



PLANNING BOARD

Town of Ayer

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Approved 8/24/2021



Minutes of August 10, 2021 - Ayer Planning Board Meeting

Location: First Floor Meeting Room, Ayer Town Hall and via Zoom

Meeting was recorded and broadcast by APAC

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

Also Present: Mark Archambault, Town Planner

Absent: Geof Tillotson, Chairman

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

At 6:15 PM Vice-Chairman Diskin read aloud the notice for in person / zoom meetings as stated on the posted agenda.

General Business

Approve the Agenda

At 6:16 PM Mr. Jonathan Kranz made a motion to approve the agenda as presented. Ms. Julie Murray seconded.

Discussion:

Mr. Mark Archambault stated that an email was sent from Scott Hayes and Foresite Engineering requesting a continuance for 60 Central Ave to the next meeting on August 24th.

At 6:18 PM Ms. Julie Murray made a motion to amend the agenda to have 60 Central Ave first on the agenda. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (4-0-0)

Site Plan Review, 60 Central Ave, MetroWest Company Foresite Engineering

Present: No one present

Vice-Chairman Diskin read aloud the email from Mr. Scott Hayes, Engineer from Foresite Engineering requesting the extension to the next meeting on August 24th.

At 6:20 PM Mr. Jonathan Kranz made a motion to continue the Site Plan Review for 60 Central Ave to the next Planning Board meeting on August 24th as requested. Ms. Julie Murray seconded.

Discussion:

Mr. Nathan King asked if the Board was going to bring up any of the items that have come before then since the last meeting.

Mr. Archambault read aloud a letter from an abutter, Nashoba Valley Transit, which expressed concerns with parking and stormwater coming off the site onto their property across the street. The abutter was present and continued to express concern for parking during construction and after.

**Vice-Chairman Diskin stated that the Board did conduct a site visit last week and will update the Board and abutters about that at the next meeting when the engineer is present.
Unanimous vote to approve continuance. (4-0-0)**

Continued Public Hearing, Stormwater Regulations

Present: Dan Van Schalkwyk, Town Engineer, DPW

Mr. Dan Van Schalkwyk stated that since the last meeting Town Council has reviewed the enforcement section of the Regulations and made only minor comments.

Vice-Chairman Diskin asked if Town Council's review was the only item the Board was waiting for before voting to approve the Regulations.

Mr. Van Schalkwyk stated that the Board went through most of the regulations at the last meeting and were just waiting for Town Council to review the enforcement sections.

Mr. Van Schalkwyk gave a brief background of the regulations for Mr. King, since he was absent from the last meeting.

Vice-Chairman Diskin asked if two votes were needed since there are two separate sections to the regulations.

Mr. Van Schalkwyk stated that two votes were probably best.

At 6:38 PM Mr. Jonathan Kranz made a motion to accept the amend Stormwater Regulations Section 2 for the NPDES Phase II as presented at the August 10, 2021, Planning Board Meeting. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve.

At 6:39 PM Mr. Jonathan Kranz made a motion to amended Stormwater Regulations Section 3 for the Illicit Discharge to the Municipal Storm Drain System as presented at the August 10, 2021, Planning Board Meeting. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve.

Discussion, Panther Place Definitive Subdivision

Present: Attorney Alex Parra

Mr. Mark Archambault, Town Planner, stated that Mr. Parra is before the Board to discuss a discrepancy in the Site Plan and Stormwater general conditions as it differs from the subdivision approval. Attorney Parra's concern is with General Condition 9 on both the Site Plan and Stormwater Management Permit that state that the road and utilities will remain private whereas in the Definitive Subdivision approval General Conditions B2. states that the Developer and Homeowner Association will maintain them till the town accepts the roadway.

Attorney Parra stated that he had sent draft language to the Board to make the change to the Site Plan and Stormwater Management approval that would make the General Condition 9 in these decisions read more like General Condition B.2 that will list the developer and HOA as responsible for the road / stormwater, landscaping and snow removal until the town accepts them.

Mr. Archambault stated that he spoke to Administrative Coordinator, Heather Hampson on the matter and asked her to draft a solution to Attorney Parra's comment on the conditions.

Ms. Heather Hampson, Administrative Coordinator stated that she drafted a small change to the Site Plan Approval and Stormwater Management Permit that take some of the language from Attorney Parra's suggestion and the General Condition 9 to make a new General Condition 9. Ms. Hampson stated that General Conditions go from one approval to another with no change and would like to keep any changes to them to a minimum.

Vice-Chairman Diskin read aloud the changes to General Condition 9 as drafted by Ms. Hampson.

Attorney Parra stated that he has no issue with the proposed change.

At 6:56 PM Mr. Jonathan Kranz made a motion to amend General Condition 9 in both the Site Plan approval and Stormwater Management permit to read, "The following facilities and aspects of operation and maintenance of the Development shall remain the responsibility of the developer and thereafter the Homeowners Association, and the Town of Ayer shall not be requested to take responsibility for operation or maintenance until such time the Town accepts the roadway as public : a) All interior driveways and parking areas, b) Storm water management facilities, including detention basins, c) Water drains, pumping and storage facilities, d) Snow plowing, e) Landscaping." Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Town Planner Update

Amended Site Plan, 'Air 22 LLC', 22 Fitchburg Road

Present: Paul Geronimo, Property Owner

Mr. Archambault stated that the owner of 22 Fitchburg Rd, Mr. Paul Geronimo, was at the meeting to present a draft amended Site Plan for 22 Fitchburg Road to see if the Board will allow the changes as a minimal change or require an amended Site Plan approval.

Mr. Paul Geronimo stated that back in 2015 the Board approved a Site Plan for 22 Fitchburg Road. Since then, the Site Plan was amended in 2017 and was extended in 2019 and again last meeting to expire in August of 2023. Mr. Geronimo went over the changes to the plan which will include a smaller pad site to the right of the property that will be pulled further from the road. Mr. Geronimo also stated that the proposed addition onto the existing building will be constructed later than the two pad sites.

Mr. Nathan King expressed concerns with the number of plans given to the Board and wanted to ensure the Board was reviewing and commenting on the correct plan.

Mr. Geronimo showed the Board the revised plan that they are looking to construct.

Mr. King also stated that the proposed drive around the building appears to go over the detention basin and asked for clarification on the section.

Mr. Geronimo will take the plans back to the engineer for clarification.

Vice-Chairman Diskin informed Mr. Geronimo that if he would like to be on the next agenda he would need to get the plans to the Planning Office early next week for the Board to discuss on the August 24th agenda.

Traffic Study

Mr. Archambault stated that he sent the draft traffic study proposal to the Board to review and would like to have all comments back by the end of the day Wednesday so that he can send it out to bid this week. Mr. Archambault also stated that he spoke to Mr. Jeff Thomas, Director for the Parks Department about the beach parking. Mr. Thomas informed Mr. Archambault that the Parks Department keeps records of the number of cars at the beach each day.

Ms. Julie stated that she has not completed her review at this time but wanted to mention the abutters concern about safety on the roadway not just traffic.

Mr. Archambault stated that the study covers more than just traffic impacts to also include pedestrian and traffic safety.

Old Business

Vice-Chairman Diskin stated that he would like to have site visits as a Board of the project approved that are under construction.

New Business

Ms. Julie Murray stated that the Board should be thinking about drafting a Blasting Regulations. Several projects have been before the Board in recent years with abutters concerned about blasting and other types of rock removal measures. Ms. Murray stated that the Board has no control over blasting now and should be looking at other towns to see if there are any regulations on blasting.

Vice-Chairman Diskin stated that he has started to look into different blasting companies to review blasting methods and permitting processes and agrees that there should be some kind of regulation for them in town.

Approval of Meeting Minutes July 27, 2021

At 7:43 PM Mr. Jonathan Kranz made a motion to approve the minutes from July 27, 2021, meeting as presented. Chairman Tillotson seconded. No discussion. Unanimous vote to approve. (3-0-1, Mr. Nathan King abstained)

Meeting Adjournment

At 7:45 PM Mr. Jonathan Kranz made a motion to adjourn. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Approved 8/24/2021

Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval 8/24/21
Date

Planning Board Vice-Chairman (Ken Diskin)

Ken Diskin