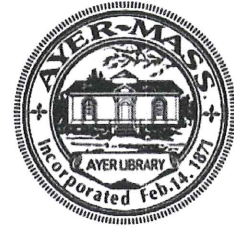


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AUG 22 2019

TOWN OF AYER
TOWN CLERK

8:54 AM *lf*

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



Wednesday July 17, 2019
Open Session Meeting Minutes

Present: Samuel A. Goodwin, Jr., Chair; Michael Gibbons, Vice-Chair; Ron Defilippo, Cler; John Ellis, Jess Gugino

Also Present: Carly M. Antonellis, Assistant Town Manager

Call to Order: S. Goodwin called the meeting to order at 6:00 PM.

Approval of Agenda:

Motion: A motion was made by J. Gugino and seconded by J. Ellis to approve the agenda. **Motion passed 5-0.**

Public Hearing – Continued from June 19, 2019 - Application for Variance – Eileen Hoskin – 17 James Brook Way (Filed 5/8/19): S. Goodwin reopened the public hearing. The applicant was not in attendance. S. Goodwin recessed the hearing until the applicant arrived.

Approval of Meeting Minutes:

Motion: A motion was made by S. Goodwin and seconded by M. Gibbons to approve the minutes of June 19, 2019. **Motion passed 5-0.**

Public Hearing – Continued from June 19, 2019 - Application for Variance – The Homescout, LLC - 13 Groton Harvard Road (Filed 5/24/19):

Board Member M. Gibbons recused himself from the hearing.

S. Goodwin reopened the public hearing. Attorney Tracey Harding was in attendance for the applicant. Attorney Harding listed the various sought by the applicant. She stated that this is the site of the former Murphy Knife Company, which was operated for 160 years. She further stated that the lot is abutted by the railroad tracks and the parcel, though industrial is in an otherwise residential neighborhood. She also said the lot slopes in the back and contains wetlands, including a stream that flows through the property. She said the variance should be granted because it is in the furtherance of the public good because it will provide affordable housing options. She stressed that the only decision in front of the ZBA was whether to allow a residential use at the parcel.

Ms. Tricia Walsh, 3 Groton Harvard Road spoke against the proposal, citing an increase in traffic and traffic congestion as her biggest concern.

Ms. Angela Crothers, 5 Groton Harvard Road also spoke against the proposal. She is concerned about the traffic and congestion due to the train crossing. She stated that sometimes the road is closed for up to 45 minutes because of the crossing.

Mr. Matthew Smith, 8 Page Street questioned discrepancies in the lot size from the application and the conceptual plan and also said that the potential development was too close to the train tracks.

Ms. Jen O'Neill, 7 Groton Harvard Road spoke against the proposal; she stated that with the requested setback variances will allow people on the train to be looking into residents homes, if approved.

Mr. Jason Walsh, 3 Groton Harvard Road said that when the knife company was in operation, there were no issues in the neighborhood.

A resident from 86 E. Main Street questioned what the financial hardship was, with the lot not being sold yet.

Mr. Ken Diskin, 180 Washington Street pointed out that the applicant appears to be picking and choosing different variance requests from two different zones.

S. Goodwin advised the ZBA to take the votes separately, because if the first use variance request didn't pass, there was no need to vote on the other requested variances.

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to deny the use variance allowing for from Ayer Zoning Bylaw Section 5.2(1.3) Table of Use Regulations to allow townhouse or multi-family dwellings in the Light Industrial District. **Motion to Deny Passed: 4-0.**

Motion: A motion was made by S. Goodwin and seconded by J. Gugino to close the public hearing at 7:20 PM. **Motion passed 4-0.**

Board Member M. Gibbons returned to the table.

Public Hearing – Application for Variance – Global Partners, LP - 26-28 Harvard Road (Filed 5/31/19): S. Goodwin re-opened the public hearing. Attorney Tracey Harding was in attendance for the applicant. She stated that the purpose of the sign bylaw is to prevent “sign overload”. The applicant is seeking three additional signs. She stated that the Building Commissioner considers the gas price sign to be two signs and they'd like to add 3 additional to the building, one of which will be in the back of the building to welcome diesel fuel users into the store. She stated there will be no signs on the canopy of the fuel pumps.

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to grant sign variance as requested. **Motion passed 4-1.**

Motion: A motion was made by S. Goodwin and seconded by M. Gibbons to close the public hearing at 7:41 PM. **Motion passed 5-0.**

Motion: A motion was made by S. Goodwin and seconded by J. Gugino to continue the public hearing for 17 James Brook Way until Wednesday August 21, 2019 at 6:00 PM. **Motion passed 5-0.**

Reorganization of the ZBA: The ZBA opted not to reorganize the Board.

Adjournment:

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to adjourn at 7:44 PM. **Motion approved 5-0.**

Minutes Recorded and Submitted by Carly M. Antonellis, Assistant Town Manager

Date Minutes Approved by ZBA: 08/21/19

Signature of Clerk Indicating Approval: 