



ARTICLE 4: ZONING BYLAW AMENDMENT: SECTION 10.1.5 (OSRD DENSITY BONUSSES)

To see if the Town will vote to amend the Ayer Bylaws, Chapter 320, Zoning, Article 10, Section 10.1.5, Density Bonus by deleting the strikethrough text and inserting the **underlined bold text** as follows:

A. The unit count determined in Section 10.1.4 may be increased through density bonuses in order to advance important goals of the Ayer Master Plan, Ayer Open Space and Recreation Plan, or other planning document approved by the Planning Board and on file in the Planning Department. Density bonuses are given by Special Permit at the discretion of the Planning Board based upon the expected public benefit. They are calculated by first determining the allowable unit count under Section 10.1.4 without rounding fractional units up or down and then multiplying that number by ~~100 percent~~ **plus the percentages associated with each of the following density bonuses that follow and adding them all up for a total.** Resulting fractional units, if any, shall be rounded up or down as in Section 10.1.4.

A. If the applicant allows deeded public access to the open space portion of the property and the Planning Board finds that such public access provides a ~~significant~~ recreational benefit to the Town **public** (such as access to an important natural area, ~~or a~~ trail system, **other geological interests, etc.**): a maximum of 10 percent.

~~B. If the applicant permanently restricts ownership and occupancy of units allowed by Section 10.1.4 as affordable housing (as defined in this bylaw), and makes a binding commitment to construct such affordable residences: a maximum of 23 percent. For every unit included in the allowable unit count under Section 10.1.4 that is built and dedicated as an affordable unit, two bonus market rate units may be permitted, up to the maximum of 25 percent of the allowable unit count. Please refer to section 10.3.9 for the Inclusionary Housing Density Bonus calculation.~~

C. If the applicant preserves as permanent open space more than the minimum required percentage: a maximum 10 percent density bonus per additional 5 percent of the parcel preserved as open space.

D. If the applicant commits to build units that are 1,600 SF or less, for every unit built, the applicant can ask for up to 2 (two) additional units up to a maximum of 30% of the base allowable units determined under section 10.1.4. ~~If the applicant has designed the development to protect solar access and agrees to provide solar-ready construction for the proposed dwellings: a maximum of 23 percent. For purposes of this section, "protect solar access" shall mean that streets and lots in the OSRD shall be oriented to maximize the solar resource available to each lot or to as many lots as possible as determined by the Planning Board. "Solar-ready construction" shall mean construction of homes in such a way that installing and connecting a solar energy system (whether photovoltaic or solar thermal) does not require additional wiring, plumbing, or building modification.~~

Or take any action thereon or in relation thereto.

Sponsor: Select Board

Planning Board: To report at Town Meeting Two-Thirds Majority Vote
Required

Explanatory Note: This Article would amend the Zoning Bylaw to clear up some confusion and ambiguity on the calculation of the density bonuses. These changes would address some density bonuses which do not work as intended or no longer apply. The Planning Board held a Public Hearing on September 9, 2025. Brief presentation to be made at Town Meeting.

Jannice Livingston moved that the Town vote to amend the Ayer Bylaws, Chapter 320, Zoning, Article 10, Section 10.1.5, Density Bonus by deleting the strikethrough text and inserting the underlined bold text as contained in Article 4 as printed in the Warrant. Seconded from the floor. Jonathan Kranz, Chair of Planning Board indicated Public Hearing was on September 9, 2025 and all members voted in favor for the article. Danny Ruiz, Town Planner, gave presentation. Discussions from the floor either for or against the article. Moderator declared motion passed by 2/3 votes.


Susan E. Copeland
November 12, 2025