ARCHITECTURAL ACCESS BOARD- HEARING PACKET

Name	**Ashby American Legion Post 361**	**Docket #**	V 24 - 106
Address	**35 New Ipswich Road**	**Docket #**	C 23 - 174
City	**Ashby**	**Hearing**	11/30/2026
Bldg Type		**Time of hearing**	**2:00 PM**
Complaint's Name		**Plans on file?**	
Complaint ?	**Variance ?**	**Request for continuance?**	
Jurisdiction:			

Building Permits:

Assessed Value:

Exhibit: 1
V24-106&C23-174
AAB 1-776

Variances to be addressed:

The Petitioner is seeking relief from the Board order issued on September 30, 2026.

This variance stems from a complaint submitted in 2023. On June 11, 2024 the Board received an application for variance for the above referenced address and at the July 1, 2024 meeting the Board GRANTED temporary relief until July 31, 2024. (See AAB 705-766)

On February 12, 2025 the Board received additional information from the Town of Ashby and at the February 24, 2025 meeting the Board ORDERED the petitioner to make the parking space fully compliant with all applicable provision of 521 CMR 23 in not more than 60 days from the date of receipt of this decision and to SCHEDULE a hearing. (See AAB166-704)

On March 6, 2025 the Board received an additional response and at the March 10, 2025 meeting the Board FOUND that the response to the July permit request does not meet the requirements of the 12/17/24 order, as they do not constitute an accounting of ALL work performed on the building since 2006. (See AAB 163-165)

On July 23, 2025 the Board received additional information and at the July 28, 2025 meeting the Board FOUND that that the conditions have been met to abate the fine, and Further FIND that in 2024 & 2025 at least $11,295 in spending has occurred, which is more than 30% of the $35,900 assessed value of the building, triggering the obligation to fully comply per 521 CMR 3.3.2.

On February 5, 2026 the Board received additional information and at the March 9, 2026 meeting the Board Temporarily GRANTED relief until June 1, 2026 and ORDERED the Petitioner to provide the Board with stamped construction documents no later than June 1, 2026. (See AAB 29)

On June 1, 2026 the Board received additional information and at the September 28, 2026 meeting

the Board ORDERED the Petitioner to Respondent to provide plans complying with 521 CMR bearing the stamp of a Registered Architect or Professional Engineer. (See AAB 6)

On October 5, 2026 the Board received a request for an adjudicatory hearing from the Town of Ashby and on October 5, 2026 the Notice of Hearing was sent to all appropriate parties. (See AAB 3-5)

Outlook

35 New Ipswich Road, Ashby- Notice of Hearing

From AAB Variance (DPL) <AABVariance@mass.gov>
Date Mon 10/5/2026 7:50 AM
Bcc Mary Daughraty <mdaughraty@ashbyma.gov>; Coffin, Meg <mcoffin@centerlw.org>; bldginsp@ashbyma.gov <bldginsp@ashbyma.gov>; Patrick McPhee <pmcphee@comcast.net>

1 attachment (545 KB)
November 2026 Notice of Hearing.pdf;

Good morning,

Please find attached the Notice or Decisions for the above referenced case.

If you require a paper copy of a Notice or Decision, you may contact me to request one but be aware that the delivery of physical copies may be delayed.

If you wish to appeal the decision made in this case, you can fill out and send in an Adjudicatory Hearing Request form available here.

If you have any questions, please do not hesitate to get in touch with the Board's staff.

Thank you,
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02110-2012
www.mass.gov/AAB
617-727-0660

AAB 3

Outlook

Request for Adjudicatory Hearing - American Legion Hall

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Mon 10/5/2026 7:20 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Cc Steve Nims <hwysupt@ashbyma.gov>; Tony DeMambro <judto@verizon.net>; Jim Hubert <jimhubert10@gmail.com>; Barbara Thorpe <tabos@ashbyma.gov>; David Nadeau <dnadeau@ashbyma.gov>

1 attachment (75 KB)
AAB Adjudicatory Hearing request.pdf;

Good morning,

I am submitting a formal request for an adjudicatory hearing **regarding American Legion Post #361 in Ashby, Massachusetts**.

Please let me know if **any additional information or documentation is required to process this request**.

Thank you for your assistance.

Sincerely,
Mary Daughraty

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

ERIC PALEY
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1 Federal St., 6th Floor
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

VARIANCE HEARING

Docket Number **V 24 106**

RE: Ashby American Legion Post 361 , 35 New Ipswich Road, Ashby

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **November 30, 2026** at **2:00 PM** Remote meeting information will be sent out prior to the hearing date.

This hearing is upon an application for variance filed by: April-Lynn Forest for modification of or substitution of the following Rules and Regulations: 9/28/2026 Notice of Action
A copy of the request is available for public inspection during regular business hours.

You should be aware that the burden of proof is upon the applicant requesting a variance to prove that compliance is either: 1. technologically infeasible or; 2. the cost of compliance is excessive without substantial benefit to a person with a disability.

This hearing will be conducted in accordance with the procedures set forth in M.G.L., c. 30A, and 801 CMR 1.02, the Informal/Fair Hearings Rules. At the hearing, each party may be represented by counsel, may present evidence and may cross examine opposing witnesses.

PLEASE NOTE: Requests for the continuance of a hearing must be received no later than fourteen (14) days prior to the scheduled hearing date. Continuances are granted at the Board's discretion only.

ARCHITECTURAL ACCESS BOARD

Dawn Guarnaccia WJ

Chairperson

Date: October 5, 2026

cc: Local Building Inspector
Independent Living Center
Local Disability Commission

AAB 5

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

ERIC PALEY
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1 Federal St., 6th Floor
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

FOURTH AMENDED NOTICE OF ACTION

Docket Number V **24 106**

RE: Ashby American Legion Post 361 , 35 New Ipswich Road , Ashby

On June 1, 2026 the Architectural Access Board received an additional submission from Petitioner
The additional documents were reviewed by the Board on September 28, 2026 At that meeting, the Board voted as follows:

#	Section	Result
		ORDERS Petitioner to Respondent to provide plans complying with 521 CMR bearing the stamp of a Registered Architect or Professional Engineer.

PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: September 30, 2026

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Dawn Guarnaccio WJ
Chairperson
ARCHITECTURAL ACCESS BOARD

AAB 6

Outlook

FW: Ashby Legion

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Wed 9/9/2026 6:28 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc Joyce, William (DPL) <William.Joyce@mass.gov>; Tony DeMambro <judto@verizon.net>; Steve Nims <hwysupt@ashbyma.gov>; Barbara Thorpe <tabos@ashbyma.gov>; David Nadeau <dnadeau@ashbyma.gov>; Jim Hubert <jimhubert10@gmail.com>

Good morning, Molly and Will,
Thank you for the update.
The Town will be seeking additional time beyond the completion dates outlined in the plan that was submitted by the June 1, 2026, deadline. We did not begin any of the required work while awaiting the AAB's decision, and now that approximately four months have passed, if the plan is approved, the Town will need until Spring/Early Summer 2027 to complete the necessary modifications.
I wanted to make the AAB aware of this anticipated request for a time extension in advance. I am not sure whether this would require a variance amendment or other formal request, as the Town submitted all required documentation by the June 1, 2026, deadline. However, the plan has not yet been heard by the AAB and is anticipated to be considered at its September 28, 2026, meeting.
Thank you for your consideration.
Mary Daughraty
Town Administrator
Town of Ashby

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Tuesday, 08 September 2026 14:58:48
To: Mary Daughraty <mdaughraty@ashbyma.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Subject: Re: Ashby Legion

Hi Mary,

The Board will review these likely at the second meeting in September (the 28th).

Thank you,
Molly

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Tuesday, September 8, 2026 2:27 PM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Subject: FW: Ashby Legion

Good afternoon,

I am writing to inquire whether the Architectural Access Board (AAB) has had an opportunity to review the documents that were submitted by the Town regarding the ADA compliance plan for 35 New Ipswich Road. These materials, including the floor plan and contractor-signed documentation required for compliance, were submitted to Victor Machado on June 1, 2026.

I understand that Mr. Machado is no longer with the AAB; however, we have not received any updates regarding the status of this matter since the required submission. We would appreciate any information you can provide regarding the review process and the status of compliant.

Thank you for your time and assistance. I look forward to hearing from you.

Sincerely,

Mary Daughraty
Town of Ashby

From: Mary Daughraty
Sent: Monday, June 1, 2026 9:56 AM
To: Victor.Machado@mass.gov
Cc: Building Inspector <bldginsp@ashbyma.gov>; Steve Nims <hwysupt@ashbyma.gov>; Barbara Thorpe <tabos@ashbyma.gov>; Tony Demambro <judto@verizon.net>; Jim Hubert <jimhubert10@gmail.com>
Subject: FW: Ashby Legion

Hi Victor,

As stated by June 1, 2026, please find the signed floor plans for the American Legion Hall alterations. These were prepared following the complaint regarding the reported project value, which triggered compliance requirements under 521 CMR.

The plans submitted to the AAB propose relocating the affected area to the main level of the hall.

Please let me know if this submission satisfies AAB requirements. We will also need sufficient time to complete the proposed alterations.

Thank you,

Mary Daughraty
Ashby

Outlook

FW: Ashby Legion

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Tue 9/8/2026 2:32 PM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>

2 attachments (1 MB)
Ashby Legion Plans.pdf; Ashby Legion Reference Docs.pdf;

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Thank you for your time and assistance. I look forward to hearing from you.

Sincerely,

Mary Daughraty
Town of Ashby

From: Mary Daughraty
Sent: Monday, June 1, 2026 9:56 AM
To: Victor.Machado@mass.gov
Cc: Building Inspector <bldginsp@ashbyma.gov>; Steve Nims <hwysupt@ashbyma.gov>; Barbara Thorpe <tabos@ashbyma.gov>; Tony Demambro <judto@verizon.net>; Jim Hubert <jimhubert10@gmail.com>
Subject: FW: Ashby Legion

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The plans submitted to the AAB propose relocating the affected area to the main level of the hall.
Please let me know if this submission satisfies AAB requirements. We will also need sufficient time to complete the proposed alterations.
Thank you,

AAB 9

Mary Daughraty
Ashby

AAB 11

Reference 521 CMR 30.xx

The picture to right shows existing unisex bathroom at the legion hall
Tiles on floor are 12" squares for reference



Toilet approx. 17 ½ in from wall height is 16" from floor
Will replace with toilet 17" plus from floor

Sink is pedestal type has min, 30" path, height is over 35 1/2" so sink will be replaced by sink no cabinet
Pedestal or wall mount with under clearance not to exceed 34" max height and 17" from wall

Grab bars will be 42"in back and right side as shown
With height of 33"-36" if new toilet height prevents in back we will reference 3" above tank . Existing bars 34" above floor
Referencing 521 CMR 30.00

AAB 13

Reference 521CMR 30.xx

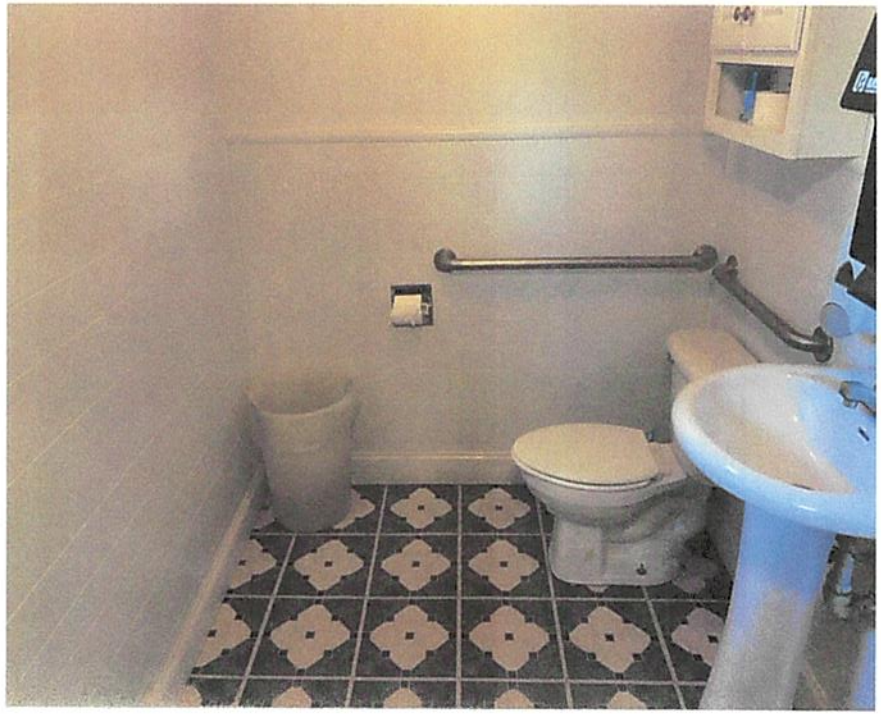
Tiles on floor are 12” sq.

Total bathroom length 138 inch with one section 60” long and 66” wide and the second is 78” long with 60” wide. The 178 Is a straight line outside wall.

There is plenty of room to maneuver

Toilet paper dispenser is 25” to bottom of cut out

Trash container will be in a different spot and not hinder wheelchair turning.



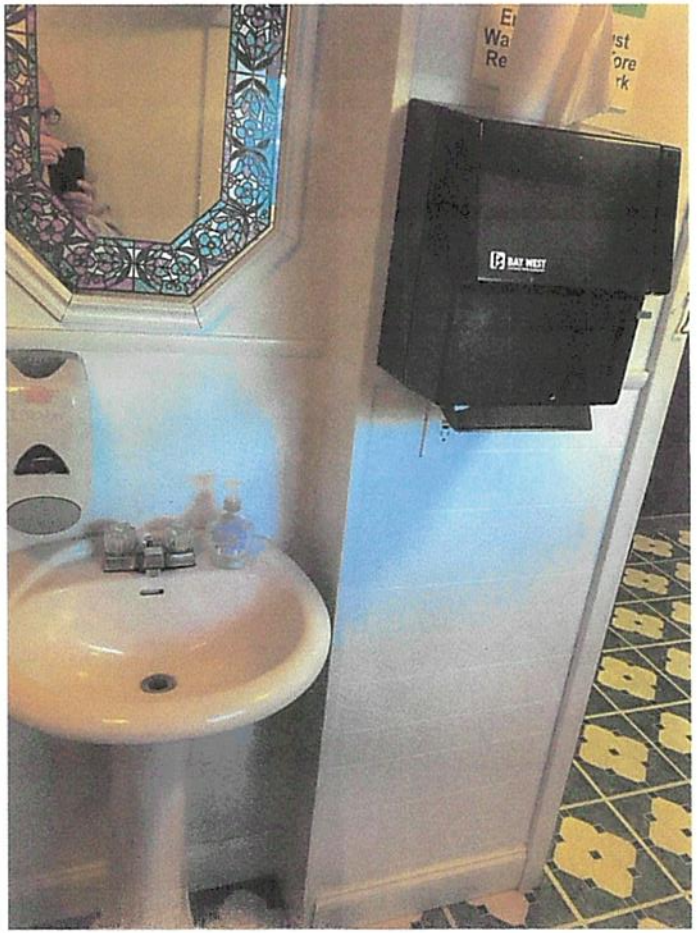
AAB 15

References 521 CMR 30.00

Soap dispenser will be installed within reach

Mirror will be installed no higher than 40” from floor

Paper towel dispenser will be installed to 30.12 figure 30i



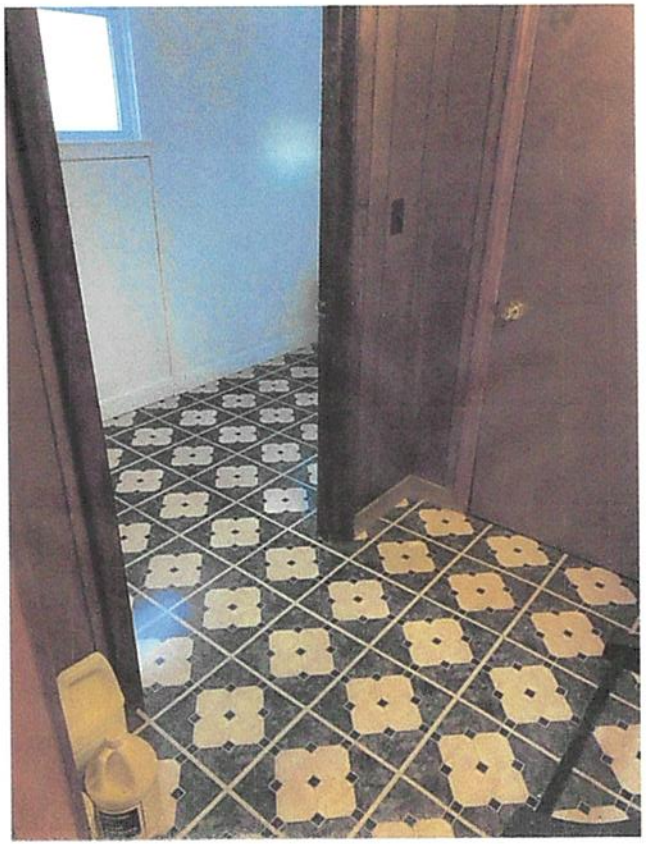
AAB 17

Picture to right references entrance to bathroom, door is 36”

Hallway to exceeds 36” wide with plenty of space to turn.

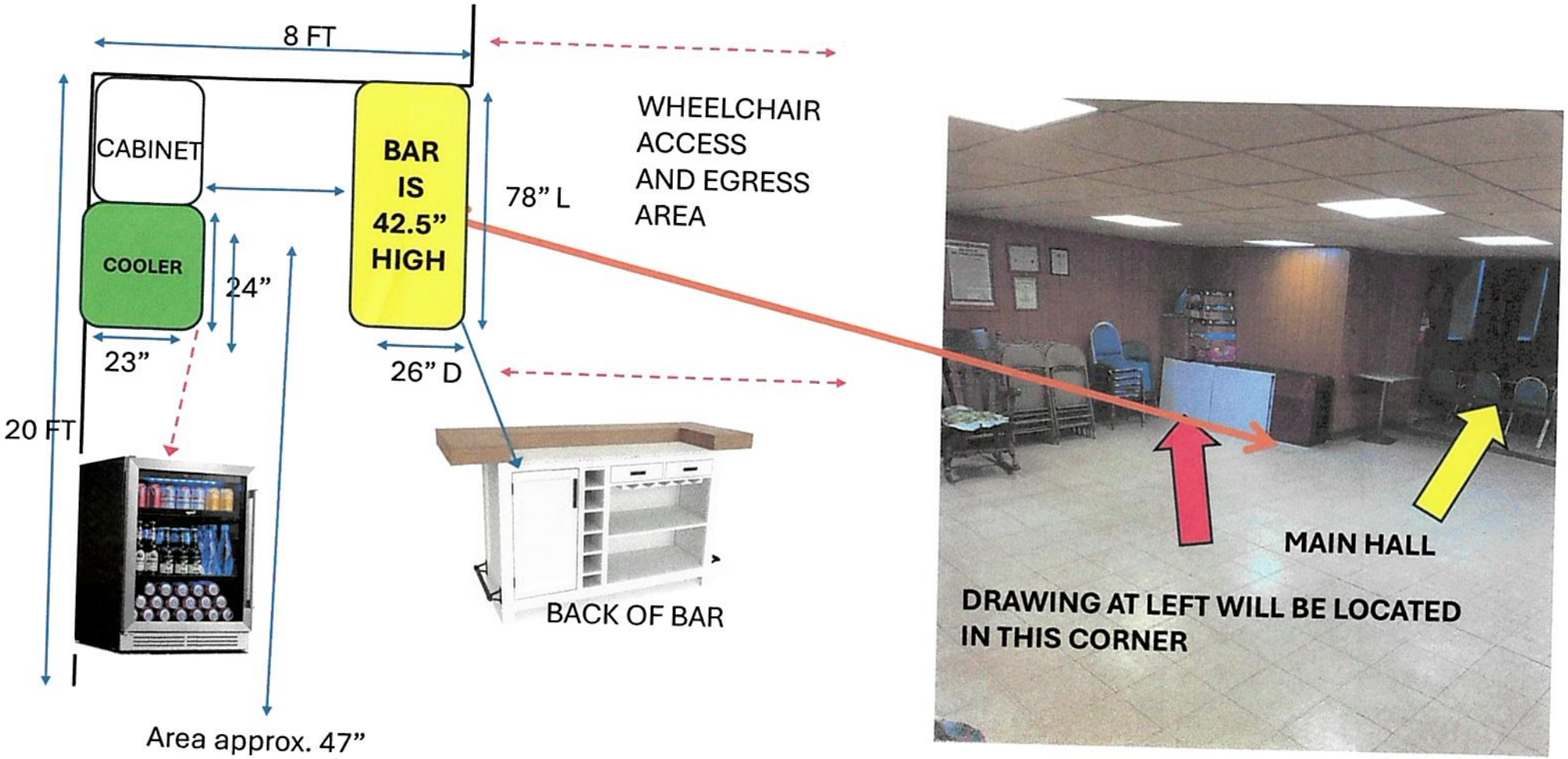
Inside bathroom you can see with 12” sq tiles it exceeds the 48” width

A unisex handicap sign will be displayed at the door and at the entrance of the hallway.



AAB 19

Attached are plans for a main floor (serving bar only) for American Legion Hall Ashby Ma
It will be used for public and private events and will consist of water, soda, beer, and mixed drinks. All drinks will be served in plastic or paper cups. There is plenty of access and egress for wheelchairs as the main seating area is to the right and up on the next page.
Tables will be set up to accommodate wheel chair placement where desired.
The items show in the picture will be relocated .
There is no seating at the bar and should always maintain clearance for access.
There might be a point in time where the openside of the bar will be closed with a small Gate.
Items shown in picture are representative cooler and bar, what will maintain are 521 CMR Requirements associated height of bar, length of bar, wheelchair access guidelines etc.
The main floor has handicap assess ramp flush to door stoop; the door and hall are a minimum of 36" With proper entrance and excess door hardware. The unisex bathroom is handicap access.
There is also handicap parking next to ramp



Area approx. 47"
Bar could be moved
Back for 36" workspace

My New Project

CREATED ON
May 26, 2026

LOCATION
35 New Ipswich Road
01431 Ashby
Massachusetts
US



Total area	Floors	Rooms	Bathroom
2222.01 sq ft	1	5	1

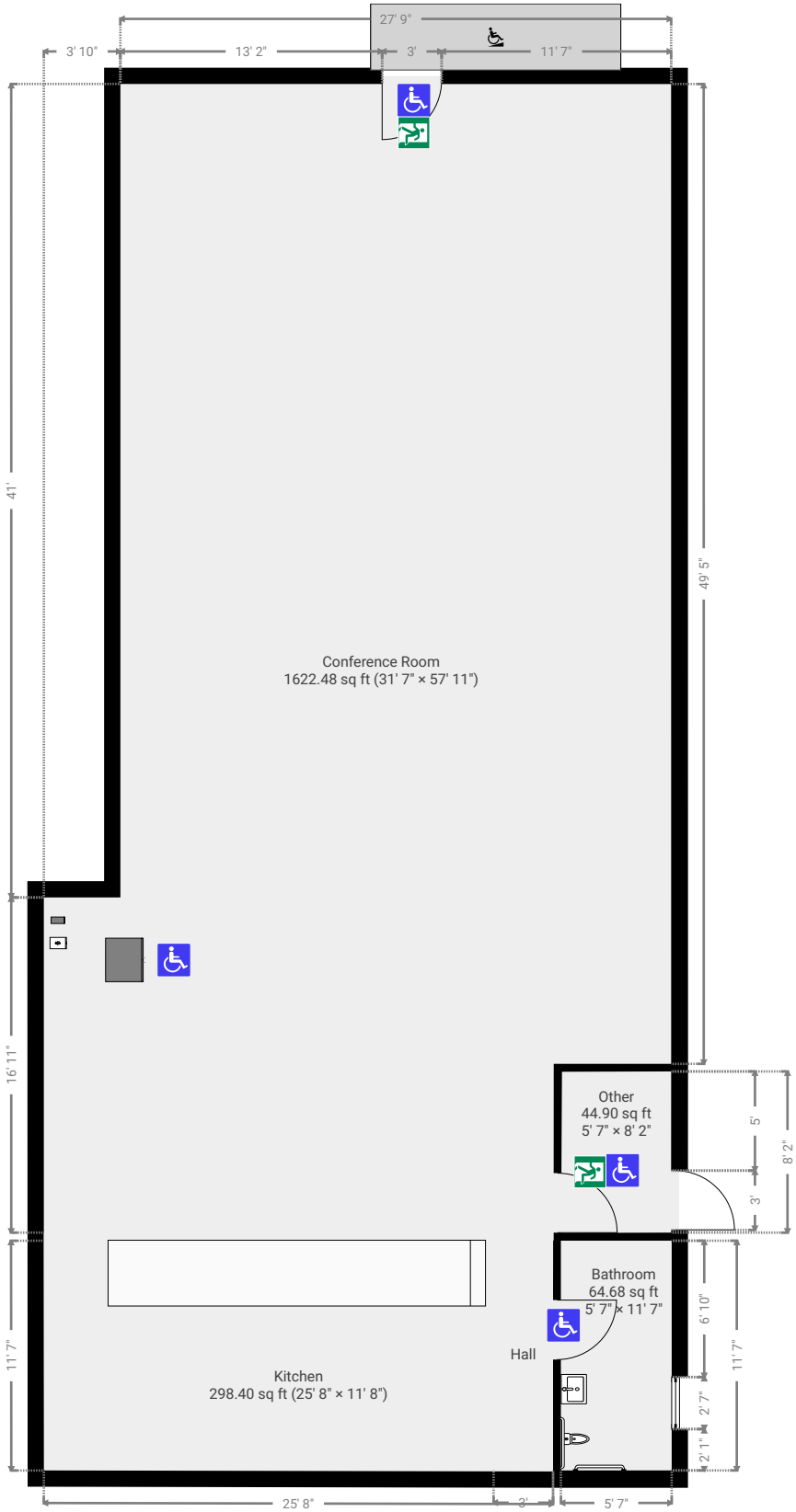
My New Project

35 New Ipswich Road, 01431 Ashby, Massachusetts, US
TOTAL AREA: 2222.01 sq ft • **LIVING AREA:** 2222.01 sq ft • **FLOORS:** 1 • **ROOMS:** 5

magicplan

▼ 1st Floor

TOTAL AREA: 2222.01 sq ft • **LIVING AREA:** 2222.01 sq ft • **ROOMS:** 5



THIS FLOOR PLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSOPIA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.

0' 4' 8' 12' 16'
1:107

My New Project

35 New Ipswich Road, 01431 Ashby, Massachusetts, US
TOTAL AREA: 2222.01 sq ft • **LIVING AREA:** 2222.01 sq ft • **FLOORS:** 1 • **ROOMS:** 5

▼ 1st Floor

Notes

Ashby Legion Assembly Hall Modifications

CPG General Contracting
cpggeneralcontracting@gmail.com

Chris Galeota
MA Construction Supervisor CS-059988
MA Home Improvement Contractor HIC 205317

All Bathroom Renovations to meet:
521 CMR 30.00
The only bath will become a Uni-sex bathroom

The Bar/Cooler/Storage to meet:
521 CMR. 35.00

The 2nd means of Egress to meet:
521 CMR 26.5

See Additional notes/diagrams provided.

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My New Project

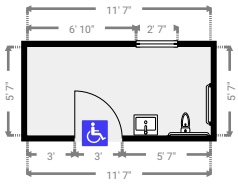
35 New Ipswich Road, 01431 Ashby, Massachusetts, US
TOTAL AREA: 2222.01 sq ft • **LIVING AREA:** 2222.01 sq ft • **FLOORS:** 1 • **ROOMS:** 5

magicplan

▼ Bathroom
1st Floor

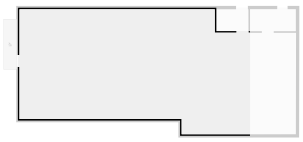
WIDTH: 11' 7" • **LENGTH:** 5' 7"
AREA: 64.68 sq ft • **PERIMETER:** 34' 4"

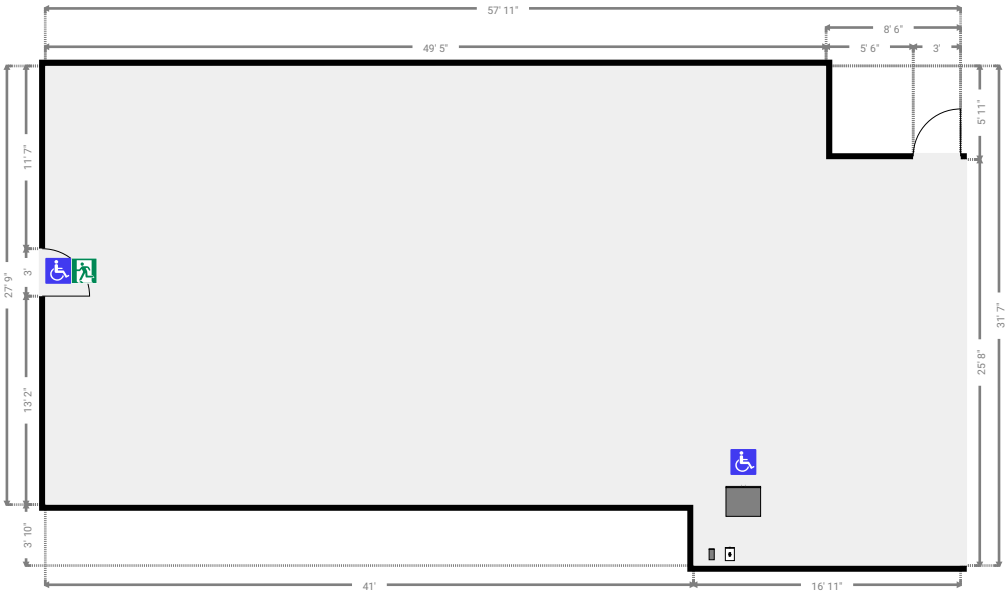




▼ Conference Room
1st Floor

WIDTH: 57' 11" • **LENGTH:** 31' 7"
AREA: 1622.48 sq ft • **PERIMETER:** 179' 3/4"





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0' 4' 8' 12' 16' 20'
1:146

My New Project

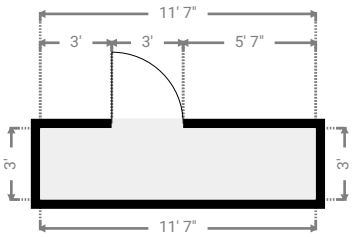
35 New Ipswich Road, 01431 Ashby, Massachusetts, US
TOTAL AREA: 2222.01 sq ft • **LIVING AREA:** 2222.01 sq ft • **FLOORS:** 1 • **ROOMS:** 5

magicplan

▼ Hall
1st Floor

WIDTH: 11' 7" • **LENGTH:** 3'
AREA: 34.74 sq ft • **PERIMETER:** 29' 2"

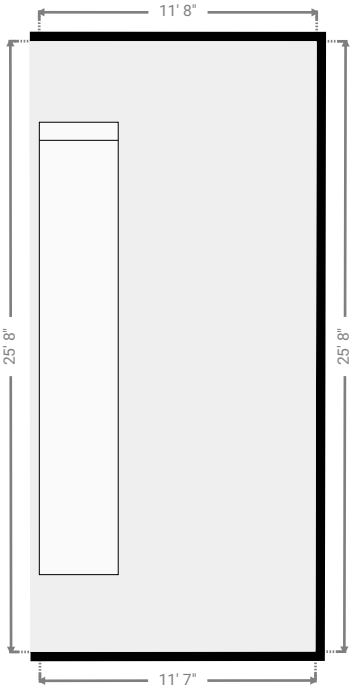




▼ Kitchen
1st Floor

WIDTH: 11' 8" • **LENGTH:** 25' 8"
AREA: 298.40 sq ft • **PERIMETER:** 74' 7"





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0' 4' 8' 12'
1:97

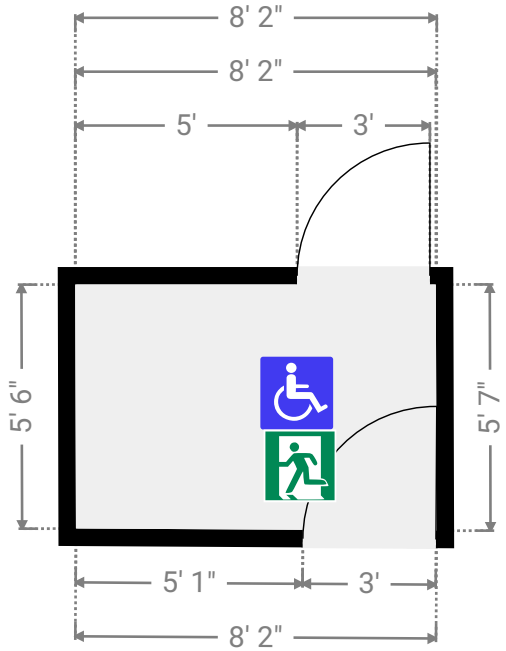
My New Project

35 New Ipswich Road, 01431 Ashby, Massachusetts, US
TOTAL AREA: 2222.01 sq ft • **LIVING AREA:** 2222.01 sq ft • **FLOORS:** 1 • **ROOMS:** 5

▼ Other
1st Floor

WIDTH: 8' 2" • **LENGTH:** 5' 7"
AREA: 44.90 sq ft • **PERIMETER:** 27' 3 3/4"





THIS FLOOR PLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSOPIA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.

0' 2' 4' 6' 8'
1:52

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

ERIC PALEY
SECRETARY, EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1 Federal St., 6th Floor
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF OCCUPATIONAL LICENSURE

THIRD AMENDED NOTICE OF ACTION

Docket Number **V 24 106**

RE: Ashby American Legion Post 361 , 35 New Ipswich Road , Ashby

On February 5, 2026 the Architectural Access Board received an additional submission from Petitioner The additional documents were reviewed by the Board on March 9, 2026 At that meeting, the Board voted as follows:

#	Section	Result
1	3.3.2	**TEMPORARILY GRANTED** until June 1, 2026 as proposed. **ORDERS** Petitioner to petitioner provide the Board with stamped construction documents no later than June 1, 2026.

PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: March 10, 2026

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Dawn Guarnaccio WJ

Chairperson
ARCHITECTURAL ACCESS BOARD

AAB 29

Outlook

FW: Request for Variance for 35 New Ipswich Rd

From Patrick McPhee <pmcphee@comcast.net>
Date Mon 2/9/2026 2:04 PM
To Machado, Victor (DPL) <Victor.Machado@mass.gov>
Cc Joyce, William (DPL) <William.Joyce@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

6 attachments (16 MB)
3753_001.pdf; 3752_001.pdf; ASY.3.pdf; New Stars Aug 2025.jpg; Old stairs prior to Aug 2025.jpg; 20240121_111324.jpg;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Vic,

First the competition of Dec 31, 2026 is a bit long.

This building is no longer considered a historical building (as application states), it is in the Historical district, but no longer classified as a historical building. SEE ASY.3.pdf

The original brick school on this site was built in 1785 as the Town's first school. It was rebuilt in 1836 in wood. The building is currently used by the American Legion Post 361. It is also used as a meeting space for many community groups and for special occasions.

After consideration of the submitted information and photographic evidence, it is the opinion of MHC staff that the Ashby School #1 no longer retains enough integrity of location, design, setting, materials, workmanship, feeling and association, to be listed individually on the National Register of Historic Places. We do, however, believe that the Ashby School #1 would be eligible to contribute to a potential Ashby Common National Register Historic District. The boundaries of which would need to be determined.

This includes the upper building and cooler location added for the bar, kitchen and bathroom.

Also please consider the stairs was redone without a ramp to the smoke location and fire pit. Picture in the past and after was presented to the board Old stairs has 5 stairs, new has 4stairs (these lead to old bar and smoking area)

Last I have provided Picture in the past of people climbing over wall to get to walk-in cooler from the upper floor see jpg 2024121 (Jan 21, 2024), plus the walk-in cooler and basement rear access is unlocked by employees of the Ashby Market for deliveries.

Is the old bar being removed? Is the old bathrooms being removed? If neither they will continue to use it, as a underground bar.

Regards, Pat

From: Griffin, Molly (DPL) [mailto:Molly.Griffin@mass.gov]
Sent: Thursday, February 5, 2026 9:32 AM
To: Patrick McPhee
Subject: Re: Request for Variance for 35 New Ipswich Rd

I got the approval, so please see attached for the amended application.

Thanks!
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor

Boston, MA 02110-2012
www.mass.gov/AAB
617-727-0660

From: Patrick McPhee <pmcphee@comcast.net>
Sent: Thursday, February 5, 2026 8:33 AM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: RE: Request for Variance for 35 New Ipswich Rd

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Please send the attachment and date?

Regards, Pat

Patrick D. McPhee
pmcphee@comcast.net
Cell +1-978-875-0851



From: Griffin, Molly (DPL) [mailto:Molly.Griffin@mass.gov]
Sent: Thursday, February 5, 2026 8:24 AM
To: Patrick McPhee
Cc: Joyce, William (DPL); Machado, Victor (DPL)
Subject: Fw: Request for Variance for 35 New Ipswich Rd

Hi Pat,

Please see below for requested communication.

Thank you,
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02110-2012
www.mass.gov/AAB
617-727-0660

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Thursday, February 5, 2026 8:22 AM
To: Mary Daughraty <mdaughraty@ashbyma.gov>
Subject: Re: Request for Variance for 35 New Ipswich Rd

Hi Mary,

Okay great- thanks for confirming.

Thank you,
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02110-2012
www.mass.gov/AAB
617-727-0660

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Thursday, February 5, 2026 8:17 AM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: RE: Request for Variance for 35 New Ipswich Rd

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Molly,

I will email this service notice to all today as well.

Thank you,

Mary Daughraty

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Wednesday, February 4, 2026 2:31 PM
To: Mary Daughraty <mdaughraty@ashbyma.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Subject: Re: Request for Variance for 35 New Ipswich Rd

Hi Mary,

Thank you for sending this in. The Service Notice page is not filled out/signed, can you please confirm you emailed a copy to the building department, independent living center, and ADA commission today or if you sent it before today?

Thank you,
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02110-2012
www.mass.gov/AAB
617-727-0660

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Wednesday, February 4, 2026 2:28 PM
To: Joyce, William (DPL) <William.Joyce@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: Request for Variance for 35 New Ipswich Rd

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Will and Molly,

Attached is the request for a variance regarding the timeframe for altering the premises at 35 New Ipswich Rd., Ashby, MA. I have completed it to the best of my ability.

I have also provided an electronic copy to the Building Inspector, as well as to our Independent Living Center and the ADA Commission.

We thank you in advance for your consideration on this matter.

Sincerely,

Mary Daughraty
Ashby


AAB 34


AAB 35



Outlook

Re: Request for Variance for 35 New Ipswich Rd

From Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Date Thu 2/5/2026 8:22 AM
To Mary Daughraty <mdaughraty@ashbyma.gov>

Hi Mary,

Okay great- thanks for confirming.

Thank you,
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
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Mary Daughraty

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Sent: Wednesday, February 4, 2026 2:31 PM

To: Mary Daughraty <mdaughraty@ashbyma.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Subject: Re: Request for Variance for 35 New Ipswich Rd

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Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02110-2012
www.mass.gov/AAB
617-727-0660

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Sent: Wednesday, February 4, 2026 2:28 PM
To: Joyce, William (DPL) <William.Joyce@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
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Good afternoon, Will and Molly,

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I have also provided an electronic copy to the Building Inspector, as well as to our Independent Living Center and the ADA Commission.

We thank you in advance for your consideration on this matter.

Sincerely,

Mary Daughraty
Ashby

3. **The completed and signed Service Notice.**
4. **A check or money order in the amount of $50 dollars, made out to the Commonwealth of Massachusetts.**

ii. **Please ensure that all documents included are no larger than 11" x 17".**

iii. **Incomplete applications will be returned via regular mail to the applicant with an explanation as why it was unable to be docketed.**

In accordance with M.G.L., c.22, § 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the building/facility described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

1. State the name and address of the building/facility:

Town of Ashby
American Legion Hall
35 New Ipswich Rd

2. State the name and address of the **owner** of the building/facility:

Town of Ashby

E-mail: mdaughraty@ashbyma.gov

Telephone: 978-386-2424

3. Describe the facility (i.e. number of floors, type of functions, use, etc.):

The building is a two-story structure. The front portion is a historic schoolhouse, while the rear sections of both the first and second floors were added in the 1950s. The American Legion has been a tenant in the building for more than 50 years.

4. Total square footage of the building/facility: _____

   Per floor: _____

   a. Total square footage of tenant space (if applicable):_____

5. What was the original year of construction for the building/facility: 1700's &1950's ?

6. Check the nature of the work performed or to be performed:

   ☐ New Construction ☐ Addition

   ◉ Reconstruction/Remodeling/Alteration ☒ Change of Use

7. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):

The Town is requesting a variance to allow additional time to meet the 30% threshold requirement under the 521 CMR Code for the proposed alterations. The Town will develop and submit a plan that brings the main floor into full compliance with 521 CMR accessibility standards. Once the plan is approved by the AAB, the Town will proceed with the relocation of the operation and complete the necessary work with the assistance of volunteers.

8. Is the building or facility historically significant? ◉ Yes ○ No

   a. If yes, check one of the following and indicate date of listing:

   ☐ National Historic Landmark _____

   ☐ Listed individually on the National Register of Historic Places _____

   ☐ Located in a Registered Historic District _____

   ■ Listed in the State Register of Historic Places _____

   ☐ Eligible for listing _____
   (In which registry?)

AAB 40

b. If you checked any of the above **and** your variance request is primarily based upon the historical significance of the building, you *must* complete the ADA Consultation Process of the Massachusetts Historical Commission, located at 220 Morrissey Boulevard, Boston, MA 02125.

9. Which section(s) of the Board's Jurisdiction *(see Section 3 of the Board's Regulations)* has been triggered?

2.6 ☐ 3.2 ☐ 3.3.1(a) ☐ 3.3.1(b) ☐ 3.3.2 ☐ 3.3.4 ☐ 3.4 ☐

10. List **all** building permits that have been applied for within the past 36 months, include the issue date and the listed value of the work performed:

Permit #	Date of Issuance	Value of Work

(Use additional sheets if necessary.)

11. List the anticipated construction cost for any work not yet permitted or for any relevant work which does not require a permit:

_____

12. Has a certificate of occupancy been issued for the facility? ◉ Yes ○ No

If yes, state the date it was issued: _____

13. To the best of your knowledge, has a complaint ever been filed with the AAB on this building or facility relative to accessibility? ◉ Yes ○ No

a. If so, list the AAB docket number of the complaint C23-174 V24-100

14. For existing buildings or facilities, state the actual assessed valuation of the **BUILDING/IMPROVEMENTS ONLY,** as recorded in the **Assessor's Office** of the municipality in which the building or facility is located: _____

Is the assessment at 100%? ○ Yes ◉ No

If not, what is the town's current assessment ratio? 0%

15. State the phase of design or construction of the facility as of the date of this application:
Beginning stage

AAB 41

16. **Please list specific technical sections, not 521 CMR 3.**

Request #1

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief: ◉ Yes ○ No

Types of Attachments for this Request:
☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s): _____

If yes, what date do you propose to be in compliance by: 12/1/26 ?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

The Town is requesting a variance to allow additional time to meet the 30% threshold requirement under the 521 CMR Code for the proposed alterations. The Town will develop and submit a plan that brings the main floor into full compliance with 521 CMR accessibility standards. Once the plan is approved by the AAB, the Town will proceed with the relocation and complete the necessary work with the assistance of volunteers.

Request #2

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief: ○ Yes ○ No

Types of Attachments for this Request:
☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s): _____

If yes, what date do you propose to be in compliance by: _____ ?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

AAB 42

Request #3

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief: ◯ Yes ◯ No

Types of Attachments for this Request:
☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s): _____

If yes, what date do you propose to be in compliance by: _____?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

Request #4

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief: ◯ Yes ◯ No

Types of Attachments for this Request:
☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s): _____

If yes, what date do you propose to be in compliance by: _____?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

If you require more than 4 requests, please use the *Additional Request Sheet* and complete the *Large Variance Tally Sheet*, both of which are available on the "Forms and Applications" page of the Board's website (http://www.mass.gov/aab).

17. State the name and address of the architectural or engineering firm, including the name of the individual architect or engineer responsible for preparing drawings of the facility:

E-mail: _____

Telephone: _____

18. State the name and address of the building inspector responsible for overseeing this project:

Mike Savageau
895 Main Street
Ashby , MA 01431

E-mail: bldginsp@ashbyma.gov

Telephone: 978-386-2424 x 128

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION AND SUPPORTING DOCUMENTATION IS TRUE AND CORRECT

Date: 2/4/26

Mary Daughraty

Signature of owner or authorized agent *(required)*

PLEASE PRINT:

Mary Daughraty

Name

Town of Ashby

Organization (If Applicable)

895 Main Street

Address

Address 2 (optional)

Ashby MA 01431

City/Town State Zip Code

mdaughraty@ashbyma.gov

E-mail

978-386-2424 x 124

Telephone

SERVICE NOTICE

I, _____, as _____
(Name) (Relationship to the applicant)

HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

	NAME AND ADDRESS OF PERSON OR AGENCY SERVED	METHOD OF SERVICE	DATE OF SERVICE
1 Building Department			
2 Local Commission on Disability (If Applicable)			
3 Independent Living Center			

_____ _____
Signature **Date**

SERVICE NOTICE

I, Mary Daughraty (Name), as Town Administrator (Relationship to the applicant)

HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

	NAME AND ADDRESS OF PERSON OR AGENCY SERVED	METHOD OF SERVICE	DATE OF SERVICE
1 Building Department	Mike Savageau Building Inspector 895 Main Street, Ashby	email	2/4/2026
2 Local Commission on Disability (If Applicable)	Ashby ADA Commission 895 Main Street, Ashby	email	2/4/2026
3 Independent Living Center	Northeast Independent Living Center 20 Ballard Rd Lawrence, MA Matt Pellegrino	email	2/4/2026

Mary Daughraty
Signature

2/4/2026
Date

Outlook

RE: Ashby American Legion Post, 35 New Ipswich Road, Ashby (C23-174 & V24-106)

From Patrick McPhee <pmcphee@comcast.net>
Date Thu 8/21/2025 11:09 PM
To Joyce, William (DPL) <William.Joyce@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>

6 attachments (11 MB)
Town of Ashby Building inspector Cease and Desist Order.pdf; LegionValue.pdf; Decision for American Legion Ashby.pdf; 20231229_083341.jpg; 20231229_083740.jpg; 20250819_105549.jpg;

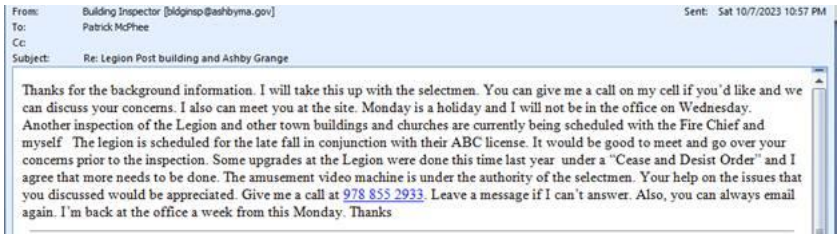
CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Will,

Please call me. I removed one file "Ashby Legion Variance for C23 174.pdf" will send it after

Petitioner filed a variance application for temporary relief by then April Forest, the Town's former ADA Coordinator signed 6/11/2024 See "**Ashby Legion Variance for C23 174.pdf**"
Page 4 # 12 Has a certificate of occupancy not been issued **no occupancy permit issued**
Page 4 # 14 Certified the building (grange/Legion) was 100% $107,400, same as the town on line assessment value($35,900 is legion)See Legion Value
Page 9 Town ADA April Forest served a copy on the Town building inspector Michael Sauvageau
Actually the ADA compliance office said under pains and penalties
The Still holds public functions and bar was/is open **no occupancy permit issued.**

Add in no permit for the first ramp WITH NO PERMIT
Add in H/C Parking paving WITH NO PERMIT



From: Building Inspector [bldginsp@ashbyma.gov] Sent: Sat 10/7/2023 10:57 PM
To: Patrick McPhee
Cc:
Subject: Re: Legion Post building and Ashby Grange

Thanks for the background information. I will take this up with the selectmen. You can give me a call on my cell if you'd like and we can discuss your concerns. I also can meet you at the site. Monday is a holiday and I will not be in the office on Wednesday. Another inspection of the Legion and other town buildings and churches are currently being scheduled with the Fire Chief and myself The legion is scheduled for the late fall in conjunction with their ABC license. It would be good to meet and go over your concerns prior to the inspection. Some upgrades at the Legion were done this time last year under a "Cease and Desist Order" and I agree that more needs to be done. The amusement video machine is under the authority of the selectmen. Your help on the issues that you discussed would be appreciated. Give me a call at 978 855 2933. Leave a message if I can't answer. Also, you can always email again. I'm back at the office a week from this Monday. Thanks

In reference to his "Cease and Desist Order" See: "Town of Ashby Building inspector Cease and Desist Order.pdf"
Note the building inspector states "I agree that more needs to be done"
Under this "Cease and Desist Order "
Door strike handles
front Stairs (Donated by fire chief)
Upgrade in fire alarm
Something about taking doors off at the basement level

In reference to the front stairs the AAB BOARD DECISION ruling December 17, 2024 End of page 2 and first of page 3 (See "**Decision for American Legion Ashby.pdf**")
Relevance to this hearing, it is undisputed that Petitioner replaced the front stairs at this building in 2022, which triggered an obligation to provide a compliant entrance per 521 CMR 3.1. . See (name of file YYYYMMDD) **20231229_083740.jpg**
WITH NO PERMIT

This summer, the town also replace the stairs to the basement Hall/Bar, they was FIVE solid cement stairs, replaced with FOUR solid cement stairs. See (name of file YYYYMMDD) **20231229_083341.jpg** and **20250819_105549.jpg**



From: Joyce, William (DPL) [mailto:William.Joyce@mass.gov]
Sent: Thursday, August 14, 2025 5:09 PM
Cc: Griffin, Molly (DPL)
Subject: Ashby American Legion Post, 35 New Ipswich Road, Ashby (C23-174 & V24-106) - Decision on Request for Reconsideration

Good afternoon,

Attached please find the written decision by the Board on the requests for reconsideration it received in response to it's decision to abate the fine and determine that the building has triggered compliance with 521 CMR 3.3.2.

Please review this letter closely, as it contains both a response to the requests and an order. Information on the appeals process is also included.

Sincerely,

William Joyce
Executive Director
He/Him/His
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02118
617-727-0660
[www.mass.gov/aab]www.mass.gov/aab


AAB 50


AAB 51



AAB 52

Outlook

RE: Ashby American Legion Post, 35 New Ipswich Road, Ashby (C23-174 & V24-106) - Decision on Request for Reconsideration

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Mon 8/18/2025 8:49 AM
To Joyce, William (DPL) <William.Joyce@mass.gov>
Cc Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Attorney Dalton and Will,

I'm writing to express my deep disappointment regarding the AAB's current stance, which appears to be based on an inaccurate valuation and could ultimately lead to the closure of the American Legion Hall. The determination that improvements exceed 30% of the building's value seems to rely on an outdated and clearly low assessment of $ 35,900 on a public building that is fully operational—complete with plumbing, electrical systems, handicap accessibility, fire safety systems, and more.

This property is exempt from the tax roll and was not properly assessed until this issue arose and was reviewed. The corrected assessment now reflects the true assessed value of a functioning public facility. It's unjust for the AAB to disregard this updated valuation in making such a significant decision.

Furthermore, the extensive documentation previously submitted by Mr. McPhee appears to be misleading and largely irrelevant to the American Legion Hall. Much of it pertains to other buildings entirely. I believe his complaint may be retaliatory, stemming from his dismissal as a member of the Legion. His approach seems to be to overwhelm the AAB with excessive and unrelated information in hopes that something will be accepted. It's also concerning that he has reportedly been persistently pressuring various town agencies to support his claims, regardless of their merit.

Regarding the strike plates added to the exit doors, I was unaware of their installation until Thursday. I inquired last Friday and was informed they were added a few years ago. The precast stairs were previously reported to the AAB on two separate occasions, with a value attributed to the donation by a private resident. Additionally, the town notified the AAB of repair work done by a member on the exterior concrete stairs, and that information was submitted with an associated value on July 11, 2025. I've reached out to the vendor—who has since relocated out of state—for the actual cost of the strike plates.

The town has demonstrated by photographs that no major improvements—such as additions, decks, patios, or significant interior/exterior renovations—have been made to the building in many years. The AAB's concern about the reliability of the work valuation is understandable, but it is troubling that their decision is based on an outdated and inaccurate assessment.

If the AAB refuses to accept the corrected assessment, what specific requirements is the AAB imposing on the building? Are they mandating full code compliance based on their determination that improvements exceed 30% of the building's value? If so, this will likely force the town to close the

American Legion Hall due to procedural and monetary constraints by both the American Legion Post and the Town of Ashby.

Please advise whether, given the AAB's refusal to use the accurate assessment and the fact that all requested documentation has already been submitted, the only remaining option is to file an appeal in Superior Court.

Thank you,
Mary Daughraty

From: Joyce, William (DPL) <William.Joyce@mass.gov>
Sent: Thursday, August 14, 2025 5:09 PM
Cc: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: Ashby American Legion Post, 35 New Ipswich Road, Ashby (C23-174 & V24-106) - Decision on Request for Reconsideration

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Sincerely,

William Joyce
Executive Director
He/Him/His
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02118
617-727-0660
[www.mass.gov/aab]www.mass.gov/aab

Outlook

Ashby American Legion Post, 35 New Ipswich Road, Ashby (C23-174 & V24-106) - Decision on Request for Reconsideration

From Joyce, William (DPL) <William.Joyce@mass.gov>
Date Thu 8/14/2025 5:08 PM
Cc Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

1 attachment (141 KB)
Decision on Ashby American Legion Motions for Reconsideration.pdf;

Good afternoon,

Attached please find the written decision by the Board on the requests for reconsideration it received in response to it's decision to abate the fine and determine that the building has triggered compliance with 521 CMR 3.3.2.

Please review this letter closely, as it contains both a response to the requests and an order. Information on the appeals process is also included.

Sincerely,

William Joyce
Executive Director
He/Him/His
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02118
617-727-0660
[www.mass.gov/aab]www.mass.gov/aab

PARID: 0120090001300000 MUNICIPALITY: ASHBY LUC: 954
ASHBY, TOWN OF 35 NEW IPSWICH RD PARCEL YEAR: 2024

Commercial 1 of 2

Card:	1
Building Number:	1
Structure Code:	367
Year Built:	1900
Effective Year Built:	
Grade:	C
Class:	353-FRATERNAL ORGANIZATIONS
Other Improvements:	
Other Imp Value:	
Gross Building Area:	0
Cost Value:	$35,900

AAB 56

Outlook

FW: Attached Image

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Mon 8/18/2025 1:48 PM
To Joyce, William (DPL) <William.Joyce@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>

1 attachment (18 KB)
3202_001.pdf;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

As requested, I was able to track this invoice on the panic bars showing the value of the three panic bars installed at the American Legion Hall.

Thank you,

Mary Daughraty
Ashby

From: Canon <canon@ashbyma.gov>
Sent: Monday, August 18, 2025 1:44 PM
To: Mary Daughraty <mdaughraty@ashbyma.gov>
Subject: Attached Image

Walter Welton

Town of Ashby
American Legion

Install 3 panic bars and door closures

Labor: $ 600
Materials: $ 985

Total Cost: $1585

12-12-23

Walter Welton
768 Turnpike Rd
Ashby,MA
01431

AAB 58

Repairs and Maintenance list of Ashby Legion 2006-Present

Repairs/General maintenance	Cost materials and labor	Paid by Post
Boiler replacement	$2,500.00	$2,500.00 Value
New flooring downstairs dance area + Upstairs Hall	$1,400	$1400.00 Value
Kitchen window	$900.00	$900.00 Value
Panic bars on doors	Unk Furnished and provided by the town	Unk Furnished and provided by the town
★ Cement stairs side building	Unk privately donated	Unk privately donated Pre-Cast
Fire alarm system	Unk Furnished and provided by the town	Unk Furnished and provided by the town 5,000
Handicap ramp	Unk Furnished and provided by the town	Unk Furnished and provided by the town
Propane pipe upgrade	$800- mandated upgrade completed by Eastern propane and oil	$800- mandated upgrade completed by Eastern propane and oil
Floor in kitchen	$450	$450
★ Refurbished cement on stairs leading to bar	$1800-Refaced via private donation	$0.00 Refaced via private donation $400 labor + materials
T111 Siding 192 sq ft replacement	$ 99.72- replaced due to rot/decay	$0.00-Repurposed supplies from previous post project
Walk in Cooler compressor replacement	$7000.00	$7000.00 Value

No Permit or Application on file

No permits required Maint + Repairs

Permit Application attached maint + repair

No permit required

No permit – donated – PreCasted Value $1,500 F. 2021 maint + repairs Labor inc. + Donated

Insurance Grant + Town funds See Attach invoice direct from Outside company

permit pulled # 9,000

Permit maint + repairs Fire

No permit-required Maint + Repair

No permit required Maint + Repair

Permit Application on file No permit maint. + Repair $100 + $100 labor (donated) Maint + Repair ($200 Value)

Plumber permit No record of Application or Permit – maint + repair

★ Please see this assessment of value that was reported to the AAB on 7/1/25 as well as prior.

Pre Cast Stairs $1,500 donation

Work to concrete existing stair # 400 –

Outlook

RE: Ashby American Legion Post, 35 New Ipswich Road, Ashby (C23-174 & V24-106) - Decision on Request for Reconsideration

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Mon 8/18/2025 10:26 AM
To Joyce, William (DPL) <William.Joyce@mass.gov>
Cc Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>

1 attachment (121 KB)
American Legion report 7.1..25.pdf;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Will & Molly,

Attached is the backup document that was submitted to the AAB on July 11, 2025, along with other materials for the hearing. It includes the valuation of private donations related to the pre-cast stairs affected by the cease order, as well as the repairs to the existing concrete stairs.

As you previously noted, any donated items must be assigned a value—even if town or Legion funds were used. We've ensured that this requirement was met in this submission.

Please let me know if you have any questions or need further clarification.

Thank you,

Mary Daughraty

From: Mary Daughraty
Sent: Monday, August 18, 2025 8:50 AM
To: 'Joyce, William (DPL)' <William.Joyce@mass.gov>
Cc: Griffin, Molly (DPL) <molly.griffin@mass.gov>; David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>
Subject: RE: Ashby American Legion Post, 35 New Ipswich Road, Ashby (C23-174 & V24-106) - Decision on Request for Reconsideration

Good morning, Attorney Dalton and Will,

I'm writing to express my deep disappointment regarding the AAB's current stance, which appears to be based on an inaccurate valuation and could ultimately lead to the closure of the American Legion Hall. The determination that improvements exceed 30% of the building's value seems to rely on an outdated and clearly low assessment of $ 35,900 on a public building that is fully operational—complete with plumbing, electrical systems, handicap accessibility, fire safety systems, and more.

This property is exempt from the tax roll and was not properly assessed until this issue arose and was reviewed. The corrected assessment now reflects the true assessed value of a functioning public facility. It's unjust for the AAB to disregard this updated valuation in making such a significant decision.

Furthermore, the extensive documentation previously submitted by Mr. McPhee appears to be misleading and largely irrelevant to the American Legion Hall. Much of it pertains to other buildings entirely. I believe his complaint may be retaliatory, stemming from his dismissal as a member of the Legion. His approach seems to be to overwhelm the AAB with excessive and unrelated information in hopes that something will be accepted. It's also concerning that he has reportedly been persistently pressuring various town agencies to support his claims, regardless of their merit.

Regarding the strike plates added to the exit doors, I was unaware of their installation until Thursday. I inquired last Friday and was informed they were added a few years ago. The precast stairs were previously reported to the AAB on two separate occasions, with a value attributed to the donation by a private resident. Additionally, the town notified the AAB of repair work done by a member on the exterior concrete stairs, and that information was submitted with an associated value on July 11, 2025. I've reached out to the vendor—who has since relocated out of state—for the actual cost of the strike plates.

The town has demonstrated by photographs that no major improvements—such as additions, decks, patios, or significant interior/exterior renovations—have been made to the building in many years. The AAB's concern about the reliability of the work valuation is understandable, but it is troubling that their decision is based on an outdated and inaccurate assessment.

If the AAB refuses to accept the corrected assessment, what specific requirements is the AAB imposing on the building? Are they mandating full code compliance based on their determination that improvements exceed 30% of the building's value? If so, this will likely force the town to close the American Legion Hall due to procedural and monetary constraints by both the American Legion Post and the Town of Ashby.

Please advise whether, given the AAB's refusal to use the accurate assessment and the fact that all requested documentation has already been submitted, the only remaining option is to file an appeal in Superior Court.

Thank you,
Mary Daughraty

From: Joyce, William (DPL) <William.Joyce@mass.gov>
Sent: Thursday, August 14, 2025 5:09 PM
Cc: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: Ashby American Legion Post, 35 New Ipswich Road, Ashby (C23-174 & V24-106) - Decision on Request for Reconsideration

Good afternoon,

Attached please find the written decision by the Board on the requests for reconsideration it received in response to it's decision to abate the fine and determine that the building has triggered compliance with 521 CMR 3.3.2.

Please review this letter closely, as it contains both a response to the requests and an order. Information on the appeals process is also included.

Sincerely,

William Joyce
Executive Director
He/Him/His
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02118
617-727-0660
[www.mass.gov/aab]www.mass.gov/aab

Outlook

FW: Town of ashby appealing the value of building to avoid ADA and 521 CMR laws

From Patrick McPhee <pmcphee@comcast.net>
Date Fri 8/8/2025 1:00 PM
To Joyce, William (DPL) <William.Joyce@mass.gov>
Cc Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

3 attachments (9 MB)

Ashby Legion Variance for C23 174.pdf; Town trying not to comply with State on 521 CMR and ADA.PDF; AAB-hearing-request-form-ajudiciary_Signed 08072025 value of property.pdf;

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Forgot one attachment

From: Patrick McPhee [mailto:pmcphee@comcast.net]
Sent: Friday, August 8, 2025 12:53 PM
To: 'Joyce, William (DPL)'
Cc: 'Benitez, Arelyn (DPL)'; 'Griffin, Molly (DPL)'
Subject: Town of ashby appealing the value of building to avoid ADA and 521 CMR laws
Sensitivity: Private

Everyone thank you so much, what time is the meeting Monday?

Patrick D. McPhee
pmcphee@comcast.net
Cell +1-978-875-0851



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND ECONOMIC DEVELOPMENT

JOHN C. CHAPMAN
UNDERSECRETARY OF CONSUMER AFFAIRS AND BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF PROFESSIONAL LICENSURE

THOMAS HOPKINS
EXECUTIVE DIRECTOR

Commonwealth of Massachusetts
Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board

One Federal St., Suite 600 • Boston • Massachusetts • 02110
V: 617-727-0660 • www.mass.gov/aab • Fax: 617-979-5459

Docket Number: _____
(Staff Use Only)

REQUEST FOR ADJUDICATORY HEARING

RE: American Legion Post 361, 35 New Ipswitch Rd, Ashby, Ma (Town of Ashby Building)
(Name and address of building as appearing on application for variance)

I, Patrick McPhee, do hereby request that the Architectural Access Board conduct an informal Adjudicatory Hearing in accordance with the provisions of 801 CMR Rule 1.02 et. seq. as I am aggrieved by the APPEAL of Town of Ashby towards the Board with respect to Section(s) 521 CMR of the Rules and Regulations of the Architectural Access Board, 521 CMR.

I understand that I may request such a hearing within **thirty (30) days** of receipt of the Notice of Action.

Date: Aug 7, 2025

Signature

PLEASE PRINT:

Patrick McPhee
Name

56 Heywood Road
Address

Ashby Ma 01431
City/Town State Zip Code

pmcphee@comcast.net
E-mail

978-875-0851
Telephone

PLEASE NOTE:
This form must be received by the Board within thirty (30) days after receipt of the Notice of Action.

AAB 64

Patrick McPhee

56 Heywood Road
Ashby, Ma 01431

August 7, 2025

Architectural Access Board (AAB)
William Joyce, Executive Director
One Federal Street Suite 600
Boston , MA 02110-2012
william.joyce@mass.gov

Dear Mr. Joyce:

The Town is trying another dirty hands and not dealing with good faith to the Architectural Access Board (AAB). Why is this coming up after the affidavit signed in 6/11/2024 by the Town ADA compliance officer, attests the value of both Legion and Grange Hall is the same as the Town Assessor website property value for the Legion/Grange.

I asked the Town Sr. Assessor why the Town has multiple building on the same lot, he said this is not best practice, he said this is not best practice, but the Town didn't want to hire attorneys and land surveyors. The new Town's assessor stated there is a glitch. But in reality with this software or even new software the Assessor need to add in the proper floors if they want to count them as assess value. So this was a Assessor user error issue. The new assessor said the TA only wants the legion, not all commercial property done.

The new Town's Assessors' identified that specific commercial property buildings with basements have been under assessed for an extended period (20 years or more), They are obligated to correct these errors. Such underassessment could have several implications:

- **Impact on Town Finances and Residents:** Under assessing properties means these properties are contributing less value of the Town than they should based on their true value, potentially creating a shortfall in the town's revenue stream for other commercial local services like schools, roads, and public safety. This shortfall could impact the services provided or result in other property owners bearing a greater tax burden than their equitable share.
- **Legal Implications for the Town:** The Massachusetts Department of Revenue expects towns to value property according to fair cash value standards. Discovering long-term underassessment could lead to scrutiny from the Department of Revenue and potential issues related to equitable tax burden distribution among residents.
- **Correction Process:** The assessors have a legal obligation to correct assessment errors and ensure that properties are assessed at their full and fair cash value. This process typically involves reviewing the properties, potentially

conducting new inspections to verify data, and then adjusting the assessments to reflect their true value.

Talking to **Mr. William J. Doherty, Clerk** of the **Board for the Mass Appellate Tax Board (6 judge panel)**, abatement, the Residents have been over taxed for the last 20+ years. Town is looking granting a new tax assessment on a property to avoid the ADA/521CMR repairs just this one property, this is one commercial properties to avoid the ADA 521 CMR, but not others. The Grange Hall also has a documented basement was formerly used as Town Hall.

The Assessor said a lot of commercial property in Town fall into the same category as the Legion, they have basements, but the TA wanted only the Legion reassessed. **Mr. Doherty, Clerk of the** Judges would require the Town to perform a commercial property report, then assess a increase in those properties and deduct from the Residents taxes levy for the last 20 yrs. (definitely the last 6 yrs)

The Assessor said to fix problem is as little as software update and pay the extra fees is a lot less than making the Town Residential property people pay the commercial property tax. The TA and the Selectboard have known the software was questionable, but the Town still collects it from the residents. I was informed as citizen on Aug 1, 2025 by the Assessor Michael Saltsman can't go back beyond 2021, they don't have the property records for residential and commercial property, because the records was destroyed in 2021.

The Clerk of the M**ass Appellate Tax Board (6 judge panel) said the Architectural Access Board (AAB) can't approved the Town' override of the prior MA DOR-DLS Jam 2025 assessment.**

In talking to the Assessor Michael Saltsman, he informed and agreed the property value requires MA DOR-DSL approval on "Jan 2026". He pointed out the property card is not valid until Jan 2026 (again requires MA DOR-DSL property approval). You see the property card is still lias

I asked Assessor Michael Saltsman for the permit of adding on the legion Kitchen, bathroom upstairs and the Bar/Hall down stairs. He said the Town never (never) pulls permit, so it is very difficult to determine value on a regular yearly MA DOR-DSL property approval.

The Clerk of the M**ass Appellate Tax Board (6 judge panel) MADE IT very clear, NO ONE can consider this property rate change without the MA DOR-DSL approval in Jan 2026, the rate is already set by MASS DOR-DSL Jan 2025.**

In essence, **there is no exemption under the Americans with Disabilities Act (ADA) based on the property value of a town's buildings.**

The ADA, specifically Title II, applies to state and local governments, regardless of their size or the value of their properties. These entities, including towns and townships, are required to provide individuals with disabilities an equal opportunity to participate in and benefit from all their programs, services, and activities.

In talking to the Mass Middlesex Registry of deeds, former assist Brian OBoyle, said this is not a line the state should allow the Town to cross.

Also see the email from the Building inspector, a “Cease and Desist Order” was issued in 2022, this was for Fire exit, commercial door strike plate, stairs (prefab was installed), plus repairing lower level stairs to the lower level in “2024”removed 1 stair (to become in complaint, but no ramp).

There was no new permit for the paving for the H/C added or the architecture plans $2.5k.

The Assessor Michael Saltsman has no idea of when the added basement was included in the building, but we both agreed since 2005 and have changed up and down to reflect the market. Assessor Michael Saltsman pointed out the same software is applied to Grange Hall, but he is not allowed to adjusting it. We did review the 2 buildings, both have basements. But both could see the value didn’t change. They have grants riding on Grange, so to change that could affect the grants.
Assessor Michael Saltsman and I both agreed the lower level was not H/C accessible, he even stated he could see the access and bathrooms are HC accessible.

From: Building Inspector [mailto:bldginsp@ashbyma.gov]
Sent: Saturday, October 7, 2023 10:57 PM
To: Patrick McPhee
Subject: Re: Legion Post building and Ashby Grange

Thanks for the background information. I will take this up with the selectmen. You can give me a call on my cell if you’d like and we can discuss your concerns. I also can meet you at the site. Monday is a holiday and I will not be in the office on Wednesday. Another inspection of the Legion and other town buildings and churches are currently being scheduled with the Fire Chief and myself The legion is scheduled for the late fall in conjunction with their ABC license. It would be good to meet and go over your concerns prior to the inspection. Some upgrades at the Legion were done this time last year under a “Cease and Desist Order” and I agree that more needs to be done. The amusement video machine is under the authority of the selectmen. Your help on the issues that you discussed would be appreciated. Give me a call at 978 855 2933. Leave a message if I can’t answer. Also, you can always email again. I’m back at the office a week from this Monday. Thanks

Unitil Electric “Gerry Miller” said yes there was a lot of work sinking the electric service to the Legion and Grange hall, they have the document and town gave a verbal approval permit. The Town had a $210K warrant for the Water to Legion/Grange and sinking the electric to Town Hall, legion/Grange.

Due to the fact the town of Ashby doesn’t pull permits for work done on town owned properties and relies on word of mouth of bar managers best recollection if challenged, they believe they can avoid ADA/CMR 521 compliance indefinitely. The town was well aware their tax assessments for commercial properties and stated so in a affidavit to the AAB on 6/11/2024 to include the both Legion and Grange Hall for $107,300 ($35,900 legion only) Both Assessor Michael Saltsman and I could not determine if the prior destroyed records included the basement or not, but we did see the different of year decrease of $20k (FY2012)and a increase of $6k (FY2018) and a decrease of $7k (FY2021) and a increase of $7k (FY2024)

Now the Town suddenly want to use this “glitch” to avoid ADA/CMR 521 compliance. The glitch can be classify as a user error or softare, but the prior Sr. Assessor was aware. The town of Ashby doesn’t respect the needs of its citizens with disabilities.

This is for both the Legion and the Grange hall in document, signed the value from 6/11/2024. I received from AAB Andrew Chase on 6/25/2025. See the assessor site included both Legion and Grange Hall for $107,300 ($35,900 legion only)

Massachusetts towns cannot legally increase the value of town-owned property to avoid compliance with the Americans with Disabilities Act (ADA).

Here's why
ADA and Massachusetts Law Prohibit Discrimination: The ADA is a federal law that prohibits discrimination against individuals with disabilities, including in programs, services, and activities offered by state and local governments. Massachusetts also has its own laws prohibiting discrimination in public accommodations that are even broader than the ADA in some

12. Has a certificate of occupancy been issued for the facility? ◯ Yes ◉ No

    If yes, state the date it was issued: _____

13. To the best of your knowledge, has a complaint ever been filed with the AAB on this building or facility relative to accessibility? ◉ Yes ◯ No

    a. If so, list the AAB docket number of the complaint C23 174

14. For existing buildings or facilities, state the actual assessed valuation of the **BUILDING/IMPROVEMENTS ONLY,** as recorded in the **Assessor's Office** of the municipality in which the building or facility is located: 107400.00

    Is the assessment at 100%? ◉ Yes ◯ No

    If not, what is the town's current assessment ratio? _____

15. State the phase of design or construction of the facility as of the date of this application:
    Existing Ramp Measurements being made to order a new ramp

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION AND SUPPORTING DOCUMENTATION IS TRUE AND CORRECT

Date: 6/11/2024

April-Lynn Forest

Signature of owner or authorized agent *(required)*

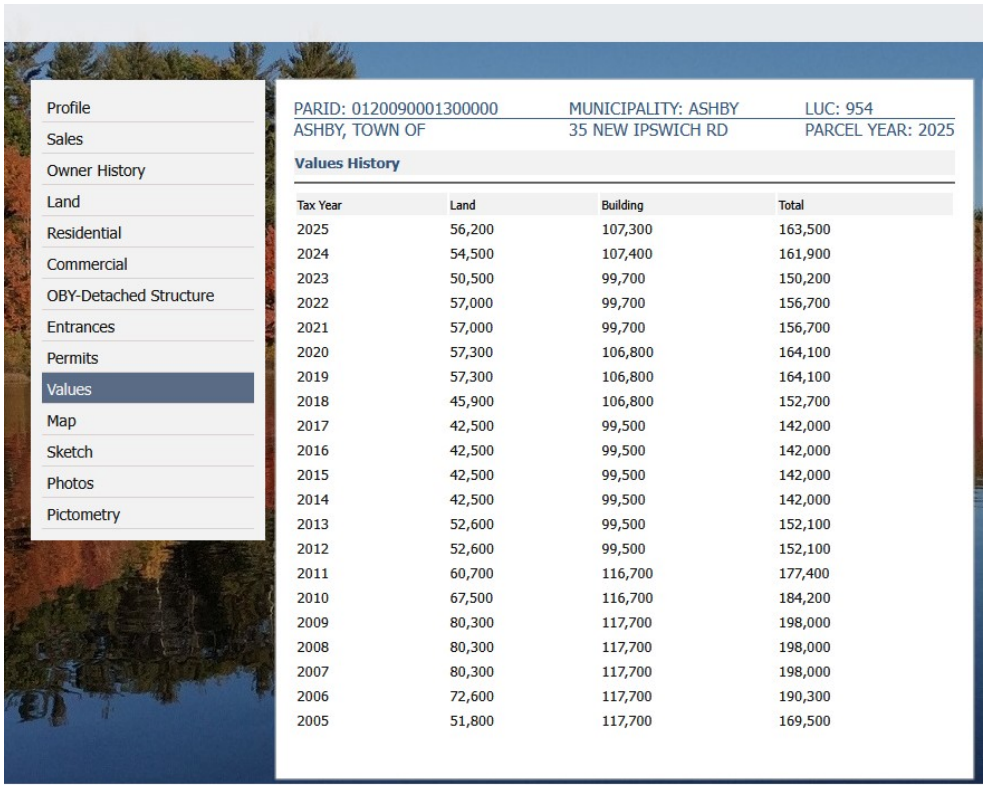
PLEASE PRINT:

April-Lynn Forest

Name

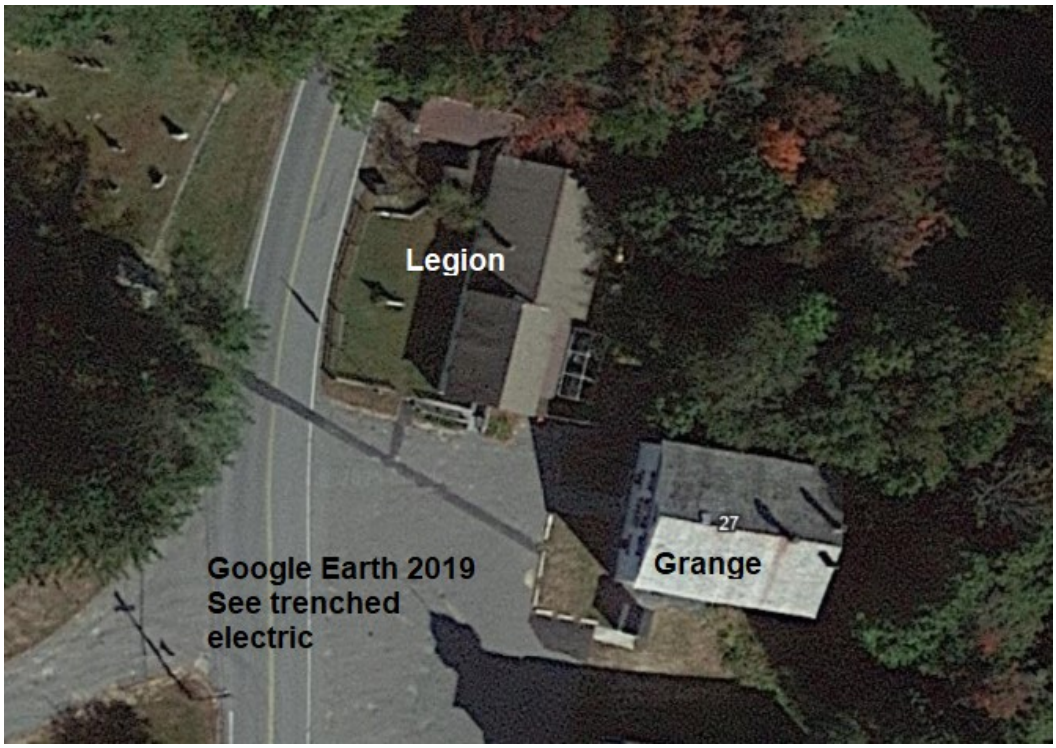
Town Of Ashby, ADA Coordinator

- aspects.



Tax Year	Land	Building	Total
2025	56,200	107,300	163,500
2024	54,500	107,400	161,900
2023	50,500	99,700	150,200
2022	57,000	99,700	156,700
2021	57,000	99,700	156,700
2020	57,300	106,800	164,100
2019	57,300	106,800	164,100
2018	45,900	106,800	152,700
2017	42,500	99,500	142,000
2016	42,500	99,500	142,000
2015	42,500	99,500	142,000
2014	42,500	99,500	142,000
2013	52,600	99,500	152,100
2012	52,600	99,500	152,100
2011	60,700	116,700	177,400
2010	67,500	116,700	184,200
2009	80,300	117,700	198,000
2008	80,300	117,700	198,000
2007	80,300	117,700	198,000
2006	72,600	117,700	190,300
2005	51,800	117,700	169,500

Assessor card from 2005 to include 2025



I respectively request the Architectural Access Board (AAB) deny the Town maniple property value to avoid the ADA and 521 CMR requirement. Like any other city/State they need to stand by their sworn affidavit signed on 6/11/2024 by the Town ADA compliance officer to the Architectural Access Board (AAB)

Sincerely,



Patrick D. McPhee

	Commonwealth of Massachusetts **Division of Occupational Licensure** **Office of Public Safety and Inspections** **Architectural Access Board** 1000 Washington St., Suite 710 • Boston • MA • 02118 V: 617-727-0660 • www.mass.gov/aab	Docket Number (Office Use Only)

APPLICATION FOR VARIANCE

INSTRUCTIONS:

1) **Answer all questions on this application to the best of your ability.**
    a. **Information on the Variance Process can be found at:** https://www.mass.gov/guides/applying-for-an-aab-variance.
2) **Attach whatever documents you feel are necessary to meet the standard of impracticability laid out in 521 CMR 4.1. You must show that either:**
    a. **Compliance is technologically infeasible, or**
    b. **Compliance would result in an excessive and unreasonable cost without any substantial benefit for persons with disabilities.**
3) **Sign the certification on Page 8.**
4) **If the applicant is not the owner of the building or his or her agent, include a signed letter from the owner granting permission for you to apply for variance.**
5) **Serve copies of the completed application and all attachments via electronic or physical delivery based on the recipient's preference to:**
    a. **Local Building Department,**
    b. **Local Commission on Disability (if applicable in the town where the project is located) (A list of all active Disability Commissions can be found at:** https://www.mass.gov/commissions-on-disability**), and**
    c. **The Independent Living Center (ILC) for your area. (Your ILC can be found at:** http://www.masilc.org/findacenter.**)**
6) **Complete the Service Notice included with the Application and sign it.**
7) **Deliver the completed Application and all attachments to the Board via electronic or physical delivery:**
    a. **Electronic:**
        i. **Applications should be sent via email to** william.joyce@mass.gov **&** molly.griffin@mass.gov.
        ii. **The email submission must have the subject line: Variance Application - <Address>, <City>**
        iii. **The application and all attachments must be in .pdf format**
        iv. **The application and all attachments should be included in a single email, except where that email would exceed 15 megabytes in size.**
        v. **Please submit the $50 filing fee via check or money order via mail to the mailing address listed above with either a cover letter or, "Variance - <Address>, <City>" in the memo line.**
    b. **Physical**
        i. **Applications should be sent to the mailing address listed above and must include:**
            1. **The completed application and all attachments.**
            2. **A copy of the application and all attachments on a CD/DVD (Thumb Drives will not be accepted),**

3. **The completed and signed Service Notice.**
4. **A check or money order in the amount of $50 dollars, made out to the Commonwealth of Massachusetts.**

ii. **Please ensure that all documents included are no larger than 11" x 17".**

iii. **Incomplete applications will be returned via regular mail to the applicant with an explanation as why it was unable to be docketed.**

In accordance with M.G.L., c.22, § 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the building/facility described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

1. State the name and address of the building/facility:

Ashby American Legion Post 361
35 New Ipswich Road
Ashby, MA 01431

2. State the name and address of the **owner** of the building/facility:

Town of Ashby
Legion & Grange Hall
895 Main Street
Ashby, MA

E-mail: mdaughraty@ashbyma.gov

Telephone: 978-386-2424

3. Describe the facility (i.e. number of floors, type of functions, use, etc.):

American Legion is one main floor and a basement level. It is used for veterans meetings and functions that support the veteran community in Ashby and surrounding towns.

4. Total square footage of the building/facility: 836

Per floor: _____

a. Total square footage of tenant space (if applicable): _____

5. What was the original year of construction for the building/facility: 1900 ?

6. Check the nature of the work performed or to be performed:

- ☐ New Construction
- ☐ Addition
- ■ Reconstruction/Remodeling/Alteration
- ☐ Change of Use

7. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):

Replacement of handicapped ramp outside of building

8. Is the building or facility historically significant? ○ Yes ◉ No

a. If yes, check one of the following and indicate date of listing:

- ☐ National Historic Landmark _____
- ☐ Listed individually on the National Register of Historic Places _____
- ☐ Located in a Registered Historic District _____
- ☐ Listed in the State Register of Historic Places _____
- ☐ Eligible for listing _____

(In which registry?)

AAB 74

b. If you checked any of the above **and** your variance request is primarily based upon the historical significance of the building, you *must* complete the ADA Consultation Process of the Massachusetts Historical Commission, located at 220 Morrissey Boulevard, Boston, MA 02125.

9. Which section(s) of the Board's Jurisdiction *(see Section 3 of the Board's Regulations)* has been triggered?

2.6 ☐ 3.2 ☐ 3.3.1(a) ☐ 3.3.1(b) ☐ 3.3.2 ☐ 3.3.4 ☐ 3.4 ☐

10. List **all** building permits that have been applied for within the past 36 months, include the issue date and the listed value of the work performed:

Permit #	Date of Issuance	Value of Work

(Use additional sheets if necessary.)

11. List the anticipated construction cost for any work not yet permitted or for any relevant work which does not require a permit:
4500.00

12. Has a certificate of occupancy been issued for the facility? ◯ Yes ◉ No

If yes, state the date it was issued: _____

13. To the best of your knowledge, has a complaint ever been filed with the AAB on this building or facility relative to accessibility? ◉ Yes ◯ No

a. If so, list the AAB docket number of the complaint C23 174

14. For existing buildings or facilities, state the actual assessed valuation of the **BUILDING/IMPROVEMENTS ONLY,** as recorded in the **Assessor's Office** of the municipality in which the building or facility is located: 107400.00

Is the assessment at 100%? ◉ Yes ◯ No

If not, what is the town's current assessment ratio? _____

15. State the phase of design or construction of the facility as of the date of this application:
Existing Ramp Measurements being made to order a new ramp

AAB 75

16. **Please list specific technical sections, not 521 CMR 3.**

Request #1

Section(s) for which you are seeking relief: 24.1

Are you seeking temporary relief: ◉ Yes ○ No

Types of Attachments for this Request:
☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s):_____

If yes, what date do you propose to be in compliance by: 7/31/2024?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

The town of Ashby is requesting an extension deadline to replace our handicapped ramp at the legion. We are currently in the process of getting measurements to accurately order a new metal ramp to be installed at the Legion which will bring us to compliance.

Request #2

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief: ○ Yes ○ No

Types of Attachments for this Request:
☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s):_____

If yes, what date do you propose to be in compliance by: _____?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

AAB 76

Request #3

Types of Attachments for this Request:
☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s):_____

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief: ◯ Yes ◯ No

If yes, what date do you propose to be in compliance by: _____?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

Request #4

Types of Attachments for this Request:
☐ Floor/Site Plans, ☐ Cost Estimates,
☐ Photographs, ☐ Test Drawings,
☐ Other(s):_____

Section(s) for which you are seeking relief: _____

Are you seeking temporary relief: ◯ Yes ◯ No

If yes, what date do you propose to be in compliance by: _____?

Please describe in detail why compliance with the Board's regulations are impracticable (as defined in 521 CMR 5) for the subject of this request, and attach whatever documents are relevant to support your argument that compliance is impracticable (attach additional pages if necessary, please identify which request each attachment is in support of):

AAB 77

If you require more than 4 requests, please use the *Additional Request Sheet* and complete the *Large Variance Tally Sheet*, both of which are available on the "Forms and Applications" page of the Board's website (http://www.mass.gov/aab).

17. State the name and address of the architectural or engineering firm, including the name of the individual architect or engineer responsible for preparing drawings of the facility:

The project does not require an architectural or engineering firm

E-mail: _____

Telephone: _____

18. State the name and address of the building inspector responsible for overseeing this project:

Mike Savageau

E-mail: msauvageau746@gmail.com

Telephone: 978-386-2424 x 128

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION AND SUPPORTING DOCUMENTATION IS TRUE AND CORRECT

Date: 6/11/2024

April-Lynn Forest

Signature of owner or authorized agent *(required)*

PLEASE PRINT:

April-Lynn Forest

Name

Town Of Ashby, ADA Coordinator

Organization (If Applicable)

895 Main Street

Address

Address 2 (optional)

Ashby, MA 01431

City/Town State Zip Code

coa@ashbyma.gov

E-mail

978-386-2424 ext 131

Telephone

AAB 79

SERVICE NOTICE

I, April-Lynn Forest (Name), as ADA Coordinator Town of Ashby (Relationship to the applicant)

HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING PERSON(S) IN THE FOLLOWING MANNER:

	NAME AND ADDRESS OF PERSON OR AGENCY SERVED	METHOD OF SERVICE	DATE OF SERVICE
1 Building Department	Mike Savageau Ashby, MA 01431	email: msauvageau746@gmail.com	6/11/24
2 Local Commission on Disability (If Applicable)	not applicable		
3 Independent Living Center	NILP Lawrence Office 20 Ballard Road Lawrence, MA 01843-1018	email: iandr@nilp.org	6/11/24

April-Lynn Forest
Signature

6/11/2024
Date

Outlook

AAB Please reinstate the fines against the Town of Ashby

From Patrick McPhee <pmcphee@comcast.net>
Date Fri 8/8/2025 7:44 AM
To Joyce, William (DPL) <William.Joyce@mass.gov>
Cc Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>

2 attachments (1 MB)

AAB-hearing-request-form-ajudiciary_Signed 08072025.pdf; McPhee Patrick Jul 7 2025 EMAILED complaints letter to the AAB.PDF;

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Mr. Williams,

Please reinstate the fines against the Town of Ashby. As you can see there has been a lot of discrimination against me for filing the ADA/521 CMR complaint.

Regards, Pat

Patrick D. McPhee
pmcphee@comcast.net
Cell +1-978-875-0851





Patrick McPhee

56 Heywood Road
Ashby, Ma 01431

August 8, 2025

Architectural Access Board (AAB)
William Joyce, Executive Director
One Federal Street Suite 600
Boston , MA 02110-2012
william.joyce@mass.gov

Re: **Complaints of Patrick McPhee concerning unlawful disability discrimination; unlawful denial of reasonable accommodations and unlawful retaliation in violation of the Americans With Disabilities ACT ("ADA"), and request for immediate remedial action.**

Dear Mr. Joyce:

I believe the fines should be imposed, because the conditions have not been met. This statement is false- "that the conditions have been met to abate the fine" should be imposed, for the Town agreed in a affidavit to the invoices provided to the Town of Ashby for the Legion cost. I further maintain this was a bait and switch by the town to get the AAB board to remove the Penalties.

I respectively request, the Architectural Access Board (AAB) needs to add protection to the next code edition.

As a Disabled American Veteran, I also believe the AAB Board needs to impose fines for unlawful disability discrimination and unlawful retaliation for filing with the Architectural Access Board (AAB) or refer this to another enforcement agency.

Although I, Mr. McPhee regrets any imposition upon your valuable time. I, Mr. McPhee presently seeking your immediate personal intercession to put a stop to and fairly redress the unlawful disability discrimination; unlawful denial of reasonable accommodations and unlawful retaliation to which I, Mr. McPhee has been subjected by the Town of Ashby, in violation of the Americans With Disabilities ACT ("ADA") and similar Massachusetts anti-discrimination laws. I, Mr. McPhee am hopeful that you are the type of fair-minded Director who would not tolerate such unlawful action against a dedicated disabled member of the Disabled American Veteran and American Legion if you were personally aware of all that has truly occurred. Also I'm a senior Citizen over the age of 62 years, this action is also in violation of Commonwealth of Massachusetts Executive Office of Aging & Independence. I believe this board is mandated by of Massachusetts Law to file.

In particular, I, Mr. McPhee can attest to of the following extremely disturbing facts:

1. Since 2014, Mr. McPhee has been a life time member of the American Legion. Since 2003, he has been a life time member of the American Disabled Veterans.

2. Mr. McPhee is a 62 year old male Disabled American Veteran who has been diagnosed as suffering from several handicapping medical impairments, including, *inter alia,* left shoulder injury suffered in the line of duty and for which he has been receiving VA medical benefits and treatment since 1984. Since 1995, he has had ADA college accommodations for neurological impairments, providing for recording of meetings, classes, and note taking. This accommodations request to the Town of Ashby was also denied. As such I, Mr. McPhee is a member of groups which are legally protected by Federal and Massachusetts law from being subjected to unlawful discrimination. Unfortunately, as described below, the Town of Ashby has unlawfully discriminated with the Architectural Access Board (AAB) knowledge against I, Mr. McPhee in various ways and subjected him to a hostile environment because of his medical disabilities and need for reasonable accommodations.

I, Mr. McPhee has had Left hand surgery, left shoulder surgery (LOD Military Line of Duty), right wrist and left knee surgeries.

I, Mr. McPhee have personally observed Elderly abuse of seniors, tell seniors who object never to call for a ambulance. (House next to Ashby Market) I have also heard a very vocal senior could not obtain a ambulance, her daughter needed to drive her to the hospital. (Lillian).

In addition, because I, Mr. McPhee has engaged in legally protected activity on various occasions by complaining about and opposing the Town of Ashby's denial of his rights under the ADA, he is a member of a group which is entitled to Architectural Access Board (AAB) protection from any forms of retaliation by the anti-retaliation provision of the ADA which provides that: "*No person shall discriminate against any individual because such individual has opposed any act or practice made unlawful by this chapter or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this chapter*." 42 U.S.C. § 12203(a). Unfortunately, as described below, the Town of Ashby has unlawfully retaliated against Mr. McPhee in various ways and subjected him to a hostile environment because of his legally protected activity.

3. Back in 2013, I was in a wheel chair because of VA surgery of my left knee and required to be carried in to the Legion, because there was no Handicap (Ramp/Lift) access to the downstairs. The Legion has no handicap bathrooms down stairs. This ADA violation still hasn't been addressed. At that time Mr. Bob Hanson (Town TA) said the town had no money. The Legion Bar manager said the post also had no money to comply with handicap bathrooms and ramp.

4. The Town of Ashby has designated all Town properties, as being pet friendly. Due to his handicapping medical impairments, Mr. McPhee's medical caregiver and the Town of Ashby Select Board have determined that his dog 'Boo" is a legally recognized service dog which is needed to accommodate his disabilities. The Town of Ashby asked for the medical determination letter from the VA. No other Service or non-service animals has/have been required to provide a letter to the town.

5. On Aug 16, 2023, the Town of Ashby was notified of the lack of Handicap access to voting for disability people.

6. On Oct 3, 2023, the Town of Ashby building inspector asks me for a list of Legion ADA and AAB CMR 521 violation, he will add them to his plan.

7. On Oct 7, 2023, the Town of Ashby building inspector said it is not his responsibility to comply with ADA and AAB CMR 521, that if the AAB board does a walk through, he will assist them. AAB Andrew Chase sent me the MGL law for the local building inspector is required to comply. I send the MGL law to Michael Sauvageau (Town Building Inspector

8. I, Mr. McPhee was subjected to a hostile and discriminatory environment by Michael Sauvageau (Town Building Inspector). Mr. Sauvageau (Town Building Inspector) was unjustifiably reprimanding Mr. McPhee for filing with the AAB requesting assistance on Handicap access. Mr. Sauvageau (Town Building Inspector) was disrespectful and authoritative tone of voice, telling Mr. McPhee he was costing the Town money. This was witnessed by Ms. Angela Jack the Clerk for Town of Ashby.

9. On Feb 26, 2024, Mr. Sauvageau (Town Building Inspector) stated "He (Patrick McPhee) was walking around the second floor of the town hall without a wheelchair and in my office about other town issues that he is unhappy about last week."

a. Mr. Sauvageau (Town Building Inspector), commented as if he were a medical professional before my 3rd Knee surgery Feb 27, 2024 on my right knee, actually the Town of Ashby Clerk drove me to the 2nd Knee surgery.

b. Per Mass AAB: anyone can remind the Town of Ashby on their lack of accessibility of MASS CMR 521 (AAB), he/she doesn't need to be disabled.

10. On Sept 17, 2024, Mr. Sauvageau (Town Building Inspector) retaliated against me for asking for Handicap access issues. Mr. Sauvageau (Town Building Inspector) included Mr. Andrew Chase and William Joyce (both from AAB) in the retaliation email.

11. On several Selectboard meetings, I, Mr. McPhee have been subject to the Town Administrator publicly hostile and discriminatory environment. Ms. Doughty (Town Administrator) was unjustifiably reprimanding, disrespectful and authoritative tone of voice, telling Mr. McPhee he was costing the Town money. Telling Mr. McPhee publicly the Town of Ashby will need to shut down the Allen field Playground and Legion. Because his ADA and Architectural Access Board, 521 CMR complaint.

a. The State Legion reminded me that the Town would just need to provide an alternative veteran meeting location. It would be up to the Town if they wanted to also move the Bar.

12. On a few Selectboard meetings, I, Mr. McPhee have been subject to the Town of Ashby SelectBoard Chair Dave Nadeau publicly hostile and discriminatory environment. Mr. Nadeau was unjustifiably reprimanding, disrespectful and authoritative tone of voice, telling Mr.

McPhee he was costing the Town money for Mr. McPhee ADA and Architectural Access Board, 521 CMR complaint. I need to point out Mr Nadeau works at UMass for a medical doctors office, Mr. Nadeau is required to attend mandated HIPPA and ADA/CMR 521 requirement classes.

13. Both Ms. Doughty (Town Administrator) and Mr. Nadeau (Town SelectBoard Chair) has defamed me by calling out my name during Town SelectBoard meetings saying Mr. McPhee is costing the Town of Ashby money by calling attention to the compliance violation of ADA/CMR 521

14. James Joseph, from 862 West Rd, Ashby, MA, 01431. Spoke as a resident during public comment time publicly hostile and discriminatory against Mr. McPhee for requesting Handicap access. Even though the Town Administrator was present at the AAB hearing and the AAB Board voted there was justification to the complaints. Mr. Joseph called my name out for the ADA and Architectural Access Board 521 CMR complaints. Mr. James Joseph threatens a lawsuit against Mr. McPhee if continues with his complaints for ADA and Architectural Access Board, 521 CMR. Mr. Joseph did comment after public comment, he has a Town position on the Parks department.

I respectively request the Architectural Access Board (AAB) reinstate the fine and also assess a violation for unlawful disability discrimination and unlawful retaliation because of my filing with the Architectural Access Board (AAB)

Sincerely,



Patrick D. McPhee

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND ECONOMIC DEVELOPMENT

JOHN C. CHAPMAN
UNDERSECRETARY OF CONSUMER AFFAIRS AND BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF PROFESSIONAL LICENSURE

THOMAS HOPKINS
EXECUTIVE DIRECTOR

Commonwealth of Massachusetts
Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board

One Federal St., Suite 600 • Boston • Massachusetts • 02110
V: 617-727-0660 • www.mass.gov/aab • Fax: 617-979-5459

Docket Number: _____
(Staff Use Only)

REQUEST FOR ADJUDICATORY HEARING

RE: American Legion Post 361, 35 New Ipswitch Rd, Ashby, Ma (Town of Ashby Building)
(Name and address of building as appearing on application for variance)

I, Patrick McPhee, do hereby request that the Architectural Access Board conduct an informal Adjudicatory Hearing in accordance with the provisions of 801 CMR Rule 1.02 et. seq. as I am aggrieved by the decision of the Board with respect to Section(s) V24 106 Pentialites & fines of the Rules and Regulations of the Architectural Access Board, 521 CMR.

I understand that I may request such a hearing within **thirty (30) days** of receipt of the Notice of Action.

Date: Aug 7, 2025

Signature

PLEASE PRINT:

Patrick McPhee
Name

56 Heywood Road
Address

Ashby Ma 01431
City/Town State Zip Code

pmcphee@comcast.net
E-mail

978-875-0851
Telephone

PLEASE NOTE:
This form must be received by the Board within thirty (30) days after receipt of the Notice of Action.

AAB 86

Outlook

Legion Ashby

From Patrick McPhee <pmcphee@comcast.net>
Date Mon 8/4/2025 11:34 AM
To Joyce, William (DPL) <William.Joyce@mass.gov>
Cc Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>

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Mr Joyce,

please call me Patrick D. McPhee
pmcphee@comcast.net
Cell +1-978-875-0851
Once I talk to you, I should be able to complete my appeal.

In talking to the Assessor Michael Saltsman, he informed and agreed the property value requires MA DOR-DSL approval after "2026". He pointed out the property card is not valid until Jan 2026 (again requires MA DOR-DSL property approval).

But something that caught me off guard, he stated is the MA AAB, does not count paving, new electric, new water "Well", new stairs, etc.
Did the AAB state these are excluded on property value?

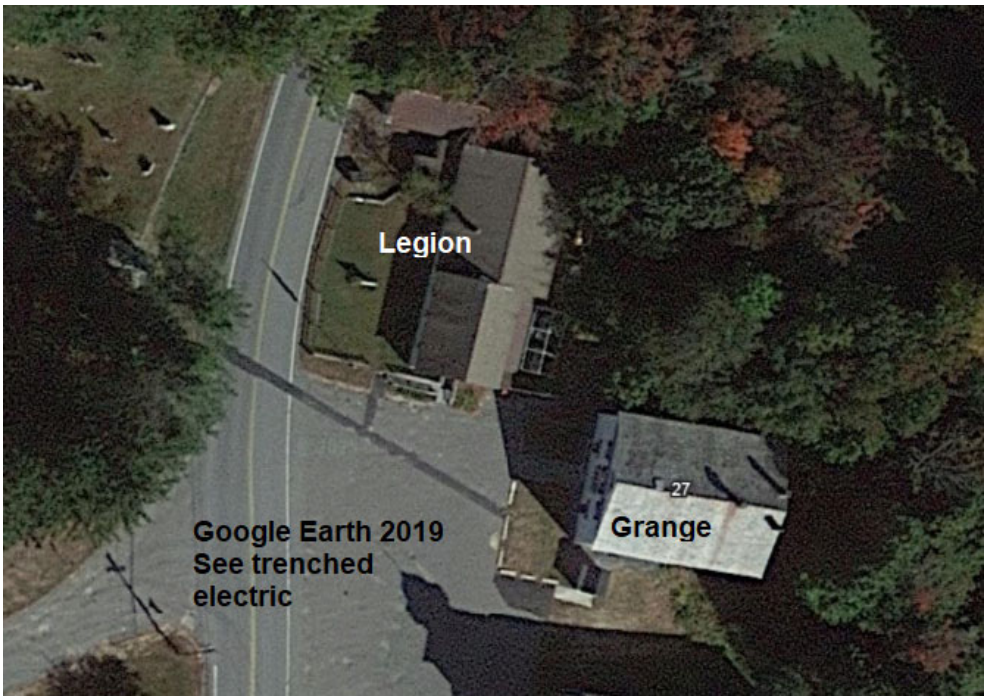
The Mr. William J. Doherty, Clerk of the Board for the Mass Appellate Tax Board (6 judge panel) Phone 617-336-0308
MADE IT very clear, NO ONE can consider this property rate change without the MA DOR-DSL approval in 2026, the rate is already set for FY 2025

I questioned the donation in 2023 of the stairs, could have been against another property. David the Selectboard chair sent document the stairs was not on another project, they was on the legion.
Also see the email from the Building inspector, a "Cease and Desist Order" was issued in 2022, this was for Fire exit, communical door strike plate, stairs (prefab was installed), plus repairing lower level stairs, they in "2024"removed 1 stair (to become in complaint, but no ramp). I was informed by the building inspector there was a 5yr plan, but would not share it.

From: Building Inspector [mailto:bldginsp@ashbyma.gov]
Sent: Saturday, October 7, 2023 10:57 PM
To: Patrick McPhee
Subject: Re: Legion Post building and Ashby Grange

Thanks for the background information. I will take this up with the selectmen. You can give me a call on my cell if you'd like and we can discuss your concerns. I also can meet you at the site. Monday is a holiday and I will not be in the office on Wednesday. Another inspection of the Legion and other town buildings and churches are currently being scheduled with the Fire Chief and myself The legion is scheduled for the late fall in conjunction with their ABC license. It would be good to meet and go over your concerns prior to the inspection. Some upgrades at the Legion were done this time last year under a "Cease and Desist Order" and I agree that more needs to be done. The amusement video machine is under the authority of the selectmen. Your help on the issues that you discussed would be appreciated. Give me a call at 978 855 2933. Leave a message if I can't answer. Also, you can always email again. I'm back at the office a week from this Monday. Thanks

Also Unitil "Gerry Miller" said yes there was a lot of work sinking the electric service to the Legion and Grange hall, they have the document and approval permit from the town.



Assessor card from 2005 to include 2025

- Profile
- Sales
- Owner History
- Land
- Residential
- Commercial
- OBY-Detached Structure
- Entrances
- Permits
- Values
- Map
- Sketch
- Photos
- Pictometry

PARID: 0120090001300000 MUNICIPALITY: ASHBY LUC: 954
ASHBY, TOWN OF 35 NEW IPSWICH RD PARCEL YEAR: 2025

Values History

Tax Year	Land	Building	Total
2025	56,200	107,300	163,500
2024	54,500	107,400	161,900
2023	50,500	99,700	150,200
2022	57,000	99,700	156,700
2021	57,000	99,700	156,700
2020	57,300	106,800	164,100
2019	57,300	106,800	164,100
2018	45,900	106,800	152,700
2017	42,500	99,500	142,000
2016	42,500	99,500	142,000
2015	42,500	99,500	142,000
2014	42,500	99,500	142,000
2013	52,600	99,500	152,100
2012	52,600	99,500	152,100
2011	60,700	116,700	177,400
2010	67,500	116,700	184,200
2009	80,300	117,700	198,000
2008	80,300	117,700	198,000
2007	80,300	117,700	198,000
2006	72,600	117,700	190,300
2005	51,800	117,700	169,500

From: STEVEN BEAUREGARD [mailto:stevemb1960@yahoo.com]
Sent: Monday, November 11, 2024 9:23 AM
To: Patrick McPhee
Subject: Re:

The trench to the legion was I believe for a back flush system for the legion water supply also.

Sent from Yahoo Mail for iPhone

On Monday, November 11, 2024, 4:54 AM, STEVEN BEAUREGARD <stevemb1960@yahoo.com> wrote:

During the period of 2018-2019 I was instructed to dig a trench across New Ipswich rd from a existing electric pole, across the parking lot of the legion and grange hall for electric service to a public well, legion hall and grange hall. The highway dept worked digging the trench with the towns backhoe and supplied the labor for the digging and burial of the trench. MP lawn and landscape and Dave Durling electrical did the conduit and wiring. The highway dept was also instructed to dig a trench across the front of the legion hall and backfilling after work was completed by MP lawn and landscape. I do not know who pulled any permits that were required. We were told it was all taken care of.

Sent from Yahoo Mail for iPhone

Assessor did not include new stairs in the ft, new install water filter system (per DEP), sign, over hang going to lower floor, new electric panel in side building. He did say there was permits for sinking the electric in 2018-2019

Even though the paving was added as a permit(s) back in 2020. He has no idea of the when the added basement was included in the basement, but we both agreed since 2005 and the taxes never changed. Could also have been when the added kitchen and bathroom on the upper floor.
He pointed out the same software glitch is applied to Grange Hall, but he is not adjusting it. We did review the 2 buildings, both have basements. I see the property never change, same as all the town property. They have grants riding on Grange, so to change that could affect the grants.
We both agreed the basement (lower level) was not H/C accessible, he could see that.

Patrick D. McPhee
pmcphee@comcast.net
Cell +1-978-875-0851

Outlook

RE: 35 New Ipswich Road, Ashby

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Thu 7/31/2025 1:17 PM
To Joyce, William (DPL) <William.Joyce@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>

2 attachments (857 KB)
Updated 35 New Ipswich PRC.PDF; 2025-07-31 Follow-up Letter to TA re Legion Hall-SIGNED.pdf;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Will,

Attached are the letter and property card for 35 New Ipswich Rd, Ashby, MA – the American Legion Hall. As you'll see, the documentation explains the reason behind the notably low valuation of the property. This is not a reassignment of value, but rather a correction of a database error that came to light when the property was brought to the Assessor's attention .

Thank you for bringing this matter to the Board, allowing them to better understand the basis for the current valuation.

Sincerely,

Mary Daughraty

From: Joyce, William (DPL) <William.Joyce@mass.gov>
Sent: Thursday, July 31, 2025 12:23 PM
To: Mary Daughraty <mdaughraty@ashbyma.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc: David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>
Subject: Re: 35 New Ipswich Road, Ashby

Good afternoon,

Your request for reconsideration will be reviewed by the Board at its next meeting. That being said, I must bring to your attention that as a general matter the Board does not look favorably on a post-facto reassignment of a building's assessment for the sole purpose of avoiding the obligation to make the building accessible to and safe for use by persons with disabilities.

If you believe that the Town's Assessor has not been diligently performing their duties pursuant to their license and applicable statutes and regulations, you are of course welcome to report the matter to the appropriate licensing authority to seek professional discipline against them. However, barring a showing of some sort of professional misconduct or illegality, the Board has no reason to suspect that the value listed on the property card was not arrived at in conformance with the applicable statutes and DLS guidance.

Additionally, you are also not eligible, pursuant to 521 CMR 5, to substitute an appraisal at this time as the building in question has assessments listed within the past 3 years.

Please have any additional information you wish to have included in your request for reconsideration to us no later than Tuesday, August 5th.

Sincerely,

William Joyce
Executive Director
He/Him/His
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02118
617-727-0660
[www.mass.gov/aab]www.mass.gov/aab

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Wednesday, July 30, 2025 8:08 AM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Cc: David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>
Subject: RE: 35 New Ipswich Road, Ashby

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Good morning, Molly,

The Town appreciates the AAB's decision to abate the fines previously imposed on the Legion. However, we respectfully submit a Request for Reopening Hearing and a Motion for Reconsideration regarding the assessed

property value. Please note that this request is being made within the 10-day window following receipt of the decision.

Additionally, I have attached a Request for Adjudicatory Hearing, which falls within the 30-day timeframe. It is unclear which of these filings is required to appeal the decision based on new information concerning the significantly undervalued property assessment of $ 35,900 on which the AAB's decision was based.

The current valuation of $35,900 for a building that is actively in use is clearly inaccurate and substantially undervalued. The Town Assessor is in the process of making the necessary adjustments to reflect a more accurate valuation. If needed, the Town is prepared to engage a third-party appraiser and submit their findings to the AAB. For reference, I have attached the current insurance valuation from MIIA, which demonstrates a value far exceeding the current assessment.

It is also important to highlight that the AAB required the Town to install a new accessibility ramp. This improvement was then used to justify an increase in the building's value. We believe that ADA-compliant modifications should not unfairly influence property valuation under the CMR code.

Thank you for your attention to this matter.

Sincerely,
Mary Daughraty
Town of Ashby

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Tuesday, July 29, 2025 1:37 PM
Subject: 35 New Ipswich Road, Ashby

Good afternoon,

Please find attached the Notice or Decision for the above referenced case.

If you require a paper copy of a Notice or Decision, you may contact me to request one but be aware that the delivery of physical copies may be delayed.

If you wish to appeal the decision made in this case, you can fill out and send in an Adjudicatory Hearing Request form available here.

If you have any questions, please do not hesitate to get in touch with the Board's staff.

Thank you,

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02110-2012
www.mass.gov/AAB
617-727-0660

COMMERCIAL PROPERTY RECORD CARD 2026

ASHBY

Situs : 35 NEW IPSWICH RD	Map ID: 012/009.0-0013-0000.0	Map: 009.0 Block: 0013 Lot: 0000.0	Card: 1 of 2	Printed: July 31, 2025

CURRENT OWNER

ASHBY, TOWN OF
LEGION & GRANGE HALL

PO BOX 234
ASHBY MA 01431-0155

GENERAL INFORMATION

Tax Class	EXEMPT
NBHD	001.00
Class	954
Calc'd Acres	.3
Building Units	1
Zoning	R

Road Type	TWO-WAY
Road Condition	PAVED
Traffic	LIGHT
Water	INDIVID WELL
Sewer	SEPTIC
Note 1	
Note 2	

Sales/Ownership History

Transfer Date	Price	Type	Validity	Deed Reference	Deed Type	Grantee

Land Information

Seq	Type	Code	NBHD	Zone	Method	Sq Ft	Acre	Infl Fact	Infl %	Value	Sup?	Class	Acre Adj
1	P	954	001.00	R	S	13068	.3			56,245	N	E	1

Assessment Information

	Assessed	Cost	Income	Market
Current Land	56,200	56,200	0	0
Current Building	151,700	151,700	0	0
Current Total	207,900	207,900	0	0
Current Net Assessment	207,900			
Prior Land	56,200	56,200		0
Prior Building	107,300	107,300		0
Prior Total	163,500	163,500	0	0
Prior Net Assessment	163,500			
Value Flag	1	Base Date of value		
Gross Building		Effective Date of value		

Entrance Information

Date	ID	Entry Code	Source
07/10/25	MJS	Complete-Ins	Owner-Spouse
05/24/23	DC	Extrior-Only	None
04/23/14	CH	Extrior-Only	None

Permits

Num	Date	ID	Amount	Type	Description	% Complete	Open/Closed	Inspection	Completed	Fee
2025053	14-MAY-25		9000	REPAIR	REPLACE EXISTING HP RAMP	100	C			
2013030	19-JUN-13	353125	3000	MN	WINDOW DOOR SIDING	100		23-APR-14		
2011011	27-APR-11	353125	0	MN	REPAIR HAND RAIL	100		23-APR-14		

AAB 94

COMMERCIAL PROPERTY RECORD CARD 2026

ASHBY

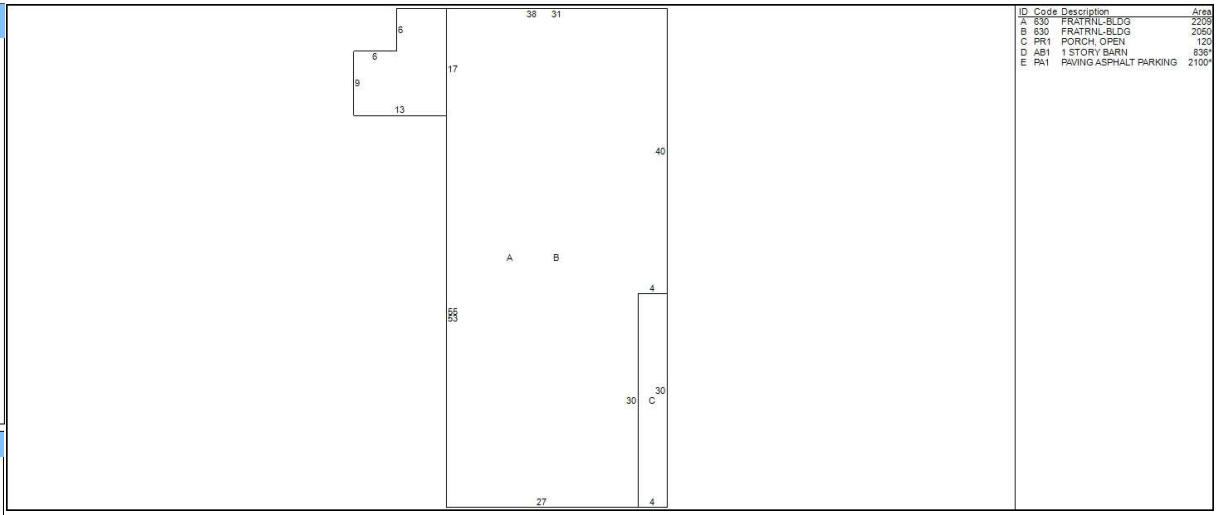
Situs : 35 NEW IPSWICH RD	Parcel Id: 012/009.0-0013-0000.0	Class: FUNCTION HALLS, COMMUNITY C	Card: 1 of 2	Printed: July 31, 2025

Building Information

Year Built/Eff 1900 /
Building #: 1
Structure Code: 367 / 00
Story Height: 1
Story Height: 1
Bldg Class: D
Bldg Cost: 80390
Grade: C
Identical Units: 1
Total Units: 1
Improvement Name:

Building Cost Detail

Total Gross Building Area	4,259
Replace, Cost New Less Depr	80,390
Percent Complete	100
Number of Identical Units	1
Final Building Value	80,390
Value per SF	$18.88



Interior/Exterior Information

Line	Use Type	Level From - To	Area	Cost Value
1	Fratrnl-Bldg	01 - 01	2,209	44870
2	Fratrnl-Bldg	B B	2,050	35520

Interior/Exterior Valuation Detail

Line	Area	Use Type	%Good	%Complete	Use Value/RCNLD
1	2209	630	25		44870
2	2050	630	25		35520
				Total:	145,690

Outbuilding Data

Line	Descr	YrBlt	Type	Meas1	Meas2	Qty	Area	Gra	Con	Value
1	1 Sty Barn	1900	S	22	38	1	836	C	8	3190
2	Paving-Low	2000	S	1	2100	1	2100	C	6	2860
							Total:			6,050

Property Photos





AAB 95

COMMERCIAL PROPERTY RECORD CARD 2026

ASHBY

Situs : 35 NEW IPSWICH RD	Parcel Id: 012/009.0-0013-0000.0	Class: FUNCTION HALLS, COMMUNITY C	Card: 1 of 2	Printed: July 31, 2025

Income Detail

Line #	Use	Unit of Meas	Model	Area/Units	Inc Rate	Ovr Inc Code	Ovr Inc Rate	PGI	Vac Model %	Ovr Vac Code	Ovr Vac Rate	Eff Gross Inc	Ovr EGI	Exp Model %	Ovr Exp Code	Ovr Exp Rate	Tot Exp	NOI	Ovr NOI	Cap Rate	Inc Val

Income Summary

Net Operation Income	
Capitalization Rate	
Sub total	
Excess Total	
Final Income Value	

Income Notes

Commercial Building Notes

Building Other Features

Line	Type	+ / -	Meas1	Meas2	#Stops	Ident Units	Price
1	PR1/Porch, Open		120	1		1	1630
					TOTAL:		1,630

AAB 96

COMMERCIAL PROPERTY RECORD CARD 2026

ASHBY

Situs : 35 NEW IPSWICH RD	Map ID: 012/009.0-0013-0000.0	Map: 009.0 Block: 0013 Lot: 0000.0	Card: 2 of 2	Printed: July 31, 2025

CURRENT OWNER

ASHBY, TOWN OF
LEGION & GRANGE HALL

PO BOX 234
ASHBY MA 01431-0155

GENERAL INFORMATION

Tax Class	EXEMPT
NBHD	001.00
Class	954
Calc'd Acres	.3
Building Units	1
Zoning	R

Road Type	TWO-WAY
Road Condition	PAVED
Traffic	LIGHT
Water	INDIVID WELL
Sewer	SEPTIC
Note 1	
Note 2	

Sales/Ownership History

Transfer Date	Price	Type	Validity	Deed Reference	Deed Type	Grantee

Land Information

Seq	Type	Code	NBHD	Zone	Method	Sq Ft	Acre	Infl Fact	Infl %	Value	Sup?	Class	Acre Adj
1	P	954	001.00	R	S	13068	.3			56,245	N	E	1

Assessment Information

	Assessed	Cost	Income	Market
Current Land	56,200	56,200	0	0
Current Building	151,700	151,700	0	0
Current Total	207,900	207,900	0	0
Current Net Assessment	207,900			
Prior Land	56,200	56,200		0
Prior Building	107,300	107,300		0
Prior Total	163,500	163,500	0	0
Prior Net Assessment	163,500			
Value Flag	1	Base Date of value		
Gross Building		Effective Date of value		

Entrance Information

Date	ID	Entry Code	Source
07/10/25	MJS	Complete-Ins	Owner-Spouse
05/24/23	DC	Extrior-Only	None
04/23/14	CH	Extrior-Only	None

Permits

Num	Date	ID	Amount	Type	Description	% Complete	Open/Closed	Inspection	Completed	Fee
2025053	14-MAY-25		9000	REPAIR	REPLACE EXISTING HP RAMP	100	C			
2013030	19-JUN-13	353125	3000	MN	WINDOW DOOR SIDING	100		23-APR-14		
2011011	27-APR-11	353125	0	MN	REPAIR HAND RAIL	100		23-APR-14		

AAB 97

COMMERCIAL PROPERTY RECORD CARD 2026

ASHBY

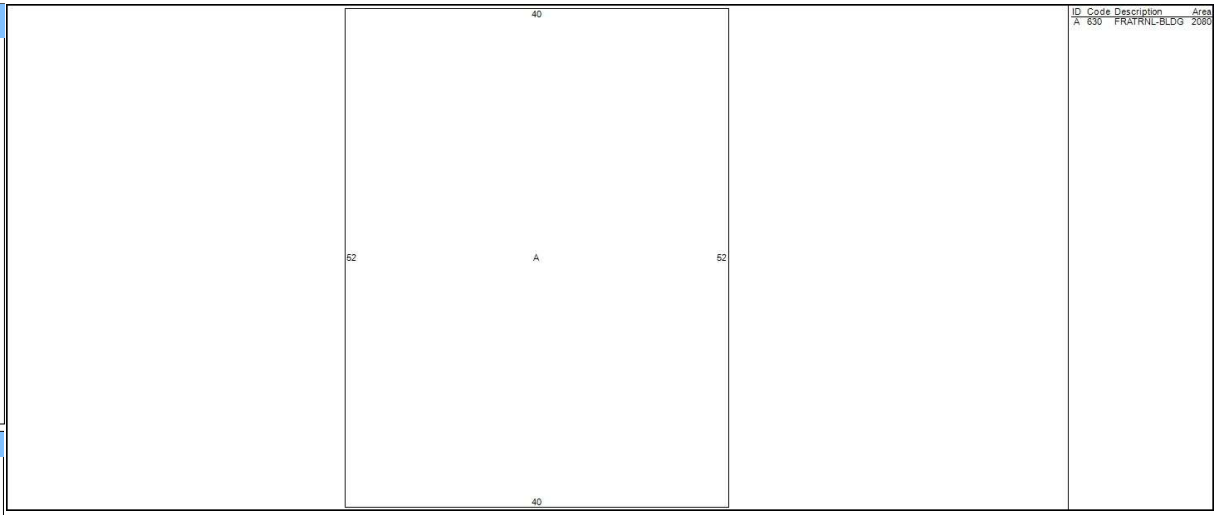
Situs : 35 NEW IPSWICH RD	Parcel Id: 012/009.0-0013-0000.0	Class: FUNCTION HALLS, COMMUNITY C	Card: 2 of 2	Printed: July 31, 2025

Building Information

Year Built/Eff 1900 /
Building #: 1
Structure Code: 367 / 00
Story Height: 2
Story Height: 2
Bldg Class: D
Bldg Cost: 65300
Grade: C
Identical Units: 1
Total Units: 1
Improvement Name:

Building Cost Detail

Total Gross Building Area	4,160
Replace, Cost New Less Depr	65,300
Percent Complete	100
Number of Identical Units	1
Final Building Value	65,300
Value per SF	$15.70



Interior/Exterior Information

Line	Use Type	Level From - To	Area	Cost Value
1	Fratrnl-Bldg	01 - 02	2,080	65300

Interior/Exterior Valuation Detail

Line	Area	Use Type	%Good	%Complete	Use Value/RCNLD
1	2080	630	20		65300
				Total:	145,690

Outbuilding Data

Line	Descr	YrBlt	Type	Meas1	Meas2	Qty	Area	Gra	Con	Value
									Total:	6,050

Property Photos





AAB 98

COMMERCIAL PROPERTY RECORD CARD 2026

ASHBY

Situs : 35 NEW IPSWICH RD	Parcel Id: 012/009.0-0013-0000.0	Class: FUNCTION HALLS, COMMUNITY C	Card: 2 of 2	Printed: July 31, 2025

Income Detail

Line #	Use	Unit of Meas	Model	Area/Units	Inc Rate	Ovr Inc Code	Ovr Inc Rate	PGI	Vac Model %	Ovr Vac Code	Ovr Vac Rate	Eff Gross Inc	Ovr EGI	Exp Model %	Ovr Exp Code	Ovr Exp Rate	Tot Exp	NOI	Ovr NOI	Cap Rate	Inc Val

Income Summary

Net Operation Income	
Capitalization Rate	
Sub total	
Excess Total	
Final Income Value	

Income Notes

Commercial Building Notes

Building Other Features

Line	Type	+ / -	Meas1	Meas2	#Stops	Ident Units	Price
						TOTAL:	1,630

AAB 99

Board of Assessors
Town of Ashby
895 Main Street, Box 3
Ashby, MA 01431
978-386-2427 x137

Charles Pernaa, Chairman
Jeffrey Childs, Member
Dorothea Rourke, Member

Harald M. Scheid, Principle Regional Assessor
Michael Saltsman, Regional Assessor
Maureen Cauvel, Assessors' Clerk

July 31, 2025

Mary Daughraty
Town Administrator
Town of Ashby
895 Main Street
Ashby, MA, 01431

Dear Mary:

I am writing to follow up with the full results of my inspection of the American Legion Hall building at 35 New Ipswich Rd, assessors map 9 parcel 13, which I wrote to you about on July 10. First, I want to note that I incorrectly identified this building as Building 2 on the property card in my July 10 letter, it is actually Building 1.

After conducting my inspection, I examined the data in our Computer Assisted Mass Assessment (CAMA) system, Tyler Technologies IAS World system, to determine if the data was accurate. In the course of this review, I discovered that IAS was not assigning any value to the fully finished basement space on this building. This resulted in the assessed value of this building being significantly understated for FY2025. In reviewing the history of this parcel, I believe this error occurred in the course of converting from the old CSC-CAMA system to IAS back in 2020. I confirmed with Harald Scheid, our CEO, that IAS does not assign value to basement area in Commercial buildings by default, and that a separate entry has to be made to account for such space.

I have now corrected the error, and updated our property record card to reflect what the assessed value should have been for FY2025. If this building had been properly entered with the finished basement space, it would have been valued at $64,320 in FY2025, not the $35,900 originally assessed.

In addition to the missing space, I also found that the Condition of the property was too low, and did not reflect the building as it currently is. In reviewing the record in IAS, I found that the Condition was listed as Good in one section of the record, but only Average in another section. For a building dating from 1900, Good is the more accurate description of the condition of this building, but unfortunately the discrepancy between these two fields resulted in the assessment being calculated as if the building was only in Average condition. Correcting this error resulted in a further increase in the building value to $80,390, which reflects what the

building value should have been for FY2025. I have included an updated property record card reflecting the updated building data for your reference.

We have not made any value adjustments in the system for FY2026 to date, but I would expect the FY2026 value to be very similar to that amount once our values are finalized and submitted for approval to the Department of Revenue. In the meantime, I will be conducting a review of the other commercial buildings in town to ensure that the same error did not occur elsewhere.

Thank you for bringing this to my attention. If you have any questions, please don't hesitate to reach out.

Sincerely,



Michael J. Saltsman, Esq.
Vice President
Regional Resource Group, Inc.
Regional Assessor, Town of Ashby

Outlook

Re: 35 New Ipswich Road, Ashby

From Joyce, William (DPL) <William.Joyce@mass.gov>
Date Thu 7/31/2025 12:23 PM
To Mary Daughraty <mdaughraty@ashbyma.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>

Good afternoon,

Your request for reconsideration will be reviewed by the Board at its next meeting. That being said, I must bring to your attention that as a general matter the Board does not look favorably on a post-facto reassignment of a building's assessment for the sole purpose of avoiding the obligation to make the building accessible to and safe for use by persons with disabilities.

If you believe that the Town's Assessor has not been diligently performing their duties pursuant to their license and applicable statutes and regulations, you are of course welcome to report the matter to the appropriate licensing authority to seek professional discipline against them. However, barring a showing of some sort of professional misconduct or illegality, the Board has no reason to suspect that the value listed on the property card was not arrived at in conformance with the applicable statutes and DLS guidance.

Additionally, you are also not eligible, pursuant to 521 CMR 5, to substitute an appraisal at this time as the building in question has assessments listed within the past 3 years.

Please have any additional information you wish to have included in your request for reconsideration to us no later than Tuesday, August 5th.

Sincerely,

William Joyce
Executive Director
He/Him/His
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02118
617-727-0660
[www.mass.gov/aab]www.mass.gov/aab

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Wednesday, July 30, 2025 8:08 AM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Cc: David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>
Subject: RE: 35 New Ipswich Road, Ashby

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Molly,

The Town appreciates the AAB's decision to abate the fines previously imposed on the Legion. However, we respectfully submit a Request for Reopening Hearing and a Motion for Reconsideration regarding the assessed property value. Please note that this request is being made within the 10-day window following receipt of the decision.

Additionally, I have attached a Request for Adjudicatory Hearing, which falls within the 30-day timeframe. It is unclear which of these filings is required to appeal the decision based on new information concerning the significantly undervalued property assessment of $ 35,900 on which the AAB's decision was based.

The current valuation of $35,900 for a building that is actively in use is clearly inaccurate and substantially undervalued. The Town Assessor is in the process of making the necessary adjustments to reflect a more accurate valuation. If needed, the Town is prepared to engage a third-party appraiser and submit their findings to the AAB. For reference, I have attached the current insurance valuation from MIIA, which demonstrates a value far exceeding the current assessment.

It is also important to highlight that the AAB required the Town to install a new accessibility ramp. This improvement was then used to justify an increase in the building's value. We believe that ADA-compliant modifications should not unfairly influence property valuation under the CMR code.

Thank you for your attention to this matter.

Sincerely,
Mary Daughraty
Town of Ashby

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Tuesday, July 29, 2025 1:37 PM
Subject: 35 New Ipswich Road, Ashby

Good afternoon,

Please find attached the Notice or Decision for the above referenced case.

If you require a paper copy of a Notice or Decision, you may contact me to request one but be aware that the delivery of physical copies may be delayed.

If you wish to appeal the decision made in this case, you can fill out and send in an Adjudicatory Hearing Request form available here.

If you have any questions, please do not hesitate to get in touch with the Board's staff.

Thank you,
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02110-2012
www.mass.gov/AAB
617-727-0660

Outlook

RE: 35 New Ipswich Road, Ashby

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Wed 7/30/2025 8:09 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Cc David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>

2 attachments (137 KB)
3153_001.pdf; 3155_001.pdf;

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Sincerely,
Mary Daughraty
Town of Ashby

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If you wish to appeal the decision made in this case, you can fill out and send in an Adjudicatory Hearing Request form available here.

If you have any questions, please do not hesitate to get in touch with the Board's staff.

Thank you,

Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02110-2012
www.mass.gov/AAB
617-727-0660

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND ECONOMIC DEVELOPMENT

JOHN C. CHAPMAN
UNDERSECRETARY OF CONSUMER AFFAIRS AND BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF PROFESSIONAL LICENSURE

THOMAS HOPKINS
EXECUTIVE DIRECTOR

Commonwealth of Massachusetts
Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board
One Federal St., Suite 600 • Boston • Massachusetts • 02110
V: 617-727-0660 • www.mass.gov/aab • Fax: 617-979-5459

Docket Number: _____
(Staff Use Only)

REQUEST FOR ADJUDICATORY HEARING

RE: Ashby American Legion Post 361, 35 New Ipswich Rd, Ashby, MA
(Name and address of building as appearing on application for variance)

I, Mary Daughraty, do hereby request that the Architectural Access Board conduct an informal Adjudicatory Hearing in accordance with the provisions of 801 CMR Rule 1.02 et. seq. as I am aggrieved by the decision of the Board with respect to Section(s)

CMR 3.3.2 + Valuation

of the Rules and Regulations of the Architectural Access Board, 521 CMR.

I understand that I may request such a hearing within **thirty (30) days** of receipt of the Notice of Action.

Date: 7/30/25

Signature: Mary Daughraty

PLEASE PRINT:

Mary Daughraty
Name

895 Main Street
Address

Ashby, MA 01431
City/Town State Zip Code

mdaughraty@ashbyma.gov
E-mail

978-386-2424 x124
Telephone

PLEASE NOTE:

AAB 107

07/01/2025

MIIA Property and Casualty Group, Inc.
3 Center Plaza, Suite 610
Boston, MA 02108
www.emiia.org

MIIA Nonprofit Locally based Member driven
Serving Massachusetts communities since 1982

SCHEDULE OF LOCATIONS

MEMBER NAME AND ADDRESS

Town of Ashby, 895 Main Street, Ashby, Massachusetts 01431

CONTRACT PERIOD **7/1/2025 TO 7/1/2026**

AT 12:01 AM STANDARD TIME
AT THE ADDRESS SHOWN ABOVE

Item #			Description and Location of Property	100% Coinsurance Actual Cash Value	Replacement Cost When Applicable
1	A	(A9)	Salt Shed Breed Road		$35,795
	B		Personal Property in Above		$0
2	A	(A9)	Historical Society 846 Main Street		$329,794
	B		Personal Property in Above		$0
3	A	(A9)	Highway Barn 92 Breed Road		$254,967
	B		Personal Property in Above		$43,462
4	A	(A9)	Highway Garage 92 Breed Road		$127,797
	B		Personal Property in Above		$14,487
5	A	(A9)	Bandstand Town Common		$17,385
	B		Personal Property in Above		$0
6	A	(A9)	American Legion Hall 35 New Ipswich Road		$252,150
	B		Personal Property in Above		$13,252

MPR 020
(ED 07/19)

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AAB 108

Outlook

As requested - 35 New Ipswich Rd - Ashby doc

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Wed 7/23/2025 4:56 PM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>

1 attachment (313 KB)
35 New Ipswich Rd docs.pdf;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello,

As requested, please find attached the supporting documents regarding 35 New Ipswich Rd, Ashby – American Legion Post. Based on the submitted materials, including letters, photographs, and official records, it is evident that no significant improvements or investments have been made to the building from 2006 to the present.

Thank you for your attention and assistance in this matter.

Sincerely,
Mary Daughraty
Ashby

I, Mary Daughraty being duly sworn, do hereby depose and state as follows:

I am involved in the review and compilation of records related to the American Legion Hall located at 35 New Ipswich Road, Ashby, Massachusetts.

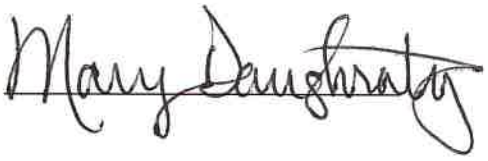
Between June 30, 2024, and July 23, 2025, I have conducted a thorough and diligent search for any additional invoices, applications, and permits related to the aforementioned property.

This search included, but was not limited to, reviewing physical and digital records, consulting with relevant outside vendors, departments and personnel, and examining any available documentation that may pertain to the American Legion Hall located at 35 New Ipswich Rd., Ashby, MA 01431.

After expending additional hours in this effort, I affirm that no further information, invoices, applications, or permits have been located beyond what has already been provided to the Massachusetts Architectural Access Board.

To the best of my knowledge and belief, all relevant documentation has been disclosed as of the date of this affidavit.

Signed under the pains and penalties of perjury this 23rd day of July, 2025.

Signature: 

Printed Name: Mary Daughraty

Title/Position: Town Administrator- ADA Coordinator

Date: July 23, 2025

SmartLift

364 Prospect Street
Leominster, MA 01453

Invoice #900450

978-537-3498
www.smart-lifts.com

BILL TO: 43505
Ashby COA -ADA Coordinator
Mary Daugherty
895 Main St
Ashby, MA 01431

SHIP TO: Ashby COA -ADA Coordinator
Mary Daugherty



INVOICE DATE	OUR ORDER NO.	YOUR ORDER NO.	TERMS	SALES PERSON
4/29/2025	300808		Due Upon Completion	William H. Fellows

QTY	ITEM NO.	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	Ramp Estimate	Mass. Code compliant ramp for 15" grade (confirmed by customer) Proper grading for 15" ramp Does not include any site prep engineered stamped drawing or permits **Note: (permits, variances, site prep by others)**	$9,995.00	$9,995.00
1	Installation	Installation services available	$1,300.00	$1,300.00
-1	DEPOSIT	Original ramp will be dismantaled and taken back by Smart Lift and returned for ful credit	$7,250.00	-$7,250.00

2nd invoice for additional cost of the larger ramp required.

Thank You for your business!
Please make checks payable to
SmartLift Co., Inc.

SUBTOTAL	$4,045.00
6.25% MA SALES TAX	
SHIPPING & HANDLING	
ORDER TOTAL	**$4,045.00**
DEPOSIT RECEIVED	
BALANCE DUE	**$0.00**

AAB 111

SmartLift

364 Prospect Street
Leominster, MA 01453

978-537-3498
www.smart-lifts.com

Invoice #900323

BILL TO: 43505
Ashby COA-ADA Coordinator
April-Lynn Forest
895 Main St
Ashby, MA 01431

SHIP TO: Ashby COA-ADA Coordinator
April-Lynn Forest

INVOICE DATE	OUR ORDER NO.	YOUR ORDER NO.	TERMS	SALES PERSON
9/5/2024	300548		Balance Due Upon Receipt of Invoice	William H. Fellows

QTY	ITEM NO.	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	Ramp	Aluminium Commercial ramp ~ installation included	$6,500.00	$6,500.00
1	S & H	Deliver to 895 Main St., Ashby ~	$750.00	$750.00

Old bill
provide new
MA CMR approved
Ramp

SUBTOTAL	$7,250.00
6.25% MA SALES TAX	
SHIPPING & HANDLING	
ORDER TOTAL	$7,250.00
DEPOSIT RECEIVED	
BALANCE DUE	$7,250.00

Thank You for your business!

Please make checks payable to
SmartLift Co., Inc.
Credit Card payments incur a 3.5% service charge

AAB 112



July 27, 2022 Informational

Need water? Use the town's public well at 21 New Ipswich Rd

Town residents are encouraged to use our public well. It is filtered, maintained, and tested regularly. Pass the word! Bring your bottles down to 21 New Ipswich Rd.

Tagged Town well , Water

Learn more... →

No Affiliation to the American Legion Hall located at 35 New Ipswich Rd

AAB 113

D.W.Lammi Plumbing & Heating LLC

1033 Jones Hill Road
Ashby, MA 01431

Invoice

Date	Invoice #
11/14/2017	12569

11/14
1/10/18

Bill To
Town of Ashby 895 Main St, Ashby, MA 01431 ashby legion

Accurate bill for American Legion

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	9-27-17- Install new test taping	0.00	0.00
3	1/2 copper l	2.66667	8.00
1	1/2 pro x m adaptor	4.00	4.00
1	1/2 pro x female adaptor	4.00	4.00
2	1/2 pro street 90	4.00	8.00
1	1/2 boiler drain	10.00	10.00
2	Dave	85.00	170.00
		Total	$204.00

AAB 114

Invoice

M.P.'s Lawn & Landscape

545 South Road, Ashby, MA 01431
cell (978) 490-6651 or (978)-386-1123
pernaas@msn.com

Date	Invoice #
11/15/2017	5142

W/d

Bill To:

Town of Ashby Town Hall
895 Main Street
Ashby, MA 01431

No value added
accurate bill for American Legion

Description	Qty	Rate	Amount
		Due Date:	12/15/2017
install dry well structure and drain line for back wash of filter system in the Legion Hall, New Ipswich Rd Ashby	1	300.00	300.00
dry well structure and related piping to get into building	1	500.00	500.00
		Invoice Total	**$800.00**

Bill To

Town of Ashby Town Hall
895 Main Street
Ashby, MA 01431

M.P.'s Lawn & Landscape, Inc.
545 South Road, Ashby, MA 01431
cell(978) 490-6651 or (978)386-1123
pernaas@msn.com

Please make checks payable to:
M.P.'s Lawn & Landscape

Due Date	**12/15/2017**
Invoice Total	**$800.00**
Balance Due	**$800.00**

AAB 115

Outlook

Re: Invoices from Mr. McPhee

From Joyce, William (DPL) <William.Joyce@mass.gov>
Date Wed 7/23/2025 4:13 PM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Mary Daughraty <mdaughraty@ashbyma.gov>
Cc Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>

Good afternoon,

Please submit what you have and the Board will review it at their meeting this coming Monday. An affidavit swearing under the pains and penalties of perjury that your submission represents all relevant as to work that was performed on the building between January 1, 2006 information in the control of the Town and its subsidiaries and its agents would also be helpful.

Sincerely,

William Joyce
Executive Director
He/Him/His
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1 Federal Street, 6th Floor
Boston, MA 02118
617-727-0660
[www.mass.gov/aab]www.mass.gov/aab

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Monday, July 21, 2025 6:46 AM
To: Mary Daughraty <mdaughraty@ashbyma.gov>
Cc: Joyce, William (DPL) <William.Joyce@mass.gov>; Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>
Subject: Re: Invoices from Mr. McPhee

Hi Mary,

I sent a number of emails on July 11 to you and the building inspector and the building inspector confirmed receipt. Please let me know if you did not receive these as there are many invoices that I forwarded and other financial documents.

I have copied William Joyce on this email as I would defer to him as to whether the board needs to review any additional documents that you may submit regarding the legion hall. The decision was sent on July 15 from the June 30 hearing it states that the board needs to see an accounting of all work from 2006 so I will defer to Will in regards to the review of any additional documentation.

Thank you,
Molly

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Monday, July 21, 2025 6:41 AM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: Invoices from Mr. McPhee

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Molly,

I previously requested copies of the invoices that Mr. McPhee submitted as evidence of upgrades to 35 New Ipswich Rd, Ashby (the American Legion Post). Could the AAB please provide those documents so I can verify their accuracy?

I've scheduled four hours between today and tomorrow to review the invoices currently available in the accountant's office. Beyond that, we've exhausted all avenues in our search. I'm also prepared to sign an affidavit affirming this. I've already reviewed the building department's files and found a few applications, but no additional permits aside from the one for the new ramp.

Could you please clarify the next steps? I've submitted recent photos of the American Legion Hall. Does the AAB need to reconvene to review this new information, or can Will Joyce decide independently?

As the Town Administrator responsible for the town's finances, I must emphasize that we cannot delay further. If we are unable to demonstrate to the AAB that no improvements have been made that would trigger compliance under CMR 521 Section 3.3 or any related regulation, I will be forced to close the American Legion Hall immediately to avoid additional fines.

Please advise on the next steps.

Thank you,

Mary Daughraty

Outlook

RE: Accounting records from Mr. McPhee

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Mon 7/21/2025 12:45 PM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>

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Hi Molly,

I hope you're doing well. I apologize not seeing you 7/11/25 emails—I'm just catching up on emails after returning from vacation.

After thoroughly reviewing the accounting records submitted by Mr. McPhee as evidence of improvements to 35 New Ipswich Rd (American Legion Hall) for the AAB, I identified several discrepancies. Many of the invoices appear to pertain to unrelated properties, including:

Town Hall
Former Police Station
Green Room (Cable Studio at Town Hall)
Grange Hall
West Rd Cemetery
Town Well House
Public Safety Building
Library
Highway Garage
Former Fire Station
These properties have no connection to the American Legion Hall. Additionally, an Excel file listing permits pulled for various private properties throughout the town was included, though its relevance to 35 New Ipswich Rd is unclear.

Utility bills for the Grange Hall and Town Hall were also submitted, along with insurance documents—one specific to the Grange Hall and another covering all town properties. These do not constitute evidence of building improvements, and notably, no such documentation was provided for the American Legion Hall itself.

Mr. McPhee also included invoices for routine maintenance, such as monthly water testing by Nashoba Analytical and the annual boiler inspection mandated by the Commonwealth of Massachusetts Fire Services. While necessary for compliance, these do not reflect capital improvements or enhancements to the building.

Additional unrelated items include:

Flag purchases for all town buildings

A work order from Protective Services for Town Hall
Invoices from Needham Electric, MVP Landscaping, David Durling, and Weston & Sampson Engineering —all related to the Town Well House (a DEP project)
Roof repairs at the Library
Fuel tank invoice for the Highway Garage
Credit reader for highway fuel pumps
Well repair invoice for Maja Hall
It appears that the majority of these documents were submitted by Mr. McPhee without regard to their relevance to 35 New Ipswich Rd. Has the AAB reviewed these materials for accuracy and applicability to the property in question?

As I mentioned during both hearings, the inclusion of these unrelated expenses significantly misrepresents the scope of improvements made to the American Legion Hall. This has created unnecessary work for the town to refute claims that are clearly unsupported, as demonstrated by the photos and letters I recently submitted to the AAB.

Thank you for your attention to this matter.

Sincerely,
Mary Daughraty
Ashby

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Monday, July 21, 2025 6:47 AM
To: Mary Daughraty <mdaughraty@ashbyma.gov>
Cc: Joyce, William (DPL) <William.Joyce@mass.gov>; Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>
Subject: Re: Invoices from Mr. McPhee

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Thank you,
Molly

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Monday, July 21, 2025 6:41 AM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: Invoices from Mr. McPhee

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the sender and know the content is safe.

Hi Molly,

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Could you please clarify the next steps? I've submitted recent photos of the American Legion Hall. Does the AAB need to reconvene to review this new information, or can Will Joyce decide independently?

As the Town Administrator responsible for the town's finances, I must emphasize that we cannot delay further. If we are unable to demonstrate to the AAB that no improvements have been made that would trigger compliance under CMR 521 Section 3.3 or any related regulation, I will be forced to close the American Legion Hall immediately to avoid additional fines.

Please advise on the next steps.

Thank you,

Mary Daughraty

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss. **ARCHITECTURAL ACCESS BOARD**
Docket No. C23-174 , V24-106

In re	)
	)
Ashby American Legion Post 361	)
35 New Ipswich Road	)
Ashby	)
	)

BOARD DECISION

Procedural History

This decision addresses whether to impose a fine for noncompliance stemming from a complaint before the Architectural Access Board (the "Board") regarding the American Legion building in Ashby, which is owned by the Town of Ashby (the "Petitioner"). Subsequent to the filing of the Complaint, Petitioner submitted an Application for Variance and an Amended Application for Variance regarding the entrance ramp. The Complaint alleged that the building is in violation of 521 CMR 24 (Ramps), and the initial Application for Variance sought temporary relief for the town to install a new ramp at the front entrance, which is now in place.

On October 2, 2023, the Board received a Complaint for this property. On March 8, 2024, the Board sent a First Notice of Violation for this Complaint. On April 2, 2024, the Board received a response from Petitioner. On June 11, 2024, Petitioner filed a variance application for temporary relief. On September 20, 2024, an Adjudicatory Hearing was scheduled for Monday, November 18, 2024, as the deadline for compliance had passed and Petitioner had failed to submit proof of compliance. On November 6, 2024, the Board received an Amended Variance application from Petitioner. On November 18, 2024, an adjudicatory hearing was held, and the Board issued a decision on December 17, 2024 instructing Petitioner to provide within 60 days: 1) an accounting of all work performed since 2006 including but not limited to work reflected on building permits; 2) a plan for full compliance with 521 CMR 24 (ramps) stamped by a construction professional; and, 3) either proof of, or a plan for, full compliance with 521 CMR 23 (parking). On April 8, 2025, with the required materials in item 3 not having been provided, the Board voted to schedule a fine hearing.

A fine hearing was held on June 30, 2025, in accordance with G.L. c. 30A, §§ 10 and 11; 801 CMR 1.02 *et seq.*; and 521 CMR 4.00.[1] Patrick McPhee, Complainant, Kevin Stetson, town resident, Mary Daughraty, Ashby Town Administrator, Steve Nims, Dan Hubert, Ken LeBlanc, Arelyn Benitez, Compliance Officer for the Board, and William Joyce, Executive Director for the Board, appeared and testified. The witnesses were sworn in by the Board Chair. The instant decision now memorializes the determinations made at that time.

Applicable Laws & Regulations

Massachusetts General Laws, Chapter 22, Section 13A states: "In the event that a person fails to cure such noncompliance by the date specified in the board's order, the board shall be empowered, after further hearing, to impose a fine payable to the commonwealth not to exceed one thousand dollars per day for each violation for each day of noncompliance as to which the board finds that such noncompliance was without justification."

521 CMR 3.1 requires: "All work performed on public buildings or facilities (see 521 CMR 5.00: DEFINITIONS), including construction, reconstruction, alterations, remodeling, additions, and changes of use shall conform to 521 CMR."

521 CMR 24.3 provides in relevant part: "The minimum clear width of a ramp shall be 48 inches (48" = 1219mm), measured between the railings."

Exhibits

The following documentation was entered into evidence:

Exhibit 1: Board Packet AAB 1-628, including the complaint, all correspondence and photographs.
Exhibit 2: Photographs submitted by Mary Daughraty.
Exhibit 3: PowerPoint submitted by Patrick McPhee.

Factual Findings

The following findings of fact and conclusions of law are supported by substantial evidence, based on the credited testimony of the witnesses, documents admitted into evidence and the Board's records. G.L. c. 30A, § 11(2), § 14(7).

1) On March 11, 2025, the Board notified Petitioner that that "the response to the July permit request does not meet the requirements of the 12/17/24 order, as they do not

[1] Pursuant to state law, the hearing was held online via the Microsoft Teams platform.

constitute an accounting of ALL work performed on the building since 2006. Ex. 1, AAB 25.

2) Petitioner acknowledges that while it submitted certain documentation of work performed at this location, it did not include all documents requested in the Board's December 2024 order. Hearing testimony.

Discussion

The Board's jurisdiction is established pursuant to 521 CMR 3.1: "All work performed on public buildings or facilities (see 521 CMR 5.00: DEFINITIONS), including construction, reconstruction, alterations, remodeling, additions, and changes of use shall conform to 521 CMR." Petitioner acknowledges the Board's jurisdiction over this location and the Board's authority to hold a fine hearing. The Board also incorporates by reference here the entire text of its December 17, 2024 decision.

The Board's Executive Director William Joyce began the hearing by outlining the December 17, 2024 Board order directing Petitioner to provide within 60 days: 1) an accounting of all work performed since 2006 including but not limited to work reflected on building permits; 2) a plan for full compliance with 521 CMR 24 (ramps) stamped by a construction professional; and, 3) either proof of, or a plan for, full compliance with 521 CMR 23 (parking). Items 2 and 3 were received as requested, but Item 1 was incomplete. The Board notified Petitioner of its shortcoming in a Second Amended Notice of Action dated March 11, 2025. Mr. Joyce added that although Petitioner had submitted materials related to Item 1 as recently as March 31, 2025, that submission omitted certain important information needed by the Board in order to resolve the pending complaint and variance request.

Although several other individuals also testified, mainly regarding the underlying facts of past and existing conditions at this location, the primary issue before the Board during this hearing was whether the December 17, 2024 order of the Board had been violated by failure to provide a complete accounting of all work performed since 2006. Because the documents reflecting work performed at this location failed to include comprehensive cost and value information, the Board's order was violated, and has prevented the Board from moving this matter to conclusion. The Board provided guidance during the fine hearing that even where work or materials were donated, their costs must be reliably estimated according to best practices used in the construction industry, and that information furnished to the Board. Petitioner provided no justification that persuaded the Board that a fine would be inappropriate here.

The Board has now considered the imposition of a fine in connection with its December 17, 2024 order. As reflected in the order below, the Board finds that a violation of its regulations occurred, that a fine is warranted, and the Board sets forth the timeline and directives below.

Conclusion and Order

In light of all of the foregoing, the Board votes as follows:

- to ***FIND*** that Petitioner failed to comply with the Board's December 17, 2024 order ; and,
- to impose a ***FINE*** of $500 per day beginning on June 30, 2025, but to hold the fine ***IN ABEYANCE*** if Petitioner provides to the Board by July 30, 2025, an accounting of all work performed since 2006 including but not limited to work reflected on building permits.

A true copy attest, dated July 15, 2025

ARCHITECTURAL ACCESS BOARD

Dawn Guarriello, Chair (Not Present)

Patricia Mendez, Vice Chair

Kay Bell, Executive Office of Elder Affairs Designee

Jeffrey Dougan, Massachusetts Office on Disability Designee

Elizabeth Myska, Member

David Johnson, Member

Joseph Prochilo, Member (Not Present)

Katie Denis, Member

Pamela Daly, Member

A complete administrative record is on file at the office of the Architectural Access Board.

This constitutes a final order of the Architectural Access Board. In accordance with G.L. c. 30A, §14 and G.L. c. 22, §13A, any person aggrieved by this decision may appeal to the Superior Court of the Commonwealth of Massachusetts within thirty (30) days of receipt of this decision.

Outlook

RE: 35 New Ipswich Rd - Compliance Plan

From Patrick McPhee <pmcphee@comcast.net>
Date Mon 2/2/2026 7:14 PM
To Machado, Victor (DPL) <Victor.Machado@mass.gov>
Cc Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Victor,

You was going to send me over the recent correspondence for (C23-174).

Can I get the recent plans, emails etc on this project.

Regards, Pat

From: Machado, Victor (DPL) [mailto:Victor.Machado@mass.gov]
Sent: Friday, January 23, 2026 10:24 AM
To: pmcphee@comcast.net
Cc: Machado, Victor (DPL)
Subject: FW: 35 New Ipswich Rd - Compliance Plan

Best,
Victor

Victor Machado
Compliance Officer
He/Him/His
Architectural Access Board

Office of Public Safety and Inspections
Division of Occupational Licensure
E: victor.machado@mass.gov
P: (617) 727-0660

1 Federal Street, 6th Floor, Boston, MA 02118
www.mass.gov/aab

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Wednesday, January 21, 2026 8:20 AM
To: Machado, Victor (DPL) <Victor.Machado@mass.gov>
Cc: Building Inspector <bldginsp@ashbyma.gov>; judto@verizon.net; David Nadeau <dnadeau@ashbyma.gov>;

Barbara Thorpe <tabos@ashbyma.gov>; Steve Nims <hwysupt@ashbyma.gov>
Subject: 35 New Ipswich Rd - Compliance Plan

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Good morning, Victor,

After working with our Building Inspector and the newly formed ADA Commission, the Town has drafted an ADA compliance plan for 35 New Ipswich Road – the American Legion Hall. Our understanding is that this plan must be reviewed and approved by the AAB before we can proceed with implementation.

Could you please advise us on the next steps so we can move forward in the most effective and appropriate manner?

Thank you again for granting us the extension to submit this plan to the AAB. We appreciate your guidance and look forward to the next steps.

Sincerely,

Mary Daughraty
Town of Ashby

	ARPA Funding Ashby Elementary School		$300,000.00					
Ashby Building Committee Voted								
Date	**Vendor**	**Line Memo**	**Debit**	**PO Number**	**Invoice Number**	**Account**	FY	Notes
11/16/2023	Niklaus Painting and Construction Co.	Labor to install 45 sheets of plywood onto ext	$6,500.00	240770	AES 11/6/23	081.5.10.7100.645.000.00.0	FY24	billed & Paid Town
11/16/2023	Niklaus Painting and Construction Co.	Materials to install 45 sheets of plywood onto ext	$2,775.00	240770	AES 11/6/23	081.5.10.7100.645.000.00.0	FY24	billed & Paid Town
11/16/2023	Niklaus Painting and Construction Co.	Boom lift to install 45 sheets of plywood onto ext	$700.00	240770	AES 11/6/23	081.5.10.7100.645.000.00.0	FY24	billed & Paid Town
3/7/2024	John Turner Consulting	Underground tunnel asbestos abatement plan and pro	$3,500.00	240487	2450063-01	081.5.10.7100.645.000.00.0	FY24	billed & Paid Town
04/18/24	Habeeb & Associates	Heating Study	$11,250.00	241354	1919.03-01	081.5.10.7100.645.000.00.0	FY24	billed & Paid Town
05/23/24	Habeeb & Associates	Heating Study	$3,750.00	241354	1919.03-02	081.5.10.7100.645.000.00.0	FY24	billed & Paid Town
08/15/24	John Turner Consulting	Abatement plan & monitoring svcs	$1,425.00	250308	2450063-02	081.5.10.7100.645.000.00.0	FY25	billed & Paid Town
09/19/24	Asbestos Pro Services LLC	Asbestos Removal project	$89,715.00	250393	2382 and 2383	081.5.10.7100.645.000.00.0	FY25	billed & Paid Town
11/21/24	John Turner Consulting	Asbestos Removal project	$14,195.00	250832	2450063-03	081.5.10.7100.645.000.00.0	FY25	billed & Paid Town
1/9/25	Combustion Services	2nd Boiler replacement	$67,275.00	250799	36708	081.5.10.7100.645.000.00.0	FY25	billed & Paid Town
01/30/25	FW Webb Co	Pipe insulation	$4,932.76	251052	975528574	081.5.10.7100.645.000.00.0	FY25	billed & Paid Town
2/20/25	Amazon	Awning for side door	$530.95	251049	1MTD-LHF6-L9RI	081.5.10.7100.645.000.00.0		billed & Paid Town
6/30/25	Short Breeze Construction	Installation of pipe insulation	**$6,500.00**	250166	1024	081.5.10.7100.645.000.00.0	FY25	To Bill
		Total ARPA Spent to Date	**$213,048.71**					
	Pending costs							
	City Line Paving	Paving handicap space and 3 door areas	0	HOLD			$8,600.00	
	Unitil	Steam trap survey	0	HOLD			$1,627.50	
		Total Pending Cost	**$0.00**					
		Total Projected ARPA NMRSD	**$213,048.71**					
		Remaining ARPA funds	$86,951.29					
		awning	$530.95					
		1960s wing	$9,975.00					
		Abatement project only	$120,267.76					
		boiler & study	$82,275.00					
			$213,048.71	$0.00				

Outlook

Town of Ashby: AES cost comparsion and Town Hall

From Patrick McPhee <pmcphee@comcast.net>

Date Fri 1/16/2026 9:57 PM

To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>; Machado, Victor (DPL) <Victor.Machado@mass.gov>

6 attachments (4 MB)

AES Reports; Ashby Elementary ARPA Funding - ARPA FUNDS (1).pdf; Ashby Five Year Capital Projects (1).pdf; Town Ashby Warrants _2018 to 2025 TownHalls.xlsx; ashby-es-jan-2023.docx; Ashby Town Hall and AES.docx;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Look Ashby Town Hall and AES word document, I left it in word so you can click on links.
The Town excel compares to warrants and receipts
AES is from the Regional School district documents

I did this in Word, so you follow my links and verify the data. I know the Town gave some permits, but I don't have the values
https://www.nmrsd.org/post-details/~board/spotlights-district-news-1696/post/cost-savings-condition-studies-8544-870

The Windows and Roof, I have a call into the Fincom people

But the bottom line More than 30% is reached:
AES is $1,202,600.00
Total spent $815,510.00 (without the Town listed permits)
Plus the Mass Funds for solar $300k
Plus the Windows and roof funds

Town Hall MORE than 30% is reached:
$243,650 Town Hall
Invoices $300,914.47

Enjoy weekend, Pat

Patrick D. McPhee
56 Heywood Road, Ashby, Ma 01431
pmcphee@comcast.net
Cell +1-978-875-0851

Ashby Elementary Capital Projects								
Year	**Project**	**Vendor**	**Funding Source**	**Amount**				
2025	Awning for side door	Amazon	Ashby ARPA	530.95				
2025	Pipe Insulation and removal	FWWEBB & Shore Breeze	Ashby ARPA	11432.76				
2025	2nd Steam Boiler Replaced	Combustion Services	Ashby ARPA	67275				
2004	Asbestos Removal Tunnels	Asbestos Pro SErvices LLC	Ashby ARPA	89715				
2004	Abatement monitoring and services	John Turner Consulting	Ashby ARPA	$15,620.00				
2023	Board up 60s wing windows	Nicklaus Painting	Ashby ARPA	$9,975.00				
2023	Asbestos Design specifications	John Turner Consulting	Ashby ARPA	$3,500.00				
2024	HVAC Mechanical Study	Habeeb & Assoc	Ashby ARPA	$15,000.00				
2024	Bleacher replace	Robert H Lord	Donations special and General donations	$27,890.26				
2020	Wireless access expansion wiring and access p	Integration Partners	Erate (60%), NM -GF (40%)	$16,728.68				
2024	Freezer / Refrigerator unit Food Service	Kittredge	Food Service Revolving	$8,724.00	Large Freezer failure (cost to replace approx 38K)			
2022	Lighting Upgrade & Freezer controls	Green community project	Green Communities Grant	$108,932.00				
2024	Subsurface Oil Tank removal (remaining)	Testing/reporting	NM - GF	$1,686.94				
2022/2023	Subsurface Oil Tank removal	Shattuck/Weston Sampson	NM - GF	$21,317.48				
2023	Clock & Intercom system	Integration Partners	NM - GF	$29,266.61				
2022	Replace Access Control System (Door Security)	ENE Systems	NM - GF	$7,997.00				
2022	Bathroom Painting	Nicklaus Painting	NM - GF	$5,975.00				
2022	Bathroom Partitions	Durkin Company	NM - GF	$15,844.00				
2022	Overhead door replacement	A1 Overhead Door	NM - GF	$1,301.18				
2022	Ahera Asbestos Compliance / Sampling	John Turner Consulting	NM - GF	$9,740.00				
2021	Carpeting replacement in classrooms	JB Flooring	NM - GF	$6,322.00				
2021	Ahera Asbestos Compliance	John Turner Consulting	NM - GF	$3,500.00				
2020	Condition Study AES	Habeeb & Assoc	NM - GF	$12,750.00				16728.68
2019	Sidewalk replacement AES	Kustom Hardscapes	NM - GF	$8,500.00				$6,691.47
2019	Hazardous testing and report on AES 60's wing	Terracon	NM - GF	$10,605.00				
2016-2018	Ashby Water Tank replace/upgrades	R.A. Hammond	NM - GF	$76,621.45				
2018	Ashby Water Tank 80' pipe & Pump replace	Small Waters	NM - GF	$5,562.12				
2018	Boiler Replacement (Steam)	Combustion Services	NM - GF	$45,670.00				
2018	Boiler - Removal and disposal of boiler and pipe	Omni Environmental	NM - GF	$10,450.00				
2018	Remove Asbestos in 60's Wing	Terracon	NM - GF	$6,219.00				
2018	Temporary Chlorination System Well & Tank Cle	Small Waters	NM - GF	$21,679.00				
2017	Fence for Water Tank Enclosure	Builtwell Fence	NM - GF	$6,300.00				
2016	Weston & Sampson Water tank plans	Weston & Sampson	NM - GF	$1,301.93				
2016	Repairs to AES Freezer	B&B Mechanical	NM - GF	$3,102.82				
Pending		**NM GF Total**	**$318,403**					
2025	PENDING Security Camera Installation ON HOL	ENE Systems	TBD		Scope and cost reduction anticipated was $146,136			
			Total All	$502,461.47				
Technology potential needs.								
2018	Replace phone system and add phones to class	Carousel Industries	Erate (60%), NM -GF (40%)	$16,026.54	The portion associated with AES determined based on the building specific breakdown in the quote details			
2018	Classroom Projector installations	ProAV Systems	NM - GF	$29,429.28				
2019	Library Projector Installation	ProAV Systems	NM - GF	$3,215.55				
2020	Meeting Space and Music Room Projector Instal	ProAV Systems	NM - GF	$7,015.98				
2020	Wireless access expansion wiring and access p	Integration Partners	Erate (60%), NM -GF (40%)	$16,728.68	The portion associated with AES calculated based on 34APs installed with wiring			
2022	Replace Access Control System (Door Security)	ENE Systems	NM - GF	$7,997.00				
2024	Network Switch Replacements	ConvergeOne	Erate (60%), NM -GF (40%)	$36,308.35	AES portion only, to be completed in Summer 2024	Put on hold		
2025	Security Camera Installation	ENE Systems	TBD	$146,136.00	Scope and cost reduction anticipated	Put on hold		

	Account	Warran	page	Date	Tran.s Name
FY18	01-5-198-520-335	18-02	pg3	8/9/2017	Occonnell Fire Protection
FY18	01-5-198-520-335	18-15	pg3	1/24/2018	Protective Service
FY18	01-5-198-520-335	18-16	pg3	2/7/2016	Elevator Engineering
FY18	01-5-198-520-335	18-16	pg3	2/7/2016	Elevator Engineering
FY18	01-5-198-520-340	18-16	pg3	2/7/2016	DW Lammi
FY18	01-5-198-520-335	18-18	pg3	3/7/2018	Comm of Mass Inspection
FY18	01-5-198-520-340	18-24	pg3	5/30/2018	DW Lammi
FY18	01-5-198-520-340	18-24	pg3	5/30/2018	Bussco
FY18	01-5-198-520-340	18-24	pg3	5/30/2018	Columbus Door
FY19	01-5-198-900-000	19-04	pg5	8/23/2018	Matthew Frederick
FY19	01-5-198-520-340	19-11	pg3	11/14/2018	Needham Electric Supply
FY19	01-5-198-900-000	19-13	pg5	12/26/2018	Beltronics
FY19	01-5-198-520-335	19-19	pg3	3/20/2019	Comm of Mass Inspection
FY19	01-5-198-520-340	19-19	pg3	3/20/2019	Robert Bernard
FY19	01-5-198-520-335	19-21	pg3	4/17/2019	Bill Comeau
FY19 TH Paintin	02-5-198-119-804	19-11	Paint	12/23/2020	Plan B Contruction Co
FY20	01-5-198-520-340	20-03	pg3	8/7/2019	Durling/David
FY20	01-5-198-520-335	20-05	pg2	9/4/2019	pioneer basement system
FY20	01-5-198-520-340	20-05	pg3	9/4/2019	Elevator Engineering
FY20	01-5-198-520-340	20-05	pg3	9/4/2019	Elevator Engineering
FY20	01-5-198-520-335	20-06	pg2	9/18/2019	Elevator Engineering
FY20	01-5-198-520-340	20-09	pg3	10/30/2019	DW Lammi
FY20	01-5-198-520-335	20-17	pg3	2/19/2020	DW Lammi
FY20	01-5-198-520-335	20-17	pg3	2/19/2020	DW Lammi
FY20	01-5-198-520-700	20-18	pg4	3/4/2020	Guardian Tech
FY20 TH Paintin	02-5-198-119-804	20-11	Paint	11/19/2019	Plan B Contruction Co
FY20 TH Paintin	02-5-198-119-804	20-12	Paint	12/2/2019	Plan B Contruction Co
FY20 TH Paintin	02-5-198-119-804	20-12	Paint	11/6/2020	Plan B Contruction Co
FY20 TH Paintin	02-5-198-119-804	20-15	Paint	12/12/2019	Plan B Contruction Co
FY21	01-5-198-520-335	20-05	pg2	11/12/2020	Warren Security
FY21	01-5-198-900-000	21-16	pg5	2/3/2021	Haynes Liemneck and Smith Ing Arch
FY21	01-5-198-520-340	21-22	pg3	9/2/2020	Walts Honey Do List
FY21	01-5-198-520-340	21-22	pg3	11/20/2020	Walts Honey Do List
FY21	01-5-198-900-000	21-22	pg5	4/28/2021	Haynes Liemneck and Smith Ing Arch
FY21	01-5-198-900-000	21-25	pg5	6/9/2021	Plan B Contruction Co
FY21	01-5-198-900-000	21-26	pg5	6/23/2021	Plan B Contruction Co
FY21	01-5-198-900-000	21-28	pg5	6/30/2021	Haynes Liemneck and Smith Ing Arch
FY21 TH Needha	01-5-198-520-340	21-23	Electric T	5/12/2021	Needham Electric Supply
FY21 TH Needha	01-5-210-790-000	21-23	Electric T	5/12/2021	Needham Electric Supply
FY21 TH Needha	01-5-198-520-340	21-23	Electric T	5/12/2021	Needham Electric Supply
FY21 TH Needha	01-5-198-520-340	21-25	Electric T	6/9/2021	Needham Electric Supply
FY21 TH Needha	01-5-198-520-340	21-25	Electric T	6/9/2021	Needham Electric Supply
FY21 TH Needha	01-5-198-520-340	21-25	Electric T	6/9/2021	Needham Electric Supply
FY21 TH Needha	01-5-198-520-340	21-25	Electric T	6/9/2021	Needham Electric Supply
FY21 TH Needha	01-5-198-520-340	21-25	Electric T	6/9/2021	Needham Electric Supply
FY21 TH Needha	01-5-198-520-340	21-25	Electric T	6/9/2021	Needham Electric Supply
FY21 TH Needha	01-5-198-520-340	21-25	Electric T	6/9/2021	Needham Electric Supply
FY21 TH Paintin	02-5-198-119-804	21-25	Paint	11/21/2020	Plan B Contruction Co
FY21 TH Paintin	02-5-198-119-804	21-26	Paint	6/23/2021	Plan B Contruction Co
FY21 TH Paintin	02-5-198-119-804	21-26	Paint	11/23/2020	Plan B Contruction Co

Location	Amount
Town Hall	$ 1,100.74
Town Hall	$ 195.50
Town Hall	$ 130.00
Town Hall	$ 317.69
Town Hall	$ 374.00
Town Hall	$ 100.00
Town Hall	$ 447.50
Town Hall	$ 2,897.00
Town Hall	$ 7,100.00
Town Hall	$ 5,450.00
Town Hall	$ 1,848.61
Town Hall	$ 685.00
Town Hall	$ 100.00
Town Hall	$ 1,221.00
Town Hall	$ 500.00
Town Hall	$ 969.00
Town Hall	$ 325.00
Town Hall	$ 194.00
Town Hall	$ 1,239.48
Town Hall	$ 3,250.00
Town Hall	$ 309.38
Town Hall	$ 950.00
Town Hall	$ 510.00
Town Hall	$ 565.00
Town Hall	$ 383.75
Town Hall	$ 27,265.00
Town Hall	$ 12,866.80
Town Hall	$ 15,274.10
Town Hall	$ 4,893.20
Town Hall	$ 150.00
Town Hall	$ 570.00
Town Hall	$ 130.00
Town Hall	$ 130.00
Town Hall	$ 1,140.00
Town Hall Paint	$ 16,043.60
Town Hall Paint	$ 10,509.58
Town Hall	$ 427.50
Town Hall	$ 680.00
Town Hall	$ 2,815.00
Town Hall	$ 3,364.59
Town Hall	$ (103.65)
Town Hall	$ 26.64
Town Hall	$ 31.83
Town Hall	$ 58.25
Town Hall	$ 66.66
Town Hall	$ 419.48
Town Hall	$ 3,364.59
Town Hall	$ 17,257.70
Town Hall	$ 7,491.02
Town Hall	$ 7,828.20

Massachusetts Cultural Resource Information System
Scanned Record Cover Page

Inventory No:	ASY.3
Historic Name:	Ashby District Schoolhouse #1
Common Name:	Ashby American Legion Post #361
Address:	35 New Ipswich Rd
City/Town:	Ashby
Village/Neighborhood:	Ashby Center;
Local No:	
Year Constructed:	1836
Architectural Style(s):	Greek Revival;
Use(s):	Meeting Hall; Public School;
Significance:	Architecture; Community Planning; Education;
Area(s):	ASY.A, ASY.B
Designation(s):	Local Historic District (07/14/1997);
Building Materials:	Roof: Asphalt Shingle; Tin; Wall: Wood; Wood Clapboard; Foundation: Concrete Cinderblock; Stone, Uncut;
Demolished	No



The Massachusetts Historical Commission (MHC) has converted this paper record to digital format as part of ongoing projects to scan records of the Inventory of Historic Assets of the Commonwealth and National Register of Historic Places nominations for Massachusetts. Efforts are ongoing and not all inventory or National Register records related to this resource may be available in digital format at this time.

The MACRIS database and scanned files are highly dynamic; new information is added daily and both database records and related scanned files may be updated as new information is incorporated into MHC files. Users should note that there may be a considerable lag time between the receipt of new or updated records by MHC and the appearance of related information in MACRIS. Users should also note that not all source materials for the MACRIS database are made available as scanned images. Users may consult the records, files and maps available in MHC's public research area at its offices at the State Archives Building, 220 Morrissey Boulevard, Boston, open M-F, 9-5.

Users of this digital material acknowledge that they have read and understood the MACRIS Information and Disclaimer (http://mhc-macris.net/macrisdisclaimer.htm)

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Commonwealth of Massachusetts
Massachusetts Historical Commission
220 Morrissey Boulevard, Boston, Massachusetts 02125
www.sec.state.ma.us/mhc

This file was accessed on: Friday, January 23, 2026 at 12:13 PM

FORM B – BUILDING

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Assessor's Number	USGS Quad	Area(s)	Form Number
9.13-0		A,B	3

LHD- 7/14/97

Photograph



Locus Map



Town/City: Ashby, Massachusetts

Place: *(neighborhood or village)*:
Ashby Historic District

Address: New Ipswich Road

Historic Name: Ashby School Number 1

Uses: Present: American Legion Hall

Original: School

Date of Construction: Original c. 1785
Reconstruction c. 1836

Source: Ashby Historical Society, Ashby Historical Commission, and Form B prepared by James Leach submitted with application for Historic District in 1998

Style/Form: Greek Revival (simplified)

Architect/Builder: Unknown

Exterior Material: Originally brick; after reconstruction wood clapboards. Painted white.

Foundation: Stone and concrete masonry

Wall/Trim: Narrow wood clapboards, plain corner trim, beveled molding window casings

Roof: Pediment gable with beveled molding cornice, shingle roofing in gray color

Outbuildings/Secondary Structures:
Detached wood framed carriage house in rear. Utility lean to shed added to rear wing addition.

Major Alterations *(with dates)*:
Original building c. 1785 was of brick masonry construction.
Reconstruction c. 1836 was wood framed.
Rear wing addition, wood framed, dated unknown

Condition: Good to Fair

Moved: no ☒ yes ☐ **Date:**

Acreage: 0.30 acres

Setting: The building is part of the historic town common in Ashby, Massachusetts which is now an historic district. The building is across the street from a historic cemetery and is flanked by other structures of similar architectural style on the Ashby Common, the nearest of which are the Ashby Grange Hall and the original meeting hall which is now a church. New Ipswich Road is a rural but significant road leading from Ashby center to New Hampshire.

Recorded by: Paul S. Lieneck, AIA

Organization: Ashby Historic District Commission

Date *(month / year)*: August, 2010

RECEIVED
AUG 20 2010
MASS. HIST. COMM

INVENTORY FORM B CONTINUATION SHEET

ASHBY NEW IPSWICH ROAD

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

A, B ASY.3

☐ Recommended for listing in the National Register of Historic Places.
If checked, you must attach a completed National Register Criteria Statement form.

Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.

ARCHITECTURAL DESCRIPTION:

Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.

Rectangular plan, short facade on gable end, eave side faces New Ipswich Road. The building is one story at the short facade and descends down the sloped site to be two stories in the rear of the site.

The roof is a simple pediment style medium pitch gable. Cornice trim in medium depth with deep, but simple beveled moldings.

The entrance door is in the center of the short facade, flanked by one equally spaced double hung window on each side. Eave side facing public way has regularly spaced double hung windows of the same size as short facade. The entrance door has a small, flat projecting head trim. Casings are flat with simple beveled edge moldings. Water table trim separates the clapboard siding from the foundation.

There is a brick chimney visible through the roof of the rear wing.

HISTORICAL NARRATIVE

Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.

The building was the first grade school for Ashby, Massachusetts and for many years was the schoolhouse in Ashby, Massachusetts. Accordingly, the building and has tremendous historical significance.

The current use is the American Legion Hall which hosts many civic and private organizations, including, but not limited to, senior citizens meetings, senior citizens luncheons, blood drives, Boys Scout meetings, and Girl Scout meetings. The building is also used for holiday gatherings for families at Valentine's Day, Easter egg hunt, Labor Day, Thanksgiving, and Christmas. The American Legion also participates in patriotic functions and holidays that occur centered around the American Legion Hall and the Ashby Common.

The building provides a facility and meeting place for war veterans and families.

The lower level is an open hall used for gatherings to enjoy music, dancing, and adult beverages. The upper level is an open meeting hall with kitchen, rest rooms, and coat closet.

BIBLIOGRAPHY and/or REFERENCES

Pl ASHBY USGS ASHBY

ASY. 3

	AB	3



2. Town ASHBY, MA LHD - 7/14/97

Street address 35 NEW IPSWICH ROAD

Name ASHBY SCHOOL NUMBER 1

Use: original & present SCHOOL - AMERICAN LEGION HALL

Present owner TOWN

Open to public NO

Date 1836 Style GREEK REVIVAL

Source of date ASHBY HISTORICAL SOCIETY

Architect UNKNOWN

OR part of Area #

riorated Moved (Altered) (Added)

4. DESCRIPTION

NDATION/BASEMENT: (High) (Regular) Low Material WAS STONE BUT CONCRETE BLOCKS USED ON ALL SIDES BUT THE FRONT.

WALL COVER: Wood CLAPBOARDS & CLAPBOARDS Brick Stone Other

ROOF: (Ridge) Gambrel Flat Hip Mansard
Tower Cupola Dormer windows Balustrade Grillwork

CHIMNEYS: 1 (2) 3 4 Center End Interior Irregular Cluster Elaborate

STORIES: (1) 2 3 4 ATTACHMENTS: Wings (Ell) Shed LATE ELL ADDED

PORCHES: 1 2 3 4 PORTICO Balcony

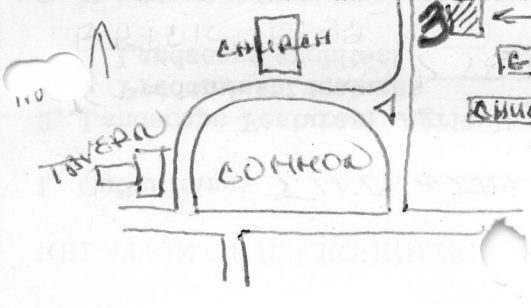
FACADE: (Gable end) (Front/side) Ornament

Entrance: Side (Front) Center/(Side) Details: SIDE ENTRANCE ADDED LATER

Windows: Spacing: (Regular)/Irregular (Identical)/Varied

Corners: (Plain) Pilasters Quoins Cornerboards

5. Indicate location of building in relation to nearest cross streets and other buildings



6. Footage of structure from street 20' APPROX
Property has 115' feet frontage on street

Recorder JAMES A. LEACH

For ASHBY HISTORICAL COMMISSION

Photo # 3 Date FEB '76

SEE REVERSE SIDE

RECEIVED
MAR 1 1976
MASS. HIST. COMM.

AAB 136

ASY. 3

RELATION OF SURROUNDING STRUCTURE

1. Outbuildings TWO SMALL DETACHED GARAGES USED

2. Landscape Features: Agriculture (Open) Wooded Garden: Formal/(Informal)
   Predominant features _____
   Landscape architect _____

3. Neighboring Structures
   Style: Colonial (Federal) (Greek Revival) Gothic Revival Italian Villa Lombard Rom.
   Venetian Gothic Mansard Richardsonian Modern

   Use: Residential Commercial Religious Conditions: Excellent (Good) Fair Deteriorated
   AMERICAN LEGION HALL

GIVE A BRIEF DESCRIPTION OF HISTORIC IMPORTANCE OF SITE (Refer and elaborate on theme circled on front of form) THIS BUILDING MARKS THE SITE OF ASHBY'S FIRST SCHOOL. ORIGINALLY, THE SCHOOL WAS BUILT OF BRICK IN 1785 BUT WAS REBUILT IN 1836. IT SEEMS UNNECESSARY TO FURTHER EMPHASIZE THE SIGNIFICANCE WHICH THIS BUILDING HAS TO ASHBY'S HISTORY AND DEVELOPMENT.

BIBLIOGRAPHY AND/OR REFERENCE

RESTRICTIONS _____

Original Owner: _____
ed Information: Book Number _____ Page _____, _____ Registry of Deeds

Form B. 10M-6-71-049688

AAB 137

Original yellow form: Eligibility file
Copies: Inventory form
Town file(w/corresp.)
Macris
NR Director _____

Community: Ashby

MHC OPINION: ELIGIBILITY FOR NATIONAL REGISTER

Date Received: August 20, 2010 Date Due: Date Reviewed: September 15, 2010

Type: X Individual __ District (Attach map indicating boundaries)

Name: Ashby School #1/American Legion Post 361 Inventory Form: ASY.3

Address: 35 New Ipswich Road, Ashby, MA 01431

Requested by: Town of Ashby

Action: __Honor __ITC X Grant __R & C __Other:

Agency: Staff in charge of Review: Betsy Friedberg

INDIVIDUAL PROPERTIES

__ Eligible
__ Eligible, also in district
X Eligible only in district
__ Ineligible
__ More information needed

DISTRICTS

__ Eligible
__ Ineligible
__ More information needed

CRITERIA: X A __B X C __D

LEVEL: X Local __ State __National

STATEMENT OF SIGNIFICANCE by Ross W. Dekle

The Ashby School #1/American Legion Post 361 was built in 1836. It is a one story Greek Revival building, but the land drops away towards the rear to reveal a second, lower story. A large wing was added to the rear at some unknown date. A small shed-roofed addition projects from the back of the wing towards the street. The original building has wood clapboards on the walls and asphalt shingles on the roof. The wing is mostly covered in vertical wood boards, and the asphalt shingle roof has a lower pitch than the main building. A brick chimney protrudes from the wing's roof. The front wall has a stone foundation, while the rest of the building has concrete block foundations. The main entrance is centered on the front gable end and is flanked by two 12/12 double hung windows. The door has a simple projecting entablature and is reached by a modern stair and ramp, built of pressure-treated wood. The gable above is closed, with simple moldings. There are three 12/12 double hung windows on each of the long sides. The windows were replaced with vinyl units. A corrugated tin roof covers an outdoor stairway below the windows on the rear long side. An original carriage shed is located behind the school. The ridge of its pitched roof is perpendicular to that of the school. Its walls are covered with vertical wood boards, and the roof is covered with rusting standing seam metal.

The original brick school on this site was built in 1785 as the Town's first school. It was rebuilt in 1836 in wood. The building is currently used by the American Legion Post 361. It is also used as a meeting space for many community groups and for special occasions.

After consideration of the submitted information and photographic evidence, it is the opinion of MHC staff that the Ashby School #1 no longer retains enough integrity of location, design, setting, materials, workmanship, feeling and association, to be listed individually on the National Register of Historic Places. We do, however, believe that the Ashby School #1 would be eligible to contribute to a potential Ashby Common National Register Historic District. The boundaries of which would need to be determined.

Outlook

Legion Hall, they complete took down the Ramp

From Patrick McPhee <pmcphee@comcast.net>
Date Sun 6/1/2025 5:35 PM
To Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

2 attachments (5 MB)
20250530_163815.jpg; 20250530_163816.jpg;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

The ramp was to be replace on June 26, 2025


ASHBY
SCHOOL HOUSE
NO. 1

Outlook

Legion H/C parking

From Patrick McPhee <pmcphee@comcast.net>
Date Wed 5/7/2025 2:08 PM
To 'Mary Daughraty' <mdaughraty@ashbyma.gov>
Cc Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>; 'David Nadeau' <dnadeau@ashbyma.gov>

2 attachments (8 MB)
20250414_181925.jpg; 20250410_105756.jpg;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Mary,

In the meeting on Nov 18, 2024 the H/C parking at the legion, it was raised by the Town to call when the H/C spot is not accessible.
It was also raised the Sign was down for H/C parking, so the local police could not enforce the H/C parking.

Back prior to April 10, 2025 the sign was taken down again and never put back up.
The Building inspector said it was going to cemented in so no one can take it down.

Can you please require police to monitor this H/C parking?

Regards, Pat

Patrick D. McPhee
56 Heywood Road, Ashby, Ma 01431
pmcphee@comcast.net
Cell +1-978-875-0851



Outlook

On the same lot as Legion

From Patrick McPhee <pmcphee@comcast.net>
Date Mon 5/5/2025 6:01 PM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Town of Ashby property ID 012/009.0-0013-0000.0 (this land has well, grange and well on it, plus the barn behind the legion)

Visitashbyma ▸ Ashby Ma -- Neighbors and happenings...

Rising contributor · 1h ·



Visitashbyma

9h ·

Ashby's Grange Hall begins restoration thanks to an anonymous donor who is funding repairs and painting of the front of the historic Hall. It is people who make the Ashby difference. You can help by donating to paint the south side of the building. Donations for painting can be made to the Friends of the Ashby Grange Hall at the Library or mailed to 222 Richardson Rd., Ashby MA 01431.

Meanwhile the Town has received a grant from the Rural Development Fund for design work to restore the building to full use. In addition to the structure it will include electrical, plumbing, waste disposal and building code compliance.

5:15 PM
5/5/2025

Outlook

FW: Town of Ashby Problic records request

From Patrick McPhee <pmcphee@comcast.net>
Date Thu 5/1/2025 10:50 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Benitez, Arelyn (DPL) <Arelyn.Benitez@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

This is for the lot of the legion.

I am dropping a check off for more records.

From: Angela Jack [mailto:tclerk@ashbyma.gov]
Sent: Wednesday, April 23, 2025 9:19 AM
To: Patrick McPhee
Subject: RE: Town of Ashby Problic records request
Sensitivity: Private

Hi Pat,

After clarification the accountant has determined that she can complete the work in about a ½ hour so I am requesting cash/check for $12.50. Once the money is received I will instruct the accountant to complete work within10 business days.

Thank you,

~Angela

Angela M. Jack
Ashby Town Clerk
Administrative Assistant to the Inspectional Services Department
Notary Public
Burial Agent
Record Access Officer
895 Main Street, Box 4
Ashby, MA 01431
tclerk@AshbyMA.gov
978-386-2424 ext. 121
Office Hours: Mon-Thurs 8am-12pm and Wed 5pm-8pm

From: Patrick McPhee <pmcphee@comcast.net>
Sent: Tuesday, April 22, 2025 5:02 PM

To: Angela Jack <tclerk@ashbyma.gov>
Subject: RE: Town of Ashby Problic records request
Sensitivity: Private

Hi Angela,

Can you please send me a cost break down for FY2025. How many pages, this should be simple from the warrant signed by the SelectBoard. Then 2.5 hours for the lowest paying person to copy.

As noted, I am looking for FY2006 to end of FY2016, and complete FY2025. Are your dates based on Fiscal Year (FY).
If I understand 2016 is FY2016.

Regards, Pat

From: Angela Jack [mailto:tclerk@ashbyma.gov]
Sent: Tuesday, April 22, 2025 11:32 AM
To: Patrick McPhee
Subject: RE: Town of Ashby Problic records request
Sensitivity: Private

Good morning,

The accountant has determined that the work to find and copy available invoices for the time period specified -- FY25 start to present – will take approximately 2.5 hours to complete. Please send/drop payment of $62.50 at your earliest convenience. Once payment is received, I will provide a response within 10 business days after.

Again, please note that invoices from before 2016 have been destroyed so they will not be included in our response.

Thank you,

~Angela

Angela M. Jack
Ashby Town Clerk
Administrative Assistant to the Inspectional Services Department
Notary Public
Burial Agent
Record Access Officer
895 Main Street, Box 4
Ashby, MA 01431
tclerk@AshbyMA.gov
978-386-2424 ext. 121
Office Hours: Mon-Thurs 8am-12pm and Wed 5pm-8pm

From: Patrick McPhee <pmcphee@comcast.net>
Sent: Tuesday, April 22, 2025 6:40 AM
To: Angela Jack <tclerk@ashbyma.gov>
Cc: 'Patrick McPhee' <pmcphee@comcast.net>

Subject: Town of Ashby Problic records request
Importance: High
Sensitivity: Private

April 22, 2025

Re: Massachusetts Public Records Request

Town of Ashby
Angela Jack, Town Clerk (RAO)
895 Main Street
Ashby, Ma 01431

Dear Ashby RAO;

This is a request under the Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10). I am requesting that I be provided a copy of the following records:

I would like any and all invoices from the Town of Ashby, pertaining to Town property ID 012/009.0-0013-0000.0 (this land has well, grange and well on it, plus the barn behind the legion)

The Town of Ashby has already provided FY17 to FY24(end). A total of 254 invoices.

So please provide beginning FY06 to FY16 end.
Also provide beginning FY25 to present date.

I recognize that you may charge reasonable costs for copies, as well as for personnel time needed to comply with this request. Please notify me of the possible cost, not more than $100.00

Massachusetts Public Records Law, G.L. c.66 and c.4, §7(26)
The Public Records Law requires you to provide me with a written response within 10 business days. If you cannot comply with my request, you are statutorily required to provide an explanation in writing.

If this is not within the correct department, please forward and provide me with the person you forward RAO too.

If you have any question, please contact me for clarification.

Sincerely,
Pat

Patrick D. McPhee
56 Heywood Road, Ashby, Ma 01431
pmcphee@comcast.net
Cell +1-978-875-0851


HOLMES-CURRAN-BENNETT
Post 361
AMERICAN LEGION
ASHBY
SCHOOL HOUSE
NO. 1

AAB 148


AAB 149


HOLMES-CURRAN-BENNETT
Post 361
AMERICAN LEGION
ASHBY
SCHOOL HOUSE
NO. 1

AAB 150


AAB 151


AAB 152


AAB 153


26 27 28 29 30 31 32 33 34 35 36 37
20'
AAB 154

Outlook

RE: 35 New Ipswich Road, Ashby- Revised Hearing Notice

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Tue 4/15/2025 9:30 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc Building Inspector <bldginsp@ashbyma.gov>; Steve Nims <hwysupt@ashbyma.gov>; Jill Blood <tabos@ashbyma.gov>

1 attachment (6 MB)
BTH-1539 ASHBY -- American Legion Post 361 - HC Ramp - Shop Drawings (2025-0415) stamped.pdf;

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Hi Molly,

After the highway department prepared the site at 35 New Ipswich Rd, Ashby for the new installation, it was determined that we can use a shorter handicap entrance ramp. Please see the attached stamped plan for the AAB approval. I would like to receive written approval from the AAB before we order this ramp to ensure its compliance. Please respond at your earliest convenience so we may proceed with rectifying this ADA deficiency.

Thank you,

Mary Daughraty
Ashby

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Tuesday, April 8, 2025 11:36 AM
To: Mary Daughraty <mdaughraty@ashbyma.gov>
Subject: Re: 35 New Ipswich Road, Ashby- Revised Hearing Notice

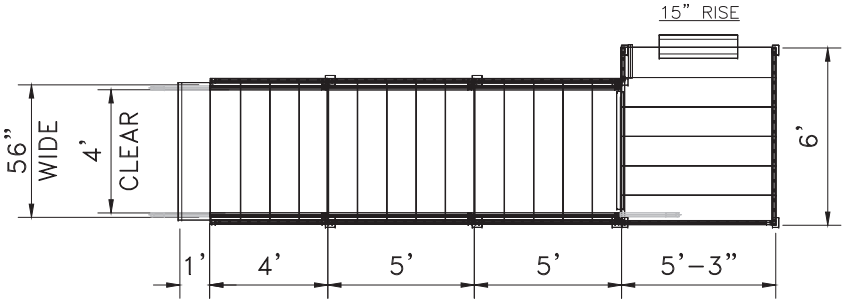
Hi Mary,

Thank you, and thank you for the info- they understand given the weather and climate that we live in, I will be sure to send the message along.

Thank you!
Molly

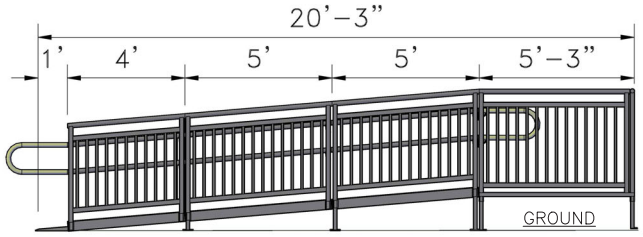
Molly Griffin

Program Coordinator

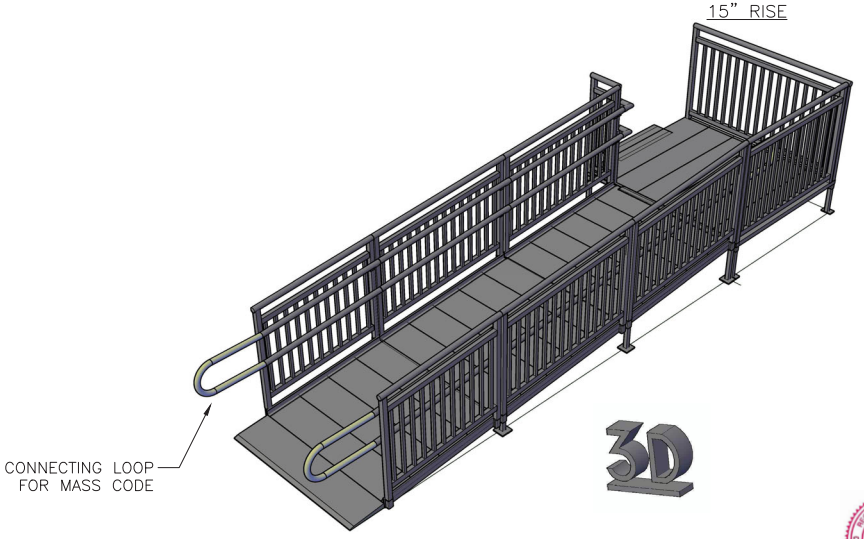


PLAN
SCALE:1/2"=1'-0"





SIDE ELEVATION
SCALE: 1/2"=1'-0"





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AMERICAN ACCESS INC.
3150 STAGE POST DRIVE, SUITE 101
BARTLETT, TN 38133
888-790-9269 TOLL FREE
866-734-7267 FAX
WWW.AARAMPS.COM

ASHBY MA REV 1 COMMERCIAL RAMP DRAWING

DRAWN	DC
CHECKED	BC
DATE	4.14.2025
SCALE	
JOB NO.	

1

OF 1 SHEETS

4/14/2025 11:59 AM C:\Users\DavidPClark\Documents\CAD Projects\ASHBY MA REV 1 COMMERCIAL RAMP DRAWING.dwg

AAB 156

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1 Federal St., 6th Floor
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF OCCUPATIONAL LICENSURE

FINE HEARING NOTICE

Docket Number **V 24 106**

RE: Ashby American Legion Post 361 , 35 New Ipswich Road, Ashby

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **June 30, 2025** at **1:00 PM**

Remote meeting information will be sent out prior to the hearing date.

This hearing is being held to determine whether or not your noncompliance with the Board's order of December 17, 2024 **is without justification and if so whether or not to impose fines of up to $1,000.00 per day per violation**

This hearing will be conducted in accordance with the procedures set forth in M.G.L., c. 30A, and 801 CMR 1.02, the Informal/Fair Hearings Rules. At the hearing, each party may be represented by counsel, may present evidence and may cross examine opposing witnesses.

PLEASE NOTE: Requests for the continuance of a hearing must be received no later than fourteen (14) days prior to the scheduled hearing date. Continuances are granted at the Board's discretion only.

Date: April 8, 2025

ARCHITECTURAL ACCESS BOARD

Dawn Guarnieri WJ

Chairperson

cc: Independent Living Center
Local Building Inspector
Local Disability Commission

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1 Federal St., 6th Floor
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF OCCUPATIONAL LICENSURE

FINE HEARING NOTICE

Docket Number **V 24 106**

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PLEASE NOTE: Requests for the continuance of a hearing must be received no later than fourteen (14) days prior to the scheduled hearing date. Continuances are granted at the Board's discretion only.

Date: April 8, 2025

ARCHITECTURAL ACCESS BOARD

Dawn Granmeller WJ

Chairperson

cc: Independent Living Center
Local Building Inspector
Local Disability Commission

AAB 158

Outlook

FW: 35 New Ipswich Rd, Ashby

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Mon 3/31/2025 8:24 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc Building Inspector <bldginsp@ashbyma.gov>

1 attachment (63 KB)
2869_001.pdf;

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Hi Molly,

After to speaking to the members at the American Legion. Here is the list they complied of items and there value since 2006 to present.

I hope this closes out the items from the 11/18/24 hearing.

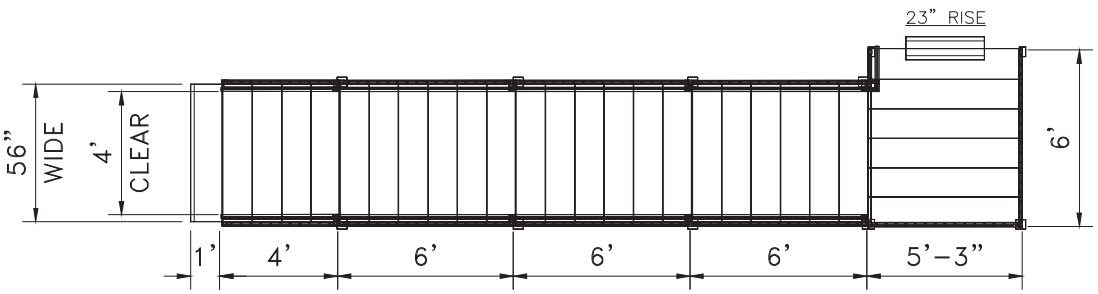
As the weather is getting a little warmer, we plan to begin the work to level out the ramp area at 35 New Ipswich Rd, Ashby and installing the new ramp. As well correct the existing parking spot.

Thank you,

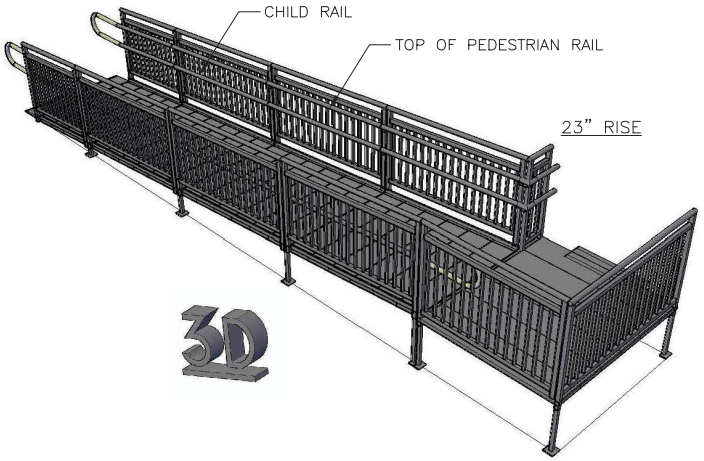
Mary Daughraty

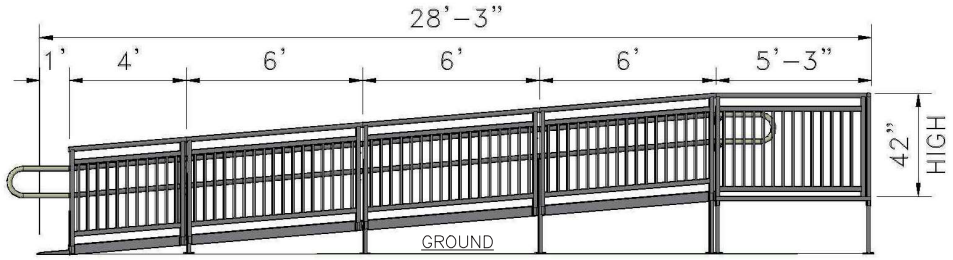
Repairs and Maintenance list of Ashby Legion 2006-Present

Repairs/General maintenance	Cost materials and labor	Paid by Post
Boiler replacement	$2,500.00	$2,500.00
New flooring downstairs dance area + Upstairs Hall	$1,400	$1400.00
Kitchen window	$900.00	$900.00
Panic bars on doors	Unk Furnished and provided by the town	Unk Furnished and provided by the town
Cement stairs side building	Unk privately donated	Unk privately donated
Fire alarm system	Unk Furnished and provided by the town	Unk Furnished and provided by the town
Handicap ramp	Unk Furnished and provided by the town	Unk Furnished and provided by the town
Propane pipe upgrade	$800- mandated upgrade completed by Eastern propane and oil	$800- mandated upgrade completed by Eastern propane and oil
Floor in kitchen	$450	$450
Refurbished cement on stairs leading to bar	$1800-Refaced via private donation	$0.00 Refaced via private donation
T111 Siding 192 sq ft replacement	$ 99.72- replaced due to rot/decay	$0.00-Repurposed supplies from previous post project
Walk in Cooler compressor replacement	$7000.00	$7000.00



PLAN
SCALE:1/2"=1'-0"





SIDE ELEVATION
SCALE: 1/2"=1'-0"



REGISTERED ARCHITECT BRYANT T. HERCZEG No. 20581 WESTMINSTER MA COMMONWEALTH OF MASSACHUSETTS

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BARTLETT, TN 38133
888-790-9269 TOLL FREE
866-734-7267 FAX
WWW.AARAMPS.COM

ASHBY MA NEW COMMERCIAL RAMP
DRAWING

DRAWN	DC
CHECKED	BC
DATE	3.4.2025
SCALE	
JOB NO.	

1

OF 1 SHEETS

AAB 161

3/4/2025 3:42 PM C:\Users\DavidPClark\Desktop\CAD Projects\ASHBY MA NEW COMMERCIAL RAMP DRAWING.dwg

Outlook

stamped plans for new ramp 35-New Ipswich Rd

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Thu 3/13/2025 8:00 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc Building Inspector <bldginsp@ashbyma.gov>; AshbyCOA <coa@ashbyma.gov>

1 attachment (1 MB)
SMARTLIFT ASHBY MA NEW COMMERCIAL RAMP APPROVAL DRAWING-1(stamped).pdf;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Molly,

Attached are the stamped plans for the new ADA CMR-approved ramp to be installed in early spring at 35 New Ipswich Rd, Ashby - American Legion Hall. This fulfills all the conditions required of the town from the 11/18/24 meeting with the AAB, docket # C-23-174.

Could you please verify that the town is adhering to the 11/18/24 hearing requirements?

Thank you,

Mary Daughraty
Ashby

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington St., Suite 710
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

SECOND AMENDED NOTICE OF ACTION

Docket Number V **24 106**

RE: Ashby American Legion Post 361 , 35 New Ipswich Road , Ashby

On March 6, 2025 the Architectural Access Board received an additional submission from Petitioner
The additional documents were reviewed by the Board on March 10, 2025 At that meeting, the Board voted as follows:

#	Section	Result
		FINDS the response to the July permit request does not meet the requirements of the 12/17/24 order, as they do not constitute an accounting of ALL work performed on the building since 2006.

PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: March 11, 2025

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Dawn Gunnelle WJ
Chairperson
ARCHITECTURAL ACCESS BOARD

Outlook

RE: Meeting last week or two weeks ago?

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Thu 3/6/2025 9:40 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc Building Inspector <bldginsp@ashbyma.gov>; Steve Nims <hwysupt@ashbyma.gov>; David Nadeau <dnadeau@ashbyma.gov>

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Hi Molly,

Please inform the AAB committee that Ashby has been collaborating closely with you on these issues and plans to address them all in the spring. We are committed to ensuring Ashby's compliance with ADA and AAB standards. Additionally, please mention that we have engaged Northeast Living Center to conduct a self-evaluation of all Ashby's municipal buildings. This external assessment will help us identify necessary improvements and associated costs.

The town has allocated $5,500 from our ARPA funds for the self-evaluation survey to cover phases 1 and 2. We will attempt to allocate the remaining funds in our FY26 budget, which is very tight, or apply for a grant from MOD to cover the final phase of the self-evaluation.

Phase one begins next week with their first site visit to Ashby. This demonstrates Ashby's commitment to investing in ADA compliance.

Thank you,

Mary Daughraty
Ashby

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Thursday, March 6, 2025 9:16 AM
To: Mary Daughraty <mdaughraty@ashbyma.gov>
Cc: David Nadeau <dnadeau@ashbyma.gov>; Building Inspector <bldginsp@ashbyma.gov>
Subject: Re: Meeting last week or two weeks ago?

No problem,

I just looked back at the meeting recording and they did vote to schedule a fine hearing but again *no fine itself was memorialized or decided upon at the meeting*. This could change as they have to review the materials you have submitted, or it could continue as a fine hearing in June, but it depends on how they look at things on Monday.

Please let me know if you have any other questions.

Thanks,
Molly

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington St., Suite 710
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

VARIANCE HEARING

Docket Number **V 24 106**

RE: Ashby American Legion Post 361 , 35 New Ipswich Road, Ashby

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **June 30, 2025** at **1:00 PM** Remote meeting information will be sent out prior to the hearing date.

This hearing is upon an application for variance filed by: April-Lynn Forest for modification of or substitution of the following Rules and Regulations: Accounting of all work done since 2006 A copy of the request is available for public inspection during regular business hours.

You should be aware that the burden of proof is upon the applicant requesting a variance to prove that compliance is either: 1. technologically infeasible or; 2. the cost of compliance is excessive without substantial benefit to a person with a disability.

This hearing will be conducted in accordance with the procedures set forth in M.G.L., c. 30A, and 801 CMR 1.02, the Informal/Fair Hearings Rules. At the hearing, each party may be represented by counsel, may present evidence and may cross examine opposing witnesses.

PLEASE NOTE: Requests for the continuance of a hearing must be received no later than fourteen (14) days prior to the scheduled hearing date. Continuances are granted at the Board's discretion only.

ARCHITECTURAL ACCESS BOARD

Dawn Guarnaccia WJ

Chairperson

Date: February 28, 2025

cc: Local Building Inspector
Independent Living Center
Local Disability Commission

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
Office of Public Safety and Inspections
Architectural Access Board
1000 Washington St., Suite 710
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

FIRST AMENDED NOTICE OF ACTION

Docket Number V **24 106**

RE: Ashby American Legion Post 361 , 35 New Ipswich Road , Ashby

On February 12, 2025 the Architectural Access Board received an additional submission from Petitioner The additional documents were reviewed by the Board on February 24, 2025 At that meeting, the Board voted as follows:

#	Section	Result
		ORDERS Petitioner to the parking space shall be made fully compliant with all applicable provision of 521 CMR 23 in not more than 60 days from the date of receipt of this decision.
		SCHEDULE a hearing for this request. See attached Notice of Hearing.

PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: February 27, 2025

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Dawn Guarnaccio WJ

Chairperson
ARCHITECTURAL ACCESS BOARD

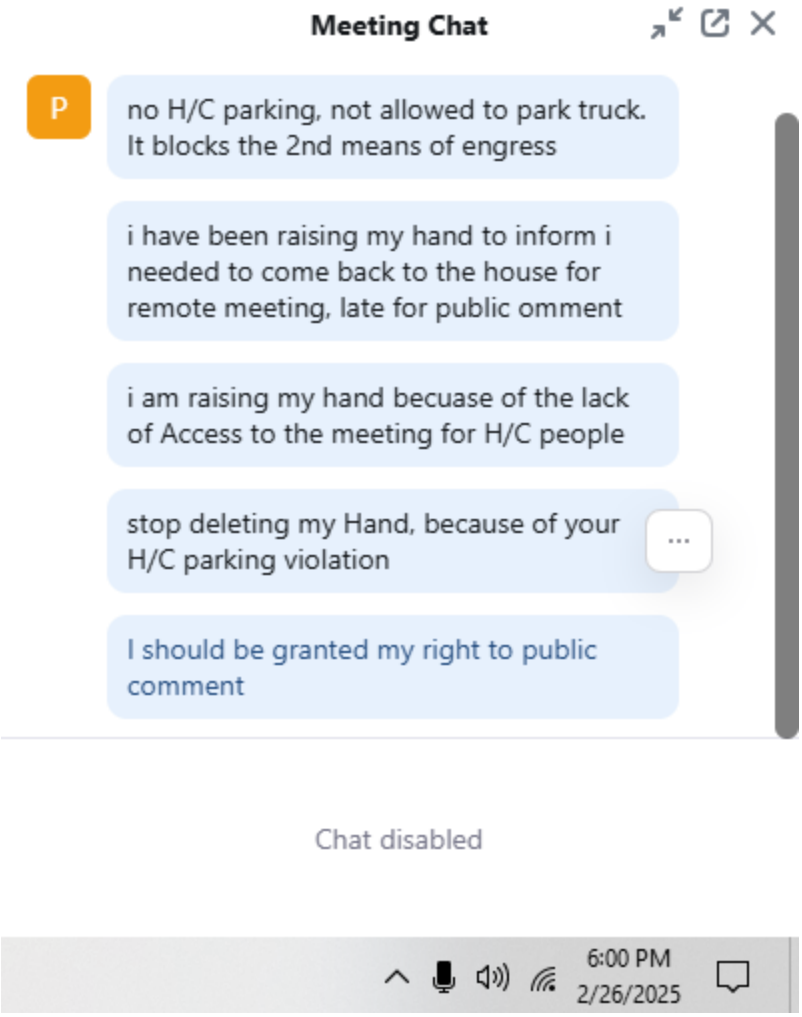
Outlook

RE: Sad Ashby doesn't care about Handcap complaince

From Patrick McPhee <pmcphee@comcast.net>
Date Wed 2/26/2025 6:41 PM
To 'David Nadeau' <dnadeau@ashbyma.gov>; 'Jessica Kallin' <jkallin@ashbyma.gov>; 'Doug Leab' <dleab@ashbyma.gov>

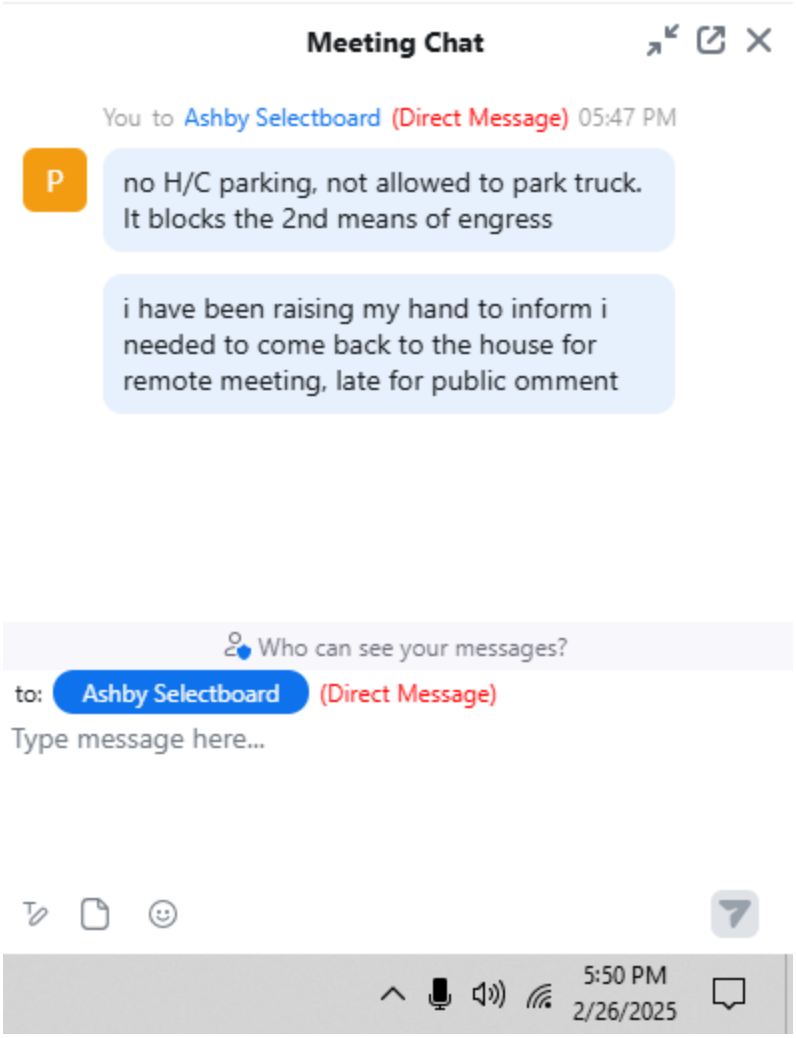
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I will need to file on H/C parking accessibility to meeting both AAB and OML



You keep deleting my hands, I was running late, because return back to home for no parking.
I should be granted my right to public comment

From: Patrick McPhee [mailto:pmcphee@comcast.net]
Sent: Wednesday, February 26, 2025 5:51 PM
To: 'David Nadeau'; 'Jessica Kallin'; 'Doug Leab'
Subject: RE: Sad Ashby doesn't care about Handcap complaince
Sensitivity: Private



From: Patrick McPhee [mailto:pmcphee@comcast.net]
Sent: Wednesday, February 26, 2025 5:41 PM
To: 'David Nadeau'; 'Jessica Kallin'; 'Doug Leab'
Subject: Sad Ashby doesn't care about Handcap complaince
Sensitivity: Private

It was really sad to see no-one from Ashby SelectBoard or Town Administration didn't attend the Architectural Access Board (AAB) hearing on Town of Ashby violation Fines.
So the committee move forward:

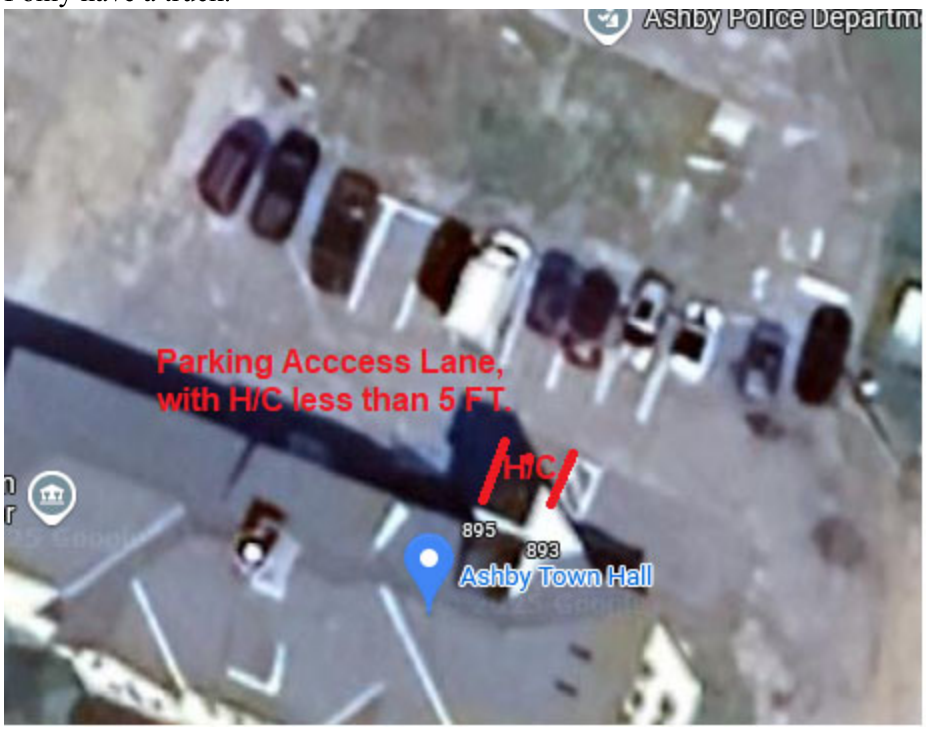
1. they moved to schedule a fine hearing
2) they ordered the town to stripe the van accessible spot within the 60 days (60 days pending receipt of the notice of action)
3. Town still owes the receipts from 2006 for the lot (Legion, Grange Hall and Well)
4. The RAMP(s) one for the front door and one to the basement. This is why the order says ramp **(S)**

5. A certified plans was to be submitted, look at the ramp footing and entrance doors are no 48” required for the RAMP(s)

Also the AAB is waiting on the following

Plans showing the Allan field playground H/C access and compliance, not a outer circle of the playground. This does not allow children to access the Playground swing, etc. (kinda common since)

Town Hall: elevator and parking, including addressing the H/C parking. Given the H/C parking, I expect anyone using the spot not use a truck. I was told I should not to block the Town Hall 2nd means of egress. This put a Truck/Car in the middle of the Parking Access lane. This prevented me from attending tonight meeting Town Hall, I only have a truck.



Regards, Pat

Patrick D. McPhee
56 Heywood Road, Ashby, Ma 01431
pmcphee@comcast.net
Cell +1-978-875-0851

Outlook

RE: 35 New Ipswich Road, Ashby

From Patrick McPhee <pmcphee@comcast.net>
Date Tue 2/18/2025 1:59 PM
To 'Mary Daughraty' <mdaughraty@ashbyma.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc Joyce, William (DPL) <William.Joyce@mass.gov>; 'Jessica Kallin' <jkallin@ashbyma.gov>

2 attachments (5 MB)
20250217_172810.jpg; 20250217_172649.jpg;

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Hello Mary and Molly,

As you can see the Legion is not complying with the H/C access parking. These Picture of the Legion taken yesterday 2/17/2025 @5:26 PM shows the Ashby Legion Manager/Bar Manager parking his truck over the H/C Parking spot, he has no H/C placard/license plate.

I also have asked the town for the Independent Living Program, they have not received it yet.
Can I get an update and if a hearing is scheduled for these violation, the Town of Ashby is over 60 days of compliance.

I would object to any extensions on the legion, they are just prolonging fixing the H/C Parking, the ramp, parking lot and providing property invoices.
Their prolong will include the bid for $110k, this is well over both buildings on the lot combined.

Sincerely, Pat
Patrick D. McPhee
56 Heywood Road, Ashby, Ma 01431
pmcphee@comcast.net
Cell +1-978-875-0851

From: Patrick McPhee [mailto:pmcphee@comcast.net]
Sent: Monday, February 3, 2025 10:28 AM
To: 'Griffin, Molly (DPL)'
Cc: 'William.Joyce@Mass.gov'; 'Mary Daughraty'; 'Jessica Kallin'
Subject: RE: 35 New Ipswich Road, Ashby

Hello Ms. Griffin,

Again the Town is not addressing the H/C parking or access to the H/C at the legion. It is not much for the Mary or the Selectboard the boss of the police, to require monitoring and checking no blocking of H/C Parking. Until the town does the complete parking lot lines, they would be best to use Town Highway orange Cones.

I would object to any extensions on the legion, they are just prolonging fixing the H/C Parking.

Sincerely, Pat

Patrick D. McPhee
56 Heywood Road, Ashby, Ma 01431
pmcphee@comcast.net
Cell +1-978-875-0851

From: Griffin, Molly (DPL) [mailto:Molly.Griffin@mass.gov]
Sent: Thursday, January 30, 2025 8:59 AM
Subject: 35 New Ipswich Road, Ashby

Good morning,

Please find attached the Notice or Decision for the above referenced case. Please note the Notice of Hearing.

If you require a paper copy of a Notice or Decision, you may contact me to request one but be aware that the delivery of physical copies may be delayed.

If you wish to appeal the decision made in this case, you can fill out and send in an Adjudicatory Hearing Request form available here.

If you have any questions, please do not hesitate to get in touch with the Board's staff.

Thank you,
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
www.mass.gov/AAB
617-826-5215



AAB 172


HOLMES-CURRAN-BENNETT
Post 361
AMERICAN LEGION
HANDICAPPED
PARKING
VAN
ACCESSIBLE
ASHBY
SCHOOL HOUSE
NO. 1
6AD 982

Outlook

RE: Selectboard meeting on 1/29/2025 on the American Disability Act plan

From Patrick McPhee <pmcphee@comcast.net>
Date Fri 1/31/2025 2:20 PM
To 'Mary Daughraty' <mdaughraty@ashbyma.gov>
Cc Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>

2 attachments (136 KB)
ARPA Recommendation document.pdf; Agenda 11.20.24.pdf;

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Hi Mary,

Ok, but the meeting recording sounds like you already have the list and are working with "a" private contractor cost. That you will be breaking down the project.

I do know several contractors in town wanting to bid on the ADA compliance work.

On the project manager, this may require architecture plans. On the below town building's work since 2006 is well over 1/3 of the building cost or recent work since 2023 is well over $100k (most is over $200-300k).
Please verify with AAB Mr. Joyce or Ms. Griffin

1. Highway building and Allen field playground
2. Town Hall
3. Building with bell (Church) on the Common
4. Old fire House
5. Legion / Grange hall
6. AES Ashby elementary school
7. AES Play ground

I think only the Public safety building and Maja hall are in complaint.

Remind you request to pull the $109,155. ARPA money for the AES school, to award to HW vehicle, COA pizza events.,
The Money pulled from AES was for H/C Painting, H/C redesign parking and Signs (The town allocated Nov 20, 2024 Selectboard):
paving at Ashby Elementary door entrances and handicap spot/van area – to be no more than $8,600 from ARPA (American Recovery Plan Act)
Also pulled form AES was the elevator (not fully working) replacement parts. There was a lot more H/C included
Pulled some of the AES funding for H/C playground

But the part everyone is missing was the reason for the HBMS Conditions Study reopening the 1st floor, is because the incline from the parking lot would require a ramp from the parking lot to the 2nd floor FT door.

Please everyone we need these addressed before town meeting and Elections at AES (Ashby Elementary). I believe the election department needs AAB help on this.

Last thing, who is the Independent Living Center

Regards, Pat

From: Mary Daughraty [mailto:mdaughraty@ashbyma.gov]
Sent: Thursday, January 30, 2025 11:17 AM
To: 'Patrick McPhee'
Cc: molly.griffin@mass.gov; william.joyce@mass.gov
Subject: RE: Selectboard meeting on 1/29/2025 on the American Disability Act plan

Pat,

I haven't received the ADA self-evaluation plan yet. As I mentioned in my Town Administrator report on 1/29/25, I'm currently collaborating with the Independent Living Center. They will be sending a cost proposal, and we can proceed from there.

Please find the answers to your questions below.

Mary Daughraty

From: Patrick McPhee <pmcphee@comcast.net>
Sent: Thursday, January 30, 2025 10:50 AM
To: Mary Daughraty <mdaughraty@ashbyma.gov>; Angela Jack <tclerk@ashbyma.gov>
Cc: molly.griffin@mass.gov; william.joyce@mass.gov
Subject: Selectboard meeting on 1/29/2025 on the American Disability Act plan

Hi Mary,

Last night meeting, you commented on the American Disability Act plan, the town has initiated a ADA plan for all building.

During the Town Administrator report 1/29/2025:

- The American Disability Act plan, the town has initiated the a ADA plan for all buildings. I met with the external contractor last week who will be executing this plan due to the cost.
- The plan will be implemented in phases. So you have, been in contact with the external contractor and notified them of all the buildings, town buildings. The external contractor is sending over a proposal. You said “again, we'll do it in phases.” We are doing the plan in phases due to the cost
- Please remind you any ADA plan needs to include 521 CMR. The company will provide all ADA requirements according to 521 CMR
- Also your exceeding the $100k including this with other town work on the buildings, this may require a architecture plans. I have no idea the cost of any ADA concerns if any, as we have not had the buildings or areas evaluated

- Because this is going out in phases, does not exclude the 30b biding. I have asked for a phase plan again are due to the fact of the overall cost of the plan which will exceed the ARPA funds allocated in December to the plan.

On Dec 30, 2024 Selectboard meeting:

1. Vote to allocate $5,500 for a professional ADA transition plan required for all town buildings (Phase 1 only, total cost approximately $10k to $15K)

Please send me a copy of the American Disability Act plan?

Regards, Pat

Patrick D. McPhee
56 Heywood Road, Ashby, Ma 01431
pmcphee@comcast.net
Cell +1-978-875-0851


AAB 177

Outlook

Re: new measurement for handicap sign - 35 New Ipswich Rd, Ashby

---

From Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Date Wed 2/5/2025 4:00 PM
To Mary Daughraty <mdaughraty@ashbyma.gov>

Hi Mary,

Thank you. We still need proof of the width of the access aisle next to the spot.

Thank you!
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
www.mass.gov/AAB
617-826-5215

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Tuesday, February 4, 2025 1:16 PM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: RE: new measurement for handicap sign - 35 New Ipswich Rd, Ashby

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Molly,

As requested , here are the photos of the parking spot located in front of 35 New Ipswich Rd, Ashby, MA. As shown the measurements are included.

Please let me know if these satisfy the requirements.

Thank you,

Mary Daughraty
Ashby

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Friday, January 31, 2025 3:55 PM
To: Mary Daughraty <mdaughraty@ashbyma.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Subject: Re: new measurement for handicap sign - 35 New Ipswich Rd, Ashby

Hi Mary,

Yes, this is fine, thank you. Could you please send in proof of the spaces complying with the appropriate width and an access aisle as well? Requirements are outlined in section 23: 521 CMR 23

Thanks!
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
www.mass.gov/AAB
617-826-5215

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Thursday, January 30, 2025 12:41 PM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Subject: new measurement for handicap sign - 35 New Ipswich Rd, Ashby

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Hi Molly,

Here is a new picture with measurement showing the top of the handicap sign at 35 New Ipswich Rd, Ashby, MA as requested.

Please let me know if this satisfies your requested for the handicap parking sign top measurement.

Thank you,

Mary Daughraty



AAB 181

Outlook

RE: 35 New Ipswich Road, Ashby

From Patrick McPhee <pmcphee@comcast.net>
Date Mon 2/3/2025 11:07 AM
To 'Patrick McPhee' <pmcphee@comcast.net>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc Joyce, William (DPL) <William.Joyce@mass.gov>; 'Mary Daughraty' <mdaughraty@ashbyma.gov>; 'Jessica Kallin' <jkallin@ashbyma.gov>

1 attachment (3 MB)
20250201_172335.jpg;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

From: Patrick McPhee [mailto:pmcphee@comcast.net]
Sent: Monday, February 3, 2025 10:28 AM
To: 'Griffin, Molly (DPL)'
Cc: 'William.Joyce@Mass.gov'; 'Mary Daughraty'; 'Jessica Kallin'
Subject: RE: 35 New Ipswich Road, Ashby

Hello Ms. Griffin,

Again the Town is not addressing the H/C parking or access to the H/C at the legion. It is not much for the Mary or the Selectboard the boss of the police, to require monitoring and checking no blocking of H/C Parking. Until the town does the complete parking lot lines, they would be best to use Town Highway orange Cones.

I would object to any extensions on the legion, they are just prolonging fixing the H/C Parking.

Sincerely, Pat

Patrick D. McPhee
56 Heywood Road, Ashby, Ma 01431
pmcphee@comcast.net
Cell +1-978-875-0851

From: Griffin, Molly (DPL) [mailto:Molly.Griffin@mass.gov]
Sent: Thursday, January 30, 2025 8:59 AM
Subject: 35 New Ipswich Road, Ashby

Good morning,

Please find attached the Notice or Decision for the above referenced case. Please note the Notice of Hearing.

If you require a paper copy of a Notice or Decision, you may contact me to request one but be aware that the delivery of physical copies may be delayed.

If you wish to appeal the decision made in this case, you can fill out and send in an Adjudicatory Hearing Request form available here.

If you have any questions, please do not hesitate to get in touch with the Board's staff.

Thank you,
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
www.mass.gov/AAB
617-826-5215



Outlook

RE: access aisle photo - Ashby - 35 New Ipswich Rd

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Wed 2/12/2025 10:43 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Molly,

So, for us to increase the size we can do that easily in warmer weather. Is there an extension we can be granted as we are in the middle of February with more snow predicted.

We can widen the access aisle in the meant time with cones but that become very tricky when it comes to plowing of the lot.

Please advise,

Mary Daughraty

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Wednesday, February 12, 2025 10:15 AM
To: Mary Daughraty <mdaughraty@ashbyma.gov>
Cc: Joyce, William (DPL) <William.Joyce@mass.gov>
Subject: Re: access aisle photo - Ashby - 35 New Ipswich Rd

Hi Mary,

Okay great, thanks for confirming that. Based off of the photo the access aisle would be too short then since this is the one accessible space for the legion post, so a plan for compliance would be required for this parking space since compliance has not been proven in this instance.

Please let me know if you have any other questions.

Thanks!
Molly

Molly Griffin

Program Coordinator

She/Her/Hers

Architectural Access Board

Office of Public Safety and Inspections

Division of Occupational Licensure

1000 Washington Street, Suite 710

Boston, MA 02118

www.mass.gov/AAB

617-826-5215

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Wednesday, February 12, 2025 9:58 AM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: RE: access aisle photo - Ashby - 35 New Ipswich Rd

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Yes, the other one handicap spot is located at the other end of the parking lot area but belongs to the church and is in front of the rectory of the church.

Thank you,
Mary

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Tuesday, February 11, 2025 4:26 PM
To: Mary Daughraty <mdaughraty@ashbyma.gov>
Subject: Re: access aisle photo - Ashby - 35 New Ipswich Rd

Hi Mary,

Thank you. I just wanted to confirm is this the only accessible space in the lot?

Thanks!
Molly

Molly Griffin

Program Coordinator

She/Her/Hers

Architectural Access Board

Office of Public Safety and Inspections

Division of Occupational Licensure

1000 Washington Street, Suite 710

Boston, MA 02118

www.mass.gov/AAB

617-826-5215

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Tuesday, February 11, 2025 1:18 PM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Subject: access aisle photo - Ashby - 35 New Ipswich Rd

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Hi Molly,

Here is the photo of the access aisle and measurement.

Thank you,

Mary Daughraty

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, HOUSING AND ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
1000 Washington St., Suite 710
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF OCCUPATIONAL LICENSURE

Docket Number **V 24 106**

AMENDED NOTICE OF ACTION

RE: Ashby American Legion Post 361, 35 New Ipswich Road , Ashby

On January 22, 2025 , the Architectural Access Board received a filing in the above referenced matter. This filing was subsequently reviewed by the Board at its meeting on January 27, 2025 .

After reviewing the information provided, the Board voted to accept the filing.

ACCEPT the plan as complying with Requirement 2 of the Board's 12/17/24 order, and **FIND** that Petitioner still must provide:
1) an accounting of all construction, reconstruction, alteration, remodeling, additions, or repairs performed on the building or site since 2006, and
2) proof of or a plan for full compliance with 521 CMR 23. At present Petitioner has only provided an image showing measurement to the bottom of a parking sign which is both insufficient detailed as to show the height and measured to the incorrect location as the height requirement is to the top of the sign not the bottom.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: January 28, 2025

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Patricia Mendez WJ
Chairperson
ARCHITECTURAL ACCESS BOARD

Outlook

RE: Building Permits for 35 New Ipswich Rd, Ashby since 2006 - Docket # C23-174-V24-106

From Patrick McPhee <pmcphee@comcast.net>
Date Sun 1/26/2025 10:54 AM
To 'Mary Daughraty' <mdaughraty@ashbyma.gov>
Cc Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>

6 attachments (12 MB)

35 NEW IPSWICH RD DOL INQUIRY 7-10-2024.pdf; Decision for American Legion Ashby.pdf; Map Legion.jpg; 20250119_143602.jpg; 20250119_143557.jpg; 20250119_143533.jpg;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Mary,

I am concerned no action has been taken to correct the Town of Ashby Legion Hall, you have less than 21 days to comply. As you can see there is still a H/C parking issues at the legion. I hope this changes.

In the ARCHITECTURAL ACCESS BOARD (AAB) Docket No. C23-174 , V24-106 on Dec 17, 2024 it states:

1. an accounting of all work performed since 2006. I believe this includes invoices for the complete lot.
2. a plan for full compliance with 521 CMR 24 (rampS). I believe the "S" is for implementing Handicap ramp"S" for replacing the "summer of 2024 ramp" and an access ramp discussed in the hearing to the Hall/Bar.
3. full compliance with 521 CMR 23 (parking). Please see attached blocking of H/C spot on Jan 19, 2025

Since the hearing the Town has reissued the Legion occupancy permit. Can you please provide a list of violation inside and outside of 521 CMR?

Regards, Pat

Patrick D. McPhee
56 Heywood Road, Ashby, Ma 01431
pmcphee@comcast.net
Cell +1-978-875-0851

From: Patrick McPhee [mailto:pmcphee@comcast.net]
Sent: Monday, December 30, 2024 1:11 PM
To: 'Mary Daughraty'; 'william.joyce@mass.gov'
Cc: 'Building Inspector'; 'molly.griffin@mass.gov'; 'Chase, Andrew M (DPL)'
Subject: FW: Building Permits for 35 New Ipswich Rd, Ashby since 2006 - Docket # C23-174-V24-106

Good Morning Mary,

I hope this helps you out, I think I gave you these before.

The Ashby Legion property map is attached, the permits missing are the Well, water feed to each building and sinking the underground electric, this was assessed at over $174k to the residents of
Parcel ID is 009.0-0013-0000.0, listed as "LEGION & GRANGE HALL" Assessor said this is how the property is listed with the registry of Deeds.
As you can see the property contains 3 buildings, including the new well.

Ashby legion had a Electric permit on 2/16/2021.
DEP JoAnne Kasper-Dunne, said the Legion put in a filter system ($4k) prior to the town finishing the new well.
The Highway was instructed to dig the trench across New Ipswich rd from the pole for the Electric to the Legion, grange and new well.
Dave Durling electrical did the conduit and wiring
The Highway was instructed dig the legion for a back flush system for the water supply
In 2022, there was new stair installed by the Highway, they was purchased by Mr. Bussell.
Also in 2020, the legion did push bars for the exit doors

Please remember the ATM A20 ATM 5/3/2014 was for the Well, digging across the legion, etc.
appropriate $165,000 from the Stabilization Fund, Mr. Bussell said he was in charge of the $40k from this for the well to the legion/grange new Well building.
Also look at STM 5-4-2013 article 7
appropriate from Free Cash the sum of $30,000

The Well is located on the Legion Plot

PARID: 0120090001300000 | MUNICIPALITY: ASHBY | LUC: 954

ASHBY, TOWN OF | 35 NEW IPSWICH RD | PARCEL YEAR: 2024



35 NEW IPSWICH ROAD


05/09/2023 Front


05/09/2023 Front


05/09/2023 Front


08/16/2004 Front

PARID: 0120090001300000	MUNICIPALITY: ASHBY	LUC: 954
ASHBY, TOWN OF	35 NEW IPSWICH RD	PARCEL YEAR: 2024




05/09/2023 Front


05/09/2023 Front


05/09/2023 Front


08/16/2004 Front

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Monday, December 30, 2024 8:40 AM
To: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Chase, Andrew M (DPL) <Andrew.M.Chase@mass.gov>
Cc: Building Inspector <bldginsp@ashbyma.gov>; AshbyCOA <coa@ashbyma.gov>
Subject: RE: Building Permits for 35 New Ipswich Rd, Ashby since 2006 - Docket # C23-174-V24-106

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Good morning, Molly,

Here are the only two permits issued by the town since 2006 for the American Legion Hall at 35 New Ipswich Rd, Ashby, MA. This was one of the requirements from the AAB hearing on 11/18/24. Once the new ramp is clarified, the company will pull a permit for the installation.

The only remaining action item from the 11/18/24 hearing is to submit the stamped plans for the Massachusetts compliance handicap ramp for the American Legion Hall.

Thank you and Happy New Year,

Mary Daughraty
Town of Ashby

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Monday, December 23, 2024 1:43 PM
To: Mary Daughraty <mdaughraty@ashbyma.gov>; Chase, Andrew M (DPL) <Andrew.M.Chase@mass.gov>
Cc: Building Inspector <bldginsp@ashbyma.gov>; AshbyCOA <coa@ashbyma.gov>
Subject: RE: Handicapped sign at Legion - Docket # C23-174-V24-106

Hi Mary,

Thank you for the update. Any updates please feel free to send along to us!

Thanks again and Happy Holidays!
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
www.mass.gov/AAB
617-826-5215

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Monday, December 23, 2024 1:33 PM
To: Chase, Andrew M (DPL) <Andrew.M.Chase@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc: Building Inspector <bldginsp@ashbyma.gov>; AshbyCOA <coa@ashbyma.gov>
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Good afternoon, Andrew & Molly,

Following the decision from the Architect Access Board (Docket # C23-174-V24-106) regarding 35 New Ipswich Rd, Ashby (the American Legion hall), one of the corrective actions was to replace the handicap parking sign and ensure it is installed at the required height.

Please find attached proof of the sign and its height for this hearing decision against the Town of Ashby.

We are still coordinating with the ramp company to obtain the stamped plans for the new ramp installation. Once received, I will forward them to both of you.

Happy Holidays,
Mary Daughraty
Town of Ashby

Handicapped sign at the Legion- 35 New Ipswich Rd, Ashby, MA . The bottom of the sign sits at 5’ 6”.





Sent from my iPhone

Outlook

FW: Building Permits for 35 New Ipswich Rd, Ashby since 2006 - Docket # C23-174-V24-106

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Date Mon 12/30/2024 1:11 PM
To 'Mary Daughraty' <mdaughraty@ashbyma.gov>; Joyce, William (DPL) <William.Joyce@mass.gov>
Cc 'Building Inspector' <bldginsp@ashbyma.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>; Chase, Andrew M (DPL) <Andrew.M.Chase@mass.gov>

1 attachment (2 MB)
35 NEW IPSWICH RD DOL INQUIRY 7-10-2024.pdf;

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PARID: 0120090001300000 | MUNICIPALITY: ASHBY | LUC: 954

ASHBY, TOWN OF | 35 NEW IPSWICH RD | PARCEL YEAR: 2024



35 NEW IPSWICH ROAD



05/09/2023 Front



05/09/2023 Front



05/09/2023 Front



08/16/2004 Front

AAB 197

PARID: 0120090001300000	MUNICIPALITY: ASHBY	LUC: 954
ASHBY, TOWN OF	35 NEW IPSWICH RD	PARCEL YEAR: 2024




05/09/2023 Front


05/09/2023 Front


05/09/2023 Front


08/16/2004 Front

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Subject: RE: Building Permits for 35 New Ipswich Rd, Ashby since 2006 - Docket # C23-174-V24-106

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Town of Ashby

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Subject: RE: Handicapped sign at Legion - Docket # C23-174-V24-106

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Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections
Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
www.mass.gov/AAB
617-826-5215

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Cc: Building Inspector <bldginsp@ashbyma.gov>; AshbyCOA <coa@ashbyma.gov>
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Happy Holidays,
Mary Daughraty
Town of Ashby

Handicapped sign at the Legion- 35 New Ipswich Rd, Ashby, MA . The bottom of the sign sits at 5’ 6”.

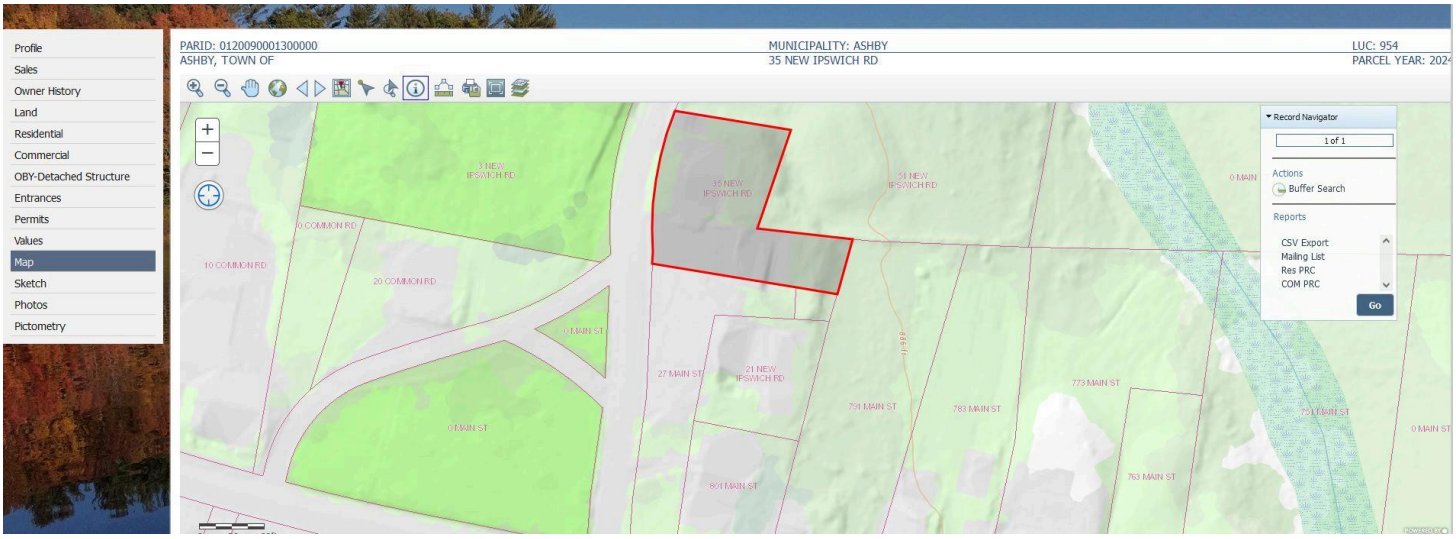




Sent from my iPhone




ASHBY GRANGE NO 172


Profile
Sales
Owner History
Land
Residential
Commercial
OBY-Detached Structure
Entrances
Permits
Values
Map
Sketch
Photos
Pictometry
PARID: 0120090001300000
ASHBY, TOWN OF
MUNICIPALITY: ASHBY
35 NEW IPSWICH RD
LUC: 954
PARCEL YEAR: 2024
Record Navigator
1 of 1
Actions
Buffer Search
Reports
CSV Export
Mailing List
Res PRC
COM PRC
Go
3 NEW IPSWICH RD
35 NEW IPSWICH RD
54 NEW IPSWICH RD
0 MAIN
0 COMMON RD
10 COMMON RD
20 COMMON RD
0 MAIN ST
27 MAIN ST
21 NEW IPSWICH RD
791 MAIN ST
783 MAIN ST
773 MAIN ST
763 MAIN ST
801 MAIN ST
0 MAIN ST

AAB 204

Outlook

ABB 11/18/24 Hearing 35 New Ipswich Rd, Ashby - Ramp Plans

From Mary Daughraty <mdaughraty@ashbyma.gov>
Date Wed 1/22/2025 9:14 AM
To Griffin, Molly (DPL) <Molly.Griffin@mass.gov>

2 attachments (7 MB)

BTH-1539 ASHBY -- American Legion Post 361 - HC Ramp - Shop Drawings.pdf; BTH-1539 ASHBY -- American Legion Post 361 - HC Ramp - Letter.pdf;

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Molly,

Attached is the architect's review and letter of the new ramp plan for 35 New Ipswich Rd, Ashby – American Legion Hall. I wanted to send this to you while we await the stamped plans, which I will forward once received.

I believe this architect's letter and plan bring us into compliance with the hearing from 11/18/24, Doc-C23-174.

Please let us know if you need anything else from us and the timeframe for installing the new compliant ramp, considering the winter season.

Thank you,

Mary Daughraty
Ashby

From: Mary Daughraty
To: Griffin, Molly (DPL); Chase, Andrew M (DPL)
Cc: Building Inspector; AshbyCOA
Subject: RE: Building Permits for 35 New Ipswich Rd, Ashby since 2006 - Docket # C23-174-V24-106
Date: Monday, December 30, 2024 8:40:52 AM
Attachments: 35 NEW IPSWICH RD DOL INQUIRY 7-10-2024.pdf

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Good morning, Molly,

Here are the only two permits issued by the town since 2006 for the American Legion Hall at 35 New Ipswich Rd, Ashby, MA. This was one of the requirements from the AAB hearing on 11/18/24. Once the new ramp is clarified, the company will pull a permit for the installation.

The only remaining action item from the 11/18/24 hearing is to submit the stamped plans for the Massachusetts compliance handicap ramp for the American Legion Hall.

Thank you and Happy New Year,

Mary Daughraty
Town of Ashby

From: Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Sent: Monday, December 23, 2024 1:43 PM
To: Mary Daughraty <mdaughraty@ashbyma.gov>; Chase, Andrew M (DPL) <Andrew.M.Chase@mass.gov>
Cc: Building Inspector <bldginsp@ashbyma.gov>; AshbyCOA <coa@ashbyma.gov>
Subject: RE: Handicapped sign at Legion - Docket # C23-174-V24-106

Hi Mary,

Thank you for the update. Any updates please feel free to send along to us!

Thanks again and Happy Holidays!
Molly

Molly Griffin
Program Coordinator
She/Her/Hers
Architectural Access Board
Office of Public Safety and Inspections

Division of Occupational Licensure
1000 Washington Street, Suite 710
Boston, MA 02118
www.mass.gov/AAB
617-826-5215

From: Mary Daughraty <mdaughraty@ashbyma.gov>
Sent: Monday, December 23, 2024 1:33 PM
To: Chase, Andrew M (DPL) <Andrew.M.Chase@mass.gov>; Griffin, Molly (DPL) <Molly.Griffin@mass.gov>
Cc: Building Inspector <bldginsp@ashbyma.gov>; AshbyCOA <coa@ashbyma.gov>
Subject: FW: Handicapped sign at Legion - Docket # C23-174-V24-106

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Good afternoon, Andrew & Molly,

Following the decision from the Architect Access Board (Docket # C23-174-V24-106) regarding 35 New Ipswich Rd, Ashby (the American Legion hall), one of the corrective actions was to replace the handicap parking sign and ensure it is installed at the required height.

Please find attached proof of the sign and its height for this hearing decision against the Town of Ashby.

We are still coordinating with the ramp company to obtain the stamped plans for the new ramp installation. Once received, I will forward them to both of you.

Happy Holidays,
Mary Daughraty
Town of Ashby

Handicapped sign at the Legion- 35 New Ipswich Rd, Ashby, MA . The bottom of the sign sits at 5’ 6”.


HANDICAPPED
PARKING
VAN
ACCESSIBLE



Sent from my iPhone

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

YVONNE HAO
SECRETARY, HOUSING AND ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Occupational Licensure
1000 Washington St., Suite 710
Boston, Massachusetts 02118

LAYLA R. D'EMILIA
UNDERSECRETARY OF CONSUMER AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF OCCUPATIONAL LICENSURE

TO: Building Department

FROM: Andrew Chase, Compliance Officer

RE: American Legion
35 New Ipswich Rd
Ashby

Docket No: C 23 174

DATE: June 28, 2024

RECEIVED
JUL 10 2024
By Angela M Gale
TOWN CLERK

REQUEST FOR BUILDING PERMI

The Architectural Access Board received a complaint regarding the aforementioned premises. As part of our routine investigative process, it is necessary to obtain copies of all building permits with associated construction costs issued for this property since 1975. These permits are essential for the Board to determine its jurisdiction under 521 CMR Section 3.3.

Please provide copies of the appropriate permits at your earliest convenience. If you have questions, please contact the Board at 617-727-0660 or Compliance Officer Andrew Chase at 617-826-5255 Ext. 25255.

Building Official (Please print)

Signature

AAB 210

BEAR DOWN HARD - YOU ARE WRITING ON 4 COPIES

Town of Ashby

Name of Applicant: ASHBY V.F.W.				Date: 11-15-89	Permit #: 61
Address of Applicant: Erickson Rd, Ashby, Mass.				Telephone:	
Location of Property No / Street: Erickson Rd	If in a Subdivision-Name:				Lot No.:
Side of Street: ☐ North ☐ South ☐ East ☑ West	Map #:	Parcel #:	Size of Lot: ± 3½ acres	Check One: ☐ Sq. Ft. ☑ Acres	Zoning: Res - Agr.
Purchased Property From-Date / Name: Ashby Farmers Social Club	Date: 1978	Are there any bodies of water, streams or swamp areas on or abutting lot ☐ Yes ☑ No			
Builders Name: Honkala Const Co Inc				Telephone: 386-5390	
Builders Address: Box 338 RR 1 Ashby				License #: 008547	
Purpose of New Building or Alteration: Storage 12'X15'				Floor: 180 sq ft new / 2472 sq ft existing	Sq. Ft. Area:
Is there plumbing, heating, electrical associated with this construction? ☐ P ☐ H ☑ E ☐ None					

Overall Dimensions of Building: 30'x60' existing plus 24'x24'	No. of Stories: 1	No. of Rooms: 3	No. of Family Units: 0	Is Sewerage System to be: ☐ Constructed ☐ Repaired N/A ☐ Altered
No. of Bedrooms: 0	No. of Bathrooms: N/A	No. of Lavatories: N/A	No. of Garbage Disposal Units: None	Water Supply: ☐ Town Water ☐ New Well ☑ Existing Well
Type of Construction: wood frame	Foundation Material: Existing concrete plus concrete columns		Type of Heating System: Hot Air	No. of Fireplaces: none
Garage: ☐ Attached None ☐ Separate ☐ In Basement	Number of Vehicles: N/A	Permit Fee: 15.00	Estimate or Contract Cost: $1,000	
Approved by Board of Health	Date		Received Payment	
Approved by Planning Board	Date			
Approved by Conservation Comm	Date			
Approved by Fire Chief	Date			
Approved by Highway Department	Date			
Approved for Zoning	Date			
Approved by Building Inspector: A. Chamberlain	Date: 11-15-89			

Applicant Agrees to abide by the Rules and Regulations of the Building, Wiring, Gas and Plumbing Inspectors, Board of Health, Zoning Board, Board of Appeals, Highway and Water Departments, Board of Selectmen, Fire Chief and all applicable town By-Laws. No changes or alterations permitted unless revised plans are submitted and approved.

V.F.W. - Rauni Honkala Jr. Vice Commander

Signature of Applicant

Restrictions	Use Group:
Application disapproved and referred to the Appeals Board	Fire Grading:

Residence or business?

How near the center of the street?

How near adjoining property lines-Right Left Rear

Nearest Building is feet in a direction

WHITE COPY - Building Inspector PINK COPY - Board of Assessors

AAB 211

TOWN OF ASHBY
895 Main Street
Ashby, MA 01431

Application for Building Permit

Building Permit issued pursuant to Mass Building Code Requirements

For Office Use Only
Fee: 0
Rec'd:
Accepted:
Issued: 4-27-11
Denied:
Permit No: B-11-11

Location of Property (No. & Street) 35 New Ipswich Rd Map 9 Parcel 13 Lot 0
Name & Address of Property Owner Town of Ashby (American legion)
Name & Address of Architect/Engineer
Registration Number Telephone: ( )
Name & Address of Builder/License Holder
Construction Supervisors' License # Signature (required)

Zoning: Res
Type of Permit: __ New ✓ Repair __ Addition __ Demolition __ Certificate of Occupancy __ Alteration __ Other
Current Use: American legion (A) Proposed use: same
If a Residence, # of Dwelling Units NA. Use Group Estimate Construction Cost 0
What is Construction Type? 5B.
Height of Structure (ft): Total Sq. Footage: Number of Stories:
Does the Proposed Project Require a Variance and/or Special Permit? __ Yes ✓ No
If Yes, and a Decision Has Been Issued, Please give Decision Number.
If Proposed Work Within Historic District, Give Commission Approval Date NA.
Is Proposed Work, Including Grading, Within 100 Ft of a Wetland or 200 Ft of a Perennial Stream? __ Yes ✓ No
Waste Disposal Company Disposal Site Address
Demolition: Has Dept Notification Form Been Completed __ Yes __ No __ N/A

DETAILED DESCRIPTION OF PROPOSED CONSTRUCTION (Do not indicate, "see attached plans". Please be specific)
Replace outside hand Rail

Department	Signature & Date	Comments
Tax Collector	Barb Quinchesi tax exempt	4-27-2011
Board of Health		
Conservation		
Planning Board		
Highway		
Fire Chief		

Are the following included?			YES	NO
Occupying street or sidewalk		(1)	—	—
Electrical		(1)	—	—
Plumbing Gas Fitting		(1)	—	—
Heating (mechanical)	(1)	(2)	—	—
Oil Storage		(1)	—	—
Air Conditioning	(1)	(2)	—	—
Fire Suppression (mechanical)	(1)	(3)	—	—
Fire Detection		(3)	—	—
		(1)	—	—

Notes: 1. Requires special Permit
Notes: 2. Heat loss info required
Notes: 3. Stamped plan required

I have provided the above information and it is correct to the best of my knowledge.
Thomas J. Safford 9185016743
Signature of Owner or Authorized Agent
Print Name
Address
City State ZIP
Daytime Phone ( )
APPROVED
P.A. Nicol
Inspectors Name and Title

AAB 212

TOWN OF ASHBY
895 Main Street
Ashby, MA 01431

Application for Building Permit

Building Permit issued pursuant to Mass Building Code Requirements

For Office Use Only
Fee: Ø
Rec'd:
Accepted:
Issued: 6-19-13
Denied:
Permit No: 30

Location of Property (No. & Street) 35 New Ipswich Map 9 Parcel 13 Lot Ø
Name & Address of Property Owner Town of Ashby
Name & Address of Architect/Engineer
Registration Number Paul Lielick Telephone: ( )
Name & Address of Builder/License Holder
Construction Supervisors' License # Signature (required)

Zoning | Type of Permit: __ New __ Addition __ Certificate of Occupancy __ Repair __ Demolition __ Alteration __ Other

Current Use: Proposed use:
If a Residence, # of Dwelling Units Use Group Estimate Construction Cost 3000.00
What is Construction Type? Remodel
Height of Structure (ft): Total Sq. Footage: Number of Stories:
Does the Proposed Project Require a Variance and/or Special Permit? __ Yes __ No
If Yes, and a Decision Has Been Issued, Please give Decision Number.
If Proposed Work Within Historic District, Give Commission Approval Date
Is Proposed Work, Including Grading, Within 100 Ft of a Wetland or 200 Ft of a Perennial Stream? __ Yes __ No
Waste Disposal Company Disposal Site Address
Demolition: Has Dept Notification Form Been Completed __ Yes __ No __ N/A

DETAILED DESCRIPTION OF PROPOSED CONSTRUCTION (Do not indicate, "see attached plans". Please be specific)

replace kitchen window, front door, replace T-11 siding.

Department	Signature & Date	Comments
Tax Collector	Tax exempt	
Board of Health		
Conservation		
Planning Board		
Highway		
Fire Chief		

Are the following included?			YES	NO
Occupying street or sidewalk		(1)	__	__
Electrical		(1)	__	__
Plumbing Gas Fitting		(1)	__	__
Heating (mechanical)	(1)	(2)	__	__
Oil Storage		(1)	__	__
Air Conditioning	(1)	(2)	__	__
Fire Suppression (mechanical)	(1)	(3)	__	__
Fire Detection		(3)	__	__
		(1)	__	__

Notes: 1. Requires Special Permit
Notes: 2. Heat loss info required
Notes: 3. Stamped plan required

I have provided the above information and it is correct to the best of my knowledge.

Signature of Owner or Authorized Agent
Thomas J. Sanford
Print Name
207 Whitney Rd
Address
Ashby MA 01431
City State ZIP
501 6743 (978)
Daytime Phone ( )
APPROVED
Inspectors Name and Title

AAB 213

From: Mary Daughraty
To: Chase, Andrew M (DPL); Griffin, Molly (DPL)
Cc: Building Inspector; AshbyCOA
Subject: FW: Handicapped sign at Legion - Docket # C23-174-V24-106
Date: Monday, December 23, 2024 1:33:45 PM

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Good afternoon, Andrew & Molly,

Following the decision from the Architect Access Board (Docket # C23-174-V24-106) regarding 35 New Ipswich Rd, Ashby (the American Legion hall), one of the corrective actions was to replace the handicap parking sign and ensure it is installed at the required height.

Please find attached proof of the sign and its height for this hearing decision against the Town of Ashby.

We are still coordinating with the ramp company to obtain the stamped plans for the new ramp installation. Once received, I will forward them to both of you.

Happy Holidays,
Mary Daughraty
Town of Ashby

Handicapped sign at the Legion- 35 New Ipswich Rd, Ashby, MA . The bottom of the sign sits at 5’ 6”.


HANDICAPPED
PARKING
VAN
ACCESSIBLE



Sent from my iPhone

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss. **ARCHITECTURAL ACCESS BOARD**
Docket No. C23-174 , V24-106

In re)
)
Ashby American Legion Post 361)
35 New Ipswich Road)
Ashby)
)

BOARD DECISION

Procedural History

This decision addresses a complaint before the Architectural Access Board ("AAB" or the "Board") regarding the entrance at the American Legion building in Ashby, which is owned by the Town of Ashby (the "Petitioner"). Subsequent to the filing of the Complaint, Petitioner submitted an Application for Variance and an Amended Application for Variance regarding the entrance ramp. The Complaint alleged that the building is in violation of 521 CMR 24 (Ramps), and the initial Application for Variance sought temporary relief for the town to install a new ramp, which is now in place.

On October 2, 2023, AAB received a Complaint for this property. On March 8, 2024, AAB sent a First Notice of Violation for this Complaint. On April 2, 2024, AAB received a response from Petitioner. On June 11, 2024, Petitioner filed a variance application for temporary relief. On September 20, 2024, an Adjudicatory Hearing was scheduled for Monday, November 18, 2024, as the deadline for compliance had passed and Petitioner had failed to submit proof of compliance. On November 6, 2024, AAB received an Amended Variance application from Petitioner.

On November 18, 2024, an Adjudicatory Hearing was held, in accordance with G.L. c. 30A, §§ 10 and 11; 801 CMR 1.02 *et seq.*; and 521 CMR 4.00.[1] Patrick McPhee, Complainant, Kevin Stetson, town resident, Patricia O'Sullivan, town resident, Mary Daughraty, Ashby Town Administrator, April Forest, the Town's former ADA Coordinator, and Andrew Chase, the Board's Compliance Officer, appeared and testified. The

[1] Pursuant to An Act Making Appropriations for the Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Existing Appropriations and for Certain Other Activities and Projects (chapter 2 of the Acts of 2023), the hearing was held online via the Microsoft Teams platform.

witnesses were sworn in by the Board Chair. The instant decision now memorializes the determinations made at that time.

Applicable Laws & Regulations

521 CMR 3.1 requires: "All work performed on public buildings or facilities (see 521 CMR 5.00: DEFINITIONS), including construction, reconstruction, alterations, remodeling, additions, and changes of use shall conform to 521 CMR."

521 CMR 24.3 provides in relevant part: "The minimum clear width of a ramp shall be 48 inches (48" = 1219mm), measured between the railings."

Exhibits

The following documentation was entered into evidence:

Exhibit 1: Board Packet AAB 1-546, including the complaint, all correspondence and photographs.
Exhibit 2: PowerPoint hearing presentation from Complainant during hearing.

Factual Findings

The following findings of fact and conclusions of law are supported by substantial evidence, based on the credited testimony of the witnesses, documents admitted into evidence and AAB records. G.L. c. 30A, § 11(2), § 14(7).

1) Petitioner admits that the three-foot wide ramp at the entrance to this location was installed in the summer of 2024 at a cost of $7,250. Ex. 1, AAB 458-59.
2) Complainant asserts that other noncompliance issues may exist at this location, including related to availability and signage of accessible parking. Complainant's testimony; Ex. 2.

Discussion

The Board's jurisdiction is established pursuant to 521 CMR 3.1: "All work performed on public buildings or facilities (see 521 CMR 5.00: DEFINITIONS), including construction, reconstruction, alterations, remodeling, additions, and changes of use shall conform to 521 CMR." Petitioner acknowledges the Board's jurisdiction over this location.

The Board's Compliance Officer, Andrew Chase, began the hearing by explaining that after the Board granted temporary relief to allow Petitioner time to replace the entrance ramp at this building, Petitioner failed to demonstrate that it had brought the entrance into compliance. The Board then heard from the Complainant, who described his extensive familiarity with this location. Of relevance to this hearing, it is undisputed that Petitioner

replaced the front stairs at this building in 2022, which triggered an obligation to provide a compliant entrance per 521 CMR 3.1. Some time later, the Petitioner hired a vendor which claimed it had the appropriate expertise to install a complaint ramp. However, Petitioner now admits that this ramp does not comply with Board regulations, as it is 36 rather than the required 48 inches in width, and believes the vendor must have followed only federal, and not state, ramp regulations in this instance Further, Complainant shared pictures with the Board reflecting that the ramp is not securely supported by the ground, and that the ramp ends at a raised threshold that makes entry through the doorway difficult for persons with mobility challenges.

In response to Board questions, Petitioner was unsure during the hearing whether a building permit was issued for the ramp, or if the design was overseen by a construction supervisor. The Board noted the strong evidence during the hearing that a compliant ramp would be a substantial benefit to persons with disabilities, and the lack of evidence that a compliant ramp would be technologically infeasible.

The Board has now considered the Complaint and Application for Variance, including the information provided in the submitted documentation as well as witness testimony. As reflected in the order below, the Board finds that a violation of its regulations occurred, and that at this time Petitioner has not established impracticability that would warrant the granting of a further variance.

Conclusion and Order

In light of all of the foregoing, the Board votes as follows:

- to ***FIND*** that a violation of 521 CMR 24 (ramps) has occurred at this location; and,
- to ***CONTINUE*** this matter, and ***ORDER*** that within 60 days of the date of this Decision, Respondent provide to the Board for this location:
  1) an accounting of all work performed since 2006 including but not limited to work reflected on building permits;
  2) a plan for full compliance with 521 CMR 24 (ramps) stamped by a construction professional; and,
  3) either proof of, or a plan for, full compliance with 521 CMR 23 (parking).

A true copy attest, dated: December 17, 2024

ARCHITECTURAL ACCESS BOARD

By:

Dawn Guarriello, Chair (Not Present)

Patricia Mendez, Vice Chair

Raymond Glazier, Executive Office of Elder Affairs Designee (Not Present)

Jeffrey Dougan, Massachusetts Office on Disability Designee

Joseph Prochilo, Member (Not Present)

Elizabeth Myska, Member

David Johnson, Member

Kathryn Denis, Member

Pamela Daly, Member

A complete administrative record is on file at the office of the Architectural Access Board.

This constitutes a final order of the Architectural Access Board. In accordance with G.L. c. 30A, §14 and G.L. c. 22, §13A, any person aggrieved by this decision may appeal to the Superior Court of the Commonwealth of Massachusetts within thirty (30) days of receipt of this decision.

ARCHITECTURAL ACCESS BOARD - HEARING PACKET

Name	**American Legion**	**Docket #**	C23 - 174
Address	**35 New Ipswich Rd**	**Docket #**	
City	**Ashby**	**Hearing**	11/18/2024
Type of Complaint	Bldg	**Time of hearing**	2:00 PM
Complaint's Name	Patrick McPhee		
Complaint ?	X	**Variance ?**	
Jurisdiction:	2.6	Maintenance of Access Features: At all times, accessibility features must be maintained and fully operational. (i.e. access aisles kept clear at all times, mechanical devices be kept in operating condition, etc).	
Building Permits:			
Assessed Value:			

EXHIBIT #1
C23-174
AAB 1-546

Complaints to be Addressed:

23.1, 24.1

On October 2nd, 2023, AAB received a complaint for this property (AAB 526-546).

On March 8th, 2024, AAB sent a First Notice for this complaint (AAB 515-523).

On April 2nd, 2024, AAB received a response from the Town of Ashby (AAB 508-514).

On June 11th, 2024, the Town of Ashby filed a Variance application for Temporary Relief (AAB 498-507).

On September 20th, 2024, an Adjudicatory Hearing was scheduled for Monday, November 18th, 2024, at 2:00 PM as the deadline for compliance had passed (AAB 470-474).

On November 6th, 2024, AAB received an Amended Variance application from the Town of Ashby (AAB 451-459).

Chase, Andrew M (DPL)

From: Patrick McPhee <pmcphee@comcast.net>
Sent: Wednesday, November 13, 2024 3:37 PM
To: Chase, Andrew M (DPL)
Subject: RE: Legion Ramp
Attachments: 20241111_155749.jpg; 20241111_155558.jpg; 20241111_155759.jpg

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ASHBY GRANGE NO.1/2