

RECEIVED
TOWN CLERK
TOWN OF AYER

2014 DEC -2 PM 3:00

Suwan E. Copeland

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



Thursday December 4, 2014
7:00 PM

Open Session Meeting Agenda

7:00

Call to Order

Application for Endorsement of Plan Believed Not To Require Approval

1. Depot Square Property – MART
2. 35 Nemco Way – Catania Spanga

New Business

1. Alan & Louise Rogers – Pierce Avenue
Request for Discussion with Planning Board

Approval of Meeting Minutes

November 6, 2014

Adjournment

The January 2015 Meeting will take place on January 8, 2015
at 7:00 PM in observance of the New Year's Holiday

Board of Selectmen

MEETING TUESDAYS AT 7:00 P.M. • UPPER TOWN HALL • 1 MAIN STREET • AYER, MASSACHUSETTS 01432



Tel. (978) 772-8220
Fax. (978) 772-3017

Town Administrator
(978) 772-8210

MEMORANDUM

DATE: December 3, 2014

TO: Ayer Planning Board

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Request for Approval Not Required (ANR) for Parcel A of the Depot Square Property for the Purposes of Transfer from Worthen Dale Realty Corporation to the Town of Ayer / MART

Dear Members of the Planning Board,

On September 9, 2014, the MBTA and Worthen Dale Realty Corporation reached an agreement to resolve and improve access to the Ayer Commuter Rail Station as well as to enable the \$4 million dollar Ayer Rail Trail Commuter Surface Parking Lot to proceed and be completed.

The transfer of the land parcel (Depicted as "Parcel A" on the submitted plan) which is 13,374 square feet +/- from Worthen Dale Realty Corporation to the Town of Ayer / MART requires that the Ayer Planning Board approves the submitted Depot Square ANR at your meeting on Thursday, December 4, 2014 so that "Parcel A" may be filed and recorded with the Registry of Deeds for the purposes of completing the transfer of "Parcel A" from Worthen Dale Realty Corporation to the Town of Ayer / MART.

I will be in attendance at your meeting on Thursday, December 4, 2014 at 7pm to answer any questions the Planning Board may have. If you have any questions prior to the meeting, please do not hesitate to contact me directly at (978) 772-8220 or at ta@ayer.ma.us.

Thank you in advance for your consideration and approval of this ANR for this important project to the Town of Ayer.

Cc: Ayer Board of Selectmen
MART

RECEIVED
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TOWN OF AYER

2014 DEC -3 PM 2: 52 THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF AYER

**APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL (ANR)**

TO: Town of Ayer
Planning Board

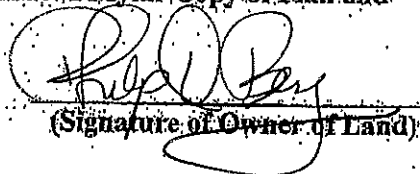
12-02-2014
(Date)

The undersigned, believing that the accompanying plan of his property in the TOWN OF AYER does not constitute a Subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant: WORTHENDALE REALTY TRUST CORP (SB)
48 MAIN ST AYER, MA 978-772-3000
(Address) (Telephone #)
2. Name of Engineer or Surveyor: DUCHARNE & DILLUS
1092 MAIN ST BOSTON 978-779-6091
(Address) (Telephone #)
3. Location and Description of Property: DEPOT SQUARE
BEHIND MOBIL STATION
4. Deed of Property Recorded in: MSRD Registry of Deeds 1235 442
(City/Town) (Book #) (Page #)
5. Upon notification of Planning Board Hearing Date, the following additional documents will be required and brought to the meeting by the applicant at that time: 1 Mylar Copy of Plan and Five (5) full size copies of stamped/registered engineer plans.

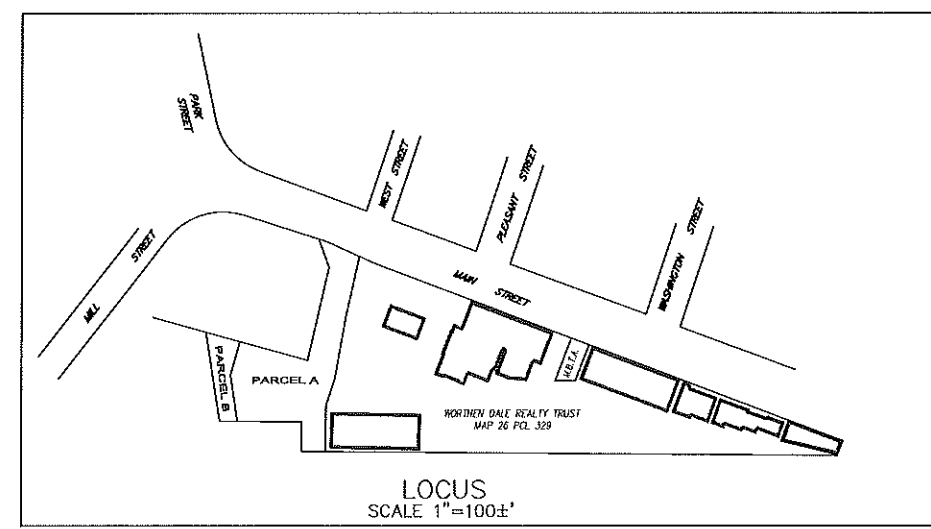
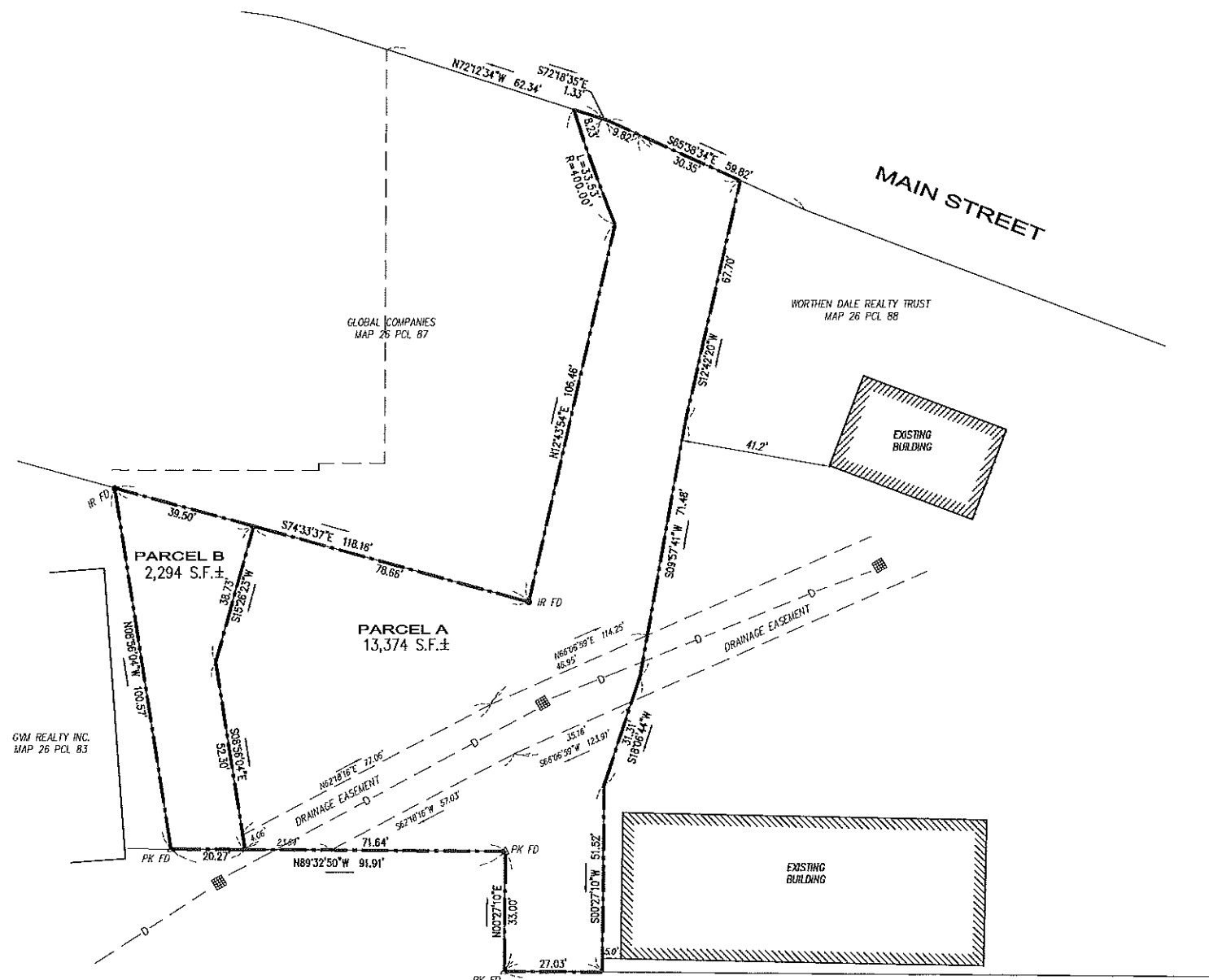
Enclosures Required with Application:

- 7 Copies Form A
- 7 Reduced size copies of Stamped/Reg. Plan
- 1 Full size copy of Stamped/Reg. Plan
- *Filing Fee (\$50 plus \$25 per add Lot/Parcel)
- *Filing Fee is Not Refundable


(Signature of Owner of Land)

(Note: Upon completion of Application, please present application to the Ayer Planning Board Office Manager for processing)

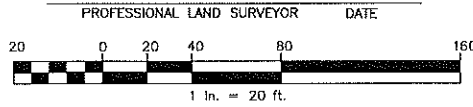
FORM A (Revised 8/7/2007)



RECORD OWNER:
 WORTHEN DALE REALTY CORP.
 48 MAIN STREET
 AYER, MA.
 DEED REFERENCES:
 BK.12135 PG.442
 L.C. CERT. 243936
 PLAN REFERENCES:
 LAND COURT PLANS 15026 A-G
 PL.1476 OF 1960
 PL.1488 OF 1971
 PL.1337 OF 1975

ASSESSORS MAP: 26 PCL 88, 89, 91, 92, 329
 ZONING DISTRICT: DOWNTOWN BUSINESS

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS



LEGEND

DESCRIPTION	DRAWING ENTITY
BUILDING CORNER (BRICK UP 0.5')	× BC
PK NAIL FOUND	△ PK FD
IRON ROD FOUND	● IR FD
DRILL HOLE FOUND	○ UH FD
PK NAIL SET	△ PK SET

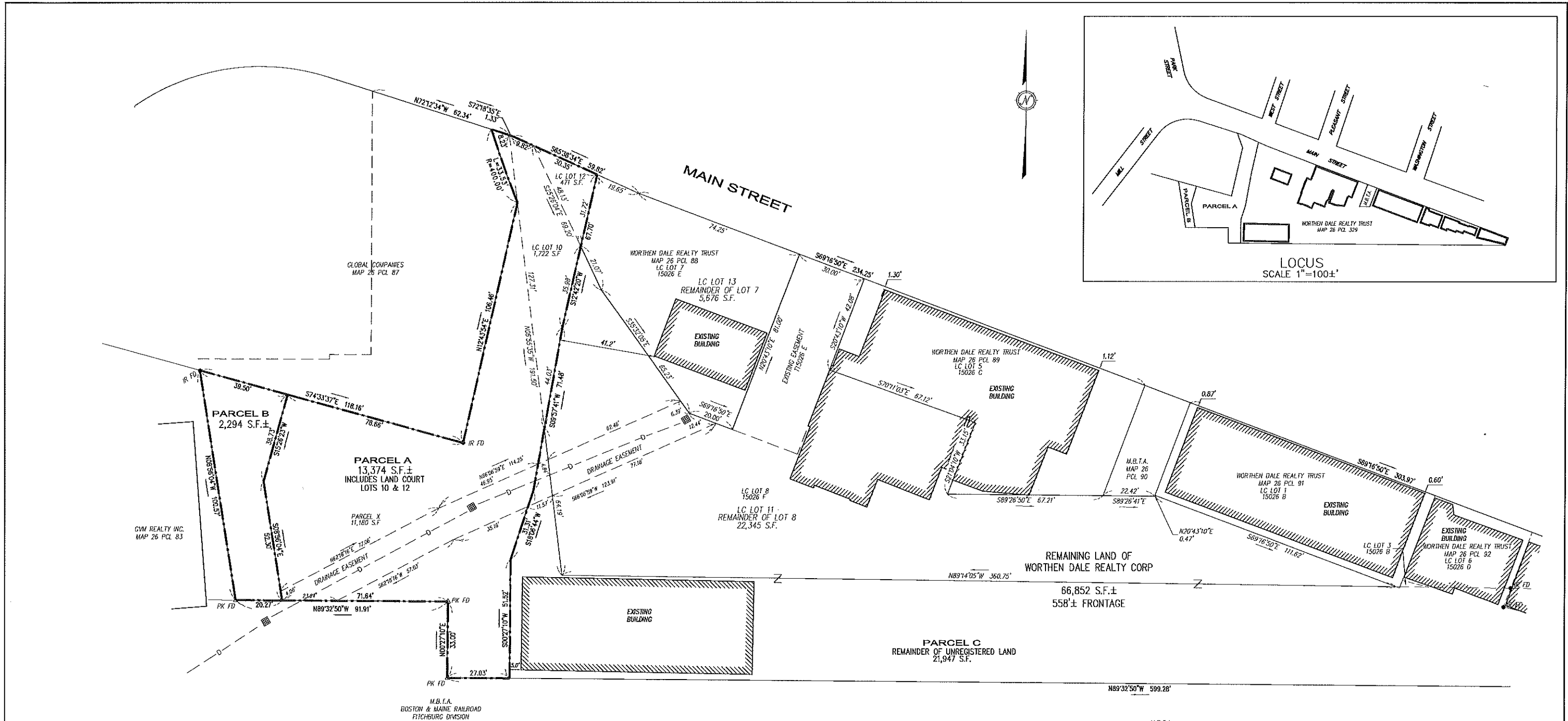
EXHIBIT PLAN
AYER, MASSACHUSETTS

DATE: DECEMBER 2, 2014 SCALE: 1 in. = 20 ft.

PREPARED FOR: WORTHEN DALE REALTY CORP. JOB NO. 1576
 48 MAIN STREET
 AYER, MASSACHUSETTS DWG. NO. 1576-ANR

DUCHARME & DILLIS
 Civil Design Group, Inc.
 CIVIL ENGINEERS • LAND SURVEYORS • WETLAND CONSULTANTS

1092 MAIN STREET, P.O. BOX 428 PHONE: 978-779-6091 FAX: 978-779-0260
 BOLTON, MASSACHUSETTS 01740 www.ddcdg.com
 COPYRIGHT DUCHARME & DILLIS-CIVIL DESIGN GROUP, INC 2014



RECORD OWNER:
 WORTHEN DALE REALTY CORP.
 48 MAIN STREET
 AYER, MA.

DEED REFERENCES:
 BK.12135 PG.442
 L.C. CERT. 243936

PLAN REFERENCES:
 LAND COURT PLANS 15026 A-G
 PL.1476 OF 1960
 PL.1486 OF 1971
 PL.1337 OF 1975

ASSESSORS MAP: 26 PCL 88, 89, 91, 92, 329

ZONING DISTRICT: DOWNTOWN BUSINESS

PARCEL DISPOSITION AND NOTES:

ALL LOTS AND PARCELS SHOWN HEREON ARE OWNED BY WORTHEN DALE REALTY CORP.

PARCEL A IS NOT A BUILDING LOT AND IS COMPRISED OF A PORTION OF BK. 12135 PG. 442 (PCL X), A PORTION OF LC LOT 7 (LOT 12) AND A PORTION OF LC LOT 8 (LOT 10) AND IS CREATED TO PROVIDE ACCESS TO THE COMMUTER RAIL STATION FROM MAIN ST.

PARCEL B IS NOT A BUILDING LOT AND IS A PORTION OF BK. 12135 PG. 442 AND IS TO BE CONVEYED TO AN ABUTTER.

PARCEL C IS NOT A BUILDING LOT AND IS THE REMAINDER OF THE UNREGISTERED LAND IN BK.12135 PG.442

LOTS 11 & 13 ARE THE REMAINDER OF LC LOTS 8 & 7 AND ARE A PORTION OF THE LAND OF WORTHEN DALE REALTY CORP. SHOWN ON ASSESSORS MAP 26 AS PARCELS 88, 89, 91, 92, 93, 94 & 329

A PORTION OF THIS PLAN BEING A SUBDIVISION OF LAND SHOWN AS LOT 7 ON LAND COURT PLAN 15026E AND A SUBDIVISION OF LAND SHOWN AS LOT 8 ON LAND COURT PLAN 15026F

RESERVED FOR REGISTRY USE

APPROVAL NOT REQUIRED UNDER THE SUBDIVISION CONTROL LAW AYER PLANNING BOARD

DATE: _____

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

STANLEY R. DILLIS
 No. 3382
 PROFESSIONAL LAND SURVEYOR

PROFESSIONAL LAND SURVEYOR DATE

20 0 20 40 80 160
 1 in. = 20 ft.

PRECISION OF TRAVERSE: 1"/80,607'
 ERROR OF CLOSURE, LINEAR: 0.013'
 BEARING: N51°20'25"W (prior to rotation)
 EDM "ACCURACY" (±2MM + PPM)

LEGEND

DESCRIPTION	DRAWING ENTITY
BUILDING CORNER (BRICK UP 0.5')	× BC
PK NAIL FOUND	△ PK FD
IRON ROD FOUND	● IR FD
DRILL HOLE FOUND	⊙ DH FD
PK NAIL SET	△ PK SET

PLAN OF LAND IN AYER, MASSACHUSETTS

DATE: DECEMBER 2, 2014 SCALE: 1 in. = 20 ft.

PREPARED FOR: WORTHEN DALE REALTY CORP. JOB NO. 1576
 48 MAIN STREET
 AYER, MASSACHUSETTS DWG. NO. 1576-ANR

DUCHARME & DILLIS
 Civil Design Group, Inc.
 CIVIL ENGINEERS • LAND SURVEYORS • WETLAND CONSULTANTS

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 BOLTON, MASSACHUSETTS 01740 www.dcdg.com
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Susan Copeland
RECEIVED
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TOWN OF AYER

2014 DEC -3 PM 2: 56

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF AYER

**APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL (ANR)**

TO: Town of Ayer
Planning Board

12/1/14
(Date)

The undersigned, believing that the accompanying plan of his property in the TOWN OF AYER does not constitute a Subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant: CARGILL A.M. HOLDCO LLC
15407 MCGINTY ROAD W, WAZATA, MN 55391
(Address) (Telephone #)
2. Name of Engineer or Surveyor: ANDREWS SURVEY ENGINEERING, INC.
PO BOX 312, UXBRIDGE, MA 01569 508 278 3897
(Address) (Telephone #)
3. Location and Description of Property: 35 NEMCO WAY
4. Deed of Property Recorded in: CAMBRIDGE, MA Registry of Deeds 03047 139
(City/Town) (Book #) (Page #)

5. Upon notification of Planning Board Hearing Date, the following additional documents will be required and brought to the meeting by the applicant at that time: 1 Mylar Copy of Plan and Five (5) full size copies of stamped/registered engineer plans.

Enclosures Required with Application:

- 7 Copies Form A
- 7 Reduced size copies of Stamped/Reg. Plan
- 1 Full size copy of Stamped/Reg. Plan
- *Filing Fee (\$50 plus \$25 per add Lot/Parcel
- *Filing Fee is Not Refundable

(Signature of Owner of Land)

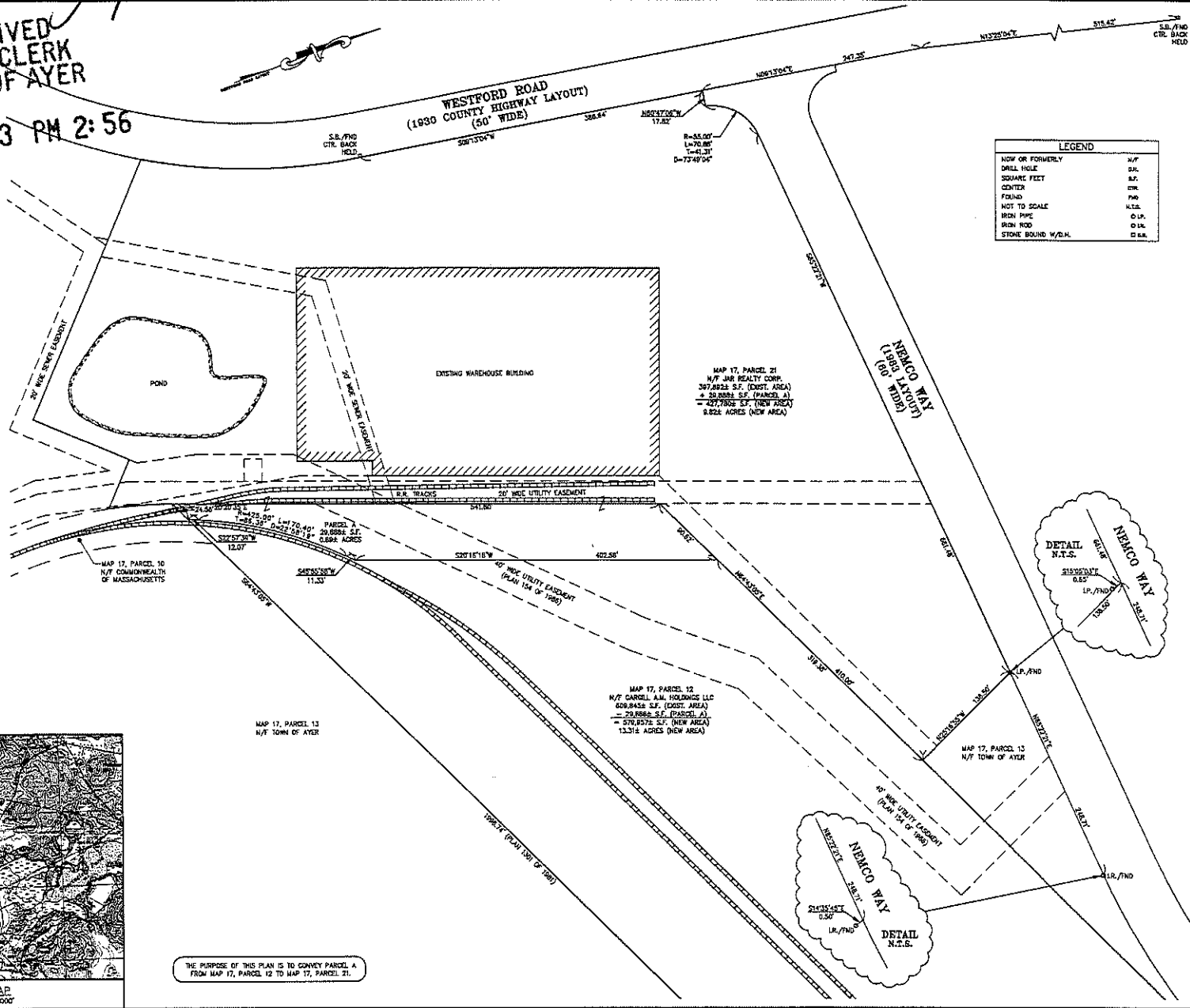
(Note: Upon completion of Application, please present application to the Ayer Planning Board Office Manager for processing)

FORM A (Revised 8/7/2007)

Susan Topeland

RECEIVED
TOWN CLERK
TOWN OF AYER

2014 DEC -3 PM 2:56



LEGEND	
HOW OR FORMERLY	N/F
DRILL HOLE	SH
SQUARE FEET	S.F.
CENTER	CR
FOUND	FO
NOT TO SCALE	N.T.S.
IRON PIPE	O.I.P.
IRON ROD	O.I.R.
STONE BOUND W/D.M.	S.B.

ASE

Andrew Durray & Engineering, Inc.
 Licensed Surveyors - Civil Engineering - Site Planning
 P.O. Box 311, 194 Middle Street
 Uxbridge, Massachusetts 01568-0311
 Tel: 413-278-2077 Fax: 413-278-2109
 The survey and the design are property of Andrew Durray & Engineering, Inc. and shall not be allowed or reused in whole or in part without the express written permission of Andrew Durray & Engineering, Inc.
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CHANGES RECORDED:
 MAP 17, PARCEL 21
 JAR REALTY CORP.
 1 NEMCO WAY
 AYER, MA 01432

MAP 17, PARCEL 12
 CARGILL A.M. HOLDINGS LLC
 15407 MCCOY ROAD W
 WAZATA, MN 55391

AYER ZONING INFORMATION:
 MAP 17, PARCELS 12 & 21
 AYER ZONING INFORMATION:
 ZONE: HEAVY INDUSTRY (HI-1)
 MINIMUM AREA: 30,000 SF.
 MINIMUM FRONTAGE: 150'
 SETBACKS: FRONT 0', SIDE 25', REAR 30'+
 '00' WHERE ADJACENT A RESIDENTIAL DISTRICT
 EXCEPT FOR BUILDINGS THRU BLOCK OR
 TO A R.R. Siding

DEED REFERENCES:
 BC 3486A, PC 33
 BC 3486B, PC 107

PLAN REFERENCES:
 PLAN 1304 OF 1991, PLAN 134 OF 1995
 PLAN 1308 OF 1994, PLAN 1995 OF 1992

APPROVAL UNDER SUBDIVISION CONTROL LAW
 NOT REQUIRED. AYER PLANNING BOARD

_____ DATE: _____

_____ DATE: _____

**PLANNING BOARD ENDORSEMENT DOES NOT NECESSARILY
 MEAN THAT THIS PLAN CONFORMS TO THE CURRENT
 ZONING REQUIREMENTS.**

THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH
 THE REQUIREMENTS OF 250 CMR 8.00 REGULATIONS, BUT
 IS LIMITED TO THE DECIDED BOUNDARY WITH
 REFERENCE TO AT LEAST THE PERMANENT BOUNDARY
 MONUMENTS ON OR OFF THE LAND TO WHICH THE PLAN
 RELATES, PROVIDING A REFERENCE TO PREVIOUS
 SURVEYS OR PLANS IS NOT NECESSARY TO SHOW A
 RELATIONSHIP TO THE RELEVANT MONUMENTS.

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH
 THE RULES AND REGULATIONS OF THE REGISTERED OF
 DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND
 IN COMPLIANCE WITH THE RULES AND REGULATIONS FOR
 THE PRACTICE OF LAND SURVEYING IN THE
 COMMONWEALTH OF MASSACHUSETTS. THIS CERTIFICATION
 IS INTENDED TO MEET THE REQUIREMENTS OF THE
 REGISTER OF DEEDS AND IS NOT A CERTIFICATION OF
 TIME OR OWNERSHIP OF THE LAND SHOWN HEREON.

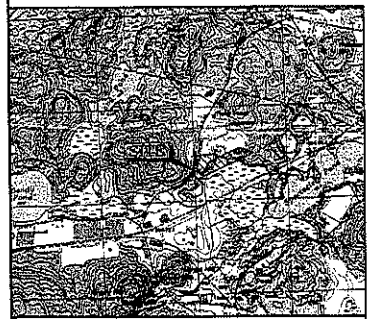
GRAPHIC SCALE

(IN FEET)
 1 inch = 50 feet

DAO FILE	...\\dmg\2014-075_AIR.dwg
DRAWN BY	TRB
CHECKED BY	RAJ
DATE	DECEMBER 2, 2014
PROJECT NO.	2014-075 (REF. 2007-101)
PLAN NO.	L-4321

TITLE

**PLAN OF LAND
 OF
 17 NEMCO WAY
 IN
 AYER, MA
 OWNED BY
 JAR REALTY CORP. AND
 CARGILL A.M. HOLDCO LLC**



LOCUS MAP
 SCALE: 1" = 2000'

THE PURPOSE OF THIS PLAN IS TO CONVEY PARCEL A
 FROM MAP 17, PARCEL 12 TO MAP 17, PARCEL 21.

From: Mike Martorella [<mailto:mmartorella@davidross.com>]
Sent: Tuesday, November 18, 2014 9:03 AM
To: Carly Antonellis
Cc: corneluisf.sullivan@hotmail.com
Subject: Planning Board Meeting for Alan and Loise Rogers

Hello Carly,

As discussed over the phone our office and Attorney Connie Sullivan would like to schedule a meeting with the planning board to discuss land of Alan and Louise Rogers located off Pierce Avenue. The Rogers have two houses on the same parcel and would like to divide the land so the houses are located on separate parcels of land.

We understand we are scheduled for the planning board meeting on Thursday, December 4, 2014 at around 7 to 7:30 pm.

Can you please confirm the time and location of the meeting so that I may confirm with Attorney Sullivan and the Rogers that all can be in attendance. Thank you.

Very truly yours,

Michael D. Martorella, P.L.S.
David E. Ross Associates, Inc.
111 Fitchburg Road
P.O. Box 368
Ayer, MA 01432-0368

Office: 978-772-6232
Fax: 978-772-6258
Cell: 978-808-9426
mmartorella@davidross.com

From: Carly Antonellis [<mailto:cantonellis@ayer.ma.us>]
Sent: Thursday, November 20, 2014 2:21 PM
To: mmartorella@davidross.com
Subject: RE: Planning Board Meeting for Alan and Loise Rogers

Hi Mike -

I have several Planning Board issues going on right now. Just want to make sure you've spoken to our Building Inspector/Zoning Enforcement officer regarding your inquiry as he may have an answer as to what you are looking for. I'm just trying to ensure that your time is being spent wisely.

Carly

Carly M. Antonellis
Assistant to the Town Administrator
Town of Ayer
1 Main Street
Ayer, MA 01432

From: Mike Martorella [<mailto:mmartorella@davidross.com>]
Sent: Friday, November 21, 2014 9:01 AM
To: Carly Antonellis
Subject: RE: Planning Board Meeting for Alan and Loise Rogers

Yes Carly,

Attorney Sullivan and I met with Gabe already.

Thank you.

Michael D. Martorella, P.L.S.
David E. Ross Associates, Inc.
111 Fitchburg Road
P.O. Box 368
Ayer, MA 01432-0368

Office: 978-772-6232
Fax: 978-772-6258
Cell: 978-808-9426
mmartorella@davidross.com



**Town of Ayer
Planning Board**

**Meeting Minutes For
Thursday, November 6, 2014, 7pm
Ayer Town Hall – 1st Floor Meeting Room**

ATTENDANCE: James Lucchesi (Chair); Rick Roper; Jennifer Gibbons
Absent: Kyle Gordon; Jeremy Callahan

CALL TO ORDER: The meeting was called to order in Open Session by Chairman Lucchesi at 7pm.

Kohler Place ANR:

Mr. Ed Cornellier and Mr. Terrence Cornellier presented an ANR for their property on Sandy Pond Road referred to as “Kohler Place”.

MOTION: A motion was made by R. Roper and seconded by J. Gibbons to approve the ANR. Motion passed unanimously (3-0).

Pingry Hill Bond Reduction:

The request for a bond reduction for the Pingry Hill Development was postponed due to a lack of a voting quorum. A special meeting will need to be scheduled.

Other Business:

The Planning Board discussed volunteers for CPC and the Town’s Streetscape Planning Committee. J. Gibbons volunteered to represent the Planning Board at both.

Representatives for Borrego Solar appeared regarding a potential solar farm on Park Street. J. Lucchesi indicated that he would discuss the project with the Building Commissioner and get back to them.

J. Gibbons stated that “we owe it to the Town” in reference to the rewriting of the Town’s Zoning Bylaw. J. Lucchesi indicated that the item would be scheduled for a future meeting.

MOTION: A motion to adjourn was made by R. Roper and seconded by J. Gibbons. Motion passed unanimously (3-0).

The Planning Board adjourned at 8:10pm.

Minutes recorded by J. Lucchesi, Chairman, Ayer Planning Board.