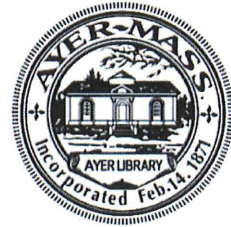


RECEIVED
AUG 31 2020

TOWN OF AYER
TOWN CLERK

M. Goodwin

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



Recorded by APAC

Wednesday July 15, 2020

Remote Participation Open Session Meeting Minutes

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A, Section 18 and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Ayer Zoning Board of Appeals is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort has been made to ensure that the public can adequately access the proceedings as provided in the Order.

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

Not Present: Ron Defilippo, Clerk

Also Present: Carly M. Antonellis, Assistant Town Manager

Call to Order: S. Goodwin called the meeting to order at 6:09 PM.

Approval of Meeting Agenda: 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 – James Wheeler – 48 Wright Road (Refiled 6/3/20): S. Goodwin opened the public hearing at 6:09 PM by reading the public hearing notice as advertised in *The Nashoba Valley Voice* on June 26, 2020 and July 3, 2020. The applicant is seeking a variance pursuant to Ayer Zoning Bylaw (2019, as amended) Section 6.2 (Appendix B) to allow for the construction of a single-family house and garage on a pre-existing non-conforming lot with 24,621 sq. ft. where 40,000 sq. ft. is required and to allow for 17.2% maximum building coverage where 15% is allowed. James and Eveline Wheeler joined the meeting remotely. S. Goodwin asked all members if they had reviewed the meeting material. He stated that the package has a lot of holes and errors in it. He asked the applicants if they wanted to withdraw their application. C. Antonellis stated that the application was vetted by both she and the Building Commissioner and is suggesting they hear from the Wheeler's. Jim Wheeler stated that this was the first he was hearing about any discrepancies with the plan. In the 70's, the original deed and plot plan stated that this piece of land was approximately 48,000 sq. ft., it wasn't until the mid-90's that it was discovered that the size of the land was 24,621 sq. ft. J. Gugino, who lives in that neighborhood, but not a direct abutter stated that there are boundary issues throughout the neighborhood that people have been living with and trying to correct as they come up. C. Antonellis confirmed that the what was in the public hearing notice was correct. J. Wheeler stated he and his wife are looking to build a home for their retirement. M. Gibbons stated that he empathized with the Wheelers because of the error with the deed. He stated he has driven by the property and believes the addition of the house would be great for the neighborhood. Bob Gardner, who lives in the neighborhood but is not a direct abutter spoke in favor of the application.

Motion: A motion was made by M. Gibbons and seconded by J. Gugino to approve the variance pursuant to Ayer Zoning Bylaw (2019, as amended) Section 6.2 (Appendix B) to allow for the construction of a single-family house and garage on a pre-existing non-conforming lot with 24,621 sq. ft. where 40,000 sq. ft. is required and to allow for 17.2% maximum building coverage where 15% is allowed. **Motion passed 4-0.**

Motion: A motion was then made by S. Goodwin and seconded by J. Gugino to close the public hearing at 6:41 PM. **Motion passed 4-0.**

Approval of Meeting Minutes:

Motion: A motion was made by M. Gibbons and seconded by J. Ellis to approve the minutes of April 22, 2020. **Motion passed 4-0.** S. Goodwin gave permission to C. Antonellis to use his electronic signature on the minutes for submission to the Clerk's Office.

Reorganization of the ZBA: S. Goodwin asked if anyone wanted a change with the Board. Board members agreed to keep the ZBA members as is.

Adjournment:

Motion: A motion was made by S. Goodwin and seconded by J. Ellis to adjourn at 6:43 PM. **Motion approved 4-0.**

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

Date Minutes Approved by ZBA: August 19, 2020 Via Remote Participation

Signature of Clerk Indicating Approval: *Samuel Antonellis* Electronic Signature of Chairman inserted by Direction