



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

Wednesday December 20, 2023

6:00 PM

Hybrid Meeting Agenda

3:33pm
RECEIVED
DEC 14 2023
TOWN OF AYER
TOWN CLERK

This meeting/hearing of the Zoning Board of Appeals will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom. The public may access the proceedings by joining Zoom (Meeting ID# 857 9728 7177) or by calling (312-626-6799). For additional information about remote participation, please contact Samantha Benoit, Administrative Coordinator at zba@ayer.ma.us or 978-772-8220 ext. 114 prior to the meeting.

6:00 PM **Call to Order**

Approval of Agenda

Introduction of Town Planner by the Town Manager

Continued Public Hearing – Application for Special Permit – North Country Developers, LLC

71 Sandy Pond Rd. (Filed September 28, 2023, continued from November 15, 2023)

Public Hearing – Application for Special Permit – Alexandria Goldinak

42 Park St. (Filed November 27, 2023)

Discussion – Habitat for Humanity – Update

Approval of Meeting Minutes

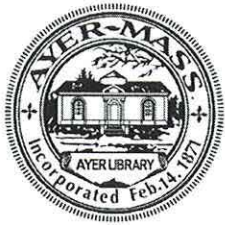
November 15, 2023

Board Discussion

- Rules and Procedures
- Hearing Application

Adjournment

The next regularly scheduled ZBA Meeting is Wednesday January 17, 2024 at 6:00 PM.



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

Public Hearing Notice

The Ayer ZBA will be conducting a hybrid public hearing at 6:00pm on Wednesday November 15, 2023 at Ayer Town Hall, 1 Main Street, regarding an application submitted by North Country Developers, LLC for the property located at 71 Sandy Pond Road Ayer, MA. The applicant is seeking a Special Permit pursuant to Ayer Zoning Bylaw Section 5.2.1.2 (Table of Use Regulations – Residential Uses) to allow two 2-family dwellings in the A-2 district. For more information, including Zoom/Call-in information please contact zba@ayer.ma.us or 978-772-8220 x 114.

Advertised: October 27, 2023 and November 3, 2023 – *The Nashoba Valley Voice*

RECEIVED
OCT 24 2023

TOWN OF AYER
TOWN CLERK

3:05 PM




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

Name of Applicant: North Country Developers, LLC c/o Brent Routhier
(Full Name)

[REDACTED]
(Address)

[REDACTED]
(Phone Number)

[REDACTED]
(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):

North Country Developers LLC [REDACTED]

Location of Property:

71 Sandy Pond Road, Ayer, Ma. 01432

Assessor's Map 28 **Parcel** 29.1 **Land Size** 2.86 acres

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

Registry of Deeds Book 81572 **Page** 348

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)

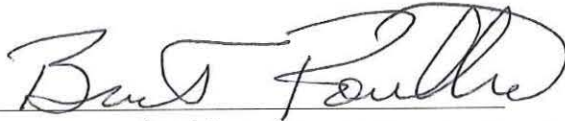
Did you request a building permit from the Town of Ayer Building Inspector?

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

The applicant is requesting a Special Permit for two proposed 2-family dwellings
on property located within an A-2 Residence Zoning District pursuant to Sec. 5.2
of the Town of Ayer Zoning Bylaws.

Date: 9-20-23

Signed by 
(Petitioner) North Country Developers, LLC


(Daytime Phone Number)


(Email)

DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

September 21, 2023

Board of Appeals

Town of Ayer
1 Mian Street
Ayer, Ma. 01432

Re: Special Permit Application

North Country Developers LLC
71 Sandy Pond Road
Ayer, Ma.
Project No.34325


Dear Board Members,

On behalf of our client, North Country Developers LLC, enclosed please find a Special Permit Application for the construction of two 2-family dwellings on property located at 71 Sandy Road and located within the Residence A-2 Zoning District.

The property is situated on the southerly side of Sandy Pond Road at the intersection of Snake Hill Road consisting of 2.86 Acres and contains an existing 2-family dwelling served by a private septic system. It is North Country Developers LLC intent to divide the property into two separate lots each containing a proposed 2-family dwelling on each new lot. Pursuant to Chapter 320 Section 5.2 (Table of Use Regulations), a Special Permit is required from the Zoning Board of Appeals for this type of development. Currently the property is situated adjacent to a Condominium subdivision, Samantha Lane and within close proximity to a multi-family unit located at 59 Sandy Pond Road and the Cannongate Apartment Complex. The proposed lot division conforms with the frontage and area requirements for a 2-family lot as outlined in Section 6.2 (Schedule of Dimensional Requirements) and will be consistent with lot sizes and uses for the properties in the direct vicinity.

Please review the application and contact this office with any comments or questions.

Very Truly Yours;
David E. Ross Associates, Inc.:

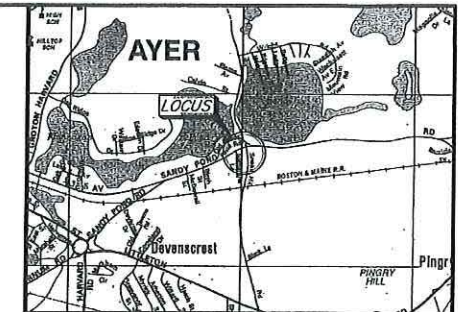


Kevin R. Conover

SCHEDULE OF ELEVATIONS	PROPOSED	AS-BUILT
4" INVERT AT FOUNDATION (LOT 1)	228.50	
4" INVERT AT FOUNDATION (LOT 2)	229.10	
RIM ELEVATION (SMH-1)	231.2±	
4" INVERT MANHOLE INLET (SHM-1)	228.10	
4" INVERT MANHOLE OUTLET (SHM-1)	228.00	
RIM ELEVATION (SMH-2)	230.2±	
4" INVERT MANHOLE INLET (SHM-2)	226.52	
4" INVERT MANHOLE INLET (SHM-2)	226.52	
4" INVERT MANHOLE OUTLET (SHM-2)	226.42	
4" INVERT MANHOLE INLET (STA 27+21)	223.00	

LEGEND

- PROPERTY LINE
- EASEMENT
- EXISTING STONE WALL
- EDGE OF WETLAND
- LIMIT OF 50' "NO-DISTURB"
- LIMIT OF 100' BUFFER ZONE
- TBM TEMPORARY BENCHMARK
- CB, DH, IP EXISTING MONUMENT
- EXISTING CONTOUR
- EXISTING TREE LINE
- EXISTING TREE
- EXISTING BUILDING
- EDGE OF PAVEMENT
- UTILITY POLE
- OHW OVERHEAD WIRES
- EXISTING CATCHBASIN
- EXISTING DRAIN LINE
- EXISTING DRAIN MANHOLE
- EXISTING WATER LINE
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING SEWER LINE
- EXISTING SEWER MANHOLE
- EXISTING GAS LINE
- PROPOSED CONTOUR
- PROPOSED SEWER LINE
- PROPOSED SEWER MANHOLE
- PROPOSED WATER SERVICE
- PROPOSED WATER SHUTOFF
- PROPOSED GAS SERVICE
- PROPOSED TREE PLANTING



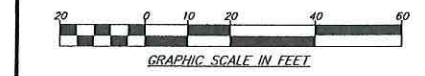
NOTES

THE EXISTING CONDITIONS AND TOPOGRAPHIC SURVEY WAS COMPLETED BY DAVID E. ROSS ASSOCIATES INC. IN MAY OF 2023.

WETLAND DELINEATION PERFORMED BY DAVID E. ROSS ASSOCIATES, INC. IN APRIL OF 2023.

TOPOGRAPHY SHOWN IS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1983 (N.A.V.D. 83)

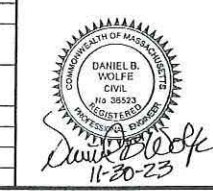
THE PLAN DEPICTS ONLY THOSE FEATURES THAT WERE VISUALLY APPARENT ON THE DATE OF TOPOGRAPHY AND THE ABSENCE OF SUBSURFACE STRUCTURES, UTILITIES, ETC. IS NOT INTENDED OR IMPLIED.



SURV: SPM	CALC: KRC	DRAFT: BJD
NO: 844/30	DEED: 81572/347	CHECK: DBW

REVISIONS

- 9/25/23 Original endorsement
- 11/9/23 Revised utility connections and address comments from Construction
- 11/20/23 General Revisions after AAR Endorsement



SHEET TITLE: SITE PLAN

DESIGNED FOR: NORTH COUNTRY DEVELOPERS, LLC

ADDRESS: 71 SANDY POND ROAD AYER, MA

LOT NO.: 1-2	ASSESSOR MAP: 29	ASSESSOR PARCEL: 1
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DAVID E. ROSS ASSOCIATES, INC.

CIVIL ENGINEERS - LAND SURVEYORS ENVIRONMENTAL CONSULTANTS

6 Lancaster County Road P.O. Box 795 Harvard, MA 01451-0795

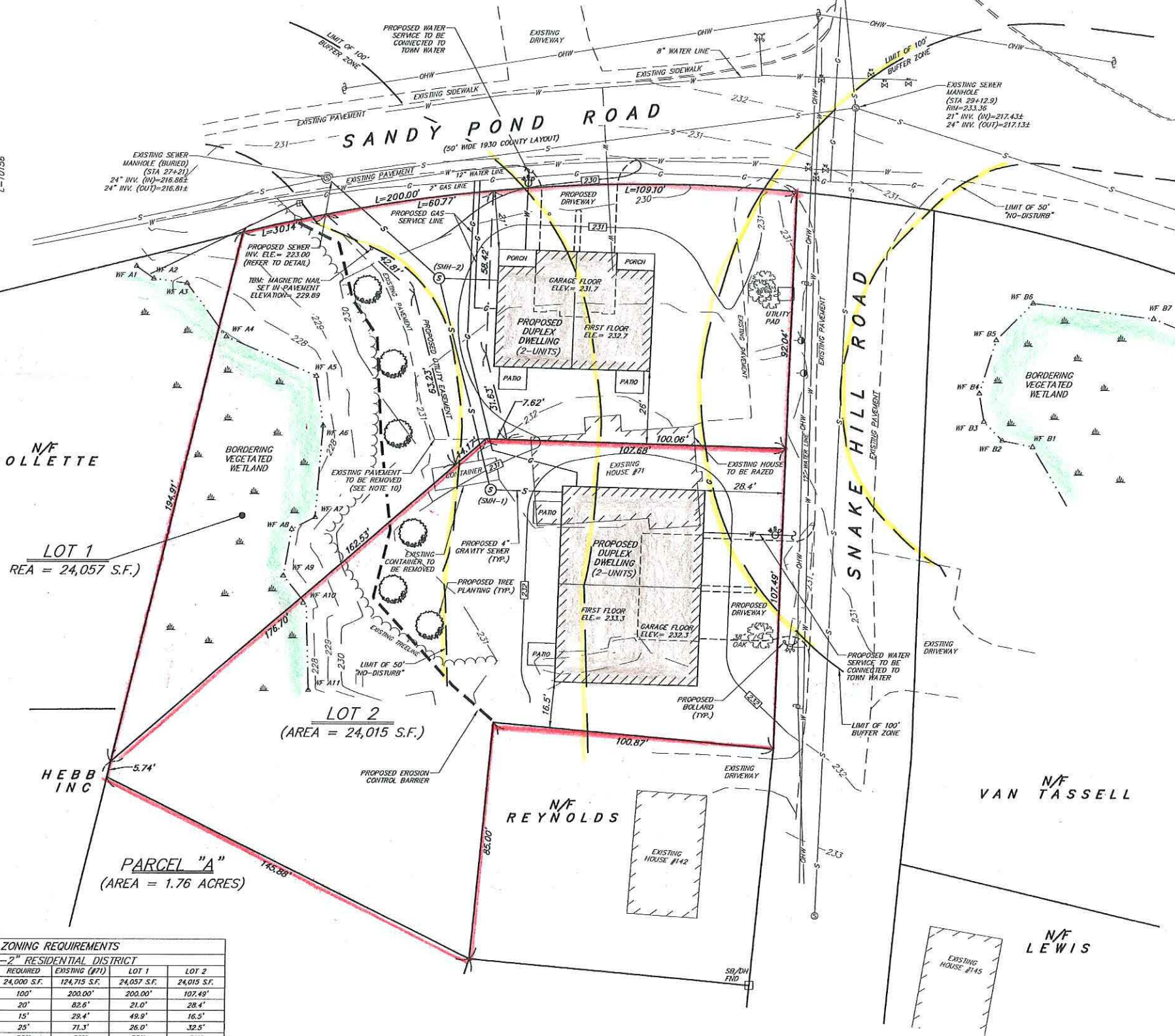
978-772-6232 FAX 978-772-6258 www.davidross.com

SCALE: 1"=20' DATE: SEPTEMBER, 2023

REF: L-10156 PLAN NO.: L-14703

JOB NO.: 34325 SHEET NO.: 1 of 2

L-10156



CONSTRUCTION NOTES:

1. UNLESS OTHERWISE SHOWN OR SPECIFIED, ALL WORK, MATERIALS AND APPURTENANCES SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS HIGHWAY DEPARTMENT CONSTRUCTION STANDARDS AND SPECIFICATIONS, MUNICIPAL SPECIFICATIONS, AND INDIVIDUAL UTILITY COMPANY REQUIREMENTS.
2. ALL UTILITY WORK, MATERIALS AND APPURTENANCES SHALL ALSO BE IN ACCORDANCE WITH THE MANUFACTURERS' RECOMMENDATIONS.
3. CONTRACTOR SHALL CALL 1-888-DIG-SAFE (1-888-344-7233) AND OBTAIN A DIG SAFE NUMBER A MINIMUM OF 72 HOURS IN ADVANCE OF SUBSURFACE EXPLORATION OR INITIATION OF CONSTRUCTION, AS REQUIRED BY LAW.
4. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IDENTIFY ALL DOMESTIC WATER SERVICE LINES TO ENSURE A MINIMUM SEPARATION OF TEN FEET FROM ANY PROPOSED SEWER LINES. THE CONTRACTOR SHALL NOTIFY THE OWNER OF ANY CONDITIONS FOUND WHICH PROHIBIT THE PLACEMENT OF UTILITIES AS INDICATED.
5. PRIOR TO THE START OF CONSTRUCTION, THE EXISTING OFF-SITE AREAS, AND LOCAL STREET CONDITIONS (DRAINAGE, PAVEMENT, VEGETATION) SHOULD BE INSPECTED AND THEIR CONDITIONS NOTED AND/OR PHOTOGRAPHED.
6. PRIOR TO CONSTRUCTION OF THE PROPOSED SEWER CONNECTION, THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION AND ELEVATION OF THE BURIED SEWER MANHOLE (STA. 27+21), GAS MAIN AND WATER MAIN. THE DESIGN ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCIES IMMEDIATELY.
7. SEWER SERVICE INSTALLATIONS AND CONNECTION SHALL BE CARRIED OUT IN ACCORDANCE WITH THE REQUIREMENTS OF THE AYER SEWER RULES AND REGULATIONS (JUNE 2021).
8. THE BUILDING SEWER SHALL BE CONSTRUCTED FROM THE DOWNSTREAM END UP.
9. ANY PORTION OF THE EXISTING SYSTEM ENCOUNTERED DURING CONSTRUCTION SHALL BE PUMPED OUT, REMOVED AND BACKFILLED WITH CLEAN GRAVEL FILL.
10. THE EXISTING IMPERVIOUS PAVED AREA AT THE SITE TO BE REMOVED PRIOR TO CONSTRUCTION. ALL RESTORED AREAS, NOT COVERED WITH THE PROPOSED BUILDINGS AND DRIVEWAY, SHALL BE LOAMED AND SEEDED.

ZONING REQUIREMENTS

"A-2" RESIDENTIAL DISTRICT

DESCRIPTION	REQUIRED	EXISTING (#1)	LOT 1	LOT 2
LOT AREA (TWO-FAMILY)	24,000 S.F.	124,715 S.F.	24,057 S.F.	24,019 S.F.
MIN. LOT FRONTAGE	100'	200.00'	200.00'	107.49'
MIN. FRONT SETBACK	20'	82.6'	21.0'	28.4'
MIN. SIDE SETBACK	15'	28.4'	49.9'	16.5'
MIN. REAR SETBACK	25'	71.3'	26.0'	32.5'
MIN. OPEN SPACE	80%	83%	88%	81%

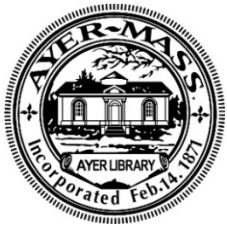


Town of Ayer
Zoning Board of Appeals
 Ayer Town Hall – 1 Main Street – Ayer, MA 01432

Department Head Review Summary

Applicant: North Country Developers
Address: 71 Sandy Pond Rd.
Application for: Special Permit

Department	Comments
Town Manager	Defer to ZBA
Board of Health	No issues if the property is on Town sewer and town water.
Department of Public Works	DPW has no comment for this Special Permit application
Fire Department	No Fire Department issues
Police Department	<ol style="list-style-type: none"> 1. Trash management plan? 2. Dumpster or curbside? 3. If curbside area for off street placement of receptacles (not on street)?
Building Commissioner/Zoning Enforcement Officer	Defer to ZBA
Conservation Commission/Agent	The proposed development is within the Conservation Commission 100ft buffer zone jurisdiction. A notice of intent has been filed and the Commission will open the hearing on 10/26. Regarding the proposed plan, landscaping has been left off the plans and should be requested. The site is previously disturbed and with new development proposed the site should be improved as part of the development. The Commission will be requesting as part of their approval plantings and ask the ZBA to do the same.
Treasurer/Tax Collector	Taxes owed. See attached.
Town Clerk	No Issues



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

Assessor	No Comment
Economic & Community Development	Recommend approval.
Town Planner	The applicant needs to submit for an ANR prior to receiving ZBA approval.



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

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NOV 28 2023

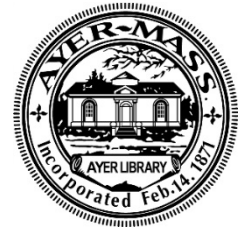
Public Hearing Notice

TOWN OF AYER
TOWN CLERK

12:00pm
SC

The Ayer ZBA will be conducting a hybrid public hearing at 6:00pm on Wednesday December 20, 2023 at Ayer Town Hall, 1 Main Street, regarding an application submitted by Alexandria Goldinak for the property located at 42 Park Street Ayer, MA. The applicant is seeking a Special Permit pursuant to Ayer Zoning Bylaw Section 7.3.B to allow for the construction in the front setback. For more information, including Zoom/Call-in information please contact zba@ayer.ma.us or 978-772-8220 x 114.

Advertised: December 1, 2023 and December 8, 2023 – *The Nashoba Valley Voice*



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

Name of Applicant: Alexandria Goldinak
(Full Name)
[REDACTED]
(Address)
[REDACTED]
(Phone Number)
[REDACTED]
(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):

Francis Mannone

Location of Property:

42 Park Street

Assessor's Map _____ **Parcel** 26-17 **Land Size** .492 acres

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

Registry of Deeds Book 63721 **Page** 484

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

 x 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? No

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

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:

During the Site Plan Review process, it was brought to our attention that the proposed addition would need a special permit from the ZBA for the expansion of a non-conforming structure under Section 7.3 of the Ayer Zoning Bylaws. The proposed project will result in approximately 35 sf of the proposed addition being located within the front setback

Date: 11/22/23

Signed by [Signature]
(Petitioner)

 [Redacted]
(Daytime Phone Number)

 [Redacted]
(Email)



MUNSON & ASSOCIATES, LLP

172 NEWBURY ST. 5TH FL, BOSTON, MA 02116

TEL: 617-520-4990 FAX: 617-514-0331

MUNSONANDASSOCIATES.COM

ADDENDUM TO PURCHASE AND SALE

Property: 42 Park St, Ayer, Massachusetts

P&S Dated: 4/20/23

In exchange for valuable consideration and their mutual promises, the parties agree to amend the P&S as follows:

1. The SELLER shall allow the BUYER to submit for ZBA Special Permit.

All other terms and conditions of the Agreement shall stay the same.

Agreed to, this 14th day of November, 2023


BUYER: ALEXANDRIA GOLDINAK


SELLER: FRANCIS MANNONE

42 Park Street Narrative

42 Park Street in Ayer is currently a 2 story 2 family home. Our plan for the property is to rehab the existing and add an addition to make it a 4 unit property (1 commercial and 3 residential units). To satisfy the zoning GB the commercial space will be the 1st floor and the 3 residential apartments will be on the second floor. The commercial space will be a servicing business (salon) and each residential apartment will be 2 bedrooms 1 bathroom that are approximately 800 SqFt each to satisfy the minimum square footage requirement of 750 SqFt. Parking lot will be added to fulfill parking requirements.

RENOVATIONS AND ADDITION - 42 PARK STREET, AYER MA 01432

PLANNING BOARD REVIEW

GMG Designs

GMG Designs
78 Blake Street
Hyde Park MA 02136
617.980.4938
gerardmgeorges@gmail.com
geradimo1@aol.com

ADE Designers and Engineers
2 Hancock Street, Suite 709
North Quincy MA 02171
617.838.2445

PROJECT:

**RENOVATIONS
AND ADDITION TO
42 PARK STREET
AYER MA 01432**

STAMP



NO.	REVISION	DATE
02	SITE PLAN REVIEW	11.06.23
01	PLANS & DESIGN CHANGES	9.21.23

Drawing Title

**COVER
SHEET**

Scale	AS NOTED
Project No.	AG-001
Drawn By	G M G
Date	JUNE 15, 2023

Sheet No.

G.1

PROPERTY INFORMATION

ADDRESS: 42 PARK STREET, AYER MA 01432
 PARCEL ID: 019/026.0-0000-0017.0
 AYER ASSESSOR MAP: 26-17
 EXISTING CLASS: TWO-FAMILY
 EXISTING SQ. FT.: BASEMENT = 782 SQ.FT. / 1ST FLOOR = 782 SQ.FT. / 2ND FLOOR = 782 SQ.FT.
 LOT AREA: 21,000 SQ. FT. / 0.821 ACRES
 YEAR BUILT: 1900
 EXISTING HEIGHT: APPROXIMATELY 22'-8" (GRADE TO ROOF RIDGE AT MID POINT)

PROJECT SCOPE

1. GUT AND RENOVATE EXISTING TWO-STORY WOOD FRAMED HOUSE WITH NEW EXTERIOR ENVELOPE
2. BUILD NEW TWO-STORY ADDITION WITH BASEMENT
3. FIRST FLOOR WILL BE DESIGNATED FOR COMMERCIAL (PERSONAL BUSINESS) PLUS STAIRS & SUPPORT
4. SECOND FLOOR WILL BE DESIGNATED FOR THREE RESIDENTIAL (2-BEDROOM) APARTMENTS PLUS STAIRS
5. SITE IMPROVEMENTS WILL INCLUDE MINOR RE-GRADING, PARKING, DRIVE, SIDEWALKS, LANDSCAPE, LIGHTING
6. NEW ELECTRICAL DISTRIBUTION, FIRE SPRINKLERS & FIRE ALARM, HEAT PUMP HEATING AND COOLING
7. MAINTAIN EXISTING SITE ACCESS AND CURB CUTS

ZONING ANALYSIS

ZONING DISTRICT: (GB) GENERAL BUSINESS
 PERMITTED USE: SEC 1.6 - APARTMENTS ABOVE GROUND FLOOR COMMERCIAL
 SEC 5.5 PERSONAL SERVICE ESTABLISHMENT

FLOOR AREA INFORMATION

BASEMENT	TOTAL = 752 SQ. FT.
FIRST FLOOR	TOTAL = 2,447 SQ. FT.
- COMMERCIAL SPACE:	1,817 SQ FT.
- CIRCULATION & SUPPORT:	630 SQ. FT.
SECOND FLOOR	TOTAL = 1,870 SQ. FT.
- APARTMENT 1:	840 SQ. FT.
- APARTMENT 2:	806 SQ FT.
- APARTMENT 3:	806 SQ FT.
- CIRCULATION:	212 SQ. FT.
TOTAL GROSS SQ. FT.	TOTAL = 5,069 SQ. FT.
MAX. FAR ALLOWED = 1.25	FAR PROVIDED = 0.26
LOT AREA:	21,000 SQ. FT.
TOTAL BUILDING AREA GSF:	5,540 GSF
BUILDING FOOTPRINT GSF:	2,840 SQ. FT.
PARKING & DRIVEWAY AREA:	6,261 SQ. FT.
MIN. OPEN SPACE = 20%	PROVIDED = 37%
MAX. BLDG COVERAGE = 60%	PROVIDED = 34%
MIN. LOT FRONTAGE = 100 FT.	PROVIDED = 118.8 FT.
MAX. BLDG HEIGHT = 35FT/3-STORY	PROVIDED = 33FT/2-STORY

MIN. FRONT YARD SETBACK = 30 FT. PARTIAL PROVISION *
 MIN. SIDE YARD SETBACK = 25 FT. PROVIDED = 25 FT.
 MIN. REAR YARD SETBACK = 20FT. PROVIDED = 20 FT.

** EXISTING HOUSE RESIDES WITHIN FRONT YARD SETBACK - AS OF RIGHT. NEW ADDITION IS IN COMPLIANCE**

PROJECT LOCATION MAP



EXISTING FRONT FACADE



EXISTING FRONT FACADE

OFF STREET PARKING

MULTI-FAMILY DWELLING REQUIREMENT:
 - 2 SPACES PER UNIT WITH 2 OR MORE BEDROOMS
 - PROVIDED: 6 SPACES (9FT X 18FT)
 - PROVIDED: 1 VISITOR SPACE (9FT X 18FT)

PROFESSIONAL BUSINESS REQUIREMENT:
 - 1 SPACE PER 400 GROSS SQ. FT.
 - PROVIDED: 2 SPACES (9FT X 18FT)

ADDITIONAL PARKING:
 - PROVIDED 2 HANDICAP SPACE (9FT X 22FT)
 - PROVIDED 1 DROP-OFF/LOADING (9FT X 22FT)

BICYCLE PARKING / STORAGE REQUIREMENT:
 - MULTI-FAMILY: 1 PER 2 UNITS
 - BUSINESS: 1 PER 10 PARKING SPACES
 - PROVIDED: 4 SPACES

LANDSCAPE - SEE DRAWINGS A.0 & L.1
EXTERIOR LIGHTING - SEE DRAWINGS A.0 & L.1

INTERIOR ACCESS DRIVE
 - USE EXISTING CURB CUTS
 - 20FT WIDE, TWO WAY DRIVE
 - PERCENT OF LOT FRONTAGE ALLOWED = 25%
 - PERCENT OF LOT FRONTAGE USED = 22%

A.P. 26-17
N/F
TOWN OF AYER
BK. 72043 PG. 218
LOT AREA
21,453 SQ. FT.
0.492 ACRES

SEE DRAWING A.L
FOR LANDSCAPE
PLANTING PLAN

SEE DRAWING E.O
FOR SITE AND
BUILDING PERIMETER
LIGHTING

PROJECT:

**RENOVATIONS
AND ADDITION FOR
42 PARK STREET
AYER MA 01432**

STAMP



NO.	REVISION	DATE
03	SITE PLAN REVIEW	11.06.23
02	SITE PLAN REVIEW	10.24.23
01	PLANS & DESIGN CHANGES	9.21.23

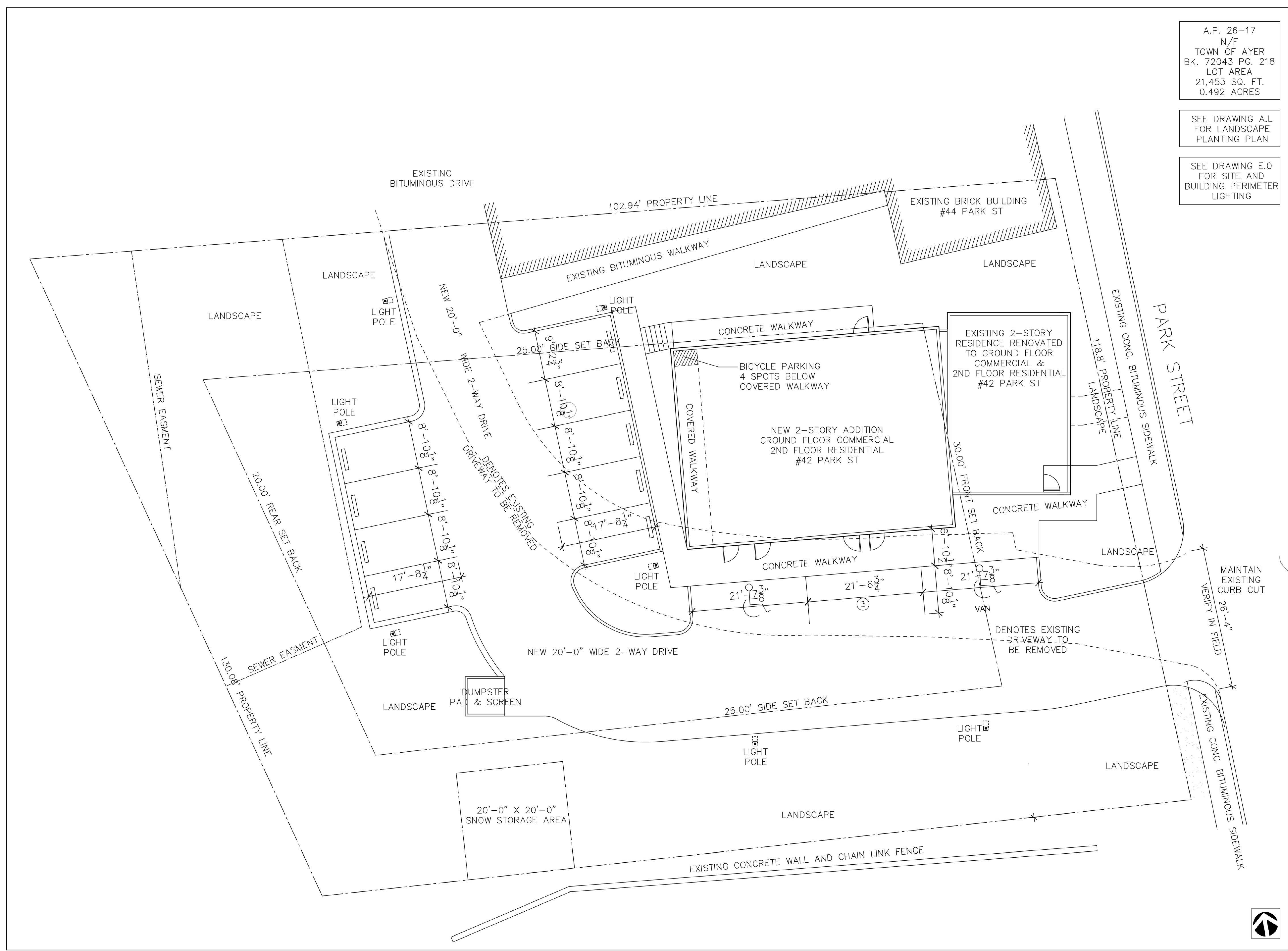
Drawing Title

**ARCHITECTURAL
SITE PLAN**

Scale	1/4" = 1'-0"
Project No.	AG-001
Drawn By	G M G
Date	JUNE 15, 2023

Sheet No.

A.0



LANDSCAPE PLANT LIST			COUNT	SIZE
SHRUB/BUSH TYPE 1	LIGUSTRUM SINENSE	SUNSHINE LIGUSTRUM	22	MIN. 3FT HIGH & 3FT SPREAD
SHRUB/BUSH TYPE 2	LIRIOPE MUSCARI	VARIGATED LIRIOPE PLANT	27	MIN. 1FT HIGH & 1FT SPREAD
SHRUB/BUSH TYPE 3	JUNIPERUS SQUAMATA	BLUE STAR JUNIPER	5	MIN. 2FT HIGH & 2FT SPREAD
SHRUB/BUSH TYPE 4	RHODODENDRON	DELAWARE WHITE AZALEA	3	MIN. 3FT HIGH & 3FT SPREAD
SHRUB/BUSH TYPE 5	FORSYTHIA X INTERMEDIA	LYNWOD GOLD FORSYTHIA	6	MIN. 3FT HIGH & 3FT SPREAD
SHRUB/BUSH TYPE 6	SALIX INTEGRATA	TRI-COLOR DAPPLED WILLOW	4	MIN. 3FT HIGH & 3FT SPREAD
SHRUB/BUSH TYPE 7	BUXUS SINICAR INSULARIS	WINTERGREEN BOXWOOD	*	MIN. 2FT HIGH & 2FT SPREAD
SHRUB/BUSH TYPE 8	ILEX OPACA	AMERICAN HOLLY	*	MIN. 4FT HIGH & 5FT SPREAD
TREE TYPE 1	THUJA OCCIDENTALIS	EMERALD GREEN ARBORVITAE	8	MIN. 6FT HIGH & 2" CALIPER
TREE TYPE 2	ACER PALMATUM	BLOODGOOD JAPANESE MAPLE	1	MIN. 6FT HIGH & 2" CALIPER
TREE TYPE 3	CORNUS KOUSA	WHITE KOUSA DOGWOOD	2	MIN. 6FT HIGH & 2" CALIPER

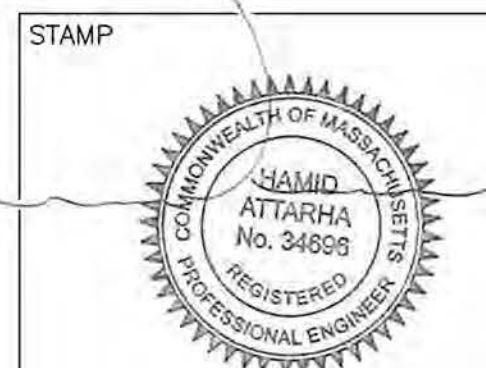
* AS MEASURED PER LANDSCAPE PLAN

A.P. 26-17
N/F
TOWN OF AYER
BK. 72043 PG. 218
LOT AREA
21,453 SQ. FT.
0.492 ACRES

GMG Designs
78 Blake Street
Hyde Park MA 02136
617.980.4938
gerardmgeorges@gmail.com
geradimo1@aol.com

ADE Designers and Engineers
2 Hancock Street, Suite 709
North Quincy MA 02171
617.838.2445

PROJECT:
RENOVATIONS AND ADDITION FOR 42 PARK STREET AYER MA 01432

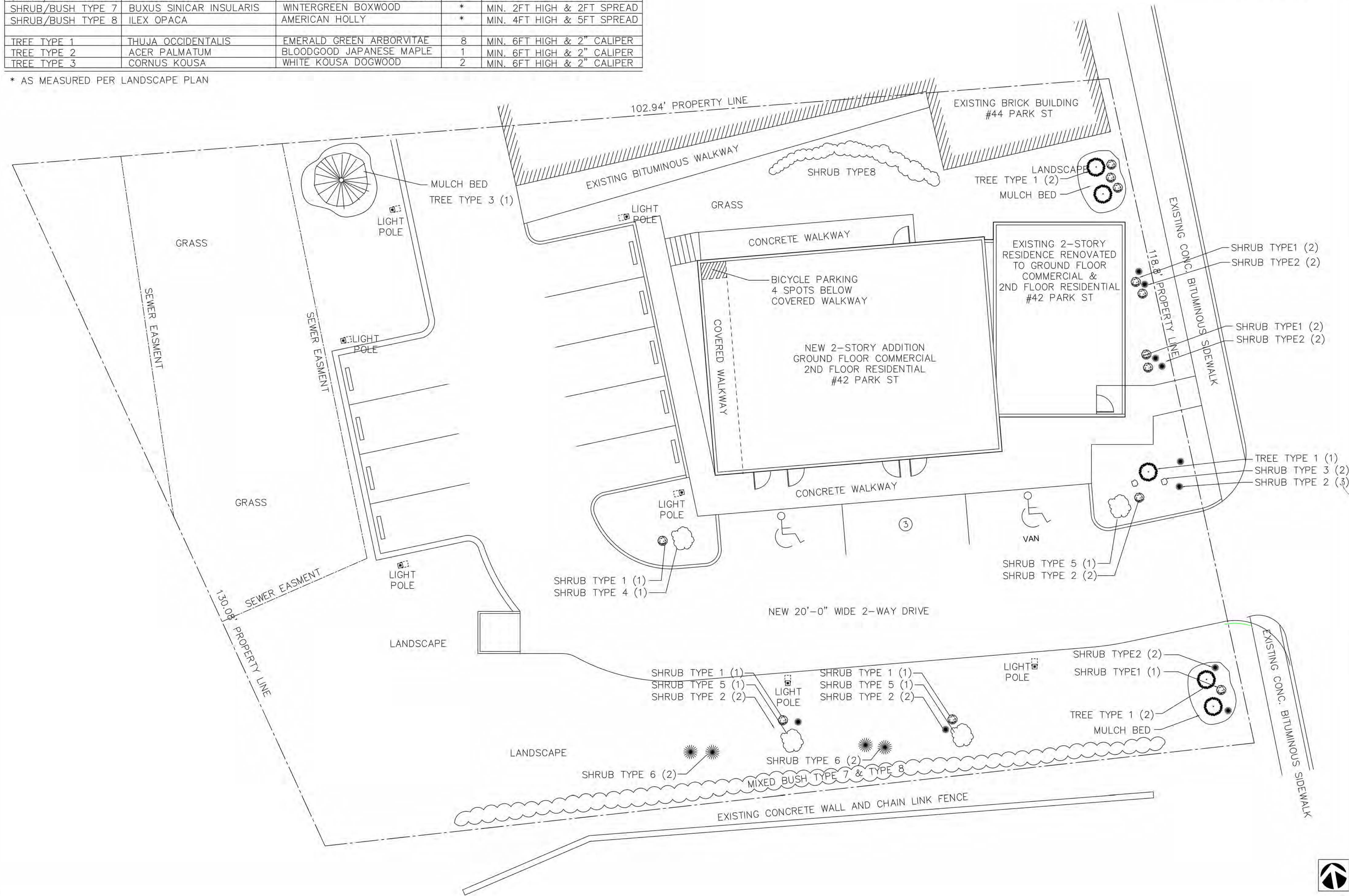


NO.	REVISION	DATE
03	SITE PLAN REVIEW	11.06.23
02	SITE PLAN REVIEW	10.24.23
01	PLANS & DESIGN CHANGES	9.21.23

Drawing Title
LANDSCAPE SITE PLAN

Scale: 1/4" = 1'-0"
Project No.: AG-001
Drawn By: G M G
Date: JUNE 15, 2023
Sheet No.

A.L





1 Photometric Layout and Calculations
SCALE: 1:10

Symbol	Label	Qty	Description	LLF	Lum. Watts	Lum. Lumens
[Symbol]	DL1	11	Vantage # VIC66FCS-U-07-40K-FCS66-SGC	0.900	9.4	646
[Symbol]	PL1	4	Visionaire # VSX-II-T3L-5L-4K-UNV-AM-BZ	0.900	34	4667
[Symbol]	PL1-HS	2	Visionaire # VSX-II-T3L-5L-4K-UNV-AM-BZ-HS	0.900	34	1534
[Symbol]	PL1-LS	1	Visionaire # VSX-II-T3L-5L-4K-UNV-AM-BZ-LCLS	0.900	34	3507
[Symbol]	PL1-RS	1	Visionaire # VSX-II-T3L-5L-4K-UNV-AM-BZ-RCLS	0.900	34	3507
[Symbol]	WP1	1	Visionaire # MLB-2-T3-24LC-3-4K-UNV-WM-BZ	0.900	26.286	2219
[Symbol]	WS1	2	Vantage # VW-610PLED-U-15-40K-BZ-SGC	0.900	15.4	1502

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Site Calcs	Illuminance	Fc	1.40	7.9	0.0	N.A.	N.A.
DRIVE	Illuminance	Fc	1.15	3.3	0.2	5.75	16.50
PARKING	Illuminance	Fc	3.29	3.9	2.6	1.27	

VSX-II Array LED Specifications

Ordering Information

MODEL	OPTICS	LUMENS	KELVIN	VOLTAGE	MOUNTING	FINISH	OPTIONS	OPTIONS	OPTIONS
VSX-II	T1	5L	3K	UNV	AM	BZ	PCR-120	WSC-9	UPMA-S
	T2	10L	4000K	8	AM	BZ	PCR-208	WSC-9	UPMA-S
	T3	15L	4000K	8	AM	BZ	PCR-277	WSC-9	UPMA-S
	T4	20L	5K	5	AM	BZ	PCR-347	WSC-9	UPMA-S
	T4	25L	5K	5	AM	BZ	PCR-420	WSC-9	UPMA-S

VISIONAIRE LIGHTING
VL-PA-ING-001-F37 REV. D CIBAR22-03

2 Visionaire Type VSX-II Array Specifications

6"x6" Square, F-Class Commercial IC-RATED

Open LED Downlight, 750-2000 Lumens

Features & Construction

- Class Commercial downlights are designed to provide premium features at a commercial price.
- Standard 5'0" (1524mm) diameter, optional 6'0" (1829mm) diameter.
- Standard 5'0" (1524mm) diameter, optional 6'0" (1829mm) diameter.
- Standard 5'0" (1524mm) diameter, optional 6'0" (1829mm) diameter.
- Standard 5'0" (1524mm) diameter, optional 6'0" (1829mm) diameter.

Ordering Information

Series	Voltage	Lumens	Beam (CCT)	Beam (CCT)	Beam (CCT)	Options*
VSX-II	120V	750	3000K	3000K	3000K	None
	277V	1500	3000K	3000K	3000K	None
	277V	2000	3000K	3000K	3000K	None

VISIONAIRE LIGHTING
VL-PA-ING-001-F37 REV. D CIBAR22-03

4 Vantage Type Square F Class Specifications

NOTES:

- A LIGHT LOSS FACTOR OF 0.900 HAS BEEN APPLIED TO FIXTURES UNLESS OTHERWISE NOTED. REFER TO LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTOR AND LUMEN INFORMATION.
- SEE "MH" ON LIGHTING FIXTURE TAG LOCATED ON PLAN FOR MOUNTING HEIGHT INFORMATION.
- CALCULATION POINTS ARE TAKEN AT GRADE.
- CALCULATION RESULTS ARE BASED ON IES STANDARDS UNLESS OTHERWISE REQUESTED.

Malibu LED Specifications

Ordering Information

MODEL	OPTICS	SOURCE	CURRENT	KELVIN	VOLTAGE	MOUNTING	FINISH	OPTIONS
MLB-2	T1	24LC	3	3000K	UNV	WM	BZ	PC120
	T2	48LC	5	3000K	UNV	WM	BZ	PC120
	T3	72LC	7.5	3000K	UNV	WM	BZ	PC120

VISIONAIRE LIGHTING
VL-PA-ING-001-F37 REV. D CIBAR22-03

3 Visionaire Type Malibu Specifications

6"x10" Architectural Cylinder

Open LED 1100-3000 Lumens

Features & Construction

- Class Commercial downlights are designed to provide premium features at a commercial price.
- Standard 6'0" (1829mm) diameter, optional 8'0" (2438mm) diameter.
- Standard 6'0" (1829mm) diameter, optional 8'0" (2438mm) diameter.
- Standard 6'0" (1829mm) diameter, optional 8'0" (2438mm) diameter.

Ordering Information

Series	Voltage	Lumens	Beam (CCT)	Beam (CCT)	Beam (CCT)	Options*
VSX-II	120V	1100	3000K	3000K	3000K	None
	277V	2200	3000K	3000K	3000K	None
	277V	3000	3000K	3000K	3000K	None

VANTAGE LIGHTING
VL-PA-ING-001-F37 REV. D CIBAR22-03

5 Vantage Type 6X10 Arch Specifications

DATE:	6/19/2023	REVISIONS:	DESCRIPTION	DATE
PROJECT NUMBER:	23-0759	1		
DRAWN BY:	AM	2		
CHECKED BY:	TJ	3		
APPROVED BY:	HD	4		
SCALE:	AS NOTED	5		
		6		
		7		

BASEMENT
675 SF

CRAWL SPACE
1,532 SF

GMG Designs

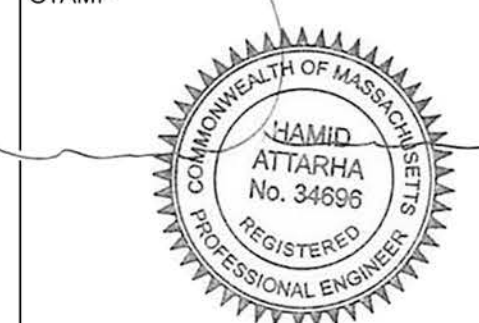
GMG Designs
78 Blake Street
Hyde Park MA 02136
617.980.4938
gerardmgeorges@gmail.com
geradimo1@aol.com

ADE Designers and Engineers
2 Hancock Street, Suite 709
North Quincy MA 02171
617.838.2445

PROJECT:

**RENOVATIONS
AND ADDITION FOR
42 PARK STREET
AYER MA 01432**

STAMP



02	SITE PLAN REVIEW	11.06.23
01	PLANS & DESIGN CHANGES	9.21.23
NO.	REVISION	DATE

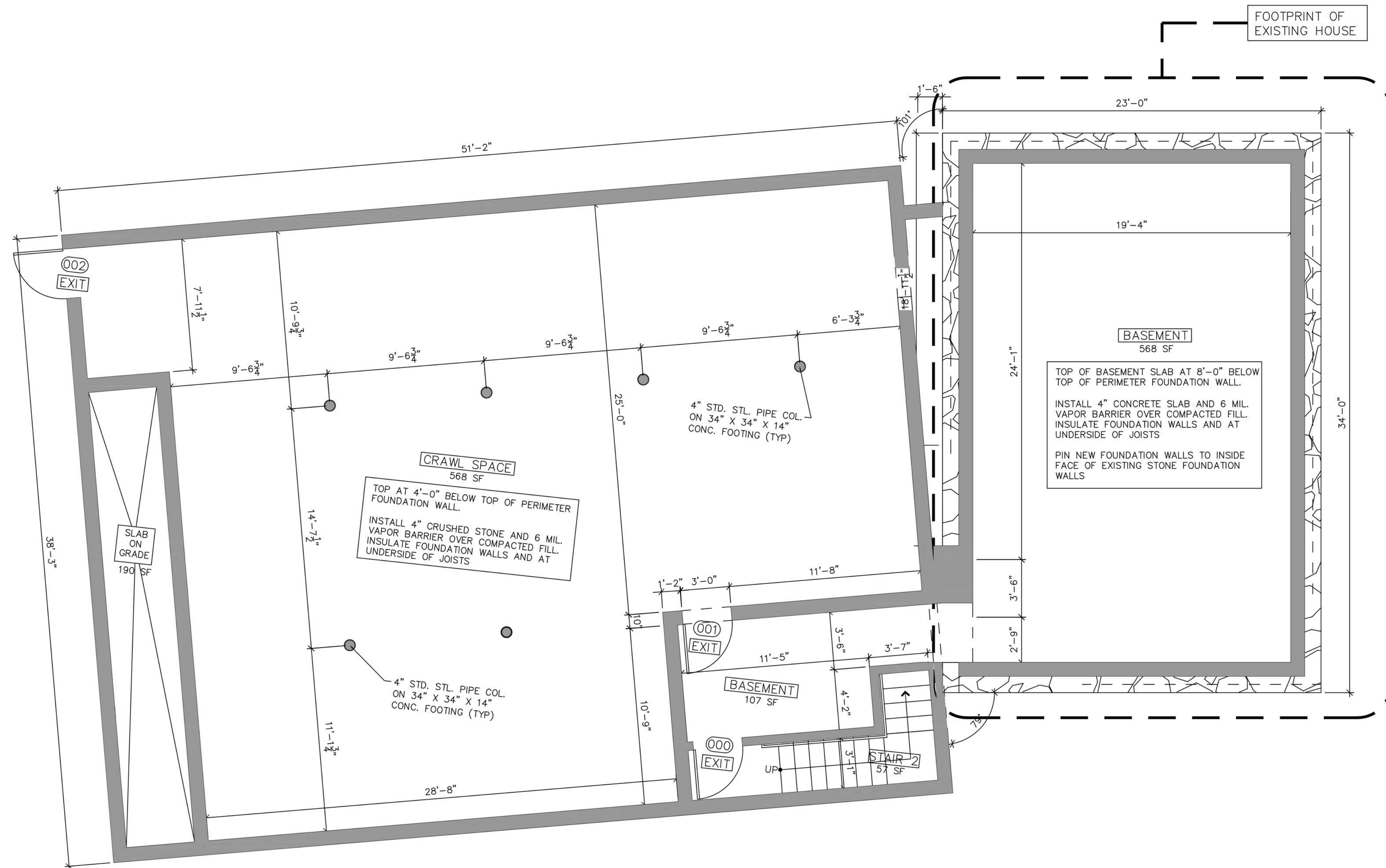
Drawing Title

BASEMENT & CRAWL SPACE FLOOR PLANS

Scale	1/4" = 1'-0"
Project No.	AG-001
Drawn By	G M G
Date	JUNE 15, 2023

Sheet No.

A.1



1 - TYPICAL EXTERIOR WALL CONSTRUCTION

- EXISTING STONE MASONRY FOUNDATION TO REMAIN. RE-POINT AND SEAL AS REQUIRED
- CUT NEW WINDOW OPENINGS PER PLANS. INSTALL WATERPROOFING AND SEALANT
- PROVIDE EXPANDABLE FOAM INSULATION AT ALL JOINTS AND TIGHT LOCATIONS.
- PROVIDE 6 MIL. POLY VAPOR BARRIER ON INTERIOR FACE OF STUDS (USE MANUFACTURER RECOMMENDED TAPE AT ALL JOINTS) WITH 1/2" GYPSUM WALL BOARD.

2 - TYPICAL INTERIOR WALL CONSTRUCTION

- 1/2" GYPSUM WALL BOARD OVER WALL FRAMING SYSTEM.
- MECHANICAL ROOM SHALL BE SEPARATED FROM ALL HABITABLE SPACES BY NOT LESS THAN 5/8" TYPE "X" GYPSUM WALL BOARD OR EQUIVALENT GYPSUM WALLBOARD.

3 - TYPICAL CEILING CONSTRUCTION

- 1/2" GYPSUM WALL BOARD OVER 1x3 STRAPPING @ 16" O.C. OVER CEILING JOISTS SYSTEM ABOVE BY NOT LESS THAN 5/8" TYPE "X" GYPSUM WALL BOARD OR EQUIVALENT GYPSUM WALL BOARD. WHERE THE SEPARATION IS A FLOOR-CEILING ASSEMBLY, THE STRUCTURE SUPPORTING THE SEPARATION SHALL ALSO BE PROTECTED BY NOT LESS THAN 5/8" GYPSUM WALL BOARD OR EQUIVALENT.

4 - PLAN NOTES

- INSTALL 8MIL LVT FLOORING THROUGHOUT FLOOR EXCEPT WHERE INDICATED BELOW OR ON THE PLANS (STYLE & COLOR TO BE SELECTED BY OWNER)
- BATHROOMS AND POWDER ROOMS SHALL RECEIVE LARGE FORMAT PORCELAIN TILE (STYLE & COLOR TO BE SELECTED BY OWNER)
- ALL INTERIOR WALL BASE SHALL BE 1" X 4" WOOD - PAINTED
- ALL INTERIOR DOOR AND WINDOW CASING SHALL BE 1" X 4" WOOD - PAINTED

NOTE:

1. FIT-OUT OF COMMERCIAL SALON TENANT AREA SHALL BE PRICED, PERMITTED AND BUILT UNDER A SEPARATE CONTRACT.
2. ALL WALLS, FLOORS, CEILINGS AND PARTITIONS THAT SEPARATE THE COMMERCIAL TENANT SPACE FROM ALL OTHER ENCLOSED SPACES SHALL BE CONSTRUCTED TO PROVIDE A ONE-HOUR FIRE RATING AND SHALL BE SEALED TO PREVENT THE TRANSFER OF SMOKE.
3. INTERIOR FINISHES, COLORS, LIGHT FIXTURES, PLUMBING FIXTURES, MIRRORS RECEPTION DESK AND SALON FIXTURES SHALL BE SELECTED BY THE TENANT AND SHALL BE PRICED AND INSTALLATION COORDINATION BY THE FIT-OUT CONTRACTOR
4. ELECTRICAL, HVAC, FIRE ALARM, FIRE PROTECTION SYSTEMS, DEVICES AND AND DISTRIBUTION SHALL BE PROVIDED, INSTALLED AND COORDINATED BY THE FIT-OUT CONTRACTOR.

COMMERCIAL	1,815 SF
STAIRS	162 SF
MISC.	470 SF
TOTAL	2,447 SF

FIRST FLOOR

GMG Designs
 GMG Designs
 78 Blake Street
 Hyde Park MA 02136
 617.980.4938
 gerardmgeorges@gmail.com
 geradimo1@aol.com

ADE Designers and Engineers
 2 Hancock Street, Suite 709
 North Quincy MA 02171
 617.838.2445

PROJECT:

RENOVATIONS AND ADDITION FOR 42 PARK STREET AYER MA 01432

STAMP



NO.	REVISION	DATE
02	SITE PLAN REVIEW	11.06.23
01	PLANS & DESIGN CHANGES	9.21.23

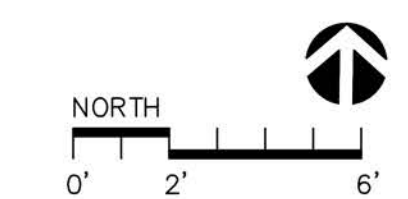
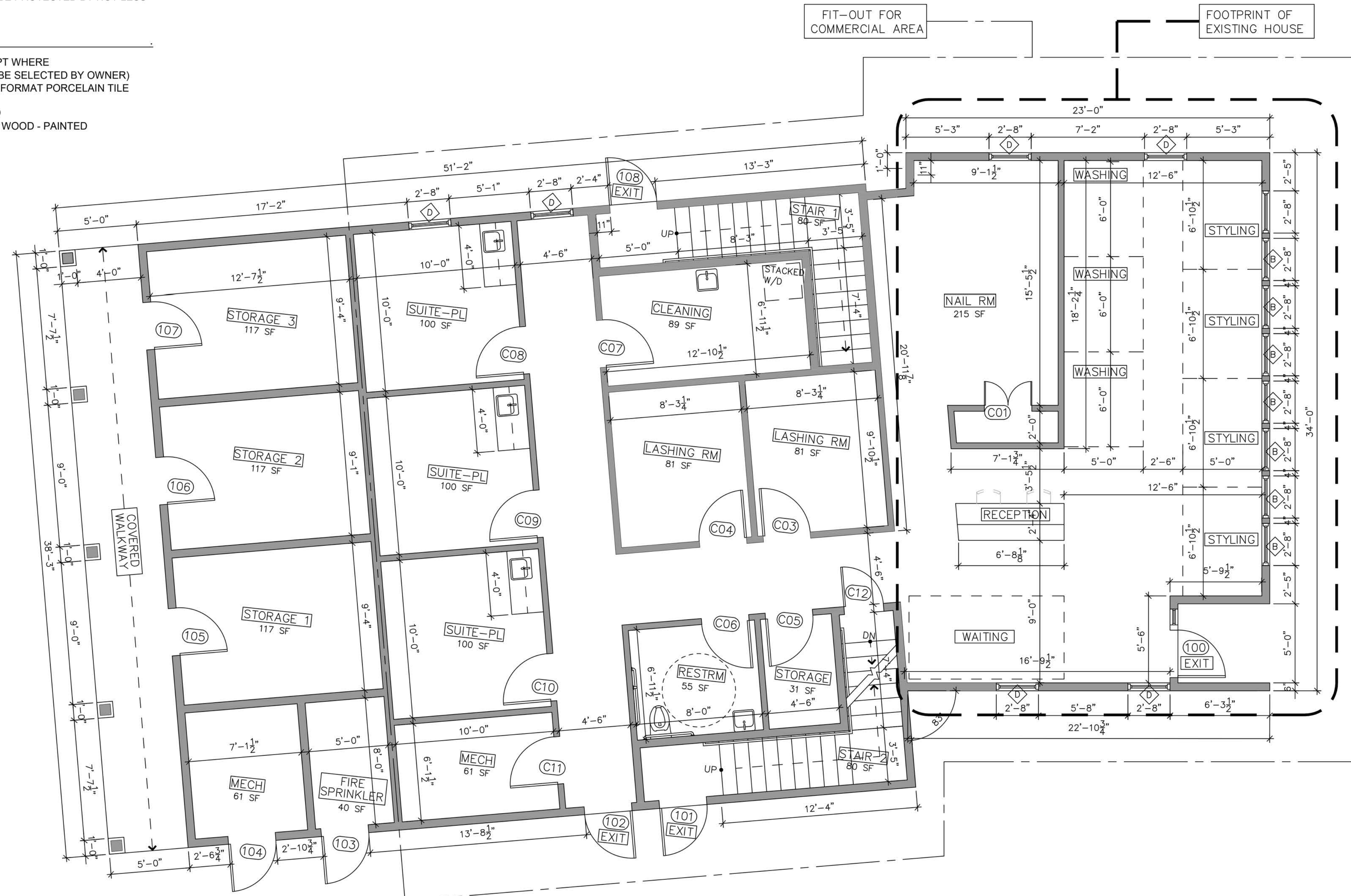
Drawing Title

FIRST FLOOR PLAN

Scale	1/4" = 1'-0"
Project No.	AG-001
Drawn By	G M G
Date	JUNE 15, 2023

Sheet No.

A.2



1 - TYPICAL EXTERIOR WALL CONSTRUCTION

- EXISTING STONE MASONRY FOUNDATION TO REMAIN. RE-POINT AND SEAL AS REQUIRED
- CUT NEW WINDOW OPENINGS PER PLANS. INSTALL WATERPROOFING AND SEALANT
- PROVIDE EXPANDABLE FOAM INSULATION AT ALL JOINTS AND TIGHT LOCATIONS.
- PROVIDE 6 MIL. POLY VAPOR BARRIER ON INTERIOR FACE OF STUDS (USE MANUFACTURER RECOMMENDED TAPE AT ALL JOINTS) WITH 1/2" GYPSUM WALL BOARD.

2 - TYPICAL INTERIOR WALL CONSTRUCTION

- 1/2" GYPSUM WALL BOARD OVER WALL FRAMING SYSTEM.
- MECHANICAL ROOM SHALL BE SEPARATED FROM ALL HABITABLE SPACES BY NOT LESS THAN 5/8" TYPE "X" GYPSUM WALL BOARD OR EQUIVALENT GYPSUM WALLBOARD.

3 - TYPICAL CEILING CONSTRUCTION

- 1/2" GYPSUM WALL BOARD OVER 1x3 STRAPPING @ 16" O.C. OVER CEILING JOISTS SYSTEM ABOVE BY NOT LESS THAN 5/8" TYPE "X" GYPSUM WALL BOARD OR EQUIVALENT GYPSUM WALL BOARD. WHERE THE SEPARATION IS A FLOOR-CEILING ASSEMBLY, THE STRUCTURE SUPPORTING THE SEPARATION SHALL ALSO BE PROTECTED BY NOT LESS THAN 5/8" GYPSUM WALL BOARD OR EQUIVALENT.

4 - PLAN NOTES

- INSTALL 8MIL. LVT FLOORING THROUGHOUT FLOOR EXCEPT WHERE INDICATED BELOW OR ON THE PLANS (STYLE & COLOR TO BE SELECTED BY OWNER)
- BATHROOMS AND POWDER ROOMS SHALL RECEIVE LARGE FORMAT PORCELAIN TILE (STYLE & COLOR TO BE SELECTED BY OWNER)
- ALL INTERIOR WALL BASE SHALL BE 1" X 4" WOOD - PAINTED
- ALL INTERIOR DOOR AND WINDOW CASING SHALL BE 1" X 4" WOOD - PAINTED

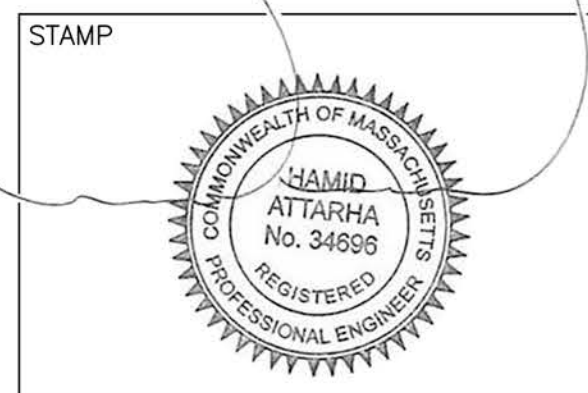
UNIT 1	840 SF
UNIT 2	806 SF
UNIT 3	806 SF
HALLWAY	81 SF
STAIRS	191 SF
TOTAL	2,724 SF

SECOND FLOOR

GMG Designs
 GMG Designs
 78 Blake Street
 Hyde Park MA 02136
 617.980.4938
 gerardmgeorges@gmail.com
 geradimo1@aol.com

ADE Designers and Engineers
 2 Hancock Street, Suite 709
 North Quincy MA 02171
 617.838.2445

PROJECT:
RENOVATIONS AND ADDITION FOR 42 PARK STREET AYER MA 01432



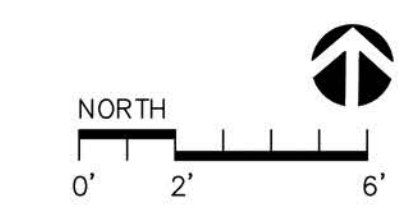
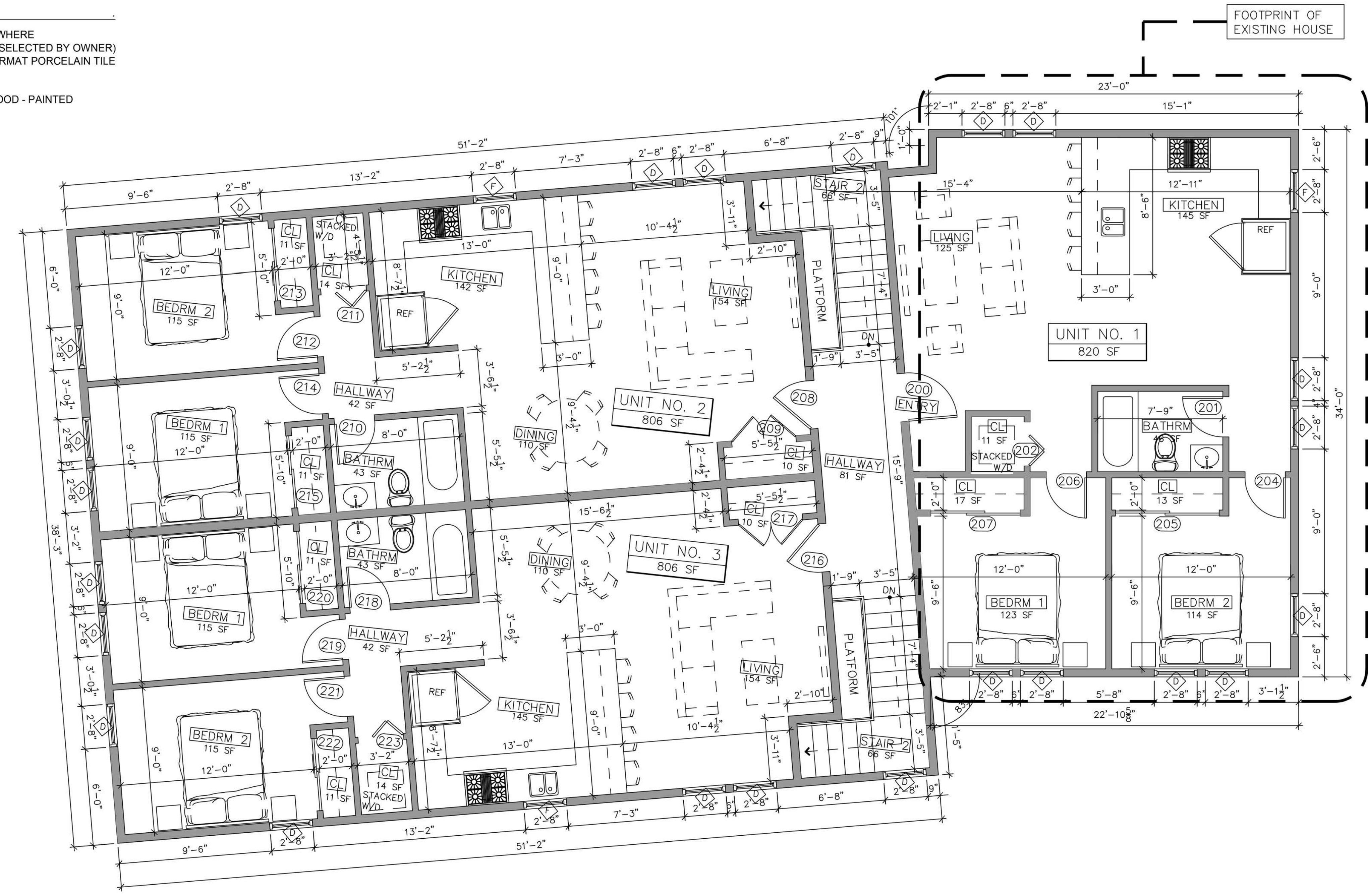
NO.	REVISION	DATE
02	SITE PLAN REVIEW	11.06.23
01	PLANS & DESIGN CHANGES	9.21.23

Drawing Title
SECOND FLOOR PLAN

Scale	1/4" = 1'-0"
Project No.	AG-001
Drawn By	G M G
Date	JUNE 15, 2023

Sheet No.

A.3



PROJECT:

**RENOVATIONS
AND ADDITION FOR
42 PARK STREET
AYER MA 01432**

STAMP



NO.	REVISION	DATE
02	SITE PLAN REVIEW	11.06.23
01	PLANS & DESIGN CHANGES	9.21.23

Drawing Title

ROOF PLAN

Scale	1/4" = 1'-0"
Project No.	AG-001
Drawn By	G M G
Date	JUNE 15, 2023

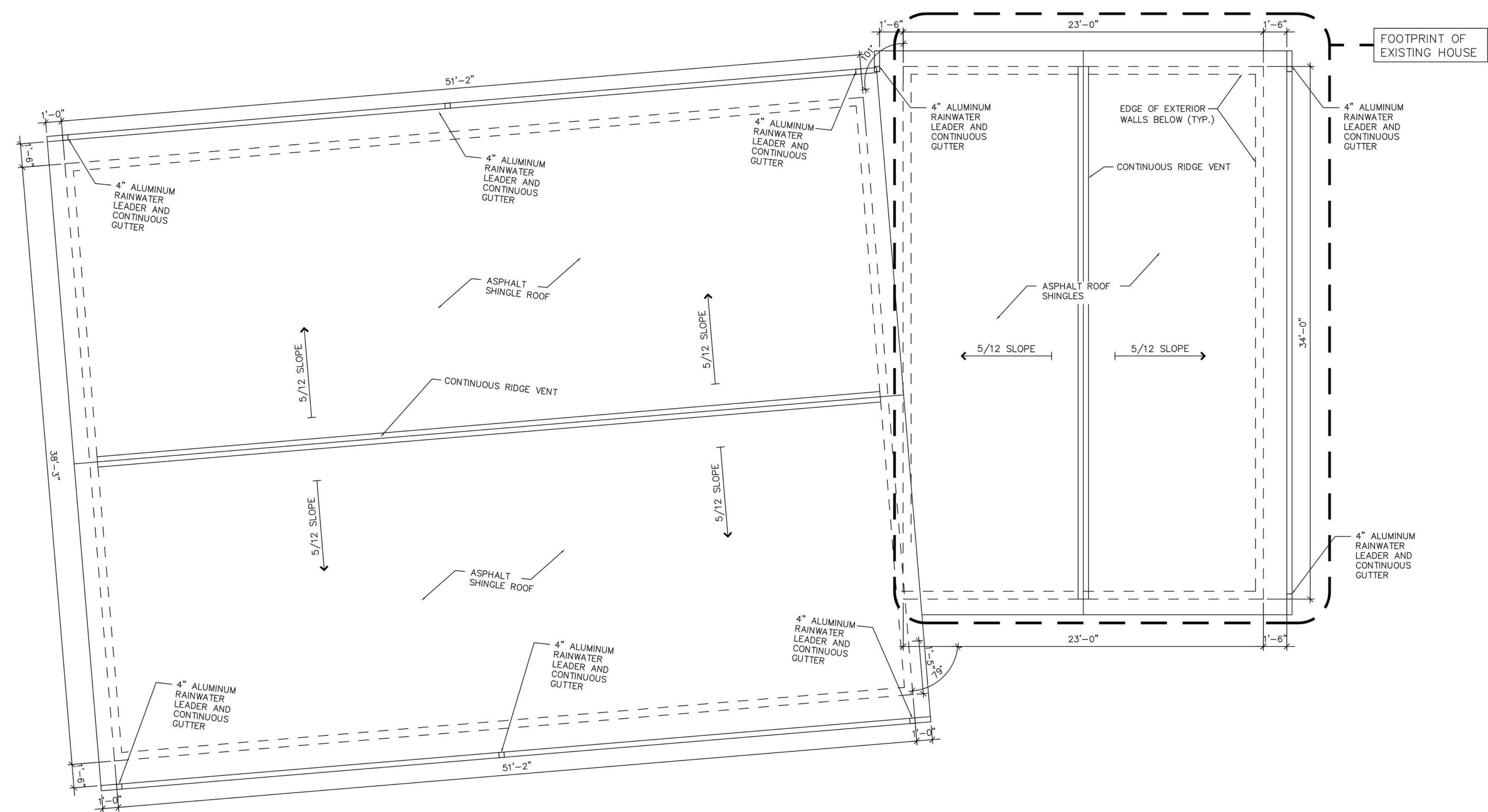
Sheet No.

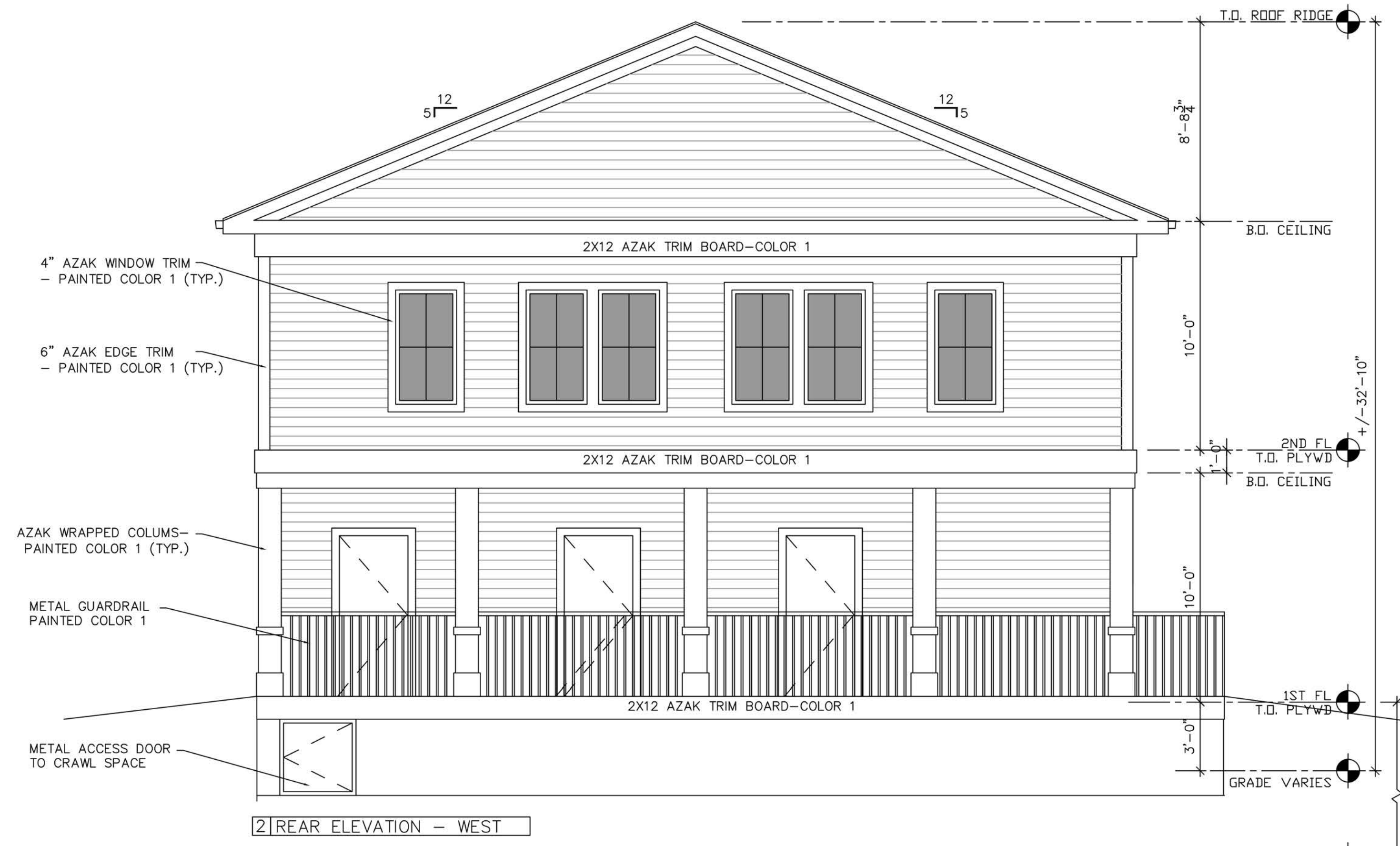
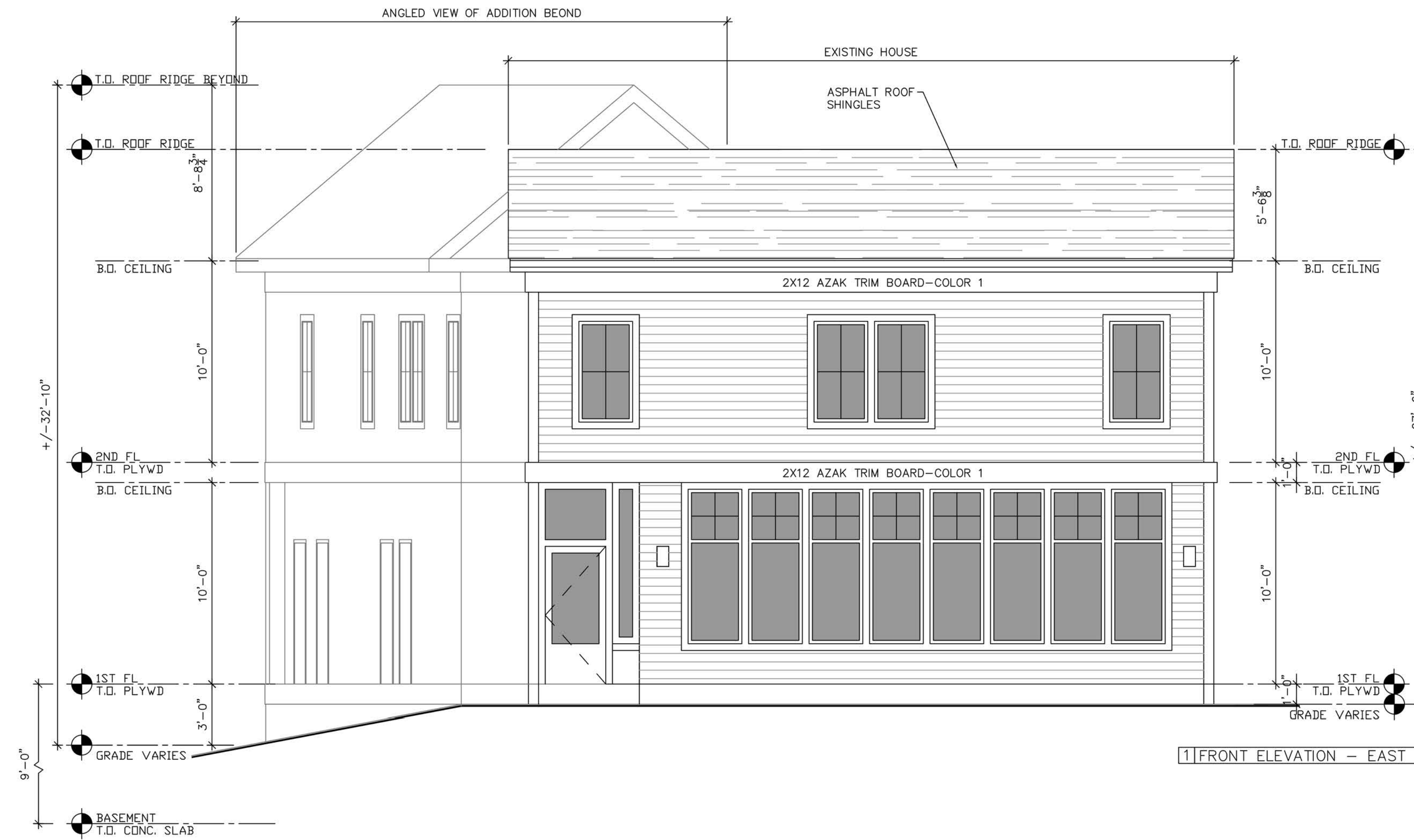
A.4

EPDM AREA +/- 75 SF
SHINGLE TILE AREA 3,179 SF

ROOF

NOTE: PROVIDE
CONTINUOUS 36" WIDE
ICE & WATER SHIELD
ALONG PERIMETER
EDGES





GMG Designs
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 78 Blake Street
 Hyde Park MA 02136
 617.980.4938
 gerardmgeorges@gmail.com
 geradimo1@aol.com

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 2 Hancock Street, Suite 709
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PROJECT:
**RENOVATIONS
 AND ADDITION FOR
 42 PARK STREET
 AYER MA 01432**



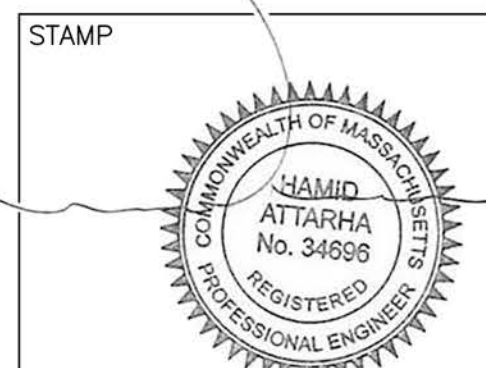
NO.	REVISION	DATE
02	SITE PLAN REVIEW	11.06.23
01	PLANS & DESIGN CHANGES	9.21.23

Drawing Title
**EXTERIOR
 ELEVATIONS**

Scale 1/4" = 1'-0"
 Project No. AG-001
 Drawn By G M G
 Date JUNE 15, 2023

Sheet No.

A.5



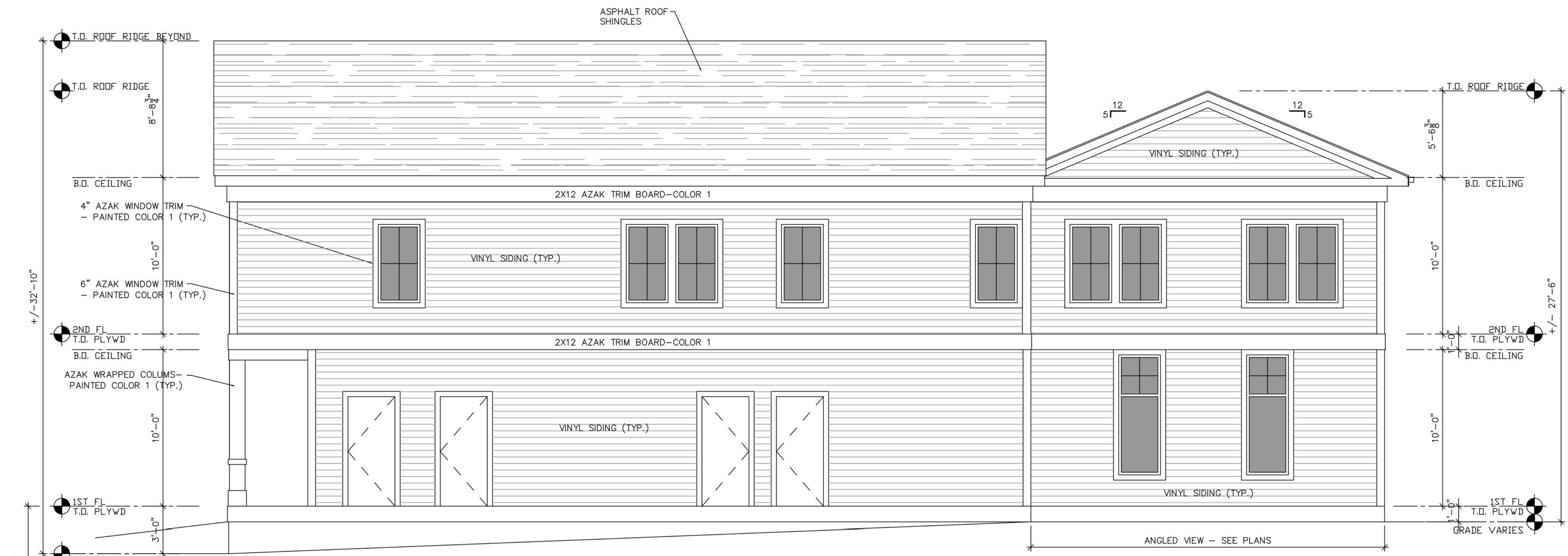
NO.	REVISION	DATE
02	SITE PLAN REVIEW	11.06.23
01	PLANS & DESIGN CHANGES	9.21.23

Drawing Title

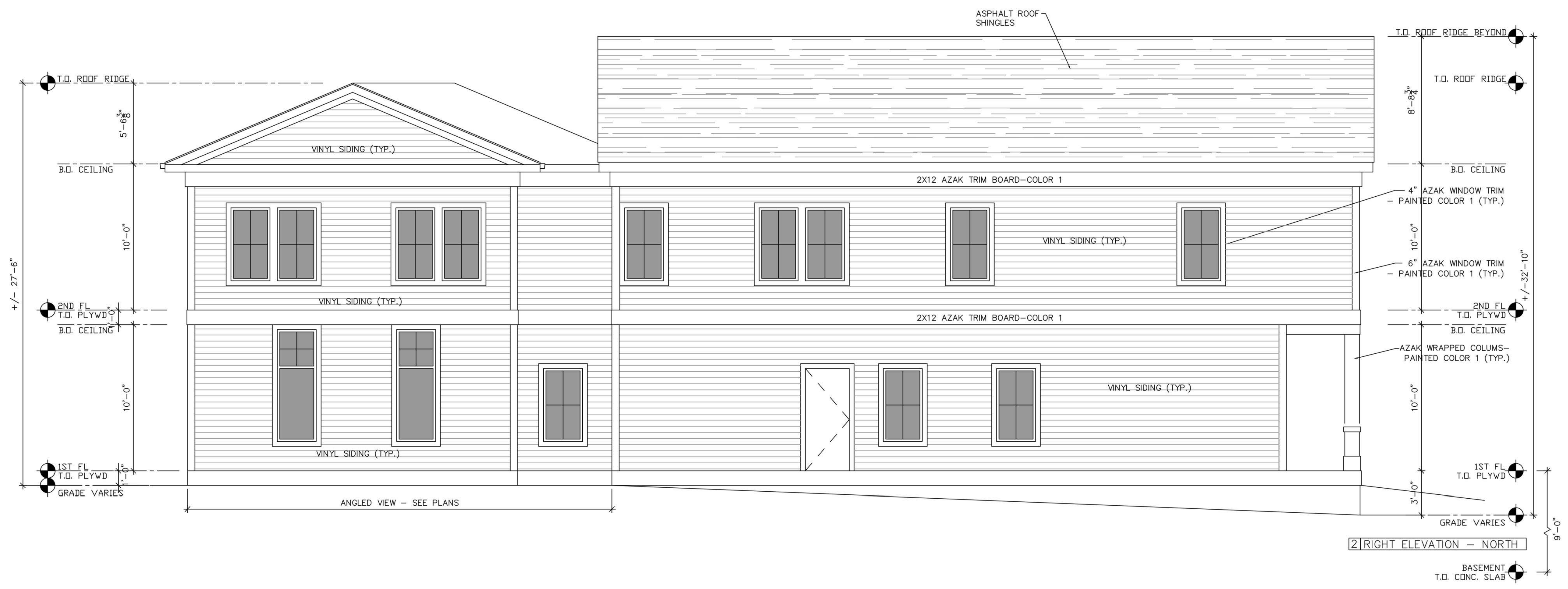
**EXTERIOR
ELEVATIONS**

Scale	1/4" = 1'-0"
Project No.	AG-001
Drawn By	G M G
Date	JUNE 15, 2023

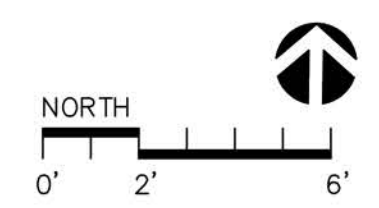
Sheet No.



1 LEFT ELEVATION - SOUTH



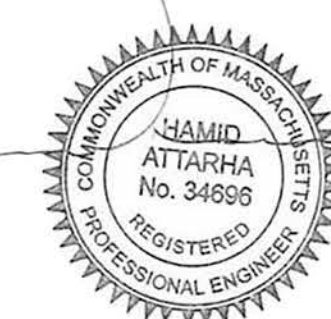
2 RIGHT ELEVATION - NORTH



PROJECT:

RENOVATIONS
AND ADDITION FOR
42 PARK STREET
AYER MA 01432

STAMP



NO.	REVISION	DATE
02	SITE PLAN REVIEW	11.06.23
01	PLANS & DESIGN CHANGES	9.21.23

Drawing Title

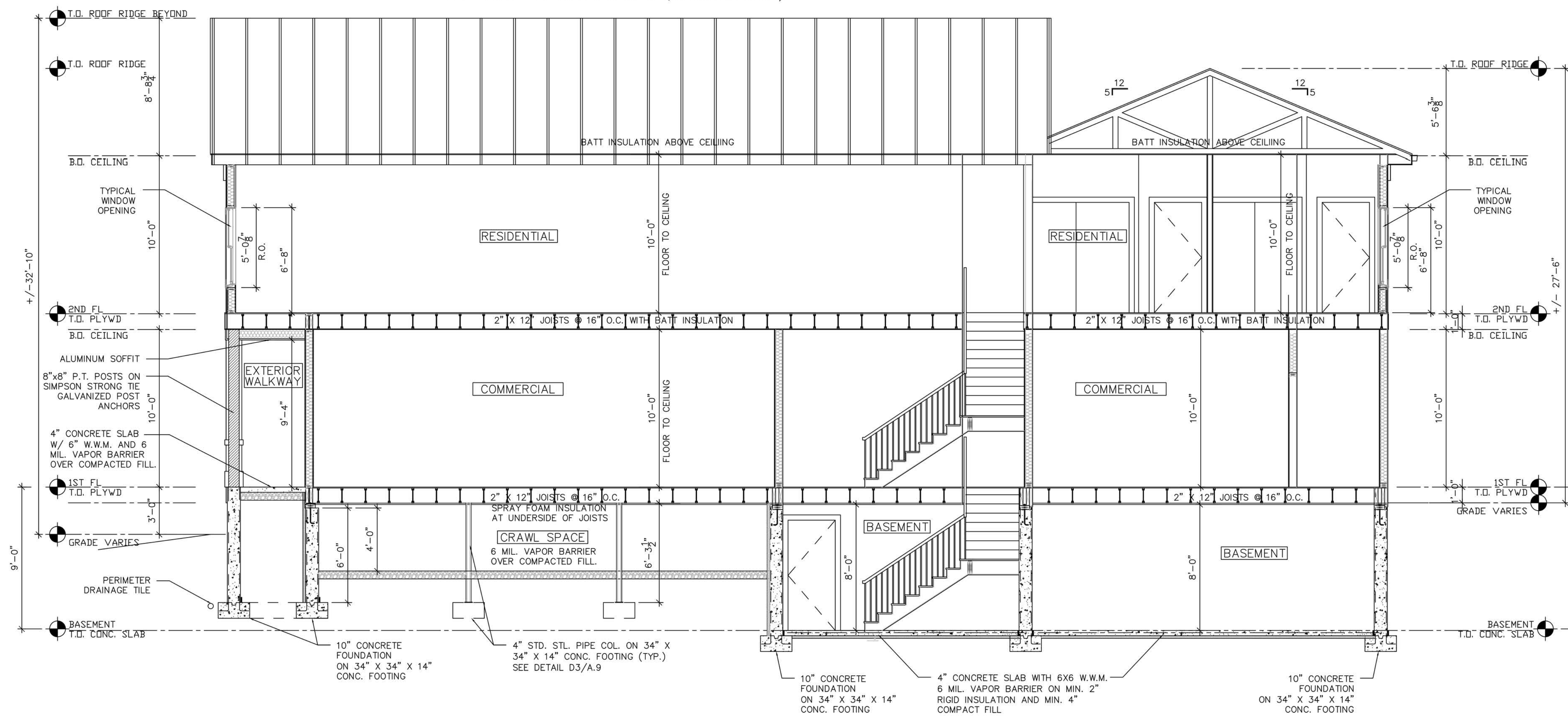
BUILDING SECTIONS

Scale	1/4" = 1'-0"
Project No.	AG-001
Drawn By	G M G
Date	JUNE 15, 2023

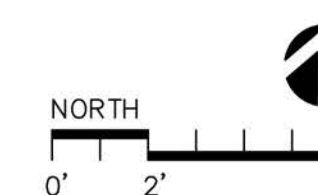
Sheet No.

A.7

COMMON TRUSS CONFIGURATION WITH A 5/12 PITCH AT 24" O.C.
DESIGNED TO MEET A TOTAL LOAD OF 55 PSF (LIVE LOAD AT 40 PSF)



1 | LONGITUDINAL SECTION





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

Department Head Review Summary

*Applicant: Alexandria Goldinak
 Address: 42 Park St.
 Application for: Special Permit*

Department	Comments
Town Manager	
Board of Health	No issues as long as the property is on town water/sewer. Please make sure facility has proper trash removal (dumpsters)
Department of Public Works	The DPW does not have any comments.
Fire Department	No Fire Department issues.
Police Department	No comments. Defer to Planning and ZBA.
Building Commissioner/Zoning Enforcement Officer	I have no issue with this request. I would approve.
Conservation Commission/Agent	The proposed addition within the setback is outside the Commission's jurisdiction. There will be a filing with the Commission for the work within the 100 ft. buffer zone.
Treasurer/Tax Collector	This property is in the Tax Title and Land Court. Foreclosure proceedings may proceed until the delinquent taxes are paid. I am told the property owner is aware and will pay when the sale completes. I am approving this based on this knowledge.
Town Clerk	No issues.
Assessor	No Comment.
Economic & Community Development	Recommend Approval.
Town Planner	No Comments.



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

Wednesday November 15, 2023
Hybrid Open Session Meeting Minutes

This meeting was recorded by APAC

Present: Samuel Goodwin (via Zoom), Chair; Michael Gibbons, Vice-Chair; Ronald Defilippo, Clerk; Jess Gugino; John Ellis; Marilyn Schmalenberger, Alternate Member

Also Present: Samantha Benoit, Administrative Coordinator

Call to Order: S. Goodwin called the meeting to order at 6:00pm. He stated that this meeting/hearing of the Zoning Board of Appeals will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom. The public may access the proceedings by joining Zoom (Meeting ID# 857 9728 7177) or by calling (312-626-6799). For additional information about remote participation, please contact Samantha Benoit, Administrative Coordinator at zba@ayer.ma.us or 978-772-8220 ext. 114 prior to the meeting.

Approval of the Agenda: S. Goodwin made a motion to approve the agenda as written.

Seconded: M. Gibbons

Roll Call Vote: M. Gibbons, aye; J. Gugino, aye; R. DeFilippo, aye; J. Ellis, aye; S. Goodwin, aye.

Motion Passed (5-0)

Public Hearing – Application for a Special Permit – North Country Developers – 71 Sandy Pond Rd. (Filed September 28, 2023)

S. Goodwin opened the public hearing at 6:02pm by reading the public hearing notice as published in *The Nashoba Valley Voice* on October 27, 2023 and November 3, 2023. The applicant is seeking a Special Permit pursuant to Ayer Zoning Bylaw Section 5.2.1.2 (Table of Use Regulations – Residential Uses) to allow two 2-family dwellings in the A-2 district.

Kevin Conover of David E. Ross Associates, Inc. represented the applicant. He explained that the proposed plan was to remove the existing two-family home and replace it with 2 two-family homes. He noted that this project has already gone before the Conservation Commission.

M. Gibbons asked if the ANR has been filed with the Planning Board.

K. Conover explained it had not been filed yet, he noted that the Board had granted similar Special Permits in the past prior to the ANR being submitted. The ANR was not submitted because the applicant did not wish to revise it multiple times after comments from the Conservation Commission. The filing deadline for the ANR is next week.

J. Gugino noted in the plan that Parcel A would become an unbuildable lot.

R. Defilippo asked why they had decided on 2 two-family homes instead of 2 single-family homes.

K. Conover explained it was in keeping with the neighborhood and to maximize the development.

S. Goodwin asked if everything was being removed from the current lot.

K. Conover explained the house will be removed and there will be less pavement on the property. The Conservation Commission has asked for more plantings to be added.

M. Gibbons noted his biggest concern is the ANR has not been completed and therefore the Board would be approving a Special Permit for two non-existent lots.

J. Ellis asked if the home had septic, or town sewer.

K. Conover that the new homes would tie into the town sewer and water.

Rebecca Carol, of 4B Samantha Ln, had concerns about the wooded area in the rear of the property. She was worried about trees being removed and what damage that may cause to her property.

J. Gugino explained that the Conservation Commission has asked for more trees to be planted.

K. Conover explained the some of the wooded areas are in wetlands and therefore cannot be touched.

Motion: S. Goodwin made a motion to continue the Public Hearing until December 20th so the applicant can submit the ANR.

Seconded: R. Defilippo

Roll Call Vote: M. Gibbons, aye; J. Gugino, aye; R. DeFilippo, aye; J. Ellis, aye; S. Goodwin, aye.

Motion Passed (5-0)

Public Hearing – Application for Special Permit – Third Street Nominee Trust – 33 Third St. (Filed October 18, 2023)

S. Goodwin opened the public hearing at 6:30pm by reading the public hearing notice as published in *The Nashoba Valley Voice* on October 27, 2023 and November 3, 2023. The applicant is seeking a Special Permit pursuant to Ayer Zoning Bylaw Section 5.2.1.2 (Table of Use Regulations – Residential Uses) to allow two 2-family dwellings on separate lots in the A-2 district.

K. Conover represented the applicant. He explained the ANR had been submitted to the Planning Board the night before. The home that had been on the property was a two-family home and has since been demolished. There is an existing sewer on the property that bisects the lots, the easement for the sewer cannot be found but they are willing to put one in. The proposed plan is for two duplexes, one on each lot, with 100ft of frontage. He noted that there are multiple duplexes in the area.

S. Goodwin asked if these buildings would be on a gravel road.

K. Conover explained that the road changes from pavement to gravel in front of the second lot. This is also known as Pulpit Rock Rd.

Kelly and Gregory Robbins, of 29 Third St., are concerned about the addition of four families and homes on lots with small yards. They noted that the neighborhood is made up of older homes, many of which are single-family homes, and some of the two-family homes have been converted to single-family. They are concerned about large homes on small lots.

J. Gugino noted that a large portion of the property will be undeveloped.

K. Conover explained that portions of the property are in the floodplain and buffer zone, and the applicant does not wish to go before the Conservation Commission. Also, the units proposed are smaller than the ones on Marshall St. that were recently built.

S. Goodwin asked how many bedrooms each unit would have.

K. Conover explained each unit would have two bedrooms.

M. Gibbons noted he understands the neighbors' concerns, but the lots proposed are large.

J. Gugino has some concerns about the undeveloped lot in the future.

K. Conover explained that the applicant only intends to develop these two lots, and if they wanted to do anything with the third lot in the future the applicant would have to go before the ZBA and the Conservation Commission.

R. DeFilippo was concerned about the density of the area.

J. Ellis noted that there was no valid reason to oppose the proposal, everything on the plan is within the regulations, and there will be little negative impact.

Motion: S. Goodwin made a motion to grant the Special Permit pursuant to Ayer Zoning Bylaw Section 5.2.1.2 (Table of Use Regulations – Residential Uses) to allow two 2-family dwellings on separate lots in the A-2 district.

Seconded: M. Gibbons

Roll Call Vote: M. Gibbons, aye; J. Gugino, nay; R. DeFilippo, nay; J. Ellis, aye; S. Goodwin, aye.

Motion Failed (3-2) (4 out of 5 votes in the affirmative is needed to pass)

Motion: S. Goodwin made a motion to close the public hearing at 6:53pm.

Seconded: M. Gibbons

Roll Call Vote: M. Gibbons, aye; J. Gugino, aye; R. DeFilippo, aye; J. Ellis, aye; S. Goodwin, aye.
Motion Passed (5-0)

Public Hearing – Application for Special Permit – Kristina Young – 3 Bennetts Crossing (Filed October 26, 2023)

S. Goodwin opened the public hearing at 6:54pm by reading the public hearing notice as published in *The Lowell Sun* on November 1, 2023 and November 8, 2023. The applicant is seeking a Special Permit pursuant to Ayer Zoning Bylaw Section 5.2.1.10 (Table of Use Regulations – Residential Uses) to allow for a Home Occupation in the A-2 district.

Kristina Young and her business partner Kailey Young represented themselves. The two would like to run a business out of Kristina Young's home where they would make a variety of chocolate covered treats and gift boxes.

Kristina addressed the concerns of parking by explaining that the driveway to their home can accommodate up to eight vehicles, and all pick-ups will occur in the driveway. Pick-up times will be scheduled in advance so as to alleviate traffic concerns. There will be no signage or deliveries to the home.

S. Goodwin asked how supplies would be delivered.
Kristina explained that most supplies are delivered by UPS.

M. Schmalenberger asked if they would be doing any mail order business.
Kristina noted they are only looking to sell to locals.
Kailey also noted that the Board of Health will inspect the kitchen before they start to fill orders.

S. Goodwin asked what they would do if the business grew.
Kristina explained that if the business grew, they would look for a commercial location. The business is being run out of her home kitchen.

Lisa Darosa, of 3 Robbins Rd., has no issues with this request. She lives very close to the entrance of the neighborhood, as does the applicant. She recommended if the traffic increased too much that people picking up orders should be given a specific time.

M. Gibbons noted that for similar requests in the past a time limit has been conditioned with the Special Permits and recommended something similar be done in this case.

Motion: M. Gibbons made a motion to grant a Special Permit pursuant to Ayer Zoning Bylaw Section 5.2.1.10 (Table of Use Regulations – Residential Uses) to allow for a Home Occupation in the A-2 district with an expiration date of May 1, 2025.

Seconded: S. Goodwin

Roll Call Vote: M. Gibbons, aye; J. Gugino, aye; R. DeFilippo, aye; J. Ellis, aye; S. Goodwin, aye.
Motion Passed (5-0)

Motion: S. Goodwin made a motion to close the public hearing at 7:09pm.

Seconded: M Gibbons

Roll Call Vote: M. Gibbons, aye; J. Gugino, aye; R. DeFilippo, aye; J. Ellis, aye; S. Goodwin, aye.

Motion Passed (5-0)

Representative of Habitat for Humanity, Carolyn Reed and Tom Dufoe discussed with the Board the possibility of acquiring the property at 12 Newton St. and what possible variance may be required. The project would not be able to meet the commercial requirements of that zoning district. The proposed use is not unusual for the area, and a multi-family home had previously been on that lot.

M. Gibbons recommended that they have a discussion with the Building Commissioner and come back to speak with the Board at the December 20th meeting with a list of variance and special permits that would be needed.

Motion: M. Gibbons made a motion to accept the minutes of the October 20, 2023 meeting as amended.

Seconded: S. Goodwin

Roll Call Vote: M. Gibbons, aye; J. Gugino, aye; R. DeFilippo, aye; J. Ellis, aye; S. Goodwin, aye.

Motion Passed (5-0)

Board Discussion:

The Board continued its discussion of its Rules and Procedures. A draft of the Rules and Procedures, and the Hearing Application were sent to Town Counsel after the last meeting. The edited versions were sent to the Board earlier in the day. The Board would like time to review the changes and vote at the next meeting.

Motion: M. Gibbons made a motion to adjourn the meeting.

Seconded by S. Goodwin

Motion Passed (5-0)

Meeting Adjourned at 7:55pm

Minutes Submitted by Samantha Benoit, Administrative Coordinator

Date Minutes Approved by the ZBA: _____

Signature of ZBA Clerk, Indicating Approval: _____