

Town of Ayer  
Zoning Board of Appeals  
Ayer Town Hall  
1 Main Street  
Ayer, MA 01432



Wednesday May 18, 2016  
Open Session Meeting Minutes

*Recorded by APAC*

Present: Sam Goodwin, Chair; Christa Maxant, Clerk; Ron Defilippo; John Ellis

Absent: Michael Gibbons, Vice – Chair

**Call to Order:** S. Goodwin called the meeting to order at 7:05 PM.

**Public Hearing - Application for Variance & Finding – Pace, Robert, 41 Shirley Street (Filed April 29, 2016):** S. Goodwin opened the public hearing at 7:06 PM by reading the Public Hearing Announcement as advertised in the *Nashoba Valley Voice* on May 2, 2016 and May 9, 2016.

Mr. Robert Oliva from David E. Ross Associates and Mr. Robert Pace, applicant, were in attendance to discuss their application. Specifically Mr. Pace is seeking a Section 6 finding and the following variances:

- 3.3.1.d.3.a – front setback requirements (20' required, seeking 6')
- 3.3.1.d.3.c – rear setback requirements (25' required, seeking 6')
- 3.3.1.d.4.d – maximum building coverage (30% max, seeking 32.5%)
- 3.3.1.d.4.e – minimum open space (minimum 50%, seeking 48.6%)

R. Pace stated that the proposed house is 24 x 32 which is approximately 150 square feet larger than the original house that has since burnt. The total square footage of the house is approximately 1,500 square feet.

Mr. Bill White, current owner, stated that after the original house burnt down, he and his wife could not afford to rebuild; therefore, he is looking to sell the lot to Mr. Pace.

R. Oliva explained that the former house had three stories, all of which was living space and though this house will have three stories, the bottom level is non-livable as it is the garage.

C. Maxant stated that she thought the proposed placement of the new house is an improvement to the neighborhood and stated the the construction will look better than a vacant lot.

R. Defilippo pointed out that the hardship is on the owner, not the builder.

S. Goodwin added that if we don't allow the variances, we are essentially condemning the vacant lot as unbuildable.

**Motion:** A motion was made by J. Ellis and seconded by C. Maxant to approve the variances as sought by the applicant. **Motion passed 4-0.**

**Motion:** A motion was made by S. Goodwin and seconded by J. Ellis to close the Public Hearing for 41 Shirley Street at 7:51 PM. **Motion passed 4-0.**

**Reorganization of the Zoning Board of Appeals:**

The Board briefly discussed reorganization of the ZBA. C. Antonellis pointed out that because the ZBA is appointed they could wait until the July meeting to reorganize because terms run from July 1 through June 30.

**Discussion Items:**

*Zoning Bylaw Update* – S. Goodwin and C. Antonellis stated that there was no update at this time.

**Approval of Meeting Minutes:**

**Motion:** A motion was made by C. Maxant and seconded by J. Ellis to approve the meeting minutes of April 20, 2016. **Motion passed 4-0.**

**Adjournment:**

**Motion:** A motion was made by S. Goodwin and seconded by C. Maxant to adjourn at 8:01 PM. **Motion passed 5-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by ZBA: 6/15/16

Christa Maxant, Clerk: 