

RECEIVED
AUG 29 2019

TOWN OF AYER
TOWN CLERK

11:27 AM lf

Town of Ayer
Board of Selectmen
Ayer Town Hall - 1st Floor Meeting Room
1 Main Street
Ayer, MA 01432



Tuesday September 3, 2019
Open Session Meeting Agenda

7:00 PM

Call To Order

Pledge of Allegiance; Review and Approve Agenda; Announcements

Public Input

Presentation of Boston Post Cane to Mrs. Roberta Winslow

7:05 PM*

Continued (from August 13, 2019) Public Hearing - Petition for Underground Conduits and Fixtures - National Grid - Plan 28015264 - Pole 6 - Littleton Road

7:10 PM

Mark Wetzel, DPW Superintendent

1. PFAS Update
2. Street Acceptance Requests
 - Elizabeth Estates - Norwood Avenue between Washington and Highland Streets
 - Nashua Street Extension
 - Pingry Hill Phase 3B - Hickory Way from Old Farm Way to Hemlock Drive, Hemlock Drive from Old Farm Way to Littleton Road
 - Pingry Hill Phase 5 - Hay Meadow Lane from Old Farm Way to end, Holly Ridge Road and Apple Blossom Lane
3. Execution of Easement - National Grid Easement/100 Groton Harvard Road

7:25 PM

Alan Manoian, Director, Community & Economic Development

1. West Main Street Form Based Code Overview

7:35 PM

BOS Special Election Discussion

7:45 PM

Town Manager's Report

1. Administrative Update/Review of Warrant(s)
2. Proposed FY '21 Budget Calendar
3. Discussion on moving Town Meeting and Election Dates

8:00 PM

New Business/Selectmen's Questions

1. Rescheduling of September 17th BOS Meeting (Selectman Houde)
2. Debrief from Finance Committee Meeting (Selectman Houde)
3. BOS Rep for Capital Planning Committee (Selectman Houde)

8:10 PM

Approval of Meeting Minutes

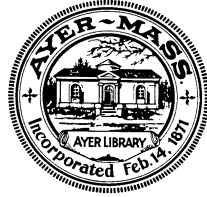
August 13, 2019

Adjournment

*Agenda times are for planning purposes only and do not necessarily constitute exact time

The Boston Post Cane Presentation

Town of Ayer



Mrs. Roberta Winslow

September 3, 2019

History:

The Boston Post Cane tradition was established in 1909 by the Boston Post Newspaper. A special cane was presented to the Board of Selectmen in 431 towns in New England, to be presented as an honor to each town's oldest resident.

Eligibility and Selection:

The holder of the Cane must be 90 years old and reside in the Town of Ayer for a minimum of the last 20 years.

The term "resident" refers to a person who has physically resided at a fixed, permanent, and principal home in the Town of Ayer.

Selection Process:

A notice was placed with local media by the Boston Post Cane Committee seeking nominations for residents that meet the eligibility requirements. The nominations are reviewed by the Boston Post Cane Committee and the recommendation for a recipient was forwarded to the office of the Board of Selectmen.

The Board of Selectmen's office notified the recipient and upon her acceptance of this honorable recognition we gather today to present this honor to Mrs. Roberta Winslow of Mountain Avenue.

Mrs. Winslow will be presented with a replica of the cane to keep at her residence while the original cane will be kept in the Town Clerk's vault.

RECEIVED
JUL 26 2019

TOWN OF AYER
TOWN CLERK

9:14 AM *lf*

**Town of Ayer
Notice of Public Hearing
Ayer Board of Selectmen**



The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday August 13, 2019 at 7:10 PM at the Ayer Town Hall, 1st Floor Meeting Room, 1 Main Street, Ayer, MA 01432 regarding an petition by National Grid to install approximately 660 feet of conduit from Pole 6 Littleton Road to transformers 1,2,3, and 4 pursuant to MGL c.166 sec 22. Plan Number 28015264.

Name of Applicant: National Grid
Date of Public Hearing: Tuesday August 13, 2019
Time of Public Hearing: 7:10 PM
Location of Public Hearing: 1st Floor Meeting Room, Ayer Town Hall
1 Main Street Ayer, MA 01432

Copies of the application are available at the Ayer Board of Selectmen's Office Monday, Wednesday and Thursdays from 8am - 4pm; Tuesdays 8am - 7pm and Fridays 8am - 1pm.

Questions contact – Doug Hyland 781-423-3076

Petition of the NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

To the Board of Selectmen of Ayer, Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Littleton Road – Ayer – Massachusetts.

The following are the streets and highways referred to: Plan number # 28015264.
Littleton Road - National Grid to install ~660ft of conduit from pole 6 Littleton Road to transformers 1,2,3,4.

Location approximately as shown on plan attached

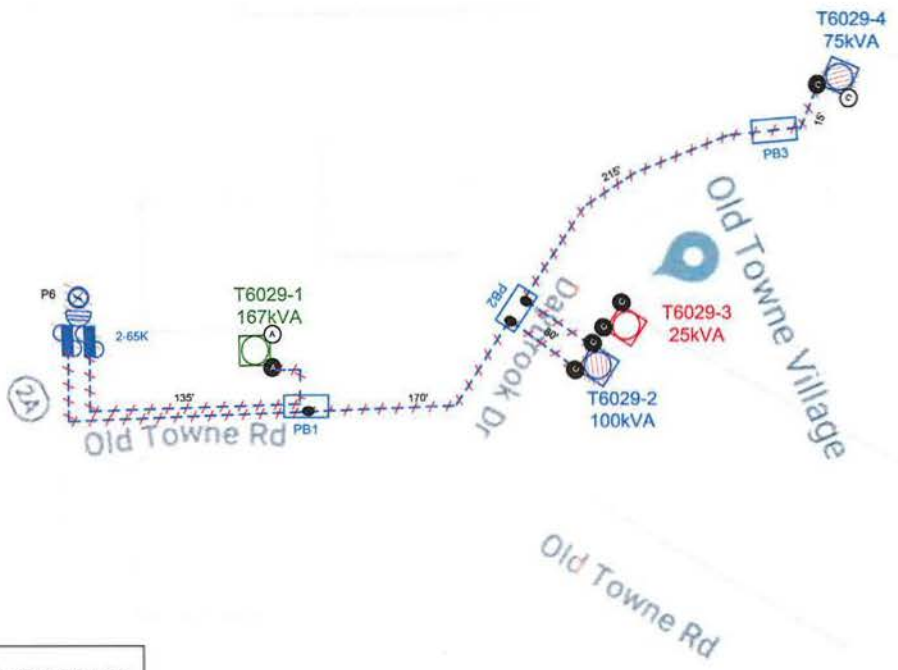
NATIONAL GRID

BY _____
Engineering Department *Dat Cody*

Dated: July 19, 2019



OLD TOWNE VILLAGE PRIMARY CABLE REPLACEMENT
PROPOSED ONE LINE DIAGRAM WR#28015264
FEEDER: 201W1



Notes:
 -Install ~830' of 1-1/C #2 SAL EPR

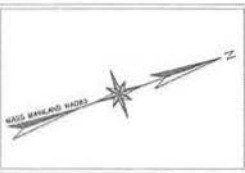
LEGEND	
	Closed / Open Elbow
	3Ø Padmount Transformer
	1Ø Padmount Transformer
	UG 3Ø Cable
	UG 1Ø Cable
	Splice Type UR50 ID: 0809726
	Fused Cutout
	Joint Owned Pole
	Riser
	Manhole
	Pull Box
	- Replace
	- Remove
	- Existing
	- Install

Warning: This One Line Diagram is for electrical reference only. Do not use for switching.

PROPRIETARY NOTICE

THIS DOCUMENT WHICH CONTAINS CONFIDENTIAL AND TRADE SECRET INFORMATION IS THE PROPERTY OF CONTROLPOINT TECHNOLOGIES, INC. AND IS GIVEN TO THE RECEIVER IN CONFIDENCE. THE RECEIVER BY ACCEPTANCE AND RETENTION OF THE DOCUMENT, ACCEPTS THE DOCUMENT IN CONFIDENCE, AND AGREES THAT EXCEPT AS AUTHORIZED IN WRITING BY CONTROLPOINT TECHNOLOGIES, INC. IT IS NOT TO USE THE DOCUMENT OR ANY COPY THEREOF OR THE CONFIDENTIAL TRADE SECRET INFORMATION THEREIN, IS NOT COPY THE DOCUMENT, IN WHOLE OR IN PART, EITHER THE DOCUMENT OR THE CONFIDENTIAL TRADE SECRET INFORMATION THEREIN, AND UPON COMPLETION OF THE NEED TO RETAIN THE DOCUMENT, OR UPON DEMAND, RETURN THE DOCUMENT, ALL COPIES THEREOF, AND ALL MATERIAL DERIVED THEREFROM, TO CONTROLPOINT TECHNOLOGIES, INC. ALL RIGHTS RESERVED.

REV	DESCRIPTION	DATE	CADD	ENGINEER	APPROVED
A	INITIAL DRAWING RELEASE	6/26/19	DH	JP	JP



ControlPoint
TECHNOLOGIES

200 LEDGECROD PLACE (SUITE 300)
 ROCKLAND, MA 02370
 TEL: (781)-423-3076
 EMAIL: DHYLAND@CPTENG.COM
 DESIGNER: DOUGLAS HYLAND

nationalgrid

OLD TOWN ESTATES URD
 AYER, MA
 W/R# 28015264

SCALE	DWG NO.	SHT.	PROPOSED CL.	REV.
NIS	28015264		PROPOSED CL	A

Town of Ayer
Board of Selectmen's Office
Transmittal Form - Department Head Review



- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
- Conservation Committee
- Treasurer/Tax Collector
- Town Clerk
- Assessor's Office
- Town Planner
- Economic & Community Development Office

Review Deadline Date Wednesday August 7, 2019

Public Hearing Date Tuesday August 13, 2019

Update for 9/3/19 BOS Meeting
The Conservation Commission has reviewed this request and has determined that filing a Notice of Intent is not necessary. Therefore, I am recommending that the BOS approve the petition sought by National Grid.

Permit Sought Pole Petition pursuant to MGL c. 166, sec. 22

Description National Grid to install approximately 660 feet of conduit from Pole 6 Littleton Road to transformers 1,2,3, and 4 pursuant to MGL c.166 sec 22. Plan Number 28015264.

Submitted by National Grid

Address North Andover Telephone Doug Hyland 781-423-3076

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments:

The applicant will have to demonstrate that the proposed work is not in the 100' buffer zone of a wetland nor the 200' riverfront resource area to the brook that runs behind the property.

Signed Jo. Amleystett

Title conservation administrator

Date 8/1/19



MEMORANDUM

Date: August 28, 2019
To: Board of Selectmen
From: Mark Wetzel, P.E., Superintendent of Public Works
Dan Van Schalkwyk, P.E., Town Engineer
Subject: **Agenda Items for September 3, 2019 BOS Meeting**

1. PFAS Update – I will provide the Board with an update on the drinking water PFAS issues including:
 - a. Recent water quality testing results
 - b. Grove Pond Wellfield Treatment
 - c. Spectacle Pond Wellfield PFAS preliminary design and cost estimate
 - d. MassDEP regulatory update

2. Street Acceptance - There are three subdivisions that have requested Street Acceptance for Fall Town Meeting. The process for accepting streets as Town roads is as follows:
 - a. Developer send letter to BOS petitioning for street acceptance.
 - b. BOS vote intention to layout street and refer the petition to Planning Board
 - c. Planning Board makes recommendation to BOS
 - d. Notices sent to landowners on the street regarding upcoming BOS vote to layout
 - e. BOS vote to layout street
 - f. Town Clerk records BOS vote to layout street
 - g. Town Meeting votes to accept the street

Note that this process has a specific schedule with public notifications in order to complete all of the above requirements prior to Town Meeting.

Attached are the letters from the developers requesting street acceptance for the following streets:

- Elizabeth Estates- Norwood Avenue between Washington Street and Highland Street
- Nashua Street Extension
- Pingry Hill Phase 3B (Hickory Way from Old Farm Way to Hemlock Drive, Hemlock Drive from old Farm Way to Littleton Road)
- Pingry Hill Phase 5 (Hay Meadow Lane from Old Farm Way to end, Holly Ridge Road and Apple Blossom Lane)

The DPW is in the process of reviewing the status of punch lists for these subdivisions and if we do not see completion of outstanding items, we will request that the Board not vote to layout the street.

3. Easement for National Grid- Landfill Solar Project – As approved at Town meeting, attached is the easement for National Grid to install an overhead electrical transmission system on the landfill property on Groton Harvard Road. This will be used as the interconnection between the solar field and the electrical grid. For execution by the Board

Mark Wetzel

From: Calvin Moore <calvinm@needtogohunting.com>
Sent: Friday, August 23, 2019 12:52 PM
To: Robert Pontbriand; Mark Archambault
Cc: Mark Wetzel
Subject: Nashua St

Dear boards, I am asking the planning board and the town of Ayer to place on the town warrant for fall town meeting the acceptance of the new addition to Nashua Street.

I am working with the DPW on the few remaining punch list items that are scheduled to be completed in the next two weeks.

- Guard rail, contractor said it is planned for the week of 8/26 +/-

- Back filling new curbing should be completed this weekend

- Compacting the cul de sac rock edging, week of 9/1

- Planting seed and shrubs in the cul de sac, week of 9/1

There is also a cash deposit of \$31,217 that the town is holding for the release of the lots that I will be requesting upon completion of the punch list items.

Thank you

Calvin Moore

Calvin Moore
39 Main St
Suite 204
Ayer, MA 01432
978-772-1300

**Robert Prescott
Prescott Development Corp./
North Shirley Real Estate Trust
13 Mulpus Rd.
Shirley, MA 01464**

August 16, 2019

Board of Selectmen
Town of Ayer
Municipal Building
Ayer, MA 01432

Dear Board Members:

Please accept this letter as a formal request for street acceptance of Norwood Ave. by the Town of Ayer. If you have any further questions, please feel free to contact me.

Sincerely,

Robert E Prescott Jr.
Prescott Development Corp.
North Shirley Real Estate Trust

CRABTREE DEVELOPMENT, LLC
PO Box 863
Ayer, MA 01432

Town of Ayer
Board of Selectmen
One Main Street
Ayer, MA 01432

August 27, 2019

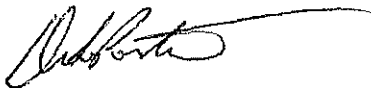
**RE: Road Acceptance, Phases 3B & 5, Ridge View Realty Trust,
Pingry Hill Subdivision (Crabtree Development, LLC)**

Dear Board Members;

Please accept this letter as the formal request for petition and acceptance by the Town of Ayer of the Roads and Infrastructure for Phases 3B and 5 in the Pingry Hill subdivision referenced above as constructed by Crabtree Development, LLC. For your information, only Phase 4 remains under construction and is currently 88.6% complete.

It is our understanding that the DPW is preparing a Punch List which will be addressed to their satisfaction.

Sincerely,



Duke Pointer
Managing/Partner

Cc: Steve Mullaney – SJ Mullaney Engineering
Mark Wheeler – David E. Ross Associates
Paul Alphen – Alphen & Santos, PC
Town of Ayer – Public Works Department
Town of Ayer – Planning Board

Property Address: 100 Groton Harvard Road, Ayer, MA (Middlesex South)

GRANT OF EASEMENT

The **TOWN OF AYER**, a municipal corporation, duly organized and existing under the laws of the Commonwealth of Massachusetts, having an address at 1 Main Street, Ayer, Massachusetts 01432 (hereinafter referred to as the Grantor), for consideration of One (\$1.00) Dollar, grants to **MASSACHUSETTS ELECTRIC COMPANY**, 40 Sylvan Road, Waltham, Massachusetts 02451, a Massachusetts corporation (hereinafter referred to as the Grantee) with quitclaim covenants, the perpetual right and easement to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, lines to consist of, but not limited to, three (3) poles, (which may be erected at different times) with wires and cables installed thereon, and all necessary foundations, anchors, guys, braces, fittings, equipment and appurtenances (hereinafter referred to as the "OVERHEAD SYSTEM") over, across, under and upon the Grantor's land in Ayer, Middlesex County, Massachusetts, to serve Grantor's property and others.

Said "OVERHEAD SYSTEM" is to be installed on Grantor's property, which is located on the easterly side of Groton Harvard Road, to originate from Pole P.34-50, which is located on the easterly side of Groton Harvard Road, then proceed in an easterly direction over, across and upon land of the Grantor to new Poles P.34-51, P.34-53, and P.34-55, to become established by and upon the final installation thereof by the Grantee.

WR #23932888

05 AYERMA GEN

Address of Grantees:
Mass El. - 40 Sylvan Road, Waltham, Massachusetts 02451

After recording return to:
Carol Childress
National Grid USA
Service Company, Inc.
939 Southbridge Street
Worcester, MA 01610

Also with the further perpetual right and easement from time to time without further payment therefore to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate and patrol and otherwise change said "OVERHEAD SYSTEM" and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, their successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "OVERHEAD SYSTEM" is specifically located of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may, in the opinion and judgment of the Grantee, interfere with the efficient and safe operation and maintenance of the "OVERHEAD SYSTEM".

It is agreed that the "OVERHEAD SYSTEM" shall remain the property of the Grantee, their successors and assigns, and that the Grantee, their successors and assigns, shall pay all taxes assessed thereon. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor's property and the further right to service others from said "OVERHEAD SYSTEM". The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for themselves, their successors and assigns, that this Grant of Easement and the location of the "OVERHEAD SYSTEM" may not be changed or modified without the written consent of the Grantee, their successors and assigns, which consent may be withheld by the Grantee in their sole discretion. The rights and easement herein granted are over, across and upon those parcels of land being more particularly described in a deed dated December 31, 1936, recorded with the Middlesex South District Registry of Deeds in Book 6089, Page 484, and a deed dated May 27, 1937, recorded with said Registry of Deeds in Book 6124, Page 543, and a deed dated December 21, 1943, recorded with said Registry of Deeds in Book 6737, Page 259.

And further, said "OVERHEAD SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) is approximately shown on a sketch entitled: "EXHIBIT 'A' NOT TO SCALE; 100 Groton Harvard Rd Easement Sketch Ayer MA; Date: 6/5/19; Designer: J. Morales; Work Request: 23932888; Sketch to Accompany Easement for: *Exhibit A*; nationalgrid", a reduced copy of said sketch is attached hereto as "Exhibit A", copies of which are in the possession of the Grantor and Grantee herein, but the final definitive locations of said "OVERHEAD SYSTEM" shall become established by and upon the installation and erection thereof by the Grantee.

This easement to Massachusetts Electric Company is granted pursuant to the authority of the vote taken under Article 33 of the May 8, 2017 Town Meeting, a certified copy of which is attached hereto and incorporated herein.

For Grantor's title, see deed dated December 31, 1936, recorded with the Middlesex South District Registry of Deeds in Book 6089, Page 484, and a deed dated May 27, 1937, recorded with said Registry of Deeds in Book 6124, Page 543, and a deed dated December 21, 1943, recorded with said Registry of Deeds in Book 6737, Page 259.

EXECUTED as a sealed instrument this _____ day of _____, 2019.

TOWN OF AYER
Acting by and through its Board of
Selectmen

By: Scott A. Houde
Its: Chair

By: Jannice L. Livingston
Its: Vice Chair

By: Christopher R. Hillman
Its: Clerk

WR #23932888

The provisions of Massachusetts
General Laws, Chapter 183,
Section 6B, are not applicable.

Commonwealth of Massachusetts

County of _____ } ss.

On this the _____ day of _____, 2019, before me,
Day Month

Name of Notary Public

the undersigned Notary Public,
personally appeared Scott A. Houde, Jannice L. Livingston, and Christopher R. Hillman, proved
to me through satisfactory evidence of identity, which were

Description of Evidence of Identity

to be the persons whose names are signed on the preceding Grant of Easement and
acknowledged to me that they signed it voluntarily for its stated purpose, as members of the
Board of Selectmen in the Town of Ayer.

Signature of Notary Public

Printed Name of Notary

My Commission Expires _____

Place Notary Seal and/or Any Stamp Above

WR #23932888

The provisions of Massachusetts
General Laws, Chapter 183,
Section 6B, are not applicable.

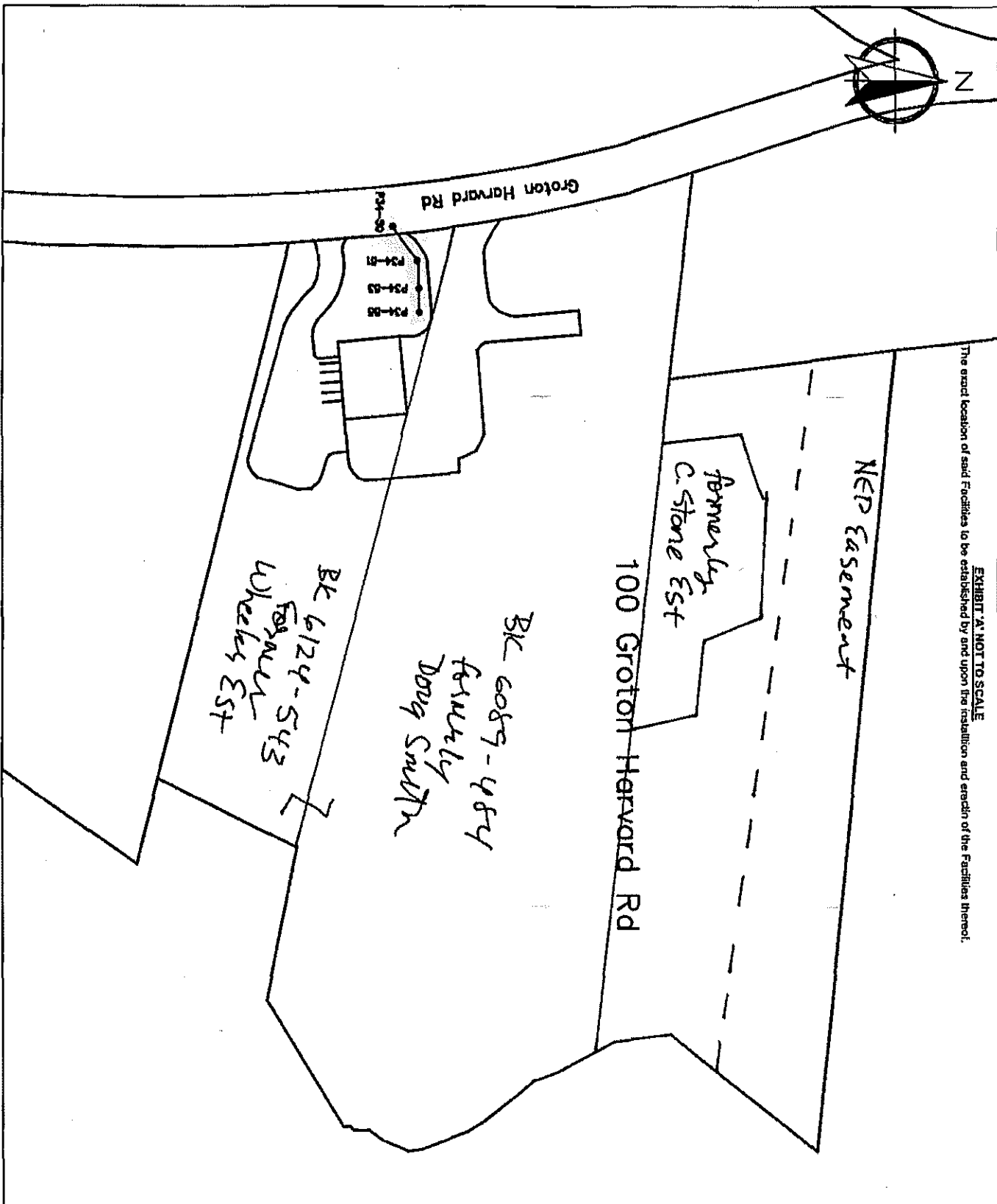
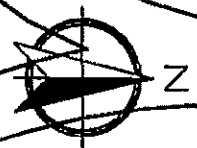


EXHIBIT 'A' NOT TO SCALE
 The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.

LEGEND

- Proposed SO Pole
- OH Line

100 Groton Harvard Rd
 Easement Sketch

Date: 6/5/19
 Designer: J. Morates
 Work Request: 23932888

Ayer MA
 Sketch to Accompany Easement for:
 Exhibit A



Section 10.0 Special Regulations

10.5 Mitchellville/West Main Transit-Oriented Village (TOV) Form-Based Code

10.5.1 Intent & Purpose

The *Mitchellville/West Main TOD Form-Based Code (MWMFBC)* is designed to foster, reinforce and predictably deliver a high-quality Public Realm, with higher density residential/mixed-use development designed to conveniently access the Downtown Ayer Commuter Rail Station through various multi-modal options. The District's built-character will develop in accordance with a traditional and economically sustainable New England building and street pattern. Development and redevelopment along the West Main Street Corridor, which serves as the "connective multi-modal corridor" between the Community of Devens, the Downtown Ayer MBTA Commuter Rail Station, the Nashua River Rail Trail, and the high-density residential district of Downtown Ayer shall be regulated by the *Mitchellville/West Main Form-Based Code* in order to achieve the vision set forth in the *Town of Ayer 2018 Master Plan*, *Town of Ayer Complete Streets Policy*, the *Town of Ayer Open Space & Recreation Plan*, the newly adopted *Downtown Ayer/Park Street Form-Based Code (6/10/2019)*, and the Commonwealth of Massachusetts 10 Principles of Sustainable Development.

The *Mitchellville/West Main Form-Based Code* provides the specific means to regulate and guide implementation of the civic vision for the development and redevelopment of all properties along

the historic Mitchellville District of West Main Street. The *Mitchellville/West Main Form-Based Code* (also referred to herein as the "Form-Based Code" or the "MWMFBC") is a legal document that regulates land-development by setting careful and coherent controls on building form - while employing more flexible parameters relative to building use and density. This greater emphasis on "fine-grained" functional building and street form is designed to deliver safe, healthy, walkable, attractive and appealing public spaces (squares, sidewalks, streets, downtown parks, and traditional neighborhoods) complemented with a healthy range of building uses. By prescriptively composing/regulating a high-quality Public Realm the Form-Based Code will result in escalated pedestrian activity, social gathering, destination place encounters, improved residential development with associated daytime retail and professional office vitality, and evening social gathering the Code shall serve to more energetically and prescriptively drive the "Economics of Place" along the historic Mitchellville District of West Main Street.

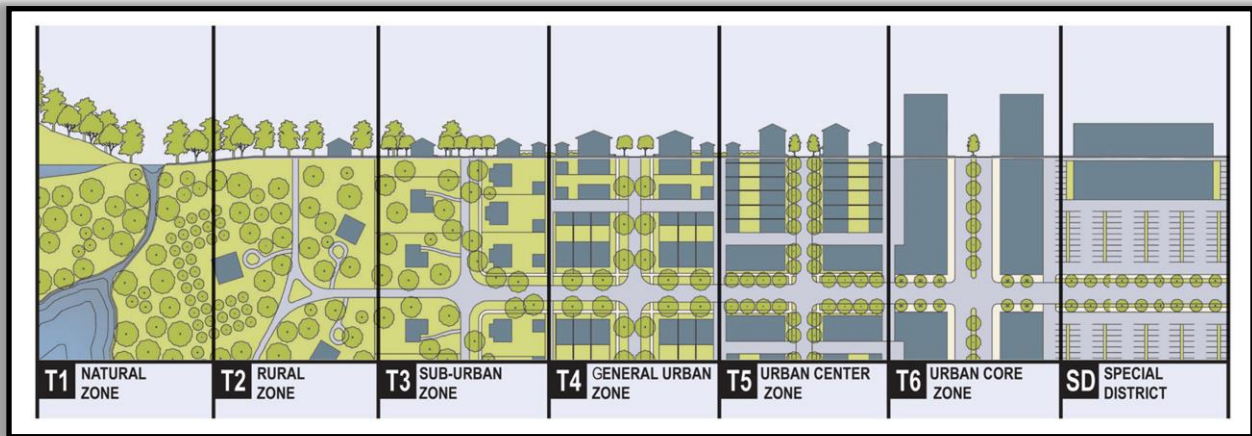
The *Form-Based Code* uses simple and clear graphic prescriptions and parameters for Building Height, Building Placement, and Building External Elements to address the basic functional necessities for forming good public space (Public Realm). Wherever there appears to be a conflict between the *Mitchellville/West Main Form-Based Code* and other sections of the *Town of Ayer Zoning Bylaw (as applied to a particular development along the historic Mitchellville District of West Main Street)*, the requirements specifically set

forth in the *Form-Based Code* shall prevail.

For development standards not covered by the *Form-Based Code*, the other applicable sections in the *Town of Ayer Zoning Bylaw* shall be used as the requirement. Similarly, all development must comply with all relative Federal, State or local regulations and bylaws.

Transect District. The Mitchellville/West Main Street Sub-Transect includes:

- T.5 “Village Core”
- T.5.1 “Village Street”



10.5.2 The “Transect”

The *Rural-to-Urban Transect* is a system that places all of the elements of the built environment in useful order, from most rural to most urban. The Mitchellville/West Main Street FBC shall be founded upon the “**Rural-to-Urban Transect**” which delivers a well-composed Sustainable and Traditional New England Town development pattern. The Code shall deliver concentrated mixed-use development at the Mitchellville District core and a gradually less intense development pattern moving outward from the Mitchellville District core eastward towards the West Main Street Railroad Overpass Bridge. The Mitchellville/West Main Street Sub-Transect will meet and integrate into the new Downtown Ayer/Commuter Rail Station/Park Street

The Rural-to-Urban Transect is divided into six (6) zones based on intensity of the built environment and physical and social character. The underlying principle of the Rural-to-Urban Transect is that certain forms and elements traditionally belong and function best in certain environments.

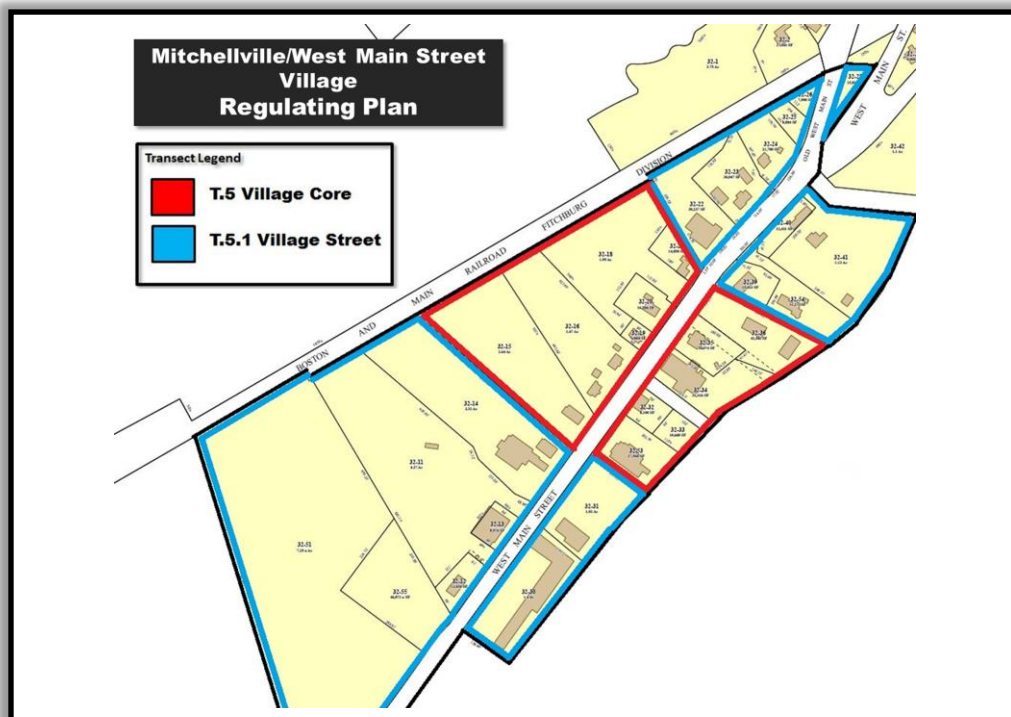
For example, a “street” is more urban than a “road”, a “curb” more urban than a “swale”, a “brick wall” more urban than a “wooden fence”, and greater density is more urban than less density; an “apartment building” belongs in an urban setting and a “farm” belongs in a more rural or working lands setting. As transect zones become more urban they also increase in complexity, density and intensity, such as building height.

The “Rural-to-Urban Transect”

Each particular town or city composes and formulates its own “Rural-to-Urban Transect”; meaning for large New England cities such as Worcester or Lowell - their most urban transect zone (T.6) would accommodate 6-10 story buildings at the Downtown Core. However for smaller New England Towns such as Ayer or Reading - their most urban transect zone (T.6) would accommodate 3-4 story buildings at the Downtown Core.

10.5.3 The Regulating Plan

A Regulating Plan is essentially a fine-grained zoning map keyed to a set of *Building Development Standards* (BDS) described below; detailed to the level of individual streets, blocks, public spaces, and sometimes even lots or buildings, which is a level of detail not found in conventional zoning ordinances. Each street, block, or parcel must comply with the FBC illustrated standards. The Regulating Plan identifies the *Building Development Standards* (BDS) for all building sites within the Mitchellville/West Main Form-Based Code District. The goal of the (BDS) is the creation of a healthy and vital *Public Realm*. Deviations from the BDS can be approved only through a Special Permit process as provided in the Town of Ayer Zoning Bylaw. The Building Development Standards (BDS) set the basic parameters governing building construction, including the building envelope (in three dimensions) and certain required and/or permitted elements, such as colonnades, stoops, balconies, porches, and street walls.



10.5.4 How Buildings Form the Public Realm – Private Frontage & Public Frontage

10.5.5 The Frontage Types (How buildings shape the Public Realm); *Frontage Types* -- describe how the front facade of a building and the privately-owned land between the building and the sidewalk relate to the streetscape. *Frontage Types* get to the heart of what a Form-Based Code is all about: How buildings shape the Public Realm. (See: “Building Frontage Types Illustrative Sheet” – See Section 10.5.9.1)

10.5.6 Lot Layers/Parking Location

Lots are composed of three (3) *Lot Layers* - the First (1st) Lot Layer - the Second (2nd) Lot Layer, and the Third (3rd) Lot Layer. The Lot Layer provides a range of depth of a Lot within which certain elements (such as surface parking) are permitted.

*All on-site/off-street Surface Parking shall be located in the Second (2nd) & Third (3rd) Lot Layer of the building lot; all Underbuilding Parking shall be located in the Third (3rd) Lot Layer in the Mitchellville/West Main Street Form-Based Code District.

(See “Lot Layers Illustrative Sheets” – See Sections 10.5.12, 10.5.16 & 10.5.19)

10.5.7 How to Use this Code

Wherever a word is in *italic letters* format, consult the Definitions for the specific meaning.

In order to understand what the *Code* allows on property within the Mitchellville/West Main Street District there are four (4) basic steps:

A. Review the Regulating Plan: Find your property/parcel of interest. Note the Transect Color of the property/parcel – the color is keyed to the applicable *Building Development Standard* for building/s fronting that street(s) in the particular Transect zone of the Mitchellville/West Main Street District. The Legend Block at the upper right of the *Regulating Plan* will direct you to the required Building Development Standard.

B. Review the appropriate Building Development Standard (BDS) page in the Code. This page outlines the basic parameters for building on the site in terms of Building Height, Building Placement, Building Fenestration & External Elements, etc.

C. Review the Building Frontage Types permitted in the selected Transect; (T.5 or T.5.1).

D. Review the Ayer Zoning Bylaw Parking Requirements & the Use Table to determine the property/district Parking & Land Use requirements and permitted uses as per Section 9.1 General Regulations (for Parking Spaces) and Section 5.0 Use Regulations (for Building Use) of the Town of Ayer Zoning Bylaw.

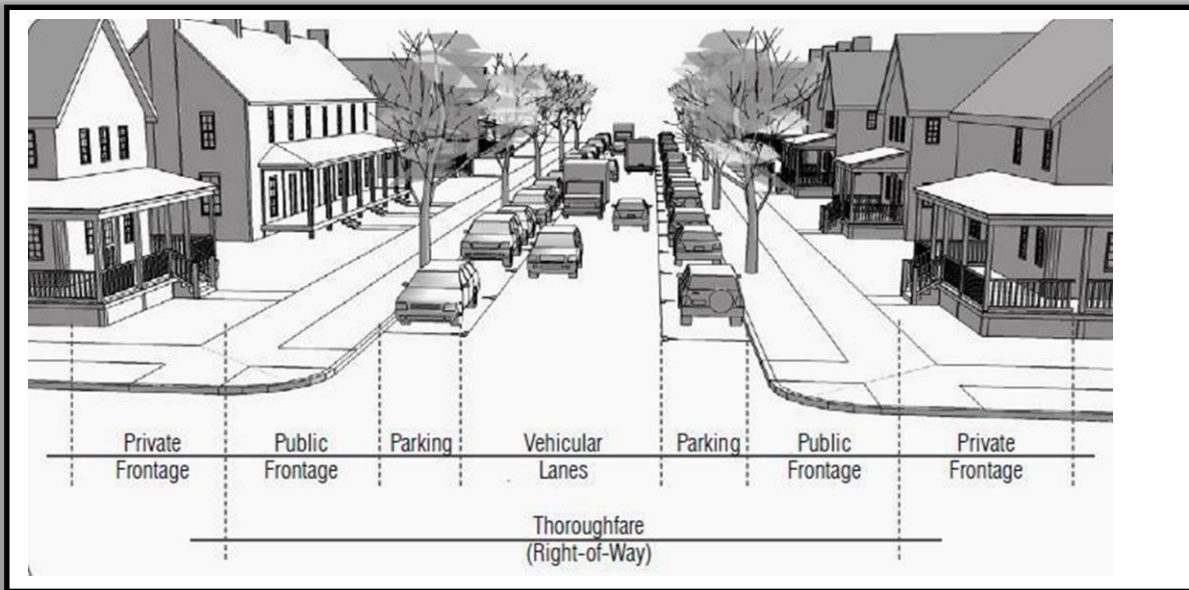
The information from the above listed steps explains where the building will sit on the lot, the limits on its three dimensional form, the building frontage that addresses the primary street, the parking requirements, and the range of uses. For exact dimensions specific to a particular property, consult with the Office of the Ayer Town Planner.

10.5.8 Mitchellville/West Main Street Form-Based Code District (DPSFBC):

District Purpose:

The Purpose of the Mitchellville/West Main Street Form-Based Code is:

- To facilitate the construction of new high-density, multi-family residential building development mixed with complimentary commercial development along West Main Street in convenient proximity to the Downtown Ayer MBTA Commuter Rail Station by means of well-designed multi-modal transportation choices/options;
 - To generate the maximum amount of municipal real estate tax revenue through concentrated & sustainable land development in the Mitchellville/West Main Street District;
 - To facilitate and provide more housing stock, for all income and household size residents, in order to enhance and accommodate greater job creation and corporate investment/expansion at Devens and within the Town of Ayer;
 - To preserve Ayer's & Devens remaining rural open space & limited undeveloped land resources;
 - To deliver greater commercial vitality and to escalate ridership at the Downtown Ayer MBTA Commuter Rail Station Area & the Devens Bus Shuttle;
 - To effectively and more-simply regulate a traditional New England building development pattern that is based upon the built environment's physical form and its relationship between the Public Realm and private building/lot space;
- To deliver a more predictable building development process & outcome consistent with Ayer's & Devens traditional pedestrian-oriented, street & building development pattern & Complete Streets Policy & municipal Master Plan.



10.5.9 General Guiding Principles

Buildings are aligned and close to the Street:

Buildings spatially contain, define and form the space of the street; the Public Realm;

The Street is a coherent space, with consistent building forms on both sides:

This agreement/relationship of buildings facing across the street-space contributes to a clear public space and street-space identity;

Buildings address the street-space with active fronts:

This addressing of the street-space contributes to vital and safe public space;

Public spaces are physically defined by buildings, walls, or fences:

Land should be clearly public or private - in public view and under surveillance or private and protected;

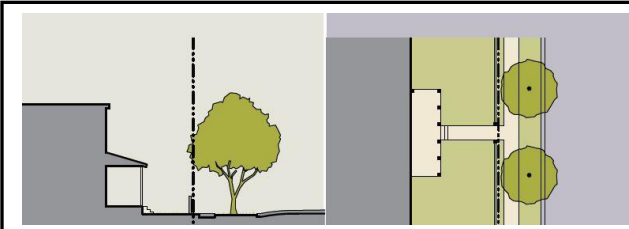
Buildings are designed (composed) for towns and cities:

Rather than being simply pushed closer together, as in many suburban developments, buildings must be designed (composed) for a traditional, compact and human-scale New England urban situation within towns and cities. Views are directed to the street-space and interior gardens/court-yards, not into neighboring lots;

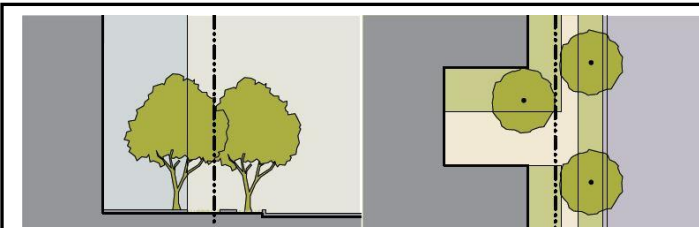
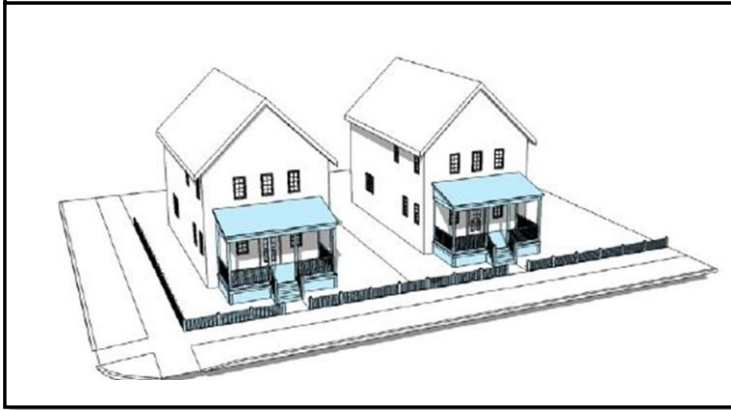
Vehicle storage/parking, (other than on-street parking), waste disposal units and mechanical equipment are kept away from the street-space.

10.5.9.1 Specific to Building Frontage Types (by Transect)

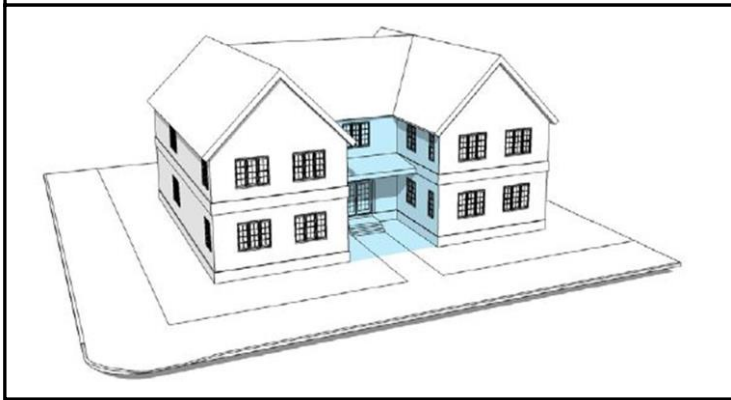
	SECTION	PLAN	
	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE	
<p>a. Common Yard: a planted Frontage wherein the Facade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep Setback provides a buffer from the higher speed Thoroughfares.</p>			T.5.1
<p>b. Porch & Fence: a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence at the Frontage Line maintains street spatial definition. Porches shall be no less than 8 feet deep.</p>			T.5.1
<p>c. Terrace or Lightwell: a Frontage wherein the Facade is set back from the Frontage line by an elevated terrace or a sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public Encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: Dooryard.</p>			T.5.1 T.5
<p>d. Forecourt: a Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.</p>			T.5.1 T.5
<p>e. Stoop: a Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.</p>			T.5.1 T.5
<p>f. Shopfront: a Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and an awning that may overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage.</p>			T.5.1 T.5
<p>g. Gallery: a Frontage wherein the Facade is aligned close to the Frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery shall be no less than 10 feet wide and should overlap the Sidewalk to within 2 feet of the Curb.</p>			T.5.1 T.5
<p>h. Arcade: a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at or behind the Frontage Line. This type is conventional for Retail use. The Arcade shall be no less than 12 feet wide and should overlap the Sidewalk to within 2 feet of the Curb. See Table 8.</p>			T.5.1 T.5

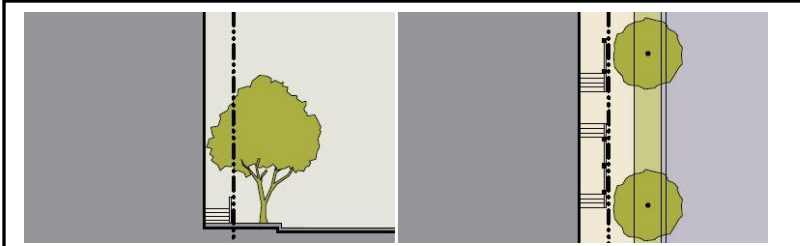


**Porch & Fence
T.5.1**

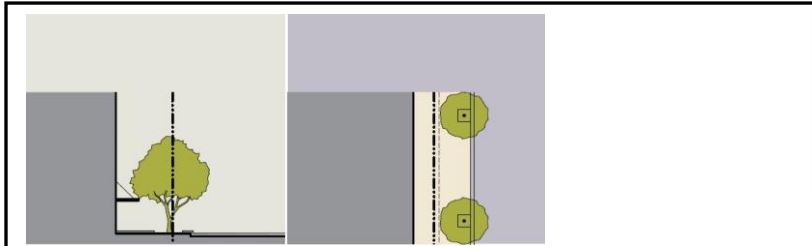
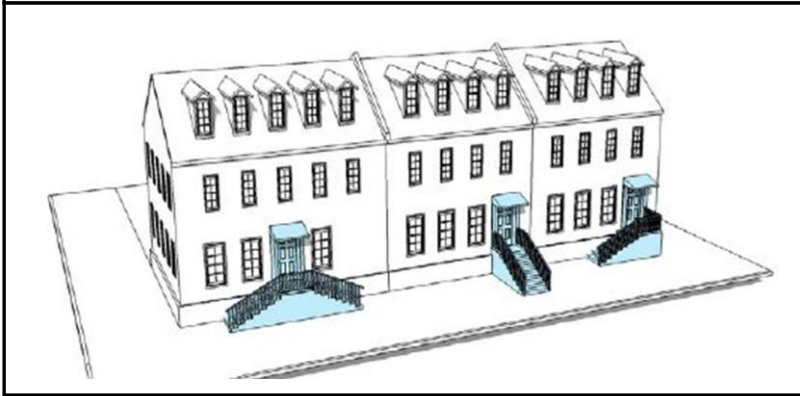


**Forecourt
T.5.1 & T.5**



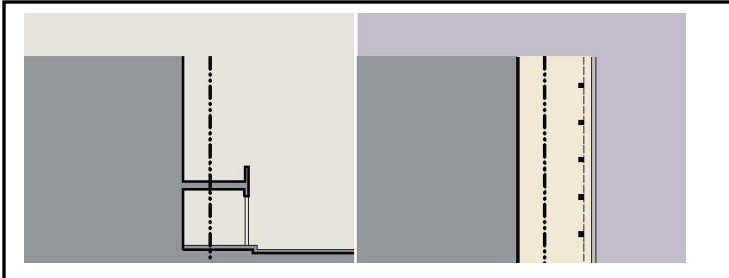


Stoop
T.5.1 & T.5

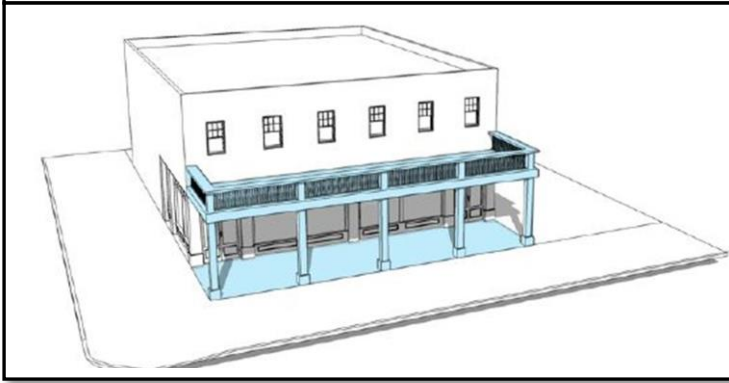


Shopfront
T.5.1 & T.5

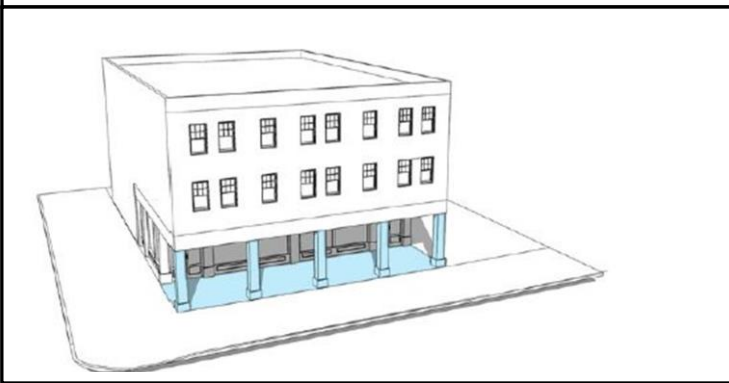


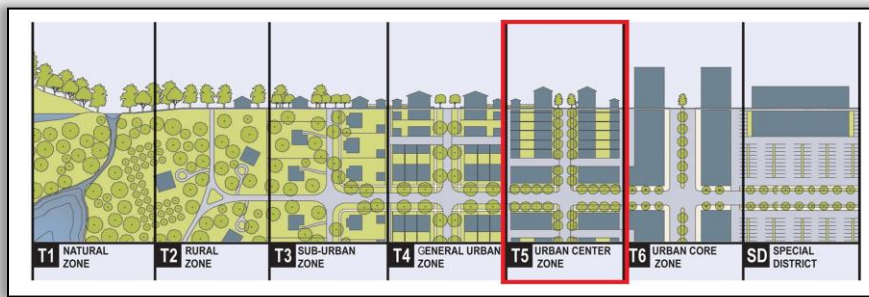


Gallery
T.5.1 & T.5



Arcade
T.5.1 & T.5





10.5.14 Vision, Intent and Purpose

Village Core (T.5)

The Village Core zone is characterized by medium-to-large scale mixed-use buildings in a walkable, bike-able, connective and compact urban environment that accommodates high-quality Commuter Rail Station Bus Shuttle (Devens Regional Shuttle) Waiting Stations, Bicycle-Share Stations, and a “park- once, walk-and-do-many-things” development pattern. The (T.5) mixed-use and multi-story building pattern will provide more residential/housing opportunities for all income levels, generate greater socio-economic stimulation and enhanced sidewalk interaction and ease of access

to the Downtown Ayer MBTA Commuter Rail Station (.75 mile proximity).

The new (TOV or Transit-Oriented Village) district will also serve to “calm” vehicular traffic along the West Main Street corridor, provide for a more human-scale street, contribute to “eyes-on-the street” for improved personal safety/security, encourage a more healthy “walking/biking/public transportation-lifestyle”, and will attract new high-quality retail, cafes, service enterprise, and spontaneous social encounter.



A. Key Features

- The District will transform a current low-value, auto-centric, disconnected, un-walkable and harsh corridor into a more up-valued and livable traditional building and street pattern more consistent with a Traditional Village Main Street;
- Introduction of an unprecedented new 6ft. wide sidewalk infrastructure network at “Mitchellville” along the West Main Street Corridor;
- Medium-to-Large scale buildings & lots;
- Traditional historic building form uplifts and ennobles the street (Public Realm) by serving as a well-composed and unified architectural definer of the future West Main Street at Mitchellville;
- Safe, healthy, human-scale, multi-modal transportation “Complete Streets” design and destination experience;
- Concentration and connectivity of many retail & restaurant

storefronts along the street-level (with residential units in upper stories) builds the walkable “sidewalk shopper-storefront merchant” economic fabric & vibrancy of a traditional New England Public Realm;

- Well-designed Bike-Share Stations & Bike Lanes connecting with Downtown Ayer MBTA Station;
- Commercial uses on street-level with Residential Dwellings units in upper-stories;
- Transformative introduction of abundant on-street parking spaces;
- Sidewalk street trees & Pedestrian Wayfinding signage directional experience/s.

B. Building Entries:

Primary Entry Door is required along ground story facade facing (the) Primary Street.

Front Facade Wall: Blank lengths of building wall exceeding twelve (12) linear feet are prohibited.

C. External Elements T.5

- Building Projections: No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
- Encroachments: Front Stoops may encroach upon the front

setback line, but not encroach in the street right-of-way. (See 10.6.15, B., *Encroachments*)

- Garages: Detached garages shall be located in the “Third Layer” of the Lot. (See 10.6.14, A., *Location*)
- Driveways: Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of ten (10) feet wide and a maximum of eighteen (18) feet wide.
- Parking:

Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk.

Commercial – All Surface Parking shall be located in the Second (2nd) & Third (3rd) Lot Layer of the parcel. Underbuilding Parking shall be located in the Third (3rd) Lot Layer of the parcel. (See 10.4.14, A., *Location*). Screening and/or Street Wall is required for parking areas visible from the street.

D. Accessory

- Structures: Accessory structures shall be located in the Third (3rd) Lot Layer and ten (10) feet from either side or rear property line.
- Accessory Building Height Max.: In the (T.5) zone Accessory Buildings shall not exceed two (2) stories.
- Landscaping: Landscaping is encouraged but shall not extend into any street sidewalk or travel

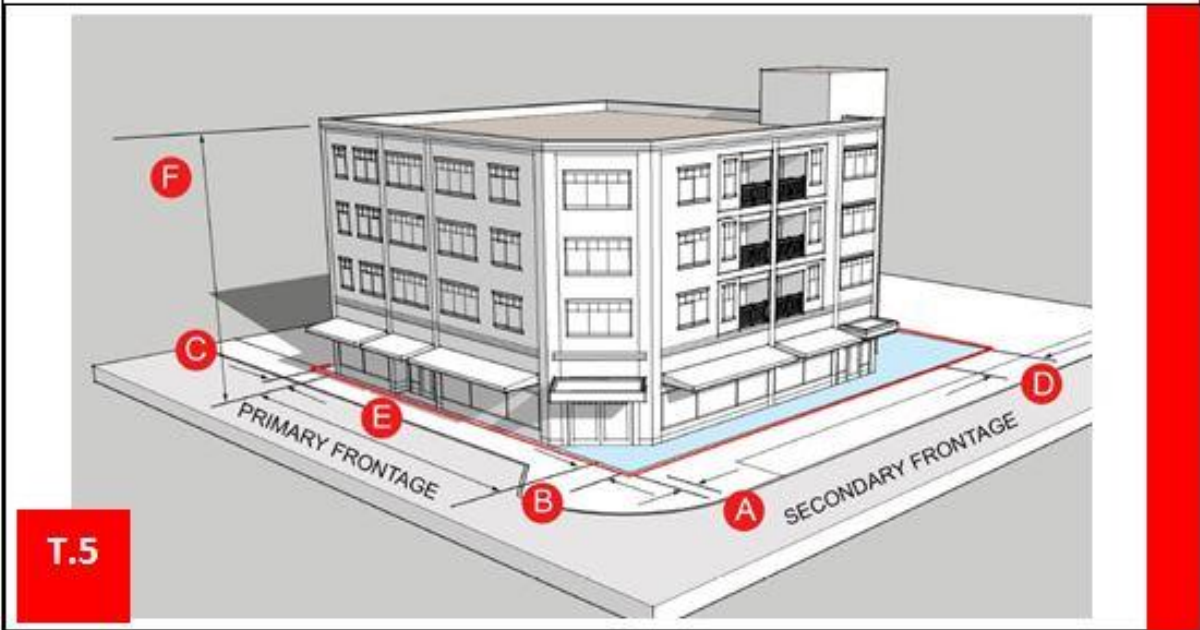
way. Street trees are encouraged.

- Foundation Planting: Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.



Village Core

(T.5)



10.5.15 Building Development Standards

- A**
Front Setback, Principal Frontage: 5 ft. min, 20 ft. max

- B**
Front Setback, Secondary Frontage: 5 ft. min, 20 ft. max

- C**
Side Setback: 10 ft. min

- D**
Rear Setback: 15 ft. min

- Building & Lot Principal Use

- See: Ayer Zoning Bylaw Section 5.2 Table of Use Regulations

- B. LOT OCCUPATION**

- Lot Width: 24 ft. min, 240 ft. max **E**

- Lot Coverage: 90% max

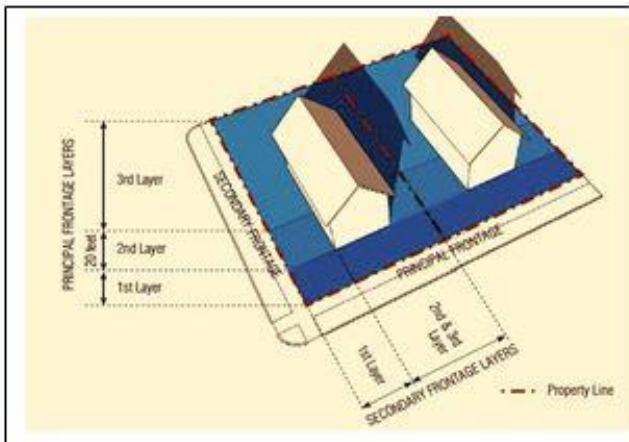
- Frontage Build-Out: 75% along front setback

- C. BUILDING FORM – PINCIPAL BUILDING**

- Building Height: 2-Story min, 4-Story max **F**

- Building Width: 16 ft. min, 240 ft. max

- Building Facade 60% min, 90% max
- Window Proportions Ground Story
- (Glazing) 40% min, 60% max
- Upper Stories



10.5.16 PARKING

A. LOCATION

Second and/or Third Lot Layer	Principal Building Setback +20 ft.
-------------------------------	------------------------------------

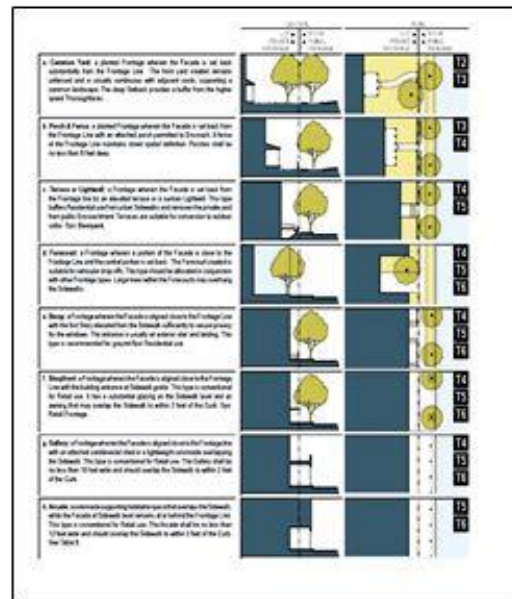
B. REQUIRED SPACES

Residential	See Sec. 9.1.2 A.
Business	See Sec. 9.1.2 B.
Industrial	See Sec. 9.1.2 C.
Mixed Uses	See Sec. 9.1.2 D.
Special Downtown	See Sec. 9.1.4 A., B., C.

C. OFF-STREET PARKING DESIGN STANDARDS

Dimensional	See Sec. 9.1.5 A.
Driveways/Interior	See Sec. 9.1.5 B.
Location/Design	See Sec. 9.1.5 C.
Shared Parking	See Sec. 9.1.5 D.

See: Ayer Zoning Bylaw Section 9.0 General Regulations



10.5.17

PRIVATE FRONTAGES & ENCROACHMENTS

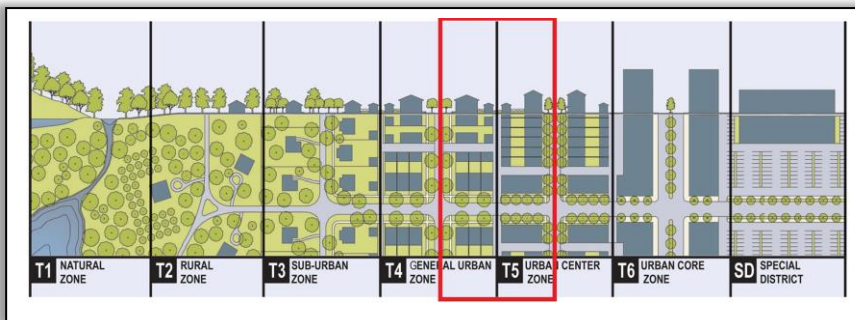
A. PRIVATE FRONTAGE TYPES

Storefront	Permitted	See Table
Forecourt	Permitted	See Table
Gallery	Permitted	See Table
Arcade	Permitted	See Table

B. ENCROACHMENT OF BUILDING ELEMENTS

Enclosed landings, stairs, stoops, bays, ramps and similar projections may encroach upon the indicated setbacks by the following distances.

Front Setback, Principal Frontage	8 ft. max
Front Setback, Secondary Frontage	8 ft. max
Rear Setback	5 ft. max



10.5.18 Vision, Intent and Purpose

Village Street (T.5.1)

The “Village Street” zone is characterized by medium scale residential and/or mixed-use buildings in a walkable, compact urban environment. The Village Street is a less intense building development form than the Village Core (T.5), in terms of density, intensity and use; it serves as the transitional-form block between the Verbeck Gate to the west, and the Railroad Bridge Overpass to the east. This building pattern will generate beneficial

neighborhood street interaction, permanence of place, calmer neighborhood traffic, higher property values, enhanced quality of life, and safe walkable connectivity within the TOV Core and outward to the Downtown Ayer MBTA Commuter Rail Station and into the Devens Community.



A. Key Features

- The District will transform a current low-value, auto-centric, disconnected, un-walkable and harsh corridor into a more up-valued and livable traditional building and street pattern consistent with a Traditional New England Village Street;
- Introduction of an unprecedented new 6ft. wide sidewalk infrastructure network at “Mitchellville” along the West Main Street Corridor;
- Small-to-Medium scale buildings & lots relative to “Village Core” (T.5) and Downtown Ayer (T.6);
- Traditional historic building form uplifts and ennobles the street (Public Realm) by serving as a well-composed and unified architectural definer of the future West Main Street at Mitchellville;
- Safe, healthy, human-scale, multi-modal transportation “Complete Streets” design and destination experience;
- Concentration and connectivity of many retail & restaurant

storefronts along the street-level (with residential units in upper stories) builds the walkable “sidewalk shopper-storefront merchant” economic fabric & vibrancy of a traditional New England Public Realm;

- Well-designed Bike-Share Stations & Bike Lanes connecting with Downtown Ayer MBTA Station;
- Commercial uses on street-level with Residential Dwellings units in upper-stories;
- Transformative introduction of abundant on-street parking spaces;
- Sidewalk street trees & Pedestrian Wayfinding signage directional experience/s.

B. Building Entries:

Primary Entry Door is required along ground story facade facing a primary street.

Ground Story Finished Floor Elevation:

The ground story shall be a minimum of eighteen (18) inches above the front yard elevation (average grade).

- Eighteen (18) inch Minimum

Front Facade Wall: Blank lengths of building wall exceeding twelve (12) linear feet are prohibited.

C. External Elements T.5.1

- Building Projections: No part of any building, except overhanging eaves, awnings, balconies, bay

windows, stoops and other architectural features shall encroach beyond the minimum front setback line.

- Porch & Stoop Encroachments: Porches & Stoops may encroach upon the minimum front setback line by the following distances, but shall not encroach into the street right-of-way. Front Setback, Principal Frontage is five (5) ft. maximum; Front Setback, Secondary Frontage is five (5) ft. maximum.
- Garages: Detached garages shall be located in the “Third Layer” of the Lot. (See
- Driveways: Driveways shall be paved and a minimum of nine (9) feet wide and a maximum of eighteen (18) feet wide.
- Parking:

Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk.

Commercial – All Parking shall be located in the Second (2nd) & Third (3rd) Lot Layer of the parcel. (See 10.5.17, Location). Screening and/or Street Wall is required for parking areas visible from the street.

D. Accessory

Structures: Accessory structures shall be located in the Third (3rd) Lot Layer and ten (10) ft. from either side or rear property line.

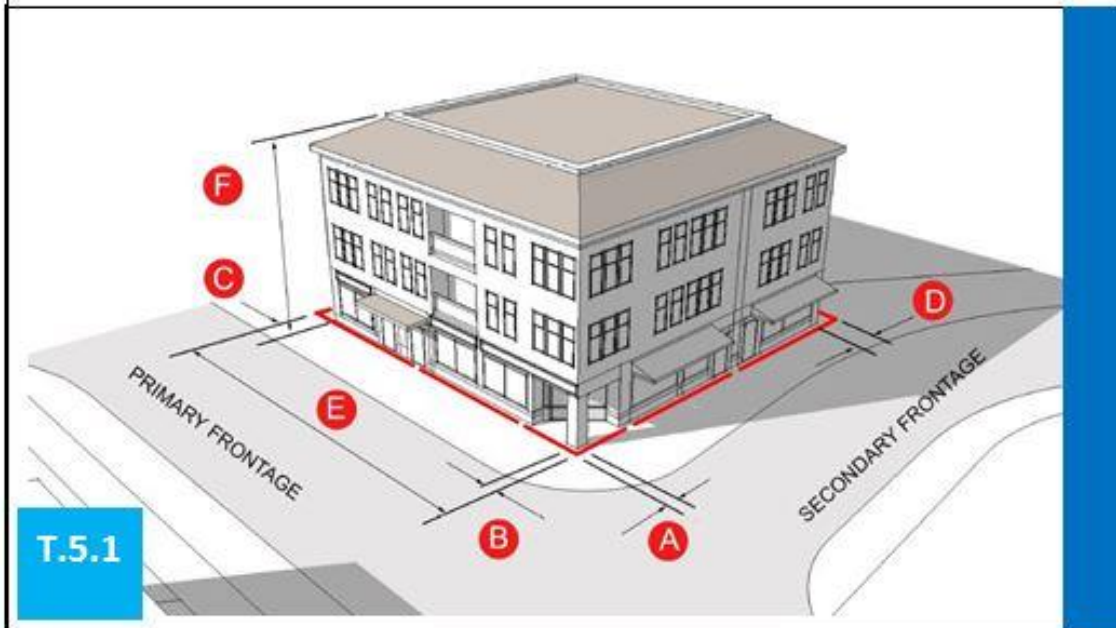
Landscaping: Landscaping is encouraged but shall not extend into any street sidewalk or travel way. Street trees are encouraged.

Building Foundation Planting/s: Building Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.



Village Street

(T.5.1)



10.5.18 Building Development Standards

- Front Setback, Principal Frontage: 5 ft. min, 20 ft. max **A**

- Front Setback, Secondary Frontage: 5 ft. min, 20 ft. max **B**

- Side Setback: 10 ft. min **C**

- Rear Setback: 15 ft. min **D**

- Building & Lot Principal Use

- See: Ayer Zoning Bylaw Section 5.2 Table of Use Regulations

- ### B. LOT OCCUPATION
-
- Lot Width: 24 ft. min, 160 ft. max **E**

 - Lot Coverage: 90% max

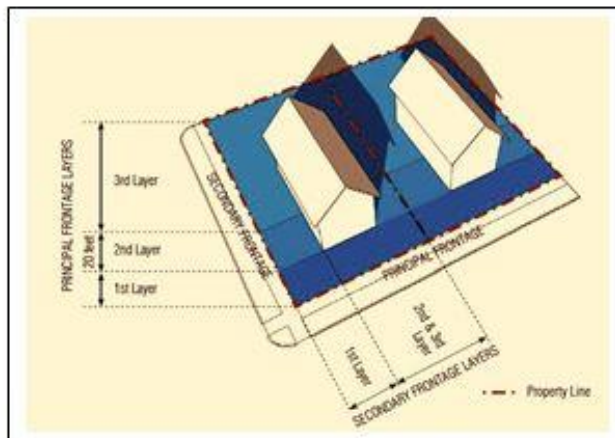
 - Frontage Build-Out: 60% along front setback

C. BUILDING FORM – PINCIPAL BUILDING

 - Building Height: 1-Story min, 3-Story max **F**

 - Building Width: 14 ft. min, 160 ft. max

 - Building Facade Window Proportions (Glazing) 60% min, 90% max Ground Story 40% min, 60% max Upper Stories



10.5.19 PARKING

A. LOCATION

Second and/or Third Lot Layer Principal Building Setback +20 ft.

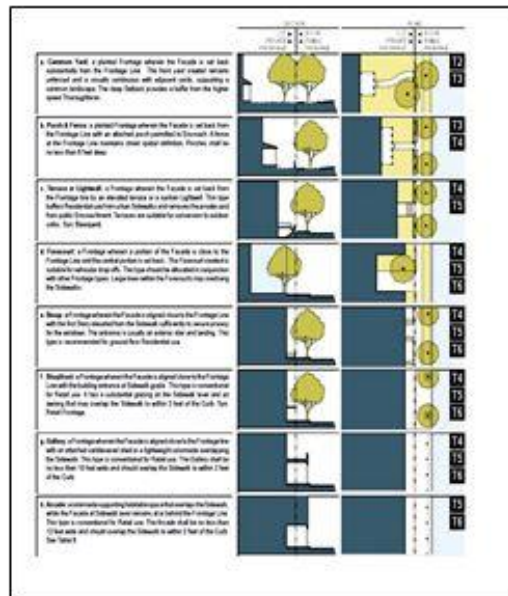
B. REQUIRED SPACES

Residential	See Sec. 9.1.2 A.
Business	See Sec. 9.1.2 B.
Industrial	See Sec. 9.1.2 C.
Mixed Uses	See Sec. 9.1.2 D.
Special Downtown	See Sec. 9.1.4 A., B., C.

C. OFF-STREET PARKING DESIGN STANDARDS

Dimensional	See Sec. 9.1.5 A.
Driveways/Interior	See Sec. 9.1.5 B.
Location/Design	See Sec. 9.1.5 C.
Shared Parking	See Sec. 9.1.5 D.

See: Ayer Zoning Bylaw Section 9.0
General Regulations



10.5.20

A. PRIVATE FRONTAGE TYPES

Common Yard	Permitted	See Table
Porch Fence Yard	Permitted	See Table
Stoop	Permitted	See Table
Common Entry	Permitted	See Table

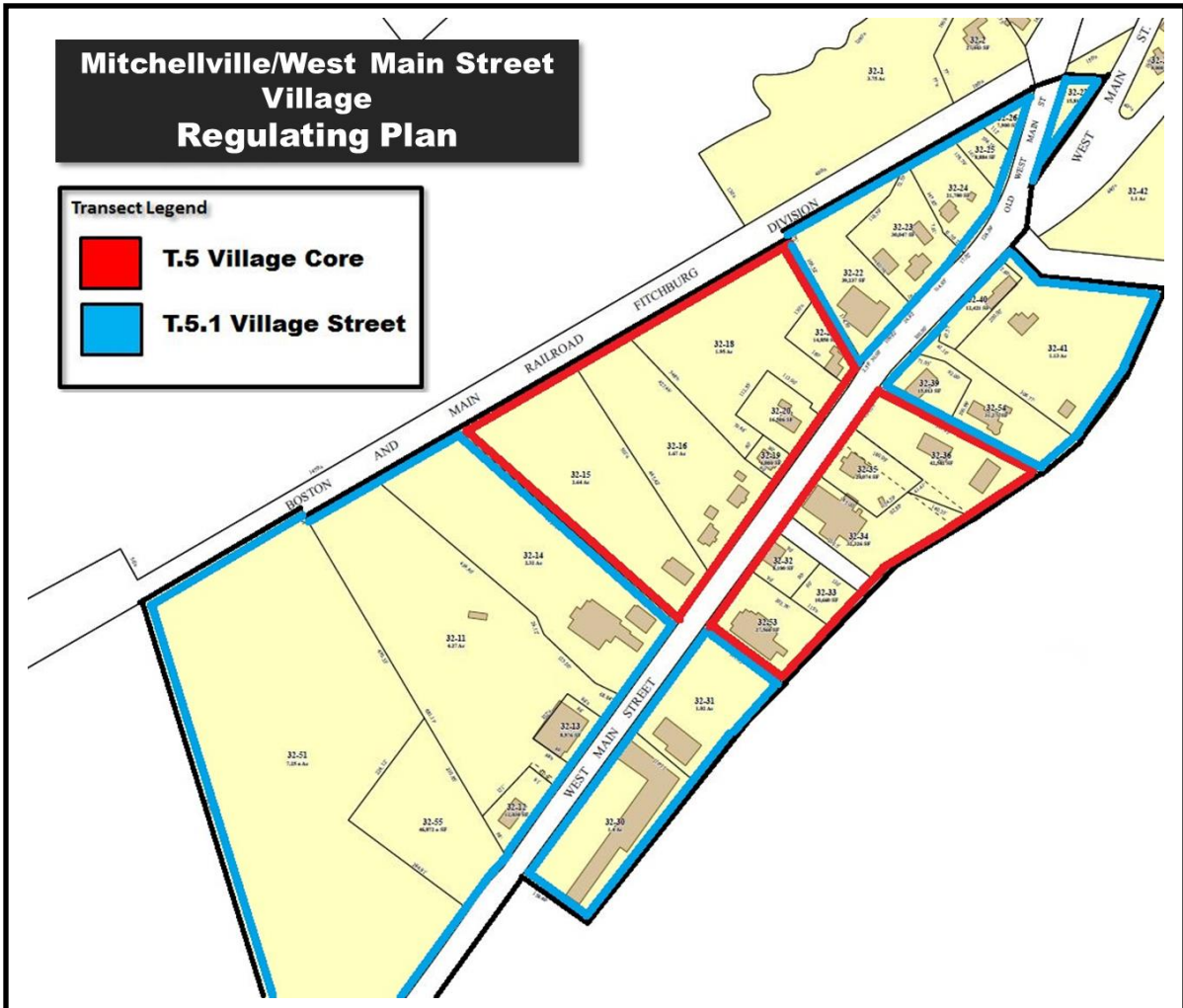
B. ENCROACHMENT OF BUILDING ELEMENTS

Enclosed landings, stairs, stoops, bays, ramps and similar projections may encroach upon the indicated setbacks by the following distances.

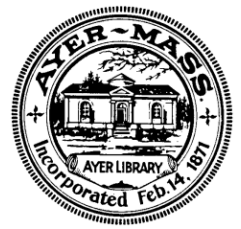
Front Setback, Principal Frontage	8 ft. max
Front Setback, Secondary Frontage	8 ft. max
Rear Setback	10 ft. max

Attachment A: The Regulating Plan

Mitchellville/West Main Street FBC District



**Office of the Board of Selectmen
Office of the Town Manager**



Town of Ayer| Ayer Town Hall| 1 Main Street| Ayer, MA 01432|978-772-8220| www.ayer.ma.us

MEMORANDUM

DATE: August 30, 2019

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town Manager's Report for the September 3, 2019 Board of Selectmen Meeting

Dear Honorable Selectmen,

I am pleased to transmit to you the following Town Manager's Report for the September 3, 2019 BOS Meeting. If you have any questions prior to the meeting, please do not hesitate to contact me directly. Thank you.

Administrative Update/Review of Warrant(s):

- Administrative Update:

I will offer a brief Administrative Update at the meeting of the various activities, initiatives, and projects of the Administration since the BOS last met on August 13, 2019.

- Review of Warrant(s):

I have reviewed, approved and signed the following Town Warrants since the BOS last met on August 13, 2019:

Payroll Warrant #20-03 in the amount of \$345,384.79 was reviewed, approved and signed on August 13, 2019.

Accounts Payable Warrant #20-03 in the amount of \$642,345.18 was reviewed, approved and signed on August 20, 2019.

Payroll Warrant #20-04 in the amount of \$352,652.78 was reviewed, approved and signed on August 27, 2019.

Proposed FY 2021 Budget Calendar:

- Attached for BOS review is the proposed FY 2021 Budget Calendar which is modelled after last year's Budget Calendar. I look forward to reviewing and discussing with the BOS at the meeting on Tuesday. Respectfully, I would be requesting a vote of final approval of the FY 2021 Budget Calendar by no later than the second BOS meeting in September (see attached).

Discussion on Moving Town Meeting and Election Dates:

- As the BOS has been discussing the potential of putting forth a Town Meeting Warrant Article(s) to address potentially changes the Annual Election and Annual Town Meeting dates; I would like to discuss with the BOS on Tuesday what direction the BOS would like to proceed with respect to the Special Fall Town Meeting Warrant. Additionally, I have invited the Town Clerk and the Town Moderator to join us for this discussion.
- As the BOS is aware, to change the Annual Election Date and Time and to change the Annual Town Meeting Date and Time require approval by Town Meeting. Below are the following potential four scenarios (potential articles) for consideration: which would all require Town Meeting approval and to be in the form of Town Meeting Warrant Articles (*Note: Specific warrant language to be finalized by Town Counsel prior to direction received by the BOS*):

Article 1: Town Meeting to Occur Prior to Annual Town Election

To see if the Town will vote to adopt having the Annual Town Meeting occur prior to the Annual Town Election. [*Note: This changes the order of having the Annual Town Meeting before the Annual Town Election. Specific date and time TBD*]

Article 2: Change Starting Time of Town Meeting to 6:00pm

To see if the Town will vote to change the starting time of Town Meeting to 6:00pm [*Note: This article would be to change the starting time of Town Meeting from the current 7pm time to an earlier time of 6pm as previously discussed*]

Article 3: Change the Annual Town Election to Occur on Tuesday

To see if the Town will vote to move the date of the Annual Town Election from a Monday to a Tuesday [*Note: This would be to be consistent with most scheduled Elections occurring on Tuesday*]

Article 4: Change Town Meeting to Saturday

To see if the Town will vote to move the Annual Town Meeting to the 4th Saturday of April beginning at 9:00 AM [*Note: 1st Saturday of May is another potential option*]

- I am specifically looking for final direction from the BOS on how to proceed with preparing the Fall Special Town Meeting Warrant Articles.

Thank you.

Attachment: DRAFT Proposed FY 2021 Budget Calendar

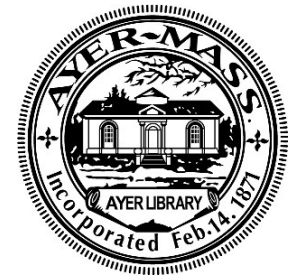
August 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13 BOS Open Special Fall Town Meeting Warrant	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

**DRAFT—Subject to change pending Fall Special Town Meeting vote
on Annual Town Meeting and Annual Town Election Date/Time**



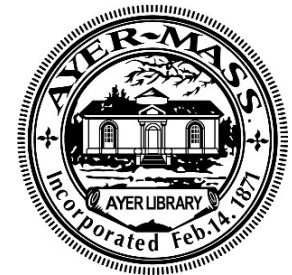
September 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 Town Hall Closed Labor Day	3 BOS	4	5	6	7
8	9	10	11	12	13	14
15	16	17 BOS	18	19	20	21
22	23	24	25	26	27 12:00 PM Close Special Town Meeting Warrant	28
29	30					

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

DRAFT—Subject to change pending Fall Special Town Meeting vote on Annual Town Meeting and Annual Town Election Date/Time



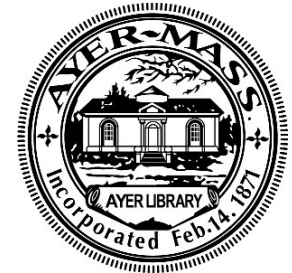
October 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 BOS approve STM Warrant	2	3	4 FY 21 Capital Budget Directive Out Warrant to Printer	5
6	7 Start Union Clerical Union Negotiations	8	9	10	11	12
13	14 Town Hall Closed Columbus Day	15 BOS	16	17	18 Last Day to Register to Vote for Fall Town Meeting	19
20	21	22	23	24	25	26
27	28 Special Fall Town Meeting	29	30	31		

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

**DRAFT—Subject to change pending Fall Special Town Meeting vote
on Annual Town Meeting and Annual Town Election Date/Time**



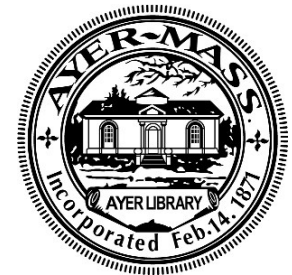
November 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 Target Free Cash Certification	2
3	4 FY '21 Capital Budgets Due	5 BOS	6	7	8 FY '21 Operating Budget Directive Out	9
10	11 Town Hall Closed Veteran's Day	12	13	14	15	16
17	18	19 BOS FY '20 Tax Classification Hear- ing	20	21	22	23
24	25	26	27	28 Town Hall Closed Thanksgiving	29 Town Hall Closed Thanksgiving	30

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

**DRAFT—Subject to change pending Fall Special Town Meeting vote
on Annual Town Meeting and Annual Town Election Date/Time**



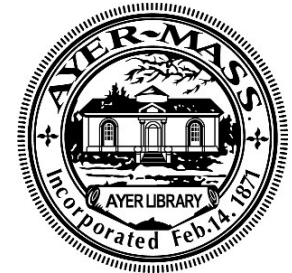
December 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 BOS	4 1st Capital Plan- ning Meeting	5	6	7
8	9	10	11 2nd Capital Plan- ning Meeting	12	13 FY '21 Budgets Due from Depart- ments	14
15	16	17 BOS	18 3rd Capital Plan- ning Meeting	19	20	21
22	23	24 Town Hall Closed 1/2 Day	25 Town Hall Closed Christmas	26	27	28
29	30	31 Town Hall Closed 1/2 Day				

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

**DRAFT—Subject to change pending Fall Special Town Meeting vote
on Annual Town Meeting and Annual Town Election Date/Time**



January 2020

Tasks

Fin Com
to meet
with Dept.
Heads

Town Acct
Revenue
Projections

Water/
Sewer Rate
Model

Develop
ambulance
and solid
waste rates

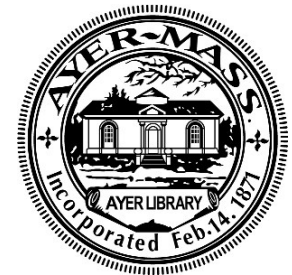
Town Mgr.
Meet with
Dept.
Heads

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Town Closed in Observation of New Year's Day	2 Town Report Di- rective Out	3 Dept. Budget and General Budget Worksheet to Fin-Com & BOS	4
5	6	7 BOS BOS to call Annual Election	8 Final Capital Plan- ning Meeting	9	10	11
12	13	14	15	16	17	18
19	20 Town Hall Closed MLK, JR. Day	21 BOS	22	23	24	25
26	27	28	29	30	31	

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

**DRAFT—Subject to change pending Fall Special Town Meeting vote
on Annual Town Meeting and Annual Town Election Date/Time**



February 2020

Tasks

Schedule
OPEB Mtg

Town Acct
Revenue
Projections

Water/
Sewer Rate
Model

Develop
ambulance
and solid
waste rates

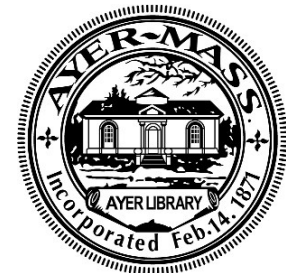
Town Mgr.
Make
COLA
recommen-
dation

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 Town Reports Due	4 BOS	5 1st Rate Review Committee Meeting	6	7 End Union Negotiations Fin-Com and BOS comments budget due	8
9	10 Start Non-Union Negotiations	11	12 Last Day to Register to Vote for Presidential Primary	13	14	15
16	17 Town Hall Closed President's Day	18 BOS Open ATM Warrant	19 2nd Rate Review Committee	20	21	22
23	24	25	26	27	28	29

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

DRAFT—Subject to change pending Fall Special Town Meeting vote on Annual Town Meeting and Annual Town Election Date/Time



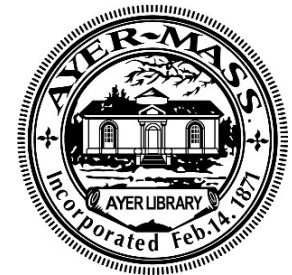
March 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 Regional School Assessments Due	3 Presidential Primary	4	5	6 Last Day to Pull Papers for Annual Town Election	7
8	9	10 BOS Public Hearing Water/Sewer Rates	11	12	13	14
15	16	17 Bi-Board	18	19	20	21
22	23	24 BOS End Non-Union Negotiations	25	26	27	28
29	30	31 Public Info. Session on Budget (Fin-Com/BOS)				

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

DRAFT—Subject to change pending Fall Special Town Meeting vote on Annual Town Meeting and Annual Town Election Date/Time



April 2020

Tasks

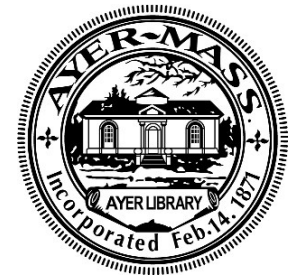
Approve
UDAG
Ec. Dev.
Budget

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Target CPC Estimated Revenue	2	3 Close ATM Warrant	4
5	6	7 BOS Approve ATM Warrant	8	9	10 ATM Warrant to Printer	11
12	13	14	15	16	17	18
19	20	21 BOS	22	23	24	25
26	27 TOWN ELECTION	28	29	30		

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

**DRAFT—Subject to change pending Fall Special Town Meeting vote
on Annual Town Meeting and Annual Town Election Date/Time**



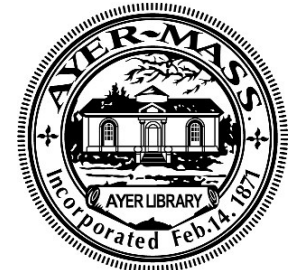
May 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 BOS	6	7	8	9
10	11 Annual Town Meeting	12	13	14	15	16
17	18	19 BOS	20	21	22	23
24	25	26	27	28	29	30
31						

FY' 21 Budget/Town Meeting Calendar

Last Updated: August 29, 2019

DRAFT—Subject to change pending Fall Special Town Meeting vote on Annual Town Meeting and Annual Town Election Date/Time



**Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432**



Broadcast and Recorded by APAC

Tuesday August 13, 2019
Open Session Meeting Minutes

BOS Present: Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair

Also Present: Robert A. Pontbriand, Town Manager
Carly M. Antonellis, Assistant Town Manager

Call to Order: S. Houde called the meeting to order at 6:00 PM.

Executive Session Pursuant to MGL Chapter 30A, Sec. 21A: At 6:02 PM a motion was made by S. Houde and seconded by J. Livingston to enter into Executive Session pursuant to MGL Chapter 30A, Sec. 21A Exemption #3 (Litigation Strategy) *Lahiff v. Town of Ayer* and to recess at the conclusion of Executive Session until 7:00 PM to enter back into Open Session. S. Houde stated further that to discuss these matters in an Open Session would be detrimental to the Town's negotiating strategy. **By Roll Call Vote:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

The BOS entered into Executive Session.

The BOS reconvened in Open Session at 7:00 PM.

Pledge of Allegiance: BOS members and meeting attendees stood and recited the Pledge of Allegiance.

Announcements: S. Houde announced that C. Hillman had resigned from the Board of Selectmen. BOS members thanked him for his seven years of service. R. Pontbriand also thanked C. Hillman for his service to the Town of Ayer.

Approval of Agenda: R. Pontbriand asked to amend the agenda by adding an item for discussion relating to today's resignation of Selectman Christopher Hillman prior to the Town Manager's report.

Motion: A motion was made by J. Livingston and seconded by S. Houde approve the agenda, as amended. **Motion passed 2-0.**

Public Input: None

Public Hearing – Request for Amendment of Flammable Liquids License – Groton Ayer Realty Trust- 95 Fitchburg Road: J. Livingston opened the Public Hearing by reading the Public Hearing Notice as advertised in the Lowell Sun on August 5, 2019. The applicant is seeking an amendment to their Storage of Flammable Liquid License from 44,000 gallons (methanol) up to 47,000 gallons and adding two additional chemicals: ethanol and isopropanol alcohol pursuant to M.G.L. 148 sec. 13. Mr. Jeffrey Woodle was in attendance and stated that his tenants have recently upgraded their facility and need additional storage. Chief Pedrazzi was in attendance and supports the approval of the application. There were no abutters in attendance.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the amendment to the Storage of Flammable Liquid License as requested. **Motion passed 2-0.**

Motion: A motion was made by J. Livingston and seconded by S. Houde to close the Public Hearing at 7:08 PM. **Motion passed 2-0.**

Joint Appointment of Planning Board Member by BOS and Planning Board: The Ayer Board of Selectmen was joined by the Ayer Planning Board (Geof Tillotson, Julie Murray, Ken Diskin, and Jonathan Kranz) for the purpose of making a joint

appointment to the Planning Board. Mr. Nathan King joined the BOS and the Planning Board. He stated that he had lived in Ayer since 2010 and he is interested in seeing Ayer develop as a destination along the Fitchburg Rail Corridor.

Motion: A motion was made by G. Tillotson and seconded by S. Houde to appoint Mr. Nathan King to the Planning Board until the next annual election in April of 2020. **Motion passed 6-0.**

The Planning Board members left the table.

Public Hearing – Petition for Underground Conduits and Fixtures - National Grid – Plan 28015264 – Pole 6 -

Littleton Road: J. Livingston opened the public hearing by reading the public hearing notice. National Grid is petitioning to install approximately 660 feet of conduit from Pole 6 on Littleton Road to transformers 1-4, pursuant to MGL c. 166 sec 22. Mr. Doug Hyland and Mr. Josh Pacheco were in attendance on behalf of National Grid; they stated that they were replacing existing lines that have had performance issues.

S. Houde asked if there were any abutters in attendance. There were none.

C. Antonellis explained that the Conservation Commission had concerns regarding the petition due to the presence of a wetland behind the property. She is recommending that the BOS continue the hearing until 7:05 PM on Tuesday September 3, 2019 while the Conservation Commission issue gets resolved.

Motion: A motion was made by S. Houde and seconded by J. Livingston to continue the National Grid Public Hearing until 7:05 PM on Tuesday September 3, 2019. **Motion passed 2-0.**

Proposed DRAFT Host Community Agreement – Pharmaseed Inc.: The BOS was joined by Mr. David Giannetta and Mr. Justin Smith of Pharmaseed Inc. C. Antonellis gave an overview of the state application process of applying for licensing with the Cannabis Control Commission. As discussed at the previous BOS meeting, Pharmaseed Inc., will contribute 1% of their annual gross sales to the Town as part of the Host Community Agreement. R. Pontbriand stated that the Town further negotiated an annual payment of \$50,000 for various charitable/nonprofit/educational programs.

Ms. Ruth Maxant-Schulz asked the location of the proposed facility. The BOS responded that it will be located at 4 New England Way.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the Host Community Agreement as presented. **Motion passed 2-0.**

Charles R. Shultz, Jr., Building Commissioner: *Fee Review & Recommendation* – C. Shultz was in attendance to discuss raising Building Department Fees. He stated that the fees have not been adjusted since 2002. His recommendation is to raise Building Department Fees by approximately 20% to be consistent and competitive with surrounding Towns. He is recommending an approximately 25% increase to the Electrical Permit Fees and an approximately 20% increase for Plumbing Inspections. The fee increases would be effective immediately. Currently the inspectors receive 60% of the inspection fees for Plumbing and Electrical inspections and the Town receives 40%; the new proposal will split the inspection fees 70% for the inspectors and 30% for the Town.

S. Houde asked when the fees would be reviewed again. C. Shultz is recommending every five years.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve an increase to the Building Department Fees (Building 20%, Electrical 25% and Plumbing 20%) and to the new split ratio of 70%/30%. **Motion passed 2-0.**

Mark Wetzel, DPW Superintendent: *Approval of Change Order 1 – Prospect & Oak Street Infrastructure Project* – M. Wetzel was in attendance requesting approval for Change Order 1 relating to the Prospect and Oak Street Infrastructure Project. The Change Order includes 5 items (additional line striping, cement concrete driveway aprons, additional pipe segment, a 4" water service at the Ayer District Court and additional drainage). The amount of the Change Order is \$67,324.58.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve Change Order Number 1 (\$67,324.58) as requested with signature by the Chair. **Motion passed 2-0.**

Approval of Change Order 1 – DPW Garage Project – M. Wetzel presented Change Order Number 1 for the DPW Garage Project. This Change Order amount is \$11,119.46 for additional fire alarm equipment as required by the Ayer Fire Department.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve Change Order Number 1 (\$11,119.46) as requested with signature by the Chair. **Motion passed 2-0.**

Ayer DPW Project Updates – M. Wetzel gave a brief overview of various DPW programs and initiatives, including the 2019 Youthworks program; PFAS Update, stating that construction at Grove Pond will begin soon; the Water Ban; and the Chapter 90 Program.

Resignation of Selectman Christopher Hillman: R. Pontbriand stated that with the resignation of Selectman Hillman earlier today; he asked the Town Clerk to research the options the BOS has with respect to addressing the vacancy on the BOS. He asked that the Town Clerk, Susan Copeland present the possible options to the BOS.

S. Copeland outlined the options that the BOS may consider to address the vacancy. She advised that under State Law the vacancy can only be filled by an election. There is no appointment or joint appointment process. She advised that the BOS may call a Special Election; the BOS may take no action until the Annual Town Election at which time the vacant seat's term of two year's would be on the ballot; or in the event that 200 registered voters in Ayer sign a petition calling for a special election to fill the vacancy, than the BOS must call a special election.

S. Copeland advised that if the BOS decides to call a special election to fill the vacancy, there is a very specific timeline for events set for the by State Law. Additionally, the per State Law the BOS cannot call a special election within 100 days of the annual Town Election. The winner of the special election would still have to run for election again at the annual Town Election in April 2020 for the remaining two years on the vacated term. She further advised that a special election would cost approximately \$5,000 and that funding is not in the Town Clerk's FY 2020 Budget.

The BOS decided to take all of this information and the matter under advisement and for further discussion at the next BOS Meeting on September 3, 2019.

Town Manager's Report: *Administrative Update/Review of Warrant(s)* - R. Pontbriand provided an administrative update of the various activities, initiatives, and projects of the Administration for the period of time since the BOS last met. He also referenced the Meeting Packet for a list of Payroll and Accounts Payable Warrants that have been signed since the last meeting. He informed the BOS that Senator Eldridge and the legislative delegation were successful in getting a \$250,000 earmark in the FY'20 state budget for improvements at Depot Square. R. Pontbriand also thanked Town Hall staff and Board members for being patient while the chiller replacement is underway.

Appointments – Cultural Council – R. Pontbriand is requesting that the BOS appoint Ms. JulieAnn Govang to an unfilled term on the Cultural Council expiring on June 30, 2021 and Ms. Ginette Brockway to be appointed to the Ayer Cultural Council for a term to expire on June 30, 2022.

Motion: A motion was made by S. Houde and seconded by J. Livingston to appoint Ms. JulieAnn Govang and Ms. Ginette Brockway to the Ayer Cultural Council to two unexpired terms, expiring on June 30, 2021 and June 30, 2022, respectively. **Motion passed 2-0.**

Auditor's Management Letter – R. Pontbriand reported that the Town had received a positive Auditor's Management Letter from the Town's Auditor Giusti, Hingston and Company, citing that past cash reconciliation issues have been rectified. The Management Letter also cites the change to Town Government to Town Manager as a positive step.

Opening of Fall Special Town Meeting Warrant – R. Pontbriand is recommending that the Fall Town Meeting Warrant be opened until Friday September 27, 2019 at 12:00 PM for both warrant articles and citizen's petitions. R. Pontbriand then gave a snapshot of the Fall Special Town Meeting Warrant, which will likely include articles for a supplemental appropriation for the Transfer Station, West Main Street Form Based Code, and the Conservation Commission's local wetland bylaw.

Motion: A motion was made by J. Livingston and seconded by S. Houde to open the Fall Special Town Meeting Warrant until Friday September 27, 2019 at 12:00 PM for both warrant articles and citizen's petitions. **Motion passed 2-0.**

Discussion of CPC Surcharge – R. Pontbriand was joined by Janet Providakes, Chair of the Ayer Community Preservation Committee to discuss the CPC’s plan to increase the existing CPC surcharge of 1% to 3% in the Town of Ayer. She stated that CPC has been very successful in Ayer over the last 17 years since inception. The CPC has awarded \$2.7 million dollars to 32 different Town projects. Many of these “success stories” in the areas of open space, housing, historic preservation, and parks/recreation are now featured on the Town’s website. She advised that the average residential tax bill would increase approximately \$90 a year if the Town went from a 1% surcharge to a 3% surcharge. The additional funds from a 3% surcharge would not only increase the capacity of the CPC to fund more projects but at 3% the Town would also be able to take advantage of the state matching funds.

R. Pontbriand advised that in order to change the CPC Surcharge from 1% to 3% there is a two-step process. The change must pass both a Town Meeting and pass a ballot at the Annual Town Election. Given the amount of time between the Fall Special Town Meeting this October and the Annual Town Election in April 2020; it seems to make sense to plan to schedule this for the Annual Town Meeting and the Annual Town Election in the Spring of 2020.

J. Providakes agreed with bringing this forth in the Spring of 2020. She further stated that the CPC is looking to do more funding of affordable housing now that the Town has an Affordable Housing Committee. Additionally, they would like to fund an Affordable Housing Trust. She stated that she would like the support of the BOS.

S. Houde stated that as a former member of the CPC he is supportive of this proposal to increase the surcharge from 1% to 3% for the purposes of funding more projects as well as taking advantage of the state funding match. He also stated that he would like to see more funding of affordable housing which makes our community more accessible.

J. Livingston stated that she was very impressed with the presentation made by J. Providakes. She encouraged her to do a similar presentation in the Spring at Town Meeting. She further state that she agreed with bringing this forth in the Spring at the Annual Town Election and the Annual Town Meeting. She stated that she is supportive of this proposal and an excellent job on the presentation this evening.

Review of Updated Financial Policies – R. Pontbriand presented the final version of the Town of Ayer’s Financial Policies Version 3.0 which were recently updated by the Treasurer/Tax Collector and the Bi-Board. The Finance Committee reviewed the policies in the spring. S. Houde stated that he was proud of the work recently done by the Town’s Finance Team on updating these policies.

Motion: A motion was made by J. Livingston and seconded by S. Houde to open the Town of Ayer’s Financial Policies Version 3.0. **Motion passed 2-0.**

New Business/Selectmen’s Questions: *BOS Meeting Start Time (Selectman Houde)* – S. Houde asked that the BOS consider earlier start times moving forward, starting at 6:00 PM. J. Livingston stated that it makes perfect sense, it is a benefit to the BOS and the employees; also many other Boards are moving towards earlier meeting times. S. Houde stated that his work is cyclical and sometimes the meetings may need to be at 7:00 PM. Starting September 17, 2019, the BOS will meet at 6:00 PM.

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by J. Livingston S. Houde to approve the meeting minutes from July 16, 2019. **Motion passed 2-0.**

Adjournment:

Motion: A motion was made by S. Houde and seconded by J. Livingston S. Houde to adjourn at 8:44 PM. **Motion passed 2-0.**

Minutes Recorded and Submitted by Carly M. Antonellis, Assistant Town Manager

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____