

Site Assessment and Development Options Report:
Boston Road Parcel, Westford. MA

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Prepared for the Affordable Housing Committee

Prepared by:

**Northern Middlesex Council of Government
115 Thorndike Street
Lowell, MA**

Table of Contents

	<u>Page</u>
I. Site Location	1
A. Wetland Resources Areas	1
B. Soils Analysis	2
C. Existing Drainage Patterns	2
D. Utilities	3
E. Site Access	3
II. Site Constraints	3
A. Soils	3
B. Drainage	3
C. Utility Access and Easements	4
D. Wetlands	4
E. Noise	4
III. Architectural and Site Design Considerations	5
IV. Development Alternatives Analysis	5
A. Development Area	5
B. Overview of Westford Zoning Bylaw Options.	5
C. Implications of the Growth Management Bylaw	6
D. Site Development Under Current Zoning	7
E. Open Space Residential Development	7
F. Flexible Development Alternative	8
G. Assisted Living Facilities	10
H. Senior Residential Multifamily Overlay District	11
I. 40B/Local Initiative Project Option	12
V. Summary	15

I. Site Location and Description

The site, located south of Westford Center adjacent to the intersection of Boston Road and Blake's Hill Road, is comprised of 17.74 acres of residentially zoned (RA) land. The parcel is bounded to the north by Blake's Hill Road, to the east by Boston Road, to the west by land owned by New England Power Company and National Grid, and to the south by I-495.

The parcel is elevated above Boston Road and slopes toward wetlands located at the center and rear of the site. The highest elevation, at about 298 feet above sea level, is located in the northwest corner of the parcel adjacent to Blake's Hill Road. The lowest elevation, located in the wetlands along the southwest portion of site, is slightly less than 262 feet above sea level.

A four hundred-foot power line easement, containing several sets of overhead and high-tension power lines, bisects the property in an east-west direction. The 6.5-acre area under the power lines is vegetated with low brush and junipers. A finger-shaped wetland area extends from the rear portion of the power lines easterly for a distance of about 460 feet. A cart path runs under the power lines primarily in an east-west direction.

The land area north of the power lines is about 5.25 acres in size and contains an access roadway for the National Grid substation, a cart path leading from the access roadway to the power lines, the stormwater basin for Blake's Hill Road and a small wetland area. This area of the site is primarily wooded with coniferous trees and light undergrowth.

The area located south of the power lines contains approximately 6 acres and is about fifty percent wetlands; the remaining fifty percent is wooded. There is no direct access to this area of the site.

A. Wetland Resource Areas

As outlined in the *Supplemental Data Report* prepared by LandTech Consultants Inc, dated January 2007, there is a wetland resource area located along the western boundary of the site. This wetland area is located in a Zone A, 100-year floodplain, as shown on the FEMA Flood Insurance Rate Map. The remainder of the site is within Zone C, areas of minimal flooding outside the 500-year floodplain.

This wetland resource area was flagged according to vegetation, groundwater indicators and soil indicators, by Basbanes Wetland Consulting. Given the configuration of the wetland, large areas of the site lie within the associated buffer zones and are subject to the Wetlands Protection Act and the Town of Westford Wetlands Bylaw. The site is not located within an Estimated Habitat of Rare Wetland Wildlife or a Priority Habitat of Rare Species, as outlined by the Natural Heritage and Endangered Species Program.

B. Soils Analysis

According to the soils analysis conducted by Landtech Consultants, Inc., the majority of the site contains soil group 7C and 7D, Charlton-Hollis-Rock outcrop complex. The Natural Resource Conservation Service describes this soil group as “Charlton and Hollis soils with rock outcrops that occur in such intricate patterns on the landscape that it is not practical to separate them”. The depth to bedrock and rockiness are major limitations of this soils group. The perimeter of the site contains or is adjacent to soils groups 122, Paxton fine sandy loam, and 81, Woodbridge fine sandy loam.

Subsurface testing was performed on this site under the supervision of the Westford Board of Health. Tests were conducted in the area of the site north of the power lines, where Charlton-Hollis-Rock outcrop complex soils were found. The five test holes varied in depth from 5 feet to 9 feet with refusal due to bedrock or very large boulders in all holes. . One test hole (1206-1) did not demonstrate the four feet of naturally occurring material suitable for a septic system. The estimated seasonal high groundwater is assumed to be at the bottom of the excavation for all five test holes.

An additional subsurface testing was performed south of the power lines. The first location (1206-6), just south of the power lines, approximately 120 feet west of the I-495 southbound on-ramp, was consistent with the previous five except that nearly no stones or boulders were present, and no evidence of groundwater was observed. The second location (1206-7), located just south of the power line midway between the I-495 southbound ramp and the rear of the site, contained soils consistent with Woodbridge fine sandy loam. This material had slow to very slow permeability and a high (36”) estimated seasonal water table.

A percolation test was conducted to determine the permeability of the soils in the easterly end of the property, just south of the power lines. The test results showed a percolation rate of ten minutes per inch.

C. Existing Drainage Patterns

The site is divided into two drainage sub-catchments. The first encompasses an area 150 feet to 200 feet deep parallel to Boston Road and the I-495 southbound on-ramp. This area drains toward the front of the site. The second sub-catchment includes the remainder of the site and drains toward the wetland area located at the rear of the site.

D. Utilities

The site is served by National Grid through overhead electric service which presently exists along Boston Road and at the entrance to Blake’s Hill Road. Underground electric service is also available along Blake’s Hill Road.

Overhead cable service/ high-speed internet access through Comcast currently exists along Boston Road and at the entrance to Blake’s Hill Road. Underground cable is also

available along Blake's Hill Road. Similarly, overhead telephone service is available through Verizon along Boston Road and at the entrance to Blake's Hill Road, with underground telephone service available along Blake's Hill Road.

Keyspan gas service is available near the site through a 2-inch gas main located within Blake's Hill Road. In addition, a 4-inch gas main lies within Boston Road north of Blake's Hill Road. This main does not extend along the front of the site.

Municipal water service is available along Boston Road (12 inch main) and Blake's Hill Road (8 inch main). Municipal sewer service is not available, therefore, an on-site sewage disposal system will be required.

E. Site Access

The site has over 600 feet of frontage along Boston Road and nearly 600 feet of frontage on Blake's Hill Road. There is one existing 40-foot wide curb cut along Boston Road, approximately 130 feet south of Blake's Hill Road, which provides access to the electric company substation adjacent to the site via an easement. Additional access points along Boston Road would require a permit from MassHighway.

Access to the site via Blake's Hill Road is preferred over Boston Road in order to minimize conflicting traffic movement along Boston in close proximity to the I-495 interchange and the Blake's Hill Road/Boston Road intersection. Such access would be best provided within the first 500 feet of Blake's Hill Road due to elevation differences beyond that point.

II. Site Constraints

A. Soils

Charlton-Hollis-Rock outcrop complex soils are typically suitable for on-site sewage disposal systems when sufficient soil is present above bedrock. The permeability of these soils also allows for infiltration of stormwater, assuming sufficient soils is available above bedrock. The primary constraints are related to the depth of bedrock and the volume of stones present.

Overall, construction costs associated with the development of this site will be impacted by the need for blasting and rock removal for the construction of foundations, drainage structures, pipes and utilities. Furthermore, the extent of rock and depth to bedrock could limit the siting of an on-site disposal system. State regulations require a minimum of 4 feet of naturally occurring pervious soil excluding topsoil.

B. Drainage

The development of any site increases the amount of impervious surface and resultant runoff that must be mitigated through the use of stormwater management systems. MassHighway will not allow an increase in runoff to roadways under their jurisdiction

and prefers that no runoff enter the state's drainage system. Boston Road and I-495 are both under the jurisdiction of MassHighway, therefore any runoff directed toward Boston Road/I-495 must be collected in a stormwater management basin, redirected through pipes to the rear of the property and infiltrated into the ground.

Runoff at the rear of the site, or runoff from other areas of the site that has been redirected to the rear of the site, would be discharged within the buffer zone to the wetland. This will necessitate that DEP's Stormwater Management Policy requirements be followed regarding the quality and quantity of stormwater discharge. Any runoff increase must be detained in stormwater basins and/or infiltrated into the ground. In addition, Best Management Practices will be needed to ensure that 80% of total suspended solids are removed. This Stormwater Management Policy is administered by the Conservation Commission upon review of the Notice of Intent.

C. Utility Access and Easements

The area north of the power lines contains approximately 5.25 acres and is the most developable portion of the property. A 720-foot long gravel access road provides access to the Mass Electric substation. This access road lies within a 40-foot easement that extends from Boston Road to beyond the electric company substation. Another 240-foot long gravel cart path bisects this portion of the site and provides access to the high tension power lines from the gravel access road. In addition, a 400-foot wide power easement, containing overhead high tension power lines, cuts through the middle of the parcel in an east-west direction. This area encompasses approximately 6.5 acres of the site.

The deed for the parcel, as recorded at the Registry of Deeds office, does not specify use restrictions for the easement. However, it is recommended that the Town seeking a legal opinion on this issue. Town staff has had preliminary discussions with an electric company representative who indicated that the utility would be willing to consider relocation of the gravel access roadway and the cart path, assuming a comparable level of service is provided.

D. Wetlands

The area south of the power lines contains six acres of land and is comprised of about 50% wetlands. Due to the shape of the wetland resource areas, large portions of the site fall within the associated buffer zones and are subject to the Wetlands Protection Act and the Westford Wetland Non-Zoning Bylaw. There is no direct access to this portion of the site south of the power lines, limiting development potential.

E. Noise

Given the proximity of the site to I-495, noise levels associated with vehicular traffic could be potentially significant. For residential land uses, development in areas below 60 decibels is generally considered acceptable; between 60 and 65 decibels is conditionally

acceptable assuming that noise monitoring and analysis demonstrates that noise levels can be mitigated through the use of sound insulation and techniques. Should development of the site proceed, a detailed noise analysis should be undertaken and appropriate noise insulation features should be integrated into the project design.

III. Architectural and Site Design Considerations

The Town of Westford's 40B Development Guidelines provide architectural and design preference criteria for affordable housing development. The guidelines express a preference for single-family residences. In the case of townhouse development, buildings should be limited to no more than four units per building. Apartment buildings should consist of not more than 24 units per building. Multi-unit buildings should have breaks in the facade and roof line. Structures should be consistent with the character and architectural style of the neighborhood in which they are located. Typically, this would mean that the height of the buildings would be limited to 1.5 to 2.5 stories. Affordable units should be indistinguishable from market rate units and should not be concentrated within the same area of the site.

Project design should consider the characteristics and features that are unique to the site, both natural and man-made. Buffering and screening should be utilized, to the maximum extent practical, to minimize impacts to the neighborhood. The guidelines also provide photos and concept drawings that depict acceptable design practices. The following analysis of development alternatives has taken into consideration the town's 40B development guidelines when assessing the development potential of the Boston Road parcel. The analysis of each alternative assumes that it is possible to relocate the access road/easement for the MassElectric substation.

IV. Development Alternatives Analysis

A. Developable Area

As outlined in the previous sections of this report, there are substantial development constraints present on this site including wetlands, power line and utility easements and access limitations. Once these limitations are taken into account, approximately five acres of the site are developable, assuming that the access road for the electric substation can be relocated. This developable area lies north of the power lines and east of the substation.

B. Overview of Westford Zoning Bylaw Options

The Town has an approved *Affordable Housing Action Plan* aimed at expanding its overall inventory of units counted in the DHCD Subsidized Housing Inventory (SHI). Furthermore, the town has developed *Chapter 40B Development Guidelines* to provide guidance to developers in creating proposals that will meet the community's needs, while being sensitive to community character and impact to abutting neighborhoods.

The entire Boston Road parcel is zoned Residential A (RA). A number of options exist within the overall Westford Zoning Bylaw that can be utilized to develop the site as housing with an affordable component. Such affordable housing provisions can be found within the following Zoning Bylaw sections:

- Flexible Development
- Assisted Living Facilities
- Senior Residential Multifamily Overlay District

The following sections of this report evaluate development options for the Boston Road property under the current RA zoning and utilizing other options as listed above.

C. Implications of the Growth Management Bylaw

Development of this parcel, or any other residential parcel, could potentially be impacted by the town's growth management bylaw (Section 6.3 of the Zoning Bylaw) that limits the rate of growth to 30 dwelling units per calendar year. According to Section 6.3.3 of the Bylaw, "From January 1 until December 15 in a calendar year, the Building Inspector may issue up to six (6) building permits to any one development subject to the growth rate limit, according to their placement in the stand-by list. From December 16 to December 31 in a calendar year, permits may be issued on a first-come, first served basis, up to the growth limit, without restrict as to total number per development or placement in the stand-by list."

Section 6.3.4.1 of the bylaw allows the Planning Board to establish a development schedule for:

- Projects creating units for senior residents through a deed restriction. These units must be owned and occupied by at least one person 55 years of age or older; and
- Projects that voluntarily agree to a 25% reduction in density below that permitted under current zoning and as feasible given environmental conditions. Surplus land must comprise five buildable acres that must be permanently designated as open space or farmland and protected through a conservation restriction, agricultural preservation restriction or other similar mechanism.

The development schedule for such projects cannot exceed ten years.

Dwelling units for low- and/or moderate-income families or individuals, where all of the following requirements are met, are exempt from the growth management bylaw:

- a. Occupancy of the units is restricted to households earning less than 80% of the median family income for the Greater Lowell Statistical Area as determined by the Department of Housing and Urban Development from time to time; and
- b. The affordable units are subject to a properly executed and recorded deed restriction running with the land as approved by the Massachusetts

Department of Housing and Community Development for minimum of thirty years.

- c. Dwelling units within an assisted living facility.

The market rate units within a development that contain affordable units are subject to the growth management bylaw.

Under the stipulations outlined within the Growth Management Bylaw, any affordable units are not subject to the bylaw, although market rate units would still be restricted within the limitation that are outlined above.

D. Site Development Under Current Zoning

As mentioned previously, the site is currently zoned Residential A (RA). Development in the RA Zone must meet the following dimensional requirements:

- Minimum lot area: 40,000 square feet
- Minimum lot frontage: 200 feet
- Minimum front yard: 50 feet
- Minimum side yard: 15 feet
- Minimum rear yard: 30 feet
- Maximum building height: 35 feet
- Maximum building area (stories): 2 ½

Given dimensional requirements outlined in the Town's Zoning Bylaw and the physical characteristics of the developable portion of the site, including the limited presence of wetlands, the location of the power lines, and the Blake's Hill Road drainage easement, approximately 4-5 single family homes could be constructed under the conventional subdivision option.

E. Open Space Residential Development

Under the Town's current Zoning Bylaw, all single-family detached dwellings involving subdivision of ten or more acres and/or construction of 1,000 feet or more of roadway in a RA District must submit an Open Space Residential Development application, unless waived by the Planning Board in consideration of the submittal of a Special Permit application for Flexible Development.

The dimensional requirements for Open Space Residential Development are the same as those outlined above for the RA except for the following:

- Minimum lot area: 20,000 square feet
- Minimum frontage: 50 feet
- Average total aggregate frontage: 100 feet
- Minimum lot width at the nearest point on the front wall of the dwelling: 100 feet

The total number of residential units allowable under an Open Space Residential Development cannot exceed the number of lots allowed within the RA zoning district under a conventional subdivision. The burden of proof, in terms of documenting the calculation for the number of allowable units rests with the applicant and must be based on such factors as suitability for sewage disposal on individual lots, wetland limitations, steep slopes and other requirements detailed in the town's subdivision regulations.

The common land, provided as part of the Open Space Residential Development, must contain at least 10,000 square feet of dry land for each building lot or dwelling unit. All land within 100 feet of any building lot shown on an Open Space Residential Development plan must be designated as open space through a conservation restriction. The common land and other facilities held in common must be conveyed to a mandatory homeowners' association. All common land must have access to a roadway within the subdivision.

Given the unique physical aspects of this property, it is unclear whether there is the potential to develop the site under the Open Space and Residential Development Bylaw. If five residential lots were created, 50,000 square feet of open space would need to be designated that could be accessed via a roadway. There are unique physical features, such as the power line easement, that affect access to the southern end of the parcel which would be most suitable for open space, given the presence of a significant wetland resource area and the proximity to I-495. While this portion of the site is adjacent to I-495, it is unclear whether the Planning Board would view I-495 as providing appropriate access to the open space area. Accessing the southerly portion of the parcel through the power line easement may prove to be problematic.

Should it acceptable (through a waiver granted by the Planning Board) to include the area south of the power lines as designated open space, it would be possible to develop eight units to ten units on the northerly portion of the site, under the Open Space Residential Development Bylaw.

F. Flexible Development Alternative

The Town's Zoning Bylaw states that the purposes of the Flexible Development are as follows:

- To encourage the preservation of open land for its scenic beauty and to enhance agricultural, open space, forestry, and recreational use;
- To promote the development of affordable housing for low, moderate, and median income families;
- To preserve historical and archaeological resources, to protect the natural environment, including Westford's varied landscapes and water resources;
- To protect the value of real property;
- To promote more sensitive siting of buildings and better overall site planning;
- To perpetuate the appearance of Westford's traditional New England landscape;

- To facilitate the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner;
- To offer an alternative to standard subdivision development; and
- To promote the development of housing for persons over the age of fifty-five.

The bylaw encourage applicants to modify lot size, shape and other dimensional requirements for lots within a Flexible Development within the following limitations:

- Lots having reduced area or frontage shall not have frontage on a street other than a street created by the Flexible Development; provided however, that the Planning Board may waive this requirement where it is determined that such reduced lot(s) are consistent with existing development patterns within the neighborhood.
- At least 50% of the required side and rear yards in the district shall be maintained in the Flexible Development.

A minimum of 10% of the parcel must be contiguous open space. At the Planning Board's discretion the open space may be conveyed to: the Town of Westford and administered by the Conservation Commission; a non-profit organization; or a corporation or trust owned jointly or in common by the owners of lots within the Flexible Development.

The basic maximum number of dwelling units allowed in a Flexible Development cannot exceed the number of lots allowed in the zoning district in which the property is located (i.e. conventional subdivision). The Planning Board may award a density bonus to increase the number of dwelling units beyond the basic maximum number. The density bonus cannot exceed 50% of the basic maximum number and all dwelling units awarded a density bonus must be limited to no more than two bedroom. A density bonus may be award under the following circumstances:

- Open Space – For each additional ten (10) percent of the site (over and above the required 10%) set aside as contiguous open space, a bonus of 5% of the basic maximum number may be awarded; provided however, that this density bonus does not exceed 25% of the basic maximum number. (A maximum density bonus for this provision would require a minimum of 60% open space.)
- Age Restricted Units – For every two dwelling units restricted to occupancy by persons over the age of fifty-five, one dwelling unit may be added as a density bonus; provided however, that this density bonus shall not exceed ten percent of the basic maximum number.
- Design - Where the Planning Board determines that the development is in substantial conformance with design standards that shall be promulgated by the Planning Board, a bonus of up to 15 percent of the basic maximum number may be awarded.

As a condition of any special permit for a Flexible Development, a minimum of 15% of the total number of dwelling units must be restricted in perpetuity to persons or families

who meet or qualify under the bylaw’s definition of low, moderate or median income. The affordable component must be divided as follows:

- Five percent of the units must be affordable to persons or families qualifying as low-income (50% of area median income);
- Five percent of the units must be affordable to persons or families qualifying as moderate income (51-80% of area median income); and
- Five percent of the units must be affordable to persons or families qualifying as median income (81-120% of area median income).

The Flexible Development may consist of any combination of single-family, two-family and multifamily residential structures. A multifamily structure may not contain more than 5 dwelling units.

Based on the criteria contained within the flexible development bylaw, a total of 4-5 units could be constructed on the site, unless the units are age-restricted. Given the density bonus granted for age-restricted units, a total of 6-8 units could be developed if the entire project were age-restricted.

G. Assisted Living Facilities

The Assisted Living Facilities (ALF) Bylaw provides a mechanism for developing assisted living facilities that offer supportive services to individuals who are unable to live independently in the community. In order to be eligible for consideration for a special permit under the ALF bylaw, the proposed development must meet the following standards:

- In the Residence District, the parcel on which the ALF is located must be at least five acres in size;
- Maximum lot coverage by buildings in the Residence Districts must not exceed 30% and maximum lot coverage by impervious surfaces in the Residence Districts must not exceed 50%. The remaining space, to the extent possible, should be used for conservation, historic preservation and education, outdoor education, recreation, park purposes, agriculture, horticulture, forestry, or a combination of these uses.
- In the Residences Districts the following buffer is required:

Size of Parcel	Required Buffer (feet)
5 to 7.5 acres	100
7.5 acres to 10 acres	150
More than 10 acres	200

The minimum number of parking spaces provided on the site is 0.3 spaces per dwelling unit plus one parking space for every three employees. Parking areas in residential districts must be located to the side or rear of all buildings.

In the Residence Districts, the number of bedrooms in an ALF cannot exceed 8 per acre. An ALF may consist of a single building or multiple buildings. The maximum number of stories and the maximum height are as set forth in the Residence District. The building massing and style must be residential in character and consistent with New England architecture

Structures and uses accessory to the ALF, such as beauty and barber salons, physical fitness and therapy services, chapel, library, bank ATM, adult day care or health facility, hospice residence, food service, laundry, etc., may be provided.

Applicants are encouraged to provide affordable units that are integrated into the overall development. For every three affordable units, the applicant may add an additional market rate unit, providing that the number of bedrooms does not exceed that outlined in the overall bylaw (8 per acre) by more than 20%.

The Boston Road site could accommodate 40 bedrooms, or twenty 2-bedroom units, as outlined in the bylaw. These units could be accommodated within a variety of architectural structures—either single-family or multi-family.

H. Senior Residential Multifamily Overlay District

The purpose of the Senior Residential Multifamily Overlay District (SRMOD), as described in the Town's Zoning Bylaw, is to provide an acceptable design for Senior Residential Multifamily Development (SRMD) within districts designated by Town Meeting. In order to develop the Boston Road parcel under this option an SRMOD would need to be established by Town Meeting after submission of a conceptual plan and a petition for designation. The petitioner must demonstrate that the SRMOD meets the purpose and design requirements as outlined in the SRMOD bylaw.

A SRMD may consist of any combination of single family, two family and multifamily residential structures. A multifamily residential structure may not contain more than 5 dwelling units. All dwelling units within multiple unit buildings must have a minimum floor area of 780 square feet. No more than 10% of the total number of dwelling units shall contain 3 bedrooms and no dwelling unit may contain more than 3 bedrooms.

As part of the site plan approval, a minimum of fifteen (15%) of the total number of dwelling units must be affordable and restricted in perpetuity as follows:

- 5% of the units shall be affordable to persons or families qualifying as low income;
- 5% of the units shall be affordable to persons or families qualifying as moderate income;
- 5% of the units shall be affordable to persons or families qualifying as median income.

A first right of refusal upon the transfer of such restricted units must be granted to the Westford Housing Authority for a period not less than 120 days after notification. The

Planning Board may require the submission of applications for the designation of such units as part of DHCD's Subsidized Housing Inventory as a condition of approval.

Dwelling units within the SRMOD must be owned and occupied by at least one person 55 years of age or older, as spelled out in a restrictive covenant recorded within the chain of title. A SRMD must meet the following design, density, buffer and dimensional requirements:

- Density: the number of dwelling unit cannot exceed the lesser of one bedroom per 8,000 square feet (5 bedrooms per acre) or two (2) dwelling units per acre, 150 units total. The density calculation is based on at least 75% of the land area containing dry land. Wetlands in excess of 25% of the entire parcel may not be used in the density calculation.
- Dimensional requirements are as follows:
 - Minimum lot area: 5 contiguous acres
 - Minimum frontage: 200 feet
 - Minimum front yard setback: 75 feet
 - Minimum side and rear yards: 100 feetUnless inconsistent with the requirements above, the dimensional controls for an RA District apply to the SRCOD.
- Buffer: A buffer area of 100 feet must be provided along the perimeter of the property, except for driveways/roadways necessary for access or egress to and from the site. This requirement may be waived by the Planning Board.
- Building separation: The distance between the buildings must be a minimum of 40 feet, except any building containing more than 2 stories may not be closer than 55 feet from any building.
- Building height: No building may exceed 35 feet in height.

All land within a SRMD that is not used to meet building separation requirements, and is not comprised of structures, roadways, driveways, necessary infrastructure or above ground utilities shall be considered open space. At least 20% of the land within the SRMD shall be designated as Open Space with a maximum of no more than 25% of the minimum required open space comprised of wetlands. Such open space must meet the ownership, maintenance and conservation restrict requirements outlined in the Open Space Residential Development section of the Town's Zoning Bylaw (Section 7.1)

Under this development scenario, 40 bedrooms could be accommodated on the site. These bedrooms could be configured, for example, into four 3-bedroom units and fourteen 2-bedroom units. Town meeting approval would be needed to create an overlay zone in order to exercise this option.

I. 40B/ Local Initiative Project (LIP) Option

A comprehensive permit consolidates all local permits into one process and overrides local zoning requirements. In communities where less than ten percent of the housing units are affordable for those of low and moderate incomes, the denial of a

comprehensive permit application or the imposition of conditions that render a proposed project to be infeasible from an economic perspective, may be appealed to the state Housing Appeals Committee. In 1990, the Department of Housing and Community Development established the Local Initiative Program through which the Commonwealth works with municipalities and developers to create low or moderate-income housing. The Commonwealth provides services, subsidies and technical assistance in exchange for the creation, maintenance and preservation of this low and moderate-income housing. Comprehensive Permit projects must meet the minimum requirements set forth in 760 CMR 45.04:

- The project must have the written support of the chief elected official and local housing partnership;
- At least 25% of the units in the proposed development must be restricted for occupancy by households at or below 80 percent of area median income, or at least 20 percent of the units must be restricted for households at or below 50 percent of area median income;
- The developer must restrict the units as low or moderate income units in perpetuity and provide for monitoring in a regulatory agreement with DHCD;
- The developer and/or owners of the project must agree to develop and implement an affirmative fair marketing plan subject to approval by DHCD; and,
- Developer's profits are restricted in accordance with the provisions of M.G.L. C. 40B

LIP approval may be granted for age-restricted housing upon a showing of actual need and marketability within the municipality. At the discretion of DHCD, such approval may be withheld if other age-restricted housing units in the community, which have been issued a Determination of Project Eligibility or which have been otherwise approved by the community remain unbuilt or unsold, or if the proposed age-restricted units, in context with the municipality's other recent housing efforts, are unresponsive to needs for family housing.

In 2004, the Town of Westford's Chapter 40B Performance Standards Committee drafted a document entitled, *Chapter 40B Development Guidelines for the Town of Westford, MA*. The document established performance standards aimed at providing a balance between the need to create additional affordable housing opportunities and possible disproportional impacts that high-density development may create within the community. The document recognizes the following needs and goals:

- The need to provide flexibility within each project design to address the unique characteristics of each site and neighborhood;
- The need to provide additional rental units within the community, thereby, providing a focus on studio, one-bedroom, and two-bedroom apartments;
- A desire for quality development that is affordable and responsive to the needs of the community;
- Consideration of mixed-use development, where appropriate, to afford residents access to commercial services, thereby reducing automobile travel; and

- Distribution of small-scale developments throughout town to minimize impact and create community balance, rather than concentrating high-density development in one area. Exceptions are allowed in isolated locations, or heavily developed commercial and industrial districts.

Performance standards for individual project design include the following:

- Visual screening such as buffers, berms, plantings, and other screening systems needed to minimize visual impacts;
- Inclusion of community spaces such as parks, walking trails, and recreation areas;
- Units that are designed to be accessible to persons with disabilities;
- Incorporation of energy conservation measures such as active and passive solar, high insulation, high efficiency heating and cooling systems, etc.; and
- Use of energy efficient appliances.

The town’s 40B guidelines provide extensive recommendations regarding project density, while acknowledging that density is tied to a multitude of factors such as the site’s carrying capacity, neighborhood character, public safety concerns, and environmental limitations. The guidelines define density in terms of site occupancy based on land availability, excluding wetland areas in excess of 25% of the overall parcel. The guidelines also limit project density based on the concept of “apparent density” which is not easily quantified and is based on visual impacts related to structure height, building style and placement, number of structures relative to the parcel size, screening, and architectural treatments with respect to other structures in the neighborhood. The table below outlines the recommended maximum densities provided under each residential development scenario suitable for the Boston Road parcel.

Recommended Density Ranges (per acre)

Development Setting	Single-Family Dwelling Units		Townhouses (attached single-family)		Apartments (attached multi-family)	
	Number of units	Number of bedroom	Number of units	Number of bedroom	Number of units	Number of bedroom
Residential	2-4	6-12	4-8	10-20	10-12	20-24
Assisted Living as 40B	NA	NA	NA	NA	6-8	6-16
Senior Multifamily as 40B	2-4	5-10	2-4	5-10	8	8-16

The town’s 40B guidelines also set forth open space recommendations based on parcel size. For a site ten acres or over, fifty percent (50%) of the site should be preserved as open space. Utilizing the town’s 40B development guidelines 20 units of single-family housing could be developed on the site, or 40 townhouse units, or 60 apartment units.

V. Summary

An evaluation of the Boston Road site has found that there are several development options available to the town. The density of development varies greatly and is contingent upon the relocation of the access easement for the gravel road servicing the power company substation. The table below details the maximum density that would be realized under each development option.

Maximum Density by Development Option

Development Option	Maximum Number of Units
Conventional subdivision (RA zoning)	4-5 units
Open Space Residential Development	8-10 units
Flexible Development Alternative (conventional)	4-5 units
Flexible Development Alternative (age-restricted)	6-8 units
Assisted Living Facility	40 bedrooms (e.g. 20 – 2 bedroom units)
Senior Residential Multi-family Overlay	40 bedrooms (e.g. 4 –3 bedroom units and 14-2 bedroom units)
40B/ LIP Option	Options: <ul style="list-style-type: none">• Single family – 20 units• Townhouses – 40 units• Apartments – 60 units