

Town of Ayer
Zoning Board of Appeals
Training Room – Ayer Fire Department
1 West Main Street
Ayer, MA 01432



Monday November 12, 2014
Open Session Meeting Minutes

This meeting was recorded by APAC

Present: Jeremy Callahan, Chair; Christa Maxant, Clerk; Howard Hall; Sam Goodwin; Ron Defilippo

Call to Order: The meeting was called order at 7:00 PM by J. Callahan.

Announcements: J. Callahan informed ZBA members of the mandatory Conflict of Interest training and explained the process of taking the online training.

Continuance of Public Hearing from 10/8/14 – 126 West Main Street - Request for Variance: J. Callahan reopened the public hearing. Attorney Tom Gibbons spoke on behalf of the Applicant Rengard, LLC. T. Gibbons explained that option 1 and 2 from the original submission were no longer viable since the existing house had been torn down earlier that week. He asked that the ZBA consider option 3 – a variance to allow two housing lots, both under the 10,000 square foot requirement.

Mr. Don Scalane of 122 West Main Street asked for clarification on the project. Mr. Gibbons clarified that the applicant is asking for a variance to split the property into two lots, thereby building two separate single-family dwellings. He further clarified that if the ZBA did not grant the variance, the family would be building a two-family home either by duplex or townhome.

Mr. Jim Pinard spoke in support of the variance.

Mr. Walter Razzaboni property owner of 125 West Main Street also spoke in support of the property. He clarified that he does not live at 125 West Main Street.

Ms. Lise Berlinger stated that she is disappointed that the family did not respond to multiple requests to clean up the property; however, is glad that they have agreed to a fence and supports the application for a variance.

R. Defilippo reviewed section 5.4 of the ZBA bylaws. R. Defilippo and T. Gibbons did not agree on the definition of what constitutes a front yard vs. frontage on a corner lot. R. Defilippo did not feel that the lot was large enough, per the ZBA bylaws, for two lots.

Motion: A motion was made by J. Callahan and seconded by H. Hall to grant the variance.

Motion fails 3 -2 due to lack of supermajority. The public hearing was closed at 7:45 PM.

Public Hearing – 39 Central Avenue - Request for Special Permit: The public hearing was opened at 7:47 PM for an application dated September 19, 2014 for a special permit to allow for the cutting and fabrication of granite in the General Business Zoning District, pursuant to Zoning Bylaw Section 4.4, Table 5.2.

Mr. Dean explained that he buys wholesale granite and other stones and modifies them for kitchen installation. Mr. Dean reported that he had been conducting business at this location for approximately one year and that it was an oversight on his part to get a permit.

Motion: A motion was made by J. Callahan and seconded by S. Goodwin to grant a special permit. **Motion passes 5-0.** The public hearing was closed at 7:58 PM.

Approval of Meeting Minutes:

Motion: A motion was made by J. Callahan and seconded by H. Hall to approve the meeting minutes of August 21, 2014. **Motion passes 3-0-2.**

Motion: A motion was made by J. Callahan and seconded by C. Maxant to approve the meeting minutes of October 8, 2014. **Motion passes 4-0-1.**

Motion: A motion was made by J. Callahan and seconded by C. Maxant to approve the meeting minutes of November 3, 2014. **Motion passes 5-0.**

Motion: Motion made by J. Callahan and seconded by H. Hall to adjourn at 8:06 PM.

Minutes Recorded and Submitted by Christa Maxant, Clerk

ZBA Approval Date:

01/14/15

ZBA Clerk:

