



# **PLANNING BOARD**

## **RULES AND REGULATIONS**

**THE TOWN OF MAYNARD  
MASSACHUSETTS, 01754**

**RULES AND REGULATIONS (INCLUDING FEE SCHEDULE AND FORMS)**

***REVISIONS:***  
***AUGUST 14, 2018; JANUARY 26, 2021***

## TABLE OF CONTENTS:

INTRODUCTION – SITE PLAN APPROVAL .....	3
CONDITIONS REQUIRING SITE PLAN APPROVAL .....	3
SITE PLAN REVIEW PROCEDURE .....	3
RULES AND REGULATIONS - SITE PLAN REVIEW .....	3
SITE PLAN PRE-APPLICATION MEETING.....	3
PEER REVIEW POLICY AND PROCEDURES .....	3
SITE PLAN DETAILS.....	4
A. General .....	5
B. Buildings/Structures.....	6
C. Utilities.....	7
D. Vehicular Traffic and Parking.....	7
E. Pedestrian Circulation .....	8
F. Landscaping .....	8
G. Site Plan Modification.....	8
H. Other Requirements for Site Plan Approval: .....	9
I. Endorsement.....	11
J. Site Plan Approval Recording Requirements.....	11
K. Electronic Copies of Materials Required .....	11
L. Application Fees.....	11
SPECIAL PERMITS .....	11
A. Special Permit Review Procedure .....	11
B. Special Permit Modification.....	12
DESIGN REVIEW STANDARDS.....	12
A. Purpose .....	12
B. Overall Guidelines .....	12
C. Peer Review for Design Standards.....	13
D. Specific Guidelines .....	13
PROJECTS WITH AFFORDABLE HOUSING COMPONENTS .....	18
MISCELLANEOUS.....	19
A. Safe Harbor Valuation of Open Space .....	19
B. Onsite Posting Requirements for Public Hearings .....	20
APPENDIX “A”: Fee Schedule	
APPENDIX “B”: Applications and Forms	

## INTRODUCTION – SITE PLAN APPROVAL

Massachusetts General Laws (MGL) Chapter 40A designates regulatory oversight of site planning to local governments. The procedures identified in the Planning Board's Rules and Regulations are authorized by Section 10.3.3 of the Maynard Zoning By-laws (ZBL) and outline procedures and minimum submission requirements for Site Plan review. This procedure is conducted in accordance with Chapter 40A, Sections 9 and 11 of the MGL.

## CONDITIONS REQUIRING SITE PLAN APPROVAL

Site Plan applicability may be found in Section 10.5.1 of the ZBL.

If inappropriate or unnecessary to an application, the Applicant may request, in writing, a waiver of strict compliance to these regulations when applying for Site Plan Review. The Planning Board or the Planning Director shall determine whether to grant or deny said request.

## SITE PLAN REVIEW PROCEDURE

The procedures and application form for Site Plan Review are contained as Appendices to this document. Section 10.5.6 of the ZBL states that once an application for Site Plan Approval is filed the Planning Board must act upon the Site Plan within 90 days.

## RULES AND REGULATIONS - SITE PLAN REVIEW

The Planning Board Rules and Regulations are adopted in accordance with Section 10.5.8 of the ZBL for the purpose of implementing the ZBL, and are consistent with MGL Chapter 40A, Sections 9 and 11.

## SITE PLAN PRE-APPLICATION MEETING

A Pre-Application meeting with Town staff is mandatory for all projects requesting Site Plan Approval. The Pre-Application meeting can be scheduled through the Office of Municipal Services (OMS). The purposes of this meeting are to familiarize reviewing staff with the basics of the project, and to provide feedback and general recommendations prior to formal submittal of the application. The Pre-Application meeting also provides an opportunity to ensure the application is complete and includes all necessary materials/information. Depending on the project scope, staff participating in the meeting may include representatives of Planning, Zoning, Building, Conservation, the Department of Public Works (DPW), the Fire Department, the Police Department, and/or the Health Department. It is recommended, but ultimately at the Applicant's discretion, that the Town Engineer and/or Design Reviewer (if applicable) attend the Pre-Application meeting. As both are outside consultants, *the Applicant is responsible for all fees charged by the Town Engineer and Design Reviewer to attend the meeting.*

The Applicant may also request placement on a Planning Board Meeting agenda for initial feedback on a project. The Board will be limited in their ability to comment on site specifics, and discussion will be limited to generalities. While this meeting is encouraged, the initial feedback is non-binding.

All Pre-Application meetings, whether optional or mandatory, are intended to assist the Applicant in understanding expectations; anticipating areas of concern; and minimizing unnecessary expenses.

## PEER REVIEW POLICY AND PROCEDURES

In the context of the Planning Board's Rules and Regulations, "Peer Review" refers to the use of an outside consultant on behalf of the Town to review materials provided by an Applicant and provide feedback to both the Board and the Applicant. In general, the purpose of Peer Review is to provide expertise not available in house, or unavailable due to workload or personnel shortage. It also may be used for specialized areas of review. Peer Review is authorized by MGL Chapter 44, Section 53G and by the Town ZBL.

### **Engineering Peer Review**

All Site Plan materials submitted, including, but not limited to, landscape plans and stormwater reports, are subject to Engineering Peer Review at the Applicant's expense. A Special Permit request on its own may be subject to Engineering Peer Review per Section 10.4.8 of the ZBL.

### **Water and Sewer Capacity Review**

All proposed projects are required to have a letter from DPW attesting to adequate water and sewer capacity. The letter must be included with the application to the Planning Board for Site Plan or Subdivision approval (as well as for other applications involving a change in use as deemed necessary by DPW). The purpose is to determine the project impact on Town utility systems. DPW may require further review/analysis of the project by outside consultants, and the Applicant is responsible for fees, expenses, or other costs incurred by the DPW for the review.

### **Design Peer Review**

Projects located in the Central Business (CB), Business (B), Downtown Overlay (DOD), and Health Care Industrial (HCI) Districts are subject to Design Review at the Applicant's expense consistent with Section 10.6.2 of the ZBL.

The Planning Board may at its own discretion determine to utilize a design professional to conduct a peer review of projects *regardless of the location*. The determination to utilize outside professional peer review will be made by the Planning Board after a staff recommendation based on the Pre-Application meeting. A Special Permit request on its own may also be subject to Design Peer Review per Section 10.4.8 of the ZBL.

### **Other Consultants Peer Review**

In some cases, as authorized by MGL Chapter 44, Section 53G, the Planning Board may utilize other professional consultants for specialized review topics.

### **Peer Review Funds**

By adopting these Regulations, the Planning Board adopts the provisions of G.L. c. 44 §53G. A deposit for Peer Review services shall be collected at initial application intake at the OMS for Engineering and if applicable, Design Review Services. The Board recognizes that expenses for peer review can vary depending on the project. To give applicants the ability to anticipate general costs, the Board, through the OMS, will establish an initial review deposit amount. The deposit amount shall not be exceeded without direction of the Planning Board and/or the Applicant, at which point the account shall be replenished to the original deposit amount unless otherwise authorized by the Board.

It should be highlighted that those expenses incurred by applicants for material review are greatly influenced by the quality and completeness of materials presented, as well as the systematic and organized presentation of said materials. The original Peer Review account balance(s) shall be maintained, or review may be withheld, and a scheduled Planning Board hearing or meeting continued by the Planning Board. *A scheduled meeting or hearing will be continued to allow for a new agenda to be posted when an applicant has an account in arrears three days prior to the scheduled meeting or hearing.* The Planning Board may deny a project in the event the Peer Review fees are not paid in full. The Planning Board may request the Building Commissioner revoke or suspend a permit should the Applicant fail to maintain their Peer Review account during the implementation of a permit, if required.

## **SITE PLAN DETAILS**

The Site Plan shall be prepared by a Massachusetts Registered Professional Engineer, land surveyor, landscape architect, or architect for general locations unless authorized by the Planning Board. For topographical and boundary survey information, the Site Plan shall be signed and sealed by a licensed land surveyor. The Site Plan shall show the entire area under consideration for development. For all elements of design, which shall include drainage, pavements, curbing, walkways, embankments, horizontal and vertical geometry, utilities and all pertinent structures, drawings and final "As-built" Plans shall be signed and sealed by a Massachusetts Registered Professional Engineer. Such plans shall conform to the standards of all other pertinent Boards and Departments prior to submission.

The following information shall be included on all Site Plans and/or provided in writing with the accompanying application where appropriate:

## **A. General**

1. Date of Site Plan. All revisions shall be noted, dated, and when appropriate, indicate all changes from previous version of Site Plan submitted. A revised or re-submitted Site Plan shall include clouded “call outs” to indicate an altered item.
2. North arrow.
3. Title of project.
4. Locational information of project:
  - Street address
  - Property Assessor’s Map and Parcel number
  - Property ID number
5. Owner of record: name, address, and contact information. If the owner of record is a corporation, the name and address of the president shall be submitted with the application. If owned by multiple people or entities, the Applicant must provide written permission from all owners.
6. Plan preparer: address and contact information. License number and seal of person preparing Site Plan shall be included.
7. Designated agent for project and contact information.
8. Scale - A scale of 1-20', 1-40' or 1-80', whichever is appropriate to the size of the proposal. All distances shall be in feet and decimals of a foot and all bearings shall be given to the nearest ten seconds. The error of closure shall not exceed one in ten thousand.
9. The names of all owners of record of all adjacent property, and the Property Assessor’s Map and parcel number of the property (within 300 feet of all property lines shown on the locus to be developed or altered).
10. Current zoning designation of the project area. If applicable, proposed zoning designation shall also be shown.
11. Adjacent zoning districts within 200 feet of the subject property, parcel lines, or area of impact shall be indicated. Such features shall be shown on a separate map or as a key map on the detail map itself.
12. All governing bodies or entities with jurisdictional authority impacting the project area shall be identified. Application of their applicable regulatory framework as it affects the property shall be shown.
13. Boundaries for existing streets, lots, reservations, easements, rights-of-ways, restricted areas etc. shall be included. Application material shall include all information necessary to clearly identify status and/or disposition of property referenced.
14. Areas dedicated or granted for public use including, but not limited to, open space, recreational areas, parks, trails, etc.
15. Key map showing the location of the project area with references to surrounding areas and existing street intersections.
16. All distances as measured along the right-of-way lines of existing streets abutting the property to the nearest intersection with any other public street.
17. Setbacks distances between structures/improvements from property lines and key topographical features (i.e. wetlands or flood plain) shall be depicted.
18. Existing contours with intervals of two feet where the slopes are more than three (3) percent but less than fifteen (15) percent, and five (5) feet when fifteen (15) percent or more, referred to U.S. Coast and Geodetic data are to be indicated by a dashed line. Where any changes in contours are

proposed, finished grades should be shown as solid lines.

19. Location of existing buildings and all other existing structures such as walls, fences, culverts, bridges, roadways, etc., which shall remain. Elevations of such structures shall be included.
20. Location of existing buildings and all other existing structures such as walls, fences, culverts, bridges, roadways, etc. that are proposed to be removed shall be noted on Site Plan as "To Be Removed."
21. All structures or significant changes in topography within 50' of all property lines.
22. Acreage of tract. Square footage shall also be indicated for clarity.
23. Location for signatures of the Planning Board on all plans and/or documents to be approved. Locations shall also be required for endorsement/seals/stamps necessary to verify all recording of documents as required by Massachusetts or other applicable laws.
24. All calculations necessary to determine conformance to the ZBL shall be indicated on the Site Plan in the form of a table placed, at a minimum, on the Site Plan cover sheet. Calculations shall at a minimum indicate development standards: "required", "proposed" and if applicable, "existing."
25. All plans shall show locations of any exterior features to demonstrate compliance with 521 CMR: wherever required (public buildings and facilities accessible for persons with disabilities).
26. Such other information as may be required to show that the details of the Site Plan are in accordance with applicable requirements and standard of the ZBL.
27. Resubmission of materials. All revisions and subsequent plans shall be "called out" by clouding or other clearly defined note so that changes can be readily identified. Changes to previously submitted plans that are not specifically called out in both the plan and submittal letter will not be recognized as part of the approved plan by the Board, unless otherwise directed. *Changes made to the plan not specifically called out shall not be considered approved by the Planning Board.*

## B. Buildings/Structures

1. All project materials submitted must be consistent with dates, title blocks etc. as well any information necessary to clearly tie them together and clearly define their relationship to each other.
2. The proposed use and location of buildings including proposed grades and structure height. Total floor space of all buildings shall be indicated by square footage.
3. The location, housing type, and density of land use to be allocated to parts of the site to be developed.
4. Layout shall include proposed setbacks, distances from key locations, or other factors that potentially may affect the project (such as distances from buildings, zones, property lines, etc. that have a bearing on the siting of uses or structures).
5. Layout of proposed buildings or structures including elevations and architectural renderings that include all dimensional information.
6. Exhibits are required to indicate the visual impact on the community. The intent of the exhibits is to demonstrate how the proposal's design/approach takes the surrounding area into context and contributes to the overall aesthetic harmony, including exhibits demonstrating the projects scale with the surrounding properties. The area depicted should be of adequate extent for the Board to gauge the impact on the community.
7. Location of all signage. Proposed dimensions, setbacks and applicable regulatory standards shall be indicated on Site Plan. A depiction of sign design shall be included either as a separate sheet or on the Site Plan. Signage requiring a Special Permit shall be noted as such on the Site Plan.
8. All existing non-conformities shall be indicated.

## C. Utilities

*All utility work shall be performed to, and consistent with, Department of Public Works (DPW) specifications.*

1. All stormwater, drainage, and erosion control plans and reports shall conform to the Stormwater Management Section of the General By-laws and associated Regulations. The Conservation Commission requires a separate submission for a Stormwater Management Permit simultaneous with the Planning Board submission.
2. Location of existing storm drainage structures and related infrastructure, whether publicly or privately owned, with pipe sizes, grades, and direction flow.
3. Location of all electric, telephone and other utilities. If existing utility lines are underground, the estimated location of the existing underground utility lines shall be shown.
4. Location of fire alarm and terminal boxes.
5. The location of all proposed water lines, valves and hydrants and all sewer lines or alternate means of water supply or sewage disposal and treatment.
6. Location of all existing drainage within 500 feet of any boundary of the subject property and all areas such as paved areas, grassed areas, wooded areas, and all other surface area contributing to the drainage.
7. Photometric plans shall be provided for all proposed outdoor lighting, including building-mounted and security lighting. Additional lighting guidelines are found in the Planning Board's "Landscape Regulations" (separate document).
8. Consistent with Section IV (E) of the Maynard Subdivision Regulations and Section 10.6.7.8 of the ZBL, projects shall locate all utilities underground. Permission from the Planning Board, or designee, must be granted if a project proposes utilities above-ground. If the Applicant desires permission from the Planning Board to forgo underground installation for the project utilities, a justification statement shall be provided with the initial application. The request (and if granted, the approval by the Planning Board) shall be noted on the Site Plan.
9. Proposed water, drainage and sewer systems shall require approval from DPW prior to Site Plan Approval. The Applicant shall provide DPW with a proposed utility plan. A system capacity analysis is required per the Town Water and Sewer Rules and Regulations. All costs for analysis are solely the Applicant's responsibility.
10. Additional separate approvals from Town or other reviewing entities (i.e., utility companies) may be required.

## D. Vehicular Traffic and Parking

1. All means of vehicular access for ingress and egress to and from the site onto public streets showing the size and location of driveways and curb cuts including possible organization of traffic channels, acceleration and deceleration lanes, additional width, and any other devices necessary to prevent difficult traffic situations.
2. The location and design of any off-street parking areas and/or loading areas showing size and location of bays, aisles, barriers, and proposed plantings. The total ground coverage by structures and impervious surfaces shall be identified and measured and placed on the Site Plan.
3. All proposed streets with profiles indicating grading; and cross-sections showing width of roadway, location, and width of sidewalk according to the general standards and specifications of DPW.
4. A traffic circulation/impact study (both within the site and as it may affect the surrounding areas) is required. The study shall include estimates of total automotive trips generated, peak hour demand, present and anticipated traffic volumes, complete streets elements such as pedestrian and bicycle circulation and access, deliveries, rideshare accommodations, existing street capacities, and other

elements of the internal and external impacts of the development. Other components may be required by the Planning Board, DPW or the Pre-Application Review Team, if in their determination after reviewing the material that further information is required to render an informed decision consistent with these Rules and Regulations.

5. A "Safe-Site" analysis for identified roadway intersections and all pedestrian areas, such as crosswalks not at intersections, may be required as determined by the Planning Board or the Pre-Application Review Team.
6. Copies of all existing or proposed agreements by which private roads shall be maintained and plowed, refuse collected, and other supplementary services are to be provided.

## **E. Pedestrian Circulation**

Maynard has adopted a "Complete Streets" policy in conjunction with the Metropolitan Area Planning Council (MAPC), which commits the Town to ensuring the best possible design for pedestrians, bicyclists, and other modes of transportation as well as the automobile. The Planning Board expects designs that recognize and apply Complete Street elements to projects whenever possible. The Planning Board recognizes that there are many ways to incorporate design elements depending on the project context.

1. The application package shall demonstrate how the proposed project is consistent with the Town's Complete Streets policies and as applicable, with the Town's Complete Streets Priority Plan.
2. The Site Plan or where appropriate, shall indicate:
  - The location and size of any existing pedestrian, bicycle and or other non-motor vehicular networks or accommodations within the project area.
  - External connections proposed to link project to surrounding non-motor vehicular networks.
  - Internal pedestrian and bicycle paths, lanes, routes etc.
  - Internal bicycle facilities, racks, storage areas etc.
  - Roadway marking proposed for pedestrians and bicyclists.
  - A general conditions assessment of nearby bicycle and pedestrian routes, sidewalks, walking paths, trails etc. This shall include a description of ADA consistency and accessibility. A narrative providing specific details, photographs, etc. is required as part of the Site Plan submission materials.

## **F. Landscaping**

1. A Landscape Plan prepared and stamped by a licensed Landscape Architect shall be required for all projects unless authorized by the Planning Board Chair, or by the Pre-Application Review Team. If a Landscape Plan by a licensed Landscape Architect is deemed unnecessary, the Board may still require information on proposed landscaping. The Landscape Plan shall be consistent with the Planning Board's "Landscape Regulations" (note: this is a separate document).

## **G. Site Plan Modification**

1. A modification to an approved Site Plan that the Planning Board determines to be "minor" can be made at a posted meeting. Modifications to the Site Plan or to the Site Plan Approval which are deemed by the Planning Board to be "major" may be considered by the Planning Board only after a public hearing at a duly posted public meeting of the Planning Board. Such modification may be considered following written application by the Applicant.
2. The Planning Board has the power to correct an inadvertent or clerical error in a Decision so that the record will reflect the true intention of the Planning Board without a further public hearing.
3. All proposed modifications shall be "called out" by clouding, highlighting, or other clearly defined

note so that changes in the plans can be readily identified. Changes to previously approved plans that are not specifically called out in both the plan and Request for Determination of Modification letter will not be recognized as part of the amended plan by the Board, unless otherwise directed.

## **H. Other Requirements for Site Plan Approval:**

1. Projects located within the Downtown Overlay District (DOD) shall provide a statement with the application package demonstrating how the proposed project is consistent with all requirements of the DOD as described in the ZBL.
2. The developer shall provide details of postal delivery to the proposed development. If requested by the Planning Board, documentation from the Postmaster may be required.
3. Information shall be provided which demonstrates how fire alarm and terminal boxes shall be installed for the fire alarm system in accordance with the standard specifications of the Fire Department.
4. The form of organization proposed to own and maintain any common open space shall include provisions which recognize the right of the Town of Maynard to enforce the maintenance of common open space in reasonable order and condition and to assess the property owners for the costs of such maintenance in the failure of the organization to maintain the common open space. The documents must provide that such assessment shall become a lien on the properties.
5. The Applicant shall execute and deliver to the Planning Board, a copy of any covenants, deed restriction or other mechanism that are intended to apply to all or any part of the project or project site. The covenant or document shall be recorded at the Registry and shall run with the land. Such covenant shall be sufficient to secure compliance by the Applicant with the Plan. Other issues required to be addressed by covenant or similar instrument may include, but are not limited to, establishment of homeowners' associations, maintenance provisions, restrictions on property, and provision of surety bonding for required work/ infrastructure to be provided by the Applicant.
6. The Applicant shall comply with all requirements of all state, federal and local boards, commissions, or other agencies, including but not limited to, the Building Inspector, Fire Department, DPW, Conservation Commission, Police Department, Zoning Board of Appeals and the ZBL. Applicant shall proactively demonstrate to the Planning Board recognition of concerns of abutters in conducting any activity on or near the Site.
7. All construction related parking must occur on-site or on adjacent private property. Parking and/or deliveries using public streets, or lots require permission by the Select Board or designee.
8. All blasting shall be conducted in accordance with MGL Chapter 148 and 527 CMR 13.01 et. seq. All blasting at the site shall be conducted under conditions established by the Planning Board.
9. The Applicant shall not be entitled to a building permit until the Board receives written approval of the Fire Chief for the proposed Site Plan.
10. During and after construction the Applicant shall be responsible for maintaining all ways and parking areas on the site. All ways, parking areas, public trails, and sidewalks in, on or near the Site shall be maintained in good condition and free of snow or other accumulation year-round, including access to all hydrants and firefighting equipment. No snow accumulation that will obstruct the sightlines for vehicular traffic either on the site or at any intersection contiguous to the site shall be permitted. The Applicant shall maintain landscaping in good condition. Unless otherwise directed by the Planning Board, this shall be a condition of Site Plan Approval.
11. No debris or pollutants shall be discharged into the Town's MS4 system, which includes Town storm drains, wetlands, or water bodies. All drainage systems shall be maintained in good repair and working order by the Applicant, subject to periodic inspection by the DPW and/or the Conservation Commission or its agent.
12. The Applicant shall complete street lighting and landscaping in accordance with the approved plans.

13. A trash disposal system for the Site, acceptable to the Board of Health, shall be provided by the Applicant. There shall be no obligation on the part of the Town to remove or provide for the collection or disposal of any refuse material from the Site.
14. All buildings and individual units shall be clearly numbered and lettered, in accordance with Town Bylaws.
15. During construction, portable sanitary toilets shall be provided by the Applicant for the work force in the Site.
16. All expenses of the Planning Board relating to the Site Plan Approval, including but not limited to advertising, engineering, design, water, sewer or other capacity studies and other professional peer review of all plans, recording, and filing of plans/documents, and all other expenses in connection with, for, or related to said plans shall be borne by the Applicant, and such expenses shall be fully paid prior to the issuance of Site Plan Approval.
17. As applicable, policies of the Select Board, Fire Department, DPW, Conservation Commission, Board of Health and other Town departments concerning the design and installation of project facilities shall be followed.
18. The Planning Board may release any structure, lot or lots from the terms and conditions of this Site Approval upon the following terms:
  - Performance by the Applicant of all required conditions shown on the Plan, in accordance with the provisions of MGL Ch.4 1, Sec. 8 I U; or;
  - Acceptance by the Planning Board of a certified check, a negotiable term certificate, money order or any combination of the above sufficient in the opinion of the Planning Board to secure performance (within a time period acceptable to the Planning Board) of the construction of ways and the installation of the municipal services on the Site required for the structure, lot or lots to be released, and the recording of certificate executed by a majority of the Planning Board with the applicable Registry of Deeds releasing such structure, lot, or lots from this Site Plan Approval.
  - Prior to Planning Board final sign-off for a Certificate of Occupancy, the Applicant shall provide an electronic and paper copy "As-built" Plan of the completed project to the Town Engineer via DPW. Any deviations from the approved Site Plan shall be noted on the Plan. If changes were not authorized as a "field change" by Town Staff, changes shall be subject to a determination of "minor" or "major" modification by the Planning Board. If determined to be a "major" modification, a Public Hearing for a Site Plan Amendment shall be required.
19. Additional Provisions for Phased Developments
  - In the case of plans which call for development over a period of years, a schedule showing the proposed start time for each section or phase of the development shall be submitted.
  - In the case of Cluster Residential Housing or Planned Residential District applications, which are being phased over a period, the Planning Board may accept a preliminary Site Plan covering only part of the land to be developed. A preliminary Site Plan covering only part of the land shall be accompanied by a general Site Plan submission which will be sufficient to determine the relationship of plans for one part of the development to the overall concept for the total land area.
  - In the case of a phased development, a surety bond to ensure that each phase shall be brought to completion is required unless the Planning Board otherwise states.
  - All preliminary Site Plans and general Site Plans previously approved by the Planning Board shall be resubmitted each time a new part or section is submitted for approval. Revision dated shall be indicated on all revised plans.
20. Requests for Continuances of a Scheduled Public Hearing
  - Unless otherwise authorized by the Chair:

- Requests for a Continuance must be made in writing and shall clearly detail the reason for the request.
- A scheduled Public Hearing shall be opened prior to granting or denying a Continuance.
- The Planning Board is not obligated to grant a Continuance and may elect to resume the hearing and act on an application.

## **I. Endorsement**

1. After approval by the Planning Board and subject to satisfaction of any conditions of approval, a mylar and five (5) 18" x 24" paper prints of all approved plans, maps, etc. shall be submitted for signature and filing. All information appearing thereon shall be in black ink.

## **J. Site Plan Approval Recording Requirements**

1. Within 90 days of receipt of a Site Plan application, an approval signed by the Planning Board shall be filed with the Town Clerk (unless extended by the Planning Board and the Applicant).
2. Upon conclusion of the 20 calendar day appeal period (if no appeal has been filed), the Town Clerk will provide the Applicant a letter attesting to the lapse of the appeal period. The Applicant shall file the Approval with the Middlesex South District Registry of Deeds ("Registry"). Any covenants, restrictions or approval documents shall also be filed with the Registry. The Registry recording document must provide the Book and Page on which the Approval is recorded. The Applicant is responsible for all fees related to the filing.
3. Prior to application for building permits, the Applicant shall provide the Building Inspector, the Clerk, and the OMS with a copy of the recording certification from the Registry.

## **K. Electronic Copies of Materials Required**

The Applicant shall provide a labeled or clearly marked electronic copy (CD or other medium) of all materials with each submittal and re-submittal. An electronic copy of the final approved plan as recorded by the Registry shall also be provided prior to issuance of building permits.

## **L. Application Fees**

In compliance with MGL Ch. 40, Section 22F, the Planning Board has established a schedule of fees relative to any applications or inquiries made to the Planning Board pursuant to fulfillment of the Planning Board's responsibilities under the Maynard ZBL and the *Maynard Rules and Regulations Relating to the Subdivision of Land*. The schedule of fees may be modified from time to time at a public meeting of the Planning Board and is contained as Appendix "A" of the Planning Board Rules and Regulations.

## **SPECIAL PERMITS**

Section 10.4.1 of the ZBL designates the Planning Board as a "Special Permit Granting Authority" (SPGA). In most, but not all cases, a Special Permit is required and requested in conjunction with a Site Plan Approval.

### **A. Special Permit Review Procedure**

1. Special Permits are governed by MGL, Chapter 40A, Section 9 and Section 10.4.5 of the ZBL. Special Permits require a public hearing consistent with MGL Ch. 40, Section 11.
2. Section 10.4.2 of the ZBL provides the criteria that must be met for the SPGA to issue a Special Permit.
3. The Planning Board may impose conditions, safeguards and limitations on time or use when granting a Special Permit consistent with Section 10.4.3 of the ZBL.

4. A Special Permit request on its own may be subject to Engineering, Design, or other Consultant review authorized by MGL Chapter 44, Section 53G and Section 10.4.8 of the ZBL.

## **B. Special Permit Modification**

1. Minor modifications to a Special Permit, whether associated with an approved Site Plan or not, may be made by the Planning Board at a posted meeting. A modification to a Special Permit associated with an approved Site Plan which will change the intent of the original Decision, or which will grant relief different than that originally granted, requires a new public hearing to be reviewed as a new application in accordance with Section 10.4.5 of the ZBL.
2. The Planning Board has the power to correct an inadvertent or clerical error in a decision so that the record will reflect the true intention of the Planning Board, without holding a further public hearing.

# **DESIGN REVIEW STANDARDS**

## **A. Purpose**

The Planning Board shall use the following guidelines and standards in administering Design Review as described Section 10.6 of the ZBL:

*It is incumbent on the applicant to demonstrate coherence and harmony with the immediate area and neighborhood and shall demonstrate consistency with the Town's Master Plan, and pre-existing historic and/or high-quality design and architectural features.*

The following guidelines have been organized into two related sections:

1. Overall Guidelines - These are general considerations that shall apply to any project.
2. Specific Guidelines - These concern the elements of a building and its site that might be affected by a proposed project, such as storefronts, lighting, roofs, materials, signage, and the like.

## **B. Overall Guidelines**

Building improvements should respect a building's original style or type where the building is of historic merit, or where the original building design is of high quality and distinctive character.

The Industrial Revolution and the building styles that were used during this period are of great significance to Maynard, and several structures typical of this period remain. Restoration of these facades to reflect their original character to the greatest extent possible is a fundamental goal.

Building renovations should be harmonious with the original structure in form, style, and materials whenever possible. Building improvements should not be designed to mimic historical features that are inappropriate to the original character of the building.

Previous building renovations, which have taken place over the course of time, are sometimes evidence of the history of a building and its environment. If these alterations have acquired their own significance, they should be recognized and respected.

1. If original building elements have been removed or substantially altered over time, contemporary treatments are not discouraged. However, they should retain traditional principles and be of a character appropriate to the area.
2. New buildings may have a contemporary character that is respectful of and composed with traditional and attractive design elements (materials, colors, facade organization and proportions). Buildings designed in accurate historical architectural styles are recommended.

3. New building design should reflect a long-term contribution to the area's architecture and should be planned in such a manner as to not preclude a variety of tenants from occupying the structure over the course of time. Building styles not easily adapted to future reuse are strongly discouraged.
4. Distinguishing original qualities and character defining features of a building or structure and its environment should be preserved; elements that make a building special should be identified and preserved if possible.
5. Façade designs that relate to the historic town character of Maynard are encouraged. In general, businesses should rely on signage, not on signature or symbolic building elements, to advertise themselves and to attract patrons.
6. Standardized or generic designs are to be avoided. Within an overall framework of consistent and coherent general principles, variety in the commercial environment is encouraged.

## C. Peer Review for Design Standards

The Planning Board may at its own discretion, opt to utilize a design professional to conduct a peer review of projects. The determination to utilize outside professional peer review will normally, but not always, be made at the Pre-Application meeting. The Applicant is solely responsible for all professional costs incurred for peer review. Details of this process are found in “Peer Review Policy and Procedures” section of this document.

## D. Specific Guidelines

In each of the following subsections, the “Standard” represents the conditions that must be met by all development that are subject to design review, while the “Recommended Approach” represents one way of satisfying the standard. Through the Site Plan Approval process, the Planning Board may permit alternative site planning and building design approaches if it finds that such alternative approaches address the required standard as well as, or better than, the “Recommended Approach.”

### 1. Facades, Exterior Walls, and Details

#### Standard:

- Buildings should have “human scale” architectural features and patterns: their height, orientation, and massing should be respectful of and in proportion to pedestrians that pass along the downtown streetscape. The elements should be integral parts of the building fabric, and not superficially applied trim or graphics, or paint. Facades visible from a public way should be articulated or use other techniques to reduce the massive scale and the uniform appearances of large buildings. Facades along Main and Nason Streets should pay particular attention to exterior detailing that encourages pedestrian interest and activity.
- New building and facade designs should be similar to the immediate neighbors and historic site organization, with primary orientation towards the streets and doors and windows adjacent to sidewalks. Facades and visible roofs should strive to be visually interesting and attractive along areas that will be seen by the public.
- A unified architectural style should be determined for each project and used consistently for all elements of a building wall and roof. However, in the case of a use which is housed in multiple buildings, the underlying integrity of each building should be preserved, to the extent that historic qualities remain. Proportions of building elements should respect the architectural styles with which they are composed, in addition to details and materials. Building doors and windows should be designed to be consistent in proportion, size and configuration with the architectural styles that are determined to be appropriate for the building.

#### Recommended approach:

- Building facades should include a repeating pattern that should include color change, texture change, and materials change. At least one of these elements should repeat horizontally. All

elements should repeat at intervals of no more than thirty (30) feet, either horizontally or vertically. Patterns can include architectural or structural bays through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib.

- The massing of large buildings should reflect the functions of the building and respond to the scale of traditional buildings by including major facade elements, which help to break the building into smaller pieces with distinctive appearances. Individual buildings and their storefronts should appear distinct, even when a single use spans multiple storefronts.
- Facades which are visible from a public way and greater than 100 feet in length, measured horizontally, should:
  - a. Incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade so that no uninterrupted facade should exceed 100 horizontal feet; or
  - b. Incorporate other types of articulation, facades, displays, materials, or texture which meets the above standard.
- Ground floor facades that face public streets should have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length. The street level facade of commercial storefronts should be transparent between the height of three feet and eight feet above the walkway grade (see Storefronts).
- Blank walls without any visual content or interest should be avoided along pedestrian sidewalks and parking areas, and on front facades in general.
  - a. Historic roof forms should be retained or restored. Additions should have roof forms that are compatible with the forms of the building to which they are attached. New structures should employ simple roof forms compatible with the flat or gable roof styles typical of the Maynard commercial areas.
  - b. Downspouts and gutters should be of a color that is compatible with the building walls. If the building is historic, the style and color of downspouts and gutters should be appropriate to the original character of the facade.

## 2. Windows, Doors, and Entryways

### Standard:

- Windows should respect spacing and size patterns appropriate to the architectural style that is chosen for either renovation or new construction. In general, numerous smaller window openings are preferred for upper stories of buildings. Lower story windows should be appropriate for the uses behind them, but transparency and indication of activity are important. In general if not a storefront, it is preferable to have vertically-oriented windows.
- Primary entrances are a principal element of orientation and connectivity to the street and should be designed appropriately; they should concentrate visible activity and interest toward the street.
- Large retail buildings should feature multiple entrances. Multiple building entrances break up large walls, reduce walking distances from cars, facilitate pedestrian access from public sidewalks, and provide convenience where certain entrances offer access to individual stores, or identified departments of a store. Entryway design elements and variations should give orientation and definition to the building.

### Recommended Approach:

- Whenever possible, the original window patterns of a building should be restored or retained; avoid blocking, reducing, or changing any original and appropriate pattern of windows when renovating older buildings. Repairing existing historic windows with in-kind materials is preferable to replacement. When existing historic windows are irreparable, replacement

windows should strive to replicate existing historic window details.

- An individual "punched" window expression rather than continuous horizontal or vertical "strip" windows is encouraged whenever possible and appropriate to the building style. Windows with multiple small panes, which emulate historic windows should be avoided, unless they are historically accurate and appropriate to the primary style of the building. Such glazing was seldom used during many historical periods, and is often used inappropriately to convey a "colonial" appearance.
- Larger scale windows should be used at the ground level.
- Transparent glazing should be used, and reflective or dark tinted glass avoided. Opaque panels, such as painted metal or spandrel glass, should not be used to replace vision glazing in windows.
- Shutters should be employed only if they are consistent with the architectural style of the facade. Shutters should not be employed with casement-style windows, bay windows, broad picture, paired/grouped or display windows.
- Doors:
  - Primary entrances should be largely transparent, as is traditionally the case with storefront design. This will promote a sense of welcome and safe access.
  - Street numbers should be located near the front address and be of adequate size and distinctive color to be visible to the passing motorist. The street number should not be located so that it is obscured when the front door is open.
  - Any special loading and service entrances should be screened from streets, other public ways, and adjacent properties. If it is not possible to screen such areas entirely, they should be visually minimized to the greatest extent possible.
  - Unused entrances should be transformed into other architectural elements appropriate to the architectural style of the building, such as a store window.
  - Entrances shall meet the requirements of the Massachusetts Architectural Access regulations.
  - The addition of rear entrances, display windows or other improvements is encouraged to increase interest and access to uses.
  - Historic door material and hardware should be restored or repaired where possible. Repair should match existing size, design, profile, and configuration.
  - Screen and storm doors should be wood, when appropriate to the building, and kept as simple as possible. Horizontal and vertical rails of screen doors should align and coincide with those of the doors behind.
  - Aluminum doors and aluminum screen doors are not recommended.
  - Divided light doors or side lights should be employed only if appropriate for the style of the building facade.
  - Drop ceilings should not be visible from the public street or sidewalk.
- Entryways:
  - The sides of a principal building that abut a public street or large parking lot should have at least one customer entrance or a pedestrian arcade that brings pedestrians around the building to the entrance.
  - Each principal building and each store within a building should have at least one clearly defined, highly visible customer entrance, featuring no less than three of the following: Canopies or porticos, overhangs, recesses/projections, arcades, raised corniced parapets over the door, peaked roof forms, arches, outdoor patios, display windows, architectural details which are integrated into the building structure (such as tile work and moldings), or integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

### 3. Materials and Colors

#### Standard:

- In general, high quality materials should be used that convey substance and integrity. The use of materials that are traditional and historically typical to Maynard is encouraged. This includes an emphasis on brick and clapboard for renovations or reconstructions. Exterior materials should be consistent with the historic style, which is used to compose the facade.
- The goal of these guidelines is to encourage the use of traditional quality materials for both appearance and durability. The use of authentic materials, rather than imitations, is strongly encouraged. This guideline is intended to discourage materials that are typical of low cost and low quality construction or appear to be masking or patching an underlying facade material.

#### Recommended approach:

- Predominant exterior building materials should be high quality materials and include, but not be limited to, brick, wood, granite, native stone and tinted, textured or concrete masonry units.
- Facade colors should be low reflectance, using appropriate historic palettes or neutral or earth tone colors.
- Building trim and accent areas may feature brighter colors, including primary colors.
- The consistent use of a dominant building material for the facade is encouraged, rather than multiple materials, such as brick and clapboard combinations.
- Where possible, materials used to patch or repair existing facades should match original, desirable materials as closely as possible.
- Designs should use traditional or historic materials, rather than imitation materials, such as composite siding, plastic roof tiles, or veneer brick.
- If metal is used, it should be appropriate to the building, and convey a sense of quality to assure an attractive appearance over time.
- Materials used near sidewalks and adjacent to the entrance should be durable and compatible with other building materials.
- Plywood or other wood panel sheathing materials should be avoided unless they are incorporated as a panel within a frame and are durable for exterior use.
- Minor decorative elements, such as facade ornaments, decorative fasteners, or small accents can be of any rigid, durable material that will be in harmony with the facade and the architectural style of the structure.

### 4. Rear and Sides

#### Standard:

- Architectural and landscaping features should mitigate the impacts of rear and sides of buildings which otherwise present a view of blank walls, loading areas, storage areas, HVAC units, garbage receptacles, and other such features. Where the rear and sides of buildings front on public streets and/or other public spaces (e.g., parks or parking lots), they should incorporate additional entries and attractive architectural treatments that mimic the quality of the front facade.

#### Recommended approach:

- Where space allows, greater landscape buffers, screening, and fencing than is otherwise required in the zoning should be used, but in no way impede views of the Assabet River. Where the facade faces adjacent residential uses and space allows, enhanced screening shall be provided consistent with the Landscape Regulations.

### 5. Central Pedestrian-Scale Features

Standard:

- Buildings should offer pedestrian-scale features and amenities. Entrances and parking lots should be configured to be functional with walkways conveniently tied to logical destinations. Bus stops and drop-off/pick-up points should be considered as integral parts of the design. Pedestrian ways should be branded by special design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, alternative paving materials, and other architectural elements that define circulation ways and outdoor spaces, represent context-appropriate public infrastructure.

Recommended approach:

- Each project subject to these standards should contribute to community and public spaces by providing at least two of the following: outdoor benches or seating, window shopping walkway, outdoor playground, kiosks, water feature, or other such deliberately shaped area and/or a focal feature or amenity that enhances such community and public spaces. Any such areas should have direct access to the public sidewalk network and such features should not be constructed of materials that are inferior to the principal materials of the building and landscape.

## 6. Signage, Awnings, Canopies and Marquees

Standard:

- Signage shall be consistent with Section 6.2 of the ZBL.
- Consistent with Section 6.2.11 of the ZBL, the Planning Board is also empowered to grant relief through the issuance of a Special Permit.
- Awnings, canopies and marquees with a traditional design and appearance are encouraged as facade elements when they serve to protect pedestrians from the sun and rain, provide a secondary location for signage, add color and interest to building storefronts and facades, and add emphasis to display windows and doorways. Awnings should reflect the overall facade organization and storefront locations of a building. Traditional and simple shapes are encouraged, rather than unusual or contemporary profiles.
- Buildings fronting the public ways shall ensure an appropriate level of illumination is provided in the project area, including the public realm. Lighting shall be provided under canopies, awnings, and over and near public sidewalks and other areas of public access. The applicant shall provide materials demonstrating adequacy of illumination on abutting public property.

Recommended Approach:

- Awnings on a multiple storefront building should be consistent in character but need not be identical.
- Awnings should be located within the building elements framing individual storefront openings.
- Awnings of a round or bullnose shape should be avoided unless used for a single door or window opening that is not part of a framed storefront.
- The rigid framework for awnings, canopies or marquees should be no lower than 8 feet above the sidewalk under it per Massachusetts Building Code. Suspended fabric panels of awnings should be no lower than 7 feet above the sidewalk
- Backlit awnings should not be used.
- Awnings shall be made of soft fabrics such as canvas.

## 7. Storefront

Standard:

- Storefronts refer to those portions of the facade, which directly relate to the street and the interior activities. In some cases, the storefront may include the side or back of the building.

Most facades consist of an architectural framework designed intentionally for one or more storefronts to occur. The storefront design should complement the framework and not expand beyond it.

- Storefronts should be consistent in style with the building architecture where possible, provide clarity and interest to the facade, provide for a high level of transparency, and be harmonious with other adjacent storefronts. It is also important that the distinction between the storefront and the rest of the building facade should be maintained. Displays in street front windows that add color, texture, information, or visual activity to the pedestrian experience are encouraged.

Recommended Approach:

- Storefront display windows that display products or services, signs with the name of the organization, local business logos, hours, public service messages or displays, or views to an activity in which people are involved frequently during hours of operation are encouraged.
- Dark tinted or opaque reflective glass/films should be avoided.
- Where a storefront does not serve a retail use and transparency is not practical, window treatments should be employed to create an attractive appearance that promotes aesthetic harmony with the surrounding area and maintains storefront character.
- A horizontal band or frieze that serves as a signage band should be incorporated at the top of storefronts.
- Base panel and sill courses are traditional for many architectural styles. Where it is appropriate for the existing or proposed architectural style, a base panel and sill course should be provided. The base panels and sill course should continue across the entire width of the storefront bay and terminate at doors or the vertical elements framing the Bay. The base panel and sill course should be a maximum of 24" measured above the sidewalk.
- Incorporating a glazed transom (with the building address) above the door is encouraged when storefront heights are sufficient to allow for it.
- Storefront window transoms should be consistent with door transoms.
- It is preferable to maintain substantial storefront glazing and provide attractive window treatments to avoid blank facades along the sidewalk.

## 8. Building Systems

Standard:

- The components of building mechanical, electrical and plumbing systems should be concealed from view wherever possible. The visual impact of those building systems and equipment which cannot be concealed should be minimized on building facades. Exposed elements of building systems which cannot be hidden, recessed, or screened should be blended sympathetically with the building facade.

Recommended Approach:

- Rooftop mechanical equipment should be completely screened by the building parapet wall so as not to be visible from any street public way.
- Air conditioning units should not be placed into windows or any other openings visible from the street. Units located in non-window openings are appropriate if they are screened with a grille within the storefront, facade, or building wall.

# PROJECTS WITH AFFORDABLE HOUSING COMPONENTS

The Planning Board is committed to advancing the affordable housing objectives of the Maynard Housing Production Plan, Master Plan, and Community Development Principles, as well as the regional plans of 18

Metropolitan Area Planning Council (MAPC).

The Planning Board's role is limited to ensuring affordable housing provisions are met - it plays no role in facilitating affordable housing dedication. Applicants with projects subject to provision of affordable housing, whether through voluntary development agreement, requirement of the ZBL or other instrument, *are solely responsible for coordinating with the appropriate Town, State, or other entities for the preparation and delivery of appropriate affordable housing including but not limited to dedication, administration, and other details.*

Prior to approval of a project with any affordable housing component by the Planning Board, the Applicant shall appear before the Maynard Affordable Housing Trust (AHT). A letter from the AHT attesting that the affordable housing component of the plan as proposed, is satisfactory, is required before project approval by the Planning Board.

The Planning Board will condition any approval that prior to issuance of a CO (certificate of occupancy) the Applicant furnish the Building Commissioner requirement for a letter from the AHT attesting that the affordable provisions for the project are in place.

Applicants unfamiliar with the affordable housing certification process, may benefit from utilizing a qualified consultant for projects with an affordable housing component.

## MISCELLANEOUS

### A. Safe Harbor Valuation of Open Space

The purpose of this section is to establish a Safe Harbor Amount for ZBL Section 9.4.5 Donation for Acquisition and Preservation of Open Space or Recreation Land.

- Section 9.4.5 of the Town of Maynard ZBL allows for developers to reduce the minimum lot requirements for residential units in the Downtown Overlay District if they are issued a Special Permit and if there is a Development Agreement that includes, among other things, a donation for the “acquisition and preservation of open space or recreation land”.
- Because there is a need for a consistent and fair determination of the value of such donation, the Community Preservation Committee recommends that a “safe harbor” value of such donation be established as noted below<sup>1</sup>. Further, the CPC recommends that a developer providing the value of this safe harbor amount be considered compliant with the provisions of Section 9.4.5 regarding a donation for the acquisition and preservation of open space or recreation land.
- The value of the Section 9.4.5 donation for acquisition and preservation of open space or recreation land is to be determined by multiplying a Base Acquisition Cost Per Household by the number of Applicable Units.
  - The FY21 Base Acquisition Cost Per Household is \$9,800.
  - The number of Applicable Units is equal to the difference between the Project's total number of residential units and the number of units otherwise allowed without Section 9.4.5.
- The Acquisition Cost per Household will be increased by an inflation factor of 2.0 percent annually, rounded to the nearest \$100, unless the Planning Board specifies a different inflation factor. Any such adjustments by the Planning Board to the inflation factor shall be in effect at the start of the next fiscal year.

*Example: A project proposes to increase the allowed number of units from 5 to 7 under Section 9.4.5. The number of Applicable Units is therefore 2. The safe harbor donation amount is therefore (\$9,800) x (2) = \$19,600.*

Text approved by Community Preservation Committee on May 16, 2018 – it was subsequently modified by Planning Board on July 10, 2018.

## **B. Onsite Posting Requirements for Public Hearings.**

In addition to the noticing requirements of MGL 48 section 11, the Planning Board requires posting of a meeting notice on any property scheduled for a public hearing. Noticing signage shall be in accordance with the following:

1. Applicant shall utilize the "Notice of Public Hearing" design template. The template shall be provided electronically by the Town to the Applicant. The Applicant is responsible for printing and preparing signage for posting.
2. Signage shall be posted a minimum of 10 calendar days in advance of any public hearing.
3. One sign is required for every 500 feet of frontage along a public or private road.
  - o For properties having less than 500 feet of frontage, the sign shall be printed on standard 8.5"x11" paper. Signage shall be laminated or otherwise made impervious to the elements and affixed to a post approximately 2 feet high.
  - o For properties having frontage of 500 feet or greater, signage shall be printed to a size of 12" x 24". The sign should be laminated or otherwise made impervious to the elements and affixed to a post. Signage shall be laminated or otherwise made impervious to the elements and affixed to a post approximately 2 feet high.
4. Signage shall be located on the subject property:
  - o not less than 3 feet inside the property lines.
  - o not more than 6 feet inside the property lines.
  - o set at a minimum of 12" in the ground.
  - o located in an area clearly visible to the public and in such a manner that site lines are not impaired.
5. Signage shall be removed by the Applicant within three calendar days after the final hearing.

**APPENDIX "A"**  
**Maynard Planning Board - 2021 Fee Schedule**

<sup>1</sup>= Public Hearing (Additional advertising and mailing costs may apply), <sup>2</sup>= Town Meeting approval required)

Application	Maynard
Pre-Application Meeting (mandatory)	No fee unless applicant requests presence of Town's Peer Reviewers. Contact staff for more details.
Certified Return Receipt public hearing mailings to abutters and 6 parties in interest.	\$6.90 per mailing
Notice of Decision mailings to abutters and 6 parties in interest.	\$0.50 per mailing
Legal Ad (billed directly to the applicant by the newspaper)	Price determined by newspaper
Site Plan Review <sup>1</sup>	\$500 + \$50 /residential unit and/or \$0.05/sq. ft. of commercial space
Site Plan Determination of Minor vs. Major Modification	\$100.00
Site Plan Modification <sup>1</sup>	\$250 + \$50 / new residential unit and/or \$0.05/sq. ft. of commercial space
Conceptual Plan Review <sup>1</sup>	\$2,500
Approval Not Required (ANR)	\$250 + \$150 each new lot/created parcel
Preliminary Subdivision Plan <sup>1</sup>	\$750 + \$750 / lot created
Definitive Subdivision Plan (w/Approved Preliminary Plan) <sup>1</sup>	\$1,500 + \$200 / lot created
Definitive Subdivision Plan (w/o Preliminary Plan) <sup>1</sup>	\$2,500 + \$300 / lot created
Amend / Modify a Definitive Plan <sup>1</sup>	\$500
Modification to Covenant, Approval, or other Subdivision Documents <sup>1</sup>	\$250
Road Acceptance <sup>2</sup>	\$1,000
Special Permit <sup>1</sup>	\$200 per Special Permit (except for those Special Permits specified below)
Downtown Overlay District Special Permit <sup>1</sup>	\$400 per Special Permit
Sign Special Permit <sup>1</sup>	\$150 per Special Permit
Cell Tower Special Permit <sup>1</sup>	\$2,500 per Special Permit
Cell Tower Special Permit Renewal <sup>1</sup>	\$2,500
Special Permit Modification <sup>1</sup>	\$200
Zoning Amendment Request <sup>1,2</sup>	\$1,000
Peer Consultant Review Deposit (Engineering, Design, etc.)	Initial deposits are determined by the extent, type, size, location, etc. of the project. Contact staff for more information. Payment is required upon application. Separate checks are required for different types of Peer Review.
Department of Public Works Water and Sewer Capacity Review	Contact the Department of Public Works for more information.

**APPENDIX "B"**  
**Applications and Forms**



Planning Board  
Town of Maynard  
195 Main Street, Maynard, MA 01754  
Tel: 978-897-1302 [www.townofMaynard.net](http://www.townofMaynard.net)

## **Sample Legal Notice Form**

Property Address

**LEGAL NOTICE TOWN  
OF MAYNARD  
MASSACHUSETTS  
PLANNING BOARD**

A public hearing will be held on **INSERT DATE** at **INSERT TIME** at the Maynard Town Building room **INSERT ROOM NUMBER** to hear all persons in a Site Plan Approval request by **INSERT APPLICANT'S NAME** to **INSERT DESCRIPTION OF PROJECT** on **INSERT SITE ADDRESS** Assessors Map Sheet **INSERT SHEET NUMBER**, Parcel **INSERT PARCEL NUMBER**. This is subject to Section 14 of The Protective Zoning By-Laws of the Town of Maynard, Massachusetts. A copy of the Site Plan is on file with the Town Clerk for inspection.

**To be completed by Planning Office:**

Application No.:

Fee Paid:

Date Application Completed and Filed:

**Town Clerk's Stamp**



Planning Board  
Town of Maynard  
195 Main Street, Maynard, MA 01754  
Tel: 978-897-1302 [www.townofMaynard.net](http://www.townofMaynard.net)

## **Application for Site Plan Review**

This is an application for Site Plan Approval as provided for in Section 10 of the Zoning Bylaws of the Town of Maynard

Please file completed form with the Office of Municipal Services. The following materials are also required:

- Fees as determined in Appendix "A" (current Planning Board Fee Schedule).
- An abutter list and map from the Property Assessor's Office.
- An electronic copy of all plans and materials.
- Seven copies of all studies and documentation as required by project. Four sets of full size plans (approx 2' x 3'). Eleven copies of 11 x 17 plans. Additional copies may be requested.
- All plans, surveys and other materials must be prepared consistent with requirements as listed in the Planning Board Rules and Regulations. Failure to provide materials may result in delay of application processing.

Date: \_\_\_\_\_

Applicant (print): \_\_\_\_\_ Applicant (sign): \_\_\_\_\_

Applicant address: \_\_\_\_\_

Applicant phone/e-mail: \_\_\_\_\_

Property Owner (print): \_\_\_\_\_ Land Owner (sign): \_\_\_\_\_

Property Owner address: \_\_\_\_\_

Property Owner phone/e-mail: \_\_\_\_\_

Plan prepared by (Engineer/Architect): \_\_\_\_\_

Dated: \_\_\_\_\_ License #: \_\_\_\_\_

Address: \_\_\_\_\_

Phone/e-mail: \_\_\_\_\_

Location of Site: \_\_\_\_\_

Assessor's Map \_\_\_\_\_ Lot \_\_\_\_\_

Present use of site: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Give size of existing buildings, if applicable: \_\_\_\_\_

Give extent of proposed application, if applicable: \_\_\_\_\_

**Site Plan Approval Application  
(continuation)**

Deed of property recorded in South Middlesex County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_ or Property Court Certificate of Title No. \_\_\_\_\_, registered in \_\_\_\_\_ District, Book \_\_\_\_\_, Page \_\_\_\_\_, and Town of Maynard

The undersigned hereby certifies that he/she has read and examined this application and that the proposed project is accurately represented in the statement made in this application

Applicant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Owner,  
(If different than Applicant): \_\_\_\_\_ Date: \_\_\_\_\_

**To be completed by Planning Office**

Application No.:

Fee Paid:

Date Completed and Filed:

**Town Clerk's Stamp**



**Planning Board  
Town of Maynard  
195 Main Street, Maynard, MA 01754  
Tel: 978-897-1302      [www.townofMaynard.net](http://www.townofMaynard.net)**

## **Application for Special Permit**

**This is an application for Special Permit approval as provided for in Section 10 of the Zoning Bylaws of the Town of Maynard**

Please file completed form with the Office of Municipal Services. The following materials are also required:

- Fees as determined in Appendix "A" (current Planning Board Fee Schedule).
- An abutter list and map from the Property Assessor's Office.
- Seven copies of all studies and documentation as required by project. Four sets of full size plans (approx 2' x 3'). Eleven copies of 11 x 17 plans. Additional copies may be requested.
- An electronic copy of all plans and materials.
- All plans, surveys and other materials must be prepared consistent with requirements as listed in the Planning Board Rules and Regulations. Failure to provide materials may result in delay of application processing.

Date: \_\_\_\_\_

Applicant (print): \_\_\_\_\_

Applicant address: \_\_\_\_\_

Applicant phone and e-mail: \_\_\_\_\_

Property Owner (print): \_\_\_\_\_

Property Owner address: \_\_\_\_\_

Property Owner phone/e-mail: \_\_\_\_\_

Plan prepared by (Engineer/Architect/ Property Surveyor): \_\_\_\_\_ Date \_\_\_\_\_

Address: \_\_\_\_\_ License #: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Location of Site:

Assessor's Map # \_\_\_\_\_ Parcel # \_\_\_\_\_ Zoning District \_\_\_\_\_ Size of Existing Buildings, if applicable \_\_\_\_\_

Present use of site: \_\_\_\_\_

---

---

---

---

---

## Application for Special Permit (continued)

**Justification Statement:** please attach a complete explanation of the request on a separate sheet. Please note: Special Permits may only be granted if the issuing authority determines the adverse effects of the proposed use will not outweigh the beneficial impacts to the town or neighborhood. Specifically Section 10.4.2 of the Maynard Zoning Bylaws "Special Permit Criteria" requires the determination must address:

1. Social, economic, or community needs which are served by the proposal;
2. Traffic flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impacts on the natural environment; and
6. Potential fiscal impact, including impact on town services, tax base, and employment.

Additionally, the following points, based on Massachusetts General Laws, Chapter 40A, Section 9, should be identified and factually supported within the Justification Statement and verbally at the hearing:

1. The particular type of Use proposed for the Property or Structure, if any;  
The conditions and character of operations of the proposed Use which show that it will be in harmony
2. with the general purpose and intent of the District and the By-Laws; and
3. The nature of the proposed Use in relation to both the general and specific provisions of the Bylaws governing that Use and the District it is located.

The Justification Statement should clearly address how the request affects these factors.

**Supplementary Information:** It is encouraged for the Applicant to provide any letters of support, photos, drawings or other materials that may assist the Board in making a determination.

Failure to present evidence in one or more of the foregoing areas may result in the petition being denied by the Planning Board. The Planning Board cannot draw from the petitioner the necessary evidence to grant the petition if improperly presented.

I hereby request a hearing before the Planning Board with reference to the above Application.

*Signature of Applicant (or Representative):* \_\_\_\_\_ *Date:* \_\_\_\_\_

Address (if not Applicant): \_\_\_\_\_

Phone/e-mail: \_\_\_\_\_

*Signature of Owner (if not Applicant):* \_\_\_\_\_ *Date:* \_\_\_\_\_

Address (if not Applicant): \_\_\_\_\_

Phone/e-mail: \_\_\_\_\_

**To be completed by Planning Office**

Application No.:

Fee Paid:

Date Completed and Filed:

**Town Clerk's Stamp**



**Planning Board**  
**Town of Maynard**  
**195 Main Street, Maynard, MA 01754**  
**Tel: 978-897-1302** [\*\*www.townofMaynard.net\*\*](http://www.townofMaynard.net)

## **Application for Sign Special Permit**

This is an application for Special Permit approval granting relief from Sign Regulations as provided for in Section 6.2.II of the Zoning Bylaws of the Town of Maynard

Please file completed form with the Office of Municipal Services. The following materials are also required:

- Fees as determined in Appendix "A" (current Planning Board Fee Schedule).
- An abutter list and map from the Property Assessor's Office.
- Seven copies of all studies and documentation as required by project. In addition to signage depictions, this should include a site plan indicating proposed sign placement, dimensions and all applicable regulations as applied to the project. Four sets shall include full size plans (approx 2' x 3'). Eleven copies of 11 x 17 plans. Additional copies may be requested.
- An electronic copy of all plans and materials. All plans, surveys and other materials must be prepared consistent with requirements as listed in the Planning Board Rules and Regulations.
- Failure to provide materials may result in delay of application processing.

Date: \_\_\_\_\_

Applicant (print): \_\_\_\_\_

Applicant address: \_\_\_\_\_

Applicant phone and e-mail: \_\_\_\_\_

Property Owner (print): \_\_\_\_\_

Property Owner address: \_\_\_\_\_

Property Owner phone/e-mail: \_\_\_\_\_

Signage Plan prepared by : \_\_\_\_\_ Date \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Location of Site:

Assessor's Map # \_\_\_\_\_ Parcel # \_\_\_\_\_ Zoning District \_\_\_\_\_ Size of Existing Buildings, if applicable \_\_\_\_\_

Present use of site: \_\_\_\_\_

---

---

---

---

---

## **Application for Sign Special Permit (continued)**

**Justification Statement:** please attach a complete explanation of the request on a separate sheet. Please note: Special Permits may only be granted if the issuing authority determines the adverse effects of the proposed use will not outweigh the beneficial impacts to the town or neighborhood. The Planning Board may not waive requirements for clearance or projection distance for a Projecting Sign or waive any requirements of the Massachusetts State Building Code. Section 6.2.II of the Maynard Zoning Bylaws "Relief from Sign Regulations" requires the Planning Board determination must address:

1. Social, economic, or community needs which are served by the proposal;
2. Traffic flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impacts on the natural environment; and
6. Potential fiscal impact, including impact on town services, tax base, and employment.

Additionally, the following points, based on Massachusetts General Laws, Chapter 40A, Section 9, should be identified and factually supported within the Justification Statement and verbally at the hearing:

1. The particular type of Use proposed for the Property or Structure, if any;  
The conditions and character of operations of the proposed Use which show that it will be in harmony
2. with the general purpose and intent of the District and the By-Laws; and
3. The nature of the proposed Use in relation to both the general and specific provisions of the Bylaws governing that Use and the District it is located.

The Justification Statement should clearly address how the request affects these factors.

**Supplementary Information:** It is encouraged for the Applicant to provide any letters of support, photos, drawings or other materials that may assist the Board in making a determination.

Failure to present evidence in one or more of the foregoing areas may result in the petition being denied by the Planning Board. The Planning Board cannot draw from the petitioner the necessary evidence to grant the petition if improperly presented.

I hereby request a hearing before the Planning Board with reference to the above Application.

*Signature of Applicant (or Representative):* \_\_\_\_\_ *Date:* \_\_\_\_\_

Address (if not Applicant): \_\_\_\_\_

Phone/e-mail: \_\_\_\_\_

*Signature of Owner (if not Applicant):* \_\_\_\_\_ *Date:* \_\_\_\_\_

Address (if not Applicant): \_\_\_\_\_

Phone/e-mail: \_\_\_\_\_



**Planning Board**  
**Town of Maynard**  
**195 Main Street, Maynard, MA 01754**  
**Tel: 978-897-1302**      [\*\*www.townofMaynard.net\*\*](http://www.townofMaynard.net)

## **Legal Notice Mailing List**

The Planning Board shall be responsible for the following:

- Arranging for publication of the Notice of Public Hearing in a newspaper in general circulation in the Town of Maynard (Beacon Villager or MetroWest News) during two successive weeks, with the first publication to be not less than 14 days before the date of Public Hearing.
- Posting of the Notice of Public Hearing in the Town Building 14 days before the date of the Public Hearing.
- Distribution of the legal notice to the following entities:

Abutters and/or Owners of land directly opposite on any public street or way and abutters to the abutters within 300 feet of the property line of the petitioner as they appear on the most recent applicable tax list, notwithstanding that the land of any such Owner is located in another City or Town. Said list(s) shall be obtained at all applicable Assessor's office by the applicant and should accompany the application.

Metropolitan Area Planning Council 60  
Temple Place  
Boston, MA 02114

Massachusetts Housing and Community Development 100  
Congress Street  
10th Floor  
Boston, MA 02114

Stow Planning Board 380  
Great Road  
P.O. Box 261 Stow, Ma  
01775

Acton Planning Board 472  
Main Street  
Acton, MA 01720

Concord Planning Board 141  
Keys Road  
Concord, MA 01742

Sudbury Planning Board Flynn  
Building  
278 Old Sudbury Road  
Sudbury, MA 01776



**TOWN OF MAYNARD  
RULES AND REGULATIONS RELATING  
TO THE SUBDIVISION OF LAND  
Adopted August 14<sup>th</sup>, 2007**

---

**Form A  
Application for Endorsement of Plan  
Believed Not to Require Approval**

,20

TO THE PLANNING BOARD OF THE TOWN OF MAYNARD:

THE UNDERSIGNED WISHES TO RECORD THE ACCOMPANYING PLAN AND REQUIRES A DETERMINATION BY SAID BOARD THAT APPROVAL BY IT UNDER THE SUBDIVISION CONTROL LAW IS NOT REQUIRED.

THE UNDERSIGNBELIEVES THAT SUCH APPROVAL IS NOT REQUIRED FOR THE FOLLOWING REASONS:

1. THE DIVISION OF LAND SHOWN ON THE ACCOMPANYING PLAN IS NOT A SUBDIVISION BECAUSE EVERY LOT SHOWN THEREON HAS THE AMOUNT OF FRONTAGE, AREA AND DEPTH REQUIRED BY THE TOWN OF MAYNARD ZONING BY-LAWS AND IS ON A PUBLIC WAY, NAMELY, \_\_\_\_\_  
\_\_\_\_\_ OR ON A PRIVATE WAY, NAMELY \_\_\_\_\_.
2. THE DIVISION OF LAND SHOWN ON THE ACCOMPANYING PLAN IS NOT A SUBDIVISION FOR THE FOLLOWING REASON(S):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. THE OWNER'S TITLE TO THE LAND IS DERIVED UNDER DEED  
FROM \_\_\_\_\_, DATED \_\_\_\_\_, AND RECORDED IN  
\_\_\_\_\_, REGISTRY OF DEEDS, BOOK \_\_\_\_\_,  
PAGE \_\_\_\_\_ OR LAND COURT CERTIFICATE OF TITLE NO. \_\_\_\_\_, REGISTERED IN  
\_\_\_\_\_ DISTRICT, BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ AND \_\_\_\_\_  
ASSESSORS' BOOK \_\_\_\_\_ PAGE \_\_\_\_\_.

**RECEIVED BY TOWN CLERK**

Date: \_\_\_\_\_  
Time: \_\_\_\_\_  
Signature: \_\_\_\_\_

Applicant's signature: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_  
\_\_\_\_\_

\*Owners signature: \_\_\_\_\_

\*Owners address: \_\_\_\_\_  
\_\_\_\_\_

\*If not the applicant  
\_\_\_\_\_

**Zoning By-law**  
**Dimensional Regulations**  
**Required, Proposed and Existing Conditions**

<b>Property:</b> <b>Zoning District:</b>			
<b>Use Type</b>	<b>Existing Use Allowed in District?</b>		
<b>Lot Size</b>	<b>Minimum Required</b>	<b>Existing</b>	<b>Proposed</b>
Area (square feet)			
Frontage (feet)			
Width (feet)			
<b>Yard (Setback) Requirements</b>	<b>Minimum Required</b>	<b>Existing</b>	<b>Proposed</b>
Front (feet)			
Side (feet)			
Side - Street (feet)			
Rear (feet)			
<b>Coverage</b>	<b>Maximum Allowable</b>	<b>Existing</b>	<b>Proposed</b>
By Building (%)			
By Impervious (%)			
<b>Height (feet)</b>	<b>Maximum Allowable</b>	<b>Existing</b>	<b>Proposed</b>
<b>Lot Area</b>	<b>Minimum Required</b>	<b>Existing</b>	<b>Proposed</b>