



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



Wednesday May 16, 2018
Open Session Meeting Minutes

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

Also Present: Carly M. Antonellis, Assistant Town Manager

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

Approval of Agenda:

Motion: A motion was made by M. Gibbons and seconded by J. Gugino to approve the agenda, as amended. **Motion passed 5-0.**

Public Hearing – Application for Variance – Global Partners, LP. - 26-28 Harvard Rd (Filed 4/2/18): S. Goodwin opened the Public Hearing at 6:01 PM by reading the public hearing notice as advertised in the Nashoba Valley Voice on April 27, 2018 and May 4, 2018. The applicant is seeking a variance from Ayer Zoning Bylaw (2018) 6.3.J to allow for 15' feet between diesel pump islands where 30' is required and to allow a buffer strip of 15' in width along a portion of the northerly side yard where 30' is required. Attorney Tom Gibbons was in attendance on behalf of Global Partners, LP.

S. Goodwin stated that the Town has denied this variance request before. Attorney Gibbons stated that this was denied before, but it was over two years ago, which is the statutory limit.

Attorney Gibbons stated that he has met with Town Departments to hear concerns/feedback. All Department Heads are supportive of this request.

Mr. Ted Maxant, an abutter, stated that the distance between diesel pumps is traditionally 15' and used the Global gas station on Rt. 117 in Leominster as reference.

Mr. Jesse Johnson from Bohler Engineering stated that though there are four filling stations, it serves three trucks because one truck can park in the middle and fuel up on both sides.

Attorney Gibbons reiterated that the Fire Chief is in support because it increases the space that trucks have to maneuver at the site.

M. Gibbons stated that he supported the request over two years ago and he supports it now.

There were no other abutters in attendance.

J. Gugino stated that she supported the proposal because minimizing the distance between pumps, increases the open space at the site.

R. Defilippo stated that he was opposed to the project.

Attorney Gibbons stated that the 15' in between islands increases the site safety and increases the open space. He stated that the lot slopes up which affects the condition of the parcel. He asserts that relief can be granted without substantially derogating from the bylaw.

Motion: A motion was made by M. Gibbons and seconded by J. Gugino to grant the variances as requested. **Motion passed 4-1.**

Motion: A motion was made by M. Gibbons and seconded by J. Ellis to close the Public Hearing at 6:35 PM. **Motion passed 5-0.**

Approval of Meeting Minutes:

Motion: A motion was made by M. Gibbons and seconded by J. Ellis to approve the meeting minutes from April 18, 2018. **Motion passed 5-0.**

Adjournment:

Motion: A motion was made by S. Goodwin and seconded by J. Gugino to adjourn at 6:36 PM. **Motion approved 5-0.**

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

Date Minutes Approved by ZBA: 6/20/18

Signature of Clerk Indicating Approval: Samuel A. Goodwin / ama

