

J. Raymond Miyares
Thomas J. Harrington

Christopher H. Heep
Jennie M. Merrill
Marguerite D. Reynolds
Brian R. Falk
Jonathan E. Simpson

May 11, 2011

BY CERTIFIED MAIL (#7007 2560 0002 0100 7153)
RETURN RECEIPT REQUESTED

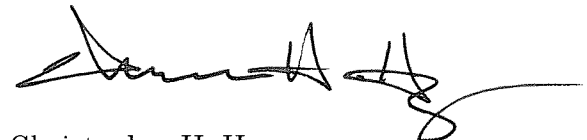
Eugene C. Brune, Register of Deeds
Middlesex South District Registry of Deeds
208 Cambridge Street
Cambridge, MA 02141

Re: Amendments to Subdivision Rules and Regulations - Town of Ayer

Dear Mr. Brune:

As required by *M.G.L. c.41, §81Q*, enclosed is a certified copy of amendments to the subdivision rules and regulations of the Town of Ayer.

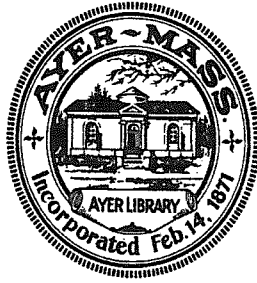
Sincerely,



Christopher H. Heep

cc: Ayer Planning Board

Town of Ayer



Proposed Subdivision Rules and Regulations Revisions April 7, 2011

AYER PLANNING BOARD:

Date:

Stephen Wentzell, Chair

Mark Fermanian, Clerk

Peter Johnston, Member

True copy Attest

Date:

April 28, 2011

Town Clerk-Town of Ayer

AMENDMENTS TO THE TOWN OF AYER
SUBDIVISION RULES AND REGULATIONS
APRIL 7, 2011

Following the public hearing held on November 4, 2010, the Planning Board voted on April 7, 2011 to amend its Subdivision Rules and Regulations by taking the following action on the proposed amendments set forth in the "Proposed Subdivision Rules & Regulations Changes November 4, 2010." A copy of this document is attached hereto as "Exhibit A."

The Planning Board voted to amend Section IV(A)(1) as written.

The Planning Board voted to amend Section IV(A)(2)(a) as written.

The Planning Board voted to amend Section V(G) by deleting "plus a straight section at each end at least 6 feet long" and adding in its place "plus a straight transitional section at each end at least 4 feet long."

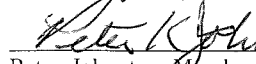
The Planning Board voted to add Section V(J), to read as follows: "Trees – (1) The subdivider shall provide and plant at approximately 50 foot intervals on each side of the way at least one suitable shade tree, having a minimum height of twelve feet. These trees may be of varied species, as approved by the board, and shall be planted with approval of the Ayer Tree Warden. All trees shall be subject to a one year guarantee. (2) Existing trees that are going to be preserved within the right of way will be identified on the plan, flagged in the field and protected during construction with fencing or a suitable substitute."

Ayer Planning Board

Date:


Stephen Wentzell, Chair


Mark Fermanian, Clerk


Peter Johnston, Member

A True Copy, Attest (Seal)

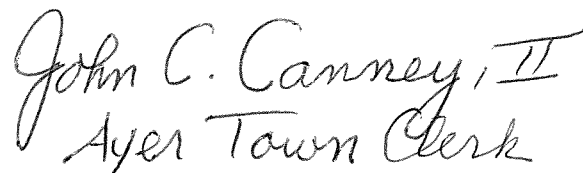

John C. Canney, II
Ayer Town Clerk
April 28, 2011

Exhibit A

Town of Ayer



Proposed Subdivision Rules & Regulations Changes November 4, 2010

AYER PLANNING BOARD:

DATE:

Jennifer R. Gibbons, Chair

Glenn Garber, Vice Chair

Steve Wentzell, Clerk

Peter Johnston, Member

Mark Fermanian, Member

True attest copy

DATE:

Town Clerk – Town of Ayer

<u>ARTICLE</u>	<u>TO</u>
Section II(A)	Add in the following definitions: (a) "Approval or acceptance" = Action of the Board requires a simple majority vote of the board (at least 3 votes regardless of the number of members present) unless specified otherwise in the General Laws; (b) "Owner" = The owner of record as shown by the records of the Middlesex County Registry of Deeds or Land Court; (c) "Applicant" = The person or entity who applies for approval of a plan or the endorsement of a plan. The applicant must be the owner of all the land included in the plan for which approval of the Board is requested. An agent, representative or assignee may act for the owner when requested in writing by the owner;
Section III (B)(1)(c)	"Payment for the amount of the most recent filing fee submitted to the Town Clerk as part of the application process." Also, delete reference to any dollar amount (separate sheet with filing fee will be better since we will not have to change regulations every time filing fee goes up).
Section III (B)(1)(d)	Add "An agreement signed by the applicant agreeing to pay the costs for legal advertisements billed directly from the newspaper utilized by the Town to the applicant. The agreement will include the applicant's name, billing address, point of contact name and phone number for billing purposes, and signature. The legal advertisement will be written up by the Town, however, all legal advertisement costs will be billed directly to the applicant."
Section III (B)(2)(J)	The design computations for determining the required sizes of the storm drainage and sewer system shall be submitted with the said proposed utility layout.
Section III (B)(2)(L)	Add "Profiles shall also indicate the location of any intersecting public or private ways, and the location and size of existing and proposed storm drains, water mains and sewers and their appurtenances and other underground utilities to be placed in the right of way. The stationed centerline corresponding to the profile upon which the above profiles are taken shall be shown in plan view.
Section III (B)(7)(b)	Add "The applicant will be responsible for obtaining inspections and DPW signatures and submit to the Planning Board".
Section III (B)(7)(c)	Add "The applicant will be responsible for obtaining inspections and DPW signatures and submit to the Planning Board".
Section III (B)(7)(g)	Add "(g) At a minimum, the as-built plan should show the alignment of all utilities; ties to curb stops, valves and fittings; ties to end of lateral service connections (including depth); and dimensions between manholes."
Section III (B)(10)	Add at end of paragraph "An agreement will be signed by the applicant agreeing to pay the costs for legal advertisements billed directly from the newspaper to the applicant as described in Section III (B)(1)(d).
Section IV (A)(1)	Add "(i) Street right of way may not be closer than 20 feet from any side or rear property lines."
Section IV (A)(2)(a)	Add "This provision may be waived by the Planning Board but will, in no case, be less than twenty-four feet unless unanimously approved by the Board."

- Section V (F)(2c) Delete "It shall be applied in two courses, a one and on-half inch (1 ½) binder course and one inch thickness top course". Add "For typical subdivision streets, a pavement structure of two layers, a 1 ½ " top course and 2 ½ " binder course, will be used. For higher traffic roadways, a 2" top course and 3" binder course will be used."
- Section V(G) Delete "... plus a straight section at each end at least 6 feet long". Add "...and for the entire length of the roadway on both sides of the road".
- Section V(H)(1) Delete "on at least one side of each roadway on all streets". Add "on both sides of the roadway on all streets. A waiver shall not be granted for less than one sidewalk."
- Section V(J) Add "(J) Trees - (1) The subdivider shall provide and plant at approximately 75 foot intervals on each side of the way at least one suitable shade tree, having a minimum height of twelve feet. These trees may be of varied species, as approved by the board, and shall be planted with approval of the Ayer Tree Warden. All trees shall be subject to a one year guarantee. (2) Existing trees of at least equal size which have been preserved within the right of way may be substituted to fulfill this requirement. Existing trees that are going to be preserved within the right of way will be identified on the plan, flagged in the field and protected during construction with fencing or a suitable substitute.
- Section V(K) Add "(K) Driveway Connections - all driveway connections will be in conformance with the Town of Ayer Driveway Connection General By-law".