

July 19, 2022

Ashland Planning Board
101 Main Street
Ashland, MA 01721

Re: Ashland Mills Redevelopment – Planning Board Submission

Dear Board Members:

On behalf of our client – Ashland Properties, LLC – we are pleased to submit this formal Planning Board Application for the redevelopment of this unique site in downtown Ashland.

These Mill Buildings have been part of the Ashland townscape for over 150 years and have been iconic and historic reminders of the industrial heritage of this town. They have served the town and many users very well during this time – however they are not well suited to provide the types of spaces and uses that the town and residents are looking for in their downtown. As a result of forward-thinking planning, overlay zoning districts and form-based zoning Ashland is now looking to provide complementary mixed-uses that will enliven and strengthen your downtown.

Based on that vision, we now have a unique opportunity to refocus this under-utilized and under-performing property to address and serve the current and future residents of Ashland. This project provides a forward-thinking development that not only preserves and renovates the 2 most iconic buildings but also incorporates more housing and streetscape commercial space to further enhance the downtown and make it more livable and desirable with more options for amenities. Truly developing a live, work, play environment with close proximity to the rest of downtown as well as the T Station for ease of commuting.

Project Overview:

The site comprises approximately 8 acres and has frontage and access from Main Street and Myrtle Street. It is bounded by the river to the rear and the property extends to Central Street along the river, however there is no physical access at Central Street.

The property was originally constructed circa 1870 and included several granite mill buildings. In the 1960's a large 2 story brick addition was built at 50 Main Street. Over the years many connectors and outbuildings were added to the complex which limits its uses for today's downtown needs.

Currently the building supports a variety of users, including professional, medical, general offices, miscellaneous industrial uses, sports activities, churches, storage and contractor services. However, these are mostly back of the house activities in a building complex that needs a great deal of repair work and code updates. These buildings have served their purpose and it is now time to bring this

prime property into the 21st century with code compliant buildings, more attractive tenant mix and key residential units to enhance the desirability of downtown Ashland.

The proposed development includes the renovation of the 2 most northern and historic buildings and the addition of 3 new buildings along Main Street to provide 30,000 SF of commercial space facing Main Street and 200 units of apartments. 378 Parking spaces are provided below 4 of the buildings, and on a parking deck between 40 and 50 Main, and along Main Street and to the rear of the buildings.

The current site is primarily occupied by buildings or pavement and the proposed redevelopment does not increase the impervious area of the property and provides additional landscape features which do not presently exist.

A key site feature and attribute is the addition of the “River Walk” which is being proposed along the rear of the property adjacent to the Sudbury River and will connect to the existing park and walk at the Mill Pond and to Main Street on the south of the property.

We believe that this proposed redevelopment is responsive to the ADD-A zoning, will bring new life and vitality to this site and rejuvenate the renovated historic buildings and provide housing and amenities to the downtown of Ashland.

Application Overview:

The application includes a request for Special Permits for (1) Flood Plain Overlay and (2) Ashland Downtown District (ADD-A), allowing permitted uses “*mixed residential and commercial/business*” pursuant to Section 8.5.5 Table of Uses, as the Special Permit is required under “*Any use set forth above in a building with more than 20,000 sq. ft. of gross floor area,*” and (3) Stormwater Site Plan Review.

Supporting Documents included in this Application

1. Application
2. Application Fee of \$4,000 and Peer Review fee of \$5,000.
3. (8) -11x17 sets of drawings and (4) – full size sets
 - Civil, Architectural, Landscape and Lighting Plans
4. Stormwater Management report – 2 copies
5. Flood Plain Report – 2 copies
6. Traffic Study – 2 copies
7. Environmental Report – 2 copies
8. Financial Impact Report – 2 copies
9. Financial Impact Report Town Consultant Response – 2 copies
10. Demolition Delay Application and Historic Commissions findings – 2 copies

Specific Approvals Criteria Clarifications

SPECIAL PERMIT - ADD-A District

This site lies in the Industrial Zoning District at the northern edge of the Downtown and is also in the ADD-A Overlay Zoning District. In accordance with Section 8.5 of the Zoning Bylaw this project is a development promoting the goals of the downtown redevelopment studies and on-going improvements. In addition to coordination with the street improvements the realignment of buildings and access points will improve the overall traffic flow. The mix of residential and commercial space will meet the goals of a walkable environment and the density will encourage additional business to enhance the vitality of the downtown.

Dimensional aspects of the Zoning Bylaw for the ADD-A district are outlined in the summary in the section above and indicate our compliance with these requirements.

SPECIAL PERMIT - STORMWATER BYLAW

The bylaw (Chapter 247 Stormwater Management) is applicable to this site where it is subject to a Site Plan review (247-6. A. Any activity subject to site plan review, Part C. any redevelopment of ...industrial parcel,).

The construction area of this site is limited to that between Main Street and an existing barrier wall at the rear of the property along the river. Of the almost 8 acres this front section of paving and buildings comprise about 5 acres, the remainder being the tail piece that extends down to Central Street as river and adjacent wetlands.

This site lies within an Activities and Use Limitation (AUL) under DEP and EPA edict for a plume of contamination emanating from the Nyanza Chemical Waste Site (see environmental report from LSP George Campbell). In addition, the rear section of the property is at elevations in close proximity to groundwater and the mean annual high water of the river. These two conditions preclude any possible infiltration for this site. The Stormwater Bylaw provides a waiver. Formal infiltration of stormwater does not take place presently on this site as it was constructed prior to any regulations. Actual stormwater management is historically by pumping water out of the site to the river.

Any new infiltration would impact the contaminant plume and be in the public interest and not inconsistent with the purpose and intent of the bylaw (cited below). The Commission may find that compliance with all applicable federal, state, and local regulations is met (see Section 247-12 Findings at C.) relative to the Massachusetts Contingency Plan (MCP) 310 CMR 40.1012 pursuant to 40.0996 (5)(a) 3. prevent erosion and any infiltration of

precipitation or run-off that could jeopardize the integrity of the barrier or result in the potential mobilization and migration of contaminants;

§ 247-11. Waivers.

A. The Commission may waive strict compliance with some of the requirements of this bylaw or the rules and regulations promulgated hereunder, if it determines that some of the application requirements are unwarranted because of the size or character of the development project or because of the natural conditions at the site and where such action:

- (1) Is allowed by federal, state and local statutes and/or regulations;
- (2) Is in the overriding public interest; and
- (3) Is not inconsistent with the purpose and intent of this bylaw.

B. Any request from an applicant for a waiver of these rules shall be submitted, in writing, to the Commission at the time of submission of the application. Such requests shall clearly identify the provision/s of the rule from which relief is sought and be accompanied by a statement setting forth the reasons why, in the applicant's opinion, the granting of such a waiver would be in the overriding public interest or the specific information required to show strict compliance is irrelevant to the project, and why a waiver would be consistent with the intent and purpose of this bylaw and the rules and regulations promulgated hereunder.

Notwithstanding the above waiver, stormwater quality is being addressed with a new collection system including TSS controls. The hydrology and stormwater analysis attached demonstrate compliance to the extent practicable on this site.

Generally, the site is divided into two drainage contributing areas, following existing drainage patterns: one to Main Street from the front section of the site and a second to the rear where the bulk of the building footprints lie and the grade is about 10 feet below Main Street. It is noted the front section of the site is parking and with the Downtown Revitalization plans this parking is being reduced substantially so too is the runoff to the existing street drainage system.

SPECIAL PERMIT- FLOOD OVERLAY DISTRICT

As noted, the FEMA 100-year flood plain encroaches on the site, in the rear of the property with the potential to flood the parking areas (see attached FEMA Firmette and Site Plans). The parking lot areas will be graded to mimic the existing conditions/incremental volumes and not displace potential flood storage. Control of the flooding and site specific rainfall-runoff will be controlled by a new pumping system replacing the historic pump. A wetwell will be installed and various pump sizes and activation will control runoff accumulations.

Section 8.1.3 provides: “ *The following uses of low flood damage potential and causing no obstructions to flood flows shall be permitted, provided that they do not require structures, fill or storage of materials or equipment: 7. Buildings lawfully existing prior to the adoption of these provisions.*”

Buildings 10 and 20, being kept in the same locations will meet the above criteria.

For the other buildings the following provisions apply for a Special Permit:

8.1.4

Special Permit. No structure or building shall be erected, constructed, substantially improved, reconstructed or otherwise created or moved and no earth or other materials dumped, filled, excavated or transferred unless a special permit is granted by the Planning Board. Said Board may issue a special permit hereunder (subject to other provisions of this chapter) if the application is compliant with the following provisions:

- 1. The proposed use shall comply in all respects to the provisions of the underlying district in which the land is located.*
- 2. Within ten (10) days of the receipt of the application, the Board shall transmit one (1) copy of the development plan to the Conservation Commission, Board of Health and Building Inspector. Final action shall not be taken until reports have been received from the above Boards or until thirty-five (35) days have elapsed.*
- 3. All encroachments, including fill, new construction and substantial improvements to existing structures, and other development are prohibited in the floodway unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood.*
- 4. The Board may specify such additional requirement and conditions as it finds necessary to protect the health, safety and welfare of the public and the occupants of the proposed use.*
- 5. All subdivision proposals must be designed to assure that:*
[Added 5-7-2014 ATM, Art. 22]
 - a. Such proposals minimize flood damage;*
 - b. All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and*
 - c. Adequate drainage is provided to reduce exposure to flood hazards.*

The project does not displace floodwaters.

The Special Permit can be granted where the buildings are being replaced comply with the criteria of this section where: (i) no floodway will be impacted (none on site), (ii) no increase in flood levels will result, (iii) the proposal

minimizes flood damage, (iv) all public utilities are located to prevent flood damage, (v) all drainage is being retrofitted to reduce flood hazards (new pump system).

SPECIAL PERMIT- APPROVALS CRITERIA AND RESPONSES

As per Ashland Zoning By-Laws: 8.5.8 Performance Standards; Criteria. The ADD application and required plans shall meet the general performance criteria set forth in the regulations and design guidelines adopted pursuant to this Bylaw, including but not limited to Section 9.4 of this Zoning Bylaw. In addition, the Planning Board shall consider the criteria set forth in Section 8.5.14 and 9.3.2 of this Zoning Bylaw following general criteria, where relevant, before issuing a permit for development within the ADD.

1. Suitability of the site for the proposed use(s)

The proponent believes that this development is extremely well suited for this site. It retains and restores the 2 most historic buildings and with the 3 new buildings provides state of the art and code-compliant construction, and continues and expands the preferred commercial uses. It also adds the important and desired housing component to create a mixed-use development in the downtown responding to the ADD-A zoning guidelines and the town's vision for a vibrant downtown.

2. Impact on traffic and pedestrian flow and safety and access for emergency vehicles

The project adds sidewalks along all Main Street accessing the commercial developments. Traffic flow is improved by the Main Street site entrance being controlled by the existing traffic signal, and widening and improving the sight lines at the Myrtle Street entrance and limiting the south parking lot entrance to one way in only.

Fire and emergency vehicle access and turning radii have been confirmed, reviewed with the Fire Department and implemented on the site.

3. Adequacy of pedestrian access to buildings and between public spaces;

The access is markedly improved for the building and site with more controlled access via sidewalks, improved parking areas (ie eliminating diagonal parking and reversing currently in front of the building) and each building has its own clearly marked entrance. There is the added benefit and site feature of the riverwalk along

the Sudbury River which will be available to all town residents to further the connection to the Mill Pond recreational park area.

4. Impact on the visual character of the ADD and surrounding neighborhood;

Retaining and restoring the 2 most historic buildings will ensure that these buildings continue to contribute to the important history of this complex. The new buildings have been designed in response to the ADD-A form base zoning and each has its own unique characteristics while responding to and complementing the mill feel of the complex. As you are aware the proponent had over 6 meetings with town constituents and garnered good feedback on the design of the project and these aspects have been incorporated into this plan.

5. Adequacy of utilities, including sewage disposal, water supply and stormwater drainage.

The project proponent recognizes some issues with the Chestnut sewer pump station and has committed to a pro-rata contribution based upon the increase in gallonage. Existing sanitary service pipes serving the building will be replaced.

Water service and supply have been discussed and at this point there is no indication of inadequacy for the uses proposed.

Stormwater management will, as existing, be handled by a pump due to the site being at a low elevation and encircled with a retaining wall. Historically a pump system on an elevated platform has been in existence for a very long time, clearly to protect the original site and buildings. The new pump system will dewater the runoff with a system of pumps, pumping at appropriate rates from wetwells. These wetwells will be somewhat larger than the existing sump. Due to the AUL from Nyanza, a plume beneath portions of the site, and the low lying grade (near watertable and river level) there is no realistic infiltration possibilities. However the plans show BMP's to the maximum extent practical (see Notice of Intent documentation).

Trash collection and recycling is located to the rear of the site in enclosed areas and is accessible from Myrtle Street and by the entrance only from Main Street for the large trash trucks.

8.5.13 Parking and Loading.

See Section 5.1 and 5.2. The schedule of parking requirements found in Section 5.1 shall apply. However in the ADD, the number of parking spaces required for each use shall be 75% of those stated in Section 5.1. Where there is a mixture of land uses on one lot, the number of parking spaces required shall be only 75% of those

stipulated above, that is, where there is a mixture of uses the parking requirement will be 56.25% (75% times 75%).

Therefore the required parking for this complex is as follows:

200 units x 2 spaces = 400 spaces x 0.5626 =	225 spaces
30,000 SF of Commercial space at 1/180 SF = 166 x 0.5626 =	94 spaces
TOTAL required spaces =	319 spaces
TOTAL provided spaces =	378 spaces
<u>59 Spaces more than required</u>	

All parking areas, lots and/or facilities shall be connected to the parking areas, lots and/or facilities of all adjacent lots within the ADD, unless physical constraints, present site configuration, uncooperative abutters, or land vacancy precludes strict compliance. All parking areas are connected by driveways with access to Main Street and Myrtle Street.

Parking spaces that are constrained by the building footprints for the parking areas below the building and generally are slightly smaller than required by the Bylaw - **Parking spaces are proposed to be 9' x 18' with a 24' aisle width**

A designated loading area for the Bus Shuttle for transportation to and from the T Station is located between buildings 40 and 50. The proponent is providing this shuttle to encourage residents to use public transportation and to not overload the existing parking area at the T Station.

8.5.14 Mandatory Findings.

When a Special Permit is required, the Planning Board shall not issue a Special Permit unless without exception it shall find that the proposed use and development:

Is in harmony with the purpose and intent of this Bylaw;

Ashland Mills not only meets the purpose of the bylaw it brings to fruition a long history of Downtown Revitalization efforts, saving some historic aspects of the history, enhancing the streetscape, while addressing parking and traffic issues.

And specifically addressing:-

8.5.1 Purpose. The purpose of this district is to:

1. Provide a framework to encourage the growth and development of a successful downtown that will promote village style redevelopment with a mix of commercial, retail, and residential uses in a walkable environment with a density

that is consistent with the design principles herein, and that is functionally vibrant and active, and perceived to be an attractive destination visited by residents throughout Ashland and surrounding communities.

2. Broaden the tax base, enhance long-term economic vitality, improve the quality of life of residents, and improve the business climate by encouraging investment that will create employment and economic opportunity, attract other private investment and improvements to property. To reduce automobile dependency and air pollution by locating multiple destinations in close proximity. To strengthen the sense of community in Ashland by building on Downtown Ashland's inherent assets, historic architecture, and cultural offerings to rekindle entrepreneurship, downtown cooperation and civic engagement.

3. Is appropriate for the site for which the petition is submitted and is related harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the immediate vicinity that have functional or visual relationship to the proposed use;

Reusing the site in a manner resembling the current land use and providing more functional access/egress by relocating driveways, not disturbing flood storage, confining the work to the existing site cover, and the tasteful architecture is appropriate for the site.

4. Includes sufficient mitigating measures which shall be implemented as part of the special permit for any adverse effects noted in reports from town boards and agencies, reports from consultants, and public hearings.

Substantial mitigation is proposed with the realignment of driveways to a traffic signal from both a safety and convenience perspective. Pro-rata help to the troubled sewer pump station is being offered. Implementing a solution in an AUL area requiring significant mitigation due to environmental issues.

5. Will result in no significant effect on level of service for any service provided by the Town, including fire, police and ambulance.

Proof of no significant effect is the lack of need for the Town to add equipment and/or staff specifically due to the development.

The traffic analysis, based upon a new entrance/exit location at the Pleasant Street + Main Street intersection, will provide a better level of service, safer access and egress, and more easier emergency vehicle travel for the facility than any current or future industrial use of the buildings as-is.

6. Will provide adequate provision for pedestrian traffic;

The project conforms to the Town plans for the Downtown Revitalization currently underway relative to sidewalks. In addition the internal access, especially to businesses, has been arranged for optimal safety and convenience.

7. Will comply with all requirements of all applicable requirements of this By-law.

As noted above except as to where environmental, and existing building configurations play a major role in future site development requiring minimally impacting waivers the project complies with the requirements of the bylaw and other Local bylaws and regulations, and state regulations.

We trust that you will find this a complete and comprehensive application and please contact any of us if you have any questions, require any additional information or wish to discuss any particular item.

We look forward to an interactive application process and review meetings.

Sincerely,



Rich Gordon - Ashland Properties, LLC

George Connors - Connorstone

Scott Richardson - GRLA

Joe Antonellis - Mayer, Antonellis, Jachowicz & Haranas, LLP