

Town of Ayer

Office of the Town Planner



Town of Ayer | Ayer Town Hall | 1 Main Street, 3rd Floor | Ayer, MA 01432 | 978-772-8218 | www.ayer.ma.us

Monthly Staff Report

To: Robert Pontbriand, Town Manager

From: Mark Archambault, Ayer Town Planner

Re: Monthly report for the period August 21 – September 20, 2019

Date: September 20, 2019

1. Project Review:

At its August 27 and September 10 meetings, the Planning Board continued its review of a **Definitive Subdivision Plan at 54 & 56 Littleton Road**, which is now showing 19 lots, down from the previous 20. One of the key issues that remains to be resolved is the need to find an entity to hold the Conservation Restriction (CR) for the open space in the subdivision per section 10.1.8 B. and C. of the Ayer Zoning Bylaw. Such entity can be the Town of Ayer, typically through its Conservation Commission, an agency of the Commonwealth of Massachusetts, or a non-profit Land Trust. Because of the isolated nature of this parcel of open space and its small size, the Ayer Conservation Commission has so far been unwilling to take control of a CR. The Planning Board may need to act on this case at their September 24 meeting, unless a further extension is granted by the applicant, in which case the outstanding issues such as the CR will be handled in the Conditions of Approval, requiring resolution before site work can begin. I spent considerable time (*and am still working on*) researching and developing a template for a Notice of Decision with general and specific conditions to apply to this and other subdivisions.

The Planning Board also opened the public hearing for the second Definitive Subdivision Plan submitted under the 'new Zoning Bylaw', **at Shaker Mill Pond off of Shaker Road** near the Harvard Town line. There was much abutter concern about additional traffic on Shaker Road and potential environmental impacts in the area. This hearing will likely require the full 90-day review period for Definitive Subdivisions as specified in the Mass. General Laws.

The Planning Board also approved a stormwater management plan for the four (4) duplex lots on Shaker Road at their September 10 meeting. This property is subject to a local Stormwater Management Permit under Ayer's Stormwater Management Bylaw.

The Conservation Administrator and I also met with the owner and attorney for the former **Stratton Hill subdivision land off of Wright Road**. They showed us a draft conceptual plan which shows a reduced building envelope compared to the plan originally submitted in the early 2000s. It is anticipated that this subdivision application will be forthcoming later this year or very early in 2020.

2. Zoning Bylaw Amendments for October 28 Special Town Meeting:

I completed amendments to the **Open Space Residential Development (OSRD) section** of the Zoning Bylaw by replacing the formula currently being used to calculate the number of lots / units with a description of the information and process to be required in a Yield Plan, which will result in a more realistic number of lots in subdivisions going forward (*assuming these revisions pass at the October STM*). The formula developed by the Zoning Bylaw consultant is too generous, and is resulting in overcrowded subdivisions with a much higher density of units than allowed by the underlying zoning. The Yield Plan approach will result in less crowded subdivisions and will make preserving open space and designing subdivision layouts much easier for both applicants and the Planning Board.

In addition to the Yield Plan for the OSRD section, other zoning amendments to be presented at the October 28 STM include **restoring provisions for Accessory Apartments** to the Zoning Bylaw, **minor changes** to the **Affordable Housing** section to make it clear that the provisions therein apply whether the proposal requires a Special Permit or is allowed by right, and a **Form-Based Code for the West Main Street corridor** to replace the current General Business zoning in place there. The Community and Economic Development Director wrote the latter Bylaw. The Planning Board will be holding Public Hearings on the above amendments at their September 10 and 24 meetings.

The Planning Board held the first of two public hearings on the above Zoning Bylaw amendments at their September 10 meeting, with the second scheduled for September 24. At that meeting it is anticipated that they will forward a positive recommendation to the Board of Selectmen to have these articles placed on the warrant for the October 28 Special Town Meeting.

3. Subdivision Regulations:

Due to the intensity of the issues involved in the above-mentioned subdivisions and the work involved with the Zoning Bylaw amendments, work on the Subdivision Regulations has temporarily slowed down, though the Planning Board is aware of the need to hold a hearing on these in the very near future. Based on initial comments of the DPW Superintendent, there may be a need to reconvene the small working group that compiled the draft Regulations in order to address these comments before the Regulations are sent to Town Counsel and the Planning Board holds a public hearing to adopt them.

