

SPECIAL PERMIT
REQUEST FOR 42 SUMMER STREET
MACDONALD DEVELOPMENT INCORPORATED

The purpose of this document is to demonstrate the projects consistency with requirements of the Zoning By-laws requirement for Special Permit Criteria, Downtown Overlay District Special Permit Criteria and Design Review criteria.

Project Consistency with Downtown Overlay District Special Permit Criteria (Section 9.4.6 of the Zoning By-laws)

9.4.6.1

The proposal meets the standard constituting a high quality development in regards to construction materials, architectural design, which will enhance the downtown and immediate neighborhood and provide a significant benefit to the residents of the Town of Maynard as outlined in Section 9.4.1 Purpose of the Downtown Overlay District (“DOD”). Specifically,

- Building has been designed to foster a vibrant, attractive, and durable downtown by establishing a new residential development built with high quality materials, such as hardie board siding, ½ round gutter, galvanized round downspouts, 5 ½” or greater cornerboards, smooth, cardinal red, Glen-gery brick base at support footings, and low-emissivity glass on windows and doors, attracting a new generation of residents to live, work, shop, and eat in Downtown Maynard.
- Building has been designed to include site and architectural features consistent with the properties that the Town has articulated as the “best” development within the DOD, in partnership with the town appointed “Design Review Consultant.” Building design has been modeled after “shaker” style home, in an effort to keep consistency of spirit and style of the neighborhood, which consists of both larger 2.5 to 3 story residential homes as well as commercial property. By designing a 24 unit building in the shape of a “shaker” style home (uniquely simple, regularized windows, focus on functionality), the proposed building design bridges the gap between the commercial end of Summer Street and the residential end.
- Building enables a modest increase in density of the downtown area with a 24 unit building, 15 by-right, and 9 bonus units.
- Building increases the effectiveness of allocation of parking spaces due to its proximity to downtown, allowing the residents to use their residential parking rather than public parking when visiting the downtown area.

9.4.6.2

The proposal, although not directly abutting the Assabet River, provides effective protection of stormwater runoff from reaching the Assabet River, or any other property. The proposal includes an engineered closed system, creating essentially no stormwater runoff. This is an improvement from the current site’s stormwater runoff impact on surrounding properties as well as the Assabet River.

9.4.6.3

The proposal shall improve the function of the downtown by at least one of six means outlined in By-Law 9.4.6.3. The proposal improves the function of the downtown in four of the six means;

9.4.6.3.A

The proposal shall significantly improve the usage of public parking spaces in the downtown area by developing a building within the downtown in close proximity to the shops, restaurants, and other downtown attractions, that allows the residents of the building to navigate to, and throughout, the downtown without their vehicle. By using their residential parking instead of using public parking, those spots are freed up for additional downtown visitors/customers.

9.4.6.3.C

The proposal shall significantly improve the pedestrian experience in downtown Maynard by creating a brand new, vibrant, attractive, and tastefully designed piece of real estate, designed in conjunction with the town-appointed Design Review Architect to meet the standards outlined in section 10.6 “Design Review,” as well as the reconstruction of the Summer Street sidewalk along the North end of the property (aligning with the Town’s Complete Streets section of the Master Plan), and an attractive landscaping (designed by licensed Landscape Architect Elizabeth Hanna More of Concord, MA) which is adjacent to the Rail Trail.

The proposal shall improve the pedestrian experience by maintaining the landscaping on the town owned parcel of land situated along the Rail Trail / retaining wall, indefinitely, in the same manner and with the same care as the Owner’s property adjacent to it.

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In addition to the already evidenced improvements to the pedestrian experience, the Applicant will also improve the pedestrian experience in the Downtown Area by redeveloping the Thomas Street parcel, as part of the Development Agreement between the Applicant and the Town of Maynard. As outlined in the proposal’s Development Agreement, MacDonald will transform the town-owned Thomas Street parcel from an unused, inaccessible river front property to a visitor friendly, public use amenity which capitalizes on both access to and views of the Assabet River, aiding in the Town of Maynard’s goal of reclaiming riverfront access.

9.4.6.3.E

The proposal shall significant increase views and access to the Assabet River by improving the town owned parcel of land on Thomas Street in the following ways:

1. Demolishing and removing the current dilapidated garage and shed.
2. In partnership with the Conservation Commission, designing an open space area, with community bike racks, benches, picnic tables, pathway to the Assabet River, and parking.
3. Constructing this community amenity area, highlighting and capitalizing on the unique access and view of the Assabet River.

9.4.6.3.D

The proposal, although not directly abutting the Assabet River, provides effective protection of stormwater runoff from reaching the Assabet River, or any other property, by an engineered closed system, where there will be essentially no stormwater runoff. This is an improvement from the current site’s stormwater runoff.

9.4.6.3.F

The proposal shall provide a significant improvement to the functioning of the downtown area by aiding in the Town's development of downtown rental housing market, whereby creating residential units attracting working-class professionals to shop, work, eat, and/or open new businesses in the downtown. Continuing to diversify housing options in the downtown will increase consistency in overall foot traffic and profit for our local downtown businesses, aiding in both the functionality and sustainability of downtown.

Project Consistency with Special Permit Criteria (Section 10.4 of the Zoning By-laws):

2. Benefits the social, economic, and community needs by providing 6 units designated to Affordable Housing, benefiting both the accessibility for high-quality, new rentals in the downtown area, as well as the Town of Maynard's Affordable Housing obligation. This will also bring the potential of at least 24 new residents to live, eat, shop, and work in the Town of Maynard.
3. Creates a modest increase in traffic flow on Summer Street, which will have safety measures such as a stop sign on the property, adequate setbacks for site distance when entering/exiting the property, as well as newly constructed sidewalks. Site will also include 34 parking spaces, an adequate supply for the demand of the 24 units.
4. Adequately meets the standards of utilities, as all utilities will all be newly constructed and built to meet current code.
5. Compliments the neighborhood character, bridging the gap between a commercial and residential zone by having a modern design of a classic style "shaker" home. Keeping with the current style of siding, pitched roof, and the color yellow to respect and embrace what the neighbors and residents admire about the current dwelling.
6. Improves current stormwater runoff conditions, by creating a closed system that allows for no stormwater runoff, effectively preventing the water from reaching neighboring properties or from reaching the Assabet River.
7. Benefits the fiscal impact on the Town by way of increased Property Taxes (estimated annual taxes are between \$50,000-\$90,00 based on similar projects in Town owned by the Applicant), as well as creating more housing for potential entrepreneurs and/or employees of local businesses. The impact on town services is unknown to the Applicant, as there are many unknown variables to consider.

Project Consistency with Design Review Criteria (Section 10.6 of the Zoning By-laws):

10.6.7.1

The proposal does not utilize wetlands or floodplains. The property sits at a high point of the town, however a retaining wall to be built on the SouthWest end of the property, abutting parcel 75, as well as an existing retaining wall along the Eastern side of the property, abutting the Rail Trail, ensure the containment and safety of the site.

10.6.7.2

The proposal has been designed to ensure minimal impact on views of any scenic views, such as the view of the clock at Mill & Main.

10.6.7.3

The proposal has been designed to preserve what our neighbors admired most about the current property, such as the “house” style, the yellow color, using siding versus brick, and saving many of the trees, while planting several new ones. The items of importance were determined during two neighborhood meetings that the Applicant held separately from the Public Hearings.

10.6.7.4

The proposal has been designed in such a manner to preserve as many trees as possible, and proposes a new retaining wall along the South West end of the property, adjacent to the Dunn Oil tanks, to protect neighboring properties from runoff due to grading changes.

10.6.7.5

The proposal’s Development Agreement outlines the dedication, maximization, and retention of open space by proposing the redevelopment of the Town owned parcel on Thomas Street, as outlined in the Development Agreement.

10.6.7.6

The proposal has been designed in compliance with the 10 foot setback required when abutting residential property. Specifically, Map 14 Parcel 73; 48 Summer Street. Design includes a fence with shrubbery on both sides to block any light pollution from the proposal’s residential vehicles from entering the neighboring property.

10.6.7.7

The proposal includes an evaluation from Stantec outlining the proposal’s impact on the Town water and sewer. The proposal has been designed to include the recommendations based on the Stantec evaluation. A traffic evaluation completed by Kanayo Lala, P.E. concludes a minimum sight distance of 250’, or 5 seconds at a distance of 35 MPH. This traffic evaluation has been peer reviewed and deemed acceptable by VHB.

10.6.7.8

The proposal includes underground utilities, including electric, telephone, cable television, gas, water, sewer, drainage.

10.6.7.9

The proposal’s design does not include any exposed storage areas, machinery, service areas, truck loading areas or utility buildings and structures. The proposal does include an on-site dumpster for household waste. The dumpster will be enclosed in a small dwelling to prevent the unsightly views of the dumpster from both on-site residents and neighboring properties, as well as protection from rodents.

10.6.7.10

Not Applicable.

The proposal does not include measures to reduce and abate noise generated from the site, as it is a residential property.

10.6.7.11

The proposal's design includes 34 on-site parking spaces (27 garage, 7 above ground, 2 of which are handicap accessible). The Applicant has requested a waiver for relief from the required 36 parking spaces, proposing 35 which is 1 less parking space than zoning requires. The Applicant has three similar sized apartment buildings in Downtown Maynard which meet the requirements of 1.5 parking spaces per unit. The Applicant, with over 15 years of experience, has evidenced that there are, on average, several empty spaces in each of the 3 residential parking lots, daily. This includes all seasons, and all times of the day. The Applicant is confident that with 24 units, 34 parking spaces will be adequate space for all residents to park.

The proposal design includes an evaluation of the front-loading dumpster truck navigation through the property. The evaluation uses fire truck dimensions, which are typically larger than any standard dumpster truck. Doing so ensures that the dumpster truck will have ample space to enter, safely pick up the garbage, and exit the property within the property limits. Note: the dumpster company to be used contains only front-loading machines.

10.6.7.12

The proposal's design is consistent with the objectives of the comprehensive plan, the proposed Landscape Architecture Plan, and the Architectural Plan.