



PLANNING BOARD

Town of Ayer

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Minutes of October 25, 2022 - Ayer Planning Board Meeting

Location: First Floor Meeting Room, Ayer Town Hall

Meeting was recorded and then broadcasted on APAC

Members Present: Jonathan Kranz, Chairman, Ken Diskin, Vice Chairman(arrived at 6:20 PM); and Geof Tillotson, Clerk, Julie Murray and Nathan King

Also Present: Mark Archambault, Town Planner and Robert Pontbriand, Town Manager

Chairman Kranz called the meeting of the Planning Board to order at 6:15 PM.

General Business

Approve the Agenda

At 6:15 PM Mr. Geof Tillotson made a motion to approve the agenda as amended to add the convent/bond release. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Covenant Bond Release – Riley Jane Farm, Pleasant Street Extension

Present: C.J. Moore, owner/developer

Chairman Kranz asked Mr. Moore if he received the memo from Department of Public Works Director, Dan Van Schalkwyk, from October 25th regarding his recommendation to release the surety the town holds but withhold \$5,000 in escrow for the planting of the grass that will take place in the spring and asked if he was fine with the condition.

Mr. Moore stated that he saw the memo and had no issue with the amount to be withheld.

At 6:17 PM Ms. Julie Murray made a motion to act on a recommendation stated in the October 25, 2022, memo from DPW Director, Dan Van Schalkwyk, to allow for the surety reduction for Riley Jane Farm Phase II. Mr. Geof Tillotson seconded. No discussion. Unanimous vote to approve. (5-0-0)

At 6:17 PM Mr. Geof Tillotson made a motion to table the discussion on the Ayer Pocket Forest Program to later in the meeting. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (5-0-0)

Continued Public Meeting, Stratton Hill Preliminary Subdivision Plan

Present: Mark Philips and Jess Gugino, Ayer Conservation Commission

Mr. Mark Archambault mentioned that in following the Open Space Bylaw the Conservation Commission submits a Conservation Recommendation to the Board in which the Board will make findings on, stating that this is all part of the Open Space Residential Subdivision Development process.

Chairman Kranz mentioned that the Conservation Recommendation is to review the property and label high, medium and low areas for development and is a recommendation to the Board and priority is prospective and at no point is this a recommendation to what is important or not.

Conservation Commission Member Mark Phillips gave an overview on the three High priority habitat areas and the Commissions process in looking at the property. The Commission went out and conducted site walks on the property and looked at the overall property as three different segments, one being the previous disturb areas, the area north of the powerline right of way mentioning that the right of way creates a unique feature on site with its own habitat and trail system in the area. With the other being the area to the right of the existing roadway leading down to Long Pond to try and keep the pond as pristine as possible.

Chairman Kranz expressed that he felt the recommendation was hard to understand as it appears to have no Low priority land listed only High.

Mr. Archambault mentioned that on page 3 listed the highest priority areas.

Chairman Kranz asked if the Commission took into consideration the work/maintenance National Grid is allowed to do within the right of way by right.

Mr. Philips mentioned that they did consider that.

Mr. Archambault asked if there was any input the Commission could give on turtle mitigation.

Mr. Phillips stated that over the years the Commission has received information from different agencies and or from different developments within town. These include on how to develop sites with turtles in mind including sloped curbing instead of the traditional straight granite curbs and fencing.

Mr. Tillotson stated that he agrees with Mr. Philips and the Commission on the idea of curbing within the subdivision and possibly have no curbing at all.

Chairman Kranz mentioned that out of the three High priority areas listed in the Conservation Recommendation he is least concerned with the slope to Long Pond since the new plans show development pulled away from the area and the remaining issue would be stormwater structures that we can work with the developer to pull that area from that area.

Ms. Jess Gugino stated that she disagrees and sees concern if there would be any clearing within the area.

Ms. Heather Hampson, Conservation Agent, stated that the recommendation was drafted before the plans were revised and in keeping the High priority area listed as the slope to Long Pond reminds the developer the importance of keeping this area persevered. Ms. Hampson also clarified the importance of the powerline right of way as a wildlife coordinator that leads to Long Pond and wanted the Board to understand that with development above the powerlines increases the possibility of animal fatalities which only increase with the number of houses allowed to be built north of the powerlines.

Mr. Philips mentioned there is also delivery vehicles to consider when looking at houses built north of the powerlines not just homeowners.

Chairman Kranz asked is anyone knew of any other subdivision that has powerlines that divide the development.

Mr. Diskin mentioned that the is one along Westford Road up to Loon Hill Road where there is a subdivision.

Mr. Diskin wanted to go back to the curb, mentioning that during all the discussions it was mentioned to find away reduce road length, curbing, and stormwater on site and wanted to thank the Commission for all their work on their recommendation.

Chairman Kranz wanted to thank the Commission for all the work that went into the Recommendation.

Mr. Diskin wanted to mention that the plans listed in the Recommendation are from June, 2022 shows the amount of work and time that went into drafting the Recommendation which was based on the Plans that were available to the Commission at the time. Mr. Diskin mentioned that everyone is aware of the sensitive nature of this property and will work on how the project will look and will be developed to keep all the sensitive items in mind.

Chairman Kranz asked about the line on page four listing an additional ecological survey and wanted to know that the Commission thought the new survey would show.

Ms. Gugino mentioned that this was in regard to the Conservation Analysis submitted being subpar which was mentioned by the Commission's consultant. Ms. Gugino mentioned that there was little turtle data submitted for Ayer, but after meeting with Natural Heritage and their lack of concern with that data for the area makes this less of an issue.

Mr. Tillotson mentioned that the report when it was drafted 15 plus years ago may have been sufficient for the time but appreciate the meeting with Natural Heritage to review the report and concerns with the project.

Ms. Gugino also mentioned that over the 15 years since the site was first cleared there has been changes to the site including some habitat area north of the loop road, through the revised plans have shown the road moved further south. Ms. Gugino mentioned that the Board should look at the area when the final plans come in to see what if anything is proposed in the area.

Chairman Kranz mentioned that when the Board looks further into the development of the property the Board may ask to restore some of the previously disturbed area which may cause more harm than good and wanted to know the Commission thoughts on it.

Mr. Diskin mentioned that the Board can hire a consultant to review the items for best practices for those items.

Mr. Philips mentioned that if the development is to go North of the powerlines, we have the lots laid out to see if there is anything that is rare or unique on-site worth saving.

Ms. Gugino mentioned that when we talked to Natural Heritage, they mentioned the pile and the turtle nesting, and they did not want to see the turtles nesting there but would suggest restoration for the area.

Mr. Diskin mentioned that under Section 9.6 another permit is needed for tree clearing that will give the Board another look at the trees to be removed on site, but mentioned that due to grading trees may need to be removed.

Ms. Hampson mentioned that as part of the Recommendation it is requested that the Board look at alternatives for stormwater, low impact development strategies to try and limit grading and tree removal.

There was a discussion regarding the limit of work on site and the possible need for removal of new growth and old growth trees on site.

Chairman Kranz mentioned that the Board will not be voting on the Recommendation this evening since the applicant is not there, but this meeting is an opportunity for the Board to ask questions of the Commission members on their Recommendation. Chairman Kranz had a few comments on their listed Recommendation for development to the Board.

Ms. Julie Murray left the meeting at 7:00 PM

The Board and the Commission members had a brief discussion some of the Recommendation's including the elimination of the park/playground and the redistribution of the lots to the south of the powerlines and possibility of multifamily houses.

Mr. Philips mentioned that if development were to take place north of the right of way he would hope that the Board and developer will look at alternatives for the street crossing.

Chairman Kranz opened discussion up to the public for comment.

The Board answered all the questions that were asked by the public including permission from the power company to access under the powerlines and

Ms. Ann Gagnon reminded the Board that the Department of Fish and Game has expressed interest in holding the open space in fee which would reduce the need for a Conservation Restriction.

Mr. Archambault stated that he had spoken with Attorney Collins regarding the process regarding the roadway waiver and have come to the decision that one would need to be requested and will discuss further when the applicant is present.

At 7:26 PM Mr. Geof Tillotson made a motion to accept the Conservation Commission recommendation to the Planning Board dated October 14, 2022, as submitted. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (4-0-0)

At 7:27 PM Mr. Geof Tillotson made a motion to continue the public meeting for the Stratton Hill Preliminary Subdivision Plan to the next Planning Board meeting. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (4-0-0)

Discussion – Pocket Forest Program

Present: Jim Newman from Linnean Solutions

Mr. Jim went over the Pocket Forest Program which is funded by an MVP grant with two communities Ayer and Devens and includes three consulting firms that will assist with planning, planting and design. Mr. Jim went over the details of the three-year plan for the project and what will be done in each year. Mr. Jim informed that the first of the project is funded by the grant and there is at least one site already picked for the first pocket forest.

Mr. Jim went over the project overview and goals which include a kickoff meeting on November 16th and two site walks of the neighborhoods in December, along with other project goals and community engagement items.

The Board had some questions and comments in regard to the pocket forest project including site locations, plantings, maintenance, and construction.

Mr. Jim addressed the Boards comments and concerns.

Town Planner Update

Mr. Archambault the next Planning Board meeting will be on Wednesday November 9th due to elections on Tuesday November 8th.

Mr. Archambault mentioned that included in the Boards packet is the full amended Site Plan application for modifications for 22 Fitchburg Road Site Plan that was previously approved.

Meeting Minutes August 8, 2022

At 8:13 PM Mr. Geof Tillotson made a motion to approve the meeting minutes from the August 8, 2022, meeting as presented with the last few minutes of the meeting missing due to APAC taping issue. Chairman Kranz seconded. No discussion. Vote to approve, 4-0-0.

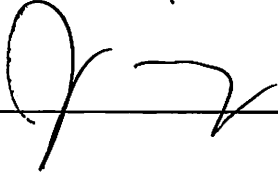
Meeting Adjournment

At 8:23 PM Mr. Geof Tillotson made a motion to adjourn.

Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval _____
Date

Planning Board Chairman (Jonathan Kranz)

 3/17/23