

Tuesday, January 10, 2023
Planning Board Meeting - 7PM (Hybrid Meeting) Town Hall, Soup Campbell Room,
195 Main Street, Maynard MA. 01754

This Agenda is subject to change

Chair: Chris Arsenault

Posted by: Bill Nemser, Planning Director

Date: December 28, 2022

Version 1.0

To access and participate virtually in the meeting:

Option 1 (Zoom Video): Participate using a computer, click or go to this link:

<https://us02web.zoom.us/j/87931522781?pwd=YkwvWFp2M21vUWcrTnA4WUUxeFZ5UT09>

Meeting ID: 879 3152 2781

Password: 664803

Option 2 (Audio only): Participate telephone:1 646 558 8656 or 1 312 626 6799

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Password: 664803

All meeting materials can be accessed on Board Docs.

Materials can also be provided by contacting: OMS@townofmaynard.net

RECEIVED

By Town Clerk at 10:48 am, Dec 28, 2022

1. Minutes

A. 12.13.22 Minutes (Unapproved)

2. Maynard Crossing Compliance Review. The Planning Board will hold periodic public meetings with the owner/ developer Maynard Crossing JV to ensure oversight and to provide additional clarity for the developer in maintaining compliance with the Board's 2016 Special Permit Decision for the project.

3. Public Hearing. The Board will consider recommending approval of amendments to the Maynard Protective Zoning By-laws to the May 15, 2023 Spring Annual Town meeting. The proposed amendments have been initiated by the Planning Board with the exception of the "Accessory Home-Based Business Activity (AHBBA)" which was initiated by the Planning Board and the Zoning Board of Appeals. The Board will consider recommending approval of amendments to the Maynard Protective Zoning By-laws to the May 15, 2023 Spring Annual Town meeting. The proposed amendments consist of Exhibits A-H below: Elimination of Section 7.2 Body Art regulation. Revision of Section 11 Definitions for "Body Art" and "Body Art Establishment". Revision of Section 3.1.1 Table A - Use Regulations. Replace Section 9.4.5 "Mixed Use and Multifamily Reduced Area Requirement; Development Agreement" in its entirety. Creation of Section 8.3 of the Zoning By-laws "Accessory Home-Based Business Activity" (AHBBA). Revision of Section 3.1.2 Table A - "Use Regulations". Revision of Section 3.2 "Accessory Uses". Revision of Section 6.1.5 Table "C" "Parking Space Requirements". A summary of the proposed amendments is attached to this agenda as "Attachment "1" The entirety of the proposed amendment's text is contained (as Exhibits "A" to "H") on Board Docs. A full copy can also be obtained by contacting the Office of Municipal Services at oms@townofmaynard.net or calling 978-897-1302 during business hours.

4. Planning Update

ATTACHMENT " 1 "

Exhibit #	Amendment	Summary of Amendment
A	Elimination of Section 7.2 Body Art regulation.	<p>The Planning Board believes the existing Board of Health regulatory framework for body art adequately regulates Body Art and that the existing language is repetitive and/or outdated.</p> <p>Removing this section limits the Planning Board's role in the regulation of Body Art establishments to designation of appropriate zoning districts. The districts are generally consistent with where a hair salon or other personal service are allowed.</p> <p>Dimensional/development related standards of Body Art establishments would be governed as a hair salon or other personal service would be under the Zoning By-laws.</p>
B	Revision of Section 11 Definitions for "Body Art" and "Body Art Establishment"	Minor clean-ups of definitions.
C	Revision of Section 3.1.1 Table A - Use Regulations	The Planning Board believes Body Art is locationally appropriate in the same locations as a nail salon or other personal service. Changes Body Art Establishments from a "Special Permit Use" to a "By-right" use in the Business, Central Business and Healthcare Industrial District.
D	Text Replacing Section 9.4.5 "Mixed Use and Multifamily Reduced Area Requirement; Development Agreement" in its entirety.	<p>The proposed revision makes a number of adjustments to the regulatory framework to allow quote density bonuses in the "Downtown Overlay District" (DOD). While generally consistent with the deleted text, the replacement text addresses, clarifies and simplifies several areas the Planning Board has experienced difficulties when negotiating and permitting development where the density bonus is sought.</p> <p>DHCD (Department of Housing and Community Development) guidelines currently defines "affordable housing" as housing affordable to individuals making 80% of Area Median Income (AMI). The AMI is for the Greater Boston Metropolitan Statistical area (MSA).</p> <p>Based on Census data and the Town's Housing</p>

ATTACHMENT " 1 "

Exhibit #	Amendment	Summary of Amendment
		<p>Production Plan (HPP) the Planning Board believes that 80% AMI does not represent actual affordability for many Maynard residents. The proposed amendment creates a mechanism that will add units affordable to those making 60% of the AMI (rather than 80%) when the Planning Board considers density bonuses for DOD projects.</p>
E	<p>Creation of Section 8.3 of the Zoning By-laws "Accessory Home-Based Business Activity (AHBBA)"</p>	<p>Following several recent Zoning Board of Appeals (ZBA) hearings for the permitting of both "home occupancies" and "trade shops" the board concluded that the existing regulations are outdated and require updating to reflect current trends.</p> <p>The ZBA and the Planning Board together have drafted a proposed change creating a new section of the Zoning By-laws to regulate "Accessory Home-Based Business Activities" (AHBBA).</p> <p>The objective of the proposed changes is to focus on how a home-based business may impact the surrounding area rather than on the type of business itself. The proposed changes consolidate trade shop uses and home occupation/business uses in the current zoning by-laws as either Type "A" or Type "B" Accessory Home-Based Business Activities.</p> <p>A Type "A" would be allowed as of right (no Special Permit required) while a Type "B" would require a Special Permit from the Special Permit Granting Authority (usually the ZBA).</p>
F	<p>Revision of Section 3.1.2 Table A – "Use Regulations"</p>	<p>Eliminates "Customary Home Occupation" and "Trade Shop" categories" and replaces with "Accessory Home-Based Business Activity".</p>
G	<p>Revision of Section 3.2 "Accessory Uses"</p>	<p>Eliminates "Customary Home Occupation" and "Trade Shop" categories" and replaces with "Accessory Home-Based Business Activity".</p>
H	<p>Revision of Section 6.1.5 Table "C" "Parking Space Requirements"</p>	<p>Revises parking standards by eliminating "Customary Home Occupation" and adding "Accessory Home-Based Business Activity" requirements.</p>