

# Town of Ayer

## Office of the Town Planner



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### Monthly Staff Report

To: Robert Pontbriand, Town Manager  
From: Daniel Ruiz, Ayer Town Planner  
Re: Monthly report for August into September  
Date: September 19, 2023

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#### **Project Review and Planning Board meetings:**

The Planning Board met on **August 22<sup>nd</sup>, and September 12<sup>th</sup>, 2023.**

#### **Development Review:**

**ANRs:** There were no ANR (*lot line adjustments, lot splits or lot consolidations*) in August or September 2023.

#### **Road Acceptances:**

- **Curley Circle (OSRD):** The developer for Curley Circle is looking to start the street acceptance process. The developer received a bond reduction at the August 22<sup>nd</sup> meeting. The developer will be before the Planning Board for the start of the street acceptance process on September 26<sup>th</sup>.
- **Shaker Mill Pond (OSRD):** The developers for this project came in to ask about starting the street acceptance process. I have asked Heather and Dan to review the decision and inform me of any open issues they have.

#### **Site Plans:**

- **West Main Street:** The Planning Board raised two main issues at the August 22<sup>nd</sup> meeting that need to be addressed before this project can start moving forward and addressing the more minor issues. The applicant has submitted revised plans and updated response comments on September 15<sup>th</sup>, 2023. Plans still do not address the two main concerns of unit size and parking space count.
  - **Issue #1:** The first issue is the minimum unit size of 750 sf. The applicant is requesting that 118 of the 170 units be allowed to be under the 750-sf minimum in the Town's Zoning Bylaw. Town Counsel and the Building Commissioner are in agreement that the applicant must submit by right

plans showing the units meeting the 750-sf min to show the Planning Board a baseline of how many units they can get by-right. Then the Planning Board can discuss applying the bonus density for the affordable units and see how many units can be allowed under the 750-sf min.

- **Issue #2:** The second issue is the parking space count. The applicant is requesting a waiver from the required amount of parking spaces as determined in §9.1.2 for the Zoning Bylaws. The applicant has requested a reduction from 289 parking spaces, as required, to 172 parking spaces. The applicant doesn't seem to be able to make more parking spaces work because they do not have enough room on the property. The 172 parking spaces is not enough parking spaces for 170 residential units, two retail spaces which could potentially be restaurants, and guest parking. The applicant does not meet the required 5% guest parking spaces and or the Reserved Parking requirements under §9.1.8. The applicant has also requested a waiver from the 10% requirement for compact parking spaces and wants to increase it to 12%. I see this as a way to increase the number of parking spaces they have on site. If the applicant had to follow the requirement of 10% they would probably have a decrease in the proposed number of parking spaces from 172 to a lower number. I believe without this waiver they would lose 2 more parking spaces.
- **27 & 29 Harvard Road:** The applicant is still working with the Building Commissioner to get them all the information Charlie needs. Charlie issued a determination that the newly striped parking spaces are not a pre-existing non-conformity. The applicant argued that the parking spaces are grandfathered because when it was a gas station everyone would park in those spots even though there were no actual parking spaces striped on the pavement. The applicant will need a special permit for the spaces to remain where they are, or they need to be moved. The applicant still has not submitted updated site plans as requested. The applicant is tentatively scheduled for the October 10<sup>th</sup> meeting.

### **Subdivisions:**

- **Stratton Hill:** The applicant will be before the Planning Board on October 10<sup>th</sup> to open u the public hearing so we can start working through the peer review. I reviewed the peer review comments and the plans and provided Green Int with additional comments for the applicant to address.
- **Panther Place:** The developer received a covenant release for his first two lots, lots 25 & 26, at the August 22<sup>nd</sup> Planning Board meeting. The DPW and I agree with the developer that the proposed sidewalk and sidewalk crossing on Washington St should be constructed during the summer when school is not in session. The developer has agreed in writing that he will install the proposed sidewalk and crosswalk before the end of next summer.

### **Land-Use Meetings in August & September 2023:**

- We have not had a Land Use meeting since the August 3<sup>rd</sup> meeting.
- We will be receiving a new site plan application from National grid to install a new substation at the corner of Bishop Road and Park Street. We will have a Land Use meeting once the application has been submitted. At this meeting we can also discuss any ongoing project before the Planning Board including West Main and Stratton Hill.

- As of now, I'm proposing to only have Land Use meetings when we have new applications submitted and not before there are actual plans and information. We need all the information to make sure the Land Use meetings are productive and not a waste of time.

### **Possible Town Meeting Articles:**

- **Mullin's Rule:** At the September 12<sup>th</sup>, 2023, meeting, the Planning Board recommended this proposed adoption of the Mulin's Rule go to the October Town Meeting for a vote.
- **Zoning Map:** The Planning Board would like to propose an updated Zoning Map showing the rezoning of 27 & 29 Harvard road from General Residence (GR) to General Business (GB). Town Counsel needs to look at the articles that passed at Town meeting to see if the Zoning Map needs to be adopted at Town Meeting or not. This depends on how the rezoning articles were written.