

PLANNING BOARD

Town of Ayer

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Minutes of January 10, 2023 - 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; Julie Murray, and Nathan King

Also Present: Mark Archambault, Town Planner

Absent: Geof Tillotson, Clerk

Chairman Kranz called the meeting of the Planning Board to order at 6:15 PM.

General Business

Approve the Agenda

At 6:15 PM Ms. Julie Murray made a motion to approve the agenda as amended. Mr. Nathan King seconded. Discussion: Mr. Mark Archambault mentioned that Nasoya has requested a continuance to the next meeting on the 24th which will be discussed when the hearing is reopened. Unanimous vote to approve. (4-0-0)

Mr. Ken Diskin Recused himself from the meeting.

Discussion – Ayer Solar II

Present: Cal Goldsmith, Engineer/Representative GPR, Inc.

Mr. Mark Archambault stated that on the advice from Town Council, KP Law, the covenant prepared by GPR, Inc. can not be released until a peer review engineer has looked at the work to determine what work has been completed on site as compared to the approved plan set.

Chairman Kranz stated that a list of work to be completed was received by the Board and reviewed at the last meeting with the bonding amount of \$10,500.

Mr. Goldsmith stated that after the last meeting, they received some more information regarding the site, completed the survey of the property for the construction record plan and where contacted by Department of Public Works Director, Mr. Dan Van Schalkwyk regarding some items on site that appear to be missing from the last punch list. Mr. Goldsmith stated that the survey shows the width of the driveway below what it needs to be, so it was decided to go back and do a comprehensive review of the project. Mr. Goldsmith went over his reply to Mr. Van Schalkwyk for the Board, which is a joint letter with the Fire Department.

Mr. Goldsmith stated that their response to the DPW letter addresses their concerns and comments. Mr. Goldsmith mentioned that they have hired Sydney Landscaping, from here in Ayer, to complete the scope of work listed in the letter which includes around \$60,000 worth of work. Mr. Goldsmith stated at the end of the letter there are 3 list of items to be completed on site, first the list from the last meeting, second the list of items commented in the DPW letter and third, a list of items that can not be completed till spring which Sydney Landscaping is contracted to complete. Mr. Goldsmith went through the work items listed that have been completed.

Chairman Kranz asked if Mr. Van Schalkwyk, Director of the Department of Public Works, commented on the GPR's letter of response and is satisfied with the list of items.

Mr. Goldsmith stated that he has not received a comment from Mr. Van Schalkwyk at this time on the new work list/bond items. Mr. Goldsmith stated that the request from Mr. Van Schalkwyk included construction record plans and updated stormwater calculations which are almost complete. Mr. Van Schalkwyk also stated in his letter that the guardrail was too low. Mr. Goldsmith stated that they agreed and have since raised the guardrail. Mr. Van Schalkwyk also mentioned the slope on the side of the road which Sydney Landscaping will address to ensure the roadway is supported. Mr. Goldsmith went over other items that have been done on site including along the tree box filter side of the road. There is also concern with the retaining wall which will be rebuilt and outstanding items will be addressed, and the structural engineer will sign off on the wall as well as the Building Commissioner will inspect the wall as well. Mr. Goldsmith said the southeast side of the culvert, where some blocks have collapsed, will be rebuilt properly and the wall will be extended on the opposite side around 20 to 30 feet and will be properly tied into the culvert. Mr. Van Schalkwyk stated that he wanted some additional stone along the right side of the road around the beehive grate to help with water pooling in the area. Mr. Goldsmith stated that they have placed stone in the area as requested and have removed fabric that was covering the grate and replaced it with a silt sack on the grate until the construction is complete. Mr. Van Schalkwyk had some questions on the stormwater installation. Mr. Goldsmith stated that the stormwater was installed properly and the new stormwater calculations will show that it meets standards. Mr. Goldsmith continued to go through Mr. Van Schalkwyk's letter and how they are addressing the concerns including road width, slopes grader than 2 to 1, regrade roadway.

Chairman Kranz asked if the emergency turnaround was regraded/surfaced.

Mr. Goldsmith stated that Sydney Landscaping will be addressing the issue when they address the roadway.

Mr. Goldsmith went over the amounts listed in his letter for the Board for the cost of finishing the project and the list of items to be completed in the spring which includes reseeding areas. Mr. Goldsmith went over some other items that need to be completed, one item is the large pipe which is supposed to have 2, 6 inch ports to assist in clean out that were never installed and the other item is there is a 2 inch pipe that is supposed to feed water to replication area number 1 which does not reach the area and will need to be extended. These items will be added to the posted bond for the site.

Mr. Goldsmith understands that the Town Council has given the Board advice this evening. Mr. Goldsmith stated that the array has been tested and there is a meter on a pole located near the entrance of the property that is live as it is connected to the grid, but the array is not on. Mr. Goldsmith stated that Mr. Garg is contracted to have the system turned on by January 26th, and is hoping with the

information given to the Board this evening and once they hear from Council and Mr. Van Schalkwyk the Board will allow Mr. Garg to turn the array on by the 26th.

Mr. Archambault asked for a copy of the GPR letter to ensure it is in the file. Mr. Archambault also mentioned that he will be speaking with Mr. Van Schalkwyk and possibly other departments to ensure the site is in compliance.

Chairman Kranz stated thanked Mr. Goldsmith for the information and will know more once Mr. Van Schalkwyk and Mr. Archambault meet to review the items discussed this evening.

Mr. King stated that in the past other Site Plan approvals have come before the Board for either a minor or major site plan amendment. Mr. King stated that the submission of a set of plans would be best for the Board to review and come to a conclusion on what type of amendment is needed for the site.

Mr. Goldsmith stated that there was a set of 5-page plans submitted back in August that showed the revisions to the site.

Chairman Kranz stated that he does not recall the Board ever receiving a set of revised plans.

Mr. King stated that without plans it is hard for the Board to make any decision before the requested 26th deadline.

Attorney Linden stated that what was shown to the Board in August went over the details of the changes to the site and were approved. The items mentioned this evening are minor modifications to those plans.

Mr. King mentioned that he has not seen any plans other than the ones approved for the site.

Chairman Kranz stated that at this time the Board cannot verify if there were ever plans submitted.

Mr. Geof Tillotson asked if the letter addresses Conservation concerns.

Mr. Goldsmith stated that Conservation concerns have been with erosion and there has been no erosion on site. The site is inspected weekly by Epsilon for erosion issues.

Ms. Murray asked for clarification on Mr. King's request for plans and a minor or major change to the plans.

Mr. Tillotson mentioned that Mr. Goldsmith gave the Board a breakdown of the items to be completed on site and the changes to the plans. There is no request for the Board to have a discussion on whether there was a minor or major change to the plans.

Mr. King stated that he is asking for the January 24th meeting that the Board receive the most recent set of plans and a date of the motion that the Board approved the plans. Mr. King requested that the Board get a list of changes from the approved set of plans to what was discussed this evening.

Chairman Kranz stated that the Board will make no decision this evening and will get clarification on any revised set of plans prior to the next meeting. Chairman Kranz thanked Mr. Goldsmith and Mr. Gard for attending this evening.

At 7:03 PM Chairman Kranz called a 5-minute recess.

At 7:10 PM Chairman Kranz called the meeting back to order with all member present.

Continued Public Hearing, Site Plan, Special Permit and Stormwater Permit – Nasoya Foods, USA 1 New England Way

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

At 7:12 PM Mr. Geof Tillotson made a motion to open the continued public hearing for Site Plan Review, Special Permit and Stormwater Permit for Nasoya Foods, USA 1 New England Way. Mr. Nathan King seconded. Unanimous vote to approve. (5-0-0)

Chairman Kranz went over some of the items discovered during the site visit. There was a slope that Catania constructed during their recent update that includes a downspout that may go onto Nasoya's property and is already failing. Chairman Kranz mentioned that this will need to be addressed with Catania. They also walked along the force main and there was a question on the elevation of the force main and there are quite a few mature trees along the force main line.

Mr. King stated that there is a question on the location of the force main on site.

Mr. Diskin mentioned that the site visit took place on January 5th. Mr. Diskin mentioned that he had a comment on the lot line between Catania and Nasoya. The plans did not show the topography between the two lots and mentioned that he did not feel the Board could approve a set of plans that do not show some kind of retaining wall or something between the two lots.

Chairman Kranz mentioned that there are two items that the Board needs to follow up on: the area of the slope coming from Catania that may have been on the Catania plan and should be reviewed to see if it was missed, and the erosion that was found on site and who has the authority to enforce the item on site.

The Board had a brief discussion on the items found on site in regards to the stormwater issues from Catania.

Chairman Kranz mentioned that the Board's comfort with the height of the proposed addition was the fact that the tree line along Westford Road would conceal the height of the building. Chairman Kranz stated that he noticed while on site that many of the taller trees are not near Westford Road but closer to the Nasoya building near the berm that they intend to dig out and some of the trees are flagged to be removed. Chairman Kranz stated that the tree coverage for the view on Westford Road will conceal the new building.

Mr. Diskin stated that additional plantings will be important to conceal the building.

Mr. King mentioned that there is an area along the side of the building where the abandoned tank is located that needs some attention. The area looks very industrial and may need some additional plantings in the area.

At 7:15 PM Mr. Geof Tillotson made a motion to continue the public hearing for Site Plan review, Speical Permit and Stormwater Permit for Nasoya Foods, USA to the Planning Boards next scheduled meeting on January 24, 2023. Mr. Nathan King seconded. Unanimous vote to approve. (5-0-0)

Town Planner Update

Chairman Kranz mentioned that Town Planner, Mark Archambault, created a list of open/status on approved subdivisions from the Board.

Mr. Archambault went over the status of subdivisions in town which he received from the Building Commissioner on building permits that have been issued.

Mr. Archambault mentioned that he has sent out the RFP for engineering for Stratton Hill to several firms and have already heard back from two of them.

Mr. Archambault mentioned the MBTA Communities zoning is moving forward and has a meeting with other Planners later this week in preparation of submitting to the state the Town's status. Mr. Archambault mentioned that by the end of January they need to submit to the State the Town's status regarding meeting the required zoning requirements.

Chairman Kranz asked about the 14 Washington Street fire station and the status of any application.

Mr. Archambault mentioned that Seal Harbor is the owner of the property and has hired GPR, Inc. to do the engineering on the site but has not seen any application as of yet.

Mr. Diskin asked if anyone has heard anything about the four-condo on Central Ave.

Mr. Archambault has not heard anything about the project besides issues with subcontractors parking.

There was a brief discussion on subdivisions in town and bond release requests and street lighting.

Minutes October 25, 2022

The minutes have been tabled to the next meeting on January 24, 2023.

Old and New Business

Chairman Kranz updated the Board on the Pocket Forest project stating that on Thursday January 5th there was a series of site visits for the 5 proposed sites. The pilot location will be on East Main Street by the railroad bridge. Chairman Kranz gave an update on the other properties looked at including Sandy Pond School, Pirone Park, Shirley Street and Ayer Shirley High School.

Chairman Kranz mentioned that he asked each member to bring some goals for the Board for the year and asked the members to share this evening.

Chairman Kranz mentioned that he would like to do the 5-year review of the Master Plan to see where the town is on the goals of the Master Plan and would like to create a sub-committee to do the work. The other item Chairman Kranz would like the Board to work on this year is a project Mr. Diskin mentioned to him on some trails on town-owned land that would be inexpensive to create.

Mr. Diskin went over the trail locations that he has drafted that are currently within existing rights-of-way that will help to create connectivity.

The Board had a brief discussion on the four possible trail locations.

At 7:50 PM Mr. Geof Tillotson made a motion to endorse the creation of trails on the four proposed locations and research funding opportunities. Ms. Julie Murray seconded. No discussion. Unanimous vote to approve. (5-0-0)

Mr. Diskin mentioned that as part of the Community Housing Committee, they are looking at the current zoning and the limited availability of construction of multifamily housing. Mr. Diskin stated that he would like to request that the Planning Board at a future meeting look at the zoning and possible expand where multifamily housing is allowed.

The had a brief discussion on the idea of changing the bylaw and will discuss further at a later meeting.

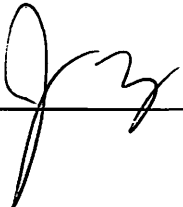
Meeting Adjournment

At 8:01 PM Ms. Julie Murray made a motion to adjourn. Seconded by Mr. Geof Tillotson.

Minutes recorded and submitted by Heather Hampson, Administrative Coordinator

Planning Board Approval _____
Date

Planning Board Chairman (Jonathan Kranz)

 3/10/23
