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TOWN OF AYER  
TOWN CLERK

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**Town of Ayer**  
**Community Preservation Committee**  
Town Hall \* One Main Street \* Ayer, MA 01432  
Minutes for 8/10/2022

Location: Remote Meeting via Zoom, accessible to public, due to ongoing pandemic

Members present: Janet Providakes, Chair (Housing Authority); Julie Murray, Vice-Chair (Planning Board); Barry Schwarzel (Historical Commission); Jess Gugino, Clerk (Conservation Commission); Jason Mayo (Parks & Recreation); Colleen Krieser (At Large/Affordable Housing Trust)

Not present: Beth Suedmeyer (At Large)

APAC taped: Yes

**7:00 PM – Open Meeting**

- **Confirmation of Agenda**
  - J. Murray moved to confirm the agenda as posted; C. Krieser 2<sup>nd</sup>.
    - Motion approved unanimously by Roll Call Vote 6-0
- **Approval of Meeting Minutes**
  - J. Murray moved to approve minutes for 7/6/2022 as amended; B. Schwarzel 2<sup>nd</sup>.
    - Motion approved unanimously by Roll Call Vote 4-0 (C. Krieser and J. Mayo abstained, not having been present)
- **Correspondence / Bills**
  - Community Preservation Plan Update (\$21,000, FTM 2021)
    - An invoice from JM Goldson, for \$2000.00, was approved for payment.
  - Groton-Harvard Road property appraisal
    - J. Providakes, along with some other Town representatives, will be meeting with Ken Croft, of Foster Appraisal & Consulting Co., on 8/11, regarding the appraisal to be done for a parcel on High Street.

**CURRENT BUSINESS**

- **Public Hearing: Review of Updated Draft “Community Preservation Plan (CPP) FY23-FY27,” (\$21,000, FTM 2021)**
  - J. Providakes called the Public Hearing to order at 7:09 p.m.
  - The Public Hearing was advertised in the Nashoba Valley Voice on 7/29 and 8/5.
  - Jen Goldson, of JM Goldson, was present via Zoom and led the public review process, starting with an overview presentation of the project.
  - A complete draft of the updated 5-year CPP plan, FY2023-2027, has been available for review.
  - Ms. Goldson said her primary goal with tonight’s presentation was to solicit feedback on the draft goals for each CPA category (Open Space, Recreation, Community Housing, Historic Preservation).



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- She also noted that this would be her last meeting directly with CPC, per the terms of the contract.
- If CPC voted to approve the plan tonight, that would be fine, or if there are additional changes, JM Goldson would edit the document and CPC could then vote on accepting it at its next meeting in September.
- Ms. Goldson began her presentation:
  - CPA Basics
    - Ms. Goldson briefly reviewed the history of the Community Preservation Act (2000).
    - Ayer became a CPA community in 2003, starting at the 3% property tax surcharge rate, then reducing the surcharge to 1% a couple years later, and then returning it to 3% by vote of Town Meeting on 10/28/2019.
      - The 3% surcharge makes Ayer eligible for additional State matching fund rounds.
    - Ayer CPC, as authorized by Town Meeting votes, has thus far funded 39 CPA projects, across all of the categories, in Ayer.
  - Elements of the CPA Draft Process for this Update
    - This included multiple meetings between JM Goldson and CPC, separate focus groups held for each of the 4 CPA categories, a public forum, an online community survey, all culminating in this Public Hearing/final review held tonight.
      - Ms. Goldson summarized the community survey results as well as the community forum results that helped her company identify general priorities for use of CPA funds by Town.
    - These results helped delineate Town priorities for spending in this order:
      - acquisition and protection of open space, including for active as well as passive recreation;
      - community housing, especially to support existing renters needing assistance;
      - historical preservation;
      - projects that cross multiple CPA categories;
      - projects that meet Master Plan (2017) goals for implementation.
  - Specific Goals for each CPA category
    - **Open Space (3)**



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- acquire and protect undeveloped land to mitigate climate change impact, especially in key wildlife corridors;
- acquire large parcels of ecological significance that provide connectivity;
- acquire and protect small undeveloped parcels for use as pocket parks.
- **Outdoor Recreation (4)**
  - rehabilitate existing parks and playgrounds;
  - create connections between existing and new open spaces, recreational facilities, and schools, e.g. via walking or bike paths;
  - rehabilitate existing athletic fields, e.g. resurfacing Pirone Park basketball courts;
  - acquire land near Sandy Pond Town Beach to create public boat access.
- **Community Housing (3)**
  - help Ayer achieve the State's required 10% affordable housing inventory goal, including through adaptive reuse of existing buildings;
  - support efforts to preserve expiring affordable housing uses;
  - continue and expand a rental assistance program to support vulnerable households.
- **Historic Preservation (3)**
  - prioritize adaptive reuse of historic buildings, e.g. for a much-desired community center;
  - support continued digitization of historic Ayer documents and records;
  - protect historic homes from threat of new development or over-renovation through acquisition of Preservation Restrictions.
- Public Comments
  - J. Providakes and B. Schwarzel had a few small points to edit and will supply those comments to Ms. Goldson.
  - Overall CPC members were in agreement that the goals for each category were in excellent shape.
  - The draft document for the CPP is on the CPC website and J. Providakes asked that any final edits be made to the document in advance of CPC's next meeting.



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- At the CPC 9/7 meeting, the Committee will vote on approving the CPP and will then close the Public Hearing.
- A motion to continue the Public Hearing to 9/7/2022 was made at 7:45 p.m. by B. Schwarzel; C. Krieser 2<sup>nd</sup>.
  - Motion approved unanimously by Roll Call vote 6-0.

**NEW BUSINESS**

- **Application for CPA funding, “Ayer Commons,” Fitchburg Road Chapter 40B Project, NOAH (Neighborhood of Affordable Housing)**
  - (Also see previous CPC discussion of this proposed project on 5/4/2022)
  - Phil Giffie, Sharon Lowenthal, and Annika Lambert, of NOAH, were present via Zoom.
  - The application seeks \$400,000 in CPA funding from the Community Housing CPA category for Phase I of this project.
    - The construction of 64 affordable housing units is proposed under Phase I.
    - An additional 42 units are proposed under Phase 2, at a later date, bringing the total for the project to 106 housing units, all affordable, thus counting toward’s Ayer’s Subsidized Housing Inventory.
      - **(Note:** As incentive, meeting the State’s requirement (MGL Chapter 40B) for having a minimum of 10% of total housing inventory that is ‘affordable’ (i.e. low-or-moderate income housing) also makes a municipality then eligible to apply for various State grants.
      - Meeting or exceeding the 10% threshold also gives a municipality “Safe Harbor” status, giving it more control over other 40B potential developments.)
  - Mr. Giffie and Ms. Lambert described the project and its benefits to the Town, especially as a ‘friendly’ 40B.
    - Phase 1’s 64 housing units would be comprised primarily of 5 two-story townhouse buildings fronting Fitchburg Road, one with 3-bedroom units, two with 2-bedroom units, and another two with 1-bedroom units.
      - An additional 3-story central residential building and a 1-story community building will be built behind these 5 front buildings.
    - The design of the buildings is intended to match Ayer’s community character, and to elevate the look of the approach into Ayer from the west on Fitchburg Road.
    - 73% of the 10.59-acre site will remain open space (and 65% completely untouched), including 4 acres of wetlands and an intermittent stream north



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of the development portion of the parcel, as well as a dog run and playground within the project.

- NOAH would also prioritize hiring local labor during the multi-year construction project.
- The project currently proposes running a sewer line across the wetlands and under the stream to the north side of the parcel, to connect to Town sewer near the end of Isaac Lane.
  - Mr. Giffie alluded to the idea of the Town applying for a MassWorks grant to run a sewer line, currently non-existent, down Fitchburg Road itself – and that this 40B project could be used to enhance that application.
- Ms. Lambert alluded to a distant possibility of additional building on the north side of this parcel – for example, an expansion of Isaac Lane – outside of the 100 buffer zone to the wetlands, but this is not something planned under either Phase I or II of this project.
  - J. Providakes noted that Isaac Lane is run by the Housing Authority and owned by Mass. DHCD (Dept. of Housing and Community Development) who would have to be consulted before any work was done in that area.
- ALL of these 64 units will be affordable under Section 8 and MRVP rental subsidy, at the following different levels calculated in relation to the AMI (Area Median Income):
  - 16 units at or below 30% AMI;
  - 6 units at or below 50% AMI;
  - 21 units at or below 60% AMI;
  - 21 “Workforce” units at or below 70% AMI.
- Ayer Commons is currently before the Ayer Zoning Board of Appeals (ZBA) for a “Comprehensive Permit” as a “friendly” 40B project.
  - The ZBA is in the process of having peer reviews done to look at traffic impact, wetland/wildlife impact, stormwater design, and civil engineering.
  - According to State-mandated time restrictions, the ZBA must conclude its review process by the end of December.
  - Ms. Lambert said NOAH is also hopeful the ZBA will determine that the proposed planned parking spaces for Phase I – 93 total spaces – to be sufficient for this project.
- Meanwhile, NOAH is seeking funding from a variety of sources to support Phase I, estimated to have a total cost of \$32,000,000.



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- The demonstration of local community support is important for such projects, so Ayer CPA funding would contribute leverage in NOAH's application for funding from other sources, including DHCD.
- J. Providakes noted this project would not only benefit current Ayer residents for reasons mentioned above, but also would benefit those who work in Ayer but currently cannot afford to live in Ayer even if they want to.
- J. Gugino asked if there was any possibility of having some open space permanently protected, as through something like a Conservation Restriction.
- In terms of timeline, the project is currently before ZBA for the Comprehensive Permit.
  - This will also reveal if any changes need to be made to the plans before other submissions are made, eg. for DHCD or Workforce loans.
  - NOAH is hoping to be able to apply in time for DHCD's winter round of grant funding.
  - Mr. Giffie said they also thought it unlikely, as is common, to receive funding on the first round, but it would enable DHCD to become familiar with the project for future funding applications.
    - He stressed that the development process is slow for public projects like this (as opposed to private developers).
  - A Purchase & Sale agreement is already in place, but full ownership/control of the site would not be settled until around March 2023, and it would be contingent on their receipt of the Comprehensive Permit from ZBA first.
  - If the project is approved, the most realistic expectation is that units would not be available for rental until 2026.
- In terms of CPA funding, none of the \$400,000 applied for would go for future maintenance, which will be supported instead by rental income.
- J. Providakes said all of the documents related to the CPA funding application are available on the Town website.
- J. Gugino moved to bring this project forward to a Public Hearing at CPC's next meeting on 9/7/2022; C. Krieser 2<sup>nd</sup>.
  - Motion approved unanimously 5-0 (J. Mayo having left the meeting and B. Suedmeyer not being in attendance).
- C. Krieser said NOAH should anticipate questions as to the impact of the project on Ayer schools as well as whether the site design allows for school bus navigation,.



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- Ms. Lambert noted this and added that the project currently meets the minimum turnaround requirements for fire trucks and would likely apply to schoolbuses.
- **Committee Updates**
  - The hour being late, Committee Updates was mostly skipped.
- **8:59 PM – Adjourn Meeting**
  - CPC's Next Meeting: September 7, 2022, 7 p.m.
    - J. Providakes will generate a Public Hearing notice for “Ayer Commons” for this meeting.
  - B. Schwarzel moved to adjourn; C. Krieser 2<sup>nd</sup>.
    - Motion approved unanimously.

Minutes Recorded and Submitted by Jessica G. Gugino, Clerk

Date / Signature Indicating Approval: \_\_\_\_\_

9/7/2022 *Jessica G. Gugino*