



PLANNING BOARD

Town of Ayer

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TOWN OF AYER
TOWN CLERK

Minutes of June 13, 2023 - Ayer Planning Board Meeting

Location: First Floor Meeting Room, Ayer Town Hall, 1 Main Street

Meeting was recorded and then broadcasted on APAC

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

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. Ms. Julie Muray seconded. Mr. Geof Tillotson requested a vote for representative to MRPC (Montachusett Regional Planning Commission) to the agenda.

Unanimous vote to approve. (5-0-0)

Covenant/Bond Release – Riley Jayne Farm

Mr. Geof Tillotson read aloud the letter dated May 10, 2023, from Department of Public Works Director, Dan Van Schalkwyk stating that all the work for Riley Jayne Farm had been completed and recommended to release of \$5,000 being held by the town in escrow.

At 6:16 PM Mr. Geof Tillotson made a motion to release the \$5,000 that is being held in escrow for the Riley Jayne Farm subdivision project as recommended by the Director of the DPW in his letter dated May 10, 2023. Mr. Nathan King seconded. No discussion. Vote to approve, 4-1, Mr. Ken Diskin abstained.

Surety Bond – Shaker Mill Pond Road

Chairman Kranz stated that the Board received a letter from the Mr. Dan Van Schalkwyk regarding the surety amount for Shaker Pond Road subdivision. The check has been received by the office and there is a vote needed to accept the amount of \$60,504.50.

At 6:17 PM Mr. Geof Tillotson made a motion to accept the \$60,504.50 cash bond for the completion of Shaker Mill Pond subdivision as recommended by DPW Director in his letter dated June 8, 2023. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (5-0-0)

Continued Public Hearing – Site Plan, Special Permit and Stormwater Permit for Nasoya Foods USA

Present: There were no representatives present at the time of the hearing.

At 6:18 PM Mr. Geof Tillotson made a motion to open the continued public hearings for Site Plan Review, Special Permit and Stormwater Permit for Nasoya Foods, USA. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (5-0-0)

Chairman Kranz stated that the Board received a letter from Attorney Thomas Gibbons on behalf of Nasoya Foods requesting a continuance till the June 27th meeting along with a continuance for decision till July 25, 2023.

Mr. Tillotson read the letter from Attorney Gibbons into the record.

At 6:20 Mr. Geof Tillotson made a motion to continue the public hearings for Site Plan Review, Special Permit and Stormwater Permit to the next Planning Board meeting on June 27, 2023, as requested. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (5-0-0)

6:19 PM Mr. Ken Diskin recused himself from the meeting.

Continued Public Hearing – Site Plan Modification, Prometheus Power Group, Ayer Solar II, LLC

Present: Rohit Garg, Owner, Cal Goldsmith and Limhuot Tiv, from GPR, Inc., Attorney Adam Costa, and Jim Thorn, Green International (Board's Peer Reviewer)

At 6:20 PM Mr. Geof Tillotson made a motion to open the continued public hearing for Site Plan Modification for Prometheus Power Group, Ayer Solar II, LLC for a solar array project off Washington Street. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

Chairman Kranz went over the expectations for the meeting this evening stating that he would like to focus the meeting on the remaining items that need to be completed and those that they find most important. Chairman Kranz stated that the areas of concern and focus for the project include stormwater, access road/driveway, retaining walls, slopes and the stream crossing. Chairman Kranz mentioned that he would like to take this meeting to address these concerns and create a punch list of items to be completed.

Attorney Costa stated that he agreed with Chairman Kranz with the approach to the meeting and to create a punch list of items to be completed.

Chairman Kranz asked Mr. Jim Thorn from Green International to go over their peer review comments.

Mr. Jim Thorn mentioned that there were several comments regarding the stormwater structures on the site including the tree box filter overflow pipe, slopes for the infiltration basins being greater than 2 to 1, test pit data not included, height of the overflow pipe for basin #2 along with several comments regarding stormwater calculations within the stormwater report.

Mr. Limhuot Tiv addressed all the Mr. Thorn's comments in regard to stormwater with items that have been installed on site and mentioned that a revised set of plans will be submitted along with stormwater calculations to address the other concerns.

Mr. Thorn stated that with the explanation and revised plans and calculations all the stormwater comments should be addressed.

Town Engineer, Matt Hernon was also present for the meeting and had similar comments and questions on the stormwater for the project as Mr. Thorn had. Mr. Hernon agreed that with the explanation of the items on site and revised plans and stormwater calculations it addresses all the stormwater comments.

Mr. Thorn went over a few of his other comments from his peer review of the plans including questions on the guard rail and DOT standards and retaining walls.

Mr. Hout mentioned that the guard rail did not need to meet DOT standards as it is on a private access road not a subdivision or public road.

Mr. Pauling addressed the retaining wall comments stating that the boulder wall was constructed by Sydney Landscaping, and they compacted and placed the boulders during construction. Mr. Pauling mentioned that he will get the plans for the retaining wall to the Board. The plans were made by a third party.

Chairman Kranz mentioned that along with the slope, stormwater and retaining walls the Board would like to discuss the turtle nesting area and the stream crossing.

Mr. Goldsmith stated that the turtle nesting area had been installed by Oxbow Associates.

Mr. Pauling mentioned that the stream crossing will have revised detailed plans that they are still working on and will submit to the Board once completed.

At 8:02 PM Mr. Geof Tillotson made a motion to continue the public hearing for Site Plan Modification for Prometheus Power Group, Ayer Solar II, LLC till the July 11th Planning Board meeting. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)

There was a five-minute recess.

At 8:10 PM the meeting resumed with Mr. Ken Diskin rejoining the meeting.

Approval of Meeting Minutes from December 27, 2022

At 8:10 PM Mr. Geof Tillotson made a motion to approve the minutes from the December 27, 2022 meeting as submitted. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (5-0-0)

Approval of Meeting Minutes from February 14, 2023

At 8:10 PM Mr. Geof Tillotson made a motion to approve the minutes from the February 14, 2023 meeting as submitted. Ms. Julie Murray seconded. No discussion. Vote to approve 4-1, Mr. Diskin abstained.

Approval of Meeting Minutes from February 28, 2023

At 8:11 PM Mr. Geof Tillotson made a motion to approve the minutes from the February 28, 2023 meeting as submitted. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve.

Approval of Meeting Minutes from March 14, 2023

At 8:11 PM Mr. Geof Tillotson made a motion to approve the minutes from the March 14, 2023 meeting as amended. Ms. Julie Murray seconded. No discussion. Vote to approve 4-1, Mr. Geof Tillotson abstained.

Approval of Meeting Minutes from May 15, 2023

At 8:12 PM Mr. Geof Tillotson made a motion to approve the minutes from the May 15, 2023, meeting as amended. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (5-0-0)

New Business – Town Planner Appointment

Chairman Kranz informed that Board that the Select Board appointed Mr. Danny Ruiz as the Town Planner at their last meeting on June 6th for a start date of July 17th.

MRPC Montachusett Regional Planning Commission (MRPC) Representative Appointment

Chairman Kranz mentioned that Mr. Geof Tillotson over the past year has been the Board's representative at MRPC meetings and would like to continue to represent the Board for this coming year.

At 8:13 PM Ms. Julie Murray made a motion to recommend Mr. Geof Tillotson as the representative for the Board to MRPC. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (5-0-0)

At 8:15 PM Ms. Julie Murray made a motion to adjourn the meeting.

Minutes recorded and submitted by Heather Hampson, Conservation Agent

Planning Board Approval _____
Date

Planning Board Chairman (Jonathan Kranz)
