



January 28, 2025

Ashland Zoning Board of Appeals
John F. Trefethen, Chair
101 Main Street
Second Floor
Ashland, MA 01721

Subject: 50 Main Street – Comprehensive Permit

Dear Mr. Chairman,

Hancock Associates has been retained by your Board to perform a civil engineering technical review of the 50 Main Street Comprehensive Permit. Hancock Associates has reviewed the Comprehensive Permit submission and offer the following as initial guidance to the Board.

Documents Reviewed

1. Application dated October 2024
2. Preliminary Site Plan Documents prepared by Bohler dated 8/1/24 containing 11 sheets. The site plans are signed and stamped by John Kucich P.E. and Matthew Mrva P.L.A. The Existing Conditions Plan within the set is signed and stamped by Vito Colonna P.L.S.
3. Architectural floor plans, elevations and renderings prepared by Embarc.
4. Narrative Description prepared by Attorney Richard R. Cornetta, Jr.
5. Project Eligibility Letter from Massachusetts EOHLIC dated October 2, 2023.
6. Traffic Assessment dated October 2023 prepared by Vanasse & Associates
7. Cover Letter for Revisions from Strategic Land Ventures dated November 19, 2024.
8. Ashland Zoning By-Law Chapter 282
9. Ashland Housing Production Plan dated 2015
10. Ashland Subdivision Regulations Chapter 344
11. Ashland Stormwater Management Regulations Chapter 343
12. Franklin Stormwater Management and Illicit Discharges and Connections Chapter 247
13. Ashland Streets and Sidewalks Chapter 249
14. Ashland Water Use Restrictions Chapter 270

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Initial Review of Submission

760 CMR 56.05 contains the required elements of a submission of a Comprehensive Permit to the Zoning Board of Appeals. The following is a review of the submission with regard to my civil review of these requirements:

- Preliminary site development plans with the locations and outlines of proposed buildings; the proposed locations, general dimensions, and materials for streets, drives, parking areas, walks and other paved areas; and proposed landscaping improvements. Any project of five or more units must have a site plan stamped by a registered professional architect or engineer.
The applicant has satisfied this requirement. A Plan set has been submitted. As noted below, critical information to support peer review is missing from plan set and supporting documents.
- An existing condition report on the proposed site and the surrounding areas.
The applicant has complied with this requirement. An existing condition plan is part of the site plan set, however it is signed and stamped by a Civil Engineer. The plan should be stamped and signed by a Massachusetts Professional Land Surveyor.
- Tabulation of proposed buildings by type, size, and footprint, impervious coverage, and open space, including percentage of tract to be occupied by buildings, parking and paved vehicular areas.
The applicant has submitted tabulations for the buildings within the application, however the percentage of tract to be occupied by buildings, parking and paved vehicular areas is missing from the table.
- A preliminary subdivision plan if the project involves a subdivision.
A subdivision is not proposed here.
- A preliminary utilities plan (water, wastewater, drainage, and storm water management facilities).
The applicant has satisfied this requirement within the site plan set referenced above. The plans have been developed to a very high level far beyond the preliminary regulatory threshold, however key features normally part of these plans are missing such as details and erosion control measures.
- List of requested Waivers.
The Applicant has complied with this requirement. As peer review proceeds, the list may require updating. It is unclear from the waiver list if the Applicant is seeking any waivers which are related to the commercial component of the development. The Applicant should provide a separate zoning compliance table for the commercial development. We recommend the Board schedule a comprehensive waiver review with the Board at an upcoming hearing. The waiver list provides commentary on the requested waivers contradictory to information on the plan set. An example of this is Section 5.4.4, Parking Lot Screening where the claims a “robust set of

plantings” screening residential neighbors. Lastly, the Applicant refers to future information being provided to the Board with regard to waiver requests. The Applicant should provide all documentation required to define the nature and extent of all relief required for the Board to adequately review the total project, potential impacts and mitigation that may be necessary.

Technical Review

Hancock has reviewed the plans and supporting documentation for soundness of methodology and calculations and conformity to standard engineering practice. We have also reviewed conformity to, or deviation from by-laws, regulations and bylaws as they apply to issues of on-site engineering including grading, stormwater management, sewage and site traffic circulation. Lastly, we looked at off-site impacts. The review is all done within the context of the regulation’s call for only the submission of preliminary plans. Our goal is to give the Board comfort that ultimately the project can be built in a manner that will protect the general public and future residents and visitors to the site through review, requests for additional information and suggestion of certain conditions of approval that will aid in meeting that goal.

Zoning Compliance

Comment Z1: Applicant should add the dimensional waiver request information to the plan set. The Zoning Table on Sheet C-301 appears to be incomplete.

Comment Z2: The Total Lot Coverage list in the Unit summary table is listed as 49%, while the lot coverage list on the Site Plan sheet C-301 is 26.2%. Please review and revise accordingly.

Comment Z3: The applicant requests waivers for “the Town of Ashland Stormwater Management Bylaw (Chapter 247) and Regulations requiring a permit for any activity requiring Site Plan Review, any activity resulting in land disturbance of equal to or greater than 10,000 square feet or will increase impervious surface more than 50% of the parcel, any redevelopment project, and any activity that will alter, fill, or degrade a wetland.” The applicant should specify which sections of the Ashland Bylaws are being requested to be waived with an explanation of why said standard cannot be met for the project.

Comment Z4: The site is located in the Industrial Zoning District with Ashland Downtown District A Overlay district and Photovoltaic Installations Overlay District. Residential B Zone abuts the property to the Northeast and south. Ashland Development District C is across Main Street. The project requests a waiver from §282- 4.1.1 for front yard setback (permitted: 8’ minimum, 15’ maximum. requested:17.1’ building and 2.5’ for retaining wall), and maximum permitted height (permitted: 38’/3 stories. requested:

69' 11," 6 stories). The building height includes 5 stories over 1 story of parking garage, with 60'-11" over the existing street grade.

The plans do not identify the setbacks provided. These should be enumerated in both the plans and waiver list. The waiver for a retaining wall along Main Street seems appropriate given the steepness of the embankment along Main Street.

Also, the permitted side yard listed in §282-8.5.6.1 is 12' and the permitted side yard value listed on the Site Plan is listed as 30'. Please revise.

Comment Z5: Lettering will be affixed to the smokestack in the northern corner of the existing building. The ZBA to confirm that this is not considered a "roof sign." See §Ch.282-5.3.3.9. The Chapter 40B process cannot waive zoning requirements for any commercial components of the proposed project.

Comment Z6: 386 parking spaces are provided versus 390 stated on the project plans. The parking required is stated as two per unit plus one space per 180 square feet of retail space with a shared parking reduction allowed in §282-8.5.13. The Applicant stated at the opening public hearing that the commercial space may contain a restaurant with 150 seats. The parking required for restaurants is one space per four seats. It is unclear if the restaurant will occupy the entire retail area. The Applicant should provide more information regarding the highest parking demand possible to ensure adequate parking is provided. The proximity of the proposed parking servicing the retail should also be clarified. The connectivity and availability of garage parking to the retail should be clarified.

Comment Z7: §282-5.4.4 stipulates that one tree per 10 spaces shall be provided with each of said trees shall not be further than 5 feet from a parking cell. There appears to be only 19 trees provided that meet this requirement while 23 trees are required. Note that §282-5.4.4.4 states that the Planning Board may determine that the planting requirements are impractical and may instead the parking areas may be provided with additional landscaped area that more effectively screens it from public view. The Applicant should clarify compliance here and assist the Zoning Board in their review in place of the Planning Board's discretion.

Comment Z8: §282-5.4.4.1 states that there shall not be more than 25 parking spaces per cell. Cells shall be separated by landscaped islands or buffer areas. One parking cell is 37 spaces long and should be revised to comply with this requirement or a waiver requested.

Site Survey

Comment SS1: Existing site utilities are missing from "Existing Conditions Plan" that can be found on the "Existing conditions and Demolition Plan." Please coordinate the plans.

Comment SS2: The survey is stamped by an engineer but includes bearings and bounds. It is required to be stamped by a Professional Land Surveyor per 250 CMR.

Comment SS3: Applicant should provide abutter information not provided (record owner, street addresses, and lot numbers) on Existing Conditions and Site Plans. It would be helpful to the Board if buildings on adjoining lots could be shown either on the plans or on a context plan at a smaller scale.

Comment SS4: Extent of all the site property lines not shown, this could also be added to a smaller scale context plan.

Comment SS5: Street information (street width, public/private) is provided for Main Street, but not Myrtle, Pleasant and Water Streets. Please correct.

Comment SS6: The location of the discharge point for the existing stormwater pump station on site is not shown. Please correct.

Comment SS7: The Applicant should provide information on the source of the 18" outlet at the raceway as well as connections from the municipal drainage system in Main Street and details on the existing raceway plug and discharge. The raceway is noted on the Demolition Plan as being removed. Hancock understands from discussions with Town Staff, municipal drainage currently enters the raceway discharging to the canal. Since the raceway should therefore remain, it should be shown on project plans, especially the Utility Plan. The Board should consider a condition requiring a full assessment of the structural condition of the raceway and full integration into the structural design of the building. Since the raceway serves as a conveyance for municipal drainage, easements should be created and granted to the town, as well as a full operation and maintenance plan moving forward.

Comment SS8: The Existing Conditions Plan should be updated providing more grades in Main Street in the area of the project entrances. It is unclear how proposed conditions may impact the municipal drainage system.

Comment SS9: Vertical datum NGVD 29 required by §343-7.6.10.6. The existing conditions plan indicates that benchmarks were set on NAVD 88 vertical datum. Please provide a note on the plans detailing the differential.

Erosion Control

Comment EC1: An Erosion and Sedimentation Control Plan was not included in the submission and should be provided per §343-7.6.10.11. It should include details on construction access, erosion controls, locations of stockpiles and staging. Specific details as to how the Sudbury River will be protected during the construction of the new retaining wall and flood gates should be provided.

Comment EC2: Existing soil contamination may preclude the use of construction sediment basins, an alternative to sediment basins should be provided on the Erosion and Sedimentation Control Plan. Given the existence of contamination on site coupled with high groundwater levels, a note should be added to provide a preliminary indication of how dewatering will occur.

Comment EC3: A preliminary construction sequencing schedule should be added to the Erosion and Sedimentation Control Plan.

Site Plans

Comment L1: The plans do not depict snow storage areas. Runoff and snowmelt from the proposed site flows to the Sudbury River. No snow should be stockpile upstream of the flood gates or over stormwater BMPs such as sediment basins or filter strips. The Applicant should demonstrate that adequate area for snow storage is provided with consultation with the Conservation Commission.

Comment L2: Approximately 15,000 sf of retail space is proposed. The applicant should address how the retail space is supported with loading, dumpsters, etc.

Comment L3: The Utility plan is missing proposed drainage pipes that are on the Grading Plan. Please coordinate the plans.

Comment L4: Provide size slope and material of all sewer and drain pipes.

Comment L5: Water lines should be cement lined ductile iron per §344-23(A).

Comment L6: The stormwater report mentions sediment basins and vegetated filter strips under the water quality section. However, neither are called out on the plans. Likewise, the operation and maintenance plan include a water quality device which is not called out on the utility plan.

Comment L7: Provide a site details plan in accordance with standard engineering practice per §343-7.6.11. Also include the following details:

1. Proposed retaining wall that will replace the existing wall between the project site and the Sudbury River.
2. Tide gate detail
3. Stormwater pump station
4. Underground Stormwater Storage Chambers Detail. Including information on how infiltration into groundwater will be prevented and depth to groundwater §343-7.6.16.

Comment L8: Provide area of wetlands and floodplain in total sf and percent of lot area per §343-7.6.10.2.

Comment L9: Show the locations of test pits and observation wells.

Site Grading

Comment G1: This project will include earthwork involving contaminated soils. The Applicant should provide the Board with an estimated quantity of total earthwork as well as import and/or export anticipated. The Project LSP will have to generate a Soil Management Plan. Preliminary details of this plan should be provided to the Board.

Comment G2: The retaining wall between the project site and the Sudbury River is to be rebuilt. To mitigate the risk of flood gate failure, the new wall should be designed to be capable of containing the lateral forces of floodwater on either side. A preliminary design of the wall should be provided to assist the Board in understanding the scope of the work.

Comment G3: The existing conditions depicts a retaining wall and two 12” drainpipes that allow floodwater to pass in either direction between the site and the Sudbury River. The proposed project rebuilds the retaining wall and replaces the twelve-inch drain pipes with three twelve inch pipes equipped with tide gates preventing flow from the river side to the site. The applicant should explain the reasoning behind the use of the tide gates and impact on existing flood storage currently provided on site. The applicant should provide preliminary compensatory flood storage calculations in accordance with §310 CMR 10.57(4)(a)1.

Comment G4: Given the location of proposed parking within an area prone to flooding, the Applicant should provide a Preliminary Emergency Response Plan for Flood Events per §343.7.6.15. The response plan should include instructions for residents during a flood, location where cars should be moved, operation of the tide gates, and protocol for the stormwater pump station. Cars left within flood prone area can pose a risk to the environment.

Comment G5: The Proposed Grading Plan depicts what appears to be an infiltration basin with a base elevation of 179 and an outlet through the rear retaining wall of 180.3. Stormwater between 179 and 180.3 will have to infiltrate into the ground. This is counter to the directives contained in the Site’s Activity and Use Limitation (AUL). There is also no information provided verifying the required offset to seasonal high groundwater.

Utilities

The project proposes connection to the municipal sewer and water systems in Main Street and Myrtle Street via gravity lines.

Comment U1: The Applicant should provide sewer design flow and water demand and comment on the capacities of the municipal systems to service the project.

Comment U2: The proposed development features elevation changes from the street surface of Main Street to five stories above the ground surface. The Applicant should

perform flow testing proximate to the site and determine the sufficiency of the existing municipal system to supply adequate volume and pressure for fire suppression systems. The Applicant should consult with the Ashland Water Department in this preliminary review.

Comment U3: No elevation information is provided for the existing and proposed sewer. It is unclear if pumping will be required, which would necessitate an emergency generator. Garage drains will also be required to be connected to the municipal sewer system in accordance with Massachusetts State Plumbing Code. The Applicant should provide preliminary information for these items to define the scope of the project and possible impacts to the municipal infrastructure.

Lighting

Comment LT1: Light levels to the rear of the retail building appear to be very low. The Applicant should review the sufficiency of lighting along pedestrian pathways in and from the parking lot.

Comment LT2: It is unclear if proposed parking lot lighting and wall packs will be shielded and “Dark Sky” compliant.

Stormwater

The proposed stormwater system includes a variety of BMPs throughout the site, including underground detention systems, stormwater pump station, and tide gates. Treatment is provided through sediment basins and filter strips. The applicant considers this site as a redevelopment.

The applicant requests waivers from the Town of Ashland Stormwater Management Bylaw (Chapter 247) and Regulations requiring a permit for any activity requiring Site Plan Review, any activity resulting in land disturbance of equal to or greater than 10,000 square feet or will increase impervious surface more than 50% of the parcel, any redevelopment project, and any activity that will alter, fill, or degrade a wetland. As requested in Comment Z2, the applicant should specify which sections of the Stormwater Management Bylaw should be waived with an explanation of why each standard cannot be met for the project.

Comment SW1: A simplistic rational design calculation is provided as a preliminary stormwater report. This is insufficient in determining his project’s stormwater characteristics given the environmental sensitivity of the site and hydraulic complexity of the downstream retaining wall, flood gates and stormwater pump station. The Applicant should provide preliminary hydrologic and hydraulic design calculations outlined in the MassDEP stormwater standards and 343-7.6.16(c). Calculations should include the impact of the wall outlets and flood gates, the proposed pump stations, and the proposed Stormwater storage chambers. The existing stormwater raceway and the Sudbury River should be modeled as separate design points as they are separate resource areas.

Comment SW2: Green roofs are proposed in open areas above the garage parking. Green roofs can be beneficial to a project, including reducing heat island effect, provide water quality volume, and possibly reduce peak rates due to the stormwater volume provided. However, green roofs are not considered pervious area because no infiltration can occur and stormwater needs to be captured in a system under the green areas and conveyed to a discharge point. It appears the Applicant has counted the green roof area toward the pervious area onsite for both peak rate calculation and the status of the project as a redevelopment. The Applicant should provide calculations for both the total impervious and stormwater design considering these roofs as impervious.

Comment SW3: Provide a MassDEP stormwater checklist.

Comment SW4: Provide Pre- and post-development watershed plans per §343-7.6.16(11).

Comment SW5: Provide volume of runoff calculation per §344-14(E).

Comment SW6: Provide Rational pipe design per §344-14(B).

Comment SW7: Stormwater recharge is not provided due to onsite soil contamination. However, the stormwater report mentions sediment basins onsite. The Applicant should provide how the sedimentation basins will be utilized to limit contaminated soil impacts. It appears these areas will be excavated below current surfaces.

Comment SW8: The Applicant should provide TSS Removal Worksheets for each treatment chain (each outlet). Also Provide Water Quality Volume or Water quality flow rate calculations for all water quality BMPs. The Town of Ashland requirement for water quality is 80% TSS, 40% Total Phosphorus, and 30% Total Nitrogen removal 343-8.1.6. This requirement can certainly be met for the conventional pipe and manhole stormwater system on the southwest side of the site. The Applicant's Stormwater Report claims the reduction in impervious inherently increased stormwater treatment. This approach does not meet the intent of the regulatory requirement of improving site conditions to the maximum extent practicable. In accordance with Massachusetts DEP Stormwater Handbook Volume 3, the Applicant is required to complete computations to determine whether proposed structural BMPs fully meet the requirements of Standards 2 through 6. At a minimum, the Applicant is required to demonstrate that proposed stormwater management system meets Standards 2, 3, and the structural BMP requirements of Standards 4, and, if applicable, 5 and 6 to the maximum extent practicable and demonstrate that measures have also been proposed to improve existing conditions. The Applicant should provide a completed "Redevelopment Checklist" set forth in Volume 2 Chapter 3 given the environmental sensitivity of the site.

Traffic Assessment and Fire Access

The Applicant has provided a Traffic Impact Assessment in accordance with the Massachusetts Department of Transportation (MassDOT) Guidelines for traffic impact assessments and the standards of the Traffic Engineering and Transportation Planning professions for the preparation of such reports. The report presents information regarding anticipated trip generation, historic crash data and some evaluation of intersection safety regarding safe sight distances.

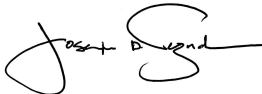
Comment T1: We defer to the Professional Traffic Operations Engineer engaged to review the report by the Board.

Comment T2: A swept path analysis has been provided showing the movements of an emergency vehicle through the site. The Board should seek input from the Ashland Fire Department regarding this analysis.

Hancock suggests the Applicant's team compile a point-by-point response letter to this report to assist the Board with their review.

We look forward to assisting the Board in this complex and dynamic process. Please do not hesitate to contact me should you have any questions or comments.

Sincerely,
Hancock Associates,



Joseph D. Peznola, PE
Director of Engineering



David White, PE
Project Engineer