



## PLANNING BOARD

### Town of Ayer

1 Main Street, Ayer, MA 01432

Tel: (978) 772-8220 ext 144 | Fax: (978) 772-3017 | [Planning@Ayer.MA.US](mailto:Planning@Ayer.MA.US)



#### **Minutes of September 8, 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; and Geof Tillotson, Clerk, Julie Murray and Nathan King

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

**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 presented. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (5-0-0)**

#### **Covenant and Bond Releases** – None

Mr. Ken Diskin asked about the status of both Shaker Mill Pond and Curley Circle covenants.

The Board held a brief discussion on the Shaker Mill Pond covenant.

Mr. Mark Archambault will look into the status of both covenants for the Board.

#### **Discussion – Referral to Select Board for Road acceptance and layout for the remainder of Riley Jane subdivision**

*Present: There was no representative present.*

Mr. Archambault mentioned that he spoke to Mr. Dan Van Schalkwyk, Director for the Department of Public Works, and he was hoping to get the Board all the paperwork for the meeting this evening and was unable to. Mr. Van Schalkwyk will be able to get the Board all the items needed to vote on the referral for street acceptance at the next meeting, which will be before the Select Board's next meeting.

Mr. Diskin mentioned that the one concern that he has with the item is that the article will be written before the Board recommends approval to the Select Board in advance of the October 4<sup>th</sup> deadline. Mr. Diskin suggested that in future developers have the project complete or near complete before coming to the town to ask for roads to be accepted.

Chairman Kranz asked Mr. Archambault if developers come to the office prior to requesting street acceptance.

Mr. Archambault stated that the developers go to the Select Board first.

Mr. Geof Tillotson mentioned that Mr. Van Schalkwyk stated at a previous meeting that there would be time to complete the punch list prior to Town Meeting.

Mr. Archambault will invite Mr. Van Schalkwyk to the next meeting if there are any outstanding punch list items.

**At 6:25 PM Mr. Geof Tillotson made a motion to have the street acceptance for Riley Jane subdivision on the next Planning Board meeting on September 27<sup>th</sup>. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (5-0-0)**

**Discussion, potential Bylaw Amendments to West Main Street Form Based Code.**

Chairman Kranz mentioned that Mr. Alan Manorian was unable to attend the meeting this evening but mentioned that the Board could have some discussion this evening.

Mr. Archambault spoke to Mr. Manorian yesterday and he stated that he would still like to have the Board have a warrant article to amend parking requirements in the West Ayer Village Form Based Code district at Fall Town Meeting. Mr. Archambault mentioned that Mr. Manorian agrees with the Board that changing the building height and lot width needs more information before moving forward but feels that changing the parking is important. Mr. Manorian informed Mr. Archambault that the potential developer of the West Main Street area is looking for some kind of assurance from the town on the parking requirements. Mr. Archambault stated that his recommendation is to go forward with Mr. Manorian's Bylaw amendments.

Chairman Kranz mentioned that he and Mr. Nathan King had a discussion on the potential Bylaw amendments that are listed in 9.1.10. Chairman Kranz stated that the section gives the Board incredible flexibility including the parking management plan and the ability to grant waivers for some of the requirements. Chairman Kranz stated that Mr. King thought it would be better to work through a project with a waiver request on the parking rather than a Bylaw change to see how the project would look and work prior to bringing a change to the town for approval.

Mr. Nathan King stated that the Board is discussing the potential Bylaw change due to the developers that are speaking with our town departments. Mr. King mentioned that he hopes that people become less car dependent and would like to see less parking in multifamily development and use more public transit, that is one of the biggest benefits Ayer has is the availability of transit. Mr. King suggested that the Board should be more reserved when they go to Town Meeting for Bylaw amendments specifically for a proposed development and look at what the development is bringing to the town. Regarding parking reduction the Board needs to look at the reasoning for the request and the parking management plan, which the Board can request. Mr. King suggested that once the Board has reviewed and permitted a few Form Based Code projects then the Board would be in a better position to understand and have better language to present at Town Meeting on how parking has been and will be reduced.

Chairman Kranz commented that he agreed with Mr. King about having applicants come to the Board with the parking management plan showing how they will offset parking with bus stops, or other means of transportation that will allow for the reduction in parking.

Mr. Archambault stated that the Board has that already. The West Main Street Village FBC was written with transit in mind, including bus stops, proximity to Devens and other items. Mr. Archambault mentioned that Form Based Code is meant to be descriptive, outlining the basic elements on how the area is developed. Mr. Archambault stated that the Town has these great Form Based Codes on the Bylaw that should be bringing in development into the town and for some reason it is not. With the request to bring the parking to one space per unit, it is a small ask that could bring more development to the area.

Ms. Julie Murray asked if the Board should look for an outside consultant to review the prescriptive Code to see if there is a need to change it. Mr. Murray also asked if anyone has looked at neighboring towns to see if they have implemented a similar one car per unit zoning restriction so the Board could see how it is working for them.

Mr. Archambault mentioned that he can investigate other towns for reference. Mr. Archambault mentioned that the Board should check with Mr. Manoian prior to looking into an outside consultant to review the Code.

Ms. Murray agreed.

Mr. Tillotson mentioned that the potential developer did not do a great job of looking into our Bylaws, and the Board needs to work harder to better educate potential developers of the Bylaws. Mr. Tillotson did state that he would like to look further into changing the parking requirement in the future but is not willing to bring this to Town Meeting now as the potential developer already has a great set of Bylaws to work from.

Mr. Diskin informed Ms. Murray that the Form Based Code and Zoning Bylaw was created by a consultant. Looking at other towns maybe difficult as each town has its own Bylaws and Regulations that are specific to their town and may not be applicable to Ayer. Mr. Diskin any change should be throughout town, including Downtown, as well.

Chairman Kranz mentioned that he also felt that the Board agreed at the last meeting to change the parking in the entire town not just the West Main Village Form Based Code district as Mr. Diskin stated.

Mr. Archambault mentioned that he misunderstood the Board's discussion at the last meeting and didn't want to make an assumption about such a large item as a zoning change for the entire town. Mr. Archambault stated that there was still time if the Board wanted to put forward the Zoning amendment for parking for the entire town at Town Meeting. Mr. Archambault agreed that it may be better to wait to Spring Town Meeting so that there is time to do more research.

Mr. Diskin went over Mr. Manoian's request for West Main Village Form Based Code to clarify what was being requested. Mr. Diskin's suggestion was to have the parking requirement be for one parking space for the entire town no matter the project. Mr. Diskin agreed with Mr. King's comments to look at the proposals on a case-by-case basis.

Chairman Kranz mentioned that Mr. Archambault raised an excellent point that all developers need more clarity on what is allowed. Chairman Kranz stated that on the four plus years he has been on the Board that applicants have always come to the Board to ask for waivers.

Mr. King asked if there was anything the Board needs to do to help potential developers to better understand what they can do and ask for. Mr. King mentioned that he is really hopeful that the town gets developed to its full potential.

Chairman Kranz stated that the town is staffed with professionals that work with applicants on a daily basis to inform them of what they are allowed to construct in town and where. Chairman Kranz also mentioned that there are other departments in town that are aware of any potential issues with development and will also address those if needed.

Chairman Kranz stated that his understanding is that the Board would like to take no action at this time to amend any language in the Bylaw.

Chairman Kranz called a 5-minute recess at 6:55PM

The meeting reconvened at 7:01 PM

**Public Meeting, Stratton Hill Preliminary Subdivision Plan, 35 lots off Wright Road**

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

**At 7:02 PM Mr. Geof Tillotson made a motion to open the continue public meeting for Stratton Hill Preliminary Subdivision Plan. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (5-0-0)**

Mr. Archambault stated that he had a few updates on the status of the project. Mr. Archambault mentioned that he heard from Nitsch Engineering on the traffic study. They did organize additional traffic counts that were conducted the Thursday and Saturday before Labor Day, these counts were conducted by cameras which Mr. Tillotson did see on site those days. Mr. Archambault stated that he hopes that the report by Nitsch is submitted to the Board quickly to review and hopes to have both Nitsch and Vanesse at the September 27<sup>th</sup> meeting to discuss the reports.

Chairman Kranz asked when the extension for decision was granted until.

Mr. Archambault mentioned that the last extension letter was until the end of September.

Chairman Kranz said that an additional extension will be needed since the Board has not reviewed the traffic reports nor has it received the Conservation Commission's Recommendation for this project.

Mr. Archambault mentioned that the Conservation Commission is meeting this evening to discuss the consultant's report this evening and should be able to get the Commission's recommendation by the Board's next meeting.

Mr. Diskin mentioned that he felt that the Conservation Commission should have shared their peer review study conducted by their consultant, BSC Group, prior to the meeting this evening for the Board to review. Mr. Diskin stated that he did review the report from the Conservation Commission packet for the meeting this evening but would like to have a copy of the report as a single document.

Mr. Archambault stated that he will contact the Conservation Agent, Heather Hampson to receive a pdf of BSC Groups report to forward to the Board tomorrow.

Mr. Diskin stated that the report should be on the website for everyone to review as well.

Chairman Kranz asked if the traffic report conducted by the Board's consultant should be discussed this evening.

Mr. Archambault mentioned that the applicant is not present this evening due to another hearing they are attending in another town.

Mr. King asked if the Board would have the traffic report before the next meeting.

Mr. Archambault stated that the Board currently has a list from Nitsch outlining what they feel are discrepancies in Vanesse' report and hopes to have a more detailed analysis by the next meeting which is in three weeks.

The Board had a brief discussion on the traffic report from Nitsch and the schedule of when that will be submitted.

Chairman Kranz opened the meeting to the public for comment.

There were comments regarding site lines to area streets and road conditions and safety. The Board addressed some of these concerns stating that the traffic consultant did note that site lines were missing from the applicant's traffic study; at the next meeting when both traffic engineers are present the item can be discussed.

Mr. Diskin also commented on the abutter concerns with road conditions which at the definitive stage of the project will be discussed with the Department of Public Works.

**At 7:38 PM Mr. Geof Tillotson made a motion to continue the public meeting to the next scheduled Planning Board meeting. Mr. Ken Diskin seconded. No discussion. Unanimous vote to approve. (5-0-0)**

#### **Town Planner Update**

Mr. Archambault stated that he would like to propose a working group over the winter to review Section 9.1 of the Ayer Zoning Bylaws to see if there is any need for improvements to bring to spring Town Meeting.

Mr. King asked about time for the working group stating that there are other items in the Zoning that need to be reviewed including short term rentals and other zoning items. Mr. King suggested that the group look at other zoning items that should be reviewed and find the one(s) that would better serve the Board's time.

Mr. Archambault mentioned that he could draft a list of a few other long-term Zoning items that he will bring it back to the Board for review through a working group.

Mr. Archambault mentioned to the Board that at the first meeting in October Platt Builders will be coming to the Board for a Site Plan Review as they are relocating their business to 109 Central Ave from Groton. They are not proposing any site work and should be only working within the existing building.

Mr. Archambault mentioned that Nasoya will be coming to the Board at later in the year for a Site Plan Review for a building addition.

#### **Minutes from the July 26, 2022 meeting**

**At 7:41PM Mr. Ken Diskin made a motion approve the meeting minutes of the July 26, 2022, meeting as corrected. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (5-0-0)**

#### **New Business**

Ms. Julie Murray asked about Citizen Planner Training Collaborative (CPTC) training courses that are coming up.

Mr. Archambault mentioned that he can forward the email from CPTC with the information on the training courses available.

Mr. Diskin mentioned that there is another association CHAPA (Citizens Housing & Planning Association) that has lots of training especially on affordable housing.

#### **Updates**

Mr. Diskin asked about the Light Industrial District Zoning size change and wanted to know if the state had approved the Zoning Change.

Mr. Archambault will check with the Town Clerks office.

Mr. Diskin also asked if Mr. Archambault start submitting a Planner Project update report to the Board again. The last time the Board received one was back in June of 2021.

Mr. Diskin also asked for an update on Ayer Solar II regarding any revised plans stating that the Conservation Commission has received some draft plans and would like to have those forwarded to the Board as well.

#### **Affordable Housing Trust/Committee update 40b on Fitchburg Road**

Mr. Tillotson mentioned that the Affordable Housing Committee gave the Zoning Board of Appeals a presentation on affordable housing and suggested the Board watch the presentation.

#### **Meeting Adjournment**

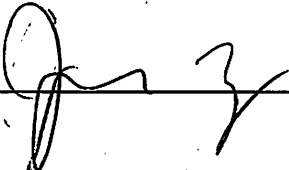
**At 7:54 PM Mr. Geof Tillotson made a motion to adjourn.**

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Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval \_\_\_\_\_  
Date

Planning Board Chairman (Jonathan Kranz)

 3/17/23