



PLANNING BOARD

Town of Ayer

1 Main Street, Ayer, MA 01432

Tel: (978) 772-8218 | Fax: (978) 772-3017 | Planning@Ayer.MA.US

Thursday March 5, 2015
7:00 PM

Open Session Meeting of the Ayer Planning Board

Agenda* (amended)

7:00 PM

Call to Order

General Business

- Confirmation of Agenda
- Approval of Meeting Minutes
- Announcements

Discussion: Bohler Engineering for Wendy's Restaurant

Discussion: Ayer ZBL Article 10: Site Plan Review

Discussion: Proposed Zoning Bylaw

- For Approval: Special Town Meeting for Zoning Bylaw
- For Approval: Consultant Expense for Zoning Bylaw

Office Updates

- Staffing Request for FY '16
- General Office Budget for FY'16

Committee Updates

- Community Preservation Committee

Member Updates

Public Input

Adjourn

Next meeting scheduled for: Thursday, April 2, 2015

*All meetings are held at Town Hall unless posted otherwise. Order of agenda items may change without notice. Amendments may be made to the agenda to include any emergency or time-sensitive material that was unforeseen at the time the agenda was posted.

RECEIVED
TOWN CLERK
TOWN OF AYER
2015 MAR -2 AM 8:46
Molly O'Connell

Town of Ayer Planning Board

Meeting Minutes for August 7, 2014

Location: Ayer Town Hall, 1st Floor Meeting Room

Members Present: Chairman Jim Lucchesi, (JC), Richard Roper (RR), Kyle Gordon (KG)

Not Present: Jeremy Callahan

APAC taped: YES

Call to Order: 7:00 PM

Organization of the Board:

Reorganization of the planning board. The Planning Board received notice from Morris Babcock of his resignation.

MOTION: Motion by RR to appoint Jim Lucchesi the chairman; second by KG;
MOTION PASSED UNANIMOUSLY

55 Washington Street - ANR

Attorney Thomas Gibbons presented for Harold Madigan of 55 Washington Street. The article was to split the lots. The planning board ANR.

MOTION: Motion by RR to endorse the ANR for 55 Washington St; second by KG; MOTION PASSED UNANIMOUSLY

17 Bligh Street – Site Plan Modification

MOTION: Motion by KG to approve modification of site plan for 17 Bligh St; second by RR; MOTION PASSED UNANIMOUSLY

PUBLIC HEARING: Riley Jayne Farm, LL C – Preliminary Subdivision Plan

Nick Pauling, on behalf of Riley Jayne Farm,LLC. , presented the plan of proposal for 33 new construction homes and street extension and new cul de sac for Pleasant Street.

Jim Lucchesi opened the floor for open discussion. Concerned residents of the town spoke about multiple issues about the development. Some items of concern were

*traffic concerns

*Wastewater drainage

*Wildlife displacement

MOTION: Motion by RR to approve preliminary plan for Riley Jayne Farms, LLC (construction of 33 new homes); second by KG; MOTION PASSED UNANIMOUSLY

PUBLIC HEARING: Nashua Street Extension – Definitive Plan

Nashua Street Ext. presented by J.P. Connolly on behalf of Calvin Moore.
8 Lot subdivision at the end of Nashua Street EXT.

DPW waivers accepted by DPW superintendent Mark Wetzel.

Discussion open to residents.

MOTION: Motion by RR to approve the Definitive Plan of Nashua St Ext; second by KG; MOTION PASSED UNANIMOUSLY

Other Business

Mr. Daniel Perry presented information for the future proposal of 1) Subdividing the Gervais Ford Lot into 2 lots. 2) and then building a gas station/convenience store on the east lot.

Meeting Adjourn

MOTION: RR motioned to adjourn meeting: Second by JG.
MOTION PASSED UNANIMOUSLY.

Minutes recorded and submitted by Kyle Gordon

PB Approval Date: _____

PB Clerk: _____

DRAFT BUDGET FOR ZONING BYLAW PROCEDURE
FOR DISCUSSION

Costs

Consultant	7,000
Printing	2,000
Advertising	1,250
Special Town Meeting	<u>750</u>
EST TOTAL	11,000

Scope of work draft; Judi Barrett
Bylaw Printing
Print advertising for workshop, public hearings and STM
Warrant printing, staff stipends

Fund Sources

ZBL Budget Remainder	4,000
Fletcher Funds	<u>7,000</u>
	11,000

FIDUCIARY TRUST

MANAGING INVESTMENTS FOR FAMILIES SINCE 1885*

March 5, 2008

Attention: Denis Callahan
Treasurer's Office
Town of Ayer
P.O. Box 294
Ayer, MA 01432

Re: Richard T. Fletcher 1987 Trust

Dear Mr. Callahan:

Fiduciary Trust Company is the Executor of the Estate of Richard T. Fletcher and sole Trustee of the Richard T. Fletcher 1987 Trust. As you may be aware, Dick Fletcher died April 18, 2007. I am pleased to inform you that the Town of Ayer is a beneficiary of the Richard T. Fletcher 1987 Trust. According to the language in this trust, Article Second reads as follows:

- (b) Disposition of Remainder. The remainder of the trust property, including any legacies above which have lapsed, shall be distributed, subject to the following Continuing Trust provision of this ARTICLE SECOND, to such of the following individuals as are then living and in such of the following institutions as are then in existence, in the percentages specified. ...



- (16) 5% to the TOWN OF AYER, MASSACHUSETTS, one-fifth thereof for the specific use of each of the following Town Departments:

- (A) Police Department;
- (B) Fire Department and Ambulance Service, in equal shares;
- (C) Junior-Senior High School;
- (D) Planning Board; and
- (E) Historical Commission.

The transfer by the trustees under this Paragraph (16) shall be to the TOWN OF AYER, and it is understood that the funds will be taken into the Town's General Fund as required by law. The Donor wishes, however, that the Town Meeting appropriate the funds equally to the above-specified Departments, to be used by them in addition to their regularly budgeted funds and not in replacement thereof. Any funds so appropriated shall be expended in the discretion of each Department as constituted at the time such funds are made available for expenditure, in each case for the Department's regular Town purposes. If for any reason any portion of this gift is not so appropriated by the Town Meeting or is not otherwise made available to any one or more of the specified Departments, then the Donor wishes that such portion be appropriated equally to the remaining above-specified Departments, to be used in accordance with the Donor's wishes stated above, and

Town of Ayer
Treasurer's Office
March 5, 2008

that such portion be appropriated equally to the remaining above-specified Departments, to be used in accordance with the Donor's wishes stated above, and otherwise that the Town will use such portion of this gift in a manner that will help reduce the tax rate for its citizens.

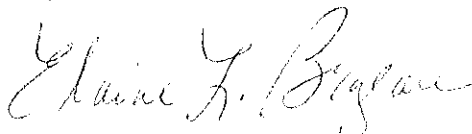
Dick's trust is the principal beneficiary of his estate and is still in the process of settlement. During the estate administration period the town is entitled to income earned on the principal assets of the trust. When the estate is concluded and all estate or inheritance taxes have been settled and fees are paid, the estate will close. Those assets will be transferred to the trust, and the trust assets will be distributed.

The town's final principal distribution will be in the same percentage, or 5% of the trust remainder. We are unable to tell you now what the figure will be since all of the estate assets have not been sold and estate taxes have not been finalized. The estate tax return is currently on extension and will be filed some time in June. Then we must wait to hear from the Internal Revenue Service and the Massachusetts Department of Revenue for final clearance. In the meantime, you can expect to receive income periodically during the year.

Enclosed is a check payable to the Town of Ayer in the amount of \$3,063.84. This check represents the town's 5% portion of the income earned on the trust in 2007. You should be aware that this is a 'restricted gift'.

If you have any further questions, please contact me directly at (617) 292-6704.

Very truly yours,



Elaine L. Brazeau
Legal Assistant

cc: Jill I. Cabitt, Vice President

FIDUCIARY TRUST

FIDUCIARY TRUST COMPANY
175 FEDERAL STREET
BOSTON, MA 02110-2289
TELEPHONE (617) 482-5270

FIDUCIARY TRUST

5-13
110

578446

PAY ***Three thousand sixty three and 84/100 Dollars***

TO THE ORDER OF
TOWN OF AYER

DATE	AMOUNT
March 04, 2008	*****\$3,063.84

BANK OF AMERICA
BOSTON, MA

Donald A. Kenser

Dual Signature Required For Amount In Excess of \$50,000.00



⑈ 578446 ⑆ ⑆ 01000138 ⑆ 00535768 ⑆

*Deposited to
2100339
3/20/08

FOR 2007
Share*

FIDUCIARY TRUST

MANAGING INVESTMENTS FOR FAMILIES SINCE 1885[®]

FILE

July 11, 2008

Attention: Denis Callahan
Treasurer's Office
Town of Ayer
P.O. Box 294
Ayer, MA 01432

Re: Richard T. Fletcher 1987 Trust

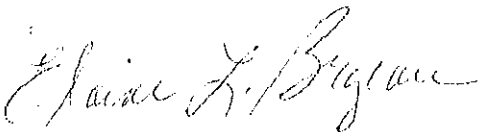
Dear Mr. Callahan:

Enclosed is a check payable to the Town of Ayer in the amount of \$1,500 representing the town's 5% share of the income earned on Dick's trust from January 1, 2008 through June 30, 2008. This is considered taxable interest to the town for 2008 and should be reported as income on its 2008 return. We will continue to distribute the interest periodically until the estate is settled. We expect to make additional income distributions at the end of the year.

The estate tax return has been on extension, but will be filed by July 18th. We then must wait for a review and clearance from the Internal Revenue Service and Massachusetts Department of Revenue. This process can take some time, but once the tax authorities issue their respective closing letters and we complete the sales of real estate, we will close the estate.

Please do not hesitate to telephone me if you have any questions. My direct telephone number is (617) 292-6704.

Very truly yours,



Elaine L. Brazeau
Legal Assistant

cc: Jill I. Cabitt, Vice President

FIDUCIARY TRUST COMPANY
175 FEDERAL STREET
BOSTON, MA 02110-2289
TELEPHONE (617) 482-5270

FIDUCIARY TRUST

5-13
110

590536

PAY ***One thousand five hundred and 00/100 Dollars***

TO THE ORDER OF
TOWN OF AYER

DATE	AMOUNT
July 08, 2008	*****\$1,500.00

BANK OF AMERICA
BOSTON, MA

Donald A. Kenyer

Dist. Signature Required For Amount in Excess of \$50,000.00



⑈ 590536⑈ ⑆ 011000138⑆ 00535768⑈

FIDUCIARY TRUST

February 4, 2009

Attention: Denis Callahan
Treasurer's Office
Town of Ayer
P.O. Box 294
Ayer, MA 01432

Re: Richard T. Fletcher 1987 Trust

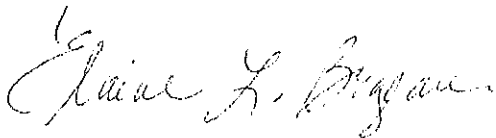
Dear Mr. Callahan:

Enclosed is a check payable to the Town of Ayer in the amount of \$2,526.32 representing the town's 5% share of the income earned on Dick's trust from July 1, 2008 through December 31, 2008. This is considered taxable interest to the town for 2008 and should be reported as income on its 2008 return. As you know, we will continue to distribute the interest periodically until the estate is settled.

Once we receive the closing letters from the taxing authorities and the sale of the real estate is completed, we will close the estate and make final distributions.

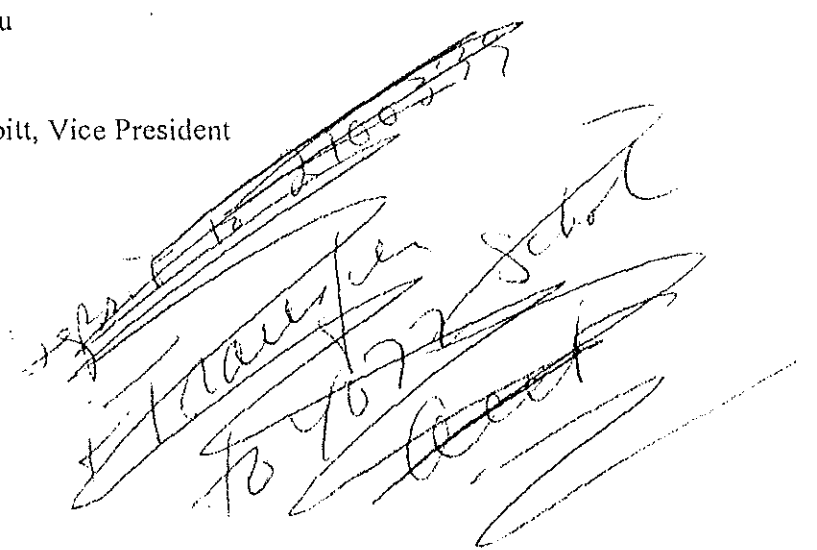
If you have any further questions, please contact me directly at (617) 292-6704.

Very truly yours,



Elaine L. Brazeau
Legal Assistant

cc: Jill I. Cabitt, Vice President



FIDUCIARY TRUST COMPANY
175 FEDERAL STREET
BOSTON, MA 02110-2289
TELEPHONE (617) 482-5270

FIDUCIARY TRUST

5-13
110

608598

PAY ***Two thousand five hundred twenty six and 32/100 Dollars***

TO THE ORDER OF
TOWN OF AYER

DATE	AMOUNT
February 03, 2009	*****\$2,526.32

BANK OF AMERICA
BOSTON, MA

Donald A. Kenyer

Dual Signature Required For Amount in Excess of \$50,000.00



⑈608598⑈ ⑆011000138⑆ 00535768⑈

FIDUCIARY TRUST

February 9, 2010

Attention: Denis Callahan
Treasurer's Office
Town of Ayer
P.O. Box 294
Ayer, MA 01432

Re: Richard T. Fletcher 1987 Trust

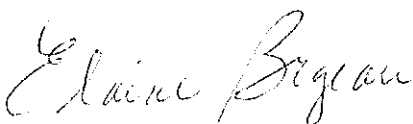
Dear Mr. Callahan:

Enclosed is a check payable to the Town of Ayer in the amount of \$240.47 representing the town's 5% share of the income earned on Richard Fletcher's trust from January 1, 2009 through December 31, 2009. This is considered taxable interest to the town for 2009. In the immediate future, you will receive a tax information letter from our office. As you know, we will continue to distribute the interest periodically until the estate is settled.

The positive news to report is that one of the two real estate parcels has been sold. The final asset, 49 Main Street, is being actively marketed and we are hopeful it will be sold this spring.

If you have any further questions, please contact me directly at (617) 292-6704.

Very truly yours,



Elaine L. Brazeau
Legal Assistant

cc: Jill I. Cabitt, Vice President

FIDUCIARY TRUST

February 9, 2010

Attention: Denis Callahan
Treasurer's Office
Town of Ayer
P.O. Box 294
Ayer, MA 01432

Re: Richard T. Fletcher 1987 Trust

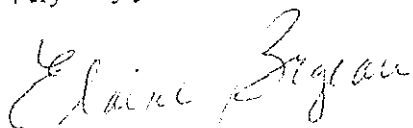
Dear Mr. Callahan:

Enclosed is a check payable to the Town of Ayer in the amount of \$240.47 representing the town's 5% share of the income earned on Richard Fletcher's trust from January 1, 2009 through December 31, 2009. This is considered taxable interest to the town for 2009. In the immediate future, you will receive a tax information letter from our office. As you know, we will continue to distribute the interest periodically until the estate is settled.

The positive news to report is that one of the two real estate parcels has been sold. The final asset, 49 Main Street, is being actively marketed and we are hopeful it will be sold this spring.

If you have any further questions, please contact me directly at (617) 292-6704.

Very truly yours,



Elaine L. Brazeau
Legal Assistant

THIS DOCUMENT CONTAINS A TRUE FOURDRINIER WATERMARK

FIDUCIARY TRUST COMPANY
175 FEDERAL STREET
BOSTON, MA 02110-2289
TELEPHONE (617) 482-5270

FIDUCIARY TRUST

5-13
110

637411

PAY ***Two hundred forty and 47/100 Dollars***

TO THE ORDER OF

TOWN OF AYER
ONE MAIN STREET
AYER MA 01432

DATE	AMOUNT
February 08, 2010	*****\$240.47

BANK OF AMERICA
BOSTON, MA



Dist Signature Required For Amount In Excess of \$50,000.00



FIDUCIARY TRUST

February 17, 2010

~~COPY~~

Attention: Denis Callahan
Treasurer's Office
Town of Ayer
P.O. Box 294
Ayer, MA 01432

Re: Richard T. Fletcher 1987 Trust

Dear Mr. Callahan:

Fiduciary Trust Company, Trustee is pleased to be sending the ~~church~~^{Town} a partial distribution of principal cash from the Richard Fletcher 1987 Trust. Enclosed is a check payable to the Town of Ayer in the amount of \$70,000.00. This check represents a portion of the 5% share due to the town. This distribution of principal comes free of income taxes. As you will recall, this gift is a restricted gift intended to benefit specific departments in the town. One-fifth thereof for the specific use of each of the following town Departments:

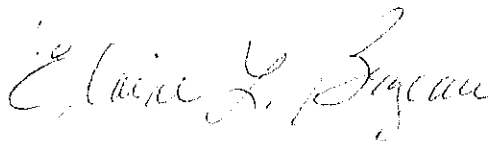
- a. Police Department;
- b. First Department and ambulance service in equal shares;
- c. Junior-Senior High School;
- d. Planning Board; and
- e. Historical Commission.

We will continue to distribute the interest periodically from the trust until the estate is completely settled.

Kindly acknowledge your receipt of this distribution by signing and dating the enclosed Receipt and return it to me in the envelope provided.

Please do not hesitate to contact me if you have any questions. My direct telephone number is (617) 292-6704. Thank you for your patience.

Very truly yours,



Elaine L. Brazeau
Legal Assistant

cc: Jill I. Cabitt, Vice President

Copy

RICHARD T. FLETCHER 1987 TRUST

RECEIPT

The undersigned acknowledges receipt from Fiduciary Trust Company, Trustee of the Richard T. Fletcher 1987 Trust dated July 7, 1987, as amended, the sum of Seventy Thousand and 00/100 Dollars (\$70,000.00) in partial payment of the legacy under Article Second Section (b)(16) of the trust.

Town of Ayer

Dated: 2/19/2010
Denis Callahan

by: Denis Callahan
Denis Callahan, Treasurer

THIS DOCUMENT CONTAINS A TRUE FOURDRINER WATERMARK

FIDUCIARY TRUST COMPANY
175 FEDERAL STREET
BOSTON, MA 02110-2289
TELEPHONE (617) 482-5270

FIDUCIARY TRUST

5-13
110

637734

PAY ***Seventy thousand and 00/100 Dollars***

TO THE ORDER OF
TOWN OF AYER

DATE	AMOUNT
February 12, 2010	*****\$70,000.00

Donald A. Kenney
Donald A. Kenney

Dual Signature Required For Amount In Excess of \$50,000.00

BANK OF AMERICA
BOSTON, MA

⑈637734⑈ ⑆011000138⑆ 00535768⑈

FIDUCIARY TRUST COMPANY
175 FEDERAL STREET
BOSTON, MA 02110-2289
TELEPHONE: (617) 482-5270

FIDUCIARY TRUST

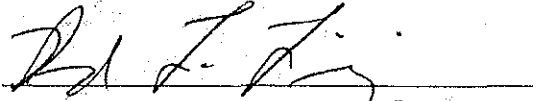
5-13
110

637734

PAY ***Seventy thousand and 00/100 Dollars***

TO THE ORDER OF
TOWN OF AYER

DATE	AMOUNT
February 12, 2010	*****\$70,000.00



Donald A Kenner

Dual Signature Required For Amount In Excess of \$50,000.00



BANK OF AMERICA
BOSTON, MA

⑈637734⑈ ⑆011000138⑆ 00535768⑈

FIDUCIARY TRUST

November 5, 2010

Attention: Denis Callahan
Treasurer's Office
Town of Ayer
P.O. Box 294
Ayer, MA 01432

Re: Richard T. Fletcher 1987 Trust

Dear Mr. Callahan:

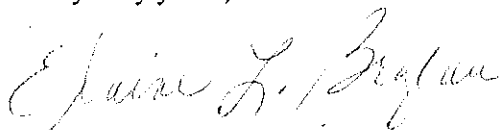
Fiduciary Trust Company, is happy to inform you that we have concluded the Estate of Richard T. Fletcher and we are preparing to make the final distribution of principal cash from the Richard Fletcher 1987 Trust. Your organization's share of the trust will be approximately \$47,000. This distribution of principal comes to you free of income taxes. As you will recall, this gift is a restricted gift intended to benefit specific departments in the town. One-fifth thereof for the specific use of each of the following town Departments:

- a. Police Department;
- b. First Department and ambulance service in equal shares;
- c. Junior-Senior High School;
- d. Planning Board; and
- e. Historical Commission.

In order to make this distribution, we need you to complete the enclosed instructions directing Fiduciary Trust Company where and how to send your payment. Please complete the enclosed form and return it to me in the envelope provided. If you select Option 1, please enclose the specific banking information required. Once I receive the responses from each beneficiary Fiduciary will make the distributions. Our goal is to distribute all the assets before the end of 2010, but I will need to hear from all of the beneficiaries before we do so.

Please do not hesitate to contact me if you have any questions. My direct telephone number is (617) 292-6704. You can return your signed form to me via fax at 1-877-255-9404. I look forward to hearing from you.

Very truly yours,



Elaine L. Brazeau
Legal Assistant

cc: Jill I. Cabitt, Vice President

FIDUCIARY TRUST COMPANY 175 FEDERAL STREET, BOSTON, MA 02110 617-482-5270

www.fiduciary-trust.com

RICHARD T. FLETCHER 1987 TRUST

The undersigned directs Fiduciary Trust Company, Trustee of the Richard T. Fletcher 1987 Trust dated July 7, 1987, as amended, to make final payment of the legacy to which I am entitled under Article Second Section (b)(16) of the trust in the following manner:

OPTION 1: By wire transfer to my bank account with: _____

Name of Bank: _____

Address: _____

Bank Routing No: _____

Your account No: _____

OR

OPTION 2: By check made payable to me and mailed to my current address. ✓

Town of Ayer

Date: 11/10/10

By: M. Stephanie Gintner
Treasurer

FIDUCIARY TRUST

December 23, 2010

Treasurer's Office
Town of Ayer
ATTN: Denis Callahan
P.O. Box 294
Ayer, MA 01432

Re: Richard T. Fletcher 1987 Trust

Dear Mr. Callahan:

Fiduciary Trust Company, Trustee, is pleased to tell you that we have closed the Richard T. Fletcher 1987 Trust. I enclose a final distribution check, made payable to the Town of Ayer, in the amount of \$50,759.25. This amount represents the 5% share due to the Town of Ayer from the Richard T. Fletcher Trust, for the specific use of each of the following Town Departments:

- (A) Police Department;
- (B) First Department and Ambulance service in equal shares;
- (C) Junior-Senior High School;
- (D) Planning Board; and
- (E) Historical Commission.

This distribution of principal comes to the town free of all income taxes.

Kindly acknowledge receipt of this final distribution by signing and dating the enclosed receipt and assent form and return it to me in the envelope provided.

Please feel free to call me if you have questions or concerns. Best wishes for a Happy New Year.

Sincerely,



Jill I. Cabitt
Vice President

JIC/rbk
Enclosures
cc: Kevin J. Willis, Esq.

RICHARD T. FLETCHER 1987 TRUST
RECEIPT AND ASSENT

The undersigned, hereby acknowledges receipt from Fiduciary Trust Company, as Trustee of the Richard T. Fletcher 1987 Trust, as amended, the amount of FIFTY THOUSAND SEVEN HUNDRED FIFTY NINE DOLLARS AND TWENTY FIVE CENTS (\$50,759.25) representing the final distribution to which the undersigned is entitled pursuant to Article Second 2.2 (b) (16) of the Richard T. Fletcher 1987 Trust.

In consideration of said distribution the undersigned hereby assents to the allowance of any and all accounts of said Fiduciary Trust Company, as Executor of the Richard T. Fletcher Estate, without further notice.

SIGNED and SEALED this 27th day of December, 2010

TOWN OF AYER

Dated: 12/27/10

By: M. Stephanie Gentry

Title: Treasurer

FIDUCIARY TRUST COMPANY
175 FEDERAL STREET
BOSTON, MA 02110-2289
TELEPHONE (617) 482-5270

FIDUCIARY TRUST

5-13
110

663190

PAY ***Fifty thousand seven hundred fifty nine and 25/100 Dollars***

TO THE ORDER OF
TOWN OF AYER

DATE	AMOUNT
December 23, 2010	*****\$50,759.25

Pet. G. Indemky

Donald A. Keyser

BANK OF AMERICA
BOSTON, MA

Dual Signature Required For Amount In Excess of \$50,000.00



⑈663190⑈ ⑆01000138⑆ 00535768⑈

PLANNING BOARD DRAFT BUDGET 2016 (less Staff Costs)
FOR DISCUSSION

Advertising	200
Office Supplies	300
Postage	150
Dues, Subscriptions, Training	400
Other	<u>100</u>
EST Total	\$ 1,150.00

DRAFT

Scope of Services to the Town of Ayer, MA
for assisting Planning Board with initiative to pass
amended zoning bylaw at a town meeting during 2015

SUMMARY:

This project is offered for the purpose of employing the services of a highly qualified professional planning consultant to assist the Ayer Planning Board with public information and presentation efforts designed to increase the chances of the significantly amended zoning bylaw passing by the requisite two-thirds plurality at annual town meeting in May, 2015, or at a special town meeting to follow at a later date in 2015. The intent is to make maximum use of the highly relevant products and resources that were prepared and initially considered between 2009 and 2012, to minimize the level of effort involved in preparation of new materials and thereby increase the public information work and availability of the planning consultant at the forums specified in this scope and contract.

EXISTING RESOURCES:

- 1) The amended bylaw (ZBL-15) as it had evolved through 2012, during the course of public process and board refinement in 2010/11/12; prepared by Community Opportunities Group (COG), Judi Barrett, project manager.
- 2) The Zoning Diagnostic analytical paper, dated _____, 20xx, also prepared by COG/J.Barrett.
- 3) The new power point presentation summarizing ZBL-15 for the public, stakeholders and voters, prepared by the Planning Board.
- 4) Minutes of past relevant deliberations, if available.
- 5) The Ayer Comprehensive Plan, 2008, also prepared by COG/J.Barrett.

PRINCIPAL TASKS:

- 1) Reconnaissance
 - a. Review existing source materials thoroughly.
 - b. Prepare simple handout or FAQ document with talking points that the consultant deems important for the public discourse to follow during this contract; this handout will be the paper “take-away” that participants bring home.
 - c. Meet once with two Planning Board representatives and the Town Administrator to discuss details of the pending workshop, hearing and town meeting venues in regard to ZBL-15. Note: the Town of Ayer shall be responsible for crafting the existing ZBL-15 into acceptable zoning article form for the town meeting warrant.
- 2) Plan and conduct public workshop on ZBL-15
 - a. Around a mutually acceptable date, work with the Planning Board and other town officials to set up the venue and agenda for the workshop and assist with publicity via web, print and broadcast media.

DRAFT

- b. Conduct the workshop structured around a presentation followed by ample Question and Answer session. Utilize the power point presentation and the new handout with talking points in this effort.

Note: any written proceedings of this session may be minimal due to the fact that the intent is not to critique the document in detail for the purpose of significantly changing it; ZBL-15 has already been through extensive public process and Planning Board deliberations on it in past years.

3) Public Hearing

- a. Be present at the requisite, statutory public hearing on a mutually acceptable date. to make an abbreviated verbal presentation and, of greatest importance, to answer questions in regard to ZBL-15. Utilize the written handout as a public information document. Use of power point is optional, at the discretion of the Consultant and Board.
- b. Advise the Planning Board verbally that evening, and/or via telephone on subsequent occasions, in regard to their preparation of the written Board recommendation to town meeting.

4) Town Meeting

- a. Present the Article at town meeting, whether it is at the annual session on May xx, 2015 or a subsequent special town meeting date. Utilize both the power point presentation and the handout to support the effort. With the Moderator's permission and control, answer all questions from the audience.
- b. Conduct one follow-up phone call with designated Board members to provide further advice on steps to follow, the content of which shall depend upon the outcome for ZBL-15 at the town meeting. This will conclude the contract with the Consultant.

DELIVERABLES:

- 1) Brief ZBL-15 Handout Summary for use in public forums, printed in small quantity for photocopying by Town of Ayer in larger quantities, and posted to web site.
- 2) Existing Power point presentation, as it may be modified by the Consultant.

Not included: extensive photocopies of ZBL-15 and/or the resultant warrant article.

COST ESTIMATE:

(Hours and dollars per Principal Task, plus direct costs & travel, in whatever contractual structure is proposed by the Consultant.)



Town of Ayer
Planning Board
Transmittal Form – Department Head Review

BOS/Town Administrator
 Board of Health
 Department of Public Works
 Police Department
 Fire Department
 Building Inspector/Zoning Enforcement Officer
 Conservation Committee
 Tax Collector
 Assessor's Office

Review Deadline Date February 26, 2015
Planning Board Meeting Date _____
Public Hearing Date March 5, 2015

Note - At a pre-permitting meeting held on 2/10/15, it was recommended by the Building Commissioner for the applicant to meet with the Planning Board to determine if formal site plan review was necessary. The Planning Board would like initial comments by Department Heads prior to the March 5, 2015 meeting.

Preliminary Plan Definitive Plan Site Plan

Title Wendy's (2 Barnum Road) Building Construction Dated February 10, 2015

Submitted by Bohler Engineering on behalf of Wendy's

Address _____ Telephone Anthony Donato, Project Engineer 508-480-9900

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

Approved Modifications Needed Disapprove

Comments:

The applicant still needs to submit the plans for the interior layout of the kitchen prior to construction of the new facility

Signed *Bridgette Kelly* Title Health Agent

Date 2/23/15



Town of Ayer
Planning Board
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>February 26, 2015</u>
_____	Board of Health	Planning Board Meeting Date	_____
_____	Department of Public Works	Public Hearing Date	<u>March 5, 2015</u>
_____	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
<u>X</u>	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		

Note - At a pre-permitting meeting held on 2/10/15, it was recommended by the Building Commissioner for the applicant to meet with the Planning Board to determine if formal site plan review was necessary. The Planning Board would like initial comments by Department Heads prior to the March 5, 2015 meeting.

_____ Preliminary Plan _____ Definitive Plan _____ Site Plan

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

_____ Approved _____ Modifications Needed _____ Disapprove

Comments: On 2/12/15
ConCom discussed the preliminary plan outlined at the 2/10 general meeting. The applicant will need to submit an NOI to Conservation for this project. Because of proximity to wetlands, steep decline to wetlands, + a portion of project in ACEC, ConCom will likely invoke the outside consultant bylaw to review this project.

Signed *Janice T. Lujan* Title Conservation Commissioner

Date 2/13/15



Town of Ayer
Planning Board
Transmittal Form - Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>February 26, 2015</u>
_____	Board of Health	Planning Board Meeting Date	_____
<u>X</u> _____	Department of Public Works	Public Hearing Date	<u>March 5, 2015</u>
_____	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		

Note - At a pre-permitting meeting held on 2/10/15, it was recommended by the Building Commissioner for the applicant to meet with the Planning Board to determine if formal site plan review was necessary. The Planning Board would like initial comments by Department Heads prior to the March 5, 2015 meeting.

_____ Preliminary Plan _____ Definitive Plan _____ Site Plan

Wendy's (2 Barnum Road) Building
Title Construction Dated February 10, 2015


Submitted by Bohler Engineering on behalf of Wendy's

Address _____ Telephone Anthony Donato, Project Engineer 508-480-9900

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

Approved _____ Modifications Needed _____ Disapprove

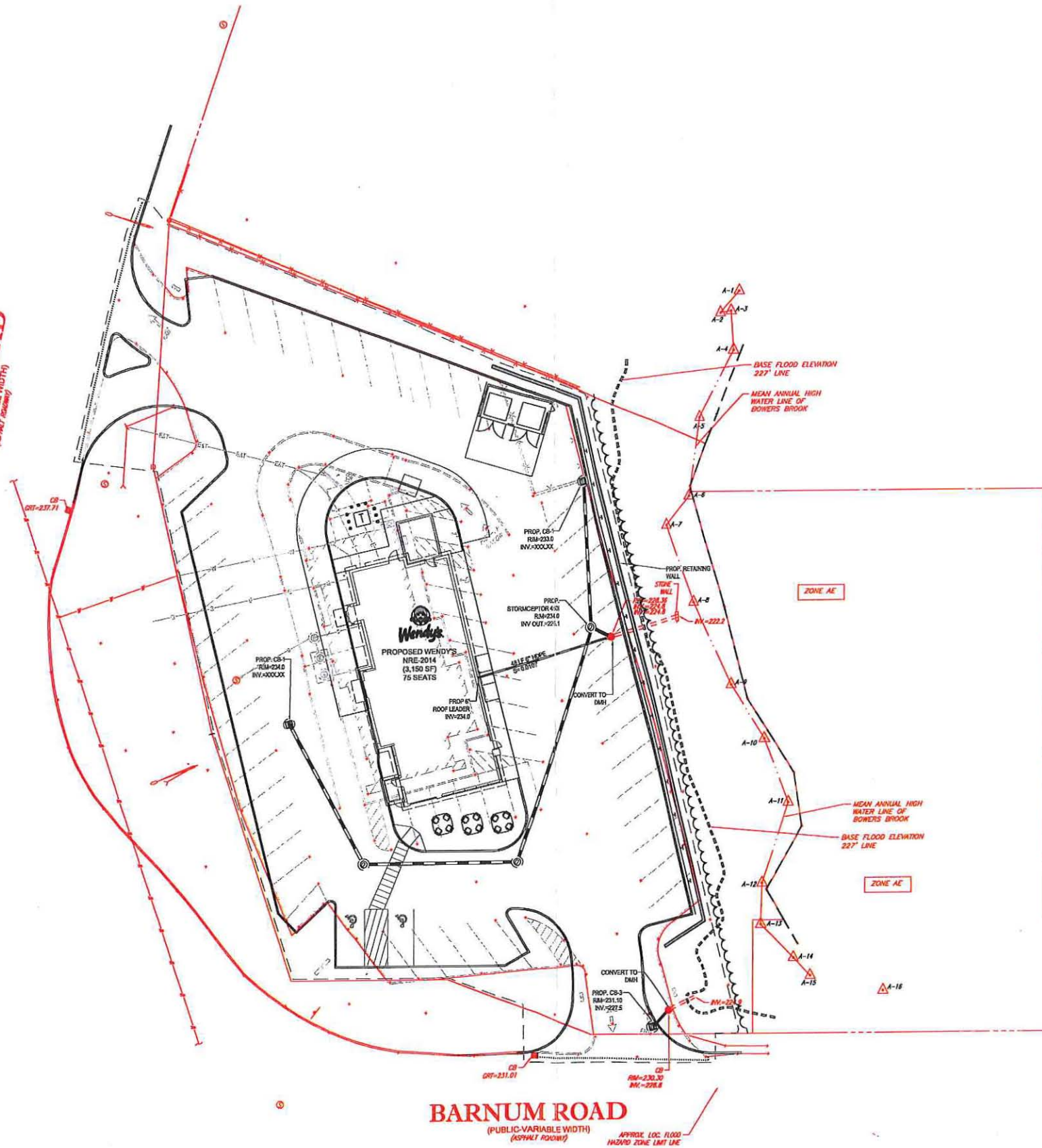
Comments:
1) would like to see stormwater maintenance plan
2) Curbing at curb cuts to be Vertical Granite curb
3) All Water, Sewer, Stormwater Utilities to comply with Ayer DPW standards

Signed  Title DPW Supt

Date 2/24/15



HARVARD ROAD
(PUBLIC-VARIABLE WIDTH)
(Paved, existing)



BARNUM ROAD
(PUBLIC-VARIABLE WIDTH)
(ASPHALT ROADWAY)

APPROX. LOC. FLOOD HAZARD ZONE LIMIT LINE

SUMMARY OF DRAINAGE CALCULATIONS

"C" BEFORE EXISTING SITE

CONDITION	AREA (SF)	%	COEFF.	FRACT. COMP.
ASPHALT BUILDING	32,141	74.5%	0.9	0.67
LANDSCAPE / GRASS	10,737	25.0%	0.3	0.08
TOTAL	42,878	100.0%	"C" COMPOS. = 0.25	

"C" AFTER PROPOSED SITE

CONDITION	AREA (SF)	%	COEFF.	FRACT. COMP.
ASPHALT BUILDING	29,767	69.4%	0.9	0.62
LANDSCAPE / GRASS	13,111	30.5%	0.3	0.09
TOTAL	42,878	100.0%	"C" COMPOS. = 0.31	

APPROXIMATE TIME OF CONCENTRATIONS & STORM INTENSITIES

TC = 5 MIN (TIME OF CONCENTRATION - EXISTING)
 TC = 5 MIN (TIME OF CONCENTRATION - PROPOSED)

1 = 4.5 IN HR (2 YR STORM INTENSITY)
 1 = 5.5 IN HR (10 YR STORM INTENSITY)
 1 = 6.5 IN HR (25 YR STORM INTENSITY)
 1 = 8.0 IN HR (100 YR STORM INTENSITY)

DETERMINE OFF-SITE RUNOFF - TOTAL SITE

	2 YR	10 YR	25 YR	100 YR
"Q" EXISTING = "C" COMPOS. X I X AREA =	3.22	4.28	4.60	5.51
"Q" PROP. = "C" COMPOS. X I X AREA =	3.14	4.05	4.54	5.53
NET INCREASE / DECREASE IN RUNOFF =	-0.18	-0.23	-0.26	-0.33

NOTE: NO INCREASE IN RUNOFF DUE TO INCREASE IN PAVEMENT SURFACES (2,374 SF) NO DETENTION IS PROPOSED.

REVISIONS

REV	DATE	COMMENT	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

PRELIMINARY

PROJECT No.: WH14024
 DRAWN BY: ADVCFD
 CHECKED BY: JGS
 DATE: 01/26/2015
 SCALE: AS NOTED
 CAD I.D.: WH14024SSD

PROJECT: SITE DEVELOPMENT PLANS FOR

LOCATION OF SITE
 LOTS 17, 19 & 191, MAP 35
 2 BARNUM ROAD
 TOWN OF AYER
 MIDDLESEX COUNTY
 MASSACHUSETTS

BOHLER ENGINEERING

352 TURNPIKE ROAD
 SOUTHBOROUGH, MA 01772
 Phone: (508) 480-9900
 Fax: (508) 480-9080
www.BohlerEngineering.com

W.D. GOEBEL

PROFESSIONAL ENGINEER
 MASSACHUSETTS LICENSE No. 4264
 RHODE ISLAND LICENSE No. 7208
 CONNECTICUT LICENSE No. 21854
 NEW HAMPSHIRE LICENSE No. 10700
 "A" MAINE LICENSE No. 8400
 NEW YORK LICENSE No. 071254-1
 FLORIDA LICENSE No. 96202

THIS PLAN TO BE UTILIZED FOR SITE GRADING PURPOSES ONLY

REFER TO GENERAL NOTES SHEET FOR GRADING & UTILITY NOTES



SHEET TITLE:
OVERLAY

SHEET NUMBER:
X
OF 14

REV 0 - 01/26/2015

\\nas01\planning\14024\14024\DWG\14024.dwg - JO_LIVELEY, 1/26/2015, 4:28:00 PM, ssmemo, AutoCAD 2011, Luser:CAD, 1,1

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
 LAND SURVEYING
 PROGRAM MANAGEMENT
 LANDSCAPE ARCHITECTURE
 TRANSPORTATION
 UTILITIES

PHILADELPHIA, PA
 PHOENIX, AZ
 RICHMOND, VA
 WASHINGTON, DC
 CHARLOTTE, NC
 TAMPA, FL
 MIAMI, FL
 JACKSONVILLE, FL
 FORT LAUDERDALE, FL
 MIAMI BEACH, FL
 MIAMI GARDENS, FL
 MIAMI SPRING, FL
 MIAMI WOODWAY, FL
 MIAMI WEST, FL
 MIAMI SOUTH, FL
 MIAMI NORTH, FL
 MIAMI EAST, FL
 MIAMI WEST, FL
 MIAMI SOUTH, FL
 MIAMI NORTH, FL
 MIAMI EAST, FL

ARTICLE 10. SITE PLAN REVIEW

Approved by Attorney General September 18, 1989

Amended and approved by Attorney General December 10, 1999.

10.1 Purpose

The purpose of site plan approval is to further the purposes of this bylaw and to ensure that new development is designed in a manner which reasonably protects visual and environmental qualities of the Town of Ayer, and to assure adequate drainage of surface water and safe vehicular access.

10.2 Projects Requiring Site Plan Approval

No special permit as defined in Article 11, Section 11.2, Subsection 11.2.1 on page 125 of the Zoning Bylaws of the Town of Ayer, and no occupancy permit as defined in Article 11, Section 11.1, Subsection 11.1.3 on page 125 of the Zoning Bylaws of the Town of Ayer, and no building permit as defined in the Massachusetts State Building code 780CMR Section 114 shall be issued for any of the following uses:

- a. The construction or external enlargement of a commercial or industrial structure having a gross floor area exceeding 1200 square feet or a building volume greater than 30,000 cubic feet.
- b. The construction or enlargement of a parking area having eight or more spaces;
- c. Residential developments requiring approval under the Subdivision Control Law (MGL C 41)
- d. Any other use specified in the Schedule of Use Regulations as referred in the Town of Ayer Zoning Bylaws as amended which indicates a Site Plan Approval is required.

Unless a site plan has been endorsed by the Planning Board, after consultation with other boards, including but no limited to the following: Building Commissioner, Board of Health, Board of Selectmen, Conservation Commission, Town Engineer, Fire Department, and Police Department, the Planning Board may waive any or all requirements of site plan review for external enlargements of less than 25% of the existing floor area.

10.3 Application

- a. Each application for Site Plan Approval shall be submitted to the Planning Board by the project developer, accompanied by twelve (12) copies of the site plan. The Planning Board shall, within fifteen (15) days, transmit one copy each to the Building Commissioner, Board of Health, Conservation Commission, Board of Selectman, Town Engineer, Fire Department and Police Department.
- b. The Planning Board shall obtain with each sufficient to cover any expenses connected with a public hearing not to exceed three hundred dollars (\$300.00). Any excess sums shall be returned to the applicant when the review is complete.

10.4 Required Site Plan Contents

All site plans shall be prepared by a registered architect, landscape architect, or professional engineer unless this requirement is waived by the Planning Board because of unusually simple circumstances. All site plans shall be on standard 24" x 36" sheets and shall be prepared at a sufficient scale to show:

- a. The location of boundaries of the lot, abutting streets or ways, and the location and owners' names of all abutting properties and access to the nearest accepted public way.
- b. Existing and proposed topography including contours, the location of wetlands, streams, water bodies, drainage swales, areas subject to flooding, and unique natural land features.
- c. Existing and proposed structures, including dimensions and elevations.
- d. The location of existing and proposed parking and loading areas, driveways, walkways, access and egress points.
- e. The location and description of all existing and proposed septic systems, water supply, storm drainage systems, utilities, and refuse and other waste disposal methods.
- f. Proposed landscaped features including the location and description of screening, fencing, and plantings.
- g. The location, dimensions, height, and characteristics of proposed signs.
- h. The location and description of proposed open space or recreation areas.
- i. The locations, height, intensity and bulb type of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties and illumination of sky area, must also be shown.
- j. Plans to prevent pollution of surface or groundwater; erosion of soil both during and after construction; excessive run-off; excessive raising or lowering of the water table; and flooding of other properties, as applicable.
- k. Zoning district boundaries within five hundred (500) feet of the site's perimeter shall be drawn and identified on the plan. Such features may be shown as a key map on the detail plan itself.
- l. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, size and location of curb cuts on the site and within one hundred (100) feet of the site. Include the possible organization of traffic channels, acceleration and deceleration lanes, additional width or other means necessary to prevent difficult traffic situations. A detailed Traffic Impact Statement is required in each case where a proposed new building, use or project will contain more than 10,000 square feet, or will include one of the following uses which generates high volumes of trips: convenience stores; drive-in or drive up facilities; automotive service station; or bank. The Traffic Impact Statement shall contain:
 - 1) The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
 - 2) The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site and entrances and egresses, loading and unloading areas, and curb cuts on site and within one hundred (100) feet of the site.
 - 3) A detailed assessment of the traffic safety impacts of the proposed project or use on the carrying capacity of any adjacent highway or road, including the projected number of motor vehicle trips to enter or depart from the site estimated for daily hour and peak hour traffic levels, road capacities, and impacts on intersections.

4) A plan to minimize traffic and safety impacts through such means as physical design and layout concepts, staggered employee work schedules, promoting use of public transit or carpooling, or other appropriate means.

5) An interior traffic and pedestrian circulation plan designed to minimize conflicts and safety problems.

m. For new buildings, uses or projects, a table containing the following information must be included:

1) area of building to be used for a particular use such as retail operation, office, storage, etc.

2) maximum number of employees;

3) maximum seating capacity, where applicable;

4) number of parking spaces existing and required for the intended use.

n. Elevation plans of a scale of one-quarter (1/4) inch equals one foot for all exterior facades indicating pertinent design features and type of materials to be used.

The Planning Board may require that additional information be shown on any site plan submitted with an application for a Site Plan Approval. The Planning Board may also waive any of the above requirements as they deem necessary or appropriate in particular cases.

The contents of the site plan shall be made available at the Ayer Public Library at the proponent's expense.

10.5 Procedure for Site Plan Review

a. The Planning Board shall refer copies of the application within fifteen (15) days to the Conservation Commission, Board of Health, and Building Commissioner, who shall review the application and submit their recommendations and comments to the Planning Board. Failure to make recommendations within thirty-five (35) days of the referral of the application shall be deemed to be a lack of opposition.

b. The Planning Board shall hold a public hearing within sixty-five days of the receipt of an application and after due consideration of the recommendations the Board shall take final action within ninety (90) days from the time of the hearing. Failure to take final action within the defined time period shall be deemed to be an approval of the site plan and the Planning Board shall endorse the site plan upon request of the applicant.

c. The period of review for a special permit requiring site plan approval shall be the same as any other special permit and shall conform to the requirements of MGL C 40A, S9, "Special Permits". Specifically: a joint public hearing to address the Special Permit application and Site Plan Approval application shall be held within sixty-five (65) days of the filing of the special permit application with the Planning Board or Zoning Board of Appeals. The Planning Board shall then have ninety (90) days following the public hearing in which to act.

10.6 Site Plan Review Criteria

The following criteria shall be considered by the aforementioned Boards in the review and evaluation of a site plan, consistent with a reasonable use of the site for the purposes permitted or permissible by the zoning bylaws of the district in which it is located:

- a. If the proposal requires a special permit, it must conform to the special permit requirements as listed in subsection 10.5 c.
- b. The development shall be integrated into the existing terrain and surrounding landscape, and shall to the extent feasible:
 - 1) minimize use of wetlands, steep slopes, floodplains, hilltops;
 - 2) minimize obstruction of scenic views from publicly accessible locations;
 - 3) minimize tree, vegetation, and soil removal and grade changes;
 - 4) maximize open space retention;
 - 5) screen objectionable features, both visual and audible, from neighboring properties and roadways.
- c. Variation in detail, form, and siting shall be used to provide visual interest and avoid monotony.
- d. The plan shall maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways. The plan shall describe estimated average daily and peak hour vehicle trips to be generated by the site and traffic flow patterns for vehicles and pedestrians showing adequate access to and from the site and adequate circulation within the site.
- e. The site plan shall show adequate measures to prevent pollution of surface or groundwater, to minimize erosion and sedimentation, and to prevent changes in groundwater levels, increased runoff, and potential for flooding. Drainage shall be designed so that runoff onto abutting properties shall not be increased, and abutting properties will not be adversely affected.
- f. Exposed storage areas, machinery, service areas, truck loading areas, utility buildings and structures, and other unsightly uses shall be set back or screened to protect the neighbors from objectionable features.
- g. The site plan shall comply with all zoning requirements for parking, loading, dimensions, environmental performance standards, and all other provisions of this bylaw.
- h. The site plan shall comply with applicable sections of the zoning bylaw including Article 7, Section 7.2 Multifamily Dwellings Requirements on page 96, Article 3, Section 3.3.2.1, Subsection e. 1) Downtown Business Development Methods on page 30, Article 3, Section 3.3.2.2, Subsection e. 1) General Business Development Methods on page 30, Article 9, Section 9.3 Screening and Buffers on page 112, Article 9, Section 9.5 Environmental Performance Standards on page 116, and Article 9, Section 9.4 Commercial Development Performance Standards on page 114.

Before approval of a site plan, the Planning Board may request the applicant to make modifications in the proposed design of the project to ensure that the above criteria are met.

10.7 Final Action

The Planning Board's final action shall consist of either:

- a. a determination that the proposed project will constitute a suitable development and is in compliance with the criteria set forth in the bylaw;
- b. A written denial of the application stating the reasons for such denial;
- c. Approval subject to any conditions, modifications, and restrictions as the Planning Board may deem necessary to bring the site plan into compliance with this bylaw.

10.8 Enforcement

- a. The Planning Board may require the posting of a bond to assure compliance with the plan and conditions and may suspend any permit of license when work is not performed as required.
- b. Any site Plan Approval issued under this bylaw shall lapse within two (2) years if a substantial use thereof has not commenced sooner or if construction shall not have begun except for good cause
- c. The Building Commissioner has the authority to halt development if violations exist. The applicant may then appeal to the Planning Board.

10.9 Section 9 – Appeal

The appeal of any decision of the Planning Board hereunder shall be made in accordance with the provisions of Mass General Law Chapter 40A, section 17.

Added and approved by Attorney General September 17, 2001.

02/20/2015 13:04
2481gabr

TOWN OF AYER
BUDGET REPORT

P 1
glytdbud

FOR 2015 08

ACCOUNTS FOR: 001	GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
01179 ENC ART-ZONING								
<u>01179</u>	<u>52000</u>							
	ART31 07ATM ZONING BYL	0	4,202	4,202	.00	.00	4,202.06	.0%
	TOTAL ENC ART-ZONING	0	4,202	4,202	.00	.00	4,202.06	.0%
	TOTAL GENERAL FUND	0	4,202	4,202	.00	.00	4,202.06	.0%
	TOTAL EXPENSES	0	4,202	4,202	.00	.00	4,202.06	

02/20/2015 13:04
2481gabr

TOWN OF AYER
BUDGET REPORT

P 2
glytdbud

FOR 2015 08

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	0	4,202	4,202	.00	.00	4,202.06	.0%

** END OF REPORT - Generated by Lisa Gabree **

REPORT OPTIONS

	Field #	Total	Page Break
Sequence 1	1	Y	Y
Sequence 2	9	Y	N
Sequence 3	0	N	N
Sequence 4	0	N	N

Report title:
BUDGET REPORT

Includes accounts exceeding 0% of budget.

Print totals only: N

Print Full or Short description: F

Print full GL account: N

Format type: 1

Double space: N

Suppress zero bal accts: Y

Include requisition amount: N

Print Revenues-Version headings: N

Print revenue as credit: Y

Print revenue budgets as zero: N

Include Fund Balance: N

Print journal detail: N

From Yr/Per: 2015/ 8

To Yr/Per: 2015/ 8

Include budget entries: Y

Incl encumb/liq entries: Y

Sort by JE # or PO #: J

Detail format option: 1

Include additional JE comments: N

Multiyear view: F

Amounts/totals exceed 999 million dollars: N

Year/Period: 2015/ 8

Print MTD Version: N

Roll projects to object: N

Carry forward code: 1

Find Criteria

Field Name Field Value

Org 01179

Object

Rollup code

Account type

Account status