



CONNORSTONE ENGINEERING, INC.

10 SOUTHWEST CUTOFF, SUITE #7
NORTHBOROUGH, MASSACHUSETTS 01532
TEL: (508) 393-9727 • FAX: (508) 393-5242

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TOWN CLERK
ASHLAND, MA

2017 AUG 30 PM 6:19

Town of Ashland Planning Board
101 Main Street, 2nd Floor
Ashland, MA 01721

August 14, 2017

**Subject: Cluster Subdivision Application
Tri Street & Adams Street
Ashland, MA**

Dear Members of the Board:

On behalf of the applicant (Tri Street Partners LLC), please find the enclosed *Application for Planning Board Approval/Permit* related to the proposed residential subdivision on a property located off Tri Street and Adams Street. The proposed project includes a five (5) lot Cluster Development Plan utilizing a common driveway, which is based upon the conventional plan yielding six (6) lots with a through road. The applicant is requesting a Special Permit for the Cluster Development and Preliminary Subdivision approval, and (2) a Special Permit for a Common Driveway.

Enclosed are ten (10) copies of the following materials:

- Application for Planning Board Approval/Permit.
- Project Narrative
- Certified List of Abutters
- Cluster Layout and Conventional Layout Preliminary Subdivision Plans prepared by Connorstone Engineering, Inc. dated June 3, 2017 (2 full size and 8 reduced scale).
- Application fee checks

If you have any questions or require any additional information please contact this office at (508) 393-9727.

Sincerely,
Connorstone Engineering, Inc.

Vito Colonna, P.E.



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TOWN CLERK
ASHLAND, MA

2017 AUG 30 PM 6: 23

**Town of Ashland
Planning Department**

101 Main St.

Ashland, MA 01721

508.881.0101

Ashlandmass.com/193/Planning

Application for Planning Board Approval/Permit

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

Property Information:

Street Address: Off Tri Street & Adams Street
Zoning District: Residential A Overlay District: Pond Street Mixed Use Overlay
Floodplain Overlay
Assessor's Map: 256 Lot: 75 & 76 Deed Book: 1476 Page: 107
Current Property Owner: Tri Street Partners LLC Cert. 260100

Permit/Approval Sought:

Special Permit Site Plan Review Site Plan Modification
 Design Plan Review Earth Removal Permit Scenic Road Permit
 Subdivision (Include Subdivision Application Form) Special Permit Amendment/Modification
Use Type: Residential: Commercial: Industrial: Mixed Use:

Applicant Information: Owner: Tenant: Prospective Purchaser/Tenant:

Name: Tri Street Partners LLC *by Ther Ahly*

Address: 1253 Worcester Road, Framingham, MA

Phone: 508-393-6095 Email: GROSS@COMCAST.NET

Agent's Name: Connorstone Engineering, Inc.

Agent's Address: 10 Southwest Cutoff, Northborough, MA

Agent's Phone: 508-393-9727 Agent's Email: gfconnors@comcast.net

Additional Information:

Are all real estate taxes and other assessments to the Town current?: Yes

Is the parcel on a scenic road?: No Is the parcel in a flood plain?: Yes

Is the parcel within 100 feet of a wetland or 200 feet of a river: Yes

Is this an amendment to a previously issued Special Permit? (attach approved permit): No

Date structure(s) built?: N/A



Description of the Relief Sought: (attach additional pages if needed)

Petitioner submits this 5 lot Cluster Development Plan and application for the property based upon the conventional plan yielding 6 lots with a through road. The petitioner requests (1) a Special Permit for the Cluster Development and Preliminary Subdivision approval, and (2) a Special Permit for a Common Driveway. See attached Project Narrative for additional details.

What specific zoning bylaws is this application associated with?:
Section 7.3 (Cluster Development) / Section 6.3.5 (Common Driveway)

Benefits of Project:

This Cluster plan will (a) protect open space and wetland resource areas better than the conventional by permanently restricting these areas from future development, provide an emergency turn-around cul-de-sac where there is only a dead end, (b) promote less costly development maintenance by a shorter roadway network, all in accordance with the goals of 7.3.1,2, and 3., of the Cluster Development Bylaw.

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

The existing use of the site is a vacant undeveloped lot

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

Signatures:

Applicant/Agent: [Signature] Applicant's Name: Geo. & Connors for Tri St Hts LLC

Agent's Relationship to Applicant: Atty / Agt Firm: G & Connors Real Estate Law + Consulting

Owner: Tri St Hts LLC Owner's Name: Alan MARSE

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



Subdivision Application Supplemental Form:

Approval Sought:

Preliminary Plan Definitive Plan Plan Modification Lot Line Revision
 Approval Not Required (ANR)

Subdivision Name (if not an ANR): Tri Street / Adams Street Preliminary Subdivision

Number of Lots Proposed: 6 Conv. / 5 Cluster Total Acreage: 9.5 Acres Total Open Space: 4.8 Acres (Cluster)

Linear Feet of Proposed/Modified Road: 1409 feet Conventional / 182 feet Cluster

Are there any easements or deed restrictions on/in the development? (attach copies): Sewer Easement
(shown on plan)

Will the development be any of the following?:

Senior Residential Community (See Ch.282 §7.2):

Cluster Development (See Ch.282 §7.3): X

Assisted Elderly Facilities (See Ch.282 §7.4):

Multi-family Dwelling (See Ch.282 §7.5):

Accessory Family Dwelling (See Ch.282 §7.6):

Additional Considerations:

Is the project in a Flood Hazard Area? (See Ch.282 §8): Yes

ANRAD Submitted to confirm wetland boundary. Notice of Inte

Was a plan submitted to the Conservation Commission?: No If yes, when?: not submitted to date.

Will a plan be submitted?: Yes If no, signature of Conservation Agent:

Is the site within 500 ft. of another municipality?: No

Does the property contain walking trails and/or trees 14" in diameter or larger?: Yes

Additional Parties:

Engineer: Connorstone Engineering, Inc. Phone: 508-393-9727 Email: gfconnors@comcast.net

Architect: Phone: Email:

Landscape Architect: Phone: Email:

Attorney: Phone: Email:



Tri Street & Adams Street Cluster Subdivision

Application Fee Summary:

- o Preliminary Subdivision = \$2,250(\$1,500 plus 5 lots x \$150)
- o Peer Review Deposit = \$2,500
- o Special Permit Cluster Development = \$300
- o Special Permit Common Driveway = \$300

PROJECT NARRATIVE

Tri Street / Adams Street Preliminary Subdivision Cluster Development Ashland, MA

Petitioner submits this 5 lot Cluster Development Plan and application for the property based upon the conventional plan yielding 6 lots with a through road. The petitioner requests (1) a Special Permit for the Cluster Development and Preliminary Subdivision approval, and (2) a Special Permit for a Common Driveway.

SITE CONDITIONS

This site comprises approximately 9.5 acres of land having access to Tri Street of about 205 feet and access at the end of Adams Street (40 foot ROW).

The land is in the Residential A zone requiring, for conventional zoning 30,000 sf lots having 150 feet of frontage. This site is also within the Pond Street Mixed Use Overlay District. Cluster zoning is an allowable use with 15,000 sf lots having a minimum 75 feet of frontage.

The land cover is a mixture of hardwoods and evergreen with a dense shrub understory, except at the edges. Along the northern property line where a sewer line was installed in about 2004 or shortly thereafter, the vegetation is heavy shrub and thicket as an emergent ground cover. Access at Adams Road is similar.

Land slopes from south to north generally ranging from about 210 feet to 180 through the bulk of the site. Along the western end is a wetland and ephemeral stream where the slopes from about 180 to 166 running parallel to the stream. The FEMA flood line is at about 168. The flood limit does not affect any potential use of the site where it is fully constrained within the wetlands.

A large central portion of the site is an 'isolated' wetland feature under dispute.

There is a jurisdictional issue/dispute between the applicant and the Conservation Commission and the Massachusetts Department of Environmental Protection Wetland Section regarding the internal wetland complex on the site. The applicant asserts the area is an Isolated Vegetated Wetland under the Wetlands Protection Act and as such it is not jurisdictional under the Wetlands Protection Act and the Ashland Wetland Bylaw. The Commission and Department assert an internal ditch creates the jurisdiction. The applicants appeal is 'stayed' pending possible resolution surrounding this development concept. If this plan is approved by the Planning Board and ultimately the Conservation Commission, the applicants appeal will be dropped.

Notwithstanding this dispute both plans are able to be implemented at this point in time.

Municipal water is available to the site. Municipal sewer is on-site, running along the northerly property line. Power and communications utilities exist at both ends of the site.

Adams Road is a dead end in excess of the current 800 foot Subdivision Rules and Regulations requirement (the first leg is about 200 feet, the second leg is about 815 (scaled from GIS map) for a total of about 1015 feet). (See attached tax map with scaled dimensions) It terminates at the end without any provisions for emergency vehicle turn-around or for snow storage. The last several hundred feet are linear and afford excellent forward sight distance both horizontally and vertically.

Tri Street is a typical subdivision roadway affording adequate sight distance for an intersecting road serving the project.

CONVENTIONAL (PROOF) PLAN

The proposed conventional zoning plan demonstrates a through road network connecting Adams Road to Tri Street. This roadway is approximately 1400 feet in length, and provides frontage for 6 conventional zoned lots of 30,000 sf minimum each, and over 150 feet of frontage. Each lot has the requisite 90% of the required minimum 30,000 sf as upland (ie 27,000sf).

In addition to the inordinate length of roadway the plan requires retaining walls along the roadway near wetlands resources. Overall, the cost of future maintenance is expected to be relatively high in for the number of houses contributing to the tax base.

CLUSTER PLAN

The Cluster plan seeks to simply construct a cul-de-sac by extending Adams Road about 150 feet. This cul-de-sac provides frontage for 5 lots. Three of which are proposed to have individual driveways, and two to share a "common driveway."

Utility lines, roadway maintenance, emergency access, and convenience are the predominant aspects of this plan.

This Cluster plan will (a) protect open space and wetland resource areas better than the conventional by permanently restricting these areas from future development, provide an emergency turn-around cul-de-sac where there is only a dead end, (b) promote less costly development maintenance by a shorter roadway network, all in accordance with the goals of 7.3.1,2, and 3., of the Cluster Development Bylaw.

As in integral part of protecting the above noted resources the project relies upon two common driveways. These driveways serve two lots each. They minimize impacts both direct (footprint in the buffer zones) and indirect (stormwater runoff).

COMMON DRIVEWAY

The project as configured meets the goals enumerated below as follows:

1.

Community needs served by the proposal;

By subdividing the property as a cluster development, the existing Adams Road dead end configuration is enhanced for emergency vehicles, school busses, and general turning movements.

This subdivision cluster alternative minimizes direct and indirect impacts to wetland resources to the greatest extent. Further, access to the lots minimizes the wetland direct and indirect (buffer zone) impacts the use of common driveways.

Preservation of open space results in critical areas, specifically in the interior and along the brook. These areas are beneficial to the abutters. This very large area of the site will remain open space/wooded. The stream area will remain in its current condition and support wildlife unencumbered from close-by development.

2.

Traffic flow and safety, including parking and loading;

The proposed termination configuration of Adams Road lessens town maintenance costs, provides for emergency vehicle maneuvers, provides ample area for snow storage along areas where there are no lot development components, and provides areas for occasional overflow traffic parking.

3.

Adequacy of utilities and other public services;

All utilities are available to the site. Extensions are able to be contained within the easements for the common driveway. There is/are an adequate separation strategy for water and sewer connections from a DPW and billing concerns. The project proposes overhead electric/telephone/communications due to the nearby solar field, the short roadway extension, and to minimize excavation both for impact issues and the existing sewer line.

4.

Neighborhood character and social structures;

The neighborhood character - that of a 'private' dead end road, is best realized by the cluster development. This clustering of lots reinforces this existing 'dead end' road community and also eliminates thru-traffic that would result from the conventional layout. The lots are served by existing disturbed areas within the wetlands regulation 'no-touch' zone for the most part.

5.

Impacts on the natural environment; and

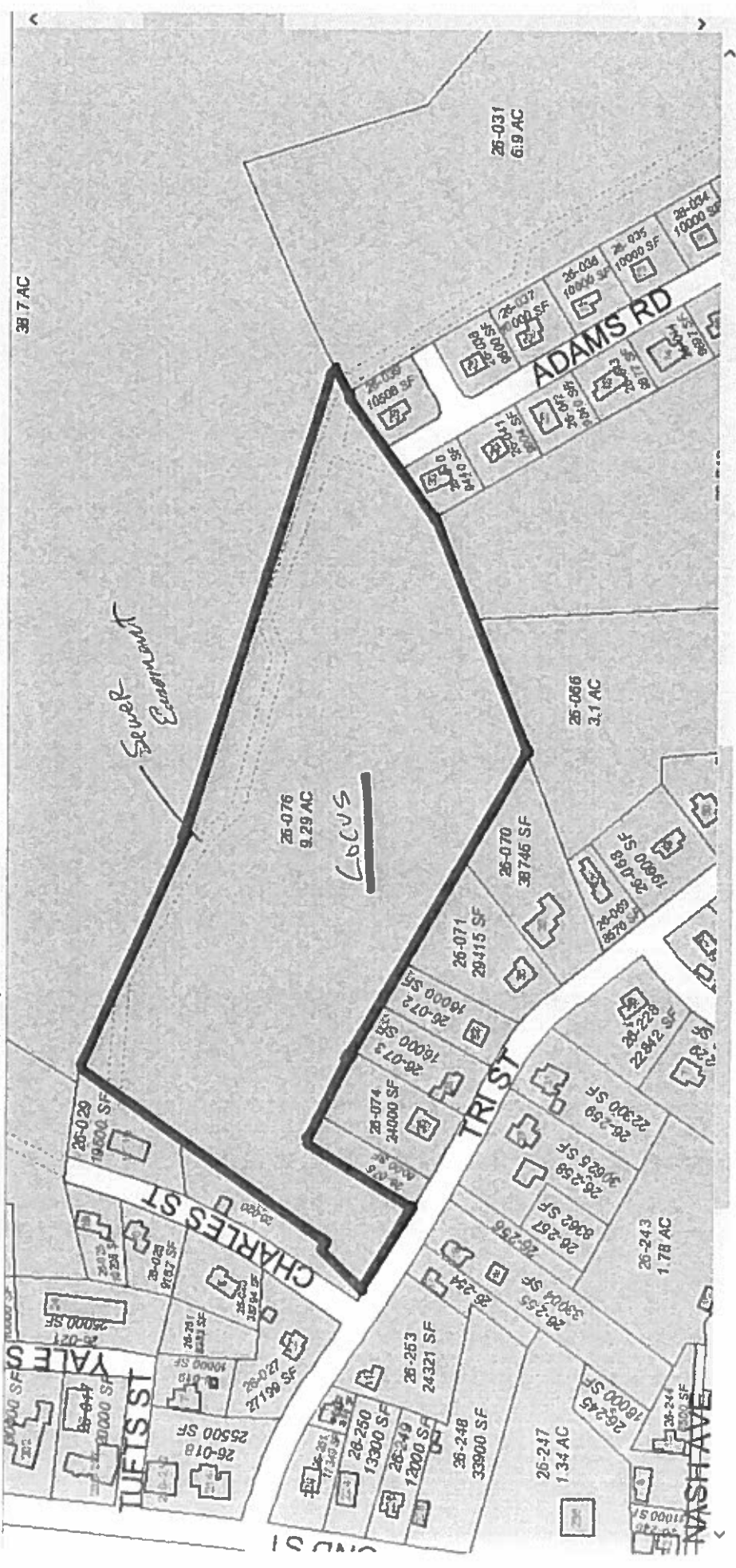
This layout limits the impacts on the natural environment as a result of the cluster type development, and further limits impacts to the wetland resources and associated buffer zones, by

minimizing impervious surfaces, eliminating retaining walls for roads, eliminating through traffic, minimizing maintenance costs, and vitiating other unspecified zoning opportunities otherwise available under the PSMOUD overlay zone. The cluster with the common driveway eliminates any direct wetland impacts. Although it impacts the towns 25 foot no-touch buffer most of this area has been disturbed by the installation of a municipal sewer line about 15 years ago. The most impacting driveway, despite being within the 25 foot no-touch buffer will utilize the existing sewer line for access thus this disturbance is already 'disturbed.'

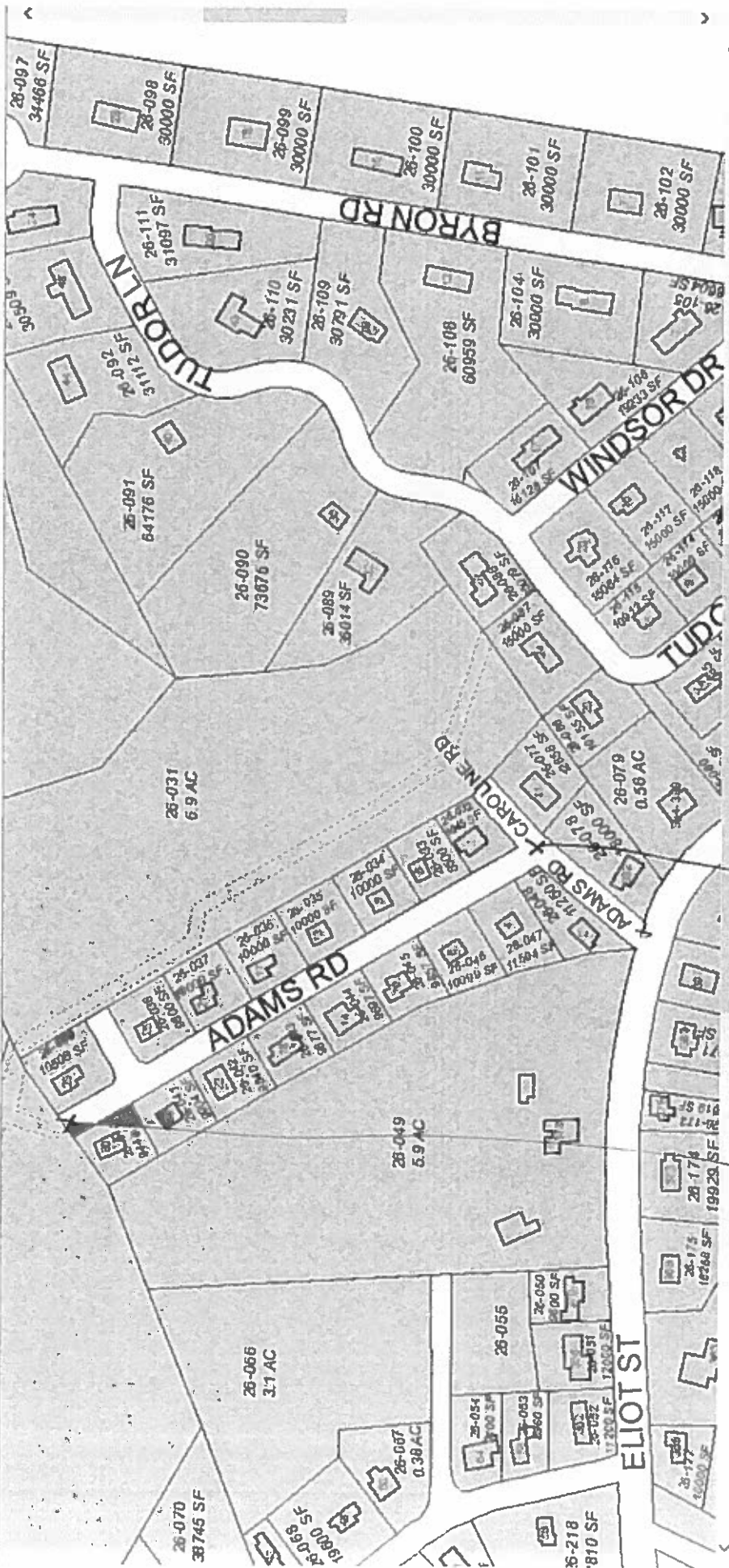
6.

Potential fiscal impact, including impact on town services, tax base, and employment.

The single family houses will contribute to the tax base far in excess of that of a conventional plan layout where the length of road is inordinate on a per lot basis. The public works and emergency services impacts are enhanced with increased vehicle maneuvering room at the end of the existing Adams Road. Construction employment is realized from both earthwork and house building, in addition to household maintenance services.



LOCUS

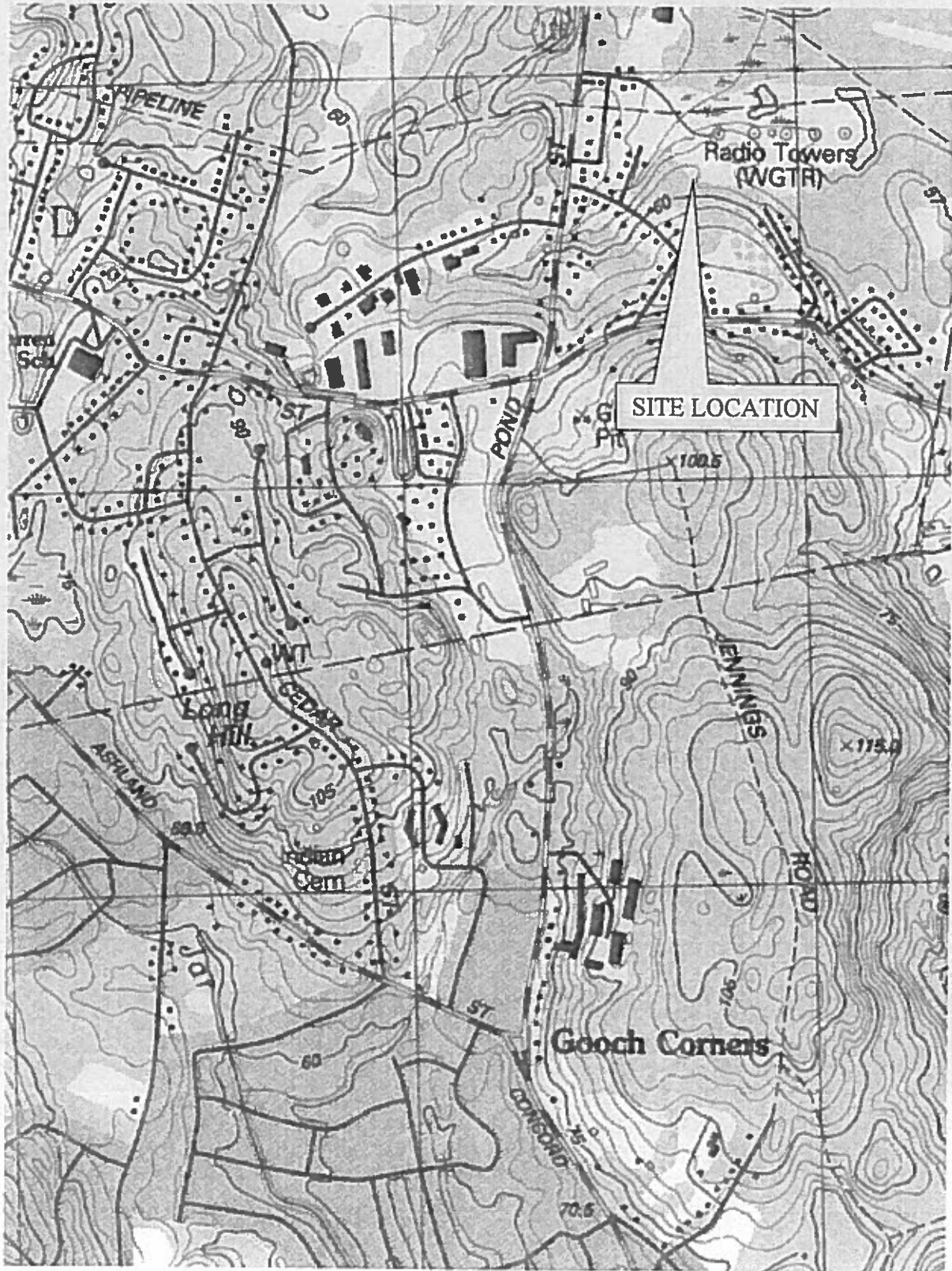


ADAMS ROAD
DEAD LENGTH
EXHIBIT

ADAMS RD
1015 - 701K
1/15

ADAMS RD
1015 - 200, segment
1/15

USGS LOCUS MAP



(3)

2015 01706974
Bk: 1476 Pg: 107 Cert#: 280100
Doc: DEED 08/05/2015 02:51 PM

Quitclaim Deed

TOWER SITES LTD, a Texas Limited Partnership doing business in Massachusetts under the name Tower Sites Limited Partnership, whose mailing address is 1907 Redbud Drive, Rockdale, Texas 76567

in consideration of One Hundred Eleven Thousand One Hundred and Twelve and 00/100 (\$111,112.00) Dollars

grants to TRI ST. PARTNERS LLC, a Massachusetts Limited Liability Company whose mailing address is 1253 Worcester Road, Framingham, MA 01701

with quitclaim covenants

Two certain parcels of land located in Ashland, Middlesex County, Massachusetts, bounded and described as follows:

Lot 12, shown on a plan entitled "Subdivision of Lot 7 as shown on Land Court Plan No. 16849D, said plan is filed in Land Registration Book 936, Page 51 with Certificate of Title No. 161201.

Lot 6B as shown on Land Court Plan No. 16849B, said plan is filed with South Middlesex Registry of Deeds, Land Registration in Book 371, Page 521 with Certificate 55625.

This is a transaction made in the ordinary course of the grantor's business.

The Grantor has not elected to be treated as a corporation for federal income tax purposes.

For Title See Certificate of Title No. 0194925 in Book 1104, Page 175.

Tri Street Ashland

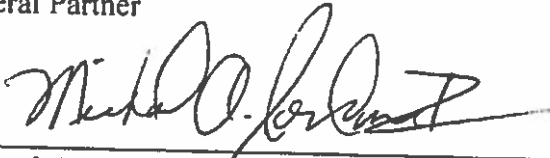
194925-1104-175

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 08/05/2015 02:51 PM
Otr# 227969 18301 Doc# 01706974
Fee: \$508.44 Cons: \$111,112.00

IN WITNESS WHEREOF, the grantor has caused this deed to be executed as an instrument under seal as of the 14 day of July, 2015.

TOWER SITES LTD d/b/a TOWER SITES LIMITED PARTNERSHIP

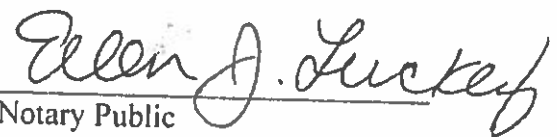
By: TEXAS EXECUTIVE MANAGEMENT CORPORATION, A Texas Corporation, Its General Partner

By: 
Michael A. Jordan, Its President and Treasurer

STATE OF TEXAS
County of Dallas

On this 14 day of July, 2015, before me, the undersigned notary public, personally appeared Michael A. Jordan II, proved to me through satisfactory evidence of identification, which were Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as President and Treasurer of Texas Management Corporation.




Notary Public
My Commission Expires: