

AYER

Comprehensive Plan Update 2005



Submitted to:
Office of Community Development
Comprehensive Plan Committee

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TOWN OF AYER

Comprehensive Plan Update

Adopted by the Planning Board on March 10, 2005

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RECENTLY, THE NASHUA RIVER WATERSHED ASSOCIATION COMPLETED THE NASHUA RIVER WATERSHED 5-YEAR ACTION PLAN, 2003-2007. THIS PLAN IDENTIFIES FOUR KEY ISSUES FOR AYER, INCLUDING CAPACITY BUILDING, OPEN SPACE PROTECTION, RECREATION AND WATER QUALITY, AND MAKES RECOMMENDATIONS FOR LOCAL AND REGIONAL ACTION. APPENDIX C: DETAILED LAND USE PROPOSALS	171
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MAJOR GOALS & RECOMMENDATIONS

Land Use

GOALS

- ◆ Value, manage and protect water and rural land as critical community resources.
- ◆ Reinforce Ayer's industrial-village land use pattern and historic arrangement of buildings and streets.
- ◆ Facilitate small-scale redevelopment and reuse projects that encourage preservation and reduce the potential for teardowns.
- ◆ Achieve a planned mix of residential, non-residential and public land uses along and adjacent to the town's main roads.
- ◆ Achieve high-quality, high-value development in the commercial and industrial districts and reduce the amount of land zoned for non-residential use.

RECOMMENDATIONS

Modify the town's zoning regulations and zoning map to implement the following policies:

- ◆ Provide the Planning Board with better tools to manage future development by adopting a Growth Management Bylaw. Establish annual and per-project caps on building permits while exempting developments that meet public benefit goals, such as:
 - Green building design
 - Low water-use residential, commercial and industrial development
 - Inclusion of at least 10% affordable dwelling units in new developments
 - Affordable units created through accessory dwelling and conversion regulations
 - Mixed-use development in commercial districts
 - Provision for usable open space with public access
 - Payment of fees to a community development fund in lieu of providing open space or affordable housing.
- ◆ Hire a full-time, professional town planner or planning director to coordinate the work of the Planning Board, Zoning Board of Appeals, Conservation Commission, Ayer

Board of Health, the (proposed) Neighborhood Conservation District Commission, and other boards and committees with a role in development review.

- ◆ Establish a protective overlay district in the Petapawag Area of Critical Environmental Concern (ACEC), where Ayer has a considerable amount of vacant land.
 - Increase the minimum lot area to 80,000 ft²
 - Require a special permit for open space-residential development in projects of five or more dwelling units, but maintain base (existing) density for developments that include affordable homes or more usable open space than required by overlay district regulations.
 - Allow frontage waivers in exchange for larger-than-minimum lots.
- ◆ Change the existing General Business Districts adjacent to downtown Ayer to Mixed-Use Transitional Districts with use and dimensional regulations that acknowledge the “gateway” role of these three areas.
- ◆ Allow open space-residential development by right in residential zoning districts (outside the Petapawag ACEC), for any project of three or more housing units.
- ◆ Encourage infill development, redevelopment and intensification of existing uses over new growth in outlying sections of Ayer, using zoning, capital improvements and other means to achieve these ends. For example:
 - Eliminate or significantly reduce the minimum land area requirement for multi-family units in the General Residence District.
 - Allow frontage and lot area waivers by special permit in the General Residence, Residence A-2 District and the (proposed) Mixed-Use Transitional Districts in exchange for affordable dwelling units. Consider the same policy for the General Business District areas adjacent to downtown Ayer.
 - Reformulate the dimensional regulations, development methods and parking requirements for uses in the General Business District to encourage reinvestment on existing developed lots.
 - Allow accessory dwellings and multi-family units in Downtown Ayer, above the ground floor or commercial buildings and, on a limited basis, at grade.
 - Establish a Neighborhood Conservation District in an area that includes the the Downtown Business, General Residence and the two General Business Districts adjacent to Downtown Ayer.
- ◆ Establish clear density standards for multi-family units in the General Business District.

- ◆ Promote high-quality commercial and mixed-use development in the commercial districts with incentive zoning, architectural design guidelines, rigorous site plan standards and reasonable parking requirements.
- ◆ Reduce the potential for use conflicts in the town's commercial and industrial zones.
 - Clarify and strengthen the town's environmental regulations.
 - Eliminate duplication by deleting the "Water Resource Protection District" and maintaining the Aquifer Protection District (APD), and assure that the APD conforms to current state requirements.
 - Encourage development of industries and businesses that use low volumes of water and allow higher-volume water uses by special permit, including mitigation standards.
 - Rezone industrial land in Aquifer Protection Districts to lower-density residential or mixed commercial uses, or change the industrial district regulations to limit allowed uses in designated "Zone II" areas.
 - Reorganize and update the Zoning Bylaw to include a clear system of use classifications and use descriptions, a prohibition against use variances, building and site design guidelines for the commercial and industrial districts, and new dimensional requirements to regulate lot shape.
- ◆ Review other town bylaws and regulations to eliminate or reduce inconsistencies and streamline the review process for uses exempt under the (proposed) Growth Management Bylaw.

Open Space & Resource Protection

GOALS

- ◆ Protect Ayer's drinking water.
- ◆ At minimum, achieve a 20% increase in open space per capita (~327 acres) and a 40% increase in permanently protected open space per capita (~372 acres) in the next ten years, emphasizing the resource protection interests represented in the Action Plan Map.
- ◆ Preserve and enhance environmental resources and natural habitats.
- ◆ Prevent the loss of historic buildings and landscapes.
- ◆ Increase public access to and use of Ayer's open space.

NATURAL RESOURCE RECOMMENDATIONS

- ◆ Engage industry to participate in water supply conservation, and water quality protection including monitoring and best management practices.
- ◆ Review the town's roadway maintenance practices, e.g., street sweeping, sanding and de-icing, and identify opportunities to reduce the impact of these activities on water quality.
- ◆ Adopt a local wetlands protection bylaw (non-zoning).
 - Extend protection to isolated wetlands and intermittent streams that are inadequately protected (or unprotected) by the Massachusetts Wetlands Protection Act and Rivers Protection Act.
 - Establish local "no-disturbance" and "no-build" zones.
 - Establish a reasonable fee schedule for permit applications under the local bylaw, and use the revenue to provide adequate professional support for the Conservation Commission.
- ◆ Adopt a land clearing and grading bylaw that requires all non-agricultural clearances of 30,000 ft² or more to obtain prior review and approval by the Planning Board to protect mature trees and prevent erosion and sedimentation. Enforce existing requirements for erosion and sedimentation measures including silt fences, hay bales, etc. around resource areas at all construction sites.
- ◆ Periodically review and amend the Aquifer Protection District Bylaw to ensure that it complies with updated guidelines of the Massachusetts Department of Environmental Protection.
- ◆ Develop management plans for ACECs that include land use regulations, development review criteria and species monitoring.
- ◆ In conjunction with MassDevelopment, the JBOS and the town of Shirley, develop a long-term plan for the North Post.
 - The plan should be informed by an environmental inventory and provide buffer zones for Oxbow National Wildlife Refuge and habitat preservation (wetlands, vernal pools, grassland for nesting birds, etc.).
 - Development (if any) in this area should emphasize "environmentally friendly" businesses or uses that typically protect large amounts of open space, such as assisted living facilities, conference centers.
 - Development review should include an ecological impact analysis and environmental performance standards to protect resource areas.

- ◆ Ban underground sprinkler systems to lower water consumption and assure that all new construction and significant rehabilitation projects use water-conserving fixtures.

CULTURAL RESOURCE PROTECTION RECOMMENDATIONS

- ◆ Adopt a demolition delay bylaw that protects structures more than 50 years old from demolition for at least six months, and provide corresponding zoning regulations to make preservation economically feasible.
- ◆ Adopt zoning that supports appropriately designed conversions of historic residences to multi-family or mixed-use buildings, provided they comply with the U.S. Department of the Interior Standards for Rehabilitation of Historic Buildings.
- ◆ Adopt M.G.L., c.59, §5J, to encourage owners of historic buildings to invest in appropriate renovations.
- ◆ Build a reserve of CPA revenue to acquire historic preservation restrictions in exchange for appropriate renovations of historically significant commercial and institutional buildings.
- ◆ Initiate and complete planning, surveys and inventories as a first step toward creating or expanding historic districts and nominating individual listings in Ayer, including single-property or parcel districts. Nominate additional properties for listing on the National Register of Historic Places.
 - Prioritize the inventory by starting with the Ayer Main Street Historic District and Pleasant and Washington streets.
 - Apply for a Planning and Survey Grant from the Massachusetts Historical Commission using CPA funds for the required match.
- ◆ Consider establishing a Neighborhood Conservation District in downtown Ayer and adjacent neighborhoods, using the historic property inventory process as a starting point to engage residents and business owners in a conversation about the importance of protecting their built assets.
- ◆ Use the Massachusetts Scenic Roads Act, M.G.L. c.40 §15C, to designate scenic roads in Ayer in order to protect significant trees and stone walls within the public right of way. Initial nominations should include MacPherson Road, Bishop Road, Snake Hill Road, Groton-Harvard Road, and Washington Street.
- ◆ Seek opportunities to create community and cultural amenities at the town's historic public buildings such as the pocket park beside Ayer Town Hall, community gardens at the Pleasant Street School or picnic tables at the Ayer Public Library.

OPEN SPACE RECOMMENDATIONS

- ◆ Authorize a water conservation bond and acquire land in Zone I, Zone II and the Interim Wellhead Protection Area (IPWA) of existing and potential future water supplies.
- ◆ Review existing town holdings and transfer ecologically significant, unrestricted surplus land to the Conservation Commission.
- ◆ Encourage industry to partner with the town to purchase land that protects their economic interest in the town's water supply.
- ◆ Use a local wetlands bylaw to leverage conservation restrictions in the Aquifer Protection District, the ACECs and other sensitive wetland resource areas when the Conservation Commission issues an Order of Conditions.
- ◆ Take tax title properties and set aside those with ecological significance as permanently protected conservation land.
- ◆ Develop management and monitoring plans for the Erskine, Mini French, N.E. Milling and Tithe properties.
- ◆ Encourage clustered housing development on vacant residential land to conserve open space and create recreation areas.
- ◆ Sponsor public education activities to increase public awareness and appreciation of Ayer's open space:
 - Work with Ayer High School's vocational programs to design and build signs and informational kiosks for open space access points.
 - Develop "done-in-a-day" projects such as clean-up events and installing conservation land signs and trail markers.
- ◆ Re-establish the Ayer Conservation Trust to raise private funds for conservation and to hold conservation restrictions on land acquired by the town with CPA revenue.
- ◆ Assign the (proposed) town planner to assist with open space grant applications and helping with the logistics of acquiring public open space. The planner's responsibilities should include the following:
 - Work with owners of large Chapter 61 parcels in the ACEC to express the town's interest in protecting their land by purchasing it or acquiring development rights in exchange for a perpetual conservation restriction.
 - Encourage partnerships with the Town of Littleton, the Spectacle Pond Association, PACE and other conservation organizations to purchase land that protects the Spectacle Pond wells.

- Assist the CPC in identifying and pursuing CPA-assisted land acquisitions that can leverage Self Help and Environmental Justice grants.
- Seek training opportunities and technical support for town boards, commissions, and staff.
- Work with the Nashua River Watershed Association and member communities to acquire and manage land and resources in the watershed and ACECs.
- Develop and oversee a comprehensive public restriction tract index for recording at the Registry of Deeds.

Housing

GOALS

- ◆ Develop local capacity to plan, develop, and manage Ayer's housing needs.
- ◆ Preserve and build upon Ayer's existing housing assets.
- ◆ Protect and enhance the historic character and traditional affordability of existing neighborhoods.
- ◆ Promote new development that meets local housing needs.
- ◆ Provide housing choice throughout Ayer.

RECOMMENDATIONS

- ◆ Incorporate the Ayer Affordable Housing Plan into the Comprehensive Plan Update.
- ◆ Establish a Housing Partnership Committee, and recruit and appoint qualified, interested residents.
- ◆ The Housing Partnership Committee should centralize, manage and increase the effectiveness of local efforts to address housing needs and bring technical assistance and other resources to the town.
- ◆ The Housing Partnership Committee should also serve as the initial point of contact for developers seeking to build affordable housing in Ayer.
- ◆ Maintain a comprehensive inventory of approved housing developments, including number of units approved, date of approval, unit sizes, number of affordable units, sales prices, site area, location, and date of construction completion:
- ◆ Ayer does not have a working inventory of approved housing developments. This makes it difficult to plan for the housing needs of Ayer residents.

- ◆ Maintaining detailed housing development data will help the town make informed decisions when negotiating with developers, evaluating affordable housing proposals or advocating for particular types of development.
- ◆ Continue the Ayer Housing Rehabilitation Program and consider ways to offer enhanced financing.
- ◆ Focus resources on an Area Strategy to increase the supply of affordable units in areas with established traditions of higher-density development.
- ◆ Develop a target list of deteriorated rental properties for housing rehabilitation assistance through the Ayer Housing Rehabilitation Program, DHCD's Housing Development Support Program (HDSP), or other financing programs in exchange for an affordable housing restriction.
- ◆ Modify the Zoning Bylaw to encourage affordable and mixed-income multi-family developments in the General Residential, Downtown Business and General Business districts, using frontage and lot area waivers as infill development tools, and promote affordable accessory dwellings or conversion units throughout the town.
- ◆ Continue and expand the First-Time Homebuyer Program and seek additional funding sources.
- ◆ Develop criteria for evaluating housing development proposals.
- ◆ A uniform approach to evaluating proposed housing developments will enable Ayer to expedite the review and approval process for projects that address local needs and preferences.
- ◆ Involve local boards and organizations, such as open space advocacy groups, the proposed Housing Partnership Committee and the Ayer Historical Commission, to develop criteria for market-rate and affordable housing developments that all groups are willing to support.
- ◆ Sponsor Local Initiative Program (LIP) affordable housing developments.
- ◆ Review town land holdings and identify small parcels that could be sold or leased for affordable housing development.
- ◆ Identify private property that is both developable and suitable for higher-density housing, acquire and "land bank" it for sale to a responsible affordable housing developer.
- ◆ Recruit qualified for-profit and non-profit developers to assist Ayer in creating affordable housing on town-controlled land.

Economic Development

GOALS

- ◆ Better coordinate Ayer residents' skills to existing and future employment at the Devens Enterprise Zone and within Ayer.
- ◆ Improve access to and from Ayer for residents, workers, and commercial vehicles.
- ◆ Increase downtown Ayer's economic competitiveness.
- ◆ Achieve the best possible match between the supply of developable land and market demand for industrial and commercial development.
- ◆ Strengthen economic development coordination with the Devens Enterprise Zone and the surrounding region.

RECOMMENDATIONS

- ◆ Increase healthcare employment opportunities.
 - Use the Nashoba Valley Medical Center as an economic engine and take advantage of the high growth rate expected in the healthcare sector.
 - Study the potential for creating education, office and limited research and development uses to the east and south of the medical center. If the zoning for these uses is written carefully, they will be highly compatible with the resource protection and open space objectives of the Petapawag Overlay District.
 - Work to recruit a community college or university satellite school specializing in healthcare education to occupy land in the new district or in downtown Ayer.
- ◆ Facilitate the retraining of manufacturing employees.
 - Maintain an up-to-date library of information about education, training, employment and unemployment benefit opportunities and foster regular contacts with schools, colleges, universities, trade unions, state employment offices, and MassDevelopment officials. Funds to establish and maintain the library should be solicited from Ayer's existing industrial employers and lending institutions.
- ◆ Expand the number of home-based businesses. Classify home occupations and allow most by right in residential zoning districts, reserving special permits only for home occupation types that are likely to create adverse noise or traffic impacts on the surrounding neighborhood.
- ◆ Improve access for residents and workers. Ayer should actively plan, fund or lobby for the following transportation improvements:

- Increased service on the MBTA Fitchburg Line, including double tracking, express trains and higher speeds.
 - Expanded parking capacity in downtown Ayer and at the commuter rail station, possibly funded by commuter parking fees.
 - Introduce mass transit/shuttle service between Ayer, Devens Enterprise Zone, the Lowell metro area, and the Interstate 495 corridor — all major employment centers for Ayer residents and also major sources of non-resident workers employed in Ayer.
 - Improve commercial vehicle routes from Route 2 and Interstate 495 to the Westford Road industrial district, the North Post and Fitchburg Road industrial area.
- ◆ Focus available resources on an Area Strategy to achieve the economic development goals of the Comprehensive Plan.
- Encourage the creation of new or redeveloped office space close to downtown Ayer, such as in the proposed Mixed-Use Transitional District. This strategy would also benefit from increased marketing, simplified zoning and a streamlined permitting process.
 - Adopt Land Use Plan recommendations for new Industrial-I and Industrial-II districts to better utilize existing industrial land and increase Ayer's industrial tax base.
 - Implement site plan and design guidelines to improve the character and quality of development surrounding Carlton Circle, Littleton Road Park Street and West Main Street and any new commercial zones.
 - Zone for small context-sensitive neighborhood business nodes in the eastern and northern reaches of the town, near new and future housing development. Appropriate design guidelines will preclude negative impacts on surrounding residential areas.
 - Establish a new village center along Willow Road. Through zoning, encourage a mixed-use (commercial & residential) village along Willow Road south of the railroad tracks and north of the Littleton town line. Increase economic competitiveness of downtown Ayer.
 - Expand daytime and evening population of downtown market area.
 - Enforce existing parking time limits and build additional parking facilities, possibly funded by commuter parking fees.
 - Market downtown Ayer as a browser tourism shopping destination to MBTA riders, rail trail users and Devens Enterprise Zone employees through advertisements in newsletters, on trains, at rail trail parking lot, commuter rail station and on MBTA

schedules. Install directional signage from station, rail trail and Devens Enterprise Zone to downtown Ayer.

- ◆ Increase economic coordination with the Devens Regional Enterprise Zone and other communities in the region.
 - Organize regular meetings between Ayer economic development team, MRPC, and MassDevelopment (or its successor).
 - Increase economic ties between Devens Enterprise Zone employees and employers and Ayer businesses.
 - Provide regular and intensive involvement of Ayer officials, residents, businesses, and environmental organizations in planning for reuse of the North Post.

Transportation

GOALS

- ◆ Encourage pedestrian and bicycle access throughout Ayer by providing a safe, scenic, interconnected system of roads, sidewalks and trails.
- ◆ Provide and manage downtown parking facilities to meet the needs of residents, shoppers, business owners and employees, commuters and visitors.
- ◆ Provide a safe, efficient roadway network that meets the distribution and workforce transportation needs of Ayer's industrial employers and also protects neighborhoods from residential-industrial use conflicts.
- ◆ Improve and enhance Ayer's gateways, pedestrian and bicycle facilities.
- ◆ Mitigate the impacts of traffic generated by development in the Devens Enterprise Zone.

RECOMMENDATIONS

- ◆ Address critical traffic locations.
 - Provide safety and operational improvements at Park Street/Main Street intersection. This intersection is the biggest bottleneck to traffic within Ayer. Consider phased construction of improvements to allow for orderly replacement of affected on-street parking elsewhere.
 - Revisit the proposed modifications to and signalization of Carlton Circle and carefully investigate other alternatives, including improvements to the existing rotary without the installation of signals.
 - Work with MassDevelopment to study and design appropriate improvements to MacPherson Road and Bishop Road as a bypass route for regional traffic. Ensure that the internal road network at the Devens Enterprise Zone does nothing to

prevent the creation of this regional bypass. Consider lobbying the Massachusetts Highway Department to reroute Route 111 along the new bypass to Route 2.

- Study possible connections between Bishop Road, Washington Street and Groton Harvard Road to create a northern bypass of downtown Ayer and better link the western segment of Route 2, Devens Enterprise Zone, Nashoba Valley Medical Center and northern Ayer.
 - Coordinate with Littleton and the Massachusetts Highway Department to improve truck-turning capacities at the intersection of Willow Road and Ayer Road in Littleton.
- ◆ Improve parking for retail and commuter use in downtown Ayer.
- The planned MBTA parking facility should be designed to blend into the village atmosphere while providing opportunities for mixed-use development. Cost recovery through the payment of parking fees should be considered.
 - Enforce parking regulations. Enforcement will facilitate a higher turnover and efficient use of on-street parking spaces. Moreover, it will be critical to the success of redirecting all-day parking users to the proposed parking facility.
 - Provide consistent directional signage for municipal parking lots on the side streets.
- ◆ Improve commuter rail service.
- Work with MBTA and MRPC to increase the frequency of train service through the Ayer Station, especially during the off-peak period.
 - Construct a depot at the station to provide shelter for commuters, possibly in conjunction with the planned parking garage. A well-designed depot will incorporate Ayer's rich rail history.
- ◆ Develop and implement a Comprehensive Pedestrian & Bicycle Facilities Plan.
- Develop a downtown pedestrian plan that identifies major pedestrian generators and routes that link them.
 - Include appropriate signage and pavement markings in the downtown area, especially at the rail trail terminus with Main Street, to enhance the safety of pedestrians and bicyclists.
 - Continue to require the construction of sidewalks in new subdivisions.
 - Create walking and biking paths along the waterfronts of Ayer's ponds, through new property acquisitions, easements, and site plan reviews of new developments.

- Study the inclusion of bicycle lanes along existing roadways during repaving or reconstruction, particularly along Sandy Pond Road, Central Avenue, Washington Street and West Main Street.
- Improve pedestrian and bicycle connections between adjacent neighborhoods and the Nashua River Rail Trail through property acquisitions, easements, and site plan reviews of new development.

Community Facilities and Services

GOALS

- ◆ Conserve and improve the safety and efficiency of Ayer's gray and green infrastructure.
- ◆ Maintain public facilities that meet the needs of Ayer residents and town employees.
- ◆ Provide the highest quality town and school services at a price that is equally fair to residents and businesses.
- ◆ Develop, manage and maintain public utilities and infrastructure to achieve Ayer's land use goals in a fiscally sound manner.
- ◆ Develop a comprehensive system of capital improvements planning and asset management.

RECOMMENDATIONS

- ◆ Strengthen Ayer's capacity to manage water resources by providing adequate land, personnel and equipment, and regulatory authority to achieve success.
 - Consider a water conservation bond to purchase all land in Zone I and significant aquifer protection parcels and/or conservation restrictions within the Aquifer Protection District (DEP Zone II and Interim Wellhead Protection Area).
 - Engage industry to participate in water supply conservation and water quality protection, including monitoring, best management practices and annual meter calibration.
 - Expand the purview of the Conservation Commission to encourage a comprehensive approach to water resources management, including authority to review and permit projects that exceed certain thresholds and/or are located in the ACEC, and areas of wetland and water resource significance.
 - Improve data collection and reporting for annual reports to DEP. Widely distribute the reports on the town website and in annual water bills.
 - Ban underground sprinkler systems to lower water consumption, and require all new construction and significant rehabilitation projects to use water-conserving fixtures.

- Identify a parcel for additional water storage and move forward with plans to develop the facility.
- ◆ Expand, diversify and maintain Ayer's recreation facilities.
 - Create a volunteer corps to assist the town in maintaining recreation areas, blazing trails, posting signs, constructing picnic areas and small boat launches.
 - Consider creating neighborhood pocket parks at town-owned parcels on Cambridge Street, Shirley Street and Snake Hill Road.
 - Explore the establishment of a community gardens site at the Pleasant Street School.
 - Provide community services that address the priorities of residents and businesses while achieving a more equitable approach to charging costs to the land uses that generate them.
- ◆ Adopt a permanent Growth Management Bylaw that provides local officials with a legal mechanism to require phased development or waive phasing regulations in exchange for fees paid by developers to a community development fund.
- ◆ Develop a town-wide survey to assess public opinion about the adequacy of town services and facilities and to identify acceptable level-of-service standards.
- ◆ Evaluate the town's taxation policies and consider reducing the difference between residential and commercial-industrial tax rates.
- ◆ Continue to professionalize the Ayer Fire Department.
- ◆ Use local revenue or CDBG funds to purchase an additional van for senior transportation, and evaluate operations funding and program delivery.
- ◆ Review the town's user fees for recreation, water, sewer and other revenue-generating services and assure adequate receipts to cover operations and a capital reserve account for each facility.
- ◆ Establish an accurate inventory of town assets and review land or buildings that may be appropriate for disposition as surplus property.
 - In conjunction with confirming the town's open space inventory, review all town-owned land and buildings and identify assets that are no longer needed for public purposes.
 - Consider a disposition process to sell obsolete or surplus property in order to meet public objectives such as providing affordable housing for families or seniors, sponsoring a small-business incubator facility or a "value-added" agricultural facility to serve the region's farms and orchards.

LAND USE

Introduction

"Land use" refers to the amounts, intensity and physical arrangement of a community's residential, commercial, industrial and institutional development, along with open space, water and roadways. Since land use policy largely determines the need for public investments in facilities, infrastructure and services, it provides the legal and political foundation for all comprehensive planning in cities and towns today.

Most people do not use the term "land use" when they explain what a town looks like. Often, they refer to locally important landmarks and images that can be seen from the road. Describing Downtown Ayer as a linear district of late-19th century commercial buildings or its adjacent neighborhoods as a collection of higher-density homes on tree-lined streets is to characterize these areas by their land use patterns.



*Older commercial development outside
Downtown Ayer.*

A comprehensive plan's most important function is to establish a land use blueprint for the future. Local governments rely on zoning to control land use by regulating the amount and location of development. Zoning is a tool for managing conflict; it balances private property rights with the public's interest in an orderly process of growth and change. As the primary agent of land use policy in cities and towns today, zoning is central to the implementation of a master plan. To consider how zoning supports or impedes a community's goals, alone and in conjunction with other forces, master plans typically begin with a land use analysis: a description and critical review of a town's current land use scheme, development trends, and the visual, operational and economic ingredients of its "character."



*Newer commercial strip development outside
Downtown Ayer.*

Existing Conditions

PHYSICAL EVOLUTION

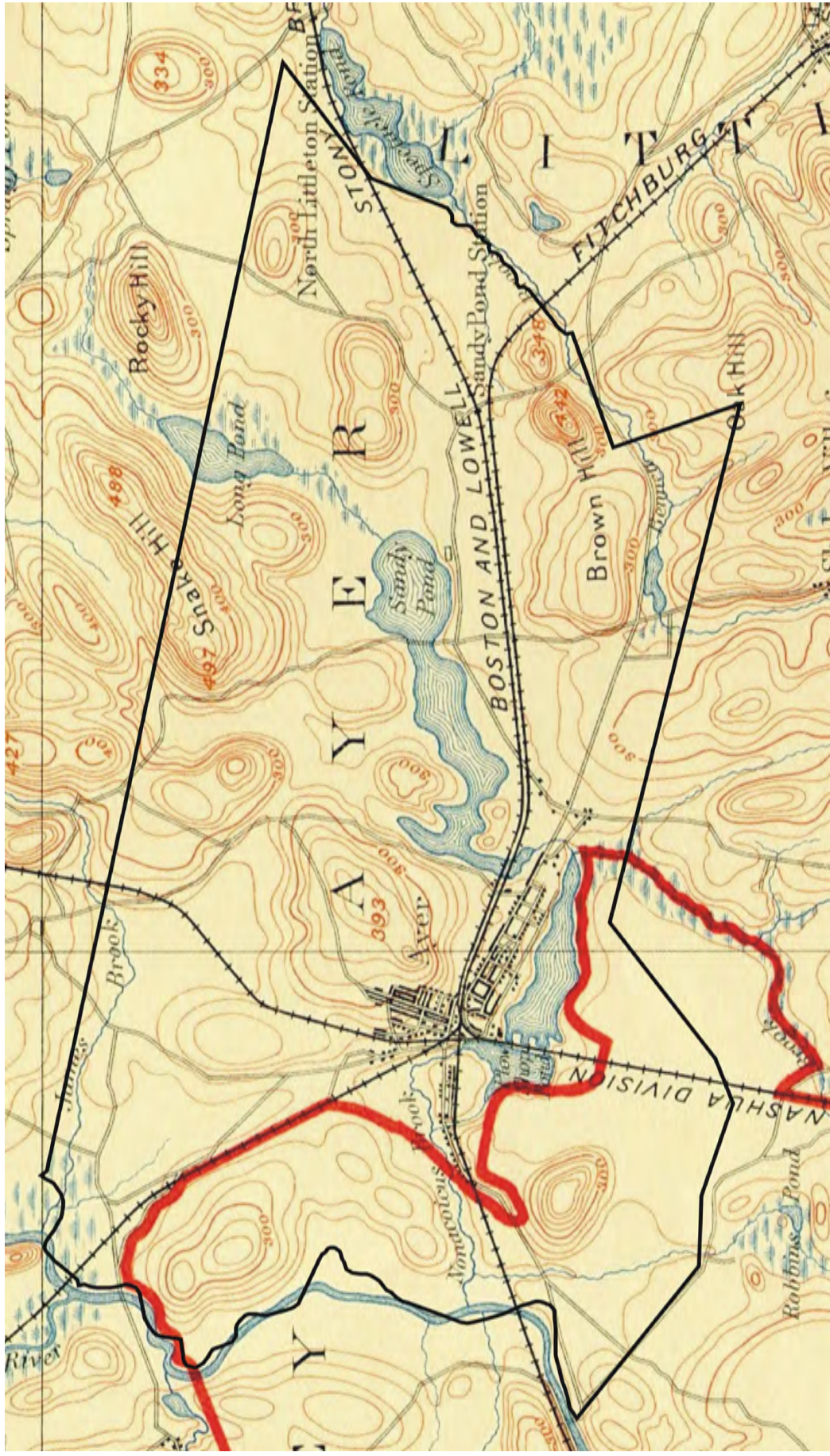
Ayer is a small town on the western edge of Middlesex County. Its 9.5 square mile (mi²) area includes a distinctive downtown, several large ponds and nearly one-fourth of the Devens Regional Enterprise Zone – the former Army base known as Fort Devens. Originally part of Groton, Ayer became an incorporated town during the industrial period that followed the Civil War. Indeed, Ayer's land use pattern is fairly typical of urbanized rural economic centers in Massachusetts: a dense industrial village located at the convergence of regional rail service and roads, surrounded by agricultural land and forests. Today, however, much of the open space in Ayer and other towns like it has been replaced by suburban neighborhoods and new industries. In appearance, form and location, these more recent developments differ significantly from the late 19th-century industrial settlements that spawned the incorporation of Ayer and its counterparts across the Commonwealth.

At the turn of the century, Ayer's small industrial village extended from Washington Street to the Worcester-Nashua railroad tracks on the north side of Main Street, and southward, across Main Street and the Boston and Maine railroad tracks to the grid formed by Bligh, Grove, Fletcher and Third streets, between East and Forest streets. A narrow pocket of development also occupied land along the north side of West Main Street, between the road and Nonaicoicus Brook, and the lower end of Sandy Pond Road was sparsely developed (Map 2-A). After a major fire destroyed several Main Street commercial buildings in 1872, the downtown area was gradually rebuilt, and during this period the town also invested in public buildings: Ayer Town Hall, the Pleasant Street School, and Ayer Public Library.

While Ayer was born out of tensions about growth that were fairly common more than a century ago, the rise and fall of small-town industry is only one aspect of Ayer's physical evolution. World War I triggered fundamental changes in U.S. military operations and left an indelible mark on the 32 communities in which land was assembled and acquired for National Army and National Guard cantonments.¹ Even though most of Fort Devens occupied land inside of Harvard, it is undeniable that to the region, the rest of the Commonwealth and to the soldiers and families who lived there, Fort Devens was identified mainly with Ayer. During the Army's 75-year stay, Ayer's 1,100 acres supported roads, barracks, office buildings, storage facilities and a small military airport, but most of the land remained forested.

Of course, the presence of Army personnel meant far more than the intensification of institutional land uses across 20% of the town. As the Army gradually changed the land under its control, it changed Ayer in a myriad of ways. The town's economy yielded to demands for goods and services from a transient population, and Fort Devens also employed many civilians. In fact, the military supplied a key source of jobs and spending power in a region that had fairly limited economic opportunities by the mid-1950s. During the Vietnam War, the Army invested heavily in more housing for military families, but when the housing was full or families simply chose to live off base, Ayer absorbed most of

¹ Willis Abbot, The United States in the Great War (New York: Doubleday, 1919), 42.



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Map 2-A

Ayer in 1893

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the demand. Moreover, Army children attended the Ayer Public Schools, a situation that made the military not only an economic force but also an integral part of the town's fiscal condition.

By 1970, the land use pattern in Ayer was a mosaic of the town's settlement history, the Army's enduring presence, and changes brought about by 20th century growth (Map 2-B).

The hilly terrain across northern Ayer carried transmission lines, and a ring of subdivisions had been built around the shorelines of ponds. At first, residential development migrated to the east of the original industrial village, between Washington Street and Groton Harvard Road, and on land near the Barnum Road entrance to Fort Devens. Housing was built



High-tension power lines are present throughout northern Ayer.

along Sandy Pond Road and in the northern end of town, generally between Groton School Road (Route 111) and Old Groton Road, and along Fitchburg Road (Route 2A). Small pockets of industrial development lay tucked in around the downtown area, on Littleton and Willow roads, and near the town's borders with Shirley and Groton. Over half of Ayer was forested, including unaltered land at Fort Devens. As development moved outward from Ayer's old industrial center, roadways were built to provide access to new homes, businesses and industries. Indeed, a striking difference between turn-of-the-century Ayer and Ayer at the height of the Vietnam War is the sheer amount of land that had been paved.

The state commissioned aerial reconnaissance mapping in 1999 to update all of the Commonwealth's land use maps. The orthophotos indicate that Ayer had changed quite a bit in 30 years (Map 2-C). Table 2-1 shows that in addition to losing more than half of its 1971-level farmland and 17% of its forests, Ayer gained nearly 250 acres of power lines, substations, and transportation facilities. Although a large percentage gain occurred in land used for multi-family housing, the actual amount of land involved was small: about 32 acres. Residential growth accounts for most of the land use changes that took place in Ayer between 1970 and 1999, yet aggregate industrial growth is very close to the total amount of land converted to moderate- and low-density housing. For every one acre of new residential development, Ayer absorbed nearly 0.78 acres of new industrial development. Not surprisingly, these changes mirror the town's zoning policies.²

² Approximately 14 acres of aggregate industrial development reported for Ayer are located in the Devens Regional Enterprise Zone.

Data Sources: MRPC, MassGIS,
ENSR, Town of Ayer

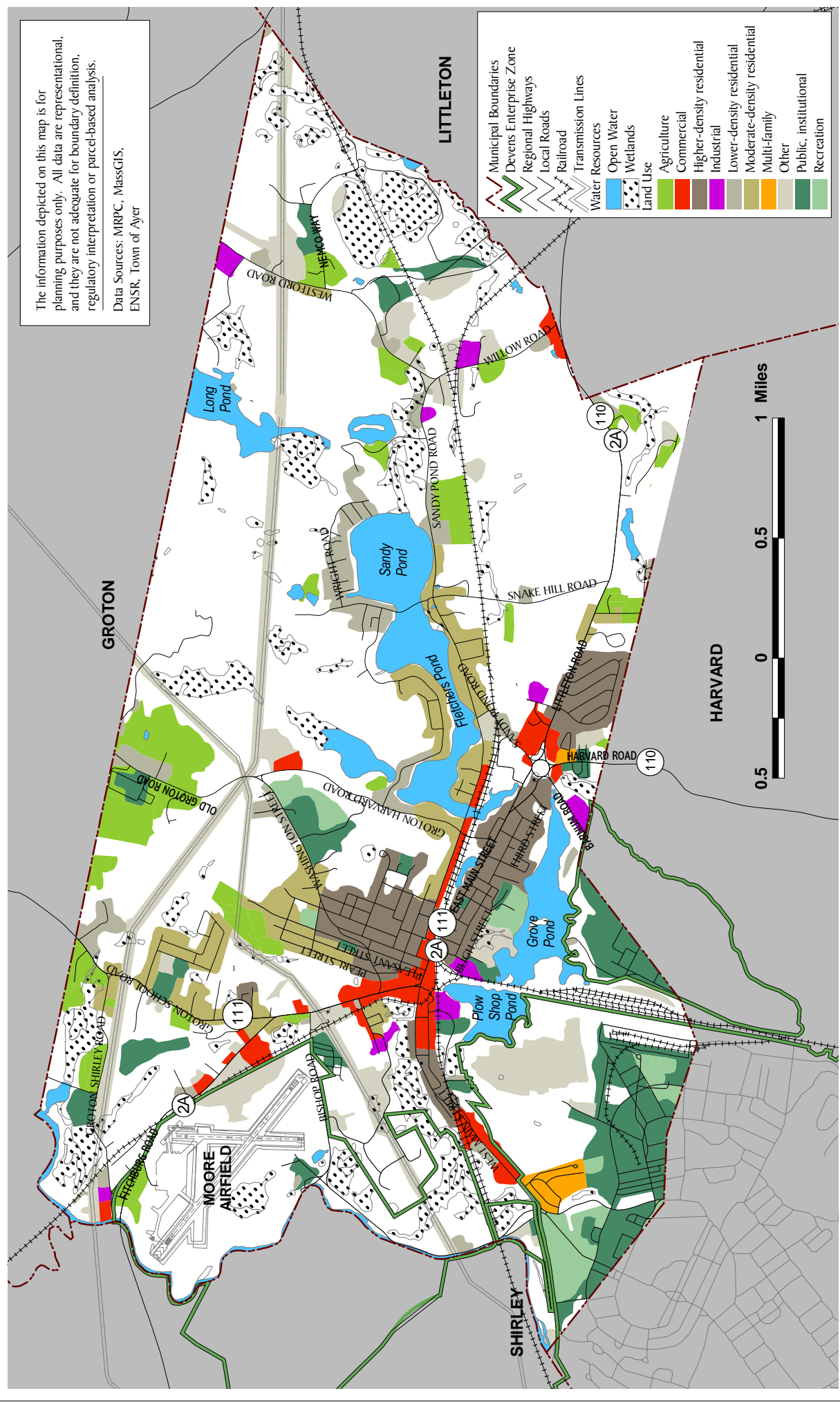


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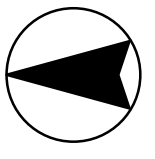
Data Sources: MRPC, MassGIS, ENSR, Town of Ayer



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Map 2-B

Land Use: 1971

May 24, 2004

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Table 2-1: Land Use Change, 1971-1999³

Class of Land Use	Acres in Use			Percent Change
	1971	1985	1999	
Agriculture	266.1	225.7	125.2	-53.0%
Forest	3,128.0	2,891.8	2,593.3	-17.1%
Recreation	95.2	95.2	87.8	-7.8%
Public-Institutional	342.7	354.6	341.3	-0.4%
Multi-Family Residential	26.5	46.5	57.9	118.5%
Higher-Density Residential	276.3	276.3	273.7	-1.0%
Moderate-Density Residential	271.7	293.0	356.9	31.3%
Low-Density Residential	169.8	175.1	282.5	66.3%
Commercial	122.0	148.1	172.8	41.6%
Industrial	41.9	96.7	197.8	372.0%
Transportation	283.1	446.1	407.8	44.0%
Open Water	397.0	397.0	397.0	0.0%
Wetlands ⁴	213.7	200.0	208.5	-2.4%
Other	447.4	435.6	579.3	29.5%

Land Use % of Town Area

Rural Open Space	55.8%	51.3%	44.7%
Urban Open Space	7.2%	7.4%	7.1%
Residential Development	12.2%	13.0%	16.0%
Residential % Low-Density	22.8%	22.1%	29.1%
Commercial & Industrial	2.7%	4.0%	6.1%

Source: MassGIS. Statistics by author.

REGIONAL SETTING

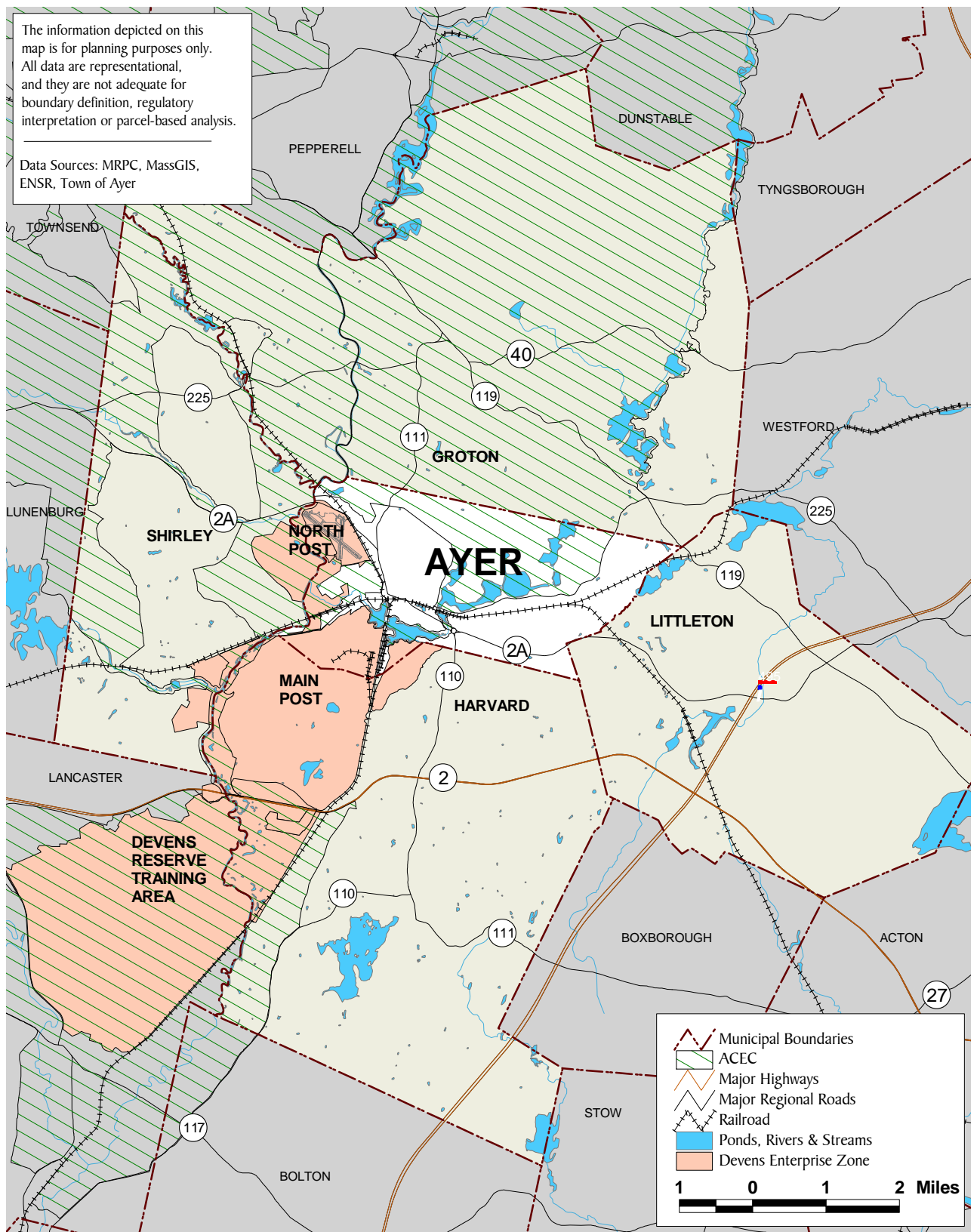
Ayer contributes to and is influenced by several regional geographies. Bounded by Shirley on the west, Harvard on the south, Littleton to the east and Groton to the north (Map 2-D) Ayer is a “borderlands” community of Middlesex County. Its setting, economy and demographic profile make Ayer more like a number of small towns along the eastern edge of Worcester County than the affluent, high-growth communities that dominate much of the I-495 corridor. Ayer is also located at the convergence of two regional planning areas: that of the Montachusett Regional Planning Commission (MRPC), which includes Ayer, and the Metropolitan Area Planning Council (MAPC), which includes Littleton.

³ Table 2-1 reports land use by acres of *coverage*, not by acres in parcels that have been developed for each class of land use. “Coverage” captures the amount of land physically in use, such as residential acres that support homes, accessory buildings, driveways and residential streets. In Ayer and most communities, however, many residential parcels have more land than the municipality requires for a dwelling unit, and many commercial or industrial parcels have extra land that is not directly used for business operations. As a result, the amount of land in residential, commercial and industrial parcels differs from the amounts of land in residential, commercial and industrial use shown in Table 2-1. See also, Section 2.3.

⁴ In the state’s land use mapping program, “wetlands” does not include all wetland resources areas as defined in M.G.L. c.131, §40.

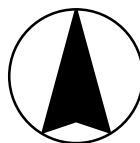
The information depicted on this map is for planning purposes only. All data are representational, and they are not adequate for boundary definition, regulatory interpretation or parcel-based analysis.

Data Sources: MRPC, MassGIS, ENSR, Town of Ayer



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Map 2-D
REGION
May 24, 2004

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Water forms an inseparable bond between Ayer and other towns nearby. The most obvious connection is the Nashua River, which serves as the historic boundary between Ayer and Shirley. Approximately 83% of Ayer lies within the watershed of the Nashua River basin and 17%, the Merrimack River basin.⁵ The drainage divide that separates them runs through Ayer just west of Westford and Willow roads. In addition, residents and businesses rely on groundwater for their drinking water supplies, so the size, yield and quality of regional aquifers are very important to everyone. Significant aquifers cross through Ayer, including medium- and high-yield aquifers in the Devens Regional Enterprise Zone, a medium-yield system south of Sandy Pond, and medium- and high-yield aquifers along the eastern edge of town by Spectacle Pond.

Roads provide the crucial link that enables Ayer to develop and sustain a vital place in the region's economy. While the town is not served directly by the interstate highway system, I-495 provides access to Ayer at the Route 2 and 2A interchanges in neighboring Littleton. Routes 2A, 110 and 111 run through Ayer and connect with other regionally significant roads, including routes 40, 225, 119, and 13 to the north and west, routes 27 and 3 to the east, and routes 117 and 62 to the south. The town's relationship to these state highways helps to explain its place within overlapping labor market areas (LMA): the North Central region, where the largest urban employment centers are Fitchburg, Leominster and Gardner, and the Boston region. While most of Ayer's labor force commutes to cities and towns along I-495 and to the east, a majority of those who work in Ayer each day travel from communities to the north and west.⁶

Nearly 44% of the town falls within two Areas of Critical Environmental Concern (ACECs): the Petapawag ACEC that extends from the geographic center of Ayer through Groton, Pepperell, Dunstable, Tyngsborough, and the larger Squannasit ACEC, which begins along the western end of Ayer and covers portions of Shirley, Lunenburg, Ashby, Townsend, Pepperell, Groton, Harvard and Lancaster. Together, these state-designated zones include 68,000 acres of land around a shared resource, the Nashua River.

Understandably, many people in Ayer think of the former Fort Devens as their most important regional connection. Together with Harvard and Shirley, Ayer has a role in steering the redevelopment and disposition of Fort Devens through its seat on the Joint Boards of Selectmen (JBOS) and participation on several Devens planning committees. The town is also represented on the Devens Enterprise Commission (DEC), the development review board with omnibus permitting authority under the Devens Reuse Plan. Like Harvard and Shirley, Ayer adopted an Interim Planning Overlay District (IPOD) for its land at the former Fort Devens in 1992, but since the communities do not have jurisdiction over zoning and land use, development inside the Devens Regional Enterprise Zone is regulated by the Devens Zoning Bylaw.

⁵ Unless noted otherwise, the natural resource statistics reported here represent the author's analysis of GIS data obtained from Montachusett Regional Planning Commission (MRPC) and MassGIS.

⁶ U.S. Department of Commerce, Bureau of the Census, Census 2000, Summary File 3, "MCD/County-to-MCD/County Worker Flow Files," <<http://www.census.gov>>.

LAND USE PATTERN

Natural Features

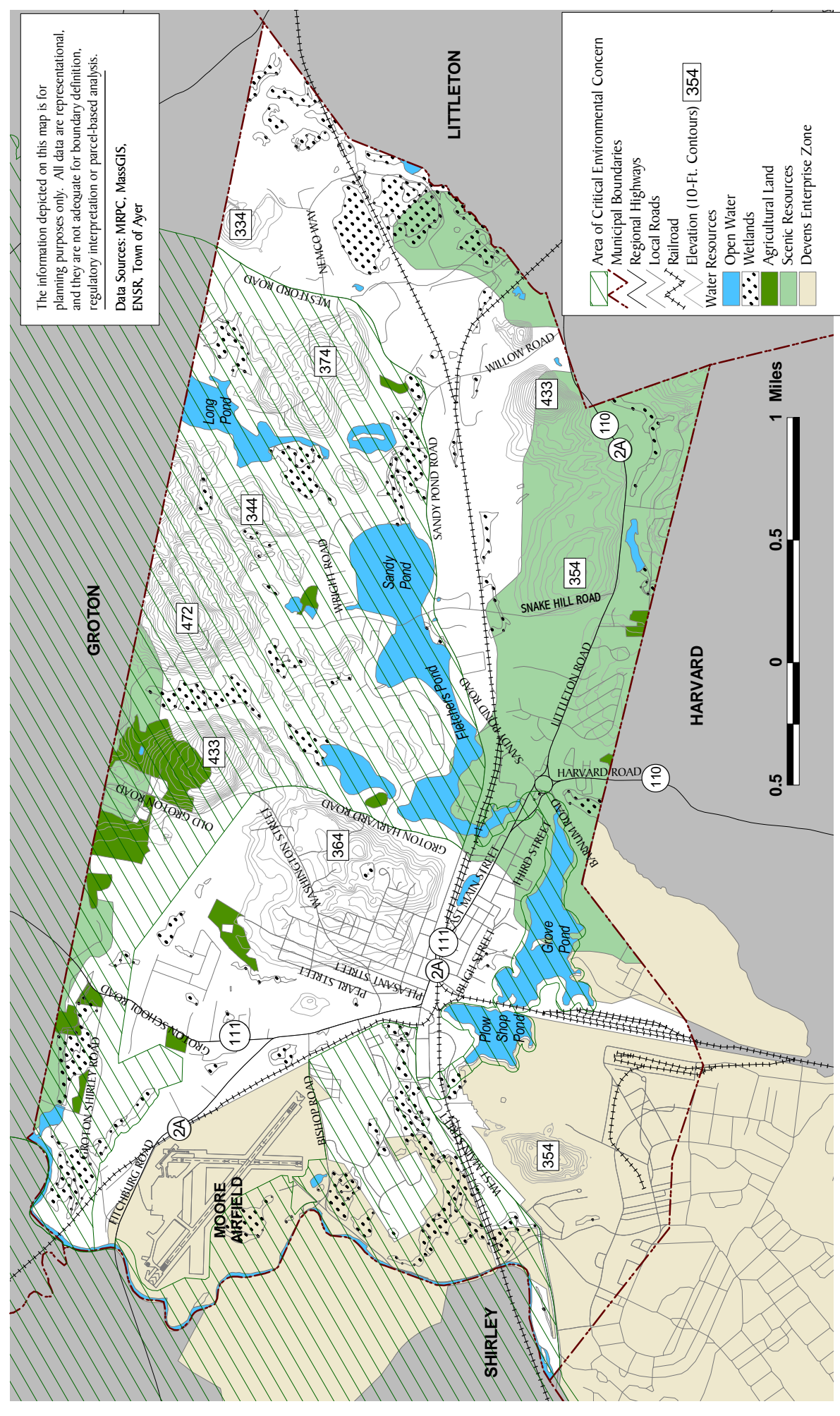
While Fort Devens had obvious impacts on growth and change, Ayer is much more than an industrial village-turned-Army town. Open water figures prominently in Ayer as a natural, recreational and scenic resource. The large ponds that extend across the central and northern ends of town provide Ayer's most intriguing physical feature. Four of these ponds – Plow Shop, Grove, Fletcher and Sandy ponds – were formed by the impoundment of Nonaicoicus Brook, and Sandy and Long ponds qualify as Great Ponds (10+ acres).⁷ Nearly 14% of the town is comprised of open water and wetlands, primarily forested wetlands and shrub swamp.⁸ The town also has five small but noteworthy watercourses: the Nonaicoicus Brook, which drains Plow Shop Pond and feeds the Nashua River, Willow Brook through the Devens Regional Enterprise Zone, which merges with the Nonaicoicus Brook in Ayer, James Brook on the north, extending from Groton across northwest Ayer to the Nashua River, Cold Spring Brook on the south, forming part of the boundary between Harvard and the Devens Regional Enterprise Zone, and Bennett's Brook on the east, which discharges to Spectacle Pond and defines a portion of the boundary between Ayer and Littleton.

Water has played an important role in determining the location and direction of Ayer's roads. The Nashua River and Spectacle Pond effectively limit east-west access, and the one roadway string that extends across the full length of town — Route 2A to West Main Street — bends to the town's unusual collection of ponds. This interrelationship between water and roads also means that in Ayer, water often forms a natural dividing line between higher- and lower-density land uses.

The town's landscape is defined not only by an abundance and diversity of water resources, but also by the large hills and substantial tracts of forested and open land that remain visible from the road, mainly in the northern end of town. Aside from their ecological value, these woods provide a natural separation between Ayer's urban and rural areas. High elevations exist across northern Ayer, notably from Washington Street up to Old Groton Road, between Old Groton Road and Long Pond (Snake Hill), and between Long Pond and Westford Road. Snake Hill Road follows a steep ridge from Littleton Road to Sandy Pond Road, and between Snake Hill Road and the Littleton town line, the landscape rolls around the base of two large hills north of Littleton Road. In addition, there is a high point between Macarthur Avenue, Antietam Street and Cooke Street in the Devens Regional Enterprise Zone. Map 2-E shows that nearly 18% of Ayer's total area is recognized in the Commonwealth's Scenic Resources Inventory.

⁷ Department of Environmental Protection (DEP), Waterways Regulation Program, "Great Ponds of Massachusetts," 14 April 1997, <<http://www.mass.gov/dep/brp/waterway/files.>>

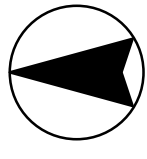
⁸ U.S. Fish and Wildlife Service, National Wetlands Inventory, February 2003, available from MassGIS at <<http://www.state.ma.us/mgis/nwi.htm>>.



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Map 2-E
Significant Features

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Transportation Features

Ayer's 49.5 miles of public roads, including three state highways (routes 2A, 110, 111), consume about 350 acres of the town's total area.⁹ Six miles of the Ayer's road network function as arterial streets while 10 miles serve as collectors, or roads that channel local traffic to and from regional routes. The remaining 33 miles are local streets that serve neighborhoods and small businesses, generally carrying local traffic within the community, and internal streets in the Devens Regional Enterprise Zone. Traffic entering from the south is directed variously toward the former Fort Devens, downtown Ayer, Groton and Littleton at the Carlton Rotary in Ayer, just over the Harvard town line. The rotary merges and divides routes 2A, 110 and 111, channeling traffic to the north and east toward Ayer's industrial areas along Westford and Willow Roads, into the Devens Regional Enterprise Zone on Barnum Road, and west to Downtown Ayer.



MacPherson Road, passing under the MBTA commuter rail, runs along the Nashua River and connects the core of the Devens Regional Enterprise Zone with the North Post.

A noteworthy aspect of Ayer's road system is its limited number of through streets. Except for Barnum Road, all of today's major through roads existed more than 100 years ago. Although the town has far more roads now than it did at the turn of the century, most of Ayer's 20th century growth occurred along existing roads (in the form of "Approval Not Required" lots) or in association with dead-end or cul-de-sac streets. As a result, there are few roadway connections between neighborhoods. Nearly one-fourth of the town's roads, measured in miles, are dead-end streets or small subdivision roads that terminate in a cul-de-sac.

The railroad system that inspired Ayer's secession from Groton left a lasting imprint on the town. Today, the MBTA commuter rail Fitchburg Line, which carries passengers from the north-central part of the state to North Station in Boston, crosses the town from east to west and stops at a station adjacent to downtown Ayer. South of the downtown area, Ayer also has regional rail and truck terminals that serve central and eastern Massachusetts. These facilities make use of historic Boston & Maine Railroad tracks that extend across much of the Commonwealth, with freight operations largely under the control of the Springfield Terminal Railway Company (STRC). In addition, the state recently completed an 11.2-mile

⁹ With unaccepted ways and private roads in Ayer, and non-federal or unnamed access roads inside Devens, Ayer has about 67 miles of roadways. Data sources: MassHighway, State Roads Inventory, October 2003, available from MassGIS; ENSR, Inc., for the Town of Ayer, Assessors Parcel Map, Fiscal Year 2001, CD-ROM (date uncertain).

rail trail along the abandoned Boston & Maine Railroad tracks between Ayer and the New Hampshire border.

Ayer is host to a now-closed military airport known as Moore Army Airfield. Built in 1940, the airport property includes about 210 acres of land between Bishop Road and Fitchburg Road (Route 2A) in the North Post of the former Fort Devens. Moore Army Airfield was a small operation, consisting of one long runway of about 4,700 feet, two 500-foot helicopter runways, taxiways and a ramp. It was closed to air traffic after the Army transferred Fort Devens to state control. The Army retains ownership of 20 acres at the airfield, but most of the site is currently used for police vehicle storage, auto races and a motorcycle school.

Residential Development

A common feature of urbanized rural economic centers is that a comparatively small percentage of their land is devoted to residential development. All of these towns have areas with fairly dense housing within or immediately adjacent to central business districts and old industrial compounds. Since they began as agricultural outposts of other communities, urbanized rural economic centers usually have a substantial amount of farmland and woods connected to their industrial villages by a modest frame of old roadways.

Owing to this constellation and arrangement of land uses — industry, commerce and homes connected by a grid of narrow streets and railroad tracks,

surrounded by open land — rural economic centers had, and they tend to retain, visually and functionally mixed patterns of development. They differ from other small, rural towns by the location, size of age of their industrial buildings and the imprint of industrialization on modern-day land use.



Older residential areas in Ayer are composed of small lots and homes that sit close to the street.

Aside from the unique influence of Fort Devens, Ayer's development profile is comparable to that of other urbanized rural economic centers. Since the 1950s, residential growth in Ayer has gradually blurred the distinction between urban and rural parts of town. This is evident not only in the land use maps (Maps 2-B and 2-C), but also in federal census data. Map 2-F reinforces what must be obvious to everyone in Ayer: the most densely populated census block groups also have the largest percentage of homes built prior to 1940. However, less than 35% of Ayer's 3,154 housing units are located in these areas, while a plurality (44%) of all homes in town occupy land in adjacent block groups where new growth occurred between 1950-1965. Table 2-2 provides a summary of housing characteristics in Ayer by census block group.

Data Sources: MRPC, MassGIS, ENSR, Town of Ayr



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The lowest-density section of Ayer, generally east and north of Snake Hill Road, has the largest percentage of homes built since 1980, the largest percentage of single-family dwellings, and most of Ayer's most recently approved subdivisions. In contrast, downtown neighborhoods offer a higher-density arrangement of older homes and a wide range of housing units. A pattern of mixed housing types extends from West Main Street to the rotary, and converts to primarily single-family homes beyond and north of Devenscrest.

Table 2-2: Geographic Distribution of Housing Units¹⁰

Characteristic	Census Block Group (Middlesex County Tract 3251)						
	1	2	3	4	5	6	7
Housing Units (Total)	472	627	257	312	514	651	321
Land Area (Acres)	2,069.5	1,207.3	121.0	238.5	154.7	420.9	321.8
Housing Units/Acre	0.23	0.52	2.12	1.31	3.32	1.55	1.00
Housing Type							
One-Family Detached	281	442	126	172	122	132	105
One-Family Attached	31	0	12	11	10	153	10
Two-Family	30	36	68	33	67	122	82
Multi-Family	130	90	51	96	315	244	124
Mobile home	0	59	0	0	0	0	0

Source: Census 2000, Summary File 3, Tables H1, H30; MassGIS. Table 2-2 omits Block Group 8, the Devens Regional Enterprise Zone. (Note: Summary File 3 reports sample data, so the actual number of dwelling units in each block group may vary somewhat from the numbers reported in Table 2-2.)

Today, residential development encompasses about 24% of Ayer's land area, excluding the Devens Regional Enterprise Zone. Although Table 2-2 demonstrates that housing density varies tremendously across town, it reports density on the basis of land in each census tract, not land that is physically used for housing. Ayer's 1,075 acres of residentially developed land support more than 3,150 housing units, for an average density of 2.93 units/developed acre. Not surprisingly, single-family homes consume most of the land, 798 acres, or 1.6 homes per acre. By suburban standards, the density of residential development in Ayer is high. However, Ayer is not like its suburban neighbors along and east of I-495. The physical and economic relationships between housing and economic development in Ayer shed light on the residential land use pattern that exists here, and it is important to recognize these qualities in planning for future growth.

Commercial & Industrial Development

"Commercial development" includes land used for a wide variety of businesses: retail stores, gas stations, wholesale establishments, professional offices, banks, restaurants, hotels, cinemas, sports centers, personal service establishments, lumber yards, commercial greenhouses, storage facilities, day care centers, nursing homes, and so forth. "Industrial development," also varied, consists of traditional manufacturing, research and development, industrial warehouses and distribution facilities, sand and gravel operations, and public

¹⁰ Table 2-2, and subsequent tables based on federal census geography, omit Census Block Group 8 because it is coterminous with the Devens Regional Enterprise Zone.

utilities. Given Ayer's history, it makes sense that the town would have a tradition of favoring commercial and industrial land uses. In fact, the number of acres developed for commercial and industrial purposes in Ayer (1,024) nearly equals the number of acres developed for housing. Local residents might question this, for even though the town has several large industrial employers and commercial businesses operate all along Route 2A, the sheer visibility of Ayer's housing and the large amounts of seemingly open land around many industrial sites create an impression that belies actual land use conditions. In addition, the total assessed value of commercial and industrial real estate is less than half the value of residential development.¹¹

In terms of land use, a significant feature of Ayer's industrial base is the amount of land devoted to public utilities: nearly 30% of all industrially developed acres. As a result, Ayer's largest industrial taxpayer is New England Hydro-Trans Electric Corp., the company that owns the large substation off Westford Road and the transmission lines that cross the town. Table 2-3 summarizes the kinds of commercial and industrial development that exist in Ayer today.

Table 2-3: Commercial & Industrial Development by Acres and Class of Use

Land Use	Developed Acres	Total Assessed Value
<u>Auto-Related Uses</u>		
Car Wash	1.06	\$285,300
Commercial Parking Lot	3.27	\$958,000
Fuel Service	8.90	\$2,436,000
Repair	13.18	\$2,029,900
Sales & Service	4.61	\$1,284,300
Supplies Sales & Service	1.11	\$858,700
Other (Condo Ownership)	0.00	\$1,207,200
Other M/V Sales & Service	42.04	\$3,398,100
Commercial Storage, Warehouse	47.21	\$12,607,700
Indoor Recreation: Health Facility	0.22	\$193,400
Industrial Warehouse	72.49	\$17,233,700
Lumber Yard	35.73	\$1,000,200
Manufacturing	324.65	\$67,237,800
Mixed-Use Commercial	34.72	\$8,328,700
Motel	2.25	\$916,300
Nursing Home	5.26	\$5,983,300
<u>Office & Related Uses</u>		
Banks	2.55	\$2,980,300
Office Condominiums	0.00	\$4,166,200
Professional & Medical Offices	5.47	\$2,467,700
Commercial Recreation-Outdoor	5.44	\$1,663,500
<u>Retail & Restaurant Uses</u>		
Hardware, Lumber Supplies	6.63	\$1,951,000
Restaurant, Diner, Bar	9.25	\$4,946,000

¹¹ Massachusetts Department of Revenue, Division of Local Services, "Assessed Valuation," retrieved from Municipal Data Bank, <<http://www.dls.state.ma.us/dls>>.

Table 2-3: Commercial & Industrial Development by Acres and Class of Use

Land Use	Developed Acres	Total Assessed Value
Small Store (<10,000 ft ²)	10.30	\$5,395,500
Shopping Center	1.40	\$787,900
Supermarket	3.00	\$1,005,000
Sand & Gravel	89.60	\$2,042,200
Transportation	52.18	\$988,800
Trucking Terminal	17.16	\$1,720,200
Utility Company	211.32	\$35,922,100
Total	1,011.63	\$191,995,000

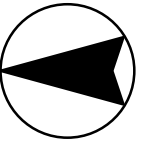
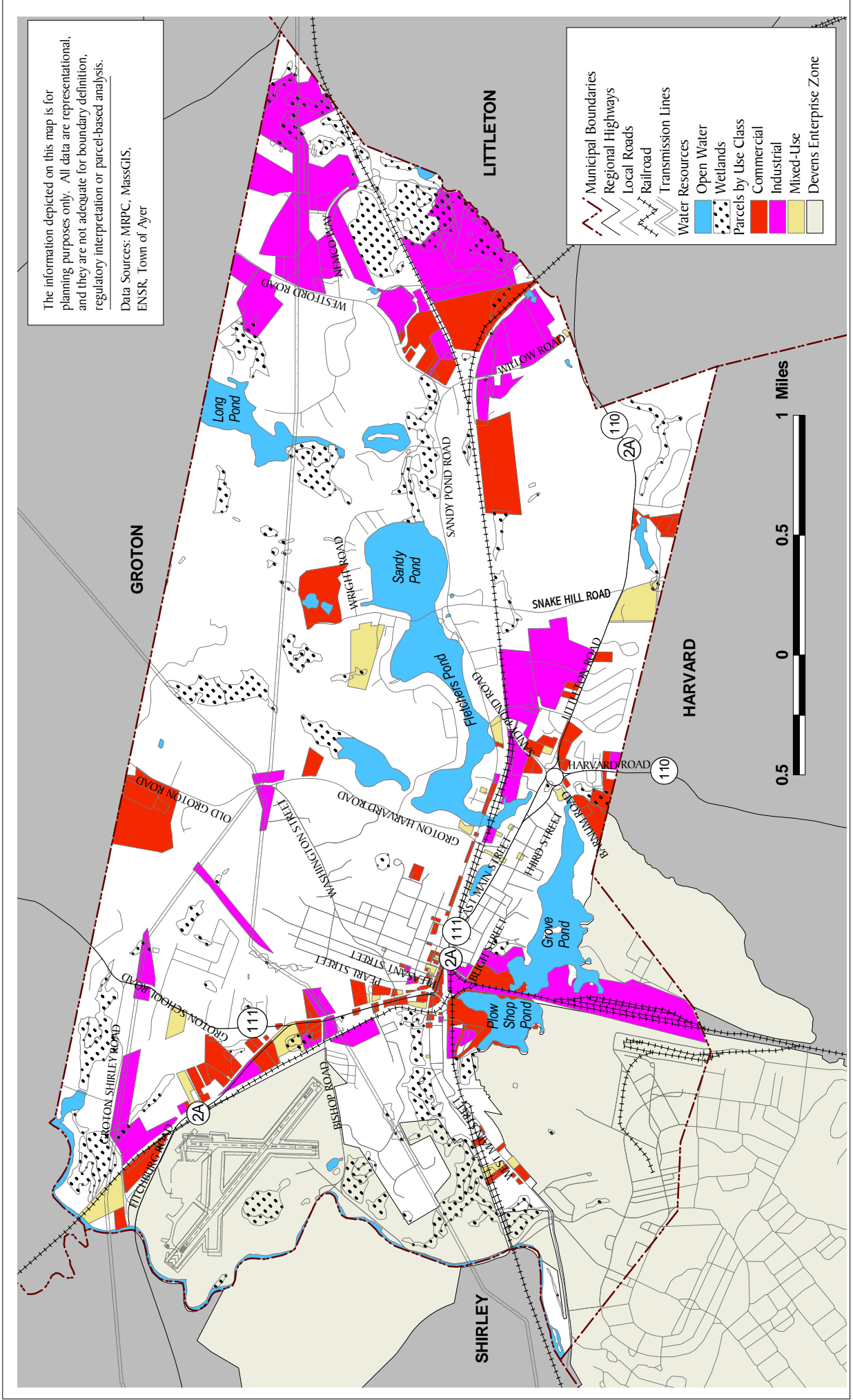
Source: Ayer Assessor's Office, FY03 Property Record Database. Calculations by author. (Note: acres not reported for condominium developments, but aggregate land used for these projects is about 12.4 acres, for a total of 1,024 acres of commercial and industrial development.)

In addition to the large amount of land involved, commercial and industrial activity is broadly distributed throughout Ayer. Map 2-G shows that commercial businesses, though more prevalent in the western half of town, are interspersed with industrial development east and west of the rotary; often, business and industrial uses intertwine with residential neighborhoods. The arrangement of Ayer's older mixed-use areas lends to the town's charm, in part because of compatibility in form and scale. In more recently developed parts of Ayer, however, the close proximity of industrial and residential uses has been less successful. The low-density pattern of residential and industrial development east of Sandy Pond conveys a strikingly different image of Ayer than the impressions created by downtown Ayer or by areas near the Carlton Circle. Moreover, the census tract with most of Ayer's new homes also has the largest amount of land in commercial and industrial use (primarily industrial). Table 2-4 provides an analysis of commercial and industrial land uses by federal census tract, i.e., the geographies reported in Table 2-2.



Recent commercial development has been along Park Street, north of downtown Ayer.

Underutilized land is very common in Ayer's commercial and industrial base. Among manufacturing establishments, the average floor-to-area ratio (FAR) is only 0.23 — meaning 230 ft² of built space for every 1,000 ft² of industrially developed land. While commercial land use is clearly more intensive in downtown Ayer, many of the commercial and industrial projects built during the past 25 years tend to be low-rise structures with relatively large building footprints, and because of parking and other requirements, they often occupy large lots. The average FAR for retail businesses is somewhat higher, about 0.46, but new retail development demonstrates a clear trend toward lower-intensity land use. One of the consequences of this pattern is that it consumes



successively greater amounts of land to support modest amounts of business growth. In most cases, the assessed value per acre of Ayer's commercial and industrial development increases as the intensity of use increases.¹²

Table 2-4: Geographic Distribution of Commercial & Industrial Development

Characteristic	Census Block Group (Middlesex County Tract 3251)						
	1	2	3	4	5	6	7
Land Area	2,069.47	1,207.27	121.00	238.52	154.71	420.90	321.80
<u>Existing Development</u>							
Commercial-Industrial	452.71	198.55	6.15	8.79	47.63	168.81	93.87
% Comm.-Industrial	21.9%	16.4%	5.1%	3.7%	30.8%	40.1%	29.2%
Residential	336.22	321.03	59.82	86.48	86.49	124.53	66.74
% Residential	16.2%	26.6%	49.4%	36.3%	55.9%	29.6%	20.7%
<u>Industrial Uses</u>							
Manufacturing	69.96	19.99	0.02		24.42	67.59	10.32
Other	152.01				1.24	55.02	9.74
Public Utilities	104.09	37.96	4.25				7.23
<u>Commercial Uses</u>							
Retail & Food Service	0.88	8.63	0.18	2.58	2.50	2.25	10.19
Auto-Related	10.06	16.30	0.57	1.21	0.93	14.51	6.92
Offices	0.59	46.35	0.02	1.31		2.37	0.47
Other	113.79	22.03	0.12	3.00	12.94	11.02	43.60
Mixed Use	1.34	47.30	0.98	0.68	5.60	16.05	5.39

Source: Ayer Assessor's Office, FY03 Property Record Database, MassGIS, ENSR. (Note: residential acres reported in Table 2-4 exceed residential acres in assessor's property database by ~6 acres due to minor differences in digital parcel boundaries.)

Open Space & Vacant Land

Ayer has a considerable amount of vacant land, but some of it is undevelopable and very little of it has been classified as significant open space. Weaknesses in town records make it difficult to measure and characterize all types of land that would typically be defined as open space. However, Montachusett Regional Planning Commission (MRPC) and the state maintain an inventory of land owned by public agencies, land under Chapter 61, 61A or 61B agreements,¹³ and parcels owned or controlled by non-profit land trusts. According to these non-local sources, Ayer has approximately 1,200 acres of open space, 764 of which are protected in some fashion from being developed in the future.

¹² Data source: Ayer Assessor's Office, FY 2003 Property Records Database, in Microsoft Excel format, supplied to Community Opportunities Group, Inc., by Ayer Office of Community Development, August 2004. Statistics by author.

¹³ M.G.L. c.61, 61A and 61B allow a qualifying property owner to enter into an agreement with the board of assessors to restrict land for forestry, agricultural or recreational use. In exchange for a substantially reduced assessment, communities obtain a right of first refusal to acquire the restricted land if the owner decides to develop it.

Ayer's permanently protected open space includes 311 acres that were attached to the Oxbow National Wildlife Refuge when Fort Devens closed several years ago. Most of the remaining protected acres (453) are owned and managed by town departments: the Conservation Commission (~188 acres), the Public Works Department (~49 acres for water supply), the Ayer Public Schools (~60 acres), the Parks Department (~20 acres), and an assortment of small holdings.



Some agricultural lands remain in the northern reaches of Ayer.

Table 2-5: Geographic Distribution of Vacant Land and Unprotected Open Space¹⁴

	Census Block Group (Middlesex County Tract 3251)						
	1	2	3	4	5	6	7
Land Area	2,069.47	1,207.27	121.00	238.52	154.71	420.90	321.80
Potentially Developable Land	731.08	229.08	18.61	35.74	8.03	18.90	30.47
% Total Area	35.3%	19.0%	15.4%	15.0%	5.2%	4.5%	9.5%
<u>Use Class</u>							
Residential	359.53	80.38	18.55	34.07	2.60	11.53	3.11
Commercial		4.88	0.05	0.85	4.72	2.86	19.34
Industrial	79.37	19.01		0.82	0.72		8.02
<u>Open Space</u>							
Chapter 61	174.59	30.17				0.14	
Chapter 61A	69.70	50.62				4.38	
Chapter 61B	47.89	44.02					

Sources: Ayer Assessor's Office, FY03 Property Record Database, MassGIS, ENSR.

The Commonwealth of Massachusetts also owns the former Ayer Game Farm, an 87-acre tract off Groton Shirley Road. By non-urban standards, Ayer's open space inventory is conspicuously small. Of the nearly 5,000 acres of land over which Ayer sprawls — excluding the Devens Regional Enterprise Zone — protected open space constitutes only 9%. In addition, some of the town-owned parcels that the state classifies as "protected" are not legally protected from future change, such as property owned by the school department or water supply land that the town could abandon one day in favor of new well sites. While it is very unlikely that these kinds of properties will ever be reused for other purposes, the

¹⁴ Table 2-5 reports *estimated developable vacant land* by census tract, considering (1) acres assessed as developable and potentially developable, and (2) privately owned open space, both adjusted for natural constraints identified with GIS. As a result, the land summary in Table 2-5 does not include all acres under Chapter 61, 61A or 61B agreements, and it also omits undevelopable land. For a complete list of open space in Ayer, see Appendix D.

only constraint against abandonment, sale and development is Ayer's own need for the public facilities that exist on them today.

Except for somewhat different acreage estimates, the state's open space records for Ayer and the town's tax assessment records generally agree about the amount of land that is temporarily protected from development. Approximately 500 acres of land in Ayer are subject to Chapter 61, 61A or 61B agreements that limit the owners' freedom to develop their property. The largest holdings include several contiguous forestry parcels on Snake Hill Road, agricultural parcels on Snake Hill Road and Old Groton Road, and the Ayer Sportsmen's Club. The most common type of privately owned, vacant land in Ayer has neither temporary nor permanent prohibitions against development. Local property data matched to a digitized assessor's map show that Ayer has about 1,072 acres of vacant land with evident or potential development capacity, including land under Chapter 61, 61A or 61B agreements. Nearly 86% of Ayer's vacant developable land is zoned for residential use. Table 2-5 reports the distribution of privately owned vacant land and open space.

LAND USE & ZONING

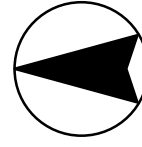
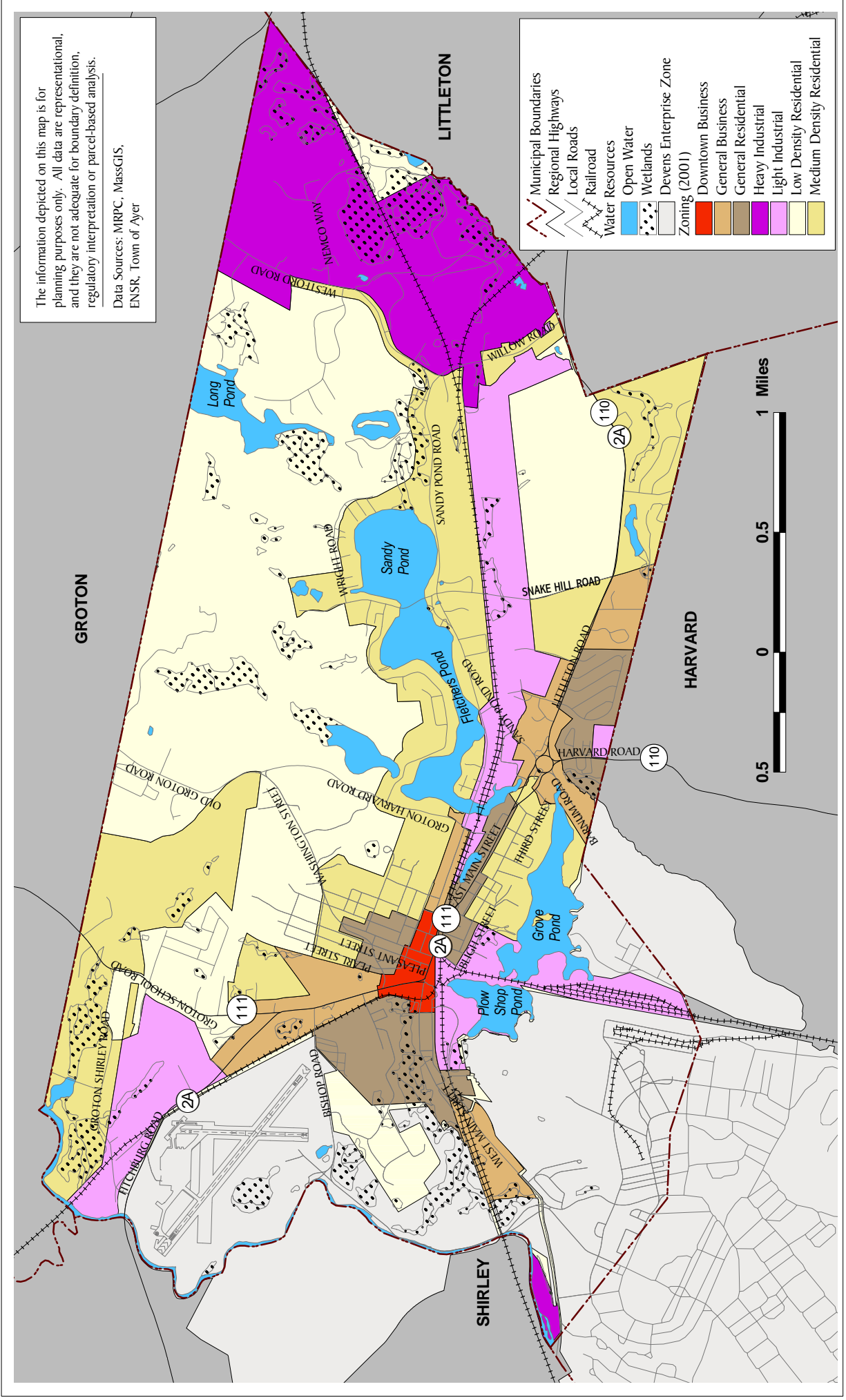
Ayer adopted its first Zoning Bylaw in 1973 and has amended it many times, including amendments that were intended to address some recommendations of the last Comprehensive Plan Update (1997). The town is divided into three residential districts, two commercial districts and two industrial districts (Map 2-H), and Ayer also has overlay districts to protect groundwater and floodplain areas. The following summary of each zoning district is based on the most recently published version of the Ayer Zoning Bylaw (May 2001) and an updated zoning map that Planning Board commissioned in 2001.¹⁵

Residential Zoning

Ayer's zoning provides for three residential districts: General Residence, Residence A-1, and Residence A-2. To some extent, the boundaries and land use policies of each district reflect the established or emergent development pattern that existed in the early 1970s.

The 285-acre General Residence District includes the mature, established neighborhoods around downtown Ayer: areas with relatively high-density development and, due to the age of the buildings, some of the finest residential architecture that Ayer has to offer. It also includes Devenscrest, a densely developed neighborhood of former military housing located between Littleton Road and the rotary. Ayer's Residence A-2 District consists of about 1,326 acres in the central, northwest and southeast sections of town. It extends the full length of Sandy Pond Road and includes pockets of land between Old Groton Road and Groton

¹⁵ A zoning map prepared by ENSR, Inc., was proposed but withdrawn by the Planning Board at the 2001 Annual Town Meeting. Local officials continue to disagree about the accuracy of the map. However, Ayer's official zoning map does not reflect changes approved by town meeting after 1984. At the Planning Board's direction, this plan relies on the zoning district boundaries shown on ENSR's 2001 update and all area estimates (in acres) referred to in Section B-2 are based on the ENSR map, unless otherwise noted.



School Road, north of Groton Shirley Road, south of East Main Street and Littleton Road, and west of Snake Hill Road.

The largest residential zone, Residence A-1, covers most of northern Ayer between Groton School Road and Westford Road, and land east of Snake Hill Road, or approximately 1,899 acres of the town. Residence A-1 is also the default zoning for Ayer's land in the Devens Regional Enterprise Zone (1,092 acres), though it is legally referred to as the Interim Planning Overlay District.¹⁶

Table 2-6: Summary of Residential Use and Dimensional Requirements¹⁷

Basic Requirements	A-1	A-2	GR
<u>Uses</u>			
Single-family home	P	P	P
Rooming house	P	P	P
Two-family: conversion	SP	SP	P
Two-family: new construction	N	N	SP
Multi-family or townhouse dwelling	N	N	P
Bed & breakfast	SP	SP	P
Home occupation	SP	SP	SP
<u>Dimensional Standards</u>			
Minimum Lot Area (ft ²)	40,000	12,000 ¹⁸	10,000 ¹⁹
Minimum Frontage	150	100	100
Minimum Side Yard Setback	15	15	10
Minimum Rear Yard Setback	30	25	25
Minimum Front Yard Setback	35	20	20
Height/Stories	2.5	2.5	2.5
Height/Feet	35	35	35
Minimum Open Space % Lot Area	80%	60%	50%

Source: Ayer Zoning Bylaw (updated May 2001)

The three residence zones differ by the types of homes that can be built and the minimum lot size required for new dwelling units. Table 2-6 summarizes the use and dimensional regulations that apply in Ayer's residential districts.

¹⁶ The ENSR map (2001) assigns all land in the Devens Regional Enterprise Zone to A-1 because town meeting reportedly reclassified the area from IPOD to A-1 at the 1993 Annual Town Meeting. Since action on ENSR's map was indefinitely postponed, the IPOD designation remains part of the official zoning map. However, there is apparently no difference because Ayer's IPOD was based on A-1 zoning regulations.

¹⁷ Cluster development is allowed in all districts by special permit from the Planning Board.

¹⁸ Increases to 24,000 ft² for single-family to two-family conversions.

¹⁹ Plus 3,000 ft² for each additional dwelling unit.

Commercial & Industrial Zoning

Nearly 30% of Ayer's land is zoned for commercial and industrial development. The two commercial districts, Downtown Business (DB) and General Business (GB), provide for a broad range of uses as shown in Table 2-7. The DB District applies to 38 acres along Main Street and West Main Street, between Adams Street on the east and Mechanic Street on the west, and along Park Street to approximately one block north of Groton Street. The General Business District is much larger (270 acres) and it applies to land in five locations: West Main Street, Park Street, Main Street east of the DB District, Carlton Circle, and south of Littleton Road east of Devenscrest.

Although the Zoning Bylaw expresses separate purposes for the Light Industrial (LI) and Heavy Industrial (HI) districts, the two zones are virtually the same as to use regulations and minimally different in dimensional standards. The LI District is in four locations, including the northeast corner of town adjacent to Shirley, just north of the former Fort Devens (North Post); south of Main and West Main streets around Plow Shop and Grove ponds, adjacent to the Devens Regional Enterprise Zone; at the Ayer-Harvard border near Devenscrest; and land along the railroad tracks crossing Sandy Pond and Snake Hill roads to Willow Road. Nearly all of the land between Westford Road, Willow Road and the Littleton town line is in the HI District. Together, the two industrial zones cover 1,160 acres of the town.

Table 2-7: Commercial-Industrial Use Regulations

Commercial Uses	DB	GB	LI	HI
Hotels, motels, inns	P	P	P	P
Funeral home, mortuary	SPZ	P		
Retail stores, showrooms	P	P	SPZ	
Personal services	P	P	P	
Restaurants, food service establishments	P	P	P	
Workshops for on-site sale of goods	P	P	P	
Offices	P	P	P	
Banks	P	P	P	
Theatres, other indoor entertainment	P	P	P	
Commercial or public parking	P	P	SPZ	
Auto sales, service, filling stations	SPZ	P	P	
Wholesale and distribution		SPZ	P	
Uses accessory to permitted uses	P	P	P	P
Retail, food service primarily for employees			P	P
Retail of goods primarily wholesaled on premises			P	P
Drive-in/drive-through accessory uses	SPZ	SPZ	P	
Industrial Uses				
R&D, light manufacturing			P	P
Manufacturing, processing, assembly			P	P
Warehousing, interior storage			P	P
Exterior storage			P	P

Source: Ayer Zoning Bylaw (May 2001)

Ayer also allows some residential uses in both districts. Permitted residential uses include single-family to two-family conversions, bed-and-breakfast establishments, rooming houses, dwelling units above the ground floor of commercial buildings, and accessory uses. By special permit, the Zoning Board of Appeals may allow detached single-family homes, home occupations and new two-family homes in the DB and GB districts, and multi-family dwellings in the GB District only.

In addition to basic use and dimensional rules (Table 2-8), Ayer controls development in the commercial and industrial districts with off-street parking requirements, prescribed development methods for each zone, and site plan review. Some of the Zoning Bylaw's present requirements were established in 1999, following recommendations of the last Comprehensive Plan Update in 1997.

Table 2-8: Commercial-Industrial Dimensional Requirements

Standard	DB	GB	LI	HI
Minimum Lot Area	None	15,000	20,000	30,000
Minimum Frontage	None	100	100	150
Minimum Side Yard Setback	None	25	25	25
Minimum Rear Yard Setback	None	30	25	25
Minimum Front Yard Setback	None	20	30	30
Height/Stories	3	2.5	3	3
Height/Feet	40	35	40	40
% Building Coverage	75%	60%	50%	50%
Floor Area Ratio	2.25	1.25	1.25	1.00
Minimum Open Space % Lot Area	5%	20%	30%	20%

Source: Ayer Zoning Bylaw (May 2001)

Overlay Districts

The Zoning Bylaw describes and provides regulations for five zoning overlay districts: the Adult Entertainment Enterprises District, the Flood Plain District, the Wireless Communications Services District, the Water Supply Protection District and the Aquifer Protection District. The Adult Entertainment Enterprises District is very similar to "adult use" bylaws in other communities. The Flood Plain District is also fairly conventional. It applies to all land within the 100-year floodplain identified on the Flood Insurance Rate Map (FIRM). Its purpose is to prevent activity that would cause an increase in flood levels during a 100-year storm event. In Ayer, the Board of Appeals has authority to grant special permits for uses allowed in the underlying zone if the uses comply with protective standards outlined in the bylaw. An unusual feature of Ayer's Flood Plain District is that it explicitly authorizes the Board of Appeals to approve variances, subject to several criteria enumerated in the bylaw. It is not clear that the Flood Plain District bylaw fully complies with M.G.L.. c.40A, §10.

The Wireless Communications Services District was adopted by the town in 2001 and applies to town-owned land, land in the Heavy Industrial District and portions of the Light Industrial and A-1 Residence Districts. As written, the bylaw seems inconsistent with the uniformity provisions of M.G.L.. c.40A, §4 and recent opinions of the Attorney General concerning wireless communications bylaws adopted in other communities. Although the

Attorney General approved Ayer's bylaw in 2001, it may not comply with current legal standards.

Finally, Ayer's Zoning Bylaw include two water resource protection districts that seem to address the same set of concerns. The Water Supply Protection District consists of a brief authorization for the Board of Appeals to grant special permits, but the Zoning Bylaw provides no description of the district's boundaries, no list of permitted and special permitted uses, and no special permit granting criteria. It also contains a maximum impervious coverage provision that exceeds (and therefore conflicts with) the state's model groundwater protection bylaw. In contrast, the Aquifer Protection District essentially follows the Massachusetts Department of Environmental Protection (DEP) model bylaw, which has been available for several years and was last updated two years ago. Although the Board of Appeals is the special permit granting authority for most special permitted uses in Ayer, town meeting assigned this power to the boards of health for activity in the Aquifer Protection District.

Other Aspects of Zoning

In 1999, Ayer adopted a bylaw that authorizes the Planning Board to conduct a site plan approval process for commercial and industrial developments, parking lot expansions and new housing developments. Site plan approval focuses on the design and location of buildings, signs, landscaping, parking, access and egress, drainage, sewage, water supply, and pedestrian walkways. Unlike the review for a special permitted use, site plan approval does not give town boards the discretion to deny a project on the basis of land use. Instead, it is a technical review to minimize development impacts on surrounding properties and protect public safety. Ayer's site plan approval bylaw is similar to that of many communities in Massachusetts. It provides for a public hearing process and a review and comment period for town boards, and it lists several criteria that the Planning Board must consider before acting on a site plan application. The criteria refer in only a general way to architectural design, so it is not clear whether a formal design review procedure occurs in the context of site plan approval. The Zoning Bylaw does not explicitly require design review.

A noteworthy feature of Ayer's zoning is Article VII, Development Methods. Here, the Zoning Bylaw prescribes basic development regulations for multi-family housing and uses in the commercial and industrial districts, and it includes fairly broad environmental performance standards that apply town-wide. Ayer's development regulations provide basic architectural design and access management guidelines for the Downtown Business and General Business districts.

Trends & Issues

RECENT DEVELOPMENT

Since the early 1990s, the Ayer Planning Board has received more than 20 applications for new housing developments, although not all have been built and in a few cases, more than one proposal was filed for the same site. Together, Ayer's approved and pending plans for new subdivisions and "Approval Not Required" lots translate into about 620 dwelling units. Many of the units have not been constructed yet, but Ayer is poised to begin absorbing them when the town's "Rate of Development Bylaw" expires this year.



Newer residential areas in Ayer are often characterized by larger homes with attached garages constructed on larger lots on dead-end streets.

The Rate of Development Bylaw was enacted in 1999 when town meeting approved several zoning changes. Its purpose: "...to phase growth so that it will not unduly strain the community's ability to provide basic public facilities and services...[and] to provide boards and agencies with information, time and capacity to incorporate such growth into the Master Plan..."²⁰ Two years earlier, the town and the Massachusetts Department of Environmental Protection (DEP) had entered into a Consent Order that required the town to upgrade its wastewater treatment plant. It made sense to slow the pace of development while Ayer attended to pressing community development needs, so the town adopted an aggregate building permit cap of 32 new dwelling units per year and a cap per individual applicant of six permits per year. Conscious of the legal issues associated with rate-of-growth zoning in Massachusetts, Ayer established a "sunset" provision that would cause the bylaw to expire on June 1, 2004, unless town meeting agreed to extend it. Ayer's post-1999 cap on building permits makes it difficult to forecast near-term housing demand because housing starts have been slowed by regulation. Regardless, developers continued to propose large and small projects, as shown in Table 2-9.

²⁰ Article IX, Rate of Development Bylaw, Section 1.

Table 2-9: Approved and Pending Housing Developments, 1993-2004²¹

Subdivisions				ANR Lots	
Year	Development/Location	# Lots	Status	Year	# Lots
1993	Briliana Court (off Highland Ave.)	6	A	1993	6
1994	Crabtree II Estates (Magnolia)	7	A	1994	12
1996	Hibiscus Lane (Badger Land Corp.)	17	A		
1996	Orchard View (Amandry Way)	15	A	1996	7
1997	One Subdivision (Unnamed)	N/A	A	1997	9
1998	None	0		1998	5
1999	Shadow Lane (Groton School Rd.)	3	A	1999	10
1999	Benjamin Heights (Winthrop St.)	8	P		
2000	Winterberry Lane (off Hibiscus Ln.)	7	A		
2001	Woodland Condos (East Main St. LIP)	11	A	2001	6
2002	Shelley Lane (off Third Street)	3	A		
2002	Sandy Pond	25	A		
2002	Stratton Hills (Wright Road)	39	P	2002	3
2002	Kingsbury Circle (Culver Road)	13	P		
2002	Elizabeth Estates (off Norwood Ave.)	23	P		
2002	Pondview Acres (off Hibiscus cluster)	57	P		
2003	Ridgeview Heights (Snake Hill Rd.)	142	A		
2003	Chandler Place Condos (West St. LIP)	16	A		
2003	Smith Farm (cluster 55+)	56	P		
2003	Longview Heights (off Winthrop St.)	13	P	2003	6
2004	The Willows (off Willow Rd.)	94	P		
Total Lots		555			64
Total Approved Lots		252			64

Source: Ayer Office of Economic Development, April 2004. "A" means "approved," "P" means "pending."

State and federal data sources indicate that between 1996-2000, Ayer issued building permits for an average of 50 housing units per year, but the average is distorted by a significant, one-year increase in multi-family housing production. Regionally, the rate of new-home construction in Ayer (adjusted for community size) lagged somewhat behind most towns. Assuming the accuracy of building permit statistics maintained by the U.S. Census Bureau, Ayer never reached the 32-unit maximum set by the Rate of Development Bylaw after 1999. Table 2-10 compares Ayer's annual building permit activity to that of surrounding towns, 1996-2003. While Ayer's housing production rate has been relatively low, it is important to point out that Ayer also permitted more two-family and multi-family units than all of the towns listed in Table 2-10.

²¹ Notes: (1) Sandy Pond, Pondview Acres and Smith Farm each involved two submissions. For Sandy Pond, the number of lots shown in Table 2-9 represents the number approved by the Planning Board; for Pondview Acres and Smith Farm, Table 2-9 reports the most recent proposals from developers. (2) Table 2-9 omits a 2-lot subdivision, Joyce Lane, approved by the Planning Board in 1994 but not built. (3) "LIP" means Local Initiative Program and identifies developments with Chapter 40B affordable housing units. (4) The Willows is a prospective Chapter 40B development, although as of May 2004, the town had not received a formal application from the developer.

Table 2-10: New Residential Building Permits, 1996-2003

	<u>Census 2000</u>		1990-2000 Growth Rate	<u>Building Permits</u>		
	Population	Housing Units		1996	1997	1998
AYER	7,287	3,154	6.1%	40	32	104
Boxborough	4,868	1,906	45.6%	42	52	19
Clinton	13,435	5,844	1.6%	8	13	33
Groton	9,547	3,393	27.1%	74	102	102
Harvard	5,230	1,911	12.2%	19	24	13
Lancaster	7,380	2,141	10.8%	40	22	39
Littleton	8,184	3,055	16.1%	58	60	41
Lunenburg	9,401	3,668	3.1%	47	32	38
Pepperell	11,142	3,917	10.3%	77	64	36
Shirley	6,373	2,156	4.2%	42	61	44
Townsend	9,198	3,184	8.3%	38	39	27
Westford	20,754	6,941	26.6%	172	175	193
	<u>Building Permits</u>					
	1999	2000	2001	2002	2003	Total 1996-2003
AYER	25	18	5	2	12	238
Boxborough	34	18	13	43	32	253
Clinton	29	47	45	29	104	308
Groton	80	77	71	98	93	697
Harvard	18	19	11	9	9	122
Lancaster	51	42	39	36	62	331
Littleton	49	73	53	53	32	419
Lunenburg	50	63	47	53	65	395
Pepperell	38	63	37	33	46	394
Shirley	18	20	25	29	23	262
Townsend	25	19	36	40	19	243
Westford	161	93	89	79	119	1,081

Source: U.S. Census Bureau & Massachusetts Institute of Social and Economic Research (MISER).

FUTURE DEVELOPMENT POTENTIAL

EOEA Buildout Study

About four years ago, MRPC analyzed Ayer's maximum development potential under existing zoning. The "buildout" study was part of a statewide initiative sponsored by the Massachusetts Executive Office of Environmental Affairs (EOEA). Since EOEA was also advocating for passage of the Community Preservation Act (CPA), the agency hoped to educate state and local officials and citizens about the implications of future growth for individual communities and for the Commonwealth of Massachusetts overall. Toward that end, EOEA contracted with regional planning agencies and several private firms to prepare buildout studies of every city and town. In the interests of both consistency and speed, EOEA prescribed a buildout model that relied heavily on existing, readily available data and Geographic Information System (GIS) technology.

GIS offers many advantages to build-out analysts, mainly access to large public libraries of spatial data sets that can be viewed, layered, joined and separated. In GIS terms, a spatial data set (or data layer) refers to data that can be illustrated on a map. In Massachusetts, one state agency — MassGIS — maintains a vast library of GIS data sets prepared by many of state agencies and the regional planning agencies. The MassGIS library makes it possible to create multiple images of every community in the state, alone or in regional geographies such as counties, regional planning districts, watersheds, or shared highway corridors. However, the data sets vary in quality, accuracy and age, and many of them are not equally available for all areas of the state. For example, the most accurate wetlands resource maps, produced by DEP's Wetlands Conservancy Program, remain incomplete for the towns of Ayer and Harvard.

According to MRPC's buildout study, Ayer had about 1,924 acres of developable land as of 2000, including 1,510 acres in residential zoning districts and 414 acres in commercial and industrial districts.²² MRPC estimated that under existing zoning, Ayer's remaining buildable land could support 2,084 new house lots and 8.6 million square feet of new commercial and industrial development. Significantly, MRPC's study excluded land in the Devens Regional Enterprise Zone, and because of modeling assumptions adopted by the state, MRPC also omitted the potential impact of future Chapter 40B developments. Today, there is at least one affordable housing development under discussion in Ayer; if built as proposed, it will produce more than 90 new housing units on land zoned primarily for industrial use. These and other prospective Chapter 40B units are not reflected in MRPC's estimate of 2,084 future homes.

Comprehensive Plan Buildout Analysis

Estimating Ayer's future development potential — that is, its buildout capacity — is complicated by the lack of available records at Ayer Town Hall. The 1,072 acres of potentially developable vacant land identified in Table 2-5 were determined by combining GIS data from several sources. While some of the contributing parcels may already be in the development process, the absence of complete development data makes it impossible to confirm and deduct them from the vacant land estimate. Moreover, Ayer has pending but not-yet-approved projects that could change, such as the dual proposals submitted by developers for two of the sites listed in Table 2-9. As a result, land not bound by an approved subdivision plan has been retained in the analysis of Ayer's remaining development capacity.

It is important to point out that a town's future development potential is not determined by vacant land alone. As communities mature, and land becomes scarce, the development process begins to recycle existing built assets. Opportunities to redevelop older properties can be as influential as vacant land to a town's character and vitality. Build-out studies often disregard the changes brought about by reinvestment — that is, *rebuilding*. By emphasizing quantity over quality of development, traditional build-out studies sometimes miss

²² Executive Office of Environmental Affairs, "Ayer Buildout Study: Summary Buildout Statistics," Massachusetts Community Preservation Initiative, <<http://www.env.commpres.state.ma.us>> [5 May 2003].

important questions about the role that regulations can play in fostering a better future. They also miss potentially significant development impacts.

The same procedures used to identify potentially developable vacant land indicate that Ayer also has a number of “under-developed” parcels, i.e., large lots that have an existing home or business and enough land to support additional development. Ayer also has town property that could be converted for private development in the future. While the likelihood of selling town-owned land and buildings is very low, municipalities can (and do) sell decommissioned schools, old public buildings and surplus land. These decisions reflect local government resourcefulness, but they also highlight the possibilities that arise when town property is not bound by a perpetual deed restriction. Table 2-11 shows that underdeveloped parcels, unrestricted town land, and vacant, usable privately owned land provide a total developable land base of about 1,530 acres. If built to the maximum allowed by existing zoning, Ayer’s 1,530 acres of potentially developable land could yield about 1,674 new house lots and 5.6 million ft² of additional business and industrial space.

Table 2-11: Ayer’s Estimated Buildout Capacity²³

Development Source	A1	A2	GR	DB
Vacant Land	720.69	204.60	1.20	1.55
Unrestricted Public/Non-Profit Land	100.6	64.1		
Underutilized Parcels	<u>60.8</u>	<u>114.8</u>	<u>13.5</u>	
Total Acres	882.2	383.5	14.7	1.6
Lot Size	40,000	12,000	10,000	10,000
Estimated Yield (Lots) ²⁴	721	905	48	N/A
Development Source	GB	IL	IH	Total
Vacant Land	35.15	34.29	74.42	1071.90
Unrestricted Public/Non-Profit Land				164.7
Underutilized Parcels	14.6		89.6	293.3
Total Acres	<u>49.7</u>	<u>34.3</u>	<u>164.0</u>	<u>1,529.9</u>
Lot Size	15,000	20,000	30,000	
Estimated Yield (ft ²)	935,191	806,627	3,858,144	

Sources of Data: Ayer Assessor’s Office, FY03 Parcel Database; ENSR; MassGIS. Calculations by author.

The estimates in Table 2-11 differ somewhat from MRPC’s projections in the buildout study that was prepared for the state in 2000. The Comprehensive Plan’s lower estimate of additional house lots reflects the fact that some land identified as developable in 2000 has already been developed, while other land appears to be undevelopable, given improved GIS

²³ Table 2-12 may underestimate Ayer’s unused commercial and industrial development capacity. Calculations are conservative to avoid an inflated estimate caused by a literal application of Ayer’s zoning bylaw. In many communities, commercial and industrial sites are often developed at less than the maximum allowed by dimensional regulations because of other factors such as off-street parking requirements and market preferences.

²⁴ “Yield” is an estimate of single-family house lots and commercial or industrial space based on total developable land reduced by factors for roads, odd-shape lots, site constraints and probability of parcel assembly. “Total acres” is aggregate acres by zoning district, so maximum build-out would require parcel assembly that may be infeasible.

data and field review. In addition, the Comprehensive Plan's estimate of future housing units is based on slightly different assumptions about the potential for additional two-family homes, considering Ayer's experience with permitting two- and multi-family dwelling units. It also assumes production of additional Chapter 40B housing. Table 2-12 compares MRPC's and the Comprehensive Plan's buildout estimates on the basis of likely *impacts*: water consumption, solid waste, new school students and additional public road miles.²⁵

Table 2-12: Potential Impacts of Future Buildout

Buildout Impact Measures	MRPC (2000)	Comprehensive Plan (2004)
Developable Land Area (ft ²)	83,806,244	66,641,873
Developable Land Area (acres)	1,924	1,530
Total Residential Lots	2,084	1,674
Total Residential Dwelling Units	2,089	1,841
Commercial/Industrial Floor Area (ft ²)	8,640,809	5,599,963
Commercial/Industrial Water Use (gpd)	648,061	419,997
Residential Water Use (gpd)	360,436	293,177
Municipal Solid Waste (tons)	2,465	2,427
Non-Recycled Solid Waste (tons)	1,753	1,727
Students	752	709
New Roads (miles)	29.2	28.5

Source: Massachusetts Community Preservation Initiative; Comprehensive Plan calculations by author.

LAND USE ISSUES

The last Comprehensive Plan Update (1997) recommended many technical and organizational changes to Ayer's land use regulations. In 1999, town meeting adopted a series of zoning amendments to address some of these concerns. Today, Ayer faces land use challenges that have far less to do with the technical aspects of zoning than with substantive policy issues. While the Zoning Bylaw promotes some of Ayer's long-standing development and tax base goals, it also provides an incoherent land use blueprint for the future. For example, by limiting new development in the Residence A-1 District to detached single-family dwellings, the Zoning Bylaw virtually prescribes the fragmentation of Ayer's remaining open space. It also frustrates reinvestment in established residential and

²⁵ Impact calculations in Table 2-12 accept MRPC's assumptions for average daily water use per person (75 gallons) and per 1,000 ft² of commercial and industrial floor area (75 gallons). However, it should be noted that Ayer's existing commercial and industrial development appears to consume water at 85-90 gallons per day (gpd), considering water statistics reported by the town to DEP and commercial and industrial floor area recorded in the town assessor's real property database. Table 2-12 also adopts MRPC's assumptions about new road miles and development-generated solid waste, but the estimated number of school students is based on demographic data from Census 2000, which had not yet been released when MRPC prepared Ayer's buildout study for the state. Long-term population forecasts are notoriously inaccurate because household size and composition in the United States have changed dramatically in the past 30 years, and they continue to change today. The number of school students generated by new housing development in Ayer could be considerably higher than 709 (or slightly lower) depending on the actual mix of dwelling units by type.

commercial areas through the imposition of dimensional requirements that essentially “freeze” the investment value of existing properties. In contrast, it places few demands on new commercial and industrial development, as indicated by the confusing, unattractive layouts and low-quality design of several properties in the General Business, Light Industrial and Heavy Industrial districts.

Ayer has clearly tried to preserve the town as a place where residents can work locally. Toward that end, the Zoning Bylaw encourages business development by limiting hurdles in the permitting process. While many of the state’s suburbs have worked to impede new growth, Ayer offers some possibilities for moderate-density housing development — and yet the possibilities listed in the Table of Use Regulations are weakened by dimensional and development requirements expressed elsewhere in the Zoning Bylaw. In addition, the Zoning Bylaw shows that Ayer has considered offering alternatives to conventional divisions of land. Three years ago, the town adopted an open space-cluster bylaw in hopes of saving some open space, but the bylaw is fairly complicated and it requires applicants to forego the relative ease of a standard subdivision for the reduced guarantee of a special permit. Overall, Ayer’s zoning seems to reflect conflicted sentiments about tradition, growth, open space, property taxes, and social responsibility. Several features of Ayer’s Zoning Bylaw and related development regulations create major growth management challenges for the town, as discussed below.

Fiscal Zoning & Industrial Districts

Ayer has zoned a strikingly large percentage of its land for commercial and industrial development. Nearly one-fourth of the town, excluding the Devens Regional Enterprise Zone, is controlled by two zoning districts that permit a wide range of industrial uses as of right, subject to site plan approval by the Planning Board. No industrial uses trigger a special permit, either for use or scale, except in the General Business District, where industrial uses are *also* allowed. While the town has instituted some environmental performance standards, the standards are very broad. In addition, when Ayer amended the Zoning Bylaw five years ago to establish development and site design regulations for the commercial districts (Article VII), no comparable standards were added for the industrial districts. As a result, a substantial amount of land has been zoned for uses over which Ayer gives narrow jurisdiction to its town boards.

Ayer seems to have made economic development such a high-priority that land use policies found in many towns are noticeably absent from the Zoning Bylaw. Along with the lack of qualitative controls for the industrial districts, Ayer’s zoning contains dimensional and intensity regulations that do not encourage well-planned, high-value industrial development. Since the same industrial uses are allowed in both the Light Industrial and Heavy Industrial Districts, Ayer’s industrial zones are virtually identical except for modest differences in dimensional requirements. In both cases, the minimum lot size is quite small — 20,000 ft² and 30,000 ft² respectively — and while the floor-to-area ratios (FAR) are not unreasonable, the open space, building coverage, building height and parking area requirements make the FAR virtually unattainable.

It makes sense to provide for small-scale industrial development, but the small minimum lot size that seems to encourage a variety of business opportunities can also fragment industrial

land in ways that make it much harder to attract high-value investment. Ayer does not have an industrial district that fosters planned development of large parcels. Moreover, since there is no distinction in industrial uses permitted within the Light and Heavy Industrial districts, Ayer has not created a place conducive to attracting higher-end research and development or technology firms — companies that tend to be very selective about their own sites and the kind of development that surrounds them. Industrial zones with a minimum lot area of 40,000-80,000 ft² and a planned industrial “campus” bylaw for parcels of 5-10 acres, with strong design controls and height and coverage ratios that encourage high-value development, would bring about a more diverse industrial base than Ayer has today. The issue is not that Ayer should abandon small-lot industrial activity but rather, to encourage a broader mix of industries, to increase the taxable value of industrial land, and to induce parcel assembly for some planned industrial areas. In fact, these steps would most likely enable the town to *reduce* the amount of land zoned for industry because the taxable value of its industrial base would be much stronger than it is today.

Commercial Districts

Ayer’s Downtown Business and General Business districts are easily distinguished by their differences in physical form, architecture, signage, and building orientation. On one hand, these differences reflect the age of the districts; downtown Ayer conveys the town’s late 19th-century industrial roots while the General Business areas represent more recent development. On the other hand, the differences highlight aspects of Ayer’s land use regulations that need to be revisited.

Much like the industrial zones, the Downtown Business and General Business districts allow very similar commercial uses. In the downtown area, however, Ayer wisely chose to prohibit wholesale operations and to make gas stations a special permitted use. Downtown Ayer is one of the town’s finest assets. It has several great buildings and a train station, and its urban density makes the area walkable and appealing. As one local official said recently, Ayer’s downtown offers realistic opportunities for browser tourism — boutiques, craft shops, specialty clothing stores, galleries and other small businesses. In contrast, the General Business District’s commercial areas tend to be visually and operationally confusing. Owing to dimensional regulations and the inclusion of several residential and industrial uses in the General Business District, these areas are poised for development that could detract from Ayer’s small-town charm and erode downtown Ayer’s economic potential. A related concern is that Ayer has placed a considerable amount of land in the General Business District. While it may seem fiscally advantageous to zone several locations for business development, excessive commercial zoning can be fiscally unproductive, if not damaging. There are at least two reasons: (1) small towns like Ayer do not have the “critical mass” to support large amounts of commerce, and (2) the extension of business zones along several roadways invites strip commercial development, a pattern that is clearly evident in Ayer.

The General Business District requires a minimum lot area of 15,000 ft² and 100 feet of frontage. By regulation, the gross floor area of a project in the General Business District may be 1.25 times the land area of the lot it occupies. However, the building height limitation of 35 feet, along with open space, landscaping and off-street parking requirements, effectively reduce the amount of development that can occur on a lot in the General Business District.

More significantly, the Zoning Bylaw does not establish any ceiling on the size of an individual building in the General Business District. It also imposes no requirements on the location of off-street parking areas, and while it specifies a minimum front yard setback of 30 feet, it does not provide for a *maximum* setback. These features of the Zoning Bylaw, coupled with the omission of architectural design guidelines and design review, make Ayer particularly vulnerable to “big-box” development.

In several ways, the General Business District invites significant land use conflicts. A range of residential uses are allowed by right or by special permit, including detached single-family homes, yet the same district *also* provides for intensive industrial development: manufacturing, warehouse and distribution facilities. The close proximity of General Business and Light Industrial districts creates the potential for a continuous pattern of high traffic-generating uses immediately adjacent to or mixed within residential areas. Although it makes sense to encourage some residential uses in commercial districts, it is very difficult to mix residential uses with modern industrial uses. Arguably, Ayer originated as an industrial village in which workers lived near and could walk to their places of employment. However, the land use pattern in older mixed-use villages bears no resemblance to today’s auto-dependent development pattern, which began in earnest after World War II.

Resource Protection

Ayer would benefit from stronger policies to protect natural resources, particular water. To underscore the importance of accurate maps, the last Comprehensive Plan Update (1997) made new industrial development at the “Golden Triangle” a major land use recommendation, yet subsequent mapping of the town’s Zone IIs revealed that virtually all of the Golden Triangle is in a public water supply recharge area. Of course, the planners and local officials who worked on the last plan update based their recommendations on the best available information at the time. Ayer eventually adopted an Aquifer Protection District Bylaw that follows a model developed by DEP, yet no changes were made to the underlying zoning districts in order to reduce groundwater risks. This is a particularly critical issue in the industrial zone east of Westford and Willow roads.

The town also does not have an accurate open space inventory. Without consensus about areas that should be protected, local officials are less-than-optimally equipped to evaluate proposals for open space-cluster developments. Moreover, the absence of an accurate inventory and a priority list makes it difficult to work systematically toward acquiring more open space or identifying areas that could be protected better by an overlay district. Since Ayer does not have a recreation facilities master plan, it is hard for the town to use such basic tools as the Subdivision Control Law’s authorization for Planning Boards to set aside a subdivision lot so the town can consider purchasing it for a future neighborhood park. The recent designation of two Areas of Critical Environmental Concern (ACEC) in Ayer’s region creates opportunities for the town to focus open space attention on an area with a considerable amount of vacant land.

Zoning in Massachusetts is not the best way to protect wetlands, but many communities across the commonwealth have adopted local wetlands bylaws under M.G.L. c.40, §21. Unlike zoning, a general bylaw does not extend vested rights to any landowner. It establishes local government power to review proposed activities without regard to pre-

existing development, and in the case of wetlands protection, a Conservation Commission may conduct a concurrent review under the local wetlands bylaw and M.G.L. c.131, §40, the Wetlands Protection Act. A crucial difference between local and state wetlands regulations is that while an unhappy applicant may appeal a Conservation Commission's decision to DEP under the Wetlands Protection Act, a decision made under the local bylaw must be appealed through the courts. However, Ayer does not have a local wetlands bylaw.

Residential Development

Ayer has divided the town into three residential zoning districts with the goal of promoting higher-density development near the downtown area and lower-density development in outlying parts of town. Despite the logic of Ayer's Zoning Map, the Zoning Bylaw sometimes prescribes regulations that are inconsistent with the purpose of each district. By allowing single-family homes as of right and subjecting other uses such as multi-family housing to a more difficult permitting process, the town's zoning limits the number of new residences that can be built. However, the same policy increases the municipal and school service costs generated per housing unit, and provides no land use incentives to reduce service costs or increase revenue. As a result, Ayer appears to promote a development pattern that will be increasingly expensive to maintain, thereby exacerbating the town's dependence on industrial and commercial growth.

General Residence District. The General Residence District surrounds downtown Ayer and it is endowed with some of the town's most beautiful housing stock. According to the Zoning Bylaw, the purpose for the General Residence District is "...to allow and regulate higher-density housing and public facilities in centrally located or very accessible and well-served areas of the town. It includes multi-unit and townhouse development by special permit at higher densities of about 12 units per acre."²⁶ However, existing General Residence District regulations allow multi-family and townhouse development *by right*, at a density that could reach 12 units per acre — except that parking, setbacks, open space and landscaping requirements would make the allowed density impossible to achieve.

The more disconcerting aspect of Ayer's multi-family regulations is that the General Residence District does not have enough vacant land to accommodate new multi-family development at the density expressed in the Zoning Bylaw. In effect, Ayer's regulations create barriers to small-scale multi-family development that could be accomplished through conversion of existing buildings because in most cases, the lots they occupy could not meet the minimum land area requirement. The only way to build new multi-family housing at a realistic density in the General Residence District is by tearing down existing homes and replacing them with new structures. Moreover, since these new structures would have to comply with current parking, open space, building height and coverage limits, they would differ in visual character and scale from established housing traditions in Ayer's downtown neighborhoods.

Housing affordability. The Planning Board has successfully negotiated with developers to include some affordable units in new housing developments, but Ayer has not empowered

²⁶ Article III, Section 2.c.

the board to *require* affordable housing. Despite the town's "market" affordability, Ayer has no regulations to combat the most significant threat of large-scale housing development: the comprehensive permit. State practice currently limits a single comprehensive permit to 200 units in a town of Ayer's size, but one 200-unit development would increase the town's housing base by 6%. Ayer falls below the Chapter 40B 10% threshold by 192 units. The town could conceivably be required to accept a 200-unit development in order to reach 10%, but the project would move Ayer over the state's 10% goal only *if* it were a rental development. To produce 192 affordable homeownership units, the comprehensive permit process may generate multiple developments with a combined total of 300-400 new homes. A similar outcome could occur if Ayer received proposals for several small rental developments.²⁷

Housing choice. Despite Ayer's desire to preserve low-cost housing and prevent economic displacement of its elderly residents, the town does not explicitly allow or encourage accessory apartments — a fairly conventional, unobtrusive way to bring additional means of support to a fixed-income household. Accessory dwellings also help families by creating quarters for a live-in childcare provider or living space for an elderly grandparent. Further, Ayer restricts new two-family homes to a use allowed by right only in the General Residence District, where there is virtually no land. Two-family homes are allowed by special permit in the town's commercial zones, but not in the Residence A-2 District, even where there is water and sewer service.

Ironically, the Residence A-2 District's purpose is "to allow a greater variety of housing and supporting public and semi-public facilities on relatively generous lots in the more central and accessible portions of the community, particularly in areas with public water and sewer service." However, the Residence A-2 District nearly matches the Residence A-1 District in terms of use regulations; the only difference is the inclusion of nursing homes as a special permitted use in Residence A-2. A more substantive distinction lies in the minimum lot area required for a single-family dwelling. In this regard, Residence A-2 is very similar to General Residence and quite different from Residence A-1, yet because of limited use regulations, Residence A-2 is essentially a small-lot version of Residence A-1, i.e., a suburban development district. Realistically, there are no alternatives to single-family dwellings in either Residence A-1 or A-2. Allowing some attached housing development in conjunction with open space design could benefit Ayer in at least two ways: by encouraging smaller housing units that put fewer fiscal demands on the town, and by saving more open space than could be protected in a single-family home development.

Elderly housing and assisted living facilities are noteworthy omissions from Ayer's zoning regulations. The town allows nursing homes by special permit in three districts and by right in the General Business District, but there is no opportunity to develop a retirement/elderly care compound of cottage homes, assisted living and nursing home facilities. Given Ayer's apparent desire to limit the fiscal impacts of residential growth, the town should consider expanding the Table of Uses and provide for these types of projects.

²⁷ Although Chapter 40B allows towns to approve a comprehensive permit application with conditions, the conditions cannot be so onerous as to make a project infeasible to build.

Among the several zoning amendments that Ayer adopted in 1999, the town made dwelling units over commercial space a permitted use in the Downtown Business and General Business districts.²⁸ Over the past 15 years, many communities have adopted a use regulation similar to Ayer's. At least two factors have contributed to this trend: disability access requirements that apply to multi-story commercial uses, and the efforts of downtown revitalization advocates to promote the benefits of a "living downtown." Unfortunately, restricting housing units to the upper floors of commercial buildings effectively denies housing choice to two groups that need the flexibility to live near goods and services: the elderly and disabled. Some commercial buildings can accommodate ground-floor housing units without sacrificing Main Street retail simply by converting unused space in the rear to a dwelling unit. When there are also parking spaces behind these buildings, it becomes possible to create accessible dwelling units.

Home occupations. In contrast to Ayer's generous commercial and industrial zoning regulations, its home occupations rules are surprisingly restrictive. Ayer does not allow home occupations by right in any residential zoning district. For quality of life, economic development and traffic management reasons, it makes sense to encourage work-at-home opportunities. One way to accomplish this end and simultaneously protect neighborhoods from encroachment by business uses is to classify and group home occupations by relative off-site impacts, notably traffic and noise. Low-impact uses such as a home professional office might be allowed by right in all residence districts while higher-impact uses such as home-based specialty retail could be reserved as a special permitted use in one or two districts.

Local Capacity

Ayer does not have adequate local capacity to manage the planning, development review and information management functions of local government. The issue is not whether members of past or present boards are qualified for their positions. Rather, it is that the planning, zoning, building and conservation offices lack professional support and their administrative personnel are part-time town employees. Although Ayer has a community development office with a full-time economic development director and staff, they are not responsible for providing professional planning and technical assistance to the town's development review and permitting boards.

The absence of qualified, adequately funded staff makes it impossible for the Planning Board to perform such routine tasks as tracking development and permitting activity, maintaining a development database, and maintaining the necessary records to update the Zoning Map. For example, officials remain divided over the accuracy of a new zoning map that the Planning Board commissioned more than three years ago. As a result, the map has never been adopted by town meeting and Ayer's building department still interprets zoning from a 1984 map that has been amended several times. It is also clear that to some extent,

²⁸ Note: there appears to be an error in the Table of Uses. "Apartments over office/commercial space" is listed as a principal residential use in the Downtown Business and General Business Districts only, but it also appears in the list of institutional uses as permitted in *all* zoning districts.

the lack of systematically organized, reliable data contributed to an overestimate of future residential development in the buildout analysis conducted by MRPC four years ago.

Goals & Recommendations

The Land Use Plan includes several proposals to strengthen Ayer's authority and capacity to manage growth and change (Map 2-I). The amount of additional growth that may occur in Ayer seems less problematic than the aesthetic, environmental and functional impacts of inappropriately sited land uses. Like other communities, Ayer has significant natural and man-made resources that need more protection than they receive from current regulations. Ayer also has areas that can support more development. By redirecting the town's growth potential away from ecologically sensitive areas and toward locations with adequate facilities, Ayer will be in a much better position to house, employ and serve its people – now and in the future.

LAND USE GOALS

- ◆ Value, manage and protect water and rural land as critical community resources.
- ◆ Reinforce Ayer's industrial-village land use pattern and historic arrangement of buildings and streets.
- ◆ Facilitate small-scale redevelopment and reuse projects that encourage preservation and reduce the potential for teardowns.
- ◆ Achieve a planned mix of residential, non-residential and public land uses along and adjacent to the town's main roads.
- ◆ Achieve high-quality, high-value development in the commercial and industrial districts and reduce the amount of land zoned for non-residential use.

LAND USE RECOMMENDATIONS²⁹

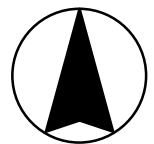
Modify the town's zoning regulations and zoning map to implement the following policies:

- ◆ Provide the Planning Board with better tools to manage future development by adopting a Growth Management Bylaw. Establish annual and per-project caps on building permits while exempting developments that meet public benefit goals, such as:
 - Green building design
 - Low water-use residential, commercial and industrial development
 - Inclusion of at least 10% affordable dwelling units in new developments
 - Affordable units created through accessory dwelling and conversion regulations

²⁹ See Appendix for detailed description of proposed zoning changes.

TOWN OF AYER

Comprehensive Plan Update 2004



Map 2-I Land Use Plan

May 24, 2004

- Municipal Boundaries
- Regional Highways
- Local Roads
- Railroad
- Transmission Lines
- Water Resources**
 - Open Water
 - Wetlands
 - Petapawag Overlay District.shp
- Land use plan 5-24-04.shp**
 - Downtown Business
 - Mixed-Use Transition
 - General Business
 - General Residential
 - Industrial II
 - Industrial I
 - Low Density Residential
 - Medium Density Residential
 - Professional Office
 - Public Land
 - Devens Enterprise Zone

The information depicted on this map is for planning purposes only. All data are representational, and they are not adequate for boundary definition, regulatory interpretation or parcel-based analysis.

Data Sources: MRPC, MassGIS, ENSR, Town of Ayer

Community Opportunities
Group, Inc.

Boston, Massachusetts
(617) 542-3300

MAJOR RECOMMENDATIONS:

- Require open space in ACEC developments.
- Allow open space-residential development by right in all other zones, simplify requirements.
- Exempt affordable housing from growth phasing and development fee requirements.
- Encourage accessory dwellings in residential and commercial zoning districts.
- Reduce regulatory barriers to affordable housing production by promoting infill development in General Residence and A-2 Districts.
- Encourage multi-family housing in Mixed-Use and General Business areas around downtown.
- Exercise rigorous design, site plan standards in commercial and industrial zones.
- Facilitate higher-intensity, high-value industrial development.
- Do not zone more land for non-residential development.

Extend R A-2 to neighborhoods with established pattern of moderate-density development.

Encourage office, low-impact commercial uses.

Promote new village business area, discourage heavy industry.

Reduce future development potential inside Petapawag ACEC.

Replace GB with Mixed-Use Transitional Zone, emphasize the "gateway" function of these areas.

Promote higher-value development, encourage parcel assembly, encourage "campus-style" industrial development.

0.5 0 0.5 1 Miles

- Mixed-use development in commercial districts
- Provision for usable open space with public access
- Payment of fees to a community development fund in lieu of providing open space or affordable housing.
- ◆ Hire a full-time, professional town planner or planning director to coordinate the work of the Planning Board, Zoning Board of Appeals, Conservation Commission, Ayer Board of Health, the (proposed) Neighborhood Conservation District Commission, and other boards and committees with a role in development review.
- ◆ Establish a protective overlay district in the Petapawag Area of Critical Environmental Concern (ACEC), where Ayer has a considerable amount of vacant land.
 - Increase the minimum lot area to 80,000 ft²
 - Require a special permit for open space-residential development in projects of five or more dwelling units, but maintain base (existing) density for developments that include affordable homes or more usable open space than required by overlay district regulations.
 - Allow frontage waivers in exchange for larger-than-minimum lots.
- ◆ Change the existing General Business District adjacent to downtown Ayer to a Mixed-Use Transitional District with use and dimensional regulations acknowledging the “gateway” role of these three areas.
- ◆ Allow open space-residential development by right in residential zoning districts (outside the Petapawag ACEC), for any project of three or more housing units.
- ◆ Encourage infill development, redevelopment and intensification of existing uses over new growth in outlying sections of Ayer, using zoning, capital improvements and other means to achieve these ends. For example:
 - Eliminate or significantly reduce the minimum land area requirement for multi-family units in the General Residence District.
 - Allow frontage and lot area waivers by special permit in the General Residence, Residence A-2 districts and the proposed Mixed-Use Transitional District in exchange for affordable dwelling units. Consider the same policy for the General Business District areas adjacent to downtown Ayer.
 - Reformulate the dimensional regulations, development methods and parking requirements for uses in the General Business District to encourage reinvestment on existing developed lots.
 - Allow accessory dwellings and multi-family units in downtown Ayer, above the ground floor or commercial buildings and, on a limited basis, at grade.

- ◆ Establish a Neighborhood Conservation District in an area that includes the Downtown Business, General Residence and the two General Business districts adjacent to downtown Ayer.
- ◆ Establish clear density standards for multi-family units in the General Business District.
- ◆ Promote high-quality commercial and mixed-use development in the commercial districts with incentive zoning, architectural design guidelines, rigorous site plan standards and reasonable parking requirements.
- ◆ Reduce the potential for use conflicts in the town's commercial and industrial zones.
- ◆ Clarify and strengthen the town's environmental regulations.
- ◆ Eliminate duplication by deleting the "Water Resource Protection District" and maintaining the Aquifer Protection District (APD), and assure that the APD conforms to current state requirements.
- ◆ Encourage development of industries and businesses that use low volumes of water and allow higher-volume water uses by special permit, including mitigation standards.
- ◆ Rezone industrial land in the Aquifer Protection District to lower-density residential or mixed commercial uses, or change the industrial district regulations to limit allowed uses in designated "Zone II" areas.
- ◆ Reorganize and update the Zoning Bylaw to include a clear system of use classifications and use descriptions, a prohibition against use variances, building and site design guidelines for the commercial and industrial districts, and new dimensional requirements to regulate lot shape.
- ◆ Review other town bylaws and regulations to eliminate or reduce inconsistencies and streamline the review process for uses exempt under the proposed Growth Management Bylaw.

OPEN SPACE & RESOURCE PROTECTION

Introduction

A master plan should guide a community's efforts to identify and protect its natural, cultural and open space resources. By highlighting critical resource issues and special places that need attention, a master plan can help local government serve as an effective agent of community preservation.

- ◆ **Natural resources** include land, surface water, streams and wetlands, aquifers, wildlife habitat, open space and riparian corridors, and other ecologically sensitive areas such as occurrences of rare or endangered species. Ayer has several water resource areas of ecological importance, notably its large ponds, its series of minor brooks and streams, and obviously, the Nashua River.



Ayer residents still appreciate the town's rural way of life.

- ◆ **Cultural resources** include historic buildings and their settings, agricultural outbuildings, archaeological remnants and features, and archaeologically sensitive areas. Landscape features such as stone walls and foundations, burial grounds and cemeteries, trails and historic trees are an important part of Ayer's history and they contribute to its cultural resource inventory. Natural and cultural resource repositories often share the landscape. A good example is found in the historic neighborhoods along Washington Street, which traverses one of Ayer's scenic hills.
- ◆ **Open space** is part of a community's infrastructure — *green infrastructure* — that supports and links built and natural environments. "Green infrastructure" is an interconnected network of waterways, wetlands, woodlands and wildlife habitats; greenways, parks and conservation lands; working farms and forests; and wilderness that supports native species, maintains natural ecological processes, sustains air and water resources and contributes to the health and quality of life for communities and people. A town's green infrastructure includes parks, trails, greenways, and natural areas.

Managing these resources requires capacity, diligence and a shared sense of responsibility from town officials, residents and landowners, the business community, and other organizations. Ayer needs resource protection strategies that make environmental, economic and fiscal sense for a small town. Adequate professional staff support, public education, acquisition of land and development rights, effective regulations, and working with developers and non-profit organizations will be essential for Ayer as the town continues to grow.

Existing Conditions

TOPOGRAPHY, GEOLOGY AND SOILS

Ayer's topography is strikingly diverse, with rolling hills and plains to the north and west and an unusual series of ponds that extend diagonally across the town's geographic center. The Wisconsin glacier that covered New England during the Pleistocene Epoch over 120,000 years ago shaped Ayer's landscape and the composition of its soils, which were created by glacial drift. A variety of geologic features can be seen throughout Ayer today. In fact, the town has so many examples of glacial geology that the United States Geological Survey (USGS) includes Ayer in a special collection of educational maps maintained by the Rocky Mountain Mapping Center.³⁰ For example, low, rolling plains called *moraines* extend north of Sandy Pond. Smooth, elongate hills like Pingry and Long, known as *drumlins*, and *kames* — knobby, conical hills — are scattered throughout western Ayer. *Kame terraces*, or flat deposits of outwash, are common in swampy areas, and long ridges known as *eskers* can be found southeast of Shaker Mill Pond. When kettle holes left by melting boulders of ice are fed by springs, they fill with fresh water and become *kettle hole ponds*. This glacial process, along with the impoundment of Nonaicoicus Brook,³¹ formed Ayer's chain of freshwater ponds. The result is a unique system that defines the town's physical character and provides drinking water, wildlife habitat and recreational opportunities.

As the glaciers began to recede from the area 18,000 years ago, they deposited alluvium and glacial till. Today, Ayer's landscape and its underlying soil structure are composed of clays, sands, silts and gravel, all laid over pre-glacial (Paleozoic Era) bedrock. Six soil series have been identified in Ayer: Birchwood-Poquonock, Fresh Water Marsh-Muck-Scarboro, Hinckley-Fresh Water Marsh, Hollis-Canton-Muck, Paxton-Woodbridge and Windsor-Hinckley-Deerfield.³² Of these, only the Windsor-Hinckley-Deerfield series is well suited for development, for it is a moderately well drained, sandy-gravelly soil with 0-15% slopes. About 20% of Ayer is comprised of Windsor-Hinckley-Deerfield soils, mainly in the north-central area around the Great Ponds and in southeast part of the town.

Hollis-Canton-Muck and Paxton-Woodbridge are well-drained, stony soils with outcrops of ledge, kettle holes and drumlins like Snake and Pingry hills. Located primarily in a long diagonal band from southwest Ayer to the northeast corner, these soils make up 28% of the town. Central Avenue extends along the northern boundary of this band of soils. These areas present moderate constraints to high-density residential, commercial and industrial uses, but they are well suited for recreational activities. The other three soil types comprise 13% of Ayer. They are poorly drained soils, generally found on low slopes with an organic, stony and sandy composition. Wet soils place severe constraints on many uses, including residential development when served by individual septic systems.

³⁰ United States Geologic Survey, Rocky Mountain Mapping Center, [USGS Topographic Maps Illustrating Physiographic Features](http://rockyweb.cr.usgs.gov/public/outreach/), <<http://rockyweb.cr.usgs.gov/public/outreach/>> [14 October 2003].

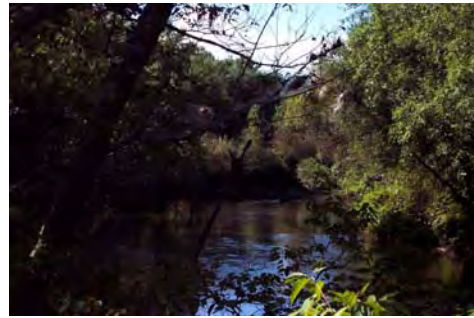
³¹ An impoundment is a depression, excavation, diked or dammed area of land that is designed to hold water such as a manmade pond or reservoir.

³² Beals and Thomas, Inc., [Ayer Open Space and Recreation Plan](#) (1997), 4-2 - 4-4.

WATER RESOURCES

Watersheds

Ayer is located within two watersheds: Nashua River and Merrimack River (Map 3-A).³³ Westford Road in eastern Ayer is the approximate boundary between the two, which means that most of the town lies in the Nashua River Watershed. The Nashua River flows northward into the Merrimack River in Nashua, New Hampshire. Its watershed encompasses 538 mi² and 31 communities in north central Massachusetts and southern New Hampshire. The Merrimack River watershed is the fourth largest in New England. More than 200 cities and towns lie within its 5,010-mi² area.



The Nashua River, a tributary of the Merrimack River, forms the border between the towns of Ayer and Shirley.

Ayer's municipal and watershed boundaries are not the same. Though municipalities usually recognize political boundaries before ecological boundaries, these distinctions are important when planning for future growth and development. Ayer plays an important role in environmental permitting, and town boards and commissions make decisions that have ramifications throughout both watersheds. Federal and state agencies that have some jurisdiction over water resources frequently use watersheds and basins as planning units. However, communities do not have the legal authority or tools to regulate activities outside their jurisdiction. As a result, local decisions in Ayer affect other communities and the town's water resources are also affected by decisions made in other municipalities.³⁴

Surface Water

Rivers and Brooks

The Nashua River is the largest watercourse in Ayer. Its name comes from the Native American word *Nashaway*, or the "river with the pebbled bottom," and the Nashaway tribe once inhabited its river valley.³⁵ The Nashua River has two branches that merge in

³³ Watersheds are naturally delineated land areas that are the basic units of hydrologic systems. A watershed basin is a large area of land (usually hundreds of square miles) that drains water, sediment, dissolved materials, heat and biota to a single stream channel. For more information see The Center for Watershed Protection at <http://www.cwp.org/whats_a_watershed.htm>

³⁴ For more information about watershed regulations in Massachusetts, see Pamela D. Harvey, General Counsel of the Massachusetts Department of Environmental Protection, "Opportunities and Obstacles in Watershed-Based Regulatory Programs," <<http://www.epa.gov/owow/watershed/Proceed/harvey.html>>.

³⁵ The Nashua River Watershed Association, "The Past and Future," <<http://www.nashuariverwatershed.org/>> [23 October 2003].

Lancaster: the North Branch, which originates in West Fitchburg, and the South Branch, which originates in the Wachusett Reservoir. The river flows northward for 35 miles into the Merrimack River in Nashua, New Hampshire, providing drinking water for more than one million people. The river is 100-feet wide in Ayer and the Devens Regional Enterprise Zone, and its elevation ranges from 200-210 feet above sea level. This regionally significant river provides drinking water, wildlife habitat, recreational opportunities and scenic views. However, the Nashua River is a designated Category 5 (Class B) river and is listed on the 2002 Integrated List of Waters.³⁶

Ayer has five small brooks that feed the Nashua River and local ponds. Bennett's Brook forms the town's eastern boundary and flows from Shaker Mill Pond to Spectacle Pond. Cold Spring Brook runs through Ayer and the Town of Harvard into Grove Pond and Fletcher's Pond. The Nonaicoicus Brook drains Plow Shop Pond and feeds the Nashua River. Willow Brook flows through the Devens Regional Enterprise Zone and meets Nonaicoicus Brook. James Brook runs from Groton into the Nashua River. These small brooks are low-flow waters and they are important for wildlife and passive recreational use. The impoundment of Nonaicoicus Brook in central Ayer created Plow Shop, Grove, Fletcher's and Sandy ponds.³⁷ There is very limited public access to the river and brooks coursing through Ayer. The state forest off Groton Shirley Road provides entry to the Nashua River and James Brook, but the town does not own land or hold easements on private property to access other brooks.

Ponds

The town's chain of ponds begins in easternmost Ayer at Spectacle Pond on the Littleton border and Long Pond on the Groton border and extends southwest to Plow Shop Pond. Three of Ayer's ponds — Long, Sandy and Spectacle — are classified as Great Ponds, so they must be kept open to general public use.³⁸ Great Ponds are natural, standing water bodies



Small and large ponds, including Flannagan, Grove, Long, Plow Shop, Sandy and Shaker Mill, dominate Ayer's topography.

³⁶ Massachusetts Department of Environmental Protection (DEP), "Final Massachusetts Year 2002 Integrated List of Waters (CWA Sections 305b and 303d)" [online], [cited 23 October 2003]. Available on the World Wide Web at < <http://www.state.ma.us/dep/brp/wm/tmdls.htm> > The Massachusetts Year 2002 Integrated List of Waters was developed in fulfillment of reporting requirements of both Section 305(b) ("Water Quality Inventory") and Section 303(d) ("List of Impaired Waters") of the Clean Water Act (CWA). The integrated list format provides the status of all assessed waters in a single multi-part list. Category 5 of the Integrated List constitutes the "Section 303(d) List" of waters that are impaired for one or more designated uses and require the development of total maximum daily loads (TMDL). The United States Environmental Protection Agency (EPA) approved the 2002 "Section 303(d) List" on October 1, 2003.

³⁷ VHB/Vanassee Hangen Brustlin, Inc., *Ayer Comprehensive Plan Update* (1997), III-D-6.

³⁸ Massachusetts Department of Environmental Protection, "Great Ponds," < <http://www.state.ma.us/dep/brp/waterway/files/greatponds.doc> > [23 October 2003].

greater than 10 acres and may be set aside for industrial use, flood control, fire protection, wildlife habitat and recreation.

The Commonwealth of Massachusetts owns Long and Sandy ponds, but the town holds the water rights to these two Great Ponds, as well as Fletcher's Pond. The town has the right to control water levels in all three ponds to prevent flooding.³⁹ There is public access to all of Ayer's ponds except Plow Shop. Town-owned land on Barnum Road, Harvard Road and at the corner of Sandy Pond Road and Snake Hill Road provide access to Grove Pond, Fletcher's Pond and Sandy Pond respectively. There is also town land at Long Pond; and Spectacle Pond may be reached through town land at the southern end.⁴⁰

Water quality in the town's ponds is a significant concern. Federal environmental authorities categorize surface waters by degree of impairment.⁴¹ Fletcher's Pond is classified as a Category 4 resource and Grove, Plow Shop and Spectacle ponds are Category 5, meaning they require Total Maximum Daily Load (TMDL) or environmental remediation plans.⁴² The TMDL is a provision of the U.S. Clean Water Act §303(d) that requires pollution control plans for impaired waters by setting an enforceable maximum quantity of a particular pollutant that a body of water can receive and still meet basic water quality standards. The plans also identify pollutant reduction goals and strategies. Thirteen acres of Long Pond in Ayer are also assessed as "not attainable" for all uses due to encroaching emergent vegetation.⁴³ The Massachusetts Department of Public Health has issued fish consumption advisories for Grove and Plow Shop ponds because of mercury contamination.⁴⁴

Aquifers

Ayer relies on groundwater for its source of drinking water supplies. Portions of two groundwater aquifers in Ayer are located in the Nashua and Merrimack River Basins. A very large, medium- to high-yield aquifer system lies under the Squannacook River and Mainstem Nashua River, extending to the north, south and west of the subbasin boundary. In Ayer, the Nashua River Basin aquifer is located in the southwest part of the town. The aquifer begins under the Nashua River, turns eastward and then runs below Fletcher's Pond and Sandy Pond. About two-thirds of this aquifer lie within the Devens Regional Enterprise

³⁹ Open Space and Recreation Plan, 4-5.

⁴⁰ *Ibid.*, p. 4-7.

⁴¹ Sections 303(d), 305(b) and 314 of the Clean Water Act require states and interstate commissions to file periodic reports with the Environmental Protection Agency (EPA). EPA uses these reports to monitor water quality, identify waters that do not meet federal water quality standards, and track the efforts of states to improve the quality of impaired waters. In the EPA's five-category system of water quality assessment, higher categories reflect greater degrees of impairment.

⁴² "Final Massachusetts Year 2002 Integrated List of Waters (CWA Sections 305b and 303d)."

⁴³ Massachusetts Department of Environmental Protection, "Nashua River Basin 1998 Water Quality Assessment Report" at <<http://www.state.ma.us/dep/brp/wm/wqa/81wqa1.doc>> [23 October 2003].

⁴⁴ *Ibid.*

Zone, including nearly all of the high-yield (>300 gallons per minute) portion. Ayer's other aquifer is in the Merrimack River basin. Surrounding Spectacle Pond in both Ayer and Littleton, the Spectacle Pond aquifer is medium-high yield.

Groundwater from these two aquifers supplies the four wells that provide drinking water to residents and businesses in Ayer. The Spectacle 1 and 2 wells are located near Spectacle Pond in northeast Ayer on town-owned land with limited public access. These gravel-packed wells have operated since 1974.⁴⁵ The Spectacle Pond aquifer supplies water to Ayer and neighboring Littleton. The two wells at Spectacle Pond have a combined capacity of about 2.2 million gallons per day (gpd) and Littleton has a municipal well with a 1.5-million gpd capacity.⁴⁶ In 1985, Ayer built a groundwater filtration plant at Spectacle Pond to remove iron and manganese. The Massachusetts Department of Environmental Protection (DEP) has set the allowable average withdrawal rate at this treatment plant at 1.0 million gpd.⁴⁷

There are also two gravel-packed wells near Grove Pond, built in 1943 and 1952. The aquifer supplying these wells yields 1.5-2.2 million gpd. A new treatment facility began operating in 1998 to treat high concentrations of iron and manganese in both wells. Its allowable average withdrawal rate is 1.15 million gpd. Since the Grove Pond well holes are saturated with iron and manganese, the town is considering digging two satellite wells about 50 feet away and taking the older wells off line.⁴⁸

Ayer is investigating the development of a new water supply to accommodate additional residential growth and the needs of industrial customers. Pepsi Co., which bottles Aquafina water and Lipton Ice Tea; Nasoya, which makes soymilk; and VeryFine Products all use Ayer public water to produce their beverages. Long Pond, once considered a potential future source of water, has been eliminated from the list of possibilities because of its proximity to the Grove Pond wells. (Surface water withdrawals could affect the groundwater supply.⁴⁹) Currently, the town is considering the development of a third well at Grove Pond.⁵⁰

A separate public water system managed by MassDevelopment serves businesses and residents in the Devens Regional Enterprise Zone, which includes portions of Ayer. This

⁴⁵ Rick Linde, Water Division foreman, Ayer Department of Public Works, to Andrea M. Underwood, Community Opportunities Group, Inc. 18 December 2003. See also, The Agency for Toxic Substances and Disease Registry (ATSDR), "Public Health Assessment Fort Devens, Ayer, Middlesex County, Massachusetts" [online], [cited 10 November 2003], available on the World Wide Web at <<http://www.atsdr.cdc.gov/HAC/>>

⁴⁶ Comprehensive Plan Update, III-H-2.

⁴⁷ Rick Linde to Andrea M. Underwood, 18 December 2003.

⁴⁸ Ibid.

⁴⁹ Tata & Howard, Inc., "Town of Ayer: Draft Wastewater Treatment Facility Alternatives Analysis," prepared for the Ayer Department of Public Works, 28 June 1999.

⁵⁰ Rick Linde to Andrea M. Underwood, 18 December 2003.

water supply system also relies on the Nashua River basin aquifer. Ayer has established agreements with MassDevelopment and neighboring Littleton to share water supplies during system repairs and droughts.

Most of the land over Ayer's high-yield aquifers remains undeveloped. However, residential and commercial development covers much of the medium-yield aquifers. The vacant land just south of Sandy Pond Road lies over a medium-yield aquifer and it is some of the most desirable land for new development. To protect land over aquifers from inappropriate development, Ayer recently adopted an Aquifer Protection District Zoning Bylaw that covers all of its wells and aquifer recharge areas, also known as Zone II and Interim Wellhead Protection Areas (IWPA).⁵¹ As an overlay district, the bylaw supplements the regulations of underlying zones by prohibiting hazardous materials storage, landfills, and other high-risk land uses. It also requires all new development in a Zone II to be served by the town's sewer system.⁵² In addition, the Aquifer Protection District requires a Special Permit from the boards of health for all projects that will create an impervious cover of more than 15% or 2,500 ft² of any lot.⁵³

Currently, a proposed project in the Aquifer Protection District threatens Ayer's groundwater. Guilford Industries has acquired a 126-acre site near Littleton on Spectacle Pond, in the town's Zone II Aquifer Protection District. The company plans to construct an automobile off-loading facility and pave a 40-acre parking lot. Ayer officials have declared the project a "noisome trade," which means that the proposed plan could pollute both the land and the air. Guilford has resisted complying with state and local regulations, arguing that only the federal Surface Transportation Board has authority over the proposed project.⁵⁴ The First Circuit Court of Appeals upheld the company's position last year.

⁵¹ Aquifer recharge areas collect precipitation or surface water and carry it to aquifers. Zone II is the area of an aquifer that contributes water to a well under the most severe recharge and pumping conditions that can be realistically anticipated (180 days of pumping safe yield with no recharge from precipitation), as defined in 310 CMR 22.0. IWPA's are used when wells or wellfields do not have DEP-approved Zone II. IWPA's are defined as the half-mile radius measured from the well or wellfield for whose approved pumping rate is 100,000 gpd or more.

⁵² If the lot is not served by the town sewer system, single-family dwellings must be constructed on a minimum 20,000 ft², but depending on the size of the dwelling unit, Title V will require a larger lot. If a lot in the Zone II is connected to the town sewer system, then underlying zoning requirements are followed. An existing and conforming business or industry may continue to operate and expand until public sewer service is available, provided that Ayer Board of Health and Nashoba Associated Boards of Health regulations are met for on-site disposal systems.

⁵³ The town also has a Water Supply Protection Overlay District that covers the Spectacle and Grove Pond wells, and any probable future water supply sites.

⁵⁴ People of Ayer Concerned About the Environment (PACE), "Guilford Industry Auto Unloading Project," <<http://www.pace-ayer.org/projects-guilford.htm>> [18 November 2003]. See also, "Environmental Chief Encourages Protection of Ayer Road," The Harvard Post, 19 December 2003.

Flood Hazard Areas

A notable amount of land in Ayer is located in flood hazard areas. A flood hazard area is classified as “Zone A” on Federal Emergency Management Agency (FEMA) Q3 Flood Zone Maps. It is subject to inundation in a 100-year storm event and has a 1% chance of flooding in any particular year. In Ayer, Zone A follows the Nashua River riparian corridor, turns eastward along Nonaicoicus Brook to Fletcher’s and Sandy ponds, and north to Long Pond. Other large flood hazard areas include the former state game farm and Ayer’s eastern boundary along Bennett’s Brook, including the shores of Spectacle Pond.

There are three areas in Ayer with strong potential for flooding problems. The first is the intersection of Snake Hill Road and Sandy Pond Road between Sandy Pond and Fletcher’s Pond. The second is Carlton Circle, where East Main Street meets Barnum, Littleton and Sandy Pond roads. The third area is along Bishop Road and the connecting streets near the Nashua River in the Devens Regional Enterprise Zone. Properties along Bligh, Mechanic, Mill, Park and West Main streets are also at risk of flooding.⁵⁵

Ayer has the ability to regulate the water levels in Fletcher’s, Long and Sandy ponds to control flooding. The town can take emergency action to protect properties along shorelines during rising, destructive high waters. The town also has an overlay Flood Plain Zoning District that was adopted in 1999. The boundaries of this district are defined by the 100-year surface water elevation shown on the Flood Insurance Rate Map (FIRM) dated July 19, 1982, and by the flood profiles contained in the Flood Insurance Study also dated July 19, 1982. The bylaw allows uses with low flood-damage potential and requires a special permit for all others allowed in the underlying zoning district.

Wetlands

Wetlands are an important component of the hydrologic system. They play a critical role in water storage and flood control, and many species of wildlife depend on wetland habitat. Wetlands also protect water quality and function as groundwater recharge and discharge areas. About 13.5% (829 acres) of Ayer’s total area is comprised of wetlands and open water.⁵⁶ Significant wetland complexes are in the northwest corner near the state forest, the central portion of the shore of the Nashua River, and the northeast corner near Spectacle Pond. These wetlands are comprised of shrub swamp, marsh and forested wetlands. Remnants of an old wetland complex are also evident along Nonaicoicus Brook and its impoundments — Grove, Fletcher’s, Plow Shop and Sandy ponds. Residential development surrounds most of the ponds, but narrow bands of forested wetlands occur at pond shorelines. An emergent shrub wetland is located between Grove Pond and Bligh Street near Pirone Park. Protecting these resource areas and managing water quality and flooding are crucial for Ayer. However, the town does not have a local wetlands bylaw that could

⁵⁵ Open Space and Recreation Plan, 4-9; Comprehensive Plan Update, III-D-15.

⁵⁶ MassGIS, National Wetlands Inventory, “nwi90p1.dbf,” in D-BASE format, updated February 2003. [Author’s Note: A large portion of central Ayer, including all of the ponds, is not represented on the new DEP Wetlands Conservancy Program Maps.]

enhance the regulatory and enforcement powers available under M.G.L. c.131, §40, the Wetlands Protection Act.

SPECIES AND HABITAT RESOURCES

Vegetation

Ayer's vegetation and forest cover are typical of the Nashua River Watershed and the Appalachian Oak Forest. Upland forests are predominantly hardwood — northern red oak, shagbark hickory, beech, red maple and birch — with small stands of softwood hemlock and white pine. Red and silver maple, speckled alder, white oaks, pin oaks, hemlock, sweet pepperbush and highbush blueberry are common in swampy, wet areas. The invasive purple loosestrife is also found in some of the town's wetlands. Invasive species are frequently ornamental and non-native, i.e., they have been introduced to an area. In the absence of natural predators, they can invade, degrade or destroy the habitat of local species. Freshwater meadows have reeds, cattail, blue-joint and sedge, all of which are important to wildlife that rely on freshwater and field habitats. Ayer's undeveloped forests and the informal trails that traverse the former state game farm could provide a variety of passive recreational opportunities such as fishing, birdwatching and hiking. Open fields and low shrubs provide habitat for local wildlife.

The Massachusetts Natural Heritage and Endangered Species Program (NHESP) has documented locations in Ayer where four species of vascular plants that are endangered, threatened or of special concern have been found (see Map 3-B). Houghton's Flatsedge and Wild Senna are state endangered and New England Blazing Star and Climbing Fern are species of special concern.⁵⁷ The New England Blazing Star is also a candidate for federal endangered species protection. These species were most recently observed in Ayer in the early 1990s.

Fisheries and Wildlife

Animal species common to central and eastern Massachusetts rely on Ayer's forests, marshes and wetlands. For example, local rivers, brooks and ponds provide habitats for a variety of aquatic species. In addition, beavers, chipmunks, mice, minks, moose, muskrats, otters, raccoons, gray squirrel, weasels and woodchucks inhabit Ayer's forests. Fox and white-tailed deer are also quite common. A number of birds, including black-capped chickadees, blue jays, orioles, owls, ring-necked pheasants, robins, sharp-shinned hawks, sparrows and

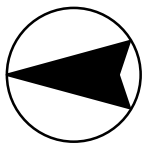
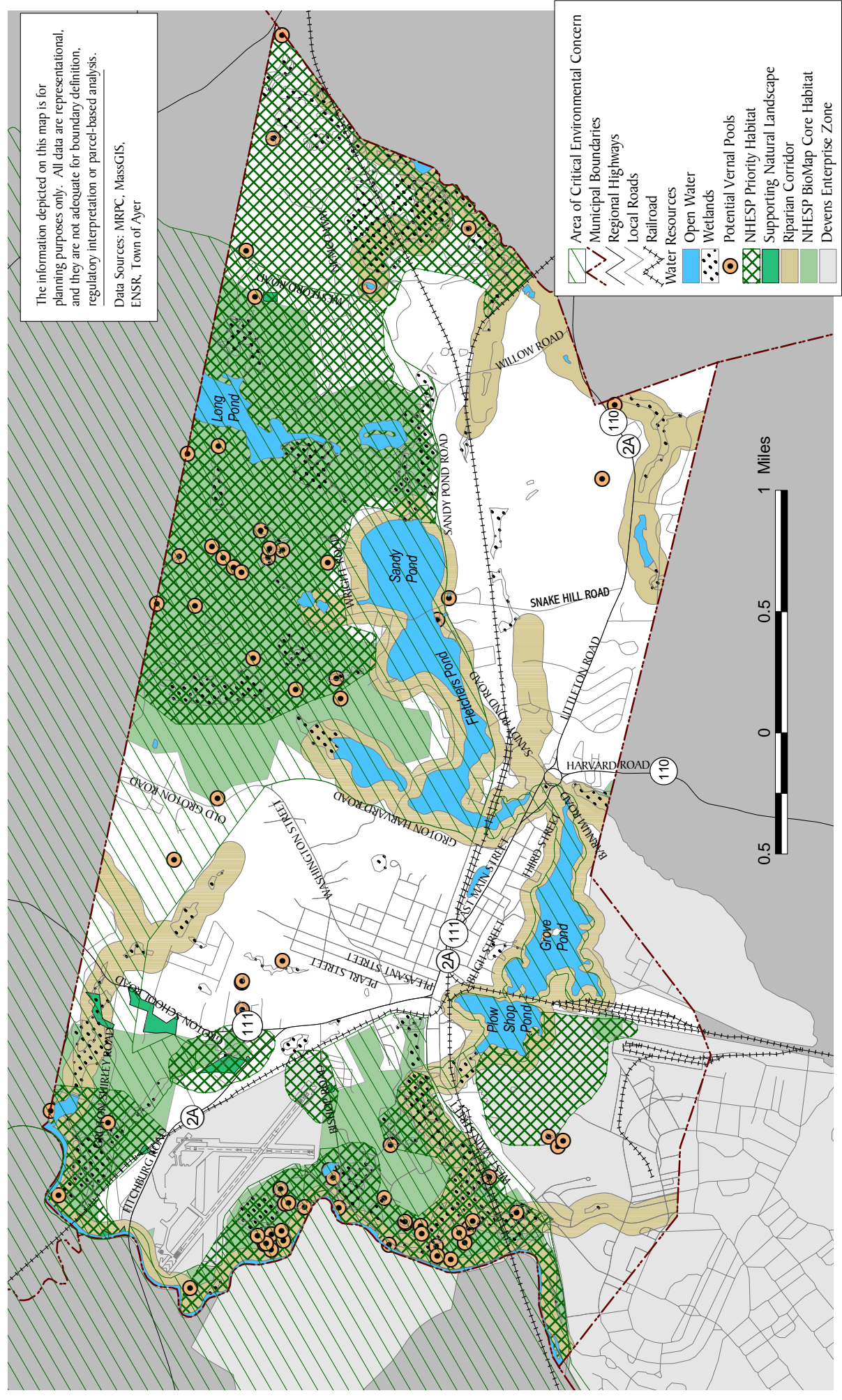


While attractive, the purple loosestrife present many of Ayer's ponds is an invasive exotic species that destroys the habitat for native species.

⁵⁷ Andrea Arnold, Environmental Review Assistant, Massachusetts Natural Heritage & Endangered Species Project, by letter to David Trout, Environmental Planner, Beals and Thomas, Inc., 18 December 1996.

The information depicted on this map is for planning purposes only. All data are representational, and they are not adequate for boundary definition, regulatory interpretation or parcel-based analysis.

Data Sources: MRPC, MassGIS, ENSR, Town of Ayer



Comprehensive Plan
Update 2004

Map 3-B Wildlife Habitat

May 24, 2004

Community Opportunities
Group, Inc.
Boston, Massachusetts
(617) 542-3300

AYER

woodpeckers, reside in Ayer's woodlands, and a golden eagle has been sighted near Nonaicoicus Brook.⁵⁸

Ayer's diverse freshwater bodies provide a habitat for fish, amphibians and some birds. The Nashua River and local brooks contain bass, perch, pike, sunfish and trout. Amphibious species including frogs, snakes and turtles use ponds and wetlands, as do cranes, ducks, geese, herons and ospreys. In addition, there are three important wildlife corridors that allow species to move through and about Ayer. The first is the riparian corridor along the Nashua River. The second is comprised of the undeveloped forests in eastern Ayer, where species can travel north to New Hampshire and south to the central part of the state. Ayer's high-tension power line corridor is also important. The lines run east to west, facilitating passage between eastern and central Massachusetts.

The NHESP has documented locations in Ayer where four species of vertebrates that are endangered, threatened or of special concern have been found. They include the least bittern, the upland sandpiper, and the wood turtle, all state-endangered species, and the eastern box turtle, a species of special concern. The state has also identified 12 species that are rare, endangered or of special concern in the Petapawag and Squannassit Areas of Critical Environmental Concern, portions of which are located in Ayer.

Areas of Critical Environmental Concern

The Snake Hill-Long Pond area, which encompasses the northern-most portion of Ayer to downtown Ayer, comprises the southeastern-most section of the Petapawag Area of Critical Environmental Concern (ACEC).⁵⁹ The Massachusetts Audubon Society also identifies Snake Hill-Long Pond as a habitat protection focus area in its 2000 Nashua River Habitat Assessment Report.⁶⁰ This area contains a variety of upland species adjacent to extensive wetlands and vernal pools. There is almost no protected open space in the area and it is a priority site for habitat conservation, particularly unprotected land on Long Pond. The Nonaicoicus Brook-Grove and Plowshop ponds section of Ayer is located within the southwestern-most section of the Squannassit ACEC.

Twelve species that are rare, endangered or of special concern are identified in the Petapawag and Squannassit ACECs — Blanding's turtle, blue-spotted salamander, bridle

⁵⁸ Open Space and Recreation Plan, 4-12.

⁵⁹ Areas of Critical Environmental Concern (ACECs) are places that receive special recognition because of the quality, uniqueness, and significance of their natural and cultural resources. Sites are identified and nominated locally and are reviewed and designated by the state's Secretary of Environmental Affairs. Key elements of the program are environmental analysis and planning; public outreach and education; regulatory reviews; technical assistance; proactive networking with state, federal, regional and nonprofit agencies; and the development of resource management plans and component plans. The Petapawag and Squannassit ACECs were approved in December 2002. For more information, see <<http://www.state.ma.us/dem/programs/acec/index.htm>> and <<http://www.squannassit.org/documents/Petapawag.pdf>>

⁶⁰ Nashua River Watershed Association, "5-Year Action Plan 2003-2007."

shiner, climbing fern, eastern box turtle, four-toed salamander, lowbind weed, Mystic Valley amphipod, small bur reed, small whorled pogonia, spotted turtle and wood turtle.⁶¹

The ACECs also provide habitat for common mammals: beaver, black bear, bobcat, coyote, eastern flying squirrel, fisher, eastern gray squirrel, long-tailed weasel, mice, mink, mole, moose, muskrat, red squirrel, shrew, vole and white-tailed deer. Bird species include: barred owl, black-capped chickadee, black-throated warbler, Cooper's hawk, eastern screech owl, great blue heron, great-horned owl, green warbler, hairy woodpecker, northern goshawk, ovenbird, pileated woodpecker, red-breasted nuthatch, red-eyed vireo, red-tailed hawk, white-breasted nuthatch and woodthrush.

The Massachusetts Natural Heritage and Endangered Species Program (NHESP) maintains an inventory of critical habitat of statewide significance. The inventory includes Snake Hill-Long Pond and most of Bowers Brook from Pine Hill in Harvard north to Grove Pond, along with some of its tributaries.⁶² There are also three state-designated NHESP Priority Habitat areas in the Bowers Brook subbasin. They include: a wetland through which Bowers Brook flows just east of the Route 110 and 111 interchange at Route 2 and west of Poor Farm Road; along Cold Spring Brook by Barnum Road to the east of Robbins Pond; and along all of Nonaicoicus Brook to the north of West Main Street, including the mouth of Willow Brook. A fourth NHESP Priority Habitat area is located between Shepley Hill and Plowshop Pond north of the railroad tracks.

SCENIC AND CULTURAL RESOURCES

Scenic Landscapes

The Massachusetts Landscape Inventory has designated an area from the former state game farm and Snake Hill along the Groton border as a "distinctive landscape" with highest visual quality that is worthy of protection (Map 3-C).⁶³ In the 2000 Nashua River Habitat Report, the Massachusetts Audubon Society has also included the vicinity of Snake Hill-Long Pond as a habitat protection focus area.⁶⁴



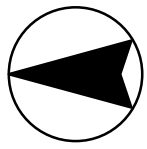
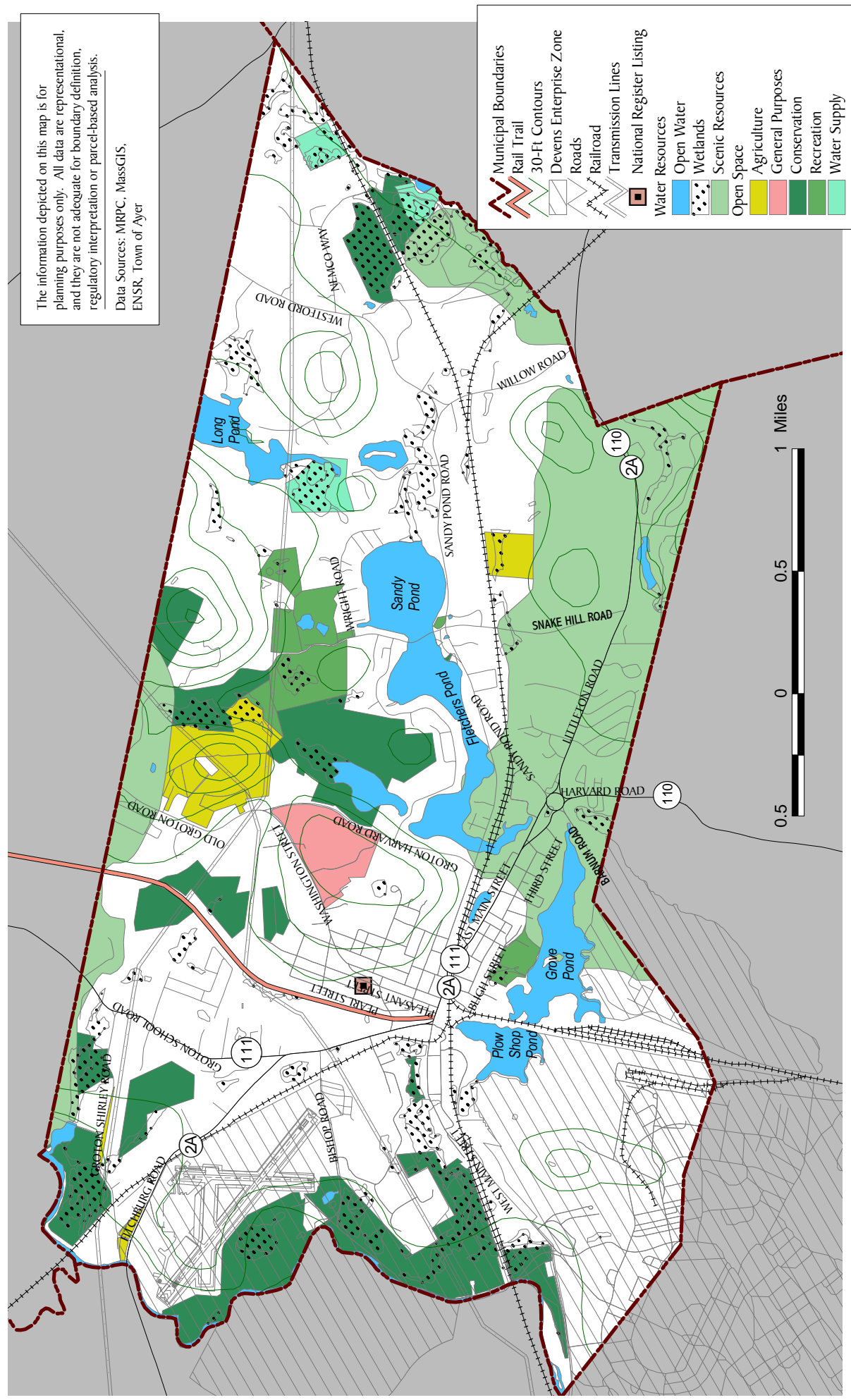
When the 1997 Open Space and Recreation Plan was prepared, Ayer residents identified a number of places in town as scenic structures

⁶¹ Squannassit and Petapawag Areas of Critical Environmental Concern, "Survey Nomination Report," <<http://www.squannassit.org/>> [4 March 2004].

⁶² Nashua River Watershed Association, "5-Year Action Plan 2003-2007."

⁶³ Massachusetts Department of Environmental Management, "Massachusetts Landscape Inventory: A Survey of the Commonwealth's Scenic Areas," 1982.

⁶⁴ Nashua River Watershed Association (NRWA), "5-Year Action Plan 2003-2007," <<http://www.acapellastudios.com/nrwa2/subbasins/bowers.htm>> [7 November 2003].



Comprehensive Plan
Update 2004

Map 3-C

Open Space & Scenic Resources

May 24, 2004

Community Opportunities
Group, Inc.
Boston, Massachusetts
(617) 542-3300

AYER

and/or local scenic areas including: Columbia Hill, Fletcher's Field, Frederick C. Carlton Circle, Groton Shirley Road, Grove Pond, Horgan Ice House, Peterborough & Shirley railroad bed and bridge trestle, Pingry Hill, Sandy Pond, Sandy Pond Icehouse foundation, District School #11, and Shaker Mill Pond. Residents also identified the Victorian homes on upper Washington and Pleasant Streets, Willow Road crossing railroad bed and trestle, the wooded hillside on Route 2A between Littleton and Snake Hill Road, and woodlands off Sandy Pond Road between Westford and Sandy Pond roads.⁶⁵

Cultural Resources

Cultural resources are the places and institutions that contribute to a community's unique identity. There are two National Register Historic Districts in Ayer: the Ayer Main Street Historic District and Fort Devens Historic District.⁶⁶ The Ayer Main Street Historic District is located on Main Street between Park Street and Columbia Street. It includes 22 two- and three-story Victorian structures. The Fort Devens Historic District, bounded by El Caney Street, Antietam Street, Sherman Avenue, MacArthur Avenue and Buena Vista Street, includes 58 properties from the early twentieth century. Listing structures and houses on the National Register of Historic Places does not protect these buildings from demolition or alterations that could degrade their historic value. However, it allows property owners to qualify for historic preservation tax credits and provides prevents the use of federal funds to adversely affect a historic resource, except to address an imminent health or safety hazard.



Only two other properties in Ayer are listed individually on the National Register of Historic Places: Ayer Town Hall and the Pleasant Street School. Ayer Town Hall was built in 1876 on Main Street in downtown Ayer, near the rail station. The town recently completed a rehabilitation and restoration of Ayer Town Hall, including the addition of an elevator, an egress stair, access accommodations, complete interior renovations, preservation of the historic interiors, and restoration of the brick, tile, and stone exterior. This project was of such distinction that it won a preservation award in 2003 from the Massachusetts Historical Commission (MHC). In addition, the town used a Historic Landscape Preservation Grant to develop a small pocket park beside Ayer Town Hall. The Pleasant Street School, a three-story, wood frame Colonial Revival building constructed in 1894, is maintained by the Ayer Historical Commission.

The 1997 Open Space and Recreation Plan identifies other historic buildings and landmarks that are not listed on the national or state historic registers. One significant building is District School #11, a one-room wooden schoolhouse that was built in 1792. Located at the junction of Sandy Pond, Westford and Willow roads, the District School #11 is owned by the

⁶⁵ Open Space and Recreation Plan, 4-13.

⁶⁶ Massachusetts Historical Commission, State Register of Historic Places (2001), 17.

town and managed by the Sandy Pond School Association. The town has not listed the building on any historic registry.

There are also two historic ice houses located in Ayer: Horgan Icehouse near the dam on the Nashua River north of West Main Street, and the foundation of the Sandy Pond Icehouse off Sandy Pond Road. Horgan Icehouse has been identified as an ideal site for a canoe launch and park. Another site on the Nashua River, Camp Stevens, was used as a training ground for the Union Army during the Civil War. The site is marked with a stone monument. Finally, Ayer has 922 houses that were built before 1939, totaling 29% of the town's housing stock.⁶⁷ Voluntary efforts by individual property owners have helped to protect Ayer's historic homes. Throughout the town, there are many well-preserved structures and ongoing restoration projects.

A local historic district consists of a structure, site, individual building or group of buildings that has been recognized for its historic importance. When a community creates a local historic district by vote of its legislative body (in Ayer, the Annual Town Meeting), it is empowered via the authority of M.G.L..c.40C to monitor and regulate demolition, exterior alterations and new construction within the district. Ayer has not established any local historic districts under M.G.L.. c.40C.

OPEN SPACE

Open space is usually classified by degrees of protection against a future change in use. "Permanently protected" open space includes land owned for conservation and wildlife habitat by federal and state agencies, a local conservation commission or non-profit land trusts, and privately owned land bound by conservation easements or an Agricultural Preservation Restriction (APR). "Temporary" and "limited" refer to open space covered by revocable restrictions against development or change in use. An example of "temporary" open space is the Ayer Sportsman Club's land, which is under a Chapter 61B agreement with the town. Limited-protection open space includes property such as a cemetery or a ball field — land that technically could be redeveloped, though a change in use is very unlikely. "Unprotected" open space has no legal restrictions against future development. Using today's population as a baseline, Ayer has 0.159 acres of open space per capita and 0.097 acres of protected open space per capita. Compared to many communities in Massachusetts, including all of Ayer's neighboring towns, the amounts of open space per capita and protected open space per capita in Ayer today are unusually low.

Ayer's open space inventory includes about 1,200 acres, or 20% of the town's total area — including the Devens Regional Enterprise Zone.⁶⁸ According to MassGIS, which maintains a statewide library of open space data, all permanently protected open space in Ayer is owned by a public entity: the town itself, or a state or federal agency. The state's records also indicate that the Department of Public Works (DPW) manages a majority of the town's open space for water supply purposes. The remaining parcels are privately owned and

⁶⁷ U.S. Department of Commerce, Bureau of the Census, Census 2000, Summary File 3, Table DP-4.

⁶⁸ See Appendix D for Ayer Open Space Inventory.

temporarily protected under Chapter 61 agreements as farm, forest or recreation land. There is no privately owned, permanently protected open space in Ayer.

The town's most significant open space holdings include:

- ◆ Erskine Property (Pine Meadows): 129.19 forested acres on Groton-Harvard Road for hiking, picnicking, and horseback riding;
- ◆ Mini French: 25.79 acres on Nemco Way, adjacent to the Spectacle Pond wells; and
- ◆ Northeast Milling: 33.61 acres of forested land on Nemco Way, adjacent to the railroad.



Large playing fields about the Ayer Public Schools complex.

The Commonwealth of Massachusetts owns approximately 94 acres of land in Ayer. The Division of Fisheries and Wildlife owns the former state game farm — “Pheasant Farm” — on Fitchburg Road, Groton-Shirley Road and Oakhurst Avenue, but the land is not open to the public. In addition, Ayer has about 452 acres of open space under Chapter 61, 61-A or 61-B agreements. The largest of these holdings is recreation land owned by the Ayer Sportsman Club on Snake Hill Road and Wright Road. In addition to land classified as open space, Ayer has other vacant land. Unless permanently protected, however, it may not remain undeveloped in the future.

Trends & Issues

WATER RESOURCES MANAGEMENT

As Ayer works to strengthen its business and industrial base, the town needs to consider the existing and cumulative burdens on its water and wetland resources that could lead to more pollution, unsustainable demand and negative impacts on public health, habitat, and water quality. Wetlands protection, water quality and adequate water supply are critical community issues in Ayer.

The town's Flood Plain Overlay District requires buffers along rivers and wetlands and it provides for sedimentation and erosion control in the most sensitive areas. However, chronic flooding and persistent erosion in some parts of town suggest that additional open space protection and regulatory controls may be needed. In addition, Ayer needs to do more protect its existing wells and watershed basin. The town only owns 63.19 acres to protect wellheads at Spectacle Pond and Grove



Erosion and sedimentation measures such as hay bales and silt fences protect water resources during construction.

Pond. In the interests of public health and safety, lands within Ayer's aquifer recharge zones and flood-sensitive areas need high-priority status for permanent protection.

Ayer has few mechanisms to regulate development near wetlands. The Wetlands Protection Act, M.G.L. c.131, §40, is the only regulatory tool available to protect wetlands in Ayer because the town does not have other resources that would strengthen the role and authority of the Conservation Commission, the Planning Board and other boards or officials with a role in development review. Comprehensive wetlands protection requires both zoning and non-zoning controls, high-quality resource area maps and sustained public education. For example, many communities adopt wetlands protection zoning *and* general bylaws, the latter being very effective because it does not trigger the "grandfather" provisions normally associated with a zoning change. In addition, communities with wetlands protection zoning districts typically ensure that the underlying zoning in or adjacent to major wetland resource areas is limited to low-impact development and adequate environmental performance standards. Ayer has the opportunity to preserve both its beauty and natural resources, to protect its residents from flooding and to improve its safeguards against groundwater contamination.

POLLUTION AND CONTAMINATION

Sources of point source and non-point source pollution threaten public health, habitat and natural resources. Point source pollution stems from a stationary location or fixed facility, such as a pipe or smokestack that discharges pollutants. Non-point source pollution originates from diffuse areas without well-defined sources, such as road salt, fertilizers, pesticides and leaking septic systems. There are several sources of pollution and contamination in Ayer — monitored facilities, landfills and erosion and sedimentation.

Ayer has seven Tier Classified 21-E sites, six facilities in Ayer and one in the Devens Regional Enterprise Zone.⁶⁹ All are hazardous material and brownfield sites as defined by M.G.L. c. 21E, the Massachusetts Superfund Law, which is comparable to the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Presently, the Bureau of Waste Prevention at DEP monitors six "major facilities" in Ayer that it considers to have a high likelihood of causing environmental harm should there be a malfunction or spill.⁷⁰ In addition, the U.S. Environmental Protection Agency (EPA) regulates and monitors 63 facilities in Ayer,⁷¹ including 11 inside the Devens Regional Enterprise Zone. Forty-seven of Ayer's 63 EPA-regulated facilities are hazardous waste

⁶⁹ MassGIS, filename "BWSC_DEP.dbf," updated November 2002. The former Fort Devens was placed on EPA's National Priorities List in 1989. There are 324 CERCLA sites on the property. Most (90%) have No Further Action (NFA) status and do not require additional remediation. For more information, see Devens BRAC Environmental Office, <<http://www.devens.army.mil/staff/brac/history.htm>>

⁷⁰ MassGIS, filename "BWP_MAJ.dbf," updated August 2002.

⁷¹ U.S. Environmental Protection Agency, "Envirofacts Warehouse," <<http://oas.pub.epa.gov/enviro/>> [18 November 2003, 25 May 2004]. The database is an inventory of all the regulated industries in Ayer including facilities with permitted discharges to water, reported toxic releases, hazardous waste handlers, active or archived Superfund report and reported air releases.

handlers. According to the EPA, there have been 10 reported toxic releases and 23 reported air releases in the past five years.

The Ayer Municipal Landfill on Groton Harvard Road was closed and capped in 2002. Leachate from the landfill to adjacent conservation land and into Erskine Pond required a clean-up of the land and water.⁷² Currently, a solid waste transfer station located at this site handles 1,500 tons of solid waste annually and processes the town's recyclables. Another facility, Shepley's Hill Landfill in the Devens Regional Enterprise Zone, is a Superfund site that has been closed and capped with an impermeable liner and vegetative grasses. Leachate from Shepley's Hill Landfill caused contamination at Plow Shop Pond. Finally, the Littleton Municipal Landfill poses a threat to the Spectacle Pond wells and Ayer's water supply. Since the landfill is located less than 2,000 feet south of the wells, observation wells were installed during the 1980s to monitor groundwater quality.

Erosion can occur when soils are disturbed and left exposed to wind and water by excavation or clearance activities: removing trees for a new subdivision, building a road or a parking lot, or clearing land for farm operations. It causes soils to redistribute and deposit in other areas through a process known as sedimentation. Together, erosion and sedimentation create significant non-point pollution risks to wetlands and surface water resources, e.g., by smothering bottom-dwelling animals, reducing the amount of light available to underwater plants, destroying fish habitats, or transporting phosphorous to lakes. Ayer has severe sedimentation problems on the banks of the Nashua River and along the shorelines of the town's ponds during periods of heavy rainfall when water levels rise rapidly.⁷³

HABITAT LAND

Clear strategies to protect habitat land will provide many benefits to the town and leverage non-local resources to meet habitat conservation targets as well as open space and recreation goals. Although past plans have suggested habitat acquisition priorities, Ayer has not developed a protection strategy or adopted tools and resources to assist with habitat stewardship and conservation. None of Ayer's existing local planning documents prioritize land management. The 1997 Open Space and Recreation Plan and Comprehensive Plan Update both recommend acquisition around the town's ponds, and this should continue to be an important priority — as should monitoring and acquisition in Ayer's two recently designated Areas of Critical Environmental Concern.

Ayer does not rely very much on habitat land acquisition or regulatory tools to protect land and resources. The town's cluster zoning bylaw, which is voluntary and requires a special permit, has been used only once. Ayer does not have a local wetlands bylaw or a policy to take tax title to land or require conservation restrictions when development projects affect natural resources. These are all tools used to acquire or protect open space that can simultaneously benefit natural resources, wildlife habitats, and public health.

⁷² Open Space and Recreation Plan, 4-16.

⁷³ Ibid, 4-19.

HISTORIC AND CULTURAL RESOURCES

Ayer lacks a current, comprehensive resource inventory of its nineteenth century Victorian housing stock, its remaining eighteenth century buildings, and historic municipal buildings and unique ice houses. Adequate inventories of historic properties and landscape features around the town center, along Washington Street, Pleasant Street and around the town's water resources would enable Ayer to document and protect its varied architectural traditions. For example, qualifying significant commercial buildings for listing on the National Register of Historic Places would make investors eligible to apply for federal and state historic preservation tax credits to defray rehabilitation and restoration costs. In addition, listing on the federal register automatically qualifies properties for listing on the Massachusetts



An old village surrounds the District School #11, which was built in 1792.

Register of Historic Places. Among other advantages, listing on the state register allows owners of historically significant properties to apply for a five-year, phased increase in the assessed value of their homes after they complete a significant restoration project, provided that Ayer adopts the enabling legislation for this purpose (M.G.L. c.59, §5J). When paired with demolition delay and zoning incentives to preserve older buildings, the national and state registers can be a very important preservation tools. Unfortunately, they do not guarantee that significant buildings will be protected — today or in the future.

Ayer has no regulatory mechanisms to save its cultural and historic resources. The town's important buildings survive largely because they have value to the owners, but structures and outbuildings remain vulnerable to demolition. While inclusion in a National Register Historic District offers the possibility of federal and state financial assistance, it does not prevent demolition or inappropriate alterations. Without a comprehensive survey of historic structures and sites, the town cannot submit nominations to the National Register of Historic Places or create local historic districts, which remain the state's most effective preservation tool. Ayer also has not utilized the Massachusetts Scenic Roads Act (M.G.L. c.40, §15C) to protect trees or stone walls within the public right of way on locally accepted streets.

OPEN SPACE

Acquisition Priorities

While protecting open space has been a town goal for many years, Ayer has purchased and preserved relatively little land. In order to meet its resource protection goals, the town will have to purchase land very strategically. Ayer needs a policy of conservation *by design* rather

than conservation in response to preventing growth. The town needs to spend its own limited resources on the most critical parcels and those parcels are ones that protect the town's drinking water supply.

In addition to the permanently protected open space already protected in Ayer, the town is interested in conserving other parcels. Parcels of conservation and recreation interest include:⁷⁴

- ◆ Land in Zone I, Zone II and the Aquifer Protection District;
- ◆ Land in the Petapawag and Squannassit Areas of Critical Environmental Concern;
- ◆ Land enrolled in the Chapter 61 program;
- ◆ Land providing public access to the town's ponds;
- ◆ Wetlands and vernal pools;
- ◆ Recreation fields in Ayer located within the Devens Regional Enterprise Zone; and
- ◆ Moore Airfield.

Local Capacity: Staff and Volunteers

Ayer has modest capacity to protect more open space. Although town meeting recently voted to extend the Rate of Development Bylaw to December 2005, Ayer's volunteer boards and commissions will eventually have to manage a number of development projects already approved or in the pipeline. Town hall's small corps of professionals is busy with the day-to-day demands of local government and pressures to resolve the fate of the former Fort Devens. As a result, there seems to be no reserve capacity to focus on open space acquisition and stewardship or on initiating projects that would increase public access to Ayer's existing holdings. The town needs some successes on which to build more capacity for open space and resource protection. Ayer residents are concerned about their town's natural resources and open space, but there are many more time-consuming tasks than staff and volunteers. A critical weakness in Ayer is the lack of town staff or private group organized to manage open space acquisitions, fundraise and provide stewardship.

Financial Needs

Like many small towns, Ayer has dedicated a limited amount of financial support to open space. Today, the Community Preservation Act is Ayer's only source of revenue for land acquisition. However, Ayer's Community Preservation Committee (CPC) has not yet developed an acquisition policy and open space priorities. Since CPA revenue alone will not be enough to handle major acquisitions, Ayer needs ways to supplement its CPA fund with

⁷⁴ For additional information about these areas and the conservation and recreation interests they represent, see Ayer Open Space and Recreation Plan Update: 2004. (Draft report distributed for public comment May 2004).

other sources, such as a water conservation bond, state and federal grants, and revenue that could be obtained from developers under a growth management bylaw. Ayer has been very successful in obtaining grants for other projects, so the town should be able to compete for open space grants as well. Since state and federal grants usually require a local match, it will be crucial for Ayer to develop a management plan for its CPA fund and assign qualified personnel to assist the CPC, the Conservation Commission, the Historical Commission and others with an interest in preservation issues.

Goals & Recommendations

RESOURCE PROTECTION GOALS

- ◆ Protect Ayer's drinking water.
- ◆ At minimum, achieve a 20% increase in open space per capita (~327 acres) and a 40% increase in permanently protected open space per capita (~372 acres) in the next ten years, emphasizing land that protects water supplies, wildlife and forests.
- ◆ Preserve and enhance environmental resources and natural habitats.
- ◆ Prevent the loss of historic buildings and landscapes.
- ◆ Increase public access to and use of Ayer's open space.

NATURAL RESOURCE PROTECTION RECOMMENDATIONS

- ◆ Engage industry to participate in water supply conservation, and water quality protection including monitoring and best management practices.
- ◆ Review the town's roadway maintenance practices, e.g., street sweeping, sanding and de-icing, and identify opportunities to reduce the impact of these activities on water quality.
- ◆ Adopt a local wetlands protection bylaw (non-zoning).
- ◆ Extend protection to isolated wetlands and intermittent streams that are inadequately protected (or unprotected) by the Massachusetts Wetlands Protection Act and Rivers Protection Act.
 - Establish local "no-disturbance" and "no-build" zones.
 - Establish a reasonable fee schedule for permit applications under the local bylaw, and use the revenue to provide adequate professional support for the Conservation Commission.
- ◆ Adopt a land clearing and grading bylaw that requires all non-agricultural clearances of 30,000 ft² or more to obtain prior review and approval by the Planning Board to protect mature trees and prevent erosion and sedimentation. Enforce existing requirements for

erosion and sedimentation measures including silt fences, hay bales, etc. around resource areas at all construction sites.

- ◆ Periodically review and amend the Aquifer Protection District Bylaw to ensure that it complies with updated guidelines of the Massachusetts Department of Environmental Protection.
- ◆ Develop management plans for ACECs that include land use regulations, development review criteria and species monitoring.
- ◆ In conjunction with MassDevelopment, the JBOS and the Town of Shirley, develop a long-term plan for the North Post.
 - The plan should be informed by an environmental inventory and provide buffer zones for Oxbow National Wildlife Refuge and habitat preservation (wetlands, vernal pools, grassland for nesting birds, etc.).
 - Development (if any) in this area should emphasize “environmentally friendly” businesses or uses that typically protect large amounts of open space, such as assisted living facilities, conference centers.
 - Development review should include an ecological impact analysis and environmental performance standards to protect resource areas.
- ◆ Ban underground sprinkler systems to lower water consumption and assure that all new construction and significant rehabilitation projects use water-conserving fixtures.

CULTURAL RESOURCE PROTECTION RECOMMENDATIONS

- ◆ Adopt a demolition delay bylaw that protects structures more than 50 years old from demolition for at least six months, and provide corresponding zoning regulations to make preservation economically feasible.
- ◆ Adopt zoning that supports appropriately designed conversions of historic residences to multi-family or mixed-use buildings, provided they comply with the U.S. Department of the Interior Standards for Rehabilitation of Historic Buildings.
- ◆ Build a reserve of CPA revenue to acquire historic preservation restrictions in exchange for appropriate renovations of historically significant commercial and institutional buildings.
- ◆ Initiate and complete planning, surveys and inventories as a first step toward creating or expanding historic districts and nominating individual listings in Ayer, including single-property or parcel districts. Nominate additional properties for listing on the National Register of Historic Places.
 - Prioritize the inventory by starting with the Ayer Main Street Historic District and Pleasant and Washington streets.

- Apply for a Planning and Survey Grant (as funds are available) from the Massachusetts Historical Commission using CPA funds for the required match.
- ◆ Consider establishing a Neighborhood Conservation District in downtown Ayer and adjacent neighborhoods, using the historic property inventory process as a starting point to engage residents and business owners in a conversation about the importance of protecting their built assets.
- ◆ Use the Scenic Roads Act, M.G.L. c.40, §15C, to designate scenic roads in Ayer in order to protect significant trees and stone walls within the public right of way. Initial nominations should include MacPherson Road, Bishop Road, Snake Hill Road, Groton-Harvard Road, and Washington Street.
- ◆ Seek opportunities to create community and cultural amenities at the town's historic public buildings such as the pocket park beside Ayer Town Hall, community gardens at the Pleasant Street School or picnic tables at the Ayer Public Library.

Open Space Recommendations

- ◆ Focus resources on an Area Strategy: authorize a water conservation bond and acquire land in Zone I, Zone II and the Interim Wellhead Protection Area (IPWA) of existing and potential future water supplies.
- ◆ Review existing town holdings and transfer ecologically significant, unrestricted surplus land to the Conservation Commission.
- ◆ Encourage industry to partner with the town to purchase land that protects their economic interest in the town's water supply.
- ◆ Use a local wetlands bylaw to leverage conservation restrictions in the Aquifer Protection District, the ACECs and other sensitive wetland resource areas when the Conservation Commission issues an Order of Conditions.
- ◆ Take tax title properties and set aside those with ecological significance as permanently protected conservation land.
- ◆ Develop management and monitoring plans for the Erskine, Mini French, N.E. Milling and Tithe properties.
- ◆ Encourage clustered housing development on vacant residential land to conserve open space and create recreation areas.
- ◆ Sponsor public education activities to increase public awareness and appreciation of Ayer's open space:
 - Work with Ayer High School's vocational programs to design and build signs and informational kiosks for open space access points.

- Develop “done-in-a-day” projects such as clean-up events and installing conservation land signs and trail markers.
- ◆ Re-establish the Ayer Conservation Trust to raise private funds for conservation and to hold conservation restrictions on land acquired by the town with CPA revenue.
- ◆ Assign the proposed town planner to assist with open space grant applications and helping with the logistics of acquiring public open space. The planner’s responsibilities should include the following:
 - Work with owners of large Chapter 61 parcels in the ACEC to express the town’s interest in protecting their land by purchasing it or acquiring development rights in exchange for a perpetual conservation restriction.
 - Encourage partnerships with the Town of Littleton, the Spectacle Pond Association, PACE and other conservation organizations to purchase land that protects the Spectacle Pond wells.
 - Assist the CPC in identifying and pursuing CPA-assisted land acquisitions that can leverage Self Help and Environmental Justice grants.
 - Seek training opportunities and technical support for town boards, commissions, and staff.
 - Work with the Nashua River Watershed Association and member communities to acquire and manage land and resources in the watershed and ACECs.
 - Develop and oversee a comprehensive public restriction tract index for recording at the Middlesex County Registry of Deeds.

HOUSING

Introduction

Housing is a community's most important man-made asset, yet it is also the most contentious planning issue in cities and towns across the Commonwealth. Existing residents believe that their communities already have too many homes, and in an effort to save open land and control school costs, local officials work very hard to curb housing growth. However, in many cases the techniques they choose merely exacerbate the problems they had hoped to avoid. Addressing these conditions is a major challenge for most master plans.

Another planning challenge is housing affordability. Since very few communities have adopted zoning to produce affordable homes, the only device available in most cities and towns is the comprehensive permit under Chapter 40B: a device that remains highly controversial throughout Massachusetts. A final planning challenge is whether a community's zoning encourages or restricts housing that responds to the needs of current and future households.



Home styles in Ayer vary widely, with older homes and multi-family properties clustered in the center of town .

Ayer is hardly immune to the tension surrounding housing. Since its inception, Ayer has served as a haven for individuals and families seeking an affordable place to live. Built around the railroad in the 1840s, Ayer's industrial base attracted new residents who sought work in the railroad switching yards, mills and tanneries. The town has a wide range of homes, and many have accommodated lower-income households in the past. Today, built-up development pressure from a long-standing sewer moratorium and the westward push from Boston of people seeking reasonably priced housing create new opportunities and challenges for Ayer. Since Ayer has much to offer, it will attract new households and they, in turn, will bring different ideas and expectations just as long-time residents did when they first moved into town years ago.

Ayer values its unique combination of diversity, small-town charm and community cohesion, qualities that distinguish it from other communities nearby. Its access to commuter rail and proximity to Route 2, and Interstate 495 and 290 make Ayer desirable for workers commuting to employment anywhere in eastern Massachusetts. Ayer's network of waterways provides attractive vistas and recreational opportunities, while downtown and surrounding neighborhoods convey a clear impression of the town's history. Like all towns that are trying to plan for their future, Ayer faces difficult housing policy choices that need to be integrated with other elements of the master plan.

Existing Conditions

POPULATION TRENDS

Ayer's population has periodically grown and declined over the last 100 years. Its Census 2000 population of 7,287 persons represents a 17.6% increase since 1990. All of the towns around Ayer experienced varying degrees of growth during the past decade, mainly because the I-495 corridor became a magnet for housing and business development after the recession lifted in the early 1990s. Table 4-1 provides a 50-year snapshot of regional population change.⁷⁵

Table 4-1: Comparison Population Change, 1960-2000

Geography	1960	1970	1980	1990	2000	% Change 1990-2000
AYER	14,927	7,393	6,993	6,195	7,287	17.63%
Groton	3,904	5,109	6,154	7,511	9,547	27.10%
Pepperell	4,336	5,887	8,061	10,098	11,142	10.30%
Shirley	5,202	4,909	5,124	5,750	5,271	-8.30%
Townsend	3,650	4,281	7,201	8,496	9,203	8.30%
Harvard	1,840	2,962	3,744	4,662	5,230	12.20%
Lancaster	3,958	6,095	5,034	6,289	6,211	-1.20%
Lunenburg	6,334	7,419	8,405	9,117	9,401	3.10%
Littleton	5,109	6,380	6,970	7,051	8,184	16.10%
Westford	6,261	10,368	13,434	16,392	20,754	26.60%
Clinton	12,848	13,383	12,771	13,222	13,435	1.60%
Massachusetts	5,148,578	5,689,377	5,737,037	6,016,425	6,349,097	5.50%

Sources: MISER, 1990 Census and Census 2000, Summary File 1, Table DP-1. For 2000, Shirley, Harvard and Lancaster populations exclude inmates of correctional facilities. Where possible, historic population counts for Harvard have been adjusted to exclude military personnel and families at Fort Devens.

In 1999, the Massachusetts Institute for Social and Economic Research (MISER) released 2000, 2005 and 2010 population projections for all cities and towns, using low-, mid-, and high-range estimates. Actual Census 2000 data indicate that for Ayer, MISER's high-level projections were the most accurate.⁷⁶ Assuming the continued validity of MISER's forecasts, Ayer's population could reach 10,116 in 2005 and 12,472 in 2010.⁷⁷ However, these estimates do not consider the town's recent sewer moratorium, which banned connections to the local

⁷⁵ U.S. Department of Commerce, Bureau of the Census, 1990 Census, Summary File 3, Table DP-1; Census 2000, Summary File 3, Table P-1

⁷⁶ In 1999, MISER's high-level 2000 population forecast for Ayer was 7,929 persons whereas the mid-level projection was only 5,256. MISER uses different scenarios to calculate population projections at low-, mid-, and high-levels. Typically, the mid-level projections are used to project how a town's population may change in the future. In Ayer's case, the actual counts conducted by Census 2000 indicate that Ayer is growing at a rate closer to MISER's high-level projections.

⁷⁷ Massachusetts Institute of Social & Economic Research (MISER), <<http://www.umass.edu/miser/population/miserproj.htm>>.

sewer system and stalled housing development for the past several years, and the Rate of Development Bylaw that went into effect in 1999. Although Ayer's current population closely approximates MISER's 2000 estimate, it is unlikely that Ayer will experience the growth predicted for 2005 and 2010. Of course, Ayer will see some growth in the next few years because the Planning Board has recently approved several subdivisions. Still, local regulations have limited and will continue to limit the number of permits granted annually.

Population and Age

Ayer's population is comprised mainly of persons in the 25-44 year age group (38%). Table 4-2 shows that Ayer residents are relatively young and the Town's median population age is 34.8 years. School-age children (5-17) constitute less than 17% of the town's total population, low for the region, while the elderly (65+) constitute 12.7%, higher than most surrounding towns.⁷⁸

Aside from a 35% decline among persons 18-24 during the 1990s, the population in Ayer's younger cohorts remained fairly stable, with little growth or decline (Fig. 1). However, the size of the older cohorts grew substantially. For example, the 45-54 age group increased from 524 persons to 854 persons, or 63%, while the 55-64 age group grew from 510 to 602 persons, a modest leap of 18%. The number of elderly residents (65+) increased from 690 persons to 923 persons, a 34% increase.⁷⁹

Table 4-2: General Population Characteristics, 2000

Geography	Total Population	Median Age	% Elderly Persons	% School Age Children
AYER	7,287	34.8	12.7%	16.4%
Groton	9,547	36.5	7.3%	30.3%
Pepperell	11,142	35.3	7.3%	25.5%
Shirley*	5,271	36.6	9.4%	18.5%
Townsend	9,203	35.4	6.7%	25.2%
Harvard*	5,230	40.6	12.0%	23.4%
Lancaster*	6,211	35.9	12.0%	19.8%
Lunenburg	9,401	39.4	12.0%	20.4%
Littleton	8,184	37.9	11.7%	22.3%
Westford	20,754	36.9	7.2%	29.0%
Clinton	13,435	37.1	15.1%	17.0%
Boston PMSA	3,406,835	36.3	13.1%	16.2%
Massachusetts	6,349,097	36.5	13.5%	17.3%

Source: Census 2000, Summary File 1, Table DP-1; Summary File 3, Table P-8. *Shirley, Harvard and Lancaster population figures exclude inmates from correctional institutions.

⁷⁸ U.S. Department of Commerce, Bureau of the Census, Census 2000, Summary File 3, Table P-8.

⁷⁹ U.S. Department of Commerce, Bureau of the Census, 1990 Census, Summary File 3, Table P-8; Census 2000, Summary File 3, Table P-8.

Persons with Disabilities

Twenty percent of Ayer's population reported having a disability in Census 2000. Of persons 16 years and older, 617 people, or 11%, reported having a physical disability. Not surprisingly, the likelihood of a person having a physical disability increases with age. Over 32% of Ayer's elderly population is physically disabled. Sixty-four elderly persons require assistance with self-care and 67 elderly persons reported having a mental disability.

Race, Ethnicity and National Origin

Ayer prides itself on the racial and ethnic diversity of its people. Although its population diversity has declined since the closure of Fort Devens, Ayer still remains one of the more racially and ethnically diverse communities in the region. According to Census 2000, Ayer is 85.8% white, 5.3% African-American, 3.1% Asian and 6% of the population identify themselves as of another race or two or more races. In total, Ayer's minority population constitutes slightly less than 15% of its total population. The most common ancestries of Ayer residents are Irish, Italian, French, French-Canadian and German.

HOUSEHOLD CHARACTERISTICS

Much like its population, Ayer has a mix of households: families that have lived in town for generations, retired military personnel formerly associated with Fort Devens, populations seeking rental units, and homebuyers looking for less costly housing west from Boston. This diversity means that Ayer's household profile differs from that of neighboring towns. For example, while more than 60% of Ayer households are families, the proportion of family households in most towns nearby exceeds 70%.⁸⁰ Only 30% of Ayer households have children under 18, while in Shirley, families with children under 18 constitute 40% of more of all households.

Table 4-3: Comparison Household Profile, 2000

	Ayer	Boston PMSA	Massachusetts
Population	7,287	3,406,835	6,349,097
Households	2,983	1,323,735	2,444,588
Families	1,797	830,332	1,587,537
Percent Families	60.2%	62.7%	64.9%
Single-Person Households	32.4%	29.0%	28.0%
Average Household Size	2.29	2.48	2.51
Percent Households w/ Children <18	30.4%	29.8%	31.2%

Source: Census 2000, Summary File 3, Tables P-1, P-9, P-13, H-18

In addition, Ayer has a higher-than-average number of single-parent families with children under 18 compared to surrounding towns, the PMSA and the state. The relatively low

⁸⁰ "Family" refers to a household of persons related by blood or marriage. "Household" refers to all persons occupying the same housing unit. It includes families and non-family households, e.g. a household of one person, or two or more unrelated persons.

percentage of families and high number of rental units in Ayer seem to correlate with its relatively high percent of single-person households. It is important to point out that one-third of Ayer's single-person households are also elderly households, in fact the elderly constitute 18% of all households in town. Three percent of Ayer's elderly live with grandchildren under 18 years old.⁸¹

Income, Education & Occupation

Despite increases in education levels and employment shifts towards the service sector, Ayer continues to be less wealthy than other communities in the region. Today, more than one quarter of Ayer's residents over 25 years of age have received a bachelor's or master's degree or higher, compared to less than 15% in 1990. In 2000, 44% Ayer's residents were employed in some type of service industry, up from 37% in 1990.

Income levels have also shifted since 1990. Ayer's 2000 median household income of \$46,619 was among the lowest in the region. Table 4-4 shows that of the immediately surrounding towns, Shirley has the second lowest median household income, \$53,344. The other adjacent towns (Harvard, Littleton, Westford, Groton) are much wealthier, with median household incomes of at least \$70,000.⁸² As a group, Ayer's families have higher incomes than the town's other population groups. Aside from the exceptionally wealthy towns of Groton, Westford and Harvard, Ayer's median family income of \$61,968 is relatively similar to incomes in surrounding towns.

Table 4-4: Comparison Household Income Statistics, 2000

Geography	% Households Income >\$200,000	Median Income		
		Households	Families	Householder 75 years or older
AYER	1.8%	46,619	61,968	20,703
Groton	7.4%	82,869	92,014	26,579
Pepperell	4.0%	65,163	73,967	19,125
Shirley	0.9%	53,344	66,250	20,357
Townsend	2.1%	61,745	67,173	20,385
Harvard	16.6%	107,934	119,352	30,278
Lancaster	3.5%	60,752	66,490	14,682
Lunenburg	3.3%	56,813	63,981	22,083
Littleton	5.9%	71,384	83,365	28,417
Westford	9.9%	98,272	104,029	23,654
Clinton	1.4%	44,740	53,308	15,306
Boston PMSA	3.5%	55,183	68,341	23,267
Massachusetts	4.7%	50,502	61,664	21,522

Source: Census 2000, Summary File 3, Tables P-52, P-54, P-53, P-56, P-77, P-87.

⁸¹ U.S. Department of Commerce, Bureau of the Census, Census 2000, Summary File 3, Tables P-9, DP-2.

⁸² U.S. Department of Commerce, Bureau of the Census, Census 2000, Summary File 3, Table P-53.

Despite Ayer's relatively low median household income, more households in Ayer are earning higher incomes today than in 1990, and household incomes have become more evenly distributed across ranges. In 1990, 60% of all households earned less than \$35,000. Today, over 46% earn more than \$50,000. These figures are roughly equivalent in real dollars. The Boston Consumer Price Index increased by 44.7 points between 1990 and 2000, indicating the buying power of \$35,000 in 1990 is equivalent to that of \$50,645 in 2000.⁸³ However, poverty remains a concern for some residents of Ayer. The town's

poverty levels are substantially higher than those of the surrounding region, the PMSA and the state. Nearly 11% of Ayer's population lives below the poverty level. Since 1990, the percent of elderly persons living below the poverty level increased by 85.4%, to 11.7% in 2000. Moreover, while the number of children in poverty decreased by 14% during the 1990s, 15% still live below poverty.



Ayer has few, large, multi-family, residential buildings.

HOUSING TENURE AND VALUE

Among small towns, Ayer is unusual for its relatively low percentage of owner-occupied housing — 56%. The town's unit occupancy characteristics seem to mirror the make-up of its housing stock. Of all homes in Ayer, 44% are single-family detached homes (traditionally owner-occupied), 7% are single-family attached residences and 14% are two-family homes, while the remainder — over 30% — are in multi-family buildings, except for a small number of mobile homes. However, several factors influence tenure in addition to housing type. During the 1990s, Ayer experienced an increase in the number of owner-occupied units, from 44.1% of all units in 1990 to 55.7% in 2000. Some of the change stems from new construction, but the rise in homeownership is partially attributable to condominium conversions. Since 1990, Ayer has experienced a modest 2.5% increase in renter-occupied housing units (excluding lost military units) such that today, 44.3% of all occupied housing units in Ayer are rented to tenants.⁸⁴ Between 1990-2000, the increase in owner-occupied units greatly surpassed the increase in housing units (9.8%), indicating that some former rental units have been converted to ownership housing.

Renters

Ayer has fewer long-term renters than surrounding towns, the Boston PMSA and the state as a whole. Less than 6% of Ayer's renters have lived in the same apartment or home for more than 20 years. The town's average renter household consists of two people, and renters in Ayer typically have lower incomes than renters in other towns nearby. Ayer's median renter household income of \$35,417 exceeds only that of Littleton, but Littleton has a

⁸³ U.S. Department of Labor, Bureau of Labor Statistics, <<http://data.bls.gov>>.

⁸⁴ U.S. Department of Commerce, Bureau of the Census, 1990 Census, Summary File 3, Table H-8; Census 2000, Summary File 3, Table H-7.

very high percentage of elderly-occupied rental units and its low median renter income reflects the fixed incomes of many elderly households. Ayer's median renter household income, while low, is not particularly unusual. In addition to Littleton, three towns in the region have median renter incomes between \$35,400-\$36,000. However, Ayer has a larger inventory of rental housing than most towns nearby, so the actual number of renter households with low incomes in Ayer is very high.

Despite the limited incomes of Ayer renters, the town's median contract rent falls roughly in the middle of surrounding towns and it is significantly less than that of the Boston PMSA at \$727. On a per-room basis, however, Ayer's median contract rent exceeds rents in many surrounding towns even though it remains below the PMSA-wide median. Local sources report that rents in Ayer have increased since Census 2000, and many landlords believe that rents will soon approach the HUD Fair Market Rents (FMR) for the Boston area.⁸⁵ Together, low renter incomes and high rents indicate a risk of *housing cost burden*, an affordability concept that compares housing costs to household incomes.⁸⁶ Census 2000 data indicate that 36% of Ayer's renter households are housing cost burdened because they pay more than 30% of their income on rent and utilities,⁸⁷ a figure exceeded only in Harvard and Littleton (Table 4-5).⁸⁸ However, no town in the region comes close to Ayer in *number* of cost-burdened renter households. The sheer size of Ayer's rental housing inventory translates into a high number of households living in units they cannot afford.

In Ayer, elderly households constitute more than 14% of renters. Compared to surrounding towns, the percentage of elderly-occupied rental units in Ayer is slightly lower, but Ayer rents are becoming increasingly unaffordable to its senior population. Almost 60% of Ayer's elderly households are housing cost burdened today, representing a 114.5% increase since 1990. For comparison, about 50% of elderly renters in the Boston PMSA and the state as a whole qualify as housing cost burdened.⁸⁹

⁸⁵ "Fair Market Rents" are rent levels set by the U.S. Department of Housing and Urban Development (HUD) for HCVF (formerly Section 8) and other rental housing assistance programs. Rent calculations are based on average market rents in the Boston metropolitan area and in many towns, FMRs surpass rents currently being charged for market-rate units. For example the 2004 Boston Fair Market Rent for a two-bedroom unit is \$1,419.

⁸⁶ HUD defines "cost-burdened" as spending more than 30% of a household's income on housing costs. For renters this includes rent and utilities such as heat. For owners this includes mortgage principal and interest, property taxes and hazard insurance.

⁸⁷ U.S. Department of Commerce, Bureau of the Census, Census 2000, Summary File 3, Table H-71.

⁸⁸ The prevalence of cost-burdened renters in Littleton most likely reflects the town's high percentage of elderly renter households, and even though Harvard's median renter income exceeds \$45,000, the high rents in Harvard (\$924 median contract rent) are unaffordable to many Harvard renters.

⁸⁹ U.S. Department of Commerce, Bureau of the Census, 1990 Census, Summary File 3, Table H-51; Census 2000, Summary File 3, Table H-71.

Table 4-5: Comparison Household Characteristics: Renters, 2000

Geography	Renter Occupied Units	Median Year Moved In	% Long- Term Tenants	% Incomes <\$35K/yr	% Cost Burdened	
					All Renters	Elderly Renters
AYER	1,320	1997	5.6%	49.2%	36.0%	58.4%
Groton	528	1997	5.1%	36.7%	22.1%	42.9%
Pepperell	792	1997	5.4%	41.5%	21.9%	40.4%
Shirley	607	1997	4.9%	49.1%	27.5%	67.0%
Townsend	490	1996	9.4%	49.4%	24.2%	42.6%
Harvard	171	1998	11.1%	46.2%	36.4%	26.9%
Lancaster	431	1997	1.9%	46.2%	26.2%	30.6%
Lunenburg	449	1996	8.2%	44.8%	29.3%	28.0%
Littleton	499	1997	4.6%	53.5%	40.4%	51.2%
Westford	550	1996	11.5%	41.5%	27.8%	51.6%
Clinton	2,562	1996	9.1%	49.3%	27.2%	53.6%
Boston PMSA	542,734	1997	7.2%	50.0%	39.3%	51.3%
Massachusetts	935,332	1997	7.2%	55.5%	38.7%	50.5%

Source: Census 2000, Summary File 3, Tables H-7, H-11, H-14, H-39, H-69, H-71

Homeowners

Over half (57.1%) of Ayer homeowners moved into their current residence within the last decade. The average household size of an owner-occupant household in Ayer is 2.6 persons, and most are married-couple families (slightly less than 60%). However, the percentage of married-couple homeowners in Ayer is substantially lower than that of most surrounding towns, the Boston PMSA and the state. Compared to surrounding towns, Ayer has a relatively high percentage of elderly owner-occupied housing units. This may suggest that Ayer's elderly residents hesitate to move from homes they have lived in for several years and they will do whatever it takes to remain there. It may also suggest a lack suitable housing alternatives.

Table 4-6 shows that Ayer's median homeowner income of \$62,181 is fairly low for the region. In several towns nearby, the median homeowner income exceeds \$75,000, and in four of the five towns around Ayer it is more than \$80,000. Only Shirley has a median owner household income that is anywhere near Ayer's. Housing values follow the same pattern. As reported by Census 2000, Westford, Harvard, Littleton and Groton all have median owner housing values over \$245,000 (and they are much higher today). Using Census 2000 as a baseline, Ayer's median home value of \$160,400 is about \$9,000 more than Shirley's, but more than \$20,000 below the statewide median and \$70,000 below the PMSA median.⁹⁰ Ayer households also pay fairly low property taxes, a condition that is favorable to housing affordability. Ayer's median real estate tax is the region's lowest, due not only to lower housing values but also to a low tax rate (\$10.04/\$1000 in 2004). Together, a low tax

⁹⁰ U.S. Department of Commerce, Bureau of the Census, Census 2000, Summary File 3, Tables H-85, HCT-12.

rate and low housing values help to keep homes affordable, but Ayer's low housing values also raise concerns about the overall quality and condition of its housing stock.⁹¹

About one quarter of Ayer homeowners spend 30% or more of their income on housing.⁹² The incidence of housing cost burden among homeowners in Ayer is fairly typical in the region, except for some of Ayer's wealthier neighbors. Since 1990, the percentage of cost burdened owners in Ayer increased by a modest 4%. Should housing values continue to increase or the town's tax rate change significantly, living in Ayer will become unaffordable to more homeowners.

Table 4-6: Comparison Household Characteristics: Homeowners, 2000

Geography	Owner Occupied Housing Units	Median Year Moved In	Average Household Size	% Married Couple Family	Median Income	Median Housing Value
AYER	1,662	1993	2.57	59.3%	62,181	160,400
Groton	2,740	1992	3.02	77.2%	91,921	280,000
Pepperell	3,055	1991	3.02	75.9%	76,326	189,300
Shirley	1,464	1990	2.83	66.3%	60,529	151,400
Townsend	2,616	1988	3.14	75.5%	63,729	159,100
Harvard	1,638	1991	2.95	76.6%	119,048	369,900
Lancaster	1,618	1988	2.96	72.9%	66,447	172,400
Lunenburg	3,086	1985	2.72	65.9%	62,618	157,400
Littleton	2,461	1989	2.92	74.0%	81,563	245,300
Westford	6,258	1992	3.13	80.8%	102,399	276,200
Clinton	3,035	1987	2.57	54.7%	55,580	142,300
Boston PMSA	780,754	1988	2.77	64.5%	71,766	228,700
Massachusetts	1,508,248	1988	2.74	64.8%	64,506	182,800

Source: Census 2000, Summary File 3, Tables H-7, H-18, H-19, H-85, H-94, HCT-12, HCT-20.

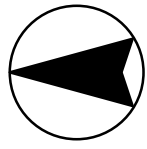
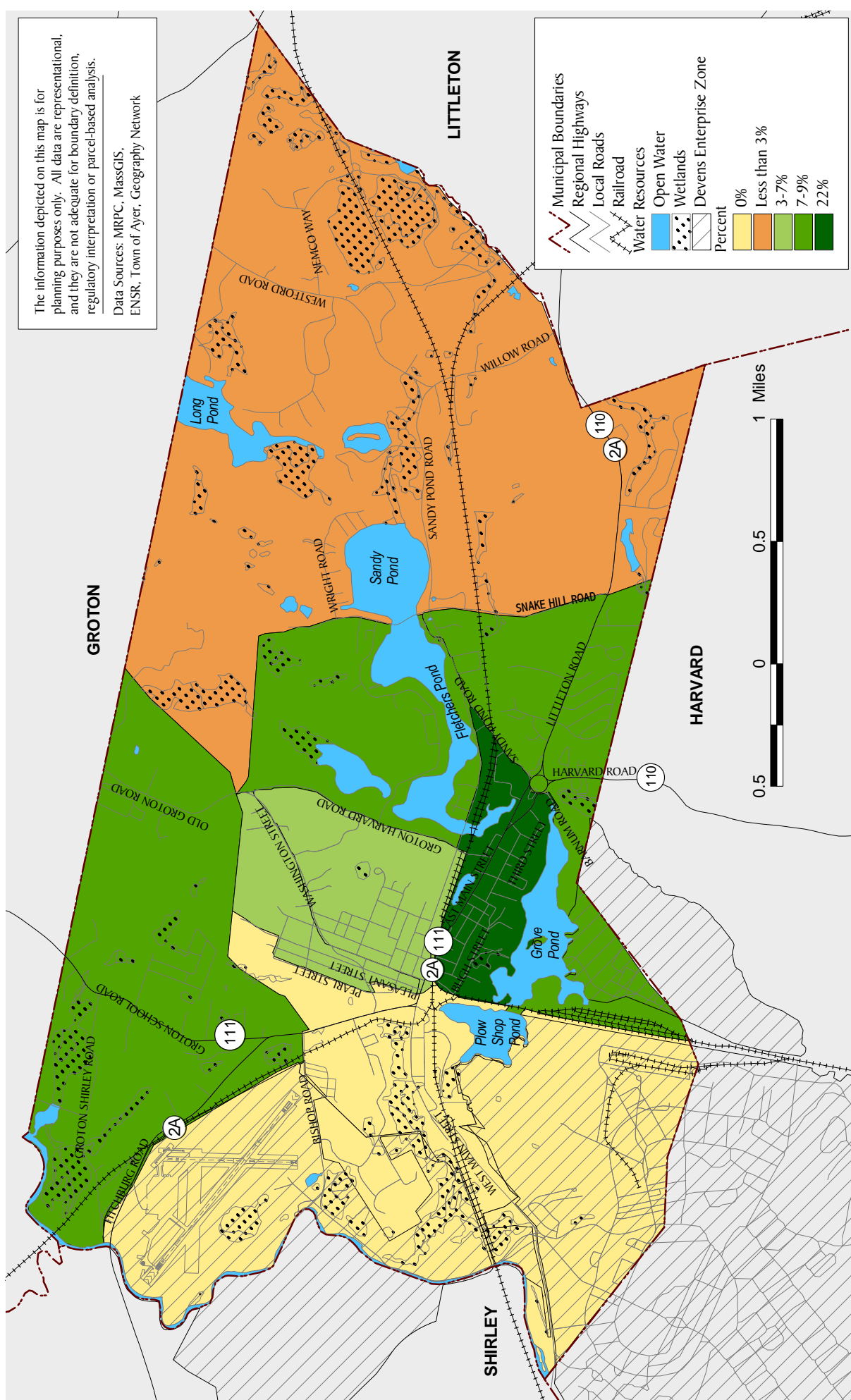
NEIGHBORHOOD CHARACTERISTICS

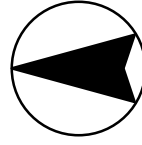
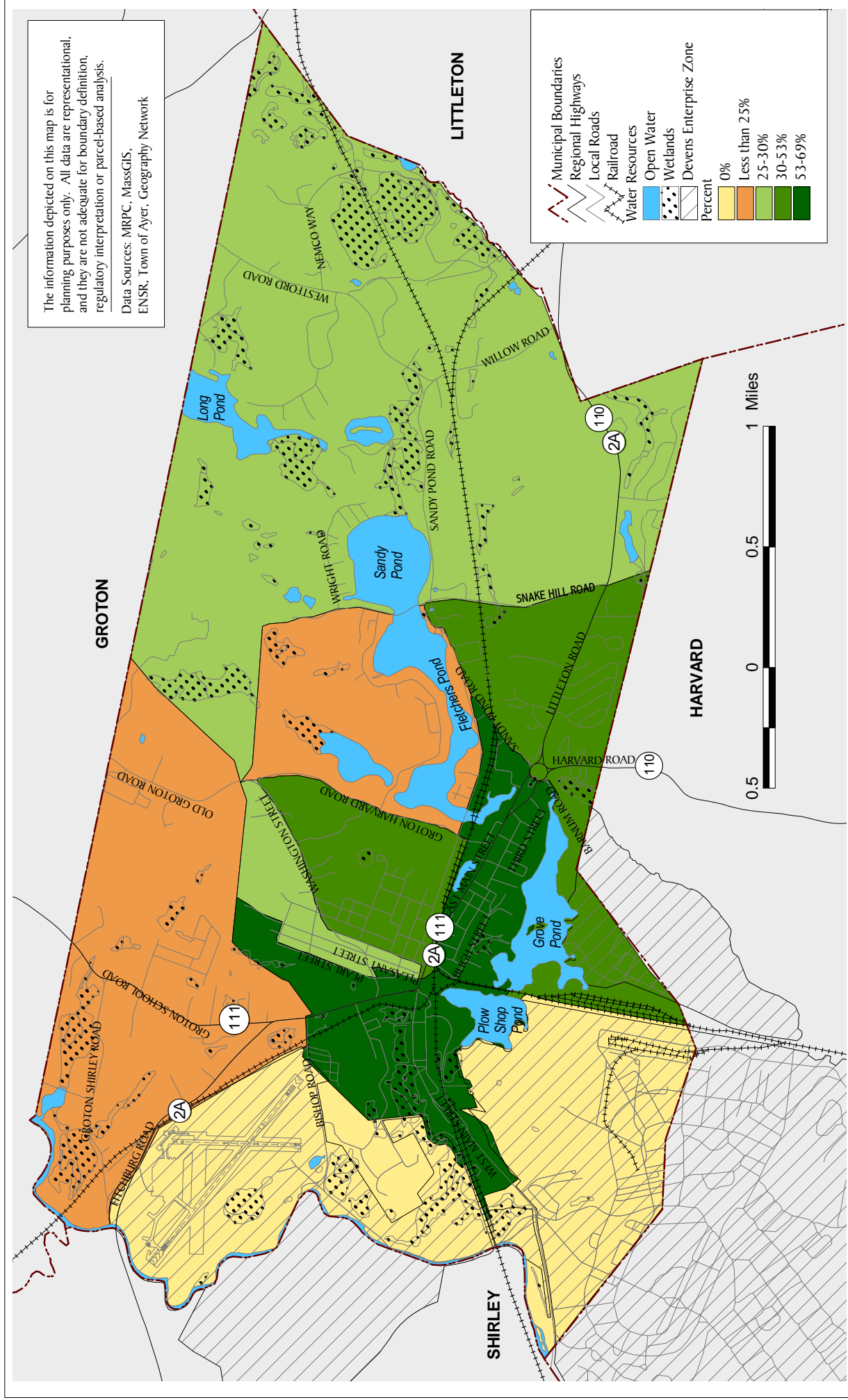
As in most towns, population characteristics in Ayer vary by neighborhood. The differences are apparent in federal census data reported for smaller geographic units than the town as a whole. The U.S. Census Bureau divides Ayer into eight such units, or block groups, as described in Chapter 2. Although the bureau's block group boundaries may not coincide with areas that residents think of as "neighborhoods," most population, income and housing data are available at the block group level and they can be used to measure similarities and differences within a community.

Maps 4-A through 4-C indicate significant differences among Ayer households based on where they live. For example, the neighborhoods in block groups 5 and 7, south of Main Street and along Park Street, have the lowest median household incomes, a large number of

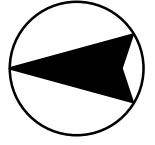
⁹¹ Regardless of its low tax rate, Ayer's average single-family tax bill rose by nearly 75% during the 1990s while the statewide tax bill growth rate was 53%.

⁹² U.S. Department of Commerce, Bureau of the Census, Census 2000, Summary File 3, Table H-96.





Data Sources: MRPC, MassGIS, ENSR, Town of Ayer, Geography Network



TOWN OF
AYER

Boston, Massachusetts
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Cost Burdened Homeowners

people living below the poverty level, high percentages of one-person households, renter-occupied housing units and minority homeowners, and low percentages of single-family homes. The same block groups also have Ayer's oldest housing stock. In contrast, block groups 2 and 3 have Ayer's highest median household incomes, the lowest poverty rates, and high percentages of owner-occupied dwelling units and family households. However, these neighborhoods are actually quite different. Although block group 3 has the highest median household income in Ayer, it also has a fairly low median owner-occupied housing value and just over half of its housing units are single-family homes.

HOUSING CHARACTERISTICS

Much like its population, homes in Ayer represent a mix of types, styles and prices not found in surrounding communities. The town offers a comparatively wider range of housing choices and it has a more balanced housing profile, as suggested by the data in Table 4-7. As a result, Ayer has not only the advantages of small-town life but also the opportunities that often are found only in urban locations.

Table 4-7: Housing Inventory by Number of Units in Structure, 2000

Geography	Total Units	Type of Structure % Total Housing Inventory						
		Single- Family Detached	Single- Family Attached	2-Unit	3-4 Unit	5-9 Unit	10+ Units	Mobile Home
AYER	3,154	43.8%	7.2%	13.9%	11.9%	9.0%	12.4%	1.9%
Groton	3,393	83.8%	2.5%	7.7%	1.9%	1.5%	2.2%	0.4%
Pepperell	3,917	71.2%	3.8%	7.4%	4.4%	4.6%	4.1%	4.5%
Shirley	2,158	56.6%	6.2%	11.2%	6.8%	7.3%	1.8%	10.1%
Townsend	3,182	82.8%	1.0%	2.7%	1.4%	1.5%	10.5%	0.0%
Harvard	2,225	82.5%	0.2%	11.3%	3.1%	2.1%	0.9%	0.0%
Lancaster	2,141	78.2%	3.3%	4.2%	6.9%	5.6%	1.9%	0.0%
Lunenburg	3,668	86.3%	3.0%	4.9%	2.0%	0.5%	0.2%	3.1%
Littleton	3,055	82.0%	1.4%	4.5%	2.4%	2.5%	3.3%	3.9%
Westford	6,941	88.8%	3.9%	2.7%	1.7%	2.1%	0.5%	0.3%
Clinton	5,844	40.3%	7.3%	16.8%	17.0%	5.6%	12.1%	1.0%

Source: Census 2000, Summary File 3, Table H-30

Measured by unit size, Ayer's owner-occupied housing is relatively small, with 6.2 median rooms per dwelling unit. While the town provides some choices to small households and families of modest means, it offers very little to existing residents who want to "buy up" in Ayer. Still, housing prices have escalated to an unprecedented degree throughout Eastern Massachusetts, including Ayer. Table 4-8 shows that Ayer home prices have increased by nearly 200% since 1995, and no other town in the region has been affected to quite the same extent. The sewer moratorium may have contributed to Ayer's unusually high increase in home prices: with growth capped for several years, the supply of new housing in Ayer did not keep pace with surrounding towns. For homebuyers looking in Ayer, there were fewer units available and the impact was manifested in higher sale prices.

Table 4-8: Recent Housing Sales, 1995-2000

	<u>Price Change 1995-2000</u>		<u>Change in # Sales 1995-2000</u>	
	All Sales	SF Only	All Sales	SF Only
AYER	185.4%	147.8%	8.3%	9.1%
Shirley	114.3%	107.1%	79.7%	39.5%
Harvard	64.1%	71.7%	61.2%	60.0%
Groton	72.9%	77.6%	-5.9%	-5.5%
Littleton	102.1%	79.9%	59.7%	35.2%
Westford	79.1%	73.4%	-29.1%	-30.0%
Townsend	73.9%	90.0%	12.8%	5.8%
Pepperell	106.1%	96.6%	-4.3%	8.5%
Lancaster	117.2%	64.3%	17.6%	85.3%
Lunenburg	97.7%	106.8%	15.5%	49.5%
Clinton	111.7%	87.0%	54.5%	68.6%

Source: The Warren Group, Town Stats at <http://www.thewarrengroup.com/townstats/>.

Character & Density of Housing

The diversity in Ayer's housing stock is evident everywhere. Modest village homes, beautiful historic houses, woodsy lakeside retreats, post-war subdivisions, and contemporary condominium and apartment complexes all combine to create a housing profile more typical of small cities. Ayer's history helps to explain the prevalence of mid- to late-nineteenth century homes, including single-family, two-family and multi-family properties designed to house workers and their families. Thirty percent of Ayer's housing was built before 1940. Ayer homes also vary by type, and as Table 4-9 shows, two- and three-family homes in Ayer tend to be much older than single-family homes. They are also smaller on a per-unit basis, with fewer bedrooms per unit and lower assessed values than single-family homes. This is partially due to the scale and range of single-family homes in Ayer compared to two- and three-family properties.

Table 4-9: Characteristics of Housing Stock by Type

Type	<u>Average</u>			<u>Median</u>	
	Living Area (ft ²)	Number of Rooms	Number of Bedrooms	Year Built	Assessed Value (\$)
Single-Family Homes	1,536	6.4	3.0	1960	199,700
Year Built					
Pre-1900	1,607	7.0	3.3		
1920-1945	1,436	6.2	2.9		
1980s	1,712	6.4	3.0		
1990-present	1,754	6.5	3.1		
Two-Family Homes	2,032	9.3	4.4	1910	149,200
Three-Family Homes	2,714	11.2	5.0	1890	182,900

Source: Ayer Assessors Office, "FY03 Parcel Data," in EXCEL format [res.xls].

The range of styles, sizes and neighborhood settings reaffirm the diverse construction dates of homes in Ayer. Pre-1900 residences tend to be larger than most homes built during the twentieth century — until the 1980s, when larger homes became fashionable. In fact, the

largest of Ayer's homes are also the most recently built. On average, single-family homes from the 1990s include 1,754 ft² of living area, 6.5 rooms and 3.1 bedrooms. Ayer has clearly followed regional trends, but its newest homes are not as grand or expensive as those built recently in neighboring towns. For example, less than 4% of all of homes in Ayer have nine or more rooms compared to more than 17% in Harvard, Groton, Littleton and Westford.

Overall, renter housing tends to be older than owner housing in Ayer, yet it is equally varied in style. Rental opportunities in Ayer come in many forms: duplexes, former single-family homes converted to multi-family units, units in mixed-use properties, boarding houses, former hotels, and large-scale developments. The median year built for all rental housing in Ayer is 1958, much like rental housing in surrounding towns. Rental units average 4.0 rooms; most units consist of one or two bedrooms, and, as is the case in most towns, three-bedroom units are scarce in Ayer.

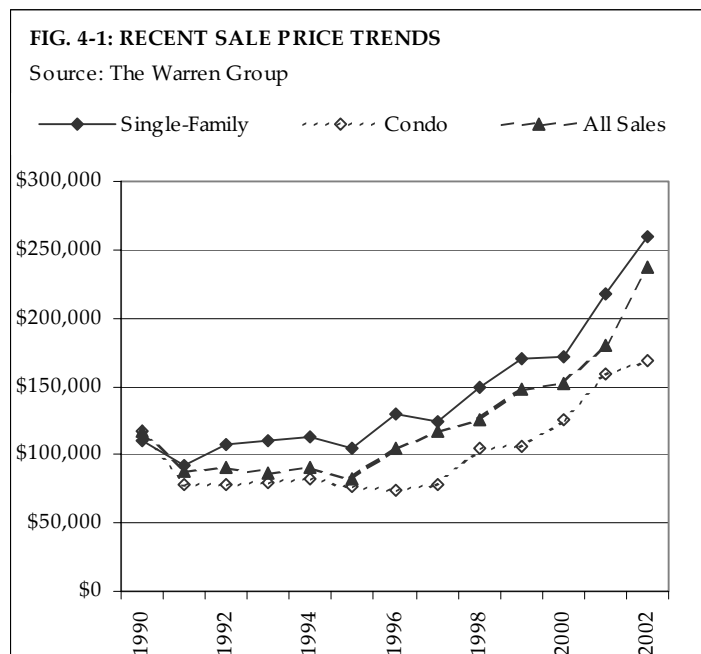
MARKET CONDITIONS

Since Ayer is attractive and conveniently located, with low property taxes, good schools, and relatively affordable homes, it has not escaped the voracious housing demand in Eastern Massachusetts. For homebuyers looking west of Boston, Ayer is ideal.

Surrounded on three sides by affluent towns with high-price homes, Ayer has felt intense pressure from the region's homebuyers. As Figure 4-1 demonstrates, Ayer home prices have skyrocketed since 1995.

New construction has been capped by the sewer moratorium and Ayer's Rate of Development Bylaw, so most of the town's recent sales activity has involved existing homes. This is further evident in the gradual

increase in number of transactions that have occurred in Ayer (Figure 4-2), suggesting turnover of existing homes rather than a mass sale of new homes. While Ayer housing prices remain on the lower side of the region, local realtors report that prices continue to escalate and that the official figures do not accurately convey what is happening in Ayer's housing market. For example, properties sold for less than \$300,000 tend to require extensive renovation.



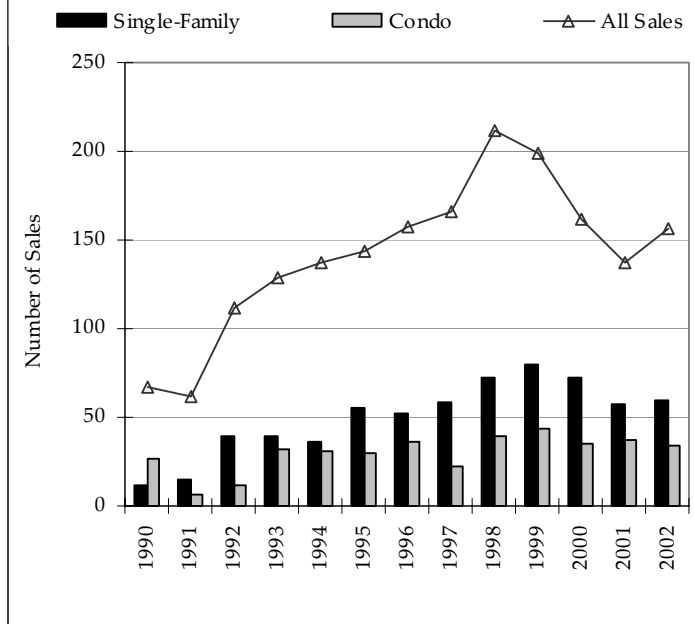
Unlike most towns in Massachusetts, Ayer experienced a higher rate of housing unit growth than household growth during the 1990s. Market dynamics in Ayer are also revealed by changes in housing unit vacancies and ownership.

Instead of a traditional market surge represented by growth in households and unit construction, Ayer has experienced reduced housing unit vacancies and increased ownership. Communities with a large rental inventory usually have higher vacancy rates than towns with a limited number of rental units. In Ayer, however, the nearly 30% decline in rental vacancies between 1990-2000 suggests tighter conditions in the rental market. Development

limitations and homeownership demand have spawned condominium conversions. The number of condominiums in Ayer rose from 178 in 1990 to 275 in 2000, an increase of 55%,⁹³ and the percentage of owner-occupied units increased by more than quarter since 1990, a rate much higher than that of any other town in the region. Of course, the difference is partially due to the fact that most surrounding towns already had very high owner-occupancy rates, but for Ayer, the absorption of traditional rental housing for homeownership use is a significant local trend.

FIG. 4-2: RECENT TRENDS IN SALES ACTIVITY

Source: The Warren Group



Trends & Issues

IMPLICATIONS OF RECENT MARKET TRENDS

While housing demand along and adjacent to Interstate 495 is a significant factor in Ayer's real estate market, it is not the only source of demand. For example, Massachusetts is experiencing growth in single-person and single-parent households, and Ayer will be affected by the same trends. When the rate of household growth surpasses the rate of housing production, the result is a competitive environment in which some housing needs cannot be met.

People moving to Ayer and other towns nearby tend to have higher incomes than existing residents. Homes targeted to higher-income groups have been built throughout the area,

⁹³ Massachusetts Department of Revenue, Division of Local Services, "Parcel Counts by Property Type," [Municipal Data Bank](#).

and new development is expected to follow suit. As affluent households look to the region for housing, developers will continue to respond with homes for the luxury rental and owner markets. In fact, developers hoping to build higher-end housing have already sought subdivision approvals in Ayer, and they are building new, larger single-family homes that sell at significantly higher prices than last year's median sale price of \$254,000.⁹⁴ In 2003, one developer had sold two houses for \$425,000, one for \$460,000, and one for \$490,000. Another developer is building single-family homes with 2,300-2,600 ft² of living area and selling them for about \$424,000.⁹⁵



Single-family homes comprise the majority of Ayer's housing supply.

Despite these trends, some developers are building modestly priced housing. The detached, 1,850 ft² three-bedroom units at the Willows, a proposed mixed-income development, are expected to sell for \$250,000-325,000. There will be continued demand for condominiums, not only among homebuyers seeking less expensive housing but also among single-person households and couples that want the benefits of ownership without the maintenance obligations of single-family homes. Still, the market price of new condominiums in Ayer is difficult to determine. Since Ayer does not have any new condominium developments, recent sales data represent older units, including small condominium conversion projects. Local developers estimate that new condominiums in Ayer could sell on a continuum ranging from \$200,000-230,000 to as high as \$320,000.⁹⁶

Ayer's housing supply has clearly been constrained by the sewer moratorium, but even without the moratorium, the supply would be constrained by other factors that have affected the market statewide: limited production of multi-family housing, limited land availability, and large-lot zoning regulations. The region's tight housing market will continue to force housing prices, both ownership and rental, to escalate. Compared to some communities, Ayer's rate of housing growth has been moderate. Three towns nearby — Shirley, Groton and Westford — all experienced development surges during the 1990s. While 21% of the housing stock in Groton and Westford consists of units built since 1990 (mainly large, single-family homes), the same can be said for only 9.8% all units in Ayer. Local officials are concerned that Ayer will eventually witness its own surge in new home construction as already approved lots move into the marketplace.

Development limitations in Ayer appear to have stalled the cycle of turnover of affordable housing. Much of Ayer's housing stock is naturally "affordable." There are many small, older homes in Ayer that qualify as "starter homes," but a limited inventory of trade-up

⁹⁴ The Warren Group, Town Stats, <<http://thewarrengroup.com/townstats/>> [6 May 2004].

⁹⁵ Janet Giamo, November 2004, Jim Passios, March 2004, interviews by Mee Heh Risdon.

⁹⁶ Jim Passios, March 2004, Mark O'Hagan, 27 April 2004, interviews by Mee Heh Risdon.

housing forces the owners of “starter homes” to forego moving to a larger or more luxurious house. In some cases, they remodel or raze and rebuild to create housing that suits their needs.

HOUSING AFFORDABILITY

Elderly homeowners and renters in Ayer are experiencing significant housing affordability problems. One-third of Ayer’s single-person households are senior citizens. Since most have fixed incomes, it is very difficult for them to respond to fluctuations in the housing market. When elderly homeowners struggle to meet their monthly housing costs, they defer maintenance and repairs and eventually, their homes begin to deteriorate. Barrier-free housing is also a concern for the elderly, but Ayer’s aging housing stock is often not suitable for people with disabilities. For them, the choices are fairly limited: modifying their homes for accessibility, modifying their lifestyle, or moving into another housing situation, usually rental housing. In light of these needs, it is not surprising to find that most of the participants in the Ayer Housing Rehabilitation Program are elderly households.⁹⁷



Silas Nutting Grove Apartments, Ayer’s public elderly housing complex has an expansive waiting list.

Elderly renters in Ayer also struggle with housing costs. Today, nearly 60% of Ayer’s elderly renters are housing cost-burdened. Only 61 units of subsidized elderly housing are available in Ayer and until now, one-third of the units were accessible only by stairs. The installation of elevators at the Silas Nutting Grove Apartments, Ayer’s public elderly housing complex, will help to reduce the waiting list for accessible units, but the available supply does not begin to address the demand for low-income elderly apartments in Ayer.

First-time homebuyers also face affordability obstacles in Ayer. Since Ayer household incomes are low in relation to housing prices, the town has what housing analysts call an *affordability gap*: a condition that exists when average homes in the market cost more than what a community’s average household can afford to buy.⁹⁸ Table 4-10 shows that regionally, Ayer’s affordability gap is second only that of Harvard. Exorbitant housing

⁹⁷ The Office of Community and Economic Development has operated a successful Ayer Housing Rehabilitation Program (AHRP) for several years. The AHRP works to preserve existing housing by helping low-income homeowners maintain their homes in safe, decent condition and is a crucial component of Ayer’s efforts to preserve and create affordable housing. To date, more than 100 housing units have been rehabilitated.

⁹⁸ A housing affordability gap is based on a formula and certain assumptions, in this case: the difference between 30% of monthly gross income for a median-income household and the monthly cost of a principal, interest, taxes and insurance, assuming a 10% downpayment and a 30-year mortgage at 7.5%.

prices explain the wide gap in Harvard, for despite the town's affluence, many long-time residents could not afford to purchase a home there today. Still, Ayer's affordability gap of \$113,839 raises complicated policy issues. It means that typical single-family sale prices are unaffordable not only to many existing homeowners in Ayer, but also to local renters and first-time homebuyers, who make up a sizeable percentage of the town's households and who, as a rule, have considerably lower incomes. Prospective first-time homebuyers struggle to save for a down payment based on a constantly moving target, and the challenges are compounded for households that pay rent while saving to purchase a home.

Table 4-10: Regional Affordability Gaps

Community	Median Household Income	Affordable Purchase Price	Median Single-Family Sale Price (2002)	Affordability Gap
AYER	\$46,619	\$146,111	\$259,950	-\$113,839
Clinton	\$44,740	\$131,111	\$172,950	-\$41,839
Groton	\$82,869	\$254,444	\$352,500	-\$98,056
Harvard	\$107,934	\$342,778	\$470,000	-\$127,222
Lancaster	\$60,752	\$181,111	\$230,000	-\$48,889
Littleton	\$71,384	\$220,556	\$313,000	-\$92,444
Lunenburg	\$56,813	\$169,444	\$242,000	-\$72,556
Pepperell	\$65,163	\$201,667	\$282,500	-\$80,833
Shirley	\$53,344	\$162,222	\$264,000	-\$101,778
Townsend	\$61,745	\$182,222	\$227,000	-\$44,778
Westford	\$98,272	\$299,444	\$397,000	-\$97,556

Sources: Census 2000, Summary File 3, Tables P-52; The Warren Group, Town Stats at <http://thewarrengroup.com/townstats/>; Mass DOR, Division of Local Services

Today, 72% of Ayer's households could not afford to purchase a single-family home at the median sales price in Ayer, and more than half of its households could not afford to purchase one of the town's condominiums. To purchase a single-family home in Ayer, a buyer would need an annual household income of \$80,000, or a minimum of 100% of the Area Median Income (AMI) for the Boston PMSA. Alternatively, purchasing a condominium would require an annual household income of \$55,000, more than 65% of AMI. However, it is important to point out that the Boston PMSA median income is usually higher than the median income in Ayer. In 1999, the median family income for Ayer was \$61,968 and the median family income for the Boston PMSA was \$68,341, a difference of approximately 10%. Although the median family income for Ayer has not been updated since Census 2000, it is reasonable to assume that the same proportional relationship exists between Ayer and the Boston PMSA. Accordingly, \$80,000 represents 110% of Ayer's median family income and \$55,000 represents more than 70%.

An affordability gap of Ayer's magnitude creates insurmountable barriers to homeownership for many households, and the housing market is not addressing these barriers. The town is trying to help lower-income renters become homeowners by providing a small, pilot First-Time Homebuyer Program, but funding is limited and the amount available per household pales in comparison to the size of Ayer's affordability gap. If local regulations continue to limit production and developers focus on units for high-income

homebuyers, Ayer will become increasingly unaffordable and lose its traditional population diversity.

HOUSING QUALITY

While many of Ayer's historic homes are beautiful and well maintained, the presence of so many older housing units raises a number of housing quality concerns: code deficiencies, structural deterioration, lead paint, obsolete features and amenities, and in some cases, size. The issues are particularly pronounced at Devenscrest, an off-base military housing complex off Littleton Road, and the small, generally older, multi-family dwellings that are fairly common in central neighborhoods. In 1997, Ayer's master plan emphasized the importance of rehabilitating substandard housing, i.e., homes with serious health and safety code violations. Since then, the Ayer Housing Rehabilitation Program



Multi-family properties are fairly common within Ayer's center.

(AHRP) has financed improvements to more than 100 substandard units, drawing mainly on federal Community Development Block Grant (CDBG) funds obtained by the town. However, some buildings that required a considerable amount of work or could have helped to provide more affordable housing never reached the AHRP because the program depends on voluntary participation by property owners. As a result, many of the town's older multi-family buildings have been rehabilitated with private funds — only to result in higher rents or higher sales prices.

Ayer needs a strategy to attract more rental property owners to use AHRP and other available funds. When the AHRP invests in rental rehabilitation, it guarantees housing affordability by obtaining an affordable housing restriction in exchange for a federally funded deferred payment loan. The Office of Community and Economic Development (OCED), which administers the AHRP, is Ayer's "knowledge base" for affordable housing production, but since the department has so many other responsibilities, it does not have time to initiate and sustain a major outreach campaign. A team of interested volunteers, AHRP staff, Ayer Fire Department and building inspector could work together to develop a priority list of deteriorated multi-family properties, but Ayer will still need more capacity to "market" a wide range of affordable housing resources to rental property owners.

CHAPTER 40B

Like most towns in Massachusetts, Ayer's subsidized housing inventory falls well below the 10% definition of "local housing need" set by M.G.L. c. 40B, commonly known as Chapter 40B. When less than 10% of a community's housing stock is affordable to low-income households, Chapter 40B supersedes zoning regulations that make it infeasible to build more low-income units. It also gives developers access to an administrative appeal process that allows a state agency to override local officials if they deny a comprehensive permit or restrict it with many conditions. These features of the law make communities vulnerable to

comprehensive permits for developments that may be viewed as too large for or out of character with the town.

The Massachusetts Department of Housing and Community Development's (DHCD) Subsidized Housing Inventory includes 118 Chapter 40B units in Ayer — housing units protected by a long-term use restriction to preserve affordability for low- and moderate-income people.⁹⁹ This means that 3.76% of Ayer's housing stock is comprised of Chapter 40B units, well below the 10% threshold that the statute defines as "local housing need." Although not yet added to the Subsidized Housing Inventory, DHCD recently approved 12 Local Initiative Program (LIP) units at the Devens Regional Enterprise Zone that will be credited to Ayer, bringing the town's percentage of Chapter 40B units to 4.14%. Ayer is also considering a 94-unit townhouse development off of Willow Road.

Ayer Housing Authority owns and manages most of Ayer's Chapter 40B inventory: 74 rental units, of which 61 are reserved for elderly and disabled lower-income households. The remaining 13 units are for families. Ayer has an extensive waiting list for assisted housing and minimal turnover of units. Today, there is a one- to three-year wait for elderly units and a 15-year wait for family units. Restrictions on the accessibility and functionality of Ayer's elderly housing are being addressed with the installation of an elevator. The three-story development is located on a hillside, making first- and third-floor units accessible at grade, but until now the second-story units required stairway access. Despite the recently approved LIP units at the Devens Regional Enterprise Zone and plans for more Chapter 40B units in Ayer, the affordability restrictions on three units in Ayer's inventory will expire by 2007. Unless protected under the Ardemore decision, they will be removed from the Subsidized Housing Inventory. As a result, Ayer must constantly balance new production with expiring uses as it works toward reaching the state's 10% goal.¹⁰⁰

Goals & Recommendations

HOUSING GOALS

- ◆ Develop local capacity to plan, develop, and manage Ayer's housing needs.
- ◆ Preserve and build upon Ayer's existing housing assets.
- ◆ Protect and enhance the historic character and traditional affordability of existing neighborhoods.
- ◆ Promote new development that meets local housing needs.

⁹⁹ See Appendix E for Ayer's Chapter 40B Subsidized Housing Inventory.

¹⁰⁰ Massachusetts Department of Housing and Community Development, Chapter 40B Subsidized Housing Inventory, April 24, 2002. Note: in light of Zoning Board of Appeals of Wellesley v. Ardemore Apartments Limited Partnership (2002), units developed under comprehensive permits are unlikely to convert to market housing, even if their affordability restrictions expire, as long as the permit decisions did not specify an affordability term and the development remains in non-compliance with Ayer's zoning bylaw.

- ◆ Provide housing choice throughout Ayer.

HOUSING RECOMMENDATIONS

- ◆ Incorporate the Ayer Affordable Housing Plan into the Comprehensive Plan Update.
- ◆ Establish a Housing Partnership Committee, and recruit and appoint qualified, interested residents.
 - The Housing Partnership Committee should centralize, manage and increase the effectiveness of local efforts to address housing needs and bring technical assistance and other resources to the town.
 - The Housing Partnership Committee should also serve as the initial point of contact for developers seeking to build affordable housing in Ayer.
- ◆ Maintain a comprehensive inventory of approved housing developments, including number of units approved, date of approval, unit sizes, number of affordable units, sales prices, site area, location, and date of construction completion:
 - Ayer does not have a working inventory of approved housing developments. This makes it difficult to plan for the housing needs of Ayer residents.
 - Maintaining detailed housing development data will help the town make informed decisions when negotiating with developers, evaluating affordable housing proposals or advocating for particular types of development.
- ◆ Continue the Ayer Housing Rehabilitation Program and consider ways to offer enhanced financing.
- ◆ Focus resources on an area strategy to increase the supply of affordable units in areas with established traditions of higher-density development.
 - Develop a target list of deteriorated rental properties for housing rehabilitation assistance through the Ayer Housing Rehabilitation Program, DHCD's Housing Development Support Program (HDSP), or other financing programs in exchange for an affordable housing restriction.
 - Modify the Zoning Bylaw to encourage affordable and mixed-income multi-family developments in the General Residential, Downtown Business and General Business districts, using frontage and lot area waivers as infill development tools, and promote affordable accessory dwellings or conversion units throughout the town.
- ◆ Continue and expand the First-Time Homebuyer Program and seek additional funding sources.
- ◆ Develop criteria for evaluating housing development proposals.

- A uniform approach to evaluating proposed housing developments will enable Ayer to expedite the review and approval process for projects that address local needs and preferences.
 - Involve local boards and organizations, such as open space advocacy groups, the (proposed) Housing Partnership Committee and the Ayer Historical Commission, to develop criteria for market-rate and affordable housing developments that all groups are willing to support.
- ◆ Sponsor Local Initiative Program (LIP) affordable housing developments.
- Review town land holdings and identify small parcels that could be sold or leased for affordable housing development.
 - Identify private property that is both developable and suitable for higher-density housing, acquire and “land bank” it for sale to a responsible affordable housing developer.
 - Recruit qualified for-profit and non-profit developers to assist Ayer in creating affordable housing on town-controlled land.

ECONOMIC DEVELOPMENT

INTRODUCTION

Ayer's economy serves as a source of jobs, goods and services for local residents and residents of other towns in the region. When the last comprehensive plan was written, Ayer anticipated significant changes in the strength, size and make-up of its economic base. At the same time, the town had absorbed considerable growth in employment during the 1990s, unlike most communities in the immediate region. In fact, Ayer had attracted more than 1.4 million ft² of new industrial space in the 15 years preceding the 1997 Comprehensive Plan, a trend reinforced by land use changes that can be seen on aerial photographs. At issue today is whether the town's economic base is sufficiently diverse and competitive, and whether current development trends are compatible with Ayer's vision of its economic future.



Ayer's only supermarket, Victory, lies at the center of the Park Street commercial strip.

Every town should periodically assess the state of its economy and consider ways to enhance it: by strengthening and building on its existing economic base, increasing the number of living- and high-wage jobs, broadening the tax base, or providing new services and products to local and regional markets. An economic development plan needs to account for other aspects of town planning in order to formulate the most beneficial course of action for the community. For example, before rezoning land for new business growth or recruiting new businesses and industry, a community should review its transportation systems, natural resource policies, housing market, the condition and adequacy of its public facilities, and compatibility with adjacent land uses. It should also consider the visual, environmental and infrastructure impacts of new economic development, and explore ways to accommodate growth without inviting the costs of sprawl.

All of these issues will be important in Ayer, a small town with large amounts of land zoned for commercial and industrial development and uncertainties about the future of its western end — the Devens Regional Enterprise Zone. The effectiveness of an economic development strategy for Ayer will hinge on its harmony with other community needs and creative leadership from the town.

EXISTING CONDITIONS

REGIONAL CONTEXT

The size, structure and composition of a regional economy have a direct bearing on local economic development. Ayer's economy is not insular; it is comprised of industries that find Ayer attractive because the town offers them the right mix of local and regional advantages. In economic development, "region" typically means a geographic area in which people can live, find work within a reasonable commute distance, and change jobs without having to move. Federal and state agencies use different criteria to define the boundaries of economic regions, but for town planning, at least two considerations are very important: where a community's residents work, and the sphere of economic activity that influences the local economy.



Nashoba Valley Medical Center is an economic engine for the Town of Ayer and the region.

According to the federal Bureau of Labor Statistics (BLS), Ayer lies on the outer edge of the Boston labor market area: a region generally coterminous with the Boston Metropolitan Statistical Area (MSA), which supplies a majority of Boston's workers and is economically linked by roads, employment characteristics and average wages. For service delivery, data reporting and planning purposes, state government sometimes divides large labor market areas into smaller, sub-regional units. The sub-regional unit that includes Ayer (North Central) extends from Ayer west to Templeton, north to the New Hampshire border, and south to several towns crossed by Route 62.¹⁰¹ Its 23 communities are connected by several key roadways, notably Interstate 495 and 190, U.S. 202, and state routes 2, 2A, 32, 62, 110, 111, and 119.

While the North Central sub-region covers 7.8% of the state's land area, it has only 3.9% of the state's year-round population and 2.6% of the state's total employment.¹⁰² It also includes some of the Commonwealth's wealthiest and poorest communities. Three key cities — Gardner, Fitchburg and Leominster — have struggled for many years to retain and attract manufacturing firms, yet industrial employment has declined dramatically. The

¹⁰¹ MISER, 1993 Labor Market Areas in Massachusetts, 1995. Author's note: the U.S. Bureau of Labor Statistics issued new labor market geographies in January 2003, but most economic trends data available from state and federal agencies are based on the geographies established in 1993. Although Ayer is officially part of the Boston Labor Market Area (LMA), its proximity to the Lowell LMA and Fitchburg LMA is important to understanding the town's economy and the regional conditions that influence it.

¹⁰² Massachusetts Division of Employment and Training, Employment and Wages Report (ES-202), <<http://www.detma.org>> [9 February 2004].

region's most visible industrial growth has occurred in the Devens Regional Enterprise Zone, mainly within the corporate limits of Ayer and Harvard. Approximately 90 public and private employers have moved to the former Fort Devens since MassDevelopment took control of the property in 1995, and the agency estimates that about 3,000 people work at the Devens Regional Enterprise Zone each day.

During the 1990s, the average annual wage paid by businesses in the North Central area increased by 34.4% and a majority of its employment growth occurred in the service industries and transportation, communications and public utilities (TCPU). The sub-regional labor force consists of about 120,000 people.

LOCAL ECONOMY

When Fort Devens closed in 1995, there were about 290 establishments in Ayer employing 5,503 people. By 2002, there were 309 establishments with 6,393 employees, for a 7% increase in the number of establishments and an impressive 16% increase in jobs. In the same period, Massachusetts absorbed a 13% increase in business establishments but employment increased by only 10%.¹⁰³ Table 5-1 identifies Ayer's largest private employers today.

Table 5-1: Ayer's Largest Employers

Name & Location	Type of Business	Est. Sales	Employees
Cain's Food, Inc. 114 East Main Street	Food products	50-100M	50-99
Apple Valley Center 400 Groton Road	Nursing home	5-10M	100-249
CPF, Inc. 25 Copeland Drive	Bottler	50-100M	100-249
Gervais, Inc. 51 Littleton Road	New car dealer	50-100M	100-249
Hybricon Corporation 12 Willow Road	Electronic equipment	20-50M	100-249
Moore's Lumber Yard 22 West Main Street	Millwork, building materials	20-50M	100-249
Plexus NPI Plus Corporation 4 Copeland Drive	Electronic equipment	N/A	100-249
Shanklin Corporation 100 Westford Road	Packaging machinery	20-50M	100-249
Nashoba Valley Medical Center 200 Groton Road	Hospital	0-0.5M	250-499

Source: ReferenceUSA, <<http://www.referenceusa.com>> [cited 03 February 2004].

¹⁰³ Ibid.

While impressive, economic growth statistics do not convey what has happened in Ayer since 1995. Rather, they represent a combination of economic trends in Ayer and the Devens Regional Enterprise Zone — including portions that extend into Harvard. Federal and state agencies report economic data by state, county, municipality or labor market area, drawing from various sources such as rosters of companies that are required to pay unemployment compensation insurance or business payroll taxes. Aside from the fact that conventional data sources omit several types of employment, including self-employed individuals and home-based businesses, the more complicated issue for Ayer is that some companies within the Devens Regional Enterprise Zone claim the town as their official place of business. As a result, economic data sources merge Devens employers with those located in (and paying taxes to) Ayer, and their activity levels may create a distorted impression of the town's own employment base.

Ayer appears to have experienced tremendous growth in the transportation, communication, utilities and information (TCPU) sector between 1995 and 2002, with an 84% increase in jobs. The finance, insurance and real estate (FIRE) sector also showed a growth rate of 80% during this period. The construction, trade and services sectors saw increases in employment of 35-45% between 1995 and 2002. Manufacturing employment mirrored the 16% increase for all sectors, while the government sector declined significantly, shedding 490 jobs or 40%. Table 5-2 shows with regard to employment, the top five industrial sectors in Ayer include health services (725), paper and allied products (587), food and kindred products (518), industrial machinery and equipment (386), and transportation and warehousing (313).

Table 5-2: Ayer's Top 20 Sectors for Employment, 2003

Industry	Employees	Industry	Employees
Health Services	725	Engineering & Management Services	161
Paper & Allied Products	587	Fabricated Metal Products	158
Food & Kindred Products	518	Automotive Dealers & Service Stations	138
Industrial Machinery & Equipment	386	Business Services	136
Trucking & Warehousing	313	Instruments & Related Products	110
Wholesale Trade-nondurable Goods	282	Personal Services	105
Eating & Drinking Places	246	Special Trade Contractors	93
Wholesale Trade-durable Goods	215	Hotels & Other Lodging Places	93
Social Services	173	Food Stores	75

Source: Massachusetts Division of Employment and Training, [Massstats](#).

BUSINESS GROWTH & CHANGE

Between 1995-2002, the composition of businesses in Ayer changed significantly. Less than one percent of total employment in Ayer was in the agriculture, forestry and fishing industry in 1995, and this has remained steady (see Table 5-3). Government, which

comprised more than one quarter of the total industry in 1995, declined to 11.7% in 2002.¹⁰⁴ Employment in the construction sector has fluctuated slightly but remained at about 2.3%. Manufacturing has grown from one quarter of the total in 1995 to almost one third in 2002.

Table 5-3: Ayer Employment Sectors as Percentage of Total, 1995-2002

Year	Total Jobs	Agriculture, forestry, fishing	Government	Construction	Manufacturing	Transportation, Communication, Utilities	Trade	Finance, Insurance, Real Estate	Services
1995	4,897	0.6%	26.0%	2.0%	25.0%	4.5%	14.9%	1.7%	14.3%
1996	4,398	0.3%	19.7%	2.3%	25.0%	6.5%	17.7%	1.6%	25.3%
1997	4,553	0.6%	19.5%	2.3%	26.3%	6.3%	18.2%	1.7%	25.1%
1998	5,002	0.5%	19.5%	2.1%	28.4%	6.8%	17.7%	1.4%	24.5%
1999	5,755	0.7%	19.5%	2.3%	28.3%	8.6%	16.7%	1.4%	22.5%
2000	6,005	0.8%	19.0%	1.7%	31.0%	6.4%	16.4%	1.6%	23.1%
2001	6,328	0.7%	17.4%	2.2%	31.5%	6.0%	17.3%	1.7%	23.1%
2002	6,393	0.7%	11.7%	2.7%	32.6%	6.7%	17.3%	1.8%	33.1%

Source: Massachusetts Division of Employment and Training, Employment and Wages Report (ES-202)

In contrast to the Commonwealth as a whole, manufacturing is the only sector to have grown steadily in Ayer every year since 1995 and it is the town's second largest employment sector. The services sector has grown from 14.3% to 33.1% in the same 7-year period, and it is the largest employment sector. Transportation, communication and utilities experienced impressive growth from 1996 to 1999, but slipped significantly between 2000 and 2001 and increased slightly in 2002. The trade sector declined between 1998 and 2000, but seemed to recover in 2001. Finance, insurance and real estate has fluctuated somewhat, but remained steady at or near 1.7%.

In the greater Montachusett region, employment in agriculture, forestry and fishing grew by 30% between 1989 and 1999. Construction, finance, insurance, and real estate employment declined about 25% during the same period. Manufacturing and trade both saw declines in employment of 6% and transportation, communication and utilities remained steady. Along with agriculture, forestry and fishing, the only sector to see significant regional employment growth between 1989 and 1999 was services, at 18%.¹⁰⁵

¹⁰⁴ This may be due to the closure of Fort Devens and the relocation of military personnel, or may be related to changes in the state system for industry sector classification. In 1997, the Commonwealth began to identify work locations of state employees based on where they actually conduct business, as opposed to the previous system based on where the headquarters for the agency was located.

¹⁰⁵ Montachusett Regional Planning Commission, Montachusett Region Comprehensive Economic Development Strategy, <[http://www.mrpc.org/Downloads/2003 CEDS and Annual Report Full 202.pdf](http://www.mrpc.org/Downloads/2003%20CEDS%20and%20Annual%20Report%20Full%20202.pdf)> [3 February 2004].

Although there has been significant growth in agriculture, forestry and fishing in the Montachusett region, this is not true for Ayer, where agricultural employment remains a small part of the local economy. The region's decline in finance, insurance and real estate employment between 1989 and 1999 differs significantly from the experience in Ayer, where these sectors absorbed explosive employment growth (83%) between 1995 and 2002. Ayer also bucked regional trends with a 17% increase in manufacturing employees, while the region experienced a 6% loss. Due to the limited collection of industry sector data, it is difficult to construct a precise chronological comparison between the town and region.

LABOR FORCE & UNEMPLOYMENT

Ayer's labor force — local residents who work or are actively looking for work — grew at a relatively steady rate from 1995 to 2002, with the exception of a 1.7% decline in 2000. The town experienced larger-than-average labor force growth in 2001 and 2002, at 2.2% and 5.7% respectively. According to Census 2000, Ayer's labor force includes 2,043 men and 1,916 women, for a total of 3,959 people (as of 1999). Men comprise 51.6% of the labor force and women, 48.4%. Although the labor force is almost evenly divided, employment by industry is not at all "gender-neutral." Men are highly represented in the manufacturing (30%), trade (17%), and professional services (13%) industries while women are highly concentrated in the educational, health, and social services sector (33%) and the manufacturing sector (18%).¹⁰⁶

The unemployment rate in Ayer remained within one point of the Massachusetts rate from 1995 to 2002. In Ayer, the lowest employment rate of 2.2% occurred in 2000 while the highest rates occurred in 1995 (6.0%) and 2002 (5.9%). Both the Ayer and Massachusetts rates declined from 1995-2000, but increased significantly in 2001 and 2002. Ayer's unemployment rate for 2003 increased slightly to 6.1%, the highest rate in the past eight years, but it is lower than the regional North Central region's rate of 7.1%.¹⁰⁷

AVERAGE WAGE BY SECTOR

The average annual wage in Ayer has increased from \$34,288 in 1995 to \$41,158 in 2002 (in 2002 dollars).¹⁰⁸ This represents an average annual growth rate of 2.8% and total growth of 20%.¹⁰⁹ The average annual wage for the Commonwealth was \$38,463 in 1995 and \$44,982 in 2002 (in 2002 dollars), for an average growth rate of 2.4%.¹¹⁰ In 2002, the average wage in Ayer was 91.5%, up from 89.1% in 1995. Some of the wage growth attributed to Ayer may

¹⁰⁶ U.S. Department of Commerce, Bureau of the Census, Census 2000, Table P49 [3 February 2004].

¹⁰⁷ Massachusetts Division of Employment and Training, Regional LMI Profile: North Central Massachusetts, 3rd Quarter 2003, <<http://www.detma.org/pdf/NorthCentralMass.pdf>> [18 May 2004].

¹⁰⁸ See also, Table 5-7 at the end of this chapter.

¹⁰⁹ Massachusetts Division of Employment and Training, Employment and Wages in Ayer, <<http://www.detma.org/lmi/local/Ayer.html>> [2 February 2004].

¹¹⁰ Massachusetts Division of Employment and Training, "Employment and Wages Report (ES-202)," <<http://www.detma.org>> [9 February 2004].

actually have occurred within the Devens Regional Enterprise Zone because many companies there claim Ayer as their official place of business.

The employment sector with the most growth in average annual wages in Ayer between 1995-2000 was trade (including retail and wholesale). The average annual wages paid by trade establishments increased 93% during the same period (in 2002 dollars).¹¹¹ Wages in the FIRE, services and government sectors increased about 25% while most other industries experienced wage growth of less than 10% (in 2002 dollars).

HOUSEHOLD INCOME

In 1999, the majority of households in Ayer received income from salaried employment (83%). Thirty-seven percent of households received income from interest, dividends or rental property income. Social Security payments provided an income source for 22% of Ayer households in 2000, while only 2-3% received transitional assistance or disability payments.

Table 5-4: Comparison Household Income Sources

Income source	AYER	Groton	Harvard	Littleton	Shirley	Massachusetts
Public assistance	2%	1%	0%	2%	1%	3%
SSI	3%	1%	1%	1%	4%	5%
Self-employment	7%	14%	26%	13%	15%	12%
Retirement	13%	13%	17%	14%	17%	17%
Other	13%	14%	11%	11%	14%	13%
Social Security	22%	16%	19%	24%	25%	26%
Interest, dividends, rental	37%	56%	71%	57%	38%	42%
Salary	83%	90%	84%	83%	79%	78%

Source: Census 2000, Summary File 3, Tables P58-P65.

A small percentage of households (7%) generate income from self-employment.¹¹² Compared to the surrounding towns and to the state as a whole, Ayer has a significantly lower percentage of households with income from self-employment or interest, dividends and rental property. Only 7% of Ayer's households receive income from self-employment, while the rate for nearby Harvard is 26% and for the state, 12%. While only 37% of Ayer households generate income from interest, dividends or rental property, the rates for nearby towns range from 38% in Shirley to 71% in Harvard. Forty-two percent of the Commonwealth's households receive interest, dividend or rental property income.

¹¹¹ Ibid.

¹¹² U.S. Department of Commerce, Bureau of the Census, Census 2000, <<http://www.census.gov>> [3 February 2004].

JOBS TO LABOR FORCE & JOBS TO HOUSING UNITS

Planning for economic growth often considers two indicators of a community's social and economic health: jobs-to-labor-force and jobs-to-housing-units ratios. In Ayer, the ratio of jobs to labor force has steadily improved since the mid-1990s. In 1995, there were 1.338 jobs per worker, while in 2002 the ratio had increased to 1.543.¹¹³ During this period, Ayer has had enough jobs to employ its entire labor force and more. However, some of this growth reflects economic expansion that has occurred within the Devens Regional Enterprise Zone. In contrast, the ratio of jobs to housing units has not changed significantly. In 1990, Ayer had 2.13 jobs per housing unit, while in 2000 the ratio had declined slightly to 1.90.¹¹⁴ For every housing unit (occupied and unoccupied), there are approximately two jobs in Ayer's employment base, *including* jobs attributed to Ayer but located within the Devens Regional Enterprise Zone.

JOURNEY TO WORK & PLACES OF EMPLOYMENT

According to Census 2000, work locations for Ayer residents are quite diverse and scattered (Map 5-A). Although 20.4% of Ayer's labor force works locally, a significant number travel to Littleton (6.3%), Boston and Cambridge (6.0%), the Lowell area (6.0%), Westford (5.2%), Concord and Lincoln (5.1%), and the Marlborough area (4.0%). Analyzing workplace data by transportation corridors highlights the importance of Ayer's strategic location and its relationship to commuting patterns. One third (32.6%) of Ayer's labor force works along the Route 2 corridor from Gardner to Boston — an area served, for the most part, by the MBTA's Fitchburg commuter rail line. In addition, 26.5% of Ayer's labor force works in communities on or adjacent to I-495, from Amesbury to Franklin. Establishments along the Route 128 corridor employ 11.6% of Ayer's labor force.

Similarly, residence data for those employed in Ayer clearly demonstrate the regional importance of Ayer's economic base and industrial growth at the Devens Regional Enterprise Zone (Map 5-B).¹¹⁵ Some workers travel from as far as Rhode Island and Southeastern Massachusetts. Town residents hold only 14% of all jobs located in Ayer. The largest sources of labor for establishments in Ayer are Leominster (8%), the Lowell area (8%), Shirley (7%), Fitchburg (6%), Dunstable and Pepperell (5%), Ashby and Townsend (4%), Hillsborough County, NH (3%), and Groton (3%).

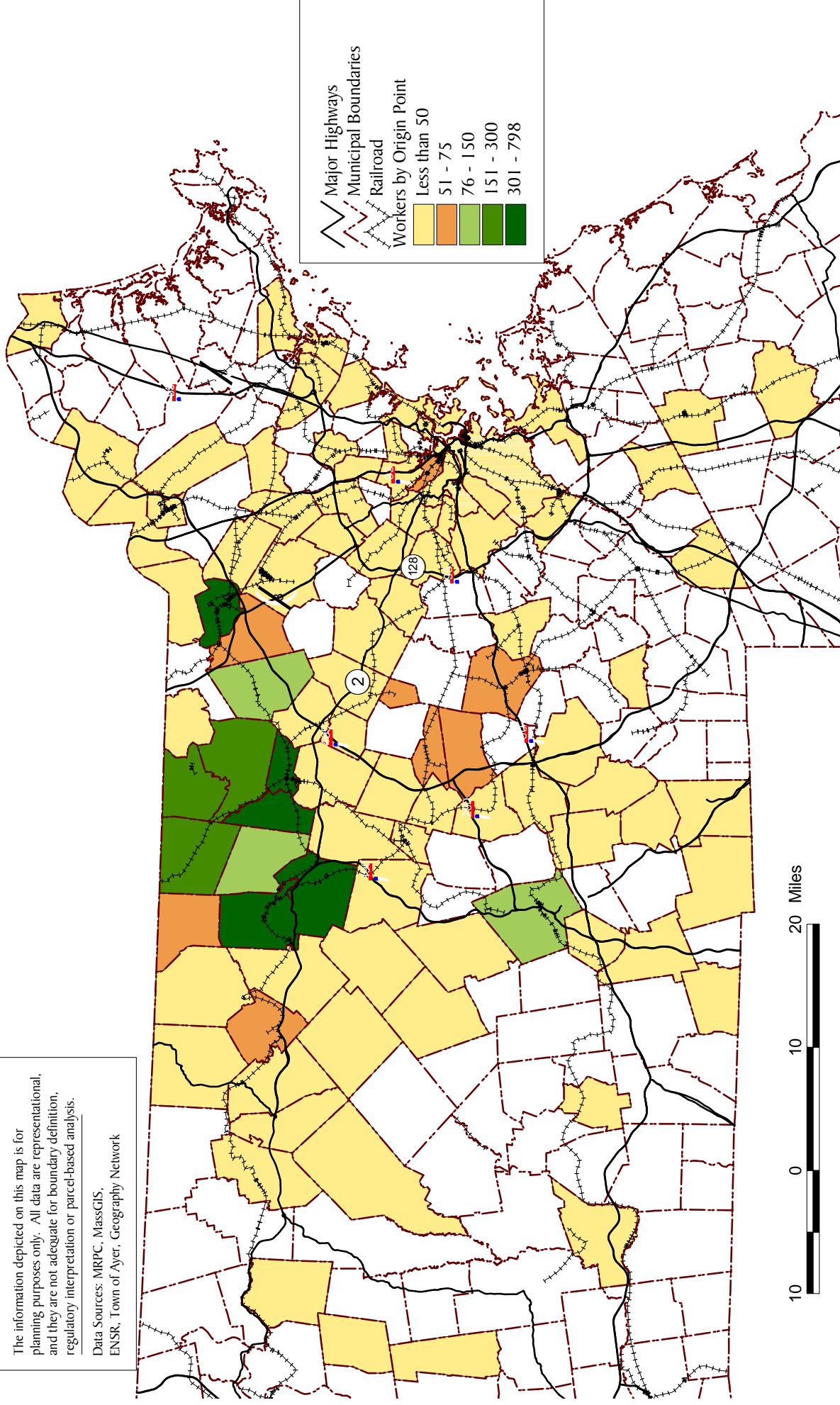
¹¹³ Massachusetts Division of Employment and Training, Local Area Unemployment Statistics, <<http://www.deta.org>> [9 February 2004].

¹¹⁴ U.S. Department of Commerce, Bureau of the Census, 1990 Census of Population and Housing, Census 2000 [18 May 2004]. Jobs to housing ratios have to be calculated in decennial census increments because the Bureau of the Census is the only agency that systematically collects housing data.

¹¹⁵ Some work locations may be inaccurately reported as Ayer, while the actual workplace may be located in the Devens Regional Enterprise Zone. Both workers and establishments may report their location as Ayer, when in fact they are located in Devens, or Harvard and Shirley.

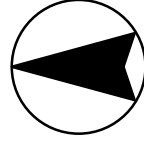
The information depicted on this map is for planning purposes only. All data are representational, and they are not adequate for boundary definition, regulatory interpretation or parcel-based analysis.

Data Sources: MRPC, MassGIS, ENSR, Town of Ayer, Geography Network



TOWN OF
AYER

Comprehensive Plan
Update 2004



Journey to Work:
Map 5-B
Employees of Ayer Businesses

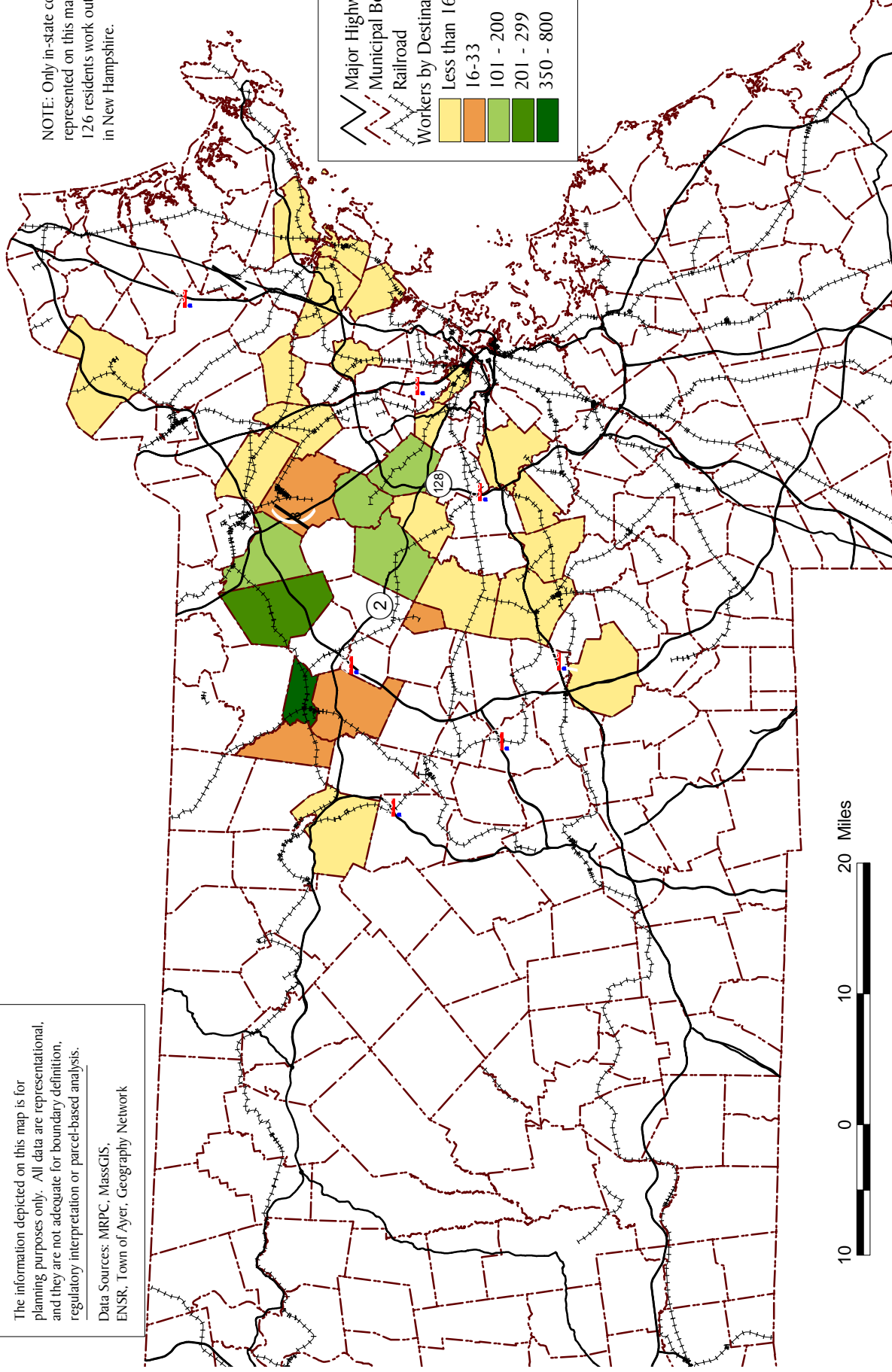
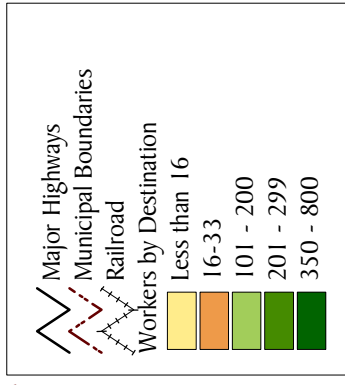
Community Opportunities
Group, Inc.

Boston, Massachusetts
(617) 542-3300

The information depicted on this map is for planning purposes only. All data are representational, and they are not adequate for boundary definition, regulatory interpretation or parcel-based analysis.

Data Sources: MRPC, MassGIS, ENSR, Town of Ayer, Geography Network

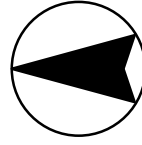
NOTE: Only in-state commutes are represented on this map. Approximately 126 residents work out of state, mainly in New Hampshire.



TOWN OF

AYER

Comprehensive Plan
Update 2004



Map 5-A

Journey to Work:
Ayer Residents

Community Opportunities
Group, Inc.

Boston, Massachusetts
(617) 542-3300

NON-RESIDENTIAL VALUATION & LOCAL TAX REVENUE

There has been a limited shift in the composition of Ayer's tax base in the past few years. In 1995, 27.9% of the town's property tax revenue came from residential taxpayers; by 2003, the residential levy had increased to 36.4% of the total. Throughout, commercial and industrial levies have remained relatively stable, although the industrial levy declined slightly and revenue from personal property taxes dropped from 33.4% to 25.3%, mainly after Fiscal Year (FY) 2000.¹¹⁶

These trends reflect a pattern that began during the recession of the early 1990s, when commercial and industrial property values plummeted and did not recover at a pace commensurate with the restoration of residential values. The growth in Ayer's residential tax levy is largely a measure of new housing development that occurred prior to the sewer moratorium and the region's generally strong housing market. Table 5-5 shows that throughout this period, Ayer's residential tax rate remained fairly low.

Table 5-5: Ayer Tax Levy by Class, 1995-2003

FY	Tax Rates			% Total Levy			
	Res.	CIP	Total	Residential	Commercial	Industrial	Personal Property
1995	\$9.25	\$17.04	\$7,010,282	27.9%	12.7%	26.0%	33.4%
1996	\$9.39	\$17.56	\$7,408,819	29.0%	14.0%	23.7%	33.3%
1997	\$9.85	\$18.63	\$7,877,022	29.2%	13.6%	23.6%	33.7%
1998	\$10.16	\$19.34	\$8,173,309	29.9%	13.7%	22.8%	33.6%
1999	\$11.06	\$21.15	\$9,549,358	30.7%	12.8%	23.7%	32.8%
2000	\$11.32	\$21.63	\$9,862,805	31.8%	12.6%	23.8%	31.7%
2001	\$11.01	\$21.48	\$10,371,037	32.6%	12.9%	25.1%	29.3%
2002	\$9.85	\$20.73	\$10,732,766	34.4%	13.7%	25.3%	26.5%
2003	\$9.50	\$21.12	\$10,989,738	36.4%	13.6%	24.7%	25.3%
Change	2.7%	23.9%	56.8%	30.5%	7.4%	-5.0%	-24.3%

Source: Massachusetts Department of Revenue, Division of Local Services, Municipal Data Bank.

Changes in the assessed value of residential property in Ayer shed light on the gradual shift that has occurred in levies by class. Between 1995 and 2003, the total valuation of all residential property in Ayer increased by 99.1%. Despite the decline in Ayer's residential tax rate from 2000 to 2003, residential tax revenue has increased by 105% since 1995, but this is mainly because Ayer's residential tax base has grown in size and worth. The assessed values of commercial and industrial property grew more modestly, 35.9% and 20.2%, consistent with trends across the state. The total valuation of personal property dropped by 4.3% in the same period, with a steady decline beginning in 2000.

¹¹⁶ Massachusetts Department of Revenue, Division of Local Services, "Assessed Valuation," "Levy by Class," Municipal Data Bank.

Table 5-6: Ayer Assessed Valuation by Class, 1995-2003

Fiscal Year	Residential	Commercial	Industrial	Personal Property	Total
1995	\$211,216,837	\$52,237,963	\$107,036,000	\$137,470,560	\$507,961,360
1996	\$228,801,800	\$59,190,700	\$100,052,000	\$140,322,770	\$528,367,270
1997	\$233,493,953	\$57,300,842	\$99,727,905	\$142,332,840	\$532,855,540
1998	\$240,343,900	\$57,943,695	\$96,341,105	\$142,065,530	\$536,694,230
1999	\$265,131,846	\$57,783,730	\$106,983,022	\$148,093,750	\$577,992,348
2000	\$277,271,600	\$57,580,900	\$108,538,800	\$144,749,020	\$588,140,320
2001	\$307,247,000	\$62,461,600	\$121,387,300	\$141,488,520	\$632,584,420
2002	\$375,072,600	\$70,997,300	\$131,128,700	\$137,396,470	\$714,595,070
2003	\$420,626,800	\$70,971,400	\$128,614,400	\$131,559,230	\$751,771,830
1995-2003	99.1%	35.9%	20.2%	-4.3%	48.0%

Source: Massachusetts Department of Revenue, Division of Local Services, Municipal Data Bank.

Trends & Issues

LOCAL EMPLOYMENT OPPORTUNITIES & SKILLS

An economic development plan needs to account for changes that have occurred in Ayer's employment base and that are expected to occur across the region so the town can position itself to capture future growth. Opportunities to provide Ayer residents with the training and skills for a variety of locally based jobs should be pursued.

Ayer's economy offers significant employment in health services, manufacturing, and warehousing and distribution. Ironically, however, only 14% of all jobs in the town are held by Ayer residents. The Nashoba Valley Medical Center and the industrial parks along Littleton, Westford and Willow roads all function as regional more than local employment centers. Between 1995 and 2002, Ayer absorbed robust growth in the services, manufacturing, trade, and transportation, communication and public utility (TCPU) industries. However, the years following September 11, 2001 and the ensuing recession are sure to exhibit dynamic shifts in the national, regional and local economies. Nashoba Valley Medical Center employs between 250 and 499 people, almost 75% of all health services workers in Ayer. It is an extremely important economic asset to the town, and an unforeseen closing or relocation of the medical center would leave many health services workers without local employment options.

Ayer's largest employer, the service industries, includes health, social, retail, education, hospitality workers and retail trade. The state has projected the following rates of 2000 to 2010 employment growth statewide for each of these sectors: healthcare practitioners (+19%), healthcare support (+24%), education (+14%), protective services (+13%), and service occupations (+19%).¹¹⁷

¹¹⁷ Massachusetts Division of Unemployment Assistance, [Employment Predictions 2000-2010](http://www.detma.org/pdf/1030_0204.pdf), <http://www.detma.org/pdf/1030_0204.pdf> [18 May 2004].

The manufacturing sector is experiencing an ongoing contraction within Massachusetts and across the United States as corporations relocate jobs to less expensive labor markets. While Ayer has seen a sharp increase in the number of manufacturing jobs between 1995-2002 (+17%), it is anticipated that this industry will reach an employment plateau and begin to shed jobs. The Massachusetts Division of Unemployment Assistance (DUA) predicts that for the state as a whole, employment in the manufacturing (production) occupations will contract by -7% between 2000 and 2010. The agency notes further that between the second quarters of 2002 and 2003: "Within manufacturing, the largest employer in the [North Central] region, over 750 jobs were shed, a decrease of -4.3%."¹¹⁸ The decline in manufacturing jobs could negatively affect Ayer's economic climate and job market, as manufacturing is the town's second largest employer and it has grown steadily since 1995.

DUA's long-term job forecasts also indicate the Massachusetts transportation and warehousing (wholesale trade) sector should grow by 4% between 2000 and 2010. Growth in the communications and media sector is pegged at 11%-15% during the same period, while employment in installation, maintenance, and repair occupations (which includes many public utility workers) is projected to grow by only 4%. With Ayer's strategic location at rail and utility crossroads, the trade and TCPU sectors may continue to grow at a modest pace.

The construction industry has also shown steady, albeit slight, growth in Ayer. If the Rate of Development Bylaw expires and is not replaced by a longer-term growth management bylaw, residential growth will most likely fuel some expansion in the construction trades. Clearly, however, continued commercial and industrial growth both in Ayer and inside the Devens Regional Enterprise Zone will create new construction employment opportunities. DUA predicts that employment in the Massachusetts construction industry will grow by 11,350 jobs, or 9%, between 2000 and 2010.

Finally, despite a 25% rate of growth in wages, employment in Ayer's finance, insurance and real estate (FIRE) sectors remained stagnant between 1995 and 2002. Statewide, employment in the finance and business operations sectors is estimated to increase 10% between 2000 and 2010, and DUA predicts that real estate employment will grow by 9%.

SOURCES OF HOUSEHOLD INCOME

A surprisingly low number of Ayer residents receive income from self-employment, interest, dividends, or rental property. All of the surrounding towns and the state exhibit much higher percentages of household income from these sources. Many in Ayer have expressed a desire to stimulate the creation of more locally owned businesses, including home-based businesses. Providing opportunities to work locally are important not only for job growth but also for the sustainability of Ayer's future development. An increase in the number of home-based businesses would likely increase the number of households receiving income from self-employment, thereby boosting the town's economic self-sufficiency. To encourage

¹¹⁸ Massachusetts Division of Employment and Training, Regional LMI Profile: North Central Massachusetts, 3rd Quarter 2003, 2., <<http://www.detma.org/pdf/NorthCentralMass.pdf>> [18 May 2004].

and promote these kinds of endeavors, however, Ayer will need to revisit its zoning restrictions on home occupations.

COMMUTING PATTERNS

A significant number of workers travel between Ayer, the Lowell metro area, and Fitchburg-Leominster (in both directions). Many Ayer residents also work along the Route 2 corridor (32.6%), Interstate 495 corridor (26.5%), Route 128 corridor (11.6%), and in the urban core of the Boston metro area (6.0%). MBTA commuter rail service connects Ayer with Fitchburg-Leominster, the Route 2 corridor and the urban core. However, no public transit service is available to or from the Lowell metro area, the Interstate 495 corridor or the Route 128 corridor. To improve job access for Ayer residents and employee access for Ayer businesses, the town could actively encourage alternative modes of transportation to and from its major employment centers, perhaps by offering transportation demand management incentives in the zoning bylaw and by working closely with MassDevelopment on a coordinated approach to commuter transportation services.

DOWNTOWN AYER

Many residents, business owners and local officials are concerned about the economic health of Downtown Ayer. Parking is a frequently mentioned concern. Lack of enforcement of the existing time limit on parking allows MBTA commuters to park all day, thereby limiting parking availability for patrons of downtown businesses. Business owners also express concern that MBTA commuters are unlikely to buy more than a coffee and newspaper downtown. The physical connection between Main Street and the commuter rail station is unclear and not very pedestrian friendly. Stores also close very early, often before commuters return to Ayer. A second concern related to the downtown area is traffic congestion at the Park Street and Main Street intersection. Residents and business owners believe that traffic problems at this intersection may discourage shoppers from visiting downtown and impede pedestrian movement between downtown and the businesses and residences along West Main Street.



Downtown Ayer is a relatively healthy mixed-use, transit-oriented village.

The new Nashua River Rail Trail has brought hopes of weekenders patronizing downtown businesses before or after exploring the rail trail. Some envision riders utilizing the commuter rail, which allows bicycles during off-peak hours and weekends, to reach the rail trail.

ECONOMIC DEVELOPMENT POTENTIAL

Industrial Land Uses

Industrial land uses (including mixed-use industrial properties) currently occupy nearly 499.48 acres or more than 10% of the town's land area, excluding the Devens Regional Enterprise Zone.¹¹⁹ According to the last Comprehensive Plan Update, 383.97 acres were developed as of 1997.¹²⁰ The remaining 115.51 acres apparently came online between 1997 and 2003. The parcelization of industrial land has occurred at an average of slightly more than 1% per year since 1990, with an average of 0.57 parcels per year.¹²¹

Currently, Ayer has 27 developable and partially developable parcels with a combined total of 288.91 acres of land assessed for industry. Of this amount, 37.47 acres are inaccessible without the improvement of Snake Hill Road or the construction of new access roads.¹²² Another 131.2 acres of developable and potentially developable industrial land are located in the "Golden Triangle" area (bounded roughly by the Littleton town line, the Fitchburg commuter rail line and the Guilford freight rail line). Although the 1997 Comprehensive Plan Update classified the Golden Triangle as a "priority area for new industrial development,"¹²³ later studies revealed that it is an important aquifer recharge area. Ayer has since established an aquifer protection district to reduce risks to drinking water supplies in the "Golden Triangle" and other groundwater recharge areas, but there has been a long court battle between the town and Guilford Transportation Industries, Inc., which owns 41 acres "Golden Triangle" land. A consent decree signed in 2003 will allow Guilford to construct an automobile off-loading facility in this location, subject to environmental safeguards that many residents believe are inadequate.

Without the inaccessible parcels, the remaining "Golden Triangle" parcels, and the parcels included in the Guilford project, Ayer has 120.2 acres assessed as vacant, developable industrial land. Improvements to Snake Hill Road and additional access roads in the northeast corner of town would increase the supply to 157.7 acres.¹²⁴ However, with the

¹¹⁹ Ayer Assessor's Office, 24 February 2004. Note: Public utilities (such as electric substations and power lines) are classified as industrial property and they currently occupy about 211.32 acres or 4.4% of Ayer's land area. The 498-acre estimate of industrial development above does not include public utilities.

¹²⁰ Comprehensive Plan Update, III-B-12.

¹²¹ Massachusetts Department of Revenue, Division of Local Services, "Parcels by Use Class, " Municipal Data Bank [9 March 2004].

¹²² The industrial acres discussed in this section exceed the amount of industrial land used to estimate Ayer's future buildout potential (Chapter 2, Table 2-11). The difference is attributable to data sources. The above analysis relies solely on information in the assessor's parcel records, without any reductions for site constraint based on available GIS data. This methodology was used in order to permit a direct comparison to a similar analysis reported in the 1997 Comprehensive Plan Update. .

¹²³ Comprehensive Plan Update, III-B-24.

¹²⁴ The difference between the 157.7 acres identified here and the 198.3 acres identified in Table 2-11 is attributable to assessment codes assigned to various classes of land. The analysis above is based on

“Golden Triangle” and inaccessible parcels included, the development potential of all land assessed as vacant and developable for industry increases to 1,623,455 ft².¹²⁵ Aggregate real estate tax revenue from the development of all of these parcels would be approximately \$2,170,095 per year.¹²⁶ Excluding the “Golden Triangle” parcels, the estimated development would be about 886,211 ft² and estimated annual real estate tax revenue, \$1,111,315. However, excluding both the “Golden Triangle” and inaccessible parcels, annual tax revenue would be \$808,933, and developed space about 675,656 ft².

Commercial Land Use

Commercial land uses currently occupy 280.04 acres of the town’s land area, or 5.8%.¹²⁷ Of these, 12.5 acres (4.5%) are located in the Downtown Business zone, 86.86 acres (31.0%) are in the General Business zone, 36.75 acres (13.1%) are located in the Light Industrial zone, and 143.93 acres (51.4%) are in the Heavy Industry zone.¹²⁸ There are also twenty mixed-use commercial parcels (totaling 34.72 acres) located in almost all zones.

Developed parcels with commercial uses have increased at an average of 1% per year from 1990 to 2003, with an average of 1.14 parcels being developed per year.¹²⁹ According to data from the assessor’s office, Ayer has 13

developable parcels zoned for commercial (non-industrial) use, totaling 30.11 acres.

Together, the town’s developable commercial and industrial parcels provide 319.02 acres of land for additional non-residential uses. However, most of the developable industrial parcels are located along Nemco Way, Westford Road, and Willow Road: areas far from the center of town and established commuter routes.



Ayer has many auto-related business establishments in the General Business District.

land assessed as vacant industrial land and does not include other land in the industrial districts that may be wholly or partially developable, e.g., land under Chapter 61 or 61A agreements.

¹²⁵ For consistency with the 1997 Comprehensive Plan analysis, the same town-wide average FAR has been used as an indicator of likely development yield. However, Ayer’s current zoning regulations can produce more development per parcel than the average of existing industrial development.

¹²⁶ Assumes town-wide industrial average assessed value of \$8.09 per ft² of lot area and a tax rate of \$22.90/\$1000. See Appendix F for detailed breakdown of potential revenue from the development of vacant parcels assessed for industrial and commercial uses.

¹²⁷ Ayer Assessor’s Office, 24 February 2004.

¹²⁸ Parcel 0033-0033, labeled as public service, is a railroad right-of-way and has been excluded from the analysis.

¹²⁹ Massachusetts Department of Revenue, Division of Local Services, “Parcels by Use Class,” [Municipal Data Bank](#).

Ayer has only five commercially zoned parcels greater than one acre, i.e., large enough to accommodate parking for auto-oriented businesses, as opposed to the pedestrian-oriented businesses located downtown. Most of the larger vacant parcels are situated along Park Street, West Main Street and in the vicinity of Carlton Circle, i.e., high-traffic areas. The five 1+-acre parcels could support approximately 623,500 ft² of new development, assuming the town's prevailing development pattern. Under current tax policies, this untapped development potential would yield about \$828,123 in additional tax revenue if the development occurred today. Taken together, all 13 parcels zoned for commercial use could support an estimated 735,000 ft² of new commercial space (using the same assumptions), generating about \$975,500 per year.¹³⁰ However, many of the town's commercially zoned parcels are far too small to support any type of development. At best, they are accessory commercial parcels with little or no inherent development value.

DEVENS

The Devens Regional Enterprise Zone, created in 1993 in response to the planned closure of Fort Devens, includes a large portion of the west side of Ayer. With 39 homes, 7 businesses, a few developable parcels and many of the public service buildings located within Ayer town limits, the eventual disposition of the former Fort Devens offers Ayer an opportunity to expand its economic base.

Pursuant to federal and state laws, the U.S. Army was required to prepare an Environmental Impact Report (EIR) for the closure of Fort Devens and the disposition of its 9,300 acres.¹³¹

Negotiations between

MassDevelopment, the Joint Boards of Selectmen (JBOS) for Ayer, Harvard and Shirley, and the general public resulted in the *Devens Reuse Plan*, the document guiding all current development in the Devens Regional Enterprise Zone.

Currently, MassDevelopment estimates that the redevelopment of the former Fort Devens is about 40% complete (both residential, commercial and industrial) and well below the traffic



Part of Ayer lies within the Devens Regional Enterprise Zone, created to redevelop the former Fort Devens.

¹³⁰ Town-wide, the average commercial assessment in Ayer is approximately \$58/ft² and the current commercial-industrial tax rate is \$22.90 per \$1000. The above estimates are based on the town-wide average assessment, but new commercial development will most likely be assessed at a higher value per foot. The estimated development potential of Ayer's vacant commercial parcels is higher than the estimate contained in the 1997 Comprehensive Plan, but considerably lower than the estimate cited in a build-out study prepared by Montachusett Regional Planning Commission (MRPC) in 2000.

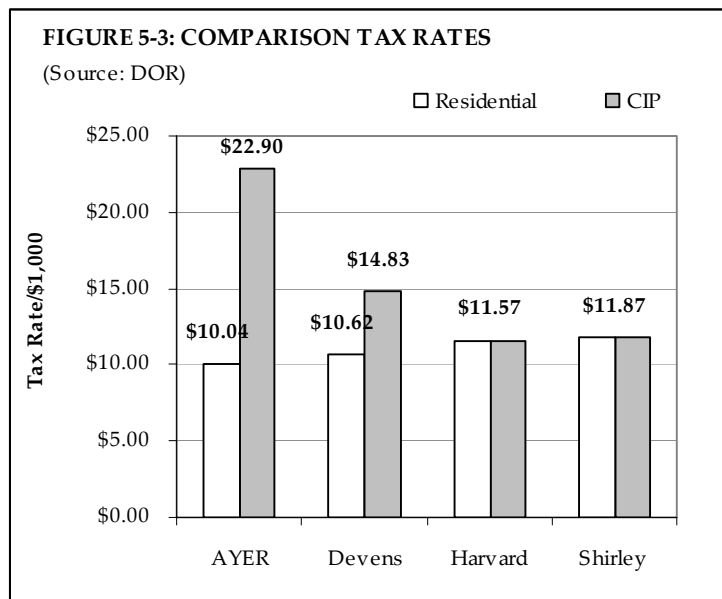
¹³¹ VHB/Vanasse Hangen Brustlin, Inc., for Massachusetts Government Land Bank and JBOS, *Devens Reuse Plan* (November 1994), 4.

predictions for this stage of development.¹³² In 2003, there were seven businesses employing 625 people within the Ayer portion of the Devens Regional Enterprise Zone. This does not include those employed by MassDevelopment and the Massachusetts State Police, whose offices are also located in Ayer. The businesses located within Ayer town limits include, by type and number of employees: C&T Warehouse (warehousing, 18); Eglomise Designs, Inc. (commemorative gifts, 18); part of Gillette Company (distribution, 126); Iron Stone Ventures (motorcycle training school, 6); New England Distribution (warehousing, 18); Sonoco Products Company (packaging, 351); and Southern Container Corporation (manufacturing, 88).¹³³

Properties in the Devens Regional Enterprise Zone are currently taxed at \$10.62/\$1,000 for residential and \$14.83/\$1,000 for commercial and industrial. The residential tax rate is competitive compared to the tax rates in all three towns, but

MassDevelopment provides very few public services. The industrial/commercial tax rate in the Devens Regional Enterprise Zone is more favorable than in Ayer, however, and MassDevelopment provides a far more desirable infrastructure package to new businesses, including site preparation. The commercial/industrial

tax rates in Harvard and Shirley are significantly lower than in Ayer and Devens, but Shirley has a very limited inventory of industrial land and Harvard has none.



MassDevelopment estimates that the disposition process for Ayer may be completed by 2014. Conditional resolution of any outstanding issues surrounding the disposition process is expected to occur by early 2006, and will be negotiated by the Devens Disposition Steering Committee. All of these time frames are only estimates and the actual schedule for disposition depends on the state of the redevelopment process. The future of the North Post is of great concern to many in Ayer and Shirley. MassDevelopment will soon hire a consultant and begin the master planning process for the North Post. The plan will be developed using the zoning from the Devens Reuse Plan, which includes “environmental business” in the Shirley portion, and “innovation and technology business,” and “special

¹³² Beta Group, Inc., for MassDevelopment, Devens Traffic Monitoring Program (December 2002), 35-38.

¹³³ Victor Normand, MassDevelopment, to Joshua D. Mello, Community Opportunities Group, Inc., 1 March 2004.

use II" in the Ayer section along Fitchburg Road. The corridor along the Nashua River is zoned as "open space and recreation," and much of it is part of the Oxbow National Wildlife Refuge. The limited and relatively difficult access to this area is a major concern, and could be a hindrance to any significant development of the area. MassDevelopment has pledged that the reuse of all parcels outside the core, including the North Post, should be "planned through a collaboration effort with the host communities."¹³⁴

Goals & Recommendations

The Comprehensive Plan Update includes several proposals to strengthen Ayer's economy, provide adequate job opportunities for residents, ensure the competitiveness of Ayer's downtown and other business districts, and balance the need for tax revenue with the ability to attract new industry. Ayer is unique in its location, economic base, and residents' skills. A carefully crafted plan integrating the recommendations of past plans, while adapting to recent events and changes, can provide an effective blueprint to manage Ayer's economic growth.

ECONOMIC DEVELOPMENT GOALS

- ◆ Better coordinate Ayer residents' skills to existing and future employment at the Devens Regional Enterprise Zone and within Ayer.
- ◆ Improve access to and from Ayer for residents, workers, and commercial vehicles.
- ◆ Increase downtown Ayer's economic competitiveness.
- ◆ Achieve the best possible match between the supply of developable land and market demand for industrial and commercial development.
- ◆ Strengthen economic development coordination with the Devens Regional Enterprise Zone and the surrounding region.

ECONOMIC DEVELOPMENT RECOMMENDATIONS

- ◆ Increase healthcare employment opportunities.
 - Use the Nashoba Valley Medical Center as an economic engine and take advantage of the high growth rate expected in the healthcare sector. Ayer should study the potential for creating education, office and limited research and development uses to the east and south of the medical center. If the zoning for these uses is written carefully, they will be highly compatible with the resource protection and open space objectives of the Petapawag Overlay District.
 - Work to recruit a community college or university satellite school specializing in healthcare education to occupy land in the new district or in downtown Ayer. This effort would simultaneously create new employment opportunities in education

¹³⁴ MassDevelopment, Devens Annual Report (November 2003), 4.

and train Ayer residents for occupations in the healthcare industry. A partnership with the medical center would offer the school an important living classroom and laboratory.

◆ Facilitate the retraining of manufacturing employees.

- As the manufacturing sector continues to contract regionally, it will be important to equip laid-off workers with the skills necessary to find new employment. Ayer's Community and Economic Development Office should take the lead in maintaining an up-to-date library of information about education, training, employment and unemployment benefit opportunities. It should also maintain regular contacts with schools, colleges, universities, trade unions, state employment offices, and MassDevelopment officials.
- The library and network should proactively be made available to all who need it, including the recently laid-off and those new to the workforce. Funds to establish and maintain the library should be solicited from Ayer's existing industrial employers and lending institutions.

◆ Expand the number of home-based businesses.

- Classify home occupations and allow most by right in residential zoning districts, reserving special permits only for home occupation types that are likely to create adverse noise or traffic impacts on the surrounding neighborhood.
- For quality of life, economic development, traffic management and sustainability reasons, it makes sense to encourage work-at-home opportunities. Home-based businesses enable families to generate income from self-employment and accommodate childcare and other needs. Those who work from home do not add to commuting traffic, and scattered business locations disperse daytime business traffic instead of concentrating it in the commercial and industrial zones.

◆ Improve access for residents and workers. To improve the desirability of Ayer's industrial and commercial districts and provide transportation choice for its residents and workers, Ayer should actively plan, fund or lobby for the following transportation improvements:

- Increased service on the MBTA Fitchburg Line, including double tracking, express trains and higher speeds.
- Expanded parking capacity in downtown Ayer and at the commuter rail station, possibly funded by commuter parking fees.
- Introduce mass transit/shuttle service between Ayer, Devens Regional Enterprise Zone, the Lowell metro area, and the Interstate 495 corridor — all major employment centers for Ayer residents and also major sources of non-resident workers employed in Ayer.

- Improve commercial vehicle routes from Route 2 and Interstate 495 to the Westford Road industrial district, the North Post and Fitchburg Road industrial area.
- ◆ Focus available resources on an area strategy to achieve the economic development goals of this Comprehensive Plan Update.
 - Encourage the creation of new or redeveloped office space close to downtown Ayer, such as in the (proposed) Mixed-Use Transitional District. This would allow Ayer to absorb expected growth in the FIRE and technology sectors, and increase the number of high paying jobs available to residents. More office workers would boost the daytime population in downtown Ayer, providing additional benefits to local business owners. By siting offices close to the commuter rail station, workers are given more transportation flexibility, and impacts can be mitigated. This strategy would benefit from increased marketing, simplified zoning and a streamlined permitting process.
 - Adopt Land Use Plan recommendations for new Industrial-I and Industrial-II districts to better utilize existing industrial land and increase Ayer's industrial tax base.
 - Implement site plan and design guidelines to improve the character and quality of development surrounding Carlton Circle, Littleton Road Park Street and West Main Street and any new commercial zones. Adopt regulations requiring landscaping, sidewalk improvements, side or rear parking, maximum setbacks and architectural details. More attractive business districts will improve the town's ability to attract additional, higher quality development in the future and increase the commercial tax base.
 - Zone for small neighborhood business nodes in the eastern and northern reaches of the town, near new and future housing development. To serve new residences and respond to market demand, these zones should allow context-sensitive neighborhood businesses (e.g., general store, dry cleaner, doctor's office, pharmacy, deli, etc.) but prohibit the development of strip-malls, "big box" stores, supermarkets and other incompatible uses. Appropriate design guidelines will preclude negative impacts on surrounding residential areas.
 - Establish a new village center along Willow Road. Through zoning, encourage a mixed-use (commercial & residential) village along Willow Road south of the railroad tracks and north of the Littleton town line. The village would serve as a small commercial center for residents of the eastern half of Ayer, Interstate 495 commuters from Ayer, and Westford Road workers. The area is also ideal for multi-family and affordable housing, as employment opportunities are nearby and a significant amount of commuter traffic would use Route 2A to reach Interstate 495 in Littleton. Higher-density housing development in this location would relieve development pressure from more remote, environmentally sensitive areas in the north end of town. Highly regulated commercial and mixed-use development would also offer Ayer more opportunity than residential zoning alone to protect the watershed east of Willow Road. The area is adjacent to the MBTA commuter rail

line, offering the opportunity to construct a new station in the future if demand warrants it.

- ◆ Increase economic competitiveness of downtown Ayer.
 - Expand daytime and evening population of downtown market area. Encouraging more residences, offices and institutional uses within walking distance of downtown would generate daytime and evening business. Converting vacant upper-story space to residential uses would help to achieve this objective. Evening shopping activity could create demand for eating, drinking and entertainment establishments.
 - Enforce existing parking time limits and build additional parking facilities, possibly funded by commuter parking fees.
 - Market downtown Ayer as a browser tourism shopping destination to MBTA riders, rail trail users and Devens Regional Enterprise Zone employees through advertisements in newsletters, on trains, at rail trail parking lot, commuter rail station and on MBTA schedules. Install directional signage from station, rail trail and Devens Regional Enterprise Zone to downtown Ayer. Browser tourism destinations often consist of boutiques, craft shops, specialty clothing stores, galleries and other small businesses.
 - Establish a downtown property database to track essential economic development data, such as business types (NAISC) and size, ownership, number of employees, annual sales, rents, and commercial vacancies. The estimated vacancy rate of 6-8% in Downtown Ayer today represents primarily upper-story space that should be inventoried for potential reuse options.
- ◆ Increase economic coordination with the Devens Regional Enterprise Zone and other communities in the region.
 - Organize regular meetings between Ayer economic development team, MRPC, and MassDevelopment (or its successor).
 - Increase economic ties between Devens Regional Enterprise Zone employees and employers and Ayer businesses.
 - Provide regular and intensive involvement of Ayer officials, residents, businesses, and environmental organizations in planning for reuse of the North Post.

Table 5-7: Number of Establishments, Wages & Employment Growth by Sector

Description	1995 No. of Establishments	2002 No. of Establishments	Change in No. of Establishments 1995-2002	1995 Total Wages	2002 Total Wage	Change in Total Wages 1995-2002	Average Monthly Employment 1995	Average Monthly Employment 2002	Change in Average Monthly Employment 1995-2002	Average Annual Wages 1995 (in 2002 dollars)	Average Annual Wages 2002	Real Change in Average Annual Wages 1995-2002
AYER, Total All Industries	290	309	7%	158,559,295	263,123,279	66%	5,503	6,393	16%	\$ 34,288	\$ 41,158	20%
Construction	29	30	3%	3,544,273	8,417,502	137%	121	175	45%	\$ 34,857	\$ 48,100	38%
Manufacturing	45	39	-13%	61,243,255	91,467,044	49%	1,776	2,085	17%	\$ 41,036	\$ 43,869	7%
Trade	50	56	12%	8,344,441	26,720,511	220%	501	698	39%	\$ 19,820	\$ 38,282	93%
TCPU & Information	22	26	18%	7,463,760	16,527,847	121%	233	429	84%	\$ 38,120	\$ 38,526	1%
FIRE	12	22	83%	1,585,939	4,173,840	163%	65	117	80%	\$ 29,035	\$ 35,674	23%
Services	108	123	14%	34,743,992	69,658,850	100%	1,568	2,115	35%	\$ 26,368	\$ 32,936	25%
Government	24	13	-46%	41,633,635	39,042,167	-6%	1,239	749	-40%	\$ 39,987	\$ 52,126	30%
Massachusetts, Total All Industries	177,452	200,317	13%	94,410,975,803	144,048,200,155	53%	2,920,935	3,202,323	10%	\$ 38,463	\$ 44,982	17%

Source: Massachusetts Division of Employment and Training, Economic Data Programs -Employment and Wages Report (ES-202).

TRANSPORTATION

Introduction

Transportation networks have an indelible impact on the physical form of cities and towns. Since roadways supply access to land, they are as central to a master plan as zoning regulations or the type and location of a community's natural resources.

Although transportation planning goes far beyond the automobile, it seems almost universal that the most frequently cited transportation problems in cities and towns involve roads, cars and traffic. Roadways bring life to a community by supporting commerce, communication and services, allowing both goods and customers to travel in and out of town. They also facilitate communication, for at the most basic level, roadways enable residents to meet each other and engage in the activities of daily life. Finally roadways support and burden public safety services, and supply the crucial right-of-way for utility companies that need to supply water, sewer, natural gas, telephone and cable television service to homes and businesses.



Transportation planning has changed considerably in the past few decades. Today, a local master plan rarely encourages building new streets. Aside from the enormous cost of road construction, there are often environmental and social costs that exceed the intended transportation benefits of more roadways. Instead, planners and policy analysts have shifted their focus to managing traffic volume and speed, providing for non-vehicular modes of travel, and making strategic connections between land use, design and transportation.

From Ayer's incorporation in 1872 to its selection as host community for a U.S. Army training camp during World War I, transportation facilities have had a major impact on the town's modern history. Today, Ayer is well served by regional networks with several modes of transportation. These networks support the movement of people and goods across the region. The available modes of transportation include roads, commuter rail service, freight rail, bicycle trails and paths, and sidewalks for bicyclists and pedestrians. Efficient utilization of each mode will depend largely on how well it is interconnected with other modes and its accessibility for users.

Existing Transportation Network

The transportation network in Ayer and surrounding towns should be considered in a regional and local context. Regionally, Ayer and environs are served by three main modes of

transportation: 1) major highways located within a few miles of Ayer including, state Route 2, Interstate 495, and Interstate 190; 2) the Massachusetts Bay Transportation Authority (MBTA) commuter rail service (Fitchburg line) and freight rail and; 3) trails, paths and walkways providing pedestrian and bicycling opportunities. In a local context, several major arterials, collector and local roadways characterize Ayer's transportation network. Sidewalks for pedestrian access are located principally in the downtown area. A trail for bicyclist and pedestrian uses originates from the downtown area of Ayer and ends at the New Hampshire state line.

ROADWAYS

The Montachusett Regional Planning Commission (MRPC) provides functional classification of streets and highways for all towns within its planning area, including Ayer. A roadway may be classified in accordance with its function or purpose within a system of streets and highways. Functional classification identifies roadways as: principal arterial, minor arterial, major collector, and local roads. According to the MRPC, Ayer has a total of approximately 49 miles of roadway comprised of: 6 miles of arterial roads, 10 miles of collector roads, and 33 miles of local roads. The roadway network is shown in Map 6-A. The main roadways are described below.

State Route 2 is generally a limited access highway that runs across the entire northern length of Massachusetts, from Boston to the New York State line. Route 2 is a non-toll highway, which provides an east-west alternative route to the Massachusetts Turnpike (Interstate 90). Primary access to and from Ayer is by routes 110/111.

State Route 2A is a minor arterial/major collector that generally runs in the east-west direction through the center of Ayer. Route 2A travels east with Route 110 from Littleton through Ayer, merges with Route 111 at Carlton Circle, continues through downtown Ayer (East Main Street), travels north with Route 111 and branches to the northwest as Fitchburg Road. A section of Route 2A between the Carlton Rotary and Park Street is not part of the state maintained highway system, but under local jurisdiction.

State Route 110 is a minor arterial/major collector that travels generally, in the southeasterly direction from Amesbury through Lowell, and through Ayer. It merges with Route 2A (Littleton Road) in Littleton and merges with Route 111 (East Main Street) traveling south at the Carlton Circle into Harvard.

State Route 111 is a minor arterial/major collector beginning from the Concord Rotary in Concord. It merges with Route 110 in Harvard (Harvard Road), merges with Route 2A at the Carlton Circle, travels through downtown Ayer (East Main Street), travels north on Park Street and continues into Groton as Groton School Road.

Central Avenue and Sandy Pond Road are local roads that provide one of the few east-west roadway routes in Ayer. Central Avenue travels east from Washington Street in Ayer's downtown, and merges with Sandy Pond Road, which continues, east to its intersection with Willow and Westford roads.

Other important roadways that provide north-south access in Ayer include Washington Street, Groton-Harvard Road, Snake Hill Road, and Willow and Westford roads. Willow and Westford roads provide primary access to the industrial and business areas in the eastern portion of the town.

EXISTING TRAFFIC VOLUMES

Under the Devens Reuse Plan, MassDevelopment (the quasi-state agency responsible for the redevelopment) made a commitment to conduct a traffic-monitoring program for the former Fort Devens area roadways. The monitoring program, which includes some of the roadways in Ayer, involves the collection of existing daily traffic counts at specific roadway sections, and peak hour volumes at some critical intersections. A recent update prepared for MassDevelopment by Beta Group Inc. in 2002 provided the source of existing traffic volume data in Ayer. Existing average weekday daily counts in Ayer are provided in Table 6-1

Table 6-1: Average Weekday Daily Traffic Volume on Key Roads in Ayer

Road	Location	1996	1998	2000	2002
Route 2A	Shirley town line	9,316	8,643	7,667	8,537
Route 111	Groton town line	6,482	5,497	5,120	5,764
Sandy Pond Road	East of Central Avenue	5,529		5,907	5,939
Groton Harvard Road	Groton town line	4,922	-	4,705	5,602
Carlton Circle	Route 2A/110 east of circle	14,472	15,229	14,131	17,677
	Sandy Pond Road north of circle	4,701	6,505	3,798	4,301
	Route 2A/111 west of circle (WB)	10,355	10,650	9,629	10,352
	Route 2A/111 west of circle (EB)	9,951	10,394	9,483	9,796
	Barnum Road south of circle	3,186	2,694	3,418	5,966
	Route 110/111 south of circle	13,837	14,533	13,475	15,677

Source: Devens Traffic Monitoring Program (December 2002) by Beta Group.

The data from the traffic-monitoring program presented in Table 6-1 indicate that traffic in general has increased on all roadways during the past two years. A comparison of the years 2000 and 2002 shows that traffic volumes increased, on average, by five percent per year. Routes 2A/110 east of Carlton Circle increased by 12% per year, and Barnum Road south of the rotary registered an increase of 32% per year. It can also be seen from the data in Table 6-1 that traffic volumes at some locations have decreased from 1996 to 2002.

Other data presented in the Devens Traffic Monitoring Program indicate that traffic volumes at key intersections in Ayer were trending upward as of 2002. Most of these intersections were identified as being over capacity in the 1995 Final Environmental Impact Report prepared for the closure of Fort Devens. Since 2000, a total of 1.2 million ft² of new space has been completed and occupied within the Devens Regional Enterprise Zone. This is reflected

in the increase in traffic volumes on the Ayer roads between years 2000 and 2002. At the same time, measures recommended to mitigate the traffic to and from the enterprise zone are yet to be implemented and the affected intersections continue to be strained and under capacity.

EXISTING COMMUTER PATTERNS

Census 2000 data contain several pieces of information on commuter travel patterns for municipalities nationwide. Journey-to-work data sets show that in April 2000, Ayer's employed labor force consisted of 3,861 people (excluding persons under 16). Of these, 84.1% drove alone to work, 8.8% carpooled, 2.0% used public transportation, 2.7% bicycled or walked to work, 1.5% worked from home, and 0.9% used other means of travel. A summary of the communities where most people employed in Ayer reside, and the place of work for Ayer residents, is presented in Table 6-2.

Table 6-2: Origins & Destinations of Persons Commuting to and from Ayer

Residence of Persons Employed in Ayer	Number of Employees	%	Workplace of Ayer Residents	Number of Residents	%
Ayer	798	14.7	Ayer	798	20.7
Leominster	466	8.6	Littleton	245	6.3
Shirley	395	7.3	Westford	203	5.3
Fitchburg	330	6.1	Concord	190	4.9
Lowell	325	6.0	Acton	144	3.7
Pepperell	276	5.1	Boston	132	3.4
Groton	187	3.5	Lexington	112	2.9
Townsend	184	3.4	Chelmsford	111	2.9
Lunenburg	143	2.6	Bedford	105	2.7
Worcester	125	2.3	Cambridge	89	2.3
Westford	81	1.5	Harvard	84	2.2
Maynard	72	1.3	Fitchburg	82	2.1
Somerville	69	1.3	Groton	79	2.0
Marlboro	68	1.3	Shirley	74	1.9
Other MA Towns	1,497	27.6	Other MA Towns	1,287	33.3
New Hampshire	332	6.1	New Hampshire	88	2.3
Other States	<u>67</u>	<u>1.3</u>	New York	<u>38</u>	<u>1.0</u>
Total	5,415	100.0	Total	3,861	100.0

Source: U.S. Bureau of the Census, Census 2000, MCD/County-To-MCD/County Worker Flow Files.

The census data for persons employed in Ayer do not separate persons employed at the Devens Regional Enterprise Zone from other parts of Ayer. The data show that residents of Ayer generally travel east for work, and therefore the morning commuting pattern on local roads is predominantly eastbound traffic with a reverse travel pattern during the evening commuting hours. For persons employed in Ayer, the Census 2000 data show that quite a significant number come from nearby cities and towns to the north and west of Ayer. A significant number of employees also commute to Ayer from New Hampshire.¹³⁵

¹³⁵ See also, Maps 6-B and 6-C.

COMMUTER RAIL

Ayer is served by the Fitchburg line of the MBTA commuter rail system. The line originates from Fitchburg and terminates at the North Station in Boston, with the opportunity to transfer to the MBTA Red Line subway at Porter Station in Cambridge. Services through Ayer consist of eleven inbound trains (four during the morning commuter peak hours) and 11 outbound trains (three during the afternoon peak commuter hours). Service headways during the peak hour range from 25 minutes to one hour, and more than an hour during the off-peak hours. Ridership counts conducted by MRPC in 2002 recorded an average of 250 riders per weekday (inbound and outbound) at the Ayer station. No inbound commuter train service to Boston is available between 8:00 and 9:30 AM and between 3:30 and 7:00 PM. The first outbound commuter train service from Boston arrives in Ayer at 9:50 AM and there is no outbound service between 2:30 and 6:00 PM.

FREIGHT RAIL

Ayer is the site of a regional intermodal facility consisting rail and truck terminals that serves central and eastern Massachusetts. Service agreements between Guilford Transportation Industries, the main freight rail operators in Ayer and other regional rail carriers, connect the two terminals in Ayer and the Devens Regional Enterprise Zone to the Midwest and the Port of Halifax in Nova Scotia.

PARKING

Downtown Ayer's parking inventory includes 154 on-street (curbside) parking spaces and 207 off-street parking spaces (November 2003). The inventory covers Main Street from Mechanic Street to Columbia Street, and curbside parking on side streets in close proximity to Main Street. A summary of the off-street parking inventory is presented in Table 6-3.

Table 6-3: Downtown Ayer Off-Street Parking Inventory, 2003

Location	Spaces	Comments
Commuter lot	94	MBTA (65) Medicine Shoppe (9) Carlins (5) Bookberry/Amy Provisions (11) Unmarked spaces (4)
Berry's lot	50	
Town hall	18	Town hall (12); Police (6)
Municipal lot	45	Off Washington Street
Nashua River Trail lot	80	

Source: BSC Group, 2003.

Parking for commuter rail is provided in a leased parking lot near the train station. The Massachusetts Department of Conservation and Recreation (formerly Department of Environmental Management) recently completed a new parking lot with 80 spaces for the Nashua River Rail Trail users. Commuters are allowed to use this parking lot during the

weekday. The walk from the trail lot to the rail station is unmarked and traverses Main Street, other parking lots and landscaped obstacles.

BICYCLE PATHS & PEDESTRIAN FACILITIES

Downtown Ayer has sidewalks along the major roadways, enabling pedestrians to walk to several destinations. A number of pedestrian crosswalks are painted on the roadways where major pedestrian crossings exist. The town currently requires that all new subdivisions provide sidewalks at least on one side of the street.

The Department of Conservation and Recreation recently completed the 11.2-mile long Nashua River Rail Trail along the abandoned Boston & Maine Railroad, originating in downtown Ayer and traveling north to the New Hampshire border. Parking for the trail is provided in an 80-space parking lot along Groton Street.

Trends & Issues

Transportation issues identified for this update are not entirely new to Ayer. Some of the issues have been discussed for several years and were presented in the 1997 Comprehensive Plan Update. With the continuing redevelopment of the former Fort Devens and the anticipated growth in the regional population and economic activity, demands on the transportation infrastructure are bound to increase. Inefficiencies in the transportation system are manifested in congested roadways, long delays and high levels of pollution, more accidents, and an unsafe environment for pedestrians and bicyclist. Opportunities for coordination between the various modes of transportation may not be fully realized. Discussions with town officials and residents as well as field observations indicate that the issues listed below must be addressed in order to improve the use of Ayer's existing transportation network.

CRITICAL TRAFFIC LOCATIONS

Park Street/Main Street Intersection. This is Ayer's most congested intersection. It experiences significant delays that result in long traffic queue along the entire length of Route 2A within the downtown area. Vehicles turning left from Park Street onto Main Street also experience extensive delays. Police details are present during the morning peak hours to direct traffic. A new fire station is being constructed in the northeastern quadrant of the intersection, and emergency response could be impacted under the existing traffic operation at the intersection. The construction of traffic signals was proposed as part of the mitigation of traffic impacts due to the reuse of Fort Devens. Turn lanes required for improved traffic operations could lead to the elimination of a number of the already scarce on-street parking spaces and decrease pedestrian comfort and safety. Alternate design plans having fewer negative impacts on parking spaces are being drawn up for the town's consideration. Ayer will need to weigh these options carefully and ensure that the needs of emergency vehicles, pedestrians, and other vehicles are well served.

Carlton Circle. Conceptual design plans completed by MassDevelopment call for the removal of Carlton Circle and the installation of traffic signals as mitigation for the full

build-out of the former Fort Devens. The concept plans involve the replacement of the Carlton Circle with one signalized four-way intersection and an unsignalized T-intersection. A rotary, if functioning properly, can provide higher capacity and safer traffic operations than a signalized intersection. Town officials and most Comprehensive Plan Committee members indicate that the rotary works well and should remain as is. Before any changes are implemented at Carlton Circle, the town, MassDevelopment and the Massachusetts Highway Department should carefully evaluate capacity and the safety ramifications of such changes.

MacPherson Road/Bishop Road. The improvement of MacPherson Road and Bishop Road is seen to route regional (cut-through) traffic away from the congested Park Street/Main Street intersection and the town center. The reconstruction of the corridor is also key to the potential redevelopment of the North Post. Upgrading this corridor would include raising the road profile in the flood prone areas as well as the reconstruction of an existing low railroad overpass.

Bishop Road/Park Street Intersection. Signalization of this intersection would be required due to the expected increase in traffic resulting from developments at the Devens Regional Enterprise Zone and potential upgrade of MacPherson Road/Bishop Road.

Willow Road/Ayer Road Intersection. Willow Road connects Route 2A (Ayer Road in Littleton) and a large industrial area in Ayer. It is used by trucks traveling between Route 2 and Interstate 495 and the industrial area. It is difficult for trucks to make a right turn from Willow Road south onto Route 2A west because of the existing alignment of Willow Road. Since this intersection is in Littleton bordering Ayer, the two towns should cooperate in providing geometric improvements, and possibly install traffic signals.

Snake Hill Road. The existing pavement and roadway alignment of Snake Hill Road needs improvement to support the construction of new residential units in the area. Debris from Snake Hill Road also washes onto Littleton Road during rainfall events creating an unsafe condition. Improvement to this roadway will involve pavement upgrades, and the improved alignment with Route 2A that is proposed as part of a planned residential development.

Truck Routes. Development of additional residential properties in close proximity to the Westford Road industrial area creates concern regarding truck traffic along Westford Road, Sandy Pond Road and Willow Road. The Ayer Police Department had indicated that nearly 20 percent of traffic on Westford Road is made up of trucks. Proposed developments in Groton would increase truck traffic on these roads. Discussions regarding designated truck routes should consider impacts to alternate routes and the location of the industrial area in relation to the regional highway network.

Parking. Parking in downtown Ayer remains a major concern of the community. The number of parking spaces leased by the MBTA for commuters is inadequate, as demand for commuter parking exceeds supply. Commuters in some cases are utilizing valuable parking spaces intended for local business customers, owners and workers.

Furthermore, the original proposal for the signalization of Park Street/Main Street could lead to the loss of 20 on-street parking spaces. Increase in the use of the commuter train through improvements in service, population growth in Ayer and surrounding towns, and the reuse of Fort Devens will result in additional demand for parking in the town center. The recent completion of the rail trail parking lot has increased the parking supply in the area, but the supply remains inadequate to meet parking demands.

Efforts by the MBTA and the town are underway to identify suitable locations for the construction of a parking garage that would service the demands of commuters and local businesses. Current estimates indicate that such a parking garage would have about 300 parking spaces.

Most of the curbside parking in downtown Ayer is restricted to two hours. However, due to lack of police manpower, as well as complaints from business owners, there is little to no enforcement of the parking regulations.

MBTA Commuter Rail Station & Service. Ayer station lacks a depot to shelter commuters from the elements while waiting for the train. Such a depot could provide sitting areas, restrooms, telephones, bulletin boards, retail spaces and opportunities to display some of Ayer's railroading history.

Off-peak services by commuter trains are infrequent or absent. Some riders of the train have to travel to South Acton in order to use the train service at certain times of the day.

Pedestrian/Bicycle Facilities. Most of the pedestrian infrastructure such as sidewalks and crosswalks are provided within downtown Ayer. Outside the downtown area, however, important roads such as Sandy Pond Road and Willow Road lack sidewalks. The rail trail provides the only formal bicycle trail in Ayer. There is a need to provide adequate signage and pavement markings where the rail trail terminates on Main Street to ensure the safety of pedestrians and bicyclists. Depending upon where a parking garage is built, pedestrian access to the downtown and the commuter station could become an issue that needs to be addressed. Bike trails have been proposed in the Devens Regional Enterprise Zone. On road bicycle lanes are proposed on the shoulders of Route 2A from Ayer/Littleton town line to Athol/Orange town line.

GOALS & RECOMMENDATIONS

TRANSPORTATION GOALS

- ◆ Encourage pedestrian and bicycle access throughout Ayer by providing a safe, scenic, interconnected system of roads, sidewalks and trails.
- ◆ Provide and manage downtown parking facilities to meet the needs of residents, shoppers, business owners and employees, commuters and visitors.
- ◆ Provide a safe, efficient roadway network that meets the distribution and workforce transportation needs of Ayer's industrial employers and also protects neighborhoods from residential-industrial use conflicts.

- ◆ Improve and enhance Ayer's gateways, pedestrian and bicycle facilities.
- ◆ Mitigate the impacts of traffic generated by development in the Devens Regional Enterprise Zone.

TRANSPORTATION RECOMMENDATIONS

- ◆ Address critical traffic locations.
 - Provide safety and operational improvements at Park Street/Main Street intersection. This intersection is the biggest bottleneck to traffic within Ayer. Consider phased construction of improvements to allow for orderly replacement of affected on-street parking elsewhere.
 - Revisit the proposed modifications to and signalization of Carlton Circle and carefully investigate other alternatives, including improvements to the existing rotary without the installation of signals.
 - Work with MassDevelopment to study and design appropriate improvements to MacPherson Road/Bishop Road as a bypass route for regional traffic. Ensure that the internal road network at the Devens Regional Enterprise Zone does nothing to prevent the creation of this regional bypass. Consider lobbying the Massachusetts Highway Department to reroute Route 111 along the new bypass to Route 2.
 - Study possible connections between Bishop Road, Washington Street and Groton Harvard Road to create a northern bypass of downtown Ayer and better link the western segment of Route 2, Devens Regional Enterprise Zone, Nashoba Valley Medical Center and northern Ayer.
 - Coordinate with Littleton and the Massachusetts Highway Department to improve truck-turning capacities at the intersection of Willow Road/Ayer Road in Littleton.
- ◆ Improve parking for retail and commuter use in downtown Ayer.
 - The proposed structured parking garage should be designed to blend into the village atmosphere while providing opportunities for mixed-use development. Cost recovery through the payment of parking fees should be considered.
 - Enforce parking regulations. Enforcement will facilitate a higher turnover and efficient use of on-street parking spaces. Moreover, it will be critical to the success of redirecting all-day parking users to the structured parking garage.
 - Provide consistent directional signage for municipal parking lots on the side streets.
- ◆ Improve commuter rail service.
 - Work with MBTA and MRPC to increase the frequency of train service through the Ayer Station, especially during the off-peak period.

- Construct a depot at the station to provide shelter for commuters, possibly in conjunction with the planned parking garage. A well-designed depot will incorporate Ayer's rich rail history.
- ◆ Develop and implement a Comprehensive Pedestrian & Bicycle Facilities Plan.
 - Develop a downtown pedestrian plan that identifies major pedestrian generators and routes that link them.
 - Include appropriate signage and pavement markings in the downtown area, especially at the rail trail terminus with Main Street, to enhance the safety of pedestrians and bicyclists.
 - Continue to require the construction of sidewalks in new subdivisions.
 - Create walking and biking paths along the waterfronts of Ayer's ponds, through new property acquisitions, easements, and site plan reviews of new developments.
 - Study the inclusion of bicycle lanes along existing roadways during repaving or reconstruction, particularly along Sandy Pond Road, Central Avenue, Washington Street and West Main Street.
 - Improve pedestrian and bicycle connections between adjacent neighborhoods and the Nashua River Rail Trail through property acquisitions, easements, and site plan reviews of new developments.

COMMUNITY FACILITIES & SERVICES

Introduction

Community facilities and services are the civic building blocks of a city or town. A community facility is any municipal property that has been developed for public purposes, such as a town hall, library or school buildings. The term also includes local utilities such as public water and sewer, a municipal light plant or a cable television enterprise.

Nearly all communities have the “basics” — a city or town hall, a police and fire station — but some have unusual facilities, such as a municipal hospital, airport or civic center. Whether ordinary or unique, the buildings, infrastructure and utilities that local governments offer are designed to provide services for the good of the community. From the tax collector to classroom teachers, the people employed by local government to deliver public services rely on community facilities for their base of operations. It takes both adequate facilities and adequate personnel to serve the public well. Since the capital and operating costs of local government are financed mainly by property taxes, community facilities and fiscal impact are mutually dependent public policy issues. Each is affected by land use choices made at the local level.



Ayer's newly renovated Town Hall.

Existing Conditions

TOWN GOVERNMENT STRUCTURE, OPERATIONS AND FINANCE

Ayer was incorporated in 1871, and throughout its history the town has been governed under a combination of general laws, special legislative acts and local bylaws. Though some

communities in Massachusetts have adopted “home rule” charters under Article 89 of the state constitution, Ayer, like most of the Commonwealth’s smaller towns, has never chosen to establish a charter commission or constitute itself under a charter form of government. In Ayer, the Board of Selectmen serves as chief elected officials. Other elected officers and boards share some executive-branch responsibilities — such as the town clerk, Planning Board and Board of Assessors — but the selectmen have ultimate control over most local policies, personnel and financial management, and they are the only officials empowered to commit the town to contracts. The town also has many appointed committees: volunteers appointed by the selectmen to perform a public service. Ayer has professionalized a few municipal functions, e.g., a town administrator and director of public works, both accountable to the Board of Selectmen. The town’s legislative body is an open town meeting that convenes annually in May.

Ayer employs 285 people (full-time equivalent) and the average weekly municipal payroll is \$292,689 (\$15,219,824 annually).¹³⁶ The town owns a moderate number of buildings, including public schools, parks, a water supply, treatment and distribution system, and a sewer system. About 68% of Ayer’s total general fund expenditures support the cost of public education.¹³⁷

Expenditures for Community Services

The general fund is the mechanism used to account for nearly all of a community’s revenue and expenditures each year. There are four categories of general fund revenue: the tax levy, local (non-tax) receipts, other or miscellaneous funds, and state aid. Local receipts come from a variety of sources, such as user fees paid for recreation programs, water service, building permits, inspections and other direct services provided by local government. Other available funds include sources such as “free cash,” i.e., the sum of surplus revenue and unspent appropriations or budget turn backs at the end of a fiscal year, and the uncommitted balance in a stabilization fund. State aid includes all funds transmitted by the state to cities, towns and regional school districts, as reported on the “Cherry Sheet.” Together, these sources of revenue are used to finance a majority of local government service expenditures.

In Ayer, general fund expenditures rose by only 4.7% between 1990 and 2000, but they increased by 9.6% between 2000 and 2002. After adjusting for inflation, the town effectively spent less in 2002 than it did in 1990. Total expenditures in 1990 were \$14,357,972 and in constant dollars this would equal \$19,762,671 in 2002; yet, actual expenditures in 2002 were only \$16,488,748. Police, fire, culture and recreation, health and welfare, and intergovernmental expenditures all increased by more than 50% and they exceeded the rate of inflation. Although general fund expenditures for public works declined significantly

¹³⁶ Shaun Suhoski, Ayer Office of Community and Economic Development director, to Andrea M. Underwood, Community Opportunities Group, Inc. 9 March 2004.

¹³⁷ Massachusetts Department of Education, “FY01 Integrated Cost Per Pupil,” INTERNET at <http://finance1.doe.mass.edu/statistics/pp01_intcost_list.html> [cited 8 March 2004].

(28.2 % between 1990 and 2000 and by 21.6% between 2000 and 2002), this most likely reflects an accounting change, namely converting water and sewer operations to an enterprise fund.

Education spending continues to fluctuate in Ayer. After Fort Devens closed, the town's education expenditures decreased 6.4% during the 1990s, only to increase again by 11.1% between 2000 and 2002. The amount expended for debt service also has fluctuated, both in actual dollars and as a percent of the total budget. Between 1990 and 2002, Ayer issued temporary and long-term notes for projects such as town hall renovations, library, police and fire department improvements.

Table 7-1: General Fund Expenditures, 1990-2002

Category	1990	% Total	2000	% of Total
	Expenditure		Expenditure	
General Government	650,888	4.5	919,195	5.8
Police	758,770	5.3	1,156,465	7.3
Fire	286,841	2.0	643,031	4.1
Other Public Safety	61,687	0.4	56,994	0.4
Education	8,521,900	59.4	7,972,472	50.7
Public Works	1,317,378	9.2	946,203	6.0
Health and Welfare	53,789	0.4	98,251	0.6
Culture and Recreation	130,085	0.9	385,464	2.4
Debt Service	1,081,603	7.5	1,823,359	11.6
Fixed Costs	1,464,494	10.2	1,679,263	10.7
Intergovernmental/Other	30,437	0.2	56,364	0.4
TOTAL	14,357,872	100	15,737,061	100
Category	2002	% Total	1990-2000	2000-2002
	Expenditure		%Change	%Change
General Government	1,079,436	6.2	41.2	17.4
Police	1,223,667	7.0	52.4	5.8
Fire	690,154	4.0	124.2	7.3
Other Public Safety	59,398	0.3	-7.6	4.2
Education	8,855,469	50.9	-6.4	11.1
Public Works	741,446	4.3	-28.2	-21.6
Health and Welfare	129,690	0.7	82.7	32.0
Culture and Recreation	464,215	2.7	196.3	20.4
Debt Service	1,843,986	10.6	68.6	1.1
Fixed Costs	2,253,882	13.0	14.7	34.2
Intergovernmental/Other	43,892	0.3	85.2	-22.1
TOTAL	17,385,235	100	9.6	10.5

Source: Massachusetts Department of Revenue, Municipal Data Bank.

The town administrator prepares the annual budget in Ayer. Department managers submit their requests to the town administrator, and the Board of Selectmen must then approve each item for presentation at the Annual Town Meeting. The budget is always balanced and must be voted on at town meeting. Larger capital requests, i.e., valued at least \$10,000 with a life expectancy of at least five years, are also submitted to the town administrator.

Department managers annually update their department's five-year capital plans, which include these larger capital requests. The town administrator reviews all requests and submits them to the Capital Committee. The Capital Committee recommends projects to the Board of Selectmen for approval prior to Annual Town Meeting. Capital requests over \$200,000 generally require a debt exclusion under Proposition 2½.

Revenue for Community Services

During the 1990s, the amount of general fund revenue obtained from property taxpayers in Ayer dramatically increased by 163%, while state aid only increased by 19.4%.¹³⁸ As the tax levy increased, local receipts decreased by 6.1% and other revenue decreased by 63.5%. After the recession of the early 1990s, the Commonwealth's fiscal condition remained strong for the rest of the decade. By 2002, the economy had weakened and state government was undergoing a change in administration. Most communities have experienced significant reductions in state aid, which has made it difficult for local officials to prepare municipal, education and capital budgets. In Ayer, however, state aid has remained nearly constant in the past four years: \$5,470,879 in FY02, \$5,440,692 in FY03, \$5,734,913 in FY04 and FY05 funding is estimated at \$5,618,091.¹³⁹

Table 7-2: General Fund Revenue, 1990-2002

Category	1990		2000	
	Revenue	% of Total	Revenue	% of Total
Tax Levy	3,749,337	31.2	9,862,805	55.3
State Aid	4,210,139	35.0	5,026,382	28.2
Local Receipts	2,574,988	21.4	2,418,453	13.5
Other Revenues	1,488,745	12.4	542,819	3.0
TOTAL	12,023,209	100	17,850,459	100

Category	2002		1990-2000	2000-2002
	Revenue	% of Total	%Change	%Change
Tax Levy	10,732,766	52.0	163.1	8.8
State Aid	5,581,447	27.0	19.4	11.0
Local Receipts	3,544,057	17.2	-6.1	46.5
Other Revenues	795,285	3.9	-63.5	46.5
TOTAL	20,653,555	100	48.5	15.7

Source: Massachusetts Department of Revenue, Municipal Data Bank.

Ayer's average single-family tax bill is much lower than the median for the state and the surrounding communities. The town has traditionally levied taxes close to or at the maximum allowed under Proposition 2½ each year, which means it has no excess levy

¹³⁸ Massachusetts Department of Revenue, Municipal Data Bank, [database online] "Sources of Revenue," in EXCEL format [rev90.xls sequentially through rev03.xls], INTERNET at <<http://www.dls.state.ma.us/>> [cited 2 February 2004].

¹³⁹ Massachusetts Department of Revenue, Municipal Data Bank, [database online] "Cherry Sheet," in EXCEL format INTERNET at <<http://www.dls.state.ma.us/>> [cited 6 February 2004].

capacity on which to draw.¹⁴⁰ However, the town has carefully increased and managed its reserves. Ayer's "free cash" and stabilization fund balance increased 97.3% between 1990 and 2000, and 167.6% between 2000 and 2002. Overall, Ayer appears to devote as many resources as possible to public safety and education while keeping residential property taxes low. It has accomplished this with a substantial contribution from business and industrial taxpayers (about 65% of the entire levy each year), by transferring public works expenditures from the general fund to enterprise funds, and by using bonds to finance capital projects.

MUNICIPAL FACILITIES AND SERVICES

Ayer Town Hall

After a fire destroyed more than 40 buildings in downtown Ayer in April 1872, Dr. James Cook Ayer, the town's namesake, helped the town construct Ayer Town Hall at One Main Street. Completed in 1876, the town provided the land and the foundation and Dr. Ayer built and furnished this handsome building. Ayer Town Hall houses the town's traditional municipal functions, primarily *general government* — the Board of Selectmen, the town administrator, the town clerk, the treasurer, the accountant and the assessor. The Office of Community and Economic Development, the Parks Department, the Building Department and the Ayer Board of Health are all located on the second and third floors of Ayer Town Hall. Ayer Police Department was located in the building from the 1930s to 1997. Today, eighteen employees work in the building.

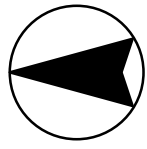
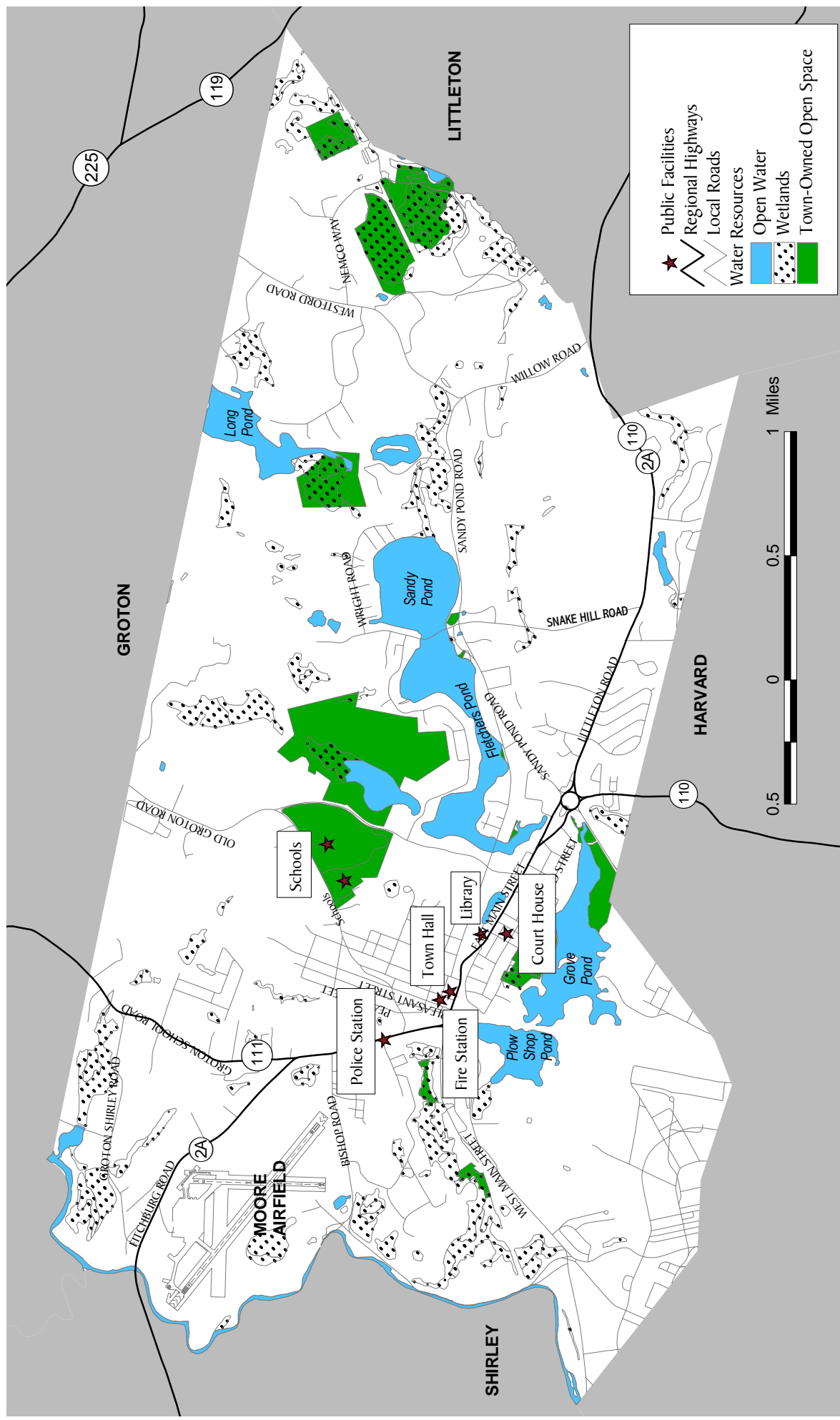
Early this decade, the Town Hall Preservation and Programming Committee, in cooperation with an architect, developed plans to preserve and restore this historic building. The project included the addition of an elevator and an egress stairway, ADA accessibility accommodations, complete interior renovations, preservation of the historic interiors, and restoration of the exterior. The building is now fully accessible except for a storage room. The town funded the \$2.8 million project with a \$2.5 million debt exclusion override and \$300,000 in state grants for historic preservation, historic landscapes and underground storage tank removal.¹⁴¹ Exterior work was completed in 2001 and interior rehabilitation was completed in 2002. A small pocket park beside Ayer Town Hall was also developed in the scope of this project. The Massachusetts Historical Commission awarded the town an Annual Preservation Award in September 2003 for this project.

Public Safety

"Public safety" encompasses police, fire, emergency medical response, dispatch, and inspectional services. As is true for most communities, Ayer devotes the vast majority of its public safety dollars to three of these functions — police, fire and emergency medical

¹⁴⁰ Massachusetts Department of Revenue, Municipal Data Bank, [database online] "Excess Levy Capacity 1985-2003," in EXCEL format INTERNET at <[http:// http://www.dls.state.ma.us/](http://www.dls.state.ma.us/)> [cited 6 February 2004].

¹⁴¹ Shaun Suhoski, Ayer Office of Community and Economic Development director, to Andrea M. Underwood, Community Opportunities Group, Inc. 19 February 2004.



services — a sector that ranks second only to public schools in the percentage of General Fund revenue it consumes each year.¹⁴² The building inspector is located at Ayer Town Hall and the police and the fire departments are housed in their own stations.

The Ayer Police Department responds to more than 15,630 service calls per year and employs a chief, 16 police officers, seven dispatchers, seven reserve officers, an animal control officer and an administrative assistant.¹⁴³ The town built a new, fully accessible 13,000-ft² police station at 54 Park Street in 1997. The building meets the department's space needs and includes room for future growth. A community room with space for 30 people may be used as a meeting space for Ayer residents. According to the police chief, funding for building maintenance is inconsistent. Since the building is new, there are no imminent maintenance needs but there will be in the future. In addition, he anticipates needing 3-6 additional police officers in the next 5-10 years.

The fire department employs a full-time chief and nine full-time firefighters, along with 22 "call" firemen.¹⁴⁴ The fire department is responsible for both fire protection and ambulance service. All of the department employees and five call firefighters are certified as emergency medical technicians (EMTs). In addition, the Ayer Fire Department is responsible for various functions ranging from smoke detector inspections and underground fuel storage installation and removal permits to hazardous materials response. The fire department made 2,200 runs in 2003 in response to 800 fires and 700 medical emergencies.¹⁴⁵ Fire department equipment includes: one aerial truck with a pumper (1996), two pumper trucks (1993 and 2000), one rescue truck (1998), one pick-up truck (1985) and one ambulance. The department is currently seeking grant funds for a tanker truck with a 1,500-gallon capacity.

The fire department has outgrown its building on Washington Street, in use since 1934. Although the 1997 Comprehensive Plan recommended \$1.2 million in fire station improvements, the town decided to build a new fire station at One West Main Street in downtown Ayer. The new 16,200-ft² building is currently under construction and should be completed by summer 2005. The site was a brownfield, and more arsenic, asbestos and undocumented underground storage tanks were discovered during construction, causing delays and \$896,000 in cost overruns. The final project cost is estimated at \$5.6 million. The old station will be classified as surplus property once the department makes the move to the new station.

In 2003, the firefighter's union negotiated a new contract, effective this year, wherein shifts were reduced from 56 hours to 42 for the same rate of pay. Since three firefighters are

¹⁴² Massachusetts Department of Revenue, Municipal Data Bank, "General Fund Expenditures."

¹⁴³ Chief Bob Rizzo, Ayer Police Department, to Andrea M. Underwood, Community Opportunities Group, Inc. 9 March 2004.

¹⁴⁴ Chief Paul Fillebrown, Ayer Fire Department, to Andrea M. Underwood, Community Opportunities Group, Inc. 4 February 2004.

¹⁴⁵ Ibid.

required to be on duty every shift, the chief plans to hire three additional full-time staff members in 2004 to fulfill the provisions of the new contract.

Public Works

In Ayer, all traditional public works functions are consolidated into one Department of Public Works (DPW). The DPW maintains about 40 miles of public roads, manages the water system, the sewer system, sanitation and recycling services, and handles miscellaneous transportation and equipment hauling. Water and sewer rates are set by the Board of Selectmen, with recommendations from the DPW director. The town implemented a “pay as you throw” system to pay for trash removal in July 2002 and reduced the tonnage sent to the Haverhill incinerator by half. The town incinerates 1,048 tons of trash and recycles 761 tons of material annually.¹⁴⁶

The DPW employs 23 people and maintains four facilities — the main building and garage on Brook Street, the water filtration plants at the Grove Pond and Spectacle Pond wells and the transfer station on Groton Harvard Road. The main building has adequate space for the 16 staff members who work in the building. The building is 30-40 years old and the adjacent garage was built in 1970. Four staff members work in the new, modern filtration plant at Grove Pond, and three employees work at the transfer station. The U.S. Department of Defense gave the transfer station building (c. 1945) to the town.

The DPW equipment roster includes one loader, three backhoes, one sweeper, one tractor, a sludge tanker, two trailers and approximately 20 trucks. Most of this equipment is stored at Brook Street. According to the DPW director, the equipment inventory is adequate, but much of the equipment is old. The DPW director has a capital plan to replace approximately 50% of the highway equipment in the next five years.¹⁴⁷

Recreation, Culture and Human Services

Recreation

Ayer has five town-owned recreation areas: Pirone Park, Sandy Pond Beach, Nonaicoicus’s Park, Ayer Middle & Senior High School, and Page-Hilltop Elementary School. (See Table 7-3.) Nonaicoicus’s Park, a 7-acre site on West Main Street, was donated to the town. The Parks Department manages Pirone Park and Sandy Pond Beach and Ayer Public Schools manages recreation facilities on school grounds. The town employs one full-time park employee and one part-time seasonal employee. Private sports leagues use the town’s recreation facilities and they assist with upgrades, cleaning and general upkeep. Each sports league is governed by its own board of directors, which manages league play and takes responsibility for fundraising.

¹⁴⁶ Michael J. Madigan, DPW director, to Andrea M. Underwood, Community Opportunities Group, Inc. 4 February 2004.

¹⁴⁷ Ibid.

The Nashua River Rail Trail is an important, popular regional recreation amenity with a trailhead in Ayer. The Massachusetts Department of Conservation and Recreation (DCR) manages the 11-mile former Worcester and Nashua Railroad right-of-way that extends through Ayer, Groton, Pepperell and Dunstable. Built along the site of the former Hollis Branch of the Boston and Maine Railroad, the entire trail is open to pedestrians, bicyclists, inline skaters, wheelchairs, and cross-country skiers, and seven miles of it can be used as a bridle path.¹⁴⁸ In addition, Ayer Sportsman's Club owns almost 100 acres of land in Ayer on Snake Hill Road and Wright Road, for private recreation including fishing, hunting, hiking, picnicking, archery and target shooting. The land is subdivided into six parcels that are temporarily protected under Chapter 61-B agreements with the town. The town has right of first refusal should the club decide to sell the property.

Ayer's recreation inventory includes only a few places that provide public access to the Nashua River and to the town's ponds for water-based recreation. Sandy Pond Beach is the only developed recreation site on a waterfront. The town does own several small parcels on Nonaicoicus Brook and Fletcher's Pond, but these parcels are undeveloped for canoeing, kayaking, hiking and picnicking.

Table 7-3. Town-Owned Recreational Facilities in Ayer

Location	Facilities
Pirone Park	Playground 2 Basketball Courts (outdoor) 2 Soccer Fields 4 Baseball/Softball Diamonds
Sandy Pond Beach	Playground 1 Basketball Court (outdoor)
Kosher's Park	Undeveloped
Ayer Middle & Senior High School	1 Basketball Court (indoor) 1 Football Field 1 Soccer Field 1 Baseball/Softball Diamond 3 Tennis Courts 1 Track
Page-Hilltop Elementary School	Playground

Source: Jeremy Januskievicz, Chair, Recreation Commission (2003).

¹⁴⁸ Massachusetts Department of Environmental Management, Division of State Parks and Recreation, "Nashua River Rail Trail," [online], [cited 25 November 2003]. Available on the World Wide Web at <<http://www.state.ma.us/dem/parks/nash.htm>>

Public Library

Located on East Main Street across from the courthouse, the historic Ayer Library (c. 1894) is an important community resource. In 1997, after a significant planning effort by community volunteers, library staff, and local and state officials, the library was renovated and expanded from 2,700 ft² to 11,000 ft².¹⁴⁹ Sixty parking spaces were also constructed. The building and the parking lot are accessible to people with disabilities. This \$2 million project was funded by a combination of long-term debt (\$1 million), a state library construction grant and private fundraising. A Board of Library Trustees comprised of town residents provides general policy guidance, long-term planning and oversight. The library has five full-time employees, including a director, and four part time employees. There is plenty of room for shelf space, administrative offices, and technology and reading areas. In addition, the library has a kitchen and a community meeting room, which seats 50 people.

There are 50,000 materials available for circulation in the library's holdings including books, magazines, newspapers, books-on-tape and DVDs. There are also 10 computers available. According to the library director, the Ayer Library is a regional resource and a significant numbers of non-residents are borrowers. Currently, the children's room is used five times as often as was predicted in the 1997 needs study. The library director expects the interior building space may need to be reconfigured in 5-10 years to accommodate programs for children.¹⁵⁰

Elder Services

The Ayer Council on Aging (COA) is housed in the Community Senior Center at 18 Pond Street. Owned by the Ayer Housing Authority, this 2,200-ft² building is the former Pond Street School. The building was renovated in 1983 and is fully accessible. The COA operated senior center is a significant community service provider that has a full-time director, two part-time staff, and three part-time van drivers. The Community Senior Center is open 30 hours per week. Activities and services include: van transportation, exercise programs, craft classes, monthly breakfasts, dinner socials, lectures, health and nutrition services, and assistance with home heating, tax preparation and insurance. The COA serves congregate lunch for up to 70 people three days a week and delivers between 9-30 meals five days a week through its Meals on Wheels Program.¹⁵¹

The elderly (65+) as a percentage of Ayer's population increased from 10.0% in 1990 to 12.0% in 2000. In absolute terms, the elderly population in Ayer increased by 186 people, or an unusually high 26.9% — mainly among persons between 75-84 years of age. Nearly half of Ayer's elderly are older than 75. In addition, 12% of Ayer's seniors live below the poverty

¹⁴⁹ Mary Ann Lucht, Ayer Library director, to Andrea M. Underwood, Community Opportunities Group, 5 February 2004.

¹⁵⁰ Ibid.

¹⁵¹ Karen Swanfeldt, Ayer Council on Aging director, to Andrea M. Underwood, Community Opportunities Group, Inc. 26 February 2004.

level. Ayer's soon-to-be-senior population (55-64) increased by only 3% between 1990 and 2000.

According to the COA director, the senior center's two most significant needs are operations funding and transportation. The town provides \$60,000 annually for salaries, rent, utilities, programs, materials, food, etc. and the Massachusetts Executive Office of Elder Affairs supplies an annual \$5,300 formula grant for the nutrition coordinator. For the first time, the in 2004 the COA director needed to make fundraising appeals to purchase basic office and kitchen supplies. The COA also needs an additional van to provide transportation to medical appointments, the grocery store and other locations. The existing van seats only 10, and is in use full-time Monday through Friday.

Boards of Health

The Ayer Board of Health is responsible for the protection of public health, disease control, the promotion of sanitary living conditions, and environmental protection. There are three elected members, who review subdivision plans, permit and inspect septic system installation and maintenance and investigate citizen complaints. Its office is located at Ayer Town Hall.

Ayer is also the host community for the Nashoba Associated Boards of Health. The Nashoba Associated Boards of Health functions as the agent for 14 local elected boards of health.¹⁵² Nashoba conducts inspections and provides local boards with its findings and recommendations. Member towns pay assessments and users pay fees to support the agency. Local boards also charge their own fees for certain local services. Services include social work, nursing visits and disease prevention, HIV education, well permitting, septic system testing and permitting, and general environmental protection. There are 175 staff members including registered sanitarians, certified health officers, registered nurses, registered physical therapists, registered social workers, registered dental hygienists, and certified home health aides.

PUBLIC SCHOOLS

Ayer Public Schools currently employs 220 people, including 107.5 teachers, 22 aides, 10 administrators, along with support, clerical and custodial staff.¹⁵³ Approximately 82% of the district's budget is devoted to staff salaries. The school department's administrative offices are located at the Ayer Public Schools complex on Washington Street. There are 87 pre-K and 1,324 K-12 students enrolled in the Ayer Public Schools. All of the town's school buildings are sited on a 55-acre complex on Washington Street that includes school buildings, sports facilities and vacant land. Page-Hilltop Elementary was built as two separate schools, but the buildings were later connected. Today, it is managed as a single elementary school for pre-K through grade 4. Ayer Middle School (grades 5-8) and Ayer

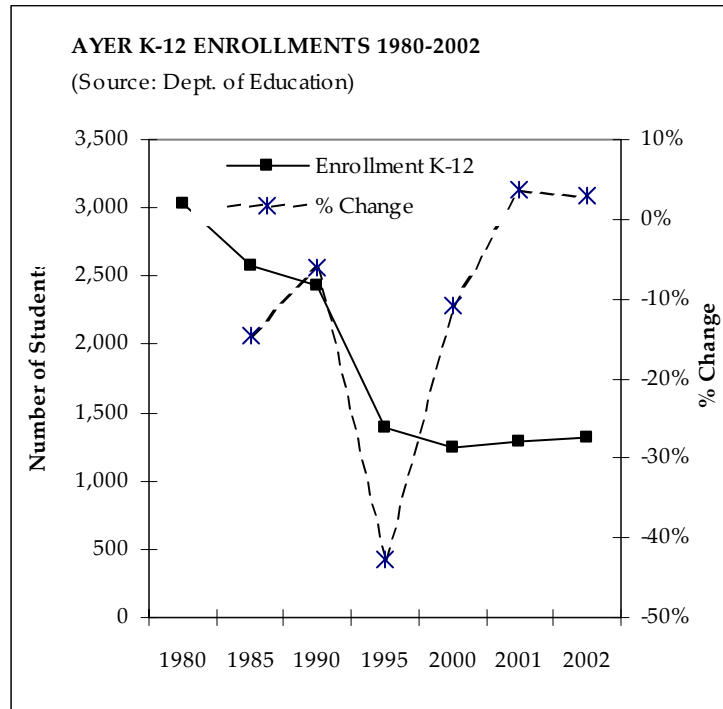
¹⁵² Nashoba Associated Boards of Health, "Services of the Nashoba Associated Board of Health," INTERNET at <<http://nashoba.org>> cited 24 February 2004.

¹⁵³ Bob Manning, administrator for operations, Ayer Public Schools, to Andrea M. Underwood, Community Opportunities Group, Inc. 8 March 2004.

High School (grades 9-12) are located in the same building, but administered by two principals.

All of Ayer's school buildings are fully handicapped accessible. According to the administrator of operations, however, the schools need a number of capital improvements. The building housing the middle school and high school needs a fire detection system and Page-Hilltop Elementary School requires a new roof and a new boiler. Repaving is needed throughout the school complex. The technology budget has been level-funded in each of the past two years and additional equipment is needed.

Enrollments in the Ayer Public Schools and the number of school-aged children living in Ayer are in a tremendous state



of flux. For more than 50 years, children from the former Fort Devens and the Town of Ayer attended the Ayer Public Schools. When Fort Devens closed, the school population dropped dramatically — more than 99% between 1990 and 2000.¹⁵⁴ However, enrollments had already declined long before the base closure, consistent with trends across the Commonwealth. In 1980, there were 3,026 students in grades K-12 and 2,428 in 1990, a 19.76% decrease. In most communities, enrollments increased again during the 1990s, but this was not the case in Ayer because of Fort Devens. As a result, forecasting future enrollments in Ayer cannot be based on trends of the past 10 or 20 years. School enrollments increased 6.8% between 2000 and 2002 and the number of school age children aged children (5-17) living in Ayer increased 24.8% between 1990 and 2000. This may suggest enrollments will continue to grow in the next decade, except that the number of children under 5 (future students) declined by 18.7% between 1990 and 2000 and school enrollments decreased from 1,411 in October 2001 to 1,390 in October 2002. The town is poised to grow with the expiration of the sewer moratorium, and Ayer will remain attractive to young families seeking housing in the Interstate 495 region.

PUBLIC WATER SYSTEM

Nearly all Ayer's homes and businesses are connected to the municipal water system. Ayer first established public water service in the early 1940s. Today, the DPW Water Division

manages an extensive distribution network that includes four operating wells, two water treatment plants, and above ground storage facilities.

Though most governmental services are “salary intensive” in that a majority of their expenditures apply to personnel, a water system is “capital intensive,” i.e., expenditures are mainly for capital asset maintenance, repair and improvement, and upkeep and replacement of fixtures and equipment. Households and businesses that obtain water from the town pay user charges in accordance with a rate schedule set by the Board of Selectmen, who also serve as the Water and Sewer Commission.¹⁵⁵ Ayer tracks water revenue and expenditures separately from the general fund through an enterprise fund: a type of special revenue fund for municipally owned public utilities, hospitals, airports, golf courses and other revenue-generating capital assets that provide a self-supporting service. The water and sewer rate system is priced in three tiers to encourage water conservation: 0-600/HCF, 601-1200/HCF and 1,200+ HCF.¹⁵⁶ Residential and commercial customers pay the same rates for water and sewer. The 2003 combined bill for residential water and sewer was \$841.61, a 35.5% increase over 2002.¹⁵⁷ The revenue is used to pay for water division salaries, expenses and debt service while some is reserved for future capital improvements.

Ayer relies on groundwater for its source of drinking water supplies. Groundwater from two aquifers supplies the four wells that provide drinking water to residents and businesses in Ayer. The Spectacle 1 and 2 wells are located near Spectacle Pond in northeast Ayer on town-owned land with limited public access. These gravel-packed wells have been operated since 1974.¹⁵⁸ The Spectacle Pond aquifer provides water to Ayer and neighboring Littleton. The two wells at Spectacle Pond have a combined capacity of about 2.2 million gallons per day (gpd) and Littleton has a municipal well with a capacity of 1.5 million gpd.¹⁵⁹ In 1985, Ayer built a groundwater filtration plant at Spectacle Pond to remove iron and manganese. The Massachusetts Department of Environmental Protection (DEP) has set the allowable average withdrawal rate at this treatment plant at 1.0 million gpd.¹⁶⁰ There are plans to replace one of the Spectacle Pond wells in the fall of 2004.¹⁶¹

¹⁵⁵ Paul Curtin, Water Division, to Andrea M. Underwood, Community Opportunities Group, Inc. 20 February 2004.

¹⁵⁶ Hundred cubic feet (HCF)

¹⁵⁷ Massachusetts Water Resources Authority (MWRA) Advisory Board, “2003 Water and Sewer Retail Rate Survey,” Available on the World Wide Web at, <<http://www.mwra.state.ma.usSEARCH>“sewer rates”> [cited 23 February 2004].

¹⁵⁸ Rick Linde, water division foreman, Ayer Department of Public Works, to Andrea M. Underwood, Community Opportunities Group, Inc. 18 December 2003. See also, The Agency for Toxic Substances and Disease Registry (ATSDR), “Public Health Assessment Fort Devens, Ayer, Middlesex County, Massachusetts” [online], [cited 10 November 2003]. Available on the World Wide Web at <http://www.atsdr.cdc.gov/HAC/PHA/fortdevenspha/for_p2.html#T2>

¹⁵⁹ Rick Linde to Andrea M. Underwood, 18 December 2003.

¹⁶⁰ Ibid.

¹⁶¹ Michael J. Madigan, DPW director, to Andrea M. Underwood, Community Opportunities Group, Inc. 4 February 2004.

There are also two gravel-packed wells near Grove Pond, built in 1943 and 1952. The aquifer supplying these wells yields 1.5-2.2 million gpd. A new treatment facility began operating in 1998 to treat high concentrations of iron and manganese in both wells. Its allowable average withdrawal rate is 1.15 million gpd. Since the Grove Pond well holes are saturated with iron and manganese, the town plans to dig two satellite wells about 50 feet away and take the older wells off line.¹⁶² The town is also considering digging a third well at Grove Pond between 2010 and 2015.¹⁶³ In addition to the four wells, the DPW Water Division manages an extensive distribution network that includes two water filtration plants and three storage tanks located at the Washington Street school complex with a combined capacity of 2.9 million gallons. According to the DPW director, an additional two million gallons of storage is needed.

Public water supplies are regulated by the Massachusetts Department of Environmental Protection (DEP), which enforces federal and state environmental laws emanating from the U.S. Clean Water Act of 1972. As a supplier of public drinking water, the town is required to monitor the quality of water it distributes to households and other customers, to track and report annual consumption statistics for the community as a whole and for each major class of land use, and above all, to live within the guidelines of state-issued permits for total water withdrawal under the Massachusetts Water Management Act (WMA).

In Ayer, total annual water consumption increased 74% between 1996 and 2002, from 418.3 million gallons (mg) to 727.9 mg. Residential demand for water decreased by 2.8% during these years and residential water users accounted for 20-36% of the total demand on the system. The remaining demand comes from industrial and commercial users (38-52%). Until recently, the town was reporting a substantial amount of “unaccounted for” water (33%). From 1996-2002, the amount of unaccounted for water in Ayer increased by more than 600%, from 33.5 mg to 240.5 mg. According to the Water Division director, unmetered hydrants and uncalibrated industrial meters and leaks are responsible for most of the undocumented water use in Ayer. To remedy these problems, the DPW has invested considerable effort and resources in locating and repairing leaks, and the town reports that last year (2003), the amount of unaccounted for water had dropped to about 10% of total annual consumption.¹⁶⁴ Ayer also has a number of dead-end water mains that must be flushed annually. This process also uses a lot of water, but it is accounted for. Annual reports also recommend that the town require industry to calibrate their meters annually and to replace dead-end water mains with loops to minimize the need for periodic flushing.

PUBLIC SEWER SYSTEM

In November 1997, the Massachusetts Department of Environmental Protection (DEP) executed an Administrative Consent Order with Penalty (ACOP) with the town for

¹⁶² Rick Linde to Andrea M. Underwood, 18 December 2003.

¹⁶³ Michael J. Madigan, DPW director, to Andrea M. Underwood, Community Opportunities Group, Inc. 4 February 2004.

¹⁶⁴ Shaun Suhoski, Anita Scheipers, by email to Judith A. Barrett, 25 March 2004. Some of Ayer’s prior “unaccounted for” water apparently stemmed from unauthorized use. The Water Division investigated and addressed the problem and has also made changes to its inspection procedures.

noncompliance of its municipal wastewater treatment facility. The ACOP required the town to pay an administrative penalty, submit an updated facilities plan, improve its treatment system to include an on-site sludge landfill and dechlorination units. The town also imposed a sewer moratorium, implemented an infiltration/inflow correction program for its sewers; and participated in the development of a regional wasteload allocation for the north branch of the Nashua River. The town recently finished developing and building a new wastewater treatment plant located at 25 Brook Street and the sewer moratorium was lifted in fall 2003.

In 1999, the Wastewater Division foreman identified the streets with homes or businesses in Ayer that are not connected to the town sewer and are located near rivers, streams, brooks, wetlands or ponds.¹⁶⁵ The list was comprised of portions of 12 streets: Groton Shirley Road, Fitchburg Road, Moore Drive, Groton Harvard Road, Oakgrove Street, Pond Street, Groveland Street, Snake Hill Road, Barnham Road, Harvard Road, Shaker Hill Road, Littleton Road, Westford Road, and Sandras Point Road. In 2000, the town hired Tata and Howard to develop an estimate to determine the cost of sewerage for these 12 streets. The estimate was \$3,838,000 to sewer 29,400 linear feet and connect 130-180 lots.¹⁶⁶ Since this study was commissioned, the town has completed the project on Moore Road (2003) and will complete the Oakgrove Street, Pond Street, Groveland Street projects in 2004.¹⁶⁷

DEVENS

MassDevelopment provides a number of public facilities and services for residents and businesses located within the Devens Regional Enterprise Zone and the surrounding towns.¹⁶⁸

Public Safety. MassDevelopment contracts with the Massachusetts State Police to provide public safety and patrol. The Devens unit includes one lieutenant, two sergeants, and ten troopers headquartered at 59 Buena Vista Street. MassDevelopment supervises the Devens Fire Department, which employs 23 firefighters located at 104 MacArthur Avenue. Equipment includes two engines, one ladder truck, one rescue vehicle, and two forestry units. A public safety complex for police, fire and rescue is in a pre-development process and should be built within 10 years.¹⁶⁹

Public Works. The Devens Department of Public Works (DPW) employs 17 people, who are housed in a new public works building that opened in 2003 at 99 Buena Vista Street. They are responsible for maintaining 53 miles of roads, animal control, grounds and landscaping,

¹⁶⁵ John Sheehan, Sewer Division foreman, "Memorandum: Environmentally Sensitive Non-Sewered Areas in Town," 3 August 1999.

¹⁶⁶ Tata and Howard, "Sewer Extension Cost Estimate, Town of Ayer," 13 April 2000.

¹⁶⁷ John Sheehan, Sewer Division foreman, to Andrea M. Underwood, Community Opportunities Group, Inc. 26 February 2004.

¹⁶⁸ MassDevelopment, "Devens 2003 Annual Report," November 2003.

¹⁶⁹ Victor Normand, MassDevelopment, to Joshua Mello, Community Opportunities Group, Inc. 1 March 2004.

and for leased and vacant buildings owned by MassDevelopment. Devens Regional Enterprise Zone residents take their solid waste to transfer stations in Ayer or Harvard.

The U.S. Army transferred utility infrastructure to MassDevelopment in 1996. The Devens Utility Department provides electricity, natural gas, water and sewer services (approximately 68 miles of power transmission line, 30 miles of gas line, 50 miles of water and sewer line, 3 electrical substations, 4 wells, 6 sewer lift pumps and a wastewater treatment facility) and sets the utility rates.

Earth Tech is contracted to operate and manage the public water supply at the Devens Regional Enterprise Zone. There are four groundwater wells — 3 gravel packed wells: Patton, Shabokin and MacPherson, and a well field located at the Grove Pond pump station. Water from these sources is treated for iron and manganese. There is a capacity of 5 million gpd, but average water use is 1.5 million gpd.¹⁷⁰ Two 1-million-gallon storage tanks and 50 miles of water mains are located at the Devens Regional Enterprise Zone. Earth Tech also manages the new wastewater treatment facility located at the North Post. It is permitted to treat 3 million gpd.

Education, Recreation & Culture. MassDevelopment has established the Devens School District, but currently Devens Regional Enterprise Zone school children in grades K-8 attend classes at the Shirley Public Schools and high school students attend Ayer High School.

The Devens Recreation Department is located at Washington Hall, 101 Sherman Street. The department has three full-time, one part-time and six seasonal employees. There are 1,400 acres of open space and recreation land in the Devens Regional Enterprise Zone. Recreation facilities at the former Fort Devens include: 44 acres of fields at Rogers Field on Buena Vista Road; one multi-use field and three softball fields at Willard Park on Sherman Avenue; three practice fields and a regulation field at Antietam Fields on Antietam Street; swimming, fishing and canoeing at Mirror Lake; four tennis courts, a basketball court and two handball courts at the Queenstown Tennis Courts on Quebec Street; 600 acres of hiking trails through conservation land; an 18-hole golf course; and the Devens Fitness and Wellness Center on Charlestown Street.

Since the Devens Regional Enterprise Zone does not have a library or a senior center, residents use facilities in Ayer, Harvard and Shirley.

Trends & Issues

The Comprehensive Plan Update process creates an opportunity for Ayer to identify existing community service and facility needs and consider how future growth and change may exacerbate or help to address them. New development affects local government in several ways. School enrollment impacts are the most obvious consequence of residential growth. Ayer spends more on education than other local government services. However, local governments also experience the impact of population growth on municipal services. They process more tax bills, clean and distribute more water, dispose of more solid waste,

¹⁷⁰ Ibid. and MassDevelopment, "2003 Report to Consumers on Water Quality."

respond to more fires, traffic accidents and medical emergencies, impound more stray dogs, and inherit more roads to salt, sand, plow and sweep. New residents also create demands for sports fields and playgrounds. New industry creates demands for water, electricity and roads. Behind every contact between citizens and the town clerk, school principal, building inspector or police officer lies a less visible yet crucial group of town employees: administration and finance. Ayer is conducting its comprehensive plan update at a critical time.

WATER RESOURCES MANAGEMENT

Water management, be it drinking water, waste water, ponds used for habitat, recreation and flood control, wetlands, or flood plains, appears repeatedly throughout this master plan update. Water quality and adequate water supply are critical community issues in Ayer. Ayer's Sewer Moratorium and its Phased Growth Bylaw are evidence of local government's responsibility to protect public health and safety and the town's natural resources. They are also indicators of the critical link between stewarding resources for the future and managing growth.

Ayer's water consumption increased 74% between 1996 and 2002 and the amount of unaccounted for water increased by 618.8%. The amount of unaccounted for water decreased to acceptable standards in 2003, but the history of annual water reports in Ayer indicates a need for improved management of the town's water consumption. There was also sewer moratorium, which effectively created a building moratorium, mandatory town-wide water bans, and a tiered price structure designed to encourage conservation during most of this period. Several of Ayer's major industries are intensive water users that depend on the quality and quantity of the town's groundwater; and now that the sewer moratorium has been lifted, the town is poised for residential growth.

In addition, Ayer residents contend with environmental burdens caused by their town's industrial past. Many of Ayer's water resources are impaired today while others are threatened by pollutants. To provide adequate, clean water for future residents and businesses the town must take responsibility for mitigating past damage and managing both water quality and consumption today.

RECREATION FACILITIES

The town needs more active recreation facilities and residents appear to want more passive recreation areas. Ayer needs to maintain and manage its existing facilities and it needs to acquire additional play spaces. The town's passive recreation land lacks signage, and public access is limited. As a result, residents do not use much of the land. There are no markers, the trails are not maintained, and there is limited parking. In addition, the town's streams and ponds are underutilized by canoeists, kayakers, hikers and picnickers.

The Parks Department has identified needs for additional sports fields. According to the chair of the Parks Department, every hour of available time is used for youth league practice

and games at all of the town's recreation facilities.¹⁷¹ None of the facilities are lighted, so evening use is limited. Ayer needs at least one additional softball field, one additional baseball field and two Little League fields.¹⁷²

The National Recreation and Park Association (NPRA) has developed park, recreation and open space guidelines for cities and towns. If NPRA guidelines are used as a baseline to determine the amount of open space and recreation land needed in a community, then Ayer has insufficient neighborhood recreation space. Pirone Park and the town's schools provide neighborhood playgrounds and a community playfield, but NPRA standards suggest that a town of Ayer's size should also have a small tot lot (less than 1 acre); 5-10 neighborhood parks (5-8 acres each); a major community park (35-50 acres); and an acre of open space that is used as passive recreational land for every 1,000 residents.¹⁷³ Presently, the town's open space and vacant land is not configured or improved to meet any of these guidelines. Neighborhood parks are particularly important for young mothers and their children, senior citizens, and school-age children who need places to congregate and socialize after school.

Throughout the planning process, some participants expressed the need for a teen center. The consensus seems to be that a teen center is desirable, but not a priority. Sports leagues and downtown businesses provide some recreation and social opportunities for youth. Recently a fitness center at the Devens Regional Enterprise Zone closed and the private fitness center in Ayer is very small. A popular idea among participants was to encourage the development of a YMCA in Ayer that provided fitness, daycare as well as social opportunities for all town residents.

NEEDS FORECASTING AND FINANCIAL ANALYSIS: STAFF, SERVICES AND FACILITIES

Ayer is a small town, and even under a maximum growth scenario it will remain comparatively small. Like other communities with limited land area and population, Ayer is destined to contend with the challenges of insufficient staffing, equipment and facilities to accomplish the work of local government. However, as the town continues to develop, not only will its population grow, but also the expectations that residents have for town and school services will change. New residents may have different expectations about response times for police, fire and rescue, open space per capita, miles of roads paved and plowed, elder services and solid waste and recycling disposal than long-time residents. Those who are accustomed to paying higher property taxes in other communities may expect more service delivery when they move to Ayer.

¹⁷¹ Jeremy Januskiewicz, Ayer Parks Department chair, to Andrea M. Underwood, Community Opportunities Group, 3 November 2003.

¹⁷² Ibid.

¹⁷³ Northern Arizona University, School of Park and Recreation Management, "NPRA Standards," [online], [cited 4 December 2003], <http://www.prm.nau.edu/recreation_standards.htm>.

Though most people yearn for objective measures of need or community comparison statistics, the reality is that objective measures often mask important information. In Ayer, this is particularly true in the town's public safety departments. The fire chief, police chief, DPW director and the parks department chair all indicate that their operations need more staff to meet *current* service demands and union contract requirements, let alone projected future demand. Currently, the Ayer Fire Department is meeting the minimum staff levels for each shift allowed by the state. Ayer has relied on volunteer fire fighters and EMTs in the past. However, according to the fire chief, new training requirements and commuting patterns have caused the volunteer pool to shrink dramatically. This is a recurring problem in most small towns across Massachusetts. The DPW director noted that the town provides no funds for street paving, and sidewalk construction and that the state's Chapter 90 funds are the only source of funds for these projects. The town is also relying on new development to pay for its water storage needs — storage that is needed for maintaining water pressure and fighting fires.

In addition, Ayer needs to evaluate the adequacy of its senior services. The elderly population in Ayer increased by 186 people, or an unusually high 26.9% — mainly among persons between 75-84 years of age between 1990 and 2000. Though the town provides \$60,000 annually and the state formula grant is \$5,300 for the nutrition coordinator, this does not cover operations expenses and transportation needs. The town's single van seats only 10 people and medical appointments are given priority over grocery, pharmacy, shopping and recreation. The Ayer Council on Aging and the Community Senior Center are important community service providers, and their meal programs and transportation services will become more important as the senior population continues to grow.

Ayer would benefit from a public process for identifying acceptable levels of service and building/facility standards as a basis for future planning and budgeting. The town needs to define acceptable standards, and perhaps more importantly, to evaluate citizens' willingness to pay. Economic data suggest that most residents can afford to pay somewhat higher property taxes, but instead the town passes a substantial share of the tax burden to its businesses and industrial establishments. There is a significant potential for conflict between Ayer's economic development objectives and its approach to financing the cost of community services. Ayer's state rank for average single-family tax bill is quite low — 273 out of 336 communities reported by the Massachusetts Department of Revenue in FY 2003¹⁷⁴ — but its state rank for median household income, while also low, is 260 out of 351 municipalities.¹⁷⁵ Compared to other communities, Ayer households spend a lower percentage of their income on local property taxes. Statewide, the average for residential tax bills as a percentage of household income is 5.2%, but in Ayer, the average tax bill (in FY 2003 dollars) absorbs 4.4% of household income.

Undeniably, Ayer's residential tax bills have increased at a more rapid rate than tax bills in many communities. During the 1990s, the median of the average tax bill for the state as a whole rose by 53%, but Ayer's average tax bill rose by 75% in the same period. Since 2000,

¹⁷⁴ The Massachusetts Department of Revenue excludes most of the Commonwealth's cities and several resort-area towns from the average single-family tax bill analysis produced each year.

¹⁷⁵ Ayer's rank for median family income is much higher: 189 out of 351 communities.

Ayer residents have continued to witness a faster rate of tax bill growth even though the town has grown very little, yet they still spend a lower proportion of their income on property taxes. Ayer is fortunate to have a commercial and industrial tax base that offsets the cost of services used by residents, but the value of non-residential property in Ayer is neither strong nor stable. While the assessed value of industrial property increased significantly in the past few years, the growth in industrial assessments is somewhat deceptive unless it is placed in historical context. In fact, the value of industrial property in Ayer today has barely reached 1990-1991 levels, just as commercial assessments only recovered about two years ago. This means that commercial and industrial property in Ayer is worth less today than in 1990, assuming 1990 constant dollars.

Regardless, Ayer officials continued to increase the commercial and industrial property tax rate throughout the 1990s. As a result, the ratio of the commercial-industrial tax rate to the residential tax rate has climbed from 1.77 to 2.28 since 1990: that is, for every dollar levied against homes today, the town levies \$2.28 against business and industrial establishments. Comparison “cost of community services” studies (Tables 7-4 and 7-5) illustrate the extent to which Ayer’s tax rate policies place a disproportionate share of resident-generated costs on the business community.

Table 7-4: Cost of Community Services (FY03)-Split Tax Rate¹⁷⁶

Percent Value by Land Use		65.5%	11.3%	19.7%	3.5%
Expenditure Category		FY03 Residential	Commercial	Industrial	Open Space
General Government	\$1,137,594	\$745,110	\$128,691	\$224,494	\$39,299
Public Safety	\$1,992,162	\$1,304,842	\$225,364	\$393,135	\$68,821
Public Works	\$853,729	\$559,182	\$96,579	\$168,476	\$29,493
Health & Human Services	\$122,008	\$115,908	\$0	\$0	\$6,100
Culture & Recreation	\$478,282	\$454,368	\$0	\$0	\$23,914
Schools	\$8,966,663	\$8,876,996	\$0	\$0	\$89,667
Debt Service	\$1,036,222	\$678,713	\$117,223	\$204,489	\$35,797
Fixed Costs/Other	<u>\$2,557,598</u>	<u>\$1,675,195</u>	<u>\$289,330</u>	<u>\$504,719</u>	<u>\$88,354</u>
General Fund Total	\$17,144,258	\$14,410,313	\$857,186	\$1,495,313	\$381,446
Percent Expenditures by Land Use		84.1%	5.0%	10.4%	2.2%
Revenues		\$9,548,358	\$3,636,978	\$3,495,501	\$878,940
Cost-Revenue Ratio		1.51	0.24	0.43	0.43

¹⁷⁶ Sources: Town of Ayer FY 2003 Schedule A, and Massachusetts Department of Revenue, Municipal Data Bank. Note: Table 7-4/Split Tax Rate assumes Ayer’s FY03 tax rate of \$9.50 residential, \$21.12 commercial-industrial.

Table 7-5: Cost of Community Services (FY03)-Uniform Tax Rate

Percent Value by Land Use		65.5%	11.3%	19.7%	3.5%
Expenditure Category	FY03	Residential	Commercial	Industrial	Open Space
General Government	\$1,137,594	\$745,110	\$128,691	\$224,494	\$39,299
Public Safety	\$1,992,162	\$1,304,842	\$225,364	\$393,135	\$68,821
Public Works	\$853,729	\$559,182	\$96,579	\$168,476	\$29,493
Health & Human Services	\$122,008	\$115,908	\$0	\$0	\$6,100
Culture & Recreation	\$478,282	\$454,368	\$0	\$0	\$23,914
Schools	\$8,966,663	\$8,876,996	\$0	\$0	\$89,667
Debt Service	\$1,036,222	\$678,713	\$117,223	\$204,489	\$35,797
Fixed Costs/Other	<u>\$2,557,598</u>	<u>\$1,675,195</u>	<u>\$289,330</u>	<u>\$504,719</u>	<u>\$88,354</u>
General Fund Total	\$17,144,258	\$14,410,313	\$857,186	\$1,495,313	\$381,446
Percent Expenditures by Land Use		84.1%	5.0%	10.4%	2.2%
Revenues		\$11,741,442	\$1,491,333	\$3,448,152	\$878,849
Cost-Revenue Ratio		1.23	0.57	0.43	0.43

Tables 7-4 and 7-5 are based on a model developed by the American Farmlands Trust for allocating general fund expenditures and revenues to residential, commercial and industrial development, and open space, or large parcels of privately owned land, vacant or with a single residence, such as a farmhouse. Like all methods of evaluating the fiscal impact of growth, the Cost of Community Services (COCS) assumes that the proportional value of land in each use class may be used to estimate associated service costs. The exception is school costs, which are generated only by residential development. The allocation of all school costs to residential and open space land uses largely explains the difference between the percent of value by land use at the top of each table and the percent of expenditures by land use at the bottom.

Table 7-4 shows that under Ayer's dual tax rate policy, residential land uses consume \$1.51 in service costs for every dollar of revenue they generate — including state aid and local receipts. The resulting cost-revenue ratios for all land uses are quite different from the normal ranges for residential, commercial and industrial development. However, the data in Table 7-5 show that when the tax rates are converted to a uniform tax rate (\$14.30/\$1,000), residential development in Ayer is not quite as "service-cost intensive" as it appears to be when the residential tax rate is set very low. Similarly, commercial development costs more to serve than may be obvious to the town. Of course, commercial and industrial land uses remain very favorable in terms of their impact on Ayer's fiscal condition, and the town should continue to cultivate a strong tax base. The issue is whether Ayer's approach to taxation might undermine its own economic durability. Ayer needs a diverse mix of businesses, including small businesses such as those found in most of the town's commercial zoning districts. It will be important for Ayer officials to think both practically and strategically about the role that tax policy plays in building and sustaining a local economy. Residents may not want to pay higher taxes, but there is every indication that most can afford to pay somewhat more than the town asks of them today.

Goals & Recommendations

COMMUNITY FACILITIES AND SERVICES GOALS

- ◆ Conserve and improve the safety and efficiency of Ayer's gray and green infrastructure.
- ◆ Maintain town and school facilities that meet the needs of Ayer residents and town employees.
- ◆ Provide the highest quality town and school services at a price that is equally fair to residents and businesses.
- ◆ Develop, manage and maintain public utilities and infrastructure to achieve Ayer's land use goals in a fiscally sound manner.
- ◆ Develop a comprehensive system of capital improvements planning and asset management.

COMMUNITY FACILITIES & SERVICES RECOMMENDATIONS

- ◆ Strengthen Ayer's capacity to manage water resources by providing adequate land, personnel and equipment, and regulatory authority to achieve success.
 - Consider a water conservation bond to purchase all land in Zone I and significant aquifer protection parcels and/or conservation restrictions within the Aquifer Protection District (Zone II, IWPA).
 - Engage industry to participate in water supply conservation and water quality protection, including monitoring, best management practices and annual meter calibration.
 - Expand the purview of the Conservation Commission to encourage a comprehensive approach to water resources management, including authority to review and permit projects that exceed certain thresholds and/or are located in the ACEC, and areas of wetland and water resource significance.
 - Improve data collection and reporting for annual reports to DEP. Widely distribute the reports on the town website and in annual water bills.
 - Ban underground sprinkler systems to lower water consumption, and require all new construction and significant rehabilitation projects to use water-conserving fixtures.
 - Identify a parcel for additional water storage and move forward with plans to develop the facility.

- ◆ Expand, diversify and maintain Ayer's recreation facilities.
 - Create a volunteer corps to assist the town in maintaining recreation areas, blazing trails, posting signs, constructing picnic areas and small boat launches.
 - Consider creating neighborhood pocket parks at town-owned parcels on Cambridge Street, Shirley Street and Snake Hill Road.
 - Explore the establishment of a community gardens site at the Pleasant Street School.
- ◆ Provide community services that address the priorities of residents and businesses while achieving a more equitable approach to charging costs to the land uses that generate them.
 - Adopt a permanent Growth Management Bylaw that provides local officials with a legal mechanism to require phased development or waive phasing regulations in exchange for fees paid by developers to a community development fund.
 - Develop a town-wide survey to assess public opinion about the adequacy of town services and facilities and to identify acceptable level-of-service standards.
 - Evaluate the town's taxation policies and consider reducing the difference between residential and commercial-industrial tax rates.
 - Continue to professionalize the Ayer Fire Department.
 - Use local revenue or CDBG funds to purchase an additional van for senior transportation, and evaluate operations funding and program delivery.
 - Review the town's user fees for recreation, water, sewer and other revenue-generating services and assure adequate receipts to cover operations and a capital reserve account for each facility.
- ◆ Establish an accurate inventory of town assets and review land or buildings that may be appropriate for disposition as surplus property.
 - In conjunction with confirming the town's open space inventory, review all town-owned land and buildings and identify assets that are no longer needed for public purposes.
 - Consider a disposition process to sell obsolete or surplus property in order to meet public objectives such as providing affordable housing for families or seniors, sponsoring a small-business incubator facility or a "value-added" agricultural facility to serve the region's farms and orchards.

IMPLEMENTATION PLAN

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2004	All	Appoint Comprehensive Plan Implementation Committee (CPIC) to assist the Planning Board and other town boards/departments with implementing the Comprehensive Plan.	Board of Selectmen, Planning Board
2004	Housing	Establish a Housing Partnership Committee, and recruit and appoint qualified, interested residents.	Board of Selectmen
2004-2005	Land Use, Resource Protection, Economic Development	In conjunction with MassDevelopment, the JBOS and the town of Shirley, develop a master plan for the North Post. <ul style="list-style-type: none"> • Require an environmental resource inventory as part of the scope of services • Emphasize environmentally friendly businesses • Emphasize open space design standards • Development review should include an ecological impact analysis 	Board of Selectmen, Planning Board
2004-2005	Housing, Land Use	Develop criteria for evaluating housing development proposals. Involve local boards and organizations to develop criteria for market-rate and affordable housing developments that all groups are willing to support.	Planning Board, Housing Partnership, Conservation Commission, Historical Commission
2005	Land Use, Housing, Resource Protection, Community Facilities	Amend the Zoning Bylaw by replacing the existing Rate of Development Bylaw with a comprehensive Growth Management Bylaw.	Planning Board
2005	Land Use, Resource Protection	Amend the Zoning Bylaw and Zoning Map by adopting a Petapawag Overlay District: <ul style="list-style-type: none"> • Increase minimum lot to 80,000 ft² • Mandatory open space-residential development • Hammerhead lot regulations 	Planning Board, CPIC

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2005	Land Use, Economic Development, Housing	Amend the Zoning Bylaw and Zoning Map by rezoning General Business Districts adjacent to downtown Ayer (East, West Main Streets) to Mixed-Use Transitional District. <ul style="list-style-type: none"> • Encourage mix of residential uses • Encourage office development and home occupations 	Planning Board, CPIC
2005	Housing	Amend the Zoning Bylaw to allow accessory dwellings and multi-family units in Downtown Ayer, above the ground floor or commercial buildings and, on a limited basis, at grade.	Planning Board, CPIC
2005	Land Use, Resource Protection	Amend the Zoning Bylaw by eliminating the “Water Resource Protection District” and maintaining the Aquifer Protection District (APD).	Planning Board
2005	Resource Protection, Land Use	Adopt a local wetlands protection bylaw (non-zoning). Extend protection to isolated wetlands and intermittent streams that are inadequately protected (or unprotected) by the Massachusetts Wetlands Protection Act and Rivers Protection Act. <ul style="list-style-type: none"> • Establish local “no-disturbance” and “no-build” zones. • Establish a reasonable fee schedule for permit applications under the local bylaw, and use the revenue to provide adequate professional support for the Conservation Commission. • Use to leverage conservation restrictions, especially inside the ACECs and Zone II areas 	Conservation Commission
2005	Economic Development	Increase economic coordination with the Devens Enterprise Zone and other communities in the region. <ul style="list-style-type: none"> • Organize regular meetings between Ayer economic development team, MRPC, and MassDevelopment (or its successor). • Increase economic ties between Devens Enterprise Zone employees and employers and Ayer businesses. 	Community Development

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2005	Transportation	Reassess the proposed modifications to and signalization of Carlton Circle and carefully investigate other alternatives, including improvements to the existing rotary without the installation of signals.	DPW (MRPC, MassHighway)
2005	Community Facilities, Resource Protection	Review and improve, as applicable, procedures for water consumption data collection and annual reporting to DEP.	DPW
2005	Land Use, Housing	Amend the Zoning Bylaw by adopting Inclusionary Housing regulations. <ul style="list-style-type: none"> • Apply to all developments of 10+ units. • Require 10% affordability per development. • Provide several options for developers to comply. • Coordinate with Growth Management Bylaw to provide incentives to increase the percentage of affordability in new developments. 	Planning Board, CPIC, Housing Partnership
2005-2006	Community Facilities	Develop and implement a town-wide survey to assess public opinion about the adequacy of town services and facilities and to identify acceptable level-of-service standards.	Board of Selectmen
2005-2006	Resource Protection	Review existing town holdings and transfer ecologically significant, unrestricted surplus land to the Conservation Commission.	Board of Selectmen, Conservation Commission
2005-2006	Economic Development, Resource Protection	Establish an Industry Council to partner with the town to purchase land that protects their economic interest in the town's water supply.	Board of Selectmen, Community Development
2005-2006	Resource Protection	Develop management and monitoring plans for the Erskine, Mini French, N.E. Milling and Tithe properties.	Conservation Commission, DPW
2005-2006	Community Facilities	Evaluate the responsibilities, workload and accomplishments of appointed committees and identify opportunities to consolidate or eliminate committees.	Board of Selectmen, Town Administrator
2005-2007	Housing	Continue and expand the First-Time Homebuyer Program and seek additional funding sources.	Community Development, Housing Partnership

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2005-2007	Economic Development	Facilitate the retraining of manufacturing employees. <ul style="list-style-type: none"> • Maintain an up-to-date library of information about education, training, employment and unemployment benefit opportunities. • Maintain regular contacts with schools, colleges, universities, trade unions, state employment offices, and MassDevelopment officials. 	Community Development, Ayer Library
2005-2008	Transportation, Economic Development	Advocate, fund, design and build proposed multi-use parking garage, possibly in conjunction with depot building for Ayer Station.	Community Development, DPW (MBTA, MRPC)
2005-2008	Transportation	Provide safety and operational improvements at Park Street/Main Street intersection.	Board of Selectmen, DPW (MassHighway, MRPC)
2005-2008	Community Facilities	Identify a parcel for additional water storage and move forward with plans to develop the facility.	Board of Selectmen, DPW
2006	Land Use, Resource Protection	Amend the Zoning Bylaw by adopting a land clearing and grading bylaw that requires all non-agricultural clearances of 30,000 ft ² or more to obtain prior review and approval by the Planning Board to protect mature trees and prevent erosion and sedimentation.	Planning Board
2006	Economic Development, Housing, Land Use	Amend the Zoning Bylaw by classifying home occupations by type and assigning them as accessory uses by right or by special permit, depending degree of traffic and noise impacts that will likely be generated by each type of occupation.	Planning Board
2006	Land Use, Economic Development	Study the establishment of a new village center along Willow Road.	Planning Board, Community Development, CPIC
2006	Resource Protection	Propose that town meeting adopt the provisions of M.G.L. c.59 §5J, to encourage owners of historically significant buildings to invest in appropriate renovations.	Board of Selectmen, Historical Commission, Board of Assessors

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2006	Housing, Land Use	Amend the Zoning Bylaw to encourage affordable and mixed-income multi-family developments in the General Residential, Downtown Business, General Business and Mixed-Use Transitional Districts, using frontage and lot area waivers as infill development tools.	Planning Board, Housing Partnership
2006	Economic Development	Initiate a program of marketing Downtown Ayer as a browser tourism shopping destination to MBTA riders, rail trail users and Devens Regional Enterprise Zone employees through advertisements in newsletters, on trains, at rail trail parking lot, commuter rail station and on MBTA schedules. Install directional signage from station, rail trail and Devens to downtown Ayer.	Community Development, DPW
2006	Resource Protection, Community Facilities	Initiate public education activities to increase public awareness and appreciation of Ayer's open space: <ul style="list-style-type: none"> • Work with Ayer High School's vocational programs to design and build signs and informational kiosks for open space access points. • Develop "done-in-a-day" projects such as clean-up events and installing conservation land signs and trail markers 	Conservation Commission, Parks Commission, CPIC
2006	Land Use, Economic Development	Amend the Zoning Bylaw by updating Off-Street Parking regulations. <ul style="list-style-type: none"> • Reassess reasonableness of existing parking requirements. • Prohibit parking lots in front of buildings in business districts. • Strengthen and clarify landscaping, parking lot design standards. 	Planning Board, CPIC
2006	Land Use, Housing	Amend Zoning Bylaw to reduce the minimum land area requirement for multi-family units in the General Residence District. <ul style="list-style-type: none"> • Establish regulations for small-scale multi-family development • Modify parking regulations • Establish administrative procedure for site plan review 	Planning Board, Housing Partnership
2006	Resource Protection, Community Facilities	Review the town's roadway maintenance practices, e.g., street sweeping, sanding and de-icing, and identify opportunities to reduce the impact of these activities on water quality.	Board of Selectmen, DPW, Conservation Commission

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2006	Resource Protection, Land Use	Designate MacPherson Road, Bishop Road, Snake Hill Road, Groton-Harvard Road, and Washington Street and Scenic Roads under the Massachusetts Scenic Roads Act.	Planning Board, Historical Commission
2006	Transportation, Resource Protection	Develop and implement a Comprehensive Pedestrian & Bicycle Facilities Plan. <ul style="list-style-type: none"> • Study bicycle lanes along existing roadways during repaving or reconstruction, particularly along Sandy Pond Road, Central Avenue, Washington Street and West Main Street. 	Community Development, DPW
2006	Land Use, Resource Protection	Hire a full-time, professional town planner.	Planning Board, Town Administrator
2006-2007	Community Facilities, Resource Protection, Housing	Formulate and implement a tax title policy to take properties and set aside those with ecological significance as permanently protected conservation land and dispose of others to meet additional community needs, e.g., affordable housing.	Board of Selectmen, Town Administrator, Conservation Commission
2006-2007	Resource Protection	Re-establish the Ayer Conservation Trust to raise private funds for conservation and to hold conservation restrictions on land acquired by the town with CPA revenue.	Conservation Commission
2006-2007	Community Facilities, Resource Protection	Establish a volunteer corps to assist the town in maintaining recreation areas, blazing trails, posting signs, constructing picnic areas and small boat launches.	Board of Selectmen, Parks Commission, Conservation Commission
2006-2007	Economic Development, Community Facilities	Evaluate property tax policies and consider reducing the difference between residential and commercial-industrial tax rates.	Board of Selectmen
2006-2007	Transportation	Construct a depot at the station to provide shelter for commuters, possibly in conjunction with the planned parking garage. A well-designed depot will incorporate Ayer's rich rail history.	Community Development, DPW
2006-2007	Community Facilities	Prepare plans for and construct neighborhood pocket parks at town-owned parcels on Cambridge Street, Shirley Street and Snake Hill Road.	Board of Selectmen, Parks Commission

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2006-2007	Community Facilities	Review the town's user fees for recreation, water, sewer and other revenue-generating services and assure adequate receipts to cover operations and a capital reserve account for each facility.	Town Administrator
2006-2008	Resource Protection	Study the economic and resource impacts of banning underground sprinkler systems to lower water consumption and assure that all new construction and significant rehabilitation projects use water-conserving fixtures.	Board of Selectmen, Water Department
2006-2008	Transportation, Economic Development	Work to introduce mass transit/shuttle service between Ayer, Devens Enterprise Zone, the Lowell metro area, and the Interstate 495 corridor.	Community Development
2006-2008	Housing	Develop target list of deteriorated rental properties for housing rehabilitation assistance through the Ayer Housing Rehabilitation Program, DHCD's Housing Development Support Program (HDSP), or other financing programs in exchange for an affordable housing restriction.	Community Development, Housing Partnership
2006-2008	Economic Development, Transportation, Land Use	<p>Study the creation of small neighborhood business nodes in the eastern and northern reaches of the town, near new and future housing development.</p> <ul style="list-style-type: none"> • Emphasize context-sensitive neighborhood businesses (e.g., general store, dry cleaner, doctor's office, pharmacy, deli, etc.) and prohibit the development of strip-malls, "big box" stores, supermarkets and other incompatible uses. • Appropriate design guidelines will preclude negative impacts on surrounding residential areas. 	Planning Board, CPIC, Community Development
2006-2008	Transportation	Work with MassDevelopment and MassHighway to study and design appropriate improvements to MacPherson Road and Bishop Road as a bypass route for regional traffic.	DPW (MassHighway, MassDevelopment, MRPC)

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2006-2009	Resource Protection	Build a reserve of CPA revenue to acquire historic preservation restrictions in exchange for appropriate renovations of historically significant commercial and institutional buildings.	Historical Commission, Community Preservation Committee
2006-2009	Resource Protection	Initiate and complete planning, surveys and inventories as a first step toward creating or expanding historic districts and nominating individual listings in Ayer, including single-property or parcel districts.	Historical Commission
2006-2009	Community Facilities, Resource Protection	Widely distribute a summary of annual water consumption data on town website and in annual water bills.	DPW
2006-2009	Resource Protection, Community Facilities	Plan for and fund community and cultural amenities at the town's historic public buildings such as the pocket park beside Ayer Town Hall, community gardens at the Pleasant Street School or picnic tables at the Ayer Public Library.	Parks Commission, DPW, Community Development
2006-2009	Resource Protection, Land Use	Protect large Chapter 61 parcels in the ACEC by purchasing or acquiring development rights in exchange for a perpetual conservation restriction.	Conservation Commission, Town Planner
2006-2009	Resource Protection	Encourage partnerships with the Town of Littleton, the Spectacle Pond Association, PACE and other conservation organizations to purchase land that protects the Spectacle Pond wells.	Conservation Commission, Water Department, Town Planner
2006-2009	Resource Protection	Assist the CPC in identifying and pursuing CPA-assisted land acquisitions that can leverage Self Help and Environmental Justice grants.	Conservation Commission, Town Planner
2006-2009	Housing	Sponsor Local Initiative Program (LIP) affordable housing developments.	Board of Selectmen, Housing Partnership
2006-2009	Transportation, Economic Development	Work to improve commercial vehicle routes from Route 2 and Interstate 495 to the Westford Road industrial district, the North Post and Fitchburg Road industrial area.	Community Development, DPW

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2007	Resource Protection	Amend the Zoning Bylaw and Zoning Map by rezoning industrial land in Aquifer Protection Districts to lower-density residential or mixed commercial uses, or change the industrial district regulations to limit allowed uses in designated "Zone II" areas.	Planning Board
2007	Community Facilities, Resource Protection	Seek authorization from town meeting for a water conservation bond and acquire land in Zone I, Zone II and the Interim Wellhead Protection Area (IPWA) of existing and potential future water supplies.	Board of Selectmen
2007	Resource Protection	Amend the Zoning Bylaw by adopting a demolition delay provision that applies to demolition permits for all structures 50+ years old.	Historical Commission, Planning Board
2007	Land Use, Resource Protection, Housing	Amend the Zoning Bylaw to provide for and regulate conversions of historic residences to multi-family or mixed-use buildings, provided they comply with the U.S. Department of the Interior Standards for Rehabilitation of Historic Buildings.	Planning Board, Historical Commission
2007	Land Use	Amend the Zoning Bylaw by adopting regulations for open space-residential development by right in residential zoning districts outside the Petapawag ACEC, for any project of three or more housing units.	Planning Board
2007	Land Use, Economic Development	Amend the Zoning Bylaw by overhauling use, dimensional and other regulations for the General Business District. <ul style="list-style-type: none"> • Requires reassessment of development methods and parking requirements. • May also require amendments to Site Plan Review 	Planning Board
2007	Land Use, Economic Development	Amend the Zoning Bylaw by updating and strengthening Site Plan Review to include design guidelines and design review criteria. <ul style="list-style-type: none"> • First priority: all commercial districts. • Consider design standards tailored to the goals for and unique attributes of each commercial zone. 	Planning Board, CPIC, Town Planner

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2007	Resource Protection, Economic Development	Engage industry to participate in water supply conservation, and water quality protection including monitoring and best management practices.	Board of Selectmen, DPW, Community Development
2007	Community Facilities	Use local revenue or CDBG funds to purchase an additional van for senior transportation, and evaluate operations funding and program delivery.	Community Development, Council on Aging
2007	Community Facilities, Housing, Resource Protection	Establish an accurate inventory of town assets, including land and buildings, including the following information: size, present use, condition, purpose of original acquisition, use restrictions, management responsibility.	Town Administrator, Assessor.
2007-2008	Resource Protection	Develop ACEC management plans.	Conservation Commission
2007-2008	Land Use, Economic Development	Amend the Zoning Bylaw by overhauling use, dimensional and other regulations for the Industrial Districts. <ul style="list-style-type: none"> • Designate areas for higher-end industry. • Establish development regulations and design standards for campus-style development. 	Planning Board, CPIC, Town Planner
2007-2008	Land Use, Economic Development	Amend the Zoning Bylaw Schedule of Use Regulations to reduce the potential for use conflicts in the town's commercial and industrial zones. At minimum: <ul style="list-style-type: none"> • Allocate commercial uses to the Downtown Business, General Business, and Mixed-Use Transitional Districts to achieve economic development goals. • Remove industrial uses from the General Business District. 	Planning Board, CPIC
2007-2008	Land Use, Resource Protection, Economic Development	Review and revise the environmental performance standards for development in the General Business and Industrial Districts. <ul style="list-style-type: none"> • Consider standards that encourage low-water use industries and businesses. • Consider allowing higher-volume water uses by special permit, including mitigation standards. 	Planning Board

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2007-2008	Housing, Community Facilities	Review town land holdings and identify small parcels that could be sold or leased for affordable housing development. Recruit qualified for-profit and non-profit developers.	Housing Partnership, Community Development, Town Planner
2007-2008	Community Facilities, Housing	Review town-owned land and buildings and identify assets that are no longer needed for public purposes. Consider a disposition process to sell obsolete or surplus property in order to meet public objectives such as: <ul style="list-style-type: none"> Affordable housing for families or seniors A small-business incubator facility or a “value-added” agricultural facility to serve the region’s farms and orchards. 	Board of Selectmen, Housing Partnership, Community Development, Planning Board
2007-2009	Economic Development	Work with local businesses and town departments to expand the daytime and evening population of downtown market area.	Community Development
2007-2009	Community Facilities	Seek training opportunities and technical support for town boards, commissions, and staff.	Community Development, Town Planner
2007-2009	Resource Protection	Work with the Nashua River Watershed Association and member communities to acquire and manage land and resources in the watershed and ACECs.	Conservation Commission, Town Planner
2007-2009	Transportation	Improve truck-turning capacities at the intersection of Willow Road/Ayer Road in Littleton.	DPW (Town of Littleton, MassHighway, MRPC)
2008	Resource Protection	Consider establishing a Neighborhood Conservation District in downtown Ayer and adjacent neighborhoods, using the historic property inventory process as a starting point	Planning Board, Historical Commission
2007	Land Use, Economic Development	Amend the Zoning Bylaw by updating and strengthening Site Plan Review to include design guidelines and design review criteria. <ul style="list-style-type: none"> First priority: all commercial districts. Consider design standards tailored to the goals for and unique attributes of each commercial zone. 	Planning Board, CPIC, Town Planner

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2007	Resource Protection, Economic Development	Engage industry to participate in water supply conservation, and water quality protection including monitoring and best management practices.	Board of Selectmen, DPW, Community Development
2007	Community Facilities	Use local revenue or CDBG funds to purchase an additional van for senior transportation, and evaluate operations funding and program delivery.	Community Development, Council on Aging
2007	Community Facilities, Housing, Resource Protection	Establish an accurate inventory of town assets, including land and buildings, including the following information: size, present use, condition, purpose of original acquisition, use restrictions, management responsibility.	Town Administrator, Assessor.
2007-2008	Resource Protection	Develop ACEC management plans.	Conservation Commission
2007-2008	Land Use, Economic Development	Amend the Zoning Bylaw by overhauling use, dimensional and other regulations for the Industrial Districts. <ul style="list-style-type: none"> • Designate areas for higher-end industry. • Establish development regulations and design standards for campus-style development. 	Planning Board, CPIC, Town Planner
2007-2008	Land Use, Economic Development	Amend the Zoning Bylaw Schedule of Use Regulations to reduce the potential for use. At minimum: <ul style="list-style-type: none"> • Allocate commercial uses to the Downtown Business, General Business, and Mixed-Use Transitional Districts to achieve economic development goals. • Remove industrial uses from the General Business District. 	Planning Board, CPIC
2007-2008	Land Use, Resource Protection, Economic Development	Review and revise the environmental performance standards for development in the General Business and Industrial Districts. <ul style="list-style-type: none"> • Consider standards that encourage low-water use industries and businesses. • Consider allowing higher-volume water uses by special permit, including mitigation standards. 	Planning Board

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2007-2008	Housing, Community Facilities	Review town land holdings and identify small parcels that could be sold or leased for affordable housing development. Recruit qualified for-profit and non-profit developers.	Housing Partnership, Community Development, Town Planner
2007-2008	Community Facilities, Housing	Review town-owned land and buildings and identify assets that are no longer needed for public purposes. Consider a disposition process to sell obsolete or surplus property in order to meet public objectives such as: <ul style="list-style-type: none"> Affordable housing for families or seniors A small-business incubator facility or a “value-added” agricultural facility to serve the region’s farms and orchards. 	Board of Selectmen, Housing Partnership, Community Development, Planning Board
2007-2009	Economic Development	Work with local businesses and town departments to expand the daytime and evening population of downtown market area.	Community Development
2007-2009	Community Facilities	Seek training opportunities and technical support for town boards, commissions, and staff.	Community Development, Town Planner
2007-2009	Resource Protection	Work with the Nashua River Watershed Association and member communities to acquire and manage land and resources in the watershed and ACECs.	Conservation Commission, Town Planner
2007-2009	Transportation	Improve truck-turning capacities at the intersection of Willow Road/Ayer Road in Littleton.	DPW (Town of Littleton, MassHighway, MRPC)
2008	Resource Protection	Consider establishing a Neighborhood Conservation District in downtown Ayer and adjacent neighborhoods, using the historic property inventory process as a starting point	Planning Board, Historical Commission
2008	Community Facilities, Resource Protection, Housing	Develop and institute a comprehensive public restriction tract index for recording at the Registry of Deeds, per M.G.L. c.184.	Board of Selectmen, Town Planner
2008-2009	Community Facilities, Resource Protection	Develop plans for and create a community gardens site at the Pleasant Street School.	Community Development, Historical Commission

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
2008-2009	Land Use	Reorganize, update and codify the Zoning Bylaw, including a clear system of use classifications and use descriptions.	Planning Board
2008-2009	Resource Protection	Nominate additional properties for listing on the National Register of Historic Places.	Historical Commission
2008-2009	Transportation, Economic Development	Study possible connections between Bishop Road, Washington Street and Groton Harvard Road to create a northern bypass of downtown Ayer.	DPW, Police (MassHighway, MRPC)
2008-2009	Transportation, Resource Protection	Create walking and biking paths along the waterfronts of Ayer's ponds, through new property acquisitions, easements, and site plan reviews of new developments.	Board of Selectmen, DPW, Parks Commission
2008-2009	Transportation, Resource Protection, Land Use	Improve pedestrian and bicycle connections between adjacent neighborhoods and the Nashua River Rail Trail through property acquisitions, easements, and site plan reviews of new developments.	Board of Selectmen, Planning Board, DPW
2009	Housing	Identify private property that is both developable and suitable for higher-density housing, acquire and "land bank" it for sale to a responsible affordable housing developer. Explore funding sources such as CPA, CDBG	Housing Partnership
2009	All	Fund a Five-Year Update of the Comprehensive Plan.	Planning Board, Board of Selectmen
Ongoing	Resource Protection	Apply for Survey and Planning Grants from the Massachusetts Historical Commission using CPA funds for the required match. (Verify Ayer's eligibility to apply for SRG funds.)	Historical Commission
Ongoing	Economic Development	Increase healthcare employment opportunities. <ul style="list-style-type: none"> • Use the Nashoba Valley Medical Center as an economic engine and take advantage of the high growth rate expected in the healthcare sector. • Work to recruit a community college or university satellite school specializing in healthcare education to occupy land in the new district or in downtown Ayer. 	Community Development

TIMELINE	PLAN ELEMENT/S	ACTION	KEY LEADERS
Ongoing	Transportation, Economic Development	Enforce existing parking regulations in Downtown Ayer.	Board of Selectmen, Police
Ongoing	Transportation, Economic Development	Provide consistent directional signage for municipal parking lots on downtown side streets.	DPW
Ongoing	Transportation, Economic Development	Work with MBTA and MRPC to increase the frequency of train service through the Ayer Station, especially during the off-peak period.	Board of Selectmen, Community Development
Ongoing	Transportation, Economic Development	Promote increased service on the MBTA Fitchburg Line, including double tracking, express trains and higher speeds.	Board of Selectmen, Community Development (MRPC, state legislators)
Ongoing	Transportation	Continue to require the construction of sidewalks in new subdivisions.	Planning Board
Ongoing	Housing	Continue the Ayer Housing Rehabilitation Program and consider ways to offer enhanced financing.	Community Development
Ongoing	Resource Protection	Periodically review and amend the Aquifer Protection District Bylaw to ensure that it complies with updated guidelines of the Massachusetts Department of Environmental Protection.	Planning Board, DPW

APPENDIX

- A. Citizen Participation Summary
- B. Summary of Previous Plans and Studies
- C. Summary of Proposed Zoning Changes
- D. Open Space Inventory
- E. Chapter 40B Subsidized Housing Inventory
- F. Vacant Commercial & Industrial Properties & Development Potential

Appendix A: Citizen Participation

The Ayer Comprehensive Plan Committee and Community Development Office sponsored two public meetings at the Ayer Middle School on November 19 and December 10, 2003. Each meeting was designed so that residents could participate in small discussion groups or breakout sessions on topics of importance to the Comprehensive Plan. The breakout sessions at the first meeting focused on economic development, historic resources, housing, land use, natural resources, open space and recreation. During the second meeting, the breakout session topics included community services, education, facilities, infrastructure, and transportation. About 20-30 people attended each meeting, primarily employees of the town or school department and members of the Comprehensive Plan Committee.

Economic Development

Railroad and highway access, relatively low-cost housing, skilled workforce, strong educational system, and water and sewer capacity have been cited as key assets to Ayer's economic development potential. However, there are questions about the supply of appropriately zoned land for business and industrial development. Some believe that Ayer has become a bedroom community, with a limited selection of stores and jobs for local residents, but others see great potential in the downtown area because of its independent small businesses and active rail station. Townspeople perceive limited parking as a deterrent to both increased commuter rail ridership and economic growth in the town center. Some believe that much of Ayer's identity derives from the former Fort Devens and the military.

Overall, the community meetings suggest that Ayer takes a very favorable view toward increased economic development, both as a way to increase tax revenue and expand job opportunities for residents. A suggestion was made that the town should work to expand business support infrastructure such as telecommunications systems. Home-based businesses also seem to enjoy strong support within the town, and some suggested changing the local zoning code, if necessary, to allow more of these low-impact, small enterprises.

The attendees briefly discussed the abandoned Moore Airfield and potential economic development opportunities. Environmental contamination and ownership issues surrounding the field remain unresolved and muddled. Conflicts between economic development and environmental protection seem to be pronounced in Ayer, with many attendees expressing concern that vacant land may not be suitable for the type of development the town desires. Again, home-based businesses were praised for their limited impact on existing land use and the environment.

Historic Resources

Several places in Ayer have special value as community landmarks. They include the Ayer Public Library, Ayer Town Hall, Carlton Circle, Chandler Machine Shop, Main Street, Nashua River Rail Trail, the old fire station, Park House, MBTA commuter rail station, District School #11, the savings bank, and Route 2A from the Littleton border. These places are said to be attractive to residents and visitors alike, and they characterize the town's

heritage. In order to protect Ayer's historic resources, attendees supported adoption of a demolition delay bylaw, designation of scenic roadways, establishment of local historic districts, nomination of National Register historic districts, rehabilitation and restoration of town-owned properties, tree and stone wall conservation, and zoning changes that would allow change of uses for historic properties. Many participants agreed that Ayer should develop a local historic preservation plan.

Housing

Housing prices are seen as unaffordable to both the elderly and young families, due to high rents on one hand and inability to save a downpayment on the other hand. Many believe that Ayer's current residents would be unable to afford a home in town if they had to buy it today. As a result the town can expect a change in demographics, with a significant shift in resident occupations, wealth and family composition.

Comments made at the public meetings suggest that over-55 housing development would help to meet needs that exist among Ayer's older residents. Many elderly are said to have moved out of Ayer because they could not afford to stay in or maintain their homes. Increased marketing of the housing rehabilitation program is also seen as a partial solution to this problem.

Some participants said they are concerned about low-quality construction of affordable housing in Ayer. Many seemed to favor affordable homeownership opportunities over rental housing. However, a perceived shortage of land was cited as a hindrance to the development of any new affordable units. There is limited support for small-lot zoning in certain areas, a move that could make housing less costly to develop and presumably more affordable. A proposed Chapter 40B development on Snake Hill Road is viewed favorably, mostly because the developer has promised to make infrastructure improvements.

There is a great deal of uncertainty about cluster zoning and its potential impacts. The benefits of cluster zoning have not been effectively marketed to the residents of Ayer. Attendees expressed interest in mixed-use zoning, which would effectively integrate housing, retail and employment the "way it used to be done." Downtown and the residential area to the north are viewed as an attractive and functional use of land by almost all in town.

Land Use

When asked to identify areas that residents generally like in Ayer, participants named several: the Sandy Pond area, downtown, Washington Street, the Nashua River Rail Trail, and Pirone Park. Access to nature, historic architecture, old trees, places to gather, quaint connecting side streets, recreation opportunities, sidewalks, stone walls, walkability, and water views are all land use characteristics that are seen as positive.

In contrast, participants said Ayer has a few places that residents generally dislike: the view from the MBTA station, Bligh Street and Central Avenue, all for aesthetic reasons. While there seems to be general approval of Ayer's current land use pattern, there are some concerns about a lack of connectivity between new subdivisions and existing neighborhoods

caused mainly by the cul-de-sac. More parking is generally viewed as a positive attribute of new development, but there are concerns about its placement and design.

Natural Resources, Open Space & Recreation

Overall, participants believed that Ayer does not have enough open space and recreation areas. Of particular concern is the shortage of small neighborhood parks and playgrounds, primarily in the older residential area north of downtown. Seniors also report difficulty finding suitable recreation areas.

Many are frustrated by the lack of information regarding town-owned parcels. The previous open space plan identified several properties with undefined ownership. The plan suggested that the assessor's office research the status of these parcels in order to compile a complete list of town-owned property. Those in attendance stated that this had never been done.

Concern was voiced about the zoning on 30 acres of town-owned land near Long Pond, originally bought for water supply but later found to be ill suited for this purpose. Many see the proposed Petapawag Area of Critical Environmental Concern (ACEC) as a significant event for the town of Ayer. The ACEC designation could be an important tool for negotiation with developers and a focal point for conservation efforts by the town and non-profit groups. Protection of the "Golden Triangle," an area with aquifer recharge significance, is also an important environmental issue in Ayer.

Some believe that the planning board is excessively pro-growth and relents too easily in negotiations with developers. Excessive zoning variances were cited as an example. Hiring an engineer to review subdivision and site plans, as well as adopting an extended Phased Growth Bylaw could help manage environmental impacts, according to meeting participants. Many would like to see increased allowable densities in return for preservation of environmentally important open space.

Community Services

Generally, it is believed that both the fire and police departments are adequately staffed, equipped and trained. Average response time for the fire department is estimated at 3 minutes, according to the fire chief, who attended the meeting. However, there are concerns about the drop in the number of volunteer firefighters due to changing demographics. Recruiting home-based workers was suggested as a way to boost the ranks. The fire chief estimates that the town will need to hire 6 additional full-time firefighters by 2008. Unfunded mandates from the state and federal governments following the terrorist attack of September 11, 2001 have been said to stress the department's resources. The electrical power and railroad infrastructure in Ayer demands high security and preparedness.

The police chief, who also attended the meeting, believes that the police department will need to hire 3-4 additional full time officers by 2008. The chief is concerned about the amount of time spent on administrative task by his officers, and he suggests that today, the public demands more of its police force than in years past.

Echoing concerns raised by the housing breakout group, participants interested in community services said that Ayer's supply of housing does not meet the needs of seniors very well. Some have criticized the condition of existing public housing for the elderly, and they think the town should be planning for the construction of additional elderly units. Market-rate assisted living facilities are said to be unaffordable to most seniors in Ayer. The Council on Aging received praise for its operation of the shuttle and senior center, but some people think that more needs to be done to assist seniors living in their own homes.

Strong support for the town meeting form of government was evident at both meetings. Those in attendance saw no need to hire more professional town staff, but they said that the volunteer boards and commissions are currently understaffed. Some proposed the study of new methods (in addition to cable television and Ayer Times) to publicize town political and community events.

When asked about the competitiveness of Ayer, attendees cited industrial growth as evidence of the town's attractiveness. No one felt that the salaries of municipal staff affected Ayer's ability to attract and retain personnel. However, excessive turnover in the public works department was offered as evidence to the contrary. The financial software used by the town was criticized as inadequate. Ayer's fiscal prudence, availability of enterprise funds, and willingness to pursue tax evaders were cited as reasons for the town's sound financial status.

Education

The superintendent of schools, who attended the second public meeting, explained that Ayer educates not only its own children, but also 450 students from outside the district through the school choice program and tuition agreements with Shirley and the Devens Regional Enterprise Zone. These additional students allow Ayer to support classes, programs and extracurricular activities that the town would not be capable of funding otherwise. The superintendent noted that 25% of all students in the Ayer Public Schools live below the poverty line and 25% are non-white. Those in attendance noted that Ayer's MCAS scores have increased steadily for the last 7 years.

Participants identified several needs in the school department: increased funding to support state and federal mandates and maintain acceptable student-teacher ratios, increased support and involvement through volunteerism and community input, better coordination and management of fundraising and external support, and improved fire safety in school buildings. Many believe that the closing of Fort Devens has left plenty of classroom space in the school system and they do not see a need for major capital improvements. They also think the Ayer Public Schools are better off without Fort Devens, offering a much more stable student body.

The superintendent views technology as an important issue. Currently the schools are adequately equipped, but there is concern that it will quickly become outdated and funding new equipment will be difficult. There is little state or federal funding available to Ayer, according to the superintendent. Some suggested that technology upgrades be attached to the maintenance budget instead of the capital improvements budget. Others expressed a

need to coordinate new technology investments with the private sector to effectively integrate learning and technology in a real world environment.

There is a small adult education program in Ayer offering SAT prep, basic computer training, drivers' education, ESL and other classes. The director works on a part-time basis and additional classes are offered if significant interest is expressed. The superintendent sees a need to educate parents on modern teaching methods, but an MCAS preparation class offered recently had scarce attendance.

Facilities & Infrastructure

In general those in attendance believe that Ayer's infrastructure is in good shape. The town hall, police station, library and new fire station are all considered to be in excellent condition. Public facilities and infrastructure cited as inadequate, deteriorated or simply in need of attention include: the old fire station, Pleasant Street School, Department of Public Works' garage, Pirone Park, MBTA station, storm drains, and water system. The Pleasant Street School was proposed to house subsidized apartments for the elderly, a youth center or other public facility. The need for a youth center is a recurring topic. Pirone Park was cited for its lack of trees and "unparklike" feel. The superintendent of public works, who was in attendance, believes that collapsing storm drains and pipes are the town's biggest infrastructure issue. The lack of state and federal funds to rebuild drainage systems was criticized.

The lack of looped water pipes is also a concern. The DPW superintendent and other participants cited stagnant water, high mineral content and no backup supply as problems associated with dead-end water mains. The superintendent highlighted the town's plans to build an additional well in the near future and begin to draw more water from Spectacle Pond. He said the state has recently approved the use of water from the Nashua River Aquifer. Most believe that a great deal of new development (500+ new homes) could significantly impact Ayer's ability to supply water. The superintendent believes it is important to address the costs of services, including water supply, when considering any new development projects.

Most believe that the town should focus on connecting existing homes to the public sewer system before extending it to new developments. Some saw this as an important step toward maintaining and improving the existing sewer system. The superintendent noted the environmental importance of sewer systems adjacent to the town's ponds. Leaching septic systems can cause excessive algae growth and pollution in the ponds. The Moore Airfield site was actively discussed. Most in attendance believed the town should take ownership, but few offered ideas as to use. Open space, industrial growth and a bypass road are some of the ideas floated at the meeting.

Transportation

In general the MBTA commuter rail station is seen as an asset to the town. There seems to be widespread agreement about the need for a new depot building. Some believe that the station should be moved to a less dense area with more parking, but others believe that off-street commuter parking — a parking garage or a surface parking facility — is needed to

open up on-street spaces for patrons of downtown businesses. The need to charge non-Ayer residents for parking has been suggested. Others believe that any increase in parking will result in increased traffic. A walkable station with limited parking close to downtown shops and residences is preferred.

Many participants said they believe the train station has no economic impact on the town, but others cited the possibility that commuters using the train may also patronize local businesses. Transit-oriented development with residences, professional offices and other uses was suggested as a way to maximize economic benefit. A shuttle van from Ayer Station to Devens Regional Enterprise Zone and possibly Shirley Station seemed to be favored by most people. Some believe that entrepreneurs would provide this type of service if there were enough demand to support it.

The parking situation downtown is an important issue in Ayer. While residents praise the walkability of their downtown area, many believe that a lack of parking hurts business. Parking meters were favored for long-term commuter parking, but not for street spaces used by shoppers. Enforcement of the existing two-hour parking limit is one solution offered to combat the perceived shortage of downtown spaces. The courthouse area also has a perceived parking shortage. Plans to construct a new lot have never come to fruition, according to those in attendance, and School Street has become a parking area for those using the courthouse. On-street parking along East Main Street appears to have little support.

The Park Street and Main Street intersection continues to be viewed as Ayer's greatest congestion point. Most believe that right-turn lanes are needed on Main Street west and Park Street south. Though not favored by all, signalization has clear support. During the public meetings, many participants frowned on establishing designated truck routes and truck restrictions, mainly because they fear that these policies could have a negative impact on industrial growth. Some are bothered that the Devens Regional Enterprise Zone truck access network includes Ayer roadways.

Pedestrian issues in Ayer include the lack of walkways around ponds and waterways; absence of sidewalks in new subdivisions; and a missing sidewalk on route to Victory supermarket. Finally, a potential bypass road from Route 2A and Groton to Route 2, using Bishop Road, MacPherson Road and Sherman Avenue, enjoys widespread support.

Appendix B: Summary of Recent Plans & Studies

Ayer Comprehensive Plan (1997, VHB, et al.)

Land Use, Open Space & Recreation: Goals from the past plan that remain relevant include:

- ◆ Ensure that there is an adequate supply of developable land for commercial development.
- ◆ Upgrade roads to meet the requirements of potential users.
- ◆ Actively facilitate the marketing and reuse of existing buildings and the development of suitable sites.
- ◆ Encourage new retail and service establishments that fill identified market needs in town and in the region.
- ◆ Improve the desirability of downtown in terms of accessibility, appearance, hours of operation, and parking supply.
- ◆ Encourage a land use pattern that minimizes the strain on Ayer's municipal services, and protects natural resources and community character.
- ◆ Protect and improve the water quality of the town's ponds, aquifers and the Nashua River.
- ◆ Protect environmentally sensitive areas from development and encroachment.
- ◆ Address noise concerns that affect Ayer residents.
- ◆ Coordinate with the natural resources and environmental initiatives outlined in the Devens Reuse Plan.
- ◆ Maintain and improve the safety, efficiency and environmental integrity of Ayer's utility system.
- ◆ Contribute to Ayer's historic character and create a sense of place and heritage.

Economic Development:

Since Ayer last updated its Comprehensive Plan in 1997, many of the ambitious goals and objectives included in the Economic Development element have been realized. Noteworthy achievements include: retention of existing businesses; increasing the number of new businesses; equipping the Ayer labor force with regionally compatible skills; upgrading water service and sewer service to meet the requirements of potential users.

Transportation:

The 1997 Comprehensive Plan Update reviewed the existing transportation network within Ayer and discussed existing deficiencies as well as future demands in anticipation of the redevelopment of Fort Devens. The plan indicated that increasing demands on the

transportation network and parking would be inevitable as a result of growth in the regional and local economies. In particular, the redevelopment of Fort Devens was regarded as a major source of growth in traffic volumes on roadways within the Town of Ayer. Based on the review of the Devens Final Environmental Impact Report, the Traffic and Parking Study (1996), and other studies, the Ayer Comprehensive Plan identified several issues that needed to be addressed. These issues, including roadway and intersection capacity constraints, parking and pedestrian deficiencies are summarized in Table 7-4 below.

In view of these issues, the plan identified several goals for traffic and parking: 1) to address traffic circulation and safety on Ayer roads; 2) to work with MBTA to provide adequate parking for MBTA commuter rail station and the downtown recognizing the village character of Ayer; 3) to promote and support other modes of transportation in addition to the automobile.

Some steps have been taken since 1997 to implement actions identified to address the transportation and parking goals. For example, several design alternatives have been prepared for the Park and Main intersection, and conceptual design plans have also been prepared for Carlton Circle. In October 2002, the Department of Environmental Management completed the Nashua River Rail Trail for bicyclists and pedestrians with an 80-space parking lot in downtown Ayer. Many recommendations are still outstanding and capacity constraints identified in 1997 have worsened, as evidenced by long vehicle queues within the downtown area during peak hours.

Community Facilities & Services:

Since Ayer last updated its Comprehensive Plan in 1997, many of the ambitious goals and objectives included in the Public Works, Municipal Facilities, Public Safety, Education, Human Services and Municipal Finance elements have been realized. Noteworthy achievements include: capping the town's landfill; developing successful programs for solid waste disposal and increased recycling rates; building the Grove Pond wastewater treatment plant; rehabilitating Ayer Town Hall; purchasing new fire and police equipment; building the new police station; renovating the Ayer Library; developing a *School Strategic Plan* in conjunction with the School Committee; and establishing tax increment financing (TIF) zones for infrastructure improvements. The town also investigated the feasibility of rehabilitating the fire station, as proposed in the 1997 Comprehensive Plan, but decided to build a new one instead. The 1997 plan also recommended that the town acquire the MacPherson Well at the Devens Regional Enterprise Zone for future town water supply. After considerable study, the town has decided to regenerate its existing wells in the short term and build a new well at Grove Pond in 10-15 years.

Goals from the past plan that remain relevant include:

- ◆ Ensure that all homes, retail establishments and industrial facilities are supported by adequate levels of infrastructure.
- ◆ Maintain and improve the safety, efficiency and environmental integrity of Ayer's utility system.

- ◆ Provide adequate and acceptable environments for those who must work in or use Ayer's municipal buildings, and appropriate facilities to provide necessary services in the community.
- ◆ Provide adequate equipment and materials for town staff to deliver services efficiently and dependably.
- ◆ Maintain municipal facilities as a source of pride for town residents, cultural centers for the community and a source of business for downtown retail establishments.
- ◆ Promote a sense of personal safety and well-being throughout the town.
- ◆ Provide optimum and efficient access, coverage and response from fire, police and rescue services.

Ayer Open Space and Recreation Plan (1997)

Ayer's 1997 Open Space and Recreation Plan presented many recommendations, but only a few were implemented between 1997 and 2003. The most important of these was the adoption of the town's Aquifer Protection Overlay District. The town has also worked with the EPA to undertake water quality studies at Grove Pond. With the help of the EPA and the Restoration Advisory Board (RAB) at the former Fort Devens, Ayer has also planned the cleanup of Grove Pond and Plow Shop Pond.

Ayer's 1997 Open Space and Recreation Plan recommended that the town acquire open space parcels for conservation and better manage its existing open space. Open space acquisition targets included "water and land resources." The town has not appropriated funds, issued bonds or sought acquisition grants for such acquisitions.

The goals of the 1997 Open Space and Recreation Plan include:

- ◆ Promote the preservation of Ayer's important water resources.
- ◆ Promote the preservation of Ayer's important land resources.
- ◆ Provide recreational opportunities and programs for all residents of Ayer.
- ◆ Identify and prioritize management and maintenance needs of existing open space and recreation areas in Ayer.
- ◆ Enhance Ayer's natural environment by taking advantage of local and regional linkage of open space.
- ◆ Promote public awareness and advocate education about open space, recreation and natural resources in Ayer.
- ◆ Maintain an inventory of protected and semi-protected open space and recreation land in Ayer.

Communities Connected by Water: Devens Area Regional Plan (2001, ENSR)

In 2000, the towns of Ayer, Harvard, Shirley and Lancaster received a “Communities Connected by Water” grant from the Massachusetts Executive Office of Environmental Affairs. The Joint Boards of Selectmen (JBOS) partnered with the Nashua River Watershed Association and the Montachusett Regional Planning Commission (MRPC) to develop a growth management plan for this subregion of the Nashua River Watershed. The Devens Commerce Center and the Devens Enterprise Commission also participated.

The 2000 Communities Connected by Water Plan identified several regionally important open space priorities in Ayer. The Horgan property on the Nashua River and parcels on Sandy Pond, Fletcher’s Pond, Spectacle Pond and Long Pond were identified as conservation targets.

This plan made the following recommendations for Ayer:

- ◆ Protect and acquire land for new and expanded public water supply at the Horgan property on the Nashua River.
- ◆ Acquire open space for public access to local water bodies including Sandy Pond, Fletcher’s Pond, Spectacle Pond and Long Pond.
- ◆ Improve passive recreation activities near the Nonaicoicus Brook and the Nashua River.¹⁷⁷

Devens Reuse Plan (1995, VHB, et al.)

The Devens Reuse Plan serves as the framework and foundation for all redevelopment activity occurring on the former base. The plan includes plans for open space, access and circulation, land use, housing, and community facilities and services. The recommendations made in the Devens Reuse Plan that continue to have relevance to the Town of Ayer include:

- ◆ Provide connections to regional open space.
- ◆ Modifications to be made to the road network to reinforce the north/south and east/west connections through the base and encourage the use of the Route 2 interchange to handle commuter and truck traffic.
- ◆ Promotion of the commuter rail for employee access, including consideration of shuttle service to and from Ayer Station.
- ◆ Construction of a pedestrian and bikeway system linking the Devens Regional Enterprise Zone with downtown Ayer and the MBTA station.
- ◆ Establishment of a Transportation Management Association (TMA).

¹⁷⁷ ENSR International, “Communities Connected By Water” [online], [cited 21 November 2003]. Available on the World Wide Web at < <http://www.acapellastudios.com/nrwa2/> >

- ◆ Intersection improvements at the Park Street/Main Street intersection and Carlton Circle.
- ◆ Improvements to Bishop Road and MacPherson Road.
- ◆ A planned innovation and technology center (ITC) to be located in the historic Vicksburg Square area.
- ◆ Encouragement of rail and trade related businesses in the Ayer portion of the Devens Regional Enterprise Zone.
- ◆ The proposal to site environmental businesses — recycling, innovative waste management — at the former North Post located almost entirely in Ayer.
- ◆ Special uses planned for the former Moore Airfield site in Ayer.
- ◆ A maximum of 282 units of housing to be constructed or rehabilitated within the Devens Regional Enterprise Zone.

Devens Five-Year Review for the Joint Boards of Selectmen (2001-2002, Community Design Partnership, et al.)

This review of the Devens redevelopment progress between 1996 and 2001, outlines the status of the Devens Reuse Plan in 2001. While most of the report is focused on Devens and its progress toward becoming a sustainable community, much of the text applies to Ayer. Details that are especially relevant include:

- ◆ The exceptional growth of the West Rail Industrial Park, located mostly in Ayer, with 11 land sales totaling 192 acres and over 2 million ft² building space.
- ◆ The 2001 level of development within the Devens Regional Enterprise Zone is 5.4 million square feet.
- ◆ In 2000, the water supply system was expanded — with connections to Ayer for emergency service — and a permit was secured to use up to 4.8 million gallons of water per day.
- ◆ Ayer has decided to pursue an intermunicipal agreement with Devens to secure use of the new wastewater treatment plant constructed at the North Post.
- ◆ Over 830 acres of land were turned over to the U.S. Department of Fish and Wildlife in 1999 to be added to the Oxbow National Wildlife Refuge.
- ◆ Land around Mirror Lake, Robbins Pond, the Eskers Region and Cold Spring Brook was to be conveyed to the Trustees of Reservations.
- ◆ The Shriver Job Corps, a youth employment training program, is located in the Ayer portion of the Devens Regional Enterprise Zone.
- ◆ Phase I housing construction is set to begin within the Ayer municipal limits.

- ◆ Due to the ongoing affordability crisis within the Commonwealth, MassDevelopment recommends the study additional housing construction above the cap set by the reuse plan.
- ◆ In order to be developed, Moore Airfield would require more than \$12.5 million in demolition work, the reconstruction of MacPherson Road, as well as sewer, electric, and natural gas upgrades.
- ◆ The remainder of the North Post, zoned environmental business, would require more than \$3.8 million in roadways construction as well as construction of electricity, natural gas, water and sewer infrastructure.

Massachusetts Outdoors! 2000-2005 (2000, Massachusetts Executive Office of Environmental Affairs)

EOEA's Division of Conservation Services' most recent SCORP is Massachusetts Outdoors! 2000-2005. For planning purposes, Ayer is located in the SCORP Northeastern Region, which includes large portions of Middlesex and Essex counties and the cities of Lawrence, Lowell and Salem. The SCORP identifies water withdrawal, seasonal drought, and loss of historic wetlands as the most significant regional environmental issues for all human uses, e.g., recreation or birdwatching, and for wildlife and plant ecology.¹⁷⁸ The Northeast Region ranks fifth highest of six in open space acreage and percent of regional land area classified as open space. The region also has the second highest population in the state, which means its open space and recreation facilities are heavily used and demand is high. In addition, the SCORP defines the Northeast Region as one of the three most important ecoregions in Massachusetts for ecosystem protection. The SCORP concludes that Northeast Region residents are least satisfied with recreational opportunities at lakes, ponds, bikeways, rivers and streams, but they are largely satisfied with the number of golf courses, neighborhood parks, playgrounds and historic and cultural sites. There is strong, widespread regional support for improving recreation access for people with disabilities, maintaining existing recreational facilities and acquiring additional open space, bikeways, greenways and trails.

Montachusett Region Comprehensive Economic Development Strategy (2003, Montachusett Regional Planning Commission)

In 2003, the Montachusett Regional Planning Commission (MRPC) released the "Montachusett Region Comprehensive Economic Development Strategy." This report, submitted to the U.S. Department of Commerce, offers a comprehensive set of goals to advance the economic health and competitiveness of the entire North Central region.

Although broad in scope, the plan offers several strategies and objectives that are applicable to Ayer:

¹⁷⁸ Massachusetts Executive Office of Environmental Affairs, Division of Conservation Services, "Massachusetts Outdoors 2000!, SCORP 2000-2005" [online], [cited 26 August 2003]. Available on the World Wide Web at <www.state.ma.us/envir/dcs/global/publications.htm>

- ◆ Encourage member communities to offer one-stop shopping as part of the permitting process.
- ◆ Upgrade the commuter rail station in Ayer and improve parking.
- ◆ Improve access and operation along Route 2A from Littleton through Ayer.
- ◆ Promote creative reuse of underutilized, existing industrial buildings.
- ◆ Support the retention and expansion of existing manufacturing firms.
- ◆ Develop additional commercial and industrial space such as Willow Road (Ayer).
- ◆ Explore ways of mapping the transportation needs of the working population.
- ◆ Support and encourage market analyses, historic preservation, signage programs, marketing plans, and the formation of business associations in regional business districts.

Nashua River Watershed 5-Year Action Plan, 2003-2007 (2003, Nashua River Watershed Association)

Recently, the Nashua River Watershed Association completed the Nashua River Watershed 5-Year Action Plan, 2003-2007. This plan identifies four key issues for Ayer, including capacity building, open space protection, recreation and water quality, and makes recommendations for local and regional action.¹⁷⁹

¹⁷⁹ Nashua River Watershed 5-Year Action Plan, 2003-2007.

Appendix C: Detailed Land Use Proposals

NATURAL RESOURCE PROTECTION

Petapawag Overlay District

According to data supplied by the town's assessor, Ayer has about 1,072 acres of developable and potentially developable vacant land. More than half of it is within the Petapawag ACEC. Of the ACEC's vacant developable acres, 76% are in the A-1 District, 22% in the A-2 District, and 2% in the Light Industrial and General Business Districts. To protect land and water resources within the ACEC, Ayer should establish a Petapawag Overlay District with the following purposes:

- ◆ Reduce total development;
- ◆ Reduce land disturbance;
- ◆ Maximize the amount of permanently protected, contiguous open space;
- ◆ Protect wildlife corridors; and
- ◆ Encourage more compact developments with a mix of homes in order to reduce water consumption.

To achieve these ends inside the ACEC, Ayer should:

- ◆ Require open space-residential design by special permit for all housing developments of five or more dwelling units.
 - Require minimum of 50% common open space.
 - Set open space design standards to achieve linked, contiguous, wide bands of open space to protect wildlife resources.
 - Set no-disturbance standards for majority of the open space.
 - Allow maximum flexibility to design compact development in exchange for open space and mix of housing types.
- ◆ Increase minimum lot area to 80,000 ft² per dwelling unit, but allow 1.5x base density for developments that include a mix of residential uses: single-family, townhouse and multi-family units and preserve more than 50% of the site as common open space.
- ◆ Allow odd-shaped lots (pork chop, hammerhead) in exchange for considerably more land than the required minimum lot size in order to reduce the district's buildout capacity.

Other Natural Resource Protection Needs

Ayer would benefit from taking several actions to strengthen its authority over the quality and amount of development that occurs in town. These actions include:

- ◆ **Land Alteration.** Supplement the town's existing earth removal regulations with a mandatory special permit process for all non-agricultural land clearing and grading of land in excess of 30,000 ft², with reasonable exceptions for public safety and land management.
- ◆ **Water Resources.** Consolidate the two existing water resource districts into a single Aquifer Protection Overlay District that meets current state requirements.
- ◆ **Water Consumption.** Amend special permit granting criteria in all zoning districts by making water conservation an explicit standard for large-scale residential, commercial and industrial project review.
- ◆ **Wetlands Protection.** Adopt a local (non-zoning) wetlands protection bylaw and regulations for the Conservation Commission to administer as a supplement to the Massachusetts Wetlands Protection Act, M.G.L. c.131 §40.

HISTORIC PRESERVATION

Consider the following regulatory tools:

- ◆ **Neighborhood Conservation District** for an area generally coterminous with the Downtown Business and General Residence Districts. From a historic preservation point of view, these two zoning districts need to be planned, managed and protected as a *place*.
 - Establish Neighborhood Conservation District Commission (NCDC) to review alterations to the exterior of existing residential, commercial and industrial buildings, and all new construction projects, for design compatibility with the surrounding area. The NCDC should be a 7-member board comprised primarily of district residents and commercial property owners, with designees of the Planning Board and Historical Commission, and an architect, landscape architect or planner.
 - Empower the NCDC to establish architectural design guidelines for the district, to conduct historic property surveys and design studies, and to set reasonable application and review fees.
 - Make the issuance of a building permit contingent on a certificate of appropriateness from the NCDC.
 - Exempt ordinary maintenance and exterior painting from NCDC jurisdiction.
- ◆ **Demolition Delay Bylaw** that applies town-wide:

- Require Historical Commission review of demolition permits for any structure more than 50 years old.
- Provide an exemption for demolition necessary to prevent an imminent public health or safety hazard, as determined by the building inspector.
- Empower the Historical Commission to impose a six-month stay on demolition of buildings determined to be historically significant.
- Through zoning, allow greater use intensity and use flexibility for buildings subject to demolition delay, by special permit from the Planning Board.

INDUSTRIAL DISTRICTS¹⁸⁰

Replace the existing Heavy Industrial and Light Industrial Districts with an Industrial District-I and Industrial District-II, as follows:¹⁸¹

Industrial District-I

- ◆ **Purposes:** The Industrial District-I should reflect the basic “light industrial” principles outlined in the last Comprehensive Plan, with an allowance for offices and retail uses that are accessory to principal industrial uses. The list of permitted uses should be refined, and the district’s boundaries should be modified as shown on the Land Use Plan.
- ◆ **Permitted Industrial Uses**
 - The following industrial uses, provided they consume an average of no more than 75 gallons of water per day (gpd) per 1,000 ft² of gross floor area:
 - Light manufacturing uses: general manufacturing, fabrication, assembly, finishing work or packaging, excluding manufacturing in the primary and fabricated metals industries, machinery and transportation equipment; all permitted uses to be conducted in a manner that confines noise, smoke, dust, odor, vibration or similar objectionable features inside the premises
 - Research laboratories and accessory uses thereto, including incidental assembly or testing, in the pharmaceutical, biotechnology, biomedical and related industries

¹⁸⁰ The following proposals focus on a reorganization of residential, commercial and industrial uses and corresponding dimensional regulations in Ayer’s zoning districts. Institutional, municipal and exempt uses have not been addressed.

¹⁸¹ These proposals address modifications to Ayer’s use and dimensional regulations only. Article VII, Development Methods and Article XII, Site Plan Approval, need to be revised to include architectural design guidelines and a clear design review process incorporated within site plan approval.

- Research laboratories and accessory uses thereto, including incidental assembly or testing, in the electronic, computer, instrumentation, photonics, communications and related industries
- Eco-industries
- Campus-style industrial development, on parcels of five or more acres (or smaller, contiguous parcels that together provide five or more acres of land)¹⁸²

◆ **Permitted Commercial Uses**

- Health club, indoor athletic facility
- Professional offices for dental, architectural, engineering, legal, medical, and other similar recognized professions, or a medical center
- Hotel, motel, inn
- Conference centers, with or without guest quarters
- Veterinary clinic, animal hospital

◆ **Permitted Accessory Uses**

- Cafeterias for employees, and other normal accessory uses such as child care centers, when contained in the same structure as a permitted use
- Retail stores and service establishments primarily for employees and customers of the principal use
- Retail sale of products primarily wholesaled at the site
- Dwelling unit for a watchman or caretaker when contained in the same structure as a permitted use

◆ **Special Permitted Uses**

- Permitted industrial uses that consume water at a rate that exceeds 75 gpd per 1,000 ft² of gross floor area¹⁸³
- Warehousing and distribution

◆ **Basic Dimensional Requirements**

¹⁸² A development of permitted industrial uses clustered on a site, with development set back from the road and from abutting residential or commercial zoning districts. This type of project requires development regulations tailored to the use, i.e., by adding a new section to Article VII.

¹⁸³ The town should establish water use targets by class of land use, and use the targets as one of the criteria for determining whether to grant a special permit to a water-consumptive use

- Minimum lot area: 40,000 ft²
- Minimum frontage: 50 feet
- Maximum building height: 50 feet
- Maximum stories: 4 stories¹⁸⁴
- Maximum lot coverage: 80%
- Maximum building coverage: 60%
- Floor area ratio: 2.0
- Minimum front yard setback: 40 feet
- Minimum side yard setback: 30 feet, except 50 feet abutting a Residential District
- Minimum rear yard setback: 30 feet, except 50 feet abutting a Residential District
- Open space percentage of lot area: 20%

Industrial District-II

◆ **Purposes:** The Industrial District-II should provide for many of the same uses allowed in Industrial District-I, while offering opportunities for more intensive industrial uses such as large manufacturing and distribution operations.

◆ **Permitted Uses**

- Uses permitted in Industrial District-I, excluding research laboratories
- Parcel distribution centers and wholesale distribution plants
- Warehousing and distribution
- Printing and publishing
- Contractor's yard
- Wholesale or retail sale of lumber and wood products

◆ **Permitted Accessory Uses**

- All accessory uses permitted in Industrial District-I

¹⁸⁴ The town could consider allowing a building height of five stories for developments that provide below-grade parking or at-grade parking under the building, where the first-floor parking area counts as one story. The trade-off for height is a reduction in paved surface area and more open space on the lot.

◆ Special Permitted Uses

- Permitted industrial uses that consume water at a rate that exceeds 75 gpd per 1,000 ft² of gross floor area
- Manufacturing, fabrication, assembly, finishing work or packaging in the primary and fabricated metal industries, machinery and transportation equipment, conducted in a manner that protects surrounding areas from noise, smoke, dust, odor, vibration or similar objectionable features
- Mining, sand and gravel operations
- Exterior storage, screened and without junk storage
- Adult entertainment uses

◆ Basic Dimensional Requirements

- Minimum lot area: 80,000 ft²
- Minimum frontage: 150 feet
- Maximum building height: 50 feet
- Maximum stories: 4 stories
- Maximum lot coverage: 75%
- Maximum building coverage: 50%
- Floor area ratio: 1.5
- Minimum front yard setback: 50 feet
- Minimum side yard setback: 50 feet
- Minimum rear yard setback: 50 feet
- Open space percentage of lot area: 25%

COMMERCIAL DISTRICTS¹⁸⁵

Amend the use and dimensional regulations for the Downtown Business and General Business Districts, as follows:

Downtown Business District

- ◆ **Purposes:** To preserve and enhance the historic built form of downtown Ayer, develop and sustain a vital local economy, provide goods and services that meet the needs of local and regional residents and visitors to the town, and provide a traditional downtown that encourages people to live and work in the community.
- ◆ **Permitted Commercial Uses**
 - Retail sale of food items, dry goods, handicrafts, clothing and clothing accessories, hardware, appliances, furniture, furnishings, supplies, printed matter, pharmaceuticals, stationary, photographic supplies
 - Specialty retail, antiques
 - Retail sale of baked goods and manufacture of same for sale
 - Professional office for dental, architectural, engineering, legal, medical, and other similar recognized professions
 - Real estate, insurance and general business office, banks
 - Hotel, inn
 - Restaurant for the serving of food or beverages inside the premises or outside but on the premises, such as at tables on an adjoining deck or patio
 - Barber and beauty shop, laundry agency, shoe and hat repair, bicycle and household appliance repair, dressmaking, dry cleaning and pressing or tailor shop where no work is done on the premises for retail outlets elsewhere
 - Shop for custom work involving the manufacture of articles to be sold on premises
 - Child care or day care center

¹⁸⁵ These proposals address modifications to Ayer's use and dimensional regulations only. Article VI, Section 5 Parking, Article VII, Development Methods and Article XII, Site Plan Approval, need to be revised to include more specific off-street parking design requirements, stronger access management regulations, architectural design guidelines, and a clear design review process incorporated within site plan approval. In addition, the town's economic development strategy needs to prioritize business development, public facility and transportation improvements in Downtown Ayer to support the district's economic vitality. Land use regulations alone will not improve downtown's business climate. However, land use regulations that promote a "living downtown" will be essential to the success of any downtown development plan.

- Theatre, museum, cinema, or other cultural establishment
- Public transportation passenger station

◆ **Permitted Residential and Accessory Uses¹⁸⁶**

- Accessory dwelling units above the ground floor of a building occupied principally by commercial uses
- Accessory dwelling units at grade, provided that (1) the entrance is on the side or rear of the building, (2) the unit has direct access to its associated parking, (3) the unit is fully accessible to persons with disabilities, and (4) the ground floor of the building facing the street is used for permitted commercial uses
- Conversion of a single-family dwelling to a two-family or multi-family dwelling, up to four units, with no change in building footprint
- Boarding house, up to four boarders not members of the primary resident's household
- Live-and-work space, e.g. artist's residence and studio
- Bed and breakfast

◆ **Special Permitted Uses**

- Indoor recreation or amusement facility
- Video tape rental and sales, and rental and sales of related equipment
- Take-out food establishment or delicatessen where food is prepared and sold retail but not consumed on the premises; or catering services
- Drive-through service for a permitted commercial use, except food service establishments
- Conversion and expansion of an existing single-family dwelling for single-room occupancy or multi-family dwelling use, subject to affordable housing requirement¹⁸⁷

¹⁸⁶ As with commercial uses, residential uses in the Downtown Business District should be subject to site plan approval. The town could consider an administrative site plan review procedure for uses such as a boarding house or a small bed and breakfast establishment.

¹⁸⁷ The affordable housing contribution for conversion uses should be tailored to the scale of the project. Conversion projects should also be subject to historic preservation requirements, where applicable.

- Conversion of an existing non-residential or mixed-use building to multi-family dwellings or mixed-income elderly housing, subject to an affordable housing requirement
- New construction for a permitted or special permitted use

◆ **Basic Dimensional Requirements**

- Minimum lot area: None
- Minimum frontage: None
- Maximum building height: 45 feet
- Maximum stories: 3 stories
- Maximum building coverage: None
- Floor area ratio: 3.0
- Minimum front yard setback: None
- Minimum side yard setback: None, except 25 feet abutting a Residential District
- Minimum rear yard setback: None, except 25 feet abutting a Residential District
- Open space percentage of lot area: 5%, unless waived by the Planning Board as part of the site plan approval process

◆ **Other Requirements**

- Amend Table VI-5A, Off-Street Parking Regulations, to allow the Planning Board to waive Downtown Business District parking requirements in exchange for a fee in lieu of parking. Fees paid by commercial property owners or developers in the Downtown Business District should be deposited in a Downtown Parking Fund for use by the town to develop additional public parking.
- Outside the Downtown Business District, reduce the required number of parking spaces for retail establishments to one space per 300 ft² of gross floor area, except for convenience stores; and for restaurants, one space per five seats of total seating capacity. For larger retail developments such as shopping centers, parking regulations should provide not only a minimum number of spaces, but also a maximum — that is, a formula range for the Planning Board and applicants to work with on a case-by-case basis, considering the size and mix of uses in a facility.
- Allow parking lots with ten or more spaces to provide some smaller parking spaces for compact vehicles, e.g., one compact-car space for every nine spaces for regular passenger vehicles.

Mixed-Use Transitional District¹⁸⁸

- ◆ **Purposes:** The purposes of the Mixed-Use Transitional District are to encourage small neighborhood businesses and housing in gateway locations adjacent to Downtown Ayer, with regulations that reflect the form, character and scale of the area's historic development pattern and mix of uses.
- ◆ **Permitted Commercial Uses¹⁸⁹**
 - Retail sale of dry goods, handicrafts, supplies, printed matter, stationary, photographic supplies, food items
 - Ice cream, candy shop
 - Specialty retail, antiques
 - Retail sale of baked goods and manufacture of same for sale
 - Barber and beauty shop, shoe and hat repair, dressmaking, tailor shop where no work is done on the premises for retail outlets elsewhere
 - Mixed-use buildings occupied predominantly by permitted commercial uses
 - Shop for custom work involving the manufacture of articles to be sold on premises
 - Professional offices
 - Child care or day care center
- ◆ **Permitted Residential and Accessory Uses**
 - Detached single-family dwelling
 - Mixed-use, predominantly residential buildings
 - Conversion of a single-family dwelling to a two-family dwelling
 - Boarding house, up to four boarders not members of the primary resident's household
 - Home occupations
 - Professional office

¹⁸⁸ This is a proposed new district that replaces General Business in two locations: West Main Street, and immediately east of the Downtown Business District between Adams Street and Groton Harvard Road.

¹⁸⁹ Permitted commercial uses in buildings up to 5,000 ft²; otherwise by special permit.

Personal service

Business workshop

- Bed and breakfast

◆ **Special Permitted Uses**

- Multi-family dwelling, townhouse, up to eight units
- Laundromat
- Auto repair shop
- Indoor recreation or amusement facility
- Video tape rental and sales, and rental and sales of related equipment

◆ **Basic Dimensional Requirements**

- Minimum lot area: 10,000 ft²
- Minimum frontage: 80 feet
- Maximum building height: 35 feet
- Maximum stories: 2.5 stories
- Maximum building coverage: None
- Floor area ratio: 1.0¹⁹⁰
- Minimum front yard setback: 10 feet
- Minimum side yard setback: 10 feet
- Minimum rear yard setback: 25 feet
- Open space percentage of lot area: 5%, unless waived by the Planning Board as part of the site plan approval process

General Business District

- ◆ **Purposes:** The purposes of the General Business District are to encourage a wide range of commercial uses in a manner consistent with the visual character of the town, strengthen and stabilize the town's tax base, avoid the appearance and hazards of a strip commercial area, avoid "big-box" development, provide goods and services used by

¹⁹⁰ For commercial uses only; residential uses "N/A"

local and regional residents, and encourage small- and medium-size businesses to locate and stay in Ayer.

◆ **Permitted Commercial Uses**

- All uses permitted in the Downtown Business District
- Shop of an electrician, painter, paper-hanger, plumber, upholsterer, carpenter or cabinet-maker and similar trades
- Indoor recreation or amusement facility
- Video tape rental and sales, and rental and sales of related equipment
- Auto sales, automotive service station or filling station
- Take-out food establishment or delicatessen where food is prepared and sold retail but not consumed on the premises; or catering services
- Drive-through service for a permitted commercial use, except food service establishments
- Dry cleaning and pressing or tailor shop, including work done on the premises for retail outlets elsewhere

◆ **Permitted Residential and Accessory Uses¹⁹¹**

- Multi-family dwellings when carried out in a mixed-use development that includes permitted commercial uses (limit residential uses to maximum of 60% of gross floor area)
- Conversion of a single-family dwelling to a two-family or multi-family dwelling, up to four units, subject to an affordable housing requirement
- Congregate residence for the elderly, up to six units per building
- Bed and breakfast

◆ **Special Permitted Uses**

- Multi-family dwellings, townhouses, up to 10 units per acre, provided that at least 10% are affordable to low- or moderate-income households
- New two-family dwellings
- Assisted living facility, nursing home

¹⁹¹ As with commercial uses, residential and accessory uses in the General Business District should be subject to site plan approval.

- Private hospital
- Commercial or public parking area
- Funeral home
- Repair garage or body shop for motorized vehicles
- Veterinary clinic or animal hospital
- Drive-through for food service establishments

◆ **Basic Dimensional Requirements**

- Minimum lot area: 40,000 ft²
- Minimum frontage: 150 feet
- Maximum building height: 40 feet
- Maximum stories: 3 stories
- Maximum lot coverage: 80%
- Maximum building coverage: 60%
- Floor area ratio: 1.50
- Maximum gross floor area per building: 80,000 ft²
- Minimum front yard setback: 20 feet
- Maximum front yard setback: 30 feet
- Minimum side yard setback: 25
- Minimum rear yard setback: 25
- Open space percentage of lot area: 20%

RESIDENTIAL DISTRICTS

Amend the use and dimensional regulations for the General Residence, Residence A-2 and Residence A-1 Districts, including a district name change from “General Residence” to “Village Residence,” as follows:

Village Residence District

- ◆ **Purposes:** The purposes of the Village Residence District are to preserve and enhance the established development pattern and traditional neighborhoods around downtown

Ayer, to promote a wide range of housing choices in walkable neighborhoods, and to provide opportunities for new investment in areas with adequate infrastructure and services.

◆ **Permitted Residential Uses**

- Detached single-family dwelling
- Single-family to multi-family conversion use permitted by right, up to four units within the existing footprint, subject to site plan approval to assure adequate parking and landscaping. (Related change: amend Table IV-5A, Parking, to require an average of 1.5 parking spaces per unit for single-family to multi-family conversions.)
- New two-family dwelling
- New multi-family dwelling, townhouse, up to 12 units per acre, subject to site plan approval. (Related change: amend Table IV-5A, Parking, to require 1 parking space per studio unit, an average of 1.5 parking spaces per one-bedroom unit, and two spaces per two+ bedroom unit.)
- Congregate residence for the elderly, up to six units per building
- Boarding house, up to four boarders not members of the primary resident's household
- Dwelling units above the ground floor of a lawfully pre-existing, non-conforming commercial or office building

◆ **Permitted Accessory Uses**

- One accessory dwelling in an existing single-family residence, with no increase in building footprint and no change to the building exterior except where required to comply with the Massachusetts Building Code. Subject to site plan approval. (Related change: amend Table IV-5A, Parking, to require one parking space per accessory dwelling unit.)
- Bed and breakfast
- Home occupations
 - Professional office
 - Personal service
 - Business workshop

◆ **Permitted Commercial Uses**

- Child care or day care center

◆ **Special Permitted Uses**

- Infill Development: the Planning Board may grant a frontage waiver for a lot that meets the district's minimum lot area requirement, provided the lot is used for a single-family, two-family or multi-family dwelling (up to four units), subject to affordability requirements.¹⁹²
- One accessory dwelling in an existing single-family residence, requiring an increase in building footprint to accommodate the dwelling unit. (Amend Table IV-5A, Parking, per above.)
- Home Occupations
Specialty retail, e.g., crafts, antiques
- Assisted living facility, nursing home

◆ **Basic Dimensional Requirements**

- Minimum lot area: 10,000 ft²
- Minimum frontage: 80 feet
- Maximum building height: 35 feet
- Maximum stories: 2.5 stories
- Maximum lot coverage: N/A
- Maximum building coverage: 40%
- Floor area ratio: N/A
- Minimum front yard setback: 20 feet
- Minimum side yard setback: 10
- Minimum rear yard setback: 25
- Open space percentage of lot area: 20%

¹⁹² Sample affordability requirements: single-family dwelling must be affordable to a household 80-100% of area median income; one unit in a two-family dwelling, or one unit in a three- or four-family dwelling, affordable to households at or below 80% of area median income, with affordable units preserved by a deed restriction for the maximum period allowed by law. The town may limit the number of infill residential use permits that can be granted within the Village Residence District.

Residence A-2 District

- ◆ **Purposes:** The purpose of the Residence A-2 District is to provide a variety of housing near commercial areas, schools, public facilities and community institutions, in moderate-density traditional neighborhoods.

- ◆ **Permitted Residential Uses**

- Detached single-family dwelling
- Boarding house, up to four boarders not members of the primary resident's household
- Open space-residential development¹⁹³
- Age-restricted housing, up to 8 units per acre on lots with water and sewer service outside the Petapawag ACEC.
- Dwelling units above the ground floor of a lawfully pre-existing, non-conforming commercial or office building

- ◆ **Permitted Accessory Uses**

- One accessory dwelling in an existing single-family residence, with no increase in building footprint or gross floor area and no change to the building exterior except where required to comply with the Massachusetts Building Code. (Related change: amend Table IV-5A, Parking, per Village Residence District.)
- Bed and breakfast
- Home occupations
 - Professional office
 - Personal service

- ◆ **Permitted Commercial Uses**

- Child care or day care center

- ◆ **Special Permitted Uses**

- One accessory dwelling in an existing single-family residence, where accommodating an accessory dwelling necessitates an increase in building footprint or gross floor area. (Related change: amend Table IV-5A, Parking, per Village Residence District.)

¹⁹³ This would replace Ayer's existing cluster bylaw with regulations governing open space-residential development as of right.

- Assisted living facility, nursing home
- Single-family to two-family conversion
- Multi-family dwellings, townhouses, up to 10 units per acre, provided that at least 10% are affordable to low- or moderate-income households; on lots with water and sewer service outside the Petapawag ACEC.¹⁹⁴
- Home Occupations
 - Business workshop
 - Specialty retail, e.g., crafts, antiques

◆ **Basic Dimensional Requirements**

- Minimum lot area: 12,000 ft²
- Minimum frontage: 100 feet
- Maximum building height: 35 feet
- Maximum stories: 2.5 stories
- Maximum lot coverage: N/A
- Maximum building coverage: 25%, unless waived by the Planning Board as part of the site plan approval process for age-restricted or multi-family dwellings
- Floor area ratio: N/A
- Minimum front yard setback: 20 feet
- Minimum side yard setback: 15
- Minimum rear yard setback: 25
- Open space percentage of lot area: 60%, unless waived by the Planning Board as part of the site plan approval process for age-restricted or multi-family dwellings

Residence A-1 District

- ◆ **Purposes:** The purposes of the Residence A-1 District are to preserve the town's outlying areas and scenic landscapes, provide for residential uses appropriate to a rural setting, and protect open space.

¹⁹⁴ The town may limit the number of multi-family dwellings approved by special permit in the Residence A-2 District.

◆ **Permitted Residential Uses**

- All uses permitted in the Residence A-2 District
- Agriculture, as defined in M.G.L. c.128, §1A, on parcels of five acres or less, outside of the Aquifer Protection Overlay District

◆ **Permitted Accessory Uses**

- All accessory uses permitted in the Residence A-2 District.
- Home Occupations
 - Professional office
 - Personal service
 - Business workshop

◆ **Permitted Commercial Uses**

- Child care or day care center

◆ **Special Permitted Uses**

- All uses permitted by special permit in the Residence A-2 District except multi-family dwellings
- Home Occupations
 - Specialty retail, e.g., crafts, antiques

◆ **Basic Dimensional Requirements**

- Minimum lot area: 40,000 ft²
- Minimum frontage: 150 feet
- Maximum building height: 35 feet
- Maximum stories: 2.5 stories
- Maximum lot coverage: N/A
- Maximum building coverage: 15%, unless waived by the Planning Board as part of the site plan approval process for age-restricted dwellings
- Floor area ratio: N/A
- Minimum front yard setback: 35 feet

- Minimum side yard setback: 15
- Minimum rear yard setback: 30
- Open space percentage of lot area: 70%, unless waived by the Planning Board as part of the site plan approval process for age-restricted dwellings

ADDITIONAL LAND USE RECOMMENDATIONS

- ◆ Establish a special revenue fund (M.G.L. c.41, §53E) for development application and review fees and apply the funds to the cost of a full-time planning director's salary.
- ◆ Complete the process of updating Ayer's Official Zoning Map.
- ◆ Amend Article VII, Development Methods, to provide (1) site standards and development guidelines for non-exempt institutional uses and (2) development regulations for conversion uses.
- ◆ Evaluate the appropriateness of Ayer's existing off-street parking requirements for all commercial use categories.
- ◆ Remove the "Summary and Discussion" document that appears at the beginning of the Zoning Bylaw, or substantially revise and relocate it to an appendix. The report was prepared in conjunction with the last Comprehensive Plan Update. While it contains useful background about the basis for many of the zoning changes that were presented to town meeting in 1999, much of the document's content is moot because it refers to zoning regulations that have since been eliminated or replaced. Moreover, it refers to proposals that either were not presented to town meeting or were rejected by voters. As a result, the "Summary and Discussion" report is out of context and makes the Zoning Bylaw needlessly confusing.

LAND USE & GROWTH MANAGEMENT

As a maturely developed town, Ayer does not have a wide range of options to control the amount of development that will occur under buildout conditions. However, it *does* have options to address the quality, scale, and environmental and visual impacts of future development. While Ayer needs better ways to regulate land use, its visual character and livability will hinge on techniques to guide redevelopment and reinvestment in established areas. For Ayer, a sound land use plan must emphasize *qualitative* controls: open space, water conservation and water resource protection, architectural design guidelines, rigorous development and site plan standards, and regulations to control intensity of use — including greater intensity of use in some locations. Toward these ends, Ayer needs to consider a long-term growth management bylaw.

GROWTH MANAGEMENT PRINCIPLES

An effective growth management bylaw for Ayer should focus less on reducing overall development than on guiding development, strengthening property values, fostering

distinctive neighborhoods and encouraging small, clustered commercial areas. The bylaw should be informed by these principles:

- ◆ Ayer deserves a much higher standard of development, particularly on commercial and industrial sites.
- ◆ Since Ayer is geographically so small, it has far less capacity than most towns to absorb the environmental and fiscal impacts of sprawl.
- ◆ Ayer's lack of population wealth means that local officials have to work much harder than their counterparts in affluent towns to secure developments of comparable quality.
- ◆ Ayer has Chapter 40B affordable housing and "below-market" affordable housing, yet many of its families and elderly residents have serious unmet housing needs. Whether through zoning incentives, Local Initiative Program (LIP) comprehensive permits, Community Preservation Act (CPA) revenue or other funds available to the town, Ayer should develop an inventory of safe, decent affordable housing that meets locally identified housing needs while satisfying the Chapter 40B definition of "low- and moderate-income housing."

CONCEPTUAL DESIGN OF A GROWTH MANAGEMENT BYLAW

- ◆ **Residential Uses.** Establish an upper limit on the number of new residential building permits issued per year (aggregate) and per applicant, with exemptions for any of the following uses:
 - Dwelling units in an open space-residential development that preserves at least 50% of the site as permanently protected, common open space
 - Deed-restricted affordable dwelling units that meet priority housing needs identified in Ayer's Affordable Housing Plan
 - Accessory dwelling units in single-family homes
 - Accessory dwelling units in buildings used principally for commercial purposes
- ◆ For non-exempt residential developments, require phased construction or allow the applicant to pay a fee in lieu of complying with the phasing requirement. Deposit in-lieu-of fees in a growth management trust fund that may be used for open space acquisition, creation and preservation of affordable housing, and community facilities.¹⁹⁵
- ◆ **Commercial Uses.** Establish an upper limit on the amount of commercial development allowed as of right, except for the following:

¹⁹⁵ Establishing these funds requires a special act of the legislature. Administering them requires an implementation plan, a fee schedule, and a designated oversight agency, e.g., the Board of Selectmen or Planning Board.

- Mixed-use developments that include accessory dwelling units above the ground floor of commercial buildings
 - Commercial development in the General Business District that provides (a) shared or common driveway access with an adjoining site and thereby reduces curb cuts, (b) shared parking areas, or (c) significant public sidewalk improvements, including landscaping
 - Redevelopment or intensification of use on existing commercial lots, resulting in the placement of buildings close to the road and parking on the side and rear of the property
 - Green buildings
 - Specialty retail stores
- ◆ **Industrial Uses.** Establish an upper limit on the amount of industrial development allowed as of right, except for the following:
- Campus-style development in Industrial District-I
 - Eco-industrial development
 - Expansion of existing industries that qualify as permitted uses in the applicable industrial district
 - Green buildings
 - Low-volume water users

Permitted commercial and industrial uses that exceed the size limit would be allowed as special permitted uses, to be reviewed for environmental, traffic, neighborhood and economic impacts.

Appendix D: Ayer Open Space Inventory

Parcel ID#	Purpose	St#	Street	Owner	Notes	Acres	Zoning District
019/001.0-0000-0004.0	Public	0	Fitchburg Road	Commonwealth of Massachusetts		2.00	IL
019/002.0-0000-0011.0	Public	0	Groton Shirley Road	Commonwealth of Massachusetts		1.88	A2
019/003.0-0000-0002.0	Chapter 61	0	Old Harbor Road	Moore, Calvin E., Tr., Cowfield Trust		22.25	A2
019/004.0-0000-0001.0	Chapter 61-A	0	Old Groton Road	Smith, Steven		62.60	A1
019/004.0-0000-0006.0	Chapter 61-A	0	Old Groton Road	Eliades, David J. & Barbara		3.00	A1
019/004.0-0000-0009.0	Chapter 61-A	0	Old Groton Road	Eliades, David J. & Barbara		40.44	A1
019/004.0-0000-0015.0	Chapter 61-A	0	Old Groton Road	Eliades, David J. & Barbara		6.81	A1
019/004.0-0000-0039.0	Chapter 61	0	Washington Street	Moore, Calvin E., Tr., Cowfield Trust		10.85	A2
019/005.0-0000-0002.0	Chapter 61	0	Snake Hill Road	GVM Realty		20.16	A1
019/005.0-0000-0005.0	Chapter 61	0	Snake Hill Road	Moore, Calvin E., Tr., Cowfield Trust		12.60	A1
019/005.0-0000-0006.0	Chapter 61	0	Snake Hill Road	Moore, George		44.50	A1
019/006.0-0000-0008.0	Unconfirmed	0	Snake Hill Road	Owner Unknown		2.10	A1
019/006.0-0000-0010.0	Chapter 61	0	Snake Hill Road	Moore, Calvin E., Tr., Cowfield Trust		12.90	A1
019/008.0-0000-0016.0	Public	0	Littleton Road	Town of Ayer	Water Department	15.22	IH
019/009.0-0000-0005.0	Unconfirmed	0	Westford Road	Owner Unknown		0.08	A1
019/010.0-0000-0001.0	Public	0	Fitchburg Road	Commonwealth of Massachusetts		2.40	IL
019/011.0-0000-0005.0	Unconfirmed	0	Fitchburg Road	Owner Unknown		0.06	IL
019/011.0-0000-0039.0	Unconfirmed	0	Groton School Road	Owner Unknown		0.06	A2
019/011.0-0000-0046.0	Unconfirmed	0	Groton School Road	Owner Unknown		0.23	A2
019/012.0-0000-0001.0	Chapter 61	0	Jackson Street Ext	Moore, Calvin E., Tr., Cowfield Trust		21.81	A2
019/012.0-0000-0004.0	Unconfirmed	0	Groton School Road	Owner Unknown		0.23	A2
019/012.0-0000-0007.0	Unconfirmed	0	Groton School Road	Owner Unknown		0.76	GB
019/012.0-0000-0059.0	Public	0	Victor Drive	Town of Ayer		3.61	A2
019/012.0-0000-0059.0	Public	0	Victor Drive	Town of Ayer		3.61	A2
019/013.0-0000-0005.0	Unconfirmed	0	Washington Street	Owner Unknown		0.04	A1
019/013.0-0000-0009.0	Chapter 61	0	Pleasant Street Ext	Pleasant St. Realty Trust		6.23	A2

Parcel ID#	Purpose	St#	Street	Owner	Notes	Acres	Zoning District
019/013.0-0000-0010.0	Chapter 61	0	Nashua Street	Moore, G. Victor		4.60	A2
019/014.0-0000-0001.0	Chapter 61-B	0	Snake Hill Road	Ayer Gun & Sportsman's Club		7.25	A1
019/014.0-0000-0002.0	Chapter 61-B	0	Snake Hill Road	Ayer Gun & Sportsman's Club		12.50	A1
019/014.0-0000-0003.0	Public	0	Groton Harvard Road	Town of Ayer		121.50	A1
019/014.0-0000-0003.0	Public	0	Groton Harvard Road	Town of Ayer		121.50	A1
019/014.0-0000-0004.0	Chapter 61-B	0	Snake Hill Road	Ayer Gun & Sportsman's Club		44.00	A1
019/014.0-0000-0007.0	Chapter 61-B	0	Snake Hill Road	Ayer Gun & Sportsman's Club		1.42	A2
019/015.0-0000-0001.0	Chapter 61-B	0	Wright Road	Ayer Gun & Sportsman's Club		13.56	A2
019/015.0-0000-0002.0	Public	0	Wright Road	Town of Ayer	Long Pond Dam	30.22	A1
019/015.0-0000-0002.0	Public	0	Wright Road	Town of Ayer	Lond Pond Dam	30.22	A1
019/015.0-0000-0036.0	Unconfirmed	0	Wright Road	Owner Unknown		0.09	A2
019/015.0-0000-0041.0	Unconfirmed	0	Wright Road	Owner Unknown		0.15	A2
019/016.0-0000-0020.0	Public	0	Stony Brook Road	Town of Ayer		0.76	IH
019/016.0-0000-0068.0	Public	0	Westford Road Wsly	Town of Ayer		1.16	A1
019/016.0-0000-0069.0	Public	0	Westford Road Wsly	Town of Ayer		0.43	A1
019/017.0-0000-0005.0	Public	0	Nemco Way (Off)	Town of Ayer		28.50	A1
019/017.0-0000-0006.0	Public	0	Nemco Way (Off)	Town of Ayer	Water Department	0.96	A1
019/017.0-0000-0007.0	Public	0	Nemco Way (Off)	Town of Ayer	Water Department	12.60	A1
019/017.0-0000-0010.0	Public	0	Nemco Way (Off)	Commonwealth of Massachusetts		1.00	IH
019/017.0-0000-0013.0	Public	0	Nemco Way (Off)	Town of Ayer		30.50	IH
019/017.0-0000-0016.0	Public	0	Nemco Way (Off)	Commonwealth of Massachusetts		1.75	IH
019/017.0-0000-0023.0	Public	0	Stony Brook Road	Town of Ayer		1.15	IH
019/019.0-0000-0014.0	Pr. Non-Profit	0	Brook Street	Roman Catholic Archbishop of Boston	St. Mary's Cemetery	5.50	GR
019/020.0-0000-0050.0	Public	0	Washington Street	Town of Ayer		2.43	A1
019/021.0-0000-0001.0	Public	0	Snake Hill Road	Town of Ayer		0.07	A2
019/021.0-0000-0013.0	Unconfirmed	0	Snake Hill Road	Owner Unknown		0.03	A2
019/022.0-0000-0010.0	Unconfirmed	0	Mountain View Avenue	Owner Unknown		0.05	A2
019/022.0-0000-0020.0	Public	0	Sandy Pond Road	Town of Ayer	Town Beach	1.00	A2

Parcel ID#	Purpose	St#	Street	Owner	Notes	Acres	Zoning District
019/023.0-0000-0015.0	Public	0	Sandy Pond Road	Town of Ayer		0.23	A2
019/025.0-0000-0008.0	Unconfirmed	0	West Main Street	Owner Unknown		1.40	GR
019/025.0-0000-0023.0	Public	0	Macpherson Road	Town of Ayer	Sewer System	76.50	A1
019/026.0-0000-0029.0	Public	0	Park Street	Town of Ayer		0.03	DB
019/026.0-0000-0031.0	Public	0	West Main Street	Town of Ayer		3.60	GR
019/026.0-0000-0053.0	Public	0	Shirley Street	Town of Ayer		0.13	GR
019/026.0-0000-0114.0	Unconfirmed	0	Pearl Street	Owner Unknown		0.05	DB
019/026.0-0000-0231.0	Public	1	Main Street	Town of Ayer		0.75	DB
019/026.0-0000-0286.0	Public	0	Main Street	Town of Ayer		0.44	GR
019/026.0-0000-0297.0	Unconfirmed	0	Forest Street	Owner Unknown		0.05	GR
019/027.0-0000-0040.0	Public	0	Cambridge Street	Town of Ayer		3.00	A2
019/027.0-0000-0049.0	Unconfirmed	0	Central Avenue	Owner Unknown		0.08	GB
019/027.0-0000-0111.0	Public	0	East Main Street	Commonwealth of Massachusetts		0.05	GR
019/027.0-0000-0137.0	Public	0	Groton Harvard Road	Town of Ayer		0.61	IL
019/027.0-0000-0163.0	Public	0	Groton Harvard Road	Town of Ayer		0.59	A2
019/028.0-0000-0065.0	Unconfirmed	0	Central Avenue	Owner Unknown		0.07	A2
019/028.0-0000-0135.0	Public	0	Sandy Pond Road	Town of Ayer		0.40	A2
019/029.0-0000-0012.0	Chapter 61-A	0	Snake Hill Road	Matheson, Eunice P. & Frank W., Tr.		28.00	IL
019/030.0-0000-0011.0	Unconfirmed	0	Littleton Road	Owner Unknown		0.09	A1
019/032.0-0000-0001.0	Public	0	West Main Street	Town of Ayer		3.75	GR
019/032.0-0000-0006.0	Public	0	West Main Street	Commonwealth of Massachusetts		0.28	GR
019/032.0-0000-0007.0	Unconfirmed	0	West Main Street	Owner Unknown		0.13	GR
019/032.0-0000-0025.0	Public	167	West Main Street	Town of Ayer		0.20	GB
019/032.0-0000-0026.0	Public	163	West Main Street	Commonwealth of Massachusetts	MassHighway	0.18	GR
019/032.0-0000-0042.0	Public	0	West Main Street	Town of Ayer		1.10	IL
019/033.0-0000-0024.0	Public	0	Bligh Street	Town of Ayer		0.65	IL
019/034.0-0000-0017.0	Public	0	Bligh Street	Town of Ayer	Town Park	27.03	A2
019/034.0-0000-0040.0	Unconfirmed	0	Maple Street	Owner Unknown		0.06	A2

Parcel ID#	Purpose	St#	Street	Owner	Notes	Acres	Zoning District
019/034.0-0000-0076.0	Public	0	Harvard Rd/E Main St	Town of Ayer	Water Department	1.30	GB
019/035.0-0000-0023.0	Unconfirmed	0	Harvard Road	Owner Unknown		0.02	GR
019/035.0-0000-0051.0	Pr. Non-Profit	0	Harvard Road	Woodlawn Cemetery Co.		5.00	GR
019/035.0-0000-0054.0	Chapter 61-A	0	Harvard Road	Maxant, William T.		3.00	IL
019/035.0-0000-0189.0	Public	0	Littleton Road	Town of Ayer		0.02	GB
019/035.0-0000-0190.0	Public	0	Copeland Drive	Town of Ayer		0.03	GB
019/037.0-0000-0010.0	Chapter 61-A	0	Littleton Road	Matheson, Eunice P. & Frank W., Tr.		15.00	A2
019/042.0-0000-0001.0	Chapter 61-A	0	Willard Street	Maxant, William T.		1.20	GR
019/043.0-0000-0001.0	Chapter 61	0	Shaker Road	Tracey, Daniel & Melissa		0.11	A2
019/046.0-0000-0003.0	Public	0	Various Locations	Mass. Bay Transit Authority		22.04	IL

Appendix E: Ayer Chapter 40B Inventory

Source of Units	Address	Funding Agency	40B Restriction Units Expires
Silas Nutting Grove Apts	18 Pond Street	DHCD	7 Perpetual
Silas Nutting Grove Apts (B)	18 Pond Street	DHCD, HUD	20 Perpetual
Silas Nutting Grove Apts (A)	18 Pond Street	DHCD	34 Perpetual
	Issac's Lane(12u)/ 18 Pond Street (1u)	DHCD	13 Perpetual
Ayer HOR program - 1994	Scattered sites	DHCD	3 2007
Ayer HOR program - 1995	Scattered sites	DHCD	5 2013
Ayer HOR Program - 1999	Scattered sites	DHCD	6 2005
Ayer HOR Program - 1999	Scattered sites	DHCD	10 2006
Ayer HOR Program - 1999	Scattered sites	DHCD	4 2011
Ayer HOR Program - 1998	Scattered sites	DHCD	12 2005
Ayer HOR Program - 1998	Scattered sites	DHCD	1 2004
Woodland Village	68 East Main Street	DHCD	3 2031
Ayer Total			118
Total Year-Round Units			3,141
Chapter 40B%			3.76%

Appendix F: Vacant Commercial & Industrial Land Inventory & Potential Development Capacity

Vacant Industrial Parcels and Development Potential						
Parcel	Location	Owner	Acres	Estimated Square Footage (at 12.9% FAR average)	Estimated Developed Assessment (at \$8.09 per lot SF average)	Estimated Tax (at \$22.90/1000)
0001-0001	FITCHBURG ROAD	UNKNOWN	2.07	11,632	\$729,469	\$16,704.84
0001-0005	FITCHBURG ROAD	99 FITCHBURG ROAD, LLP	0.92	5,170	\$324,208	\$7,424.37
0001-0006	FITCHBURG ROAD	99 FITCHBURG ROAD, LLP	0.92	5,170	\$324,208	\$7,424.37
0001-0007	FITCHBURG ROAD	99 FITCHBURG ROAD, LLP	0.93	5,226	\$327,732	\$7,505.07
0007-0036	WESTFORD ROAD	ORION REALTY TRUST	1.53	8,597	\$539,173	\$12,347.05
0007-0038	WESTFORD ROAD	ORION REALTY TRUST	2.26	12,699	\$796,425	\$18,238.13
0008-0003	WESTFORD ROAD	N E HYDRO TRANS ELECTRIC CO., INC.	2.48	13,936	\$873,953	\$20,013.52
0008-0004	WESTFORD ROAD	N E HYDRO TRANS ELECTRIC CO., INC.	20.70	116,318	\$7,294,688	\$167,048.36
0008-0015	NEMCO WAY	UNKNOWN	8.04	45,179	\$2,833,299	\$64,882.55
0008-0022	NEMCO WAY	UNKNOWN	8.50	47,764	\$2,995,403	\$68,594.74
0011-0003	FITCHBURG ROAD	GARRISON, INC.	15.35	86,255	\$5,409,346	\$123,874.03
0017-0014	NEMCO WAY	HORIZON MILLING, LLC	5.70	32,030	\$2,008,682	\$45,998.82
0017-0020	STONY BROOK ROAD	STONY BROOK ASSOC REALTY TRUST	2.45	13,767	\$863,381	\$19,771.42
0023-0020	GOLDEN TRIANGLE	GUILFORD INDUSTRIES, INC.	5.00	28,096	\$1,762,002	\$40,349.85
0023-0021	WILLOW ROAD	BOSTON & MAINE CORP.	1.02	5,732	\$359,448	\$8,231.37
0024-0001	GOLDEN TRIANGLE	UNKNOWN	74.10	416,386	\$26,112,870	\$597,984.71
0024-0002	GOLDEN TRIANGLE	UNKNOWN	15.50	87,098	\$5,462,206	\$125,084.52

Vacant Industrial Parcels and Development Potential						
Parcel	Location	Owner	Acres	Estimated Square Footage (at 12.9% FAR average)	Estimated Developed Assessment (at \$8.09 per lot SF average)	Estimated Tax (at \$22.90/1000)
0024-0003	GOLDEN TRIANGLE	GUILFORD INDUSTRIES, INC.	33.00	185,435	\$11,629,213	\$266,308.98
0024-0004	GOLDEN TRIANGLE	GUILFORD INDUSTRIES, INC.	3.60	20,229	\$1,268,641	\$29,051.89
0029-0010	SNAKE HILL ROAD	AYER DEVELOPMENT CO., INC.	0.97	5,451	\$341,828	\$7,827.87
0029-0012	SNAKE HILL ROAD	UNKNOWN	28.00	157,339	\$9,867,211	\$225,959.14
0030-0024	WILLOW ROAD	COUTU, MARY C - TRUSTEE	20.70	116,318	\$7,294,688	\$167,048.36
0030-0025	WILLOW ROAD	COUTU, MARY C - TRUSTEE	10.00	56,192	\$3,524,004	\$80,699.69
0032-0011	WEST MAIN STREET	NEW AGE DEVELOPMENT COMPANY, INC.	4.00	22,477	\$1,409,602	\$32,279.88
0033-0003	SCULLY ROAD	JBC ASSOCIATES	2.23	12,531	\$785,853	\$17,996.03
0033-0028	SCULLY ROAD	THE SCULLY RD REALTY TRUST	1.01	5,675	\$355,924	\$8,150.67
0036-0001	LITTLETON ROAD	UNKNOWN	20.00	112,385	\$7,048,008	\$161,399.38
Total			288.91	1,623,454.63	\$101,812,000	\$2,170,095

Vacant Commercial Parcels and Development Potential						
Parcel	Location	Owner	Acres	Estimated Square Footage (at 16% FAR average)	Estimated Assessment (at \$19.81 per lot SF average)	Estimated Tax (at \$22.90/1000)
0011-0031	FITCHBURG ROAD	FIRST AYER REALTY TRUST	0.69	4,809	\$595,437	\$13,635.51
0018-0006	FITCHBURG ROAD	UNKNOWN	0.11	767	\$94,925	\$2,173.78
0019-0018	PARK STREET	UNKNOWN	10.03	69,905	\$8,655,414	\$198,208.97
0026-0020	PARK STREET	F & P WILLOWS TRUST	0.96	6,691	\$828,434	\$18,971.15
0026-0095	PARK STREET	KLEENIT, INC	1.63	11,360	\$1,406,613	\$32,211.43
0026-0116	WEST STREET	CHANDLER MACHINE CO.	0.35	2,439	\$302,033	\$6,916.56
0026-0280	CENTRAL AVENUE	RUSSELL, FRANCIS - TRUSTEE	0.23	1,603	\$198,479	\$4,545.17
0027-0103	CENTRAL AVENUE	UNKNOWN	0.58	4,042	\$500,512	\$11,461.74
0032-0051	WEST MAIN STREET	WORTHEN REALTY TRUST	8.23	57,360	\$7,102,099	\$162,638.07
0034-0075	SANDY POND ROAD	JOHN E CAIN CO	4.30	29,969	\$3,710,696	\$84,974.93
0034-0078	EAST MAIN STREET	CUMBERLAND FARMS, INC.	0.91	6,342	\$785,287	\$17,983.07
0035-0006	LITTLETON ROAD	J&M REAL ESTATE DEVELOPMENT, LLC	0.72	5,018	\$621,326	\$14,228.36
0035-0013	LITTLETON ROAD	EPIC ENTERPRISES, INC.	1.37	9,548	\$1,182,245	\$27,073.41
Totals			30.11	209,855	\$25,983,500	\$595,022.14

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