



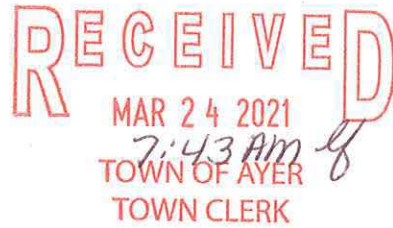
## PLANNING BOARD

### Town of Ayer

1 Main Street, Ayer, MA 01432

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Approved 8/25/2020



#### **Minutes of August 11, 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 Julie M. Murray (all participating remotely)

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

**Absent:** Nathan King

**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. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)**

#### **Discussion: Meeting Procedures**

Ms. Julie Murray expressed concern about how the remote meetings have been conducted and would like to see Robert's Rules followed moving forward.

Chairman Tillotson apologized to Ms. Murray stating the remote meetings have been a challenge and moving forward will try to keep order to the meetings and follow Robert's Rules.

#### **Continued Public Hearing Special Permit 14 Washington Street**

*There was no presentative present*

Mr. Mark Archambault read aloud an email sent by Mr. Kyle Burchard requesting a continuation for both the Site Plan and Special Permit for 14 Washington Street and the Amended Site Plan for Ayer Solar II.

**At 6:21 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 August 25, 2020 as requested by the GPR, Inc. Ms. Julie Murray seconded. No discussion. Unanimous to vote approve. (4-0-0)**

#### **Continued Site Plan Review 14 Washington Street**

**At 6:21 PM Mr. Jonathan Kranz made a motion to continue the Site Plan Review for 14 Washington Street to the next Planning Board meeting on July 28, 2020 as requested by the GPR, Inc. Ms. Julie Murray seconded. Unanimous to vote approve. (4-0-0)**

**Amended Site Plan, Ayer Solar II**

**At 6:22 PM Mr. Jonathan Kranz made a motion to continue the Amended Site Plan Review for Ayer Solar II to the next Planning Board meeting on August 11, 2020 as requested by the GPR, Inc. Ms. Julie Murray. No discussion. Unanimous to vote approve. (4-0-0)**

**Public Hearing, Stormwater Regulations**

*Present (remotely): Dan Van Schalkwyk, Town Engineer and Mark Wetzel, Superintended Department of Public Works*

**At 6:23 PM Mr. Jonathan Kranz made a motion to open the public hearing for Stormwater Regulations. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)**

Mr. Jonathan Kranz read aloud the public hearing notice.

Mr. Dan Van Schalkwyk stated that the Department of Public Works is in the process of updating the Stormwater Bylaw to meet the new State and Federal Regulations and to meet the new MS 4 permit regulations for as built plans and inspections. The proposed updated Stormwater Bylaw is currently under review and will need to be approved at a town meeting.

Mr. Van Schalkwyk gave a brief presentation on the Stormwater Bylaw and Stormwater Regulations. The original Stormwater Bylaw was adopted in 2008 but regulations were never adopted as part of that bylaw. The rest of the presentation went over the changes to the new MS4 permit and the update to the Stormwater Bylaw.

The Board went through the proposed Stormwater Regulations with Mr. Dan Van Schalkwyk section by section.

Chairman Tillotson had a few quick questions regarding the new Bylaw, asking if it will be going to town meeting.

Mr. Van Schalkwyk stated the Bylaw does need to go to town meeting and is hoping to get it on for the fall if the review is completed by then. The proposed Stormwater Regulations before the Board this evening are to go with the current 2008 Stormwater Bylaw and with the approval of the new Stormwater Bylaw that will go to Town Meeting this year revised Regulations will need to be approved by the Board.

Chairman Tillotson asked how the town oversees stormwater enforcement and permitting.

Mr. Kranz also had a question regarding Section B. Stormwater Management Easements on page 10 of the draft regulation.

Mr. Van Schalkwyk stated that easements questions will need to be reworded.

Mr. Mark Wetzel stated that it will need to be clarified in regulations on how stormwater structures will be maintained, now we have both the Town and some that are done privately. In these or in future regulations will need to be listed on how stormwater controls are maintained.

Chairman Tillotson asked if there were an employee in town who oversees stormwater for if the Department of Public works needs help with it.

Mr. Wetzel stated that they are looking to revisiting forming the Stormwater Utility that was passed at a prior Town Meeting but was voted down by the Selectmen. With the new NHDES permits and requirements the town will need to have a revenue stream for the maintenance of all stormwater structures.

The Board continued to go through the draft regulations.

The Stormwater Authority is the Planning Board and the Stormwater Agent is listed a the DPW.

Major Projects will be approved by Planning Board and minor projects will be approved by the Town Planner with direction from the Stormwater Agent.

There were some questions from Mr. Archambault submitted to Mr. Van Schalkwyk prior to the meeting, regarding the definition of major and minor projects. Mr. Van Schalkwyk stated that minor projects will need to be looked at for size.

Chairman Tillotson pointed out that the land clearing limits being 40,000 sq.st. is an acre in size and many of the projects we see now will be smaller so that limit will need to be changed.

Mr. Van Schalkwyk continued to go through the draft regulations including procedures, applications and fees.

Mr. Kranz had a question regarding the fees and the \$.005 per sq. Ft. of lot as listed.

Mr. Van Schalkwyk stated that the fee listed is correct it is not an application fee but a review fee.

Mr. Diskin suggested a flat fee maybe better, due to verifying lot sizes and verifying amounts of work that need to be done on each site.

Mr. Archambault had a comment to add the word "agent" to fees.

Mr. Van Schalkwyk stated that he will look at other towns to see what they are doing for fees.

Mr. Van Schalkwyk continued to go through the draft regulations including surety requirements, public hearings, decisions, and requirements for minor and major plans.

Chairman Tillotson mentioned that there is a Section of Mass State Law listed on page 8 and wanted to verify that the section is correct and has not changed.

Mr. Van Schalkwyk stated that he will verify that it is correct but does not believe it has changed.



Mr. Kranz had a question on Section 12 subsection F on Page 12 regarding the inspection for the system during a storm for effectiveness.

Mr. Van Schalkwyk stated that yes, they will be inspected during a storm to ensure their effectiveness.

Mr. Diskin had a question on final inspections and reports looking to clarify that the as-built plans be stamped by a certified engineer. Mr. Diskin also had concern about major projects having as-built plan submitted 2 years after completion and wanted to see the requirement moved to 2 months.

Mr. Wetzel suggested that the requirement should be closer to 6 months.

Mr. Diskin had a comment under Section 13.A.4 Authority suggesting that the word "agent" be added. He also commented on Section 13.A.5 to remove the word "may" and add a paragraph in Section 7 regarding town management of the stormwater.

Chairman Tillotson asked if language should be added in case a non-profit comes, and fees need to be waived, or wait until the occasion arises.

Board agreed to wait and not add language.

Chairman Tillotson suggested to the Board to read through the revised Regulations with tonight's meeting notes and send any comments to Mr. Van Schalkwyk and Mr. Archambault prior to the next meeting.

**At 7:23 PM Ms. Julie Murray made a motion to continue the Public Hearing for Stormwater Regulations till the next meeting on August 25, 2020. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (4-0-0)**

#### Town Planner Update

Mr. Archambault will email the Board his update.

#### Minutes from July 14, 2020

**At 7:25 PM Mr. Jonathan Kranz made a motion to approve the minutes from July 14, 2020 as presented. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)**

#### Meeting Adjournment

**At 7:25 PM Mr. Jonathan Kranz made a motion to adjourn.  
The Planning Board meeting adjourned at 7:25 PM**

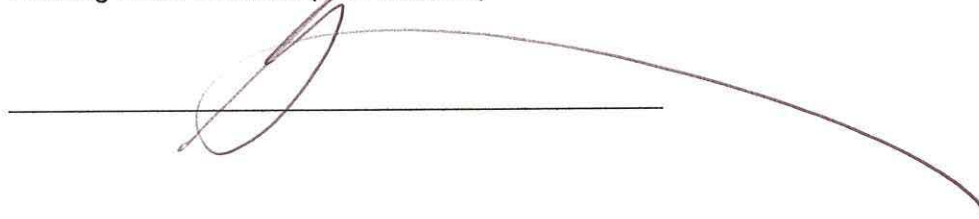
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Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval 8/25/2020

Date

**Planning Board Chairman (Geof Tillotson)**

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