



Planning Board

Rules and Regulations

The Town of Maynard
Massachusetts, 01754

**Rules and Regulations (including Fee Schedule and Forms) as Amended by the Planning Board Meeting
of May 24, 2016.**

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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 Bylaws (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 particular applications, the Applicant may request, in writing, a waiver of strict compliance to these regulations when submitting an application for Site Plan Review. The Planning Board or the Town Planner 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 “B” and “C” respectively within this document. Section 10.5.6 of the ZBL states that once an application for Site Plan Approval is filed Planning Board must take action 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 and 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 purpose of this meeting is to familiarize reviewing staff with the basics of the project and to allow the Applicant to receive 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 the meeting may include representatives of Planning, Zoning, Building, Conservation, Public Works, Fire Department, Police Department and the Health Department. This meeting can be scheduled through the Office of Municipal Services (OMS). There is no fee for this consultation.

SITE PLAN DETAILS

The Site Plan shall be prepared by a Massachusetts, registered professional engineer, registered land surveyor, landscape architect or architect for general locations. 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 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:

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A. General

1. Date of Site Plan. All revisions shall be noted and dated and when appropriate, indicate all changes from previous version of Site Plan submitted.
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.
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 also 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 having 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) 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 (**which shall remain**) and all other existing structures such as walls, fences, culverts, bridges, roadways, etc., with spot elevations of such structures shall be

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included.

20. Location of existing buildings and all other existing structures such as walls, fences, culverts, bridges, roadways, etc. (**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. 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.

B. Buildings/Structures (note: this Section formerly known as Section A.V.B)

1. The proposed use and location of buildings including proposed grades and structure height. Total floor space of all buildings shall also be indicated by square footage.
2. The location, housing type, and density of land use to be allocated to parts of the site to be developed.
3. Layout of proposed buildings or structures including elevations and architectural renderings.
4. Exhibits as appropriate, to indicate the visual impact on the community. The intent of the exhibits is to demonstrate how the proposal design/approach takes the surrounding area into context and contributes to the overall aesthetic harmony.
5. 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.
6. All existing non-conformities shall be indicated.

C. Utilities

All utility work shall be performed to, and consistent with, Public Works specifications.

1. Location of existing storm drainage structures and related infrastructure, whether publicly or privately owned, with pipe sizes, grades and direction flow.
2. 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.
3. Location of fire alarm and terminal boxes.
4. 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.
5. 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.

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6. Photometric plans shall be provided for proposed outdoor lighting. Additional lighting guidelines are found in the Planning Board's "Landscape Regulations" (separate document).
7. Projects shall locate all utilities underground. Permission from the Planning Board, or designee, must be granted if a project is proposing not locating utilities underground. 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.
8. Proposed water, drainage and sewer systems shall require approval from the Department of Public Works prior to Site Plan approval.
9. Proposed storm water drainage system shall conform to designs based on a 50-year storm record.
10. Additional approvals from other reviewing entities or 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 Public Works.
4. A traffic circulation/impact study (both within the site and as it may affect the surrounding areas) may be required as determined by the Planning Board or the Pre-Application review team. If required, the study shall include estimates of total automotive trips generated, peak hour demand, present and anticipated traffic volumes, existing street capacities and other elements of the internal and external impacts of the development.
5. A "Safe-Site" analysis for identified roadway 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" resolution in conjunction with the Metropolitan Area Planning Council (MAPC) committing to ensure 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. The Site Plan or where appropriate, shall indicate:

1. The location and size of any existing pedestrian, bicycle and or other non-motor vehicular networks or accommodations within the project area.
2. External connections proposed to link project to surrounding non-motor vehicular networks.
3. Internal pedestrian and bicycle paths, lanes, routes etc.
4. Internal bicycle facilities, racks, storage areas etc.

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5. Roadway marking proposed for pedestrians and bicyclists.

F. Landscaping

1. A Landscape Plan shall be required for all projects and shall be consistent with the Planning Board's "Landscape Regulations" (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 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.

H. Other Requirements for Site Plan Approval:

1. The developer shall provide details of postal delivery to the proposed development.
2. 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.
3. 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.
4. 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. 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.
5. 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, Board of Public Works, Conservation Commission, Police Department, Zoning Board of Appeals and Bylaws of the Town of Maynard. Applicant shall proactively demonstrate to the Planning Board recognition of concerns of abutters in conducting any activity on or near the Site.
6. 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.
7. 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.
8. 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 view 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

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Board, this shall be a condition of Site Plan Approval.

9. No debris or pollutants shall be discharged into the drainage system. All drainage systems shall be maintained in good repair and working order by the Applicant, subject to periodic inspection by the Board of Public Works or its agent.
10. The Applicant shall complete street lighting and landscaping in accordance with the approved plans.
11. 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.
12. All buildings and individual units shall be clearly numbered and lettered, in accordance with Town Bylaws.
13. During construction, portable sanitary toilets shall be provided by the Applicant for the work force in the Site.
14. All expenses of the Planning Board relating to the Site Plan Approval, including but not limited to advertising, engineering, design and other professional peer review of all plans, recording and filing of plans and 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.
15. As applicable, policies of the Board of Selectmen, Fire Department, Department of Public Works, Conservation Commission, Board of Health and other Town Departments concerning the design and installation of project facilities shall be followed.
16. 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, lots or lots from this Site Plan Approval.
17. 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 of time, 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.

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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 a twenty (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 Office of Municipal Services 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 be 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.

B. Special Permit Modification

1. Minor modifications to a Special Permit whether or not associated with an approved Site Plan

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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.

The objective of the design review is to maintain coherence and harmony with the existing buildings in the immediate area and the neighborhood that exhibit historic and/or high quality design features that the Planning Board believes defines the best of area architecture.

The following guidelines have been organized into two related sections:

- Overall Guidelines - These are general considerations that shall apply to any project.
- 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 in 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.

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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 at all possible.
5. Facade 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.

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 provided that 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.

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- The massing of large buildings should reflect the functions of the building and respond to the scale of traditional buildings by including major façade 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.

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- 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 façade. 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 in order 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.

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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 palates 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 façade 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 façade.

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.

Maynard Planning Board Rules and 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.

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

Maynard Planning Board Rules and Regulations

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 or facade or building wall.

**Maynard Planning Board
Rules and Regulations**

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 Protective Zoning By-laws 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 below¹. 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 FY19 Base Acquisition Cost Per Household is \$9,400².
 - 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, 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 $(\$9,400) \times (2) = \$18,800$.

¹Text approved by Community Preservation Committee on May 16, 2018 – it was subsequently modified by Planning Board on July 10, 2018.

²This amount was determined using Maynard’s current average number acres of open space and recreation land per household (0.15) multiplied by the current assessed value per acre of the golf course land (\$62,800). The golf course land is the most recent open space and recreation land acquired by the town. The valuation of the golf course land used in the calculation excludes the value of the clubhouse and parking lot. The current acreage of open space and recreation land used in the calculation excludes the wildlife refuge lands.

APPENDIX "A"
Maynard Planning Board
2018 Fee Schedule

* = Public Hearing (Additional advertising and mailing costs may apply), # = Town Meeting approval required

Application	Maynard
Pre-Application Meeting (mandatory)	No fee
ZBA Application Filing Fee (if public hearing for ZBA or PB also responsible for cost of mailing abutters, and decision return receipt due with application.)	Filing Fee \$125 Postage \$7.16 Per abutter and 6 regional/local towns
Legal Ad will be billed directly to the applicant from the newspaper.	Price determined by newspaper
Site Plan Review (Housing)	\$500 + \$50 / unit*
Site Plan Review (Non-Housing)	\$500 + \$0.05 / sq. ft.*
Site Plan Review Modification (Housing)	\$250 + \$50 / new unit*
Site Plan Review Modification (Non-Housing)	\$250 + \$0.05 / sq. ft. of new area*
Conceptual Plan Review	\$2,500 *
Approval Not Required (ANR)	\$250 + \$150 each new lot/created parcel
Preliminary Subdivision Plan	\$750 + \$750 / lot created*
Definition Subdivision Plan (w/Approved Preliminary Plan)	\$1,500 + \$200 / lot created*
Definition Subdivision Plan (w/o Preliminary)	\$2,500 + \$300 / lot created*
Amend / Modify a Definitive Plan	\$500*
Modification to Covenant, Approval, or other Subdivision Documents*	\$250*
Special Permit (Residential)	\$200*
Special Permit (Commercial)	\$200 per activity*
Sign Special Permit	\$150
Cell Tower Special Permit	\$2,500*
Cell Tower Special Permit Renewal	\$2,500*
Special Permit Modification	\$200*
Zoning Amendment Request	\$1,000*
Peer Consultant Review Deposit – Engineering Separate check required. Due with Application	\$5,000 (May require replenishment. Any remaining balances refunded)
Peer Consultant Review Deposit – Design (applicability determined at pre-application meeting). /local Separate check required	\$2,500



Planning Board
Town of Maynard
195 Main Street, Maynard, MA 01754
Tel: 978-897-1302 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 Files:

Town Clerk's Stamp



Planning Board
Town of Maynard
195 Main Street, Maynard, MA 01754
Tel: 978-897-1302 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

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

Application for Sign Special Permit

This is an application for Special Permit approval granting relief from Sign Regulations as provided for in Section 6.2.11 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 6.2.11 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

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 of 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