



## PLANNING BOARD

### Town of Ayer

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#### Minutes of the April 6, 2017 - Ayer Planning Board Meeting

Location: First Floor Meeting Room, Ayer Town Hall

Meeting was recorded by APAC

**Members Present:** James Fay, Chair, Jen Gibbons, Vice Chair, Mark Fermanian, Clerk, Geof Tillotson and Sue Kennedy.

**Others present:** Robert Pontbriand, Town Administrator; Carly Antonellis, Alan S. Manoian, Ruth Rhonemus, John Boardman, Places Associates; Brent Routhier, Mika Lassila, S.J. Mullaney; John Hillier, Sandy Bean.

Chairman Jim Fay called the meeting to order at 6:15 PM.

#### General Business

**Approve the Agenda** for the meeting. Jim Fay requested that the Agenda for April 6, 2017 be approved. Geof Tillotson moved to accept the agenda, Mark Fermanian 2<sup>nd</sup>. Unanimous vote to accept. (5-0)

**Zoning Bylaws** – Jim Fay invited Judy Barrett to present the draft copy of the Bylaws. Ms. Barrett is a consultant to the Town for Zoning Bylaws. Judy gave a brief history of the extended project and explained that the Bylaws should be re-codified. She described the process which would include a Public Hearing before Town Meeting. Chair, Jim Fay, stated that the Board would be reviewing the Draft and setting a timeline for the process so that re-codification can happen at the Fall Town Meeting. Judy told the Board that “Open Space” is new in the draft.

Carly Antonellis mentioned that the Zoning Enforcement Officer has requested that the Sign Bylaws be reviewed. Judy stated that signs should not be in Zoning Bylaw and the definition of a political sign needs to be taken out as well, they should be in a Procedures document. Carly also suggested the inter-department review process should be consistent and not be listed in the Bylaws, again should be Department procedure. Judy agreed and also explained that big changes to the Bylaws should not be made at this time. There were many suggestions of Bylaw that needs to be reviewed.

Jim Fay asked about changes to laws in Special Permit Granting Authority (SPGA). Judy told the Board that the Board of Health cannot be SPGA by the State Zoning Act. The Board of Selectman have voted to have the Planning Board be SPGA.

Robert Pontbriand stated that Fall Town Meeting would be the 4<sup>th</sup> Monday in October and there should be a commitment to make this long overdue project a priority.

**Procedural Review Process** – Jim Fay announced that because of resent problems with the Board not receiving complete applications and the fact the Town has no staff Planner, all applications will now go to the Zoning Enforcement Officer for review and will then proceed to the inter-department review through the Planning Board Office. Applications for Site Plan Review must be in to the Planning Board 35 days before the scheduled meeting. Jim Fay also stated that outside engineers and planners would be

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*Mark Fermanian*

required to follow this in-house policy and procedure. Alan Manoian, Director of Community & Economic Development, suggested that a "Pre-application Conference" with all involved parties saves both time and money. Jim Fay told the Board that Jeremy Callahan, previous Chair, had tried to get this procedure into place.

Jim then commented on changes to State Law. Site Plan Review no longer requires Legal notices and Abutters notices so the Board will follow this practice going forward.

**Change to Agenda** – Seeing no one in the room for the ANR presentations of the ANR's Jim Fay started with the administrative business. The Board approved the minutes from the February 2<sup>nd</sup> meeting, Geoff Tillotson made the motion to approve and Mark Fermanian 2<sup>nd</sup>. Unanimous vote to accept. (5-0)

The Board then moved on to Minutes from the March 2, 2017 meeting. Sue Kennedy moved that the minutes be accepted with the spelling of Geof Tillotson's name be changed. Geof is spelled with one "f". Mark Fermanian 2<sup>nd</sup>. Unanimous vote to accept. (5-0)

March 9, 2017 meeting minutes were also reviewed and voted. Geof Tillotson motioned to approve and Mark Fermanian 2<sup>nd</sup>. Unanimous vote to accept. (5-0)

An invoice for advertising was voted for payment. Mark Fermanian made the motion and Geof Tillotson 2<sup>nd</sup>. Unanimous vote to pay the bill. (5-0)

**ANR Willows Rd.** – Mika Lassila from Ross Associates presented the request for an ANR where four lots and a parcel "A" would be created on Willow Rd. The remaining Parcel "A" stays with the original parcel across from Longview Circle. The Board reviewed department comments. Mark Fermanian motioned to approve and Geof Tillotson 2<sup>nd</sup> and the Board voted unanimously to approve. (5-0) The Board then signed the Mylar.

**ANR Littleton Rd.** – John Boardman, represented Mill Corporation. He reviewed the proposal to create 8 lots on Littleton Rd at the corner of the continued Snake Hill Rd. which is a "paper road". The Board reviewed the department comments and noted there was an Open Order of Conditions. Mr. Boardman stated that would be closed with the Conservation Commission on April 13, 2017. Mark Fermanian then made the motion to accept the ANR as presented as long as the Order of Conditions is closed. Jen Gibbons 2<sup>nd</sup> and the Board voted unanimously to approve. (5-0)

**ANR 31 Central Ave.** – John Hillier the owner of 31 Central Ave. reviewed a plan to purchase a strip of land locked land behind his property from the Railroad. He wanted to purchase the property to make the lot at 31 Central a more conforming lot. After department review Mark Fermanian moved to accept and Geof 2<sup>nd</sup>. The Board voted unanimously to accept. (5-0)

**Marijuana** – Geof Tillotson has joined Sue Kennedy in the continued research to educate Ayer about how to handle the marijuana law passed last November. They will report to the Board of Selectman on their findings. The Planning Board made it clear that it is irrelevant as to how the Board members personally feel about the subject. It was mentioned that the Town of Stoughton has banned the sale of Recreational Marijuana. Sue Kennedy suggested the Town of Ayer pass a 6 month moratorium to protect the Town. Jen Gibbons commented she has heard that other Towns are doing the same thing until the State sets up further guidelines. Sue Kennedy has found out that licenses to sell Marijuana can be limited to 20% of the Liquor Licenses issued. Currently there are 5 Liquor Licenses in the Town of

Ayer. She again mentioned the need for a Town wide survey for opinion. Jim Fay said the Town voted 55 to 45 in favor of Marijuana there is no reason why Ayer cannot successfully zone for Recreational Marijuana and again stated he thought the term "Adult use marijuana use" which had been suggested earlier in the meeting made a lot of sense.

The Board explored a suggestion to have a moratorium on Solar as well until it can be reviewed in the Bylaws. Jim Fay said he would contact Glen Eaton with MRPC about a general code update and report back.

**Public Input** – Jim Fay asked for public input. There was none.

**The next meeting will convene at 6:15 pm, May 4, 2017**

**The Working Group Meeting May 11, 2017** for further revisions to the Sub-division document and review of the Bylaw draft.

**Meeting Adjournment**

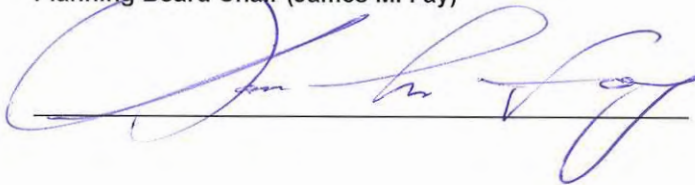
8:20 PM Mark Fermanian motioned to adjourn, Jen Gibbons 2<sup>nd</sup>. The Board voted unanimously to adjourn.

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Minutes recorded and submitted by Sandy Bean, Administrative Coordinator

Planning Board Approval 5/11/17  
Date

Planning Board Chair (James M. Fay)



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