

## **Town of Ayer Planning Board**

Location: 1<sup>st</sup> Floor Meeting Room Ayer Town Hall

Members Present: Jeremy Callahan (JC), Jenn Gibbons (JG), Richard Roper (RR) and Geof Tillotson (GT)

APAC taped: YES

### **6:00 PM - Open Meeting**

#### **Announcements:**

- Thursday, June 2, 2015 Planning Board Meeting was cancelled due to lack of quorum
- PB Chairman to send notice to Board of Selectmen to initiate the joint appointment process to fill Planning Board vacancy
- No Meeting Minutes for approval
- Zoning Bylaw Update - PB to resume discussions in August 2015. PB Chair will contact consultant to workout timeline.

#### **Public Input:**

1. Ruth Rhonimus questioned why a public hearing notice was not published in the newspaper and why abutters were not notified in writing of tonight's hearing as required under the Town of Ayer Zoning Bylaws?

JC responded that the Site Plan Review Bylaw as adopted by the Town of Ayer is an administrative review process which does not require the same hearing notifications as specified in the zoning statute.

### **#1. SITE PLAN REVIEW – 31 WILLOW ROAD**

Representing the applicant: Nick Pauling, P.E. , GPR Civil Engineering

Proposed is a one-story 26, 590 s.f. addition (south side) to the existing building located at 31 Willows Road. Zoning is Light Industrial (LI). Parking Spaces: 94 spaces required by zoning bylaw – proposed is 99.

RR - The new parking area along the driveway appears to be beyond property line?

RESPONSE: The abutting land is in common ownership and offered to provide the necessary clarification since it is not clear in the application.

JG expressed her concern that the 6 parking spaces shown over the lot may not be enforceable.

Signage – Replace the existing sign and no additional signage proposed

Lighting – Wall mounts facing down

JC – Recommended the Planning Board grant a conditional approval to address the concerns.

Town Staff Review & Comments:

DPW: Requested Storm Water Maintenance Plan, Curb cuts will be vertical granite, and all water, sewer and stormwater utilities must comply with the Town of Ayer DPW Regulation Standards.

Police: No increase in traffic or truck deliveries. No traffic study is required --- *Police Chief had no issues.*

BLDG: Requested modifications to the proposed parking areas.

Conservation Commission: Approved.

BOH & DPW --- Modification requested in 3 -page memo dated June 11, 2015

(i.e., clarification or more details in connection with the sewer installation, stormwater control structure, landscaping and parking.

RESPONSE: Most of the issues have been resolved regarding missing details and will continue to work with the Supt/DPW to ensure compliance.

RR motioned that the Planning Board vote to approve the Site Development Plan for 31 Willow Road as submitted by Goldsmith Prest & Ringwall. The motion was seconded by GT. JC will consult with Bldg Inspect and Superintendent of Public Works prior to filing the decision. Motion seconded by GT. VOTE: 4:0

**#2. SITE PLAN REVIEW – 15 LITTLETON ROAD**

The board met with the following representatives on behalf of Global Montello Group Corp: Attorney George Watts, Huseyin Sevincgil, P.E., MHF Design Consultants, Inc. and Heather Monticup, P.E., GPI re: Traffic Impact & Access Study

Proposed regarding the proposed retail fueling station/convenience store and café at 15 Littleton Road.

Attorney Watts explained that there are other zoning permits required for this project. The applicant has already obtained the necessary special permit from the Ayer Zoning Board of Appeals. The proposed fueling stations are designed with overhead canopies. Drainage to consist of underground infiltration system for the roofs and two (2) detention ponds shown on separate lot.

JC confirmed that no other action is required by the Zoning Board of Appeals.

RR questioned whether there is an easement for the proposed connection to the existing drainage system?

RESPONSE: Both lots are being leased by Global Montello Group Corp. from Gervais and that an easement is not required however, it was agreed to be clarified by the applicant in form of a lease agreement to specifically address the drainage issue -- It was further suggested that Planning Board address its concern regarding the use of more than one parcel under common ownership for purposes

such as drainage and parking by stipulating in the Site Plan Decision *“All of the interior lots shown on the plan shall remain connected and under the same ownership.”*

JC suggested a site walk be conducted by the Planning Board prior to its next scheduled meeting --- All in favor.

RESPONSE: No objection

Note: Date and time of site walk to be determined.

JG suggested that during the site walk the board also discuss the proposed landscaping and not just the traffic. In general she is concerned about the impact of the lights both on site and on vehicles/trucks on the existing homes across the street and the two (2) neighborhood directly abutting the site (i.e. Devencrest and Markham Circle). JG would like to see more in terms of the landscape plan to reduce impact on abutting homes by building up the land along the side and rear of the property lines and installing fencing and plantings on top of this berm.

Response: Existing fence is proposed to be removed and replaced by a new 6 ft tall fence along with a row of white pine in the corner and rhododendrons along the side yard.

RR suggested the applicant swap out the white pines for arborvitaes.

At the request of JG and after careful deliberation the Planning Board agreed that the scope of the project meets certain criteria to invoke the Town of Ayer Consultant Bylaw.

JG motioned that the Planning Board vote to invoke the consultant bylaw. The motion was seconded by GT Discussion: JG requested that the scope of review not be limited to traffic. VOTE: 4:0

Public Input:

1. Mr. Rene Doucett (25 Marham Circle) – concerned that there was an underground brook that existed along the backside of the property. The woodlands were removed by Gervais and the area was filled in with stone material. Now when it rains the water runs along the back area and dumps out on adjacent lot near the main road.
2. Matt King (21 Willard St) thanked the board for taking a stand and bringing in an outside consultant. 1-The proposed 5 ft berm w/10 ft trees will not be adequate to address the issue of lights. 2- Every tracker trailer entering the site will sweep its headlights along the backside of the existing homes on Willard St. and Markham Circle. 3. All cars and trucks that exit the site taking a left hand turn will sweep the house located directly across the street with its headlights. 4-Site plan bylaw states no new construction being built shall affect the abutting properties with lights and noise. 5.- Strongly disagrees that truck traffic will not increase because of the proposed diesel station...” If you built it they will come”. 6- MassDOT does not investigate traffic from a local perspective based on his 33 years of experience in these types of matters. 7- Trucks driving in low gear will create a lot of noise and surprised the Police of Chief did not express concerns about impact to residents regarding noise.

3. Sean Partridge (Littleton Rd) owner of Smart Fuel Gas Station and is concerned about the impact on gas prices --- adding more gas dispensaries only force prices to go up further affecting our community which are primarily blue collar workers.
4. Rich Scotchlas (Markham Cir) – Many of the service stations along RT 2A are not able to accommodate large military convoy trucks heading to Devens. The new station will be impact our area.
5. James King (23 Willard St) request the public hearings be advertised. Citizens of Ayer and the abutters are away on holiday but should be able to participate in the proceedings if notified.
6. Barbara Wilson (Littleton Rd) owner of the house directly across from the site. 1- In favor of a the board conducting a site visit and suggested being held early evening to experience the traffic going to Lazy Mary's which currently impacts her driveway which will be ex 2- In support of notification to abutters, 3- concerned about lights, traffic and advertising directly going to impact her home. 3- Steady increase in foot traffic along Littleton Road which will only increase.
7. Roger Scruton (Markham Circle) proposed white pines are fast growing after ten years or so there will be no low lying coverage . . 2.- Existing homes are situated above the existing fence.
8. Mary Spinner (Myrick St) clarification on hours of operations? 24hrs/7 days a week will tremendously impact the residents by the lights, traffic, noise, and fumes. Safety of children riding school buses.
9. Harry Zane (Wright Rd) – Impact on the local economy may not be within the board's purview but it is a very serious issue and the proposal will affect the local businesses.
10. Barbara Wilson – Lower the speed limit for the Carlton Rotary from 40MPH to 25 MPH

RR motioned to continue the public hearing for 15 Littleton Road to Thursday, August 6, 2015 at 6:00PM. The motion was seconded GT. VOTE: 4:0

JC will meet with the Board of Selectmen for the necessary authorization to hire an outside consultant to conduct the peer review.

### **#3 KOHLER PLACE SUBDIVISION – DISCUSSION ONLY**

JC explained that the “Kholer Place” approved subdivision has been recently sold. There is no approved covenant by the Planning Board on file and requested authorization from the Board to work with the Supt of Public Works to draft and finalize a covenant agreement?

JG requested final review by Town Counsel.

RR does not feel it is necessary to have town counsel review stating the only purpose that the covenant serves is a written promise from the applicant not to obtain any building permits for the approved subdivision lots until the covenant is replaced with a performance bond.

JG stated that she does not take issue with the chair working with Supt of Public Works so long as final document is reviewed by Town Counsel.

JC agreed to have reviewed by Town Counsel.

**#4 INFORMAL DISCUSSION – 4 LOT SUBDIVISION GROTON SCHOOL RD**

The board met with Michael Kennedy for an informal review of a four (4) lot subdivision on Groton School Road.

The Planning Board did not see any particular issues with the conceptual layout of the road and lots.

**#5 COVENANT - APPROVED SUBDIVISION RE: NASHUA STREET EXTENSION**

Similar to the previous again item. There is no covenant on record for the approved subdivision

The board unanimous agreed to authorize chair to draft covenant by working with Supt of Public Works. Final document to be reviewed by Town Counsel.

RR motion to adjourn. The motion was seconded by JG. VOTE: 4:0