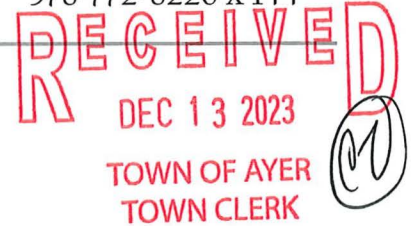




Town of Ayer
Planning Board

Ayer Town Hall – 1 Main Street – Ayer, MA 01432 – 978-772-8220 x 144



Minutes of October 24 , 2023 - Ayer Planning Board Meeting

Location: First Floor Meeting Room, Ayer Town Hall, 1 Main Street

Meeting was recorded and then broadcasted on APAC

Members Present: Jonathan Kranz, Chairman; Ken Diskin, Vice Chairman; Geof Tillotson, Clerk; Nathan King and Julie Murray (arrived at 7:00 PM)

Also Present: Danny Ruiz, Town Planner

Chairman Kranz called the meeting of the Planning Board to order at 6:15 PM.

General Business

Approve the Agenda

At 6:15 PM Mr. Geof Tillotson made a motion to approve the agenda as presented. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (4-0-0)

Continued Public Hearing – Site Plan Review, Request for a Special Permit for Aquifer Overlay District and Stormwater Management Permit, 201-205 West Main Street – DMG Investments

Present: Thomas Gibbons, Attorney

Attorney Gibbons stated that after discussing the Planning Boards decision from the last meeting the applicant has decided to request a withdraw their application for Site Plan, Stormwater Management permit and Special Permit for Aquifer Overlay District.

At 6:17 PM Mr. Geof Tillotson read aloud a letter from the Law Office of Thomas Gibbons requesting the withdrawal without prejudice.

At 6:17 PM Mr. Geof Tillotson made a motion to accept the letter requesting to withdraw the application for Site Plan Review, Stormwater Management permit and Special Permit for Aquifer Protection District without prejudice. Mr. Ken Diskin seconded.

Discussion: Mr. Diskin asked for clarity on the amount of time the applicant can resubmit. Attorney Gibbons stated that allowing the applicant to withdraw without prejudice they can apply for a new permit at any time.

Unanimous vote to approve. (4-0-0)

At 6:19 PM Mr. Geof Tillotson made a motion to close the public hearing for Site Plan Review, Stormwater Management Permit and Special Permit for Aquifer Protection District for the proposed project at 201-205 West Main Street. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (4-0-0)

Public Hearing – Site Plan Review and Request for a Special Permit for 27 & 29 Harvard Road – 29 Harvard Road, LLC

Present: Attorney Thomas Gibbons

Mr. Danny Ruiz informed the Board that since the last meeting it had been brought to his attention that there may be an issue with the Zoning Map and the zoning for the property. Mr. Ruiz went on to say that since the zoning for the property was done via a citizen petition at two separate town meetings with no exhibit showing the zoning map the parcels have not been rezoned. The applicant has been advised to request a continuance for the application to next year to allow the Planning Board to meet with the Select Board and try to resolve the issue with the zoning map.

Attorney Thomas Gibbons stated that he has a letter for the Board with the request for a continuance to the hearing till February 27, 2024 and a continuance for decision till March 26, 2024.

At 6:23 PM Mr. Geof Tillotson read the letter from Attorney Thomas Gibbons into the record.

At 6:24 PM Mr. Geof Tillotson made a motion to continue the Public Hearing for 27 & 29 Harvard Road, LLC to the Planning Board meeting on February 27, 2024. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (4-0-0)

Public Hearing – Definitive Subdivision and Open Space Residential Development Plan, Off Wright Road – Fox Meadow Realty Co.

Present: There was no representative for the applicant present at the time of the meeting.

Mr. Danny Ruiz informed the Board that a request had come in from the applicant to continue the public hearing to the next Planning Board meeting.

At 6:28 PM Mr. Geof Tillotson made a motion to continue the public hearing for the Definitive Subdivision and Open Space Residential Development Plan for the project known as Stratton Hill off Wright Road to the next Planning Board meeting on November 14, 2023. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (4-0-0)

Public Hearing – Site Plan Review and minor Stormwater Management Permit for 42 Park Street

Present: Justin LeClair, Engineer and Ali Goldinak, applicant

At 6:35 PM Mr. Geof Tillotson made a motion to open the Public Hearing for the Site Plan Review and minor Stormwater Management permit for the proposed project at 42 Park Street. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (4-0-0)

Mr. Justin LeClair gave the Board a brief background of the property at 42 Park Street. Mr. LeClair stated that the proposed project will remodel the existing building to the studs and build an addition in the back of the existing building to create a mixed-use building with 3 residential 2-bedroom apartments and a commercial space. Mr. LeClair went over the proposed parking for the project which includes 12 total parking spaces, with 9 located in the back of the property behind the building and 3 spaces along the side of the building. Mr. LeClair went over the proposed design for the stormwater on the site for the which includes basins in the back of the property. The water and sewer will be provided to the property the existing lines. Mr. LeClair stated that they have not been tested yet to ensure they are

adequate for the site but will be upgraded if needed prior to applying for a building permit. A fire suppression system will be installed on the site as well as a transformer if needed for electrical service.

Mr. LeClair stated that he received a list of comments from various Town Departments regarding the proposed project and submitted a response to those comments today.

Mr. Ruiz stated that the Board just received Mr. LeClair's comments and is not ready to discuss them at this meeting.

Chairman Kranz had a few questions regarding the renovations of the existing house and the condition of the property and asked if a 21E report had been conducted to ensure the site is not contaminated.

Mr. LeClair stated that the house will be gutted to the studs and evaluated at that point as to what needs to be replaced. A 21E report has not been completed on site but is part of the PNS to be completed before the sale is final.

Mr. Ruiz went over his comments on the proposed project which are included in the response letter from Mr. LeClair.

Mr. Ken Diskin had several comments on the proposed project including many comments on the submitted plans differences in the site plan and architectural plans.

Mr. LeClair stated that there are differences in the plans and is working on a new set of plans that correct all the discrepancies.

At 8:05 PM Mr. Geof Tillotson made a motion to continue the Public Hearing for Site Plan Review and minor Stormwater Management permit to the next Planning Board meeting on November 14, 2023. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (5-0-0)

Board Discussion

Project Updates

Mr. Ruiz gave the Board a brief update on the Shaker Mill Pond subdivision stating that Mr. Dan Aho, developer, is looking to have the street acceptance for Shaker Mill Pond on spring town meeting. Mr. Ruiz stated that he has given Mr. Aho a list of items from the approval that need to be completed. Mr. Ruiz stated that the Conservation Restriction still has not been completed at this time.

Mr. Ruiz updated the Board on the street acceptance of Curley Circle that was voted on at Fall Town Meeting yesterday evening. Mr. Ruiz stated there was a minor change to the MOA due to a residents complaint regarding some stormwater drainage on their property. The article at town meeting passed and the developer will work with the DPW to correct the stormwater issue.

Mr. Ruiz stated at the next meeting the Commission will review an ANR plan for 33 Third Street, along with the continued public hearing for Stratton Hill.

Upcoming Meeting Dates

Mr. Ruiz mentioned to the Board that the second meeting date in November would be the Tuesday after Thanksgiving and the second meeting date in December would be the day after Christmas. Mr. Ruiz asked the Board if they wanted to cancel either of those meetings.

The Board held a brief discussion regarding the meeting dates and decided to keep the second meeting in November and cancel if there is not application to discuss and cancel the second meeting in December and only hold one meeting that month with the understanding, they can hold a special meeting if needed.

Adjourn

At 8:19 PM Ms. Julie Murray made a motion to adjourn. Mr. Geof Tillotson seconded.

Minutes recorded and submitted by Heather Hampson, Conservation Agent

Planning Board Approval November 14, 2023
Date

Planning Board Chairman (Jonathan Kranz)

