

## PLANNING BOARD

### Town of Ayer

1 Main Street, Ayer, MA 01432

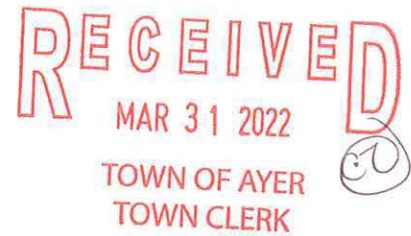
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Approved 5/12/2021

#### Minutes of April 27, 2021 - Ayer Planning Board Meeting

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

Meeting was recorded and broadcast by APAC



**Members Present:** Geof Tillotson, Chairman; Ken Diskin, Vice Chairman; Jonathan Kranz, Clerk; Julie Murray (Ms. Murray left the meeting at 6:55PM) and Nathan King (Mr. King arrived at 6:32PM) (all participating remotely)

**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 COVID-19 Emergency Order from Governor Baker allowing for remote participation meetings.**

#### 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. No discussion. Vote to approve by roll call vote: Mr. Nathan King, aye; Ms. Julie Murray, aye; Mr. Jonathan Kranz, aye; Mr. Ken Diskin, aye, and Chairman Tillotson, aye.**

#### Review, Shaker Road Subdivision Plan

*Present: Alan Shocket, Attorney for Mr. Daniel Aho*

Mr. Mark Archambault stated that Attorney Shocket has drafted a covenant for the Board to review and a Form H which details the cash escrow account. Mr. Archambault stated that he has reviewed the documents and from a Planning standpoint they look fine but has sent them to Town Council to review.

Attorney Shocket stated that the roadway is under construction now with a plan to build the road and sidewalk to binder coat and install the water and sewer lines before placing the cash bond in escrow for the town. As mentioned at the last meeting Mr. Aho would like to construct two model homes on site. Once approved the covenant will be recorded. The DPW will do their normal inspection of the project and give a cost average for completion of the project and Mr. Aho will place a cash bond in escrow with the town of 1.5 times the amount the DPW gives.

The Board had a brief discussion regarding the proposed model homes.

Mr. Diskin stated that he is not ready to vote on a motion this evening on the proposed covenant and surety stating that he would like to hear from Town Council and the Town Treasurer before voting to ensure the forms are complete.

The decision will be continued to the next meeting on May 12, 2021.

**Public Hearing – Special Permit, 1 Nemco Way, Catania Spagna Oils**

**Site Plan Review, 1 Nemco Way, Catania Spagna Oils**

*Present: Paul Chisolm and Bridget Souza from Keach-Nordstrom Associated, Inc. Joseph Basile, Scott Whitney and Dan Brackett from Catania.*

**At 6:40 PM Mr. Jonathan Kranz made a motion to open the continued public hearing for the Special Permit for 1 Nemco Way Catania Spagna Oils. Ms. Julie Murray seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye; Ms. Julie Murray, aye and Chairman Tillotson, aye.**

**At 6:41 PM Mr. Jonathan Kranz made a motion to open the continued Site Plan Review for 1 Nemco Way Catania Spagna Oils. Ms. Julie Murray seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye; Ms. Julie Murray, aye and Chairman Tillotson, aye.**

Mr. Paul Chisolm stated that since the last meeting the plans and stormwater report had been revised as well as additional information had been given to Mr. Archambault regarding the Aquifer Protection District.

Mr. Chisolm went over the revised plans in detail with the Board, as well as the existing site and proposed construction as part of the Site Plan. Mr. Chisolm stated that the proposed work is with the Aquifer Protection District which requires it to get a Special Permit from the Planning Board. Mr. Chisolm mentioned that the DPW requested more details on the stormwater system which were added to the plans.

Mr. Chisolm read aloud to the Board the comment letter from DPW dated today, April 27, 2021.

Mr. Chisolm continued to go through the details of the plan including changes to the parking areas, grading on site, utilities, and landscaping.

Mr. Diskin asked if an additional transformer would need to be added to the site for the building addition.

Mr. Scott Whitney from Catania stated that the power for the new building will come from the existing service.

Ms. Bridget Souza showed the Board some examples of other stormwater projects like the proposed as requested at the last meeting.

Mr. Scott Whitney informed the Board that today they conducted an onsite investigation into the forced main. The DPW's main concern is the location of the forced main. Mr. Dan Van Schalkwyk, Town Engineer, was present for the investigation. Mr. Whitney went over the information that was discovered today, stating they think they were able to locate the force main which is on the property.



Mr. Chisolm stated that the Conservation Commission voted to issue an Order of Conditions at their meeting on May 12<sup>th</sup>, pending the issuing of a DEP number.

Mr. Jonathan Kranz asked if the discovery of the location of the force main change the plans on the project at all.

Mr. Whitney stated that the location of the main makes the project more difficult but does not affect the plans, things might change if Nasoya does any additions on their building.

**At 7:29 PM Mr. Jonathan Kranz made a motion to continue the Public Hearing for the Special Permit for Catania Spagna Oils to the next Planning Board meeting on May 12, 2021. Mr. Ken Diskin seconded. No discussion. Vote to approve by roll call vote: Mr. Nathan King, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye and Chairman Tillotson, aye.**

**At 7:30 PM Mr. Jonathan Kranz made a motion to continue the Site Plan Review for Catania Spagna Oils to the next Planning Board meeting on May 12, 2021. Mr. Ken Diskin seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Nathan King, aye; Mr. Jonathan Kranz, aye and Chairman Tillotson, aye.**

**Discussion, Peter DeCarolis and Paul Alphen, John Carroll Reserve Subdivision**

*Present: Paul Alphen, Attorney and Peter DeCarolis, owner and Nicholas Pauling from GPR, Inc.*

Mr. Archambault stated that the revised plans for the subdivision showing most of the house lots having full foundations rather than the originally approved slabs was reviewed by the Department of Public Works and we received their comment letter on April 23, 2021. The DPW stated in their letter that they are fine with the changes from slab to full foundations stating it will not change the stormwater calculations on the site.

Mr. Nicholas Pauling stated that he also received the letter and there were a few comment within the letter that he wanted to assure the Board will be addressed on site.

Mr. Archambault stated that he had prepared a motion for the Board for the approval of the change on site.

**At 7:38 PM Mr. Jonathan Kranz made a motion based upon satisfactory review of the proposed grading changes and site work at the John Carroll Reserve, 54 & 56 Littleton Road, by the Ayer Department of Public Works, as reflected in their letter to the Planning Board dated April 23, 2021, and reply to the Planning Board from GPR, Inc. dated April 27, 2021; the Ayer Planning Board FINDS that the proposed grading and site work changes from the original plan, as approved on October 8, 2019, do not rise to the level requiring submittal of an amended Subdivision Plan. The Planning Board requires a Final As-Built Plan be filed with it as soon as possible. Mr. Ken Diskin seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye.**

**Continued Public Hearing – Special Permit 2 Sandy Pond Rd – McDonald’s Drive Thru Reconfiguration**

Mr. Jonathan Kranz read aloud a letter from Bohler Engineering requesting a continuance to the Planning Board Meeting on May 25, 2021.

At 7:41 PM Mr. Jonathan Kranz made a motion to continue the public hearing for the Special Permit for 2 Sandy Pond Road to the Planning Board meeting on May 25, 2021 as requested. Mr. Ken Diskin seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Nathan King, aye; Mr. Jonathan Kranz, aye and Chairman Tillotson, aye.

Site Plan Review, 2 Sandy Pond Rd – McDonald's Drive Thru Reconfiguration

At 7:43 PM Mr. Jonathan Kranz made a motion to continue the Site Plan Review for 2 Sandy Pond Road to the Planning Board meeting on May 25, 2021 as requested. Mr. Nathan King seconded. No discussion. Vote to approve by roll call vote: Mr. Nathan King, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye and Chairman Tillotson, aye.

Continued Public Hearing Special Permit 14 Washington Street

At 7:44 PM Mr. Jonathan Kranz made a motion to continue the public hearing for the Special Permit for 14 Washington Street to the Planning Board meeting on June 22, 2021. Mr. Nate King seconded. No discussion. Vote to approve by roll call vote: Mr. Nathan King, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye and Chairman Tillotson, aye.

Continued Site Plan Review 14 Washington Street

At 7:44 PM Mr. Jonathan Kranz made a motion to continue the Site Plan Review for 14 Washington Street to the Planning Board meeting on June 22, 2021. Mr. Nathan King seconded. No discussion. Vote to approve by roll call vote: Mr. Nathan King, aye; Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye and Chairman Tillotson, aye.

Town Planner Update

None

Old Business

**Harvard Town Line**

Mr. Diskin requested that the Board send another letter to the Town of Harvard Select Board and Town Administrator requesting a copy of the independent survey that was completed at the town line.

Chairman Tillotson stated that he will draft a letter on behalf of Board to send to the Town of Harvard but will check with Mr. Robert Pontbriand, Town Manager, before sending the letter.

At 7:45 PM Mr. Diskin made a motion to send a letter to the Town of Harvard Select Board requesting a copy of the survey that was completed at the town line. Mr. Jonathan Kranz seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye.

Minutes from March 23, 2021

At 7:46 PM Mr. Jonathan Kranz made a motion to approve the minutes from the March 23, 2021 Planning Board meeting as submitted. Mr. Ken Diskin seconded. No discussion. Vote to approve by roll call vote: Mr. Nathan King, aye; Mr. Jonathan Kranz, aye; Mr. Ken Diskin, aye and Chairman Tillotson, aye.

Minutes from April 13, 2021

At 7:47 PM Mr. Jonathan Kranz made a motion to approve the minutes from the April 13, 2021 Planning Board meeting as submitted. Mr. Ken Diskin seconded. No discussion. Vote to approve by roll call vote: Mr. Ken Diskin, aye; Mr. Jonathan Kranz, aye; Mr. Nathan King, aye and Chairman Tillotson, aye.

Meeting Adjournment

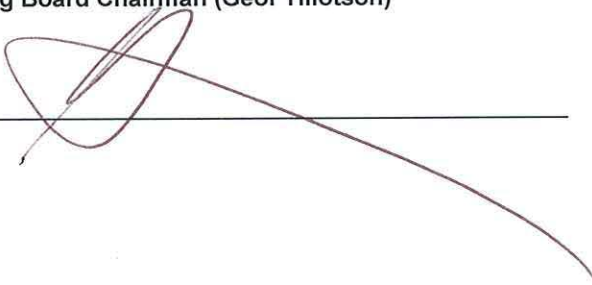
At 7:48 PM Mr. Jonathan Kranz made a motion to adjourn.

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Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval 5/21/21  
Date

Planning Board Chairman (Geof Tillotson)

A handwritten signature in dark ink, consisting of a large, stylized loop followed by a long, sweeping horizontal stroke that extends to the right.