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Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249

Minutes for 5/24/2022

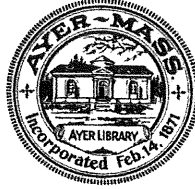
Location: Remote Meeting via Zoom, accessible to public, due to ongoing COVID 19 Pandemic
Present: Jon Schmalenberger (JS, Chair), Mark Phillips (MP, Vice-Chair), George Bacon (GB, Member), Jennifer Amaya (JA, Member), Jessica Gugino (JG, Clerk), Heather Hampson (CA, Conservation Agent)
Also Present, Planning Board: Geoff Tillotson, Chair; Ken Diskin, Jonathan Kranz, Julie Murray, Nathan King, Town Planner Mark Archambault, Heather Hampson

APAC Recorded: Yes

SPECIAL JOINT MEETING WITH THE PLANNING BOARD

6:15 PM – Open Meeting

- The regularly scheduled meeting of the Planning Board was called to order by Chair Geoff Tillotson, with their members confirming the agenda.
- The special joint session of ConCom meeting with the Planning Board was called to order by Chair Jon Schmalenberger, with the agenda similarly confirmed.
- **Purpose**
 - The purpose of the joint session was to review the May 16 draft of “Open Space Residential Development (OSRD) Regulations and Design Guidelines.”
 - This draft is intended for the Planning Board to adopt as a subsection of its subdivision regulations, and provides further clarification of Town of Ayer Zoning Bylaws (revised 2019) Section 10.1, Open Space Residential Subdivisions.
 - The language in the bylaw itself anticipates that regulations will be adopted.
 - Over the course of several months, a working group has prepared this draft.
 - The working group was led by Mr. Archambault and comprised of Mr. Diskin and Mr. Kranz from Planning, and Mr. Schmalenberger and Ms. Gugino from Conservation.
 - The Bylaw specifies that the Planning Board formally prepares written findings of where development may take place and where open space must be preserved on a parcel.
 - OSRD subdivisions must protect a minimum of 50% of a parcel as open space via a Conservation Restriction.
 - These findings are determined “in consultation with the Conservation Commission.”
 - The Commission’s procedure now is to meet with the applicant, review the Conservation Analysis prepared by the applicant, perform a site visit, and prepare a Conservation Recommendation that it then submits to the Planning Board.
 - Regarding Mr. Tillotson’s question, Mr. Archambault said the document would be handed off to the Planning Board without the need for both boards to meet together.
 - At the same time, there is nothing to preclude a joint meeting of both boards should the need arise.



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- **Edits and Discussion Highlights**

- Concept Sketch

- This was discussed at length.
 - On the one hand, the Commission desires to look at an OSRD parcel, in order to evaluate high and low conservation priorities, without knowing beforehand the developer's layout plan, so as not to be influenced.
 - On the other hand, developers usually start the process with some idea of what they want to do and where, and some felt this would be useful to have in order to allow discussion between the Town and the applicant to begin.
 - Mr. Diskin said that, while ideally there should be no plans whatsoever, the idea of a concept sketch was a realistic compromise to get to a discussion point where negotiations can take place.
 - Once it was understood that the concept sketch should be very minimal, showing the rough envelope within which the developer would like to build – but no level of detail that includes lot layouts, roads, driveways, etc. – then there was general agreement.
 - To clarify things further, the definition for concept sketch on p. 2 was amended to state clearly that the sketch is not to include definitive details as specified above.
 - It was also noted that no matter how clear the wording appears to be, developers are always going to try to read it differently in light of their own plans and agenda.

- Traffic

- Mr. Tillotson noted that traffic was mentioned in three places in the document, but not under “public services” on page 6.
 - However, it was then realized that traffic is itself not a public service , unlike roadways.
 - Traffic is also handled adequately in the subdivision regulations, of which these OSRD regulations would be a subset.
 - In addition, Mr. Tillotson pointed out that there are two ways of studying traffic issues – as “management” and as “impact.”

- Conservation Analysis

- The 18 submittal requirements, pages 7-9, were found to be complete and in good order.

- Flag lots

- Mr. Tillotson observed that, because of different layout requirements, OSRDs can return approximately 3 times more tax revenue than standard subdivisions.

- Powerline easement

- The degree to which this land can be counted, or not counted, in the computation of minimum required open space was understood to be unique to each development situation and to be determined accordingly.



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- **Next Steps**
 - The next step is for the Planning Board to hold a Public Hearing.
 - Ms. Hampson said the final draft of the document has to be available to the public when the legal notice is posted and run in the newspaper.
 - Mr. Archambault said he would have a final draft, incorporating tonight's edits, ready on the following day.
 - Mr. Kranz moved that the Planning Board hold a Public Hearing on June 14 to review the OSRD regulations and guidelines; Mr. Diskin 2nd.
 - Motion approved unanimously by Roll Call Vote 5-0 by members of the Planning Board.
- **7:35 PM – Conservation Commission Adjourns from Planning Board Meeting**
 - GB moved to adjourn; MP 2nd.
 - Motion approved unanimously by Roll Call Vote 5-0.

Minutes Recorded and Submitted by Jessica G. Gugino, Clerk

Date / Signature of Approval: _____

6/9/2022 *Jessica G. Gugino*