



Town of Ayer  
**Planning Board**

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



**Minutes of February 13, 2024 - 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

**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**

Chairman Kranz asked to amend the agenda to move both the Washington Street covenant release and Associate member discussion to the front of the agenda.

**At 6:16 PM Mr. Geof Tillotson made a motion to approve the agenda as amended. Ms. Julie Murray seconded. Vote to approve the agenda as discussed: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.**

**Request for Covenant Release – Washington Street, Panther Place – Lots 21, 22, 23 and 24**

*Present: Mr. Joe Levine, Owner and Developer*

Mr. Danny Ruiz mentioned that a request has come in for the release of four lots to be released from the covenant for Panther Place. Mr. Ruiz stated that the Department of Public Works has reviewed the request and has no issue with the release. Mr. Ruiz stated that there is an open Order of Conditions from the Conservation Commission on one of the lots that will be reviewed prior to the sale of the lot.

Mr. Diskin asked if all the stormwater for the lots had been completed.

Mr. Levine stated that there are some stormwater items that have not been completed at this time but will be completed in the spring or summer.

Mr. Dan Van Schalkwyk, Director of the DPW, stated that he reviewed the proposal for the lot release and noted the additional stormwater items to be completed but has no issue with the release without those being completed at this time.

**At 6:20 PM Mr. Geof Tillotson made a motion to grant the release of the covenant for Lots 21, 22, 23 and 24 for Panther Place off Washington Street. Ms. Julie Murray seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.**

**Discussion – Potential Planning Board Associate Member, Kathleen Cachel**

*Present: Ms. Kathleen Cachel, via Zoom*

Chairman Kranz stated that the Board has been looking to fill the Associate Member vacancy on the Board for some time and thankfully have a person interested.

Ms. Kathleen Cachel gave the Board a brief summary of her experience and her interest in servicing as an associate member.

Mr. Ruiz mentioned that if the Board agrees to move forward with having Ms. Cachel as an associate member, then the Board would make a motion to vote to recommend her to the Select Board for appointment.

**At 6:27 PM Mr. Tillotson made a motion to recommend Ms. Kathleen Cachel to the Select Board appointment as an associate member of the Planning Board. Ms. Julie Murray seconded. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.**

#### **Presentation – Stormwater Utility Fund Working Group**

*Presenting to the Board: Jonathan Kranz, Dan Van Schalkwyk, DPW Director, and Heather Hampson Conservation Agent*

Mr. Jonathan Kranz with the help of both Mr. Dan Van Schalkwyk and Ms. Heather Hampson gave the Board a brief presentation regarding the work the Stormwater Utility Fund Working Group has been doing to establish a Stormwater Enterprise Fund that will hopefully be presented at Fall Town Meeting.

The presentation included a brief history of the creation of the working group through Town Meeting and Select Board vote as well as the need to create a stable funding source for the stormwater management and MS4 requirements.

#### **Presentation – Zoning Bylaw Review Working Group**

*Present: Ms. Janet Providakes, member of the Affordable Housing Committee and Bylaw Working Group*

Ms. Janet Providakes stated that over the last several months the Bylaw Working Group have been meeting to discuss Bylaw changes to help create more housing. Ms. Providakes stated that the group was made up of several town employees including, Mr. Ruiz, Mr. Mike Wallace and Mr. Charlie Schultz in the Building and Zoning office, as well as Ms. Alicia Hersey from Community Development. There were also two members of the Planning Board, Mr. Nathan King, and Mr. Ken Diskin.

Ms. Providakes mentioned that the working group has completed their review and is presenting to the Planning Board three proposed changes to the Zoning Bylaw. The first is to the inclusionary housing Section 10.3 to adjust the minimum unit size. requirement.

Mr. Ruiz stated that the proposed change is to follow the state model for minimum unit size listed in the state code and refer to that in the Bylaw. Building Commissioner, Mr. Charlie Schultz has reviewed the proposed change and agrees with the recommendation. Mr. Ruiz stated that the State Code has different minimum requirements based on 1, 2 or 3-bedroom units.



Ms. Providakes stated that next proposed changes are to Section 5.2 Table of Use. The proposal changes the permitting process for 1.2, two-family dwellings in A1 and A2 from special permit from the Zoning Board of Appeals to permitted. Another proposal changes the permissibility for townhouse or multi-family dwellings (1.3) in both the A1 and A2 districts from "N" (not permitted) to "SPB," permitted by special permit from the Ayer Planning Board. It is hoped that these changes allow more opportunity for different housing types throughout the town as well as more affordable housing.

Mr. Ruiz mentioned that there are also changes to 1.6 and 1.7 of the Table of Use as well as the General Business, GB, section of the Table of Use. Mr. Ruiz mentioned that there is also one minor addition to the Bylaws that was left out of the revision in 2018 that lists the number of members of Zoning Board of Appeals.

Mr. Ruiz stated that these proposed changes will be heard at an upcoming public hearing in order to meet the requirements for Spring Town Meeting.

### **Project Status Update**

Mr. Ruiz gave the Board a brief update on some of the projects approved by the Board.

#### **Nasoya**

Mr. Ruiz mentioned to the Board that he had met with a few representatives for Nasoya regarding some changes to their approved site plans. Mr. Ruiz, Mr. Schultz, and Ms. Hampson met with the engineering firm to discuss the changes to the plans which include the elimination of the large addition on the back of the building which faces Westford Road. The project will still include stormwater system as designed in anticipation of the addition being added later. The amended plan should be submitted sometime in late March or early April.

#### **91 Groton Harvard Road**

Mr. Ruiz mentioned that the new owner of Groton Harvard Road, Atlantic Concrete, had hired GPR, Inc. to design the site plan for a proposed new building on the property. There is a meeting scheduled for next week to discuss the project with the owner, engineer, and town departments.

#### **27-29 Harvard Road**

Mr. Ruiz mentioned that the meeting on March 27<sup>th</sup> will be continued to some time after Town Meeting in order for the Zoning Map to be updated.

#### **Stratton Hill**

Mr. Ruiz informed the Board that Attorney Collins has sent a request for continuance till April 9<sup>th</sup> with an extension for decision till May 31<sup>st</sup>.

### **Adjourn**

**At 8:13 PM Mr. Geof Tillotson made a motion to adjourn the meeting.**

Minutes recorded and submitted by Heather Hampson, Conservation Agent

Planning Board Approval : 2/27/24

Planning Board Chairman (Jonathan Kranz): 