


RECEIVED
APR 13 2021

TOWN OF AYER
TOWN CLERK

 5:00pm

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



Wednesday April 21, 2021
Open Session Remote Participation Meeting Agenda

Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order Temporarily Suspending Certain Provisions of the Open Meeting Law. Public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means." This meeting will be broadcast live on Channel 8, and on Zoom. The public may participate remotely by following the call-in information on the bottom of the live broadcast screen. For the Zoom meeting information relating to remote participation, please contact Assistant Town Manager Carly Antonellis at atm@ayer.ma.us or 978-772-8220 x100.

6:00 PM **Call to Order**

Approval of Agenda

Public Hearing – Application for Variance – Sawyer May, LLC – Joseph A. Cataldo, Jr. 66 Westford Road (Filed March 29, 2021)

Approval of Meeting Minutes

March 17, 2021

Adjournment

The next regularly scheduled ZBA Meeting is May 19, 2021

RECEIVED
MAR 29 2021

TOWN OF AYER
TOWN CLERK

1:15 pm (pa)

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



The Ayer ZBA will conduct a remote public hearing at 6:00PM on Wednesday April 21, 2021 regarding the application by Sawyer May, LLC. – Joseph A. Cataldo, Jr. for property located at 66 Westford Road, Ayer, MA. Applicant is seeking a use variance pursuant to Ayer Zoning Bylaw (2019, as amended) 5.2 Table of Use Regulations Section 5.14 to allow an automotive service repair establishment in the Industrial District located in a portion of the building pursuant to Article 3.2(B)(2). For Zoom/Call-In information please contact atm@ayer.ma.us or 978-772-8220.

Advertised April 2, 2021 and April 9, 2021 *The Nashoba Valley Voice*

RECEIVED
MAR 29 2021

TOWN OF AYER
TOWN CLERK

9:55am


Town of Ayer
ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING



Name of Applicant: Sawyer May, LLC - Joseph A. Cataldo, Jr.
(Full Name)

41 Robinson Road, Littleton, MA 01460
(Address)

(978) 501-6831
(Phone Number)

jcataldo@mjcataldo.com
(Email Address)

Applicant is: Owner Tenant Licensee Prospective Buyer*
*If you are a tenant, licensee or prospective buyer please include a letter from the property owner acknowledging the application with the Zoning Board of Appeals.

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):

Sawyer May, LLC - 41 Robinson Road, Littleton, MA 01460

Location of Property:

66 Westford Road, Ayer, MA 01432

Assessor's Map 7 Parcel 8 Land Size 4.88 acres

Zoning District: A-1 A-2 GR GB DB LI I MUT HCS
Circle One

Registry of Deeds Book 71063 Page 99

Aquifer Protection 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
- A SPECIAL PERMIT to expand, alter, or change a non-conforming use or structure.
- ADMINISTRATIVE APPEAL (i.e. Building Inspector Decision)

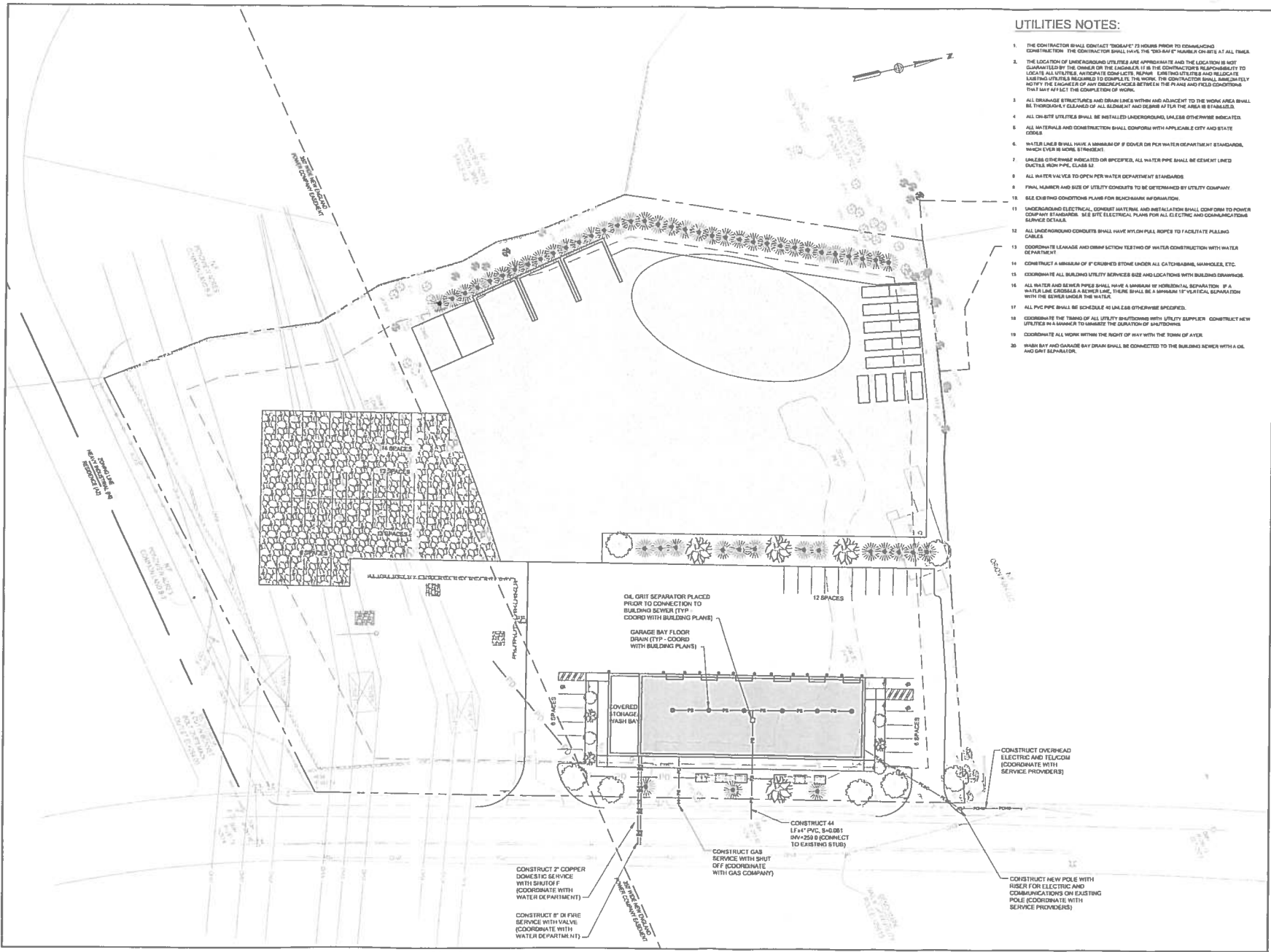
Did you request a building permit from the Town of Ayer Building Inspector? N/A

If yes, were you denied a permit by the Town of Ayer Building Inspector? N/A
If you were denied a permit, please attach a copy of the decision from Building Commissioner's Office.

State briefly the reasons for application and include the appropriate citation(s) from the Ayer Zoning Bylaw, March 19, 2018 Version:

Seeking a use variance from the Town of Ayer Zoning By-Law Article 5.2 Table of
Use Regulations Section 5.14 to allow an automotive repair establishment in the
Industrial District located in a portion of the building at 66 Westford Road, Ayer, MA
pursuant to Article 3.2 (B)(2).

Date: 3/25/21 Signed by 
(Petitioner)
Joseph A. Cataldo, Jr.
c/o Law Office of Thomas A. Gibbons, P.C.
(978) 772-2284
tgibbons@tgibbonslaw.com



UTILITIES NOTES:

1. THE CONTRACTOR SHALL CONTACT "DIGSAFE" 72 HOURS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL HAVE THE "DIGSAFE" MARKER ON SITE AT ALL TIMES.
2. THE LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE AND THE LOCATION IS NOT GUARANTEED BY THE OWNER OR THE ENGINEER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL UTILITIES, ANTICIPATE CONFLICTS, REPAIR EXISTING UTILITIES AND RELOCATE EXISTING UTILITIES REQUIRED TO COMPLETE THE WORK. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN THE PLANS AND FIELD CONDITIONS THAT MAY AFFECT THE COMPLETION OF WORK.
3. ALL BRONZE STRUCTURES AND BRASS LINES WITHIN AND ADJACENT TO THE WORK AREA SHALL BE THOROUGHLY CLEANED OF ALL SLOTTING AND DEBRIS AT THE TIME AS STABILIZED.
4. ALL ON-SITE UTILITIES SHALL BE INSTALLED UNDERGROUND, UNLESS OTHERWISE INDICATED.
5. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE CITY AND STATE CODES.
6. WATER LINES SHALL HAVE A MINIMUM OF 9" COVER OR PER WATER DEPARTMENT STANDARDS, WHICH EVER IS MORE STRINGENT.
7. UNLESS OTHERWISE INDICATED OR SPECIFIED, ALL WATER PIPE SHALL BE CEMENT LINED DUCTILE IRON PIPE, CLASS II.
8. ALL WATER VALVES TO OPEN PER WATER DEPARTMENT STANDARDS.
9. FINAL NUMBER AND SIZE OF UTILITY CONDUITS TO BE DETERMINED BY UTILITY COMPANY.
10. SEE EXISTING CONDITIONS PLANS FOR BEHIND-BARRIER GRADATION.
11. UNDERGROUND ELECTRICAL, CONDUIT MATERIAL AND INSTALLATION SHALL CONFORM TO POWER COMPANY STANDARDS. SEE SITE ELECTRICAL PLANS FOR ALL ELECTRIC AND COMMUNICATIONS SERVICE DETAILS.
12. ALL UNDERGROUND CONDUITS SHALL HAVE NYLON PULL ROPES TO FACILITATE PULLING CABLES.
13. COORDINATE LEAKAGE AND DRAIN SECTION TESTS OF WATER CONSTRUCTION WITH WATER DEPARTMENT.
14. CONSTRUCT A MINIMUM OF 6" COVERED STONE UNDER ALL CATCHBASINS, MANHOLES, ETC.
15. COORDINATE ALL BUILDING UTILITY SERVICES SIZE AND LOCATION WITH BUILDING ENGINEER.
16. ALL WATER AND SEWER PIPES SHALL HAVE A MINIMUM 18" VERTICAL SEPARATION. IF A WATER LINE CROSSES A SEWER LINE, THERE SHALL BE A MINIMUM 18" VERTICAL SEPARATION WITH THE SEWER UNDER THE WATER.
17. ALL PVC PIPE SHALL BE SCHEDULE 40 UNLESS OTHERWISE SPECIFIED.
18. COORDINATE THE TRIMMING OF ALL UTILITY SHUTTINGS WITH UTILITY SUPPLIER. CONSTRUCT NEW UTILITIES IN A MANNER TO MINIMIZE THE DURATION OF SHUTTINGS.
19. COORDINATE ALL WORK WITHIN THE RIGHT OF WAY WITH THE TOWN OF AYER.
20. REAR BAY AND GARAGE BAY DRAIN SHALL BE CONNECTED TO THE BUILDING SEWER WITH A 6" AND GWT SEPARATOR.

SITE DEVELOPMENT

68 WESTFORD ROAD
 AYER, MASSACHUSETTS
 Prepared for:
SAWYER MAY, LLC
 PO BOX 1343
 LITTLETON, MASSACHUSETTS

LEGEND

- PROPERTY LINE
- CONTIGUOUS
- SEWER LINE
- WATER LINE
- GAS LINE
- OVERHEAD WIRE
- FEEDER
- STONE WALL
- DRAIN LINE
- TREES
- DRAIN MANHOLE
- SEWER MANHOLE
- HYDRANT
- UTILITY POLE
- PROPOSED
- EDGE OF PAVEMENT
- RIP RAP
- REDEMATIONATION BARRIER
- DRAIN MANHOLE
- DRAIN MANHOLE
- DRAIN MANHOLE
- ELECTRIC LINES
- SEWER LINE
- NEW OBTAINED LANDSCAPE

SCALE IN FEET
 1"=30'



OCG
 Oak Consulting Group
 P.O. Box 1124
 Newburyport, MA 01950
 Ph. 978.512.3120

SITE UTILITIES PLAN

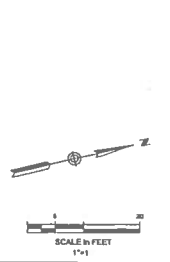
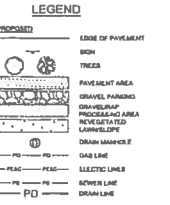
1	REVISED PER TOWN ENGINEER	01/18/18
No.	Revision/Issue	Date
Design by:	SPU	SPU
Drawn by:	SPU	SPU
Project:	18007	Sheet
Issue:		May 11, 2018
C-004		

SYMBOL	COMMON NAME	SIZE
Screening Trees		
WP	White Pine	7-8'
NS	Norway Spruce	7-8'
WS	White Spruce	7-8'
AA	Dark American Arborvitae	7-8'
Flowering Trees		
KD	Kousa Dogwood	2-2.5" caliper
LL	Little Leaf Linden	2-2.5" caliper
RM	Red Maple	2-2.5" caliper
Shrubs		
WB	Winterberry	5 gallon pot
VM	Viburnum	5 gallon pot
RD	Rhododendron	2-2.5"
LC	Lilac	4-5'
KF	Karl Forester Grasses	5 gallon pot
BH	Bobo Hydrangea	5 gallon pot
PS	Little Princess Spiraea	5 gallon pot

MIXED PERENNIALS/BULBS BEDS SHALL BE:
 5 ALLIUM
 35 DAFFODIL
 4 AUTUMN JOY SEDUM
 5 BLACK EYED SUSAN
 3 NEPETA
 5 LITTLE BUNNY FOUNTAIN GRASS

- LANDSCAPING NOTES:**
- ALL PLANTS SHALL BE SET OR SAVED TO MEET THE MINIMUM REQUIREMENTS BY THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK BY AMERICAN ASSOCIATION OF NURSERYMEN AND B&L.
 - TREES SHALL BE LOCATED A MINIMUM OF 5' FROM UNDERGROUND UTILITIES AND CURBLINE.
 - PLANTING SCHEDULE MIXTURE: 4 PARTS TOPSOIL, 1 PART PEAT MOSS, 10 LBS. 5-10-5 PLANTING FERTILIZER PER CUBIC YARD THROUGHOUT BAGGED.
 - STAKE TREES IMMEDIATELY AFTER PLANTING.
 - MULCH BEDS WITH 2" DEPTH, SHREDED HARDWOOD BARK MIXTURE AND WEED BARRIER.
 - LAWN BEDS MIXTURES ARE RECOMMENDED TO BE APPLIED AT A RATE OF 3.0 LB. / 1000 SF. SEEDS THE FOLLOWING:
 5% BENTONIC RHYTHIDY BLUEGRASS
 35% BENTONIC RHYTHIDY BLUEGRASS
 35% BENTONIC RHYTHIDY BLUEGRASS
 25% PERENNIAL RYEGRASS
 10% PERENNIAL RYEGRASS
 10% PERENNIAL RYEGRASS
 - ALL DISTURBED NOT OTHERWISE RELATED AREAS ARE TO RECEIVE FOUR INCHES OF EXPOSED TOPSOIL, HYDROSEAL, MULCH AND WATER LIME, A HEALTHY STAND OF GRASS IS TO BE MAINTAINED.
 - PLANTING SHOWN SHALL BE CONSIDERED A MINIMUM REQUIREMENT. THE OWNER/CONTRACTOR MAY SUPPLEMENT WITH ADDITIONAL PLANTINGS.

SITE DEVELOPMENT
 66 WESTFORD ROAD
 LITTLETON, MASSACHUSETTS
 Prepared for:
SAWYER MAY, LLC
 PO BOX 1543
 LITTLETON, MASSACHUSETTS



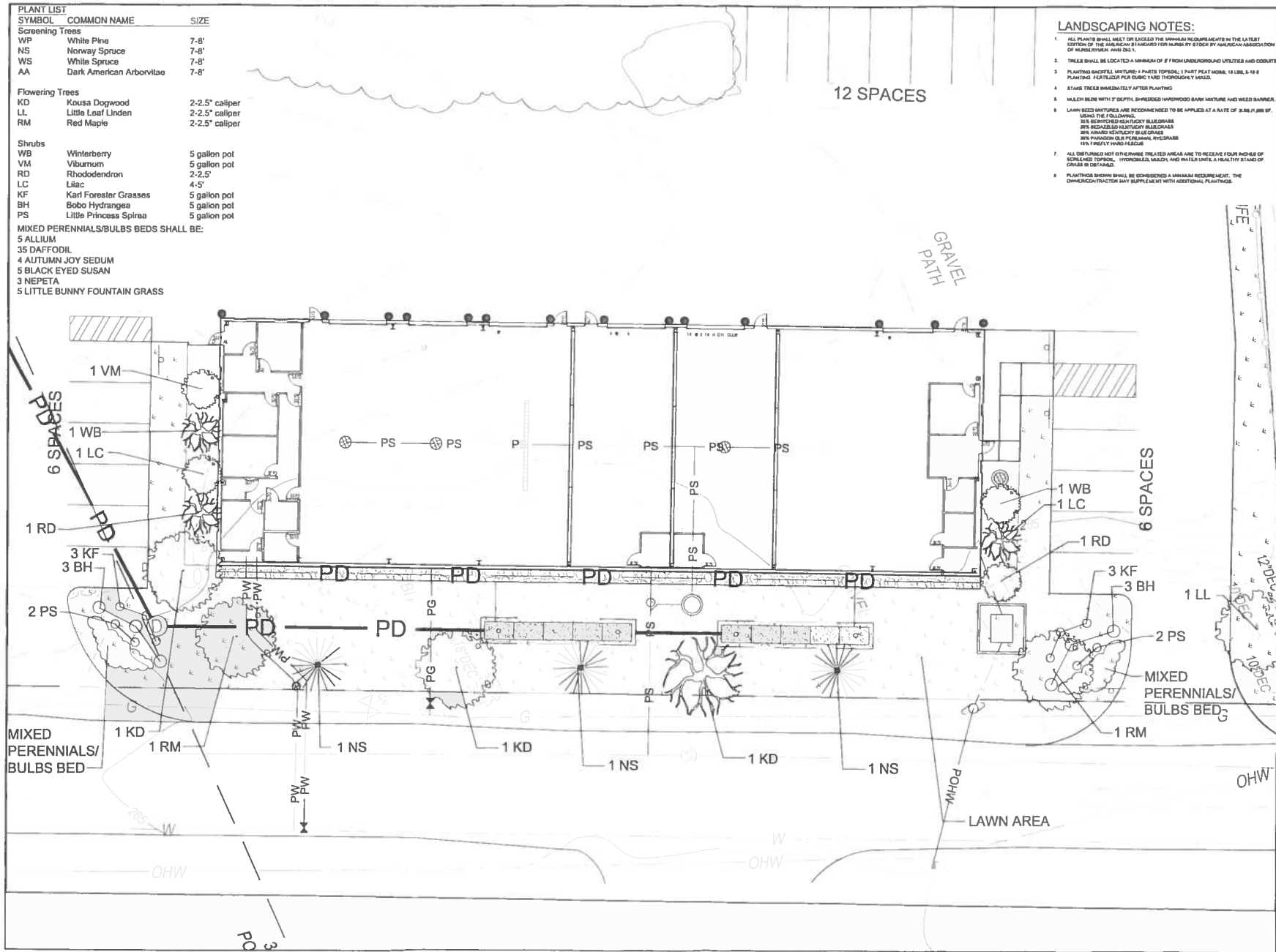
OCG
 Oak Consulting Group
 P.O. Box 1123
 Newburyport, MA 01950
 Ph. 978.313.3120

SITE LANDSCAPE DETAIL PLAN

No.	Revision/Issue	Date
3	ADDED TO PLAN SET	9/30/20
2	REVISED PER NATIONAL GRD	10/02/18
1	ADDED TO PLAN SET	8/11/18

Drawn by:	SPM	Checked by:	SPM
Drawn by:	SPM	Approved by:	SPM
Project:	18007	Date:	May 11, 2018

C-010



**Board of Assessors
Town Hall
1 Main Street
Ayer, MA 01432**

Tel: (978) 772-8211
Fax: (978) 772-8222
Email: assessor@ayer.ma.us

March 18, 2021

ABUTTERS LIST FOR PARCEL(s): 7-8, 66 Westford Road, Ayer, MA 01432
Owners(s): Sawyer May LLC

#	Parcel ID	Stno	Stno2	Property Location	Owners Name1	Owners Name2	Address1	Address2	City/Town	State	Zip Code
1	16-47	11		MULBERRY CIRCLE	DUMONT KARA J		11 MULBERRY CIRCLE		AYER	MA	01432
2	7-10	60		WESTFORD ROAD	RYAN MATTHEW M		60 WESTFORD ROAD		AYER	MA	01432
3	7-11	58		WESTFORD ROAD	MCNABB ROBERT E - TE	LINDA M MCNABB	58 WESTFORD ROAD		AYER	MA	01432
4	7-15	0		WESTFORD ROAD	NEW ENGLAND POWER CO		PROPERTY TAX DEPT	40 SYLVAN ROAD	WALTHAM	MA	02451
5	7-36	0		WESTFORD ROAD	ORION PARK LLC		1 ORION PARK DRIVE		AYER	MA	01432
6	7-37	0		WESTFORD ROAD	ORION PARK LLC		1 ORION PARK DRIVE		AYER	MA	01432
7	7-38	0		WESTFORD ROAD	ORION PARK LLC		1 ORION PARK DRIVE		AYER	MA	01432
8	7-44	1		LILAC LANE	HANNON GEORGE A	JANE M HANNON	1 LILAC LANE		AYER	MA	01432
9	7-45	3		LILAC LANE	GUDAVALLI RAVINDRA - TE	NIRAJA BURRI	3 LILAC LANE		AYER	MA	01432
10	7-46	5		LILAC LANE	JONES JAMES F	NAOMI JONES	5 LILAC LANE		AYER	MA	01432
11	7-47	6		LILAC LANE	GOSUKONDA AMITH REDDY	SWAPNA MEKAPOTHULA	6 LILAC LANE		AYER	MA	01432
12	7-48	4		LILAC LANE	FAMOUS TOD L		4 LILAC LANE		AYER	MA	01432
13	7-49	15		LOON HILL ROAD	KUMAR SUMIT - TE	ERICA TAMLIN	15 LOON HILL ROAD		AYER	MA	01432
14	7-5	0		WESTFORD ROAD	ORION PARK LLC		1 ORION PARK DRIVE		AYER	MA	01432
15	7-68-1	12		TURTLE HILL ROAD #A	OLSON SUSANNE M	JAMES M OCONOR	12A TURTLE HILL ROAD		AYER	MA	01432
16	7-68-10	11		TURTLE HILL ROAD #B	MCLAUGHLIN PETER C & DEBORAH - TR	MCLAUGHLIN LIVING TRUST	11 TURTLE HILL ROAD #B		AYER	MA	01432
17	7-68-11	9		TURTLE HILL ROAD #A	LIU YUJING	HAOJUN ZHAO	9A TURTLE HILL ROAD		AYER	MA	01432
18	7-68-12	9		TURTLE HILL ROAD #B	SANDISON MARILYN L		9B TURTLE HILL ROAD		AYER	MA	01432
19	7-68-13	8		TURTLE HILL ROAD #B	CALI MICHAEL J		8B TURTLE HILL ROAD		AYER	MA	01432
20	7-68-14	8		TURTLE HILL ROAD #A	ZIDE JULIE		8A TURTLE HILL ROAD		AYER	MA	01432
21	7-68-15	6		TURTLE HILL ROAD #B	ADELMAN MERLE		6 TURTLE HILL ROAD #B		AYER	MA	01432
22	7-68-16	6		TURTLE HILL ROAD #A	LANDERS ELIZABETH R		6A TURTLE HILL ROAD		AYER	MA	01432
23	7-68-17	4		TURTLE HILL ROAD #B	FLINT LINNEA S TRUST	LINNEA S FLINT - TR	4B TURTLE HILL ROAD		AYER	MA	01432
24	7-68-18	4		TURTLE HILL ROAD #A	MASUDI SALOME H		4A TURTLE HILL ROAD		AYER	MA	01432
25	7-68-19	2		TURTLE HILL ROAD #B	JEFFORDS THEODORE M - TE	JANETTE G JEFFORDS	2B TURTLE HILL ROAD		AYER	MA	01432
26	7-68-2	12		TURTLE HILL ROAD #B	EMMONS JEFFERY L	MARY T EMMONS	12B TURTLE HILL ROAD		AYER	MA	01432
27	7-68-20	2		TURTLE HILL ROAD #A	CULLEN BRIAN	LAURIE HAMEL	2A TURTLE HILL ROAD		AYER	MA	01432
28	7-68-21	1		TURTLE HILL ROAD #B	DOLAN KATHLEEN R - TR	KATHLEEN R DOLAN LIVING TRUST	1B TURTLE HILL ROAD		AYER	MA	01432
29	7-68-22	1		TURTLE HILL ROAD #A	JAMES J TRAVAGLINI		1A TURTLE HILL ROAD		AYER	MA	01432
30	7-68-23	3		TURTLE HILL ROAD #B	DAY MOLLY		3B TURTLE HILL ROAD		AYER	MA	01432
31	7-68-24	3		TURTLE HILL ROAD #A	COSTA ALLAN T - TE	NANCY A COSTA	3A TURTLE HILL ROAD		AYER	MA	01432
32	7-68-25	5		TURTLE HILL ROAD #B	TITI GERARD W - TE	BARBARA J TITI	5B TURTLE HILL ROAD		AYER	MA	01432
33	7-68-26	5		TURTLE HILL ROAD #A	SHUGERT PETER H		5A TURTLE HILL ROAD		AYER	MA	01432
34	7-68-27	7		TURTLE HILL ROAD #B	HALL DEBRA L		PSC 45 BOX 1102		APO	AE	09468
35	7-68-28	7		TURTLE HILL ROAD #A	MILUTINOVIC ALADIN	LAUREN E MILLER	7A TURTLE HILL ROAD		AYER	MA	01432
36	7-68-3	14		TURTLE HILL ROAD #A	MARSHALL MARIE T		14A TURTLE HILL ROAD		AYER	MA	01432
37	7-68-4	14		TURTLE HILL ROAD #B	SULLIVAN ELAINE M - TE	DANIEL J SULLIVAN	14 TURTLE HILL ROAD #B		AYER	MA	01432
38	7-68-5	16		TURTLE HILL ROAD #A	BROUGHTON RUTH E - TR	RUTH E BROUGHTON REVOCABLE TRUST	16 TURTLE HILL ROAD #A		AYER	MA	01432
39	7-68-6	16		TURTLE HILL ROAD #B	SNIEGOSKI ROBERT J	CAROL A SNIEGOSKI	16B TURTLE HILL ROAD		AYER	MA	01432
40	7-68-7	18		TURTLE HILL ROAD #A	SUSI ALAN F	JACQUELINE M SUSI	18A TURTLE HILL ROAD		AYER	MA	01432
41	7-68-8	18		TURTLE HILL ROAD #B	GUPTA MAYANK	SUSAN R MAYNARD	18B TURTLE HILL ROAD		AYER	MA	01432
42	7-68-9	11		TURTLE HILL ROAD #A	TRAHMAN PATRICIA		11A TURTLE HILL ROAD		AYER	MA	01432

**Board of Assessors
Town Hall
1 Main Street
Ayer, MA 01432**

Tel: (978) 772-8211
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Email: assessor@ayer.ma.us

March 18, 2021

ABUTTERS LIST FOR PARCEL(s): 7-8, 66 Westford Road, Ayer, MA 01432
Owners(s): Sawyer May LLC

#	Parcel ID	Stno	Stno2	Property Location	Owners Name1	Owners Name2	Address1	Address2	City/Town	State	Zip Code
43	7-7	68		WESTFORD ROAD	ORION PARK LLC		1 ORION PARK DRIVE		AYER	MA	01432
44	7-8	66		WESTFORD ROAD	SAWYER MAY LLC		41 ROBINSON ROAD		LITTLETON	MA	01460
45	7-9	62		WESTFORD ROAD	JOHNSON LAWRENCE J		366 LOST LAKE DRIVE		GROTON	MA	01450
46	8-7	81		WESTFORD ROAD	JASR LLC		81 WESTFORD ROAD		AYER	MA	01432
47	8-8	0		WESTFORD ROAD	NEW ENGLAND POWER CO		PROPERTY TAX DEPT	40 SYLVAN ROAD	WALTHAM	MA	02451
48	8-9	0		WESTFORD ROAD	NEW ENGLAND POWER CO		PROPERTY TAX DEPT	40 SYLVAN ROAD	WALTHAM	MA	02451

** The above list is a true copy of the records as of February 28, 2021 in the Town of Ayer Assessor's office for the last known names and addresses of owners of land located Law, Ch 40A, Sec 11. (300 Feet)*

Certified: Board of Assessors

From: [Bridgette Braley](#)
To: [Carly Antonellis](#)
Subject: Re: 66 Westford Review
Date: Tuesday, April 13, 2021 6:37:12 PM

Hi Carly,

There are no BOH issues with this.

Let me know if you have any other questions.

Bridgette Braley

From: Carly Antonellis <cantonellis@ayer.ma.us>
Sent: Tuesday, April 13, 2021 4:17:36 PM
To: Bridgette Braley <bbraley@nashoba.org>
Subject: RE: 66 Westford Review

Hi there -

Do you have this yet?

Carly
Carly M. Antonellis
Assistant Town Manager
Town of Ayer
1 Main Street
Ayer, MA 01432
978-772-8220 x100

Please consider the environment before printing this email.

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

From: Bridgette Braley <bbraley@nashoba.org>
Sent: Monday, April 12, 2021 2:50 PM
To: Heather Hampson <hhampson@ayer.ma.us>
Subject: RE: 66 Westford Review

Hi Heather,

Just got it and will review.

Bridgette Braley R.S.
Nashoba Associated Boards of Health
Health Agent
Senior Food Inspector

978-772-3335 ex 303

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

From: Heather Hampson <hhampson@ayer.ma.us>



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

BOS/Town Manager
 Board of Health
 Department of Public Works
 Police Department
 Fire Department
 Building Inspector/Zoning Enforcement Officer
 Conservation Committee
 Treasurer/Tax Collector
 Town Clerk
 Assessor's Office
 Economic & Community Development
 Town Planner

Review Deadline Date April 14, 2021
 Public Hearing Date April 21, 2021

Variance
 Description Applicant is seeking a Table of Use Regulation in the Industrial District
 Finding/Appeal 19, as amended) 5.2 repair establishment to Article 3.2(B)(2).
 Submitted by Sawyer May, LLC h 29, 2021
 Address 66 Westford Road s 978-772-2284

48-21
 Sent to Danielle

This plan is submitted for your review. Please return to the Town Manager's Office by the Review Deadline for your recommendation.

Comments:

I would like more information regarding this use:
 - Type of repair/vehicles
 - Parking of vehicles under repair
 - Site Maintenance Plan
 - Potential impacts on stormwater quality
 - Spill prevention plans

Signed

[Handwritten Signature]

Title

Sept of DPA

Date

4/2/21



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

- _____ BOS/Town Manager
- _____ Board of Health
- _____ Department of Public Works
- _____ Police Department
- _____ Fire Department
- _____ Building Inspector/Zoning Enforcement Officer
- _____ Conservation Committee
- _____ Treasurer/Tax Collector
- _____ Town Clerk
- _____ Assessor's Office
- _____ Economic & Community Development
- _____ Town Planner

Review Deadline Date April 14, 2021

Public Hearing Date April 21, 2021



Variance _____ Special Permit _____ Finding/Appeal

Description Applicant is seeking a use variance pursuant to Ayer Zoning Bylaw (2019, as amended) 5.2 Table of Use Regulations Section 5.14 to allow an automotive service repair establishment in the Industrial District located in a portion of the building pursuant to Article 3.2(B)(2).

Submitted by Sawyer May, LLC - Joesph Cataldo, Jr. Date March 29, 2021

Address 66 Westford Road Telephone Attorney Tom Gibbons 978-772-2284

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

Comments: None

Signed [Signature]

Title Chief of Police

Date 4/2/2021



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

_____	BOS/Town Manager	Review Deadline Date	<u>April 14, 2021</u>
_____	Board of Health		
_____	Department of Public Works	Public Hearing Date	<u>April 21, 2021</u>
_____	Police Department		
<u>X</u> _____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Treasurer/Tax Collector		
_____	Town Clerk		
_____	Assessor's Office		
_____	Economic & Community Development		
_____	Town Planner		

X Variance _____ Special Permit _____ Finding/Appeal

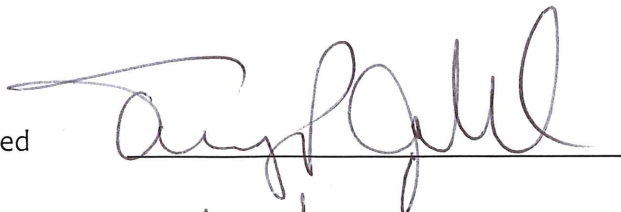
Description Applicant is seeking a use variance pursuant to Ayer Zoning Bylaw (2019, as amended) 5.2 Table of Use Regulations Section 5.14 to allow an automotive service repair establishment in the Industrial District located in a portion of the building pursuant to Article 3.2(B)(2).

Submitted by Sawyer May, LLC - Joesph Cataldo, Jr. Date March 29, 2021

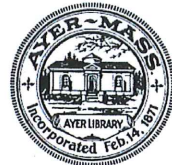
Address 66 Westford Road Telephone Attorney Tom Gibbons 978-772-2284

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

Comments: NO ISSUES

Signed  Title Fire Chief

Date 3/30/21



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

_____	BOS/Town Manager	Review Deadline Date	<u>April 14, 2021</u>
_____	Board of Health		
_____	Department of Public Works	Public Hearing Date	<u>April 21, 2021</u>
_____	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
<u>X</u> _____	Conservation Committee		
_____	Treasurer/Tax Collector		
_____	Town Clerk		
_____	Assessor's Office		
_____	Economic & Community Development		
_____	Town Planner		

X Variance _____ Special Permit _____ Finding/Appeal _____
 Description Applicant is seeking a use variance pursuant to Ayer Zoning Bylaw (2019, as amended) 5.2 Table of Use Regulations Section 5.14 to allow an automotive service repair establishment in the Industrial District located in a portion of the building pursuant to Article 3.2(B)(2).

Submitted by Sawyer May, LLC - Joesph Cataldo, Jr. Date March 29, 2021

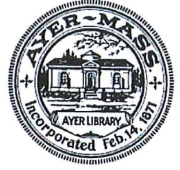
Address 66 Westford Road Telephone Attorney Tom Gibbons 978-772-2284

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

Comments:
conservation has no concerns with this at this time .

Signed *Jp. Andrus* Title conservation administrator

Date 3/30/21



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

_____	BOS/Town Manager	Review Deadline Date	<u>April 14, 2021</u>
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Address 66 Westford Road Telephone Attorney Tom Gibbons 978-772-2284

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

Comments:

Signed Thomas Hoga Title Assessing Administrator

Date 4/7/21

Town of Ayer

Office of Community & Economic Development

Town Hall ♦ One Main Street ♦ Ayer, MA 01432 ♦ 978-772-8206 ♦ Fax: 978-772-8208



To: Ayer Zoning Board of Appeals
From: Alan S. Manoian, Dir AOCED
Date: 4/14/2021
Re: Use Variance Request in Ayer Industrial Zoning District (I) - 66 Westford Rd./Sawyer May LLC-Joseph Cataldo Jr.

The Ayer Office of Community & Economic Development (AOCED) recommends denial of the applicant's land use variance request to operate an automotive service repair establishment in the Ayer Industrial Zoning District (I).

The absolute functional & land-use integrity (of the increasingly limited and highly valuable) Town of Ayer (Heavy) Industrial District (I) is fundamental and critical to the future socio-economic sustainability, viability, and stability of the entire township.

The AOCED believes that if the applicant's requested land use variance were to be approved by the Zoning Board of Appeals, the town would be in a demonstrably/legally indefensible position, not if, but rather when, the next automotive service repair establishment requests the same type of land use variance in the Town of Ayer's Heavy Industrial Zoning District (I).

The Town of Ayer is in a highly & increasingly competitive regional environment for the attraction and retention of quality large manufacturing/innovation/production corporations that provide well-paying, stable, and substantial (high number) employment opportunities – and that provide substantial tax revenue to sustain the town. The AOCED believes the Town of Ayer must be vigilant in protecting the Ayer Heavy Industrial Zoning District (I) from gradual or incremental use/value erosion through use variance, so as not to place our community in a less-competitive position to attract and retain quality large manufacturing/innovation/production corporations.

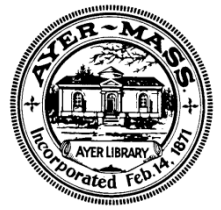
If Ayer's highly-valued Westford Rd. Heavy Industrial Zoning District (I) incrementally transforms into an automotive service corridor/alley – The AOCED have far less success in attracting and retaining quality large manufacturing/innovation/production corporations in the Town of Ayer.

The Town of Ayer offers a number of favorable sites/locations within our General Business (GB) and Mixed-Use Transitional (MUT) Zoning Districts for automotive service repair establishments – and the AOCED is prepared to support and assist the

subject automotive service establishment with finding a great location in the Town of Ayer – where this land use is permitted.

Town of Ayer

Office of the Town Planner



Town of Ayer | Ayer Town Hall | 1 Main Street, 3rd Floor | Ayer, MA 01432 | 978-772-8218 | www.ayer.ma.us

Memorandum

To: Ayer Zoning Board of Appeals

From: Mark Archambault, Town Planner

Re: Variance Request for 66 Westford Road / Sawyer May, LLC – Joe Cataldo

Date: April 14, 2021

I recommend that the Ayer ZBA deny the Variance application of Sawyer May, LLC for an automotive repair establishment at 66 Westford Road. Automobile repair is listed as an ‘N’ in the Ayer Zoning Bylaw for one main reason: to preserve scarce industrially zoned land for industrial uses. The Westford Road industrial corridor is the core of Ayer’s economic engine, and if automotive related uses are allowed to proliferate through variances or other means, that could eventually erode Ayer’s strong industrial base, with its high paying jobs.

The Planning Board approved a specific Site Plan for this property as a landscape contractor’s headquarters and materials yard, not as a commercial site where different bays could be rented out to unrelated businesses.

Though thankfully this location is not within the Aquifer Protection Overlay District, automotive repair use obviously entails the use of petroleum products and generates hazardous waste, all issues that should be reviewed by the Fire Dept. and other authorities.

Sincerely,

Mark Archambault

Mark Archambault, AICP

Ayer Town Planner

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



Broadcast on Zoom and by APAC

Wednesday March 17, 2021
Remote Participation Open Session Meeting Minutes

Remotely Present: Samuel A. Goodwin Jr., Chair; Michael Gibbons, Vice-Chair; Ron Defilippo, Clerk
(Entered at 6:05 PM); John Ellis, Jess Gugino
All Via Remote Participation

Also Present: Carly Antonellis, Assistant Town Manager
Via Remote Participation

Call to Order: S. Goodwin called the meeting to order at 6:01 PM.

COVID-19 Order: S. Goodwin stated that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A, Section 18 and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Ayer Zoning Board of Appeals is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort has been made to ensure that the public can adequately access the proceedings as provided in the Order. All votes will be taken by Roll Call.

Approval of Meeting Agenda: A motion was made by M. Gibbons and seconded by J. Gugino to approve the agenda. **Roll Call Vote:** S. Goodwin, aye; M. Gibbons, aye; J. Gugino, aye; J. Ellis, aye. **Motion passed by Roll Call Vote 4-0.**

Approval of Meeting Minutes:

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to approve the meeting minutes from January 20, 2021 as written. **Roll Call Vote:** S. Goodwin, aye; M. Gibbons, aye; J. Gugino, aye; J. Ellis, aye. **Motion passed by Roll Call Vote 4-0.**

R. Defilippo entered at 6:05 PM.

Chapter 40B/Comprehensive Permit Training - Paul J. Haverty; Blatman, Bobrowski & Haverty, LLC: The ZBA was joined remotely by Attorney Paul Haverty who was presenting an overview of the Chapter 40B Comprehensive Permit process. Mr. Haverty is a consultant for the Mass Housing Partnership and will assist the ZBA in navigating a proposed upcoming 40B project. Mr. Haverty presented a Power Point Presentation "Chapter 40B Training: Fundamentals" and took questions from both ZBA members and meeting attendees. After the presentation, ZBA members thanked Mr. Haverty for his presentation.

Adjournment:

Motion: A motion was made by M. Gibbons and seconded by J. Ellis to adjourn at 7:21 PM. **Roll Call Vote:** S. Goodwin, aye; M. Gibbons, aye; J. Gugino, aye; R. Defilippo, aye; J. Ellis, aye. **Motion passed by Roll Call Vote 5-0.**

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

Date Minutes Approved by ZBA: _____

Signature of Clerk Indicating Approval: _____

Electronic Signature of Chairman inserted by Direction due to COVID-19

DRAFT