

Board of Selectmen's Meeting  
Tuesday, October 13, 1992  
2nd floor Meeting Hall, Town Hall  
Main Street, Ayer, Ma.

7:30P.M. Open Session

The Board met with Chairman Jones and Selectman McKinney. Selectman Slarsky absent due to attending Land Bank Meeting at Montachusett Regional Planning Commission/Fitchburg, Ma. re: Fort Devens re-use.

The Minutes of September 29, 1992 were set back due to secretary being on vacation.

The Weekly warrant was examined and approved in the following amounts:

|      |              |
|------|--------------|
| P/R: | \$330,214.44 |
| Exp: | \$333,672.00 |

EXECUTIVE SECRETARY'S REPORT:

1. Mr. Higgins advised the Board to his meeting with Ann Drapeau, Marvin McMiller and Park Commissioners re: Ms. Drapeaus and Mr. McMillers request to repair basketball courts at the Town beach. Mr. Higgins suggested the Board appoint a recreational committee to coordinate youth recreational services in the Town of Ayer as opposed to just repairing/updating seasonal facilities. The Board endorsed this committee and requested Mr. Higgins to contact Mr. McMiller, Mrs. Drapeau and the Park Dept. when this Committee is formulated and the objective being to take a broader look. The Board requested Mr. Higgins to look at other Town Committees, re: their programs this would be a good source of knowledge.

Mr. Higgins advised the Board of the Soft Second Loan Program deadline for full commitment was October 15, 1992. Mr. Higgins advised the Board that he has applied for a sixty (60) day extension to the Executive Office of Communities & Development (EOCD) due to the great deal of interest by the residents. Mr. Higgin's advised the Board that \$64,000.00 of the funds has been committed to date of the \$100,000.00 grant award.

The Board was advised of the Joint Boards of Selectmen receiving a thirty thousand (\$30,000.00) dollar grant award under the GIS System Mapping for Fort Devens re-use.

Mr. Higgins submitted a letter for the Board's endorsement, to be submitted to the Chairman, of the School Committee, requesting that the appropriate school department officials expedite the process for providing information to the state so that DOR and DOE can complete a financial analysis for the Town. Mr. Higgins stated the state agreed at the meeting conducted at the Ayer Town Hall on September 23, 1992, to analyze the impact of school

choice if we gave them the information on the number of students lost to choice, where they reside and the school which they have chosen to attend. The Board was advised the information has still not been received to date from the school department. Chairman Jones requested Mr. Higgins read the letter into the record. The Board endorsed the letter and requested the school expedite this as soon as possible stating this information was critical for the Board to conduct a Public Session informing Ayer residents of status of the future of education in the Town of Ayer.

The Board met with William Halligan, Building Inspector re: change of the Building Dept. hours. Chairman Jones congratulated Mr. Halligan upon his full-time appointment as Building Commissioner in the Town of North Reading. Mr. Halligan stated he began as full-time Building Commissioner in North Reading on October 1, 1992. Mr. Halligan requested a change to the Board due to this change in his employment. Hours requested were: Monday Evenings: 7-9  
Tuesday Evenings: 7-9  
Thursday Evenings: 7-9  
Saturdays: 8-12:00  
Secretary: Monday-Friday 4:00P.M.-5:00P.M.

The Board expressed their concern re: if complaints from residents/Contractors occur based upon the hours stipulated the Board would have to take other action. The Board requested Mr. Halligan post the new hours and approved the request as presented.

The Board met with the Building Fee Study Committee. Present for the discussion were: Wellman Parker, Paul McGuane and Calvin Moore. The Board reviewed with the Committee the recommendation to Fees presented to the Board on September 15, 1992 with amendments to include: Temporary Permits: \$50.00  
fence Permit: \$10.00

Mr. Higgins advised the Board that he and Town Accountant, Sharon Summers have reviewed the analysis of the impact of the proposed new fees on the Town's ability to generate revenue.

Mr. Higgins stated a comparative schedule of rates received from the Building Dept. based on the old and new rates show a 60% decrease in building permit fees. Estimated revenues lost to the Town of these general fund receipts is \$38,200 based on 60% of the revised fee schedule.

Mr. Higgins depicted two areas of reduction:

1. A reduction from .35 to .25 will result in a loss of 60% of revenue in residential building fees when you include the fact that the Committee is also recommending that basements be

excluded.

2. The impact to Commercial Industrial properties is more difficult to calculate-analysis which was run indicated a loss of almost 50% of revenue. The Committee seeks to change from \$9.50 per thousand of value to .20 cents per square foot. An example given of an actual company with 10,332 sq. ft. valued at \$436,190 under the current system this company would generate \$4,142 under the new proposed fee schedule .20 cents per sq. ft. would only generate \$2,066.

Mr. Higgins stated the proposed maximum fee cap also seems unreasonable stating it would only benefit higher priced homes at the expense of smaller projects.

Estimated revenues lost to the Town in FY-93 due to the reduction of these general fund receipts is \$38,200 based upon 60% of the above fees.

Mr. Higgins stated the Committee analyzed twelve (12) communities but they were all not similar to Ayer when you exclude some of the small rural towns like Winchendon-Groton etc. and compare Ayer to Littleton and Maynard we are not out of line.

Mr. Higgins stated the Town Accountant and Assessors are all concerned that many of our revenues are already unexpectedly decreasing-loss of Shirley students, school choice, PL-874, interest earning etc. The Board was advised to giving some thought to the potential for creating a budget deficit. Another issue is that of public safety by lowering the fees the standard of inspections so that homeowners/businesses are not protected as well as they currently are.

The Board after a lengthy discussion thanked the Committee for doing a good job compiling the information and for consolidating and simplifying the permit process. The Committee agreed to look at similar communities to Ayer and continue the public hearing for ninety (90) days and not to interup this years fiscal revenue.

The Board met with Russell Smith, Chairman of the Ayer Planning Board re: two issues:

1. Bennetts Brook . Fort Devens Zoning

Mr. Smith opened the discussion re: Bennetts Brook by advising the Board that the Planning Board has reconvened another meeting with Mr. Sweeney and his lawyer to November 5, 1992 and that the Earth Removal Request was still under advisement by the Planning Board. Mr. Smith advised the Board Mr. Sweeney under Chapter 41, s. 81W changes/amendments to Sub-Division Plan required re-filing.

Mr. Smith stated to the Board that Perkins did a detailed Engineering study of the whole site to include, water drainage ,

roads, contours etc. Mr. Smith stated that there was quite an inconsistency with Mr. Sweeney's request and the original study. Perkins report stated to complete construction to the overall drawings could mean bringing earth in as opposed to Mr. Sweeney's request to construct roads to contours requires taking earth out. Mr. Smith stated this is quite a comparison.

Chairman Jones thanked Mr. Smith for advising the Board of the Planning Board's status with their investigation re: the Earth Removal Permit request. The Board took this matter under advisement until the Planning Board has completed their findings.

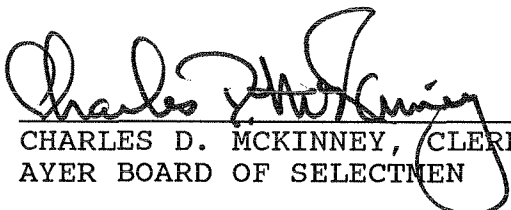
The Board met with Mr. Smith regarding Mr. Smith's participation with the Joint Boards of Planning Boards. Mr. Smith stated the Joint Planning Board has a Steering Committee made up of the Planning Board Chairmans from the four Towns. Mr. Smith advised the Board to the Joint Planning Boards meeting on a regular basis re: Fort Deven's Re-use. See report dated 10-13.

Mr. Smith advised the Board to the need of having a Master Plan in place re: future zoning. Mr. Smith advised most of the 4 communities have a very restrictive zoning in place in their communities. This restrictive Interim Planning Overlay District is a temporary 2 year overlay district. This district would re-evaluate different uses by Special Permit, letting you proceed with the planning process and all approvals for re-use effective by Special Permit. Planning Board would ensure to keep things coordinated. After two years final zoning map is prepared all uses by right will be defined. The Board request Sup. Redfield and Russ review the Water Overlay Map and possibly bringing it up again this year at Town Meeting.

SUPT. REDFIELD'S REPORT: (SEE REPORT DATED 10-13-92)

9:35P.M. Selectman McKinney moved the Board adjourn from Open Session and enter into Executive Session pursuant to M.G.L. Chapter 39 S 23b re: Police Dept. seniority dispute, seconded by Chairman Jones, VOTE: unanimous, so moved.

9:35P.M. OPEN MEETING ADJOURNED

 DATE: Oct 22, 1992  
CHARLES D. MCKINNEY, CLERK  
AYER BOARD OF SELECTMEN