



PLANNING BOARD

Town of Ayer

1 Main Street, Ayer, MA 01432

Tel: (978) 772-8218 | Fax: (978) 772-3017 | Planning@Ayer.MA.US

Thursday May 7, 2015

****6:00 PM****

Open Session Meeting of the Ayer Planning Board

Agenda

6:00 PM

Call to Order

General Business

- Confirmation of Agenda
- Approval of Meeting Minutes
- Announcements

Discussion: Proposed Zoning Bylaw

Bond Release: Pingry Hill/Ridgeview Heights Subdivision Phase V
Phase V Release Amount \$219,640 (\$319,042 Remaining)

Bond Release: Easy Street (Project Complete)

Committee Updates

- Community Preservation Committee

Member Updates

Public Input

Adjourn

Next meeting scheduled for: Thursday, June 4, 2015 @ 6:00 PM

*All meetings are held at Town Hall unless posted otherwise. Order of agenda items may change without notice. Amendments may be made to the agenda to include any emergency or time-sensitive material that was unforeseen at the time the agenda was posted.

Town of Ayer Planning Board

Approval of March 5, 2015 Meeting Minutes – Postponed

Location: Ayer Town Hall, 2nd Great Hall

Members Present: Chairman Jeremy Callahan, (JC), Richard Roper (RR), Jenn Gibbons (JG)

APAC taped: YES

7:05 PM - Open Meeting

Board Member Updates:

JC explained there was incorrect information printed in last week's Public Spirit Newspaper. There is no scheduled Site Plan Review this evening regarding a proposed gas station on Littleton Road, Ayer and no site plan application has been filed yet.

JC announced the resignation of Planning Board Member Kyle Gordon. Mr. Gordon's resignation was received after the deadline for Town Election nominations papers therefore, the position on the Planning Board will be a joint appointment by the Planning Board and Board of Selectmen. All interested parties are encouraged to submit a letter of interest to the Town Administrator's Office.

MART - JC has volunteered to serve as the Ayer Planning Board Representative

CPC – JG no updates.

Site Plan Review: JAR Realty Corporation (1 Nemco Way)

Presenting on behalf of the applicant was Paul Hutnak, P.E., Andrews Survey & Engineering, Inc.

JAR Realty Corp is the holding company of Catania Spagna Corporation. (CSC) and Joseph Basile on behalf of JAR Realty Trust.

CSC has acquired a parcel of land for the proposed expansion of the existing facility to include the following:

- Two (2) new rail sidings (*Total of 4*)
- 35,000 s.f. building expansion to cover the rail sidings and tanks for processing. *The proposed building is to provide cover/shelter from inclement weather thus allowing CSC to operate with higher efficiency.*

Town Staff Review & Comments

JC attended the monthly department Head meeting. The applicant was given an opportunity to present the proposed project to town staff and public safety officials.

DPW: The project involves rerouting of the existing water and sewer lines around the proposed building---DPW Superintendent has no concerns at this time and will work closely with contractor.

Police: No proposed increase in staffing or shipping, no additional parking required and no traffic study is required --- *Police Chief had no issue or concerns.*

Conservation Commission: Project is located with a wetland buffer zone. The applicant is scheduled to meet with the Commission later this evening to determine necessary permitting.

FIRE --- No objections

Zoning Board of Appeals: JC informed the board that the Board of Appeals held a public hearing and voted to GRANT the requested variance in connection with this site plan.

Comments for the public - Carolyn McLeary questioned if the proposed additional storage tanks would impact the Town's Aquifer Protection Zone. --- No proposed changes to the existing facility's operating procedures. All existing open spaces area will be retained.

RR motioned that the Planning Board vote to approve the Site Plan Application as submitted by JAR Realty Corporation and shown on plans prepared by Andrews Survey & Engineering, Inc. dated [REDACTED]. Motion seconded by JG. VOTE: 3:0 The motion is carried

Site Plan Review: Shop n Save (22 Fitchburg Road)

On behalf of the applicant, Air 22 LLC was Stephen Mullaney, P.E., S.J. Mullaney Engineering, Inc. presenting.

Proposed is the construction of a 1,740 sq. ft entry vestibule along the front of its existing 21, 962 s.f. building to serve as a new supermarket, Shop n Save.

No increase in roof runoff since the proposed vestibule will replace existing carport.

No proposed changes to the existing parking layout, entrances/exits, lighting. The existing 143 spaces exceeds current zoning requirements. The existing parking space setbacks are grandfathered as well as the lighting. Signage will be updated to reflect the new supermarket.

Staff Comment:

Police/ Fire/DPW/ConsCom/BOH: There is no proposed expansion in the size or intensity in operation by its previous occupant, Hannaford Supermarket --- There were no objections or concerns received from other Town Departments

RR motioned that the Planning Board vote to approve the Site Plan Application as submitted Air 22 LLC shown on plans submitted by S.J. Mullaney Engineering, Inc. dated [REDACTED]. Motion seconded by JG. VOTE: 3:0 The motion is carried

Bond Release: Ridgeview Heights Subdivision (Phase IV/Pingry Hill)

No action taken by the Board

JC explained that PB Member Rick Roper must recuse himself leaving the board without a proper quorum in part to the recent resignation of Kyle Gordon

7:50 PM: Meeting Adjourn

RR motioned to adjourn meeting: Second by JG.
MOTION PASSED UNANIMOUSLY.

Respectfully submitted,
Jenn Gibbons

Town of Ayer Planning Board

Approval of Minutes – Postponed

Location: 1st Floor Meeting Room Ayer Town Hall

Members Present: Chairman Jeremy Callahan, (JC), Richard Roper (RR), Jenn Gibbons (JG)

Absent: Kyle Gordon

APAC taped: YES

7:05 PM - Open Meeting

Announcements:

Town Election: (3) Candidates including (2) incumbents running for three open positions on Planning Board.

Public Hearing for the Open Space & Recreational Plan Update is being held tonight on the 2nd Floor. There is an online survey available to residents who can't attend the public meetings.

ZBL Article 10 - Site Plan Review Discussion:

JC informed the board that Town's Legal Counsel has confirmed that Administrative Site Plan review (as opposed to site plan review by special permit) is not a creature of G.L. c.40A. Accordingly, the notice, procedural and voting requirements of 40A do not apply.

FY2016 Planning Board Operating Budget (\$1,150.)

Advertising \$200 ./ Office Supplies \$300. / Postage \$150./ Dues & Training \$400. / Other \$100.

RR motion to approved the proposed FY16 Planning Board Budget Request (\$1,150.) JG seconded the motion. VOTE: 3:0

Zoning Bylaw Amendments - Budget Update:

The board reviewed the final Scope of Work to hire Professional Consultant, Judi Barrett to assist the Planning Board with initiative to pass amended zoning bylaws. Cost for consultant: \$7,000

JC explained that there is a remaining balance of \$4,000. from 2011 ZBL Project along with Fletcher Funds Authorization Request of \$3,000. There would be no cost to the Taxpayers of Ayer to hire the consultant for ZBL Project.

JG motioned that the Planning Board authorize the chairman to sign the letter of contract to hire Judi Barrett. RR seconded the motion. VOTE: 3:0

RR motion to petition the Board of Selectmen to hold a Special Town Meeting for the proposed adoption of the 2011 Zoning Bylaw Amendments. JG seconded the motion. VOTE: 3:0

Site Plan Review: Wendy's Restaurant (2 Barnum Rd)

Josh Swerling, Bohler Engineering presented on behalf of the applicant. Project will involve demolition of the existing building and constructing a similar building in the same footprint with the addition of outside seating. Similar new structure with (12) weeks construction anticipated. There will be no change in staff levels or current hours of operation. No proposed changes to the existing traffic flow. Existing landscape will remain as well as the light poles however updated with downward LED lights w/lower intensity. All of the existing signage will remain however refaced to match its new appearance.

Town Staff Review & Comments

JC attended the monthly Dept Head Meeting. Plans for this project were reviewed by town staff and public safety officials.

DPW: Requested to see Storm Water Maintenance Plan, Curbing at the curb cuts to be vertical granite, and all Water/Sewer and Storm Water utilities must comply with Ayer DPW Regulation Standards.

Police: No proposed increase in staffing, hours of operation or deliveries --- No issue or concerns.

Conservation Commission: Applicant will need to file Notice of Intent due to proximity to wetlands. Also a portion of project is with an Area of Critical Environment Concern (ACEC) and the commission will likely invoke the Consultant Bylaw for this review.

FIRE --- No objections

BOH - Town's Health Agent has requested to see final kitchen plans.

RR motioned that the Planning Board approve the Site Development Plan for Wendy's as submitted by Bohler Engineering, Motion seconded by JG. VOTE: 3:0 The motion is carried

Bond Release: Ridgeview Heights Subdivision (Phase 5/Pingry Hill)

This agenda item has been postponed -- JC explained that member Rick Roper will be required to recuse himself on this matter leaving only two members which does not meet the minimum voting requirements. No further action taken

Community Preservation Committee Update: JG reported no new updates.... CPC Annual Town Meeting Warrant Articles still consist of (FY2016 CPC Budget/Spending Proposal --Fire Station Photo Restoration Project (\$20,000)/Open Space Preservation Plan (\$

RR motioned to adjourn meeting: Second by JG. The motion is carried

7:56 PM: Meeting Adjourn

Respectfully submitted,
Jenn Gibbons



RECEIVED
TOWN CLERK
TOWN OF AYER

2015 APR 22 PM 1:37

R.D. Kanniard Homes Inc.

Town of Ayer Massachusetts
Planning Board and D.P.W. Superintendent
Town Hall
Main Street
Ayer, MA 01432

April 21, 2015

R.E. Easy Street Bond Release

Dear Members of the Board,

Please accept this letter of request to release the road construction cash bond established by R.D. Kanniard Homes, and the Ayer D.P.W. for the remaining work and tasks to be performed at Easy Street to meet compliance for the town acceptance.

Easy Street is a thirteen (13) lot subdivision approved by your board on June 6th, 2006, and endorsed on August 3rd, 2006. The plan was prepared by S.J. Mullaney Engineering Inc. plan number 41-D-2 and recorded on Mylar at the Middlesex Registry of Deeds Southern District Cambridge Massachusetts Book 48467 page 277 on November 9th 2006.

The cash bond was deposited at the North Middlesex Savings bank with Roger Kanniard of R.D. Kanniard Homes and former Ayer Town treasurer, Dennis Callahan in July of 2008. The passbook is in the possession of the current town treasurer, Stephanie Gintner.

After inspection by Mark Welzel, Superintendent of the Ayer Department of Public Works, all construction was complete. A letter of recommendation of street acceptance and bond release was submitted to the Ayer Planning Board on September 5, 2013. At that time, Easy Street was scheduled on the warrant for acceptance at the Fall town meeting, October 28, 2013 and successfully accepted. Please note the letter sent by Mark Welzel provided April 14, 2015 to the Ayer Town Planning Board recommending the release of all bond monies.

Should you have any related questions or concerns please call my office. 978-772-0258

Sincerely,

Roger D. Kanniard

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Pamela J. Martin, Office Manager



Water, Wastewater, Highway & Solid Waste Divisions

25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

April 14, 2015

Town of Ayer Planning Board
Town Hall
Ayer, MA 01432

RE: Easy Street Acceptance

Dear Board Members :

In my letter to the Planning Board dated September 5, 2013, I recommended that the Town accept Easy Street, pending completion of five minor "punch list" items. These items were completed prior to the Fall 2013 Town Meeting. There are no outstanding issues related to this project and I recommend release of all remaining bond monies.

Should you have any questions or comments, please do not hesitate to contact this office.

Regards,
AYER PUBLIC WORKS DEPARTMENT

Mark L. Wetzel, P.E.
Superintendent

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Pamela J. Martin, Office Manager



Water, Wastewater, Highway & Solid Waste Divisions

25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

March 3, 2015

Ayer Planning Board
One Main Street
Ayer, MA 01432

**Re: Bond Reduction
Phase 5
Pingry Hill (Ridgeview Heights) Subdivision
Crabtree Development**

Dear Board Members:

At the request of Crabtree Development, the Ayer DPW has inspected the work on the above referenced project and recommended a bond reduction for Phase 5, based on the completed work. We have attached the bond calculation spreadsheet indicating the value of the work completed as of March 1, 2015.

Based on our inspection, I recommend bond reductions as follows:

Phase	Original Bond Amount	Previous Bond Release	Recommended Bond Release	Remaining Balance
5	\$ 1,236,331	\$ 697,648.10	\$ 219,640.80	\$ 319,042.10

This represents the value of the work remaining (\$271,042.10) plus 5% retainage on the completed work (\$48,000). If you have any questions or require any additional information, please feel free to contact me.

Regards,

AYER PUBLIC WORKS DEPARTMENT

Mark L. Wetzel, P.E.
Superintendent

Attachments

**Pingry Hills Phase 5 Town of Ayer, MA
Schedule of Completed Work**

Item No.	Item	Scheduled Value	Percent Complete Observed 03-01-14	Value of Completed Items	Value of Remaining Items	Comment
Hay Meadow Lane 9+82 to 20+74						
1	Erosion Control	\$ 9,800.00	100%	\$ 9,800.00	\$ -	
2	Tree Clearing (Roadways)	\$ 7,000.00	100%	\$ 7,000.00	\$ -	
3	Stump Removal	\$ 15,000.00	100%	\$ 15,000.00	\$ -	
4	Strip and Stockpile Topsoil	\$ 18,000.00	100%	\$ 18,000.00	\$ -	
5	Cut and Fill to Road Subgrade	\$ 76,931.00	90%	\$ 69,237.90	\$ 7,693.10	
6	Sewer Main	\$ 45,892.00	100%	\$ 45,892.00	\$ -	Frames and covers to be raised before final paving
7	Sewer Manholes	\$ 27,250.00	100%	\$ 27,250.00	\$ -	
8	Sewer Services	\$ 26,000.00	100%	\$ 26,000.00	\$ -	
9	Water Main Pipe	\$ 45,928.00	100%	\$ 45,928.00	\$ -	
10	Water Services	\$ 26,000.00	100%	\$ 26,000.00	\$ -	
11	Water Fire Hydrants and Valves	\$ 8,750.00	100%	\$ 8,750.00	\$ -	
12	Stormwater Drainage Pipe	\$ 42,718.00	100%	\$ 42,718.00	\$ -	
13	Stormwater Drainage Structures	\$ 11,459.00	100%	\$ 11,459.00	\$ -	Frames and grates/covers to be raised before final paving
14	Utilities - Telephone, Cable & Electric	\$ 25,428.00	100%	\$ 25,428.00	\$ -	
15	Stormwater Water Quality Separator	\$ 23,000.00	100%	\$ 23,000.00	\$ -	
16	Stormwater Detention Ponds and Swales	\$ 22,000.00	100%	\$ 22,000.00	\$ -	
17	Access Roads - Drainage Easement Work	\$ 8,700.00	100%	\$ 8,700.00	\$ -	
18	Road Fine Grading and Gravel	\$ 24,571.00	73%	\$ 18,000.00	\$ 6,571.00	
19	Road Base and Binder Course Paving	\$ 31,323.00	64%	\$ 20,000.00	\$ 11,323.00	
20	Road Top Course Paving	\$ 24,625.00	0%	\$ -	\$ 24,625.00	
21	Sidewalks	\$ 23,991.00	0%	\$ -	\$ 23,991.00	
22	Topsoil Along Road Edges	\$ 9,000.00	0%	\$ -	\$ 9,000.00	
	Sub Total	\$ 553,366.00		\$ 470,162.90	\$ 83,203.10	
Holly Ridge Road						
1	Erosion Control	\$ 15,675.00	100%	\$ 15,675.00	\$ -	
2	Tree Clearing (Roadways)	\$ 13,000.00	100%	\$ 13,000.00	\$ -	
3	Stump Removal	\$ 16,320.00	100%	\$ 16,320.00	\$ -	
4	Strip and Stockpile Topsoil	\$ 7,990.00	100%	\$ 7,990.00	\$ -	
5	Cut and Fill to Road Subgrade	\$ 33,222.00	100%	\$ 33,222.00	\$ -	
6	Sewer Main	\$ 44,084.00	100%	\$ 44,084.00	\$ -	
7	Sewer Manholes	\$ 45,000.00	100%	\$ 45,000.00	\$ -	
8	Sewer Services	\$ 24,000.00	100%	\$ 24,000.00	\$ -	
9	Water Main Pipe	\$ 52,120.00	100%	\$ 52,120.00	\$ -	
10	Water Services	\$ 24,000.00	100%	\$ 24,000.00	\$ -	
11	Water Fire Hydrants and Valves	\$ 19,500.00	100%	\$ 19,500.00	\$ -	
12	Stormwater Drainage Pipe	\$ 50,090.00	100%	\$ 50,090.00	\$ -	
13	Stormwater Drainage Structures	\$ 69,150.00	100%	\$ 69,150.00	\$ -	Frames and grates/covers to be raised before final paving
14	Utilities - Telephone, Cable & Electric	\$ 61,000.00	100%	\$ 61,000.00	\$ -	
15	Stormwater Water Quality Separator	\$ 19,000.00	100%	\$ 19,000.00	\$ -	
16A	Stormwater Detention Ponds and Swales Behind Lots 116-117	\$ 42,000.00	100%	\$ 42,000.00	\$ -	
16B	Stormwater Detention Ponds and Swales Behind Lots 119-120	\$ 35,000.00	100%	\$ 35,000.00	\$ -	
16C	Stormwater Detention Ponds and Swales Behind Lots 26-32	\$ 38,000.00	100%	\$ 38,000.00	\$ -	
17	Access Roads - Drainage Easement Work	\$ 17,000.00	100%	\$ 17,000.00	\$ -	
18	Road Fine Grading and Gravel	\$ 49,000.00	100%	\$ 49,000.00	\$ -	
19	Road Base and Binder Course Paving	\$ 78,690.00	51%	\$ 40,000.00	\$ 38,690.00	
20	Road Top Course Paving	\$ 45,500.00	0%	\$ -	\$ 45,500.00	

21	Sidewalks	\$ 44,580.00	0%	\$ -	\$ 44,580.00
22	Topsoil Along Road Edges	\$ 11,250.00	0%	\$ -	\$ 11,250.00
	Sub Total	\$ 855,171.00		\$ 715,151.00	\$ 140,020.00
Apple Blossom Street					
1	Erosion Control	\$ 15,000.00	100%	\$ 15,000.00	\$ -
2	Tree Clearing (Roadways)	\$ 7,800.00	100%	\$ 7,800.00	\$ -
3	Stump Removal	\$ 11,500.00	100%	\$ 11,500.00	\$ -
4	Strip and Stockpile Topsoil	\$ 5,450.00	100%	\$ 5,450.00	\$ -
5	Cut and Fill to Road Subgrade	\$ 28,600.00	100%	\$ 28,600.00	\$ -
6	Sewer Main	\$ 26,680.00	100%	\$ 26,680.00	\$ -
7	Sewer Manholes	\$ 22,800.00	100%	\$ 22,800.00	\$ -
8	Sewer Services	\$ 17,000.00	100%	\$ 17,000.00	\$ -
9	Water Main Pipe	\$ 19,980.00	100%	\$ 19,980.00	\$ -
10	Water Services	\$ 17,000.00	100%	\$ 17,000.00	\$ -
11	Water Fire Hydrants and Valves	\$ 9,700.00	100%	\$ 9,700.00	\$ -
12	Stormwater Drainage Pipe	\$ 19,780.00	100%	\$ 19,780.00	\$ -
13	Stormwater Drainage Structures	\$ 28,062.00	100%	\$ 28,062.00	\$ -
14	Utilities - Telephone, Cable & Electric	\$ 38,000.00	100%	\$ 38,000.00	\$ -
15	Stormwater Water Quality Separator	\$ 19,000.00	100%	\$ 19,000.00	\$ -
16	Stormwater Detention Ponds and Swales	\$ 19,875.00	100%	\$ 19,875.00	\$ -
17	Access Roads - Drainage Easement Work	\$ 11,675.00	100%	\$ 11,675.00	\$ -
18	Road Fine Grading and Gravel	\$ 16,522.00	100%	\$ 16,522.00	\$ -
19	Road Base and Binder Course Paving	\$ 28,241.00	100%	\$ 28,241.00	\$ -
20	Road Top Course Paving	\$ 18,970.00	0%	\$ -	\$ 18,970.00
21	Sidewalks	\$ 18,999.00	0%	\$ -	\$ 18,999.00
22	Topsoil Along Road Edges	\$ 9,850.00	0%	\$ -	\$ 9,850.00
	Sub Total	\$ 410,484.00		\$ 362,665.00	\$ 47,819.00
Change Orders					
23	Gas Main Pipe	\$ 35,000.00	100%	\$ 35,000.00	\$ -
	Sub Total	\$ 1,854,021.00		\$ 1,582,978.90	
	5% Retainage Total	\$ 92,701.05		\$ 79,148.95	\$ 271,042.10
	Total	\$ 1,761,319.95		\$ 1,503,829.96	\$ 271,042.10