



Case No.: \_\_\_\_\_

**Town of Ashland  
Planning Department**

101 Main St.  
Ashland, MA 01721  
508.881.0101

ashlandmass.com/316/Zoning-Board-of-Appeals

## Application to Zoning Board of Appeals

Note: Application must be complete, with a certified plot plan and all application fees to be accepted.

### 1. Property Information:

Street Address: 0 Memorial Drive  
Zoning District: Rail Transit District (RTD A,E,F) Overlay District: Photo voltaic Overlay  
Assessor's Map: 13 Lot: 154 Deed Book: 36350 Page: 314  
Current Property Owner\*: Ashland RTD Apartments LLC

### 2. Permit/Approval Sought:

\_\_\_ Special Permit (Section 9.3) \_\_\_ Amendment to Special Permit (Section 9.3) \_\_\_ Variance (Section 9.2.2.2)  
\_\_\_ Appeal of Building Inspector Decision (M.G.L. Ch. 40A) X \_\_\_ Comprehensive Permit (M.G.L. Ch. 40B)  
Use Type: Residential: \_\_\_ Commercial: \_\_\_ Industrial: \_\_\_

### 3. Applicant Information: Owner: \_\_\_ Tenant: \_\_\_ Prospective Purchaser/Tenant: X

Name: UA Senior Manager LLC  
Address: 300 Jordan Road, Troy NY 12180  
Phone: 518-687-7300 Email: jeff.smetana@ugoc.com  
Agent's Name: Allen & Major Associates, Inc. (site engineer)  
Agent's Address: 10 Main Street, Lakeville, MA  
Agent's Phone: 508-923-1010 Agent's Email: pcordeiro@allenmajor.com

### 4. Additional Information:

Are all real estate taxes and other assessments to the Town current?: X  
Is the parcel on a scenic road?: no  
Is this an amendment to a previously issued Special Permit? (attach approved permit): no  
Date structure was built? (Buildings built before 1940 may need review by Historical Commission.): n/a  
Is the property within 100 ft. of a wetland, within 200 ft. of a stream, or in a floodplain?: n/a

**5. Description of the Relief Sought:** (Attach Letter of Denial of Building Permit.)

Applicant seeks a comprehensive permit in accordance with MGL Chapter 40B. The applicant has filed a Local Initiative Program (LIP) endorsed by the Ashland Select Board in conjunction with a Developer's Agreement on the construct of the parcel. The applicant has received a Project Eligibility Letter (PEL) from DHCD approving the intended plan for sufficiency with the Housing Goals and affordable housing program requirements.

What specific zoning bylaws is this application associated with?:  
Rail Transit District, Bylaw Section 8.0, is the underlying zoning and serves as the basis of design as amended by conditions of the Development Agreement and LIP Application.

**6. Justification for why the application should be approved:**

The application is in keeping with the sustainable housing goals enumerated by MassHousing and the affordable and age restricted intent of the Development Agreement and LIP application.

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

The property is currently vacant and undeveloped. It is forested upland. An apartment development has been completed to the north, and single family residential to the west and south. Easterly is Memorial Drive and other lands of the RTD (solar farm and portions undeveloped).

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

**Signatures:**

Applicant/Agent:  Applicant's Name: Michael J. Uccellini

Email Address: M. Uccellini@ugoc.com Phone Number: 578 687 7300

Agent's Relationship to Applicant: \_\_\_\_\_ Firm: \_\_\_\_\_

Owner: \_\_\_\_\_ Owner's Name: \_\_\_\_\_

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

## Application Requirements

All applications must include a fully completed application form, all required documents, and a check for the full amount made to the Town of Ashland. Any application not complete may lead to the Zoning Board of Appeals issuing a denial without prejudice.

All applications must include:

- A letter of Denial of a Building Permit from the Building Commissioner.
- Abutters list (300') from the Ashland Assessors office (and other towns if applicable)
- A copy of the property card from the Assessors Office.
- One (1) 24x36" sized copy of the certified (signed and stamped by a registered land surveyor) Site Plan and must include a dimensional table of required and proposed setbacks.
- Sixteen (16) packets containing the following: a copy of the application, an 11x17" sized copy of the plot plan, and any supporting documentation. (Note: Make sure the 11x17" copies of the plans are readable. Feel free to consult with the Planning Department if at all unsure.).
- A .pdf copy of the submitted plans must be either handed in to the Planning Department or sent by email to [planning@ashlandmass.com](mailto:planning@ashlandmass.com), and a georeferenced CAD file (MA State Plain NAD83 Feet) will be required for final approval.

Note that additional fees associated with the Public Hearing process must also be paid with a separate check, along with a copy of the abutters list. See Public Hearing Associated Costs on page 4 for details.

## Criteria

The criteria for a Special Permit is either: (from Chapter 282 Section 9.3.2) "...the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site." or (from Chapter 282 Section 3.3.2/3.3.3) "...only if determines that such [change of use or change of a structure] shall not be substantially more detrimental than the existing nonconforming [use or structure] to the neighborhood."

Expect to discuss the following:

- Community needs served by the proposal
- Traffic flow and safety, including parking and loading
- Adequacy of utilities and other public services
- Neighborhood character and social structures
- Impacts on the natural environment
- Potential fiscal impact, including impact on town services, tax base, and employment

The criteria for a Variance is that you need to create or extend a nonconformity due to a hardship derived from the physical conditions of the lot or else the lot can't be used. Note that the threshold for granting a variance is somewhat substantial. (See MGL Ch. 40A Section 10.)

## Ashland Zoning Board of Appeals Fees

Application Type	Fee
Special Permit	\$250
Modification / Extension of Special Permit	\$200
Variance	\$400
Modification / Extension of Variance	\$400
Administrative Appeal of Building Inspector Decision	\$400

Peer Review Deposit	
2-15 Lots/Units	\$4,000
16-20 Lots/Units	\$6,000
21-25 Lots/Units	\$10,000
26-74 Lots/Units	\$20,000
75 or More Lots/Units	\$30,000
20 or Fewer Parking Spaces	\$2,500
21 or More Parking Spaces	\$5,000
Wireless Commercial Facility	\$3,000
Appeal of Building Inspector for 2+ Lots	\$1,000

Note: Unused Peer Review funds will be returned to the applicant at the end of the process. The applicant may request details on the account at any time from the Planning Department.

### Public Hearing Associated Costs

Pursuant to State Law (M.G.L. Ch. 40A, Section 11), the ZBA requires public hearings for the above matters. There are additional fees for the following:

Abutter List	\$2 per abutter, \$50 max (Obtained and Paid at Assessors Department).
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The Zoning Board of Appeals may require a peer review consultant and/or posting of the project on coUrbanize.com at the expense of the applicant.

Please be aware that the Planning Department may hold back decisions and/or permits until all checks have been received.

## CoUrbanize Fee Schedule

Application Type	CoUrbanize Requirement
Site Plan Review	CoUrbanize Required
Site Plan Review (Pertaining to Uses Proposed for ADD, A, B & C)	Town Planner or Planning Board determines whether CoUrbanize is required
Special Permit	Town Planner or Applicable Regulatory Board (PB / ZBA) determines whether CoUrbanize is required
Subdivision Permit (Cluster Included)	CoUrbanize Required
Comprehensive Permit (40B)	CoUrbanize Required
Additional Customization*	Applicable Regulatory Board determines whether CoUrbanize is required

The requirement to engage the services of CoUrbanize, as listed above, only pertains to the basic CoUrbanize package, not additional customization services.

Project Type	Building Size (Square Feet)	Total Fee Charged by the Planning Department
Small	0-24,999 SF	\$600.00
Medium	25,000-74,999 SF	\$1,100.00
Large	75,000-149,999 SF	\$2,500.00
Very Large	150,000 SF and Greater	\$3,950.00

\*The Town Planner and / or Planning Board will determine whether and to what extent additional customization services are required. Any applicant can be granted a waiver from engaging the services of CoUrbanize, at the discretion of the Planning Board.

Additional Customization*	
Traffic	\$1,500.00
Shadow	\$1,750.00
Parking	\$500.00
Other Impact Study	\$1,500.00