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Public Hearing Notice for Amendments to the Ayer Zoning Bylaw

Town of Ayer, MA
Planning Board
Public Hearing Notice

Pursuant to M.G.L. c. 40A, s. 5, the Ayer Planning Board will hold a Public Hearing at 6:15PM on Tuesday, September 10, 2019, at the Ayer Town Hall, One Main Street, Ayer, Massachusetts, to amend the following sections of the Zoning Bylaw of the Town of Ayer:

1. Amend Section 10.1, **Open Space Residential Development**, by **a.** Striking out the word 'only' from the first sentence in the third paragraph of Section 10.1.1 Purpose, and adding the words 'applicable provisions of the Ayer Zoning Bylaw' after the word 'Section' in that sentence; and **b.** replacing the existing text of **Section 10.1.4 Maximum Number of Dwelling Units**, which describe a formula for calculating the maximum number of base units, with text specifying the requirements for and process of reviewing a **Yield Plan** to determine the base number of units.
2. Add provisions for **Accessory Apartments**, which are dwelling units subordinate to and associated with single-family homes on properties that are owner-occupied, by adding a Definition of such to Section 2.0, detailed specifications for such apartments in Use Regulations Section 5.3.2, and amend the Table of Use Regulations by making Accessory Apartments permitted via Special Permit from the Zoning Board of Appeals in the following zoning districts: A1, A2, GR, DFBCD, MT and GB, and prohibited from LI, I and HCS.
3. Amend Section 10.3, **Affordable Housing**, by striking the phrase 'requiring a special permit' in Section 10.3.2. A. Applicability, and replacing it with the phrase 'whether required by Special Permit or allowed by right; and by moving the provisions of Section 10.3.3. H. 1. & 2. Density Bonus, to new Section 10.3.2 C. and retitling that section to 'Applicability and Density Bonuses', after striking the phrase 'In granting a Special Permit under this Section 10.3' from the last sentence thereof; and by striking the phrase 'an affordable housing special permit' from the last sentence of Section 10.3.3. I 1. and replacing with the phrase 'has granted site plan or OSRD approval' in reference to the Planning Board; and by removing all other references to 'Special Permits' from Section 10.3. The purpose of these changes is to make clear that the provisions of the Affordable Housing section and any density bonuses thereunder apply whether the proposed project requires a Special Permit or is a permitted use (P) in the Table of Use Regulations of the Ayer Zoning Bylaw. No standards, requirements or formulas have been changed.

4. **Form-Based Code for West Main Street:** Amend the Ayer Zoning Bylaw and Zoning Map deleting the West Main Street General Business (“GB”) District, and replacing it with a Form-Based Code District (“FBC”), and amending all Sections of the Ayer Zoning Bylaw, Sections 1.0 through 10.0 inclusive, including all Table headings, titles, etc. that reference the subject West Main Street General Business “GB” District throughout the Bylaw, so as to accommodate the proposed new Mitchellville/West Main Form-Based Code District “FBC” as necessary throughout the Ayer Zoning Bylaw. Section 5.2 Table of Use Regulations and Section 6.2 Schedule of Dimensional Requirements, will also be amended to replace references to the subject West Main Street General Business District with the Form-Based Code District and address allowable uses and requirements. The following changes to Section 5.2, Table of Use Regulations, will also be made to accommodate the Form-Based Code district: Residential Use: 1.3 from (N) to (P), 1.4 from (N) to (SPB), 1.5 from (N) to (SPB).

The full text of these amendments can be found on the Town of Ayer website at <https://www.ayer.ma.ua>, and paper copies can be obtained at the Town Clerk’s Office or at the Ayer Planning Department in Ayer Town Hall during normal business hours.
