



ARTICLE 1: ZONING BYLAW AMENDMENT: SECTION 3.5.8 (SITE PLAN REVIEW CALCULATION)

To see if the Town will vote to amend the Ayer Bylaws, Chapter 320, Zoning, Article 3, Section 3.5.8, Site Plan Review Calculation by deleting the strikethrough text as follows:

3.5.8 — Calculating the Number of Units in developments approved though Site Plan Review

- A. ~~Residential developments, whether single-family, duplex or multi-family, approved through Site Plan Review and not requiring Subdivision Approval under MGL Chapter 41 sec. 81K—81GG and the provision of this Bylaw, shall calculate the number of dwelling units allowed therein by the following process:~~
- B. ~~The maximum number of residential units in a development requiring Site Plan Review but not Subdivision approval is calculated by a formula based on the net area of the property. This calculation involves two steps; calculating the net developable area and then dividing that number by the allowable density of the applicable zoning district. These units are to be located in either single-family dwellings, two-family dwellings or multi-family dwellings as the case may be. To determine the net area, subtract the following from the total (gross) area of the site:~~
 - a. ~~Half of the area of land with slopes of 20 percent or greater (2,000 sq.ft. or more of contiguous sloped area at least 10 feet in width); and~~
 - b. ~~The total acreage of lakes, ponds, land subject to easements or restrictions prohibiting development, FEMA 100-year floodplains, and all freshwater wetlands as defined in G.L. c. 131 § 40, as delineated by an accredited wetlands specialist and approved by the Ayer Conservation Commission.~~
 - c. ~~At the Planning Board's discretion, any of the information described above may be taken from current geographic information systems data available from the Massachusetts department of Environmental Protection, Mass GIS, and other credible sources including delineations registered by the use of global positioning systems.~~

~~Unit Count Calculation. To determine the base maximum number of allowable residential dwelling units on the site, divide the net area calculated above by the minimum lot area for the applicable zoning district. Fractional units of less than 0.5 shall be rounded down and 0.5 or more shall be rounded up. The number of units thereby calculated may not necessarily be realized due to the distribution of wetlands, ledge outcroppings and other physical constraints of~~

~~the land as well as applicable requirements of the Ayer zoning Bylaw, Site Plan Regulations, Board of Health Regulations, the Massachusetts Building Code and other requirements.~~

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 remove Section 3.5.8 of the Zoning Bylaw. This section was originally put into the Zoning Bylaw when the Open Space Residential Development was first implemented. This section has not been used since. The reason for removing this section is so that the Dimensional Requirement will be what governs how many units any property can get on their proposed site plan. 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 3, Section 3.5.8, Site Plan Review Calculation by deleting the strikethrough text as contained in Article 1 as printed in the Warrant. Second, from floor. Brief discussion. Jonathan Kranz, Chair of Planning Board indicated Public Hearing was on September 9, 2025 and all members voted in favor for the article. Moderator declared article passed by 2/3 vote.


Susan E. Copeland
November 12, 2025