

A blue arched sign with a gold border, supported by two wooden posts. The sign features the text "Welcome to" in a script font and "MAYNARD" in a large, bold, serif font. There are decorative gold leaf-like symbols on either side of "Welcome to". The sign is set against a background of green trees and yellow flowers.

Welcome to
MAYNARD

Annual Town Meeting

May 15, 2023

Fowler School

3 Tiger Drive • Maynard, Massachusetts



Town Moderator

Dick Downey

presiding over Annual Town Meeting 2023

Select Board

Jeff Swanberg, Chair

Chris DiSilva

David Gavin

Justine St. John

School Committee

Natasha Rivera, Chair

Hilary Griffiths

Elizabeth Albota

Mary Brannelly

Maro Hogan

Finance Committee

Alannah Gustavson, Chair

Jillian Prendergast, Vice Chair

Peter Campbell

Khadijah Brown

Ken Estabrook

Katie Moore

Cavan Stone

Town Administrator

Gregory W. Johnson

Town Clerk

Dianne M. Reardon



Town Report Acceptance

Article #1

MOTION:

Move to approve Article 1, as printed in the warrant ,
except the words: "to do or act thereon."

PURPOSE:

This is an annual procedural article
to accept reports from various Town committees.
The town's Annual Report is the specific report
proposed for acceptance.



Obsolete Equipment, Material

Article #2

MOTION:

Move to approve Article 2, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

Annual article to allow sale/disposal of surplus equipment, if any, in accordance with state law.



Authorize Revolving Funds

Chapter 44, Section 53 E1/2

MOTION:

Move to approve Article 3, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

Massachusetts General Law Section 53E ½ funds are special funds which may collect and spend money across different fiscal years. The maximum limit of the carry-forward balance of each fund must be approved annually by Town Meeting.



Authorize Revolving Funds

Chapter 44, Section 53 E1/2

| Revolving Fund | Spending Limit |
|---|----------------|
| Conservation Commission – Wetlands Bylaw Consultant Fees | \$ 25,000 |
| Planning Board - Site Plan Review | \$ 25,000 |
| Disposal - Drop Off Center | \$ 15,000 |
| Board of Health - Licensing Fees | \$ 25,000 |
| Council on Aging - COA Van Service | \$ 85,000 |
| Sealer of Weights & Measures | \$ 5,000 |
| Electrical/Wiring Inspection Services | \$ 65,000 |
| Plumbing & Gas Inspection Services | \$ 60,000 |
| Municipal Permitting | \$ 40,000 |
| Recreation | \$ 20,000 |
| Electric Vehicle Charging Stations | \$ 35,000 |



Certified Free Cash Appropriation For Fiscal Year 2023

Article #4

MOTION:

Move to approve Article 4, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

This list of proposed appropriation follows the town's Capital Planning Committee's prioritizations and addresses the operational needs of the town.



Certified Free Cash Appropriation For Fiscal Year 2023

Article #4

AMENDED MOTION:

Move to approve Article 4, as amended by deleting the following:

“Snow & Ice Deficit \$327,000”; “Capital Stabilization Fund \$50,000”; “General Stabilization Fund \$100,000.00”; “Roads Sidewalks Repairs \$200,000.00”; “Maynard School District Operations \$87,599”; “Special Education Stabilization \$50,000”;

By adding the following after “for designated purposes:” after line 2:

“Snow & Ice Deficit \$300,000”; “General Stabilization Fund \$47,000.00”; “Capital Stabilization Fund \$25,000.00”; “Roads Sidewalks Repairs \$150,000.00”; “Maynard School District Operations \$65,000”; “Special Education Stabilization \$192,599”;
“Council on Aging- Costs towards a Senior Center or any assessment to study to the needs of senior population \$35,000.00”



Certified Free Cash Appropriation For Fiscal Year 2023

Article #4

| | |
|---------------------------------------|------------|
| Snow & Ice Deficit | \$ 327,000 |
| Capital Stabilization Fund | \$ 50,000 |
| General Stabilization Fund | \$ 100,000 |
| Other Post Employment Benefits Fund | \$ 25,000 |
| Personnel Contracts Settlements | \$ 65,000 |
| Personal Property Software | \$ 25,000 |
| Alumni Bleachers Planning/Design | \$ 50,000 |
| Public Safety Active Shooter Training | \$ 20,000 |
| Election Poll Pads | \$ 12,000 |
| Prior Year Bills | \$ 10,375 |
| Police Cruiser | \$ 55,000 |
| Roads/Sidewalks Repairs | \$ 200,000 |
| Fire Department Control Vehicle | \$ 60,000 |
| Library Stairwell Repairs | \$ 40,000 |



Certified Free Cash Appropriation For Fiscal Year 2023

Article #4

| | |
|--|--------------|
| Public Works Backhoe | \$ 325,000 |
| Public Works Leaf Vac Truck | \$ 14,000 |
| Public Works Field St. Drainage Project | \$ 50,000 |
| Public Works Main St. Stormwater Project | \$ 200,000 |
| Public Works Town Hall HVAC | \$ 100,000 |
| Maynard School District Flooring | \$ 40,000 |
| Maynard Schools Teacher Device Refresh | \$ 45,000 |
| Maynard Schools Corey Phone System | \$ 50,000 |
| Maynard School District Operations | \$ 87,599 |
| Special Education Stabilization Fund | \$ 50,000 |
| Total Appropriation | \$ 2,000,974 |



Fiscal Year 2024

Salary Administration Plan

MOTION:

Move to approve Article 5, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

- This is an annual procedural article to make adjustments to the salary table and other terms in the Town's Salary Administration Plan.
- Part-time Employee minimum wage has been increased from \$14.25 per hour to \$15 per hour, staying current with Massachusetts Minimum Wage.
- The Veterans' Agent annual salary has been increased by a 2%, approximately \$200, for a cost-of-living-adjustment.



Town General Fund Budget Fiscal Year 2024

Article #6

MOTION:

Move to approve Article 6, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

The town's general fund budget for Fiscal Year 2024 is proposed to raise and appropriate \$48,631,760, for budgeting in the listed categories.



Select Board and Town Administrator

FY24 Budget factors:

Article #6

- Personnel costs, including wages, salaries, benefits, and any contractually obligations;
- Contractual increases to expenses, including license and registration fees, and market and industry trends;
- Projected operational expenses tied to newly acquired or anticipated capital procurements;
- A direct operational increase of \$563,327 (2.6%) over FY23 to Maynard Schools. In addition to this General Fund article, the Select Board also proposed Free Cash allocation from Article 4 to supplement the Maynard School Department operating budget by \$87,599 and to deposit \$50,000 into a Special Education Stabilization Fund.



Town General Fund Budget

Fiscal Year 2024

Article #6

| | |
|-----------------------|---------------------|
| General Government | \$ 3,613,181 |
| Public Safety | \$ 5,286,095 |
| Public Works | \$ 2,579,839 |
| Cultural & Recreation | \$ 642,348 |
| Education – Maynard | \$ 22,229,735 |
| Education – Assabet | \$ 1,269,349 |
| Employee Benefits | \$ 9,735,900 |
| Debt Service | \$ 2,678,889 |
| Reserve Fund | \$ 250,000 |
| PEG Access | \$ 346,434 |
| Total | \$48,631,769 |



Maynard Public Education Budget Fiscal Year 2024

Article #7

MOTION:

Move to raise and appropriate, or transfer from General Stabilization or other available funds in the treasury, the combined additional sum of \$515,843 to fund for the level service operating expenses of the Maynard School Department for the Fiscal Year 2024

PURPOSE:

To ensure the annual operating budget allocation for Maynard Education funds what is required to provide level educational services for students in FY24



Maynard Public Schools

FY24 Budget Presentation

Annual Town Meeting, May 15, 2023

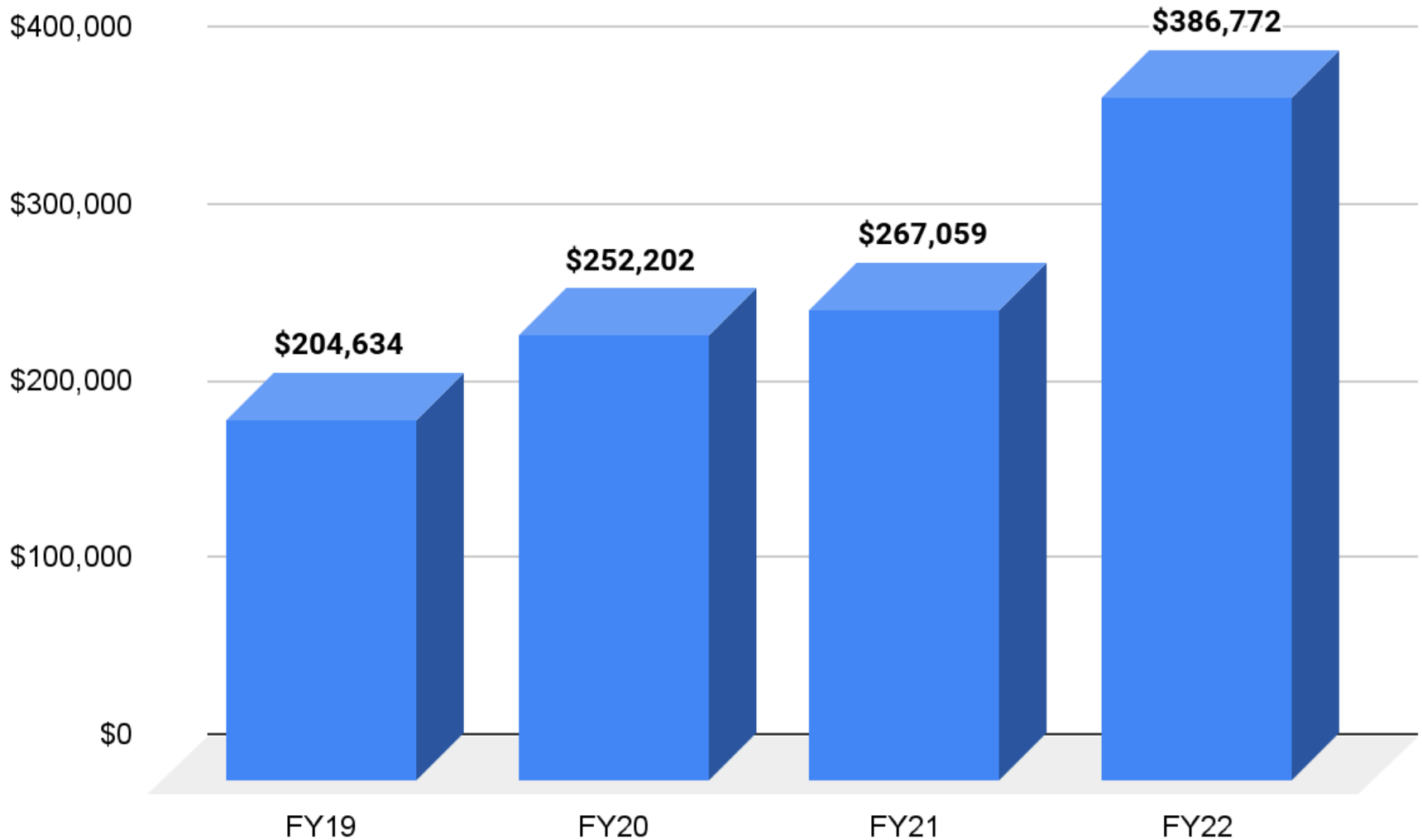


FY24 Major School Expense Drivers Forecasted Increases Over FY23

| | | |
|---|--------------------|---------------|
| Psychological Services | ↑ \$97,840 | 29.66% |
| Medical/Therapeutic Services | ↑ \$150,112 | 20.02% |
| Special Education Tuitions and Transportation | ↑ \$471,660 | 18% |
| Building & Ground Maintenance/Tech Infrastructure/Utilities | ↑ \$95,654 | 5.30% |



District Building & Grounds Maintenance Expense Trends





FY24 Initial School Recommended Budget

Above Level Service

1 FTE Clerical Position: Increases District level broad support and growing compliance demands- Cost ~ \$60,000

- Potential to increase revenue to the Town and School
- Complete Medicaid quarterly reports and maintain database of required consents
- Oversight of annual Circuit Breaker audit records
- Maintain compliance with record retention for IEP files needed for 7 yrs
- Transportation - coordinate District's online bus registration
- Athletics - Payments (Purchase order requests and creating invoices), equipment/supplies/uniform inventory and tracking, required eligibility tracking (registrations, physicals, fees, etc.)

4 Part-time (3 hrs/ day) Lunch Room/Recess Monitors at Green Meadow:
Increase core content student learning time- Cost ~ \$40,000

- **Will add 90 hours of instructional time per year for each student**
- Reduce transition times of students.



FY24 Initial School Recommended Budget

– Above Level Service

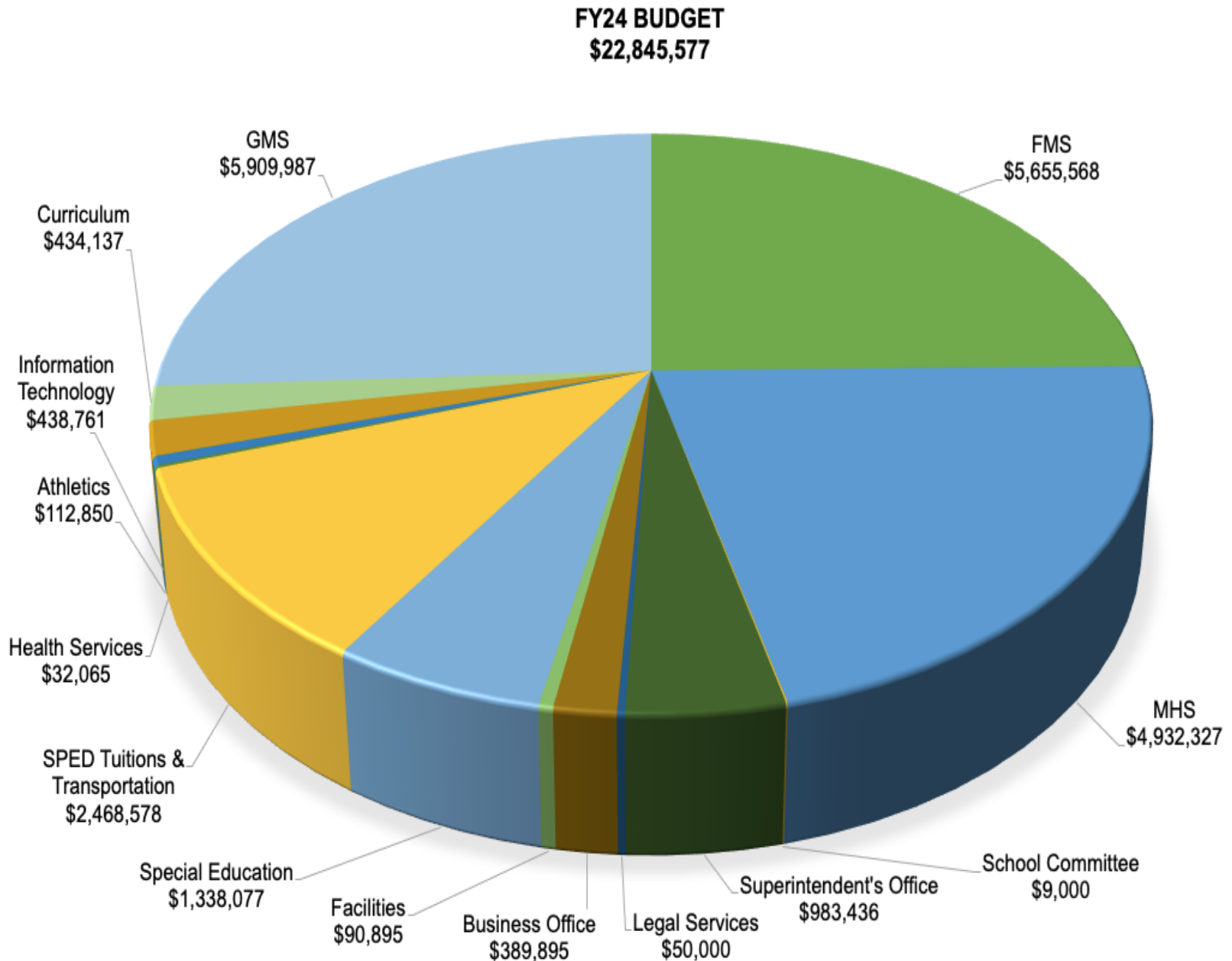
\$22,845,577

Projected FY24 Salaries: \$17,803,926

Projected FY24 Expenses: \$ 5,041,651

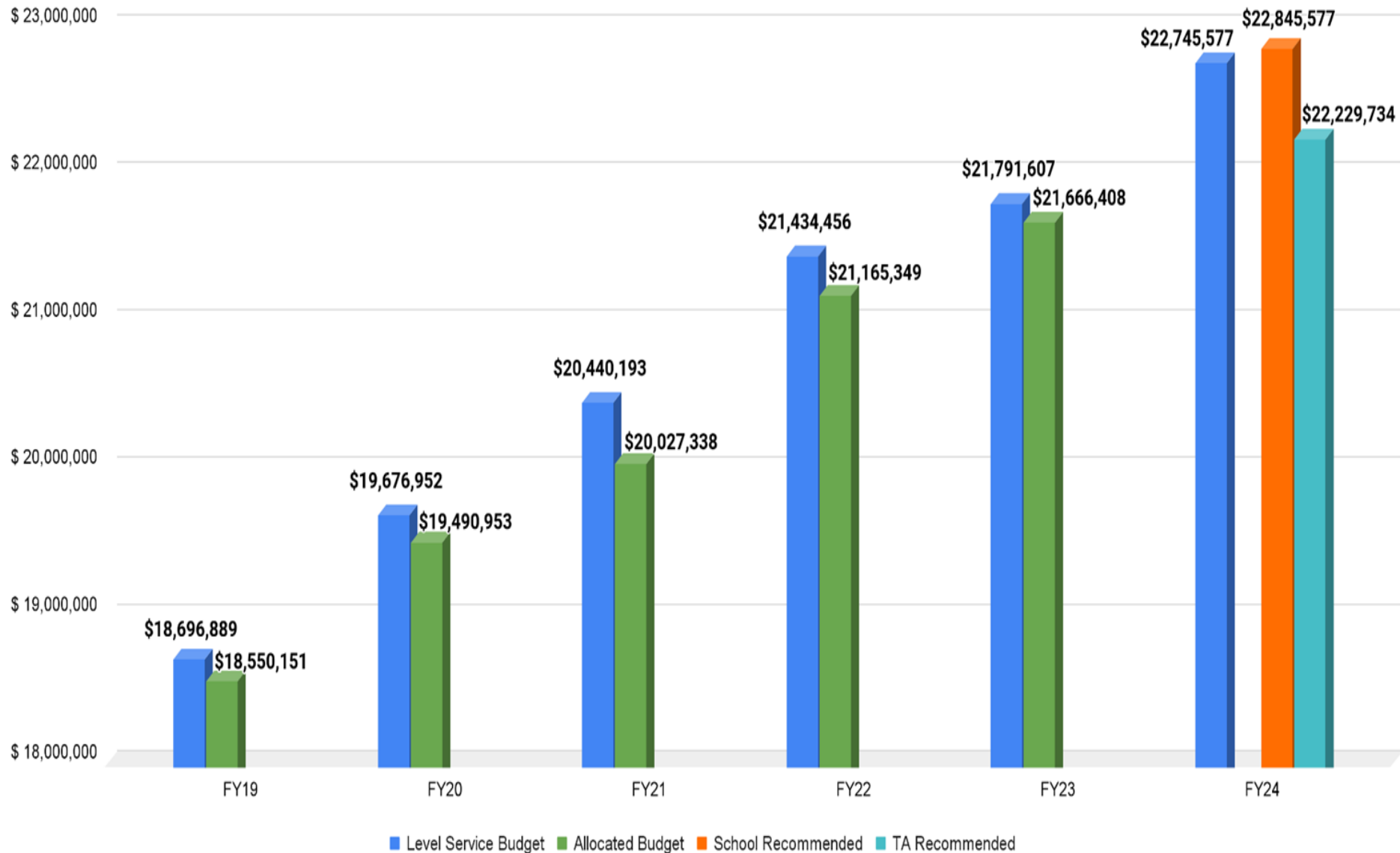
- Initial School Recommended Budget: Increases \$1,179,170, or 5.44%, over FY23 (\$21,666,408)
 - Includes ~\$100,000 budget recommendations for clerical support and increased core content instruction for student learning at Green Meadow
- Level Service Required Budget: Increases \$1,079,169, or 4.98%, over FY23
 - **Level service budget:** maintains the continuation of the prior year's educational services provided, adjusting only for contractual expenses and inflation. **No New Growth**
- Town Administrator Proposed Budget: Increases \$563,326, or 2.60% over FY23, creating a \$515,843 budgetary deficit, and does not fund required educational services for the District

Recommended Budget Allocation– Above Level Service



Historical Budget Allocation Trends

Level Service Required vs Town Allocated



| FY24 Proposed Operating Budgets | | % Increase Over FY23 | Budget Considerations |
|--|--------------|----------------------|---|
| Initial School Recommended Budget <i>Above</i> Level Service | \$22,845,577 | 5.44% | <ul style="list-style-type: none"> ● All operating expenses: contractual obligations, transportation, utilities, facilities/maintenance, technology, curriculum, professional development, special education expenses, stipends, and athletics. ● 1 FTE District Clerical Support; ~\$60,000 ● 4 Part-time Lunch/Recess Monitors; ~\$40,000; increase core content instructional time for students at GM |
| Level Service Required Budget | \$22,745,577 | 4.98% | <ul style="list-style-type: none"> ● All operating expenses (see above) ● Maintains education levels from prior year, adjusting for contractual expenses and inflation ● Requires return of \$257,599k in Circuit Breaker Special Education Reimbursement to School Dept from Free Cash |
| TA Proposed Budget | \$22,229,734 | 2.60% | <ul style="list-style-type: none"> ● Plus partial return of \$87,599 in Circuit Breaker Reimbursement to School Dept and allocates \$50,000 towards Special Education Stabilization Account from Free Cash |
| Difference b/w Level Service vs TA Proposed Budget | (\$515,843) | | <ul style="list-style-type: none"> ● Requires a significant reduction to educational services/ programs equal to \$515,843 from FY24 level service needs |



FY24 Maynard Public Schools Budget Impacts

A budget allocation of \$22,229,734, **falls \$515,843 short in funding a level service school budget.** Shortfalls of this magnitude will have detrimental programmatic and educational impairments to the 2023-2024 school year.

Budget uncertainty areas of impact:

- Inability to adequately respond to District's growing reporting and administrative compliance demands within Superintendent, Student Services, Business, and Athletic Offices
- Inability to increase necessary core content instruction time intended to improve student learning at Green Meadow
- Inability to adequately address growing demands for building and ground maintenance, tech Infrastructure, and utilities
- Potential staff reductions at Green Meadow, Fowler, and Maynard High School
- Potential increases to extra-curricular and/or transportation fees
- Additional reductions where deemed necessary



Transfer Ambulance Receipts Reserved Article #8 for Lease Appropriation

MOTION:

Move to approve Article 8, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

This is the third payment in a five-year plan in a lease-purchase for the ambulance, and the second payment in a seven-year plan to lease-purchase a fire truck.



Amend Town Charter Article 1: Article #9 **Incorporation; Short Title; Powers**

MOTION:

Move to approve Article 9, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

This article makes a minor change to Article 1 of the Charter with the inclusion of the phrase "of the Commonwealth", to clarify the source of the law establishing the incorporation of the town of Maynard.



Amend Town Charter Article 2: Legislative Branch

Article #10

MOTION:

Move to approve Article 10, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

The article rearranges and reformats some of the sections of Article 2 of the Charter to clarify sections like the Initiation of Warrant Articles. The changes further delineate the power and duties of the Finance Committee and removes the requirement that a finance committee member resigns before running for an elected office or another appointed position in town. It also makes a change so that the Town Moderator is the sole person to be able to dismiss or excuse a town official from a Town Meeting.



Amend Town Charter Article 3: Elected Officials

Article #11

MOTION:

Move to approve Article 11, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

This article makes changes to Article 3 of the Charter, which updates the process of resignations and filling vacant elected positions. It also reformats the "Powers and Duties" for the Select Board for clarity. It updates the "Composition, Term of Office" for the Housing Authority, and the "Powers and Duties" for the Library Trustees and Regional Vocational School Representative.



Amend Town Charter Article 4: Town Administrator

Article #12

MOTION:

Move to approve Article 12, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

The changes to Article 4 of the Charter includes the addition of the town by-laws as a provision to be considered for Town Administrator appointments, and a requirement for quarterly financial reporting which has already been adopted in the town by-laws. There are two changes for the case of an acting Town Administrator. The first is to change the length of renewal for a temporary appointment from 3 months to 6 months and to require Select Board approval for any permanent appointments or designations.



Amend Town Charter Article 5: Administrative Organization

Article #13

MOTION:

Move to approve Article 13, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

The change to Article 5 moves "Removals and Suspensions" from Article 7 and places it in Article 5. This section was rewritten to clarify the responsible individual(s) for removals and/or suspensions. Under "Organization of Town Government", the change updates the listing of appointed positions and boards and removes the required number for appointed multiple member boards. The change standardizes the appointment process for Public Health Director, Chief Assessor, Conservation Agent, Council of Aging Director, and Town Planner.



Amend Town Charter Article 6: Finance and Fiscal Procedures

Article #14

MOTION:

Move to approve Article 14, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

The article makes a minor change to Article 6 of the Charter to clarify that the Town Administrator shall develop an overall "long term" financial projection of the town. The other change reorganizes sentence order.



Amend Town Charter Article 7: General Provisions and Definitions

Article #15

MOTION:

Move to approve Article 15, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

This adds a section, "Continuation of Existing Laws", to Article 7, which existed in the original Charter but was removed in a past review. The Definitions section has also been updated.

The "Periodic Review" section more narrowly defines the timing for the future formation of a Charter Review Committee.

"Removals and Suspensions" section has been moved to Article 5. "Procedures Governing Multiple Member Bodies" section has been updated to comply with changes in Open Meeting Laws.



Amend Town Charter: Introduction

Article #16

MOTION:

Move to approve Article 16, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

This article includes a new initial paragraph that describes the background and purpose of the Charter. It also revises the dates of previous Charter reviews to include the current review.

The section on the Community Development Principles is replaced with a new section addressing Town By-laws, Community Development Principles, and the Maynard Master Plan.



Amend Town Charter: Omnibus Changes

Article #17

MOTION:

Move to approve Article 17, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

This article is for the purpose of correcting typographical and grammatical errors in the current Charter and to make style changes throughout the Charter for the sake of uniformity.



Changes Town Charter Explained

The Town Charter works as Maynard's Constitution, acting as the authority on how town government is structured and run. It distributes powers, duties and responsibilities among local offices and establishes and defines certain procedures to be followed by the town government.

The Town Charter is reviewed and updated every 10 years.

There are 9 Town Meeting Articles – one each for a section of the Town Charter and one for changes affecting all sections.

The full Charter Committee Report is included at the end of your Town Meeting Warrant booklet.



Changes Town Charter Explained

Article #9-17

Warrant Article #9:

Amend Article 1 of Charter, Incorporation; Short Title; Powers

- Minor change to add phrase “of the Commonwealth” to clarify law establishing the Town of Maynard.

Warrant Article #10:

Amend Article 2 of Charter, Legislative Branch

- Removes requirement that finance committee members resign before running for town office.
- Makes a change so Town Moderator is person to excuse a town official from a Town Meeting.



Changes Town Charter Explained

Article #9-17

Warrant Article #11:

Amend Article 3 of Charter, Elected Officials

- Clarifies the process for resignations and filling vacant elected positions.
- Updates the “Composition, Term of Office” for the Housing Authority, and “Powers and Duties” for the Library Trustees and Regional Vocational School Representative.

Warrant Article #12:

Amend Article 4 of Charter, Town Administrator

- Increases allowable length of renewal for a temporary Town Administrator appointment from 3 to 6 months
- Requires Select Board approval of permanent appointments by temporary Town Administrator



Changes Town Charter Explained

Article #9-17

Warrant Article #13:

Amend Article 5 of Charter, Administrative Organization

- Removes reference to number of members on appointed boards and committees.
- Standardizes appointment process for some Town staff.
- “Removals and Suspensions” section rewritten to clarify the responsible individual(s) for removals and/or suspensions.

Warrant Article #14:

Amend Article 6 of Charter, Finance and Fiscal Procedures

- Clarifies that Town Administrator shall develop an overall “long term” financial projection of the town.



Changes Town Charter Explained

Article #9-17

Warrant Article #15: Amend Article 7 of Charter, General Provisions and Definitions

- Updates Definitions section.
- Updates “Procedures Governing Multiple Member Bodies” section to reflect changes in State Open Meeting Laws.
- Better defines schedule for forming future Charter Review Committees.
- Adds “Continuation of Existing Laws” section, which existed in the original Charter but was removed in a past review.



Changes Town Charter Explained

Article #9-17

Warrant Article #16:

Amend Charter, Introduction

- Expands description of background and purpose of the Charter.
- Adds reference to Town By-laws, Community Development Principles, and the Maynard Master Plan.

Warrant Article #17:

Amend Charter, Omnibus Changes

- Typographical and grammatical corrections and uniform style changes throughout the Charter.



Water Enterprise Fund Budget Fiscal Year 2024

Article #18

MOTION:

Move to approve Article 18 as printed in the warrant, except
the last line should be "TOTAL FY2024 BUDGET" and the
words "to do or act thereon"

PURPOSE:

This is the amount to appropriate for the
Water Enterprise's annual operating expenses:



Water Enterprise Fund Budget

Fiscal Year 2024

Article #18

EXPENSES - DIRECT

| | |
|----------------------------------|---------------------|
| Water - Salaries | \$ 399,700 |
| Water – Expense | \$ 911,950 |
| Water - Capital | \$ 236,450 |
| Water - Long Term Debt Principal | \$ 305,000 |
| Water - Long Term Debt Interest | \$ 379,476 |
| TOTAL EXPENSES - DIRECT | \$ 2,232,576 |

EXPENSES - INDIRECT

| | |
|--------------------------------------|-------------------|
| Insurance - Health/Life/Unemployment | |
| Retirement | \$ 155,248 |
| Shared Employee Costs | \$ 303,199 |
| TOTAL EXPENSES - INDIRECT | \$ 458,447 |

TOTAL FY2024 BUDGET **\$ 2,691,023**



Waste Water Treatment Facility Operations Management Contract Authorization

MOTION:

Move to approve Article 19, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

State procurement law requires Town Meeting approval for contract terms longer than three years.



Sewer Enterprise Fund Budget Fiscal Year 2024

Article #20

MOTION:

Move to approve Article 20, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

This is the amount to appropriate for the Sewer Enterprise's annual operating expenses:



Sewer Enterprise Fund Budget

Fiscal Year 2024

Article #20

EXPENSES - DIRECT

| | |
|---|---------------------|
| Sewer - Salaries | \$ 374,900 |
| Sewer – Expense | \$ 371,450 |
| Sewer - Capital | \$ 375,450 |
| Sewer - Long Term Debt Principal | \$ 600,631 |
| Sewer - Long Term Debt Interest | \$ 141,857 |
| Sewer - Waste Water Treatment Plant Expense | <u>\$ 1,441,207</u> |
| TOTAL EXPENSES - DIRECT | \$ 3,305,274 |

EXPENSES - INDIRECT

| | |
|--------------------------------------|-------------------|
| Insurance - Health/Life/Unemployment | |
| Retirement | \$ 117,518 |
| Shared Employee Costs | <u>\$ 245,387</u> |
| TOTAL EXPENSES – INDIRECT | \$ 362,905 |

| | |
|----------------------------|---------------------|
| TOTAL FY2024 BUDGET | \$ 3,668,179 |
|----------------------------|---------------------|



Water Retained Earnings Transfer for Water Enterprise Reserve Fiscal Year 2024

MOTION:

Move to approve Article 21, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To fund a Reserve Fund to provide expeditious and efficient response to unanticipated failures in the town's aging public water system.



Sewer Retained Earnings Transfer for Sewer Enterprise Reserve Fiscal Year 2024

MOTION:

Move to approve Article 22, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To fund a Reserve Fund to provide expeditious and efficient response to unanticipated failures in the town's aging public sewer system.



Water Enterprise Retained Earnings Transfer for Capital Improvement

Article #23

MOTION:

Move to approve Article 23, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To acquire and outfit a replacement truck that serves as a front-line water utility service vehicle.



Sewer Enterprise Retained Earnings Transfer for Summer Hill Road Sewer Capital Improvements

MOTION:

Move to approve Article 24, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To support repairs, modifications and improvements to the sewer collection system on Summer Hill Road, in order to mitigate consistent and historic failures



Sewer Enterprise Retained Earnings Transfer for Wastewater Treatment Facility Capital Improvements

MOTION:

Move to approve Article 25, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To combine with state grant money to perform repairs and replacements of aging energy deficient equipment.



Cemetery Perpetual Care Trust Fund Transfer

MOTION:

Move to transfer from "**Sale of Lots**" the sum of \$50,000 for the purpose of maintenance and operations at the Town of Maynard's municipal cemetery.

PURPOSE:

To support the annual maintenance and operational requirements of Public Works' cemetery division.



Disposition of 1 Summer Street

Article #27

MOTION:

Move to approve Article 27, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To allow for the sale of the Old Fire Station to a new owner found to be the most advantageous and responsible through a competitive request-for-proposals procedure.



Special Stabilization Account Purpose Definition

Article #28

MOTION:

Move to approve Article 28, as printed in the warrant,
except the words: "to do or act thereon."

PURPOSE:

To meet the Department of Revenue's definition for reporting of
the accounting of the already established special stabilization
account, funded by receipts from marijuana establishments'
Community Impact Payments,
as approved at Special Town Meeting in 2021.



Maynard Golf Course Receipts Transfer **Article #29**

Fiscal Year 2023

MOTION:

Move to approve Article 29, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To transfer funding from lease payments by Sterling Golf in order to support needed improvements to the facility, especially addressing roof and envelope concerns.



Community Preservation Fund Budget Article #30

Fiscal Year 2024

MOTION:

Move to approve Article 30, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To authorize monies collected from a 1.5% real estate surtax, and a partial state match, to be added to the community preservation reserve funds.



Community Preservation Fund Budget Article #30

Fiscal Year 2024

Appropriations:

| | |
|---|-------------------|
| Administrative & Operating Expenses | \$ 10,000 |
| Long-Term Debt – Principal | \$ 115,000 |
| Long-Term Debt – Interest | \$ 9,700 |
| Reserves: Historic Preservation Reserve | \$ 45,000 |
| Open Space Reserve | \$ 45,000 |
| Community Housing Reserve | \$ 45,000 |
| Budgeted Reserve | <u>\$ 183,300</u> |
| TOTAL FY2024 BUDGET | \$ 450,000 |



Community Preservation Fund Reserve Fund Appropriations Fiscal Year 2024

MOTION:

Move to approve Article 31, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To authorize spending on community preservation projects recommended by the Community Preservation Committee (CPC), from currently available funds.



Community Preservation Fund Budget Article #31

Fiscal Year 2024

This year's recommended projects are:

| | |
|---|-------------------|
| Maynard Affordable Housing Trust Fund | \$ 200,000 |
| Regional Housing Services Office Membership | \$ 11,900 |
| Concord Circle Door Replacement Project | \$ 45,000 |
| Conservation Trust Fund | \$ 50,000 |
| Reo Road Playground Design Phase 1 Project | \$ 50,000 |
| Alumni Field Bleacher Design Project | <u>\$ 200,000</u> |
| Total | \$ 556,900 |



Prior Year Bills

Article #32

MOTION:

Move to approve Article 32, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To appropriate \$10,367 from Free Cash for the purpose of paying bills from prior Fiscal Years.



Citizens' Petition: Recommend New Elementary School Operate Without Fossil Fuels

MOTION:

Move to approve Article 33, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE

To see if the Town will vote to recommend to the select board that the proposed new Green Meadow Elementary School be designed and built to operate without fossil fuel for heating and cooking.

HVAC Life Cycle Cost Analysis Showing Rebates

All values from Mt Vernon Architectural Group

| | Total HVAC Construction Cost | Eversource Incentives | Inflation Reduction Act | Life Cycle Cost Analysis |
|------------------------------------|------------------------------------|--------------------------|-------------------------------|--------------------------------|
| | | | | |
| Geothermal Heat Pump | | | 40% HVAC sys | |
| most likely choice | \$10,250,000 | \$1,216,000 | \$3,693,200 | \$6,168,000 |
| | | | | |
| | | | 40% wells & heat pump | |
| current design | \$10,250,000 | \$1,216,000 | \$990,000 | \$9,501,389 |
| | | | | |
| Natural Gas Furnace | \$5,670,000 | \$16,000 | \$0 | \$7,515,000 |
| with Electric Chiller ¹ | | | | |

¹ 90% efficient boiler

HVAC Operating Costs

| | Energy Costs per yr ¹ | Maintenance Costs per yr | Total Operating Costs/yr |
|-----------------------|--|--------------------------------|--------------------------------|
| | | | |
| Geothermal Heat Pump | | | |
| most likely | \$72,180 | \$18,900 | \$91,080 |
| | | | |
| | | | |
| current design | \$72,180 | \$18,900 | \$91,080 |
| | | | |
| | | | |
| Natural Gas Furnace | \$99,900 | \$19,800 | \$119,700 |
| with Electric Chiller | | | |

ITC Definition of Geothermal Property

The following definition is drawn from the Investment Tax Credit (ITC) which the Inflation Reduction Act (IRA) extended through 2035 with expanded new incentives:

(h) Geothermal Heat Pump Property. On-site physical work of a significant nature may include the installation of ground heat exchangers, heat pump units, or air delivery systems (ductwork).

Investment Tax Credit, IRS Notice 2018-59, section 4, .02, 2, h



Citizens' Petition:

Adopt New Municipal Opt-in Specialized Stretch Code of 2022

MOTION:

Move to approve Article 34, as printed in the warrant, except the words: "to do or act thereon."

PURPOSE:

To determine whether the Town will vote to adopt the Department of Energy Resources (DOER) Municipal Opt-in Specialized Stretch Code of 2022 as the building code applicable for new construction of residential, commercial, and mixed-use structures, effective July 1, 2024, or take any other action relative thereto.

All Electric Ready Residential Buildings

Require a Max of Six Additional 240v Circuits to Replace Fossil Fuel Appliances

1. Heat Pump (replaces furnace)
2. Electric Dryer
3. Electric or Induction Stove
4. Elec or Heat Pump Water Heater
5. *Electric Vehicle Charge Point*
6. *Solar Photovoltaic Panels*

*Table 1 Comparison of Stretch and Opt-in Specialized Code for **Low-rise Residential Buildings***

| Fuel Type | Home Size | Stretch Code | Opt-in Specialized Code |
|----------------------|---------------------|--------------------------|--|
| All-elec new home | Any size | Hers 45 or Passive House | |
| Mixed-fuel, new home | Under 4,000 sq ft | Hers 42 | + solar PV (Min 4kW) + wiring for full elec |
| | | Passive House | + wiring for full elec |
| | 4,000 sq ft or more | Hers 42 or Passive Home | + solar PV to net zero (Hers 0 or PHIUS 0) + wiring for full elec |
| Home additions | Any size | Same as Stretch Code | |

*Table 2 Comparison of Stretch and Opt-in Specialized Code for **Commercial Buildings**.*

| Building Type | Fuel Type | Stretch Code | Opt-in Specialized Code |
|--|------------------|--|---|
| New multi-family (4+ stories, 12,000 sq ft or more) | All-elec | Hers 45 or TEDI or Passive House | Passive House |
| | Mixed fuel | Hers 45 or TEDI or Passive House | Passive House + wiring for full elec |
| New Schools, Offices, Municipal Buildings | All-elec | Hers 45 or TEDI or Passive House | |
| | Mixed fuel | TEDI or Passive House | + Solar PV |
| | | | + wiring for full elec |
| Other new commercial (over 20,000 sq ft) | All-elec | ASHREA or TEDI or Passive House | |
| | Mixed fuel | ASHREA or TEDI or Passive House | 6767 |



Amend Zoning By-Law, Section 9.4.5

Article #35

MOTION:

Move to approve Article 35 as printed in the warrant except the words “to do or act thereon.”

PURPOSE:

This amendment establishes a threshold for projects within the Downtown Overlay District, that triggers a requirement to dedicate a portion of affordable housing units for residents earning 60% of the Area Median Income (AMI).



Amend Zoning By-Law, Sections 3.1.2, 7.2 and 11.0

MOTION:

Move to approve Article 36 as printed in the warrant, except the chart should show "Body Art Establishments N, N, N, PB as strikethru, Y underlined, N strikethru, Y underlined, N strikethru, Y underlined, PB, N, N" and the words "to do or act thereon"

| 4. Business Uses | S-1 | S-2 | GR | B | CB | HCI | I | GA | OS |
|-------------------------|-----|-----|----|-----------------|-----------------------|-----------------------|----|----|----|
| Body Art Establishments | N | N | N | PB Y | N <u>Y</u> | N <u>Y</u> | PB | N | N |

PURPOSE:

The amendments would allow Body Art Establishments to be located "by right" in the Business, Central Business, and Health Care Industrial Zoning Districts and by Special Permit of the Planning Board within the Industrial Zoning District. Because body art is regulated by the Board of Health, all regulations not locationally related have been removed from the Zoning By-law.



Amend Zoning By-Law, Sections 3.1.2, 3.2, 6.1.5 and 8.3

MOTION:

Move to approve Article 37 as printed in the warrant except the words “to do or act thereon.”

PURPOSE:

The amendments would regulate home businesses by potential community impacts. This differs from the current regulations which regulate home businesses by specific uses. The use table and associated definitions are also amended in support of the new Zoning By-law.



Amend Zoning By-Law, Section 3.1.2

Article #38

MOTION:

Move to approve Article 38 as printed in the warrant except the words “to do or act thereon.”

PURPOSE:

This amendment changes the definition of Trade Shop and eliminates it from location within residential districts.



Proposed Amendments to the Zoning By-laws: Home Occupations and Trade Shops

Maynard Planning Board



Current Regulations

Article #38

- The Town currently allows many home business activities by right (no zoning permit required) or by Special Permit.
- Today there are businesses such as professional services, bakeries, and plumbing services, all conducting business legally in Maynard's neighborhoods.
- These businesses are called either "Home Occupations" or "Trade Shops."
- These businesses may or may not require a Special Permit from the Town to operate (each case is different).
- Based on recent experiences from the Zoning Board of Appeals, current regulations are antiquated and do not provide adequate guidance for decision-making.



What is a Special Permit?

Article #38

- A Special Permit is essentially written permission from an authority, to construct a building or establish a use that is not allowed by right. Typically, it is accompanied by a list of findings and conditions for the approval.
- Typically issued by the Zoning Board of Appeals or Planning Board after a public hearing.
- Designed to regulate and mitigate impacts (noise, traffic, light, etc.).
- May require periodic renewal or run with the property indefinitely.



The Facts

Article #38

- A home occupation must be incidental to the primary use of a residence.
- “Mixed-use” is not the same as a home occupation. A mixed-use project is designed to have a variety of uses and must be located in designated areas.
- This initiative does not affect real estate taxes. It does not address business registration or other non-zoning related requirements.
- Any neighborhood disruption from a home business is handled as a code enforcement case.
- The Town receives very few complaints from permitted home businesses historically.



Why a Change Now?

Article #38

- Current regulations are antiquated and inadequate for effective decision-making. Current regulations:
 - Allow for “customary uses” (which is not defined) and a few listed uses (“Hairdressing”, “Certain Sales”).
 - Does not consider neighborhood impacts.
- Regulations periodically require updating to reflect current trends and modern living. In this case, we’ve seen different permitting needs and requests since 2020.



Goals of the Proposed Change

- Provide effective guidance for better decision-making.
- Encourage the development of low-impact home business activities.
 - Allow activities that do not impact the surrounding area.
 - Require permitting for activities that may impact the surrounding area.
- Protect neighborhood character and mitigate for neighborhood impact.

Some things that are NOT changing

- Code compliance and enforcement
- Zoning designations
- Any other regulations (Board of Health, DPW, Maynard Police)



Proposed New Terminology

Article #38

- An “Accessory Home-Based Business Activity” (AHBBA) is an ancillary activity that occurs on a residential property. The business activity is secondary to the primary residential use.
- Two Categories:
 - A. “Type-A” has no evidence that a business activity is occurring. This does not require a Special Permit.
 - B. “Type-B” has evidence that a business activity is occurring. This requires a Special Permit.



Example Personas Do I need an AHBBA Special Permit?

- **Michael:** Residential electrician in town. Parks one work vehicle overnight at his residence. Works at construction jobs.
- **Answer: Not Applicable**
- Discussion: AHBBA Zoning does not apply since Michael is not working at his property. The Zoning By-laws allow one commercial vehicle (under 25,000 lbs. gross vehicle weight) is allowed to park overnight in a residential district.



Example Personas Do I need an AHBBA Special Permit?

- **Allison:** Owner of an accounting business. Works exclusively from a computer at home. Clients do not visit the home.
- **Answer: No Special Permit Required***
- **Discussion:** Because this is a secondary use of the property, and Allison would have “by-right” status to conduct her work (i.e., no Special Permit Required). *This assumes the use does not result in code complaints. Were it determined there were bona fide impacts created by the use the AHBBH By-law would require a determination by the enforcement officer if a Special Permit hearing is warranted.



Example Personas Do I need an AHBBA Special Permit?

- **Leah:** Carpenter. Makes tables from a workshop in the garage and sells them on the weekends. Saw noise is noticeable in small bursts during the day.
-
- **Answer:** Yes, Special Permit would most likely be required.
- Discussion: AHBBA Zoning would apply since this is a secondary use of the property, and Leah may need a Special Permit that includes conditions on noise or hours of operation.



Frequently Asked Questions

Q: I work online remotely from home: will I have to get a permit?

A: Working from home where there are no neighborhood impacts would not require a Special Permit.

Q: What if my neighbor claims I create a disturbance with my home business, but I disagree? Or vice-versa?

A: Town staff (normally the Building Commissioner and the Health Agent) will typically visit the location several times to ascertain any disturbance. They will also review any documentation provided before making an evaluation of the circumstances. A business found to have neighborhood impacts will be required to apply for a Special Permit.



Frequently Asked Questions

Q: How long is a Special Permit for a Home Occupation valid?

A: Typically, it depends on the board's evaluation of the circumstances. The duration can extend from annual to an indefinite period of time. It is crucial to understand that code infractions may be enforced at any time.

Q: Why doesn't the proposed by-law include language on code enforcement?

A: Code enforcement normally falls under the purview of the Building Commissioner, the Health Agent and/or the police. Each has their own enforcement procedures.



Frequently Asked Questions

Q: Where did this proposed change come from?

A: This effort by the Zoning Board of Appeals and the Planning Board has been underway since late 2021. It includes input from public outreach efforts.



Frequently Asked Questions

Q: My neighbor doesn't have a home business, but he uses his leaf blower at 6:00 am? How does this zoning amendment address that?

A: It doesn't. Regulations regarding personal activities (e.g., if you wanted to ban use of leaf blowers before 9:00 am) would be done as a change to the Town's Bylaws, which are different from the Town's Zoning Bylaws.



Frequently Asked Questions

Q: I'm a contractor in town that works on other people's property. Does this apply to me?

A: It doesn't. This would only apply to you if you are conducting business activities on your own property (for example: if you took window shutters from a client's home, brought them back to your property, and spray-painted them outside and created fumes, then this ABBHA would apply to you).



Frequently Asked Questions

Q: I make noise mowing my lawn. Why can't I make the same amount of noise as part of my home business?

A: The business' noise might happen more frequently, for longer periods of time, at different times of the day / days of the week, or at a higher volume... Or not.

That's why the Special Permit process would consider the specific circumstances of the proposed home-based business activity to ensure that it does not adversely impact the neighborhood.



Frequently Asked Questions

Q: Why would we want home businesses at all?

A: Home Businesses:

- Can be **business incubators** and may create a viable business that will ultimately relocate to a commercial area.
- Provide income that can be **spent locally**.
- Allow **flexible employment** for people who may otherwise be excluded from conventional work.
- Potentially **retain residents** who may otherwise leave the community for employment-related reasons.
- May **provide services** for residents or other businesses otherwise unavailable locally.



Thank you!