

**Office of the Board of Selectmen
Office of the Town Manager**



Town of Ayer| Ayer Town Hall| 1 Main Street| Ayer, MA 01432|978-772-8220| www.ayer.ma.us

MEMORANDUM

DATE: October 2, 2018

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Summary Explanation of the Ayer Special Fall Town Meeting Warrant Articles

Dear Honorable Selectmen,

The following is a summary explanation of each of the Articles on the Special Fall Town Meeting Warrant for October 22, 2018. In addition to this summary explanation, the Town Planner and Building Commissioner will be meeting with the Planning Board on October 9, 2018 to make a public presentation on the proposed Zoning Bylaw Amendments. Additionally, I have invited the Town Planner and Building Commissioner to the October 16, 2018 BOS Meeting to make a brief public/information presentation on the Zoning Bylaw Amendments.

The Town will also be posting each of the Zoning Bylaw Amendments (one each day) starting October 10, 2018 with a brief explanation of each proposed Article on the Town's various social media as a public outreach/information effort. Hard copies of these posts will be available in the BOS Office and Town Clerk's Office.

Summary Explanation of Articles:

Article 1: General Bylaw Amendment, Article XLV, Street Opening and Driveway/Accessway Permits

- As presented to the BOS on September 18, 2018 by the DPW Superintendent, this bylaw amendment updates the outdated existing bylaw by clearly providing current methods and materials for the purposes of a street opening and/or accessway permit in the Town of Ayer.

Article 2: Amend Section 2.0 of the Ayer Zoning Bylaw (Definitions)

- This Article would amend the Ayer Zoning Bylaw by providing a definition of an Accessory Apartment.
- Clarifying the definition of Home Occupation and to streamline the process for a home occupation permit that has one or two trucks to be approved by the Building Commissioner and not have to go to ZBA.
- Amends Lot, Corner to include a lot with three adjacent sides.
- Amends, Lot, Frontage to clarify what the standard is to determine frontage.

Article 3: Amend Section 3.5.1 (Applicability and Exceptions for Site Plan Review)

- Amends 3.5.1 to clarify that a single family or a two-family dwelling requiring a special permit does not need to go to site plan review.
- Pre-existing, non-conforming, multi family structures adding four or fewer parking spaces do not need site plan review.

Article 4: Amend Section 3.5 of the Ayer Zoning Bylaw

- This Article adds a section which defines how the number of units in residential developments is calculated for the purposes of site plan review.
- This section was missed by the Town's Consultant during the writing of the Zoning Bylaw.

Article 5: Amend Section 6.3 (Additional Requirement for certain Types of Developments)

- Amends so unroofed porch is a deck and should not be exempt from the from the frontage
- Provides flexibility in the placement of accessory structures contingent upon Building and Fire Department approvals.
- Allows for small lots to put an attached deck which may encroach on setbacks and does not require going to ZBA.

Article 6: Amend Section 10.1.3 (Open Space in Open Space Residential Developments)

- The bylaw was lacking a definition of what types of land are calculated in the 50% open space requirement.
- 50% of a subdivision has to be open space. However in cases of where wetlands and/or steep slopes compromise 25% of the parent parcel than up to 25% of the required protected open space can contain such wetlands and/or steep slopes.

Article 7: Amend Section 7.2 (Dwellings)

- Increases the percentage of gross floor area of sheds and other outbuildings from 10% to 20%
- In ground swimming pools shall meet all current setback requirements.
- Removes redundant language.

Article 8: Amend Section 9.1.5 (Off-Street Parking Standards)

- Allows parking within the 8 foot setback for existing, multi-family dwellings as they were built on small lots.

Article 9: Amend Section 5.3 (Accessory Uses)

- Was proposed for the original Zoning Bylaw back in March but was withdrawn on recommendation of the Building Commissioner for the purposes of further research and review.
- This Amendment defines accessory uses and sets the requirements governing them.
- Additionally, this amendment is more inclusionary for the purposes affordable housing grants.

Article 10: Gift of Land on Hemlock Drive

- This Article would authorize the BOS to accept a parcel of land off of Hemlock Drive as a gift from Ridgeview Estates.

Article 11: Regional School District Debt Incurrence for ASRSD High School Athletic Field Complex

- The borrowing requirements of the ASRSD as set by the School Committee require that in addition to a debt exclusion ballot question, each Town Meeting in Ayer and Shirley must vote to approve.
- This warrant article is NOT a debt exclusion article NOR is it a Town Borrow Article. This Article is to meet the borrowing requirements of the ASRSD.