



PLANNING BOARD

Town of Ayer

1 Main Street, Ayer, MA 01432

Tel: (978) 772-8218 | Fax: (978) 772-3017 | Planning@Ayer.MA.US

Approved 5/7/2019

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TOWN OF AYER
TOWN CLERK

3:15pm lf

Minutes of April 23, 2019 - Ayer Planning Board Meeting

Location: First Floor Meeting Room, Ayer Town Hall

Meeting was recorded by APAC

Members Present: Geof Tillotson, Ken Diskin, Jonathan Kranz and Julie M. Murray

Also Present: Mark Archambault, Town Planner

Absent: Sue Kennedy, Clerk

Vice-Chairman Tillotson called the meeting to order at 6:15 PM.

General Business

Approve the Agenda

At 6:15 PM Mr. Jonathan Kranz made a motion to approve the agenda as presented. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Review ANR, Off Shaker Road

Present: John Boardman, Places Associates, Representative

At 6:23 PM Ms. Julie Murray made a motion to endorse the ANR plan for the land located off Shaker Road as presented and shown on the plan dated April 5, 2019. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (4-0-0)

Public Hearing, Special Permit, 25 Brook Street, Ayer Department of Public Works Site Plan Review, 25 Brook Street, Ayer Department of Public Works

Present: Dan Van Schalkwyk, Town Engineer

At 6:26 PM Vice Chairman Tillotson read aloud a public hearing notice for a special permit for the construction of a garage at the existing Department of Public Works property at 25 Brook Street. A site plan review of the project will take place at the same time.

Mr. Dan Van Schalkwyk went over the details of the project for the construction of a new metal prefabricated garage at the existing Department of Public Works property at 25 Brook Street. Mr. Van Schalkwyk stated that the parcel is 50 acres and the new garage will be located near the existing fuel pumping station and the plans include a canopy for that fuel pumping station. The garage will be used for the storage of vehicles, there will be no water or sewer in the building but it will have floor drains and new stormwater controls are planned for the site.

Mr. Van Schalkwyk stated that the project filed with Natural Heritage and received a negative of taking for the project.

Mr. Ken Diskin had a few questions in regards to the utilities on the site and the need for a dewatering station.

Mr. Van Schalkwyk stated that the utilities will be underground and there is no need for a dewatering station.

At 6:45 PM Mr. Ken Diskin made a motion to accept the plans submitted for review of the Special Permit and Site Plan for the project at 25 Brook Street. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (4-0-0)

At 6:47 PM Mr. Jonathan Kranz made a motion to approve the waivers to the Planning Board Site Plan Regulation Section III H. and E. as requested. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (4-0-0)

At 6:48 PM Mr. Jonathan Kranz made a motion to approve the Special Permit as requested for the construction of a garage at 25 Brook Street. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

At 6:49 PM Mr. Jonathan Kranz made a motion to approve the Site Plan for 25 Brook Street at presented and shown on the plans dated March 29, 2019 with no special conditions. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

At 6:50 PM Mr. Ken Diskin made a motion to close the public hearing for the Special Permit for 25 Brook Street. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (4-0-0)

Continued Public Hearing, Proposed Marijuana Establishment Zoning Bylaw

Mr. Archambault stated that since the last meeting he has made two minor changes to the proposed Marijuana Establishment Zoning Bylaw. The changes include a numbering issue and the addition of a security clause that was left out of Town Counsels edits but was intended to be in place.

Mr. Diskin asked a question regarding the date the bylaw goes into effect if it passes at Town Meeting.

Mr. Archambault stated that the bylaw would be in effect since the date of the first public hearing posting.

Mr. Archambault stated that the Board needs to accept the proposed bylaw to recommend to be placed on the Town Meeting warrant.

At 6:58 PM Mr. Jonathan Kranz made a motion to accept the proposed Marijuana Establishment Bylaw as presented at the April 23, 2019 Planning Board meeting and recommend that it be placed on the June 10, 2019 Town Meeting Warrant. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Continued Public Hearing, Proposed Form Based Code to replace the Downtown Business

zoning district

Present: Alan Manoian, Economic Development Director

Mr. Alan Manoian stated that Town Counsel has been reviewing the proposed Form Based Code for the past several weeks and there may be a need to make some minor modifications. Mr. Manoian stated that the opinion of Town Counsel is to propose the Code as an overlay rather than a complete replacement of the existing Downtown Business district. Town Counsel stated that due to the need to replace Downtown Business (DB) with Form Based Code (FBC) throughout the entire Zoning Bylaw may cause confusion at town meeting. Counsel has suggested a new public hearing be opened to change the Zoning Map and the change the Code to an overlay.

Mr. Jonathan Kranz asked Mr. Manoian what the consequences would be for that change.

Mr. Manoian stated overlays are use based which is not what Form Based Code is, he mentioned that Counsel is working on the use table and the possibility of an incentive for those that use the code to bypass Planning Board approval and have expedited permitting.

The majority of the Board expressed their disappointment in Town Counsel's opinion.

Mr. Manoian stated that he has faith in Town Counsel to write an overlay that will keep with the ideas of the Form Based Code to get it to pass town meeting.

The Board held a brief discussion on the impacts of Counsel's opinion on changing the Code to an overlay.

Vice Chairman stated that he feels it would be best to continue the hearing until the next meeting and Mr. Manoian has heard back from Counsel.

At 7:31 PM Mr. Jonathan Kranz made a motion to continue the public hearing for the proposed Form Based Code to the next Planning Board meeting on May 7, 2019. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (4-0-0)

Town Planner Update

Mr. Archambault stated that there will be a special meeting next Tuesday May 7th to hold the public hearing for the citizen petition for the proposed change to the setback for ground mounted solar.

Mr. Archambault stated that a site plan amendment has been requested for 41 East Main Street. Mr. Archambault stated that the Board approved the original site plan back in 2017.

New Business

Mr. Ken Diskin asked for an update regarding the discussion on the Zoning Map from last meeting.

Mr. Archambault stated that after then June 10th Special Town meeting the Board will adopt and sign a new Zoning Map.

Board Reorganization

Vice Chairman Tillotson stated that since there is now a full elected board he would like to have the Board Reorganization at the next regularly scheduled meeting.

Meeting Adjournment

At 7:59 Ms. Julie Murray made a motion to adjourn. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (4-0-0)

Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval May 7, 2019
Date

Planning Board Vice-Chair (Geof Tillotson)


