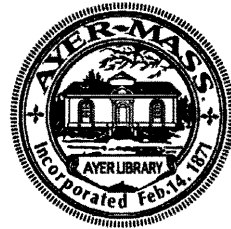


Town of Ayer
Zoning Board of Appeals
Ayer Town Hall
1 Main Street
Ayer, MA 01432



Wednesday August 15, 2018
Open Session Meeting Minutes

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

Also Present: Carly M. Antonellis, Assistant Town Manager

Call to Order: S. Goodwin called the meeting to order at 6:15 PM.

Approval of Agenda:

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

Because Town Counsel was not in attendance, due to being stuck in traffic, the ZBA took up the approval of the July meeting minutes.

Approval of Meeting Minutes:

Motion: A motion was made by J. Ellis and seconded by M. Gibbons to approve the minutes of July 18, 2018. **Motion passed 3-0-2.**

At 6:18 PM the ZBA recessed until Town Counsel arrived.

At 6:40 PM the ZBA reconvened.

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: The Public Hearing was reopened at 6:40 PM. Ayer Town Counsel Amy E. Kwesell addressed the ZBA and is recommending that the appeal be denied on procedural grounds because the project abutters have filed an appeal in Superior Court relating to the constructive approval of a Planning Board endorsement on an ANR plan for the project. The Superior Court case is still pending; therefore a building permit cannot be issued.

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to deny the application of Ayer Solar II, LLC's appeal of the Building Commissioner's denial of a building permit for 0 Pleasant Street; 0 Washington Street; and Off Pleasant Street. Said denial is based on procedural grounds without consideration of the merits and without prejudice. **Motion passed 5-0.**

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to close the public hearing at 6:43 PM. **Motion passed 5-0.**

Adjournment:

Motion: A motion was made by J. Ellis and seconded by J. Gugino to adjourn at 6:43 PM. **Motion approved 5-0.**

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

Date Minutes Approved by ZBA: 10/17/18

Signature of Clerk Indicating Approval: 