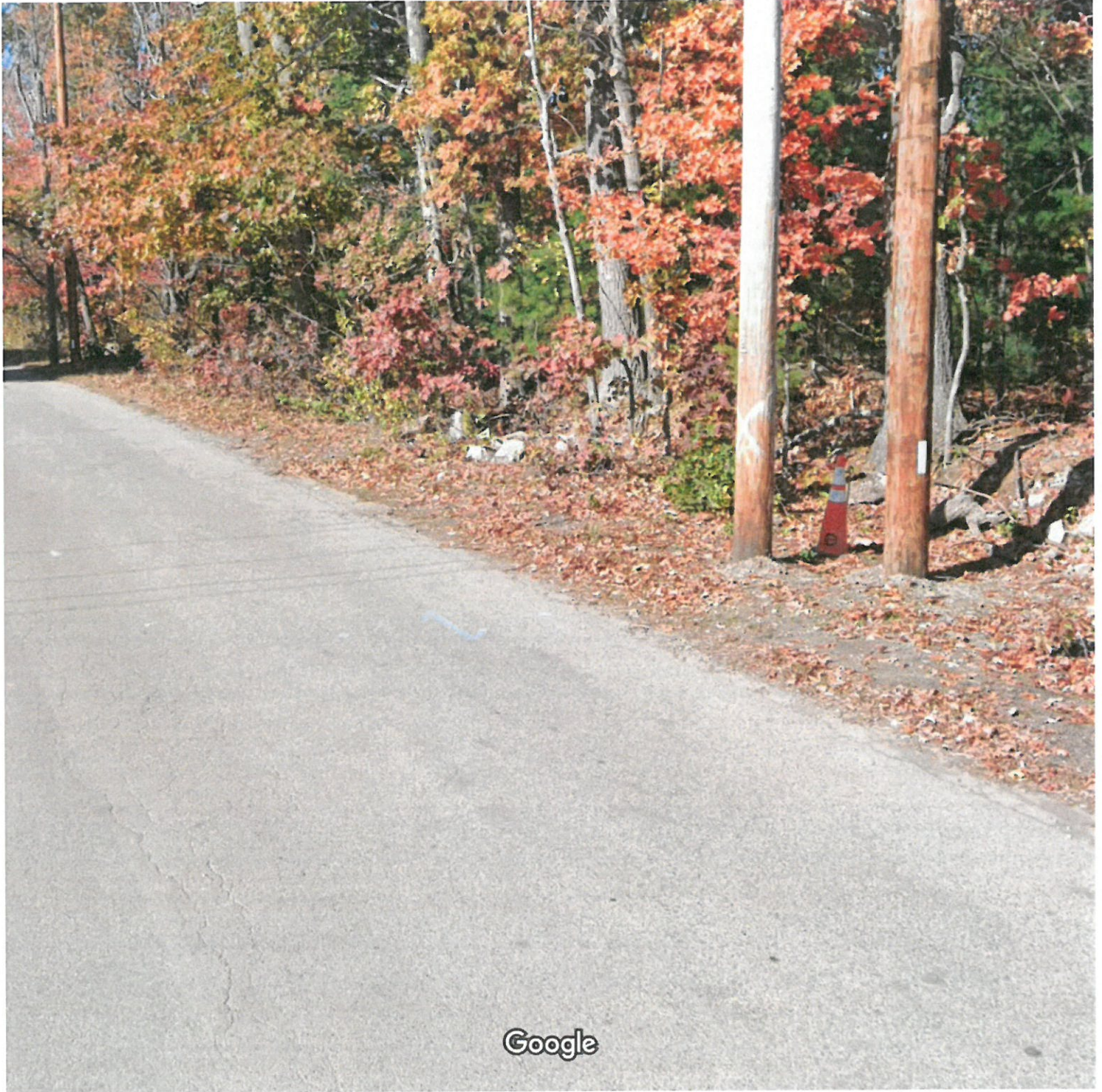


Image capture: Oct 2019 © 2021 Google

Ashland, Massachusetts



Street View - Oct 2019

st Church

*New poles on Megunko  
in front of 0 Megunko  
EXAMPLE - Several LOCATIONS*



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

*see p 2*

**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  
*[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

*Book 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*

11/12/16 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: [Signature]  
Preston Crow, Chair

By: [Signature]  
Max Green

By: [Signature]  
Mike Mokey

Filed with the Town Clerk on:

Date: June 27, 2016

[Signature]  
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

[Signature]  
Tara M. Ward, Town Clerk

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

April 7, 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.

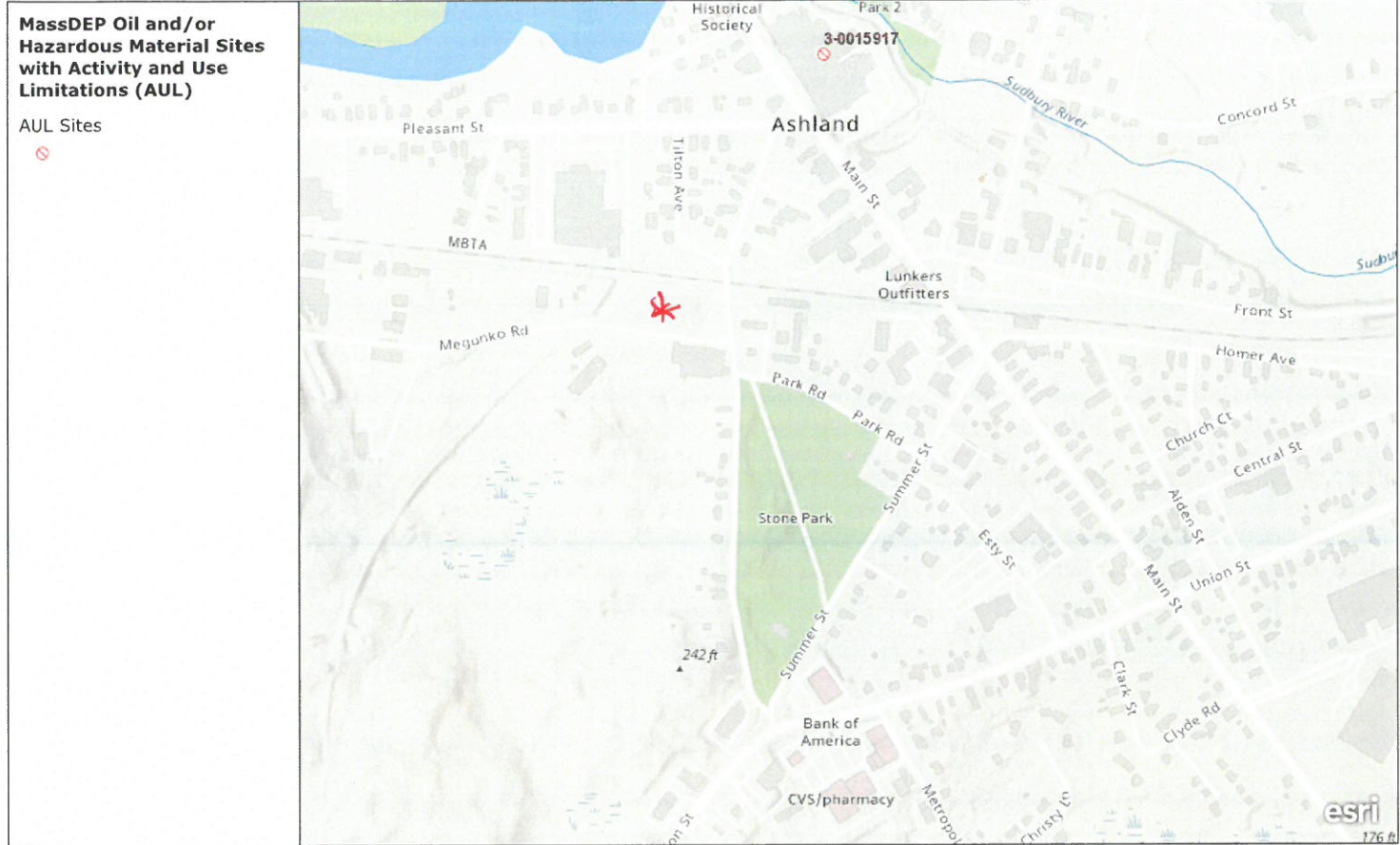
Copies of the Design Review Committee –Meeting Minuets for the project are also attached.

(A nearly complete file is also available on the Ashland Courbanize website for your information), however there are two minor changes to this submission: (1) a building with more fenestrations with a lesser industrialized façade, and (2) a phasing plan separating the buildings, which remain in the same original rectangle and the landscaping plans remain unchanged.

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.

### MassDEP Oil and/or Hazardous Material Sites with Activity and Use Limitations (AUL)



Map service containing the approximate location of oil or hazardous material release or disposal sites where an Activity and Use Limitation (AUL) has been filed.

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, MassGIS, © OpenStreetMap contributors, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | MassDEP, MassGIS

*\*O Megunko LOCUS*