



## PLANNING BOARD

Town of Ayer

1 Main Street, Ayer, MA 01432

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

Approved 10/27/2020

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### Minutes of September 22, 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; and Nathan King (all participating remotely)

**Absent:** Ms. Julie M. Murray

**Also Present:** Mark Archambault, Town Planner

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

**Chairman Tillotson read aloud a notice from Town Manager, Robert Pontbriand, with the COVID-19 rules for holding remote Zoom meetings.**

**At 6:18 PM Chairman Tillotson read aloud the COVID-19 Emergency Order from Governor Baker allowing for remote participation meetings.**

### General Business

**Approve the Agenda**

**At 6:19 PM Mr. Jonathan Kranz made a motion to approve the agenda. Mr. Ken Diskin seconded. No discussion. Vote to approve by roll call vote: Jonathan Kranz, Aye; Nathan King, Aye; Ken Diskin, Aye; and Chairman Tillotson, Aye**

### Continued Public Hearing Special Permit 14 Washington Street

*Present: Kyle Burchard, Engineer and Representative from GPR, Inc.*

Mr. Mark Archambault stated that the Kyle Burchard has requested a continuance to the next Planning Board meeting on October 13<sup>th</sup> for 14 Washington Street for both the Site Plan Review and Special Permit. Mr. Archambault mentioned that in the email sent Mr. Burchard informed the Board that they are working on the updated plans for the site.

Mr. Kyle Burchard mentioned that he did send an email requesting a continuance for both items for 14 Washington St.

**At 6:23 PM Mr. Jonathan Kranz made a motion to continue the public hearing for the Special Permit for 14 Washington Street to the next Planning Board meeting on October 13, 2020 as requested by the GPR, Inc. Mr. Nathan King seconded. No discussion. Vote to approve: Mr. Jonathan Kranz, aye, Mr. Nathan King, aye, Mr. Ken Diskin, aye and Chairman Tillotson, aye.**

**Continued Site Plan Review 14 Washington Street**

*Present: Kyle Burchard, Engineer and Representative from GPR, Inc.*

**At 6:24 PM Mr. Jonathan Kranz made a motion to continue the Site Plan Review for 14 Washington Street to the next Planning Board meeting on October 13, 2020 as requested by the GPR, Inc. Mr. Nathan King seconded. Vote to approve: Mr. Ken Diskin, aye, Mr. Nathan King, aye, Mr. Jonathan Kranz, aye and Chairman Tillotson, aye.**

**At 6:25 PM Mr. Ken Diskin recused himself from the meeting.**

**Amended Site Plan, Ayer Solar II**

*Present: Kyle Burchard, Engineer and Representative from GPR, Inc.*

**At 6:25 PM Mr. Jonathan Kranz made a motion to continue the discussion on the Amended Site Plan for Ayer Solar II. Mr. Nathan King seconded. Vote to approve: Mr. Jonathan Kranz, aye, Mr. Nathan King, aye and Chairman Tillotson, aye.**

Mr. Burchard stated that it has been a while since he has been before the Board for the proposed revisions on the project. He has received comments from the Conservation Commission's peer review and revised the plans per those comments. The submitted revised plans for the project are the best design for the site that meets all the requirements from settlement from the abutters lawsuit and all the stormwater and Conservation requirements. The Department of Public Works has seen the revised plans for review. The Conservation Commission is also putting the project through a peer review for the drainage.

Chairman Tillotson gave the Board a brief review of what the Conservation Commission has been doing with the review of all aspects of the project.

Mr. Burchard stated that there is a residential component with the plan and those accommodations need to be made now in terms of the access drive. There are no proposed buildings with this site plan.

Mr. Burchard went over the details of the land involved in the project. There are 3 lots involved in the project, two in common ownership that have been shaped to allow for residential development with appropriate frontage. One lot is left in private ownership, by Mr. Calvin Moore. The rest is owned by Ayer Solar II LLC. Zoning for the three lots is A-1 and A-2 there is also an ACEC on the property along one side near an electrical easement. There is also priority habitat on site. There has been a filing with Natural Heritage stating that there is a no-take, there being a Conservation Restriction placed on a portion on the property that is not part of the construction.

Chairman Tillotson had a few questions regarding the proposed Conservation Restriction and other land details on the plans.

Mr. Burchard stated that there will need to be some more work on the details of the C.R. that may increase the overall size of the C.R. to about 38 acres. There is no part of the disturbed area that will be part of the C.R; all work and solar panels will be outside the C.R.

Mr. Burchard went over the details of the revised plans which include changes to the access drive due a prior lawsuit, which moves the driveway further away from Madigan Lane. The driveway has been designed to follow the contour of the land as best it could, keep the stormwater management design and follow the 100-year flood plain elevation. The first 450 feet of the driveway will be paved coming off Washington Street, the rest will be gravel. There is an intermittent stream on the property with a stone culvert, which they could not get the rights to replace as it is not functioning properly. There is an intermittent stream goes through the stone culvert.

Mr. Jonathan Kranz asked a few questions regarding the stone culvert and the water that flows through it.

Mr. Burchard stated that the water flows through the culvert and a proposed arch culvert to receive the water which then flows into the overall area.

Mr. Kranz asked if the arch culvert will be able to support construction trucks going over it.

Mr. Burchard stated that it will but to give the arch the appropriate cover to support the weight of trucks and to meet stream crossing regulations the driveway had to be elevated a few feet.

The entire project is within the estimated habitat. Oxbow Associates surveyed the project in coordination with Natural Heritage and found turtles nesting under the power lines. Natural Heritage issued a no-take for the project and requested a Conservation Restriction be placed on the site on all undistributed areas.

Chairman Tillotson asked for information on the details of the wall, supports for the driveway.

Mr. Burchard the walls are located at the front as it is very steep coming in from Washington Street. Mr. Burchard went over the details of the supports for the driveway. Some of the walls will be up to 9 feet with guardrails in place. Mr. Burchard went over the stormwater management items along the driveway which include a tree box culvert and detention basins.

Mr. Burchard went over the details of the plans for the solar panels which include pole line to the solar panels, concrete pads, and transformer type devices. Mr. Burchard went over the gate and hydrant location and the location of the future residential lot. The residential lot is not part of the project and will have a separate filing with the Conservation Commission but was part of the Natural Heritage filing. Mr. Burchard went over the details of the forced main for the water and stated that they made accommodations for fire trucks and stated that there will be no lights on site.

Chairman Tillotson thanked Mr. Burchard for the details he provided on the plans and stated that the plans will be reviewed at the Conservation Commission later this week.

Mr. Archambault stated that the Board needs to review the issue of tree topping, which the Conservation Commission is also discussing, and the Board may want to discuss as well.

Mr. Burchard stated that if the tree topping is a permitting item for the Board, he would like to review it with them.

Chairman Tillotson stated that the issue of tree topping will be discussed with the Conservation Commission; he would like to see what they will do about the issue.

**At 7:06 PM Mr. Jonathan Kranz made a motion to continue the Amended Site Plan for Ayer Solar II. Mr. Nathan King seconded. No discussion. Vote to approve: Mr. Jonathan Kranz, aye, Mr. Nathan King, aye and Chairman Tillotson, aye.**

**At 7:07 Mr. Ken Diskin returned to the meeting.**

### **Old Business**

#### **Discussion 66 Westford Road**

Mr. Archambault informed the Board that he received an update from Oak Consulting Group on the construction of the property and the changes that have been made to the site. There have been several changes to the site, all seen as minor, that have been sent to Dan Van Schalkwyk. Mr. Van Schalkwyk sent a memo stating he reviewed the plans and did not see any issue with the minor changes. Mr. Archambault stated that the approved plans showed five windows facing Westford Road and the constructed building has only two windows. He asked the Board if they wanted to see more windows put on the side of the building to match the plans or leave the building as it is.

Mr. Jonathan Kranz stated if the issue was with aesthetics then instead of asking for more windows could there be more landscaping to make the front of the building look better.

Mr. Archambault stated that a planting plan was submitted with the original site plan.

### **Global Montello**

Mr. Archambault informed the Board that as part of the Site Plan approval, Global Montello will conduct a traffic count to see if a turn lane is necessary. The count will take place this Wednesday and Thursday.

### **Minutes from August 25, 2020**

**At 7:31 PM Mr. Jonathan Kranz made a motion to approve the minutes from August 25, 2020 as presented. Mr. Nathan King seconded. No discussion. Vote to approve: Mr. Ken Diskin, aye, Mr. Nathan King, aye, Mr. Jonathan Kranz, aye, and Chairman Tillotson aye.**

### **Meeting Adjournment**

**At 7:42 PM Mr. Jonathan Kranz made a motion to adjourn. Mr. Nathan King seconded. Vote to approve: Mr. Ken Diskin, aye, Mr. Jonathan Kranz, aye, Mr. Nathan King, aye, and Chairman Tillotson, aye.**

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Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

*Approved 10/27/2020*

Planning Board Approval 10/25/2020  
Date

Planning Board Chairman (Geof Tillotson)

A handwritten signature in black ink is written over a horizontal line. The signature is stylized, starting with a large, sweeping curve that extends to the right and then loops back down. The name 'Geof Tillotson' is written in a cursive-like style.