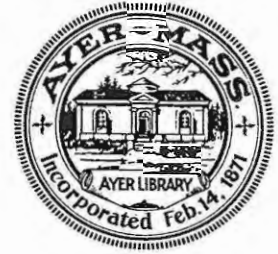


RECEIVED  
SEP 13 2019

TOWN OF AYER  
TOWN CLERK

9:15am  
Ann Opland

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



Wednesday September 18, 2019  
Open Session Meeting Agenda

- 6:00 PM **Call To Order**  
Pledge of Allegiance; Review and Approve Agenda; Announcements
- Public Input**
- 6:05 PM\* **Nashoba Valley Technical School District 50<sup>th</sup> Anniversary Proclamation**
- 6:10 PM **Special Election (to fill BOS vacancy) Discussion**
- 6:25 PM **Alan Manoian, Director, Community & Economic Development**  
  1. West Main Street Form Based Code Overview
  2. Master Plan Quarterly Update
- 6:40 PM **Town Manager's Report**  
  1. Administrative Update/Review of Warrant(s)
  2. Review/Discussion of DRAFT FY 2021 Budget Calendar
  3. Debrief from 9/11/2019 Fin Com Meeting
- 6:50 PM **New Business/Selectmen's Questions**  
  1. Debrief from 9/10/2019 Rate Review Committee (Selectman Livingston)
  2. Debrief from Devens Framework Meeting (Selectman Livingston)
- 7:05 PM **Approval of Meeting Minutes**  
September 3, 2019
- Adjournment**

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

*The next Board of Selectmen's Meeting will be held Tuesday October 1, 2019 at 6:00 PM*

# Nashoba Valley

TECHNICAL SCHOOL DISTRICT

100 Littleton Road • Westford, Massachusetts 01886  
Telephone: 978.692.4711 • Fax: 978.392.0570 • [www.nashobatech.net](http://www.nashobatech.net)

**Dr. Denise P. Pigeon**  
*Superintendent*



September 9, 2019

Mr. Robert Pontbriand, Town Manager  
1 Main Street  
Ayer, MA 01432

Dear Mr. Pontbriand,

Nashoba Valley Technical School District is proud to share with you that we will be celebrating 50 years of excellence during our 2019 - 2020 school year. We look forward to sharing our excitement in reaching this milestone with our member district towns of Ayer, Chelmsford, Groton, Littleton, Pepperell, Townsend, Shirley, and Westford.

As part of Nashoba Tech's Celebration of 50 Years of Excellence during the 2019-2020 school year, we invite each town in the district to announce this important milestone within their respective communities. We would be honored to have your town's elected officials sign the attached Proclamation recognizing the collective achievements of the Nashoba Valley Technical School District and our member towns. We invite you to present this proclamation at a commemorative event being scheduled during the 2019-2020 school year.

A formal invitation is forthcoming, with the date and time of our celebration and the event details. In the meantime, we hope you will sign the attached Proclamation and help us to continue the proud tradition of implementing Nashoba Valley Technical High School's mission during our celebratory 50th year!

Sincerely,

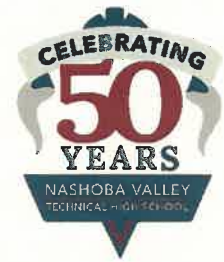
Dr. Denise Pigeon  
Superintendent



Serving the towns of Ayer, Chelmsford, Groton, Littleton, Pepperell, Shirley, Townsend, Westford



**Nashoba Valley Technical School District  
Celebrating 50 Years of Excellence**



**Whereas** – Nashoba Valley Technical School District, which opened its doors to students in 1969, continues to proudly partner with our district member towns of Ayer, Chelmsford, Groton, Littleton, Pepperell, Shirley, Townsend and Westford to provide a public vocational technical education with a skills advantage; and

**Whereas**- Nashoba Valley Technical School District provides the highest quality academic and technical education possible to prepare our students for college and career paths leading to success in an ever-changing technological world; and

**Whereas** – Nashoba Valley Technical School District strives to promote citizenship through a safe and inclusive atmosphere encouraging a diverse population of students to become positive and productive members of the community; and

**Whereas** – Nashoba Valley Technical School District meets and exceeds the rising need for technical education at the high school and postgraduate levels, and continues to enhance and expand its curriculum to meet the needs of the ever changing workforce, to meet labor market demands, including courses in advanced manufacturing, dental assisting, design and visual communications, health assisting and veterinary education as well as engineering, robotics, biotechnical fields and programming and web development; and

**Whereas** – Nashoba Valley Technical School District continues to provide quality vocational education in traditional fields such as automotive technology and auto collision repair, carpentry, cosmetology, culinary, early childhood education, electrical, hospitality, plumbing, marketing, and television/theater arts; and

**Whereas** – Nashoba Valley Technical School District continues to partner with local business and industry as advisory members to enhance the planning and operations of our technical programs and the continued cooperative placement work based learning experiences for our students, creating future workforce pipelines; and

**Whereas**– Nashoba Valley Technical School District enhances technical education with rigorous academic preparedness, meeting or exceeding the guidelines set forth by the Commonwealth of Massachusetts; and formally designated as an early college high school by the Massachusetts Department of Education by providing students with the opportunity to earn college credits while enrolled;

**Now therefore**, let it be resolved that the town of Ayer, Massachusetts recognizes and celebrates 50 Years of Excellence at Nashoba Valley Technical High School during our 2019-2020 school year.

**IN WITNESS WHEREOF** I hereunto set my hand and cause the Seal of Ayer, Massachusetts to be herein affixed

Signed this \_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**COPY**

Board of Selectmen

## **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

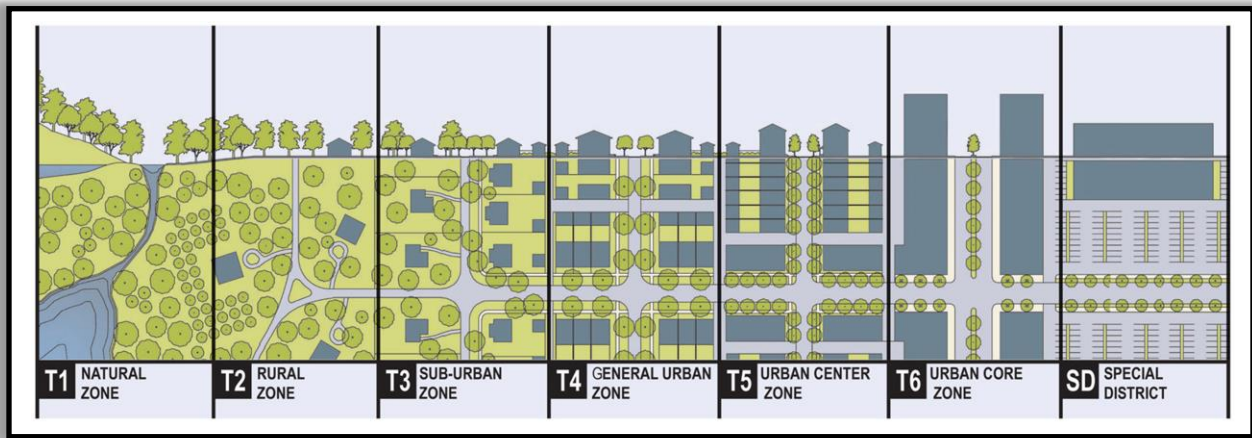


forth in the *Form-Based Code* shall prevail.

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.

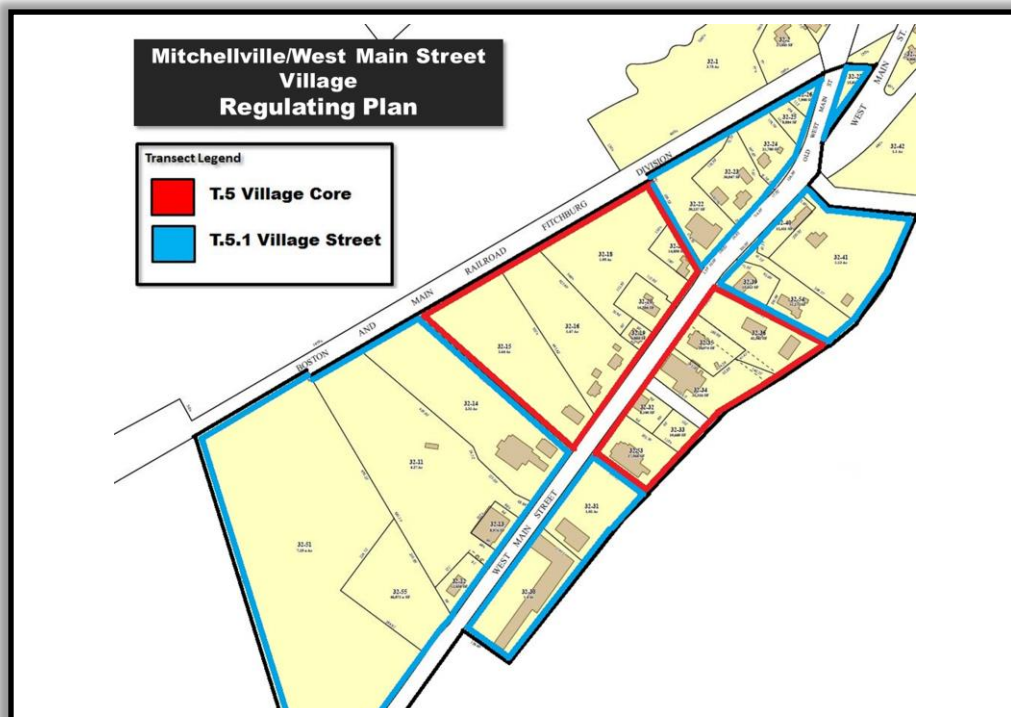
For example, a “street” is more urban than a “road”, a “curb” more urban than a “swale”, a “brick wall” more urban than a “wooden fence”, and greater density is more urban than less density; an “apartment building” belongs in an urban setting and a “farm” belongs in a more rural or working lands setting. 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 (1<sup>st</sup>) Lot Layer - the Second (2<sup>nd</sup>) Lot Layer, and the Third (3<sup>rd</sup>) 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 (2<sup>nd</sup>) & Third (3<sup>rd</sup>) Lot Layer of the building lot; all Underbuilding Parking shall be located in the Third (3<sup>rd</sup>) 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.

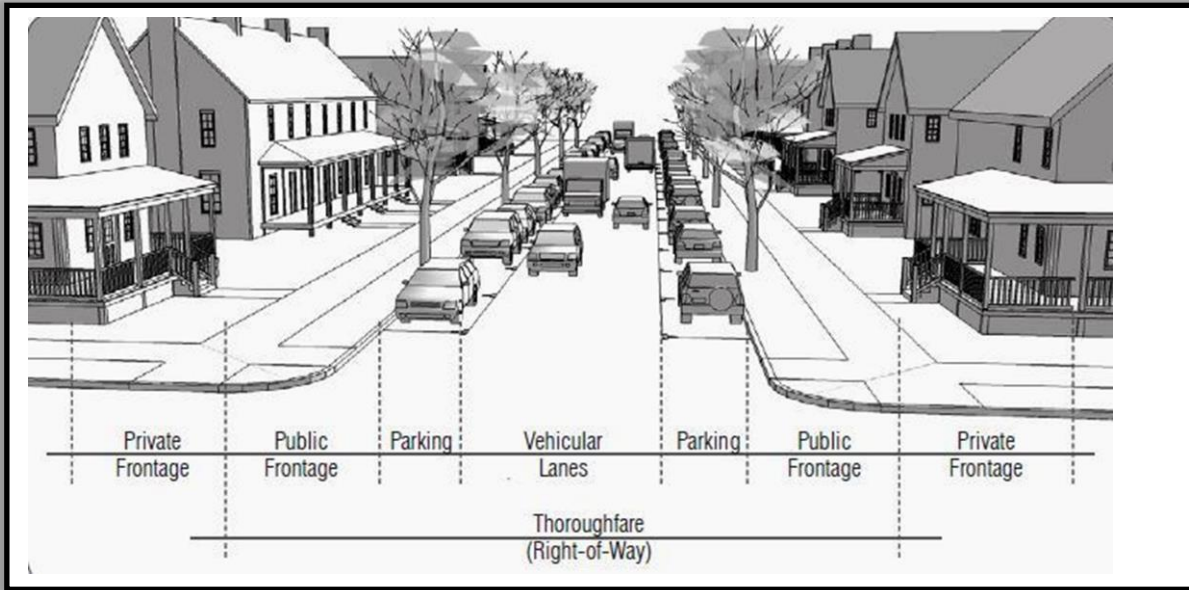
### **10.5.8 Mitchellville/West Main Street Form-Based Code District (DPSFBC):**

#### **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;

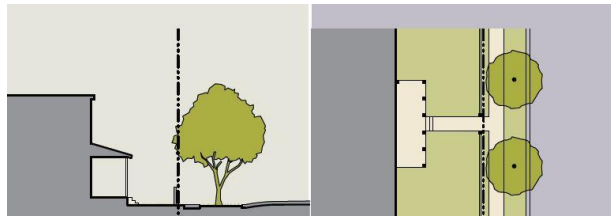
Buildings are designed (composed) for towns and cities:

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;

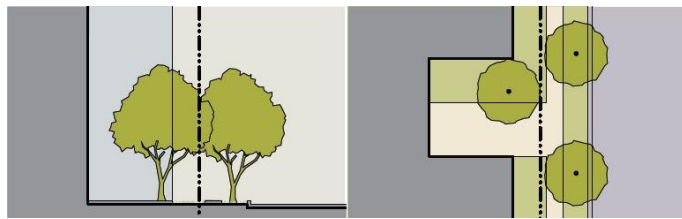
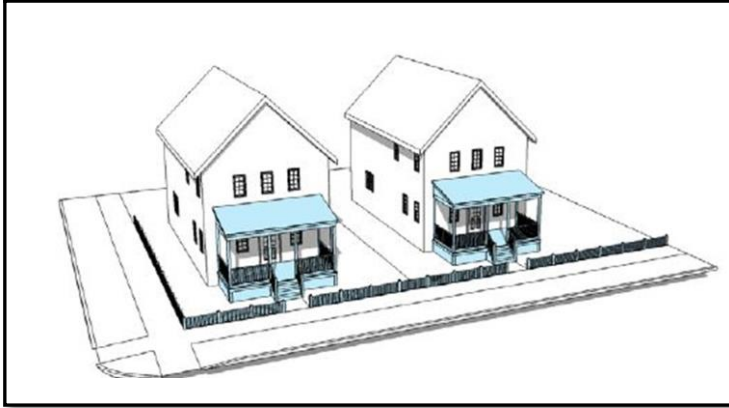
Vehicle storage/parking, (other than on-street parking), waste disposal units and mechanical equipment are kept away from the street-space.

# 10.5.9.1 Specific to Building Frontage Types (by Transect)

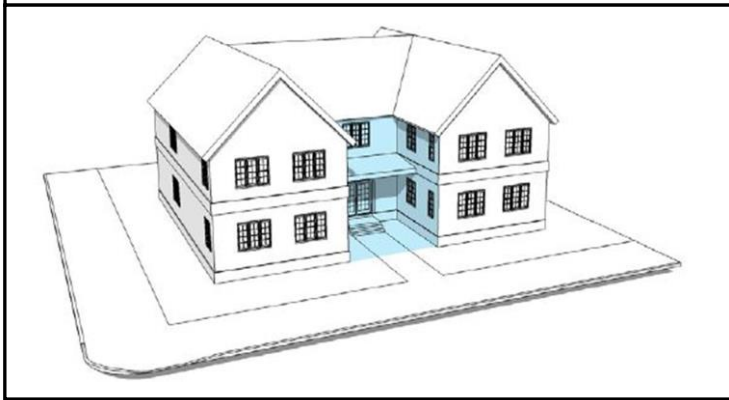
	SECTION	PLAN	
	LOT PRIVATE FRONTAGE   R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE   R.O.W. PUBLIC FRONTAGE	
<p><b>a. Common Yard:</b> a planted Frontage wherein the Facade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep Setback provides a buffer from the higher speed Thoroughfares.</p>			T.5.1
<p><b>b. Porch &amp; Fence:</b> 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><b>c. Terrace or Lightwell:</b> 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><b>d. Forecourt:</b> 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><b>e. Stoop:</b> 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><b>f. Shopfront:</b> 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><b>g. Gallery:</b> 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><b>h. Arcade:</b> 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

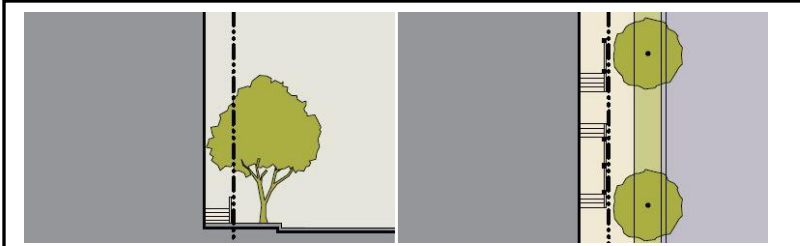


**Porch & Fence  
T.5.1**

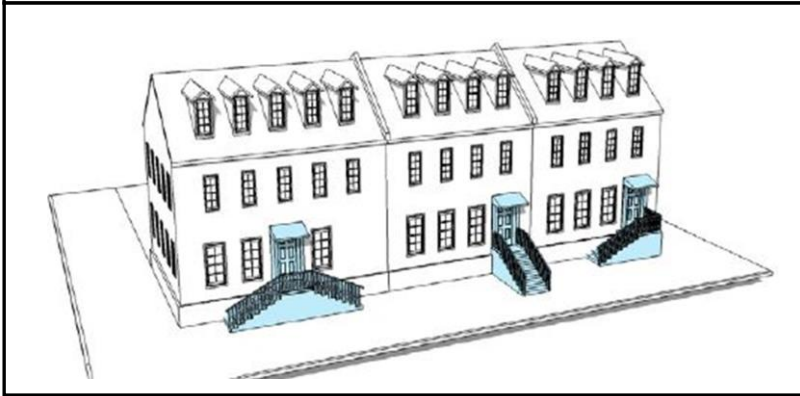


**Forecourt  
T.5.1 & T.5**





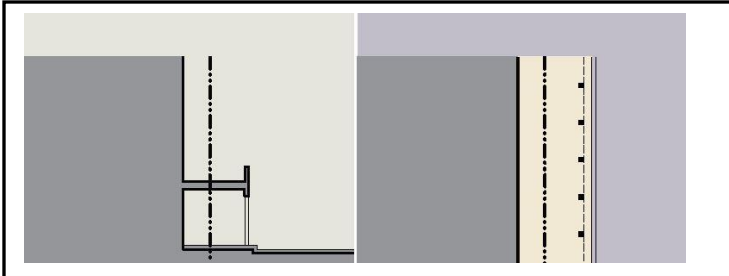
**Stoop**  
**T.5.1 & T.5**



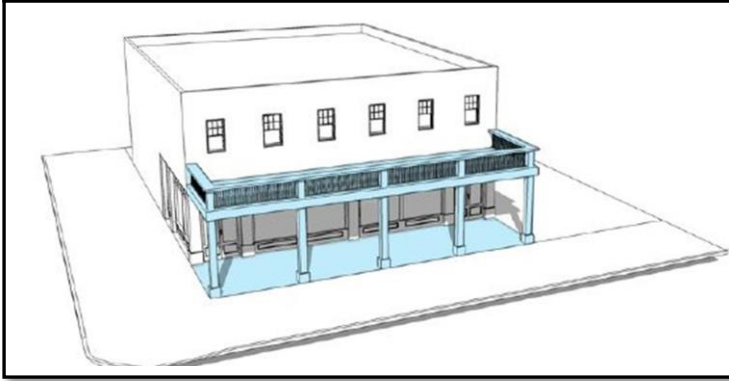
**Shopfront**  
**T.5.1 & T.5**



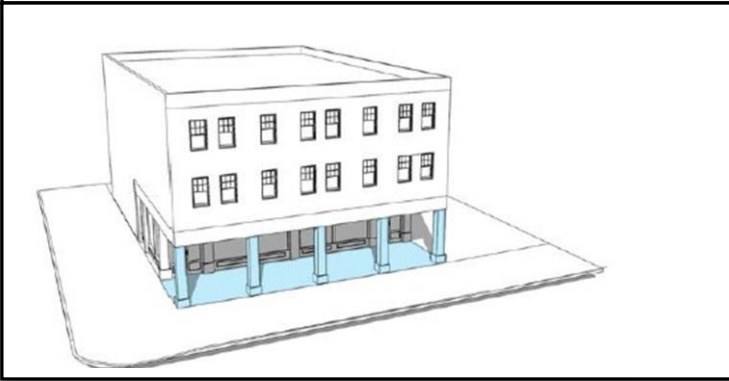


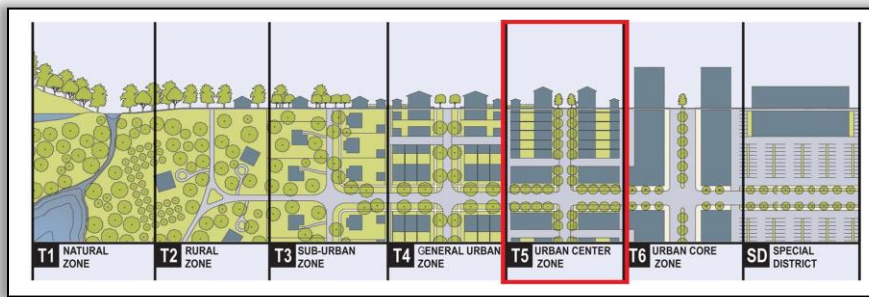


**Gallery**  
T.5.1 & T.5



**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 (2<sup>nd</sup>) & Third (3<sup>rd</sup>) Lot Layer of the parcel. Underbuilding Parking shall be located in the Third (3<sup>rd</sup>) 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 (3<sup>rd</sup>) 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.

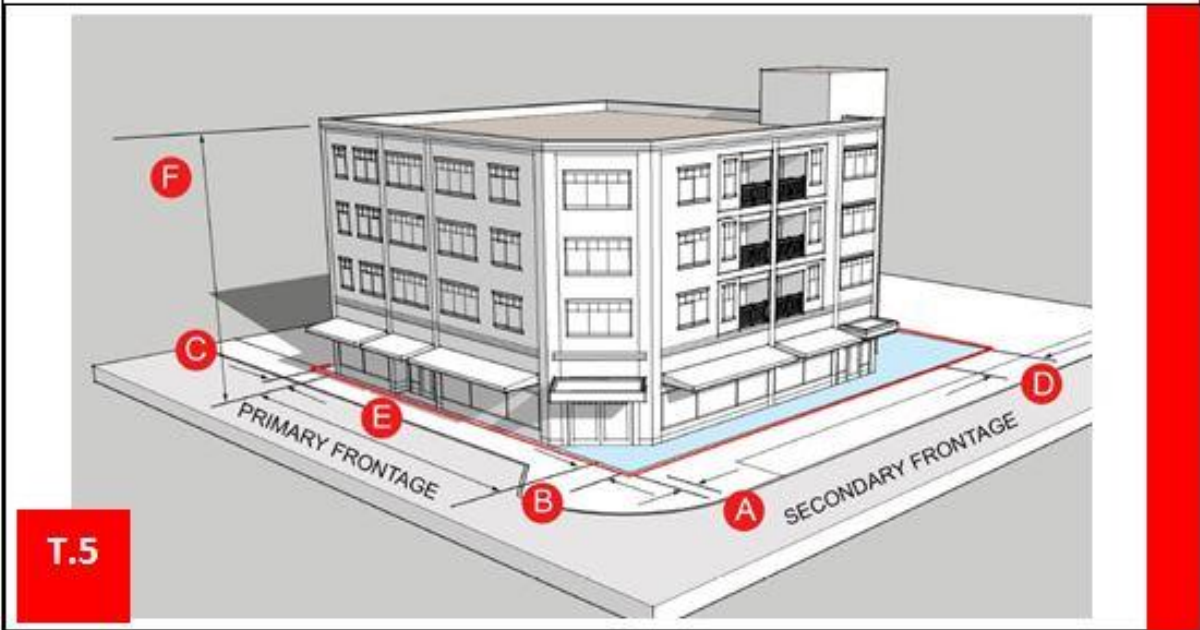
- Foundation Planting: Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.





# Village Core

(T.5)



## 10.5.15 Building Development Standards

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

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- 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**

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- Lot Coverage: 90% max

---

- Frontage Build-Out: 75% along front setback

---

- C. BUILDING FORM – PINCIPAL BUILDING**

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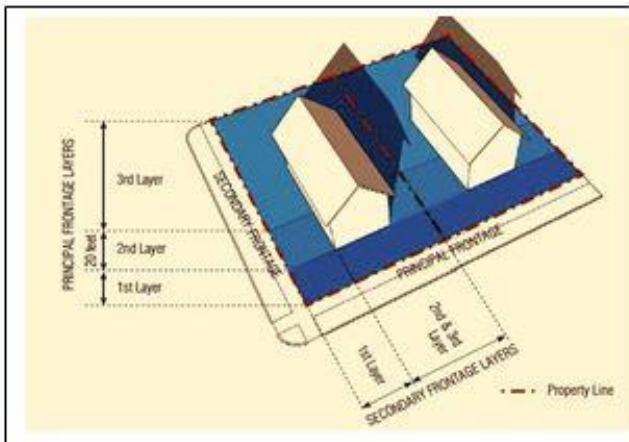
- Building Height: 2-Story min, 4-Story max **F**

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- 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.
-------------------------------	------------------------------------

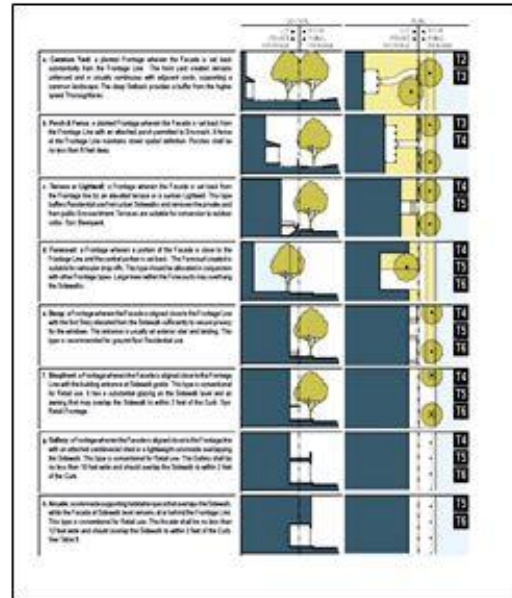
#### B. REQUIRED SPACES

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

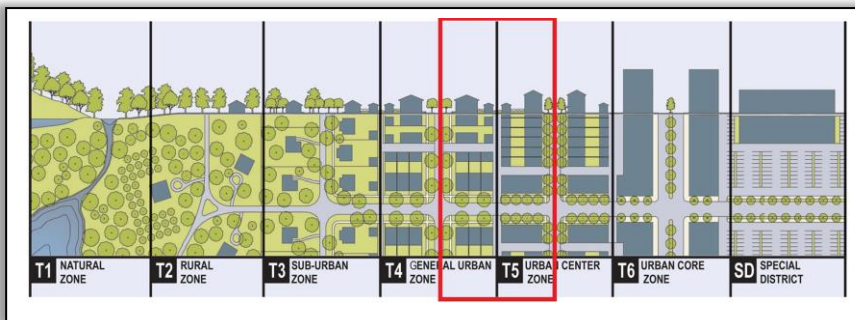
#### A. PRIVATE FRONTAGE TYPES

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 (2<sup>nd</sup>) & Third (3<sup>rd</sup>) 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 (3<sup>rd</sup>) Lot Layer and ten (10) ft. from either side or rear property line.

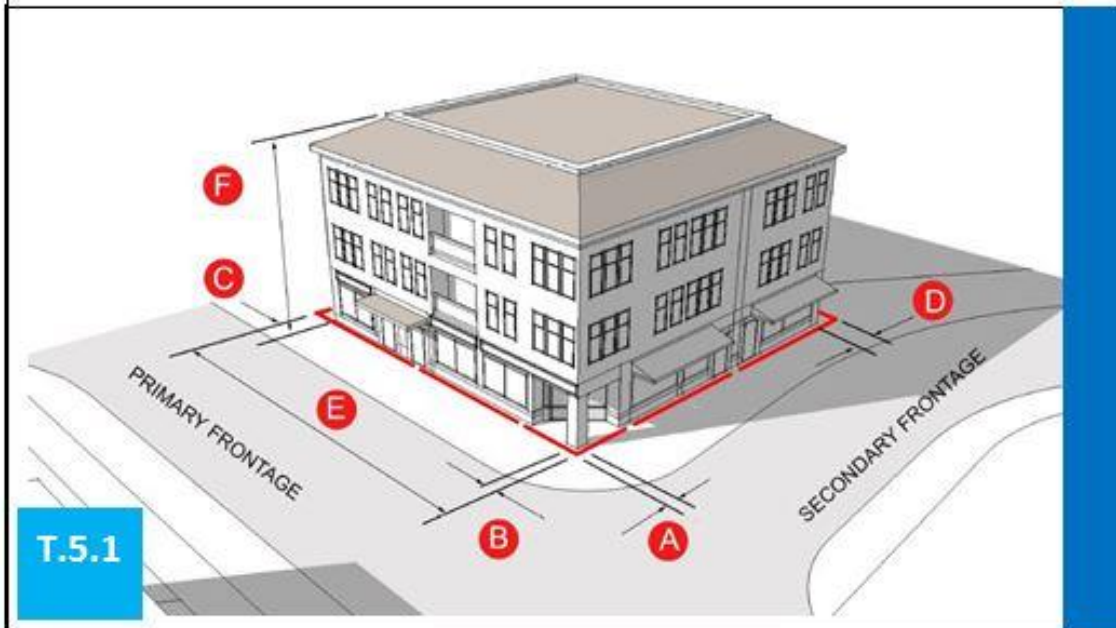
**Landscaping:** Landscaping is encouraged but shall not extend into any street sidewalk or travel way. Street trees are encouraged.

**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**

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  - Lot Coverage: 90% max

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  - Frontage Build-Out: 60% along front setback

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### C. BUILDING FORM – PINCIPAL BUILDING

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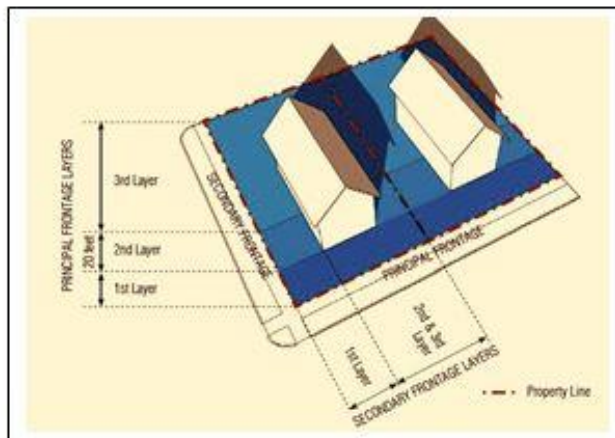
    - Building Height: 1-Story min, 3-Story max **F**

---

    - 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.

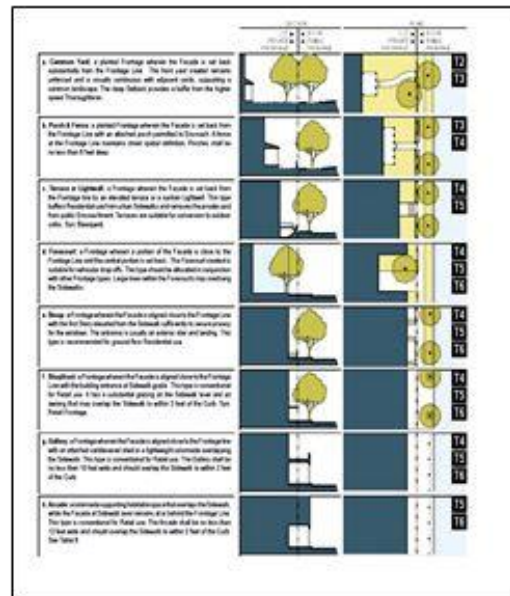
### B. REQUIRED SPACES

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

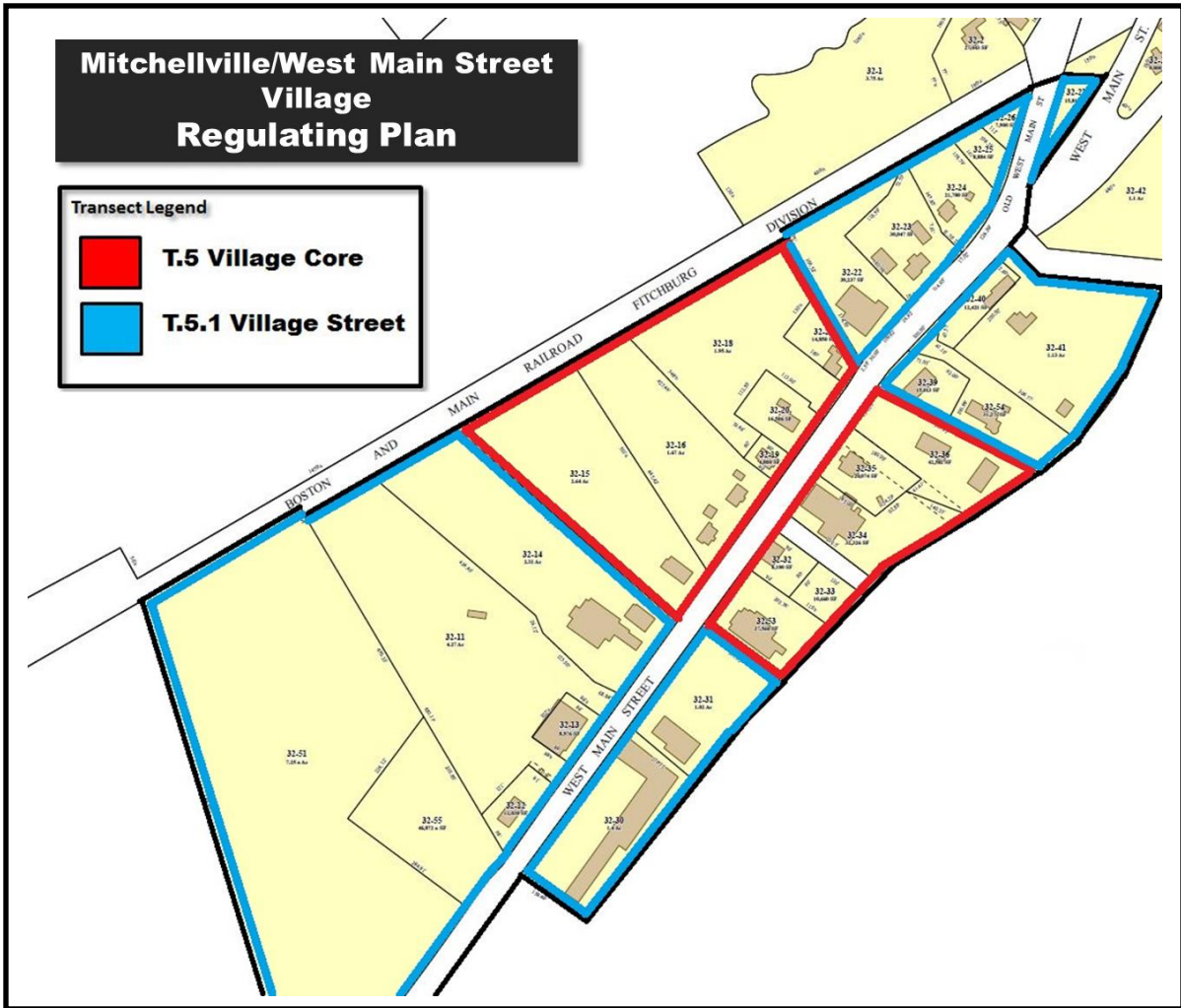
Enclosed landings, stairs, stoops, bays, ramps and similar projections may encroach upon the indicated setbacks by the following distances.

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





## **Ayer Office of Community & Economic Development**

To: Robert Pontbriand, Town Manager  
From: Alan S. Manoian AICP, Dir. Community & Economic Development  
Date: 9/12/2019  
Re: Ayer Master Plan Implementation Plan Quarterly Report for Ayer BOS

As is presented in the (attached) Ayer Master Plan – Implementation Plan Priority Project Matrix submitted to the Ayer BOS, the Ayer Office of Community & Economic Development provides a favorable report evidencing that of the total 34 Priority Objectives & Goals, 22 have been mainly accomplished – resulting in a 64.7% accomplishment score over the past year.

There are 12 Priority Projects that are “In progress” representing 35.2% of the outstanding Priority Objectives & Goals.

The final two Ayer Master Plan Implementation Plan (Chapter) Luncheon Roundtables are wrapping-up with the “Economic Development Chapter” presentation having taken place on August 29<sup>th</sup> and the final “Municipal Services & Facilities Chapter” scheduled for Thursday, Sept. 19<sup>th</sup>.

The next step in the ongoing and continual process is the formulation & launch of the “Synthesis Sessions” bringing together Inter-departmental Teams with various municipal Boards & Commissions to fully engage in the implementation of long-term Master Plan Objectives & Goals.

“Synthesis Sessions” are proposed to begin in November 2019.

Ayer Master Plan - Implementation Plan  
Quarterly Report, Sept. 2019

Priority Projects

*Ayer Office of Community & Economic Development  
(AOCED)*



# LAND USE

HIGH PRIORITY	ACTION	CHECKBOX	NOTES
Petapawag Overlay Zoning District	TP/PB & CA/CC starts Petapawag Overlay Committee work sessions; formulate overlay; proposed submission for Spring 2020 Town Meeting.		(In progress)
Modernize Storm-Water Regulations	TP/PB & DPW & CA/CC starts Stormwater Reg. formulation sessions Summer 2019; draft product Fall 2019.	X	
Formulate/Adopt Park St. Form-Based Code	Downtown/Park St. Form-Based Code was successfully adopted at Spring 2019 Town Meeting.	X	
Adopt a 40R Smart Growth District	TP/PB & DIR/C& ED schedule Smart Growth District 40R Public Engagement & Informational sessions in Winter 2019/2020 in partnership with MRPC & Mass DHCD.		(In progress)

# HOUSING

HIGH PRIORITY	ACTION	CHECKBOX	NOTES
Form a Housing Committee	CDP & C&ED has formed Ayer Housing Committee as of April 2019 and are actively meeting bi-weekly.	X	
Coordinate Inter-Board Communications & Activities	CDP has established Ayer Housing Comm. with representation from various local boards; a series of formal Inter-Board meetings will start in July 2019.	X	
Work with Planning Board (PB)	CDP & Ayer Housing Committee & TP begin informational exchange presentations to PB in July 2019.		(In Progress)
Strengthen Site Plan Review Process & Standards	TP & C&ED & DPW are engaged in producing a "Traditional Neighborhood Design/Smart Growth/Complete Streets" Development Standards Guide Book & Community Engagement Campaign to launch in Fall 2019 so as to evidence the costly/adverse fiscal & environmental impact of poor local Site Plan Standards.		(Winter/Spring 2020)
Update Subdivision Laws	DPW & TP/PB have scheduled the formation of the Ayer Subdivision Law Review Committee for Fall 2019.	X	
Increase Infill Development	TP & DIR & PB have produced Downtown/Park St. Form-Based Code to accelerate & guide Infill Development & have scheduled production & release of Traditional Neighborhood Design Standards Guide Book in Fall 2019.		(Winter/Spring 2020)



# ECONOMIC DEVELOPMENT

HIGH PRIORITY	ACTION	CHECKBOX	NOTES
Support Transportation Needs	Conducting MART 'Devens Shuttle' Pilot Program group review and service improvement sessions; DIR has met with Nashoba Valley Medical Center officials, ASRHS officials, & AMSC officials to determine level of service satisfaction and suggested improvements; Summer 2019 proposed launch of advertising/promotional campaign to "Ride the Devens Shuttle".		(Devens Shuttle Cooperative Marketing Meeting scheduled for 9/19/2019)
Economic Dev. Advocacy	DIR has actively engaged in social media campaign to raise profile of Ayer as a favorable location to reside and to conduct business. DIR attends local/state/regional forums, sessions, ceremonies to advance the interests of Ayer; proposed new IDFA small to medium sized business attraction/lending program to launch in August 2019.	X	
Improved Zoning/Design Standards	DIR has conducted community engagement, formulated, produced and delivered the Downtown/Park St. Form-Based Code for June 10 <sup>th</sup> Special Town Meeting. DIR has energetically advocated for Traditional Neighborhood Design (TND) Standards for various proposed development projects.	X	
Training & Education of Local Leaders/Board Members	DIR regularly attends various local Board & Commission meetings to advance, inform, expand and improve the knowledge, skill, and interest of	X	

	leaders/members with regard to emerging & innovative practices and principles.		
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## RESOURCES

HIGH PRIORITY	ACTION	CHECKBOX	NOTES
Clean-up of 21E Sites	TM & DIR & DPW & Fire Chief meet in June 2019 to identify high-priority locations on Park St. Corridor for Underground Storage Tank Removal & Remediation; DIR provides current status of Brownfields Grant Program (application cycle & funding levels).	X	(DIR & TP have engaged with MRPC 8/29/2019 on recently received (MRPC) Regional Brownfields Grant – Ayer will formulate application for Park St. UST removal Fall/Winter 2020).
Zoning & Subdivision Regulations to Protect/Preserve Environment	DPW & TP & PB have been actively meeting through late 2018-2019 to formulate & produce new subdivision regulations to protect environment & open space; new subdivision regulations for 2019; CC have produced guidance document for subdivisions subject to Open Space Residential Bylaw (OSRD) & evaluation procedure for PB recommendation on OSRD subdivisions.	X	
Open Space/Public Access Easements for Ponds & Streams	CC has engaged with Mass Fish & Game Division of Fishing & Boating Access to evaluate conditions for a State constructed fishing/boating access on one or more of Ayer's Ponds.		(In progress)
Indoor Recreational Facility	(In Progress)		
New Senior Center Facility	TM & DPW & COA issued RFQ/RFP for Senior Center Feasibility Study; have contracted with Senior Center consultant; are actively identifying prospective sites for proposed new Senior Center; formation of Senior Center development committee in process.	X	(1 <sup>st</sup> Public Engagement Forum for proposed Ayer Senior Center scheduled for 9/30/2019).

Historic Preservation Plan	(In Progress)		(Requires Support to HDC)
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## TRANSPORTATION & CIRCULATION

HIGH PRIORITY	ACTION	CHECKBOX	NOTES
Monitor State/Fed Road Funds	Supt. DPW actively attending & advocating at monthly MRPC/MART/MPO regional meetings to accelerate provision of funding for approved projects – as result, East Main Street Roadway Reconstruction Project advanced to Spring 2020 construction start. Also, Fitchburg Rd. Sidewalk Extension Project approved by MassDOT for 2020-21.	X	
Implement Complete Streets Policy	Downtown/Main Street & Sidewalk Re-Design/Re-Construction Project scheduled for 2021; West Main Street Corridor (Smart Growth) Project has launched with regional effort to win MassWorks Grant 2020. Park Street Form-Based Code Project proceeding with June 10 <sup>th</sup> Special Town Mtg. vote. Prospect & Oak St. Infrastructure Improvement Project scheduled to begin June 2019.	X	
Construction of Commuter Parking Deck	The new Downtown Ayer Commuter Rail parking Deck construction has begun with scheduled completion date of December 2019.	X	
Downtown Parking Study	Downtown Parking Study Completed 2018. New striping of parking spaces on Main St. & Central St. scheduled for Summer 2019. New Resident Parking Sticker Program launching Spring 2019. New Wayfinding Signage Program scheduled for start of design & production sessions in July 2019.		(In progress)
Subdivision	DPW Staff, Town Planner & Planning Board		

Regulations	Members have been actively engaged (2018-19) in full review & improved formulation of Ayer Subdivision Regs. Product delivery Fall 2019.	X	
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## INFRASTRUCTURE

HIGH PRIORITY	ACTION	CHECKBOX	NOTES
Additional Wells Spectacle Pond	DPW begins Test Well Program at Spectacle Pond in Summer 2019.	X	
Improve Water Treatment Facilities	Wastewater Treatment Plant Improvement Phase 1 is completed. Phase 2 in progress; Phase 3 in design. Water Master Plan in progress Spring 2019.	X	
Inflow & Infiltration Mitigation	May 2019 Town Mtg. approved funds for I&I Project work. I&I mitigation work begin Summer 2019 – Prospect & Oak St. Project includes I&I mitigation.	X	
Sewer Systems Operations & Maintenance Plan	Sewer Use Regulation Update completed 2/2019.	X	

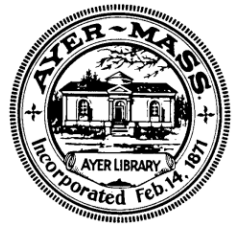


## MUNICIPAL SERVICES & FACILITIES

HIGH PRIORITY	ACTION	CHECKBOX	NOTES
Resident (Programming/Services/Facilities) Needs Analysis	Ongoing community engagement; proposed formation of Community Needs Assessment Task Force; reviewing possible consultant participation.		(In progress)
Senior/Community Center Feasibility Study	Issued RFP; engaged Abacus Architecture consultant to produce Feasibility Study; Senior Center Study Committee formed & engaged; started preliminary site location discussion & identification.	X	
Professional Staffing of Boards & Commissions	Actively engaged in civic outreach; advancing succession planning for municipal Boards & Committees; attracting new members through non- traditional outreach & communications, including social media platforms.		(In progress)
Commuter & Mobility Facilities	Guiding Ayer DPW & Community & Economic Development to design, fund, construct and promote local multi-modal connectivity & mobility.	X	
Commuter Rail Station User Connectivity	Working in active partnership with MART/Devens Enterprise Comm./MassDevelopment to improve and extend "Devens Shuttle" connecting Downtown Ayer Commuter Rail Station & Devens & large Ayer employers/job creators.	X	

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

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

**MEMORANDUM**

**DATE:** September 13, 2019

**TO:** Ayer Board of Selectmen

**FROM:** Robert A. Pontbriand  
Town Manager

**SUBJECT: Town Manager's Report for the September 18, 2019 BOS Meeting**

Dear Honorable Selectmen,

I am pleased to transmit to you the following Town Manager's Report for the September 18, 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):**

- I will offer a brief Administrative Update of the various activities, initiatives, and projects of the Administration since the BOS last met on September 3, 2019.
- I have reviewed, approved, and signed the following Town Warrants since the BOS last met on September 3, 2019:

*Accounts Payable Warrant #20-04* in the amount of \$1,811,865.77 was reviewed, approved and signed on September 3, 2019.

*Payroll Warrant #20-05* in the amount of \$355,770.19 was reviewed, approved and signed on September 11, 2019.

**Review/Discussion of DRAFT FY 2021 Budget Calendar:**

- I would like to briefly continue the discussion from September 3, 2019 with the BOS regarding the proposed DRAFT FY 2021 Budget Calendar (see attached).

**Debrief from 9/11/2019 Fin Com Meeting:**

- I attended the September 11, 2019 Fin Com Meeting and would like to briefly update the BOS on that meeting which included a formal vote by the Fin Com to support the BOS position on the proposed elementary school as well as a review/discussion of the proposed DRAFT FY 2021 Budget Calendar.

Thank you.

Attachment: Proposed DRAFT FY 2021 Budget Calendar

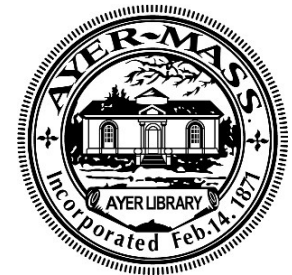
# August 2019

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: September 13, 2019

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



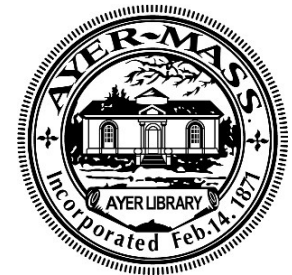
# September 2019

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: September 13, 2019

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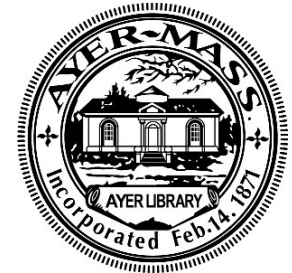
# October 2019

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: September 13, 2019

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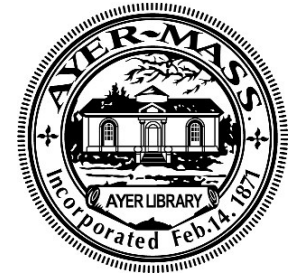
# November 2019

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: September 13, 2019

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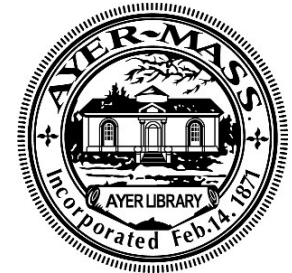
# December 2019

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: September 13, 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

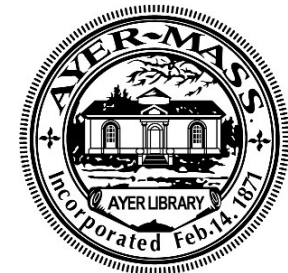
Town Mgr.  
Meet with  
Dept.  
Heads

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: September 13, 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

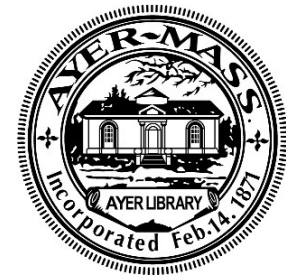
Town Mgr.  
Make  
COLA  
recommen-  
dation

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: September 13, 2019

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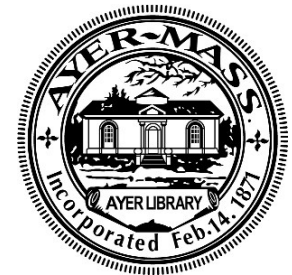
# March 2020

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 Public Info. Session on Budget (Fin-Com/BOS)	19	20	21
22	23	24 BOS End Non-Union Negotiations	25	26	27	28
29	30	31				

## FY' 21 Budget/Town Meeting Calendar

Last Updated: September 13, 2019

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



# April 2020

## Tasks

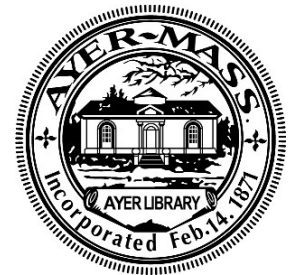
Approve  
UDAG  
Ec. Dev.  
Budget

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: September 13, 2019

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



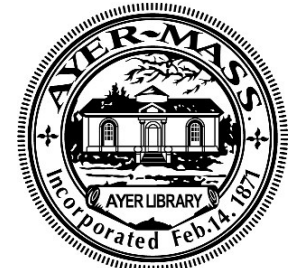
# May 2020

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

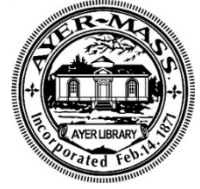
Last Updated: September 13, 2019

**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 – 1<sup>st</sup> Floor Meeting Room  
Ayer, MA 01432**



*Broadcast and Recorded by APAC*

**Tuesday September 3, 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 7:00 PM.

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

**Approval of Agenda:** R. Pontbriand asked to amend the agenda by removing the West Main Street Form Based Code Overview by Alan Manoian because he is out sick.

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

**Announcements:** None

**Public Input:** M. Spinner thanked S. Houde for his recent presentation to the Finance Committee regarding the School Field Project and potential new elementary school.

**Presentation of Boston Post Cane to Mrs. Roberta Winslow:** S. Houde and J. Livingston presented Mrs. Roberta Winslow with the Boston Post Cane, which symbolizes she is the oldest resident in the Town of Ayer. The BOS and meeting attendees offered their best wishes to Mrs. Winslow.

**Continued (from August 13, 2019) Public Hearing – Petition for Underground Conduits and Fixtures - National Grid – Plan 28015264 – Pole 6 - Littleton Road:** S. Houde reopened the hearing from August 13, 2019. C. Antonellis explained that the prior issue with the Conservation Commission had been resolved and is recommending that the petition be approved.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve the Pole Petition by National Grid No. 28015264. **Motion passed 2-0.**

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to close the Public Hearing at 7:28 PM. **Motion passed 2-0.**

**Mark Wetzel, DPW Superintendent:** *PFAS Update* – M. Wetzel was in attendance and gave the BOS an update on PFAS, stating that the Grove Pond Treatment Plant is under construction; and that the Cooperative Agreement Award with the Army for \$4.4 million dollars is very close to being finalized. Estimates for the Spectacle Pond PFAS treatment facility are currently around \$6.2 million dollars. M. Wetzel discussed potential funding options with the BOS.

*Street Acceptance Requests* - M. Wetzel reported that three subdivisions have requested street acceptance for the Fall Town Meeting, being held October 28, 2019. The following streets are on the list for proposed street acceptance: 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 and; Pingry Hill Phase 5 – Hay Meadow Lane from Old Farm Way to end, Holly Ridge Road and Apple Blossom Lane. M. Wetzel

outlined the acceptance process and stated that the first step of many was for the BOS to vote their intention to layout the streets and forward to the Planning Board.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to intend to layout above mentioned streets and forward petition to the Ayer Planning Board. **Motion passed 2-0.**

*Execution of Easement - National Grid Easement/100 Groton Harvard Road* – M. Wetzel presented an easement between the Town and National Grid to install an overhead electrical transmission system on the landfill property on Groton Harvard Road as part of the solar field project.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to execute the easement between the Town of Ayer and National Grid for 100 Groton Harvard Road. **Motion passed 2-0.**

**BOS Special Election Discussion:** R. Pontbriand reviewed process (as presented at the August 13, 2019 BOS Meeting) for calling a Special Election due to former Selectman Chris Hillman's resignation on August 13, 2019. J. Livingston stated that she is not inclined to call a Special Election at this time because a petition has not been submitted by the voters; additionally the cost of a special election is not budgeted for. She stated if the Town receives a petition, it will show the interest of the voters.

Michael Pattenden, 42 Westford Road, stated that if the cost of a special election is not budgeted for that he will pay next year's property taxes in advance.

S. Houde stated that during the regular election last spring, just over 300 people voted and there didn't seem to be interest from the residents.

David Bodurtha, 28 Coolidge Road, stated the BOS should call a Special Election and that Town Boards need to be more active in the process.

The BOS then went over potential Special Election dates with Town Clerk Susan Copeland. Ms. Copeland stated that a minimum of 64 days is needed between the calling of the election and the actual election.

R. Pontbriand stated that if one of the two current BOS members could not attend a meeting, that there are statutory provisions in which the Town Clerk could step-in. These are very limited and specific circumstances, such as a potential vote related to matters of a State of Emergency.

Ruth Maxant – Schulz, 8 Taft Street, stated that she is confident that a petition calling for a Special Election will get the required number of signatures, which is 200 registered voters.

Town Clerk Susan Copeland said that it is not up to the Town Clerk's Office to promote candidates. The job of the Town Clerk's Office is to run an impartial election. She encouraged candidates to get the word out about why they are running.

S. Houde and J. Livingston both stated that at this time they would like to see a Citizens Petition to demonstrate that there is interest by the voters in having a special election.

After further discussion, S. Houde and J. Livingston decided not to call a special election at this time.

**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. R. Pontbriand gave project updates on the Town Hall wiring project and the Town Hall Windows 10 replacement project. He also informed the BOS that the DPW, Fire and Police Departments will all be transitioning to an electronic time card submission system. R. Pontbriand reported that the Rate Review Committee would be meeting on September 10, 2019 and that the Facilities Director is working on a resolution for the acoustics in the Great Hall.

*Proposed FY '21 Budget Calendar* – R. Pontbriand presented the DRAFT FY '21 Budget Calendar that was largely modeled after last year's calendar. J. Livingston stated that she is going to make sure that the Rate Review Committee is aware of the dates listed in the calendar. S. Houde asked R. Pontbriand to check in with the Finance Committee and see if/when it would like to meet with certain departments throughout the budget process. S. Houde stated he would also like to see the budget public information session to be done earlier in the year.

*Discussion on moving Town Meeting and Election Dates* – R. Pontbriand presented four potential warrant articles relative to changing Town Meeting time and dates. The questions were presented as follows:

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]

After discussing the four articles, the BOS is planning on moving the current article 4 to the number 2 spot.

M. Spinner asked that the time of the Saturday Town Meeting be changed from 9:00 AM to 10:00 AM.

J. Livingston asked R. Pontbriand to consult with Counsel on whether these changes could be made this year at the Fall Special Town Meeting with an effective date of calendar year 2021, that way the Town can prepare for the changes.

*The BOS recessed at 8:29 PM for 5 minutes.*

*At 8:32 PM the BOS was back in session.*

**New Business/Selectmen's Questions:** *Rescheduling of September 17th BOS Meeting (Selectman Houde)* – S. Houde asked to reschedule the September 17, 2019 meeting because of a prior commitment. R. Pontbriand is suggesting that the BOS meet on Wednesday September 18, 2019 at 6:00 PM. BOS members agreed.

*Debrief from Finance Committee Meeting (Selectman Houde)* - S. Houde gave an overview of the Finance Committee Meeting attended by both he and R. Pontbriand. He stated that he presented the three potential options for a new elementary school and made the case for the process to start focusing on an Ayer Elementary School to ideally be located at the Page Hilltop Campus. S. Houde reported that the Ayer Shirley Regional School Committee is seeking an amendment to the regional agreement to allow for a regional elementary school option. He appreciated the Chair of the School Committee Michelle Granger being present; as well as former School Committee member Dan Gleason who offered a lot of information. The next step is for the Finance Committee to take a vote at their September 11, 2019 Meeting to endorse the BOS request of the ASRSD to begin the process for an Ayer elementary school.

J. Livingston thanked S. Houde for the debrief.

*BOS Rep for Capital Planning Committee (Selectman Houde)* – R. Pontbriand reported that former Selectman C. Hillman expressed interest in continuing to serve on the Capital Planning Committee; however, the only vacant seat on the Committee is a BOS member seat. Both S. Houde and J. Livingston said they would be willing to serve.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to appoint J. Livingston to the Capital Planning Committee as the BOS Representative. **Motion passed 2-0.**

**Approval of Meeting Minutes:**

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the meeting minutes from August 13, 2019. **Motion passed 2-0.**

**Adjournment:**

**Motion:** A motion was made by S. Houde and seconded by J. Livingston 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:** \_\_\_\_\_

DRAFT