



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SPECIAL TOWN MEETING

To the Constable of the Town of Maynard, in said County,

GREETINGS:

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, January 9, 2017 at 7:00 P.M.** then and there to act on the following articles:

SPECIAL NOTICE TO VOTERS

On Monday, December 19, 2016 at 7:00 P.M., a public hearing will be held at the Maynard Town Hall, Michael J. Gianotis Room, Room 201, to discuss with any citizen who desires further information, as to the recommended budget, and any special Articles in the Warrant to which the Finance Committee has made a recommendation. Explanation and discussion concerning these matters may be helpful in the interest of saving time at the Special Town Meeting. Your participation is welcome.

Note: Some Finance Committee recommendations were not available at time of printing. See Finance Committee website after December 19, 2016 at www.townofmaynard-ma.gov/gov/committees/finance-committee

ADA ADVISORY

Anyone in need of special arrangements for the Town Meeting, such as wheelchair arrangements or signing for the hearing impaired, please contact the Office of the Selectmen at (978) 897-1301 by Tuesday, January 3, 2017 in order for reasonable accommodations to 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 or not 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 may be reconsidered, that is revoted, **only** within thirty (30) minutes of the time that the main article (motion) was voted on. An article can only be reconsidered once. To reconsider:

1. Ask the Moderator for recognition.
2. Ask for reconsideration within the thirty (30) minute time limit. The Moderator can now finish present business, which may go on beyond thirty (30) minute limit. However, The Moderator shall take up the reconsideration as the next order of business.
3. At the proper time, present your motion for reconsideration and state your name.
4. At the Moderator's option, he can move the motion without further discussion.

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 zoning By-laws.

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 will only be considered in the calculation of percentages. To figure the percentage, divide the Yes votes by the total Yes and No votes.

Example: 100 Yes, 50 No, and 20 Blanks shall be interpreted as:

$$\frac{100 \text{ Yes}}{100 \text{ Yes} + 50 \text{ No}} = 66.7\% \text{ or } 2/3$$

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

TABLE OF CONTENTS

<u>ARTICLE</u>	<u>TITLE</u>	<u>DEPARTMENT</u>	<u>PAGE #</u>
1	Matching Funds for Replacement of Aerial Ladder Truck	Board of Selectmen	5
2	Delete By-law Chapter IX, Section 7 <i>Dogs</i>	By-law Committee	5
3	Delete By-law Chapter XI <i>Job & Express Wagons</i>	By-law Committee	6
4	Amend By-law Chapter XIII, Sections 1, 3, and 4 <i>Police Commissioners</i>	By-law Committee	6
5	Amend By-law Chapter XIII, Section 2 <i>Boards and Committees</i> and Create a New By-law	By-law Committee	7
6	Amend By-law Chapter XIII, Section 16 <i>Fees for Sealer of Weights and Measures</i>	By-law Committee	9
7	Amend By-law Chapter XXVII, Section 5 <i>Wetlands Protection</i>	Conservation Commission	10
8	Transfer from Capital Stabilization to fund GMES Playground	School Committee	10
9	By-law for the Preservation of Historically Significant Buildings	Historical Commission	11
10	Amend Protective Zoning By-law Use Table	Planning Board	16

ARTICLE: 1 MATCHING FUNDS FOR REPLACEMENT OF AERIAL LADDER TRUCK

To see if the town will vote to transfer a sum of TWO-HUNDRED-SIXTY-SIX THOUSAND, FIVE-HUNDRED AND SIXTY-SEVEN DOLLARS (\$266,567.00) from the Capital Stabilization Fund with said funds to be used for the purpose of matching a federal grant to purchase an aerial ladder.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$266,567.00
FINCOM RECOMMENDATION: At Town Meeting

Sponsor Comments: The grant and matching funds will purchase an Emergency-One, HP100, E-Max Quint. This cost represents the town's match of just over 25% of the total cost of replacement. The Federal Emergency Management Grant awarded to the Maynard Fire Department will contribute \$750,000.00. The total cost to replace the existing, thirty-one year old E-One Aerial Ladder is \$1,016,567.00.

ARTICLE: 2 DELETE BY-LAW CHAPTER IX, SECTION 7 - DOGS

To see if the town will vote to amend Chapter IX, Section 7 of the Town of Maynard General By-laws as follows:

Delete Chapter IX, Section 7 in its entirety.

To do or act thereon.

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

Sponsor Comments: This section consists of the following: "No person shall own or keep in this Town any dog which is biting, barking, howling, or in any other manner disturbs the peace and quiet of any neighborhood, or endangers the safety of any person. Whoever violates the provisions of this section shall be liable to a penalty of up to three hundred dollars (\$300)." This section is now redundant with the addition of Chapter XIX, Dog Owner's Responsibility Law

FinCom Comments: The article clarifies the structure of the town by-laws, but doesn't make substantive changes.

ARTICLE: 3 DELETE BY-LAW CHAPTER XI – JOB AND EXPRESS WAGONS

To see if the town will vote to amend Chapter XI of the Town of Maynard General By-laws as follows:

Delete Chapter XI, Job and Express Wagons in its entirety.

To do or act thereon.

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

Sponsor Comments: Chapter XI, Job and Express Wagons is antiquated and is no longer enforced. There is no good reason for it to remain as part of the Town By-laws.

FinCom Comments: The article clarifies the structure of the town by-laws, but doesn't make substantive changes.

ARTICLE: 4 AMEND BY-LAW CHAPTER XIII, SECTIONS 1, 3 & 4 – POLICE COMMISSIONERS

To see if the town will vote to amend Chapter XIII of the Town of Maynard General By-laws by deleting the existing sections 1, 3 and 4 thereof and by adding a new Chapter XXXIV as follows:

CHAPTER XXXIV

POLICE COMMISSIONERS

Section 1: The Board of Selectmen shall be the Police Commissioners.

Section 2: It shall be the duties of the Police Commissioners to fill all vacancies on the regular police force, and to appoint sufficient additional special officers to properly preserve the peace.

Section 3: The Police Commissioners are hereby empowered to make and enforce regulations necessary to make effective the provisions of this By-law and to make and enforce temporary regulations to cover emergencies of special conditions.

To do or act thereon.

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

Sponsor Comments: In the process of reorganizing the Town's By-laws, the committee found that three sections in Chapter XIII relate to Police Commissioners and should have their own Chapter to be more visible to the public.

FinCom Comments: The article clarifies the structure of the town by-laws, but doesn't make substantive changes.

ARTICLE: 5 AMEND BY-LAW CHAPTER XIII, SECTION 2 – BOARDS AND COMMITTEES AND CREATE A NEW BY-LAW

To see if the town will vote to amend Chapter XIII, Section 2 of the Town of Maynard General By-laws by deleting the existing Section 2 and then adding a new Chapter XXXV as follows:

CHAPTER XXXV

TOWN OFFICERS, BOARDS AND COMMITTEES

The Town shall have the following Officers and Multiple Member Governmental bodies with members appointed by the indicated authority for the stated terms.

Board of Selectmen

Officer	Term	Comments
Town Administrator	3 year	renewable contract
Assistant Town Administrator	Indefinite	
Town Counsel	Contract	
Director of Public Works	Indefinite	
Police Chief and all police officers	Indefinite	
Fire Chief	Indefinite	
Town Planner	Indefinite	
Veterans Administrator	Indefinite	
Director of Emergency Management	Indefinite	
One or more Constables	Indefinite	
Two or more Fence Viewers	Indefinite	
Towns Representative to Town	Indefinite	
Retirement Board		
Keeper of Lock Up	Indefinite	
Representative to MAPC	Indefinite	
Right to Know Coordinator	Indefinite	
Tree Wardens	Indefinite	

Boards/ Committees	Number of Members	Term in years	Number appointed per year
Americans with Disabilities Act Commission	5	3	2/2/1
Conservation Commission	5	3	2/2/1
Industrial Development and Finance Authority	5	3	2/2/1
Maynard Historical Commission	5	3	2/2/1

Board of Appeals	5	3	2/2/1
	Also appoints 2 associate members		
Board of Assessors	3	3	1/1/1
Board of Health	3	3	1/1/1
Community Preservation Committee	9	3	3/3/3
	Board of Selectmen only appoints 3 members, remaining members appointed per the Community Preservation Committee By-law.		
Planning Board	5	5	1/1/1/1/1
	Also appoints 1 associate member		
Public Works Advisory Committee	3	3	1/1/1
Capital Planning Committee	5	3	2/2/1
Maynard Citizen's Corps	7	1	7
Executive Board	Board of Health appoints 3; Board of Selectmen, School Committee, Fire Chief and Police Chief appoint 1 each. Unlimited volunteers approved by Executive Board		
Recreation Commission	5	3	2/2/1
Board of Registrars	5	3	2/1/1
	Town Clerk to be a permanent member		
Cable Television Committee	5	3	2/2/1
Council on Aging	5	3	2/2/1
Cultural Council	7	3	3/2/2

Town Administrator

Officer	Term	
Town Clerk	Indefinite	
Financial Director	Indefinite	
Town Treasurer/Collector	Indefinite	
Town Accountant	Indefinite	
Chief Assessor	Indefinite	In conjunction with the Board of Assessors
Board of Health Director/ Public Health Officer	Indefinite	In conjunction with the Board of Health
Conservation Agent	Indefinite	In conjunction with the Conservation Commission
Director, Council on Aging	Indefinite	In conjunction with the Council On Aging
Sealer of Weights and Measures	Appointed Yearly	
Facility Manager	Indefinite	
Building Commissioner/Zoning Code Enforcement Officer	Indefinite	
Plumbing Inspector	Appointed Yearly	
Inspector of Gas piping and Gas Appliances	Appointed Yearly	
Wiring Inspector	Appointed Yearly	
Dog Officer	Appointed Yearly	

Inspector of Animals	Appointed Yearly
Hazardous Waste Committee	3 years
All Assistant Inspectors	Appointed Yearly

Town Moderator

Committee	Number of Members	Term in years	Number appointed per year
Finance Committee	7	3	3/2/2
By-law Committee	5	3	2/2/1
Standing Committees authorized by Town Meeting		As Needed	

To do or act thereon.

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

Sponsor Comments: In the process of reorganizing the Town’s By-laws, the committee found that this section should have its own chapter to be more visible to the public and to assist with later reorganization. No changes have been made to any of the positions.

FinCom Comments: The article clarifies the structure of the town by-laws, but doesn’t make substantive changes.

ARTICLE: 6 AMEND BY-LAW CHAPTER XIII, SECTIONS 16 – SEALER OF WEIGHTS AND MEASURES

To see if the town will vote to amend Chapter XIII the Town of Maynard General By-laws by deleting Section 16 and replacing it as follows:

Section 16: The Town through the Sealer of Weights and Measures shall charge and collect a fee for Sealing Weights and Measures in the Town of Maynard pursuant to Massachusetts General Law, Ch. 98, § 56. The fee schedule for sealing of weights & measures will be set and adjusted as necessary by the Board of Selectmen.

To do or act thereon.

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

Sponsor Comments: The Town has not been appointing a Sealer of Weights and Measures, but rather using a state Sealer who charges at a higher rate. Towns are permitted to contract with the state sealer to perform all obligations under G.L. c 98.

FinCom Comments: The article clarifies the structure of the town by-laws, but doesn't make substantive changes.

ARTICLE: 7 AMEND BY-LAW CHAPTER XXVII, SECTION 5 - WETLANDS PROTECTION

To see if the Town will amend Chapter XXVII of the Town of Maynard General By-law, Wetlands Protection, Section 5 by changing the first sentence thereof by adding the underlined language as follows:

"Any person filing a permit application with the commission shall within seven (7) days give written notice by certificate of mailing, certified mail (return receipt) or hand delivered..."

Adding the words: Certificate of Mailing

To do or act thereon.

SPONSORED BY: Conservation Commission
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Sponsor Comments: To reduce the cost of abutter's notification for applicants. Applicants already pay all costs associated with the mailing. This does not increase costs to the community.

FinCom Comments: The article allows for a cheaper mailing method in publicizing public hearings.

ARTICLE: 8 TRANSFER FROM CAPITAL STABILIZATION – GREEN MEADOW ELEMENTARY SCHOOL PLAYGROUND

To see if the town will vote to transfer a sum of TWO-HUNDRED-FORTY-FIVE THOUSAND DOLLARS (\$245,000.00) from the Capital Stabilization Fund for the purpose of constructing underground drainage, accessible pathways and site improvements at the Green Meadow Elementary School playground.

To do or act thereon.

SPONSORED BY: School Committee
APPROPRIATION: \$245,000.00
FINCOM RECOMMENDATION: At Town Meeting

Sponsor Comments: The goal of this project is to improve the existing playground facility located at the Green Meadow Elementary School. Specific improvements include: a) The installation of an underground drainage system in the playground area. The existing playground does not have drainage or grading to adequately remove surface water. This results in standing water and a potential for ice buildup in the area, rendering the area unusable at times during the year. b) The grading and site work includes the installation of ADA accessible pathways leading to the playground area and existing play equipment. Currently the equipment located in the playground cannot be accessed by students with mobility issues, these pathways will allow a greater amount of students to access to the play area.

ARTICLE: 9 BY-LAW FOR THE PRESERVATION OF HISTORICALLY SIGNIFICANT BUILDINGS

To see if the town will vote to amend the Town By-laws as follows:

To create a new By-law for the Preservation of Historically Significant Buildings with the following:

CHAPTER XXXIII

THE PRESERVATION OF HISTORICALLY SIGNIFICANT BUILDINGS

Section 1: Intent and Purpose

This By-law is enacted for the purpose of preserving and protecting significant buildings within the Town of Maynard which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the Town and to limit the detrimental effect of demolition of such buildings on the character and value of real property resources of the Town. Through this By-law, owners of Preferably Preserved buildings are encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings and residents of the Town are alerted to impending demolitions of significant buildings. By preserving and protecting significant buildings, this By-law promotes the public welfare by making the Town a more attractive and desirable place in which to live and work. To achieve these purposes the Historical Commission is authorized to advise the Building Commissioner with respect to demolition permit applications. The issuance of demolition permits is regulated as provided by this By-law.

Section 2: Definitions

APPLICANT - Any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the subject building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

APPLICATION - An application for the demolition of a building.

BUILDING - Any structure assembled in a fixed location, having a roof supported by columns or walls, to form a shelter for persons, animals or property.

BUILDING COMMISSIONER - The person occupying the office of Building Commissioner or the person otherwise authorized to issue demolition permits in the Town of Maynard.

COMMISSION - The Maynard Historical Commission.

DAYS - Calendar days.

DEMOLITION - Any act of pulling down, destroying, removing, dismantling or razing a building or commencing the work that results in total or substantial destruction with the intent of completing the same. A substantial destruction of a building is defined as 50% or more of the Total Gross Floor Area of the building as determined by the Building Commissioner.

DEMOLITION PERMIT - The building permit issued by the Building Commissioner for a demolition of a building, excluding a building permit issued solely for the demolition of the interior of a building.

PREFERABLY PRESERVED - Any Significant Building which the Commission determines, following a public hearing, that it is in the public interest to be preserved rather than demolished.

A Preferably Preserved building is subject to the twelve (12) month demolition delay period of this By-law unless an earlier demolition permit is allowed under provisions of section 3-L of this By-law, unless the building is on the National Register of Historic Places where it subject to an eighteen (18) month demolition delay period.

SIGNIFICANT BUILDING - Any building or portion thereof which appears on the List of Historically Significant Buildings generated by the Historical Commission. This list is maintained by the Commission, is supplied to the Building Commissioner for purposes of this By-law and is part of the public record.

Included on this list may be any building or portion thereof which:

- a. Is listed on, or is within an area listed on, the National Register of Historic Places; or is the subject of a pending application on said National Register; or
- b. Is included in the Historical Resources Inventory prepared by the Commission including those buildings listed for which complete surveys may be pending; or
- c. Has previously been determined by vote of the Commission to be historically or architecturally significant in terms of period, style, method of building construction or association with a recognized architect or builder or by reason of its association with a person or event of importance to the Town's history.

Section 3: Procedure

A. No demolition of a Significant Building shall be permitted except in conformance with the provisions of this By-law.

B. Upon receipt of an application for a Demolition Permit for a Significant Building the

Building Commissioner shall forward a copy thereof to the Commission. No demolition permit shall be issued at that time.

C. An Applicant proposing to demolish a building subject to this By-law shall file with the Building Commissioner an application containing the following information:

1. The address containing the building to be demolished.
2. The owner's name, address and telephone number.
3. A description of the building.
4. The reason for requesting a demolition permit.
5. A brief description of the proposed reuse, reconstruction or replacement.
6. A photograph or photograph(s) of the building.

D. The Building Commissioner shall within seven (7) days forward a copy of the application to the Commission. The Commission shall, within fifteen (15) days after receipt of the application, make a written confirmation of whether the building is still considered significant.

E. Upon determination by the Commission that the building is no longer considered significant, due to its present condition or status, the Commission shall so notify the Building Commissioner and Applicant in writing. The Building Commissioner may then issue the Demolition Permit. The subject building shall be removed from the List of Historically Significant Buildings and no further action taken under provisions of this By-law.

F. Upon determination by the Commission that the building remains significant, the Commission shall so notify the Building Commissioner and the Applicant in writing. No Demolition Permit may be issued at this time. If the Commission does not notify the Building Commissioner within fifteen (15) days of receipt of the application, the Building Commissioner may then issue the demolition permit.

G. If the Commission confirms that the building is significant, it shall hold a public hearing within thirty (30) days of the written notification to the Building Commissioner. The Commission shall hold a public hearing and shall give public notice thereof by publishing notice of the time, place and purpose of the hearing in a local newspaper at least fourteen (14) days prior to said hearing. Also the Commission shall, within fourteen (14) days prior to the date of said hearing, mail a copy of the notice to the Applicant and to the Building Commissioner.

H. The Commission shall decide at the public hearing or within fourteen (14) days after the public hearing whether the building should be determined Preferably Preserved. If agreed to in writing by the Applicant, the determination of the Commission may be postponed.

I. If the Commission determines that the building is not Preferably Preserved, the Commission shall so notify the Building Commissioner and Applicant in writing. The Building Commissioner may then issue the Demolition Permit.

J. If the Commission determines that the building is Preferably Preserved, the Commission shall notify the Building Commissioner and Applicant in writing. No Demolition Permit may then be issued for a period of twelve (12) months from the date of the determination (eighteen (18)

months for National Historic Register Properties) unless otherwise agreed to by the Commission. If the Commission does not so notify the Building Commissioner in writing within twenty-one (21) days of the public hearing, the Building Commissioner may then issue the demolition permit.

K. Upon a determination by the Commission that any building which is the subject of an application is Preferably Preserved, no building permit for new construction or alterations on the premises shall be issued for a period of twelve (12) months from the date of the determination (eighteen [18] months for National Historic Register properties) unless otherwise agreed to by the Commission.

L. Notwithstanding the preceding sections, the Building Commissioner may issue a Demolition Permit for a Preferably Preserved building at any time after receipt of written advice from the Commission to the effect that:

1. The Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate or restore such building, or
2. The Commission is satisfied that the owner's actions do not detract from the historical character of the property.

M. Following the twelve (12) month (eighteen [18] month for National Historic Register properties) delay period, the Building Commissioner may issue the demolition permit.

Section 4: Emergency Demolition

A. Notwithstanding the foregoing provisions, if after an inspection, the Building Commissioner finds that a building subject to this By-law poses an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building, then the Building Commissioner may issue an emergency demolition permit to the owner of the building. The Building Commissioner shall then prepare a report explaining the condition of the building and the basis for the decision, which shall be forwarded to the Commission in a timely manner.

B. No provision of this By-law is intended to conflict with any obligations or rights under MGL Ch. 143 (see sections 8-10) regarding removal or demolition of dangerous or abandoned structures.

Section 5: Enforcement and Remedies

A. The Commission and/or the Building Commissioner may enforce the requirements of this By-law.

B. No building permit shall be issued with respect to any premises upon which a Significant Building has been voluntarily demolished in violation of this By-law for a period of two (2) years from the date of such demolition. As used herein "premises" includes the parcel of land upon which the demolished Significant Building was located.

C. Upon the determination by the Commission that a building is Preferably Preserved, the owner shall be responsible for properly securing the building to the satisfaction of the Building Commissioner. Should the owner fail to secure said building, the loss of such building through fire or other cause shall be considered voluntary demolition for the purposes of section 5-B.

Section 6: Administration

A. The Commission may adopt such rules and regulations as are necessary to administer the terms of this By-law.

B. The Commission is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this By-law.

C. Consistent with authority given the Commission in Section 2, the Commission will periodically review the List of Historically Significant Buildings and vote on additions or deletions from said list following a public hearing, notice of which shall be provided by mail at least fourteen (14) days in advance to the owner(s) of building(s) affected thereby. A revised list will be provided to the Building Commissioner promptly following such review.

D. An owner of a building may petition the Historical Commission for a determination of the building as historically significant. Within sixty (60) days after the receipt of such application, the Commission shall determine whether the building is a Significant Building. The Applicant for the permit shall be entitled to make a presentation to the Commission if he or she makes a timely request in writing to the Commission. The determination by the Commission of whether a building is a Significant Building shall be made in writing, signed by the Commission, and shall be binding on the Commission for a period of 3 years from the date thereof.

Section 7: Severability

In case any section, paragraph or part of this By-law be for any reason declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect.

To do or act thereon.

SPONSORED BY: Historical Commission
APPROPRIATION: None
FINCOM RECOMMENDATION: At Town Meeting

Sponsor Comments: Maynard has no mechanism today to preserve or protect historically significant buildings or other structures which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the Town. The proposed By-law, by delaying for a fixed period the issuance of a demolition permit for a limited set of properties designated by the Historical Commission in a public process as historically significant, provides a window of opportunity for a positive outcome.

ARTICLE: 10 AMEND PROTECTIVE ZONING BY-LAW USE TABLE

Amend the Protective Zoning By-laws of the Town of Maynard to allow “Brewery with ancillary food service” as a use allowed by Special Permit of the Planning Board within the Central Business (CB) and Business Zoning Districts (B).

This will amend Section 3.1.2, Table A “Use Regulations”, by replacing the designation of “N” with “PB” under “Brewery with ancillary food service” in the CB and the B Zoning District column as depicted below. The amendment would indicate a Special Permit from the Planning Board is required for this use within the CB and the B Zoning Districts.

4. Business Uses	S-1	S-2	GR	B	CB	HCI	I	GA	OS
<i>Brewery with ancillary food service</i>	N	N	N	N <u>PB</u>	N <u>PB</u>	Y	N	N	N

To do or act thereon:

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

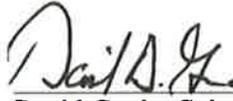
Sponsor Comments: “Breweries with ancillary food service” is defined in the Zoning By-laws as “An establishment that brews beer for sale and distribution to the public, including ancillary tavern and restaurant facilities for service on the premises, subject to the provisions of G.L. 138”. Currently a brewery with ancillary food service” is allowed only in the Health Care / Industrial (HCI) District, but the amendment would allow the use within the CB and B Zoning Districts with Special Permit approval from the Planning Board.

FinCom Comments: The article permits breweries and brew pubs in the downtown business area.

Given under our hands this *6th* day of December *in* the year of Two Thousand and Sixteen.



Chris DiSilva, Selectman



David Gavin, Selectman



Jason Kreil, Selectman

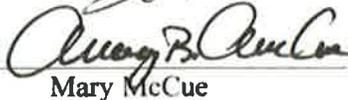


Terrence Donovan, Selectman



Tim Egan, Selectman

A true copy, Attest



Constable of Maynard.

Mary McCue
