



PLANNING BOARD

Town of Ayer

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Approved 10/8/2019

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TOWN OF AYER
TOWN CLERK

M. Copeland

Minutes of September 10, 2019 - Ayer Planning Board Meeting

Location: First Floor Meeting Room, Ayer Town Hall

Meeting was recorded by APAC

Members Present: Ken Diskin, Vice Chairman; Jonathan Kranz, Clerk and Julie M. Murray and Nathan King

Also Present: Mark Archambault, Town Planner

Absent: Geof Tillotson, Chairman

Vice-Chairmen Diskin called the meeting to order at 6:15 PM.

General Business

Approve the Agenda

At 6:16 PM Mr. Jonathan Kranz made a motion to approve the agenda. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve the agenda. (4-0-0).

Approve Meeting minutes from 8/13/2019

Vice-Chairman Diskin tabled the minutes of August 13, 2019 to the next meeting on September 24, 2019.

Review, Stormwater Drainage Analysis, Shaker Road, Homescout, LLC

Present: Neil Gorman, David E. Ross Associates, Representative

Mr. Archambault stated that MR. Mark Wetzel, Department of Public Works Superintendent, issues a one-page memo to the Board dated September 10, 2019. Mr. Archambault read memo into the record.

Mr. Neil Gorman went through the changes to the plan and went over the meeting he had with Mr. Wetzel at the DPW. Mr. Gorman stated that Mr. Wetzel's main concern was with the untreated drainage going into grass swale on the shoulder of the road. The final plans have been changed with drainage entering trench drains and piping underground and discharge through rip-rap stone in lot 6 beyond the development. The existing catch basin on Shaker Road by lot 6 was redesigned per Mr. Wetzel's comments. The design shows a post decrease in water runoff to the basin.

Vice-Chair Diskin asked if there was any discussion regarding bonding as stated in the previous letter.

Mr. Gorman stated the applicant is open to it and can do for the public property in regards for the road opening.

Mr. Archambault stated he has not added any wording to draft conditions regarding bonding since he has not spoke to Mr. Wetzel regarding any need for bonding.

Vice-Chairman stated that he would like to defer voting on the approval until Mr. Wetzel can be at the meeting later this evening. Vice-Chairman Diskin stated that condition would be based on Stormwater Regulations.

Mr. Archambault stated that would be correct.

At 6:26 PM Agenda item and vote was tabled till later in the meeting.

Public Hearing, Proposed Definitive Subdivision Off Shaker Road, 23 Lots, Daniel and Joel Aho

Present: John Boardman, Places Associates, Representative and Mark Wetzel, Department of Public Works Superintendent

Mr. John Boardman stated that he had some meetings with some departments within the town. Mr. Boardman stated that the name of the subdivision will be changed due to the request of the Fire Chief, name change will be on the plans at the next meeting.

Mr. Boardman went through the plans for the drainage on site which include catch basins with treatment systems before they go into a subsurface detention basin and discharge into existing wetlands.

Vice-Chairman Diskin asked if any testing was completed for the location of the subsurface basins.

Mr. Boardman stated that they had not and the subsurface systems are designed to work just like another detention's basin and will not infiltrate.

Vice-Chairman Diskin asked for the limit of work line on plans.

Mr. Boardman showed the location on the plans of the limit of work line.

Mr. Boardman went over the utility plan and details for the project including the E-one pump for each house that will then go into the force main. The water will be brought in from Shaker Road then looped into an existing 6-inch sleeve that is under Shaker Pond and then connect to Route 2A.

Vice-Chairman stated that DPW will comment and have the final say in how the water and sewer are connected.

Mr. Wetzel stated that there are some issues with the proposed water and sewer plan with houses located after the dead end, adequate fire protection, and stated that he would like to see and want to analysis to sure water and also concern with the design of the cul-de-sac. Mr. Wetzel stated that he was about 75% done his review of the project and has released final comments for the proposed only draft comments which include a change in the sewer proposed from the pump system to a gravity system.

Vice-Chairman Diskin stated that there is no electric of cable shown on the plans.

Mr. Broadman stated that the electric company will inform them where they would like to see the transformers, so they are not shown on the plan.

Mr. Kranz asked if there would be natural gas for the development.

Mr. Boardman stated that there is not a location close enough to tie into.

Vice-Chairman Diskin may be an option to ask National Grid with all the other developments going on the plans.

Vice-Chairman Diskin asked if there was a plan showing the streetlights for the subdivision.

Mr. Boardman stated that there are no streetlights listed on the plan and will add the streetlights to the utility plan, if needed.

Mr. Archambault stated that width of road, the Fire Department is concerned with the width of road.

Mr. Boardman stated that he met with the Fire Department to discuss roadway width. The Fire Department is ok with the common drives' road width at 20 feet. In regard to the roadway they would like to see wider, but the plans show 20 feet with gravel and grass showing space for their equipment.

Mr. Boardmen stated that he also met with Mark Wetzel and Dan Van Schalkwyk last week to discuss 22-foot-wide pavement with 5-foot sidewalk and 3-foot grass strip it is an increase in pavement of 2 feet and sidewalk from 4 to 5 feet. And leave with a 3-foot grass strip. Have not read the letter from Mr. Wetzel yet but hopes that covers what they met about last week.

Mr. Boardman stated that he also spoke to the Fire Department about hydrant locations went over on the plan for the Board.

Mr. Boardman stated one item left from the initial review was from Mr. Archambault regarding the Open Space requirement, that portion of the Bylaw applies for a portion of open space on the individual lots in an open space subdivision. Mr. Boardman stated that he did the calculations and all but three lots meet the requirement and will require some adjustment.

Mr. Boardman stated that he was surprised by the need to for the Site Plan requirement, but with speaking with Mr. Archambault believes the application can be simplified.

Vice-Chairman Diskin stated that the requirements for 9.6 can be shown on a separate plan as part of the subdivision plans as a separate filing.

Mr. Archambault stated that the site plan will need to show phasing, and tree clearing, all items describe in 9.6 and the Board can waive the fee as it is part of a subdivision plan.

Mr. Boardman thanked the Board for the information regarding the need to apply for Site Plan Approval for the proposed project.

Mr. Archambault stated that he will address the issue of Section 9.6 in the Subdivision Rules and Regulations. Mr. Archambault mentioned that one topic the Board should address this evening is the

traffic management study for the area, with two subdivisions and the ANR lots there are a lot of changes and added traffic. Mr. Archambault stated that he has been discussing the traffic with Mr. Mark Wetzel, Superintendent Department of Public Works, to set up a meeting with MassDOT to discuss traffic in the area. Mr. Archambault drafted a proposed scope of work for the traffic study and wanted to bring it to the Board for discussion.

Mr. Jonathan Kranz stated that a traffic study is a good idea stating he has concern with the entrance to the subdivision off Shaker Road.

Vice-Chairman Diskin stated that he would like the study to include type of vehicles as well as how many, but stated that he did not feel that Route 2A should be included his concerns are with the sharp corner on Shaker Road and the entrance to the subdivision and the Right-of-Way for the golf course.

Mr. Boardman stated that the golf course has stated that as long as the new development keeps the location of the Right-of Way the same or replace with better, they are ok.

Vice-Chairman Diskin stated that he would like to see the attorney for both the developer and the golf course agree on the Right-of-way.

Mr. Boardman stated with the subdivision plan showed access to the golf course from the start of the process and has since pulled back the roadway per the Boards request but still showed access to the golf course from the cul-de-sac.

Vice-Chairman Diskin stated that he approves of the changes he just wants to ensure that the Board can approve plans showing changes to an existing Right-of-Way and asked for something from the golf course allowing for the Right-of-Way to be changes.

Vice-Chairman Diskin asked if Mr. Boardman would entertain the request for a traffic study.

Mr. Boardman stated that he has not seen anything in regard to a proposed traffic study, scope of work, limit of the study or a cost.

Mr. Archambault stated that it would be a limited traffic study to focus more on Shaker Road looking for improvements that may need to be made and look at possible impacts to the Town of Harvard.

Mr. Boardman stated that when a traffic study was first discussed it included other projects and other owners.

Vice-Chairman Diskin stated that he has some concern with the traffic that will be added with this project.

Mr. Archambault stated that a traffic study would look at the truck traffic and proposed traffic from the subdivision.

Mr. Wetzel stated that he has some concern with the site lines on Shaker Road and Littleton Road.

Mr. Boardman stated that the Fire Department has requested a turn radius plan. Mr. Boardman stated that they would be willing to help with a traffic study but would need MassDOT approval for Littleton Road because it is a state road.

Vice-Chairman Diskin asked Mr. Archambault to work with Mr. Boardman regarding traffic issues.

Mr. Archambault stated that he will contact MassDOT regarding the issue.

Mr. Archambault stated that the Board received two letters from abutter to the project expressing concerns.

Several abutters to the project expressed concerns regarding the traffic, especially truck traffic on Shaker Road and well as concerns regarding stormwater runoff.

Vice-Chairman Diskin stated regarding traffic impacts along Shaker and Littleton Road the Board will be looking closely at the possible traffic impacts.

Ms. Mellissa Tracy, abutter on Shaker Road, asked about the proposed use of a water/sewer line under Shaker Mill Pond.

Vice-Chairman Diskin informed those present that the Board is continuing their review of the project which may result in revisions to the plans to address concerns of traffic and stormwater.

Mr. Wetzel stated that he is still doing his review of the project as well and there may need to be changes in the water and sewer connections.

At 7:20 PM Mr. Jonathan Kranz made a motion to continue the hearing for the proposed Definitive Subdivision off Shaker Road to the next meeting on September 24. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Review, Stormwater Drainage Analysis, Shaker Road, Homescout, LLC

Present: Neil Gorman, David E. Ross Associates, Representative and Mark Wetzel, Ayer Department of Public Works Superintendent

Vice-Chairman Diskin apologize for the delay but wanted to ensure Mr. Mark Wetzel, Superintendent for the Department of Public Works was present for the meeting.

Mr. Mark Wetzel stated that he met with the applicant and all outstanding concerns and comments have been addressed in a revised plan.

Mr. Archambault asked if any surety or bond is required for the project.

Mr. Wetzel stated that any surety will be placed with the road opening permit. Mr. Wetzel stated that he had one outstanding comment for ditch and if the Town of Harvard would require a pipe for water to travel into the basin but is unsure of their regulations since they are not a MS4 town.

Mr. Neil Gorman stated that they have met with the Town of Harvard for this project as well. The comments received from Harvard have been pretty basic.

At 7:28 PM Ms. Julie Murray made a motion to approve the Stormwater Drainage Analysis for Shaker Road as presented in the drainage analysis dated September 9, 2019. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (4-0-0)

Continued Public Hearing, Proposed Definitive Subdivision 54 and 56 Littleton Road 20 lots

Present: Limhuot Tiv and Nick Pauling from GPR, Inc.

Review, Site Plan 54 and 56 Littleton Road

Present: Limhuot Tiv and Nick Pauling from GPR, Inc.

Mr. Nick Pauling stated that since the last meeting the plans have been revised to address some of the comments from various departments and the Planning Boards consultant BSC Group. Mr. Pauling also stated that a comment letter was submitted as part of the revised plans. The Open Space parcel is at 54% of the overall project. Mr. Pauling went through a few of the changes that were made to the plans including some property lines and changes to a few of the drainage swales and stated that he felt they addressed most of the concerns with the project.

Mr. Pauling stated that he also received an email from Mr. Archambault with two questions, one regarding if the roadway would be public or private. Mr. Pauling stated the roadway is being built to town standards and once the project is completed would be asking for the street to be accepted by the Town. The second question was regarding the ownership of the open space parcel. Mr. Pauling stated that the plan for the land was to have the Town take ownership but does have other options for ownership of the open space.

Vice-Chairman Diskin asked if the letter submitted with the revised plans addressed both the DPW comments as well as BSC Groups comments.

Mr. Pauling stated that the plans and letter submitted with comments addresses the two comment letters from BSC Group, the email from Mark Archambault, a letter from DEP regarding the NOI, and the letter from the DPW.

Mr. Archambault stated that the one outstanding item from the last meeting that the Board did not discuss from BSC Group's letter dated August 25, was the request for further soil testing.

Mr. Kranz asked if additional soil testing would add any different information that would change the plans.

Vice-Chairman Diskin stated that deep hole testing was done on the site and are shown on the plans and any issues with stormwater have been addressed.

Vice-Chairman Diskin stated that as part of the conditions all comment letters shall be listed.

Mr. Archambault stated that an outstanding issue is the requirement for bonding or surety for the project.

Mr. Kranz stated that he had a few questions regarding the comment letter from GPR regarding comment number 3 and 6 which asks about maintenance of the stormwater controls.

Vice-Chairman Diskin stated that comment number 3 was addressed, and number 6 will need to be discussed and listed in the conditions for approval.

Mr. Pauling stated that stormwater controls are like road acceptances and are built and maintained as part of the streets and would ask at the time of street acceptance that the stormwater controls be taken at the same time.

Vice-Chairman Diskin stated that the request would be for the town to take all roads and stormwater controls.

Mr. Pauling stated that the Operating and Maintenance plan is written as if the town will take over the maintenance.

Vice-Chairman Diskin stated that the for the Board to make a discussion the owner of the Open Space needs to be decided and the Board needs to hear from the Conservation Commission.

Mr. Archambault stated that unfortunately the Conservation Commission will not be meeting again till after the Boards next meeting. Mr. Archambault stated that he has heard from the Conservation Administrator, Jo-Anne Crystoff and the Commission will not take the Open Space or the Conservation Restriction.

Mr. Pauling stated that the project was designed with the thought that the Town would take the Open Space and Conservation Restriction and not designed to have a Homeowners Associations.

Mr. Wetzel stated that the Town taking over the Stormwater controls is the best thing for this project to ensure they are maintained properly and may as part of the approval set aside money for the operations and maintenance of the stormwater for a 3 to 5 year period after acceptance.

Vice-Chairman Diskin suggested that Mr. Wetzel and Mr. Pauling meet before the next meeting to come up with a cost for a bond or escrow account which would be funded by the applicant and have funds available in the future for the town to use for the maintenance of the Stormwater.

Mr. Wetzel stated that he had one last comment in regard to the streetlights for the proposed project.

Mr. Pauling stated that streetlights have been added to the plans and will meet the Towns requirements.

At 8:20 PM Mr. Jonathan Kranz made a motion to continue the hearing for the Definitive Subdivision and Site Plan Review for 54 and 56 Littleton Road to the next Planning Board meeting on September 24, 2019. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (4-0-0)

The Board took a five-minute recess at 8:20 PM

At 8:31 PM the Board reopened the meeting.

Discussion, Recommendation to Board of Selectman for Road Acceptance layout

Present: Mark Wetzel, Superintendent Ayer Department of Public Works

Mr. Mark Wetzel informed the Board that there are several streets looking for acceptance for Fall Town Meeting. Mr. Wetzel stated that the Board of Selectman voted at their meeting on September 3, 2019 to send the street acceptances to the Planning Board for layout approval. Mr. Wetzel stated that he has few outstanding items for each of the roadways to be completed prior to Town Meeting. Vice Chairman Diskin asked Mr. Wetzel if he felt all the items requested for completion on the roadways could be completed in time for Town Meeting.

Mr. Wetzel stated the he felt they could and if for some reason they are not completed the street can be pulled for acceptance on the Town Meeting floor.

Mr. Wetzel went over the details for the first street acceptance layout which was sections Norwood Ave. that have yet to be accepted by the town. Mr. Wetzel went over the plans and the outstanding items to be completed.

At 8:42 PM Mr. Jonathan Kranz made a motion to recommend to the Board of Selection the Road Acceptance layout for Norwood Ave as presented. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Mr. Wetzel went over the plans for the street acceptance of Nashua Road Extension and the details of the outstanding items to be completed.

At 8:49 PM Mr. Jonathan Kranz made a motion to recommend to the Board of Selection the Road Acceptance layout for Nashua Street Ext. as presented. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Mr. Wetzel went over the details for the street acceptance for Phase 3B of Pingry Hill which includes Hickory Way and Hemlock Drive. Mr. Wetzel went over the out standing items for these streets. Mr. Wetzel stated that the items left for these streets may not be completed by Town Meeting and will pull the article from Town Meeting if they are not.

At 8:57 PM Mr. Jonathan Kranz made a motion to recommend to the Board of Selection the Road Acceptance layout for Phase 3B of Pingry Hill containing Hickory Way and Hemlock Drive as described depending all items in DPW letter dated September 10, 2019 are completed. Julie Murray seconded. NO discussion. Unanimous vote to approve. (4-0-0)

Mr. Wetzel went over the plans and items to be completed for Phase 5 of Pingry Hill which includes Haymeadow Lane, Holly Ridge and Apple Blossom Lane.

At 9:01 PM Mr. Jonathan Kranz made a motion to recommend to the Board of Selectman the Road Acceptance layout for Haymeadow Lane, Holly Ridge and Apple Blossom Lane also known as Phase 5 of Pingry Hill as presented. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Public Hearing Proposed Zoning Bylaw Amendments for October 28 Special Town Meeting-Sections 10.1, addition of accessory apartments and Section 10.3

At 9:03 PM Mr. Jonathan Kranz read aloud a public hearing notice for proposed Zoning Bylaw Amendments to the Ayer Zoning Bylaw Sections 10.1, adding accessory apartments and Sections 10.3 and Form-Based Code West Main Street there for opening a public hearing.

Mr. Mark Archambault went over his presentation for the proposed Zoning Bylaw changes. The first part of the presentation went over the proposed changes to Section 10.1 Open Space Residential Subdivision Development which include a few minor word changes in Section 10.1.1. Mr. Archambault stated that the other proposed change in this section is to Section 10.1.4 which will remove the current formula that has given the Board subdivisions with too many lots and replace it with a Yield Plan to determine the number of housing lots.

The second proposed amendment to the Zoning Bylaw will be the addition for Accessory Apartments which will be added to the definitions Section 2.0 and detailed in the Use Regulations in Section 5.3.2 and the Table of Use Regulations will also be amended to add Accessory Apartments as allowed by Special Permit. Mr. Archambault went through the proposed Accessory Apartment requirements which include owner occupied and a maximum size for the apartment. Mr. Archambault stated that Town Council has reviewed the proposed amendment and made a few changes which he went over with the Building Commissioner and there were no concerns.

The final proposed Zoning Bylaw amendment is to Section 10.3 Affordable Housing which as it reads now is only allowed by Special Permit. The proposed amendments will change the wording from requiring a special permit to whether required by Special Permit or allowed by right. Other changes to the section include moving Section 10.3.3.H.1 & 2 Density Bonuses to a new Section 10.3.2.C and retitling it Applicability and Density Bonuses'.

At 9:48 PM Mr. Jonathan Kranz made a motion to continue the public hearing for the proposed Zoning Bylaw amendments to Section 10.1, addition of Accessory Apartments and Section 10.3 to the next meeting on September 24. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Public Hearing Proposed Zoning Bylaw Amendments for October 28 Special Town Meeting – Form-Based Code West Main Street

Present: Alan Manoian, Economic Development Director

Mr. Alan Manoian gave the Board a presentation regarding the proposed Form-based Code for the West Main Street Area. Mr. Manoian stated that there will be a public forum regarding design for the West Main Street Form-based Code on Thursday September 19th at 6:00 PM at Town Hall.

Mr. Manoian went over the proposed Form-based Code including the areas it will include on West Main Street the building transects, build to lines, building heights, glass coverage and building types. Mr. Manoian stated that the Form-base Code is simple as there are only 2 transects, T.5 and T.5.1.

Mr. Manoian mentioned to the Board the Mass Works Grant application that the town submitted for the area which would help build new sidewalks, bike lanes, water and sewer lines and shelters for the shutter from Devens to the train station.

Mr. Nathan King expressed some concern with the lot frontage and setbacks.

Vice-Chairman Diskin had some concern with the lot coverage.

Mr. Manoian stated that he will look at the proposed and make changes accordingly to better fit the area.

At 10:12 PM Mr. Jonathan Kranz made a motion to continue the public hearing to the next Planning Board meeting on September 24th. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Discussion, Draft Subdivision Regulations

Vice-Chairman Diskin stated that due to the late hour the Board will table the discussion on Subdivision Regulations to the next meeting on September 24, 2019.

Administrative Announcements

Vice-Chairman Diskin stated that due to the late hour the Board will table all Administrative Announcements to the next meeting on September 24, 2019.

Meeting Adjournment

At 10:15 PM Mr. Jonathan Kranz made a motion to adjourn the meeting. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (4-0-0)

Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval _____
Date

Planning Board Vice-Chairman (Ken Diskin)


