

RECEIVED  
TOWN CLERK  
TOWN OF AYER  
2015 MAR 16 AM 10:26 *g*



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

Wednesday March 18, 2015  
Open Session Meeting Agenda

7:00 PM

Call to Order

Public Hearing - Application for Variance

11 Copeland Drive (Filed 2/23/15)

Global Montello Corp. – 15 Littleton Road

Request for modification of special permit

7:15 PM

Public Hearing – Application for Variance/Section 6 Finding

5 Mountain View Avenue (Filed 2/24/15)

Discussion Items

1. Wendy's Improvement Project– 2 Barnum Road
2. Zoning bylaw update
3. Planner position request

Approval of Meeting Minutes

1. February 11, 2015

Adjournment

*The next ZBA Meeting will be April 15, 2015*

urgency call for bathtub \$25  
1 year supply of heart  
worm pills for dogs \$50  
Call 978-957-3669

## Public Notice

### Town of Ayer Zoning Board of Appeals Public Hearing Notice

The Ayer ZBA will conduct a public hearing at 7:00 PM on Wednesday March 18, 2015 at the Ayer Town Hall located at 1 Main Street, Ayer, MA 01432 regarding the application for a variance by Epic Enterprises at 11 Copeland Drive Ayer, MA 01432 because installed signs do not meet 10' setback from lot line.

February 27, 2015  
March 6, 2015

Town of Ayer

RECEIVED  
TOWN CLERK  
TOWN OF AYER

2015 FEB 23 PM 3:09

*Susan Copeland*



**Town of Ayer  
ZONING BOARD OF APPEALS  
APPLICATION FOR A HEARING**

**Notes to the Petitioner:**

1. All applications for a hearing must be received by the Town Administrator's Office and accompanied by:
  - (6) copies of a registered engineered drawing (size 8 ½ x 11 or 11 x 17),
  - Certified list of abutters within 300 feet of the premise and certified by the Town of Ayer Board of Assessors. (all certified mail documents receipts are to be given with the application and **mailed by applicant with an abutters notice**)
2. The application, when completed and signed, must be filed with a non-refundable application fee of one hundred-sixty five dollars (\$165.00) and a legal ad fee of eighty five dollars (\$ 85.00). Both checks should be made payable to the "Town of Ayer".
3. The ZBA shall duly post and conduct a public hearing within 65 days of receiving a completed application and render a decision within 14 days of the close of the Public Hearing. The applicant must wait the appeal period (20 days) after filing the decision with the Town Clerk. The decision, or notice thereof, must be filed by the applicant, at the South Middlesex County Registry of Deeds in Cambridge. Prior to obtaining a building permit, the applicant must present evidence of Registry filing to the Building Inspector and ZBA. This evidence may be a receipt from the Registry with an Instrument number or proof of the Book and Page assigned.

Name of Applicant: *Epic Enterprises*  
(Full Name)  
*11 Copeland Drive*  
(Address)  
*Ayer, MA 01432 978-772-2340*  
(Phone Number)

Applicant is (check one)  Owner \_\_\_ Tenant \_\_\_ Licensee \_\_\_ Prospective Buyer

The name and address of each holder or legal title to the land which is the subject of this petition (list as it appears on the Deed):

---

Location of Property: 11 Copeland Dr.

Assessor's Map 35 Parcel 13 Land Size 1.37

Zoning District (circle one) A-1 A-2 GR GB DB LI HI

Registry of Deeds Book \_\_\_\_\_ Page \_\_\_\_\_

Water Overlay District (circle one) Zone I Zone II N/A

The undersigned hereby petitions the Town of Ayer Zoning Board of Appeals to vary the terms of the Zoning Bylaws for the following purpose:

- A VARIANCE from the requirements of the Town of Ayer Zoning Bylaws
- A SPECIAL PERMIT for a specific use which is subject the approval of the Zoning Board of Appeals (For Home Occupations see Page 3 of this Form)
- A SPECIAL PERMIT to expand, alter, or change a non-conforming use or structure.
- ADMINISTRATIVE APPEAL (i.e. Building Inspector Decision)
- Other (Please specify):

Did you request a building permit from the Town of Ayer Building Inspector? Yes  
Yes/No  
If yes, were you denied a permit by the Town of Ayer Building Inspector? N  
Yes/No

If you were denied a permit, please attach a copy of the decision or state the reasons for the denial.


Would Not Approve Until Land Survey was completed. Notified Applicant close to/Id not 30 days after submittal, on evening prior to pouring footings.

State briefly the reasons for application:

1- Sign Variance

-Installed Signs do not meet the 10' setback From the Lot-Line.

Date: 2/23/15

Signed by  - Donald Sign Co  
(Petitioner)

2 shaker Rd. D105 Shirley, MA 01464  
(Street Address)

978-425-1666  
(Daytime Telephone Number)

**Check List:**

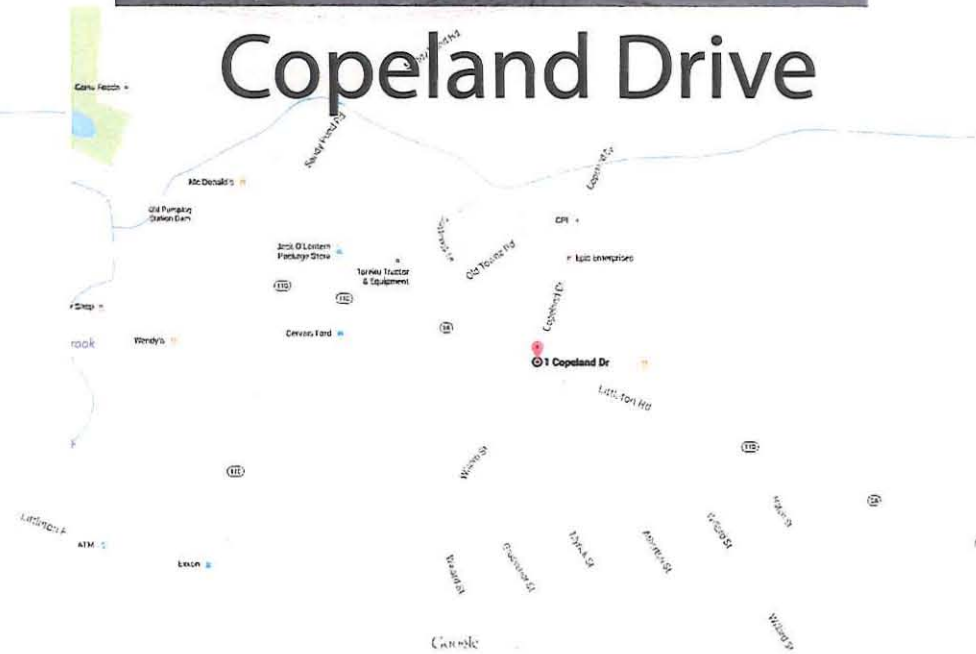
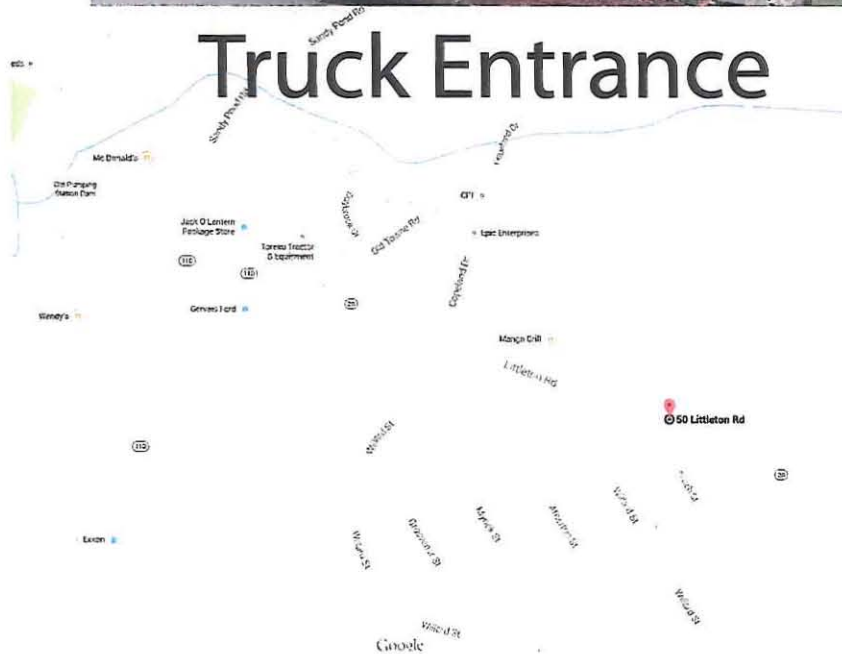
- Completed application
- Two checks made payable to "Town of Ayer" in the amount of \$165.00 & \$ 85.00.
- Six (6) copies of the certified plot plan (8 ½ x 11 or 11 x 17)
- List of abutters Certified by the Assessors office
- Completed certified mail documents (certified mailing to be done by applicant and copied to ZBA's Office Manager along with receipts before the scheduled Public Hearing)



Truck Entrance



Copeland Drive



2 Shaker Road  
Shirley, MA 01464  
978.425.1666

graphics@duvalsigncompany.com  
www.duvalsigncompany.com

Customer:	Date:
<b>Epic Enterprises</b>	<b>10/28/14</b>
Work Order #:	Order Date:
Sign Dimensions:	Estimate:
Comments:	

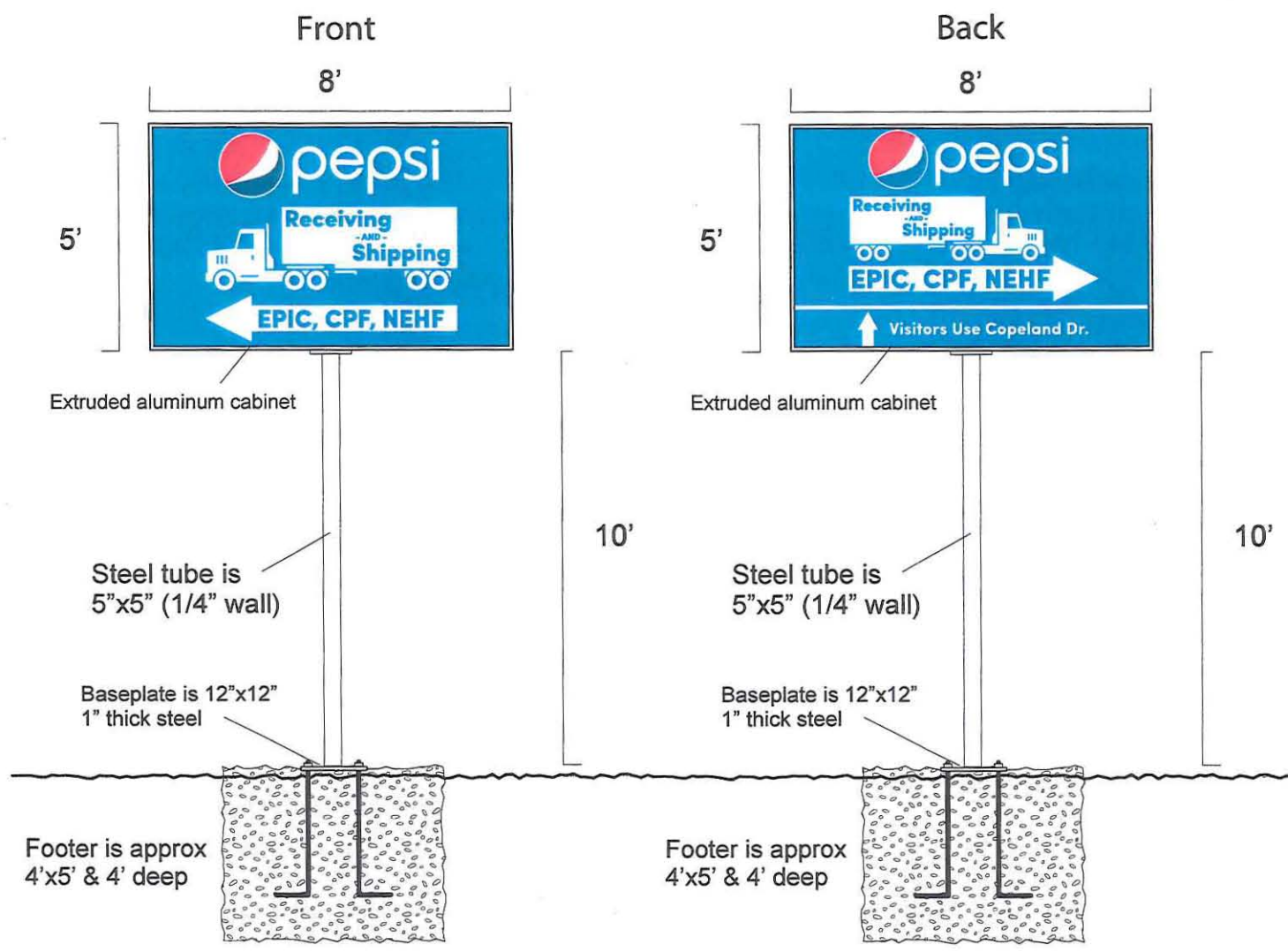
# Sign Rendering (Truck Entrance)

Fonts:

See Artwork

Colors:

Description:

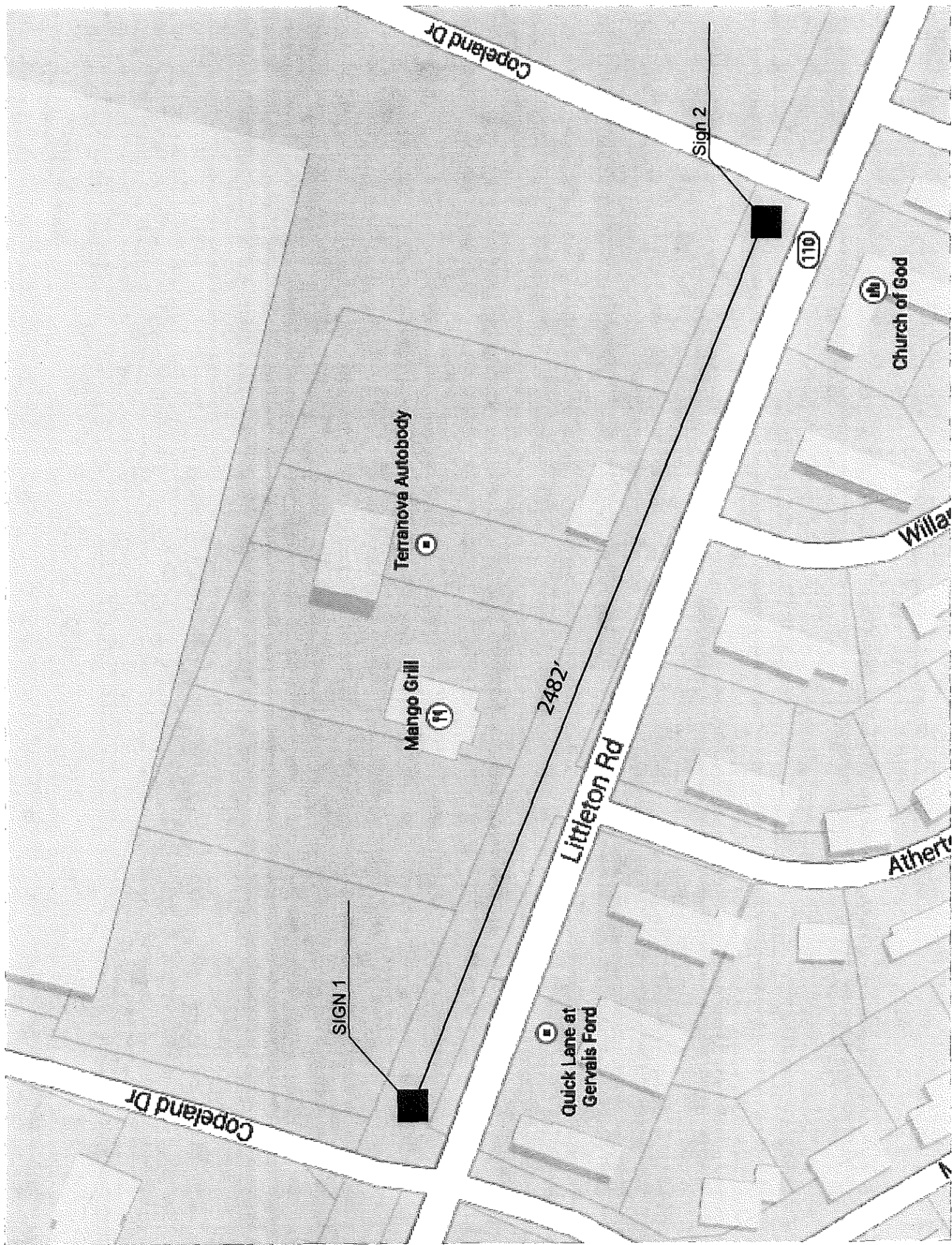


Customer: <b>Epic Enterprises</b>	Date: <b>10/28/14</b>
Work Order #:	Order Date:
Sign Dimensions:	Estimate:
Comments:	



2 Shaker Road  
Shirley, MA 01464  
978.425.1666

graphics@duvalsigncompany.com  
www.duvalsigncompany.com



Copeland Dr

Sign 2

110

Church of God

Willav

Terranova Autobody

Mango Grill

2482'

Littleton Rd

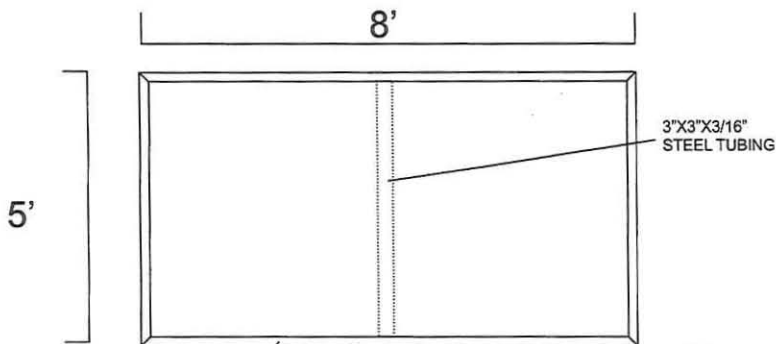
Athert

SIGN 1

Quick Lane at Gervais Ford

Copeland Dr





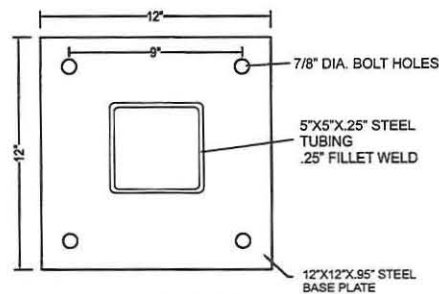
Extruded aluminum cabinet  
11.5" DEEP

10"X10"X.25"  
STEEL MATCH PLATE  
BOLTED W/ FOUR (4)  
3/8" A325 BOLTS (8" O.C.)

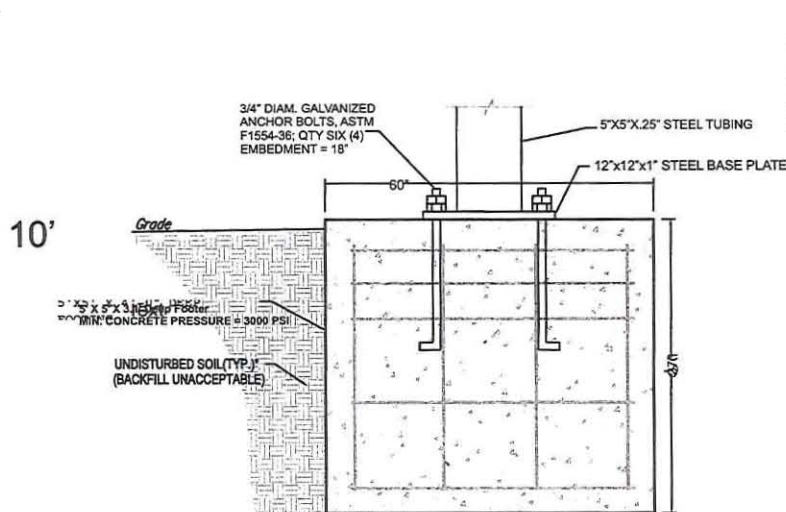
Steel tube  
5"x5" (1/4" wall)

Baseplate is 12"x12"  
1" thick steel

### SIGN DETAIL



### BASE PLATE DETAIL



### FRONT VIEW TYPICAL FOOTING DETAIL

Designed per Massachusetts Building Code (8th Edition) amendments to the IBC - 2009

**Snow Loads:**  
Ground Snow Load.....Pg-55 psf  
Snow Exposure Factor...Ce=1.0  
Snow Load Importance...Is=1.1  
Thermal Factor.....Ct=1.0

**Wind Loads:**  
Basic Wind Speed.....100 mph  
Wind Importance Factor...I=1.15  
Wind Exposure.....C  
ASCE Force Coef.....1.8  
Gust Factor.....0.85

Exterior Components designed in accordance with applicable provisions of the ASCE 7-05

#### General Notes:

- 1.) Minimum concrete strength shall be 3,000 psi
- 2.) All plate, angle, channel, tee and wide flange shall be ASTM A36 grade unless otherwise specified.
- 3.) Square and rectangular tube shall be ASTM A500 Grade B
- 4.) Round pipe shall be ASTM A53 Grade B or equivalent
- 5.) Design and fabrication according to AISC Steel Construction Manual 14th edition
- 6.) Bolts to be A325 or A320 B8 Class 2 or equivalent.  
- Foundation Anchor Bolts to be A36 Minimum.
- 7.) Concrete design & construction to be in accordance w/ ACI 318-08
- 8.) Concrete poured into constrained earth excavations must cure under proper conditions for 4 days prior to sign box installation. (Exception: if the overall height of the sign is less than 20 feet and the sign pole is adequately braced against wind loads for a minimum of 4 days, the box may be installed the same day as the footing is poured.
- 9.) For pier and caisson footings, concrete must be poured against undisturbed earth (Backfill is unacceptable)
- 10.) Maintain a minimum 3" cover over all embedded steel (Not applicable to direct burial footings) Rebar is not required for direct burial footings.  
- Anchor Bolts without rebar shall have a minimum Welded Wire Mesh Reinforcement. Install 6x6 (WWM), 8.5 to 11 gauge, in circular pattern 4 inch offset from footing perimeter, 3" clearance from top and bottom. Anchor bolts shall be tied to the WWM.
- 11.) Provide a minimum of 6" cover between bottom of support pole and bottom of concrete footing on all direct burial footings, unless otherwise noted.
- 12.) If clay, silt or organic soil properties are present upon excavation, it is the contractor's responsibility to contact Murdoch Engineering for design modification.
- 13.) Galvanic protection is required where dissimilar metals contact.
- 14.) Galvanic protection is also required where Aluminum Contacts Concrete Coat with Bituminous material where Alum. Contacts Concrete.

#### REVISIONS:

Two (2) pylons of equal design to be installed at



*Jere Murdoch*  
Jere Murdoch, P.E.  
Professional Engineer  
MA P.E. License #49706

REV.

<p><b>MURDOCH ENGINEERING</b> SIGN STRUCTURE PROFESSIONALS</p>
<p>PLYON STRUCTURAL SUPPORT ENGINEERING</p>
<p>11 Copeland Dr. Ayer, MA 01432</p>
<p>2 Hummingbird Ct. Howell, New Jersey 07731 Tel. (973) 570-8215</p>

① Done

②

# Certified Inspection Plan

LITTLETON ROAD

AYER, MA

STREET

TOWN

***David E. Ross Associates, Inc.***

111 FITCHBURG ROAD - P.O. BOX 368 - AYER, MASS 01432  
(978) 772-6232 368-1065 448-3916 FAX 772-6258



SURVEYOR

DATE: 2/23/2015

***Epic Enterprises, Inc.***

( BK 11317-10 )

DEBS  
Realty  
Trust

ZONING DISTRICT: GENERAL BUSINESS

I CERTIFY THE THE EXISTING SIGN IS LOCATED  
ON THE LOT AS SHOWN. I FURTHER CERTIFY  
THAT THE EXISTING SIGN IS LOCATED WITHIN  
FLOOD ZONE 'X' PER FLOOD INSURANCE RATE  
MAP (FIRM) FOR THE TOWN OF AYER, COMM.  
PANEL NO. 250180 0212 E, DATED 6/4/10.

FREE STANDING PEPSI SIGN  
(8'L x 1'W x 5'H)  
15'± HEIGHT ABOVE GROUND

5" SIGN POST

192'±

8.1'

812'±

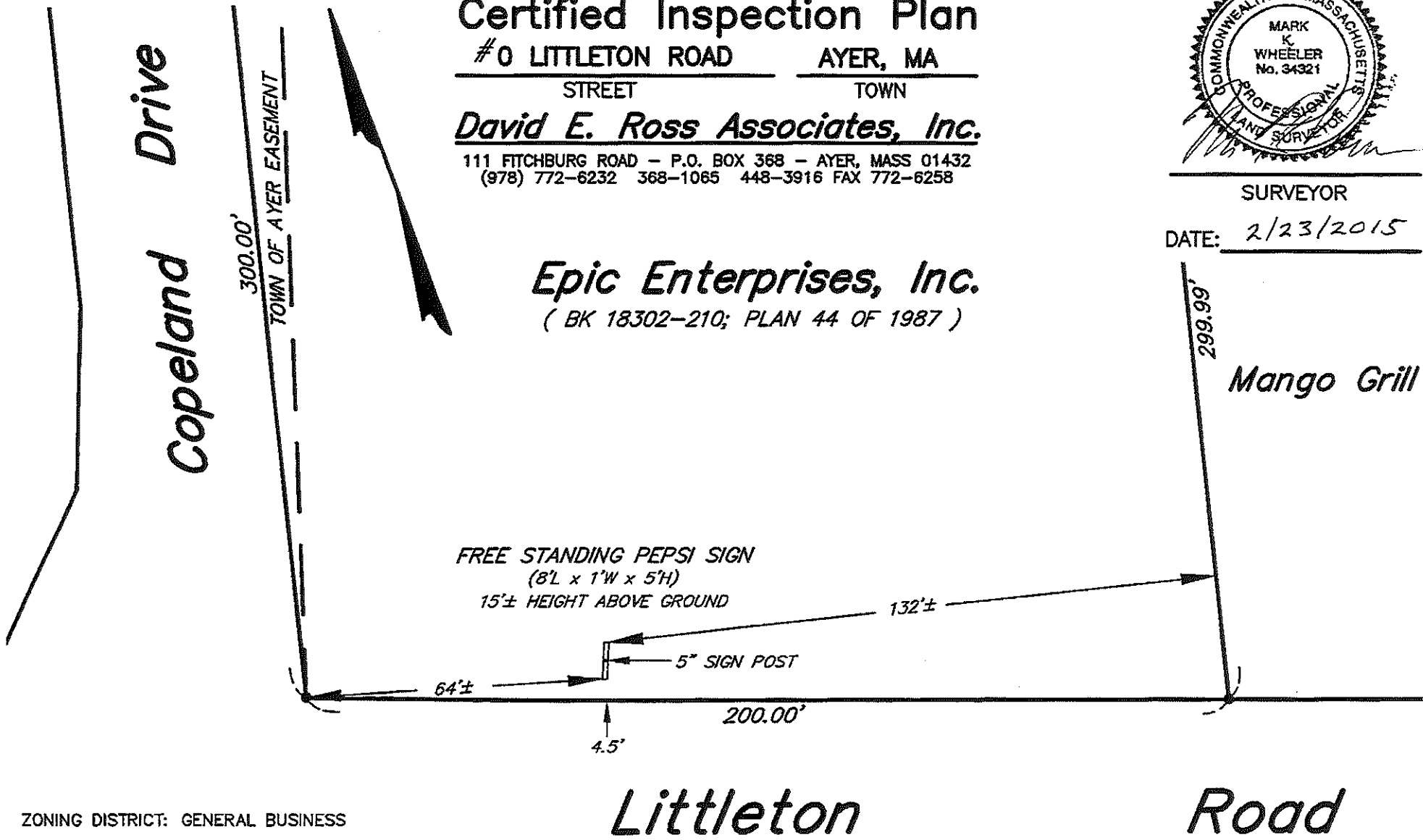
Coffman Way  
( PRIVATE )

*Littleton*

*Road*

REFERENCES: JN 30453, NB 389B-67

PLAN NO. S-13931



**Certified Inspection Plan**

**#0 LITTLETON ROAD AYER, MA**

STREET TOWN

**David E. Ross Associates, Inc.**

111 FITCHBURG ROAD - P.O. BOX 368 - AYER, MASS 01432  
 (978) 772-6232 368-1065 448-3916 FAX 772-6258

**Epic Enterprises, Inc.**

( BK 18302-210; PLAN 44 OF 1987 )



SURVEYOR

DATE: 2/23/2015

ZONING DISTRICT: GENERAL BUSINESS

**Littleton**

**Road**

I CERTIFY THAT THE EXISTING SIGN IS LOCATED ON THE LOT AS SHOWN. I FURTHER CERTIFY THAT THE EXISTING SIGN IS LOCATED WITHIN FLOOD ZONE 'X' PER FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF AYER, COMMUNITY PANEL NO. 250180 0212 E DATED 6/4/10.

REFERENCES: JN 30453, NB 389B-67

**PLAN NO. S-13930**



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

X BOS/Town Administrator  
Board of Health  
Department of Public Works  
Police Department  
Fire Department  
Building Inspector/Zoning Enforcement Officer  
Conservation Committee  
Tax Collector  
Assessor's Office

Review Deadline Date Thursday March 12, 2015  
Public Hearing Date Wednesday March 18, 2015

X Variance                      \_\_\_\_\_ Special Permit                      \_\_\_\_\_ Finding/Appeal

Title Epic Enterprises, Sign Variance                      Dated February 23, 2015

Submitted by Epic Enterprises & Duval Sign Company

Address 11 Copeland Drive                      Telephone Ken Duval (Duval Signs) 978-425-1666

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

---

\_\_\_\_\_ Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments: Received/Reviewed 2/27/2015

Signed *Rhonda K. Rath*

Title Town Administrator

Date 2/27/2015



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form - Department Head Review

<input checked="" type="checkbox"/>	BOS/Town Administrator	Review Deadline Date	<u>Thursday March 12, 2015</u>
<input checked="" type="checkbox"/>	Board of Health	Public Hearing Date	<u>Wednesday March 18, 2015</u>
<input type="checkbox"/>	Department of Public Works		
<input type="checkbox"/>	Police Department		
<input type="checkbox"/>	Fire Department		
<input type="checkbox"/>	Building Inspector/Zoning Enforcement Officer		
<input type="checkbox"/>	Conservation Committee		
<input type="checkbox"/>	Tax Collector		
<input type="checkbox"/>	Assessor's Office		

Variance                       Special Permit                       Finding/Appeal

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Approved                       Modifications Needed                       Disapprove

Comments:

Signed *Bridgette Brady*

Title Health Agent

Date 3/2/15

## Carly Antonellis

---

**From:** Mark Wetzel <[mwetzel@ayer.ma.us](mailto:mwetzel@ayer.ma.us)>  
**Sent:** Thursday, March 12, 2015 3:08 PM  
**To:** Carly Antonellis  
**Subject:** Copeland EPIC

I don't have any issues with the sign.

Mark L Wetzel, P.E.  
Superintendent  
Town of Ayer - Public Works Department  
25 Brook Street  
Ayer, Massachusetts 01432  
t: 978.772.8240  
c:978.833-2365  
f: 978.772.8244  
e: [mwetzel@ayer.ma.us](mailto:mwetzel@ayer.ma.us)

Please consider the environment before printing this email.

-----Original Message-----

From: Carly Antonellis [<mailto:cantonellis@ayer.ma.us>]  
Sent: Thursday, March 12, 2015 12:58 PM  
To: Mark Wetzel  
Subject: RE: Mt View

Thank you!

Carly

Carly M. Antonellis  
Assistant to the Town Administrator  
Town of Ayer  
1 Main Street  
Ayer, MA 01432  
978-772-8220  
[cantonellis@ayer.ma.us](mailto:cantonellis@ayer.ma.us)

-----Original Message-----

From: Mark Wetzel [<mailto:mwetzel@ayer.ma.us>]  
Sent: Thursday, March 12, 2015 12:20 PM  
To: Carly Antonellis  
Subject: Mt View



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form - Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>Thursday March 12, 2015</u>
_____	Board of Health	Public Hearing Date	<u>Wednesday March 18, 2015</u>
_____	Department of Public Works		
<u>X</u>	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		

X Variance                      \_\_\_\_\_ Special Permit                      \_\_\_\_\_ Finding/Appeal

Title Epic Enterprises, Sign Variance                      Dated February 23, 2015

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X Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments:

Signed [Signature]

Title Lt. Police Dept

Date 3/2/15



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

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<u>X</u> _____	Fire Department		
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_____	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		

X Variance                      \_\_\_\_\_ Special Permit                      \_\_\_\_\_ Finding/Appeal

Title Epic Enterprises, Sign Variance                      Dated February 23, 2015

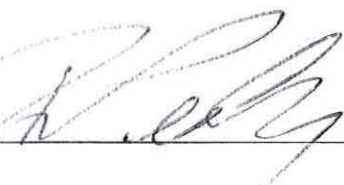
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X Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments:

Signed 

Title Fire Chief

Date \_\_\_\_\_





Town of Ayer  
Zoning Board of Appeals  
Transmittal Form - Department Head Review

_____ BOS/Town Administrator _____ Board of Health _____ Department of Public Works _____ Police Department <input checked="" type="checkbox"/> Fire Department _____ Building Inspector/Zoning Enforcement Officer _____ Conservation Committee _____ Tax Collector _____ Assessor's Office	Review Deadline Date <u>Thursday March 12, 2015</u> Public Hearing Date <u>Wednesday March 18, 2015</u>
--	--

Variance                      \_\_\_\_\_ Special Permit                      \_\_\_\_\_ Finding/Appeal

Title Epic Enterprises, Sign Variance                      Dated February 23, 2015

Submitted by Epic Enterprises & Duval Sign Company

Address 11 Copeland Drive                      Telephone Ken Duval (Duval Signs) 978-425-1666

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Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments: SEE ATTACHED SHEETS (2).

Signed *[Signature]*

Title BUILD. COMM.

Date 4, MAR 15

ZBA

RECEIVED

FEB 26 2015

BUILDING COMMISSIONER  
TOWN OF AYER

GABRIEL J. VELLANTE JR.  
TOWN HALL  
1 MAIN ST.  
AYER, MA. 01432

TOWN OF AYER  
SELECTMEN'S OFFICE

TELEPHONE (978) 772-8214

26, Feb., '15

Duval Sign Company  
2 Shaker Rd.  
Shirley, MA. 01464  
Att: Kenneth Duval

Re: Pepsi Signs

Mr. Duval,

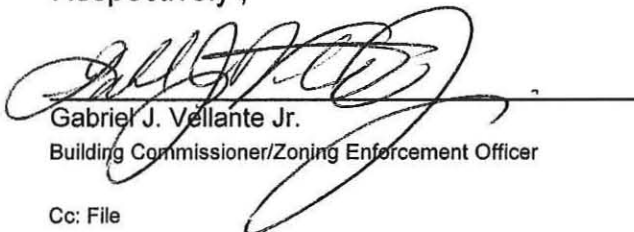
I have reviewed the Certified Plot plans of the signs that you recently erected for Epic Enterprises at their Littleton Road, Ayer, MA. properties.

The properties are located in the General Business District. The Ayer Protective By-laws Article 84.1 Permitted Signs indicates that Business signs in this Zoning District must be set-back from property lines a minimum of 10 feet. Your Certified Plot Plans show that the sign at Littleton Rd and Coffman Way is set-back from Littleton Rd. 8.1 feet. The sign located at Littleton Rd and Copeland Dr. is set-back from Littleton Rd. only 4.5 feet.

I find that both installations are in violation of the town by-laws. You must either relocate the signs so as to comply with the by-laws, or seek and obtain appropriate zoning relief in the form of a Variance from the Ayer Zoning Board of Appeals, no later than 01, Apr., '15.

If you fail to comply with this Order, I will be forced to take further legal action for compliance with the by-laws and will impose a fine of \$100/day as prescribed in the Town By-laws until such time as the violation is corrected.

Respectively ,



Gabriel J. Vellante Jr.  
Building Commissioner/Zoning Enforcement Officer

Cc: File

Cf: C/ayer/letter/ltr15-ltr15010

c/ayer/street-1//Littleton/n000-ltr14244

<u>Political Sign</u>				
	All Residential Districts	Downtown Business	General Business	Industrial Districts
	Y	Y	Y	Y
<i>Regulation Sign Use per District</i>				
Maximum Size	6 sq. ft	6 sq. ft	6 sq. ft	6 sq. ft
Maximum Height	6 ft.	6 ft.	6 ft.	6 ft.
Number per Dwelling Unit	No limit	No limit	No limit	No limit
<u>Signs for Nonconforming Uses</u>				
	Y	Y	Y	Y
<i>Regulation Sign Use per District</i>				
Signs for Nonconforming Uses must conform to the sign standards for the permitted sign use of the conforming sign use				
<u>Business Sign for Commercial, Retail or Service Use</u>				
	N	Y	Y	Y
<i>Regulation Sign Use per District</i>				
Maximum Size	--	40 sq. ft	40 sq. ft	40 sq. ft
Maximum Height	--	5 ft.	5 ft.	5 ft.
Max. Ht. for Freestanding sign	--	10 ft.	15 ft.	15 ft.
Max. Ht. for Other Sign Types	--	15 ft.	15 ft.	15 ft.
Minimum Setback from Lot Line	--	None	10 ft.	10 ft.
Number Per Single Use Building	--	2	2	2
Number Per Multi-Use Building	Per Business Use	1	1	1
	Per Development	1	1	1
<u>Business Sign for Wholesale, Transportation or Industrial Use</u>				
	N	N	N	Y
<i>Regulation Sign Use per District</i>				
Maximum Size	--	--	--	75 sq. ft
Max. Ht. for Freestanding sign	--	--	--	15 ft.
Max. Ht. for Other Sign Types	--	--	--	20 ft.
Minimum Setback from Lot Line	--	--	--	25 ft.
Number Per Single Use Building	--	--	--	2
Number Per Multi-Use Building	Per Business Use	--	--	1
	Per Development	--	--	1
<u>Traffic or Directional Signs of Government Body</u>				
	Y	Y	Y	Y
<u>Incidental Signs</u>				
	N	N	N	N



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>Thursday March 12, 2015</u>
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_____	Police Department		
_____	Fire Department		
<u>X</u> _____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		

X Variance                      \_\_\_\_\_ Special Permit                      \_\_\_\_\_ Finding/Appeal

Title Epic Enterprises, Sign Variance                      Dated February 23, 2015

Submitted by Epic Enterprises & Duval Sign Company

Address 11 Copeland Drive                      Telephone Ken Duval (Duval Signs) 978-425-1666

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X Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments: No Conservation issues with this.

Signed Janina T. Sugar                      Title Conservation Commissioner/Clerk.

Date 3-13-2015



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

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X Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments:

Signed Susan Copeland

Title Tax Collector

Date March 2, 2015



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

\_\_\_\_\_ BOS/Town Administrator  
\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
\_\_\_\_\_ Conservation Committee  
 Tax Collector  
 Assessor's Office

Review Deadline Date Thursday March 12, 2015  
Public Hearing Date Wednesday March 18, 2015

Variance                      \_\_\_\_\_ Special Permit                      \_\_\_\_\_ Finding/Appeal

Title Epic Enterprises, Sign Variance                      Dated February 23, 2015

Submitted by Epic Enterprises & Duval Sign Company

Address 11 Copeland Drive                      Telephone Ken Duval (Duval Signs) 978-425-1666

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments:

Signed Thomas S. Hays Jr.  
Date 3/3/2015

Title Assessing Administrator

**GEORGE E. WATTS**

**ATTORNEY AT LAW**

791 MAIN STREET • P.O. BOX 766  
FITCHBURG, MASSACHUSETTS 01420-0024  
Email: gewesq@verizon.net

RECEIVED  
TOWN CLERK  
TOWN OF AYER

2015 MAR 12 PM 3:45  
FACSIMILE: (978) 342-9543

TELEPHONE: (978) 342-7036

March 12, 2015

Carly M. Antonellis  
Assistant to Town Administrator  
Town of Ayer  
1 Main Street  
Ayer, MA 01432

RE: 15 Littleton Road, Ayer

Dear Carly:

On October 8, 2014 the Zoning Board granted Global Montello Group Corp. a special permit for a drive-up window for their proposed convenience store and fuel station. The Special Permit was approved for the plan submitted with the application.

The request for the variances needed for the same July 3, 2014 plan was withdrawn without prejudice.

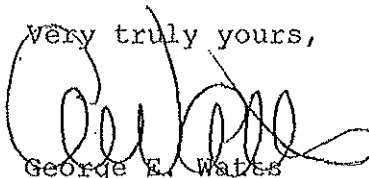
The site design has been changed. The diesel fueling station has been eliminated, and the convenience store, and the re-designed gasoline pump array, have been moved back on the lot. The new plan, dated March 11, 2015 will not require any variances.

I have attached the old and new plan. The "drive-up" is highlighted on both plans.

It is requested the Zoning Board determine the plan modifications do not materially change the "drive-up", and that the October 8, 2014 Special Permit be amended to reflect the current plan. As the drive up is essentially the same, it is requested the modification be classified as minor.

Please place this matter on the March 18, 2015 Agenda for discussion. Thank you.

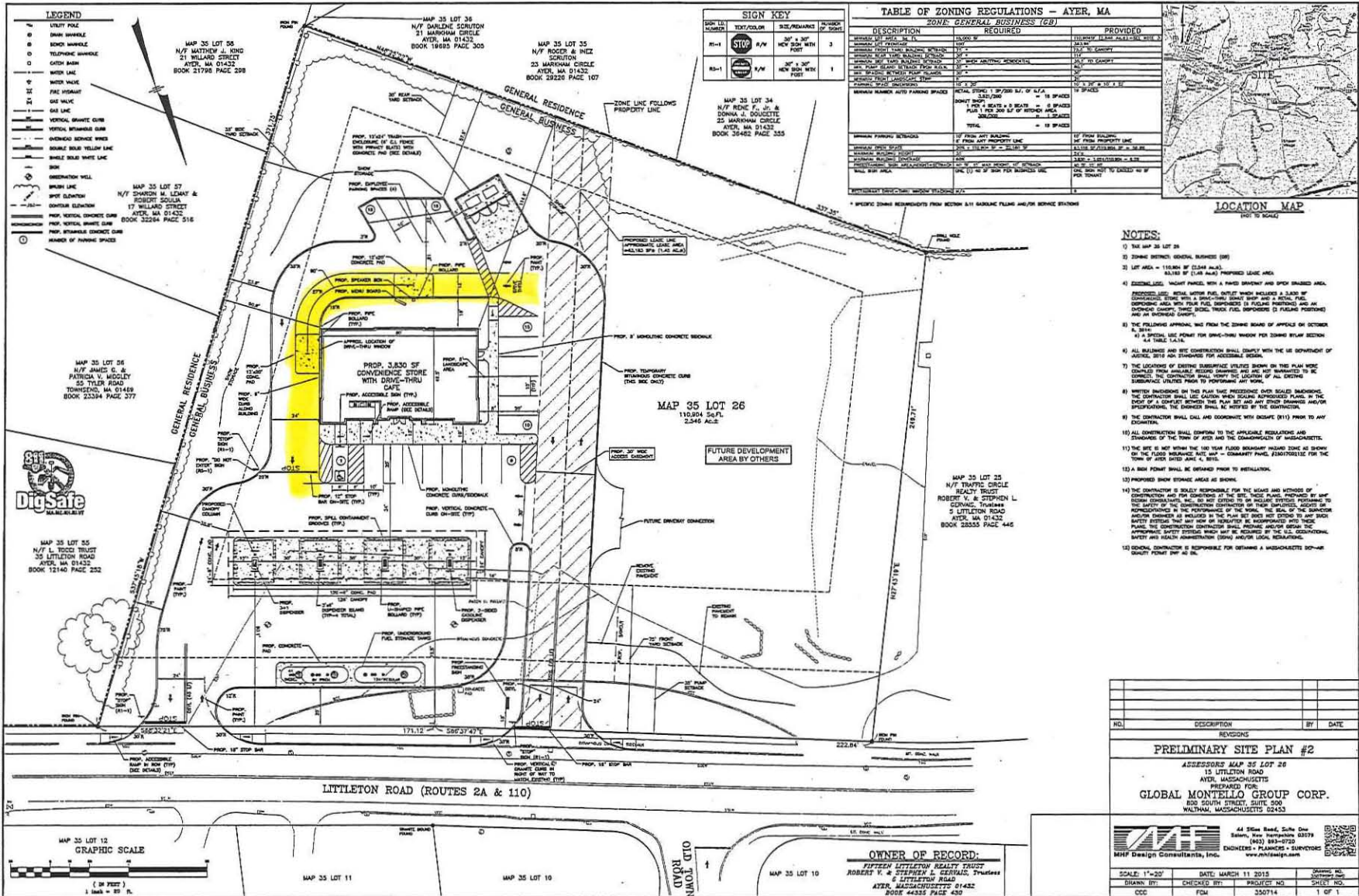
Very truly yours,



George E. Watts

GEW/slj  
Enclosures  
S:antonellis3.12.15

# MARCH 2015



SIGN NO.	REQUIREMENT	SIZE/SHAPE	NUMBER OF SIGNS
R-1	STOP	30" x 30" NEW SIGN WITH FOOT	3
R-1	STOP	30" x 30" NEW SIGN WITH FOOT	1

TABLE OF ZONING REGULATIONS - AYER, MA		
ZONE: GENERAL BUSINESS (GB)		
DESCRIPTION	REQUIRED	PROVIDED
MINIMUM LOT AREA	15,000 SQ. FT.	11,000 SQ. FT.
MINIMUM LOT WIDTH	30 FT.	20 FT.
MINIMUM LOT DEPTH	30 FT.	20 FT.
MINIMUM FRONT YARD SETBACK	10 FT.	10 FT.
MINIMUM SIDE YARD SETBACK	5 FT.	5 FT.
MINIMUM REAR YARD SETBACK	5 FT.	5 FT.
MINIMUM FRONT SETBACK FROM ALLEY	5 FT.	5 FT.
MINIMUM SIDE SETBACK FROM ALLEY	5 FT.	5 FT.
MINIMUM REAR SETBACK FROM ALLEY	5 FT.	5 FT.
MINIMUM FRONT SETBACK FROM DRIVEWAY	5 FT.	5 FT.
MINIMUM SIDE SETBACK FROM DRIVEWAY	5 FT.	5 FT.
MINIMUM REAR SETBACK FROM DRIVEWAY	5 FT.	5 FT.
MINIMUM FRONT SETBACK FROM SIDEWALK	5 FT.	5 FT.
MINIMUM SIDE SETBACK FROM SIDEWALK	5 FT.	5 FT.
MINIMUM REAR SETBACK FROM SIDEWALK	5 FT.	5 FT.
MINIMUM FRONT SETBACK FROM DRIVE	5 FT.	5 FT.
MINIMUM SIDE SETBACK FROM DRIVE	5 FT.	5 FT.
MINIMUM REAR SETBACK FROM DRIVE	5 FT.	5 FT.



### NOTES:

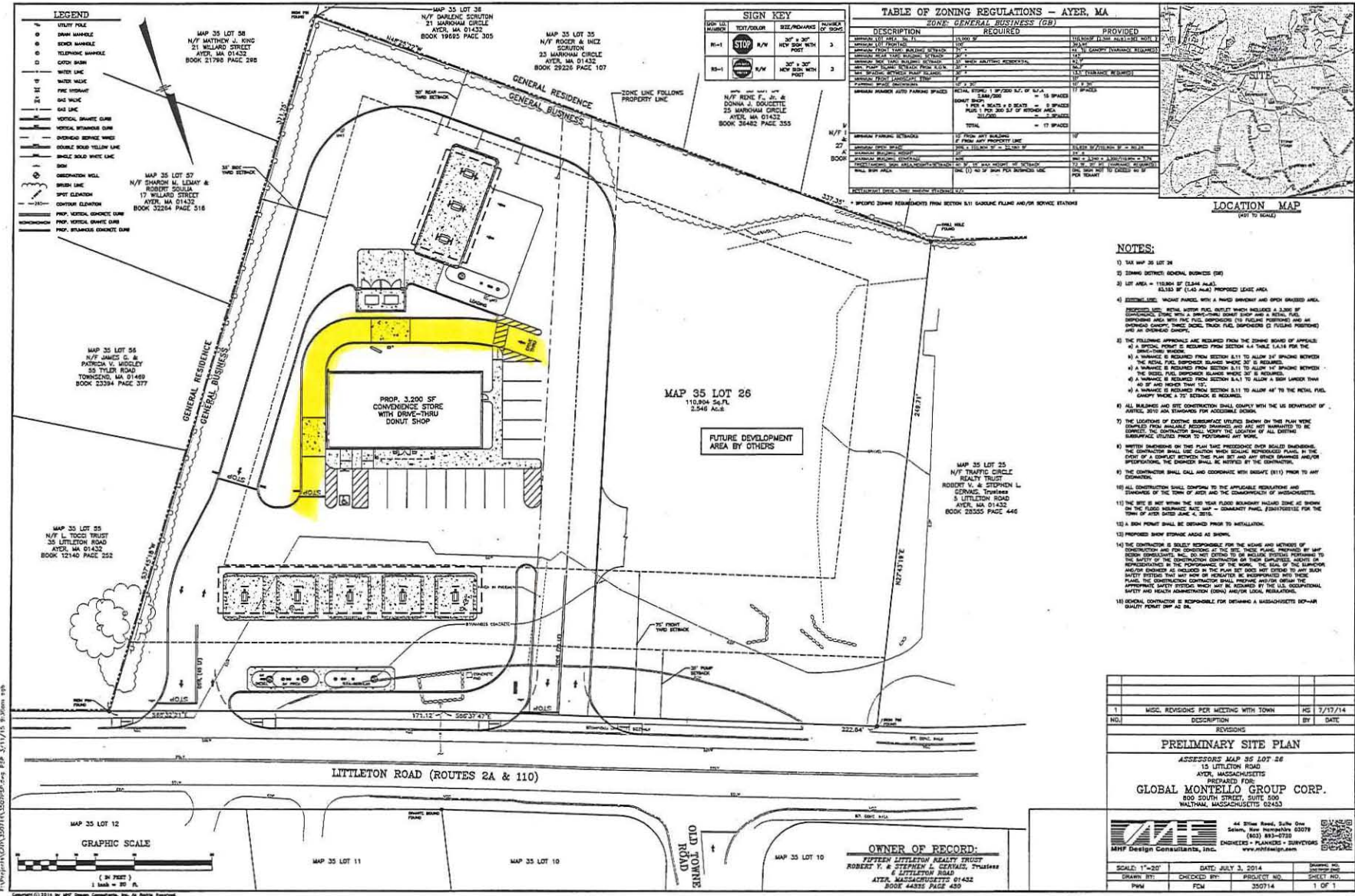
- 1) THE MAP 35 LOT 26
- 2) ZONING DISTRICT: GENERAL BUSINESS (GB)
- 3) LOT AREA = 11,000 SQ. FT. (CLAS. 40A)
- 4) EXISTING: VACANT PARCEL WITH A PAVED DRIVEWAY AND SPED PAVED AREA
- 5) PROPOSED: 3,830 SF CONVENIENCE STORE WITH DRIVE-THRU GAS AND 2 BAY GARAGE. THE EXISTING DRIVEWAY AND SPED PAVED AREA WILL BE REPAVED AND THE DRIVEWAY WILL BE WIDENED TO 12 FEET. THE EXISTING DRIVEWAY AND SPED PAVED AREA WILL BE REPAVED AND THE DRIVEWAY WILL BE WIDENED TO 12 FEET.
- 6) THE FOLLOWING APPROVALS ARE FROM THE ZONING BOARD OF APPEALS ON OCTOBER 2, 2014:
  - A) A SPECIAL USE PERMIT FOR DRIVE-THRU GAS AND 2 BAY GARAGE SECTION 4.4.3 (b) 1.A.1.A.
- 7) ALL MEASUREMENTS AND CONSTRUCTION SHALL COMPLY WITH THE 48 HOUR NOTICE OF APPEAL, 2014 AND STANDARDS FOR ACCESSIBLE DESIGN.
- 8) THE LOCATION OF EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN WERE OBTAINED FROM RECORD DRAWINGS, FIELD SURVEY AND ARE NOT WARRANTED TO BE CORRECT. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING ANY WORK.
- 9) WRITTEN ENDORSEMENTS ON THIS PLAN HAVE PREVIOUSLY BEEN OBTAINED INCLUDING THE CONTRACTOR SHALL USE CAUTION WHEN LOCATING APPROVED PLANS IN THE EVENT OF A CONFLICT BETWEEN THIS PLAN SET AND ANY OTHER DRAWINGS AND/OR ENDORSEMENTS, THE CONTRACTOR SHALL BE NOTIFIED BY THE CONTRACTOR.
- 10) THE CONTRACTOR SHALL CALL AND COORDINATE WITH OCCUPY (811) PRIOR TO ANY EXCAVATION.
- 11) ALL CONSTRUCTION SHALL CONFORM TO THE APPLICABLE REGULATIONS AND STANDARDS OF THE TOWN OF AYER AND THE COMMONWEALTH OF MASSACHUSETTS.
- 12) THE USE OF ANY OTHER THAN THE FLOOR FINISHES INDICATED THEREIN OR SHOWN ON THE FLOOR FINISHES SHEET, MAY BE CONSIDERED AS A VIOLATION OF THE TOWN OF AYER ORDINANCE 4.8.1.B.1.B.
- 13) A SIGN PERMIT SHALL BE OBTAINED FROM THE TOWN OF AYER.
- 14) PROPOSED SIGN STORAGE AREAS AS SHOWN.
- 15) THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION AND FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING ANY WORK.
- 16) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A MASSACHUSETTS 90-THE QUALITY TRUST PLAN AS BIL.

NO.	DESCRIPTION	BY	DATE
REVISIONS			
<b>PRELIMINARY SITE PLAN #2</b>			
ACCESSORS MAP 35 LOT 26 15 LITTLETON ROAD AYER, MASSACHUSETTS PREPARED FOR: <b>GLOBAL MONTELLI GROUP CORP.</b> 830 SOUTH STREET, SUITE 300 WALTHAM, MASSACHUSETTS 02453			
44 Stone Road, Suite One Salem, New Hampshire 03079 (603) 883-0772 <b>ENGINEERS / PLANNERS / SURVEYORS</b> www.mfpdesign.com			
SCALE: 1"=20'	DATE: MARCH 11 2015	DESIGNED BY: CHECKED BY: PROLOGIC: AS	SALEBY: IND.:
DRAWN BY:	CHKD BY:	PROLOGIC: AS	SALEBY: IND.
CCC	FDH	3300714	1 OF 1

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JULY 2014



P:\PROJECTS\AYER\2014\2014\_07\_03\_SIGNED.dwg, PLOT: 3/17/14, 8:58am, 2/14

NO.	DESCRIPTION	DATE
1	ISS. REVISIONS PER MEETING WITH TOWN	7/17/14

**PRELIMINARY SITE PLAN**

ASSESSORS MAP 35 LOT 26  
 15 LITTLETON ROAD  
 AYER, MASSACHUSETTS  
 PREPARED FOR:  
**GLOBAL MONTELLO GROUP CORP.**  
 800 SOUTH STREET, SUITE 500  
 WALTHAM, MASSACHUSETTS 02453

**MDF Design Consultants, Inc.**  
 44 Blue Road, Suite One  
 Salem, MA 01970  
 (508) 893-0720  
 ENGINEERS • PLANNERS • SURVEYORS  
 www.mdfdesign.com

SCALE: 1"=20'  
 DRAWN BY: DATE: JULY 3, 2014  
 CHECKED BY: PROJECT NO.:  
 PWN FCM 350714 1 OF 1

**Town of Ayer  
Zoning Board of Appeals  
Public Hearing Notice**

The Ayer ZBA will conduct a public hearing at 7:15 PM on Wednesday March 18, 2015 at the Ayer Town Hall located at 1 Main Street, Ayer, MA 01432 regarding the application by Chris Hill at 5 Mountain View Avenue Ayer, MA 01432 for a Section 6 finding and setback variance for new home construction on existing lot.

February 27, 2015  
March 6, 2015

RECEIVED  
TOWN CLERK  
TOWN OF AYER

2015 FEB 24 AM 10:00



**Town of Ayer  
ZONING BOARD OF APPEALS  
APPLICATION FOR A HEARING**

**Notes to the Petitioner:**

- All applications for a hearing must be received by the Town Administrator's Office and accompanied by:
  - (6) copies of a registered engineered drawing (size 8 1/2 x 11 or 11 x 17),
  - Certified list of abutters within 300 feet of the premise and certified by the Town of Ayer Board of Assessors. (all certified mail documents receipts are to be given with the application and **mailed by applicant with an abutters notice**)
- The application, when completed and signed, must be filed with a non-refundable application fee of one hundred-sixty five dollars (\$165.00) and a legal ad fee of eighty five dollars (\$ 85.00). Both checks should be made payable to the "Town of Ayer".
- The ZBA shall duly post and conduct a public hearing within 65 days of receiving a completed application and render a decision within 14 days of the close of the Public Hearing. The applicant must wait the appeal period (20 days) after filing the decision with the Town Clerk. The decision, or notice thereof, must be filed by the applicant, at the South Middlesex County Registry of Deeds in Cambridge. Prior to obtaining a building permit, the applicant must present evidence of Registry filing to the Building Inspector and ZBA. This evidence may be a receipt from the Registry with an Instrument number or proof of the Book and Page assigned.

Name of Applicant: Christopher James Hill  
(Full Name)  
5 Mountain View Ave  
(Address)  
Home 978-772-9980 Cell 978-835-0609  
(Phone Number)

Applicant is (check one)  Owner \_\_\_ Tenant \_\_\_ Licensee \_\_\_ Prospective Buyer

The name and address of each holder or legal title to the land which is the subject of this petition (list as it appears on the Deed):

---

Location of Property: 5 Mountain View Ave Ayer Ma 01432

Assessor's Map 22 Parcel 4 Land Size 9,000 sq. ft.

Zoning District (circle one) A-1 A-2 GR GB DB LI HI

Registry of Deeds Book 31301 Page 0534

Water Overlay District (circle one) Zone I Zone II N/A

The undersigned hereby petitions the Town of Ayer Zoning Board of Appeals to vary the terms of the Zoning Bylaws for the following purpose:

A VARIANCE from the requirements of the Town of Ayer Zoning Bylaws

A SPECIAL PERMIT for a specific use which is subject the approval of the Zoning Board of Appeals (For Home Occupations see Page 3 of this Form)

A SPECIAL PERMIT to expand, alter, or change a non-conforming use or structure.

ADMINISTRATIVE APPEAL (i.e. Building Inspector Decision)

Other (Please specify): Section 6 Finding

Did you request a building permit from the Town of Ayer Building Inspector? Not Yet

Yes/No

If yes, were you denied a permit by the Town of Ayer Building Inspector?

NO

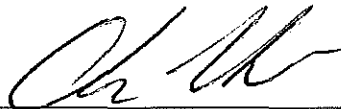
Yes/No

If you were denied a permit, please attach a copy of the decision or state the reasons for the denial.

State briefly the reasons for application:

per Building Commissioner, ZBA  
must make a section 6 finding for  
non conforming lot and determine  
setback variances.

Date: 2/24/15

Signed by   
(Petitioner)

5 Mountz View Ave  
(Street Address)

978-835-0609  
(Daytime Telephone Number)

Check List:

- Completed application
- Two checks made payable to "Town of Ayer" in the amount of \$165.00 & \$ 85.00.
- Six (6) copies of the certified plot plan (8 ½ x 11 or 11 x 17)
- List of abutters Certified by the Assessors office
- Completed certified mail documents (certified mailing to be done by applicant and copied to ZBA's Office Manager along with receipts before the scheduled Public Hearing)

PARCEL\_ID: 019/022.0-0000-0004.0 MAP 022.0

BLOCK 0000

LOT 0004.0

PARCEL ADDRESS: 5 MOUNTAIN VIEW A

as of: 2/24/2015

**PARCEL INFORMATION**

Owner#1: HILL, CHRISTOPHER J  
Owner#2:  
Address#1: 5 MOUNTAIN VIEW AVENUE  
Address#2: AYER MA 01432 USA

Use-Code: 101	Sale Price: 86300	Book: 31301
Tax Class: T	Sale Date: 4/12/2000	Page: 0534
Tot Fin Area: 1249	Sale Type: P	Cert/Doc:
Tot Land Area: 0.21	Sale Valid: A	
	Grantor: C HILL & C CHANDLER	
Inspect Date: 8/1/2013	Road Type: T	Exempt-B/L%: 0/0
Meas Date: 8/1/2013	Rd Condition: P	Resid-B/L%: 100/100
Entrance: X	Traffic: L	Comm-B/L%: 0/0
Collect ID: RRC	Water: PS	Indust-B/L%: 0/0
Inspect Reas: M	Sewer: SW	Open Sp-B/L%: 0/0

**RESIDENCE # 1 INFORMATION**

Style: BN	Tot Rooms: 6	Main Fn Area: 1249	Attic:
Story Height: 1	Bedrooms: 3	Up Fn Area:	Bsmt Area:
Roof: G	Full Baths: 1	Add Fn Area:	Fn Bsmt Area:
Ext Wall: AV	Half Baths:	Unfin Area:	Bsmt Grade:
Masonry Trim:	Ext Bath Fix:	Tot Fin Area: 1249	
Foundation: CN	Bath Qual: T		RCNLD: 65827
	Kitch Qual: T	Eff Yr Built: 1965	Mkt Adj:
Heat Type: ST	Ext Kitch:	Year Built: 1925	Sound Value:
Fuel Type: G		Grade: FA	Cost Bldg: 65800
Fireplace: 1	Bsmt Gar Cap:	Condition: FA	Att Str Val1:
Central AC:	Bsmt Gar SF:	Pct Complete:	Att Str Val2:
	Att Gar SF:	%Good P/F/E/R: ///48	

**LAND INFORMATION**

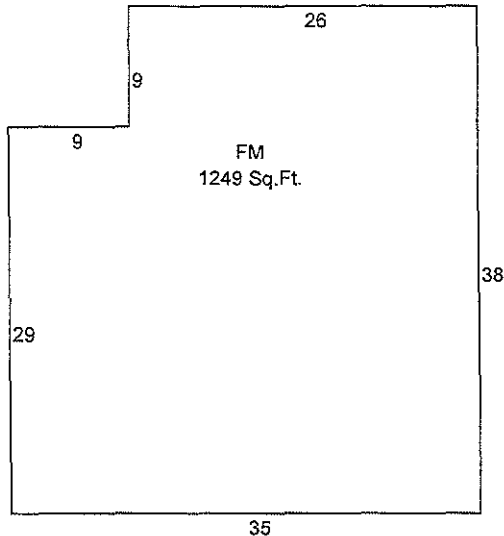
<b>NBHD CODE: 200</b>		<b>NBHD CLASS:</b>		<b>ZONE: A2</b>	
Seg	Type	Code	Method	Sq-Ft	Acres
1	P	101	S	9000	N
					100350

**DETACHED STRUCTURE INFORMATION**

Str	Unit	Msr-1	Msr-2	E-YR-Blt	Grade	Cond	%Good	P/F/E/R	Cost	Class
PT	S	360		1940	F	F	///41		900	1
G1	S	968		2000	A	A	///75/69		19900	

<u>Porch Type</u>	<u>Porch Area</u>	<u>Porch Grade Factor</u>
-------------------	-------------------	---------------------------

**SKETCH**



**VALUATION INFORMATION**

Current Total:	187000	Bldg: 86600	Land: 100400	MktLnd: 100400
Prior Tot:	187000	Bldg: 86600	Land: 100400	MktLnd: 100400

**PHOTO**

**RECORD OWNERS:**

CHRISTOPHER J. HILL  
5 MOUNTAIN VIEW AVENUE  
AYER, MA 01432

**REFERENCES:**

DEED BOOK 31301 PAGE 534  
PLAN BOOK 288 PLAN 44  
PLAN 1743 OF 1988

**LEGEND:**

- CLF CHAIN LINK FENCE
- DH DRILL HOLE
- IROD IRON ROD
- L LANDING
- SFE STOCKADE FENCE
- SB STONE BOUND
- TBR TO BE REMOVED
- W/F WOOF FRAME

N/F  
PATRICIA W. & HOWARD W.  
HALL  
BK: 34634 PG: 353

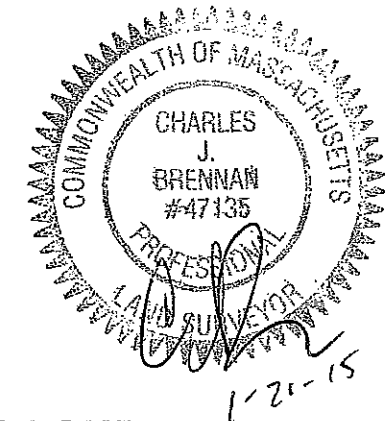
N/F  
KEVIN & DANA L. BRESNAHAN  
BK: 41453 PG: 194

**NOTES:**

- 1.) THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY PERFORMED ON JUNE 6, 2014.
- 2.) SUBSURFACE AND ABOVE GROUND UTILITIES WERE NOT INCLUDED AS PART OF THIS SURVEY, THEY WERE NOT RESEARCHED NOR SHOWN HEREON.
- 3.) A TITLE EXAMINATION WAS NOT PROVIDED FOR THIS SURVEY. AS SUCH OTHER MATTERS OF RECORD MAY EXIST AND NOT BE SHOWN HEREON.
- 4.) ALL BUILDING OFFSETS ARE MEASURED TO EXISTING AND PROPOSED FINISHED SIDING. PROPOSED DWELLING DIMENSIONS SHOWN HERE ON REFER TO THE PROPOSED FOUNDATION.

**ZONING:**  
RESIDENCE A2

N/F  
CHARLES J. & MARTHA M.  
COMEAU  
BK: 31633 PG: 429



**PROPOSED  
PLOT PLAN  
IN  
AYER, MA**

AT 5 MOUNTAIN VIEW AVENUE

PREPARED FOR  
**CHRIS HILL**

BY  
**SUMMIT SURVEYING INC.**

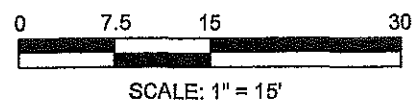
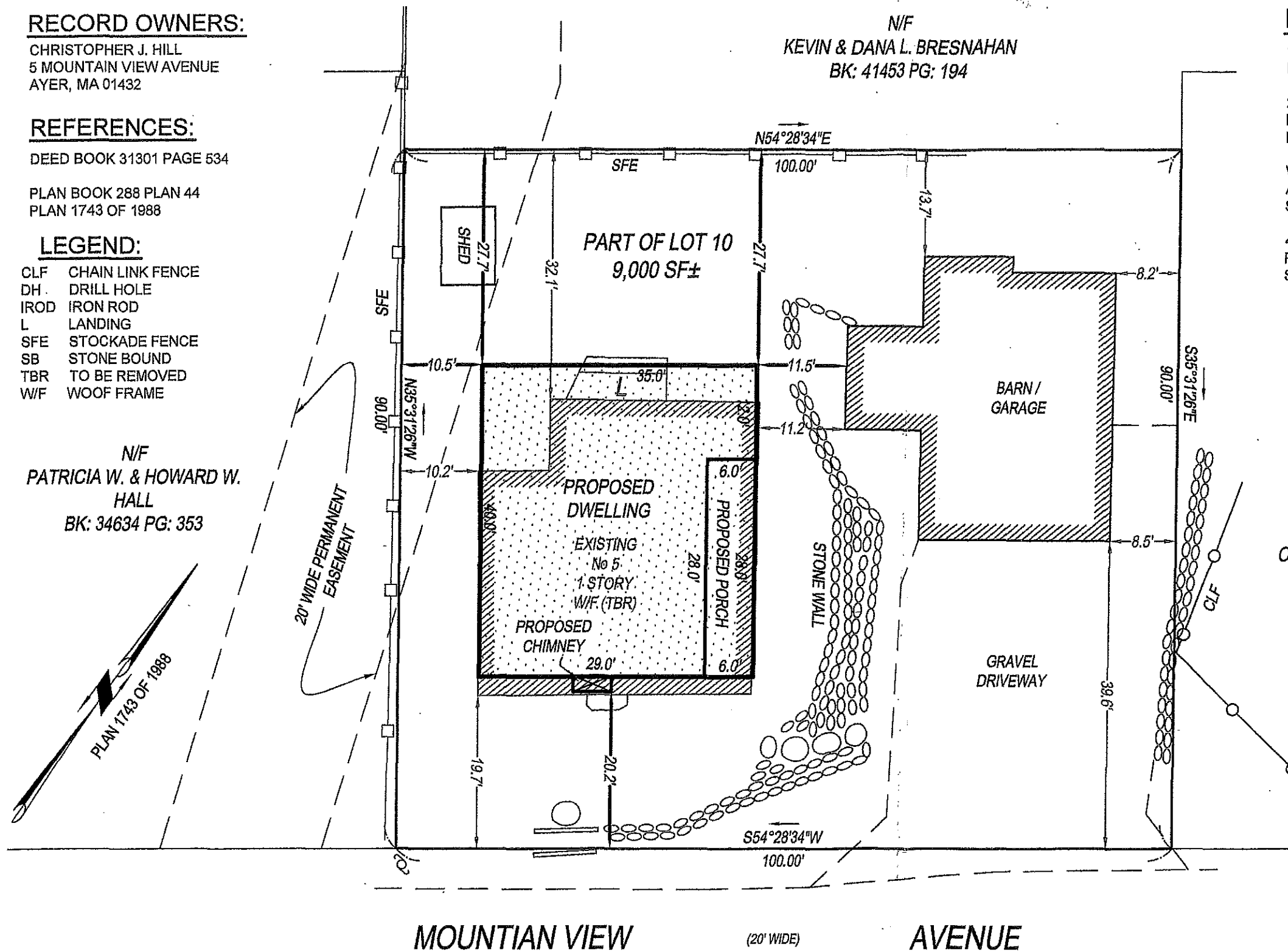
285 LITTLETON ROAD, SUITE 2, WESTFORD, MA

TEL. 978-692-7109

WWW.SUMMITSURVEYINGINC.COM

JUNE 23, 2014

14-0138





Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

<u>X</u>	BOS/Town Administrator	Review Deadline Date <u>Thursday March 12, 2015</u>
_____	Board of Health	
_____	Department of Public Works	Public Hearing Date <u>Wednesday March 18, 2015</u>
_____	Police Department	
_____	Fire Department	
_____	Building Inspector/Zoning Enforcement Officer	
_____	Conservation Committee	
_____	Tax Collector	
_____	Assessor's Office	

Note -  
This application is for both a Section 6 finding and setback variance. Applicant plans to demo existing house and build new house on existing lot.

X Variance                      \_\_\_\_\_ Special Permit                      X Finding/Appeal

Title Chris Hill, 5 Mountain View Avenue                      Dated February 24, 2015

Submitted by Chris Hill

Address 5 Mountain View Avenue                      Telephone 978-772-9980 (home) 978-835-0609 (mobile)

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

\_\_\_\_\_ Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments: Received / Reviewed 2/24/2015

Signed Robert A. Patten                      Title Town Administrator

Date 2/24/2015





Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

  X   BOS/Town Administrator  
   Board of Health  
   Department of Public Works  
   Police Department  
   Fire Department  
   Building Inspector/Zoning Enforcement Officer  
   Conservation Committee  
   Tax Collector  
   Assessor's Office

Review Deadline Date Thursday March 12, 2015

Public Hearing Date Wednesday March 18, 2015

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  V   Approved                             Modifications Needed                             Disapprove

Comments:

Signed Bridgette Braby                      Title Deputy Agent

Date 3/11/15



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form - Department Head Review

Thursday March 12, 2015

- \_\_\_\_\_ BOS/Town Administrator
- \_\_\_\_\_ Board of Health
- Department of Public Works
- \_\_\_\_\_ Police Department
- \_\_\_\_\_ Fire Department
- \_\_\_\_\_ Building Inspector/Zoning Enforcement Officer
- \_\_\_\_\_ Conservation Committee
- \_\_\_\_\_ Tax Collector
- \_\_\_\_\_ Assessor's Office

Review Deadline Date \_\_\_\_\_

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\_\_\_\_\_ Approved                       Modifications Needed                      \_\_\_\_\_ Disapprove

Comments: *There is an 8-inch sewer pipe in the 20' permanent easement. The sewer needs to be located in the easement and the foundation excavation must be a minimum of 10 feet from the sewer. Also note that the fence and shed should NOT be in the easement and will be removed. If access to the sewer is required.*

Signed *Mark Wetzel*                      Title DPWS Supt.  
*Mark Wetzel P.E.*

Date 3/12/15



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

\_\_\_\_\_ BOS/Town Administrator  
\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
 \_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
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Variance                      \_\_\_\_\_ Special Permit                       Finding/Appeal

Title Chris Hill, 5 Mountain View Avenue                      Dated February 24, 2015

Submitted by Chris Hill

Address 5 Mountain View Avenue                      Telephone 978-772-9980 (home) 978-835-0609 (mobile)

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Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments:

Signed [Signature]

Title Chief of Police

Date 2/25/15



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form - Department Head Review

_____	BOS/Town Administrator	Review Deadline Date <u>Thursday March 12, 2015</u>
_____	Board of Health	
_____	Department of Public Works	Public Hearing Date <u>Wednesday March 18, 2015</u>
_____	Police Department	
<u>X</u>	Fire Department	
_____	Building Inspector/Zoning Enforcement Officer	
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X Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments:

Signed [Signature]

Title Fire Chief

Date 2/26/15



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

\_\_\_\_\_ BOS/Town Administrator  
\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
X \_\_\_\_\_ Fire Department  
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Review Deadline Date Thursday March 12, 2015  
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\_\_\_\_\_ Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments: NO OBJECTIONS w/ THIS REQUEST.

Signed [Signature]  
Date 24.FEB '15

Title BUILD-COMM.



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

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_____	Fire Department		
<u>X</u>	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		

Note -  
This application is for both a Section 6 finding and setback variance. Applicant plans to demo existing house and build new house on existing lot.

X Variance                      \_\_\_\_\_ Special Permit                      X Finding/Appeal

Title Chris Hill, 5 Mountain View Avenue                      Dated February 24, 2015

Submitted by Chris Hill

Address 5 Mountain View Avenue                      Telephone 978-772-9980 (home) 978-835-0609 (mobile)

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

\_\_\_\_\_ Approved                      X Modifications Needed                      \_\_\_\_\_ Disapprove

Comments: Non-jurisdictional - but - LANDOWNER TO PLACE EROSION CONTROL BARRIERS (HAY BALES) ALONG FENCE ON WEST SIDE OF PROPERTY.

Signed [Signature]                      Title com com chair

Date 2.26.15



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

\_\_\_\_\_ BOS/Town Administrator  
\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
 Conservation Committee  
 Tax Collector  
\_\_\_\_\_ Assessor's Office

Review Deadline Date Thursday March 12, 2015

Public Hearing Date Wednesday March 18, 2015

Note -

This application is for both a Section 6 finding and setback variance. Applicant plans to demo existing house and build new house on existing lot.

Variance                      \_\_\_\_\_ Special Permit                       Finding/Appeal

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Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments:



Signed Susan Copeland

Title Town Clerk & Tax Collector

Date February 25, 2015



Town of Ayer  
Zoning Board of Appeals  
Transmittal Form – Department Head Review

\_\_\_\_\_ BOS/Town Administrator  
\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
\_\_\_\_\_ Conservation Committee  
\_\_\_\_\_ Tax Collector  
X Assessor's Office

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X Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

Comments:

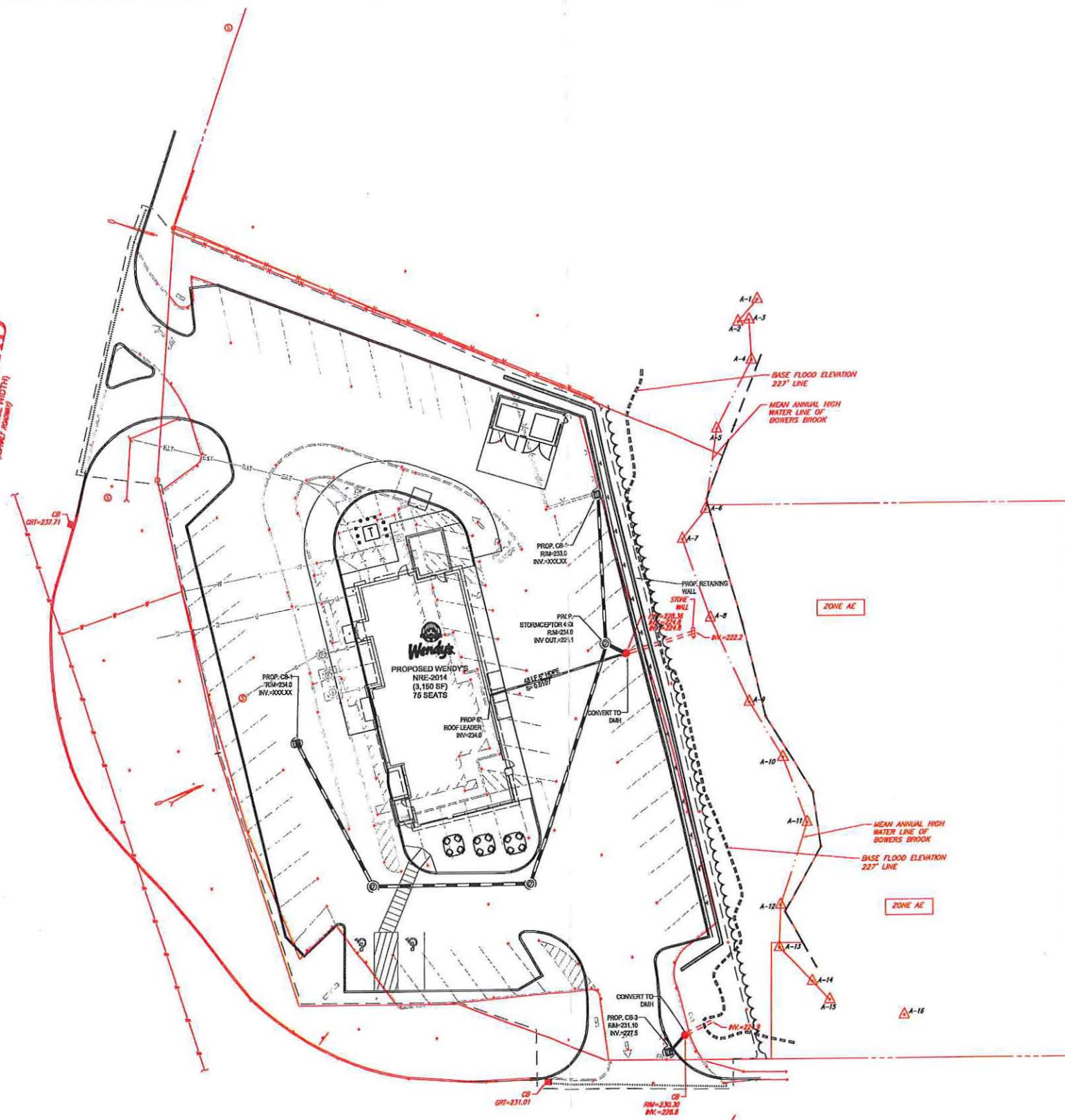
Signed Thomas S. Hyslop  
Date 3/3/2015

Title Assessing Administrator





**HARVARD ROAD**  
(PUBLIC-VARIABLE WIDTH)  
(CONVERT ROADWAY)



**BARNUM ROAD**  
(PUBLIC-VARIABLE WIDTH)  
(CONVERT ROADWAY)  
APPROX. LOC. FLOOD HAZARD ZONE LIMIT LINE

**SUMMARY OF DRAINAGE CALCULATIONS**

**"C" BEFORE EXISTING SITE**

CONDITION	AREA (SF)	%	COEFF.	FRACT. COMP.
ASPHALT/SLUDDING	32,141	74.69%	0.9	0.08
LANDSCAPE/GRASS	10,737	25.04%	0.3	0.08
<b>TOTAL</b>	<b>33,928</b>	<b>100.00%</b>	<b>"C" COMPOS.</b>	<b>-0.75</b>

**"C" AFTER PROPOSED SITE**

CONDITION	AREA (SF)	%	COEFF.	FRACT. COMP.
ASPHALT/SLUDDING	23,747	55.42%	0.9	0.02
LANDSCAPE/GRASS	13,111	30.55%	0.3	0.08
<b>TOTAL</b>	<b>36,825</b>	<b>100.00%</b>	<b>"C" COMPOS.</b>	<b>-0.71</b>

**APPROXIMATE TIME OF CONCENTRATIONS & STORM INTENSITIES**

T<sub>C</sub> = 5 MIN (TIME OF CONCENTRATION - EXISTING)  
T<sub>C</sub> = 5 MIN (TIME OF CONCENTRATION - PROPOSED)  
1 = 4.5 IN HR (2 YR STORM INTENSITY)  
1 = 5.8 IN HR (10 YR STORM INTENSITY)  
1 = 8.5 IN HR (25 YR STORM INTENSITY)  
1 = 8.5 IN HR (100 YR STORM INTENSITY)

**DETERMINE OFF-SITE RUNOFF - TOTAL SITE:**

	2 YR	10 YR	25 YR	100 YR
"C" EXISTING = "C" COMP. X I X AREA =	3.22	4.28	4.80	5.91
"C" PROP. = "C" COMP. X I X AREA =	3.14	4.05	4.54	5.59
<b>NET INCREASE/DECREASE IN RUNOFF =</b>	<b>-0.18</b>	<b>-0.23</b>	<b>-0.26</b>	<b>-0.32</b>

**NOTE:** NO INCREASE IN RUNOFF DUE TO INCREASE IN PERVIOUS SURFACES 2,374 SF  
110 DETENTION IS PROPOSED.

**BOHLER ENGINEERING**

SITE CIVIL AND CONSULTING ENGINEERING  
LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE  
SUSTAINABLE DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES

NEW YORK, NY  
NEW JERSEY  
CONNECTICUT  
MASSACHUSETTS  
VIRGINIA  
FLORIDA  
SOUTH CAROLINA  
ALABAMA  
LOUISIANA  
MISSISSIPPI  
ARKANSAS  
OKLAHOMA  
KANSAS  
MINNESOTA  
WISCONSIN  
ILLINOIS  
INDIANA  
MICHIGAN  
OHIO  
PENNSYLVANIA  
DELAWARE  
MARYLAND  
DISTRICT OF COLUMBIA  
GEORGIA  
SOUTH DAKOTA  
NEBRASKA  
NEVADA  
UTAH  
ARIZONA  
IDAHO  
MONTANA  
WYOMING  
COLORADO  
NEW MEXICO  
TEXAS  
CALIFORNIA  
OREGON  
WASHINGTON  
MONTANA  
WYOMING  
COLORADO  
NEW MEXICO  
TEXAS  
CALIFORNIA  
OREGON  
WASHINGTON

**REVISIONS**

REV	DATE	COMMENT	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

**PRELIMINARY**

PROJECT No.: W141024  
DRAWN BY: ADJ/CD  
CHECKED BY: JGS  
DATE: 01/28/2015  
SCALE: AS NOTED  
CAD I.D.: W141024255

**SITE DEVELOPMENT PLANS FOR**

**Wendy's**

LOCATION OF SITE  
LOTS 17, 19 & 191, MAP 35  
2 BARNUM ROAD  
TOWN OF AYER  
MIDDLESEX COUNTY  
MASSACHUSETTS

**BOHLER ENGINEERING**

352 TURNPIKE ROAD  
SOUTHBOROUGH, MA 01772  
Phone: (508) 490-9900  
Fax: (508) 490-9900  
www.BohlerEngineering.com

**W.D. GOEBEL**

PROFESSIONAL ENGINEER  
MASSACHUSETTS LICENSE No. 4264  
RHODE ISLAND LICENSE No. 7268  
CONNECTICUT LICENSE No. 21454  
NEW HAMPSHIRE LICENSE No. 10290  
MAINE LICENSE No. 900  
NEW YORK LICENSE No. 971584  
FLORIDA LICENSE No. 6822

THIS PLAN TO BE UTILIZED FOR SITE GRADING PURPOSES ONLY

REFER TO GENERAL NOTES SHEET FOR GRADING & UTILITY NOTES



SHEET TITLE:

**OVERLAY**

SHEET NUMBER:

**X**

OF 14

REV 0 - 01/26/2015

\\msw3\project\141024\141024.dwg - 10/20/14 - 4:28:00 PM - s:\msw3\141024.dwg - 10/20/14 - 4:28:00 PM - s:\msw3\141024.dwg

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



**Wednesday February 11, 2015**  
**Open Session Meeting Minutes**

*Not Recorded by APAC*

Present: Jeremy Callahan, Chair; Christa Maxant, Clerk; Ron Defilippo; Sam Goodwin; Michael Gibbons (Alternate);

**Call to Order:** J. Callahan called the meeting to order at 7:00 PM.

**Moment of Silence:** J. Callahan asked for a moment of silence in remembrance of Zoning Board Member Howard Hall who recently passed away.

**Continued Public Hearing from January 14, 2015 & January 20, 2015 –Special Permit Application – Borrego Solar Systems, Inc – East of Groton School Road/Park Street (Filed 11/17/14):** J. Callahan re-opened the public hearing at 7:01 PM. TJ Murphy of Borrego Solar and Justin Woodward from National Grid gave an overview of the project and the local permitting they have been through with the Ayer Conservation Commission.

S. Goodwin had questions about the actual ownership of the project. T. Murphy stated that the project will be owned and operated by National Grid, but Borrego Solar had just been contracted to build the solar array. T. Murphy stated that the solar array is considered an asset, similar to poles/substations.

S. Goodwin stated that National Grid should have applied for the Special Permit. T. Murphy said they were contracted by National Grid to apply.

R. Defillipo stated that he was ok with the project and that he would hate to see the project not move forward due to a technicality.

C. Maxant asked how this project is considered a research project. T. Murphy stated that National Grid will be testing software in the inverters at this site as to gain maximum benefit of the solar array.

Mr. David Messcher of 11 Gardner Lane has a question about screening around the property. Both T. Murphy and the J. Woodward said they planned on putting up evergreens on the north side of the array. J. Callahan asked that Borrego Solar and National Grid send a revised site plan showing screening for review.

C. Maxant asked Borrego Solar and National Grid to send an example of a decommissioning plan, not for this site, but as an example. T. Murphy will be sending a plan along.

J. Callahan asked Borrego Solar and National Grid to submit: 1) a revised application, clearly stating that National Grid will own and operate the project; 2) a screening plan; 3) a sample decommissioning plan.

**Motion:** A motion was made by J. Callahan and seconded by M. Gibbons to approve the special permit request on the revised application with National Grid as the owner and operator of the project pursuant to the Zoning Bylaw Table 4.4, *Table of Use Regulations* Subsection 2.6 *Public Utility without service yard*. **Motion passed 5-0.**

**Motion:** A motion was made by J. Callahan and seconded by C. Maxant to close the public hearing at 7:51 PM. **Motion passed 5-0.**

**Public Hearing – Variance Application – JAR Realty Corporation, 1 Nemco Way (Filed 1/12/15):** J. Callahan opened the public hearing at 7:55 PM and read the public hearing notice as published in the Ayer Public Spirit on January 23, 2015 and January 30, 2015.

Mr. Steve O’Connell from Andrews Survey & Engineering stated that the applicant, JAR Realty Corporation, 1 Nemco Way is seeking two forms of relief: 1) to allow a maximum of 15’ side setback (25’ required in bylaw) and 2) to allow a 47’ building height (40’ maximum height allowed in bylaw).

S. Goodwin had a question about the height of the building. S. O’Connell stated the height of the building needs to be at 47’ to work within existing framework and to allow for enough ceiling space.

**Motion:** A motion was made by J. Callahan and seconded by R. Defilippo to approve the application for a variance to allow a 1) maximum of 15’ side setback and 2) a 47’ building height. **Motion passed 5-0.**

**Motion:** A motion was made by J. Callahan and seconded by S. Goodwin to close the public hearing at 8:03 PM. **Motion passed 5-0.**

**Request for Modification to Special Permit:** Vincent Benincasa from Habitat for Humanity of North Central Massachusetts has requested a slight modification to the special permit granted by constructive approval in the summer of 2014. Habitat is seeking to alter the design of the home; however the square footage will remain the same. Also they are looking to add an additional driveway, which has already been reviewed by the DPW and agreed to.

**Motion:** A motion was made by J. Callahan and seconded by M. Gibbons to endorse the requested modification as non-substantial in nature. **Motion passed 5-0.**

**New Business:** J. Callahan asked the members that if funding was available in the FY’16 budget, would members be interested in training opportunities through the Citizen Planner Training Collaborative. Several members were interested.

**Approval of Meeting Minutes:**

**Motion:** A motion was made by J. Callahan and seconded by S. Goodwin to approve the meeting minutes of January 20, 2015. **Motion passed 5-0.**

**Adjournment:**

**Motion:** A motion was made by J. Callahan and seconded by M. Gibbons to adjourn at 8:25 PM.

**Motion passed 5-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by ZBA: \_\_\_\_\_

Christa Maxant, Clerk: \_\_\_\_\_

DRAFT