



PLANNING BOARD
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PLANNING BOARD MINUTES

June 3, 2010
Ayer Town Hall
1 Main Street
Ayer, MA. 01432

In attendance: Ms. Jennifer Gibbons (Chair), Mr. Steve Wentzell (Clerk), & Mr. Glenn Garber

Susan Sullivan/Office Manager

(Members absent ~Mark Fermanian & Peter Johnston)

7:00 PM

General Business:

7:10 Jennifer Gibbons-Chair called the meeting to order and read the Agenda.

REQUESTS FOR PUBLIC INPUT:

D. Bodurtha-Ayer Conservation Commission stated there was a problem with run-off from Pingry Hill Subdivision and the location of the entrance/exits to the new subdivision. Glenn G. in response to questions from D. Bodurtha, stated that curb cuts along Rte 110/2A are usually permitted by the by the MDOT District Office and that the Building Insp. Or other designated official should be monitoring the run-off problems.

At the request of Mr. Bodurtha the Planning Board agreed to schedule a future agenda item to meet with the Ayer Conservation Commission and Dan Nason, Highway Superintendent to review and update the Town of Ayer Stormwater Regulations.

Chair J. Gibbons informed the board that Patricia Walsh, CPIC Member is looking for the board's assistance with inaccuracies relating to the Town's inventory of open space as documented in the 2005 Comprehensive Plan. The board agreed to invite Ms. Walsh to attend our scheduled meeting in July to discuss the issue.

ELECTION OF OFFICERS

Chair J. Gibbons stated that she would like to go ahead and vote in a Vice Chair and that she spoke to J. Ritter (Intrim.Town Admin.) regarding adding a Vice Chair and that he thought it was a great idea to show strong leadership and nothing in the MGL to prevent the Board from adopting this position.

It was mentioned to wait for a full Board to vote in this new position in case someone else was interested. Jennifer Gibbons stated that she nominated Glenn at the last meeting and wanted to go ahead with it.

Steve Wentzell Motioned to nominate Glenn Garber as Planning Board Vice Chair.

Jennifer Gibbons 2nd VOTE 3-0 All in Favor

J. Gibbons –Stormwater Committee

Peter Johnston -MRTC

Planning Board still needs a rep for MRPC, CPIC, and CPAC

Jennifer would like to look into a citizens Rep. for some of these.

D Bodurtha stated that (last year) Mark Fermanian did not always show up for Community Preservation and they need people that will show.

UPDATE – JUDI BARRET/COG

The Planning Board has been working with Judi Barrett of Community Opportunities Group to update the Town of Ayer Zoning By-Laws.

Judi would like to meet with the Board possibly on June 15th or some morning if possible. Susan Sullivan will poll the board as to dates and times available and email Judi.

We received a draft copy of the Zoning By-Laws:

APPENDIX A (TABLE OF USES),

APPENDIX B (SCHEDULE OF DIMENSIONAL REQUIREMENTS),

APPENDIX C (SIGN REGULATIONS).

Susan Sullivan will forward them to the Planning Board members for their review.

RILEY ROAD

Chair J. Gibbons requested a motion a motion to have the Planning Board vote in favor of releasing the Towns interest in the Tri-Party agreement and contract between the Town of Ayer Planning Board, Fidelity Bank, and Molumco Dev. Corp., Todd D. Moore and Chelsea M. Moore Executed MARCH 2006 RECORDED IN MIDDLESEX REGISTRY OF DEEDS *REF. BK 47949, PG 533* AS IT PERTAINS TO THE DEFINITIVE SUBDIVISION PLAN ENTITLED "RILEY FARM", PREPARED BY DAVID E. ROSS ASSOCIATES, INC. DATED AUGUST 30, 2005 WITH REVISIONS DATED MAY 18, 2006.

Susan Sullivan stated that Mr. Moore did offer to be here tonight and was told he did not need to be here that everything was all set. Jenn stated that this delay was the responsibility of the Atty. not the P.B.

Members Glenn Garber and Steve Wentzell both presented concerns that the requirements set forth in the Town of Ayer Subdivision Rules and Regulations specifically requiring the applicant to show proof that the conditions of the subdivision approval have been completed (i.e. Mylar plus 3 sheets of full scale drawings, etc refer to section 7a .)

Steve Wentzell Motioned to postpone the release of the Covenant and Tri-party agreement until the next available meeting for the purpose of allowing the applicant to produce the proper documents.

Glenn Garber 2nd

VOTE 3-0

All in Favor

J. Gibbons stated she will contact Atty. Ancil.

FEMA ISSUE

The Planning Board has scheduled a Public Hearing for July 8th at 7:30PM to amend the current Zoning By-Laws to reflect the “new” FEMA Flood Plain Maps.

Background: In order for a community to remain in good standing with the National Flood Insurance Program, the community would need to adopt the recommendations by the end of business day June 4 or it would be suspended from the program.. FEMA can't allow extensions and the Town would be suspended until the Fall Meeting and if that were to happen, the current flood insurance policy holders would not be able to renew and would be forced to purchase unsubsidized flood insurance on the private market and if there were another Presidential-declared disaster, then certain assistance would not be available to the community.

The Board of Selectman have scheduled an Emergency Meeting for June 4th, 2010 to adopt a new flood plain policy as the Chief Executive Body of the Town of Ayer. In the interest of protecting the residents of the town in the case of flood or disaster. The BOS shall adopt a Flood Plain Policy which will be effective immediately and presented at the Fall Town Meeting for a Codification of the By-law. J. Gibbons will keep the board updated.

AUTUMN RIDGE

Request for public information-J. Cadigan

Susan Sullivan stated that the information requested was given to Mr. Cadigan and is not aware of any additional requests at this time.

NEW OPEN MEETING LAWS

Chair J.Gibbons explained that the new Open Meeting Law will be in effect on July 1st some of the notable changes will include:

- Meeting Agendas Must Include A Listing Of Topics That The Chair Reasonably Anticipates Will Be Discussed At The Meeting
- The 48 Hour Notice period will now exclude Saturdays
- All Documents and Exhibits used by a Public Body during the meetings shall be listed in the official record.

BILLS AND MINUTES:

Steve Wentzell Motioned to approve the minutes from May 6, 2010 as written.

Glenn Garber 2nd VOTE 3-0 All in Favor

Steve Wentzell Motioned to authorize payment for Office supplies from Staples in the amount of (PB's share) \$393.46

Glenn Garber 2nd VOTE 3-0 All in Favor

Steve Wentzell Motioned to authorize Office Manager, Susan Sullivan, to sign off/authorize payment on all Public Hearing Legal ad notices from now on for the Planning Board.

Glenn Garber 2nd VOTE 3-0 All in Favor

J. Gibbons agreed to send a letter to MRPC to request MRPC update Ayer's Zoning Map by incorporating the new FEMA Flood Plain Overlay District and to be performed within the existing contract between the Town of Ayer & MRPC which entitles the town to 8 hours of technical assistance.

J. Gibbons agreed to send copies of all draft decisions to the Planning Board for input prior to filing with the Town Clerk.

Steve Wentzell Motioned to adjourn

Glenn Garber 2nd VOTE 3-0 All in Favor

Adjourn