

ASHBY PLANNING BOARD
Application for Special Permit

NAME : Steven Breitmaier (Brite Excavating) _____

ADDRESS: 14 Patricia Drive, Ayer, MA 01432

MAP & PARCEL # Map 15, Lots 13, 13.1, 13.2, 13.3

REQUEST FOR SPECIAL PERMIT

I, Steven Breitmaier _____ **the applicant**

who applies to the Planning Board according to Section(s) 9.4 Open Space Residential Development
_ of the Zoning By-law, for the property located at Old Northfield Road

and asks that the Board make the following findings in accordance with the
provisions of law:

1. The use requested is a use permitted by a Special Permit in the district for which application is being made or is so designated elsewhere in the By-law specifically:

The subject parcels are located within the Residential/Agricultural District as defined in Section 7 of the Ashby Zoning By-law, and therefore is a permitted land use by right.

2. That the requested use is essential or desirable to the public convenience or welfare for the following reasons:

The OSRD application seeks to preserve open space and natural features to the maximum extent practicable in accordance with the Town of Ashby's master plan spirit and intent.

3. That the requested use will not create undue traffic congestion or unduly impair pedestrian safety for the following reasons:

The proposed 10-lot OSRD application will not create undue safety, due to the very low volume of the new/increased traffic. According to ITE land use code 210, the ADT on Old Northfield Road will be increased by less than 90 vehicle trips per day. This insignificant increase will unlikely create any noticeable change to the traffic patterns on Old Northfield Road or surrounding roadway network.

4. That the requested use will not adversely impact any public drainage system or any other municipal system to such an extent that the requested use or any existing use in the immediate area or in any other area of town will be unduly subjected to hazards affecting health, safety or the general welfare for the following reasons:

The proposed OSRD drainage system is private and will be maintained by the home owner's association.

5. That any special regulations for the use, set forth in Section 9.4 of the Zoning By-law are fulfilled, specifically:

- (9.4.4.2) Provides an undisturbed twenty-five (25) foot buffer along the perimeter of the property
- (9.4.4.3) Exceeds the 35% of total land area as permanently protected open space.
- (9.4.5) Each lot exceeds the minimum required size of 40,000 square feet
- (9.4.5) Each lot exceeds the minimum required frontage of 80'

6. That the requested use will not be detrimental to the established or future character of the neighborhoods and town, nor be detrimental to the health, morals or welfare for the following reasons:

The proposed subdivision is unique and unlike any other community within Ashby, however it is more dense than the existing rural character of Ashby.

Date: 9/7/16

Respectfully submitted by: **Hancock Associates (Agent)**
Steve Breitmaier (Developer)