

501 POND STREET, ASHLAND MA

A Proposed Mixed use Trask Development community located in the newly-revitalized Route 126 corridor



**UPDATED 11/16/2021 SUBMITTAL**

**APPLICANT**

Trask Development  
337 Turnpike Road, #201  
Southborough, MA 01772

**ARCHITECT**

ICON Architecture  
101 Summer Street  
Boston, MA 02110

**TRAFFIC CONSULTANT**

MDM Transportation Consultants  
28 Lord Road, #280  
Marlborough, MA 01752

**ENGINEER**

Bruce Saluk & Associates  
576 Boston Post Road East  
Marlborough, MA 01752

**LANDSCAPE ARCHITECT**

Grady Consulting  
71 Evergreen Road #1  
Kingston, MA 02364

**COUNCIL**

Mark Kablack, Esq.  
M.A. Kablack & Associates, P.C.  
176 E Main Street #3  
Westborough, MA 01581

*Project Narrative – general introduction*.....Page 3  
 PSMUOD Zoning Compliance table.....Page 5

**DETAILS ON PROJECT IN THE CONTEXT OF PSMUOD ZONING**

8.8.1 – PSMUOD Purpose.....Page 6  
 8.8.4 – Development Criteria .....Page 8  
 8.8.5 – Permitted Uses.....Page 12  
 8.8.6 – Dimensional Regulations.....Page 13  
 8.8.7 – Affordable Housing & Density Bonus.....Page 14  
 8.8.8 – Parking Requirements .....Page 15  
 8.8.9 – PSMOUD Review Standards.....Page 16  
 8.8.9.1 – Design Review – Administrative procedures..... Page 19

**DETAILS ON PROJECT IN THE CONTEXT OF SPECIAL PERMIT**

9.3.2 - Conditions & requirements of Special Permit Applications .....Page 21  
 9.4.7 – Building design, conformance to local style.....Page 24

**DETAILS ON PROJECT IN THE CONTEXT OF 2021 HPP**

Adherence to 2021 Housing Production Plan.....Page 26

**APPENDIX A – NEGOTIATION ITEM (density bonus) as outlined in 8.8.7.1b**.....Page 27

**APPENDIX B – NEGOTIATION ITEM (first floor residential) as outlined in 8.8.5.1,3b**.....Page 29

## **A New Trask Community in Ashland**

We are pleased to present the following application to the Planning Board for Special Permit (S 9.3), Site Plan Review (S 9.4), and Design Plan review. The project is located on the Route 126 corridor, in the Pond Street Mixed Use Overlay District (PSMUOD). This “Project” consists of one Energy Star rated structure with 120 rental apartments units, and approximately 2,351 square feet of ground floor, street facing retail space, along with 5000 sf of related amenity/ common area. The parcel(s) of land encompass a total of 180,396 square feet (158,110 SF on Parcel 151/map 29 and 22,288SF on The Converse Private Way). The project will have frontage on Pond Street, and will utilize existing curb cut for main access. The project is serviced by town water and sewer, underground electric and gas.

### **Brief project overview**

The Project consists of 120 Rental apartment units, comprised of 64 two-bedroom units, and 56 one bedroom units. Two bedroom units average at 1,200 SF and 1 bedroom unit’s average at 850 SF. Also included in the project is approximately 2,351 square feet of retail space, and roughly 6,000 square feet of amenity space for the residents – consisting of a business/ media center, leasing center, workspace, bike storage room, and a gym. There will be 163 parking spaces provided on site; 9 designated for the retail space, and 155 designated for the residential tenants and guests – meeting PSMUOD parking standards.

The Project site falls entirely into the Pond Street Mixed Use District (PSMUOD). This zoning calls for a density of one residential unit per 2000 sf of land area; there are no limitations or requirements for unit size, or bedroom count. This would generate an underlying residential density of 90 units, there is no prescribed qualifier on the density/sf requirements or percentage requirements for commercial space in the overlay district zoning. The project is proposed as mixed use and meets the criteria outlined in sections 8.8.1-8.8.9 of the bylaw as noted below.

Under the PSMUOD zoning, the Special Permitting Authority (SPGA) can grant increases in density for the increase in Affordable Housing Units – as noted in 8.8.7.1b.

Under the PSMUOD zoning, the SPGA can allow ground floor dwelling units in cases where the residential uses will not have an adverse impact on the continuity of the non-residential street front uses – as noted in 8.8.5.1,3b.

With all requirements other than density and first floor residential use (*which are both explicitly called out as items of negotiation in the bylaw*) the project conforms to all other goals

and regulations established by the overlay district zoning. See zoning compliance table on the following page.

For this submittal, **the Applicant is hereby requesting that the SPGA grant an increase in density from 90 units of 2 and 3 bedroom for-sale units, to 120 units of 1 and 2 bedroom rental units.** In consideration for this grant by the SPGA, the proposal **will increase from the 10% affordability threshold (9 units) to 25% (30 units) overall project affordability, which mirrors the Chapter 40B requirements, and achieves the goals under the Town’s 2021 Housing Production Plan.**

In addition, **the Applicant is hereby requesting the SPGA allow ground floor, street facing residential use for 2 units** in the proposed mixed use structure, as first floor residential use would have no impact to non- residential street front uses in the district.

***Detailed information on project conformities with goals established in the district, SPGA review criteria, and conformities with the Ashland Housing Production Plan can be found on pages 6 through 23 of this document***

<b>PSMUOD regulation / requirement / prescription</b>	<b>REQUIRED or ALLOWED</b>	<b>PROPOSED</b>
<b>minimum lot size</b>	30,000 SF	180,396 SF
<b>Frontage</b>	150'	>150'
<b>Setbacks - front</b>	0'	85'
<b>Setbacks – side</b>	Min. 10'	50'/82'
<b>Setbacks – rear</b>	Min. 15'	80'
<b>Height</b>	Max. 5 stories	4 stories
<b>Residential Density Prescription</b>	90	120*
<b>Commercial Space Prescription**</b>	>0 SF	2,351 SF
<b>Affordable housing percentage</b>	10% ( 9 units)	25% (30 units)*
<b>Parking Requirements</b>	161	163
<b>Open space</b>	0 sf Required, but “Encouraged”	>10,000 SF

\*Applicant is requesting a density bonus, noted as permissible in 8.8.7.1b, of +30 units, for increasing affordable housing from 10% of 90 units to 25% of 120 units – matching 40B requirements allowing all 120 units to count towards Ashland’s SHI

\*\* There is no prescriptive measure for the minimum area of commercial space in mixed use structures in the bylaw

**SEE ATTACHED APPENDIX “A” – DENSITY BONUS**  
**SEE ATTACHED APPENDIX “B” – FIRST FLOOR RESIDENTIAL**

## 8.8.1 – PSMUOD PURPOSE

**PSMUOD Purpose:** As outlined in 8.8.1 – the purpose of establishing the PSMUOD is broken into four main goals.

**Each goal is noted in the numbered section below, and supporting elements of the application are in the lettered sections that follow.**

### **GOAL 1 - Promote Economic Development**

#### *Applicant response to Goal 1 of 8.8.1*

- a. The proposed project consists of 120 units of rental housing, 25% affordable, in the same building as a 2,351 SF Class A retail/ office space. The development will bring residents to an existing commercial corridor, and create the opportunity for a new business to grow in the commercial space. At completion, the value of the project is projected to generate up to \$580,000.00 in new real estate tax revenue (*this is nearly 4 times the amount of tax revenue generated by the adjacent Shaw's plaza parcel, and nearly 3 times the tax revenue generated by the Adjacent Residence at Valley Farm*).
- b. The proposed project is located a few hundred feet from two existing commercial/ retail centers with historically above average vacancy rates. The proposed new development will augment local residential base – allowing new residents to utilize new pedestrian walkways for quick and easy access to the business in existing retail development – adding vitality to the existing business, and providing the opportunity for currently vacant space to be leased; furthering the economic expansion of the Pond Street Corridor.

### **GOAL 2 - Encourage More Efficient Use of Infrastructure**

#### *Applicant Response to Goal 2 of 8.8.1*

- c. The proposed development site is currently accessed off an existing curb cut on to the private Converse Way. The development proposes the continued use of this existing curb cut for the main entrance as planned in the continuing MASS DOT work along Pond Street will be unchanged.
- d. The existing redevelopment of Pond Street will more than mitigate any increased traffic, and the project will utilize and expand the updated growth corridor as anticipated with MASSDOT proposal.
- e. The ongoing enhancements to the pedestrian walkway along route 126 will provide a safe and efficient way for residents of the development to access area amenities in the surrounding commercial properties.

- f. The proposed project will be the first structure visible once crossing into the town of Ashland on the south side of route 126. The existing parcel is used as storage for earth materials, as proposed the project would turn this underdeveloped eyesore into a high quality building anchoring the 126 corridor

### **GOAL 3 - Add vitality to the corridor**

#### *Applicant Response to Goal 3 of 8.8.1*

- g. The corridor is undergoing a massive, and expensive revitalization effort thanks to the creative planning and strategic vision of the town. Outside of the existing assisted living facility on the abutting parcel, this corridor is almost exclusively commercial/ industrial. As with any commercial district, vitality can be directly correlated to access and availability of potential consumers. As of now, this district has very few residential properties located entirely within this designated overlay zone. Adding a high density residential/mixed use development adds available consumers to the district, which could add vitality to the corridor through additional consumer spending, additional foot traffic, and additional tax revenue for the town.

### **GOAL 4 - Access to Employment Opportunities and Services**

#### *Applicant Response to Goal 4 of 8.8.1*

- h. The proposed commercial use on site adds a unique opportunity for the potential for residents to both live and work in the same building. The commercial use also adds the unique opportunity for a commercial tenant to have potential housing options on site for employees.
- i. As mentioned, the proposed project is also sited within a few hundred feet of multiple existing commercial properties, including restaurants, retail, convenience stores, grocery stores, daycares, gyms, etc. The proposed project provides a unique opportunity to employees of these area businesses to have a housing option walking distance from their place of work – expanding the available Local Workforce housing options which will benefit local businesses.

## 8.8.4 – DEVELOPMENT CRITERIA

**Development Criteria:** As outlined in section 8.8.4 – the PSMUOD has 8 specific development criteria requirements.

**Each requirement is noted in the numbered section below, and supporting elements of the application are in the lettered sections that follow.**

### **CRITERION 1 - Adequacy of Site**

*Applicant's response to Criterion 1- as outlined in 8.8.4*

- a. The existing site is level, free of on-site wetlands, free of existing structures, and outside of removal of stored earth on site, site work is fairly minimal and straight forward
- b. The proposed building on the subject site is located at the same front setback as the adjacent Residence at Valley Farm (RVF) – however the proposed structure is approximately 10' lower than the adjacent RVF structure, and is similar in street facing façade width.
- c. The site is a gateway location at the start of a major redevelopment. The building will represent a revitalized entrance to the upgraded corridor. Although the site is surrounded by 100% residential use, this project will start the transition from older commercial space, to new upgraded mixed use properties.

### **CRITERION 2 - Adequacy of Open Space**

*Applicant's response to Criterion 2- as outlined in 8.8.4*

- d. As part of the revitalization of Route 126, new pedestrian walkways with greenspace are being added- creating public pedestrian access to the corridor. While the proposed development does not propose Open Space in the form of a public park – the development does propose open green space in the form of a linkage to existing open green space along the right of way on the abutting Residence at Valley farm development. The proposed open green space at the front of the parcel creates a direct association and connection with the existing greenspace along the corridor – further linking the public green areas along route 126.
- e. The project also proposes a walking trail/connection to the abutting Ledgemere Country Condominium association. Currently it appears there is a small walking path established and used by the residence of the abutting condominium association for walking dogs, etc. The project proposes a permanent, pedestrian only linkage, allowing residence of the abutting condominium association quick access to the new pedestrian walkways along route 126 through the proposed development site.

### **CRITERION 3 - Suitability of Site for the proposed project**



*Applicant's response to Criterion 3- as outlined in 8.8.4*

- f. As outlined above in 1 A, B and C, this site is currently undeveloped and used for site material storage. As proposed, the development utilizes existing curb cuts, and all utilities are available on site.
- g. The site is a gateway location to the newly revitalized Pond Street corridor – as an undeveloped site, the proposed project achieves the purpose of the PSMUOD and speaks to the progress created by the towns efforts to revitalize the corridor.
- h. See attached engineering and storm water management plans for in depth details.

**CRITERION 4 - Impact on Traffic, Pedestrian flow and Safety and Access of Emergency Vehicles**

*Applicant's response to Criterion 4- as outlined in 8.8.4*

- i. **TRAFFIC** - As noted on the memorandum provided by MDM Transportation Consultants, dated 10/25/21 – after an in depth traffic impact assessment (TIA) for the proposed development, it has been concluded that the proposed project will have minimal impact on existing trips along route 126 – it has been concluded that the development will **“Have a nominal increase of less than 1 vehicle trip per minute during peak periods.”** The proposed entrance to the site (existing curb cut at Converse way) also exceeds the site line requirements as published by the AASHTO. **Most importantly, as noted in the MDM traffic study, “the project is not projected to materially change any reported operating levels compared to 2028 No-Build conditions”**
- j. **PEDESTRIAN FLOW AND CONNECTIVITY** - Currently, as part of the revitalization of Route 126, enhanced pedestrian walkways are being added from the Ashland/ Holliston line, all the way to the Framingham/ Ashland line. Previously, this unoccupied site provided little to no utility to pedestrians as there was no reason for pedestrians to walk farther south along route 126. The proposed project incorporates a buffer of open greenspace along the new pedestrian walkway, creating a beautiful visual “entrance” to the new Ashland section of 126. The proposed project also includes a retail/ commercial component, which would be connected to other area commercial space with the pedestrian walkways. The project is also located less than 500 feet from two large retail developments, pedestrians would have direct access from the project to these existing 126 corridor retail amenities. As mentioned previously the development also proposes a pedestrian walkway connecting the abutting condominium association to the new pedestrian walkway along route 126 via the development site.
- k. **SAFETY AND ACCESS FOR EMERGENCY VEHICLES AND LARGE VEHICLES** – As noted in the above referenced MDM traffic study, in the AutoTURN appendix, exhibits 1-5, and in page two of said study , “The proposed Site access off Converse Way and the secondary emergency driveway have been designed to accommodate delivery vehicles and the Town’s ladder truck. The

analysis indicated that site access/egress, circulation aisles and parking layout provide adequate maneuvering area for the design vehicles.”

### **CRITERION 5 - Impact on visual character**

#### *Applicant's response to Criterion 5- as outlined in 8.8.4*

- l. The proposed development sits in the South West corner of Route 126. The site of the proposed project is a gateway location, and will be the first structure visible in Ashland when driving northbound on route 126. Currently, the site sits vacant, and is used as raw material storage. At the moment, the first visible structure in Ashland on the southern side of 126 is the Residence at Valley Farm – this 100% residential property is a direct abutter to the proposed development and is similar in width, and is taller than the proposed structure. The proposed new building will be built utilizing high quality materials, design and landscape; creating an impressive gateway property to “ground” the entrance into Ashland along route 126- a positive impact to the corridor where existing structure are primarily older, class b/c retail and commercial.
- m. The visual character of the existing corridor is commercial/ industrial heavy. Scattered throughout the corridor is a mix of retail plazas, gas stations, drive through/ fast food establishments, 2 large national grocers, 2 large national pharmacies, multiple discount retailers, banks, restaurants, gyms, day cares, along with a number of residential structures (in the form of single family homes, mixed-use development, condominium developments, and 100% residential use multi dwelling structures). As a mixed used property- the proposed project conforms to the mix of both residential and commercial in the area. The proposed project will also add an impactful, and beautiful, visual gateway element to the corridor – which will be another positive addition to the corridor in conjunction with the route 126 revitalization efforts.
- n. Outside of the immediate PSMUOD overlay district, the abutting Ledgemere Country Condominiums abuts the Shaw’s plaza, the Residence at Valley Farm, and the subject parcel. The visual character of the new development will have no more visual impact on the Ledgemere Country Condominiums than the existing Shaw’s plaza and the Residence at Valley Farm has. Presently, there is an existing line of approximately 35’ tall arborvitae lining the property line between the subject parcel and the condominium association. The tree line will remain unchanged and will be protected during construction.

### **CRITERION 6 - Adequacy of utilities, including sewage disposal, water supply and storm water**

#### *Applicant's response to Criterion 6- as outlined in 8.8.4*

- o. All require utilities are currently available on site
  - i. WATER – Town Water available on site

- ii. SEWER – Town Sewer connection available on site \* *developer has agreed to off-site sewer connection work, to increase sewer connectivity in town*<sup>1</sup>
- iii. GAS - Natural gas available on site- units/ common areas in the development will utilize electric power exclusively. Gas will ONLY be used for the fire pit and grills in the common landscaped area.
- p. The Storm-water report is complete and attached hereto.

**CRITERION 7 - Compliance with stated purpose of bylaw**

*Applicant’s response to Criterion 7- as outlined in 8.8.4*

- q. **INFORMATION REGARDING COMPLIANCE TO THE STATED PURPOSE OF THE BYLAW IS A REPETITION OF THE ABOVE OUTLINED CONFORMITIES WITH THE PSMUOD PRUPOSE IN 8.8.1, AND CAN BE FOUND ON PAGES 6 & 7 OF THIS DOCUMENT.**

**CRITERION 8 - Impact of proposal on existing mix of structures and businesses**

*Applicant’s response to Criterion 8- as outlined in 8.8.4*

- r. The proposed development will provide a positive impact to area businesses.
  - i. The development, and its close proximity to area retail, restaurants and commercial properties will provide a “built in” customer base for area businesses. Residents of the property will have immediate, walkable access to area businesses – this close proximity of area resources with limited barriers to access will allow residents quick access to these businesses – which will allow for frequent access to the businesses for the residents; this will, in turn, increase the number of customers and the amount of money spent at local businesses
- s. The proposed development will have a positive visual impact on the existing structures in the corridor
  - i. The new development is similar in massing and height to neighboring properties. The proposed development will also be built to be Energy Star certified, and will utilize high quality design and construction materials. The proposed development will have a positive visual impact on the corridors existing (primarily older and utilitarian in nature) mix of structures.
- t. The proposed development will have a positive impact on area structures / parcel usage.
  - i. The new development adds a new structure with usage that conforms with the general “mixed use” structure of the corridor.

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<sup>1</sup> Developer has committed to completing proposed gravity connection off of Blue Jay Lane and Bay Colony Drive. Applicant agreed to work with town engineer and consultant Haley & Ward to complete connection as designed. Separate filing with conservation commission will be required for the proposed connection work.

## 8.8.5 PERMITTED USES

Section 8.8.5.1 – Permitted uses, residential - Special use provisions: Ground floor uses

*As outlined in the 8.8.5.1 3b) – “ground floors of buildings which front on streets shall be reserved for non-residential uses except as specified below...dwelling units shall be allowed on ground floors of buildings only where... the SPGA feels that street-front residential uses will not have an adverse impact on the continuity of the non-residential street front uses.”*

### APPLICANTS RESPONSE:

- 1) For the reasons previously stated, the proposed development on-site will achieve the intent of the PSMUOD, through both the development of commercial uses on-site as well as increasing residential access to the adjoining commercial use.
- 2) The building design as proposed has only 2 street facing residential units- the other street facing elements of the building are the commercial space, and amenity (non-residential) space of the building.
- 3) As established above, and as noted in town property records, there is a mix of commercial use, and street facing residential use in the form of existing homes located 100% within the overlay district<sup>2</sup>. – **the 2 street facing residential units will not adversely impact the continuity of non –residential street front uses in the district as there are existing residential street facing properties with ground floor residential use located in the district.**
- 4) As written and accepted at the 5/6/2009 Annual town meeting, the overlays district zoning has no set requirement for commercial space in its contemplation of high density mixed use development. The only prescription for density exists in 8.8.6.3 for intensity requirements for residential dwellings. **The proposed development achieves the purpose of the PSMUOD by proposing a “high density mixed residential and commercial uses in the same building,” especially in this instance where there will be improved direct access for residents to the existing adjacent commercial uses.**
- 5) See attached cover letter and zoning opinion drafted by Mark Kablack, Esq dated 11/15/2021

**SEE ATTACHED APPENDIX “A” – DENSITY BONUS**  
**SEE ATTACHED APPENDIX “B” – FIRST FLOOR RESIDENTIAL**

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<sup>2</sup> PARCELS WITH GROUND FLOOR, STREET FACING RESIDENTIAL USE IN THE DISTRICT: 1 Pond Street, 2 Pond Street, 3/5 Pond Street, 4 Pond Street, 6-8 Douglas RD, 10 Pond Street, 11 Pond Street, 19 Pond Street, 20 Pond Street, 34 Pond Street, 4 Rodman Street, 34 Pond Street, 40 Pond Street, 62 Pond Street, 68 Pond Street, 137 Pond Street, 166 Pond Street, 220 Pond Street, 221 Pond Street, 224 Pond Street, 226 Pond Street, 228 Pond Street, 241 Pond Street, 242 Pond Street, 247 Pond Street, 249 Pond Street, 255 Pond Street, 259 Pond Street

## 8.8.6 DIMENSIONAL REGULATIONS

### Dimensional Regulations

**8.8.6.1a)** – The parcel meets minimum lot size requirements

**8.8.6.2** – The parcel exceeds minimum frontage requirements

**8.8.6.3** – Density –Applicant requests a density bonus for increase in affordable housing- noted as permissible in 8.8.7.1b *see next page “Section 8.8.7” and attached appendix A*

**8.8.6.4** – All setback requirements are exceeded

**8.8.6.5** – Not Applicable

**8.8.6.6** – the proposed structure is one story shorter than the allowed 5 stories

**8.8.6.7** – The proposed project includes a continuation of the common open space as a buffer between the new pedestrian walkway and building/ parking areas as established by neighboring properties. The common open space at the front of the project abutting the pedestrian walkway will have a similar shape, dimension and character to that of established open space on abutting parcels. The provision of open space is “encouraged” not required. The applicant is NOT requesting a density bonus for the open space provided.

**NOTE: NO PRESCRIPTIVE MEASURE EXIST IN PSMUOD ZONING WITH REGARD TO MINIMUM REQUIRMENTS OF COMMERCIAL/ RETIAL SPACE IN MIXED USE APPLICATIONS<sup>3 4</sup>**

**SEE ATTACHED APPENDIX “A” – DENSITY BONUS  
SEE ATTACHED APPENDIX “B” – FIRST FLOOR RESIDENTIAL**

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<sup>3</sup> There is no prescriptive measure for a minimum area of commercial space with the PSMUOD bylaw.

<sup>4</sup> The 2014 Cecil Report paid for by the Town Of Ashland in conjunction with the Pond Street Revitalization efforts notes, *“The incentive of increased density is not enough to overcome the additional requirements of the overlay district. [PSMUOD] The districts emphasis on Mixed Use may also be an unnecessary hindrance...Encouraging Multi-family development may be more consistent with a vision for the corridor”*

## 8.8.7 AFFORDABLE HOUSING & DENSITY BONUS

**As outlined in 8.8.7** – The proposed project creates more than 10 dwelling units and therefore must meet affordable housing requirements.

- 1. Affordable Housing** – As outlined in 8.8.7.1 – As a condition of any special permit in the PSMUOD creating more than 10 residential units – 10% of the units shall be affordable to persons or families qualifying as low to moderate income.
  - a. At “base” density as prescribed in 8.8.6.3 – 1 dwelling unit per 2,000 sf of buildable lot area ( 90 units) – 9 affordable units would be provided**
  
- 2. Density Bonus – 8.8.7.1b** The Special Permit Granting Authority may grant a density bonus in the event the developer proposes more affordable units than required.
  - a. The proposed project requests a density bonus from 90 units with 9 affordable units (10%), to 120 units with 30 affordable units (25%). At 120 units with 30 affordable units, the development is 25% affordable. This would allow 100% of the units in the development to be counted towards Ashland’s SHI numbers, as outlined in the 2021 updated to the Ashland Housing Production Plan. – See “Adherence to 2021 Housing Production Plan Update” on page 26 of this document.**

**SEE ATTACHED APPENDIX “A” – DENSITY BONUS**  
**SEE ATTACHED APPENDIX “B” – FIRST FLOOR RESIDENTIAL**

## 8.8.8 PARKING REQUIREMENTS

**As outlined in 8.8.8** – The PSMUOD has prescriptive measures for parking requirements based on bedroom count in residential units, and gross floor area in commercial/ non-residential uses.

1. **Parking Residential** – as outlined in 8.8.8.1 – (1) parking space shall be provided for every studio or one bedroom dwelling unit, and (1.5) spaces shall be provided for each dwelling unit containing 2 or more bedrooms.
  - a. PARKING PROVIDED
    - i. 1 bedroom units ( 56 units ) – 56 spaces provided
    - ii. 2 bedroom units (64 units) – 96 spaces provided
1. Total residential spaces required – 152 spaces
2. **Parking Commercial** – as outlined in 8.8.8.2 – (1) parking space for every 250 sf of gross floor area.
  - a. PARKING PROVIDED
    - i.  $2,351 \text{ sf of commercial space} / 250 = 9 \text{ spaces}$
3. **Total parking required – 161**
4. **Total parking provided – 163 spaces**

**NO WAIVERS REQUESTED FOR PARKING**

## 8.8.9 REVIEW STANDARDS

**Section 8.8.9 AS OUTLINED IN 8.8.9** – the overlay district is...

*“Established for the accomplishment of the following purposes: Ensure that the PSMUOD’s becomes a unique and identifiable place and destination for residents, visitors and business affairs; Enhance the social and economic viability of the PSMUOD by preserving property values and promoting the attractiveness of PSMUOD as a place in which to live, work, visit and shop; Enhance the PSMUOD’s economic resources; Promote and encourage building design and building alterations that are of high quality and appearance; Promote flexibility in and variety of development to enhance the natural and aesthetic qualities of the PSMUOD ”*

**The purposes are noted in the number and underlined sections below, followed by supporting data from the proposed project below the response header in italics.**

**PURPOSE 1 - Ensure that PSMUOD’s becomes a unique and identifiable place and destination for residents, visitors, and business affairs;**

*Applicant’s response to purpose 1 of 8.8.9*

- A) As the first property in Ashland on the southern side of Route 126, this proposed project would provide a unique and beautiful identifying structure which marks the entrance to the newly revitalized corridor. The structure will serve as an identifiable marker of the district, and the revitalization efforts that Ashland and the State have been working on for years. The structure will also provide a unique opportunity for residents and visitors to live in a commercial district with direct and walkable access to area amenities, and will provide a high end commercial component for business use.

**PURPOSE 2 - Enhance the social and economic viability of the PSMUOD by preserving property values and promoting the attractiveness of the PSMUOD as a place in which to live, work, visit and shop;**

*Applicant’s response to purpose 2 of 8.8.9*

- A). The proposed development will enhance the economic viability of the PSMUOD by creating an attractive and high quality residential/ commercial structure, which will provide numerous “built in” consumers for area business with direct walkable access to areas business, restaurants, gyms, etc. By utilizing high quality design



and construction materials, the proposed development will, in conjunction with the Pond Street Revitalization efforts, promote the district as a high quality destination for businesses and residents alike.

- B) The proposed development will have a projected end value near \$40,000,000.00, which could generate nearly \$600,000.00 yearly in real estate tax revenue, preserving the values abutting commercial and residential properties by having an abutting property valued tens of millions of dollars over the existing undeveloped value.

### **PURPOSE 3 - Enhance the PSMUOD's economic resources**

#### *Applicant's response to purpose 3 of 8.8.9*

- A) The most crucial resource to a commercial district is its accessibility to customers, and availability of viable consumers. The proposed development will create housing in the district, providing an influx of viable consumers with immediate and walkable access to area businesses. The proposed development will enhance the economic resources of the district by providing the valuable resource of a built in consumer base to the PSMUOD area.

### **PURPOSE 4 - Promote and encourage building design and building alterations that are of high quality and appearance**

#### *Applicant's response to purpose 4 of 8.8.9*

- i. The proposed project is being designed by the award-winning, Boston based architecture firm ICON. Icon has three founding principles which promote the exact vision of this review standard, they are noted below.
  - 1. **ICON is motivated by designs ability to positively transform, empower + restore**
  - 2. **ICON delight's in collaboration + commitment to ongoing dialogue + discovery**
  - 3. **ICON champion's innovation to strengthen communities + create enduring value.**
- ii. The project applicant, Trask Development, is also committed to furthering the progress of the district through high quality design, appearance, and materials.
  - 1. **A direct example of this commitment to "going above and beyond" for the benefit of the community can be seen at 21 Main Street in Ashland, where Trask constructed a high quality building to serve as a place of business and an example of what can be done when a commitment is made to quality.**

**PURPOSE 5 - Promote flexibility in and variety of development to enhance the natural and aesthetic qualities of the PSUMOD.**

*Applicant's response to purpose 5 of 8.8.9*

- 1) The proposed development adds variety to the existing mix of development along the PSMUOD corridor. The existing mix of development trends primarily commercial, with a small amount of scattered residential. The existing residential structures in the corridor are primarily single family homes, and in the neighboring Residence at Valley Farm. The proposed development promotes the flexible mixed-use (*commercial and residential*) nature of the district by combining both uses in one structure.
  
- 2) The proposed development includes beautifully designed structure, and professionally designed landscape – which incorporates the design of the new revitalization work along Pond Street. The redevelopment of this vacant site into a high quality building with professional design and high quality materials will enhance the aesthetics of the corridor, anchoring the southern entrance onto Pond Street with a development committed to quality, and sustainable design.

## 8.8.9.1 DESIGN REVIEW STANDARDS

**Section 8.8.9.1 AS OUTLINED IN 8.8.9.1** – “*All applications made pursuant to the PSMUOD by-law shall be subject to Design Review by the SPGA in accordance with the following Design Review Standards.*”

**The review standards are noted in the number and underlined sections below, followed by supporting data from the proposed project below the response header in italics.**

### **STANDARD 1 SCALE –**

*Supporting project elements for Standard # 1 established in 8.8.9.1.a.1*

- a) The building design relates well to the pedestrian scale- the massing is set back from the street the same distance from abutting structures, at a height lower than abutting structures.
- b) The building incorporates architectural details which reflect elements of other area structures and utilizes brick, and fiber cement clapboard siding
- c) The structure had pitched roofs, balconies, and other varying elements on all elevations

### **STANDARD 2 – ENTRANCES-**

*Supporting project elements for Standard #2 established in 8.8.9.1.a.2*

- a) The primary commercial entrance, and the primary residential entrance will be visible from the right of way (rt 16) and accessible via the pedestrian walkway.
- b) Airlock entrances **will not** extend past the exterior façade.
- c) All entrances to dwelling units will be visible and accessible from the parking lot, and will include sufficient illumination for nighttime.

### **STANDARD 3- ARCHITECTURAL DETAILS – EXISTING BUILDINGS**

**NOT APPLICABLE – NO BETTERMENTS EXIST ON SITE**

### **STANDARD 4 – EXTERIOR MATERIALS AND APPEARANCE -**

*Supporting project elements for Standard #4 established in 8.8.9.1.a.4*

- a) The Commercial Unit façade on the ground floor of the building will contain transparent glass “storefront” windows on a minimum of 50% of the façade of the ground floor commercial unit.
- b) The proposed building cladding materials are Brick, Clapboard, and Board & Batten siding, consistent with materials used in other structures in town, and consistent with the New England residential architectural vernacular.

#### **STANDARD 5 – ROOF FORM –**

*Supporting project elements for Standard #5 established in 8.8.9.1.a.5*

- a) All mechanical equipment located on the roof will be concealed behind parapets
- b) The proposed building incorporates pitched roofs, and a small portion of flat roofing (concealed behind a parapet)
- c) Scuppers and downspouts will be directed to on site stormwater management recharge systems – see attached storm water management plan

#### **STANDARD 6 – SERVICE AREAS, UTILITIES, AND EQUIPMENT –**

*Supporting project elements for Standard #6 established in 8.8.9.1.a.6*

- a) All mechanical equipment (elevator penthouse, HVAC condensers, solar panels etc.) will be located on the roof, fully concealed behind a parapet and screen walls for both noise buffering and to fully conceal the view from the street.
- b) On site trash storage will be concealed behind a fenced enclosure, and surrounding evergreen planting.

#### **STANDARD 7 – SUSTAINABLE BUILDING DESIGN –**

*Supporting project elements for Standard #7 established in 8.8.9.1.a.7*

- a) The proposed building shall be Energy Star Certified
- b) The proposed building will include solar panels, located on the roof concealed behind a parapet

## SECTION 9.3.2 – CRITERIA ESTABLISHED FOR SPGA

*As outlined in 9.3.2 – “Criteria. Special permits shall be granted by the Special Permit granting Authority, unless otherwise specified herein, only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town of the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this By-Law, the determination shall include consideration of each of the following”*

**The criteria are noted in the number and underlined sections below, followed by supporting data from the proposed project below the response header in italics.**

### **CRITERION 1 - Community needs served by the proposal**

*Applicant’s response to criterion 1 as established in 9.3.2*

The proposed project provides 120 units of housing which currently do not exist, including 30 units of low/moderate income housing – serving the ongoing need for creating high-quality housing for the Ashland and greater Ashland community, to further progress towards lessening the existing housing shortage. The project also provides additional revitalization and economic impact to existing business and services along Pond Street.

### **CRITERION 2 - Traffic Flow and Safety, including parking and loading**

*Applicant’s response to criterion 2 as established in 9.3.2*

The proposed project is accessed by an existing curb cut on Route 126 – which is currently undergoing a massive revitalization effort. As a main thoroughfare with existing restaurants and retail, residents of the project would utilize new pedestrian walkways to access area amenities (Shaw’s, Walgreens, Mazi, Anytime Fitness, Ashland KinderCare, Etc.) limiting the number of daily car trips from the site, and providing housing opportunities without the need for multiple vehicles.

### **CRITERION 3 - Adequacy of utilities and other public services**

*Applicant’s response to criterion 3 as established in 9.3.2*

The site has access to existing town water and sewer, and direct access to existing electrical/ cable utilities. The site is located 1.7 miles from the Ashland Fire Department station. Applicant has agreed, as part of this application, to complete offsite sewer line repairs- enhancements to improve sewage disposal connectivity for this section of town.

**CRITERION 4 - Neighborhood character and social structures**

*Applicant's response to criterion 4 as established in 9.3.2*

The proposed project massing is in line with neighboring structures of similar size and scale. The abutting parcel to the north is home to the Residence at Valley farm assisted living facility, which is a 100% residential use, and further to the north the Shaw's plaza. The projects scale comfortably fits in with the existing scale and size of neighboring properties, and adds a much needed social and residential component to an existing, predominantly retail-heavy, portion of the Route 126 corridor.

**CRITERION 5 - Impacts on natural environment**

*Applicant's response to criterion 5 as established in 9.3.2*

The site is currently vacant and has been used for dumping site materials. The proposed project involves the removal of all stored earth material, returning the site to virgin grade, and incorporating new native landscape in the proposed new development. Currently the site has nearly no trees, shrubbery or greenery other than that which has grown on top of the artificial hills and mounds left on site. The new proposal will establish professionally maintained landscape areas, with adequate on site storm water management.

The existing tree line between the proposed project and Meetinghouse Path to the west will remain, and will be protected during construction.

The project will be complete as Energy-Star rated with units prepared to qualify under LEED Certified Construction.

**CRITERION 6 - Potential fiscal impacts, including impact on towns services, tax base and employment**

*Applicant's response to criterion 6 as established in 9.3.2*

Currently, the property is valued as unimproved raw land. The proposed project would create a new 120 unit multifamily property which would generate **significantly** more tax income for the town than in its current unimproved state. These new

residents would also populate the area business and restaurants, adding additional local income. The property also includes a retail component, which could in turn create jobs and available services for local Ashland residents. The current annual Real Estate taxes for the parcel are \$18,200/year. The estimated value of the project at completion is \$35-40,000,000 with a potential tax revenue of up to \$600,000/year for the town – an increase of \$580,000 of net new revenue. Given proposed unit sizes of 1 and 2 bedroom units, the impact to local schools will be minimal, while the tax revenue and local economic impact will be greatly increased.

**As noted in 9.4.7** – “ For all buildings other than single and two family structures, consideration should be given to architectural style and it’s relation to the prevailing character and scale of buildings in the neighborhood and the town.”



The scale of the massing at 501 Pond Street is similar to neighboring structures, with a nearly identical width to the Neighboring Residence at Valley

Farm. The total proposed height is 47’, while the prominent Clock at the center of the massing at the Residence at Valley farm sits at 60’. The project assumes use of brick and wood type materials, dormered roof lines, hidden HVAC equipment, and scattered parking areas to control overall massing. The nearest Ashland buildings to the site is the Residence at Valley Farm, the Ashland Kinder Care day care, the freestanding TD bank and the Shaw’s plaza. All use some form of brick accents and multiple façade details. 501 Pond will mimic these patterns without calling out any new exterior materials, but will enhance the historical Ashland feel with an ode to brick façade details.

The project massing uses an “H” shape to visually reduce the apparent size of the building from Route 126 – the shape also allows for the massing to appear visually as three individual portions, in one combined massing- echoing a village style of living. The rear of the building will feature a secluded outdoor amenity space featuring community meeting areas, space for outdoor cooking and entertaining, and green space for the residents. The H shape allow for this area to be sheltered and set back from the street – preserving the views of the building from route 126. The buildings massing stands in line with the adjacent properties of similar size and scale, and will be 4 stories tall – with all mechanicals hidden from site behind a roof parapet.

The structures cladding with incorporate materials commonly used throughout the area in both residential and commercial properties in the area – smooth or textured Fiber Cement board will be utilized as the primary cladding material, in a standard clapboard application, with 2 different reveals used in strategic locations on the building to create visual interest. Board and Batten will also be utilized along a significant portion of the façade. The third cladding material used will be brick – mimicking the utilization of brick on the façade of neighboring properties, making subtle references to historic brick buildings located in town.



The general roof layout consists of a flat roof over the center portion of the building, and pitched roofs over the longer left and right sides of the building. The pitched roof leads to a parapet, concealing a flat roof which will house all HVAC equipment, ventilation, etc., from the street and abutting properties.

**During early planning for the proposed development, consideration was given to the goals, trends and findings outlined in the 2021 Ashland Housing Production Plan update. Some key takeaways from the HPP which helped shape this application are quoted below.**

*“The share of renter occupied housing units still remains below 25%. With so few opportunities to rent [in Ashland], single person households and households without large savings needed to purchase a home have limited options to live in Ashland”<sup>5</sup>*

RE: housing stock. *“The Greatest issue is the limited supply of rentals in Ashland”<sup>6</sup>*

***“Policies should be incentivized for infill development near infrastructure, public transit and commercial amenities.”<sup>7</sup>***

### **APPLICANTS RESPONSE TO HPP GOALS AND FINDINGS**

501 Pond represents a clear example of the type of development which adheres with many of the goals established by the HPP, it also appears to be one of the most appropriate locations in town for this kind of development<sup>8</sup>. The Pond Street/Eliot corridor was selected 1 of 4 such areas and high density apartment style housing was one of the most favorable types of proposed development of this parcel in the HPP survey.

The proposed development allows Ashland to count all 120 units towards Ashland’s Subsidized Housing Inventory (SHI); representing an overall SHI increase of 2% - which will position Ashland with 8% of the 10% state required minimum total SHI units. **This will guarantee Ashland “Safe Harbor” for a 2 year period against future 40B projects after Site Plans are permitted – as outlined in the recently approved Housing Production Plan (HPP) in Appendix B – “SHI targets and Safe Harbor Pathways”<sup>9</sup>** Furthermore, the development meets all 5 goals of the updated HPP by, **1)** providing affordable housing options to people of all income and ages, **2)** utilizing overlay district zoning to create diverse housing typologies (*high density mixed use*), **3)** Promotes fair housing opportunities and promotes diversity increase availability of diverse housing options, **4)** Promotes sustainability through Energy Star certification, and connection to dozens of walkable nearby commercial amenities, and **5)** furthering the progress towards improving the public perception of affordable by creating an beautiful community in a gateway location along the newly revitalized Pond Street corridor.

<sup>5</sup> “Ashland for all” – page 11, Housing Stock, 6

<sup>6</sup> “Ashland for all” – page 18, section, housing stock

<sup>7</sup> “Ashland for all” – page 40, goal number 4

<sup>8</sup> The subject parcel has been identified in the HPP as a housing development opportunity site

<sup>9</sup> “Ashland for all” – page 58, Appendix B, Target 1

Outside of 2 items (*noted specifically in the bylaw as areas of “Discussion” or “Negotiation” with the SPGA*) the project as proposed meets all of the criteria as established in the PSMUOD bylaw.

**DISCUSSION/ NEGOTIATION ITEM #1- Proposed density increase**

*PER 8.8.6.4 – “Density. One residential dwelling unit per 2,000 sf of “buildable lot area”*

**AT BASE DENSITY** – Project would consist of 90 for-sale 2 and 3 bedroom units, with 10% affordable (9 units) as outlined in 8.8.7.1a

*PER 8.8.7.1b – “The SPGA may grant a density bonus in the event that the developer proposes more affordable units than required. Said bonus shall be negotiated between the SPGA and develop”*

**NEGOTIAION REQUEST - in place of a for-sale 90 unit, 10% affordable development consisting of 2 and 3 bedroom units; the APPLICANT requests a density bonus of +30 units (120 units total), by increasing affordability to 25% (30 affordable units), and by reducing unit mix to 1 and 2 bedroom units.**

The applicant is requesting that the Special Permit granting authority allow density increase by negotiation (all allowed and outlined in the bylaw) an increase in density from 90 units to 120 units

**ATTRIBUTAL IMPACT**

- 1) As stated previously, at 120 units and 25% affordable; 100% of the project (*all 120 units*) would count towards Ashland’s SHI numbers – this represents a large, 2% increase to the Town’s SHI, which would grant Ashland more control over future 40B development in town; and will grant the town a 2 year “Safe Harbor” hold on future 40B projects upon approval.
- 2) The economic benefit of the additional units could be found in both an increase of residents in the corridor, and in the form of increased real estate tax revenue.
- 3) At in increased density 120 unit mixed use rental complex, the taxable value of the building would be approximately 20- 30% greater than at 90 units of mixed use for sale units.
- 4) The burden of the property on municipal spending would presumably go down with an increased unit count. A by right 90 unit for sale development consisting

of primarily 3 bedroom and a nominal amount of 2 bedroom units would presumably add more school aged children to the towns school system than a 120 unit rental property with s near 50/50 split of 1 and 2 bedroom units.

Outside of 2 items (*noted specifically in the bylaw as areas of “Discussion” or “Negotiation” with the SPGA*) the project as proposed meets all of the criteria as established in the PSMUOD bylaw.

### **DISCUSSION/ NEGOTIATION ITEM #2- Proposed ground floor residential use**

*PER 8.8.5.1.3 - “Special use provisions: ground floor uses – B) dwelling units shall be allowed on ground floors of buildings only where: - (bullet 3) in other cases where the SPGA feels that street-front residential uses will not have an adverse impact on the continuity of the non-residential street front uses.”*

**NEGOTIATION REQUEST: Applicant is requesting SPGA allow for first floor residential street front use, as it will have no notable impact on the continuity of the non-residential street front uses in the corridor.**

#### **ATTRIBUTAL IMPACT**

- 1) As stated previously – located within the PSMOD corridor are properties with commercial/retail use, mixed use, and 100% residential use.
- 2) The proposed development is mixed use, abutting Ashland properties are 100% residential use
- 3) Mixed into the corridor are existing single family homes with street front, first floor residential use.
- 4) Only 2 residential units face pond street, and due to building set backs on pond street frontage, there will be little to no street visual impact from these 2 units.
- 5) The proposed project does not adversely affect the continuity of non-residential street front usage in the corridor, as street front residential usage already exists in high quantities throughout the corridor.