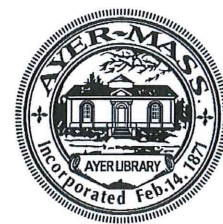


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TOWN OF AYER  
TOWN CLERK



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



*Broadcast on Zoom and by APAC*

Wednesday January 20, 2021

**Remote Participation Open Session Meeting Minutes**

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

**Call to Order:** S. Goodwin called the meeting to order at 6:00 PM.

**COVID-19 Order:** S. Goodwin stated that 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. All votes will be taken by Roll Call.

**Approval of Meeting Agenda:** A motion was made by M. Gibbons and seconded by J. Gugino to approve the agenda. **Roll Call Vote:** S. Goodwin, aye; M. Gibbons, aye; J. Gugino, aye; R. Defilippo, aye; J. Ellis, aye.

**Motion passed by Roll Call Vote 5-0.**

**Public Hearing - Application for Variance – Catania Spagna Corp. - 1 Nemco Way (Filed 12/28/20):** S. Goodwin opened the Public Hearing at 6:02 PM by reading the Public Hearing Notice as advertised in *The Nashoba Valley Voice* on January 1, 2021 and January 8, 2021. The applicant is seeking a variance pursuant to Ayer Zoning Bylaw (2019, as amended) 6.2 Schedule of Dimensional Requirements to allow for a side yard setback of 12.4', where 25' is required and a rear yard setback of 17.8' where 30' is required for proposed building expansion. Scott Whitney, from Concord Building Services and Paul Chism from Keach-Nordstrom Associates, Inc. were in attendance and speaking on behalf of the applicant. He stated that the company was looking to add a 51,000 sq.ft. addition to the building at 1 Nemco Way. He noted that the locus was in the Town's Industrial Zone and that the company is looking to utilize the existing rail spur, which will reduce truck traffic. They are proposing the building expansion to increase their production lines for the containers for the oils.

J. Ellis asked how much distance would be in between the Catania Spagna building expansion and the existing Nasoya building. P. Chism stated that it would be approximately 125-150 feet.

He stated that they will be going before the Conservation Commission to replace an existing stormwater pond with an underground filtration system. They will also be going before the Planning Board for Site Plan Approval.

S. Goodwin asked about elevation and grades for the proposed expansion relating to Westford Road. P. Chism answered specific questions relating to elevations and grades.

J. Gugino stated that it looked fine to her and that there are good reasons to keep this company in Ayer.

J. Ellis stated that he had no issues with this proposal.

M. Gibbons stated that it was a pretty good plan and the company has made aesthetic improvements over the past 5 years. He was also glad to hear that the company will be using the rail, which will cut down on Westford Road Traffic.

R. Defilippo stated he was in agreement and encourages the company to use screening in between the building and Westford Road.

**Motion:** A motion was made by M. Gibbons and seconded by J. Ellis to approve the variance pursuant to Ayer Zoning Bylaw (2019, as amended) 6.2 Schedule of Dimensional Requirements to allow for a side yard setback of 12.4', where 25' is required and a rear yard setback of 17.8' where 30' is required for proposed building expansion **Roll Call Vote:** S. Goodwin, aye; M. Gibbons, aye; J. Gugino, aye; R. Defilippo, aye; J. Ellis, aye. **Motion passed by Roll Call Vote 5-0.**

**Close Public Hearing:** A motion was made by S. Goodwin and seconded by J. Ellis to close the Public Hearing at 6:27 PM. **Roll Call Vote:** S. Goodwin, aye; M. Gibbons, aye; J. Gugino, aye; R. Defilippo, aye; J. Ellis, aye. **Motion passed by Roll Call Vote 5-0.**

**Approval of Meeting Minutes:**

**Motion:** A motion was made by S. Goodwin and seconded by J. Ellis to approve the meeting minutes from December 16, 2021 as written. **Roll Call Vote:** S. Goodwin, aye; M. Gibbons, aye; J. Gugino, aye; R. Defilippo, abstain; J. Ellis, aye. **Motion passed by Roll Call Vote 4-0-1.**

**Adjournment:**

**Motion:** A motion was made by S. Goodwin and seconded by J. Gugino to adjourn at 6:29PM. **Roll Call Vote:** S. Goodwin, aye; M. Gibbons, aye; J. Gugino, aye; R. Defilippo, aye; J. Ellis, aye. **Motion passed by Roll Call Vote 5-0.**

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

Date Minutes Approved by ZBA: 3/17/21

Signature of Clerk Indicating Approval:   
Electronic Signature of Chairman inserted by Direction due to COVID-19