

Land Use

Land Use

Land Use by Area:

- 33% Developed Uses (Residential, Commercial & Industrial)
- 18% Infrastructure, Public & Institutional
- 49% Open Space (Protected & Unprotected)

Assessed Valuation:

65% Residential

35% Commercial

Zoning:

53% Residential

- R
- R1
- R2

2% Mixed Use/Specialized

- Downtown Business
- Health Care Services

46% Commercial/

Industrial

- General Business
- Light Industrial
- Heavy Industrial
- Devens Regional Enterprise Zone

33% Natural Resource

Protection Overlays

- Aquifer Protection Zone
- Floodplain

Introduction

Ayer's land use has evolved around its natural topography and environmental resources and was deeply influenced by rail and roadway transportation infrastructure as well as the presence of the military. All of these factors have served to attract population to Ayer over the course of the Town's history. Development follows the radial road network consisting of connecting roads that have existed since before the town was incorporated, with hubs at downtown and the Carlton Rotary. While Ayer's distance from regional markets initially slowed the pace of growth, the development of the railroad junction spurred the growth of dense development in downtown Ayer and surrounding neighborhoods.

Critical water resources, including a string of ponds, streams, and brooks, as well as the Nashua River that forms the western border of the town, originally helped to support the Native American population and early agricultural settlers. The ponds have impacted land use both by creating a physical barrier that defines where infrastructure and development can extend, as well as providing economic opportunity such as water-powered industry and ice extraction that served to attract growth. More recently, water resources are perceived to enhance quality of life, attracting residential development around the ponds, while the possibility of increased inland flooding due to climate change may impact land use choices going forward.

The military has also had a significant impact on Ayer's land use. The site occupied by Fort Devens has been in use by armed forces dating as far back as 1656, when Major Simon Willard established a base for the Massachusetts Bay Colony militia. Military usage of the base resumed during the Civil War when Camp Stevens was established on the site. Camp Devens was established in 1917, and became a permanent installation in 1932, at which point it was named Fort Devens. The base operated continuously until 1996, when the base was closed; however, a portion of the base is still used for military training and reserves today. During its heyday, the extensive military presence on the adjacent base spurred commercial activity and demand for residential growth in Ayer. Since the base's closure, much of the land that had been taken to create the base has been permanently preserved as open space, while portions have been redeveloped or converted to civilian commercial and residential use.



Land use determines who lives and works in Ayer, their quality of life, and the fiscal sustainability of the town government. The Land Use Vision integrates the goals and recommendations of all of the Master Plan elements to articulate a consistent set of principles that guide policy and funding choices going forward and shapes what kind of community Ayer aspires to be in the future. These priorities include protecting Ayer's natural and cultural resources, improving transportation access for residents and workers, maintaining the town's socioeconomic and racial and ethnic diversity, providing high quality educational, social services, and recreational resources, and maintaining the high quality of life found within the town's borders.

Ayer can influence future land use to meet its economic, housing, transportation, and resources goals through development regulations, funding priorities, and careful future planning. Development regulations are a critical influence on the patterns of land use and include zoning and subdivision bylaws. These regulations control for what types and how much development can occur throughout the town. Ayer's current zoning bylaw was first adopted zoning in 1973, and has subsequently modified as needed at Town Meeting, with the most significant reorganization occurring in 2009. Ayer is currently in the process of adopting a new zoning bylaw; the creation of which has been in process for over a decade and will be debated at an upcoming Town Meeting where a 2/3 majority vote will be required to adopt the new bylaw.

Land Use Goals

1. Actively protect, conserve, and preserve Ayer's natural resources and supporting infrastructure to protect critical environmental habitats, drinking water supplies, recreational areas, and open spaces.
2. Encourage the expansion and continued redevelopment of Downtown Ayer to expand housing opportunities, for both renters and owners at all income levels, and promote a vibrant downtown through the creation of new public gathering places, increased pedestrian access, and new commercial space.
3. Expand and upgrade multimodal transportation opportunities, including sidewalks, paths, and trails, and rails in addition to roadways, to ensure that residents, workers, and business transportation needs are efficiently met.



Existing Conditions

Developed uses, which include houses and apartments, businesses, and manufacturing or other industrial uses, comprise about one third of town's land area. This includes close to 1,200 acres of residential development and about 800 acres of commercial and industrial land. An additional 18 percent of Ayer's land area is occupied by public uses and infrastructure, including transportation, energy transmission, water supply, etc.

Nearly half of the town, is undeveloped; either water, Chapter 61 lands (agriculture, recreation or forestry), or undeveloped land.

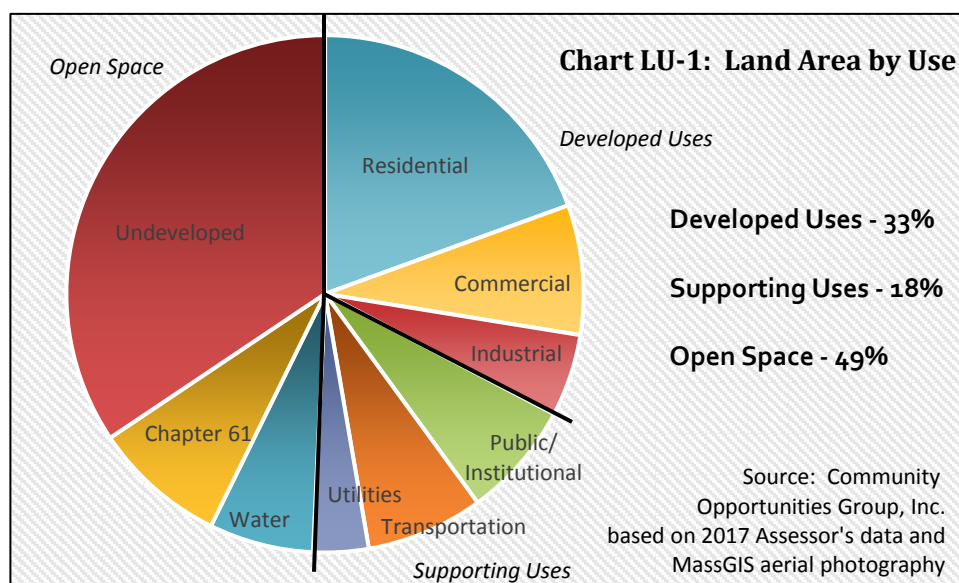


Table LU-1: Land Area Allocation by Use		
Use	Acres	Area
Residential	1,207	19.2%
Commerical/Industrial	1,082	17.3%
Permanent Open Space*	867	13.8%
Utility	210	3.3%
Roads	350	5.6%
Town Owned Land	570	9.1%
Water and Wetlands	878	14%
Other	1,100	17.7%
Type		
Undevelopable	368	5.9%
Potentially Developable	140	2.2%
Developable	190	3.0%

* Does not include semi-protected or unprotect open space.

Source: Assessor's Database, 2017

potential for the town.

Since the 2004 Comprehensive Plan, the town has lost 79 acres of manufacturing land, while making small gains in land used for small retail (less than 10,000 square feet), dining and entertainment, office, and trucking uses. Some commercial land was also lost and converted to residential uses, an increasing issue in Ayer. There are 101 acres of farmland remaining in Ayer, which the Town has added additional permanently protect open space acreage in the past decade.

Based on the current zoning, there is roughly 200 acres remaining of developable land, and potentially an additional 140 acres that may have some development potential. With so little land remaining, it is imperative that future development proposals efficiently utilize remaining land while maximizing revenue

Developed Uses

About 1,200 acres in Ayer is occupied by residential development. The downtown and surrounding older neighborhoods such as Devenscrest, the Acre, and other neighborhoods are characterized by higher density, and more diverse forms of housing uses, including single family, two-family, townhouse, small-scale multifamily, and mixed-use structures. Outlying areas such as those around Flanagan and Sandy Pond and located further from Ayer's core, reflect a development pattern that has predominated since the mid-20th Century, with single family homes on large lots in residential subdivisions. As shown on **Table H-7**, in the housing chapter, the median age



of most of Ayer's multifamily housing stock is 100 years old, while the vast majority of housing built in the 20th Century and beyond has been single family homes (or condominiums). With the exception of a handful of subsidized affordable housing developments constructed within the past 40 years, the majority of the rental housing supply is in 100-year-old buildings. The average lot size for houses built prior to 1950 was less than ½ acre, while lot sizes average around 0.8 acres for houses built after 1980.

The trend toward larger lot single family home development reflects the town's land use regulations. This development pattern consumes more open space, and is more expensive due to land value and infrastructure costs, and is a housing choice that is mostly attractive to higher income households and families with children. New housing development increasingly conflicts with sensitive natural resources and detracts from the community's historic character. Demographic trends on **Charts H-1** and **H-2** show that the town has gained population among families in the past five years, despite a projected decline, while the proportion of young adults and older households has declined or remained flat in spite of projected growth – reflecting type of housing development over this time. The rate of growth is expected to slow over coming decades, as the land available for housing development diminishes.

Commercial and industrial development is located primarily along arterial roadways throughout the town. The downtown has a concentration of intensive, small scale mixed use retail and service-oriented commercial development, as well as an industrial core predominantly occupied by a lumber yard and other uses along Sculley Way, located along the rail line just south of the commuter rail station. Strip commercial and industrial development extends along highway corridors and around the Rotary and the West Main Street gateway. In recent years, conflicts have arisen due to the close proximity of residential properties to industrial properties. Recently, one neighborhood has been besieged by odors from food processing byproducts, while others have had issues with truck traffic, noise, and other nuisances. In upcoming years, Ayer will need to invest in its commercial areas by providing adequate infrastructure and beautification, and protect them by improving design standards and requiring sufficient investment in existing and new properties so as to encourage other property owners to invest. Higher value commercial uses are needed to provide local employment and critical tax revenue, but attracting them will remain a challenge if improvements and investment are not made.

Supporting Uses

The category of "Supporting Uses" includes public and institutional facilities and public and privately-owned infrastructure. Approximately 440 acres are owned by the Town, state, or other government entity (excluding land designated for open space conservation). This includes land used by the water department, as well as public buildings, cemeteries, churches, and other institutional properties. About 450 acres of land used for transportation includes roadways and property of the MBTA and Department of Transportation, while approximately 210 acres are occupied by private utilities, primarily for electrical transmission lines and substations.



Open Space

The Open Space category includes open water, Chapter 61 land (agriculture, recreation, and forestry), and other undeveloped land. As described in the Resources element, there are 867 acres of permanently protected open space in Ayer. Some of the protected open space is included under the “public/institutional” category on Chart LU-1, where there may be open space associated with public wells, schools, or other public infrastructure. For purposes of land use classification, protected open space is classified as “Undeveloped” where it is not associated with public buildings and infrastructure.

According to the Assessor’s database, just over 500 acres of land are enrolled in Chapter 61, which provides a financial incentive for private owners to preserve land for agricultural, forestry, or recreational use by reducing the annual property taxes due. Chapter 61 lands are mostly located in the northern section of town, with notable exception of the Ayer Sportsmen’s Club located south of Sandy Pond Road.

There are nearly 700 acres of undeveloped land which are privately-owned and have no protection from future development. Close to 400 acres of privately-owned open space is estimated to be undevelopable due to wetlands, slopes, or other environmental constraints.¹ The northern section of the town hosts a high concentration of sensitive natural resources, most of which is unprotected.

Zoning

Just over one half of the town is zoned for residential use exclusively. Nearly half is zoned for commercial activity, including General Business, Industrial districts, and the Devens Regional Enterprise Zone. Mixed use/specialized districts include the Downtown Business District and Health Care Services, each comprising 1% of the town’s land area.

Zoning Diagnostic

The Town is poised to adopt a new zoning bylaw at the 2018 Spring Town Meeting. Although the draft bylaw has been in progress for many years, it is necessary to adopt a new bylaw

expeditiously due to the inadequacy of the current zoning bylaw to address current development trends and issues. Periodic modernization efforts are required to maintain a functional bylaw and responsive Planning Board. The proposed zoning map is located on Page 6 and Existing Land Use map, on which the zoning is based, is located on Page 7.

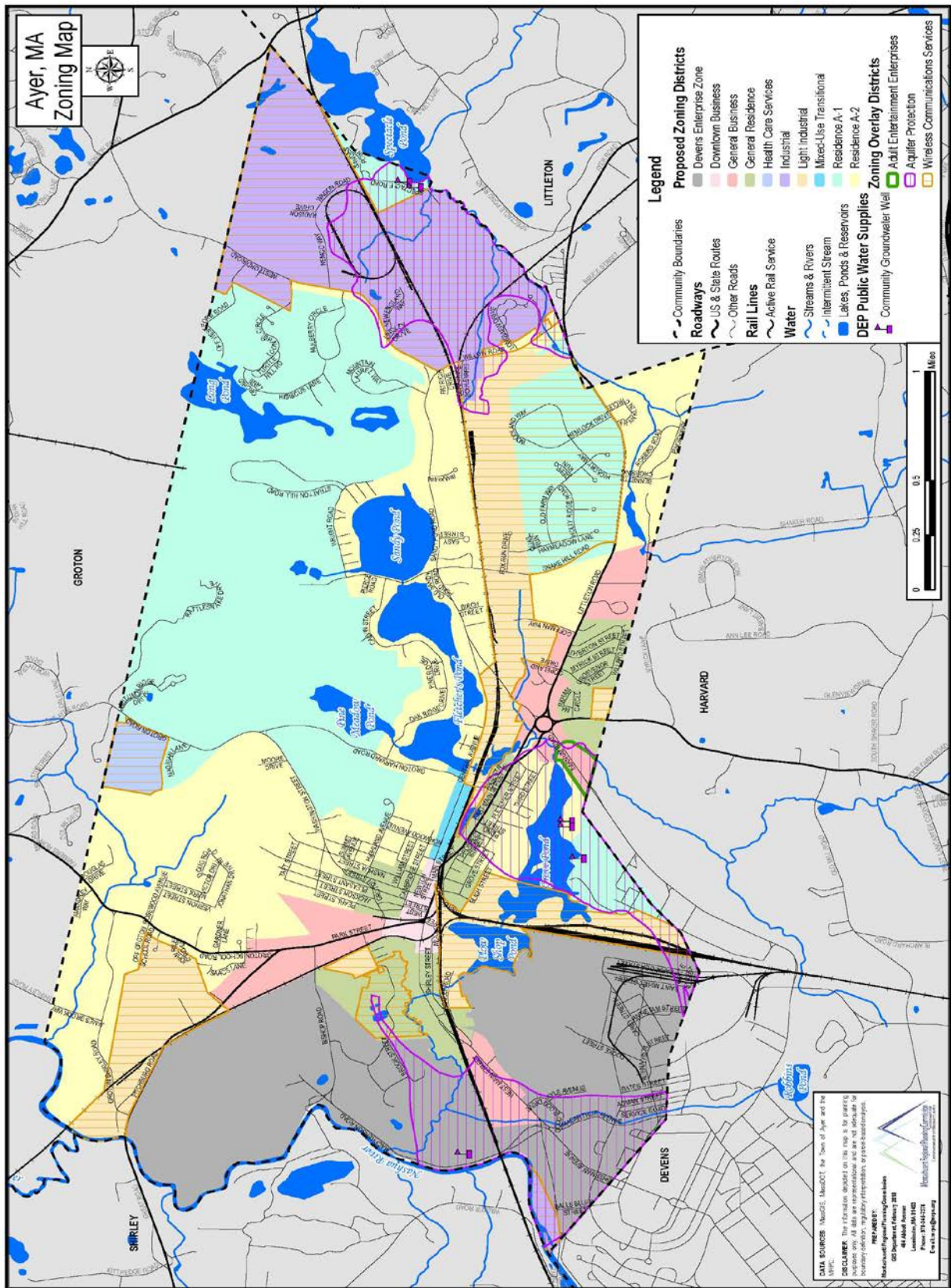
Table LU-2: Zoning Districts by Area (Based on Current Zoning)		
Zoning District	% of Land Area	Est. Acres
Residential	53%	3,300
Residence A1	27%	1,670
Residence A2	26%	1,630
Mixed-Use/Specialized	2%	120
Downtown Business	1%	60
Health Care Services	1%	60
Commercial	46%	2,890
General Business	9%	565
Light Industrial	9%	565
Heavy Industrial	10%	630
Devens Regional Enterprise Zone	18%	1,130
Natural Resource Protection Overlays	33%	2,070
Aquifer Protection Zone	15%	940
Floodplain	18%	1,130

Source: Community Opportunities Group, Inc.

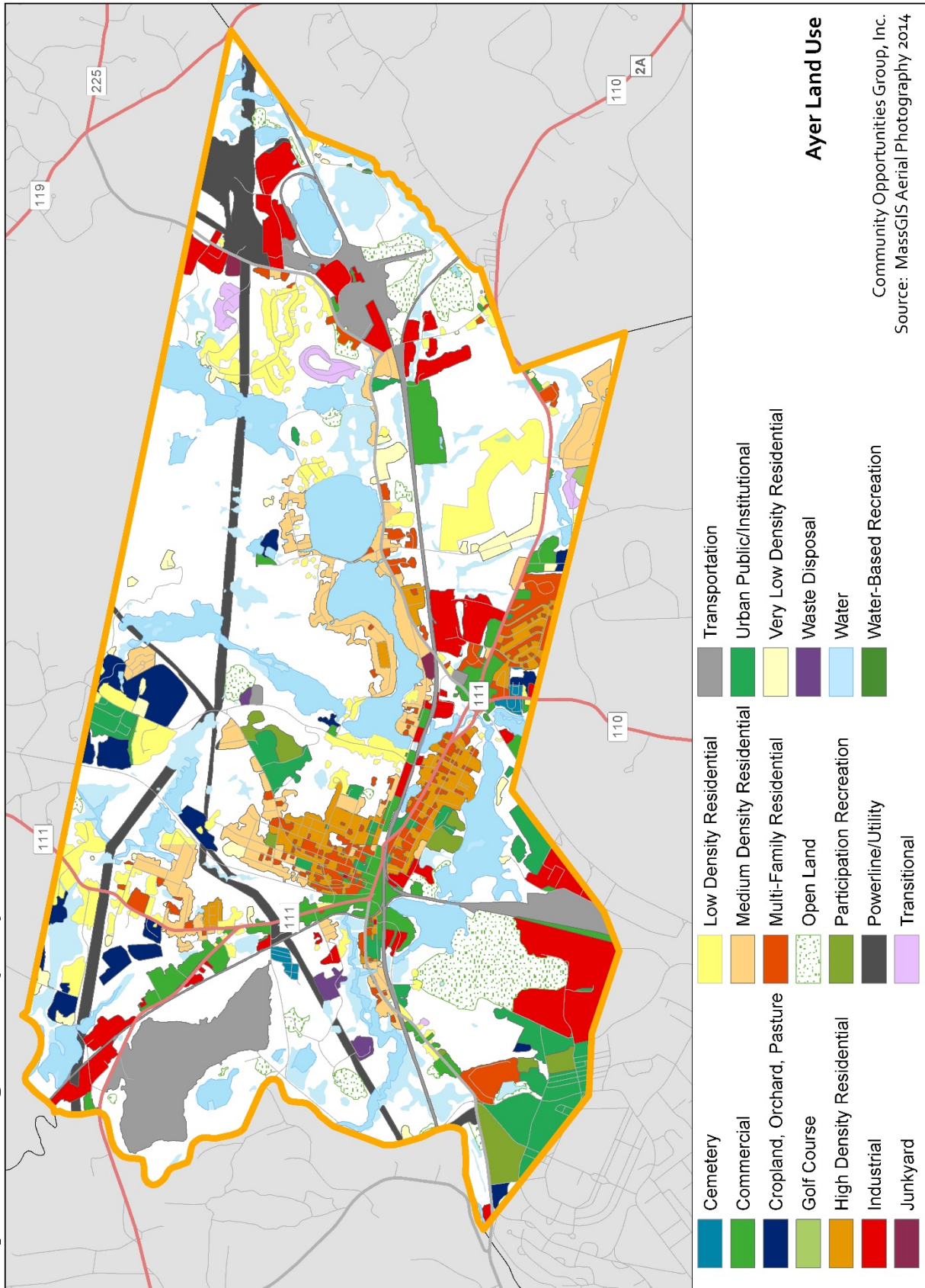
¹ Assessor’s Database, 2017.



Map LU-1: Proposed Zoning Map



Map LU-2: Existing Land Use (2017)



The following is a review of the draft Bylaw slated for approval at the 2018 Spring Town Meeting:

Content and Organization

Content and organization refers to the substantive and technical regulations within the bylaw and how they are organized. The intent is generally to have a clearly worded bylaw that is easy to understand, navigate, and interpret. The following recommendations may enhance the clarity and usability of the proposed bylaw:

- Integrate the Table of Uses, Table of Sign Dimensions and Table of Dimensional Requirements into the main bylaw rather than as appendices. These tables tend to become heavily footnoted over time and it can be rather confusing when critical regulations are missing from the body of the bylaw.
- Add Table for Handicap Accessible Parking requirements.
- Summarize Section 9.1.2 as a table to enhance clarity.
- Review provisions for parking waivers to address overbuilding of parking.
- Consider provisions to waive dimensional requirements for pre-existing non-conforming structures so long as the new development is no more nonconforming than the existing portion of the building. This will help the redevelopment of Ayer's urban lots and allow for safe conversions of existing homes into homes with accessory units, and allow for small multi-family development (two- and three-family housing) and single-family starter homes.
- Raise the building heights in the industrial districts from 40' to 50' to build an industrial supply that meets current demand for industrial space.

Procedures

Establishing project thresholds and requiring more extensive submission requirements and board/subcommittee reviews for higher impact projects might be worth writing into the bylaw. At a minimum, all projects seeking site plan review from the planning board should be required to submit: existing and proposed site plan and elevations and a landscape plan. Beyond that, the town might want a stormwater management plan, traffic study, fiscal impact analysis, shadow studies, illumination plans, construction management plan, etc. but only for projects that are big enough to truly merit their expense as submission requirements. Establishing guidelines for which projects those might be, rather than the Planning Board requesting them on-demand and as requested, maintains a predictable permitting process. The town may also want to set up a special review committee for high impact projects, which would allow the applicant to meet with a subcommittee appointed by the Planning Board (typically comprising a local architect or other design professional, member of the Planning Board, and several residents) several times to work out design issues. Such a committee could make a formal recommendation to the Planning Board prior to the Planning Board's decision. This allows for more public review without clogging the Planning Board's agenda for months at a time.

Also, it is not clear from the proposed Zoning Bylaw how various reviews should be timed and what reviews different types of projects will trigger. Although it is not required, it is usually helpful to lay out some kind of flow chart or other mechanism that identifies all the types of reviews that may be required, and in which order they should be performed. For example, there is a reference in this bylaw that a special permit may only be granted if the ZBA has already granted a variance. That is the only way one might know that they need to go to the ZBA first. It is not clear when one should go to Conservation Commission, Historic Commission, Board of Selectman, or other board or official. The more clearly the process is outlined and the timing of reviews is identified, the more easily the town is able to prevent "board shopping" – a process whereby an applicant may



selectively time their appearance at boards in attempt to leverage approvals from boards perceived as being more lenient into final approvals from boards perceived as more difficult.

Missing Overlays/Provisions

- Smart Growth Zoning Overlay District.** Dubbed *Plow Shop Pond Village*, the Town could adopt a zoning overlay as authorized under M.G.L. Ch.40R (“40R”), that enables the Town to efficiently maximize economic development and housing opportunities in the areas in and around downtown (and meets the definition of an **area of concentrated development**²). Buildings created under a 40R must provide at least 20% of units as affordable housing units affordable to households earning 80 percent of the Area Median Income (\$104,000 for a family four in 2018). In addition, the Town will receive density bonus payments up to \$3,000 per bonus unit created as a result of the new zoning, a one-time zoning incentive payment worth up to \$600,000 , as well as annual reimbursements for any students generated from a project permitted under 40R. Downtown and surrounding areas near the Ayer MBTA Commuter Station would be highly desirable for new and infill development of commercial, residential, and open space property, including the areas around Plow Shop Pond. Provided development meets **design standards**³ adopted locally as part of the Smart Growth Overlay District, and density standards required for either starter homes, multifamily, or mixed-use development with commercial, and constructed using as Low Impact Development techniques; such development should be revenue positive for the Town and expand local housing and business opportunities while improving Ayer’s downtown aesthetics. An example of what Plow Shop Pond Village could look like is located on Pages 12-13, for suggested district area see Future Land Use map on Page 17.
- Petapawag Overlay District.** An overlay protecting the Petapawag Area of Critical Environmental Concern (ACEC) (which is mostly within land zoned R1) was discussed in the appendix of the last master plan (pg. 172). The recommendations for this overlay remain valid and are geared toward reducing development by increasing open space requirements and standards (e.g. no disturbance zones, emphasis on contiguity with other open spaces, flexible dimensional standards and density bonuses for compact development) increased lot minimum lot sizes, allowance of odd shaped lots, etc. and should be adopted as an overlay district at a future Town Meeting. See Future Land Use Map on Page xx.
- West Main Street Gateway District.** This area is adjacent to several recreation amenities such as a kayak launch on the Nashua River, the Devens recreation fields, and the Hawk’s Nest Disc Golf store and disc golfing facility. This area could be zoned and served by public infrastructure so as to allow it to become a hub for recreation-based businesses, retailers, and eateries.
- Demolition Bylaw.** Structures are being raised without much, if any, notification to the Historic Commission and documentation. Some thought should be given to establishing procedures for demolition and ways to discourage the loss of historically significant structures. Offering incentives for the retention of existing structures (one such mechanism is waivers of dimensional requirements for

² An **area of concentrated development** refers to an area with is: 1) currently served by sewer; 2) of which 50% of the land either substantially developed or underutilized; and 3) the primary current use (or, in the case of underutilized land, the primary current zoning) of land and/or buildings is commercial (including retail, office, or industrial businesses) or mixed-use. Land designated as a commercial center under M.G.L. Ch.40, § 60 qualifies as an **Area of Concentrated Development**.

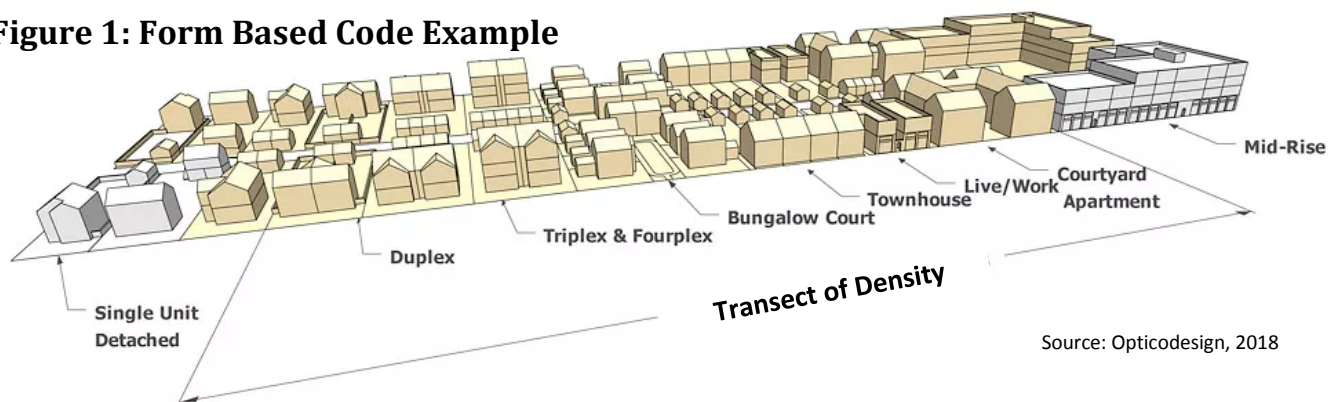
³ **Design Standards** must be clearly written, fairly and consistently applied, and allow for flexibility and creativity, consistent with the goals of M.G.L. Ch.40R, 760 CMR 59.01, 59.02 and 59.04(1)(f).



preexisting nonconformities that make preserving those preexisting deficient setbacks more valuable; density bonuses and lot coverage waivers could also be considered). A process should be established to allow for adequate notification and documentation of potentially eligible structures (potentially any building, landscape, or object (e.g. a monument) over 50 years old) to allow the Historic Commission time to document the building and work with the applicant to negotiate alternatives.

- **Form Based Code.** The Town recently received a \$15,000 grant to help with the production of a Form Based Code for Downtown Ayer. Form based code focuses on the architectural and aesthetic features of buildings, parking and pedestrian facilities, and other common site features, rather than prescribed uses, dimensional requirements, and other such common features of more traditional zoning.

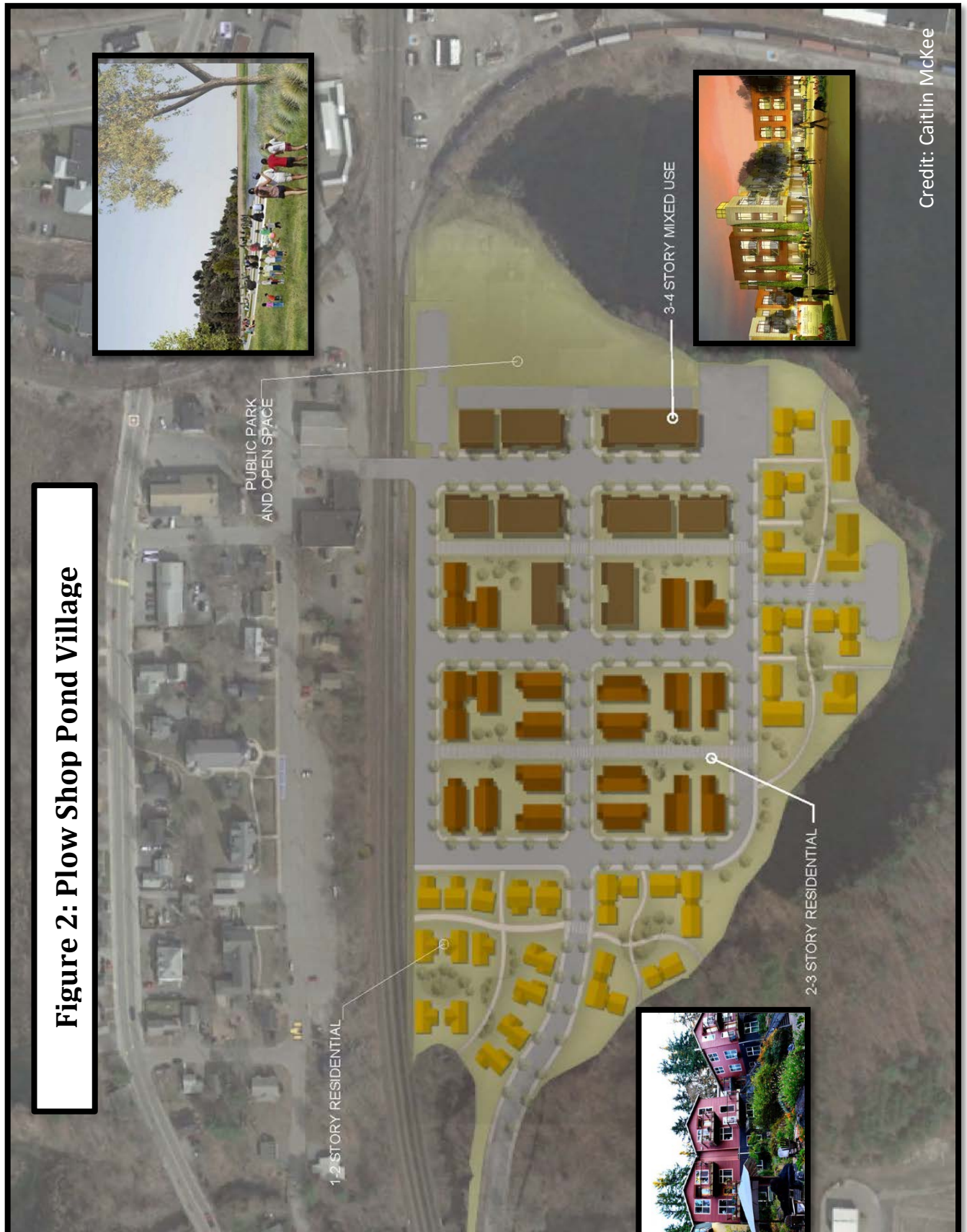
Figure 1: Form Based Code Example



- **Reasonable Accommodations.** There is currently no provision in the bylaw for reasonable accommodations for disabled persons, as required under Title II of the Americans with Disabilities Act. Exempting such accommodations from public process, variances, or other special permits to allow for the expeditious and legal issuance of building permits is a best practice for handling such cases.

Standards

The site plan and design review standards are not as robust as they could be. However, they are written so that a well-trained board could use the site plan and performance standards as-is and would allow them to comment and require any element of design that they would reasonably want to address. This method is more ambiguous to the development community in terms of providing clarity in what the town is looking for in terms of quality and design. Performance standards, particularly those encouraging low impact development techniques (which should be developed with input from DPW), and architectural design guidelines should be illustrated, and written clearly and explicitly so as to remove ambiguity from the bylaw and the review process.



Credit: Caitlin McKee



Figure 3: Plow Shop Pond Village Design Elements**Figure 4: Plow Shop Pond Village Land Uses**

Future Land Use Issues

Limited Land Supply and Future Demand

At just 9.6 square miles and with less than 200 developable acres remaining, Ayer has very limited land available for future development. The town is no longer in a position to be permissive toward developers and land owners seeking to develop fiscally and environmentally unsustainable projects. New projects must be compact and are best suited to occur on underutilized, rather than undeveloped land. Moving forward, the Town's staff, Planning Board, and Zoning Board of Appeals, must review projects to ensure they are in conformance with the Master Plan's goals to provide inclusive housing and economic opportunities, maximize existing multi-modal transportation options, minimize fiscal impacts to the Town for the cost of delivery of services, and protect critical natural and cultural resource protections.

For future residential development, increasing the supply of diverse housing options will be a key priority. Low density single family development is the among the most expensive types of development for the town to serve. Maximizing development potential within existing neighborhoods by focusing on improving underutilized properties, adding units to existing buildings, and infilling on smaller lots will prevent the destruction of critical environmental resources and protect Ayer's water supply. This type of development will allow for the town to continue to provide a diverse housing stock, which serves multiple household types, including seniors, families, and single-person households, which are all growing demographics in Ayer. Diverse housing also benefits the Town's local economy by provide housing options that are nearby to Ayer's employers; this reduces lateness and absenteeism in the workforce and makes the quality of the labor force more attractive to potential businesses that might seek to locate in Ayer. A lack of affordable housing and transportation issues were among the key challenges identified by local businesses during the Master Plan process. One key way to achieve sustainable development that meets the needs of households and businesses is through the adoption M.G.L. Ch. 40R Smart Growth Zoning.

Ayer's commercial development is principally hindered by three factors: 1) location, 2) population, and 3) supply of commercial property. The bulk of land area dedicated to commercial uses is industrial land located adjacent to the railway and devoted to manufacturing, warehousing, transportation, and lumber. However, there has been growth in small retail (less than 10,000 square feet), and it is anticipated that growth will continue if Ayer's commercial districts receive investment and are improved, and if the downtown population is increased, thereby increasing patronage at downtown shops, restaurants, and personal and professional service providers. Further, the area located near the Verbeck Gate on West Main Street is among Ayer's most underutilized commercial areas. Although vehicle traffic in the area is somewhat low, due to the proximity of recreational facilities (such as disc golf, kayaking, the Nashua River Rail Trail, and the Devens recreation fields) and recreation-based businesses that are already in the area, this area could serve as a recreation gateway and offer additional recreation-based retail, restaurants, and other active uses that will draw visitors to Ayer.

Resource Management and Pollution

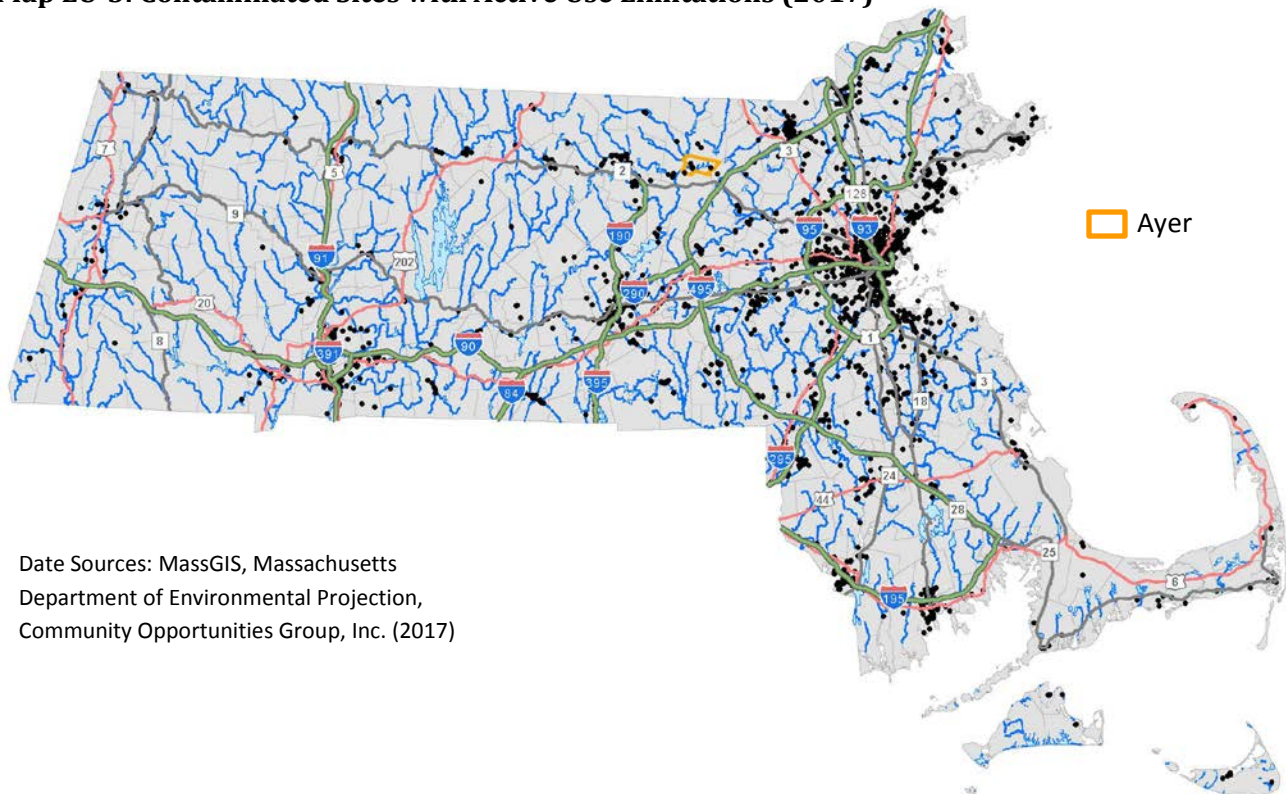
As shown on the Future Land Use map on Page xx, the areas northwestern, central, and southeastern areas of town have critical environmental resources in need of stronger protections. As discussed in the Resources chapter, Ayer is located within two different Areas of Critical Environmental Concern (ACECs), two major watersheds (Nashua and Merrimack River), and contains significant amounts of prime forest and habitat lands.



The need to conserve these lands provides more than just wildlife protection, but also contributes greatly to stormwater management and flood prevention as well as protection of the public water supply. Open space allows for natural filtration of contaminants when precipitation and stormwater runoff discharge back into the soils and eventually into the aquifers that supply Ayer's drinking water. Ayer cannot exist without adequate stormwater management, flood control protections, and clean drinking water, and each acre lost makes the Town's position more precarious. The most precarious areas are largely located in the R1 zoning district putting open space concerns in direct competition with residential development. Additional protections are needed under zoning.

In addition to protecting open space lands, there is a need to protect the land from existing uses and contamination. Due to Ayer's long standing industrial tradition and ongoing rail and military usage, Ayer hosts a large concentration of contaminated sites. There are 52 hazardous material (haz-mat) sites monitored by the Environmental Protection Agency in Ayer, among those, seven are classified under M.G.L. Ch21E as having a high likelihood of causing environmental harm and are subject to remediation agreements for ongoing cleanup and use limitations. These limitations typically preclude redevelopment for residential purposes or for daycares, parks, schools or other types of uses that could potentially expose humans to contamination. As there are limited remediation funds, these sites are difficult to clean and reuse and each site requires considerable study to determine reuse potential, remediation costs and potential funding sources. Ensuring these sites are cleaned will require a concentrated effort on the part of the Town to either perform the cleanup or incentivize private landowners to clean private property. One potential incentive may be to rezone the property to increase its development potential, thereby increasing its value.

Map LU-3: Contaminated Sites with Active Use Limitations (2017)



Date Sources: MassGIS, Massachusetts
Department of Environmental Protection,
Community Opportunities Group, Inc. (2017)

Devens



Devens is a 4,400 acre mixed-use former military base reuse; 1,130 of these acres are located in Ayer. Devens served as the U.S. Army's New England headquarters, but was closed in 1996 (though it reopened the following day as an Army Reserve training facility so some active military use remains). Following the closure of the base, MassDevelopment purchased the property and, with financial support from the state, has been redeveloping Devens for predominantly commercial purposes for the past twenty years. Today, Devens features over 100

businesses and organizations that collectively employ more than 4,000 workers. With nearly 2,100 acres of open space and recreation land, Devens offers unique opportunities for active and passive recreation, which contributes to Ayer's potential for a recreation gateway near the Verbeck Gate.

Deven's future, however, is unclear. Current agreements, set to expire in 2031, give MassDevelopment predominant control over the Devens lands located within Ayer. The area, served by a separate fire department and infrastructure including sewer and water, and subject to preferential tax rates, could potentially be returned to Ayer, become an independent community and incorporate as a Town, or could remain under the control of MassDevelopment in the future. How Ayer chooses to respond to this will depend on a number of factors – 1) the cost to serve the land versus potential revenues, 2) the desires of those living and working on Devens, and 3) the need for additional land or resources.

Among the areas considered most valuable to Ayer is the former Moore Airfield. Underneath the airfield is a high yield reservoir that could provide additional drinking water to the Town in the future, however, there are contamination concerns and water drawn from a well in this location might be used for non-potable purposes (such as industrial use, system redundancy, and firefighting). The airfield might also be a suitable location for clean energy production, such as a solar orchard, as the land is already cleared. Finally, the recreation fields could help address open space and recreation needs within Ayer. These potential benefits, however, could be outweighed by the costs to deliver services, remediate contaminated lands, and assume liability for activities on Devens. The town will need to carefully consider its options as 2031 approaches.

Future Land Use Map

The future land use map takes into consideration the formative needs and issues related to natural resource protection and land conservation, environmental contamination, housing needs, economic development goals, clean energy production, transportation needs, educational and recreational needs, cultural resources and heritage opportunities, and so on. The future land use map can be found on Page 16.

<Insert Future Land Use Map Here>



Formative Issues

Assets and Opportunities	Challenges and Weaknesses
<ul style="list-style-type: none"> • New Zoning and Subdivision Bylaws. Ayer is currently preparing to pass and adopt a new zoning bylaw at Spring Town Meeting in 2018. Long in progress, the new bylaw will help the town better manage and provide appropriate public process, levels of review, and conditions of approval for new development. In addition, the Department of Public Works is in the process of reviewing and modernizing the subdivision bylaws. Updates specifications will provide better growth management and reduce development impacts. • Smart Growth Zoning Overlay. Adopting a 40R Smart Growth Overlay District and design guidelines will enable the town to foster and incentivize downtown development. Adoption of such a district enables the town to access significant state funding for incentive, density bonus, and school cost reimbursement payments; while also encouraging growth around existing transit nodes such as the MBTA commuter rail station, providing valuable parkland and open space, facilitating, infill development, and increasing property values throughout downtown. • Form Based Code. Ayer was recently the recipient of a technical assistance grant to create and adopt a Form Based Code on Park Street. This code will establish new standards that will be in place as the area is progressively redeveloped to encourage a more hospitable and aesthetically pleasing streetscape with complementary uses. • Open Space Capitalization. Due to Ayer's vast amount of natural resources, the protection of open space both through regulatory means as well as acquisition is going to be essential in preventing critical environmental habitats and wildlife areas from development. At Town Meeting in 2017, Ayer transferred funds from the Community Preservation Act into an open space trust fund to allow the town to act expeditiously when open space parcels become available – this includes the Town's ability to exercise their right of first refusal on any Chapter 61 lands, should they become available. 	<ul style="list-style-type: none"> • Outdated Bylaws and Regulations. Even after the new zoning bylaw is adopted, there will be a number of provisions that will need to be addressed in the future to comprehensively address all of Ayer's future land use needs. In addition, weak subdivision bylaws generate inefficient land use, and generate excessive pavement and other infrastructure issues. The proposed bylaws are a good start but more work is needed to protect natural resources and concentrate development around downtown to minimize fiscal impacts and infrastructure costs. • Blight and Obsolescence. Blight is one of the most critical issues facing Ayer's commercial districts and some residential areas. Blight threatens the overall fiscal health of the town because it discourages investment and devalues property. In addition, as many of the buildings age they are growing obsolete in absence of renovations and upkeep. In addition, some buildings are simply nearing the end of their usable life span and are ready for replacement. Ensuring there are proper incentives to encourage reinvestment will be critical in upcoming years. • Pollution. Ayer has a large number of contaminated sites for a town that is geographically small. There are 7 sites containing Active Use Limitations (AULs), but there a number of other sites containing lower grade contamination including Pirone Park and the MBTA commuter rail parking area. Remediating contamination on public property, in particular, is challenging due to limited remediation funds and difficult application processes. Cleaning up Ayer and preventing new contamination, particularly via industrial accidents will remain a challenge in upcoming years. • Past Mistakes. Ayer has a history of lax land use standards that have sent a message to the development community that Ayer will accept substandard uses and development. This is not true, and with new regulations and motivated staff and board members, this trend will not continue.



Goals and Strategies

Goal LU-1	Actively protect, conserve, and preserve Ayer's natural resources and supporting infrastructure to protect critical environmental habitats, drinking water supplies, recreational areas, and open spaces.
Strategy LU-1.1	Draft and adopt the Petapawag Overlay zoning district to reduce development potential and protect the remaining lands within the Petapawag ACEC.
Strategy LU-1.2	Procure lands near wellheads when they become available and place permanent conservation restrictions on them to preclude future development and protect the water supply.
Strategy LU-1.3	Continue to manage, monitor, and treat Ayer's ponds, streams, and open spaces for invasive species and other threats.
Strategy LU-1.4	Remediate contamination on public lands. Perform soils test, studies, and seek grant funds as staff time permit.
Strategy LU-1.5	Revisit the creation of a stormwater utility to fund long term maintenance and system upgrades needed to comply with the Department of Environmental Protection regulations, as well as protect Ayer's surface and ground waters.
Strategy LU-1.6	Update Stormwater regulations and make bylaw available on DPW's website. Continue to implement Best Management Practices with additional rain gardens, bioswales, and bioretention cells to mitigate runoff, erosion, and the discharge of pollutants.
Goal LU-2	Encourage the expansion and continued redevelopment of Downtown Ayer to expand housing opportunities, for both renters and owners at all income levels, and promote a vibrant downtown through the creation of new public gathering places, increased pedestrian access, and new commercial space.
Strategy LU-2.1	Adopt a Smart Growth Overlay District under M.G.L. Ch.40R.
Strategy LU-2.2	Complete and adopt a Form Based Code for Park Street.



Goal LU-3	Expand and upgrade multimodal transportation opportunities, including sidewalks, paths, and trails, and rails in addition to roadways, to ensure that residents, workers, and business transportation needs are efficiently met.
Strategy LU-3.1	Adequately fund and maintain roadways, trails, sidewalks, public parking, and commuter facilities to ensure universal access and reasonable transportation choices for residents, workers, and businesses.
Strategy LU-3.2	Obtain funds to complete upgrades to pedestrian facilities to meet the requirements of the Americans with Disabilities Act (ADA).
Strategy LU-3.3	Work with MART and local employers to address connectivity issues between the MBTA commuter rail station and employment centers to address issues with transit options for the first and last mile of local trips.
Strategy LU-3.4	Work with MART and the Ayer Council on Aging to continue to support the Council on Aging's transportation services.

