



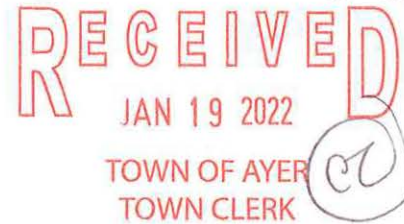
## PLANNING BOARD

### Town of Ayer

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Approved 12/14/2021



#### Minutes of November 9, 2021 - Ayer Planning Board Meeting

Location: via Zoom

Meeting was recorded and then broadcasted on APAC

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

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

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

At 6:15 PM Chairman Tillotson read aloud the notice allowing for remote participation 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:

At 6:17 PM Mr. Ken Diskin made a motion to move the discussion on Stratton Hill to after the Site Plan review for 99 Fitchburg Road.

Chairman Tillotson mentioned that he would like to see the discussion on consultants removed from the agenda as the abutters have not been notified that the project would be discussed this evening and wait to have the discussion till the December 14, 2021, when the item will be discussed again.

Mr. Jonathan Kranz seconded, Mr. Diskin's motion. Vote to approve by roll call vote: Ms. Julie Murray, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye

At 6:20 PM Chairman Tillotson made a motion to remove the discussion on consultants for Stratton Hill from the agenda. Mr. Ken Diskin seconded.

##### Discussion:

Mr. Archambault stated that he felt it was fine to discuss consultants for the Stratton Hill project without the public present and mentioned that it was discussed at the last meeting, there would be a discussion on consultants this evening.

Chairman Tillotson stated that he wants to remain as transparent as possible with the residents regarding this and every project.

Mr. Nathan King stated that the item was on the agenda so the public did have notice, he mentioned that he did not want to see the discussion wait till December 14<sup>th</sup> and asked if it was possible to hold the discussion at the November 23<sup>rd</sup> meeting.

Mr. Jonathan Kranz stated that he felt that it is necessary to have the discussion on consultants before the December 14<sup>th</sup> meeting.

At 6:28 PM Chairman Tillotson withdrew his motion and requested that the discussion on the consultants be added to the November 23<sup>rd</sup> agenda. Mr. Jonathan Kranz seconded. No discussion. Vote to approve be roll call vote: Ms. Julie Murray, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye

At 6:29 Mr. Ken Diskin made a motion to approve the agenda as amended. Mr. Jonathan Kranz seconded. No discussion. Vote by roll call vote: Ms. Julie Murray, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye.

Covenant and Bond Releases – None

Continued Public Hearing, Definitive Subdivision, Wright Road Stratton Hill

Continued Public Hearing, Stormwater Management Permit, Wright Road, Stratton Hill

Continued Site Plan Review, Ayer Zoning Bylaw Section 9.6, Land Clearing and Grading, Wright Road Stratton Hill

*Present: There were no applicant representative present at the time of the meeting*

Mr. Archambault stated that the Planning office received a letter from Attorney Bob Collins requesting a continuance to the Planning Boards first meeting in December.

Mr. Nathan King read into the record the letter sent by Attorney Bob Collins.

At 6:30 PM Mr. Jonathan Kranz made a motion to continue the Public Hearing for the Definitive Subdivision, Stratton Hill on Wright Road to the Planning Boards next meeting on November 23 ,2021. Ms. Julie Murray seconded. No discussion. Vote by roll call vote: Ms. Julie Murray, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye.

At 6:31 PM Mr. Jonathan Kranz made a motion to continue the Public Hearing for the Stormwater Management Permit for Stratton Hill subdivision on Wright Road to the Planning Boards next meeting on November 23, 2021. Ms. Julie Murray seconded. No discussion. Vote by roll call vote: Ms. Julie Murray, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye.

At 6:31 PM Mr. Jonathan Kranz made a motion to continue the Site Plan Review for Stratton Hill off Wright Road to the Planning Boards next meeting on November 23, 2021. Ms. Julie Murray seconded. No discussion. Vote by roll call vote: Ms. Julie Murray, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye.

ANR 99 Fitchburg Rd

*Present: Mr. Chris Tymula, from Greenman-Pedersen, Inc.*

Mr. Archambault asked Mr. Chris Tymula review the ANR plan with the Board.

Mr. Chris Tymula went over the proposed ANR plan with the Board that will consolidate the three lots, lot 5, lot 6 and lot 7 into one parcel.



Mr. Archambault stated that he reviewed the plan and sees no issue with the Board voting to endorse the ANR plan.

Chairman Tillotson asked the Board members for their comments on the proposed ANR plan.

Mr. Ken Diskin mentioned to those residents present that under the Subdivision Control Law the Board is allowed to approve the ANR plan which is stated in the plan notes.

Mr. Nathan King asked the Board if they wanted to see the note changed regarding the size of the lot needing to be 120,000 sq.ft. as it is stated in the bylaw even though it is a mistake and is really 20,000 sq.ft.

Mr. Archambault stated the Board would be voting to endorse the plan to consolidate the 3 lots and minimum lot size in the use table of the Bylaw is a misprint and should not affect the endorsement of the ANR plan.

Chairman Tillotson agreed with Mr. Archambault that the note about lot size should not be changed it should be left as it is stated in the Bylaw. Chairman Tillotson did note another minor error on the ANR plan with the locus and requested that the Board vote to endorse the plan this evening and will sign the corrected plan once received in the Planning office.

**At 6:42 PM Mr. Jonathan Kranz made a motion to endorse the ANR plan for 99 Fitchburg Road as amended. Ms. Julie Murray seconded. No discussion. Vote by roll call vote: Ms. Julie Murray, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye.**

**Continued Site Plan Review, 99 Fitchburg Rd.**

*Present: Mr. Chris Tymula and Robert Bollinger from Greenman-Pedersen, Inc. as well as several area residents.*

**At 6:45 PM Mr. Jonathan Kranz made a motion to open the continued site plan review for 99 Fitchburg Road. Mr. Ken Diskin seconded. No discussion. Vote by roll call vote: Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye.**

Mr. Mark Archambault went over the items listed in his report for the Board to go over and act on this evening including the waiver request for the driveway width. Mr. Archambault mentioned that the Board has received revised plans for the site and that Mr. Tymula should go through the changes to the plans which include a new landscaping plan with screening shown on site, notes stating that trucks will be limited to access the site from Fitchburg Road, additional striping on the roadway for traffic control as well as the Stormwater Management permit which will have a public hearing at the next meeting on November 23<sup>rd</sup>. Mr. Archambault also mentioned that at the last Land Use meeting it was discussed with the Building Commissioner and the Fire Chief to issue a new address for this location.

Mr. Chris Tymula from Greenman-Pedersen, Inc., shared the updated plans with the Board and those present. Mr. Tymula went over the changes to the plans that included the addition of a full landscaping plan, as well as a 20-foot apron at the driveway. The project will have 2 30,000-gallon tanks on site that will have a chain link fence around them which the company feels meets safety and screening concerns. Mr. Tymula mentioned that the Stormwater Management Permit application has been submitted. Mr. Tymula mentioned that he has also submitted a traffic letter with vehicle numbers for the facility.

Chairman Tillotson requested that additional plantings be added on the street side of the tanks to provide additional screening.

Mr. Tymula stated that he can add the additional plantings if the Board wishes.

The Board held a discussion regarding the truck traffic on leaving the facility and the additional signage and striping that will be added to the property to keep trucks from turning left and driving down Groton Shirley Road.

There were several area residents present at the meeting all of which expressed concerns regarding vehicle traffic on Groton-Shirley Road.

Mr. Robert Bollinger, from Greenman-Pedersen, Inc. gave a run through of the traffic letter submitted and the number of vehicles that will be going to and from the site. Mr. Bollinger stated that the larger tanker trucks will be entering the facility from Fitchburg Road and will be around 2-3 trucks per week. The smaller bobtail delivery trucks which will be around 8-9 trucks per day will be instructed to use Fitchburg Road and there will be signage at the driveway pointing truck to the right leaving the property. Only trucks making deliveries on Groton Shirley Road will be traveling left from the property.

**At 8:23 PM Mr. Ken Diskin made a motion to grant the waiver to Section 9.1.5.B.1 for driveway width as requested. Mr. Jonathan Kranz seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Nathan King, aye; Mr. Jonathan Kranz, aye; Ms. Julie Murray, aye and Chairman Tillotson, aye.**

**At 8:25 PM Mr. Jonathan Kranz made a motion to continue the Site Plan Review for 99 Fitchburg Road to the next Planning Board meeting on November 23, 2021. Mr. Nathan King seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Nathan King, aye; Mr. Jonathan Kranz, aye; Ms. Julie Murray, aye and Chairman Tillotson, aye.**

#### **Town Planner Update**

Mr. Archambault reminded the Board that they wanted Mr. Glen Eaton from MRPC to attend an upcoming meeting and suggested that the next meeting on November 23<sup>rd</sup> would be a good time.

Chairman Tillotson stated that Mr. Eaton would be traveling then and suggested that he come to the December 14<sup>th</sup> meeting instead.

Mr. Archambault also mentioned that the architect to the high school field project contacted the office looking for deadline information for submitting the site plan.

Ms. Heather Hampson, Administrative Coordinator, asked the Board if they would consider a wavier for the public hearing notice requirement and the abutter notification since this is a town project.

The Board held a brief discussion on the matter of waiving the public notice requirement.

Chairman Tillotson stated that even through it is a town project it is important the public be notified and will not waive the requirements.



**Approval of Meeting Minutes October 12, 2021**

At 8:34 PM Mr. Jonathan Kranz made a motion to approve the minutes of the October 12, 2021, as presented. Ms. Julie Murry seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Nathan King, aye; Mr. Jonathan Kranz, aye; Ms. Julie Murray, aye and Chairman Tillotson, aye.

**Approval of Meeting Minutes October 26, 2021**

At 8:37 PM Mr. Jonathan Kranz made a motion to approve the minutes of October 26, 2021, as presented. Ms. Julie Murray seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Nathan King, aye; Mr. Jonathan Kranz, aye; Ms. Julie Murray, aye and Chairman Tillotson, aye.

**Old Business**

**Project updates**

Chairman Tillotson mentioned that he would like to have an update on some previously approved projects at the next meeting along with a site visit. Chairman Tillotson asked Mr. Archambault to give an update at the next meeting during his Town Planner report.

**Airbnb/Short Term Rentals**

Chairman Tillotson gave a brief presentation on all the information he has found on short term rentals, including Mass. General Law Chapter 337 Acts of 2018 on short term rentals. Chairman Tillotson went over the highlights of the act which allows each city and town to set out a permitting process and zoning as well as number of days allowed to rent and additional local taxes.

Chairman Tillotson stated that there is a lot to review but would like to bring a bylaw for short term rentals to the Fall Town meeting next year.

**Majority Vote change**

Mr. Diskin asked Mr. Archambault to look into the change in Zoning vote that no longer require a two-thirds vote and now require a majority vote. Mr. Diskin stated that this information will be important for future town meetings.

**Meeting Adjournment**

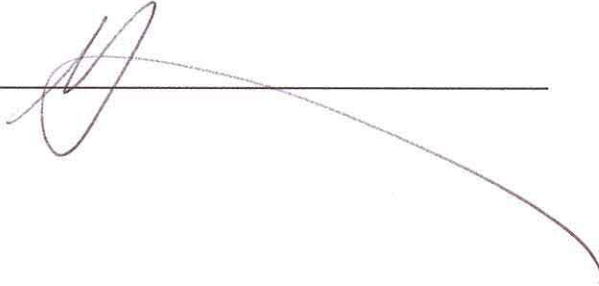
At 8:55 PM Jonathan Kranz made a motion to adjourn. Ms. Julie Murray seconded. No discussion. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Nathan King, aye; Ms. Julie Murray, aye; Mr. Jonathan Kranz, aye and Chairman Tillotson, aye.

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Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval 1/15/22  
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 loop and a long, sweeping tail that extends to the right.