



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

TOWN OF MAYNARD

Report, Recommendations, and Official Warrant

SPECIAL TOWN MEETING

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the voters of said Maynard, to assemble in FOWLER SCHOOL AUDITORIUM, THREE TIGER DRIVE IN SAID town, on Monday, October 27, 2025, at 7:00 P.M. then and there to act on the following articles:

SPECIAL NOTICE TO VOTERS

Registration will begin by 6:45 p.m., and the Meeting will begin promptly at 7:00 p.m. The Maynard Finance Committee (FinCom) will hold a public hearing on Monday, October 20, 2025, at 7:00 p.m. as mandated by the Town Charter, to provide an opportunity for members of the Maynard community to ask questions or offer comments on any of the articles on the Town Meeting Warrant, including the proposed Town Budget. The intent of this public hearing is to allow Town Meeting voters to provide input and inform themselves more fully on the issues to be voted on at the October 27, 2025, Town Meeting. The FinCom public hearing will be held remotely via Zoom, with the meeting notice posted on the Town's website www.townofmaynard-ma.gov, including participation information.

NOTE: The FinCom meeting will be held remotely via Zoom. For the most timely information on the agenda and location of, and how to participate in, any public hearing, please review the information in the Meeting Notices for each meeting posted on the Town website: www.townofmaynard-ma.gov

ADA ADVISORY

Anyone in need of special arrangements for the Town Meeting, such as a wheelchair or signing for the hearing impaired, please contact the Office of the Select Board at (978) 897-1301 by October 17, 2025, in order that reasonable accommodations may be made.

PROCEDURES AT TOWN MEETING

Order of Articles: Articles are voted on in the order they are presented unless Town Meeting votes to do otherwise.

Secret Ballot Votes: The Moderator determines whether an article requires a secret ballot according to Town By-laws. If the Moderator determines that an Open Vote applies to an article, at least 25 voters may request that a secret ballot vote be taken. The request for a secret ballot vote must be made prior to the open vote being taken.

Amending an Article at Town Meeting: Any time after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion:

1. Ask the Moderator for recognition.
2. Present a motion to amend verbally and submit a copy of the motion in writing to the Moderator. The motion to amend must include your name as sponsor, any change in appropriation and its source.
3. The motion to amend must be seconded.
4. The motion to amend must be voted on by Town Meeting separately from the main motion.
5. The motion to amend must pass by a simple majority vote.
6. More than one motion to amend can be made to the main motion but must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion, (or as amended), must be voted on.

Reconsider an Article: An article can only be reconsidered upon a motion by a voter who was present at the vote on the article in question **only with the addition of new information which shall be determined by the Town Moderator.** To reconsider:

1. Ask the Moderator for recognition.
2. At the proper time, present your motion for reconsideration and state your name.
3. The motion to amend must be seconded.
4. The motion to amend must be voted on by Town Meeting separately from the main motion.
5. The motion to amend must pass by a simple majority vote.
6. More than one motion to amend can be made to the main motion but must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion, (or as amended), must be voted on.

NECESSARY MAJORITIES*

9/10 majority is required for unpaid bills of prior fiscal years (Special Town Meeting) that had no appropriation.

4/5 majority is required for unpaid bills of prior fiscal years (Annual Town Meeting).

2/3 majority is required for all borrowing, land acquisitions or transfers and most zoning by-laws. However, due to changes in the law in 2021, certain voting bylaws having to do with multifamily housing may only require a simple majority vote.

Simple majority is required for all else, such as: regular by-laws, current appropriations and transfers, unpaid bills of prior years that have money appropriated but arrived too late to be included.

Note:

Yes and No votes only will be considered in the calculations (i.e. Blanks shall be ignored.

- 9/10th The YES votes divided by the total YES&NO votes shall be 0.9 or greater
- 4/5th The YES votes divided by the total YES&NO votes shall be 0.8 or greater
- 2/3rd two times the NO votes shall be less than the YES votes.

Example: 101 YES, 51 NOs - $2 \times 51 = 102$ is not less than 101 and fails
 101 YES, 49 NOs - $2 \times 49 = 98$ is less than 101 and passes
 102 YES, 51 NOs - $2 \times 51 = 102$ is equal to 102 and passes

Majority shall have 1 more YES vote than NO votes

*Please note these vote quanta are examples only and there may be other types of votes, which fall under each of the categories listed above.

GLOSSARY OF TERMS USED AT TOWN MEETING

APPROPRIATE: The authority to tax and spend funds for the purpose stated.

ASSESSMENT: The estimated value of worth of a piece of property or a group of properties. Assessment of property is done within specific guidelines by the Board of Assessors.

BY-LAWS: The Town's guidelines – laws that cannot be deviated from “by-law.”

CHERRY SHEET: The state document that details the actual amount of state aid to the Town, and the charges the town must pay the state.

DEBT LIMIT: The maximum amount that a Town can borrow. In most cases, state law prohibits borrowing more than 5% of the total valuation of taxable property. There are certain exceptions to this limit.

CERTIFIED FREE CASH: The amount of Surplus Revenue over and above uncollected taxes of prior years, certified by the Director of Accounts as of June 30th each year.

GENERAL FUND: Account from which all transactions are made, pay bills, collections, etc.

MGL: Short for Massachusetts General Law.

OVERLAY: The amount raised by the Assessors in excess of anticipated expenditures (appropriations and charges) to cover abatements, etc.

OVERLAY RESERVE: A city, town, or district may appropriate an overlay surplus for any lawful purpose, including funding any known or anticipated overlay deficit for any fiscal year. Any amount not appropriated by June 30 closes to undesignated fund balance in the General Fund.

RESERVE FUND: Fund under the control of the Finance Committee to provide for extraordinary or unforeseen expenditures, may only be appropriated at Annual Town Meeting.

SURPLUS REVENUE: The amount by which cash, accounts receivable, and other current assets exceed liabilities and reserve.

STABILIZATION FUND: A savings account. Each year an amount not exceeding 10% of the preceding years' taxation of real and personal property may be appropriated. This fund is intended for purchasing capital items, for which the town would otherwise borrow.

§: Section sign when referring to a specific section within MGL.

The balances of the Town's Stabilization Funds are as follows:

General Fund Stabilization	\$ 2,273,893.45
Capital Fund Stabilization	\$ 396,929.89

Article #	Title	Sponsor	Type	Vote	Page
1	By-Law Amendment: Maynard High School Scholarship Committee	By-Law Committee	Open	Majority	6
2	Acceptance of Legislation Increase of Survivor 101 Benefit	Retirement Board	Open	Majority	6
3	Accept Provisions of c. 138 § 12D Allow Transfer of On-Premises Wine and Malt Liquor Licenses to All-Alcohol Beverage Licenses	Select Board	Open	Majority	7
4	Rescind Authorized and Unissued Debt	Select Board	Open	Majority	8
5	Authorize Lease-License of Municipal Property for Solar Photovoltaic Installation	Select Board	Secret	2/3 rd	9
6	Authorization to Enter Tax Agreement for Town and School Property	Select Board	Open	Majority	10
7	Transfer of PFAS Settlement Funds	Select Board	Open	Majority	11
8	Zoning By-Law Amendment: Section 2.2 of "Overlay Districts"	Planning Board	Secret	2/3 rd	11
9	Zoning By-Law Amendment: Section 9.4 of "Downtown Mixed-Use Overlay District"	Planning Board	Secret	2/3 rd	12
10	Zoning By-Law Amendment: Section 9.7 of "Powder Mill Overlay District"	Planning Board	Secret	2/3 rd	13
11	Zoning By-Law Amendments: Section 9.2 of "Water Supply Protection District" and Section 11 of "Definitions," Battery Energy Storage System	Planning Board	Secret	2/3 rd	25
12	Citizens' Petition: Home Rule Petition - Prohibit Anticoagulant Rodenticides Within the Town of Maynard	Citizens' Petition	Open	Majority	27

ARTICLE: 1**BY-LAW AMENDMENT: MAYNARD HIGH SCHOOL
SCHOLARSHIP COMMITTEE**

To see if the Town will vote to Amend the Town By-laws by adding to Chapter 4, TOWN OFFICERS, BOARDS AND COMMITTEES under Select Board, Committees with the following text in quotes at the end:

Boards/Committees	Number of Members	Term in years	Number appointed per year
“Maynard High School Scholarship Committee	7	3	3/2/2

Superintendent of Schools or their designee to be a permanent member.”

To do or act thereon.

SPONSORED BY: By-Law Committee
 APPROPRIATION: None
 FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) This article will correct an oversight and include the Scholarship Committee in the list of appointments by the Select Board, with a specific number of members (7) and staggered terms to ensure continuity. Article 25 from the May 21, 2018, Annual Town Meeting, approved the establishment of a Town Scholarship Fund and a Committee to manage the distributions of scholarships. Article 25 should have included having this committee added to Chapter 4 of the By-laws, “Town Officers, Boards and Committees” but was not. The Scholarship Committee was also overlooked when reviewing Town Boards and Committees by the Charter Review Committee. The membership of the Scholarship Committee was defined in Article 25, “In establishing the scholarship fund, there shall be a scholarship committee to consist of the superintendent of Maynard public schools or designee thereof, and no fewer than four Maynard residents appointed by the Board of Selectmen to a term of three years.”

Comments: (Finance Committee) Finance Committee recommends this Article, as it is updating language in a bylaw to reflect a previous Annual Town Meeting vote. This Article will enable the Scholarship Committee to continue to run consistently without disruptions and will not change the function of the Scholarship Committee.

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ARTICLE: 2**ACCEPTANCE OF LEGISLATION TO INCREASE
SURVIVOR 101 BENEFIT**

To see if the Town will vote to accept the provisions of Section 65 of Chapter 139 of the Acts of 2012 to increase the benefit paid to survivors under M.G.L. c. 32 § 101 from \$6,000.00 to \$12,000 annually, effective immediately.

To do or act thereon.

SPONSORED BY: Maynard Retirement Board
 APPROPRIATION: None
 FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) This article requests town meeting approval for the Maynard Retirement Board to accept a benefit increase under M.G.L. c.32 § 101. The increase applies to the surviving spouse of a retiree who retired on disability and didn't have "Option C" available to them at the time of retirement. Currently, the benefit provides annual allowance of \$6,000. Acceptance of this article would increase that allowance to \$12,000 annually. This increase doesn't impact the Town of Maynard's general fund.

Comments: (Finance Committee) Passing this article would raise the annual allowance for the surviving spouse of a deceased public employee from \$6,000 to \$12,000. This article is expected to impact only one person, because there is only one individual who is a surviving spouse of a deceased public employee who retired before November 7, 1996. Therefore, they could not have selected the "joint and last survivor allowance" retirement option (a/k/a Option C) as that option did not yet exist. The money will come from the Retirement Fund, not the General Fund and is not retroactive.

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ARTICLE: 3

**ACCEPT THE PROVISIONS OF MGL c. 138, § 12D TO
 ALLOW TRANSFER OF ON-PREMISES WINE AND
 MALT LIQUOR LICENSES TO ALL-ALCOHOL
 BEVERAGE LICENSES**

To see if the Town will vote to accept the provisions of MGL c. 138, §12D, which allows the Town to approve an on-premises wine & malt beverage license holder to trade in their existing license for a non-transferable on-premises all-alcohol beverage license; or take any other action relative thereto.

SPONSORED BY: Select Board
 APPROPRIATION: None
 FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The passage of this article would allow on-premises wine & malt beverage license holders, such as a restaurant that is already licensed to serve beer and wine, to trade in their existing licenses for a non-transferable on-premises all-alcohol beverage license. This will not impact a jurisdiction's total cap on any applicable alcohol licenses. This means that the jurisdiction's combined total of wine & malt beverage licenses and all-alcohol licenses will remain the same; the number of licenses in each category may change, but the total cap may not be exceeded when those categories are combined.

The Town has a quota allowance of five (5) on-premises wine & malt beverage licenses and fourteen (14) on-premises all-alcohol licenses.

If, for example, a business that is already licensed to serve wine & malt beverages onsite applies for a full liquor license and there are none available, the passage of this article would allow that restaurant to trade in their existing license for an all-alcohol license. The quota allowances would then change to show: four (4) on-premises wine & malt beverage licenses and fifteen (15) on-premises all-alcohol licenses.

Licenses “upgraded” through this method become nontransferable. Businesses with this type of license will need to apply to change their license category back to wine & malt beverages in order to allow a license transfer. As of August 21, 2025, there is one (1) available on-premises wine & malt beverage license and one (1) available on-premises all-alcohol licenses.

Comments: (Finance Committee) Passage of this article would allow bars and restaurants with an existing "wine & malt beverages" license to trade that license for an "all-alcohol" license. The tradeoff is that the "all-alcohol" licenses are nontransferable, meaning that they would revert back to the Town if the business is sold. The Finance Committee believes this would support economic activity in Maynard by providing greater flexibility for local businesses.

ARTICLE: 4 RESCIND AUTHORIZED AND UNISSUED DEBT

To see if the town will vote to rescind certain authorized, but unissued, borrowing balances that are no longer necessary to complete the projects to which they relate,

<u>Project</u>	<u>Date of Town</u>	<u>Meeting Approval</u>	<u>Article</u>	<u>Balance</u>
Wastewater Treatment Plant	5/19/2009	4		\$63,000
Land Acquisition	10/26/2011	8		\$250,000
Green Meadow Elementary School Roof Replacement	6/13/2020	14		\$70,000

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The town's Treasurer/Collector, in working with the town's Bond Agency, identified previously authorized and unissued debt for projects that are either complete or will not be initiated. The Wastewater (sewer) Treatment Plant improvements are complete, as is the roof replacement for the current Green Meadow School. The land acquisition was to purchase twelve (12) acres of land off 18 Winter Street, located abutting the town's Public Works' yard and along the Assabet River Rail Trail leading into the Assabet Wildlife Refuge. Negotiations for the acquisition of the land never matured beyond initial discussions with the private-owners, and the town is not currently pursuing the purchase of the land. If, in the future, the town were renew pursuit of that

land acquisition, a new authorization for any needed debt would be submitted for the consideration of Town Meeting.

Comments: (Finance Committee) Passage of this article would rescind unissued debts, thereby increasing the Town's borrowing capacity and improving our financial position in the eyes of ratings agencies.

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ARTICLE: 5**AUTHORIZE LEASE-LICENSE OF MUNICIPAL PROPERTY FOR SOLAR PHOTOVOLTAIC INSTALLATION**

To see if the town will vote to change the use of the following parcels of land from school use to general municipal use: A portion of the new Green Meadow School Roof Top and parking lot, and put it under the care custody and control of the Select Board, and on the fire station, public works facilities, library, police station and town hall roof tops and to authorize the Select Board, in the name and behalf of the Town, to execute one or more lease(s) on said property with a commercial solar firm for the installation and operation of solar photovoltaic facilities, and optionally a paired battery energy storage system, for electric generation, for periods of up to 30 years upon such terms and conditions as determined by the Select Board and to enter into a Power Purchase Agreement for periods of up to 30 years for the purchase of the solar energy generated by the facilities.

To do or act thereon.

SPONSORED BY:	Select Board
APPROPRIATION:	None
FINCOM RECOMMENDATION:	Recommends

Comments: (Sponsor) Town Meeting authorization is required for the Select Board to execute a lease and a Power Purchase Agreement with the selected private solar firm for the proposed Solar Photovoltaic Installations. Construction continues on the new Green Meadow School that is designed with the intentions to maximize energy efficiencies and capitalize on renewable energy technologies. Although not yet planned, pre-authorizing the use of other municipal facilities such as town-department buildings for future installations of solar panels (and potentially battery energy storage systems paired with the solar installation if required by the State's solar incentive program), is strongly recommended for expediency and efficiency as changing economic conditions and government policies require timely decision-making and contracting. This article and its companion article for pertinent taxing authorization follow the best practices and advice of consultants, industry experts, vendors, and legal counsel, and are largely identical to previously authorized articles at the Annual Town Meeting in June 2020 for installing solar panels at Maynard High School.

Comments: (Finance Committee) The Finance Committee recommends the article allows the Select Board the option to lease the rooftops of the Green Meadow School and other

municipal buildings to solar energy companies. It is anticipated that all impacted departments will be involved in any leasing project. This initiative presents a fiscally responsible opportunity to generate additional revenue through lease agreements while promoting long-term cost savings by reducing the Town's energy expenses. Furthermore, leveraging existing infrastructure for clean energy production aligns with sustainable practices and contributes to the Town's climate goals without requiring significant upfront investment. This article would streamline the current process which requires Town Meeting approval of each individual solar project. By approving this article, the Town can maximize the use of its assets, support environmental stewardship, and strengthen its financial position.

To see if the town will vote, pursuant to the provisions of MG.L. c. 59 § Clause 45th, to authorize the Select Board and the Board of Assessors to negotiate and enter into a structured tax agreement for real property with the lessee of the solar photovoltaic energy generating facility and optionally a paired battery energy storage system, to be developed on the Green Meadow school roof and parking lot, and on public works facilities, on the fire station, library, police station and town hall roof tops, upon such terms and conditions as the Select Board and the Board of Assessors shall deem to be in the best interest of the Town;

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The selected developer of the solar photovoltaic installations (and potentially battery energy storage systems paired with the solar installation if required by the State's solar incentive program) on rooftops or over parking lots of town and school buildings will be required to pay property taxes for the personal property that is installed at the locations, unless the renewable energy system is exempt from personal property tax under State law. The Massachusetts Department of Revenue (DOR) allows Towns to enter into a Payment In Lieu of Tax ("PILOT") agreement which enables the Town and the solar firm to meet the Board of Assessors' (BOA) valuation for the term of said agreement. This agreement would provide the Town with a known annual taxable income stream and would reduce tax uncertainty for the firm. This warrant article is needed to authorize the Select Board, in consultation with the BOA, to negotiate and enter into this agreement. This article and its companion article for pertinent use of municipal facilities to have solar panels installed through lease agreements follow the best practices and advice of consultants, industry experts, vendors, and legal counsel, and are largely identical to previously authorized articles at the Annual Town Meeting in June 2020 for installing solar panels at Maynard High School.

Comments: (Finance Committee) The Finance Committee recommends the article; this would allow the option to enter into a structured tax agreement relating to solar energy systems on municipal buildings. It is anticipated that all impacted departments will be involved in any solar project. This article would streamline the current process which requires Town Meeting approval of each individual solar project/tax agreement. By approving this article, the Town can maximize the use of its assets, support environmental stewardship, and strengthen its financial position.

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ARTICLE: 7 PFAS SETTLEMENT FUNDS

To see if the town will vote to transfer from the PFAS Settlement Fund the sum of \$266,377.84 into the Water Improvement Fund to pay costs related to infrastructure, maintenance, and operation of the town's water service systems, or take any action relative thereto.

SPONSORED BY: Select Board
 APPROPRIATION: \$266,377.84
 FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The Town has been involved in nationwide legal cases involving parties accused of responsibility for contributing to the introduction of certain contaminants in public water supplies. The town is engaged with a legal firm that joins a number of other plaintiffs against manufacturers of poly- and perfluoroalkyl (PFAS) "forever" chemicals that are reportedly causing millions of dollars in damages to communities across Massachusetts by knowingly contaminating drinking water sources, groundwater, and other natural resources. Following court decisions, any settlement payments the town receives will need to be appropriated to contribute to the town's long-term plans for improvements to the community's water supply management and treatment.

Comments: (Finance Committee) Passing this article would transfer legal settlement funds already held by the Town to the Water Improvement Fund, a water enterprise capital fund. This would allow the Town to use this money to upgrade our water management and treatment facilities.

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ARTICLE: 8 ZONING BY-LAW AMENDMENT: SECTION 2.2 of "OVERLAY DISTRICTS"

To see if the Town will vote to:

1. **AMEND SECTION 2.2 OF THE ZONING BY-LAWS "OVERLAY DISTRICTS"** by adding the following text (new text is underlined):

2.2 Overlay Districts

The Town of Maynard is hereby divided into the following overlay districts:

- Neighborhood Business Overlay District
- Downtown Mixed-Use Overlay District
- Water Supply Protection District
- Powder Mill Overlay District (PMOD)

To do or act thereon.

SPONSORED BY: Planning Board
 APPROPRIATION: None
 FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) Updates list of Maynard's Overlay Districts.

Comments: (Finance Committee) Maynard adopted an overlay district for the Powder Mill Street area in May 2024. This article includes that overlay district in the Section 2.2 list of overlay districts in of the Zoning Bylaws, which wasn't done when the overlay district was adopted.

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ARTICLE: 9 ZONING BY-LAW AMENDMENT: SECTION 9.4 of “DOWNTOWN MIXED-USE OVERLAY DISTRICT”

To see if the Town will vote to:

1. **AMEND SECTION 9.4 OF THE ZONING BY-LAWS “DOWNTOWN MIXED-USE OVERLAY DISTRICT” BY MODIFYING SECTION 9.4.9 “PARKING” as follows (deleted text is ~~stricken~~):**

9.4.9 Parking. The following Table J shall supersede the schedule identified in Section 6.1:

Table J: DOD District Parking Requirements

Use	Parking Requirement
Dwelling Unit	1.5 spaces per unit
Hotel, motel and bed & breakfast	One Space per sleeping room, plus 1 space per 400 sq. ft. of meeting space
Manufacturing, Industrial	One space per 1,000 sq. ft. of g.f.a.
Medical Office	One space per 400 sq. ft. of g.f.a.
Office	One space per 500 sq. ft. of g.f.a.
Restaurant	One space per 85 sq. ft. of g.f.a.
Retail	One space per 500 sq. ft. of gross floor area (g.f.a.)
Other uses not specifically noted here	See Section 6.1 for parking requirements

To do or act thereon.

SPONSORED BY: Planning Board

APPROPRIATION: None

FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The purpose of this amendment is to match the residential parking requirements of the Downtown Overlay District with Table "C" of Section 6.1.10.

Section 6.1.10. was recently amended to reduce parking requirements (spaces) with a goal of minimizing impervious coverage throughout Town.

Comments: (Finance Committee) This article modifies the Downtown Overlay District by removing the parking requirement for Dwelling Units. Parking requirements for Dwelling Units will be governed by the town wide requirements outlined in Table C of Section 6.1.10.

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ARTICLE: 10

ZONING BY-LAW AMENDMENT: SECTION 9.7 OF "POWDER MILL OVERLAY DISTRICT"

To see if the Town will vote to:

Item 1. AMEND SECTION 9.7 OF THE ZONING BY-LAWS "POWDER MILL OVERLAY DISTRICT" as follows (new text is underlined, deleted text is ~~stricken~~):

9.7 POWDER MILL OVERLAY DISTRICT

9.7.1. Purpose. The purpose of the Powder Mill Overlay District (PMOD) is to foster a

development environment that will improve the Powder Mill Corridor and better serve its constituencies. The PMOD is intended to further the goals of the Maynard Master Plan and meet state requirements for MBTA-adjacent communities (MGL c.40A sec.3A). The PMOD should:

- Foster cohesive vibrant, attractive, and sustainable development along the Powder Mill Road Corridor that benefits and complements existing communities while creating new economic opportunities for Maynard.
- Encourage quality site and architectural standards.
- Promote a range of housing choices.
- Enable mixed retail, commercial, residential uses.
- Increase opportunities for infrastructure improvements that would promote increased pedestrian access, mobility, and stormwater improvements.
- Increase views, access, and connections to the Assabet River.
- Require that new development proactively protects the River from storm water and the contaminants contained within.
- Maintain and encourage appropriate massing and height of buildings that blend in and enhance the building elevations already in existence.
- Foster new development that protects and restores the riverbank.

9.7.2. Applicability. The Powder Mill Overlay District (PMOD) is an overlay district superimposed on the included portions of the underlying zoning districts. The PMOD is to be divided into location-specific sub-districts indicated by letters (A, B, C ...), with individual regulatory frameworks designed to retain the beneficial characteristics of the existing community and commercial development. Future development along the Powder Mill Corridor may result in the expansion of the PMOD or creation of new PMOD sub-districts.

All use allowances, definitions, regulations and standards of the underlying zoning district shall apply within the PMOD except where specifically modified or supplemented by this section. Where the PMOD varies dimensional or other requirements otherwise set forth in this Zoning By-Law, the terms, and conditions of the PMOD shall control. Future development along the Powder Mill Corridor may result in the expansion of the PMOD or creation of new PMOD sub-districts. PMOD sub-districts and individual requirements are contained in Section 9.7.7.

A parcel may utilize either the PMOD or the underlying district. A single parcel may only use either the PMOD or the underlying district.

9.7.3. Special Permit Granting Authority (SPGA). For the purposes of this Section, unless otherwise noted, the Planning Board shall be the Special Permit Granting Authority.

9.7.4. Special Permit Criteria. For all projects requiring a Special Permit, tThe SPGA shall apply the following review criteria in addition to the criteria identified in Section 10.4 of this By-law:

1. The proposal constitutes a high-quality development with regards to construction materials, architectural design, and site design, which will enhance the Corridor and the immediate neighborhood and provide significant benefit to the residents of the Town of Maynard as provided.
2. When applicable, the proposed development will provide effective protection of the Assabet River from stormwater runoff from new impervious surfaces being proposed.
3. The proposed development will improve the functioning of the Powder Mill Corridor by at least one of the following means:
 - Provide a significant improvement to pedestrian/cyclist accessibility on the

Powder Mill Corridor;

- Increase views and access to the Assabet River for the general public;
- Other targeted improvements within the Powder Mill Corridor public right-of-way as opportunities arise with new development deemed by the Planning Board to provide a substantial benefit to the corridor.

4. The proposed development is designed in a manner that is compatible with the existing natural features of the site and is compatible with the characteristics of the surrounding area.

9.7.5. Site Plan Approval. Section 10.5 shall apply to uses, building and structures permitted by right or by Special Permit in the PMOD. Single-family and duplex dwelling units are exempt from this requirement.

9.7.6. Affordable Housing Requirements. Unless otherwise specified in this Section, the Town's Inclusionary Zoning by-law (See Section 7.10) shall apply to the PMOD. In Applicable Projects, twenty percent (20%) of housing units constructed shall be deed restricted Affordable Housing Units, provided the Town receives approval from the Executive Office of Housing and Livable Communities (EOHLC) for the 20% requirement. If the Town does not receive said approval, the requirement shall be the highest amount allowable by EOHLC. For purposes of calculating the number of units of Affordable Housing required within a development project, any fractional unit shall be rounded down to the next whole number. The Affordable Units shall be available to households earning income up to eighty percent (80%) of the Area Median Income. All affordable units shall be developed on-site.

9.7.6.1 In PMOD-A, the following exceptions to Section 7.10 shall apply: The required percentage of affordable units shall be as listed below. For purposes of calculating the number of units of Affordable Housing required within a development project, any fractional unit shall be rounded down to the next whole number. The Affordable Units shall be available to households earning income up to eighty percent (80%) of the Area Median Income. All affordable units shall be developed on-site.

PMOD-A Affordable Housing Requirements

Project Size (Units)	Percent Affordable Units
6 – 12 dwelling units	10%
13 – 17 dwelling units	12%
18 – 20 dwelling units	15%
21 or more dwelling units	18%

9.7.6.2 In PMOD-D, PMOD-E, and PMOD-F the following exceptions to Section 7.10 shall apply: The required percentage of affordable units shall be as listed below. For purposes of calculating the number of units of Affordable Housing required within a development project, any fractional unit shall be rounded down to the next whole number. All affordable units shall be developed on-site.

PMOD-D, E & F Affordable Housing Requirements

Project Size	Required Affordable Units
6 – 19 dwelling units	10%

20 or more dwelling units	20%
40 or more dwelling units	25%

~~9.7.7 Sub-Districts. The PMOD is to be divided into location specific sub-districts indicated by letters (A, B, C ...), with individual regulatory frameworks designed to retain the existing beneficial characteristics of existing community and commercial development.~~

	PMOD A†	PMOD B	PMOD C
Parcel Numbers	x 011.0 0000 0064.0 x 011.0 0000 0065.0 x 016.0 0000 0003.0 x 016.0 0000 0021.0	(Reserved for future amendments)	(Reserved for future amendments)

†Denotes MTBA “3A” compliant sub-district

~~9.7.8 Dimensional Requirements.~~

Minimum Lot Requirements for Use				
	PMOD A	PMOD B	PMOD C	
Area (square feet)	1,500 s.f. per residential unit			
Area (square feet)				
Frontage (feet)	50			
Width (feet)	50			
Maximum / Minimum Yard Requirements				
Front (feet)	25			
Side (feet)	30			
Rear (feet)	30			
Building Height for All Uses				
Maximum Height (feet)	45 feet			
Open Space Requirements (Per Section 11)				
	25% of parcel (includes pedestrian infrastructure)			

9.7.7. Dimensional Requirements.

PMOD Dimensional Requirements

	PMOD-A	PMOD-D	PMOD-E	PMOD-F
Minimum Lot Requirements				
Area (square feet) – Multifamily and Mixed Use	<u>1,000 s.f. per residential unit</u>	<u>1,000 s.f. per residential unit</u>	<u>1,000 s.f. per residential unit</u>	<u>1,000 s.f. per residential unit</u>
Area (square feet) – Other Uses	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>
Frontage (feet)	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>
Width (feet)	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>
Minimum Yard Requirements				
Front (feet) †	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>
Side (feet)	<u>30</u>	<u>15</u>	<u>15</u>	<u>15</u>
Rear (feet)	<u>30</u>	<u>15</u>	<u>15</u>	<u>15</u>
Maximum Coverage				
By Building (%)	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>
By Impervious Surface (%)	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
Maximum Building Height (feet)	<u>45</u>	<u>45</u>	<u>35</u>	<u>45</u>
Minimum % of Lot Area				
Open Space (Parcel)	<u>25 *</u>	<u>10 *</u>	<u>10 *</u>	<u>25 *</u>
Open Space (Front Yard)	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
Open Space (Adjacent to Assabet River)	<u>n/a</u>	<u>100% beyond 175' of frontage **</u>	<u>100% beyond 175' of frontage **</u>	<u>n/a</u>

* For this calculation, Open Space includes pedestrian infrastructure

** For this calculation, Open Space includes pathways, amenities, and structures provided for public access

† The minimum front yard requirement may be reduced to the average of the setbacks of the primary buildings on the lots adjacent thereto on either side.

9.7.9 Parking.

Use	Parking Requirement	PMOD B	PMOD C
Subdistrict	PMOD A		
Dwelling Unit	One space per unit	*	*
Medical Office	One space per 400 sq. ft. of gross floor area (g.f.a.)	*	*
Office	One space per 500 sq. ft. of g.f.a.	*	*
Restaurant	One space per 60 sq. ft. of g.f.a.	*	*
Retail	One space per 500 sq. ft. of g.f.a.	*	*
Other uses not noted here	See Section 6.1 for parking requirements	*	*

9.7.8. Parking. The following Table shall supersede the schedule identified in Section 6.1:

PMOD Parking Space Requirements

Type of Use	Minimum number of parking spaces to be provided	Maximum number of parking spaces to be provided
Multi-family Housing	1 per dwelling unit	2 per dwelling unit
Medical Office	2 per 1,000 sf of gfa	5 per 1,000 sf of gfa
Office	2 per 1,000 sf of gfa	3 per 1,000 sf of gfa
Restaurant	2 per 1,000 sf of gfa	10 per 1,000 sf of gfa
Retail	2 per 1,000 sf of gfa	4 per 1,000 sf of gfa
Research and Development	2 per 1,000 sf of gfa	3 per 1,000 sf of gfa
Hotel, Inn or Motel Space	1 per guest room	1 per guest room plus 1 per each employee on largest shift.
Function rooms and places of Assembly, totaling less than 1,000 square feet	None	20 per 1,000 sf of assembly area.
Function rooms and places of Assembly, totaling 1,000 square feet or more	10 per 1,000 sf. of assembly area in excess of 1,000 SF.	20 per 1,000 sf of assembly area in excess of 1,000 SF.
Other uses not noted here	See Section 6.1	50% more than the Section 6.1 minimum requirements

NOTES: sf of gfa = Square Feet of Gross Floor Area

For any fractional parking spaces, round the number of spaces up to the next whole number.

9.7.10 Permitted and Prohibited Uses. In addition to the uses permitted in the underlying district (per Section 3.1.2) the following uses are allowed by right:

Use – By Right (Y) or Special Permit (SP)	PMOD A	PMOD B	PMOD C
Adult day care	SP	*	*
Body Art Establishment	Y	*	*
Brewery with ancillary food service	Y	*	*
Cocktail lounge	SP	*	*
Farmer brewery	SP	*	*
Garden apartment	Y	*	*
Garden center	SP	*	*
General or personal service establishment	Y	*	*
Healthcare Facility	SP	*	*
Healthcare/elderly housing, Assisted living residence	SP	*	*
Hotels, motels, extended stay facility	Y	*	*
Live/work dwelling unit	Y	*	*
Marijuana retailer	SP	*	*
Medical office	Y	*	*
Microdistillery/Microwinery	SP	*	*
Multifamily dwelling over 17 units/acre [‡]	SP	*	*
Multifamily dwelling, 17 units/acre maximum [‡]	Y	*	*
Nursing and convalescent home	Y	*	*
Printing shops	Y	*	*
Private club	Y	*	*
Professional or Business Office	Y	*	*
Public Market	Y	*	*
Restaurant Fast Food	SP	*	*
Restaurants or other food service uses not including fast food restaurants	Y	*	*
Retail business	Y	*	*
Wholesale business	Y	*	*

[‡] May not be subject to age restrictions.

* Reserved for future amendments.

9.7.9. Permitted and Prohibited Uses The permitted and prohibited uses of the underlying district (per Section 3.1.2) shall apply except as noted in the following Table.

PMOD Permitted and Prohibited Uses

<u>1. Residential Uses</u>	<u>PMOD A</u>	<u>PMOD D</u>	<u>PMOD E</u>	<u>PMOD F</u>
<u>Garden apartment</u>	<u>Y</u>			
<u>Healthcare/elderly housing, Assisted living residence</u>	<u>SP</u>			
<u>Live/work dwelling unit</u>	<u>Y</u>			<u>Y</u>
<u>Mixed Use (PMOD), maximum 12 dwelling units *</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Mixed Use (PMOD), more than 12 dwelling units *</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>
<u>Multifamily dwelling over 17 units/acre‡</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>SP</u>
<u>Multifamily dwelling, 17 units/acre maximum‡</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>SP</u>
<u>Nursing and convalescent home</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>SP</u>
<u>2. Government, Institution and Public Services Uses</u>	<u>PMOD A</u>	<u>PMOD D</u>	<u>PMOD E</u>	<u>PMOD F</u>
<u>Public Market</u>	<u>Y</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>
<u>3. Agricultural and Outdoor Uses</u>	<u>PMOD A</u>	<u>PMOD D</u>	<u>PMOD E</u>	<u>PMOD F</u>
<u>Farm stand, nonexempt</u>				<u>SP</u>
<u>Garden center</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>SP</u>
<u>4. Business Uses</u>	<u>PMOD A</u>	<u>PMOD D</u>	<u>PMOD E</u>	<u>PMOD F</u>
<u>Body art establishment</u>	<u>Y</u>			<u>Y</u>
<u>Brewery with ancillary food service</u>	<u>Y</u>	<u>Y</u>	<u>SP</u>	<u>Y</u>
<u>Business or professional office</u>	<u>Y</u>			
<u>Clinic and healthcare facility, with ancillary uses</u>	<u>SP</u>			
<u>Cocktail lounge</u>	<u>SP</u>			<u>SP</u>
<u>Farmer brewery</u>	<u>SP</u>			<u>SP</u>
<u>General or personal service establishment</u>	<u>Y</u>			<u>Y</u>
<u>Hotels, motels, extended stay facility</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>Y</u>
<u>Kennel, commercial</u>		<u>N</u>	<u>N</u>	<u>N</u>
<u>Marijuana retailer</u>	<u>SP</u>			<u>SP</u>
<u>Marijuana courier facility</u>		<u>N</u>	<u>N</u>	<u>SP</u>
<u>Medical office</u>	<u>Y</u>			<u>Y</u>
<u>Microdistillery/Microwinery</u>	<u>SP</u>			<u>SP</u>
<u>Printing shops</u>	<u>Y</u>			<u>Y</u>
<u>Private club</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Restaurants or other food service uses not including fast food restaurants</u>	<u>Y</u>			<u>Y</u>
<u>Restaurant, fast food</u>	<u>SP</u>			<u>SP</u>
<u>Retail business</u>	<u>Y</u>			<u>Y</u>
<u>Theater, halls, clubs, or other places of entertainment</u>				<u>Y</u>

<u>Veterinarian office or animal hospital</u>				<u>Y</u>
<u>5. Industrial Uses</u>	<u>PMOD</u> <u>A</u>	<u>PMOD</u> <u>D</u>	<u>PMOD</u> <u>E</u>	<u>PMOD F</u>
<u>Mini or self-storage facility</u>		<u>N</u>	<u>N</u>	
<u>Wholesale business</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>SP</u>
<u>6. Accessory and Other Uses</u>	<u>PMOD</u> <u>A</u>	<u>PMOD</u> <u>D</u>	<u>PMOD</u> <u>E</u>	<u>PMOD F</u>
<u>Accessory Dwelling Unit</u>		<u>N</u>	<u>N</u>	
<u>Adult day care</u>	<u>SP</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>Drive-in or drive-through facility</u>		<u>N</u>	<u>N</u>	
<u>Kennel, private</u>		<u>N</u>	<u>N</u>	
<u>Overnight outdoor parking of one or more commercial vehicles in excess of 25,000 gvw</u>		<u>N</u>	<u>N</u>	<u>SP</u>

[‡] May not be subject to age restrictions in PMOD-A.

* For these mixed-use projects, retail, restaurant, office and/or medical office uses shall be located on the ground floor, unless other non-residential uses are authorized by the Planning Board. Nonresidential space, excluding parking areas, on the ground floor, must be equal to at least 15% of the total occupied space in the building, and consist of a minimum of 2,000 square feet.

9.7.10. Site and Building Design Standards – General

The following standards shall apply to new development on all lots utilizing the Powder Mill Overlay District. Multifamily dwellings allowed as of right in subdistrict PMOD-A are exempt from this requirement, as are single-family and duplex dwelling units.

1. Where possible, building siting should create or enhance the view of the riverfront area from public rights-of-way.

2. The design for the primary elevation of multi-story buildings shall create a visual distinction between the ground and upper stories, such as a stepback, architectural banding, or other visual break.

a) All projects along the river are encouraged to treat the facade of the building facing the river as a second primary facade, and to not locate storage sheds, trash storage, and other detached outdoor structures between the building and the river.

3. Walkways and Pedestrian Connections. A protected pathway shall be provided to connect pedestrians and cyclists from the nearest public sidewalk to the main entrance of the building.

4. Sidewalks. A sidewalk shall be maintained or created along the street frontage, with minimal interruption by driveways. If the existing sidewalk does not meet ADA standards, it shall be reconstructed or repaired to those standards. Sidewalks are required whether located wholly or partially within the street layout, regardless of property boundaries. New sidewalks shall be constructed to meet the Planning Board's Rules and Regulations requirements for dimensions and materials, unless otherwise directed by the Department of Public Works (DPW) or otherwise authorized by the Planning Board.

a) Along Powder Mill Road street frontage, within the Section 6.1.10.3 required 20-foot landscape setback from the front lot line, a 15-foot easement shall be provided to allow for a future expansion of the public walkway/sidewalk by the town.

5. Location of Driveways and Parking Lots. Driveways and parking lots shall be designed in such a way that allows the safe passage of pedestrians from their parked vehicles to the primary building. Driveways should be located to minimize the number and width of curb cuts to allow the safe passage of pedestrians on sidewalks.

6. Street Trees. A minimum of one street tree for every 25 feet of lot frontage shall be provided within the front yard setback. Street trees shall be placed at regular intervals to maximize continuous shade for pedestrians. Street trees included in the required front yard setback shall consist of a mix of non-invasive tree species that have a minimum caliper size of two (2) inches when planted.

7. Vista Pruning. For lots that abut the Assabet River, vista pruning is encouraged to create visual access to the Assabet River. Vista pruning means the selective thinning of tree branches or understory shrubs to establish a specific "window" to improve visibility. Vista pruning does not include the cutting of trees which would reduce the leaf canopy to less than 90% of the existing crown cover and does not include the mowing or removal of understory brush. Consultation with the Town's Conservation Agent prior to vista pruning is recommended.

9.7.11. Site and Building Design Standards – Large Projects

The following standards shall apply to development utilizing the Powder Mill Overlay District that consists of more than 50,000 square feet of land area, not including Open Space, or development of more than 10,000 gross square feet of new or expanded building(s). Multifamily dwellings allowed as of right in subdistrict PMOD-A are exempt from this requirement, as are single-family and duplex dwelling units.

1. Flat-roofed buildings that have a height greater than 36' shall provide more significant architectural elements to break up the vertical expanse of the building into a tripartite structure (base, middle, top). This shall include more than one element such as stepbacks, trim/details projecting from the facade, horizontal or vertical articulation (at the top, base, in between stories, or corners of the facade), window or door surrounds, porches, projecting or recessed sections, bay windows, arcades, or similar. These items will promote visual interest and allow variation of the building façade.

a) Large Projects in PMOD-D and PMOD-E shall treat the facade of the building facing the river as a second primary facade, including architectural elements as listed above, and storage sheds, trash storage, and other detached outdoor structures shall not be located between the facade and the river.

b) All lots that abut the Assabet River shall prioritize parking lots being placed aside the primary building, under the primary building, or in a way that maintains dual-sided facade of those buildings.

2. Pedestrian Amenities and Pocket Parks. Projects shall have one or more pedestrian amenities or pocket parks accessible to the public every day from dawn to dusk.

- The combined area of the plaza or park shall measure at least five percent of the gross

floor area on the lot, but not more than 3,000 square feet shall be required. The plaza or park shall be considered part of the minimum required open space and can extend into the front yard. Any sidewalk along the frontage shall not be included in the calculated size of the plaza or park.

- Within the walkway or park, at least one seating area shall be included.
- Public art, educational signage, benches, tables, fountains, playgrounds, monuments, historic markers, flower beds, community gardens, basketball courts, and play structures are encouraged where appropriate.
- The plaza or park, and/or the public access route to it, shall be readily visible from a public right-of-way and/or the Assabet River.
- Shade trees, ornamental trees, and other landscaping shall be included to provide shelter from the sun, to reduce noise, to clean the air, or to otherwise beautify or enhance the appearance of the corridor. All landscaping shall use species that are non-invasive and tolerant to the climatic conditions in Maynard and shall be designed to facilitate ongoing maintenance.
- For parcels abutting the Assabet River, a permanent easement for public access along the river may be provided to the Town in lieu of physical infrastructure.
- Ongoing maintenance of improvements, easements or other amenities required as compliance within section 9.7.11 shall remain the responsibility of the property owner.
- Improvements or other amenities provided in compliance with this section may be provided within required setbacks, subject to site specific review by the Planning Board.

Item 2. AMEND THE “ZONING MAP OF MAYNARD” REFERRED TO UNDER SECTION 2.3 OF THE PROTECTIVE ZONING BY-LAW, BY APPLYING THE OVERLAY ZONING DESIGNATION OF “POWDER MILL OVERLAY DISTRICT D” ZONING DISTRICT, “POWDER MILL OVERLAY DISTRICT E” ZONING DISTRICT, AND “POWDER MILL OVERLAY DISTRICT F” ZONING DISTRICT TO THE FOLLOWING PROPERTIES.

	POWDER MILL OVERLAY DISTRICT D	POWDER MILL OVERLAY DISTRICT E	POWDER MILL OVERLAY DISTRICT F
Parcel Numbers	010.0-0000-0095.0 010.0-0000-0096.0 010.0-0000-0097.0 010.0-0000-0098.0 010.0-0000-0099.0 010.0-0000-0100.0 010.0-0000-0101.0 010.0-0000-0102.0 010.0-0000-0103.0 010.0-0000-0104.0 010.0-0000-0105.0	015.0-0000-0099.0 015.0-0000-0382.0 015.0-0000-0098.0 015.0-0000-0097.0 015.0-0000-0096.0 015.0-0000-0095.0	011.0-0000-0017.0 011.0-0000-0016.0

To do or act thereon.

SPONSORED BY: Planning Board

APPROPRIATION: None

FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) Updates the Powder Mill Overlay District to include subdistricts D, E, and F, with associated updates to the Zoning Map.

Comments: (Finance Committee) This article adds optional subdistricts D, E and F to the Powder Mill Overlay District adopted in May 2024. This allows more specific guidance for various parts of the overlay district.

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ARTICLE: 11**ZONING BY-LAW AMENDMENTS: SECTION 9.2
OF “WATER SUPPLY PROTECTION DISTRICT”
AND SECTION 11 OF “DEFINITIONS,” BATTERY
STORAGE SYSTEM**

To see if the Town will vote to:

**1. AMEND SECTION 9.2 OF THE ZONING BY-LAWS “WATER SUPPLY
PROTECTION DISTRICT” BY CREATING SECTION 9.2.5.14
CONTAINED UNDER “PROHIBITED USES”** by adding the following text:

14. Battery Energy Storage Systems (BESS) in excess of 15 kWh shall not be located within the Water Supply Protection District.

2. AMEND SECTION 11 OF THE ZONING BY-LAWS “DEFINITIONS” by adding the following text:

Battery Energy Storage System (BESS): One or more containers or cabinets on a lot containing batteries and related equipment, assembled together, capable of storing electrical energy in order to supply electrical energy to the power grid at a future time. This includes all accessory equipment on said lot necessary for energy storage including but not limited to inverters, transformers, cooling equipment, switching gear, metering equipment, transmission tie-lines, and other power interconnection facilities and/or a project substation, but does not include public utility owned and operated interconnection equipment, regardless of location, or other interconnection equipment to be located on the real property of the public utility or within its right of way, determined to be necessary by the public utility to facilitate the BESS interconnection with the power grid whether for bringing power to the BESS or for returning it to the power grid, a stand-alone 12-volt vehicle battery, or an electric motor vehicle. This definition does not apply to residential uses storing 15 kWh or less.

To do or act thereon.

SPONSORED BY:	Planning Board
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town Meeting

Comments: (Sponsor) A Battery Energy Storage System (BESS) is a system that stores electrical energy in rechargeable batteries for later use. It's essentially a large-scale battery that can be charged from various sources like the grid, solar, or wind and then discharged to provide power when needed. MGL requires municipalities have at least one designated area to accommodate BESS systems.

While rare malfunctioning or damaged BESS systems can result in:

- Fire
- Toxic gases
- Chemical leaks
- Electrical hazards

The Planning Board believes it is in Maynard's best interest to ensure separation between BESS systems and the Town's water supply.

The proposed amendment to Section 9.2 would prohibit the sighting of BESS systems within Maynard's Water Supply Protection Districts (Figure 1).

The proposed amendment to Section 11 adds a definition to the ZBL for a BESS.

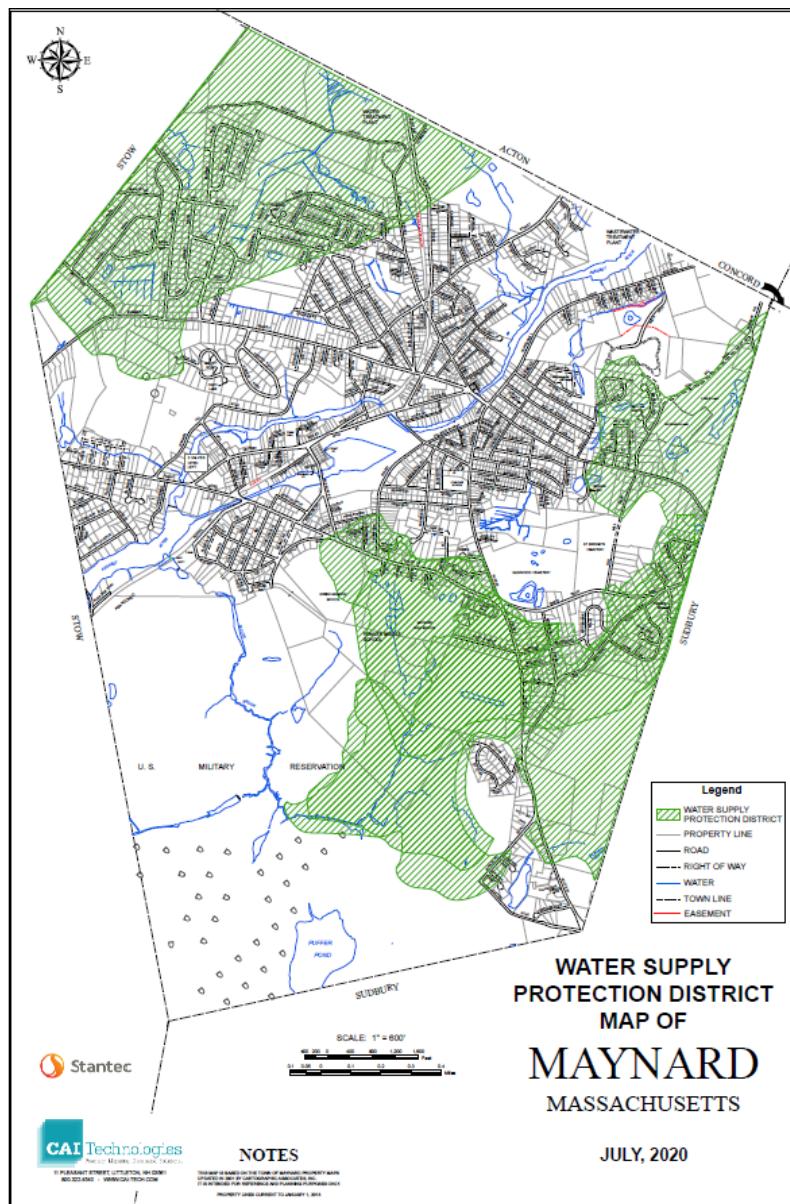


Figure 1: Shaded Areas Denote Water Supply Protection Districts

Comments: (Finance Committee) This proposed by-law defines what size Battery Energy Storage System (BESS) are not allowed in this Maynard's Water Supply Protection Districts (WSPD). The Committee had a tie vote on a recommendation.

Protecting the Town's limited water supply is a top priority and concern. If this article does not pass there is currently no by-law mechanism to prevent large scale BESS in the WSPD.

However, with advances in technology, the proposed 15 kWh cutoff may restrict residential use. For example, a Tesla wall charger is typically ~13 kWh and a whole home battery system for three days power is ~30-60 kWh. A cutoff closer to ~100 kWh may accommodate future residential Green Energy development while protecting our water supply from commercial and industrial BESS uses which are typically scales of magnitude larger in MWh ranges.

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ARTICLE: 12

CITIZENS' PETITION: HOME RULE PETITION - PROHIBIT ANTICOAGULANT RODENTICIDES WITHIN THE TOWN OF MAYNARD

To see if the town will vote to authorize and request the Select Board to petition the General Court of the Commonwealth for Home Rule Legislation to allow the town of Maynard, notwithstanding the provisions of Chapter 132B of the General Laws or any other general or special law to the contrary, to adopt a bylaw that would prohibit or restrict the application and use of Anticoagulant Rodenticides within the Town of Maynard, including the application of such pesticides by licensed commercial applicators as defined in 333 C.M.R. 10.00. SECTION 2. or to take any action in relative thereto.

DESCRIPTION: This article would authorize the Select Board to petition the General Court for Home Rule Legislation to allow the Town of Maynard to prohibit or restrict the application and use of anticoagulant rodenticides, commonly called AR's, within the Town of Maynard. ARs are lethal pesticides that stop the blood clotting process. Common AR compounds include: brodifacoum, bromadiolone, difenacoum, difethialone, diphacinone, chlorophacinone, and warafin. If enacted, the petitioned special legislation would permit the Town to determine the extent to which ARs should be prohibited or restricted in Maynard under a future bylaw approved by Town Meeting.

SPONSORED BY: Citizens' Petition
APPROPRIATION: None
FINCOM RECOMMENDATION: At Town Meeting

Comments: (Sponsor) This home rule petition would authorize our Select Board to seek permission from the state for Maynard to take a future action to draft and vote on a by-law affecting residences and businesses to adhere to some form of Anticoagulant Rodenticide restriction. This is not a by-law, it's asking permission to write and vote on one in the future if we so desire.

Anticoagulant Rodenticides are the poisons that cause death by internal bleeding. They have secondary effect on rodent predators such as Owls and Fox, causing them to bleed to death as well, after eating poisoned rodents. They are extremely dangerous to children and pets. Integrated Pest Management is the best way to deter rodents. As explained at spring town meeting, AR's are not working. The most effective way to manage rodents is to restrict AR use and handle trash/recycling/compost properly across the entire area. If one chooses poisons, there are others that have far fewer secondary effects on wildlife. The town voted overwhelmingly to restrict AR's on municipal property last May.

This vote will, (or will not), show Maynard's preference to affect townwide AR use. This vote has no cost. It would simply indicate to the state legislature that we the people of Maynard, want permission from the state to affect AR use across our entire town.

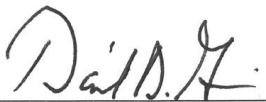
19 other towns, including Concord, have passed home rule petitions for this purpose. Sudbury, Acton, and Stow are now working on this issue as well. The more towns that restrict AR's, the more effective those restrictions will be, as rodents, raptors, and rodent eating mammals don't see town boundaries.

A yes vote would show the state legislature that Maynard has joined the growing number of towns that support AR restrictions.

For further information on Anticoagulant Rodenticides and their effects and limits of effectiveness, with sources, see comments from the Maynard Spring Town Meeting Warrant for 5/19/25.

Comments: (Finance Committee) At Town Meeting.

Given under our hands this **16th** day of September in the year of Two Thousand and Twenty-Five.



David Gavin, Select Board



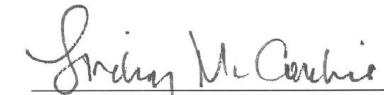
Mike Stevens, Select Board



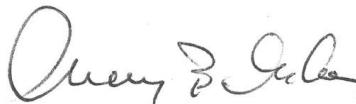
Chris DiSilva, Select Board

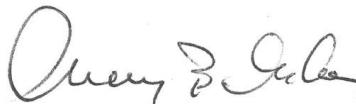


Jeffrey Swanberg, Select Board



Lindsay McConchie, Select Board



A true copy, Attest  Constable of Maynard.
Mary McCue

Notes

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