



Town of Ayer
Planning Board

Ayer Town Hall – 1 Main Street – Ayer, MA 01432 – 978-772-8220 x 144

Minutes of March 12, 2024 - Ayer Planning Board Meeting

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

Meeting was recorded and then broadcasted on APAC

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TOWN OF AYER
TOWN CLERK

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

Also Present: Danny Ruiz, 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. Mr. Ken Diskin seconded. Vote to approve the agenda: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.

Public Hearing, Proposed Zoning Bylaw Amendments for April 22, 2024, Town Meeting

At 6:16 PM Mr. Geof Tillotson read aloud the public hearing notice as published in the paper for the four proposed Zoning Bylaw amendments into the record.

Town Planner, Mr. Danny Ruiz, gave the Board a summary of the work that has been completed to get the proposed Zoning Bylaw amendments before the Board this evening. Mr. Ruiz mentioned that at the March 6th Select Board meeting he gave a brief presentation on the proposed changes; the Select Board voted to move the amendments to the Planning Board for public hearing and recommendations. Mr. Ruiz stated that he will give his presentation to the Board giving an overview of the four proposed amendments and then have brief presentations from Charlie Shultz, Building Commissioner/Zoning Enforcement Officer, and Alicia Hersey, Community Development Program Manager, to further explain the need for the proposed amendments.

Mr. Ruiz shared his presentation on the all the proposed Zoning Bylaw amendments first starting with the revised Zoning Map that will include the rezoning of 27 and 29 Harvard Road. Mr. Ruiz mentioned that at prior Town Meetings, through a citizen petition, both addresses were rezoned. The Planning Board had voted and approved a new Zoning Map with the properties rezoned but the new Zoning Map never came back to Town Meeting for approval.

Chairman Kranz stated that the Zoning Amendment for the revised Zoning Map is just a technical issue from prior Town Meetings.

The second proposed Zoning Bylaw Amendment is a modification to Section 320 3.2.A which states the establishment of a Zoning Board of Appeals but does not mention the number of members. The Town

has always functioned with a five-member Board with the opportunity for two alternates. The Proposed change in the Bylaw will state just that and add the proper language listing the number of members.

The third proposed amendment is to Section 320 10.3 Basic Requirements to add a subsection 1 for design requirements under the inclusionary housing section to have all affordable units follow the "Massachusetts Multifamily New Construction Design requirements & Guidelines." This will allow the Planning Board the authority to allow units to meet the State Design Guidelines, which differ than the existing towns' requirements that currently restrict all units to a minimum of 750 square feet.

The fourth and last proposed amendment is to Section 5.2 Table of Use which includes changes to subsection 1.2 Two Family dwellings to make two family units permitted in A-1 and A-2 zones; 1.3 Townhouse or Multifamily dwellings, the change the permitting authority from the ZBA to Planning Board for A-1, A-2 and GB zones; 1.6 to replace apartments with the word dwelling unit to match the definition section of the Zoning Bylaws; and 1.7 to replace "unit" with "units" and reword "ground floor of building" with "the elevation of the building at street level."

Mr. Ruiz stated that the Zoning Bylaw Review Working Group with the help of the Affordable Housing Committee worked to propose these changes to the Table of Use and Inclusionary Housing design requirements to help increase housing types in town and affordability.

Several Board members had some questions and needed some clarification on the proposed amendment to the size requirement under Section 320 10.3.

Mr. Ruiz stated that there are a few presentations from town employees that may help answer some of the Board members' questions.

Building Commission, Charlie Schultz, gave the Board a brief presentation on housing types and sizes and how they compare to a standard single-family dwelling.

Community Development Program Manager, Alicia Hersey, gave a brief presentation to the Board that broke down the trend in housing development in town and surrounding towns, as well as a breakdown of income in the town and the number of residents who are considered low to moderate income for housing.

Ms. Janet Providakes, Affordable Housing Committee Member, thanked everyone that worked on the proposed Bylaw Amendments and the presentations given to explain the need and impact to the Town.

The Board had a brief discussion on the proposed amendments. The Board agreed that amending the unit size would benefit the town and make it more attractive for affordable development. The Board also agreed with the changes in the Table of Use to allow for two family units by right in all residential zones and move multifamily to the Planning Board as they are more likely to need site plan review as well and would limit the need for developers to go to multiple Boards.

At 7:14 PM Mr. Geof Tillotson made a motion to move the Zoning Map Amendments that show the rezoning of 27&29 Harvard Road as presented to the Annual Town Meeting. Ms. Julie Murray seconded. No discussion. Vote to approve: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.

At 7:16 PM Mr. Geof Tillotson made a motion to move the Zoning Bylaw Amendment to Section 320 3.2.A Establishment, to have the section show the makeup of the Zoning Board of Appeals to be five members and 2 associate members as presented to the Annual Town Meeting. Ms. Julie Murray seconded. No discussion. Vote to approve: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.

At 7:17 PM Mr. Geof Tillotson made a motion to move the Zoning Bylaw Amendment to Section 320 10.3 Basic Requirements as presented to the Annual Town Meeting. Ms. Julie Murray seconded. Discussion: Mr. Ken Diskin suggested that the date of the State's Design Requirement document be added to the amendment. Mr. Geof Tillotson amended his motion to include the April 2022 date for the Design Requirement & Guidelines document. Vote to approve: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.

At 7:25 PM Mr. Geof Tillotson made a motion to move the Zoning Bylaw Amendment to 5.2 Table of Use as presented to Annual Town Meeting. Ms. Julie Murray seconded. Discussion: Mr. Ken Diskin had a question on the 5.2 Table of Use notation and wondered if it was needed to add the Section of the Bylaw to the warrant article. There was a brief discussion on the notation of the Table of Use add the Article for clarity to the warrant article. Mr. Geof Tillotson amended his motion to add Article 5.2 Table of Use, to the motion for clarity. Vote to approve: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.

At 7:45 PM Mr. Geof Tillotson made a motion to close the public hearing for the for the proposed Zoning Bylaw Amendments. Ms. Julie Murray seconded. No discussion. Vote to approve: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.

Project Status Update

Mr. Ruiz gave the Board a brief update on some of the projects approved by the Board.

33 Third Street will be at the next meeting on March 26th for a Site Plan and Stormwater Management permit.

There are two pending site plan applications, one for 91 Groton Harvard Road and one for a property located on Sculley Road. Both applications will also have a Stormwater Management permit as well.

Approval of Meeting Minutes from February 27, 2024

At 7:52 PM Mr. Geof Tillotson made a motion to approve the meeting minutes from February 27, 2024 as presented. Ms. Julie Murray seconded. No discussion. Vote to approve: Mr. Ken Diskin, aye; Ms. Julie Murray, aye; Mr. Nathan King, aye; Mr. Geof Tillotson, aye and Chairman Kranz, aye.

Adjourn

At 7:53 PM Mr. Geof Tillotson made a motion to adjourn the meeting.

Minutes recorded and submitted by Heather Hampson, Conservation Agent

Planning Board Approval : _____

Planning Board Chairman (Jonathan Kranz): _____

