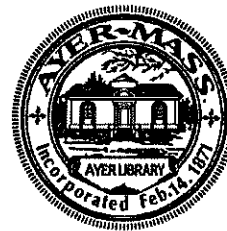


Town of Ayer
Zoning Board of Appeals
Ayer Town Hall
1 Main Street
Ayer, MA 01432



Wednesday July 18, 2018
Open Session Meeting Minutes

Present: Samuel A. Goodwin, Jr., Chair; Michael Gibbons, Vice-Chair; John Ellis, Gary Luca (Alternate)

Also Present: Carly M. Antonellis, Assistant Town Manager

Not Present: Ron Defilippo, Jess Gugino

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. Ellis to approve the agenda. **Motion passed 4-0.**

Public Hearing – Application for Variance – Michael Cusano - 37 Willard Street (Filed 6/25/18): S. Goodwin opened the Public Hearing at 6:01 PM by reading the public hearing notice as advertised in the Nashoba Valley Voice on June 29, 2018 and July 6, 2018. The applicant is seeking a variance from Ayer Zoning Bylaw 6.2 Appendix B to allow for the construction of a single family residence with 89.39 ft of frontage where 100 ft is required in General Residence.

Attorney Tom Gibbons was in attendance on behalf of the applicant. Attorney Gibbons stated that the prior house was destroyed by fire in 2013 and because the lot has been vacant for over 2 years, it has lost its grandfathering. Attorney Gibbons stated that this would not be detrimental to the neighborhood, because it would have more frontage than most other lots on the street.

Mary Spinner, 8 Myrick Street, stated that the house didn't burn down and that it was full of trash and was boarded up.

Attorney Gibbons stated that the construction of the house would be a benefit to the neighborhood.

There was no public input.

M. Gibbons and G. Luca agreed that a newly constructed single family home would be good for the neighborhood.

Motion: A motion was made by M. Gibbons and seconded by J. Ellis to grant variance. **Motion passed 4-0.**

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to close the Public Hearing at 6:11 PM. **Motion passed 4-0.**

Public Hearing – Application for Variance and Finding – Jeanne DiSanto - 3 Calvin Street (Filed 6/28/18): S. Goodwin opened the Public Hearing at 6:12 PM by reading the public hearing notice as advertised in the

Lowell Sun on July 2, 2018 and July 9, 2018. The applicant is seeking a variance, pursuant to Ayer Zoning Bylaw (2018) 7.2.A.1.a and 7.2.2.a, from Ayer Zoning Bylaw (2018) 6.2 Appendix B to allow for the razing of a single story residence and replacing with a two story residence on pre-existing non-conforming lot with 75' of frontage where 100' is required; 10.6' rear setback where 25' is required; and a lot size of 7,857 sq. ft. where 12,000 sq. ft. is required in the A-2 District.

Ms. DiSanto stated that she is looking to preserve the central part of the existing cottage and to raise it 10 feet, construct a new first floor, making the existing cottage the new second floor.

ZBA Board members discussed the proposal and agreed to add the condition to keep the proposed construction within the existing footprint.

Mr. Charles Miller, 6 Calvin Street stated he was in full support and is looking forward to the improvement in the neighborhood.

Mr. Jon Schmalenberger, 2 Calvin Street asked if the house would be a four season house. Ms. DiSanto replied yes. Mr. Schmalenberger is in favor of the request.

Ms. Ruth Rhonemus, 8 Oak Street and member of the Historical Commission spoke in favor of the request.

Motion: A motion was made by S. Goodwin and seconded by M. Gibbons to grant variance with the condition that the new construction must stay within the existing footprint. **Motion passed 4-0.**

Motion: A motion was made by S. Goodwin and seconded by G. Luca to close the Public Hearing at 6:31 PM. **Motion passed 4-0.**

Continued* Public Hearing – Application for Appeal of Building Commissioner Decision – Ayer Solar II, LLC, 0 Pleasant Street; 0 Washington Street; Off Pleasant Street (Filed 5/18/18) *Continued from Wednesday June 20, 2018: C. Antonellis read the continuance request from Attorney Adam J. Costa into the record. Mr. Costa is requesting that the hearing be continued until August 15, 2018.

Motion: A motion was made by M. Gibbons and seconded by G. Luca to continue the Public Hearing until 6:00 PM on August 15, 2018, at the same location, in the Ayer Town Hall. **Motion passed 4-0.**

Approval of Meeting Minutes:

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to approve the minutes of June 20, 2018. **Motion passed 3-0-1.**

Adjournment:

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to adjourn at 6:36 PM. **Motion approved 4-0.**

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

Date Minutes Approved by ZBA: 08/15/2018

Signature of Clerk Indicating Approval: 