

PLANNING BOARD MINUTES

September 24, 2009

Ayer Town Hall

1 Main Street

Ayer, MA. 01432

In attendance: Mr. Peter Johnston-Chair, Ms. Jennifer Gibbons –Clerk, Mr. Glenn Garber & Mr. Steve Wentzell

(Susan Sullivan/Office Mgr.).

7:00 PM Public Hearing:Zoning Map/MRPC

The Clerk read aloud the legal notice. Information and draft map presented by Jason Stanton and Bill Scanlon, (MRPC) additions include: map north of Wright Rd. corrected back to green (A-1), Patriot Estates, Pingry Hill, Willow Rd., Stratton Hills, Norwood Ave connection to Highland Ave.,. Confirmed that at T.M. 6/24/91 amendment 14 art. 6 add water supply dist. The I's carried. Additionally, including the #10 aquifer protection area depicted o the map as an overlay area of Devens. Chantell Wead to speak at T.M. stating changes are implemented from prior Town Meetings and simply correcting an error with the following revisions:

1. A section of land from Residential to Light Industrial off of Willows Rd as adopted at Town Meeting held on 10/22/07, Article 7.
2. The change of Fort Devens Military Reservation delineation as seen on 1984 Zoning Map- amended April 6, 1993 to Fort Devens Interim Planning Overlay District as adopted at Town Meeting 6/6/93, Articles 25, 26 & 27.
3. Adoption of Devens Enterprise Zone and thus change the Fort Devens Interim Planning Overlay District to the Devens Enterprise Zone. As adopted at Town Meeting 12/7/94, Article 1.
4. Adoption of the Health Care Services District at 200 Groton Rd (aka Washington St). Parcel is 40 acres. Parcel is also designated as Wireless Communication Service District. As adopted at Town Meeting 6/8/06, Articles 40 & 41.
5. A parcel located at 60 Willows Rd from designation of Residential to Light Industrial. As adopted at Town Meeting 5/9/88, Article 35.
6. Land located on Assessor's Map 30 Parcels 21, 22 & 23 to be rezoned from Residential to Light Industrial. As adopted at Town Meeting 5/25/93, Article 37.
7. Aquifer Protection- As adopted at Town Meeting 11/15/99.
8. Wireless Communication- As adopted at Town Meeting 11/17/97 and further revised to include Health Care Services District in its' boundary delineation.
9. Adult Entertainment Enterprises- As adopted at Town Meeting Fall 1998, Article 41.
10. Move to amend the Ayer Zoning Map to reflect the amendment of Article 4 of Town Meeting 3/5/73 to classify parcels off of Brook St (Assessor's Map 26, Parcels 348 & 350, and Map 18, Parcel 13) as Industrial, and as such, re-classify the above parcels to current standards as Light Industrial, as shown on the Ayer Zoning Map prepared by the Montachusett Regional Planning Commission.
11. A 2.907 acre parcel located near the Town Boundary of Groton and Ayer changed from Residential to Heavy Industrial. As adopted at Town Meeting 5/25/93, Article 36.

Jennifer Gibbons Motioned to Close the Public Hearing for the Zoning Map.

Glenn Garber 2nd VOTE 4-0 All in Favor

Glenn Garber Motioned the zoning map for the Town of Ayer, presented at a properly posted public hearing on September 24th, 2009 is hereby accepted and supported by the Planning Board for progression as a warrant article for Town Meeting.

Jennifer Gibbons 2nd VOTE 4-0 All in Favor

Glenn addressed the board regarding the COG Zoning Contract; He has met with Judy Barrett and offers the following (Phase II Zoning):

- Establish new districts
Examples of Possible Actions: 1) Revisit proposed Mixed Use Transitional District (including detailed comments from Downtown Economic Study, 2009) and Downtown Business, make further adjustments and improvements, prepare for town meeting warrant.2) Replace cluster bylaw with Open Space Residential Development bylaw. 3) Consider further locations for MUTD or other mixed use overlay, to modernize and expand development opportunities (e.g. Rotary, Barnum, westerly extension of Rt. 2A closer to Shirley line, possibly a segment of Willow, etc.).
- Modify existing districts
Examples of Possible Actions: 1) Update and more sharply distinguish uses in Light Industrial and General Business districts.2) Re-examine LI district on across from Moore Army Airfield, including possible MUTD rezoning.3) Consider development standards for Westford Road Heavy Manufacturing district. 4) Evaluate Industrial zone north of Rt. 2A 5) Update and expand Home occupations in all residential districts.
- Make necessary changes to dimensional regulations
Examples of Possible Actions: Examine existing dimensional regulations in all districts for obsolescence or inapplicability. Propose selected updates that fix these problems and help to attain Comprehensive Plan (ComPlan) objectives, also evaluating for non-conformity impact.
- Create sustainability provisions
Examples of Possible Actions: **Not yet written**
- Modify densities, where logical
Examples of Possible Actions: 1) Consider lower densities in the min. 40,000 SF XX district, particularly in northern and eastern parts of town, but with OSRD provisions being entitled to the prior densities. 2) Make density entitlement adjustments as necessary to the proposed MUTD and DB districts.
- Reinforce transit-oriented development
Examples of Possible Actions: Make use, dimensional and density modifications in proposed DB and possible MUTD that are logical enhancements to transit-oriented growth, taking advantage of Ayer’s commuter rail service with its central location.
- Clarify and improve administrative and permitting procedures.
Examples of Possible Actions: Modify selected definitions, and/or insert new ones, to make them clear, consistent with the rest of the bylaw, and non-contradictory to other provisions.
- Edit and upgrade Definitions.
Examples of Possible Actions: Modify selected Definitions, and/or insert new ones, to make them clear, consistent with the rest of the bylaw, and non-contradictory to other provisions.

Peter Johnston asked about setting up meetings ASAP. Glenn will check on dates and get back to the Board.

Jennifer Gibbons stated she received a 2 AM email complaint from a ConCom Member regarding the Office Manager and Chair refusing to provide information to the ConCom Admin. with regards to Pond View Estates Bond reductions. Glenn added that it is a matter of state law and policy to keep certain standards of record keeping. The Chair and Office Mgr. explained, albeit they were not copied on this 2 AM email, to the members that there had been no new Bond requests, last one being in Dec. 2008, the Chair had previously passed this information on to the ConCom Admin. and explained that when there was a request, the ConCom would be informed. Once in passing Mr. Bodurtha mentioned it to the Office Mgr, and he had been given the same information. There was a new inquiry from Pond View on Sept. 10th and the Office Mgr. suggested to them that they contact ConCom regarding any outstanding issues before they come forward with an official written request. The atty. stated that (outstanding issues) was news to them and they would contact ConCom immediately.

Ms. Sullivan stated she would provide the ConCom with the latest breakdown of the bond and that she had put in a request to the Town Admin., earlier today, to see if it is legal for the PB to withhold these requested releases based on a conservation issue and has not heard back yet.

Steve Wentzell motioned to adjourn

Jennifer Gibbons 2nd

VOTE 3-0

All in Favor

Adjourn