



PLANNING BOARD

Town of Ayer

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Approved 6/9/2020

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11:25 AM

TOWN OF AYER

TOWN CLERK

Minutes of May 12, 2020 - Ayer Planning Board Meeting

Location: First Floor Meeting Room, Ayer Town Hall

Meeting was recorded and broadcast by APAC

Members Present: Geof Tillotson, Chairman; Ken Diskin, Vice Chairman; Jonathan Kranz, Clerk; Nathan King, and Julie M. Murray (all participating remotely)

Also Present: Mark Archambault, Town Planner

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

General Business

Approve the Agenda

At 6:16PM Mr. Jonathan Kranz made a motion to approve the agenda as written. Mr. Nathan King seconded.

Discussion:

Chairman Tillotson went over the protocol for the meeting as it is being conducted via remote participation, then asked Mr. Mark Archambault to give an update on agenda and administrative items.

Unanimous vote to approve. (5-0-0).

Bond Reduction and Covenant Release, Pingry Hill

Chairman Tillotson stated that there are two items for discussion: one bond release and one covenant release.

Mr. Mark Archambault read into the record the letter submitted on March 30, 2020 from Mr. Mark Wetzel, DPW Superintendent recommending a \$18,635.00 bond reduction for phase 3 and a \$61,850.00 bond reduction for phase 5.

At 6:21 PM Mr. Ken Diskin made a motion that the Planning Board make positive recommendation based on Superintendents of the DPW letter for the bond reduction for Phase 3 and Phase 5. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (5-0-0)

Mr. Archambault continued to read Mr. Wetzel's letter recommending the release of lots 73, 76A, and 77B as shown of "Ridge View Heights" Definitive Subdivision Plan, recorded in Middlesex South District Registry of Deeds. The total value of the site work related to the lot covenant is estimated to be \$2,016,018.99 and the work completed through March 2020 is estimated to be \$1,823,463.42.

At 6:24 PM Mr. Jonathan Kranz made a motion to accept the convent release as stated in the letter written by Mr. Mark Wetzel and read into the record by Mr. Mark Archambault. Ms. Julie Murray seconded. Discussion, Mr. Ken Diskin asked for some clarification on the lot release. Unanimous vote to approve. (5-0-0)

Administrative Items

Agenda

Mr. Archambault went over the agenda which included a Special Permit and Site Plan for 14 Washington Street. Mr. Kyle Burchard, Engineer from GPR for the project has requested an extension to the next meeting on May 26th for both Special Permit and Continued Site Plan. A Site Plan for Cannongate at 75 Sandy Pond Road was planned for the agenda but due to lack of time to review by both the DPW and the Planning Board will be placed on the May 26th meeting.

Continued Site Plan Review 14 Washington Street

Public Hearing 14 Washington Street

Mr. Mark Archambault read a letter from Mr. Kyle Burchard, Engineer from GPR asking for an extension to the Site Plan Review as well as an extension to Monday June 1, 2020. Mr. Archambault stated that he is also drafting a letter to Town Council regarding the request for parking reduction.

Mr. Diskin stated that Governor Baker has extended all items and has asked for clarification.

Mr. Archambault stated that back in early April Governor Baker signed the Municipal Relief Act which gives all cities and towns 45 days from the end of the State of Emergency to make all decision on Land Use cases. He believes we have longer then June 1st to act on these items but will double check to get the decision date.

Chairman Tillotson stated that he feels that Mr. Burchard will allow for further extension if needed.

At 6:32 PM Mr. March Archambault read aloud a public hearing notice for a special permit application for 14 Washington Street.

At 6:33 PM Mr. Jonathan Kranz made a motion to open the public hearing for 14 Washington Street. Mr. Ken Diskin seconded. NO discussion. Unanimous vote to approve. (5-0-0)

At 6:34 PM Mr. Jonathan Kranz made a motion to continue to the public hearing till May 26, 2020 meeting. No discussion. Unanimous vote to approve. (5-0-0)

At 6:35 PM Mr. Ken Diskin made a motion to continue the Site Plan Review for 14 Washington Street till May 26, 2020. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (5-0-0)

Site Plan Review, Canongate Condominium 75 Sandy Pond Road

Mr. Mark Archambault stated that the Site Plan Application was submitted over the weekend and did not have adequate time to review. Mr. Kyle Burchard, Engineer from GPR understands the Site Plan will be taken up at the next meeting on May 26th. Mr. Archambault stated that he sent the application to the Board to review this week and will have a detailed report by the end of next week.

Chairman Tillotson stated that there was a request from Mr. Burchard regarding the abutter notification.

Mr. Archambault stated that an email was sent to Mr. Burchard regarding the abutter notice and stated a request for a waiver for the abutter notification maybe requested.

Mr. Diskin stated that he will not vote to approve a wavier for the abutter notification. He also mentioned that the Conservation Commission issued an RDA a year ago and the DPW has issued two curb cut permits for the site as well.

Public Hearing, Zoning Bylaw Recodification

Mr. Archambault stated that the Town Manger's Office has hired a firm to recodify all town regulations, and bylaws into a specific format. This will be going to Town Meeting. The Planning Board needs to hold a public hearing and make a recommendation to Town Meeting for the article.

Mr. Archambault stated that he has reviewed the document and has not seen any issues with the draft.

At 6:42 PM Mr. Archambault read aloud a public hearing notice for the Zoning Bylaw Recodification as posted.

At 6:45 PM Mr. Jonathan Kranz made a motion to open the public hearing for Zoning Bylaw Recodification. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (5-0-0)

Chairman Tillotson stated that adding a new numbering system to make all the items easier to read. The Board has done a lot of work to complete a new Zoning Bylaw and hopes the recodification keeps the items the same.

Mr. Diskin asked if all the items added to the Zoning Bylaw are in the recodification.

Mr. Archambault stated that the Zoning Bylaw will remain the same. The recodification will put the Bylaw along with all Town Bylaws and Regulations in order with notes on revision dates. Mr. Archambault stated that the Town Manger's Office is looking for comments by Friday, May 15th.

At 6:50 PM Mr. Jonathan Kranz made a motion that the Board make a positive recommendation of the Ayer Zoning Recodification as presented. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (5-0-0)

At 6:53 PM Mr. Ken Diskin made a motion to close the public hearing for the recodification of the Ayer Zoning Bylaws with the recommendation from the Assistant Town Manager. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (5-0-0)

Public Hearing, Proposed Zoning Bylaw Change T6 transect parking

At 6:55 PM Mr. Mark Archambault read aloud a public hearing notice for proposed Zoning Bylaw Change for the T6 transect parking opening a public hearing. Then directed the Board to page 126 of

the Ayer Zoning Bylaw that shows the regulating plan for the Form Based Code. The T6 transect is the densest district in the Form Based Code.

Mr. Alan Manoian, Economic Development Director, spoke to the Board about the proposed change. Mr. Manoian gave a brief background of the T6 area stating it is the most transit-oriented area of town. This is consistent with the Master Plan and Form Based Code to channel new residential development around the downtown area. With dropping the parking requirement makes the area more viable for developers due to the limited lot sizes.

Mr. Kranz stated that since this article will be going to Town Meeting, he asked if Mr. Manoian would be able to answer any questions to why the Board is making a change and asked that there be examples of the proposed from other towns as examples for Town Meeting.

Mr. Manoian stated that it will be important to show data at Town Meeting as done in other areas. There is immediate access to the rail station, the Devens shuttle, and rail trail. This is the best area to start limiting parking; there is a market for it in the area.

Mr. Kranz stated that the Board has worked on the Form Based Code and Master Plan for the last couple of years and has no concerns with the change.

Chairman Tillotson opened the meeting to the public for comments.

Mr. Robert Gardner had a few comments regarding the proposed zoning change. He stated that many of the parcels in the T6 area are very small and reducing the parking is important and a possible shared parking element to the area.

Mr. Diskin clarified the change the Board is discussing does not change the studio apartment but affect the 1-bedroom and 2-bedroom apartments.

Mr. Archambault stated that the Board needs to make a motion to make a favorable recommendation to move this forward to Town Meeting

Chairman Tillotson stated that the area of Park Street is a unique area and the change in parking will allow for some relief in the required parking.

Mr. Diskin wanted to remind the Board that Section 9.1.2 does not address anything regarding accessible parking, as well another section of the Bylaw that requires visitor parking as well.

Mr. Archambault stated that the parking section of the Bylaw has a lot of different information and can be confusing and would like to in the future rewrite the parking section for clarification.

Mr. Nathan King wanted to reiterate that those at Town Meeting will benefit from having data to support the proposed change as well as the interest in revitalizing the downtown area.

At 7:02 PM Mr. Jonathan Kranz made a motion to give a positive recommendation to Town Meeting for the proposed Bylaw change for parking requirements in the T6 transect and to close the public hearing. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (5-0-0)

Town Planner Update

Central Ave

Mr. Mark Archambault stated that the Conservation Administrator, asked him to bring to the Boards attention the on-going expanded parking at Central Avenue Companionate Care. The parking has been expanded beyond the 5 spaces that triggers site plan review by the Board. She has asked that the Board send a letter requesting the plans and details for the added parking.

Chairman Tillotson stated that if a site plan is required, he sees no issue in sending a letter for that request.

Mr. Diskin stated that the Conservation Commission has two enforcement orders for the expanding parking at the site.

May 26th

Mr. Archambault stated that the meeting on May 26th will be a full agenda and went over the items to be discussed. He mentioned that he Board needs to discuss how they will address these items to keep them within the time frame for the live stream.

Chairman Tillotson asked to get information to the Board as soon as it is available even in draft form to help move the meeting along.

Old Business

Mr. Diskin mentioned the information meeting for the Fitchburg Road concept plan that the Board had discussed at the last meeting on March 10th. Mr. Diskin wondered if there was any update on the plan.

Mr. Archambault stated that there is new owner and he and has been talking to him about the site.

New Business

Chairman Tillotson stated that if there is any resident has concern about work being done on a property to call the office and reminded people that work on their property does need approval/permits.

Minutes from February 11, 2020

Minutes from February 25, 2020

Chairman Tillotson stated that he would like to table the minutes from February 11th and 25th till the next meeting and asked that they be resent to the Board.

Meeting Adjournment

At 7:35 PM Mr. Jonathan Kranz made a motion to adjourn the meeting. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (5-0-0)

Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval 6/9/2020
Date

Planning Board Chairman (Geof Tillotson)



A handwritten signature in black ink, appearing to be 'Geof Tillotson', is written over a horizontal line. The signature is stylized with a large loop and a long, sweeping tail that extends to the right.