



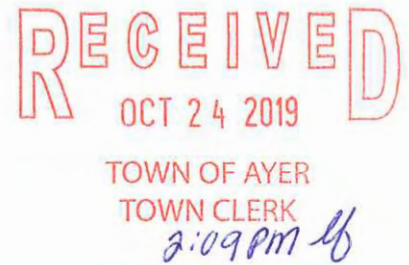
## PLANNING BOARD

### Town of Ayer

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Approved 10/22/2019



#### Minutes of October 8, 2019 - Ayer Planning Board Meeting

Location: First Floor Meeting Room, Ayer Town Hall

Meeting was recorded by APAC

**Members Present:** Ken Diskin, Vice Chairman; Jonathan Kranz, Clerk; Julie M. Murray, and Nathan King

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

**Absent:** Geof Tillotson, Chairman;

**Vice- Chairman Diskin called the meeting to order at 6:15 PM.**

#### General Business

##### **Approve the Agenda**

Vice-Chairman Diskin requested that the minutes be taken up at the end of the meeting.

**At 6:17 PM Ms. Julie Murray made a motion to approve the agenda as amended. Jonathan Kranz seconded. No discussion. Unanimous vote to approve the agenda with the amendment. (4-0-0).**

#### Review, ANR Plan Wright Road and Sandy Way, 2 lots, Joseph McGuane

*Present: Neil Gorman, David E. Ross Associates, Representative*

Ms. Julie Murray recused herself as an abutter to the property.

Mr. Neil Gorman gave a brief history of the property and stated that an ANR was filed for the property last year to create lot 5A and 3B. More land is being added to lot 5A making it now lot 5B and adding some additional land from lot 3B making a new lot 5B and 3C. Both lots still meet all zoning requirements.

Vice-Chairman Diskin had one comment regarding note 3 on the plans stating that there is reference to a note 3 but no actual note 3.

Mr. Gorman apologized stating that he could make the revision to the plans and submit a new mylar to the Board.

Vice-Chairman Diskin stated that the Board cannot approve the plan without the corrected mylar.

Mr. Gorman request to withdraw the ANR plan without prejudice and will refile with the correction on the plans.

At 6:23 PM Mr. Jonathan Kranz made a motion to accept the request to withdraw the ANR plan for 2 lots on Wright Road without prejudice. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (3-0-0)

At 6:24 PM Ms. Julie Murray returned to the meeting.

**Public Hearing, Proposed Definitive Subdivision Off Shaker Road, 23 Lots, Daniel and Joel Aho**

*Present: John Boardman, Places Associates Representative and Dan Aho Owner*

Mr. Jonathan Boardman went through the history of the proposed subdivision including the preliminary approval of the concept plan c and went over the conditions placed on the preliminary approval. Mr. Boardman stated that comments on the proposed Definitive Plan have been received from neighbors, Shaker Hills Golf Course and the Department of Public Works and they will be working on ways to incorporating those changes into the proposed plans.

Mr. Boardman stated he submitted yesterday, October 7<sup>th</sup>, a revised utility plan. Mr. Boardman went over the details of the plan with the Board. The plan is to install a new water and sewer line in Shaker Road to tie into the existing lines and bring into the site. The system will be looped with no dead end, per DPW request. Directional drilling will be used to not impact the road or the wetlands. Once the plans are finalized with DPW they will submit them to the Board and Conservation Commission.

Mr. Boardman stated that a revision has been made on the entry into the subdivision based on the abutter and DPW's comments to make a straighter entrance from Shaker Road. Mr. Boardman showed the draft plan to the Board and the abutters present but did not formally submit the revision to the Board.

Mr. Boardman stated that Mr. Aho's Attorney submitted a letter to the Board regarding the easement on the property.

Mr. Archambault stated that the letter was received via email this afternoon, October 8<sup>th</sup>.

Mr. Boardman had one other draft plan to share with the Board that showed the existing access road and the existing easement showing that the access road being used by the golf course does not follow the granted easement. The proposed roadway for the subdivision will be better access for golf course as the gravel road will be paved and with the entrance moved will be easier access as well.

Vice-Chairman Diskin stated that the Board needs to hear from the owner of the easement as the proposed changes are the applicant's opinion.

Mr. Boardman reviewed the plans revised draft plans for utilities and entrance for the abutters present and answered any questions they had.

Mr. Fred Curtis, Owner of Shaker Hill Golf Course, stated that he uses the gravel right-of-way that is proposed to be through new subdivision for all deliveries, trash trucks and dump trucks going to and from the golf course. He stated that he does not think that people living in a new subdivision would want to live with the trucks going through their neighborhood all the time. Mr. Curtis stated that he wants to keep his legal right-o-way where it is deeded.

Vice-Chairman Diskin stated that the deeded right-of-way is not what is being used now and asked if it could be in its current condition.

Mr. Curtis stated that the deeded right-o-way is being used now and he has some equipment to level the roadway out if he needs too. Mr. Curtis stated that he could require only 20-foot trailers be used for deliveries to the golf course and no longer use 40-foot trailers to make delivers on the Right-of-way easier.

Vice-Chairman Diskin asked Mr. Curtis again about the right-of-way and his intent to keep the legal deeded right-of-way and not the existing gravel road on the property that is used now.

Mr. Curtis stated that he would like to keep, and use is legal right-of-way as it is listed in the deed.

Vice-Chairman Diskin suggested that both Mr. Aho and Mr. Curtis speak to discuss the right-of-way on the property as it might affect the design.

Vice-Chairman Diskin stated that the Board received a letter from the Town of Harvard Planning Board and Town of Harvard Board of Selectmen regarding the proposed project both dated Septembers 23, 2019.

Mr. Kranz read the letters into the record.

Mr. Archambault stated that a traffic study will need to be conducted for the project due to the multiple concerns regarding traffic. The Board first recommended that the study include and be paid for all the development in the area including the ANR lots on Shaker Road subdivision but unfortunately that can no longer happen, and the study will be limited to only the Shaker Road Subdivision.

Vice-Chairman Diskin asked if there was a scope for the study.

Mr. Archambault stated that he drafted a scope for the traffic study but has not sent it out for any proposals at this time.

**At 7:39 PM Mr. Jonathan Kranz made a motion to allow Mr. Mark Archambault draft the scope of the traffic study with the agreement of John Boardman and then send out to bid. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)**

Vice-Chairman Diskin requested that the Board continue the Hearing to the next meeting.

**At 7:43 PM Mr. Jonathan Kranz made a motion to continue the public hearing for the Definitive Subdivision Off Shaker Road to the next Planning Board meeting on October 22, 2019. Mr. Nathan King seconded. No discussion. Unanimous vote to approve. (4-0-0)**

**The Board took a 5-minute recess at 7:44 PM**

**The meeting reopened at 7:52 PM**

**Review, Decision and Conditions for Definitive Subdivision 54 and 56 Littleton Road 19 Lots**  
*Present: Nick Pauling from GPR, Inc.*

Vice-Chairman Diskin stated that the Board needs to go through the draft conditions and approve them at the meeting this evening.

Mr. Archambault stated that as request the applicant has submitted a letter to the Town to accept the open space and Conservation Restriction. Mr. Archambault stated that Town Counsel has been asked if the Conservation Commission request and escrow account for the maintenance and enforcement of the C.R. and hopes to have an answer later in the week.

There was a brief discussion regarding the Town being requested to take ownership of the open space and C.R. and the need for a process for all OSRD in the future.

Vice-Chairman Diskin stated that other outstanding item from the last meeting was the issue of the 100-year storm and need for further testing, which was listed in the draft conditions.

Mr. Nick Pauling went over the request from BSC Group for the additional testing and informed the Board that due to the size of the watershed that will be taking all the stormwater in the 100-year calculation is very large and there is a small increase in water from the site and should not impact the existing watershed network.

Vice-Chairman Diskin asked if Mr. Pauling wanted the Special Condition removed as listed as Special Condition F.4.

Mr. Pauling stated that the wording in the condition allows for information to be submitted to the Town Planner for approval, so he is ok with leaving the condition as the Board agrees it is not necessary.

Mr. Pauling stated that General Conditions A.2 and A.8 are the same and the duplicate should be removed, as well as there is a minor wording change needed.

The Board reviewed the Special Conditions with Mr. Pauling.

Special Condition E.4 was moved to General Conditions.

Special Condition F.5. requiring the C.R. final approval prior to site work was discussed and moved to Special Condition H.2. to be completed prior to first occupancy being issued.

Special Condition G.1. requesting deed notice for onsite sewer pumps required rewording.

**At 8:55 PM Mr. Jonathan Kranz made a motion to approve the Notice of Decision with the Conditions as discussed and amended at the meeting on October 8, 2019. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)**

#### **Discussion, Draft Subdivision Regulations**

Vice-Chairman Diskin requested that the discussion on Subdivision Regulations be tabled to the next agenda.

#### **Town Planner Update**

Mr. Archambault mentioned to the Board that the Citizens Planning Training Cooperative has released their Fall training scheduled, which was sent to each member, and encouraged Board members to attend some of the trainings.

**Minutes from September 10, 2019**

Ms. Heather Hampson informed the Board that she received several corrections to the minutes from Mr. Diskin earlier in the day and has since made the corrections.

**At 9:07 PM Ms. Julie Murray made a motion to approve the minutes of the September 10, 2019 meeting as amended. Mr. Jonathan Kranz seconded. No discussion. Unanimous vote to approve. (4-0-0)**

**Minutes from September 24, 2019**

Ms. Heather Hampson informed the Board that she received several corrections to the minutes from Mr. Kranz earlier in the day and has since made the corrections.

Ms. Murray had a minor correction to the minutes as well.

**At 9:11 PM Mr. Jonathan Kranz made a motion to approve the minutes from the September 24, 2019 meeting as amended. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)**

**Meeting Adjournment**

**At 9:16 PM Mr. Jonathan Kranz made a motion to adjourn the meeting. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (4-0-0)**

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Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval 10/22/19  
Date

Planning Board Vice-Chairman (Ken Diskin)

Ken Diskin