

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 AUG 17 AM 9:00



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



Wednesday August 19, 2015
Open Session Meeting Agenda

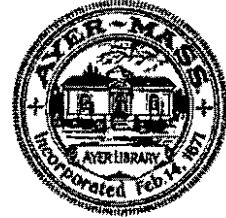
- 7:00 PM Call to Order
- Public Hearing – Application for Variance – Air 22, LLC.
22 Fitchburg Road (Filed July 21, 2015)
- 7:10 PM Public Hearing – Application for Variance – John Horgan
41 Nashua Street (Filed July 23, 2015)
- 7:20 PM Public Hearing – Application for Variance – HRES, LLC.
19 Fitchburg Road (Filed July 24, 2015)
- Action Item
Non Substantial Modification to previously approved variance (10/8/14)
- 7:35 PM Public Hearing – Application for Special Permit – Calco, LLC.
22 West Main Street (Filed July 24, 2015)
- 7:50 PM Public Hearing – Application for Special Permit – Fuchser, Antonella
84A Groton School Road (Filed July 24, 2015)
- 8:10 PM Public Hearing – Application for Special Permit & Variance – G.S. Holdings, LLC.
14 Washington Street (Filed July 27, 2015)
- Discussion Items
1. Zoning Bylaw Update
- Approval of Meeting Minutes
1. June 17, 2015
- Adjournment

The next ZBA Meeting will be September 16, 2015

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 22 PM 2:05

Maureen Popeland



**Town of Ayer
Zoning Board of Appeals
Public Hearing Notice**

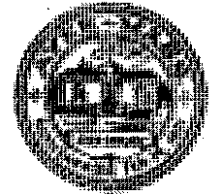
The Ayer ZBA will conduct a public hearing at 7:00 PM on Wednesday August 19, 2015 at the Ayer Town Hall located at 1 Main Street Ayer, MA 01432 regarding the application by Air 22, LLC., 22 Fitchburg Road Ayer, MA 01432. Applicant seeks a variance from Ayer Zoning Bylaw Section 8.4.1 height of sign, seeking 18'11" where is 15' is allowed and for square footage of sign, seeking square footage not to exceed 98 sq. ft. where 40 sq. ft. is allowed.

Advertised July 31, 2015 and August 7, 2015, *The Ayer Public Spirit*

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 21 PM 2:43

Sharon E. Popland



**Town of Ayer
ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Notes to the Petitioner:

- All applications for a hearing must be received by the Town Administrator's Office and accompanied by:
 - (6) copies of a registered engineered drawing (size 8 1/2 x 11 or 11 x 17),
 - Certified list of abutters within 300 feet of the premise and certified by the Town of Ayer Board of Assessors. (all certified mail documents receipts are to be given with the application and **mailed by applicant with an abutters notice**)
- The application, when completed and signed, must be filed with a non-refundable application fee of one hundred-sixty five dollars (\$165.00) and a legal ad fee of eighty five dollars (\$ 85.00). Both checks should be made payable to the "Town of Ayer".
- The ZBA shall duly post and conduct a public hearing within 65 days of receiving a completed application and render a decision within 14 days of the close of the Public Hearing. The applicant must wait the appeal period (20 days) after filing the decision with the Town Clerk. The decision, or notice thereof, must be filed by the applicant, at the South Middlesex County Registry of Deeds in Cambridge. Prior to obtaining a building permit, the applicant must present evidence of Registry filing to the Building Inspector and ZBA. This evidence may be a receipt from the Registry with an Instrument number or proof of the Book and Page assigned.

Name of Applicant: Air 22, LLC
(Full Name)
975 Merriam Ave, Suite 213 Leominster, MA
(Address)
978-840-0008
(Phone Number) 01453

Applicant is (check one) Owner ___ Tenant ___ Licensee ___ Prospective Buyer

The name and address of each holder or legal title to the land which is the subject of this petition (list as it appears on the Deed):

Air 22, LLC 975 Merriam Ave. Suite 213 Leominster, MA 01453

Location of Property:

22 Fitchburg Road, Ayer

Assessor's Map 18 Parcel 2 Land Size 3.00 Acres

Zoning District (circle one) A-1 A-2 GR (GB) DB LI HI

Registry of Deeds Book 38438 Page 002

Water Overlay District (circle one) Zone I Zone II (N/A)

The undersigned hereby petitions the Town of Ayer Zoning Board of Appeals to vary the terms of the Zoning Bylaws for the following purpose:

A VARIANCE from the requirements of the Town of Ayer Zoning Bylaws

A SPECIAL PERMIT for a specific use which is subject the approval of the Zoning Board of Appeals (For Home Occupations see Page 3 of this Form)

A SPECIAL PERMIT to expand, alter, or change a non-conforming use or structure.

ADMINISTRATIVE APPEAL (i.e. Building Inspector Decision)

Other (Please specify):

Did you request a building permit from the Town of Ayer Building Inspector? No
Yes/No

If yes, were you denied a permit by the Town of Ayer Building Inspector? _____
Yes/No

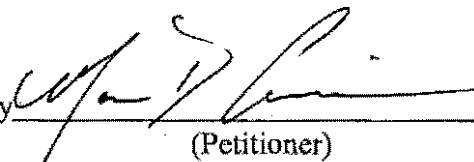
If you were denied a permit, please attach a copy of the decision or state the reasons for the denial.

State briefly the reasons for application:

Ayer Zoning Bylaw 8.4.1 Maximum height of sign is 15'
Proposed sign height on new vestibule facade is ~~15'~~ 18'11"

Ayer Zoning Bylaw 8.4.1 Maximum size of sign is 40 sq. ft.
Proposed sign not to exceed 98 sq. ft.

Date: 7-21-15

Signed by  Marc Cormier
(Petitioner)

975 Merriam Ave Suite 213 Leominster, MA
(Street Address) 01453

978-840-0008
(Daytime Telephone Number)

Check List:

- Completed application
- Two checks made payable to "Town of Ayer" in the amount of \$165.00 & \$ 85.00.
- Six (6) copies of the certified plot plan (8 1/2 x 11 or 11 x 17)
- List of abutters Certified by the Assessors office
- Completed certified mail documents (certified mailing to be done by applicant and copied to ZBA's Office Manager along with receipts before the scheduled Public Hearing)



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- BOS/Town Administrator
- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
- Conservation Committee
- Tax Collector
- Assessor's Office

Review Deadline Date Monday August 10, 2015

Public Hearing Date Wednesday August 19, 2015

Applicant seeking variance from ZBL 8.4.1, height of sign, seeking 18'11 where 15' is allowed and for sq.ft. of sign, seeking sq.ft. not to exceed 99sq.ft. where 40sq.ft. is allowed.

Variance Special Permit Finding/Appeal

Description Ayer Shop 'n Save Sign Variance Request

Submitted by Air 22, LLC Date July 21, 2015

Address 22 Fitchburg Road Telephone Marc Cormier of Geronimo Properties 978-840-0008

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved Modifications Needed Disapprove

Comments:

Signed [Signature]

Title Town Administrator

Date 7/28/2015

Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review



<input checked="" type="checkbox"/>	BOS/Town Administrator	Review Deadline Date	Monday August 10, 2015
<input type="checkbox"/>	Board of Health	Public Hearing Date	Wednesday August 19, 2015
<input type="checkbox"/>	Department of Public Works		
<input type="checkbox"/>	Police Department		
<input type="checkbox"/>	Fire Department		
<input type="checkbox"/>	Building Inspector/Zoning Enforcement Officer		Applicant seeking variance from ZBL 8.4.1, height of sign, seeking 18'11 where 15' is allowed and for sq.ft. of sign, seeking sq.ft. not to exceed 99sq.ft. where 40sq.ft. is allowed.
<input type="checkbox"/>	Conservation Committee		
<input type="checkbox"/>	Tax Collector		
<input type="checkbox"/>	Assessor's Office		

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Approved Modifications Needed Disapprove

Comments:

Signed Mridgetta Bradley

Title Health Agent

Date 8/5/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

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<input checked="" type="checkbox"/>	Department of Public Works		
<input type="checkbox"/>	Police Department		
<input type="checkbox"/>	Fire Department		
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<input type="checkbox"/>	Assessor's Office		

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Approved Modifications Needed Disapprove

Comments:

Signed 

Title DPW Supt

Date 8/5/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

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_____	Fire Department		
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✓ Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed [Signature] Title Chief of Police

Date 8/3/15

Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review



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X Variance _____ Special Permit _____ Finding/Appeal

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X Approved _____ Modifications Needed _____ Disapprove

Comments: NO issues

Signed [Signature] Title Fire Chief

Date 7-3-15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____ BOS/Town Administrator _____ Board of Health _____ Department of Public Works _____ Police Department _____ Fire Department <input checked="" type="checkbox"/> Building Inspector/Zoning Enforcement Officer _____ Conservation Committee _____ Tax Collector _____ Assessor's Office	Review Deadline Date <u>Monday August 10, 2015</u> Public Hearing Date <u>Wednesday August 19, 2015</u> Applicant seeking variance from ZBL 8.4.1, height of sign, seeking 18'11 where 15' is allowed and for sq.ft. of sign, seeking sq.ft. not to exceed 99sq.ft. where 40sq.ft. is allowed.
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Variance _____ Special Permit _____ Finding/Appeal

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_____ Approved _____ Modifications Needed _____ Disapprove

Comments:

*NO OBJECTION TO THIS BEING GRANTED.
THE ELEVATION IS BIG ENOUGH TO HANDLE THE EXTRA HEIGHT.*

Signed *[Signature]*

Title *Board Comm.*

Date *13, Aug 15*



Town of Ayer
Zoning Board of Appeals
Transmittal Form - Department Head Review

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Public Hearing Date Wednesday August 19, 2015
BOS/Town Administrator
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Special Permit
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Approved
Modifications Needed
Disapprove

Comments:

NO COMMENTS

Signed [Signature] Title Ayer Conservation Officer

Date 8/13/15



Town of Ayer
Zoning Board of Appeals
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Approved Modifications Needed Disapprove

Comments:

Signed *Sharon Popeluna*

Title *Town Clerk / Tax Collector*

Date *July 28, 2015*



Town of Ayer
Zoning Board of Appeals
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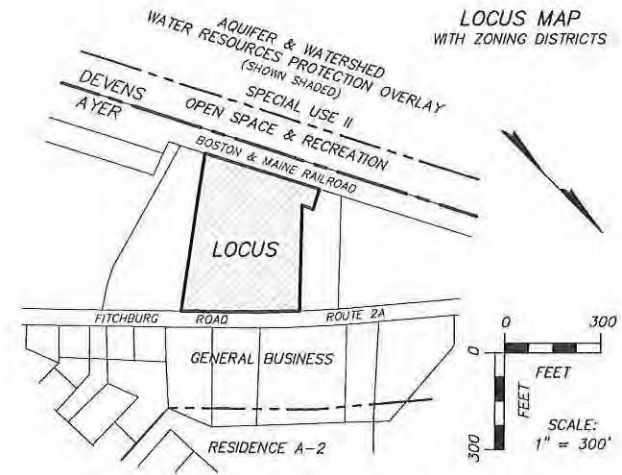
Comments:

Signed Thomas Hogan

Title Assessing Administrator

Date 7/30/15

AYER PLANNING BOARD	
DATE OF APPROVAL:	DATE OF ENDORSEMENT:



DIMENSIONAL TABLE			
CRITERIA	ZONING MINIMUM	EXISTING	PROPOSED
GROSS FLOOR AREA (GFA)	----	21,962 S.F.	+1,740=23,702 S.F.
BUILDING AREA	----	21,962 S.F.	+1,740=23,702 S.F.
OPEN SPACE AREA	----	15,176 S.F.	UNCHANGED
LOT AREA	15,000 S.F.	±153,317.8 S.F.	UNCHANGED
LOT FRONTAGE	100 FT.	398.66 FT.	UNCHANGED
FRONT YARD	30 FT.	200.0 FT.	221.1 FT.
SIDE YARD	25 FT.	63.2 FT.	UNCHANGED
REAR YARD	20 FT.	31.4 FT.	UNCHANGED
OPEN SPACE PERCENT	20%	10%	UNCHANGED
RETAIL STORE PARKING SPACES	1/200 S.F. GFA	119	119
PARKING SPACES PROVIDED	----	143	UNCHANGED
PARKING FACILITY AREA	350 S.F./SPACE	812 S.F.	800 S.F.
PARKING BUILDING SETBACK	10 FT.	34.2 FT.	21.0 FT.
PARKING LOT LINE SETBACK	8 FT.	2.6 FT.	UNCHANGED
PARKING STREET SETBACK	30 FT.	7.2 FT.	UNCHANGED
CRITERIA	ZONING MAXIMUM	EXISTING	PROPOSED
BUILDING HEIGHT	35 FT.	±27 FT.	UNCHANGED
BUILDING STORIES	3	1	1
FLOOR AREA RATIO (FAR)	1.25	0.14	0.15
BUILDING COVERAGE	60%	14%	15%

LEGEND



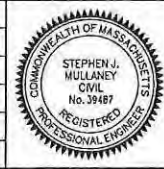
NOTES:

- EXISTING CONDITIONS**
 - THE LOCUS PROPERTY CONSISTS OF ASSESSORS MAP 18, LOT 2, RECORDED IN MIDDLESEX SOUTHERN DISTRICT REGISTRY OF DEEDS BOOK 38438, PAGE 2, AND COMPRISING ±3.52 ACRES.
 - ZONING DISTRICT: GENERAL BUSINESS
 - TOPOGRAPHY IS BASED ON NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929.
 - LOCUS AND VICINITY PROPERTY LINES, TOPOGRAPHY AND SITE FEATURES SHOWN ARE THE RESULT OF AN ON-THE-GROUND SURVEY, CONDUCTED IN 2009 BY WHITMAN & BINGHAM ASSOCIATES, LLC AND SUPPLIED BY ELECTRONIC MAIL ON SEPTEMBER 3, 2010, BY B. THOMAS HEINZER ASSOCIATES, INC., FILE #03-22-2010 SITE LAYOUT.DWG.
 - EXISTING UNDERGROUND UTILITIES SHOWN ARE FROM FIELD OBSERVATIONS AND ARE NOT WARRANTED TO BE EXACT OR COMPLETE. THE ABSENCE OF SUBSURFACE STRUCTURES, UTILITIES, ETC. IS NOT INTENDED OR IMPLIED.
 - NO PORTION OF THIS SITE IS CONTAINED WITHIN A FEMA FLOOD HAZARD AREA, AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP FOR THE TOWN OF AYER, COMMUNITY-PANEL NO. 250180-0203-E, EFFECTIVE JUNE 4, 2010.
 - NO PORTION OF THIS SITE IS CONTAINED WITHIN THE AYER AQUIFER PROTECTION OVERLAY DISTRICT.
 - NO PORTION OF THIS SITE IS CONTAINED WITHIN A DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) PROTECTIVE ZONE FOR PUBLIC WATER SUPPLIES, AS SHOWN ON THE MASSGIS ONLINE DATALAYERS DOWNLOADED 6/16/2010.
 - NO PORTIONS OF THIS SITE ARE CONTAINED WITHIN ISOLATED LAND SUBJECT TO FLOODING, AN AREA SUBJECT TO THE JURISDICTION OF THE MASSACHUSETTS WETLANDS PROTECTION ACT AND THE AYER GENERAL BYLAWS ARTICLE XXVI, BY-LAW ON WETLANDS PROTECTION.
 - PORTIONS OF THIS SITE CONTAIN NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM PRIORITY HABITAT OF RARE SPECIES 1477 & ESTIMATED HABITAT OF RARE WILDLIFE 959, EFFECTIVE 10/1/2008.
 - NO PORTION OF THIS SITE IS CONTAINED WITHIN AN AREA OF CRITICAL ENVIRONMENTAL CONCERN.
 - TOPOGRAPHY FROM FITCHBURG ROAD NORTHWARD IS TAKEN FROM A PLAN ENTITLED, "SITE PLAN OF LAND IN AYER, MASS. PREPARED FOR T. J. ANDERSON & SON FUNERAL HOME, INC. REVISED FEBRUARY 3, 2003, PLAN NO. L-6818, BY DAVID E. ROSS ASSOCIATES, INC.
- CONSTRUCTION METHODOLOGIES**
 - UNLESS OTHERWISE SHOWN OR SPECIFIED, ALL WORK, MATERIALS AND APPURTENANCES SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, LATEST EDITION, TOWN OF AYER REQUIREMENTS, AND INDIVIDUAL UTILITY COMPANY REQUIREMENTS.
 - ALL UTILITY WORK, MATERIALS AND APPURTENANCES SHALL ALSO BE IN ACCORDANCE WITH THE MANUFACTURERS' RECOMMENDATIONS.
 - THE CONTRACTOR SHALL CALL 1-888-DIG-SAFE (1-888-344-7233) AND OBTAIN A DIG SAFE NUMBER A MINIMUM OF 72 HOURS IN ADVANCE OF SUBSURFACE SITE EXPLORATION OR INITIATION OF CONSTRUCTION, AS REQUIRED BY LAW.
 - THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY CONDITIONS FOUND WHICH PROHIBIT THE PLACEMENT OF UTILITIES AS INDICATED.
 - CONSTRUCTION ACTIVITIES SHALL NOT RESULT IN THE INTERRUPTION OF UTILITIES OR ACCESS TO ADJACENT SITES.
 - OWNER ACCEPTS RESPONSIBILITY FOR WORK AND MATERIALS WITHIN THE SCOPE OF THIS PLAN.
- EROSION & SEDIMENTATION CONTROL**
 - THE CONTRACTOR AND PROPERTY OWNER ARE RESPONSIBLE FOR ENSURING THAT EROSION AND SEDIMENTATION ARE CONTROLLED. THEY SHALL UTILIZE EROSION CONTROL MEASURES WHERE NEEDED, REGARDLESS OF WHETHER THE MEASURES ARE SPECIFIED HEREIN. THIS PLAN SHALL BE ADAPTED TO FIT THE CONTRACTOR'S EQUIPMENT, WEATHER CONDITIONS AND ANY SPECIAL CONDITIONS ISSUED BY PERMITTING AUTHORITIES.
 - A TEMPORARY STONE ACCESS AREA SHALL BE ESTABLISHED AT THE DRIVEWAY ENTRANCE TO COLLECT ENTRAPPED SOILS AND SEDIMENT FROM CONSTRUCTION AND SERVICE VEHICLES ENTERING AND LEAVING THE SITE. THIS ACCESS AREA SHALL BE THE SINGULAR ACCESS FOR ALL CONSTRUCTION VEHICLES. THE STONE SHALL BE REPLACED REGULARLY AS WELL AS WHEN THE STONE IS SILT LOADED. THE CONSTRUCTION ENTRANCE SHALL BE LEFT IN PLACE UNTIL THE PERMANENT DRIVEWAY SURFACE IS INSTALLED.
 - ONLY THE MINIMUM AREA SHALL BE DISTURBED FOR ALL CONSTRUCTION.
 - THE CONTRACTOR SHALL HAVE A STOCKPILE OF MATERIALS REQUIRED TO CONTROL EROSION ON-SITE TO BE USED TO SUPPLEMENT OR REPAIR EROSION CONTROL DEVICES. THESE MATERIALS SHALL INCLUDE, BUT ARE NOT LIMITED TO, HAYBALES, SILT FENCES AND CRUSHED STONE.
 - ALL SITE WORK SHALL BE STABILIZED AT THE END OF THE WORK DAY OR PRIOR TO ANTICIPATED CONDITIONS WHICH COULD CAUSE EROSION OR AIR-BORNE SEDIMENT PROBLEMS (I.E., RAIN, HIGH WINDS, EXPOSED SURFACES OR STEEP SLOPES).
 - SITE OPERATIONS IN THE AREA OF DISTURBANCE SHALL BE CONDUCTED IN SUCH A MANNER TO MAINTAIN OR CREATE GRADES AND SURFACES WHICH SLOPE AWAY FROM ADJOINING ROADS AND ADJUTING PROPERTIES.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT TOWN STREETS AND ADJOINING PROPERTIES ARE KEPT CLEAR OF ALL CONSTRUCTION RELATED DEBRIS.
 - NO SOIL OR LOAM SHALL LEAVE THE SITE EXCEPT IN ACCORDANCE WITH THE TOWN OF AYER GENERAL BYLAWS - ARTICLE XVII - REMOVAL OF EARTH.
- UTILITIES**
 - ALL DEVELOPMENT IS PROPOSED WITHIN EXISTING AREAS OF DISTURBANCE. NO NET INCREASE IN RUNOFF IS ANTICIPATED AS THE NEW VESTIBULE WILL REPLACE AN EXISTING CARPORT.
 - SITE GRADING IS PROPOSED FOR STORMWATER RUNOFF TO SHEET FLOW ACROSS THE PAVED AREAS TO ON-SITE CATCH BASINS AS THE RUNOFF CURRENTLY TRAVELS.
 - ALL STRUCTURES SHALL BE CAPABLE OF AASHTO HS-20 LOADING FOR THE CONDITIONS SHOWN.
 - EXISTING UTILITY SERVICE CONNECTIONS ENCOUNTERED SHALL BE RESET OR RELOCATED AS NEEDED. ALL ASPECTS OF THIS WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE APPROPRIATE UTILITY COMPANY OR DEPARTMENT.
 - EACH UTILITY SHALL HAVE A METALLIC, COLOR CODED TRACER TAPE PLACED 12" ABOVE THE PIPE OR CONDUIT AND NOT CLOSER THAN 12" FROM FINISHED GRADE. THE TAPE SHALL BE RECOVERABLE BY A METAL DETECTOR AND SHALL HAVE PRINTED ON THE TAPE THE TYPE OF UTILITY BURIED BELOW. ALL BACKFILL MATERIAL SHALL HAVE NO STONES GREATER THAN 2".
- PROPOSED CONDITIONS**
 - SITE TRAFFIC WILL CONTINUE TO INCLUDE AUTOMOBILES, SERVICE VANS, SU-40 SINGLE-UNIT PARCEL DELIVERY TRUCKS, AND WB-67 TRACTOR-TRAILER TRUCKS.
 - LIGHTING WILL CONTINUE TO OCCUR FROM DUSK UNTIL DAWN.
 - TRAFFIC CONTROL SIGNS AND MARKINGS SHALL CONFORM TO THE STANDARDS OF THE FEDERAL HIGHWAY ADMINISTRATION'S "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES," LATEST EDITION.
 - SIGNS SHALL CONFORM TO ALL APPLICABLE ZONING SECTIONS AND REQUIREMENTS.
 - TRASH SHALL CONTINUE TO BE COLLECTED WITHIN THE EXISTING BUILDING OR ON-SITE DUMPSTERS.
- FUTURE MODIFICATIONS**

SHOULD THIS BUSINESS EXPERIENCE A SIGNIFICANT CHANGE OF USE, THE BUSINESS WILL EXTEND TO THE AYER PLANNING BOARD A COURTESY REVIEW OF THE FACILITY'S PLAN MODIFICATIONS.



ORIGINAL ISSUE	---	3/10/2015	Stephen J. Mullaney
REVISION	NO.	BY	DATE



SITE PLAN OF LAND IN
AYER, MASSACHUSETTS
 LOCATED AT
22 FITCHBURG ROAD

PREPARED FOR OWNER AND APPLICANT
AIR 22 LLC
 C/O GERONIMO PROPERTIES, INC., 975 MERRIAM AVENUE, SUITE 213
 LEOMINSTER, MA 01453-1220
 TEL: 978 840-0008 FAX: 978 840-0009

DESIGN: SJM
 DRAWN: SJM
 CHECK: MAL
 REF:

S. J. MULLANEY ENGINEERING, INC.
 CIVIL SITE DESIGN & PERMITTING
 305 WHITNEY ST. - SUITE G3 - P.O. BOX 752 - LEOMINSTER, MA 01453-0752
 TEL: 978 534-3131 - FAX: 978 534-3197 - EMAIL: info@sjmullenay.com

SHEET 1 OF 1
 PLAN NO. 34-D-3



② NEW FRONT ELEVATION - SIGN VARIANCE
3/32" = 1'-0"



① EXISTING FRONT ELEVATION - SIGN VARIANCE
3/32" = 1'-0"



DATE	DESCRIPTION
------	-------------

Project Name:

AYER SHOP &
SAVE ADDITION

22 FITCHBURG ROAD
AYER, MA 01432

AYER REALTY
975 MERRIAM AVENUE, SUITE 210
LEOMINSTER, MA 01453

THE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS PREPARED BY B. THOMAS HEINZER ASSOCIATES, INC. FOR THIS PROJECT ARE THE PROPERTY OF B. THOMAS HEINZER ASSOCIATES, INC. AND ARE INSTRUMENTS OF THE DESIGN SERVICE FOR USE SOLELY IN RESPECT TO THIS PROJECT AND UNLESS OTHERWISE PROVIDED BY B. THOMAS HEINZER ASSOCIATES, INC. SHALL NOT BE USED IN WHOLE OR IN PART FOR ANY USE OTHER THAN THE ORIGINAL PROJECT WITHOUT THE EXPRESSED WRITTEN PERMISSION OF B. THOMAS HEINZER ASSOCIATES, INC.

Phase:

SIGNAGE PERMIT

Drawing Name: NEW AND EXISTING SIGN WALL ELEVATIONS

Job #: BTH-949

Date: JULY 9, 2015

Drawn by: BTH

Checked by: BTH

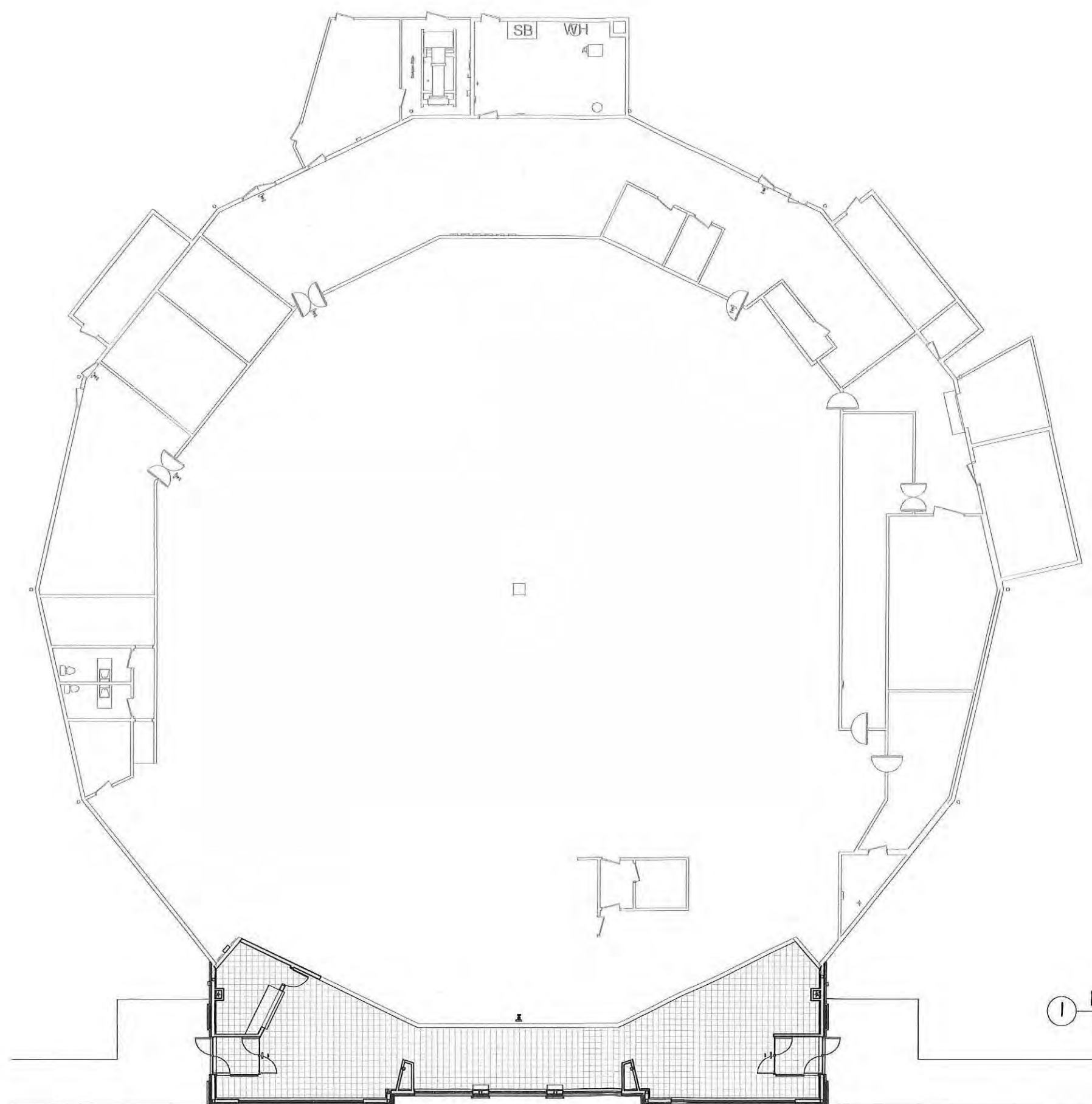
File: C:\Users\Brent Heinzer\Documents\CA-51949\BTH-949-12.dwg

Scale: 3/32" = 1'-0"

© B. Thomas Heinzer Associates, Inc.

Sheet No:

SIGN
101



The Design Studio
 BTH
 Architect
 975 Merrimack Avenue, Suite 211
 Leominster, MA 01453
 (978) 686-8600 (978) 674-5685
 www.bth.com

GERONIMO
 COMMERCIAL PROPERTIES

DATE	DESCRIPTION
	Project Name: AYER SHOP & SAVE ADDITION
	22 FITCHBURG ROAD AYER, MA 01432
	AYER REALTY 975 MERRIAM AVENUE, SUITE 2 LEOMINSTER, MA 01453

THE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS PREPARED BY B. THOMAS HEINZER ASSOCIATES, INC. FOR THIS PROJECT ARE THE PROPERTY OF B. THOMAS HEINZER ASSOCIATES, INC. AND ARE INSTRUMENTS OF THE DESIGN SERVICE FOR USE SOLELY IN RESPECT TO THIS PROJECT AND UNLESS OTHERWISE PROVIDED BY B. THOMAS HEINZER ASSOCIATES, INC. SHALL NOT BE USED WHOLE OR IN PART FOR ANY USE OTHER THAN THE ORIGINAL PROJECT WITHOUT THE EXPRESSED WRITTEN PERMISSION OF B. THOMAS HEINZER ASSOCIATES, INC.

Phase:
SIGNAGE PERMIT

Drawing Name:
NEW FLOOR PLAN

① 1ST FLOOR PLAN - PROPOSED
 1" = 20'-0"

Job No: BTH-949
 Date: JULY 9, 2015
 Drawn by: Author
 Checked by: Checker
 File: C:\Users\Brent_Heinzer\Documents\BTH-949\BTH-949-15\BTH-949-15.dwg
 Scale: 1" = 20'-0"

© B. Thomas Heinzer Associates, Inc.
 Sheet No: **SIGN
103**

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 23 PM 3: 28

Susan Copland

**Town of Ayer
Zoning Board of Appeals
Public Hearing Notice**



The Ayer ZBA will conduct a public hearing at 7:10 PM on Wednesday August 19, 2015 at the Ayer Town Hall located at 1 Main Street Ayer, MA 01432 regarding the application by John Horgan, 41 Nashua Street Ayer, MA 01432. Applicant seeks a variance to construct an accessory structure (carport) located over existing driveway but closer to frontage than primary structure on side street. Applicant also seeks to move structure immediately adjacent to existing stone wall.

Advertised July 31, 2015 and August 7, 2015, *The Ayer Public Spirit*

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 23 PM 3:06



**Town of Ayer
ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Notes to the Petitioner:

1. All applications for a hearing must be received by the Town Administrator's Office and accompanied by:
 - (6) copies of a registered engineered drawing (size 8 1/2 x 11 or 11 x 17),
 - Certified list of abutters within 300 feet of the premise and certified by the Town of Ayer Board of Assessors. (all certified mail documents receipts are to be given with the application and mailed by applicant with an abutters notice)

2. The application, when completed and signed, must be filed with a non-refundable application fee of one hundred-sixty five dollars (\$165.00) and a legal ad fee of eighty five dollars (\$ 85.00). Both checks should be made payable to the "Town of Ayer".

3. The ZBA shall duly post and conduct a public hearing within 65 days of receiving a completed application and render a decision within 14 days of the close of the Public Hearing. The applicant must wait the appeal period (20 days) after filing the decision with the Town Clerk. The decision, or notice thereof, must be filed by the applicant, at the South Middlesex County Registry of Deeds in Cambridge. Prior to obtaining a building permit, the applicant must present evidence of Registry filing to the Building Inspector and ZBA. This evidence may be a receipt from the Registry with an Instrument number or proof of the Book and Page assigned.

Name of Applicant: John Horgan (Full Name)
41 Nashua St. (Address)
978-772-2751 (Phone Number)

Applicant is (check one) Owner ___ Tenant ___ Licensee ___ Prospective Buyer

The name and address of each holder or legal title to the land which is the subject of this petition (list as it appears on the Deed):
John & Geraldine Horgan

Location of Property: 41 Nashua St.

Assessor's Map 19 Parcel 172 Land Size 12,632±s.f.

Zoning District (circle one) A-1 **A-2** GR GB DB LI HI

Registry of Deeds Book 9214 Page 102

Water Overlay District (circle one) Zone I Zone II **N/A**

The undersigned hereby petitions the Town of Ayer Zoning Board of Appeals to vary the terms of the Zoning Bylaws for the following purpose:

X A VARIANCE from the requirements of the Town of Ayer Zoning Bylaws

 A SPECIAL PERMIT for a specific use which is subject the approval of the Zoning Board of Appeals (For Home Occupations see Page 3 of this Form)

 A SPECIAL PERMIT to expand, alter, or change a non-conforming use or structure.

 ADMINISTRATIVE APPEAL (i.e. Building Inspector Decision)

 Other (Please specify):

Did you request a building permit from the Town of Ayer Building Inspector? No
Yes/No

If yes, were you denied a permit by the Town of Ayer Building Inspector?
Yes/No

If you were denied a permit, please attach a copy of the decision or state the reasons for the denial.

State briefly the reasons for application:

To obtain a building permit for the construction of an accessory structure (Carport), that would be located over existing driveway but closer to frontage than "primary" structure on side street. This is a corner lot w/ frontage on 2 streets. Also to move the proposed structure immediately adjacent to the existing stonewall.

rev. 7/23/15

Date: 5/19/15

Signed by B. D. P. [Signature] of G.P.R., Inc.
(Petitioner) AS AGENT FOR OWNER.

41 Nashua St.

(Street Address)

978-772-2751

(Daytime Telephone Number)

Check List:

- Completed application
- Two checks made payable to "Town of Ayer" in the amount of \$165.00 & \$ 85.00.
- Six (6) copies of the certified plot plan (8 ½ x 11 or 11 x 17)
- List of abutters Certified by the Assessors office
- Completed certified mail documents (certified mailing to be done by applicant and copied to ZBA's Office Manager along with receipts before the scheduled Public Hearing)

Zoning Board of Appeals

Variance Application

for

41 Nashua St.

Nature and Justification

Revised 7/23/15

The applicants, John and Geraldine Horgan, have owned and lived at 41 Nashua Street since 1960. The property at 41 Nashua Street is a corner lot having 126.2'+/- on Nashua Street and 100'+/- on Summit Ave. The lot area is 12,632+/- square feet with an existing single family dwelling and a shed. The owners desire to build a detached carport over the existing driveway. The existing driveway is in the southeast corner of the property with access on Summit Ave. The existing driveway comes onto the property approximately thirty-eight feet and within five feet of the side lot line.

The Ayer Zoning Bylaw permits accessory structures no nearer to than five feet to the side or rear lot line (Section 5.8 d). We have been told that an accessory structure must be back of the primary structure. Section 5.8 a requires the yard provisions for principal structures to apply to accessory structures, both detached or attached to the principal structure, when used for human occupancy. Section 5.8 b requires a ten foot setback for one story accessory structures.

The shape of the lot at 41 Nashua Street is limited for an accessory structure meeting these requirements given the lot is a corner lot. The existing house sits on the lot roughly thirty-six feet back from Nashua Street and thirty-seven feet back from Summit Street. The placement of the house leaves twenty-four feet to the side line to the north along Nashua Street and twenty-seven feet to the east along Summit Street. The topography rises up in elevation behind the house using an existing retaining wall to allow for the driveway and a relatively level back yard space.

The location of the existing driveway has taken into account the limitations of the site: 1) avoiding a driveway too close to the intersection for the streets, 2) attempting to not be in front of the principal structure (placed in the corner and behind the front of the house), 3) the retaining wall allows for the yard to slope away from the house slightly and permits a level area to park. The owners wish to make use of the existing driveway location and add a carport for increased protection against the New England elements.

By locating the carport/garage type structure over the existing driveway in the same location the Horgans have parked for years is a continuation of the balancing of the setbacks for accessory

structures. On behalf of John and Geraldine Horgan, GPR respectfully requests the Ayer Zoning Board of Appeals grant relief from Section 5.8.a to allow the proposed carport/garage to be located slightly in front of the front yard setback and in front of the existing house, Section 5.8.b to be located within ten feet of the primary structure and Section 5.8.d to be within five feet (three and zero tenths) of the side yard line.

The shape of the lot at 41 Nashua Street limits the space to build a carport/garage. The topography slopes up on both side yards, but the owner has previously built a retaining wall to level the portion of the lot where they park now. These conditions apply to the lot at 41 Nashua Street, but not to the zoning district in which they are located. Literal enforcement of the provisions of the Zoning Bylaw would be a substantial hardship. It is our opinion that desirable relief can be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Bylaw.

On behalf of the applicant, John and Geraldine Horgan, we respectfully request a variance from Section 5.8.a to allow the proposed carport/garage to be located slightly in front of the front yard setback and in front of the existing house, Section 5.8.b to be located within ten feet of the primary structure (five feet) and Section 5.8.d to be within five feet (three and zero tenths) of the side yard line. These conditions do not affect the zoning district as a whole and are unique to the land shown on the attached plan.

The change from the previous request (filed 5/19/15) is due to a misunderstanding between the applicant and GPR. Mr. Horgan would like the posts of the carport immediately adjacent or as close as possible to the driveway face of the stonewall.



Existing Driveway from Summit Street



View from Nashua Street



View from Summit Street

Nature and Justification for Variance Application at 41 Nashua Street, Ayer, MA



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

 X BOS/Town Administrator
 Board of Health
 Department of Public Works
 Police Department
 Fire Department
 Building Inspector/Zoning Enforcement Officer
 Conservation Committee
 Tax Collector
 Assessor's Office

Review Deadline Date Monday August 10, 2015
Public Hearing Date Wednesday August 19, 2015

Applicant seeks a variance to construct an accessory structure (carport) located over existing driveway but closer to frontage than primary structure on side street. Applicant also seeks to move structure immediately adjacent to existing stone wall.

 X Variance Special Permit Finding/Appeal

Description John Horgan

Submitted by GPR, Inc. Date 07-23-15

Address 41 Nashua Street Telephone Bruce, GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

 Approved Modifications Needed Disapprove

Comments: No issues.

Signed Robert A. Pothmann

Title Town Administrator

Date 7/24/2015



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- BOS/Town Administrator
- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
- Conservation Committee
- Tax Collector
- Assessor's Office

Review Deadline Date Monday August 10, 2015

Public Hearing Date Wednesday August 19, 2015

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Variance Special Permit Finding/Appeal

Description John Horgan

Submitted by GPR, Inc. Date 07-23-15

Address 41 Nashua Street Telephone Bruce, GPR 978-772-1590

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Approved Modifications Needed Disapprove

Comments:

Signed Bridgette Malley

Title Health Agent

Date 7/27/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

<input type="checkbox"/>	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
<input type="checkbox"/>	Board of Health	Public Hearing Date	<u>Wednesday August 19, 2015</u>
<input checked="" type="checkbox"/>	Department of Public Works		
<input type="checkbox"/>	Police Department		
<input type="checkbox"/>	Fire Department		
<input type="checkbox"/>	Building Inspector/Zoning Enforcement Officer		
<input type="checkbox"/>	Conservation Committee		
<input type="checkbox"/>	Tax Collector		
<input type="checkbox"/>	Assessor's Office		

Applicant seeks a variance to construct an accessory structure (carport) located over existing driveway but closer to frontage than primary structure on side street. Applicant also seeks to move structure immediately adjacent to existing stone wall.

Variance Special Permit Finding/Appeal

Description John Horgan

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Approved Modifications Needed Disapprove

Comments:

Signed Title DPW Supt

Date 7/30/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
_____	Board of Health	Public Hearing Date	<u>Wednesday August 19, 2015</u>
_____	Department of Public Works		
<input checked="" type="checkbox"/>	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		

Applicant seeks a variance to construct an accessory structure (carport) located over existing driveway but closer to frontage than primary structure on side street. Applicant also seeks to move structure immediately adjacent to existing stone wall.

Variance _____ Special Permit _____ Finding/Appeal

Description John Horgan

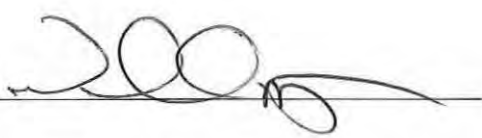
Submitted by GPR, Inc. Date 07-23-15

Address 41 Nashua Street Telephone Bruce, GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed 

Title Chief of Police

Date 7/24/15

Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review



_____	BOS/Town Administrator	Review Deadline Date <u>Monday August 10, 2015</u>
_____	Board of Health	
_____	Department of Public Works	Public Hearing Date <u>Wednesday August 19, 2015</u>
_____	Police Department	
<u>X</u>	Fire Department	
_____	Building Inspector/Zoning Enforcement Officer	
_____	Conservation Committee	
_____	Tax Collector	
_____	Assessor's Office	

Applicant seeks a variance to construct an accessory structure (carport) located over existing driveway but closer to frontage than primary structure on side street. Applicant also seeks to move structure immediately adjacent to existing stone wall.

X Variance _____ Special Permit _____ Finding/Appeal

Description John Horgan

Submitted by GPR, Inc. Date 07-23-15

Address 41 Nashua Street Telephone Bruce, GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed [Signature] Title Fire Chief

Date 7-24-15

Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review



_____ BOS/Town Administrator
_____ Board of Health
_____ Department of Public Works
_____ Police Department
_____ Fire Department
X _____ Building Inspector/Zoning Enforcement Officer
_____ Conservation Committee
_____ Tax Collector
_____ Assessor's Office

Review Deadline Date Monday August 10, 2015
Public Hearing Date Wednesday August 19, 2015

Applicant seeks a variance to construct an accessory structure (carport) located over existing driveway but closer to frontage than primary structure on side street. Applicant also seeks to move structure immediately adjacent to existing stone wall.

X _____ Variance _____ Special Permit _____ Finding/Appeal

Description John Horgan

Submitted by GPR, Inc. Date 07-23-15

Address 41 Nashua Street Telephone Bruce, GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X _____ Approved _____ Modifications Needed _____ Disapprove

Comments:

I HAVE NO OBJECTIONS.

Signed [Signature]

Title Build. Comm

Date 13 AUG '15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

<input type="checkbox"/>	BOS/Town Administrator	Review Deadline Date <u>Monday August 10, 2015</u>
<input type="checkbox"/>	Board of Health	
<input type="checkbox"/>	Department of Public Works	Public Hearing Date <u>Wednesday August 19, 2015</u>
<input type="checkbox"/>	Police Department	
<input type="checkbox"/>	Fire Department	
<input type="checkbox"/>	Building Inspector/Zoning Enforcement Officer	
<input checked="" type="checkbox"/>	Conservation Committee	
<input type="checkbox"/>	Tax Collector	
<input type="checkbox"/>	Assessor's Office	

Applicant seeks a variance to construct an accessory structure (carport) located over existing driveway but closer to frontage than primary structure on side street. Applicant also seeks to move structure immediately adjacent to existing stone wall.

Variance Special Permit Finding/Appeal

Description John Horgan

Submitted by GPR, Inc. Date 07-23-15


Address 41 Nashua Street Telephone Bruce, GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved Modifications Needed Disapprove

Comments:

NOT JURIS DICTIONAL.

Signed 

Title CHAIRMAN

Date 7.23.15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
_____	Board of Health	Public Hearing Date	<u>Wednesday August 19, 2015</u>
_____	Department of Public Works		
_____	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
<u>X</u>	Tax Collector		
_____	Assessor's Office		

Applicant seeks a variance to construct an accessory structure (carport) located over existing driveway but closer to frontage than primary structure on side street. Applicant also seeks to move structure immediately adjacent to existing stone wall.

X Variance _____ Special Permit _____ Finding/Appeal

Description John Horgan

Submitted by GPR, Inc. Date 07-23-15

Address 41 Nashua Street Telephone Bruce, GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed *[Signature]*
Date July 23, 2015

Title Tax Collector



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- _____ BOS/Town Administrator
- _____ Board of Health
- _____ Department of Public Works
- _____ Police Department
- _____ Fire Department
- _____ Building Inspector/Zoning Enforcement Officer
- _____ Conservation Committee
- _____ Tax Collector
- X _____ Assessor's Office

Review Deadline Date Monday August 10, 2015

Public Hearing Date Wednesday August 19, 2015

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X Variance _____ Special Permit _____ Finding/Appeal

Description John Horgan

Submitted by GPR, Inc. Date 07-23-15

Address 41 Nashua Street Telephone Bruce, GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

_____ Approved _____ Modifications Needed _____ Disapprove

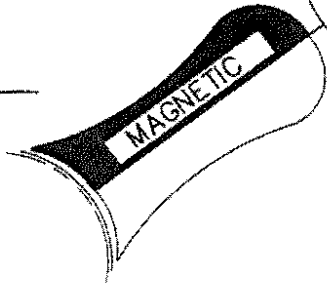
Comments:

Signed John Horgan

Title Assessing Administrator

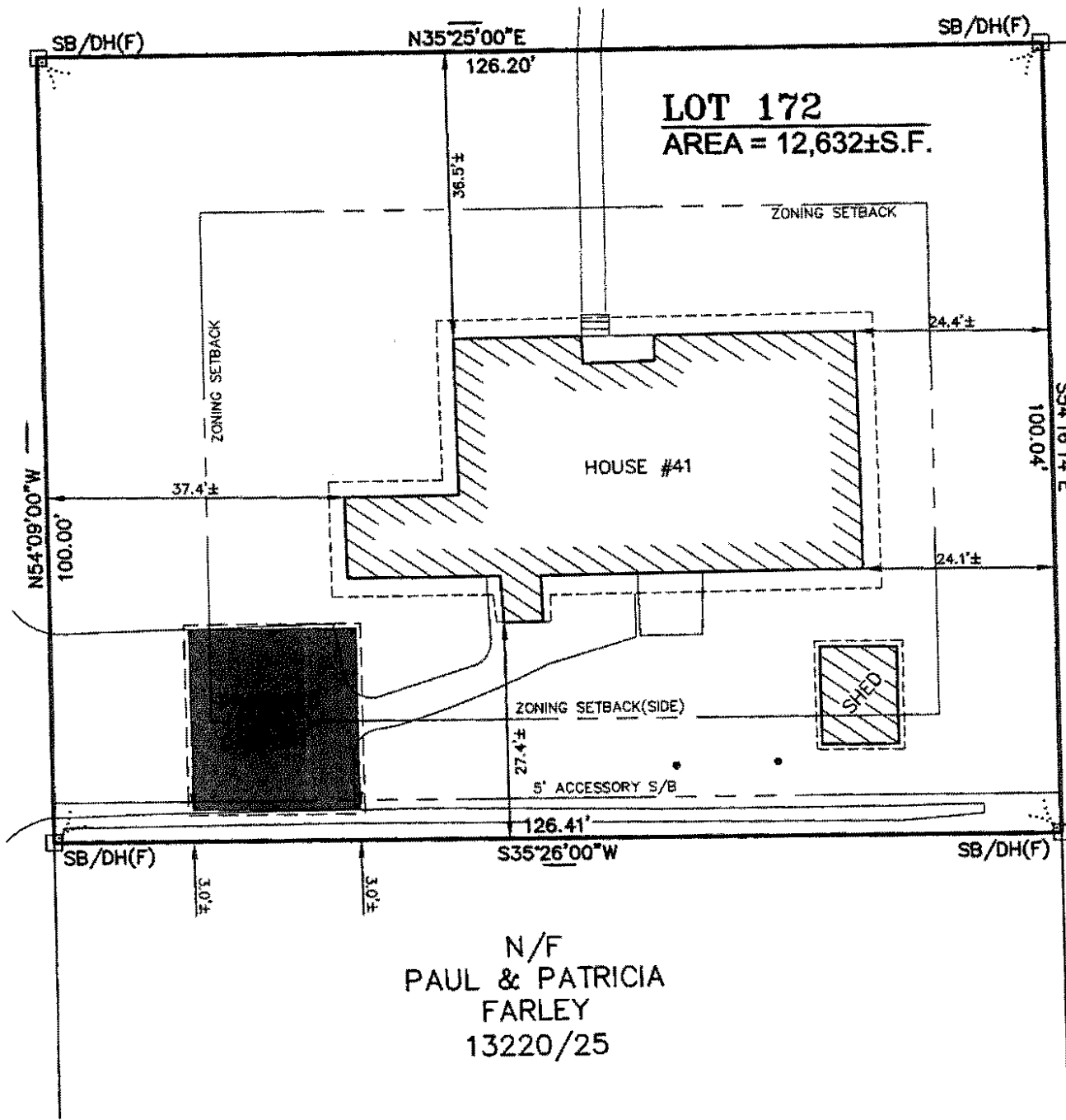
Date 7/27/15

OFFSETS ARE NOT FOR THE REPRODUCTION OF PROPERTY LINES



NASHUA (PUBLIC (VAR. WIDTH) ST.

SUMMIT (PUBLIC (VAR. WIDTH) AVE.



N/F
SCOTT PATTERSON
56755/124

N/F
PAUL & PATRICIA
FARLEY
13220/25

THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, COVENANTS, OR OTHER LIMITATIONS WHICH MAY BE DISCLOSED BY A TITLE EXAMINATION.

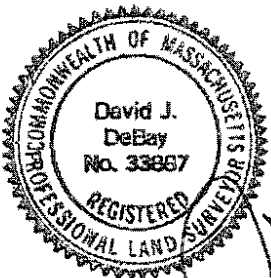
THIS LOT IS IN ZONE C (AREAS OF MINIMAL FLOODING) AS SHOWN ON THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR AYER, MASS., DATED JUNE 4, 2010, COMMUNITY-PANEL NO. 250 17CO 204E. ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. ACCURATE DETERMINATION CANNOT BE MADE UNLESS A VERTICAL CONTROL SURVEY IS PERFORMED.

ASSESSOR'S MAP 19, PARCEL 172
DEED BOOK 9214 PAGE 102

I CERTIFY THAT THE EXISTING FEATURES ARE LOCATED ON THE LOT AS SHOWN.

BUILDING PERMIT PLAN
LOT # 172 at # 41 NASHUA STREET
AYER, MASS.

PREPARED FOR: HORGAN
DATE: JULY 15, 2015 SCALE: 1"=20'



[Handwritten signature]
7/15/15

DAVID J. DeBAY, P.L.S. # 33887



Engineering Solutions
for Land & Structures

GOLDSMITH, PREST & RINGWALL, INC.

39 MAIN ST., SUITE 301, AYER, MA 01432
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING
VOICE: 978.772.1590 FAX: 978.772.1591 WEB: www.gpr-inc.com

P:\151012\DWG\SURVEY DWG\FINAL\15101_BPP_1A2.DWG

2015 © COPYRIGHT GOLDSMITH, PREST & RINGWALL, INC.

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 24 AM 10:38



**Town of Ayer
Zoning Board of Appeals
Public Hearing Notice**

The Ayer ZBA will conduct a public hearing at 7:20 PM on Wednesday August 19, 2015 at the Ayer Town Hall located at 1 Main Street Ayer, MA 01432 regarding the application by HRES Ayer, LLC., 19 Fitchburg Road Ayer, MA 01432. Applicant seeks a variance from Zoning Bylaw 8.4.1 sign height, seeking 18'8" where 15' is allowed and from 2.2. 91-2 sign surface area, seeking 48.9 sq.ft. where 40sq.ft. is allowed.

Advertised July 31, 2015 and August 7, 2015, *The Ayer Public Spirit*

RECEIVED
TOWN CLERK
TOWN OF AYER
2015 JUL 24 AM 10:17 *ef*



**Town of Ayer
ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Notes to the Petitioner:

- All applications for a hearing must be received by the Town Administrator's Office and accompanied by:
 - (6) copies of a registered engineered drawing (size 8 1/2 x 11 or 11 x 17),
 - Certified list of abutters within 300 feet of the premise and certified by the Town of Ayer Board of Assessors. (all certified mail documents receipts are to be given with the application and **mailed by applicant with an abutters notice**)
- The application, when completed and signed, must be filed with a non-refundable application fee of one hundred-sixty five dollars (\$165.00) and a legal ad fee of eighty five dollars (\$ 85.00). Both checks should be made payable to the "Town of Ayer".
- The ZBA shall duly post and conduct a public hearing within 65 days of receiving a completed application and render a decision within 14 days of the close of the Public Hearing. The applicant must wait the appeal period (20 days) after filing the decision with the Town Clerk. The decision, or notice thereof, must be filed by the applicant, at the South Middlesex County Registry of Deeds in Cambridge. Prior to obtaining a building permit, the applicant must present evidence of Registry filing to the Building Inspector and ZBA. This evidence may be a receipt from the Registry with an Instrument number or proof of the Book and Page assigned.

Name of Applicant: HRES Ayer, LLC
 (Full Name)
5100 West Kennedy Blvd., Tampa, FL 33609
 (Address)
617.650.9119
 (Phone Number)

Applicant is (check one) Owner Tenant Licensee Prospective Buyer

The name and address of each holder or legal title to the land which is the subject of this petition (list as it appears on the Deed):

HRES Ayer, LLC 5100 W. Kennedy Blvd., Tampa, . FL 33609

Location of Property: 19 Fitchburg Road

Assessor's Map 11 Parcel 51 Land Size 41,201 sf (.946 acres)

Zoning District (circle one) A-1 A-2 GR **(GB)** DB LI HI

Registry of Deeds Book 65166 Page 379

Water Overlay District (circle one) Zone I Zone II N/A

The undersigned hereby petitions the Town of Ayer Zoning Board of Appeals to vary the terms of the Zoning Bylaws for the following purpose:

 x A VARIANCE from the requirements of the Town of Ayer Zoning Bylaws

 A SPECIAL PERMIT for a specific use which is subject the approval of the Zoning Board of Appeals (For Home Occupations see Page 3 of this Form)

 A SPECIAL PERMIT to expand, alter, or change a non-conforming use or structure.

 ADMINISTRATIVE APPEAL (i.e. Building Inspector Decision)

 Other (Please specify):

Did you request a building permit from the Town of Ayer Building Inspector? Y

If yes, were you denied a permit by the Town of Ayer Building Inspector? Yes/No
 Y/N

 Yes/No

If you were denied a permit, please attach a copy of the decision or state the reasons for the denial.

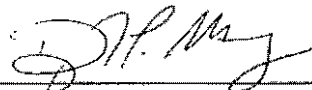
 Signage height of sign above grade is over 15'-0",
 sign size in excess of 40sf

State briefly the reasons for application:

We request a variance from Table 8.4.1 limit on height of sign
above grade from 15'-0" to 18'-8" as shown on the approved
building permit drawings.

We also request a variance to increase the allowable limit
of singage form 40sdf to 48.9sf in art. 2.2.91.2

Date: 7-23-15

Signed by  Doug Murray
(Petitioner)

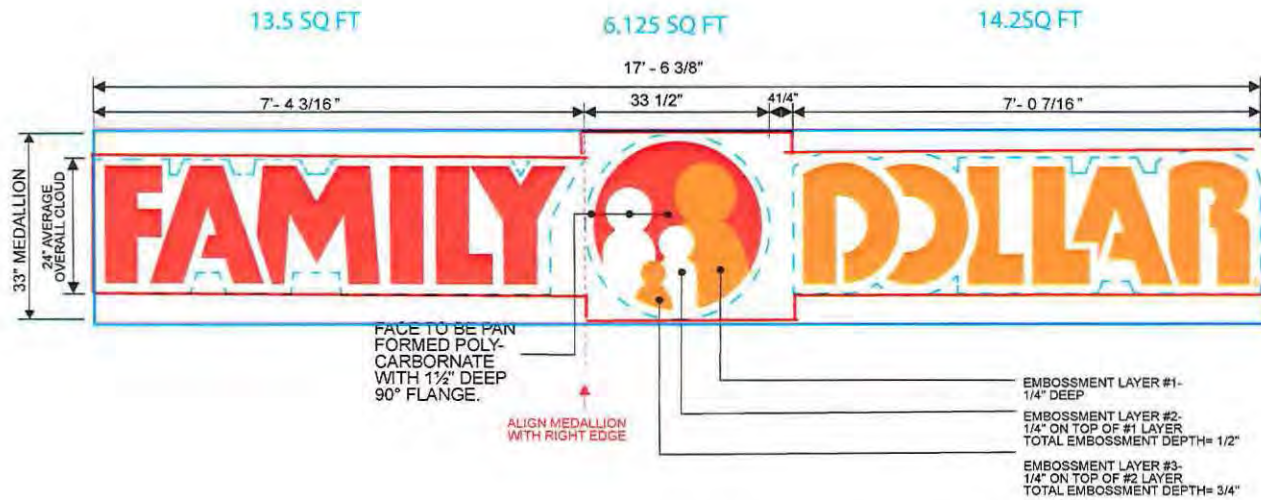
287 High Sreet, Abington, MA 02351
(Street Address)

617.650.9119
(Daytime Telephone Number)

Check List:

- Completed application
- Two checks made payable to "Town of Ayer" in the amount of \$165.00 & \$ 85.00.
- Six (6) copies of the certified plot plan (8 ½ x 11 or 11 x 17)
- List of abutters Certified by the Assessors office
- Completed certified mail documents (certified mailing to be done by applicant and copied to ZBA's Office Manager along with receipts before the scheduled Public Hearing)

24" LINEAR CLOUD



GENERAL SPECIFICATIONS:

- Materials: Extruded aluminum
- Face: 150 SG polycarbonate vacuum formed
- Face Decoration: 2nd surface
- Access: Remove face

Actual Area of Each Element

Family	13.5	Red Box: 37.55sf
Medallion	6.125	(ART. 2.2.91.1)
Dollar	14.2	Blue Box: 48.9sf
TOTAL	33.825 SQ FT	(art.2.2.91.2)

Weight (Est.):

- TBE (crated)
- TBE (uncrated)

Wind Load: 110mph, 43PSI

ELECTRICAL

Illumination:

- GE Tetra Max White LEDs

Ballast/Power Supply:

- (2) GEPS 12-60 Power Supplies
- (1) GEPS 12-20 Power Supply

Line Load:

- 120 Volt / 3 Amps Total Load

COLORS:

Interior: Ptd. white

Exterior: BASE, CABINET & RETAINERS - Ptd. AKSO NOBEL (GRIP GUARD PLUS) "Sign20134"

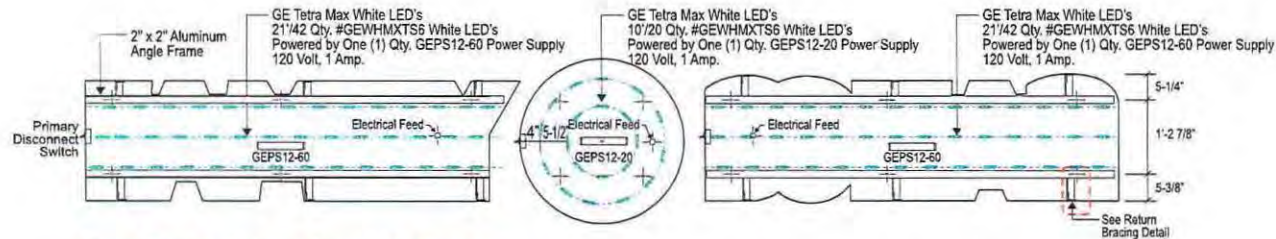
Raceway: NA

Face Graphics Color Specifications:

"FAMILY" - AKSO NOBEL (GRIP FLEX) "Sign 10399" WHITE, "SIGN 0208 RED"

"DOLLAR" - AKSO NOBEL (GRIP FLEX) "Sign 10399" White, "Sign 0209" ORANGE

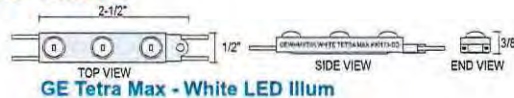
© SYMBOL - AKSO NOBEL (GRIP FLEX) "Sign 10399" White



Front View - 24" Linear Cloud / 33" Medallion

Scale: 1/2" = 1'-0"

120 VOLT / 3.0 AMPS TOTAL LOAD



GE Tetra Max - White LED Illum

These product sheets are the exclusive property of Everbrite LLC. Use of this property in any manner without express written permission of Everbrite LLC is prohibited. Drawings are for graphic purposes only and not intended for actual construction. For more specific manufacturing detail, please refer to engineering specifications and install drawings.



Everbrite LLC
4949 S 110th Street, Greenfield, WI 53220
Phone: 414-529-3500 • Fax: 414-529-7191
Website: www.everbrite.com

Part No: E004887B, E004889B, E004888B

Project No: 296996-3

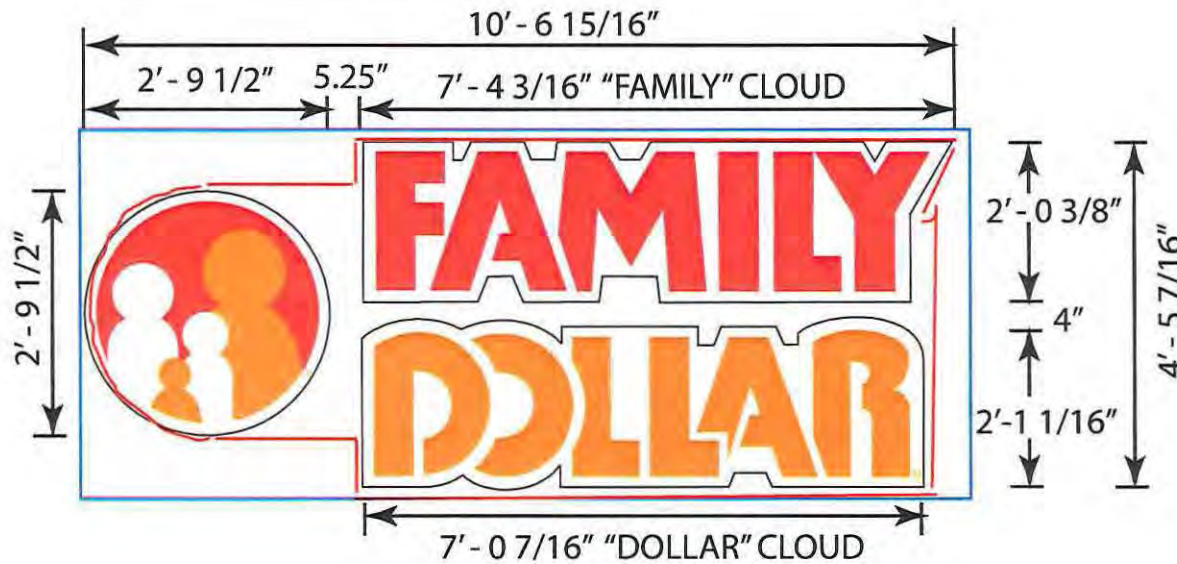
Description: 24" Linear Cloud w/
33" Medallion

Date: 12/18/13

Drawn By: DB



24" Stacked Cloud w/33" Medallion



GENERAL SPECIFICATIONS:

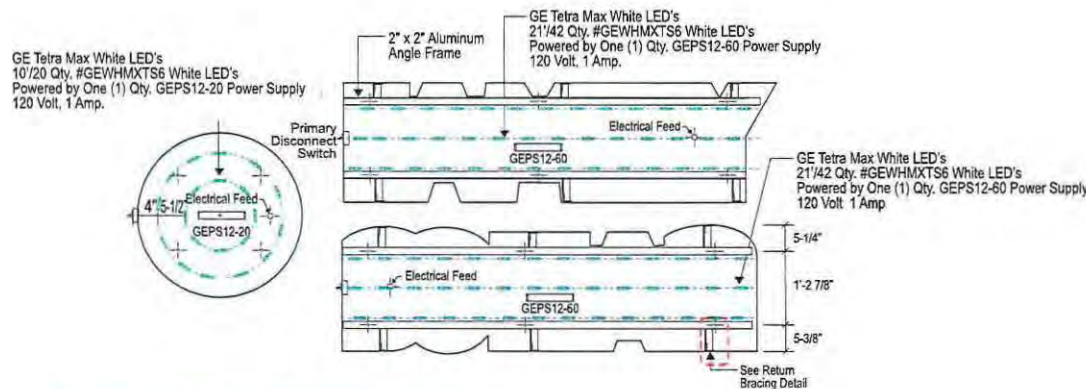
- Materials: Extruded aluminum
- Face: 177 SG polycarbonate vacuum formed
- Face Decoration: 2nd surface
- Access: Remove face
- Area Squared: 47.1 Sq. Ft. Red box: 39.22
- Area Actual: 33.6 Sq. Ft. (art. 2.2.91.1)
- Weight (Est.): Blue box: 47.1 sf (art.2.2.91.2)
- TBE (crated)
- TBE (uncrated)
- Wind Load: 110mph, 43PSI

ELECTRICAL

- Illumination: GE Tetra Max White LEDs
- Ballast/Power Supply: (2) GEPS 12-60 Power Supplies, (1) GEPS 12-20 Power Supply
- Line Load: 120 Volt / 3 Amps Total Load

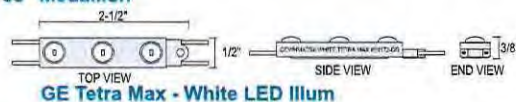
COLORS:

- Interior: Ptd. white
- Exterior: BASE, CABINET & RETAINERS - Ptd. AKSO NOBEL (GRIP GUARD PLUS) "Sign20134"
- Raceway: NA
- Face Graphics Color Specifications: "FAMILY" - AKSO NOBEL (GRIP FLEX) "Sign 10399" WHITE, "SIGN 0208 RED"
- "DOLLAR" - AKSO NOBEL (GRIP FLEX) "Sign 10399" White, "Sign 0209" ORANGE
- © SYMBOL - AKSO NOBEL (GRIP FLEX) "Sign 10399" White



Front View - 24" Linear Cloud / 33" Medallion
Scale: 1/2" = 1'-0"

120 VOLT / 3.0 AMPS TOTAL LOAD



GE Tetra Max - White LED Illum

These product sheets are the exclusive property of Everbrite LLC. Use of this property in any manner without express written permission of Everbrite LLC is prohibited. Drawings are for graphic purposes only and not intended for actual construction. For more specific manufacturing detail, please refer to engineering specifications and install drawings.



Everbrite LLC
4949 S 110th Street, Greenfield, WI 53220
Phone: 414-529-3500 • Fax: 414-529-7191
Website: www.everbrite.com

Part No: E004887B, E004889B, E004888B

Project No: 296996-3

Description: 24" Stacked Cloud w/
33" Medallion

Date: 12/18/13

Drawn By: DB





Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

<input checked="" type="checkbox"/>	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
<input type="checkbox"/>	Board of Health	Public Hearing Date	<u>Wednesday August 19, 2015</u>
<input type="checkbox"/>	Department of Public Works	<u>Applicant seeking variance from sign height (desired is 18'8", allowed is 15') and square footage (desired is 48.9 sq.ft., allowed is 40 sq.ft.)</u>	
<input type="checkbox"/>	Police Department		
<input type="checkbox"/>	Fire Department		
<input type="checkbox"/>	Building Inspector/Zoning Enforcement Officer		
<input type="checkbox"/>	Conservation Committee		
<input type="checkbox"/>	Tax Collector		
<input type="checkbox"/>	Assessor's Office		

Variance Special Permit Finding/Appeal

Description Family Dollar Sign Height and Sq. Ft. Variance Request

Submitted by Hunt Real Estate Date July 24, 2015

Address 19 Fitchburg Road Telephone Doug Murray 617-650-9119

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved Modifications Needed Disapprove

Comments:

Signed Rhett A. Pothol Title Town Administrator

Date 7/28/2015



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- BOS/Town Administrator
- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
- Conservation Committee
- Tax Collector
- Assessor's Office

Review Deadline Date Monday August 10, 2015

Public Hearing Date Wednesday August 19, 2015

Applicant seeking variance from sign height (desired is 18'8", allowed is 15') and square footage (desired is 48.9 sq.ft., allowed is 40 sq.ft.)

Variance Special Permit Finding/Appeal

Description Family Dollar Sign Height and Sq. Ft. Variance Request

Submitted by Hunt Real Estate Date July 24, 2015

Address 19 Fitchburg Road Telephone Doug Murray 617-650-9119

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Approved Modifications Needed Disapprove

Comments:

Signed Bridgette Bralley Title Health Agent

Date 8/5/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date <u>Monday August 10, 2015</u>
_____	Board of Health	
<u>X</u> _____	Department of Public Works	Public Hearing Date <u>Wednesday August 19, 2015</u>
_____	Police Department	
_____	Fire Department	Applicant seeking variance from sign height (desired is 18'8", allowed is 15') and square footage (desired is 48.9 sq.ft., allowed is 40 sq.ft.)
_____	Building Inspector/Zoning Enforcement Officer	
_____	Conservation Committee	
_____	Tax Collector	
_____	Assessor's Office	

X Variance _____ Special Permit _____ Finding/Appeal

Description Family Dollar Sign Height and Sq. Ft. Variance Request

Submitted by Hunt Real Estate Date July 24, 2015

Address 19 Fitchburg Road Telephone Doug Murray 617-650-9119

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed *[Signature]* Title DPW Supt

Date 8/5/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date <u>Monday August 10, 2015</u>
_____	Board of Health	
_____	Department of Public Works	Public Hearing Date <u>Wednesday August 19, 2015</u>
<u>X</u> _____	Police Department	
_____	Fire Department	Applicant seeking variance from sign height (desired is 18'8", allowed is 15') and square footage (desired is 48.9 sq.ft., allowed is 40 sq.ft.)
_____	Building Inspector/Zoning Enforcement Officer	
_____	Conservation Committee	
_____	Tax Collector	
_____	Assessor's Office	

X Variance _____ Special Permit _____ Finding/Appeal

Description Family Dollar Sign Height and Sq. Ft. Variance Request

Submitted by Hunt Real Estate Date July 24, 2015

Address 19 Fitchburg Road Telephone Doug Murray 617-650-9119

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed  Title Chief of Police

Date 8/3/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date <u>Monday August 10, 2015</u>
_____	Board of Health	
_____	Department of Public Works	Public Hearing Date <u>Wednesday August 19, 2015</u>
_____	Police Department	
_____	Fire Department	Applicant seeking variance from sign height (desired is 18'8", allowed is 15') and square footage (desired is 48.9 sq.ft., allowed is 40 sq.ft.)
<u>X</u>	Building Inspector/Zoning Enforcement Officer	
_____	Conservation Committee	
_____	Tax Collector	
_____	Assessor's Office	

X Variance _____ Special Permit _____ Finding/Appeal

Description Family Dollar Sign Height and Sq. Ft. Variance Request

Submitted by Hunt Real Estate Date July 24, 2015

Address 19 Fitchburg Road Telephone Doug Murray 617-650-9119

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X Approved _____ Modifications Needed _____ Disapprove

Comments:
I RECOMMEND THAT THIS
REQUEST BE APPROVED.

Signed [Signature]
Date 13, AUG 15

Title Bulld. Comm.



Town of Ayer
Zoning Board of Appeals
Transmittal Form - Department Head Review

BOS/Town Administrator
Board of Health
Department of Public Works
Police Department
Fire Department
Building Inspector/Zoning Enforcement Officer
Conservation Committee
Tax Collector
Assessor's Office
Review Deadline Date Monday August 10, 2015
Public Hearing Date Wednesday August 19, 2015
Applicant seeking variance from sign height (desired is 18'8", allowed is 15') and square footage (desired is 48.9 sq.ft., allowed is 40 sq.ft.)

X Variance
Special Permit
Finding/Appeal

Description Family Dollar Sign Height and Sq. Ft. Variance Request

Submitted by Hunt Real Estate Date July 24, 2015

Address 19 Fitchburg Road Telephone Doug Murray 617-650-9119

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

P Approved
Modifications Needed
Disapprove

Comments:
No comment

Signed [Signature] Title Ayer Cons Comm Chair

Date 8/13/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
_____	Board of Health	Public Hearing Date	<u>Wednesday August 19, 2015</u>
_____	Department of Public Works		
_____	Police Department		
<u>X</u> _____	Fire Department	Applicant seeking variance from sign height (desired is 18'8", allowed is 15') and square footage (desired is 48.9 sq.ft., allowed is 40 sq.ft.)	
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		

X Variance _____ Special Permit _____ Finding/Appeal

Description Family Dollar Sign Height and Sq. Ft. Variance Request

Submitted by Hunt Real Estate Date July 24, 2015

Address 19 Fitchburg Road Telephone Doug Murray 617-650-9119

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X Approved _____ Modifications Needed _____ Disapprove

Comments: no issues

Signed [Signature]

Title Fire Chief

Date 7-3-15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

<u> </u>	BOS/Town Administrator	Review Deadline Date <u>Monday August 10, 2015</u>
<u> </u>	Board of Health	
<u> </u>	Department of Public Works	Public Hearing Date <u>Wednesday August 19, 2015</u>
<u> </u>	Police Department	
<u> </u>	Fire Department	Applicant seeking variance from sign height
<u> </u>	Building Inspector/Zoning Enforcement Officer	(desired is 18'8", allowed is 15') and square
<u> </u>	Conservation Committee	footage (desired is 48.9 sq.ft., allowed is 40 sq.ft.)
<u> X </u>	Tax Collector	
<u> </u>	Assessor's Office	

 X Variance Special Permit Finding/Appeal

Description Family Dollar Sign Height and Sq. Ft. Variance Request

Submitted by Hunt Real Estate Date July 24, 2015

Address 19 Fitchburg Road Telephone Doug Murray 617-650-9119

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

 X Approved Modifications Needed Disapprove

Comments:

Signed *Susan Copeland*
Date *July 28, 2015*

Title *Town Clerk / Tax Collector*



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
_____	Board of Health	Public Hearing Date	<u>Wednesday August 19, 2015</u>
_____	Department of Public Works		
_____	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Tax Collector		
<u>X</u>	Assessor's Office		

Applicant seeking variance from sign height (desired is 18'8", allowed is 15') and square footage (desired is 48.9 sq.ft., allowed is 40 sq.ft.)

X Variance _____ Special Permit _____ Finding/Appeal

Description Family Dollar Sign Height and Sq. Ft. Variance Request

Submitted by Hunt Real Estate Date July 24, 2015

Address 19 Fitchburg Road Telephone Doug Murray 617-650-9119

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed Thomas Hogan
Date 7/30/15

Title Assessing Administrator

RECEIVED
TOWN CLERK
TOWN OF AYER

2014 OCT 21 AM 8:38



Town of Ayer
ZONING BOARD OF APPEALS
NOTICE OF DECISION

Submission Date: August 25, 2014

Petitioner: Hunt RE Acquisitions, LLC
5100 W. Kennedy Blvd., Suite 100
Tampa, FL 33609

Property: 19 Fitchburg Road

Public Hearing Date: September 15, 2014 (No Quorum)
October 8, 2014

Publication Location and Date: *The Public Spirit Ayer* 8/29/14 and 9/5/14
The Public Spirit Ayer 9/29/14 and 9/26/14

Petition:

- 1) A variance from Section 3.3.2.2(d)(3)(b) and Section 5.12 of the Ayer Zoning By-Law to allow a side yard setback of 14 feet where 25 feet is required on the North Westerly Side of the property.
- 2) A variance from Section 6.1 of the Ayer Zoning By-law allowing for a total of 28 parking stalls where 42 are required.
- 3) A variance from Section 6.3(c) of the Ayer Zoning By-law allowing for parking stalls of 9 feet by 18 feet where 10 feet by 20 feet is required.
- 4) A variance from section 6.3(d) allowing for a zero foot offset of parking stalls from the South Easterly side of the proposed building where 10 feet is required.

Restrictions: None

Findings of Fact: None

Conditions: None

Decision: Variance #1 Granted
Variance #2 Granted
Variance #3 Granted
Variance #4 Granted

Granted 10/8/14

Vote:

Variance #1 Granted
Motion by Jeremy Callahan; 2nd by Howard Hall
4 in the affirmative; 0 in opposition

Variance #2 Granted
Motion by Jeremy Callahan; 2nd by Christa Maxant
4 in the affirmative; 0 in opposition

Variance #3 Granted
Motion by Jeremy Callahan; 2nd by Howard Hall
4 in the affirmative; 0 in opposition

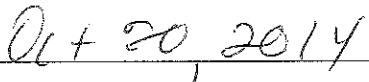
Variance #4 Granted
Motion by Jeremy Callahan; 2nd by Christa Maxant
4 in the affirmative; 0 in opposition

Board Members:

Jeremy Callahan, Chair; Christa Maxant, Clerk
Ron Defillipo; Howard Hall;
Michael Gibbons, Alternate (Recused himself during public hearing)

By:

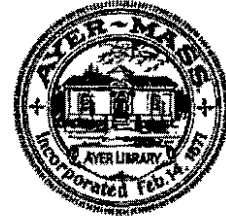

Jeremy Callahan, Chair
Zoning Board of Appeals


Date

Notice of Appeal: Any person aggrieved by this decision may appeal, pursuant to M.G.L. c. 40A, §17, (<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40A/Section17>) within twenty (20) days after this decision is filed in the office of the Town Clerk of the Town of Ayer.

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 24 PM 12: 03



**Town of Ayer
Zoning Board of Appeals
Public Hearing Notice**

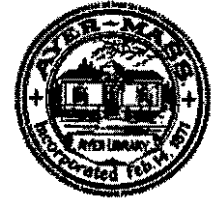
The Ayer ZBA will conduct a public hearing at 7:35 PM on Wednesday August 19, 2015 at the Ayer Town Hall located at 1 Main Street Ayer, MA 01432 regarding the application by Calco, LLC., 22 West Main Street Ayer, MA 01432. Applicant seeks a Special Permit for the use category of "Warehousing and interior storage" within General Business Zoning District for proposed self-storage development.

Advertised July 31, 2015 and August 7, 2015, *The Ayer Public Spirit*

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 24 AM 11:50

Susan Copeland



**Town of Ayer
ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Notes to the Petitioner:

1. All applications for a hearing must be received by the Town Administrator's Office and accompanied by:
 - (6) copies of a registered engineered drawing (size 8 1/2 x 11 or 11 x 17),
 - Certified list of abutters within 300 feet of the premise and certified by the Town of Ayer Board of Assessors. (all certified mail documents receipts are to be given with the application and **mailed by applicant with an abutters notice**)
2. The application, when completed and signed, must be filed with a non-refundable application fee of one hundred-sixty five dollars (\$165.00) and a legal ad fee of eighty five dollars (\$ 85.00). Both checks should be made payable to the "Town of Ayer".
3. The ZBA shall duly post and conduct a public hearing within 65 days of receiving a completed application and render a decision within 14 days of the close of the Public Hearing. The applicant must wait the appeal period (20 days) after filing the decision with the Town Clerk. The decision, or notice thereof, must be filed by the applicant, at the South Middlesex County Registry of Deeds in Cambridge. Prior to obtaining a building permit, the applicant must present evidence of Registry filing to the Building Inspector and ZBA. This evidence may be a receipt from the Registry with an Instrument number or proof of the Book and Page assigned.

Name of Applicant: CALCO, LLC
(Full Name)
22 WEST MAIN STREET, AYER, MA 01432
(Address)
978.621.1174
(Phone Number)

Applicant is (check one) Owner ___ Tenant ___ Licensee ___ Prospective Buyer

The name and address of each holder or legal title to the land which is the subject of this petition (list as it appears on the Deed):

Location of Property: 215 WEST MAIN STREET AND ADJACENT PARCEL TO THE WEST

Assessor's Map 0032 Parcel 0012 Land Size 0.28 AC
0032 Parcel 0051 Land Size 8.23 AC

Zoning District (circle one) A-1 A-2 GR **GB** DB LI HI
0012 42360 195
0051 52413 508
Registry of Deeds Book _____ Page _____

Water Overlay District (circle one) Zone I **Zone II** N/A

The undersigned hereby petitions the Town of Ayer Zoning Board of Appeals to vary the terms of the Zoning Bylaws for the following purpose:

_____ A VARIANCE from the requirements of the Town of Ayer Zoning Bylaws

X A SPECIAL PERMIT for a specific use which is subject the approval of the Zoning Board of Appeals (For Home Occupations see Page 3 of this Form)

_____ A SPECIAL PERMIT to expand, alter, or change a non-conforming use or structure.

_____ ADMINISTRATIVE APPEAL (i.e. Building Inspector Decision)

_____ Other (Please specify):

Did you request a building permit from the Town of Ayer Building Inspector? NO

If yes, were you denied a permit by the Town of Ayer Building Inspector? NO

NO
Yes/No

If you were denied a permit, please attach a copy of the decision or state the reasons for the denial.


State briefly the reasons for application:

A special permit is required for the use category of
"Warehousing and interior storage" within the General
Business (GB) zoning district for the proposed
self-storage developments.

Date:

7/20/15

Signed by



(Petitioner)

22 West Main St.

(Street Address)

978.621.1174

(Daytime Telephone Number)

Check List:

✓

Completed application

✓

Two checks made payable to "Town of Ayer" in the amount of \$165.00 & \$ 85.00.

✓

Six (6) copies of the certified plot plan (8 ½ x 11 or 11 x 17)

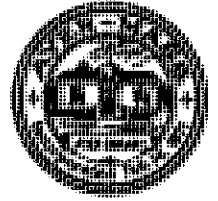
✓

List of abutters Certified by the Assessors office

✓

Completed certified mail documents (certified mailing to be done by applicant and copied to ZBA's Office Manager along with receipts before the scheduled Public Hearing)

Notice to Abutters



Name of Applicant: Calco, LLC

Date of Public Hearing: August 19, 2015

Address of property where activity is proposed: 215 West Main Street

Explanation of activity:

The former filling station and adjacent parcel are
proposed to be developed into self-storage buildings.

This application is required only to authorize the use,
and detailed engineering drawings must be submitted and
approved by the Ayer Planning Board prior to construction.

Other required approvals include NHESP and the
Ayer Conservation Commission, as appropriate.

Copies of the application are available at the Ayer Town Hall/Clerk's Office Monday, Wednesday, and Thursdays 8am – 4pm; Tuesdays 8am – 7pm; Friday 8am – 1pm

Information regarding the time and date of the Public Hearing will be published in the Public Spirit Newspaper.

Notice of the Public Hearing including the time and date will be posted in the Ayer Town Hall 48 hours in advance.



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

<input checked="" type="checkbox"/>	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
<input type="checkbox"/>	Board of Health	Public Hearing Date	<u>Wednesday August 19, 2015</u>
<input type="checkbox"/>	Department of Public Works		
<input type="checkbox"/>	Police Department		
<input type="checkbox"/>	Fire Department		
<input type="checkbox"/>	Building Inspector/Zoning Enforcement Officer		
<input type="checkbox"/>	Conservation Committee		
<input type="checkbox"/>	Tax Collector		
<input type="checkbox"/>	Assessor's Office		

Applicant seeks a Special Permit for the use category "Warehousing and interior storage" within General Business Zoning District for proposed self storage development.

Variance Special Permit Finding/Appeal

Description Calco, LLC.

Submitted by GPR, Inc. on behalf of Calco, LLC Date July 24, 2015

Address 22 West Main Street Telephone Bruce @ GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved Modifications Needed Disapprove

Comments: No issues.

Signed *[Signature]* Title Town Administrator

Date 7/27/2015



Town of Ayer
Zoning Board of Appeals
Transmittal Form - Department Head Review

✓ BOS/Town Administrator
Board of Health
Department of Public Works
Police Department
Fire Department
Building Inspector/Zoning Enforcement Officer
Conservation Committee
Tax Collector
Assessor's Office

Review Deadline Date Monday August 10, 2015
Public Hearing Date Wednesday August 19, 2015

Applicant seeks a Special Permit for the use category "Warehousing and interior storage" within General Business Zoning District for proposed self storage development.

 Variance X Special Permit Finding/Appeal

Description Calco, LLC.

Submitted by GPR, Inc. on behalf of Calco, LLC Date July 24, 2015

Address 22 West Main Street Telephone Bruce @ GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

 ✓ Approved Modifications Needed Disapprove

Comments:

Signed Mridgette Brady

Title Health Agent

Date 8/5/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

<u> </u>	BOS/Town Administrator	Review Deadline Date <u>Monday August 10, 2015</u>
<u> </u>	Board of Health	
<u> X </u>	Department of Public Works	Public Hearing Date <u>Wednesday August 19, 2015</u>
<u> </u>	Police Department	
<u> </u>	Fire Department	
<u> </u>	Building Inspector/Zoning Enforcement Officer	Applicant seeks a Special Permit for the use category "Warehousing and interior storage" within General Business Zoning District for proposed self storage development.
<u> </u>	Conservation Committee	
<u> </u>	Tax Collector	
<u> </u>	Assessor's Office	

 Variance X Special Permit Finding/Appeal

Description Calco, LLC.

Submitted by GPR, Inc. on behalf of Calco, LLC Date July 24, 2015

Address 22 West Main Street Telephone Bruce @ GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

 X Approved Modifications Needed Disapprove

Comments: _____

Signed 

Title 8/5/15

Date _____



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
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<u>X</u> _____	Department of Public Works		
_____	Police Department		
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_____	Building Inspector/Zoning Enforcement Officer		<u>Applicant seeks a Special Permit for the use category "Warehousing and interior storage" within General Business Zoning District for proposed self storage development.</u>
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✓ _____ Approved _____ Modifications Needed _____ Disapprove

Comments: _____

Signed: [Signature]

Title Chief of Police

Date 8/4/2015



Town of Ayer
Zoning Board of Appeals
Transmittal Form - Department Head Review

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X _____ Approved _____ Modifications Needed _____ Disapprove

Comments: NO ISSUES

Signed [Signature] Title Fire Chief A

Date 7-3-15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date <u>Monday August 10, 2015</u>
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<u>X</u>	Building Inspector/Zoning Enforcement Officer	Applicant seeks a Special Permit for the use category "Warehousing and interior storage" within General Business Zoning District for proposed self storage development.
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K Approved _____ Modifications Needed _____ Disapprove

Comments:
THE TOWN APPROVES A SIMILAR REQUEST ON THE SAME STREET.

Signed [Signature] Title BUILD. Comm.

Date 13. AUG 15

sent to
dept. heads
7.27.15
7:35 pm

Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review



_____ BOS/Town Administrator
_____ Board of Health
_____ Department of Public Works
_____ Police Department
_____ Fire Department
_____ Building Inspector/Zoning Enforcement Officer
 _____ Conservation Committee
_____ Tax Collector
_____ Assessor's Office

Review Deadline Date Monday August 10, 2015
Public Hearing Date Wednesday August 19, 2015

Applicant seeks a Special Permit for the use category "Warehousing and interior storage" within General Business Zoning District for proposed self storage development.

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Approved _____ Modifications Needed _____ Disapprove

Comments: Future work requires review by Conservation Commission.

Signed Jessica T. August _____ Title for Bill Daniels, Chair
Commissioner/Clerk

Date August 14, 2015



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date <u>Monday August 10, 2015</u>
_____	Board of Health	
_____	Department of Public Works	Public Hearing Date <u>Wednesday August 19, 2015</u>
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_____	Fire Department	
_____	Building Inspector/Zoning Enforcement Officer	
_____	Conservation Committee	
<u>X</u> _____	Tax Collector	Applicant seeks a Special Permit for the use category "Warehousing and interior storage" within General Business Zoning District for proposed self storage development.
_____	Assessor's Office	

_____ Variance X _____ Special Permit _____ Finding/Appeal

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Submitted by GPR, Inc. on behalf of Calco, LLC Date July 24, 2015

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X _____ Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed *Susan Copeland*

Date *July 28 2015*

Title *Town Clerk/Tax Collector*



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

_____	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
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_____	Fire Department		
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_____	Conservation Committee		
_____	Tax Collector		
<u>X</u>	Assessor's Office		

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Comments:

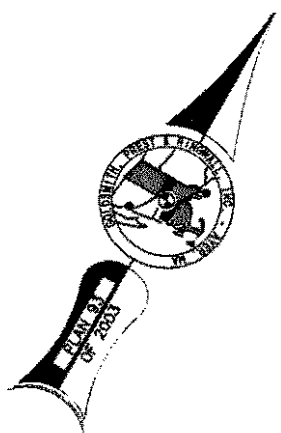
Signed Thomas Hoyer

Title Assessing Administrator

Date 7/30/15

OFFSETS ARE NOT FOR THE REPRODUCTION OF PROPERTY LINES

N/F
UNITED STATES
MILITARY
RESERVATION
FORT DEVENS



N/F
UNITED STATES
MILITARY
RESERVATION -
FORT DEVENS

N/F
McNIFF / J.A.
REALTY
37871/11

PARCEL Z

AREA = 362,515±S.F.
= 8.32± ACRES

LOT 1

AREA = 12,030±S.F.

FLOOD ZONE "AE"

FLOOD ZONE
(BY ELEV.)

SEWER PUMP
STA. W/ FENCE

FLOOD ZONE "C"

RL = 87.00'
= 288.17'

473.00'

S61°04'30"W

WEST MAIN (PUBLIC) STREET
1918 CNTY L.O.

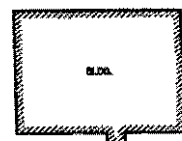
158.00'

S61°04'28"W

N65°32'00"E
121.00'

15' R-O-W

S28°35'59"E
81.00'

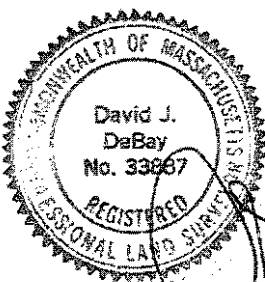


THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, COVENANTS, OR OTHER LIMITATIONS WHICH MAY BE DISCLOSED BY A TITLE EXAMINATION.

THESE LOTS ARE IN ZONE C (AREAS OF MINIMAL FLOODING) AND PORTIONS OF PARCEL Z ARE IN ZONE AEAS SHOWN ON THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR AYER, MASS., DATED JUNE 4, 2010, COMMUNITY-PANEL NO. 250 17CO 211E. ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE.

ASSESSOR'S MAP 32, PARCELS 51 & 12
DEEDS 61111/183 & 42360/195
PLANS 1288 OF 1988 & 93 OF 2003

I CERTIFY THAT THE EXISTING FEATURES ARE LOCATED ON THE LOT AS SHOWN.



DAVID J. DeBAY, P.L.S. # 33,887

CERTIFIED PLOT PLAN
at # 215 WEST MAIN STREET
AYER, MASS.

PREPARED FOR: CALCO LLC
DATE: JULY 23, 2015 SCALE: 1"=100'



Engineering Solutions
for Land & Structures

GOLDSMITH, PREST & RINGWALL, INC.

39 MAIN ST., SUITE 301, AYER, MA 01432

CIVIL & STRUCTURAL ENGINEERING • LAND SURVEYING & LAND PLANNING

VOICE: 978.772.1590 FAX: 978.772.1591 WEB: www.gpr-inc.com

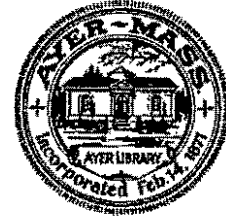
P:\13---\131047\DWG\SURVEY DWG\FINAL\131047_CPP_1A.DWG

2015 © COPYRIGHT GOLDSMITH, PREST & RINGWALL, INC.

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 24 PM 12: 27

Y



**Town of Ayer
Zoning Board of Appeals
Public Hearing Notice**

The Ayer ZBA will conduct a public hearing at 7:50 PM on Wednesday August 19, 2015 at the Ayer Town Hall located at 1 Main Street Ayer, MA 01432 regarding the application by Antonella Fuchser, 84A Groton School Road Ayer, MA 01432.

Applicant seeks a Special Permit per Ayer Zoning Bylaw 4.3 Nonconforming Structures and 4.4 Table of Use subsection 1.3 for conversion of a single family dwelling to a two family dwelling.

Advertised July 31, 2015 and August 7, 2015, *The Ayer Public Spirit*

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 24 PM 12:18



Town of Ayer
ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING

Notes to the Petitioner:

1. All applications for a hearing must be received by the Town Administrator's Office and accompanied by:
 - (6) copies of a registered engineered drawing (size 8 1/2 x 11 or 11 x 17),
 - Certified list of abutters within 300 feet of the premise and certified by the Town of Ayer Board of Assessors. (all certified mail documents receipts are to be given with the application and **mailed by applicant with an abutters notice**)
2. The application, when completed and signed, must be filed with a non-refundable application fee of one hundred-sixty five dollars (\$165.00) and a legal ad fee of eighty five dollars (\$ 85.00). Both checks should be made payable to the "Town of Ayer".
3. The ZBA shall duly post and conduct a public hearing within 65 days of receiving a completed application and render a decision within 14 days of the close of the Public Hearing. The applicant must wait the appeal period (20 days) after filing the decision with the Town Clerk. The decision, or notice thereof, must be filed by the applicant, at the South Middlesex County Registry of Deeds in Cambridge. Prior to obtaining a building permit, the applicant must present evidence of Registry filing to the Building Inspector and ZBA. This evidence may be a receipt from the Registry with an Instrument number or proof of the Book and Page assigned.

Name of Applicant: Antonella Fuchser
 (Full Name)
84A Groton School Road
 (Address)
Ayer, MA 01432
 (Phone Number)

Applicant is (check one) Owner ___ Tenant ___ Licensee ___ Prospective Buyer

The name and address of each holder or legal title to the land which is the subject of this petition (list as it appears on the Deed):

Antonella Fuchser

Location of Property:

84A Groton School Road

Assessor's Map 2 Parcel 22 Land Size 24,306

Zoning District (circle one) A-1 A-2 GR GB DB LI HI

Registry of Deeds Book 65516 Page 554

Water Overlay District (circle one) Zone I Zone II N/A

The undersigned hereby petitions the Town of Ayer Zoning Board of Appeals to vary the terms of the Zoning Bylaws for the following purpose:

 A VARIANCE from the requirements of the Town of Ayer Zoning Bylaws

 X A SPECIAL PERMIT for a specific use which is subject the approval of the Zoning Board of Appeals (For Home Occupations see Page 3 of this Form)

 X A SPECIAL PERMIT to expand, alter, or change a non-conforming use or structure.

 ADMINISTRATIVE APPEAL (i.e. Building Inspector Decision)

 Other (Please specify):

Did you request a building permit from the Town of Ayer Building Inspector? No
Yes/No

If yes, were you denied a permit by the Town of Ayer Building Inspector?
Yes/No

If you were denied a permit, please attach a copy of the decision or state the reasons for the denial.

State briefly the reasons for application:

The applicant purchased the property with the understanding the structure was a permitted two family house. During the inspections it was discovered the second unit was not permitted through the building department. This application is for a Special Permit per Section 4.3 Nonconforming Structures and Section 4.4 Table of Use subsection 1.3 for Conversion of a single family dwelling to a two family dwelling.

Date: _____

Signed by *BDR Class GPR, Inc*
(Petitioner) *For Applicant/owner*

84A Groton School Road, Ayer

(Street Address)

978-397-4584

(Daytime Telephone Number)

Check List:

- _____ Completed application
- _____ Two checks made payable to "Town of Ayer" in the amount of \$165.00 & \$ 85.00.
- _____ Six (6) copies of the certified plot plan (8 ½ x 11 or 11 x 17)
- _____ List of abutters Certified by the Assessors office
- _____ Completed certified mail documents (certified mailing to be done by applicant and copied to ZBA's Office Manager along with receipts before the scheduled Public Hearing)

Zoning Board of Appeals
Special Permit Application
84A Groton School Road
Nature and Justification

The applicant, Antonenlla Fuchser, recently purchased the property at 84A Groton School Road. The property was advertised as a two family dwelling. Just before the closing she was informed the addition creating the second unit and the newer garage was never permitted. The property is zoned A-1 which allows for a two family conversion with a Special Permit from the Zoning Board of Appeals. The lot is located on the right of way known as "off Groton School Road." As such this lot does not have frontage on Groton School Rd, but on the right of way.

This house was built in 1979 and the addition was built roughly fifteen years ago. The existing structure was constructed with separate entrances, utilities and in the appearance of a single family home. The two dwelling units together have a total of four bedrooms: Three in the original dwelling and one in the addition. We have attached rough floor plans provided by others. A copy of the septic plan indicating the four bedroom septic system is also attached for your reference.

We have attached a copy of the deed and record plan of land. GPR has also prepared a Certified Plot Plan of the current structure for your files.

The applicant does not propose any exterior modifications to convert the property into a permitted two family dwelling. Internally they would replace several locking doors that were recently removed and install a stove back into the second kitchen.



Original structure on left and addition on right.



Entry to second dwelling and garage pedestrian entrance.



Left is second egress for addition and one of the alternative egresses for the original dwelling.

On behalf of the applicant, Antonella Fuchser, we respectfully request the Special Permit from Section 4.3 allowing for the previous external alterations and requested internal alterations. We also request the Special Permit from Section 4.4 Table of Use Regulations, specifically 1.3 for the Conversion of a single family to a two family dwelling be permitted.



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

<u>X</u>	BOS/Town Administrator	Review Deadline Date	<u>Monday August 10, 2015</u>
_____	Board of Health	Public Hearing Date	<u>Wednesday August 19, 2015</u>
_____	Department of Public Works		
_____	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		

Applicant seeks a Special Permit per Ayer Zoning Bylaw 4.3 Nonconforming Structures and 4.4 Table of Use subsection 1.3 for conversion of a single family dwelling to a two family dwelling.

_____ Variance X Special Permit _____ Finding/Appeal

Description Special Permit Request conversion of single family dwelling

Submitted by GPR for Antonella Fuchser Date 7/24/15

Address 84A Groton School Road Telephone Bruce @ GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

_____ Approved _____ Modifications Needed _____ Disapprove

Comments: No issues.

Signed [Signature] Title Town Administrator

Date 7/28/2015



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

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_____ Approved _____ Modifications Needed ✓ Disapprove

Comments:
*The current home is not connected to town sewer -
The septic system must meet state/local regulations
for a 2 family home*

Signed Bridgette Mahay Title Health Agent

Date 8/5/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

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✓ Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed *MWJ* Title DPW sup t

Date 8/5/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

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✓ Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed [Signature]

Title Chief of Police

Date 8/3/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

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✓ Approved _____ Modifications Needed _____ Disapprove

Comments: NO ISSUES

Signed *B. Pealy* Title Fire Chief

Date 7-2-15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

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_____ Approved _____ Modifications Needed _____ Disapprove

Comments:

I HAVE NO OBJECTION WITH THIS REQUEST BEING GRANTED

Signed *[Signature]*

Title *BUILD. Comm*

Date *13. AUG '15*



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- _____ BOS/Town Administrator
- _____ Board of Health
- _____ Department of Public Works
- _____ Police Department
- _____ Fire Department
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Review Deadline Date Monday August 10, 2015
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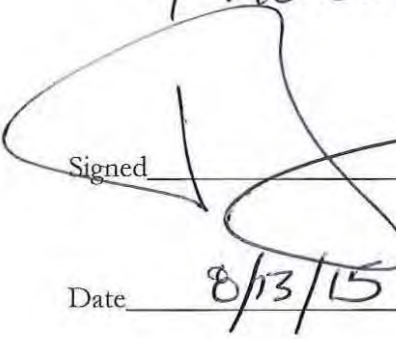
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Approved _____ Modifications Needed _____ Disapprove

Comments:

*ANY CHANGES TO BUILDING OR LOT TO BE REVIEWED
BY THE COMMISSION.*

Signed  _____ Title Ayer Com Com Chair
 Date 8/13/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

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X Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed *Susan Popeland*
Date *July 28, 2015*

Title *Town Clerk / Tax Collector*



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

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<u>X</u>	Assessor's Office		

Applicant seeks a Special Permit per Ayer Zoning Bylaw 4.3 Nonconforming Structures and 4.4 Table of Use subsection 1.3 for conversion of a single family dwelling to a two family dwelling.

_____ Variance X Special Permit _____ Finding/Appeal

Description Special Permit Request conversion of single family dwelling

Submitted by GPR for Antonella Fuchser Date 7/24/15

Address 84A Groton School Road Telephone Bruce @ GPR 978-772-1590

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

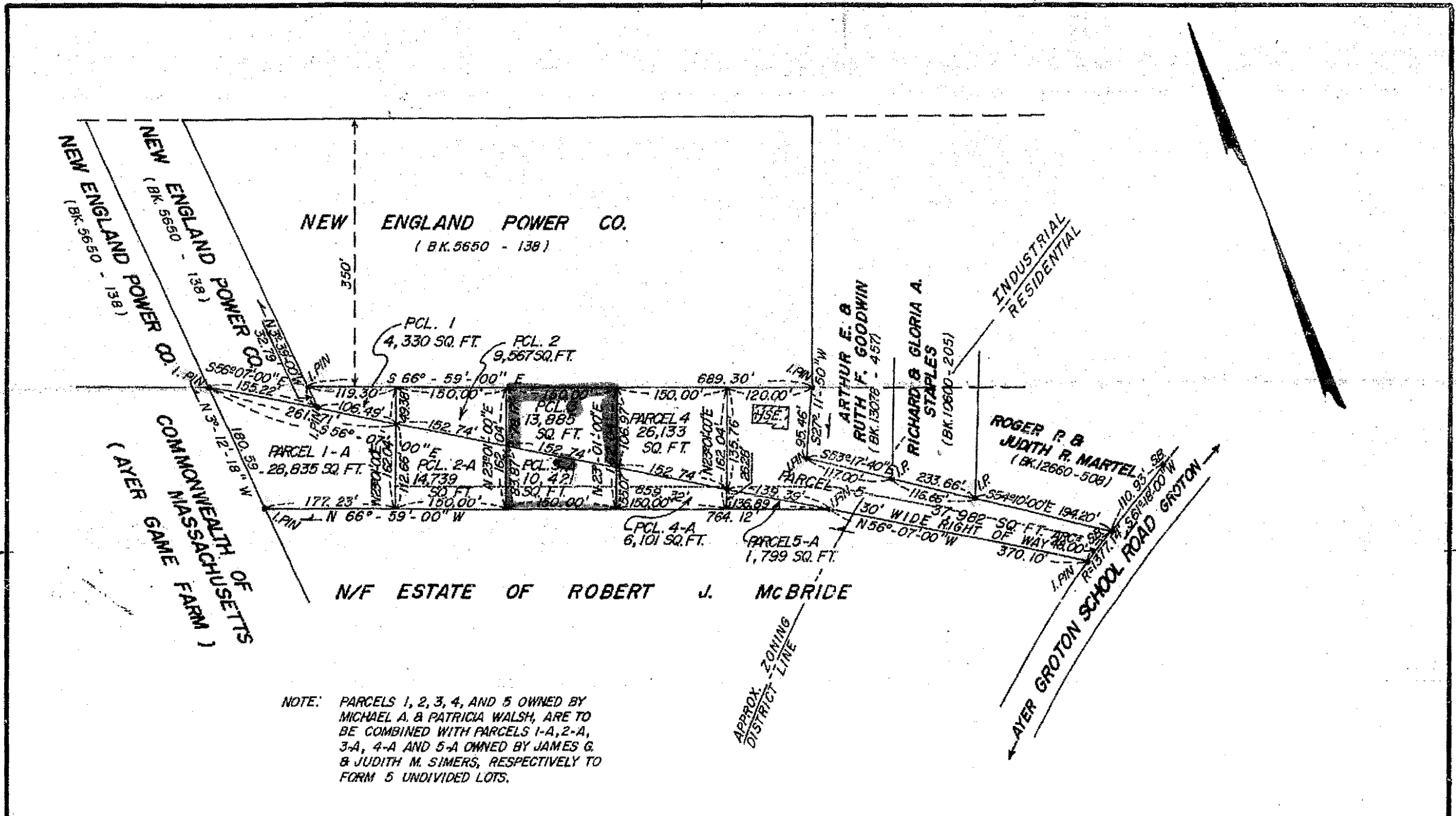
X Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed Thomas Hoja

Title Assessing Administrator

Date 7/30/15



PLAN NUMBER 212 OF 1978
RECORDED, BOOK 13401 PAGE 2ND

AYER PLANNING BOARD

APPROVAL UNDER SUBDIVISION CONTROL LAW

NOT REQUIRED. C 41 S 81-P

DATE: 3/8/78

Peter K. Johnston

Harriet D. Moran

Mavis S. McDonald

Massachusetts Registry of Deeds, So. Dist. CAMBRIDGE, MASS.

Plan Number 212 of 1978

Recorded Mar. 19 1978 in Vol. 13401 at 11:41 a.m.

With ALDNC Doc. No. ---

Registered, Book 13401 Page END

Attest: *John F. Fitzgerald* Registrar

FEE \$3.00

BY *Nh*

1"=100'

0 50 100 150 200 250 300 FEET

0 20 40 60 80 METERS

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

3-8-78 DATE

Charles A. Perkins SURVEYOR #3575

SURV. BY: CALC. J.E.G. TRACED: P.J.T. CK'D: J.E.G. NB.

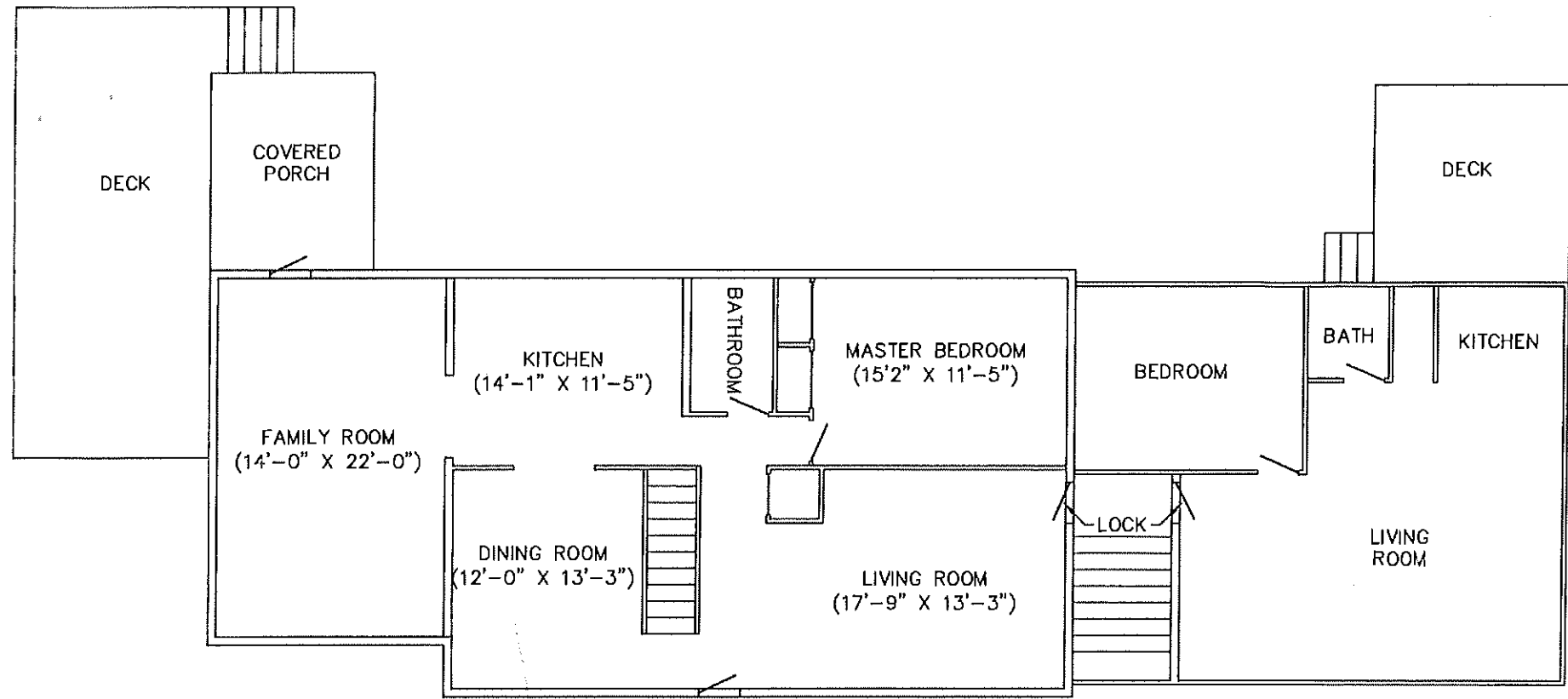
DEED: REF: M-2396, M-986

PLAN OF LAND IN
AYER, MASS.
MADE FOR
MICHAEL A. & PATRICIA WALSH

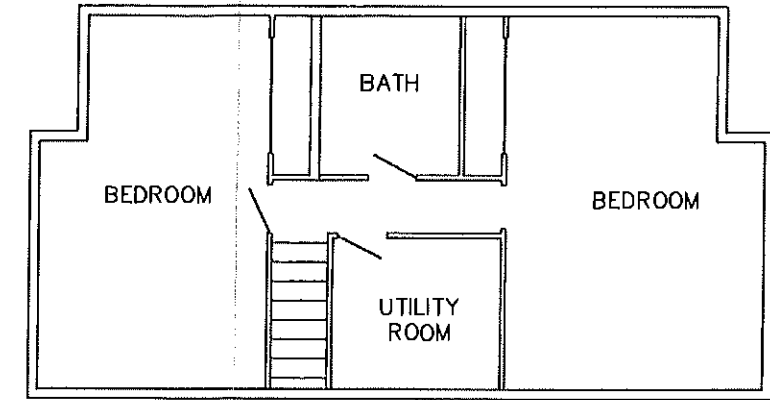
SCALE: 1"=100' MARCH, 1978

CHARLES A. PERKINS CO. INC.
CIVIL ENGINEERS & SURVEYORS
444 HIGH ST. - CLINTON, MASS. 01510

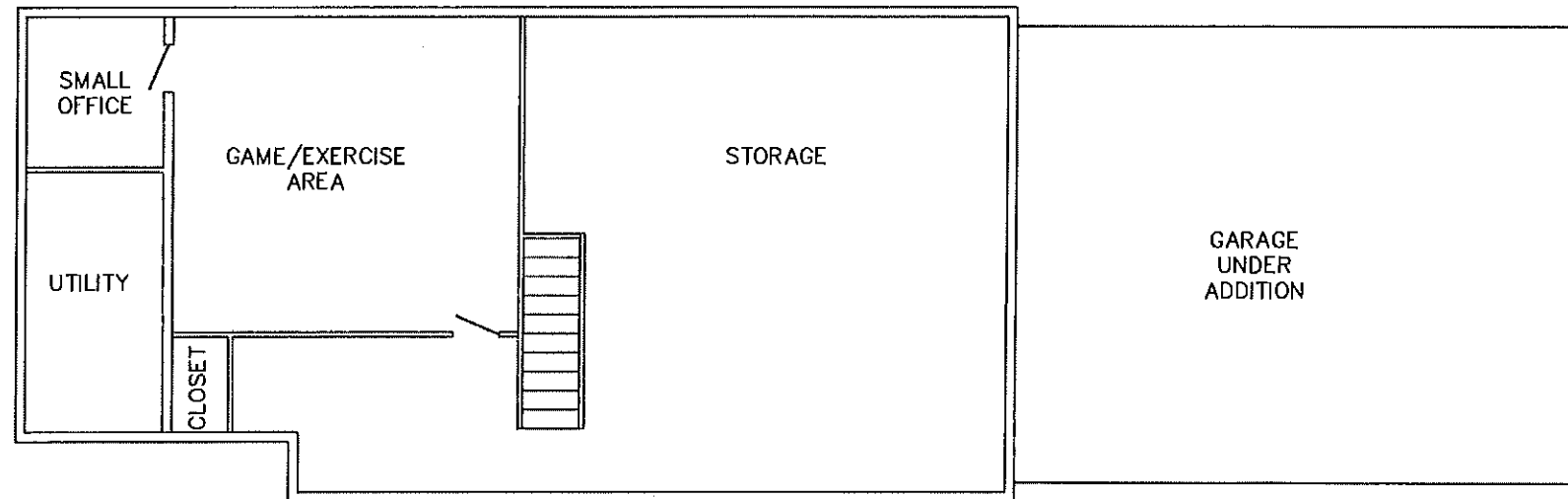
JOB NO. 040 PLAN NO. M-3272



FIRST FLOOR



SECOND FLOOR



BASEMENT FLOOR

FLOOR PLAN

84A GROTON SCHOOL ROAD
 AYER, MA 01732

OWNER:

ANTONELLA FUCHSER
 84A GROTON SCHOOL ROAD
 AYER, MA 01432

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 27 PM 2:59

Suzanne Popeland



Town of Ayer
Zoning Board of Appeals
Public Hearing Notice

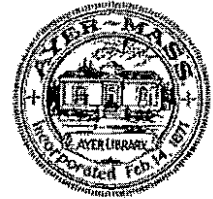
The Ayer ZBA will conduct a public hearing at 8:10 PM on Wednesday August 19, 2015 at the Ayer Town Hall located at 1 Main Street Ayer, MA 01432 regarding the application by G.S. Holdings, LLC., 14 Washington Street Ayer, MA 01432.

Applicant seeks a Special Permit to allow for residential use in commercial building and to allow for reduced side setback and insufficient off street parking in pre-existing non-conforming structure. Seeking variance to allow for residential use on street level in Downtown Business District.

Advertised July 31, 2015 and August 7, 2015, *The Ayer Public Spirit*

RECEIVED
TOWN CLERK
TOWN OF AYER

2015 JUL 27 PM 1:41



**Town of Ayer
ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Notes to the Petitioner:

- All applications for a hearing must be received by the Town Administrator's Office and accompanied by:
 - (6) copies of a registered engineered drawing (size 8 1/2 x 11 or 11 x 17),
 - Certified list of abutters within 300 feet of the premise and certified by the Town of Ayer Board of Assessors. (all certified mail documents receipts are to be given with the application and **mailed by applicant with an abutters notice**)
- The application, when completed and signed, must be filed with a non-refundable application fee of one hundred-sixty five dollars (\$165.00) and a legal ad fee of eighty five dollars (\$ 85.00). Both checks should be made payable to the "Town of Ayer".
- The ZBA shall duly post and conduct a public hearing within 65 days of receiving a completed application and render a decision within 14 days of the close of the Public Hearing. The applicant must wait the appeal period (20 days) after filing the decision with the Town Clerk. The decision, or notice thereof, must be filed by the applicant, at the South Middlesex County Registry of Deeds in Cambridge. Prior to obtaining a building permit, the applicant must present evidence of Registry filing to the Building Inspector and ZBA. This evidence may be a receipt from the Registry with an Instrument number or proof of the Book and Page assigned.

Name of Applicant: G. S. Holdings, LLC
(Full Name)
265 Great Rd. #11, Littleton, MA 01460
(Address)
978-375-1434
(Phone Number)
Sherryesq@yahoo.com

Applicant is (check one) Owner Tenant Licensee Prospective Buyer

The name and address of each holder or legal title to the land which is the subject of this petition (list as it appears on the Deed):
Ayer, Town of, 1 Main St., Ayer, MA.
 01432

Location of Property: 14 Washington St., Ayer, MA.

Assessor's Map 26 Parcel 184 Land Size .23 Ac.

Zoning District (circle one) A-1 A-2 GR GB DB LI HI

Registry of Deeds Book 804 Page 511

Water Overlay District (circle one) Zone I Zone II N/A

The undersigned hereby petitions the Town of Ayer Zoning Board of Appeals to vary the terms of the Zoning Bylaws for the following purpose:

A VARIANCE from the requirements of the Town of Ayer Zoning Bylaws

A SPECIAL PERMIT for a specific use which is subject the approval of the Zoning Board of Appeals (For Home Occupations see Page 3 of this Form)

A SPECIAL PERMIT to expand, alter, or change a non-conforming use or structure.

ADMINISTRATIVE APPEAL (i.e. Building Inspector Decision)

Other (Please specify):

Did you request a building permit from the Town of Ayer Building Inspector? No
Yes/No

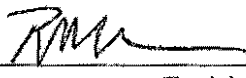
If yes, were you denied a permit by the Town of Ayer Building Inspector? No
Yes/No

If you were denied a permit, please attach a copy of the decision or state the reasons for the denial.

State briefly the reasons for application:

- ① Special Permit: Less than 25' to Residential district.
Insufficient off street parking. - Seeking finding that pre existing Non-conformity & New Use Not more detrimental.
- ② Variance: To allow residential use on street level in Downtown Business District. Property is unique & Town's RFP sought a building reuse. Residential Apartments with one affordable unit & walking distance to downtown is most economically feasible to preserve the Building without hardship.
- ③ Special permit for Residential use in Commercial building.

Date: 7/27/15

Signed by 

R. Douglas Shaw, Mgr.
(Petitioner)

(Street Address)

(Daytime Telephone Number)

Check List:

- Completed application
- Two checks made payable to "Town of Ayer" in the amount of \$165.00 & \$ 85.00.
- Six (6) copies of the certified plot plan (8 1/2 x 11 or 11 x 17)
- List of abutters Certified by the Assessors office
- Completed certified mail documents (certified mailing to be done by applicant and copied to ZBA's Office Manager along with receipts before the scheduled Public Hearing)

Notice to Abutters



Name of Applicant: G.S. Holdings, LLC

Date of Public Hearing: _____

Address of property where activity is proposed: 14 Washington St., Ayer, MA 01432

Explanation of activity: _____

Petition for a Variance to allow residential use on street level in the Downtown Business

District and for a Special Permit to:

(a) allow residential use in a commercial building; and

(b) allow reduced side setback to residential lot line and insufficient off street parking in a pre-existing nonconforming structure.

Copies of the application are available at the Ayer Town Hall/Clerk's Office Monday, Wednesday, and Thursdays 8am – 4pm; Tuesdays 8am – 7pm; Friday 8am – 1pm

Information regarding the time and date of the Public Hearing will be published in the Public Spirit Newspaper.

Notice of the Public Hearing including the time and date will be posted in the Ayer Town Hall 48 hours in advance.

Proposal for the Purchase of the Former Ayer Central Fire Station Property

1. PROPOSAL

The Proposer proposes to restore, refurbish and renovate the building to convert it to use as a multifamily residential dwelling property containing six to eight two-bedroom units. The zoning district currently allows residential dwelling units on the second floor of a property within the district. The Proposer will request a variance or zoning change to permit dwelling use on the first floor as well. The zoning bylaw allows change, extension or alterations of preexisting structures by special permit granted by the zoning board of appeals. Proposer believes that housing is the highest and best use for this property being surrounded by residential uses and having limited parking, but if unsuccessful, the first floor will be renovated for office/retail allowed as of right.

Exterior Renovations: Because the building is historically and culturally significant and represents an architectural style important to the community, the façade will remain unchanged, except for improvements and restoration as follows:

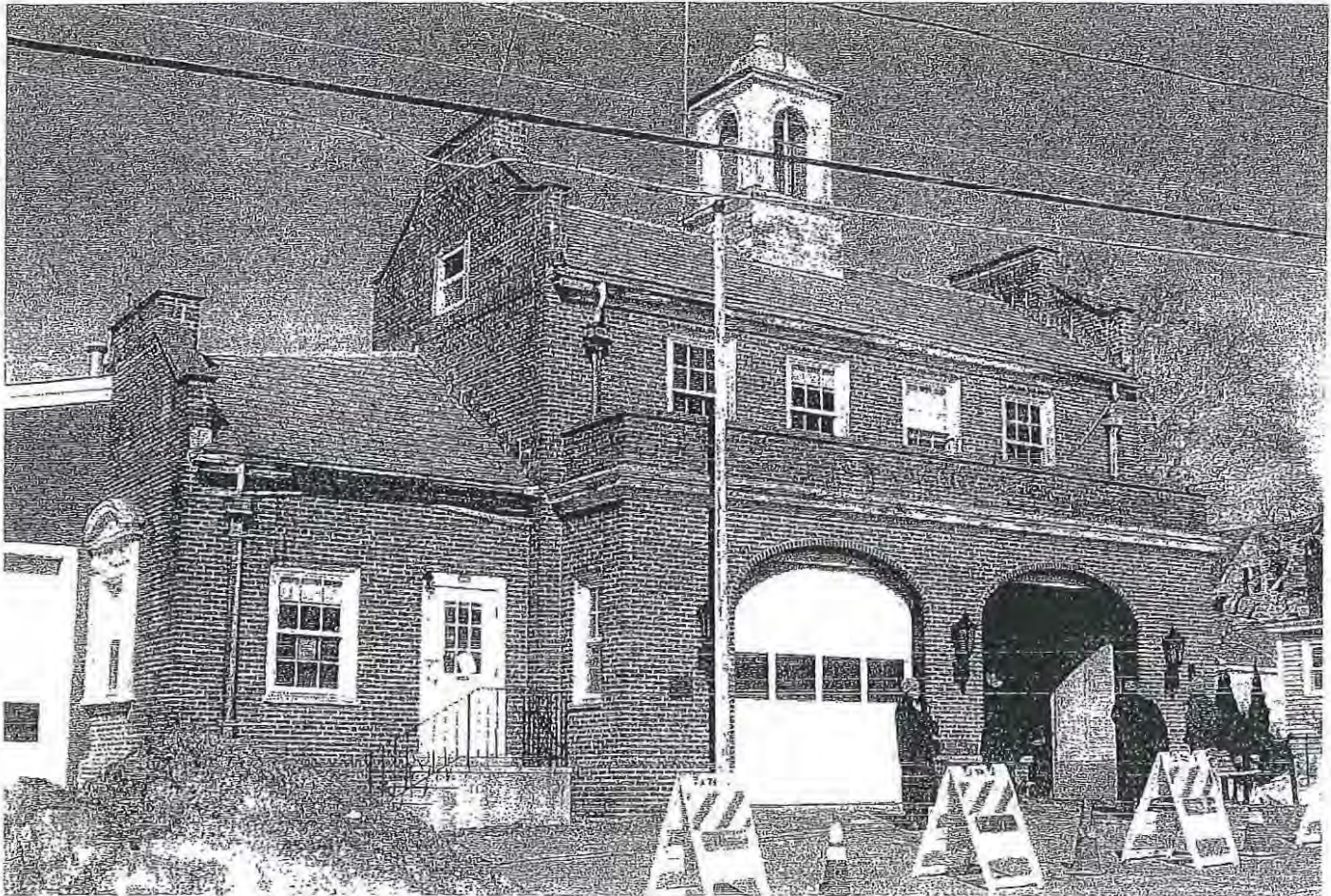
The entire building will be powerwashed and the brick repointed as necessary
The slate roof will be stripped and replaced with new asphalt shingle
The fire house doors will be replaced with new reproduction doors
to be fitted with exterior entry doors for the apartments
The trim will be repaired and replaced as necessary and repainted
All windows will be replaced as required by Code for energy efficiency
The Cupola will be restored to original condition
All grounds will be improved and landscaped as permitted
The parking will be resurfaced and striped to provide 10 on site parking spaces
New exterior lighting and signage conforming to the architecture prevalent
along Main Street
No additional curb cuts will be required

Interior: The Proposer proposes to construct 6 – 8 two-bedroom residential dwelling units. The size of the units will be 800 to 1000 square feet. The Proposer will comply with the Code of Massachusetts Regulations Architectural Access Board standards, as well as all state and local laws, rules and ordinances. At least one unit within the building will be offered for sale as affordable as that term is defined by the Department of Housing and Urban Development. If desirable to the Town, the Developer will execute a covenant within the local initiative guidelines to retain that unit as affordable in perpetuity, resulting in an additional unit for the town's SHI and no net loss of units from this project at the 2020 census.

The Proposer plans to acquire the building with cash paid at closing. All costs to obtain the requisite zoning or variance approval shall be Developer's. All improvements shall be at Proposer's expense. The closing can take place within days of the Bid award.

CENTRAL FIRE STATION BUILDING ASSESSMENT

14 WASHINGTON STREET, AYER, MA
JUNE 20, 2012



Architect

Kang Associates, Inc.
339 Boston Post Road
Sudbury, MA 01776
978-443-6383

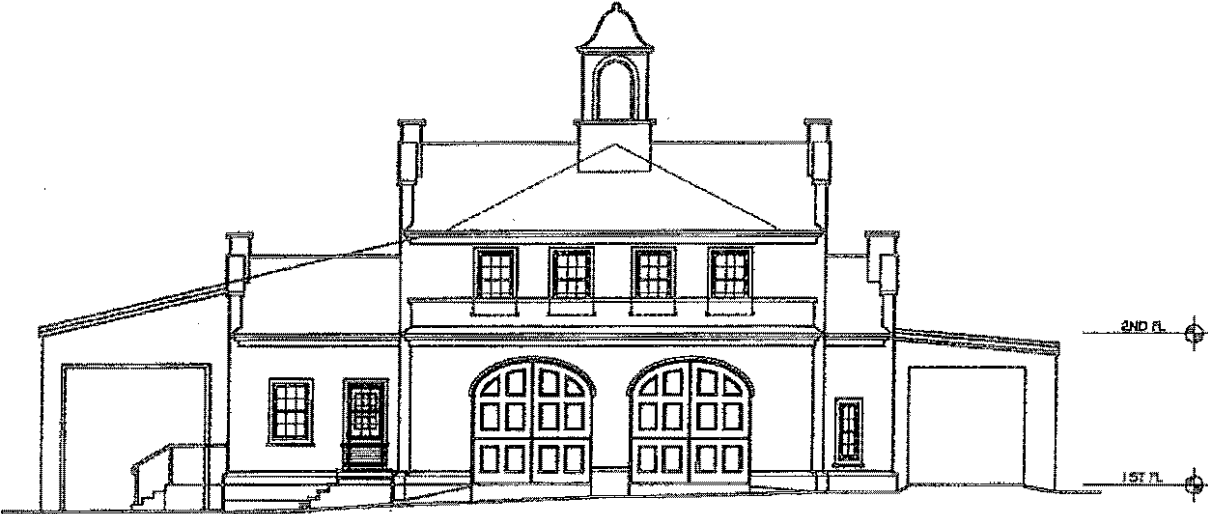
Mechanical/Electrical Engineer

MacRitchie Engineering, Inc.
197 Quincy Avenue
Braintree, MA 02185
781-848-4464

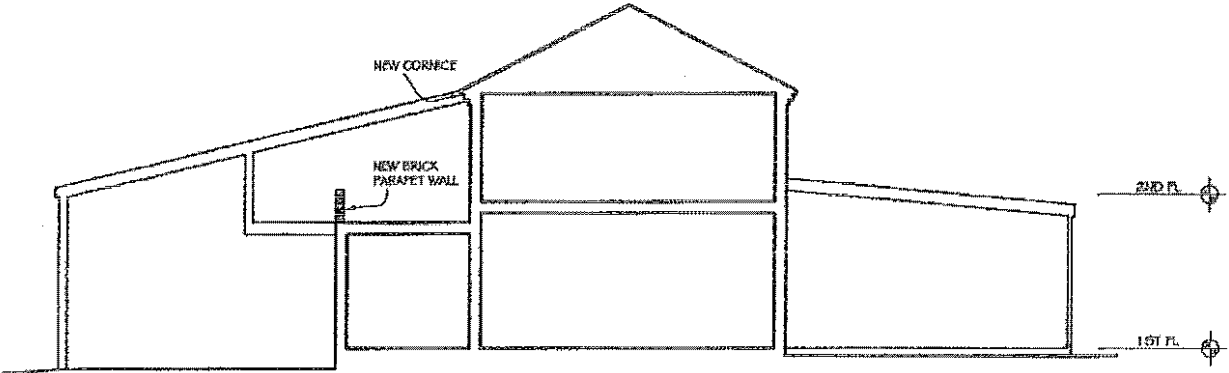
Cost Estimator

D.G. Jones International, Inc.
3 Baldwin Green Common
Woburn, MA 01801
781-932-3131

CENTRAL FIRE STATION
BUILDING ASSESSMENT
JUNE 20, 2012

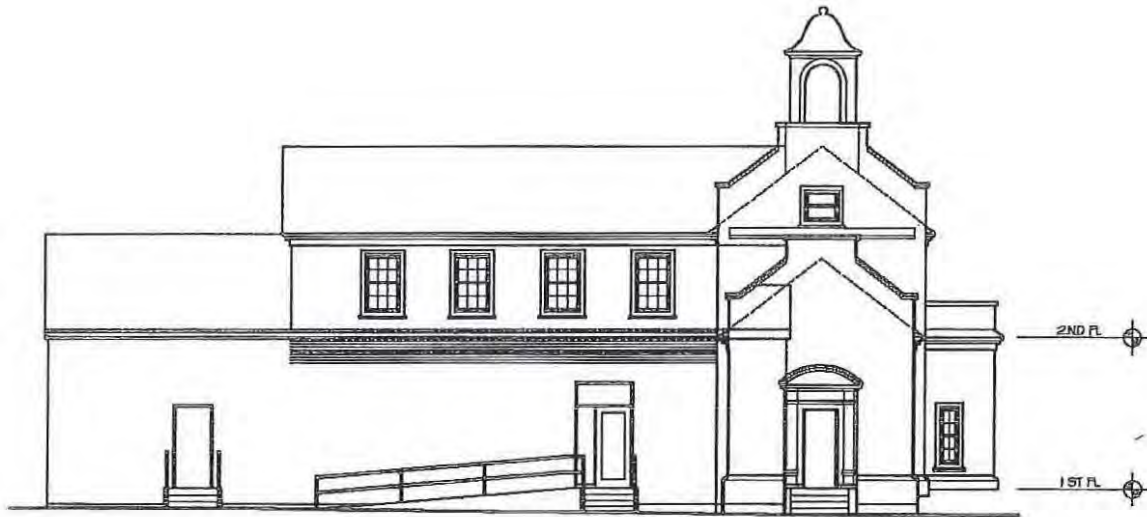


PROPOSED EAST ELEVATION

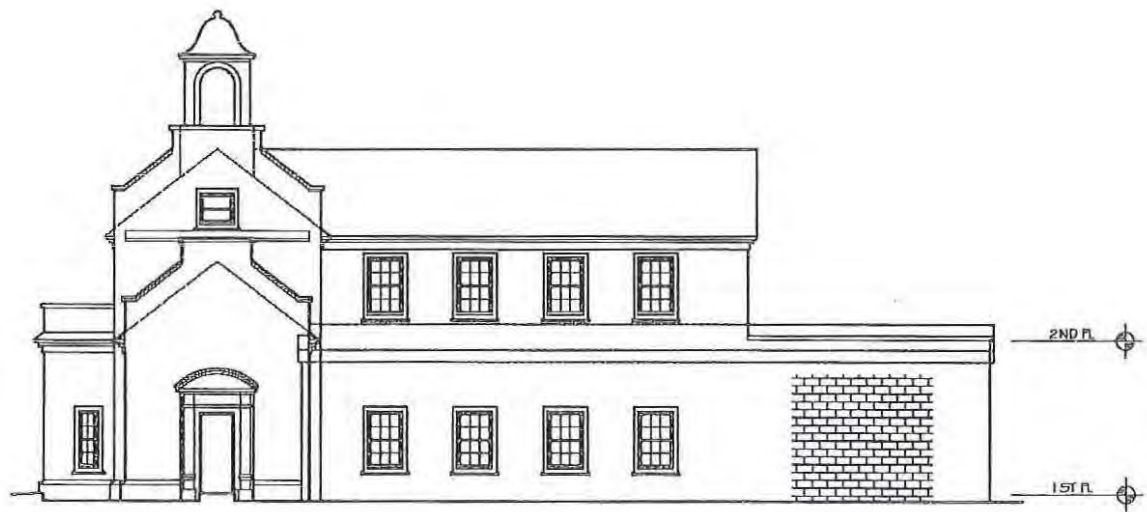


PROPOSED BLDG SECTION

CENTRAL FIRE STATION
BUILDING ASSESSMENT
JUNE 20, 2012



PROPOSED SOUTH ELEVATION



PROPOSED NORTH ELEVATION

Behind the wing on the south side is a narrow 1-story section, with a flat roof, that extends the remaining length of the garage.

Through the years, the building was expanded to meet the growing needs of the Fire Department. With the exception of the most recent one and in the absence of any documentation, the construction dates of the various additions can only be approximated. The first alteration to the original building was the addition of a second floor, approximately 1,520 GSF in area, with a gable roof, over the 1-story section of the garage. The similarity of the construction details and materials suggest that this expansion occurred shortly after the original building was built, perhaps in the 1940's or 1950's.

In the 1960's, when the Fire Department acquired a ladder truck that would not fit into length of the garage, approximately 840 GSF was added in a 1-story extension at the rear of the building. The addition has a flat roof and the exterior walls appear to be a single wythe of concrete masonry units (CMU).

Next, another garage bay was added on the north side in the 1970's. This

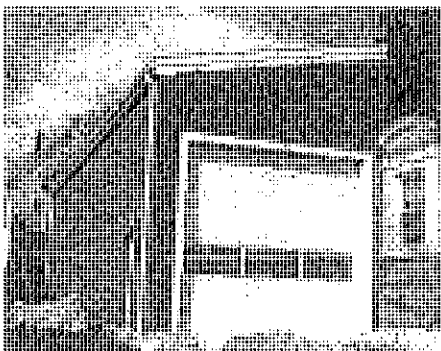


Figure 2: 1996 addition.

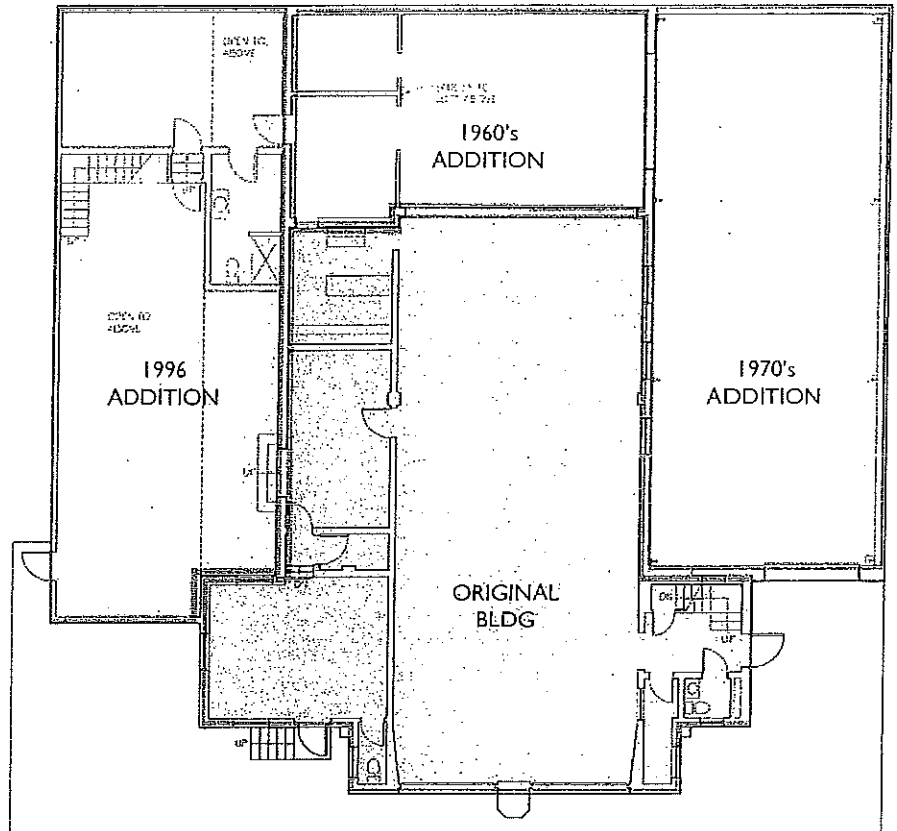


Figure 3: First floor plan showing additions.

approximately 1,500 GSF addition is a pre-fabricated steel building with brick veneer on the street side.

And finally, in 1996, another garage bay was added on the south side. (See Figure 2.) The roof of this addition extends to the second floor eave, enclosing an additional second floor space. Constructed of a concrete slab-on-grade, CMU walls with an EFIS (Exterior Insulation and Finish System) exterior finish, and wood floor and roof framing, this expansion added approximately 1,500 GSF on the first floor and 1,040 GSF on the second floor.

Whereas the original building is architecturally distinctive, solidly built of durable materials, and important

to the history of the town, the later additions are inexpensively constructed, lack historical references, and do not blend in with the original structure.

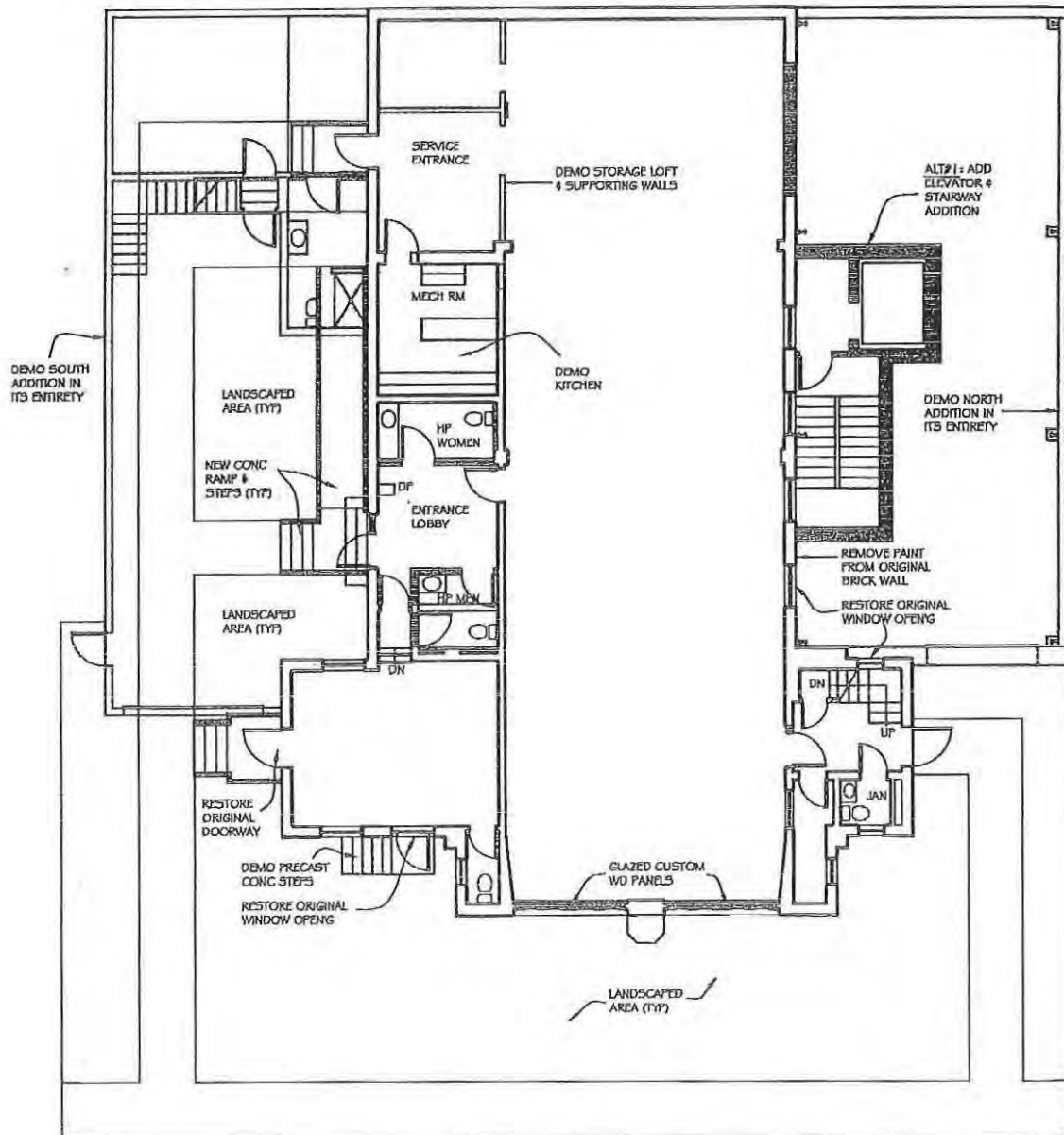
Building Configuration

The building, with all its additions, totals approximately 9,240 GSF, with approximately 6,000 GSF on the first floor. (See Figures 3 and 4.) The spaces with the greatest potential for re-use are the original apparatus bays on the first floor and the meeting room on the second floor that was added in the 1940/50's. These large open rectangular areas can easily be re-purposed as multi-function spaces for gatherings of people or they can be sub-divided to create

DRAWINGS

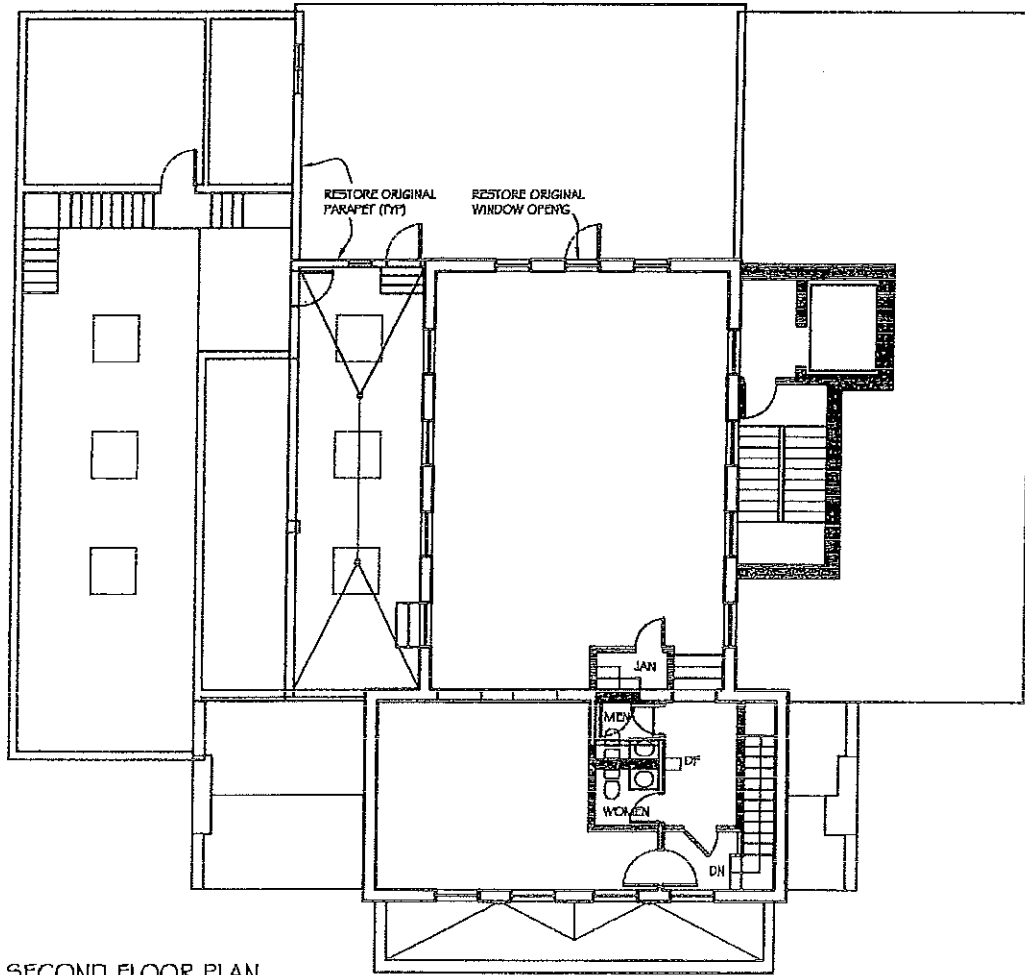
CENTRAL FIRE STATION
BUILDING ASSESSMENT
JUNE 20, 2012

The following drawings illustrate the proposed scope of work and were provided to the cost estimator. Additions proposed for demolition are shown in dotted lines. The scale of all drawings are 1/16"=1'-0".



FIRST FLOOR PLAN

CENTRAL FIRE STATION
BUILDING ASSESSMENT
JUNE 20, 2012



SECOND FLOOR PLAN



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- BOS/Town Administrator
- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
- Conservation Committee
- Tax Collector
- Assessor's Office

Review Deadline Date Monday August 10, 2015

Public Hearing Date Wednesday August 19, 2015

Applicant seeks special permit to allow for residential use in commercial building and to allow for reduced side setback and insufficient off street parking in pre-existing non-conforming structure. Seeking variance to allow for residential use on street level in Downtown business district.

Variance Special Permit Finding/Appeal

Description Former Fire Station Conversion Project

Submitted by G.S. Holdings, LLC Date July 27, 2015

Address 14 Washington Street Telephone Douglas Shaw 978-375-1434

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved Modifications Needed Disapprove

Comments: *Approved. Application is consistent with project RFP as approved by BOS/Town and is consistent with bonafide, executed purchase and sales agreement per BOS with Town Meeting authorization.*

Signed *Robert A. Pittman* Title Town Administrator

Date 7/28/2015



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- BOS/Town Administrator
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- Department of Public Works
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- Fire Department
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Approved Modifications Needed Disapprove

Comments:

Signed *Bridgett Brady*

Title *Health Agent*

Date 8/5/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- _____ BOS/Town Administrator
- _____ Board of Health
- X _____ Department of Public Works
- _____ Police Department
- _____ Fire Department
- _____ Building Inspector/Zoning Enforcement Officer
- _____ Conservation Committee
- _____ Tax Collector
- _____ Assessor's Office

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X Variance X Special Permit _____ Finding/Appeal

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Submitted by G.S. Holdings, LLC Date July 27, 2015

Address 14 Washington Street Telephone Douglas Shaw 978-375-1434

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed *[Signature]*

Title DPW Supt

Date 8/5/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

Monday August 10, 2015

- _____ BOS/Town Administrator
- _____ Board of Health
- _____ Department of Public Works
- _____ Police Department
- _____ Fire Department
- _____ Building Inspector/Zoning Enforcement Officer
- _____ Conservation Committee
- _____ Tax Collector
- _____ Assessor's Office

Review Deadline Date _____

Wednesday August 19, 2015

Public Hearing Date _____

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Variance

Special Permit

_____ Finding/Appeal

Description Former Fire Station Conversion Project

Submitted by G.S. Holdings, LLC

Date July 27, 2015

Address 14 Washington Street

Telephone Douglas Shaw 978-375-1434

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved

_____ Modifications Needed

_____ Disapprove

Comments:

Signed [Signature]

Title Chief of Police

Date 8/3/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- BOS/Town Administrator
- Board of Health
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Variance Special Permit Finding/Appeal

Description Former Fire Station Conversion Project

Submitted by G.S. Holdings, LLC Date July 27, 2015

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Approved Modifications Needed Disapprove

Comments: *6-8 Units will require fire alarm system, soprasafe, sprinkler system + monitoring*

Signed *[Signature]* Title Fire Chief

Date 7-3-15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- _____ BOS/Town Administrator
- _____ Board of Health
- _____ Department of Public Works
- _____ Police Department
- _____ Fire Department
- Building Inspector/Zoning Enforcement Officer
- _____ Conservation Committee
- _____ Tax Collector
- _____ Assessor's Office

Review Deadline Date Monday August 10, 2015

Public Hearing Date Wednesday August 19, 2015

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Variance Special Permit _____ Finding/Appeal

Description Former Fire Station Conversion Project

Submitted by G.S. Holdings, LLC Date July 27, 2015

Address 14 Washington Street Telephone Douglas Shaw 978-375-1434

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

_____ Approved _____ Modifications Needed Disapprove

Comments:
I WOULD RECOMMEND THAT THIS REQUEST BE DENIED.

Signed *[Signature]*
Date 13, AUG 15

Title Build. Comm.



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- BOS/Town Administrator
- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
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- Assessor's Office

Review Deadline Date Monday August 10, 2015

Public Hearing Date Wednesday August 19, 2015

Applicant seeks special permit to allow for residential use in commercial building and to allow for reduced side setback and insufficient off street parking in pre-existing non-conforming structure. Seeking variance to allow for residential use on street level in Downtown business district.

Variance Special Permit Finding/Appeal

Description Former Fire Station Conversion Project

Submitted by G.S. Holdings, LLC Date July 27, 2015

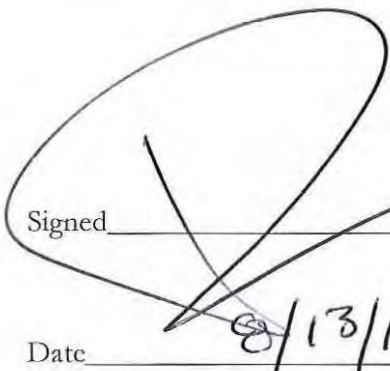
Address 14 Washington Street Telephone Douglas Shaw 978-375-1434

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

Approved Modifications Needed Disapprove

Comments:

NO COMMENTS

Signed  Title Ayer COW Comm

Date 8/13/15



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

- _____ BOS/Town Administrator
- _____ Board of Health
- _____ Department of Public Works
- _____ Police Department
- _____ Fire Department
- _____ Building Inspector/Zoning Enforcement Officer
- _____ Conservation Committee
- X _____ Tax Collector
- _____ Assessor's Office

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Public Hearing Date Wednesday August 19, 2015

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X Variance X Special Permit _____ Finding/Appeal

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Submitted by G.S. Holdings, LLC Date July 27, 2015

Address 14 Washington Street Telephone Douglas Shaw 978-375-1434

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X Approved _____ Modifications Needed _____ Disapprove

Comments:

Signed *Susan Copeland*

Title *Town Clerk / Tax Collector*

Date *July 28, 2015*



Town of Ayer
Zoning Board of Appeals
Transmittal Form – Department Head Review

Monday August 10, 2015

_____ BOS/Town Administrator

Review Deadline Date _____

_____ Board of Health

Wednesday August 19, 2015

_____ Department of Public Works

Public Hearing Date _____

_____ Police Department

_____ Fire Department

Applicant seeks special permit to allow for residential use in commercial building and to allow for reduced side setback and insufficient off street parking in pre-existing non-conforming structure. Seeking variance to allow for residential use on street level in Downtown business district.

_____ Building Inspector/Zoning Enforcement Officer

_____ Conservation Committee

_____ Tax Collector

X _____ Assessor's Office

X _____ Variance

X _____ Special Permit

_____ Finding/Appeal

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Submitted by G.S. Holdings, LLC

Date July 27, 2015

Address 14 Washington Street

Telephone Douglas Shaw 978-375-1434

This plan is submitted for your review, comments, and recommendations. Please return to the Town Administrator's Office by the Review Deadline Date so that the Zoning Board can consider your recommendation.

X _____ Approved

_____ Modifications Needed

_____ Disapprove

Comments:

Signed *Domaffgn*

Title Assessing Administrator

Date 7/30/15

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



Wednesday June 17, 2015
Open Session Meeting Minutes

Recorded by APAC

Present: Sam Goodwin, Chair; Christa Maxant, Clerk; Michael Gibbons; Jeremy Callahan

Absent: Ron Defilippo

Call to Order: S. Goodwin called the meeting to order at 7:03 PM.

Public Hearing - Application for Variance – Alan Rogers, 4 Pierce Avenue: S. Goodwin opened the public hearing at 7:01 PM. S. Goodwin asked the applicant to present a plot plan showing the property boundaries. Mr. Alan Rogers explained his application of wanting to raze the non-conforming structure on his property and replace with a larger and more conforming structure. The applicant came before the Board informally during April to present the plans and get initial feedback from the Board. The applicant did present appropriate Town of Ayer building and health department permits from 1974 and 1975 allowing the conversion of a garage to a dwelling. These are legitimate permits. The proposed dwelling will exceed 750 square feet as required.

S. Goodwin stated that the variance is needed because two dwelling structures will be located on one lot.

Ms. Amanda Durkin, 3 Calvin Street abuts the property and has no objection with the proposal.

Motion: A motion was made by J. Callahan and seconded by M. Gibbons to grant the variance as requested. Motion passed 4-0.

The hearing was closed at 7:15 PM.

Public Hearing – Application for Variance – John Horgan, 41 Nashua Street: S. Goodwin opened the public hearing at 7:16 PM. Mr. Bruce Ringwall from GPR, Inc. and John Horgan were present to present their application seeking a variance from setback requirements for an accessory structure (carport). B. Ringwall stated that the shape of the lot and that the lot is a corner lot limits the placement of the accessory structure; therefore they are applying for the following three (3) variances:

- 1) 5.8.a to disregard applicability of yard dimensional requirements as noted
- 2) 5.8.b to be located 5' of the primary structure where 10' is required
- 3) 5.8.d to be within 4' and 6/10 of the side yard line where 5' is required

After some discussion, it was agreed that 5.8.a only applies to accessory structures with human occupation. This is not applicable to this application for a garage as there will be no human occupation.

Mr. Paul Farley, 20 Coolidge Road, is an abutter to the property stated his concern about the future development of the carport into a garage. Board members stated that a garage would simply be a carport with sides and that the only allowed use for the structure is a carport or garage. It could never be used as a dwelling unit.

Motion: A motion was made by J. Callahan and seconded by M. Gibbons to grant the variances as requested with the exception of #1 (above) which is not applicable. **Motion passed 4-0.**

Motion: A motion was made by J. Callahan and seconded by C. Maxant to close the Public Hearing at 7:39 PM. **Motion passed 4-0.**

Action Items: *35A Groton School Road – Request for an Extension of Finding* Attorney Tom Gibbons was in attendance to explain a request for a six (6) month extension of Finding previously made (July 10, 2013) at 35A Groton School Road pursuant to Article 4, Section 4.3.4(b) of the Ayer Zoning Bylaw. The preexisting structure has been removed but Attorney Gibbons' client has not yet built the new structure, therefore they are requesting an extension. After discussion, Board agreed with Attorney Gibbons' opinion that the extent of work completed to date would likely be sufficient to show that work has begun under the finding as required by statute. Attorney Gibbons would like to make sure his client is safe in presenting this request.

Motion: A motion was made by J. Callahan and seconded by M. Gibbons to extend the finding by six (6) months to January 10, 2016. **Motion passed 4-0.**

5 Fourth Street - Section 6 Finding The applicant sought a Section 6 Finding in the summer of 2014 and because of quorum issues with the ZBA their plan was constructively approved. They have since made slight changes to the plan and wanted to present those changes to the ZBA. The ZBA saw no issues with the revisions and stated that the original finding stands.

Discussion Items: S. Goodwin asked the Board about appointing a Vice-Chair, in the absence that the Chair is not able to attend the meetings. J. Callahan expressed interest in the Vice-Chair position.

Motion: A motion was made by M. Gibbons and seconded by C. Maxant to appoint Jeremy Callahan as Vice-Chair of the ZBA. **Motion passed 4-0.**

S. Goodwin stated that he would like to review at each meeting the previously proposed Zoning Bylaw with the eventual goal of making tweaks and presenting to a Town Meeting for consideration.

S. Goodwin also stated he would like to sit down with the Building Commissioner and the Chair of the Planning Board to further articulate the land use process that applicants go through.

Approval of Meeting Minutes:

Motion: A motion was made by J. Callahan and seconded by M. Gibbons to approve the meeting minutes of May 20, 2015, as amended (added the phrase “per Zoning Bylaw 4.3.4(b) to the last sentence of the 141 Snakehill Road item). **Motion passed 4-0.**

Adjournment: A motion was made by J. Gibbons and seconded by C. Maxant to adjourn at 8:21 PM. **Motion passed 4-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by ZBA: _____

Christa Maxant, Clerk: _____

DRAFT