

2011 ANNUAL TOWN REPORT



MAYNARD, MASSACHUSETTS

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Annual Report of the Board of Selectmen

Despite the challenges presented by "The Great Depression" facing our nation, Maynard has continued to move forward in many areas. Although being the beneficiary of simple level funding in aid from Beacon Hill, the Maynard Board of Selectmen have worked with Town Administrator, Michael Sullivan, to find and implement innovative approaches to achieve our goals.

The Board of Selectmen remains ever mindful of the difficulties that the recent economic environment has thrust upon all of our residents. We have worked hard to avoid the necessity of any override of Proposition 2 ½ restrictions for the operations of the Town. We have continued to provide a level of services that meet the needs of our residents.

This has not been easy. The Board of Selectmen and the Administration have called upon our Town Hall employees to do more with less. As always, they have answered the call. Many employees have learned to handle multiple tasks skillfully.

In what has been a successful introduction of Invoice Cloud, we have used technology to our advantage, wherever possible, to reduce the workload of the staff by implementing electronic bill paying. In addition, we have found efficiencies within job descriptions and present employees have successfully filled any voids. We are fortunate to have a dedicated staff of well-trained employees who all play a role in making this approach possible.

Despite the economic challenges before us, we have been able to forge ahead with significant infrastructure improvements and other capital projects.

We have finalized a contract with EPG Solar to make the solar array project at the former Waltham Street Landfill site a reality. The array expects to generate a minimum of 1.1-1.7 megawatts of electricity. As a result, Maynard expects to recognize a savings of approximately 5.4 cents per kilowatt, resulting in an estimated annual savings of \$60,000 in costs -- providing electricity to our municipal buildings. This project may result in approximately \$160,000 in new property tax revenue.

We have completed the purchase of the former Maynard Country Club property. Via the mandated RFP process, a management team will be selected and ready to manage the course for the 2012 spring/summer and fall golf season. Meanwhile, a committee comprised of a number of residents, will evaluate possible alternative uses of the golf course property. I hope that future uses, whatever they may be, will add to the quality of life for all Maynard residents. We anticipate that any re-use of the land will result in potential revenue and economic advantages for the entire community.

The new Maynard High School project is moving ahead on time and on budget. It is expected that the school will be operational for the start of the 2013-2014 academic year. Significantly, because of the dedicated work of Maynard's financial team, the Town's bond rating with Moody's Bond Rating Service was upgraded in time to allow Maynard to obtain extremely favorable interest terms for the bond on the school. Moody's, in raising our rating, recognized the continued efforts of the Board of Selectmen and the Town Administrator towards making efficient and effective monetary choices.

With the support of Town Meeting voters last spring, Maynard is prepared to reconfigure and erect new playground structures at the Coolidge School and Reo Road playgrounds.

These playgrounds will provide local children and families with quality and safe play areas for years to come.

The community began the process of exploring the possibility of construction of a new multi-generational community center. There is currently an active committee of residents considering various options. We expect to see a plan that will meet the long established need for a Senior Center and a new indoor recreational facility.

Maynard continues to be a leader in other areas. The Commonwealth honored us for being the 100th community to adopt the Stretch Building Code. This code assures that any new construction meets energy efficient building metrics. In addition, Maynard committed itself to becoming a part of the Green Communities Act by adopting the five (5) necessary requirements to meet this designation. By adopting this approach, we have sent the message that we will be active leaders as the Town becomes energy efficient and environmentally sensitive.

Maynard is on the move! The Board of Selectmen is excited about our future! However, our efforts would never be possible without the continued support and encouragement of our residents. We thank you all for your dedication to our community and encourage your continued participation in marking the future direction of our Town.

We would also like to recognize and express our sincere best wishes to former Fire Chief Steve Kulik and former Police Chief Jim Corcoran, who both retired from their leadership positions this year. Their service to our community is admirable; we salute them.

Additionally, we would like to thank Becky Mosca who tirelessly serves as secretary to the Board of Selectmen. Her efforts never fail to make our job as your Selectmen easier. Finally, we remain grateful for the work of our Town Administrator, Mike Sullivan, who has adopted our Town as his own. His leadership and guidance to the Board of Selectmen is invaluable.

Respectfully submitted:

David D. Gavin, Chairman
James Buscemi, Selectman
Dawn Capello, Selectman
Brendon Chetwynd, Selectman
Robert Nadeau, Selectman

Annual Report of the Town Administrator

Please accept my thanks for allowing me to be your Town Administrator in 2011. It was a remarkable year with innovative projects and enhanced services abounding. After years of attempts, the stonewall in front of the Union Methodists Church on Main Street was improved in a way respectful of the craftsmen who set this iconic wall in place over a hundred years ago. I would like to thank Superintendent Gerald Flood and Carolyn Britt for their dedication to this project.

This year was marked by some changes in personnel which will shape a new era for the town. James Corcoran, the beloved Police Chief, informed the Board of Selectmen of his impending retirement. His resignation was accepted with protest and requests asking for his reconsideration. He deserves a retirement respectful of his long dedicated service. It has been determined that Lieutenant James Dawson will serve as Chief of Police in the interim; Chief Dawson will make his mentor proud.

Two thousand eleven will be seen from the rear view mirror of history as a year that the Town of Maynard made a defiant statement to invest in itself. The Annual Town Meeting vote to commit over two million dollars to various improvement projects are likely just a trial balloon for more significant investments. The Town has always had strong feelings about being seen as a neighborly place to live and work. A key factor to this is the "walkability" of Maynard, so it was of no surprise that much of the investment will be sidewalk improvements and in some areas installation. Particularly near the intersection of Main Street and Great Road headed eastward on the north side of the street, installation of sidewalks will complete the gaps which have forced citizens into vehicular traffic. There are several road ways being improved such as Summer Street, Waltham Street and parts of Parker Street to name a few.

The municipal parking garage has had new LED lighting installed in the lower area, which will prove to be more durable and long lasting. As the economy begins to improve there are signs that Maynard's downtown, the Central Business District for the Assabet Valley, is once again starting to fill up with stores. The new starts are mostly small business people with an idea and the courage to make it happen, a hallmark of this town. We are all excited to see where the strengthening economy takes us in the future.

Maynard Mill, also known as Clock Tower Place, is once again adapting to the changing workplace and asked and received from the Fall Special Town Meeting allowance to reinvent itself as a "live/work" mecca. This growing phenomenon will allow people to work and reside at the mill, another example of how life sometimes seems to revisit history. But alas, the modern idea of spending your life at work is both desired and more beneficial to the workers than in 1847 when Amory Maynard along with William Knight opened a woolen mill close to the present day complex. With tenants like Monster and Fulton Flutes the Mill marches on.

In a time of chain retail, Maynard is an oasis of small independently owned businesses (Maynard Outdoor Store, Erickson's Ice Cream, Hawes Florists Roasted Peppers, Thai Chili, Little Pusan, Look Optical and a host of others) that draw people from near and far who seek good old fashion customer service.

With exciting projects like a new Maynard High School or the Solar Generation Array on the horizon and the opportunity to work with people like Becky Mosca, Kevin Sweet, Stephen Weiner and others, it is an exciting time to be involved with the Town of Maynard, thank you for affording me the opportunity.

Respectfully submitted,

Michael J. Sullivan, Town Administrator

Annual Report of the Building Commissioner

The construction industry continued its sluggish recovery through 2011. A glimmer at the end of this tunnel was seen as we issued nine (9) new dwelling permits, up from six (6) in 2010 and two (2) in 2009. Permit activity increased quite a bit near the end of 2011 and has continued in the first month of 2012. Although the number of residential additions continues to lag, the primary reason for a lower than normal construction value and revenues appears to be the near absence of any commercial activity. Total Value of Construction for the year, absent the New High School, was \$6,797,694. This is around 25% below projected activity during a healthy, sustainable economy.

Annual Report of Building Permits by Type of Construction 2011

Type of Construction	Permits	Construction Value	Fees
New Dwellings	9	\$2,692,899.00	\$26,727.00
Residential Additions	10	\$423,097.00	\$4,266.00
Residential Alterations/Repairs	97	\$1,749,297.00	\$17,976.00
New Decks	7	\$40,075.00	\$462.00
Detached Accessory Structures	4	\$34,343.00	\$350.00
Re-Roof, Siding and/or Windows	112	\$969,136.00	\$10,788.00
Pools	5	\$21,000.00	\$300.00
Wood Stoves	5	n/a	\$140.00
Temporary Tents	3	n/a	\$105.00
Signs	6	\$8,312.00	\$300.00
Commercial Alterations/Repairs	25	\$637,935.00	\$8,089.00
Commercial New Buildings	0		
Solar Panels	7	\$190,600.00	\$1,956.00
Demolition	6	n/a	\$435.00
Foundation Only	4	\$31,000.00	\$200.00
Town (New High School)	1	\$36,650,000.00	waived
Total 2011	301	\$43,447,694.00	\$72,094.00

Finally, I would like to take this opportunity to once again remind the residents of Maynard that a Building Permit and an approved inspection are required prior to the use of a wood or pellet stove in Massachusetts. Most fires caused by wood stoves are due to improper installation. Proper venting of these may prevent fatalities. Please visit our web page at www.townofmaynard-ma.gov for useful information, contacts and on-line forms.

Respectfully Submitted,

Richard A. Asmann
Building Commissioner

Annual Report of the Town Clerk 2011
Submitted by Town Clerk Michelle Sokolowski

To the Citizens of Maynard:

Herewith is my report for the year ending December 31, 2011. This report consists of the following:

General Information

- Town Officials
- Statistics
- Summary of Licenses and Fees
- Annual Town Election – May 3, 2011
- Annual Town Meeting – May 16, 2011
- Special Town Meeting – May 16, 2011
- Special Town Meeting – October 26, 2011
- Report of the Board of Registrars of Voters
- Voting Precincts

My most sincere thanks to the Honorable Board of Selectmen, Town Administrator, Maynard Police Department, Department of Public Works and all department heads, town employees and officials who have cooperated and supported the Town Clerk's Office over the past year.

I'd also like to extend a special thank you to all election and town meeting staff members for their hard work, dedication and support throughout the year.

Respectfully submitted,

Michelle L. Sokolowski

Michelle L. Sokolowski
Town Clerk

GENERAL INFORMATION – 2011

Incorporated.....April 19, 1871

Type of Government.....Town Meeting

County.....Middlesex

Annual Town Meeting.....Third Monday in May

Annual Town Election.....First Tuesday in May – 4 Precincts

Land Area.....5.24 Square Miles

Location.....Central Eastern Massachusetts

Bordered by Stow on the west and southwest, Acton on the north, Concord on the northeast and Sudbury on the east and southeast. Maynard is located approximately 25 miles northwest of Boston, 24 miles from Worcester and 18 miles from Lowell.

Population 2001 (Town)	10,037
Population 2002 (Town).....	10,044
Population 2003 (Town).....	10,134
Population 2004 (Town).....	10,370
Population 2005 (Town).....	10,333
Population 2006 (Town).....	10,400
Population 2007 (Town).....	10,592
Population 2008 (Town).....	10,588
Population 2009 (Town).....	10,829
Population 2010 (Town).....	10,784

Tax Rate 2011.....	Residential...\$17.50
	Commercial...\$26.91

Tax Rate 2010.....	Residential...\$16.14
	Commercial...\$25.71

Tax Rate 2009.....	Residential...\$14.51
	Commercial...\$23.63

Tax Rate 2008.....	Residential...\$13.33
	Commercial...\$22.76

Tax Rate 2007.....	Residential...\$12.76
	Commercial...\$21.78

**ELECTED TOWN
OFFICIALS - 2011**

(*Resigned
**Deceased)

Term
Expires

MAYNARD HOUSING

AUTHORITY

William Primiano	<u>2012</u>
George F. Hardy	<u>2013</u>
C.David Hull	
(Appt.)	<u>2013</u>
Robert Subick	<u>2015</u>
Judith C. Peterson	<u>2016</u>

MODERATOR

James F. Coleman	<u>2012</u>
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SCHOOL COMMITTEE

Amy Rebecca Gay	<u>2012</u>
William G.	
Kohlman	<u>2012</u>
Philip A. Berry	<u>2013</u>
Bernard K.	
Estabrook	<u>2014</u>
Edward J. Mullin	<u>2014</u>

Term
Expires

SELECTMEN

Brendon R.	
Chetwynd	<u>2012</u>
Robert G. Nadeau	<u>2012</u>
Dawn Capello	<u>2013</u>
James Buscemi	<u>2014</u>
David D. Gavin	<u>2014</u>

REGIONAL VOC.

SCHOOL COMMITTEE

Gregg Lefter (appt.)	<u>2012</u>
Laura Ross	<u>2015</u>

TRUSTEE OF PUBLIC

LIBRARY

Patricia Chambers	<u>2012</u>
William J. Cullen	<u>2013</u>
Frank R. Hill, Jr.	<u>2014</u>

**APPOINTED TOWN
OFFICIALS**

Term

Expires

AFFORDABLE HOUSING TRUST

Rick Lefferts	<u>2012</u>
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AMERICAN DISABILITY

ACTS

COMMISSION

Marina Colakovic	<u>2012</u>
Jerry Culbert	<u>2012</u>
Paul Giunta	<u>2013</u>
Sonia	<u>2013</u>

Term

Expires

ASSISTANT ASSESSOR

Angela M. Marrama	
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ASSESSORS, BD.

OF

Michael P. Manning	<u>2012</u>
Bill Cranshaw	<u>2013</u>
Stephen Pomfret	<u>2013</u>

Kim

Carol DeCoursey 2013

INSPECTOR OF ANIMALS

Thomas Natoli 2012

**APPEALS, BD.
OF**

Lynne Lombardi 2012

Matthew O'Connell 2012

Leslie Bryant 2013

Martha L. Elliot 2013

Marilyn Messenger 2014

Paul Scheiner 2014

Term

Expires

**CAPITAL
PLANNING
COMMITTEE**

Vikki Denaro 2011

Robert Horn 2011

Michael Hurrey 2012

Josh Morse 2013

Daniel Stuart 2013

**COMMUNITY
PRESERVATION
COMMITTEE**

Gregory Price 2011

C. David Hull 2012

Doug Moore 2012

*Robert Moore 2012

Michael Chambers 2013

Rick Lefferts 2013

Jane Audrey-
Neuhauser 2014

**CONSERVATION
COMMISSION**

Douglas Moore 2012

Frederic King 2012

Stephen Korbet 2012

BUILDING

COMMISSIONER

Richard A. Asmann

Laura Ann Livoli 2012

Ray

Matte Indefinite

CABLE

TELEVISION

COMMITTEE

Thomas C. Herbst 2011

Term

Expires

CULTURAL COUNCIL

Diane Donovan 2012

Priscilla Alpaugh

Cotter 2012

Jessica Nelson 2013

Gail

Erwin 2014

Andrew Kuhn 2014

DESIGNATION OF

AGENT

Indefinite

James F. Corcoran

**DIRECTOR OF
CIVIL DEFENSE**

Ronald Cassidy

DOG OFFICER

Leslie Boardman

**EMERGENCY
MANAGEMENT
DIRECTOR**

Kevin Sweet 2012

**FACILITY
MANAGER
INTERVIEW COMMITTEE**

M. John Dwyer	<u>2014</u>
Jessica L. Pfeifer	<u>2014</u>

CONSTABLE

*Barbara Hartnett	
Lawrence Hartnett	<u>2012</u>

**COUNCIL ON
AGING**

*Marilyn Hanson	<u>2011</u>
Patricia Walaczek	<u>2011</u>
Richard Gross	<u>2012</u>
Ben Iannarelli	<u>2012</u>
Carol Milioto	<u>2012</u>
Alfred T. Whitney, Jr.	<u>2012</u>
Thomas P. Papson	<u>2013</u>
Judith C. Peterson	<u>2013</u>
Rosalie Poitras	<u>2014</u>
Ellen Waldron	<u>2014</u>

Gerry Culbert	<u>2011</u>
Josh Morse	<u>2011</u>
Stephern Weiner	<u>2011</u>
Peter DiCicco	<u>2011</u>
Jerry Flood	<u>2011</u>
David Simmons	<u>2011</u>

FINANCE COMMITTEE

Robert D. McCarthy	<u>2012</u>
Eugene Redner	<u>2012</u>
Christopher D. Johnson	<u>2012</u>
Peter Campbell	<u>2012</u>
James Earley	<u>2012</u>
Jennifer Gaudet	<u>2012</u>

FINANCIAL DIRECTOR

Juli-Lyn Colpoys	Indefinite
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FIRE CHIEF

*Stephen Kulik	
Don Hurme (Interim)	

	Term
	<u>Expires</u>

GAS INSPECTOR

Adam Sahlberg(Alt.)	<u>2012</u>
Raymond Smith	<u>2012</u>
Robert Smith	<u>2012</u>

HEALTH AGENT

Kevin Sweet	
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HEALTH, BD. OF

Holli Murray	<u>2012</u>
Ron Cassidy	<u>2013</u>
Lisa Thuot	<u>2014</u>

**HISTORICAL
COMMISSION**

	Term
	<u>Expires</u>

MAYNARD CHARTER

REVISION COMM.

William Cullen	<u>Indefinite</u>
Peter Campbell	<u>Indefinite</u>
Jack MacKeen	<u>Indefinite</u>
William Kohlman	<u>Indefinite</u>
Jennifer Gaudet	<u>Indefinite</u>
Ronald Cassidy	<u>Indefinite</u>
Brendon Chetwynd	<u>Indefinite</u>
Bill Primiano	<u>Indefinite</u>

**MAYNARD CITIZEN CORPS/
MEDICAL RESERVE CORPS**

Mary Hilli	<u>2012</u>
Kathy McMillan	<u>2012</u>

Lee	
Caras	<u>2012</u>
Jack MacKeen	<u>2013</u>
Peggy Brown	<u>2014</u>
David Griffin	<u>2014</u>

**INSURANCE ADVISORY
COMMITTEE**

LIBRARY DIRECTOR

Stephen Weiner

**LOCAL
EMERGENCY
PLANNING COMM.
(LEPC)**

John Flood	<u>2012</u>
Ron Cassidy	<u>2012</u>
James Corcoran	<u>2012</u>
Jerry Flood	<u>2012</u>
Kevin Sweet	<u>2012</u>
Michael Sullivan	<u>2012</u>
Steve Kulik	<u>2012</u>
Bob Larkin	<u>2012</u>

Robert Nadeau	<u>2012</u>
Peter DiCicco	<u>2012</u>
James Dawson	<u>2012</u>
Don Hurme	<u>2012</u>
Gregg Lefter	<u>2012</u>

Deb Roussell	<u>2012</u>
Rose Bathalon	<u>2012</u>
John Flood	<u>2012</u>
Lucille Stonis	<u>2012</u>
Derek Michaels	<u>2012</u>
Maura Flynn	<u>2012</u>

**MAYNARD COMMUNITY
LIFE
CENTER**

Jack MacKeen	<u>2012</u>
Jerry Culbert	<u>2012</u>

William Freeman	<u>2012</u>
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Joanne Sheehan	<u>2012</u>
Thomas Papson	<u>2012</u>
Dawn Capello	<u>2012</u>
Al Whitney	<u>2012</u>
Michael Chambers	<u>2012</u>
Mary Brannelly	<u>2012</u>
Danielle Rocheleau	<u>2012</u>

**MAYNARD
GREEN
COMMUNITIES
COMMITTEE**

Jerry Culbert	<u>2012</u>
Max Lamson	<u>2012</u>
Richard Asmann	<u>2012</u>
Michael Sullivan	<u>2012</u>
Jerry Flood	<u>2012</u>
Marie Morando	<u>2012</u>
Ken Neuhauser	<u>2012</u>
Kevin Sweet	<u>2012</u>
Greg Lefter	<u>2012</u>
Stephen Weiner	<u>2012</u>
Peter DiCicco	<u>2012</u>

Term

Expires

MBTA ADVISORY BD.

**METROPOLITAN AREA
PLANNING COUNCIL**

MAPC REG.

Term

Expires

REGISTRAR OF VOTERS

Michelle L. Sokolowski	
Madaline Lukashuk	<u>2013</u>
C. David Hull	<u>2013</u>
Deborah Collins	<u>2013</u>

WATER**SUPPLY PROTECTION
PLAN COMM.****PLANNING
BOARD**

*Ken Estabrook	<u>2011</u>
Samuel L. Rodriguez	<u>2011</u>
Michael E. Bingley	<u>2012</u>
Gregory Price	<u>2013</u>
Jason Kreil	<u>2014</u>
Bernard Cahill	<u>2014</u>
Max E. Lamson	<u>2015</u>

PLUMBING INSPECTOR

Adam Sahlberg (alt.)	<u>2012</u>
Robert Smith (alt.)	<u>2012</u>
Raymond Smith	<u>2012</u>

POLICE CHIEF

James Corcoran

PUBLIC SAFETY**BUILDING COMMITTEE**

Mark Tomy	<u>2011</u>
Leo Landry	<u>2011</u>
James Corcoran	<u>2011</u>
Tom Neufell	<u>2011</u>
James Matesanz	<u>2011</u>
Patricia Natoli	<u>2011</u>
William Primiano	<u>2011</u>
Stephen Kulik	<u>2012</u>

PUBLIC WORKS SUPT.

Jerry Flood

**RECREATION
COMMISSION**

Stephanie W. Gavin	<u>2011</u>
Michael Chambers	<u>2011</u>
*Denise Fitzsimmons	<u>2011</u>
Chris Howell	<u>2011</u>
*Geoffrey Beharrell	<u>2012</u>
Peter Falzone	<u>2012</u>
Vikki Denaro	<u>2014</u>

RETIREMENT BOARD

Thomas Natoli

Jerry Flood

Clifford Wilson	
Robert Larkin	<u>2011</u>
Christopher F. Connelly, Sr.	<u>2013</u>

SEALER OF**WEIGHTS & MEASURES**

Brian Feeney	<u>Indefinite</u>
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**SUPT. OF
SCHOOLS**

*Dr. Mark Masterson

Robert Gerardi

TOWN ACCOUNTANT

Juli-Lyn Colpoys

TOWN ADMINISTRATOR

Michael Sullivan

TOWN CLERK

Michelle L. Sokolowski

TREASURER-COLLECTOR

Michael Sullivan (Acting)

Kevin Feehily 2014

Term
Expires

TOWN/SCHOOL

BUILDING COMMITTEE

Matt Briggs 2012

Jerry Culbert 2012

Bonnie Winokar 2012

Anthony Midey 2012

John J. Barilone 2012

Edward Mullin 2012

*Mark Howrey 2012

Mark Masterson 2012

Peter DiCicco 2012

Chris Johnson 2012

Robert G. Nadeau 2012

Ken Neuhauser 2012

Michael Sullivan 2012

Philip A. Berry 2012

Greg 2012

Lefter 2012

Bob Gerardi 2012

Max Lamson 2012

Laura Chesson 2012

Term

Expires

VETERANS

AGENT

Brian Stearns

Wayne Stanley 2012

WHITE POND STUDY

REVIEW COMMITTEE

*Jim Fulton 2011

Herbert Symes 2012

Ellen Duggan 2012

Eugene Re4dner 2012

Jason

Kriel 2012

Peter

Reed 2012

WIRING

INSPECTOR

Peter Morrison 2011

STATISTICS – TOWN OF MAYNARD

BIRTHS RECORDED

COMPARISON FOR FIVE YEARS

<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
136	132	127	112	105

<u>Month</u>	<u>Births</u>	<u>Month</u>	<u>Births</u>
January	9	July	10
February	4	August	6
March	13	September	10
April	7	October	7
May	17	November	5
June	13	December	4

Males

Females

DEATHS RECORDED

COMPARISON FOR FIVE YEARS

<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
61	71	66	68	75

<u>Month</u>	<u>Deaths</u>	<u>Month</u>	<u>Deaths</u>
January	11	July	8
February	1	August	4
March	3	September	13
April	12	October	7
May	3	November	4
June	9	December	0

Males 31

Females 44

MARRIAGES RECORDED
COMPARISON FOR FIVE YEARS

<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
43	32	37	49	41

<u>Month</u>	<u>Marriages</u>	<u>Month</u>	<u>Marriages</u>
January	4	July	5
February	1	August	5
March	1	September	5
April	3	October	7
May	3	November	2
June	2	December	3

**SUMMARY OF 2011 LICENSES AND FEES RECEIVED BY THE TOWN CLERK AND
TURNED OVER TO THE TOWN TREASURER**

Business Certificates	4,140.00
Certified Copies	6,830.00
Miscellaneous	327.25
Marriage Intentions	1,260.00
Oil Permits	190.00
Pole Locations	0.00
Raffle Permits	10.00
Street Lists	84.00
Town Dog Licenses	10,515.25
Citation – Bd. of Health	75.00
Citation – Dog Officer	0.00
Total:	\$23,431.50

All 2011 dog licenses expired on December 31st, 2011. Dogs should be licensed in January 2012 or the owners or keepers may be liable to a fine. The law applies to all dogs six months or over, regardless of the time of year ownership is acquired.

Forms to register your dog will be sent to you in January with your town census information, or can be picked up at the Town Clerk's Office.



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 Wednesday, October 26, 2011 at 7:00 P.M. then and there to act on the following articles:

The following action was taken:

At 7:00 p.m. on October 26, 2011, the Moderator, Jim Coleman called the Special Town Meeting to order.

Three Hundred Ninety (390) voters were in attendance.

Guests were acknowledged and admitted.

The Pledge of Allegiance was lead by the Moderator.

Voted: To accept the report of the Maynard Charter Review Committee and Maynard Community Life Center Committee.

ARTICLE: 1 **OPTIONAL ADDITIONAL EXEMPTION**

To see if the Town will vote to set the exemption for Clause 17D, Clause 22, Clause 22E, and Clause 37A at 100% of the allowable personal exemption amount in accordance with M.G.L. Chapter 59 Sec. 5.

Descriptions:

17D Elderly, Surviving Spouses, Minor whose father is deceased
22 Veterans and surviving spouses
22E 100% Disabled Veterans and surviving spouses
37A Legally Blind

To do or act thereon.

SPONSORED BY:	Assistant Assessor
APPROPRIATION:	None
FINCOM RECOMMENDATION:	

The following action was taken:

Voted: To accept the article as printed in the warrant except the words "To do or act thereon."

The Finance Committee recommended.

ARTICLE 2: **AMEND ZONING BY-LAW**

SECTION 1.0 PURPOSE AND AUTHORITY

1.1 PURPOSE. These regulations are enacted to promote the general welfare of the Town, to protect the health and safety of its inhabitants, to encourage the most appropriate use of land throughout the town, to preserve the cultural, historical and agricultural heritage of the community, to increase the amenities of the town, and to reduce the hazard from fire by regulating the location and use of buildings and the area of open space around them, all as authorized by, but not limited to, the provisions of the Zoning Act, G.L. c. 40A, as amended, Section 2A of 1975 Mass. Acts 808, and by Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

1.2 AUTHORITY. This Zoning By-Law is enacted in accordance with the provisions of the General Laws, Chapter 40A, and any and all amendments thereto, and by Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

1.3 SCOPE. For these purposes, the construction, repair, alteration, reconstruction, height, number of stories, and size of buildings and structures, the size and width of lots, the percentage of lot area that may be occupied, the size of yards, courts, and other open

spaces, the density of population, and the location and use of buildings, structures, and land in the Town are regulated as hereinafter provided.

1.4 APPLICABILITY. All buildings or structures hereinafter erected, reconstructed, altered, enlarged, or moved, and the use of all premises in the Town, shall be in conformity with the provisions of the Zoning By-Law. No building, structure or land shall be used for any purpose or in any manner other than is expressly permitted within the district in which such building, structure or land is located. Where the application of this By-Law imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants, or agreements, the provisions of this By-Law shall control.

1.4.1 Applicability; Nonconformities. Except as herein after provided, this Bylaw shall not apply to structures or uses lawfully in existence or lawfully begun, or to a building permit or special permit issued before the first publication of notice of the public hearing on this Bylaw or any amendments thereto, but shall apply to any change or substantial extension of such use, to a building permit or special permit issued after the first notice or said public hearing, to any reconstruction, extension or structural change of such structure and to any alteration of a structure begun after the first notice of said public hearing to provide for its use in a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent except where alteration, reconstruction, extension or a structural change to a single or two family residential structure does not increase the nonconforming nature of said structure.

1.4.2 Commencement of Construction or Operation. Construction or operations under a building permit or special permit shall conform to any subsequent amendments to this Bylaw, unless the use or construction is commenced within a period of not more than six months after the issuance of the permit and in any case involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

1.5 AMENDMENTS. This By-Law may from time to time be changed by amendment, addition, or repeal by the Town Meeting in the manner provided in G.L. c. 40A, s.5, and any amendments thereto.

1.6 SEPARABILITY. The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision herein.

SECTION 2.0 DISTRICTS

2.1 DISTRICTS

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

Single Residence Districts	S-1
Single Residence Districts	S-2

General Residence Districts	GR
Business Districts	B
Central Business Districts	CB
Industrial Districts	I
Garden Apartment Districts	GA
Open Space Districts	OS
Health Care/Industrial District	HC

2.2 OVERLAY DISTRICTS

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

Neighborhood Business Overlay District
Downtown Mixed-Use Overlay District
Water Supply Protection District

2.3 MAP

Said districts are on a map entitled "Zoning Map of Maynard", dated October 5, 1959 as revised thereafter, which map is signed by the Planning Board and is on file with the Town Clerk

SECTION 3.0 USE REGULATIONS

3.1 PRINCIPAL USES.

No land shall be used and no structure shall be erected or used except as set forth in the following Table of Use Regulations, including the notes to the Table, or as otherwise set forth herein, or as exempted by General Laws. Any building or use of premises not herein expressly permitted is hereby prohibited.

3.1.1 Key. In the Use Table the following symbols are employed:

Y	Yes; an allowed or permitted use
N	No; a prohibited use
BA Appeals	Use available by special permit from the Board of Appeals
PB Board	Use available by special permit from the Planning Board
SB Board	Use available by special permit from the Select Board

3.1.2 Table A - Use Regulations.

See Appendix A.

3.2 ACCESSORY USES

3.2.1 General. An accessory use located on the same lot with, and customarily incidental to, any of uses set forth in the Table of Uses as allowed or allowed by special permit shall be permitted; provided, that such accessory use shall not be detrimental to a residential neighborhood and shall not change the outward character of the district.

3.2.2 Letting of Rooms; Taking of Boarders; Preparing Food for Sale. The letting of rooms, taking of boarders, or preparing food for sale shall be a permitted accessory use.

3.2.3 Outdoor Parking of Commercial Vehicles. Not more than one commercial vehicle of 25,000 gross vehicle weight (grv) or less may be regularly parked outdoors and overnight in a Residential District, except on a farm. By special permit, the Board of Appeals may authorize more or larger vehicles.

3.2.4 Home Occupation. Any of the customary home occupations shall be allowed as of right, conducted by resident occupants only, including, but not limited to, the work of any member of a recognized lawful profession, subject to the following:

1. Hairdressing; Certain Sales. The Board of Appeals by special permit may authorize the use of a room in a dwelling for hairdressing or the sale of gift novelties and antiques by a resident occupant only, provided the residential character of the premises is not changed.

2. Real Estate Office. The Board of Appeals may authorize by special permit the use of any portion of a dwelling for the use as a real estate business office subject to the conditions imposed by the board; provided, however, that said business shall be owned, managed and operated exclusively by residents of said dwelling, and employ no persons who are nonresidents of said dwelling, and provided that further said office is unassociated with the operation of any other real estate office.

3.2.5 Trade Shop. A builder, carpenter, mason, painter, plumber, tinsmith, upholsterer, machinist, or other craftsmen who lives and maintains a home on the premises or building may use said home or building thereon in connection with his trade by annual special permit from the Board of Appeals.

3.2.6 Family Day Care Home. A family day care home may be allowed as set forth in the Table of Uses.

3.2.7 Adult Day Care. Adult day care may be allowed as an accessory use as set forth in the Table of Uses.

3.2.8 Seasonal and Charitable Sales. The Planning Board may authorize by special permit seasonal and charitable sales by a non-profit charitable organization (such application shall include written permission from the property owner for the sales), if

such sales do not, in the judgment of the Maynard Building Commissioner, constitute a significant and unreasonable impact on neighboring properties as regards to parking, traffic, light, noise, fumes, etc.

SECTION 4.0 DIMENSIONAL REGULATIONS

4.1 STANDARDS

4.1.1 General. No building or structure shall be erected except in accordance with the Table B - Standard Dimensional Requirements. No alterations or additions shall be made to any existing building or structure that would make any dimension affected by its alteration or addition out of compliance with the requirements of Table B.

TABLE B
Maynard Zoning By-Law
Dimensional Requirements

<u>Item</u>	<u>S-1</u>	<u>S-2</u>	<u>GR</u>	<u>B</u>	<u>I</u>	<u>GA</u>	<u>CB</u>	<u>HCI</u>	<u>O</u>
<u>Minimum Lot Requirements</u>									
Area (square feet)	10,000 ¹	20,000 ¹	7,000 ^{1,2}	7,000 ^{1,2}	40,000	43,560 ³	0	40,000	40,000
Frontage (feet)	100	130 ⁴	75	75	150	100	0	150	150
Width (feet)	80	104	70	70	120	0	0	120	80
<u>Minimum Yard Requirements</u>									
Front (feet)	25	25	25	30	50 ⁹	25	0	50	60
Side (feet)	15	15	15	15 ⁸	30 ⁹	30	0	30 ¹³	50
Rear (feet)	30 ⁷	30 ⁷	15 ⁷	15 ⁸	30 ⁹	30 ⁸	0	30 ¹³	50

⁸ Increase by 35 feet when abutting a S-1 or S-2 district. At least 25 feet of any or all yards abutting S-1 or S-2 district shall be landscaped open space with screening.

¹ For Elderly Housing 2,000 s.f. / unit (under the jurisdiction of the Maynard Housing Authority), and 10,000 s.f. minimum lot area. Minimum lot size increased to 20,000 sq. ft. for lots with a commercial kennel.

² For multiple dwellings; 5,000 s.f. /dwelling, and 10,000 s.f. minimum lot area.

³ And 10,000 s.f. /unit.

⁴ Per building.

⁶ [Reserved]

⁷ No accessory buildings shall be placed or erected within five (5) feet of the rear lot line. No accessory building shall occupy more than 30% of the back yard area.

⁹ Increase by 70 feet when abutting a residential district. At least 40 feet of any or all such yards abutting a residential district shall be landscaped open space with screening.

¹⁰ [Reserved]

¹¹ Or 150% of the building height, which ever is greater.

¹² Or 100% of the building height, which ever is greater.

¹³ Provided that the minimum required side and rear yards between a Lot Line and an existing building shall be 15 feet.

¹⁴ In addition, a building may have no more than five floors, excluding the basement level.

TABLE B

**Maynard Zoning By-Law
Dimensional Requirements**

<u>Maximum Coverage</u>	S-1	S-2	GR	B	I	GA	CB	HCI	0
By Building (%)	15	15	40	35	35	25	N/A	35	10
By Impervious Surface (%)	60	40	75	N/A	N/A	N/A	N/A	N/A	N/A
<u>Maximum Building Height (feet)</u>	35	35	35	35	40	30	40	70 ¹⁴	35
<u>Minimum % of Lot Area</u>									
Landscaped open	0	0	0	30	30	30	0	30	70
Located in front yard	0	0	0	10	10	10	0	10	25

4.1.2 Building Coverage. Building coverage shall be determined by dividing the total ground area of all buildings on a lot, including roof overhangs extending more than two feet from the exterior building wall, carports, and canopies, whether or not such carports or canopies are part of a building, by the "lot area" as defined in Section 11.0, including all limitations on lot area imposed by same.

4.1.3 Height in Feet. The following definitions shall apply:

1. Height in Feet; Structures. Height in feet shall be the vertical distance measured from the mean of the finished ground level adjoining the entire structure to the highest extension of any part of the structure.

2. Height of Building. The height of a building shall be the vertical distance

measured, in the case of flat roofs, from the mean of finished ground level to the level of the highest point of the roof beams adjacent to the street wall, and, in the case of pitched roofs, from the mean of finished ground level to the mid-rafter span of the highest roof slope. Where no roof beams exist or there are structures wholly or partly above the roof, the height shall be measured from the curb level to the level of the highest point of the building.

3. The provisions of this Section governing the height of buildings and structures in all districts shall not apply to chimneys, water towers, air conditioning equipment, cupolas, spires, steeples, elevator bulkheads, skylights, ventilators, wireless facilities and other necessary features appurtenant to buildings which are usually carried above roofs and are not used for human occupancy.

4.2 REDUCED FRONTAGE LOTS

4.2.1 General. In S-1, S-2, and I Districts, lot frontage may be reduced by 20% from each of the respective minimum frontages required, provided that each such lot fronts entirely on a cul-de-sac, and provided that there are no more than three such reduced frontage Lots on the cul-de-sac.

4.2.2 Applicability. The reduction in frontage defined above in Section 4.2.1 is the only reduction in the frontage requirements shown in Table B that is allowed under these By-laws. The applicant is not required to seek a variance from the Zoning Board of Appeals for reduced frontage pursuant to Section 4.2.1.

4.2.3 Grandfathered Lots. Certain grandfathered lots may qualify as the locus for a single or two family dwelling. See G.L. c. 40A, s. 6, and paragraph. 4.

4.3 PRE-EXISTING BUSINESS, CENTRAL BUSINESS, INDUSTRIAL AND HEALTH CARE/ INDUSTRIAL DISTRICT LOTS

4.3.1 General. In the Central Business, Business, Industrial and Health Care/Industrial districts the Planning Board may grant a special permit for a building (other than a residential dwelling) to be erected on a lot having less area or frontage, or both, than the minimum requirements specified in Table B, if at the time of the adoption of said minimum requirements such lot was lawfully laid out and recorded by plan or deed and did not adjoin other land of the same owner available for use in connection with such lot, provided that the Planning Board determines that such permission can be granted without substantial derogation from the original intent and purpose of this Bylaw.

SECTION 5.0 NONCONFORMING USES AND STRUCTURES

5.1.1 Applicability. This Zoning By-law shall not apply to structures or uses lawfully in existence or lawfully begun, or to a building or special permit issued before the first publication of notice of the public hearing required by G.L. c. 40A, s. 5 at which this

zoning by-law, or any relevant part thereof, was adopted. Such prior, lawfully existing nonconforming uses and structures may continue, provided that no modification of the use or structure is accomplished, unless authorized hereunder.

5.1.2 Nonconforming Uses. The Board of Appeals may award a special permit to change a nonconforming use in accordance with this section only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood. The following types of changes to nonconforming uses may be considered by the Board of Appeals:

1. Change or substantial extension of the use;
2. Change from one nonconforming use to another, less detrimental, nonconforming use.

5.1.3 Nonconforming Structures. The Board of Appeals may award a special permit to reconstruct, extend, alter, or change a nonconforming structure in accordance with this section only if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood. The following types of changes to nonconforming structures may be considered by the Board of Appeals:

1. Reconstructed, extended or structurally changed;
2. Altered to provide for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent;

5.1.4 Variance Required. Except as provided in subsection 5.1.5, below, the reconstruction, extension or structural change of a nonconforming structure in such a manner as to increase an existing nonconformity, or create a new nonconformity shall require the issuance of a variance; provided, however, that the extension of an exterior wall at or along the same nonconforming distance within a required yard, shall require the issuance of a special permit from the Board of Appeals.

5.1.5 Nonconforming Single and Two Family Residential Structures.

Nonconforming single and two family residential structures may be reconstructed, extended, altered, or structurally changed upon the issuance of a building permit by the Building Commissioner provided that such proposed reconstruction, extension, alteration, or change does not increase the gross floor area of the existing structure by more than 25% and that either subsection, 5.1.5.1, 5.1.5.2 or 5.1.5.3, below, applies:

1. alteration to a structure located on a lot with insufficient area which complies with all current setback, yard, building coverage, and building height requirements,
2. alteration to a structure located on a lot with insufficient frontage which

complies with all current setback, yard, building coverage, and building height requirements.

3. alteration to a structure which encroaches upon one or more required yard or setback areas, where the alteration will comply with all current setback, yard, building coverage and building height requirements, or where the alteration increases the volume of the nonconforming structure but does not increase the gross floor area of the nonconforming nature of the structure.

If the Building Commissioner determines that no subsection referenced above applies or that such proposed reconstruction, extension, alteration, or change will increase the gross floor area of the existing structure by more than 25%, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration, or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood. The extension of an exterior wall at or along the same nonconforming distance within a required yard, shall require the issuance of a special permit from the Board of Appeals.

5.1.6 Abandonment or Non-Use. A nonconforming use or structure which has been abandoned, or not used for a period of two years, shall lose its protected status and be subject to all of the provisions of this zoning by-law; provided, however, that by special permit the Board of Appeals may re-establish a nonconforming use or structure otherwise abandoned or not used.

5.1.7 Reconstruction after Catastrophe or Demolition. Any nonconforming structure may be reconstructed after a catastrophe or after demolition in accordance with the following provisions:

1. Reconstruction of said premises shall commence within two years after such catastrophe or demolition.

2. Building(s) as reconstructed shall be located on the same footprint as the original nonconforming structure and shall have the same gross floor area as the original nonconforming structure.

3. In the event that the proposed reconstruction would (a) cause the structure to exceed the gross floor area of the original nonconforming structure or (b) cause the structure to be located other than on the original footprint, a special permit shall be required. In the case of voluntary demolition. The special permit shall be obtained from the Board of Appeals prior to such demolition.

5.1.8 Reversion to Nonconformity. No nonconforming use shall, if changed to a conforming use, revert to a nonconforming use.

SECTION 6. PARKING REGULATIONS

6.1 PARKING AND LOADING STANDARDS

6.1.1 General Provisions.

1. No building or structure shall be located upon any lot and no activity shall be conducted upon any lot unless the required parking facilities are provided in accordance with this Section.
2. Change of Use. The use of any land or structure shall not be changed from a use described in one section of Table A to a use in another section of Table A nor shall the floor area of a building be increased in any manner unless the number or parking spaces required for the new uses are provided.
3. Undetermined Uses. In the case where the use of a building or buildings has not been determined at the time of application for permit or special permit, the parking requirements applicable to the most intensive use allowed in the zoning district where such undetermined use is to be located shall apply.

6.1.2 Special Permit Granting Authority (SPGA). For the purposes of Section 6.1 of this Bylaw, unless otherwise noted, the Planning Board shall be the Special Permit Granting Authority.

6.1.3 Relief from Parking Standards. Relief from these parking and loading standards may be granted via special permit by the SPGA.

6.1.4 Special Permit Review Criteria. In evaluating the special permit request, the SPGA shall use the following review criteria in addition to the criteria identified in Section 10.5.2 of this Bylaw.

1. A demonstration by the applicant to the satisfaction of the SPGA that there is no possible way to provide the parking required; or
2. That doing so would (1) render the project infeasible (including the shared parking option), and (2) that a lack of compliance will not adversely effect either the use proposed (and its users) or the parking situation downtown.

Parking Space Requirements. Parking shall comply with the following Table:

TABLE C – PARKING SPACE REQUIREMENTS

Type of Use	Minimum number of parking spaces to be provided
Single Family, Two-family, Multi-Family Dwelling	2 per dwelling unit
Home Occupation	2 per nonresidents employed, or where

	retail sales are conducted Board of Appeals shall have the authority under Section 3.2 to require the number of parking spaces which it deems to be adequate and reasonable.
Hotel, Inn or Motel Space	1 per bedroom plus 1 per each employee on largest shift
Educational	1 per staff member plus 1 per for each 5 persons of rated capacity of the largest auditorium plus 1 per student vehicle which can be expected at the maximum use time on the premises
Nursing Home, Convalescent Home and Clinics and Health Care facilities providing In-Patient medical services.	1 per two beds plus 1 per each employee on largest shift
Business or Professional Offices, Office Building and Office of a Wholesale Establishment including Sales Space	1 per 225 sq. ft. of gross floor area
Function rooms and places of Assembly	1 per 50 sq. ft. of assembly area
Medical and Dental Offices and Clinics and Clinics providing In-patient medical services	1 per 200 sq. ft. of gross floor area
Motor Vehicle service station, or body shop	3 per service bay plus 1 per employee on largest shift
Research and Development	1 per 300 sq. ft. of gross floor area excluding permanent storage areas, utility areas, staircases, restrooms and common corridors.
Manufacturing	1 per 450 sq. ft. of gross floor area
Warehouse	1 per 2,000 sq. ft. of gross floor area for the first 20,000 sq. ft., plus 1 per additional 10,000 sq. ft. of gross floor and 1/employee on largest shift
Elderly Housing or Medically Assisted Housing	1 per every two dwelling units plus 1 per employee on the largest shift

6.1.6 Comparable Use Requirement. Where a use is not specifically included in Table C, it is intended that the regulations for the most nearly comparable use specified shall apply.

6.1.7 Mixed Use Requirements and Shared Parking. The use of shared parking to fulfill parking demands noted above that occur at different times of day is strongly encouraged, and allowed through site plan approval.

1. Parking requirements for a proposed development may be met if the applicant can demonstrate that shared spaces will meet parking demands by using accepted

methodologies (e.g. the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other generally accepted studies).

2. A request for shared use parking to meet minimum parking requirements must be made through the site plan review application

6.1.8 Design; General. Parking areas shall be arranged to provide an adequate, safe and convenient arrangement of roadways, driveways, off street parking and loading spaces and pedestrian facilities. Parking areas containing more than five (5) parking spaces shall meet the dimensional standards specified in Section 6.1.11. Parking plans shall be submitted sufficient for the Building Commissioner to determine if the proposed layout properly complies with these standards, or to the Planning Board if Section 10.5 is applicable.

1. All parking spaces shall meet the minimum geometric standards prescribed in this Section. No portion of any parking space shall intrude into the required aisle width. Parking lots shall be designed to permit each motor vehicle to proceed to and from all unoccupied parking spaces without requiring the moving of any other parked motor vehicle. Spaces shall be designed to prevent motor vehicles from backing onto a public street in order to leave the lot.

6.1.9 Compact Car Parking. In parking facilities containing more than 40 parking stalls, 20 percent of such parking stalls may be for small car use, except for retail store, retail service business or restaurant uses. Such small car parking facilities shall be grouped in one or more contiguous areas and shall be identified by sign(s).

6.1.10 Design Requirements for Parking Facilities.

1. Central Business District: All parking shall be located behind buildings, to preserve the sidewalk storefront character of this district.
2. Required parking spaces, loading areas and driveway shall be provided and maintained with suitable grading, paved surfaces and adequate drainage.
3. No parking space or other paved surface, other than access driveway(s) or walkways, shall be located within 20 feet of the front lot line or within 10 feet of any other lot line. Notwithstanding the foregoing, no parking space or other paved surface, other than access driveway (s) walkways, shall be located within the limits of a landscape buffer area required under this Section.
4. Each lot shall have one access driveway, which shall be at least 24 feet wide at its narrowest point but not more than 40 feet wide at its widest point. Each lot shall have one additional access driveway for each 200 feet of frontage provided all such access driveway (s) shall be at least 200 feet apart on the lot measured from the center line of each access driveway. In the case of an access driveway which shall be used for one-way traffic only, the minimum width may be reduced

to 14 feet at its narrowest point.

5. The access driveway design standards for horizontal and vertical geometry shall be comparable to public streets of similar function. The parking area should have a minimum slope of 0.75% and a maximum of 5%. Shared access easements shall be considered to minimize the number of access driveways on the same side of the street.

6. Interior driveways may be reduced to no less than a 20 foot width for two-way traffic and a 14 foot width for one-way traffic. The stacking area (throat storage) for the access driveway shall be between 25 and 50 feet long between the right of way line and the interior driveway depending on the site use.

7. The intersection curb radius shall be 25 feet or larger depending on the type of service vehicles entering the site. Internal radius shall be a minimum of 10 feet in the maneuvering aisle.

8. Pedestrian walks shall not be blocked by parking.

9. Raised landscape end islands shall be required at the end of all parking aisles. Raised landscape dividers shall be required every third row. Light posts shall be part of the raised landscape islands and dividers and not located in the middle of the pavement.

10. Lighting shall be designed to complement and enhance the intended use. Lighting shall be directed such that it is non-intrusive in cases where it may be deemed a nuisance to abutting property.

6.1.11 Dimensional Requirements.

1. Standard Parking Dimensional Regulations. Off street parking facilities shall be laid out and striped in compliance with the following minimum provisions:

Table D - Standard Parking Dimensional Regulations

Angle of Parking Width of	Width of Parking Stall	Parking Stall Length of Line
Maneuvering Aisle		
90 degrees (two-way) 24'	9.0'	18.5'
60 degrees (one-way) 18'	10.4'	22.0'
45 degrees (one-way) 14'	12.7'	25.0'

Parallel (one-way) 14'	8.0'	22.0'
Parallel (two-way) 18'	8.0'	22.0'

2. Small Car Parking Dimensional Regulations. Off street small car parking facilities shall be laid out and striped in compliance with the following minimum provisions:

Table E – Small Car Parking Dimensional Regulations

Angle of Parking Width of Maneuvering Aisle	Width of Parking Stall	Parking Stall Length of Line
90 degrees (two-way) 24'	8.5'	5.0'
60 degrees (one-way) 18'	9.8'	18.5'
45 degrees (one-way) 14'	12.0'	21.5'
Parallel (one-way) 14'	8.0'	18.0'
Parallel (two-way) 18'	8.0'	18.0'

6.1.12 Handicapped Parking. Parking facilities shall provide specifically designated parking spaces for the physically handicapped in accordance with 521 CMR Rules and Regulations, as amended, of the Architectural Barriers Board as follows:

Table F – Handicapped Parking Requirements

Total Number of Spaces	Handicapped Spaces
6-25	One Space
26-40	Two Spaces
41-100	5% of the total spaces
101-300	4% of the total spaces
301-800	3% of the total spaces
Greater than 800	2% of the total spaces

Handicapped spaces shall be clearly identified by a sign that states that these spaces are reserved for physically handicapped persons. Such spaces shall be located in that portion of the parking facility nearest the entrance to the use or structure which the parking facility serves. Handicapped spaces shall have a minimum width of twelve (12) feet and a minimum depth of twenty (20) feet for all angle parking and twenty-four (24) feet for all parallel parking.

6.1.13 Loading Areas. One or more off street loading areas shall be provided for any business that may be regularly serviced by tractor-trailer trucks or other similar delivery vehicles, so that adequate areas shall be provided to accommodate all delivery vehicles expected at the premises at any one time. Loading areas shall be located at either the side or rear of each building and shall be designed to avoid traffic conflicts with vehicles using the site or vehicles using adjacent sites. Loading areas shall be 12 feet wide and 50 feet long. The Building Commissioner may authorize loading areas with reduced dimensions provided the service vehicles normally associated with the business do not require the dimensions herein.

6.1.14. Construction. All access driveways and off street parking and loading areas shall be paved with nine inches of gravel base and two and one half inch layers of bituminous concrete, or equivalent reinforced concrete. All parking spaces shall be designated with a four inch white or yellow stripe painted the entire length of each space. The surface shall be graded and drained in such a manner that there will be no free flow of water onto either adjacent properties or sidewalks. The access ways shall have construction requirements similar to an equivalent public road. Curbing shall be vertical concrete, or vertical or sloped granite curbing with a six-inch reveal. Curb radii shall be vertical concrete or granite with a six-inch reveal.

6.1.15 Landscaping. All parking areas shall be properly screened and landscaped to protect adjacent property from undesirable effects of parking lots such as lighting and view of cars, and to preserve the appearance and character of the surrounding neighborhoods.

1. The entire front setback area, except for driveways, shall be landscaped and there shall be a landscaped strip at least five (5) feet in width from other property lines.
2. Excluding the areas required by subsection 1, above, the landscaped area within the parking lot shall not be less than five (5) percent of the surface area of the parking lot, except for parking lots with two bays or less of single rows, no interior landscaping shall be required. Areas provided for interior landscaping shall be a minimum of ten (10) feet in width.
3. A minimum of two (2) trees shall be provided within the landscaped areas for each ten (10) parking spaces. Existing trees and natural vegetation shall be retained wherever practicable in addition to the addition of new trees, shrubs, walls or fences in order to effectively screen the parking lot.

6.2 SIGNS

6.2.1 Purpose. This Section is designed to provide standards for the installation of signs so as to further the objectives of the Community Development Plan; promote the general welfare of the community; protect public health and safety; reduce traffic hazards; protect property values; and promote economic development. This is accomplished by encouraging the creation of an aesthetic appearance throughout the Town of Maynard, through the use of attractive and appropriate signage.

6.2.2 Applicability. Flags and temporary signs for political or charitable purposes, for public organizations, for states and political subdivisions thereof, and international and national flags are exempt from the provisions of this section, as are interpretative signs, provided that said signs, in the opinion of the Building Commissioner, do not create an undue safety or traffic hazard by reason of impeding minimum sight distance requirements as established by the American Association of State Highway Transportation Officials (AASHTO).

6.2.3 General Regulations.

1. Signs shall not project above the roof or front parapet of a building.
2. Prohibited Signs. Pennants, streamers, advertising flags, spinners, balloons, windsocks or aerially supported devices will not be allowed, except as may be specifically allowed by an approved Site Plan Review and/or Special Permit from the SPGA.
3. Movement or Moving Parts. No sign shall move or contain any moving parts, except portions of a sign which indicated date, time and/or temperature.
4. Off-Premise Signs. No off-premise signs will be allowed, except as allowed by the provisions of Section 6.2.8.
5. Traffic Safety. No sign shall be erected in such a way as to create a traffic hazard in the opinion of the Building Commissioner.
6. Support by Utility Poles or Vegetation. No sign will be allowed to be attached to utility poles or vegetation.
7. Vehicles. No truck or other vehicle will be used as a sign.
8. Nullification. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months from the date of the permit provided, however, that the Building Commissioner may, in his discretion, issue extensions covering a period not to exceed one year from the date of issue of the original permit.

9. Inspection. Any sign may be inspected periodically by the Building Commissioner for compliance with this bylaw and other requirements of law.

6.2.4 Existing Signs. Existing signs are defined as those erected before the adoption of this bylaw, and are classified into one of four separate categories. These are:

1. Conforming signs which comply with all provisions of this bylaw in its most recently amended form.
2. Prohibited signs, as specified in Section 6.2.3.
3. Non-complying signs are signs that were not lawfully erected subsequent to the adoption of this bylaw.
4. Nonconforming signs as described in Section 6.0.

6.2.5 Modification of Nonconforming Signs.

1. Non-conforming signs which are enlarged, reworded, redesigned, replaced, or altered in any way including repainting in a different color or re-lettering, shall comply immediately with all provisions of this Bylaw.
2. Any such sign which has deteriorated to such an extent that the cost of restoration would exceed thirty-five (35) percent of the replacement value of the sign at the time of replacement shall not be repaired or rebuilt or altered except to conform to the requirements of this Bylaw.
3. Existing nonconforming protected signs may remain, and may be altered with the exception of increasing their size, unless the cost of any such alteration shall exceed 50% of the replacement cost for a new conforming sign, or, if enlarged, reworded, redesigned, replaced or altered as provide in Section 5.2.5.2, above.

6.2.6 New Signs. Any sign erected after the adoption of this bylaw shall be considered a new sign and shall conform to the provisions of this Section.

6.2.7 Removal of New Signs. The Building Commissioner shall order the removal of any new sign erected or maintained in violation of this bylaw. Fourteen days notice in writing shall be given to the owner of such sign, or of the building, structure, or premises on which such sign is located, to remove the sign or to bring it into compliance with the bylaw.

6.2.8 Illuminated Signs. Illumination of signs shall be subject to the following provisions:

1. Lighted signs may be illuminated only by a steady, stationary light without

causing harmful glare for motorists, pedestrians or neighboring premises. Lighting designs shall also protect the night sky from unnecessary ambient light.

2. Sign illumination is permitted only during those hours in which the associated establishment(s) is/are open to the public.
3. Internally lighted signs are not permitted. All lighting for signs shall be external to the text and graphics of the signs.
4. All flashing, changing, or intermittent illumination is prohibited.
5. Exceptions to 1-4, above, shall include: time/temperature signs, holiday decorations, and exposed neon "open" signs. Exposed neon "open" signs shall be restricted in size to a maximum of 20 inches tall and 30 inches wide.

6.2.9 Residential Districts. In Residential Districts only the following types of signs may be erected or placed.

1. Real estate sign advertising rental, lease, or sale of premises and not exceeding twelve (12) square feet in area.
2. Sign or bulletin board incidental to a permitted use and not exceeding twelve (12) square feet in area.
3. Sign advertising accessory use and not exceeding four (4) square feet in area.
4. Temporary construction signs shall not exceed 16 square feet in area and shall not be left in place more than 14 days after the issuance of a Certificate of Occupancy, nor for a period of time exceeding 12 months.
5. Setback: The furthest edge of any freestanding sign shall be a minimum of five (5) feet from any lot line.

6.2.10 Nonresidential Districts; Total Sign Area.

1. Lots. In all Non-Residential Districts, the total area of all Wall Signs erected on a Lot shall not exceed twenty percent (20%) of the total first floor building(s) façade area. The first floor building façade area shall be calculated by multiplying the lineal frontage of a building or storefront by its total first floor or entrance level height. Signs proposed in conjunction with a development requiring site plan approval may, by special permit, be increased in size to a maximum of twenty-five (25%) percent of the total first floor façade area as described above.
2. Individual Establishments. In the Central Business District and the Downtown Overlay District, the maximum allowable total permanent sign area for each establishment shall be thirty (30) square feet, except as provided for in Section

10.6.C. In the Central Business District and the Downtown Overlay District, no individual permanent sign shall exceed sixteen (16) square feet. In all other Non-Residential Districts, the maximum allowable total permanent sign area for each establishment shall be fifty (50) square feet, except as provided for in Section 10.6.C. In all other Non-Residential Districts, no individual permanent sign shall exceed twenty-four (24) square feet.

3. Principal Signs. No more than three principal signs shall be allowed for each business establishment. A principal sign may be a wall sign, a projecting sign, a free standing sign, a permanent banner or permanent sandwich board.

4. Secondary Signs. If a business establishment consists of more than one building, or if a building has secondary frontage on a street or parking area, a secondary sign may be affixed to one wall of each building or to the second side. Secondary signs shall not exceed sixteen (16) square feet.

5. Directories. Where there are three (3) or more businesses on a lot, or there are businesses without an entrance on the street frontage, a directory may be permitted for the purpose of traffic direction and control. The size of the directory shall not exceed nine (9) square feet plus one and one-half (1½) square feet per business establishment. Such a directory shall be included in the calculation of total permitted sign area for the lot.

6. Height. The maximum height of any portion of any free standing sign shall not be more than 15 feet above the average grade of the ground at the base of the sign prior to its' installation.

7. Setback. There is no setback requirement in the Central Business District. In all other Nonresidential Districts, the furthest edge of any freestanding sign shall be a minimum of fifteen (15) feet from any lot line.

6.2.11 Relief from Sign Regulations. The Planning Board may grant relief from the provisions of Section 6.2 through the granting of a special permit. An application for a special permit shall comply with the procedures specified in Section 10.4 of this By-law. The fee for a special permit which involves only signage and relief from this Section 6.2 shall be identified in the Schedule of Fees as established.

1. The Planning Board may not waive the requirements for clearance or projection distance for a Projecting Sign.

2. The Planning Board may not waive any requirements of the Massachusetts State Building Code, current edition.

6.2.12 Offsite Signage on Town Owned Land. An applicant may apply for the installation of a sign on town owned land only through a special permit application with the Board of Selectmen acting as the Special Permit Granting Authority.

SECTION 7.0 SPECIAL REGULATIONS

7.1 ADULT ENTERTAINMENT

7.1.1 Purpose. It is the purpose of this Section, the Adult Entertainment By-law, to address and mitigate the secondary effects of the Adult Uses and sexually oriented businesses that are referenced and defined herein. Secondary effects have been shown to include increased crime, adverse impacts on public health, adverse impacts on the business climate of the Town, adverse impacts on the property values of residential and commercial properties, and adverse impacts on the quality of life in the Town. All of said secondary impacts are adverse to the health, safety and general welfare of the Town and its inhabitants.

1. The provisions of this By-law have neither the purpose nor intent of imposing a limitation on the content of any communicative matter or materials, including sexually oriented matter or materials. Similarly, it is not the purpose or intent of this By-law to restrict or deny access by adults to Adult Uses or to sexually oriented matter or materials that are protected by the Constitution of the United States of America or of the Commonwealth of Massachusetts, nor to restrict or deny rights that distributors or exhibitors of such matter or materials may have to sell, rent, distribute or exhibit such matter or materials. Neither is it the purpose or intent of this By-law to legalize the sale, rental, distribution or exhibition of obscene or other illegal matter or materials.

7.1.2 Prohibition of Obscenity. Except as permitted in the manner and in the locations permitted herein, All Obscene Entertainment, including, without limitation, all Adult Entertainment Uses that make available obscene materials, is prohibited within the Town.

1. No merchandise or service prohibited as obscene or indecent but not encompassed by the definition of Obscene Entertainment shall be disseminated or made available within the Town, except as permitted herein.
2. No pictures, publications, videotape covers, or other implements, items, advertising or lettering that fall within the definition of Obscene Entertainment or that are erotic, prurient, related to sadism, sexual exploitation or which refer to or describe any of the above shall be displayed in store windows or be visible from areas used by the general public.

7.1.3 Spacing Requirements. An Adult Entertainment Use may not occur or be located within 600 feet of any other Adult Entertainment Use or within 600 feet of;

1. Any Residential or Garden Apartment District;
2. Any private or public school or place of learning including but not limited to, kindergarten and day care centers;

3. Any Church, Temple, or other place of worship;
4. Any playground or athletic fields;
5. Any establishment licensed under the provisions of G.L. c. 138 § 12;
6. Any building, structure or area used for public purposes; and
7. Any boundary line of the Town.

7.1.4 General Standards.

1. The restricted activities described herein specifically include the dissemination or offering to disseminate Adult Entertainment materials to minors, and allowing minors to view displays in any Adult Entertainment Use Establishment.
2. No special permit may be issued to a person convicted of violating the provisions of G.L. c. 119 § 63 or G.L. c. 272, s. 28 as may be amended from time to time.
3. Any existing Adult Entertainment Use shall be permitted to exist after the adoption of the by-law, but any expansion, increase, change or alteration in such use shall first require a special permit.

7.1.5 Location. Adult Entertainment Uses are permitted only within an Industrial Zoning District of the Town, subject to the spacing requirements of Section 7.1.3.

7.1.6 Application. Special permits applied for hereunder may be obtained in accordance with the following procedures. Any applicant for permission to operate an Adult Entertainment Use must file an application form with the special permit granting authority and the Town Clerk. Such application shall contain information required by the rules and regulations established by the special permit granting authority for the issuance of special permits hereunder and shall include but not be limited to, the following minimum information:

1. Name, business address and legal residence of the legal Owner of the Adult Entertainment Use, together with certified copies of all organizational documents, such as articles of organization and by-laws, or trusts, or partnership documents.
2. Name and address of all persons having any direct or in-direct ownership, equity or security interest in the Adult Entertainment Use;
3. Name and Address of the manager;
4. The number of proposed employees;

5. Proposed security precautions; and
6. Physical layout of the premises owned or proposed to be leased for the Adult Entertainment Use, in a format established by the special permit granting authority.

7.1.7 Term. The special permit granting authority may limit the duration of any special permit and may impose conditions on any special permit allowing an Adult Entertainment Use.

7.1.8 Regulations. The special permit granting authority shall adopt and may from time to time amend, rules and regulations relative to the issuance of special permits hereunder, and shall file a copy of said rules and regulations in the office of the Town Clerk. Such rules and regulations shall prescribe the size, form, content style and number of copies of plans and specifications to accompany the application; the information required in the application; the procedure for submission of applications and approval of such special permits; and other reasonable rules and regulations governing the issuance of such special permits.

7.1.9 Criteria for Approval. In addition to the criteria set forth in Section 10.4, the special permit granting authority shall insure that any proposed Adult Entertainment Uses are at all times consistent with and conform to the then existing community standards for such uses within the Town.

7.2 BODY ART ESTABLISHMENTS

7.2.1 General. Body Art Establishments as defined in the Section 11.0 shall not be considered a customary home occupation.

7.2.2 Spacing Requirements. A structure containing a Body Art Establishment shall not be located in or within 100 feet of any structure containing a dwelling unit, or in an establishment where liquor is sold or consumed or as an accessory use to any other use permitted in this By-law.

7.2.3 Standards.

1. Body Art Establishments in no case shall operate between the hours of 10:00 P.M. and 10:00 A.M.
2. Body Art Establishments shall not operate without a valid permit from the Board of Health.
3. Body Art Establishments shall comply with all dimensional requirements of this By-law.
4. Body Art Establishments shall have a minimum of two (2) parking spaces

unless there is a public parking lot within 500 feet of the establishment.

5. Body Art Establishments shall comply with all the sign provisions of this By-law.

7.3 EARTH REMOVAL

7.3.1 Applicability. Unless otherwise provided in this by-law, the removal of soil, loam, peat, sand, gravel, stone or other earth material (herein, "material") from any land shall be prohibited in all districts, except when such removal is incidental to and in connection with the authorized construction on such land of a building, street or other project for which a permit has been granted, or is incidental to utility or road construction authorized by the Maynard Department of Public Works. All removal operations regulated under the provisions of this by-law shall require the issuance of an Earth Removal Permit (herein, the "Permit") or special permit prior to the commencement of any such operations.

1. The moving of material within the limits of a lot or contiguous lots in the same ownership shall not be deemed to constitute removal, and no permit for such moving of material shall be required, provided that no such moving shall take place across or within a public way.

7.3.2 Permitted Earth Removal. Earth removal is permitted without a special permit if such removal is at the site of, incidental to, and in connection with the excavation and grading necessary for the construction on any land involved in a municipal purpose or use which is limited to 500 cubic yards of material. The Building Commissioner shall, upon written request, authorize the removal of less than 500 cubic yards of material, in the aggregate, for the duration of a particular construction project under the following conditions:

1. A valid building permit shall have been approved and issued within the six months (6) period immediately preceding the date of request, for the land from which the material is to be removed; and
2. Such removal is at the site of, incidental to, and in connection with the excavation and grading necessary for the construction authorized by said building permit; or
3. A valid definitive subdivision plan has been approved for the land from which the material is to be removed and such removal is necessary for the construction of streets, the installation of utilities, and the grading of lots in accordance with such approved subdivision plan.

7.3.3 Earth Removal by Special Permit. Earth removal in excess of 500 cubic yards of material for a purpose set forth in Section 7.3.2 (except municipal) shall require a special permit from the Planning Board.

7.3.4 Special Permit Application. An application for a special permit shall be filed with the Planning Board upon such forms as the Board shall provide, signed by (1) the record owner of the land and (2) (if applicable) any lessee, licensee, agent, subcontractor, or other party which will conduct the removal operation. The Application shall be accompanied by plans, drawn to scale and specification prepared by a Registered Professional Civil Engineer or Registered Land Surveyor setting forth the following information:

1. The specific area of land from which the material is to be removed (herein, the "Site:") and, in addition all surrounding land within one hundred (100) feet of the Site (together, herein, the "Removal Area"); the proposed finish grade and final treatment of the premises shall be shown for the entire Removal Area;
2. All lot lines bordering upon the Removal Area with a computation of the total area of the land included therein; existing or proposed buildings and improvements; elevation contour lines having intervals of not more than two (2) feet;
3. Soils logs indicating they type of material expected to be removed and the estimated amount thereof;
4. If applicable, the form of bond; and
5. Such additional information as the Board may determine necessary or relevant to the proposed excavation.

7.3.5 Criteria. In determining whether to grant a special permit, the Planning Board shall consider the following in lieu of Section 10.4:

1. Whether the volume proposed for the removal exceeds the minimum practical amount required to accomplish the construction development or improvement in accordance with the plans thereof;
2. Whether the plans submitted in connection with the removal are designed to minimize changes in existing contours and to enhance attractive land utilization, effective drainage, suitable road gradients, access, or other design considerations;
3. Whether the Board and Chief of Police have approved the days and hours of operation, the route of trucks to be used on any public way for the removal of earth, the estimated duration of the operation, the types of vehicles to be used and proposed travel routes for such vehicles, the destination of all material, and the proposed treatment of land during operation to minimize dust, mud and siltation;
4. Whether the removal will be detrimental or injurious to abutters or the neighborhood, either by alteration of existing topography or by substantial change

in the use of the public ways in the neighborhood;

5. Whether all applicable municipal permits and/or approvals have been obtained or are in the process of being obtained;

6. Whether suitable provisions have been made for the stockpiling of material removed from the Site but not yet transported from the Removal Area. Such provisions shall include a condition imposed by the Board that, should stockpiled material remain within the Removal Area for a period exceeding thirty (30) days, such material must be re-deposited in the Site and the area of Stockpiling returned to its original condition; and

7. Whether suitable provisions have been made for restoration of the Removal Area. Upon the expiration or withdrawal of a permit or upon the voluntary or involuntary cessation of earth operation for a period in excess of thirty (30) days, such provisions shall include but shall not be limited to the following:

- a. The Site and all other affected portions of the Removal Area shall be graded, leaving no slopes in excess of one (1) foot vertical to two (2) feet horizontal;
- b. Adequate surface drainage shall be provided;
- c. Boulders shall be either buried or disposed of and stumps shall be disposed of in a manner satisfactory to the Planning Board;
- d. The entire area shall be covered with not less than six (6) inches of topsoil; and
- e. Adequate cover vegetation shall be planted; all conditions of restoration shall have been fully completed to the satisfaction of the Planning Board prior to release of any bond by the Planning Board.

7.3.6 Conditions. If a permit is granted, the Planning Board shall impose limitations on the time and the extent of the permitted removal and such other appropriate conditions, limitations, and safeguards as the Board may deem necessary for the protection of the neighborhood and the public health, safety, convenience and welfare of the Town. The Planning Board shall require sufficient security, including necessary covenants, to ensure compliance with the terms, conditions, and limitations of the permit.

7.4 TRAILERS

7.4.1 General. No trailer shall be placed upon any land, or used for dwelling or business purposes, within the Town except as hereinafter provided.

7.4.2 Special Permit for Storage. The Board of Appeals may issue a special permit to

store not more than one trailer per lot in a garage, other accessory building or in the rear yard of a lot occupied by the owner of the trailer.

7.4.3 Special Permit for Temporary Occupancy. The Board of Appeals may authorize the use of a trailer for dwelling purposes or as a temporary office only if such uses are incidental to construction of a building on the premises or development of the premises. Such authorization may be granted for a period not exceeding twelve (12) consecutive months, subject to approval of safeguards to insure proper sanitation. In no case shall such authorization be renewed for more than six (6) consecutive months.

7.4.4 Special Permit for Guest Occupancy. The Board of Appeals may issue not more than one permit per calendar year to an owner of a lot for the occupancy of such lot for dwelling purposes by a guest owned trailer. Such permit may be issued for a period not to exceed two weeks.

7.5 WIRELESS TELECOMMUNICATIONS TOWERS AND FACILITIES

7.5.1 Purpose. The purpose of this Section is to establish general guidelines for the siting of wireless telecommunication towers, antenna(s), satellite dishes greater than three (3) feet in diameter, and appurtenant structures. The intent of this By-law is to 1) require the location of towers on land in zoning districts other than residential or open space districts, and in areas where the adverse impact on the community is minimal, 2) minimize the number and overall height of towers in Maynard, 3) require the co-location of different telecommunication companies' antenna(s) on towers as much as possible, 4) encourage the siting of towers and appurtenances to minimize their visibility to the public, including if possible location of antenna(s) in or on existing buildings, 5) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently, 6) prohibit satellite dishes greater than three (3) feet in diameter in residential zones, and 7) to make available all wireless telecommunication towers and facilities to local municipal agency use upon their request.

7.5.2 General Requirements. No wireless telecommunications facility, which shall include towers of any type greater than twelve (12) feet in height, satellite dishes over three (3) feet in diameter, antenna(s), panels, and appurtenant structures, shall be erected or installed except in compliance with the provisions of this Section. The foregoing provision shall also apply to antennas to be added to an existing tower, which specific antennas were not previously approved during a Special Permit process. In all cases, a Special Permit is required from the Planning Board in accordance with the requirements set forth herein. Granting of a Special Permit is required prior to the approval of a Site Plan by the Planning Board.

1. Only free-standing towers not requiring guy wires for support are allowed.
2. Tower height shall be limited to the minimum height necessary, as determined from objective technical evidence presented by the applicant. In all cases, tower height shall be limited to less than the Federal Aviation Administration height

limit beyond which lighting would be required for the particular siting area proposed, or 125 feet, whichever is less, except that a 190' limitation, rather than a 125' limitation shall apply for those buildings or structures already in existence within the Town of Maynard on January 1, 2000. Any Additional height added to an existing structure above 125' will be considered a new structure.

3. Wireless telecommunications facilities shall be located zoning districts other than residential or open space zoning districts, and shall be suitably screened from abutters and residential neighborhoods. Towers may be allowed on a lot as an accessory use to a main building, however no more than one tower may be sited on any parcel of land.

4. There shall be a presumption by the SPGA that the applicant's service can be provided by location of antenna(s) in or on existing buildings or structures. This presumption may be re-buttable by hard evidence to the contrary that such location is not feasible.

5. When utilizing existing buildings or structures for antenna(s) location, antenna(s) shall, wherever possible, be enclosed within an existing structure such as a church steeple or clock tower. Antenna(s) may only be placed on the exterior of existing buildings or structures upon the determination by the SPGA that placement within existing buildings or structures is not feasible, and that the placement of such antenna(s) does not materially detract from the historic value or traditional view of buildings or structures in the vicinity. The height limit imposed by Section 9.3.3 above shall also apply to antenna(s) placed on existing buildings and structures, and shall be measured from the lowest ground elevation adjacent to the existing building or structure.

6. There shall be a presumption by the SPGA that co-location of multiple service providers now seeking, or anticipated to be seeking a tower location within the next 3 years within 2 miles of the proposed site, is possible and will be included in any Special Permit application. This presumption may be re-buttable by hard evidence to the contrary that such co-location is not feasible. Once a special permit has been granted, in the interest of not burdening the public process, no application for an additional tower on any portion of the site in question will be accepted until a period of three years has elapsed from the granting of the special permit.

7. All wireless telecommunications facilities shall comply with all applicable standards and regulations of the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), the American National Standards Institute, the Massachusetts Aeronautics Commission, and the Massachusetts Department of Public Health. The Special Permit Granting Authority (SPGA) may require annual certification demonstrating continuing compliance with regulations and requirements of any or all of the above regulatory agencies as a condition of the Special Permit.

7.5.3 Design Requirements

1. All towers shall be designed to have sufficient structural capacity to support antenna arrays for a minimum of 3 separate wireless telecommunications companies.
2. Any tower shall be set back from any lot line by a minimum distance equal to the height of the tower above the lowest surrounding grade, but in no case less than the minimum required setbacks for the district in which it is situated. Appurtenant structures shall also conform to the minimum required set backs for the district in which the facility is located.
3. Notwithstanding the provisions of Section 7.5.3.2, facilities shall be sited such that, at a minimum, a 50 foot undisturbed buffer zone is provided between the nearest edge of the fencing surrounding the facility and any abutting property line.
4. Lighting at all wireless telecommunication facilities shall be limited to low intensity lighting intended for security purposes and installed at or near ground level. The source for such lighting shall not be directly visible from any residential property in the area of the site.
5. Fencing shall be provided to control unauthorized access to the tower. Such fencing shall not be of the barbed wire or razor wire type, but shall be a minimum of 8 feet in height with an added section of anti climber returning to the exterior. Said fencing shall be appropriately screened and colored to blend in with the surrounding landscape.
6. Towers shall be colored so as to blend in with the surrounding landscape, including different colors to cause the structures to blend with the landscape below the tree-line horizon, and the sky above the tree-line horizon. The SPGA may impose reasonable conditions to ensure the facility will have the minimal impact on the surrounding neighborhood, visually and from noise generated by it. Conditions may include grading, screening by plantings and otherwise, and painting, as well as increased setbacks if noise from the facility is a concern, which in the sole opinion of the SPGA, is not adequately addressed by the applicant.
7. Access to the tower site shall be provided by a driveway designed to cause only minimal disturbance to the natural terrain, and provide emergency access at all times, the adequacy of which shall be determined by emergency services personnel and the SPGA. Wherever beneficial in the opinion of the SPGA, said access driveway shall be laid out so as to have sufficient turns to prevent passers-by from having direct line-of-sight visibility to the facility.
8. There shall be no signs, except for no trespassing signs discreetly placed, and a

required sign giving a phone number where the owner or legal operator of the facility can be reached on a 24-hour basis. All signs shall conform with the sign requirements of this By-law, and shall be the minimum size necessary in the opinion of the SPGA to accomplish the purpose of the sign.

9. The height of satellite dishes (greater than three (3) feet in diameter as regulated under this By-law) located on property abutting property(s) upon which residential structures are sited, shall not exceed the height of the tree-line on the lot, and shall not be visible from any street.

10. There shall be one parking space only for each tower site to be used solely in connection with maintenance of the facility, and not to be used for the permanent storage of vehicles or other equipment.

11. There shall be only one building allowed to be constructed at the base of the tower, and it shall be for the purpose of housing the necessary support equipment for the tower transmission and receiving antenna(s). Said building shall be no higher than 12 feet above the surrounding grade to its highest point, shall have a peaked roof (minimum 6 Vertical:12 Horizontal pitch) and architectural features consistent with the zoning district and with surrounding existing buildings, shall have a maximum footprint of 400 square feet, and shall be screened from abutting properties as much as is feasible in the opinion of the SPGA and/or the Planning Board. Multiple story buildings are permitted only if additional stories are below grade.

12. All network interconnections and other support equipment required to be sheltered shall be contained within the single support building allowed at the base of the tower. Other equipment shall be shown on the site plan, and may be subject to conditions or being placed within the support building. This determination shall be made by the SPGA based upon individual site conditions and the ability of the exterior equipment to be screened from abutting properties. The intent is to minimize visible clutter at the base of the tower to the maximum extent possible.

7.5.4 Amateur Facilities. Nothing contained herein shall be deemed to prohibit the construction or use of an amateur radio tower or facility by a federally licensed amateur radio operator provided that (1) the tower is not used or licensed for any commercial purpose; and (2) the tower must be removed if its use is discontinued for a period exceeding six (6) months.

7.5.5 Independent Review. If the SPGA determines that independent review of the special permit is required, it may require the applicant to pay a review fee consisting of reasonable costs to be incurred by the SPGA for the employment of outside consultants pursuant to rules adopted by the SPGA as authorized by G.L. c .44, s. 53G.

7.5.6 Special Permit. The Planning Board is hereby designated the Special Permit

Granting Authority (SPGA) to grant Special Permits for wireless telecommunications facilities. Special permits shall be administered according to 10.4 of this By-law.

7.5.7 Application. All applications for a Special Permit for a wireless telecommunications facility shall be submitted on forms provided by the SPGA and shall include at a minimum the following supporting information:

1. A locus plan at a scale of 1" = 1000' which shall show all property lines, the exact location of the proposed structure(s), streets, topography in a general manner including significant landscape features, residential dwellings and neighborhoods within 1000' of the site, all buildings within 500' of the proposed facility, and all other wireless telecommunications towers within two (2) miles of the proposed site.
2. A color photograph of the proposed site from the 5 clearest vantage points with the a scale rendition of the appropriate view of the proposed tower superimposed over the photographs.
3. 10 copies of a plan conforming to requirements for a Site Plan set out in Section 10.5 of this By-law and in the Site Plan Review Regulations adopted by the Planning Board.
4. Documentation consisting of a Technical Report prepared by a Professional Engineer registered in the Commonwealth of Massachusetts containing supporting calculations and technical details and criteria in support of the application and including at a minimum:
 - a. Certification that the tower, antenna(s) and appurtenant structures comply with all standards of the Federal and State regulatory agencies cited in this Section.
 - b. A listing of the pertinent specifications of the proposed facility relating to the square footage and plan view dimensions of the tower base and any appurtenant structures, heights of the tower and of appurtenant structures, depth of footings, height and construction of fencing, and detailed diagrams of the size, type and configuration of antenna(s) arrays proposed now, and anticipated in the future.
 - c. An analysis of the capacity of the proposed tower to accommodate multiple antenna(s) arrays from different wireless telecommunication companies, including type(s) of technology planned for and types and number of antenna(s) and/or transmitters/receivers. Also, a timetable for expected occupation of each of the available slots on the tower, to include expected type of technology and antenna(s).
 - d. An analysis justifying the location, height and design of the facility

with respect to technical, economic and competitive factors, as balanced against the expected neighborhood and environmental impacts.

e. An analysis of the coverage area of the proposed tower showing neighboring streets and intensity of signal reception along each of the main streets within 2 miles of the proposed facility. For comparison, a similar analysis of any alternative sites available or potentially available, or being considered for tower siting which could potentially serve substantially the same or a similar area.

5. A Marketing Report conducted by a recognized authority in the field of telecommunications services describing current demand for space on tower facilities and projected demand for such space within the Town of Maynard for the next 10 years. Said report shall include data, calculations and projections in support of the report's conclusions.

6. Written evidence of ownership or of long term control (e.g. a long term lease) of the property upon which the tower is to be erected. Long term as used herein shall mean a period of time equivalent to at least 3 terms of the Special Permit.

7. It shall be a condition of the Special Permit that all towers and facilities shall be made a viable for use by the Town's emergency services personnel (Fire, Police, Ambulance) upon their request.

7.5.8 On-Site Demonstration. The SPGA may require the applicant to perform an on-site demonstration of the visibility of the proposed tower by means of a crane with a mock antenna array raised to the maximum height of the proposed tower. A colored 4' minimum diameter weather balloon held in place at the proposed site and maximum height of the tower may be substituted for the crane if approved by the SPGA. This demonstration shall take place after the application for Special Permit has been made, but prior to the close of the public hearing on said Special Permit. The applicant shall take care to advertise the date of the demonstration in a newspaper widely circulated in the neighborhood of the proposed site. Failure, in the opinion of the SPGA, to adequately advertise this demonstration may be cause for the SPGA to require another, properly advertised demonstration.

7.5.9 Approval Criteria. In lieu of the criteria set forth in Section 10.4, the SPGA shall grant the Special Permit only upon finding that the wireless telecommunications facility proposed:

1. Has been adequately described and justified to the SPGA by the applicant's compliance with the requirements of this Section.
2. Will not be unreasonably detrimental or injurious, in the opinion of the SPGA to the neighborhood in which it is to be located;

3. Is sited and designed to have the minimum visual, economic and aesthetic impact possible on abutters. When considering an application for such a facility, the SPGA shall place great emphasis on the proximity of the facility to residential dwellings and its impact on these residences.

4. Is designed to be the minimum height necessary for the wireless telecommunication service required;

5. Is designed to accommodate the facilities of wireless telecommunication companies operating in the area to the maximum extent possible, and shall incorporate a tower capable of accommodating a minimum of 3 separate antenna arrays (although appurtenant buildings may be constructed for only those users identified in the application for Special Permit); this requirement may be waived by the SPGA only upon a finding that for the particular site in question, said requirement is contrary to the public interest.

6. Due to technical requirements, topography or other unique constraints, the facility cannot be located at any other available site that would be less visible to the general public.

7. Has been demonstrated by technical data to be necessary due to the inability of existing facilities in the same or similar service area to accommodate the further antenna arrays required at the time of the application.

7.5.10 Cessation of Use. Facilities shall be removed upon cessation of use, at the sole expense of the owner(s) of the facility. Use of the facility shall be determined to have ceased when it has not been in use for a period of 12 continuous months, or for a total of 18 of the last 30 months. Records shall be submitted to the SPGA annually indicating the usage of the facility over the previous 12 months, and its current operational status. Such information shall be a condition of the special permit.

7.5.11. Performance Guarantees. It shall be the joint and several responsibility of the Special Permit applicant and any subsequent owners of the facility to completely remove the tower, antenna(s), satellite dish(es), panels, and all appurtenant structures upon cessation of use of the facility, and to restore the site to its pre-construction condition. An initial cash bond shall be posted in a passbook account in a reasonable amount determined and approved by the SPGA to assure timely and complete removal of all above ground structures associated with the facility when the use of the facility is discontinued. The tower and appurtenances shall be removed within 90 days of written request from the SPGA to the current facility owner, beyond which time the SPGA may utilize the posted bond to effect the removal of all above ground structures associated with the facility, and the restoration of the site to its original grades with a permanently stable landscaped surface.

1. The applicant shall submit a bid for the removal of the facility from three (3) qualified contractors at the time of initial Special Permit Application. The SPGA

may use these bids at its discretion to set the removal bond amount.

2. It shall be the responsibility of the current owner of the facility to maintain the entire facility and its access road and screening in a condition equivalent to that when construction was initially completed to the satisfaction of the SPGA. Therefore, a maintenance agreement between the applicant, or a designated operator, and the SPGA, shall be executed which defines the terms of and responsibility for the maintenance as required by the SPGA. Said agreement shall constitute a condition of the Special Permit. An additional bond shall be posted, in the form of a separate passbook account in an amount to be set by the SPGA, to be utilized for maintenance of the facility and its access road and screening in the event the maintenance agreement to be executed between the SPGA and the applicant is not complied with to the on-going satisfaction of the SPGA.

7.5.12 Term. A Special Permit granted under this By-law shall expire within 2 years of the date of issuance of the permit. Prior to the expiration of the Special Permit, the applicant shall make application to the SPGA for renewal of the Special Permit for an additional 2 year period. Said renewal shall not require the technical submissions of the original application, provided that conditions of the site and facility have not changed materially from the original application. A certification by a Structural Engineer licensed in the Commonwealth of Massachusetts as to the condition and structural integrity of the tower and its antennas shall accompany every application for renewal.

7.5.13 Site Plan Approval. Site Plan Approval by the Planning Board is required for the siting and construction of all wireless telecommunication facilities. If modification of a previously issued special permit is sought, the Planning Board may require approval of a new site plan.

Site Plan review by the Planning Board may be conducted concurrently with the proceedings and public hearings of the Special Permit application. Site Plan applications shall be made in conformance with Section 10.5, and in conformance with the Site Plan Review Regulations adopted by the Planning Board.

7.6 KENNELS

7.6.1 Special Permit. The Board of Appeals may grant a special permit allowing a private kennel. In granting the special permit, the Board of Appeals shall consider the adequacy of shelter and exercise space for the kennel, as well as security (both of the dogs from escape, as well as preventing access by children) and the control of noise, smells, dust, and other emissions. Accessory kennel buildings may not be located on any lot between the street lot line and the front of the principal dwelling.

7.6.2 Application. Included with the special permit application shall be the following:

1. Site layout plan, which shall contain all setbacks from the property line of structures and waste facilities;

2. A detailed floor plan with dimensions and overall construction material for any shelter and/or run to be used for the dogs, as well as all facilities and locations for the storage or disposal of animal wastes; and
3. A narrative describing the proposed process for management and disposal of animal wastes.

7.6.3 Referral. The Dog Officer and Board of Health for the Town of Maynard shall be provided an opportunity to review the special permit application prior to the decision of the Board of Appeals.

7.7 [RESERVED]

7.8 TEMPORARY SALES

7.8.1 Permit Required. The temporary sales of goods or merchandise shall require a permit from the Board of Selectmen.

SECTION 8.0 SPECIAL RESIDENTIAL REGULATIONS

8.1 ACCESSORY FAMILY DWELLING UNIT

8.1.1 Purpose. The purpose of this Section is to permit accessory dwelling units in single family residential districts subject to the standards and procedures hereinafter set forth. It is also the intent to assure that the single family character of the neighborhood will be maintained and that the accessory unit remains subordinate to the principal living quarters.

8.1.2 General. A special permit may be granted by the Zoning Board of Appeals for the conversion of an existing or new single family dwelling to accommodate an additional family living unit by the installation of a common wall or the partitioning of or extension of living space.

8.1.3 Standards.

1. Such additional family living unit shall at the discretion of the Zoning Board of Appeals accommodate up to a maximum of three (3) persons, provided that the owner of record of the structure is a resident of the structure which includes the accessory family dwelling unit. The existing house shall accommodate an additional family unit only if a member of the additional family is related by blood, marriage or adoption to the Owner of the premises. There shall be no other living unit on the lot upon which an accessory unit is to be located.
2. Adequate provisions, as determined by the Building Commissioner, shall be provided for separate ingress and egress to the outside of each unit. To the extent possible, exterior passageways and access ways shall not detract from the single family appearance of the dwelling. An interior doorway shall be provided

between each living unit as a means of access for purposes of supervision and emergency response. All stairways to additional stories shall be enclosed within the exterior walls of the structure.

3. Such accessory unit shall be limited to a maximum of six hundred (600) square feet in floor area.

4. Provisions for off-street parking of residents and guests of both units shall be provided in such a fashion as is consistent with the character of the neighborhood, as determined by the Zoning Board of Appeals, which shall seek advice from the Building Commissioner.

8.1.4 Recording. No building permit shall be issued in accordance with the special permit issued under this section until the Special Permit has been recorded in the Registry of Deeds by the applicant and evidence of such recording has been submitted to the Building Commissioner.

8.1.5 Occupancy Permit. No occupancy of the additional dwelling unit shall take place without an occupancy permit issued by the Building Commissioner. The initial occupancy permit shall remain in force for a period of two (2) years from the date of issue, provided ownership of the premises is not changed. Thereafter, permits may be issued by the Building Commissioner for succeeding two (2) year periods provided that the structure and use continue to comply with the relevant provisions of the State Building Code, this By-law and the special permit. If the relative of the Owner vacates this property, the Owner must remove the kitchen and revert this unit back to a single family dwelling. If the house is sold, the new Owner must apply to the Zoning Board of Appeals for a special permit to conduct an accessory family dwelling unit or restore this unit to a single family dwelling by removing the kitchen.

8.2 GARDEN APARTMENTS

8.2.1 General. In a Garden Apartment District, no building or structure shall be constructed, used or arranged or designed to be used in any part and no change shall be made in the use of the land or premises, except for use as Garden Apartments. For the purpose of this By-Law, a Garden Apartment shall be defined as a building or a series of buildings located on a fully landscaped building lot and used exclusively for dwelling purposes, each building thereon containing not less than three (3) full family units with full kitchen and bath facilities.

8.2.2 Standards. The following shall apply to construction and use of Garden Apartment Districts:

1. No building shall be farther than one hundred (100) feet from the "nearest access street or connecting access drive" and no entrance shall be farther than two hundred and fifty (250) feet from an off street parking area.

2. No portion of any structure shall be nearer than forty (40) feet from any other structure on said lot or sideline of interior private access roads.

3. On each lot there shall be provided a permanent off street parking area or areas, indoor and/or outdoor, of sufficient size to allow 2 parking spaces for each apartment or family unit to be accommodated on the lot. No parking shall be allowed in front of any building with frontage on a public way or street. No parking area shall extend closer than fifteen (15) feet to a side or rear boundary.

4. No building in a group shall be closer to any other building on the lot than a distance equal to the sum of their heights, nor, in any case closer than fifty (50) feet.

SECTION 9.0

SPECIAL DISTRICTS

9.1 FLOOD PLAIN DISTRICT

9.1.1 Location. The Flood Plain District includes all special flood hazard areas within the Town of Maynard designated as Zone A and AE on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Maynard are panel numbers 25017C0353E, 25017C0354E, 25017C0358E, 25017C0361E, 25017C0362E, 25017C0366E, 25017C0363E, AND 25017C0364E dated June 4, 2010. The exact boundaries of the District may be defined by the 100-year base flood elevations as shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, and Building Commissioner.

9.1.2 Base Flood Elevations and Floodway Data.

1. Floodway Data. In Zone A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is lesser, within unnumbered A zones.

9.1.3 Overlay District. The Flood Plain District is established as an overlay district to all other districts.

9.1.4 Development Regulations. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following. Any variances from the provisions and requirements of these referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

1. Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, Flood Resistant Construction and Construction of Coastal Dunes)
2. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
3. Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
4. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

9.1.5 Floodway. In the Floodway, designated on the Flood Insurance Rate Maps, the following provisions shall apply:

1. Prohibit encroachments, including fill, new construction, substantial improvement, and other development unless certification by a registered professional engineer or architect is provided by the applicant demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the 100 year flood.
2. If Section 9.1.5.1, above, is satisfied, all new construction and substantial improvements shall comply with all provisions of Section 9.1.4.

9.1.6 Notification of Watercourse Alteration. In a riparian situation, the Conservation Commission shall notify the following of any alteration or relocation of a watercourse:

1. Adjacent Communities;
2. NFIP State Coordinator;
3. Massachusetts Department of Conservation and Recreation (DCR);
251 Causeway Street, Suite 600-700
Boston, Massachusetts 02114-2104
4. NFIP Program Specialist
Federal Emergency Management Agency, Region 1
99 High Street, 6th Floor

9.2 WATER SUPPLY PROTECTION DISTRICT

9.2.1 Purpose. The purpose of the water supply district is to protect public health, safety and welfare by preventing contamination of and preserving the quality of groundwater and surface water supplies that provide the current and potential potable water supply for the Town of Maynard.

9.2.2 Delineation of Water Supply Protection District. The Water Supply Protection District is herein established to include all lands in the Town of Maynard or under the jurisdiction of the Town of Maynard for water protection that:

1. Lie within Zone 1 or Zone 2 as defined in 310 CMR 24.06 (2) (a) and (b), Massachusetts Drinking Water Regulations.
 - a. Zone 1 consists of land within a 400 foot radius of an existing public water supply well.
 - b. Zone 2 consists of that portion of an aquifer that contributes water to the well under the most severe recharge and pumping conditions realistically anticipated based upon pumping tests conducted by a qualified engineer or hydrologist, and approved as a designated Zone 2 by the Massachusetts Department of Environmental Protection (DEP). In the absence of an approved Zone 2, the Interim Wellhead Protection Area (IWPA) as shown on the most recent Massachusetts GIS map may be substituted for Zone 2]
2. Lie within 100 feet of any surface water supply used by the Town, for public water supply.
3. Lie within 100 feet of the lot line of any private residence not supplied by the public water system (however, this provision does not include any private residence that has access to public water but has not elected to connect to the public water supply), or within a 400 foot radius of the limits of any area designated for future water supply wells based upon reasonable anticipated need and a hydro-geological survey.

The Planning Board shall provide a map designating the Water Supply Protection District as of June 30, 1994, and shall update this map as necessary from time to time.

9.2.3 Applicability. The Water Supply Protection Districts shall be considered as overlying other Zoning Districts.

1. This Section 9.2 shall not apply to the installation, operation, or maintenance of conveyances, structures, facilities, or devices necessary for the operation of

public or private water supplies, public waste water facilities, public storm water, private wastewater facilities, constructed and operated in conformance with 310 CMR 15.00, and public electric or natural gas lines.

9.2.4 Use Regulations. Within the Water Supply Protection District, the requirements of the underlying districts continue to apply, except that uses are prohibited as indicated herein, even where underlying district requirements are more permissive.

9.2.5 Prohibited Uses.

1. Solid waste disposal facilities, including without limitation , landfills, junk yards, salvage yards, and any other facilities that require a site assignment from the Board of Health under MGL c.111 §150A, and under regulations adopted by the Department of Environmental Protection under 310 CMR 19.00
2. Within Zone 1, all underground or above ground storage of petroleum products, including, without limitation, gasoline, diesel fuel, heating oil (nos. 2, 4, 5, or 6), waste oil, aviation fuel, kerosene, or other petroleum distillate is prohibited.
3. Within Zone 2 or the IWPA, above ground storage of liquid hazardous materials or petroleum products in existing structures is permitted with a special permit, in quantities not to exceed 600 U.S. gallons. Storage of a heating oil tank within a basement is considered to be above ground storage for the purpose of these regulations if:
 - a. The basement has a concrete or other impervious floor,
 - b. It is possible to inspect the tank without entering a confined space,
 3. All sumps in the basement are equipped with a stopper or valve that will control discharge, and
 - d. Total capacity is less than 600 U.S. gallons.
4. All underground tanks in Zone 2 must be tested in accordance with the requirements set forth in 527 CMR 9.00, Tanks and Container Regulations of the Board of Fire Prevention, by July 1, 1996. These tanks must be removed if they fail testing, and must be replaced by above ground tanks. Non-conforming above ground or basement tanks must be brought into compliance with the provisions of Section 17.5.1.B.1 through 4 by July 1, 1996. All owners of above ground tanks within Zone 2 must apply for a Special Permit before July 1, 1996.
5. Storage of liquid hazardous materials and/or liquid petroleum products must provide storage in:

- a. An above-ground level,
- b. On an impervious surface, and
- c. Either in container(s) or above-ground tank(s) within a building, or; outdoors in covered container(s) or above-ground tank(s) in an area that has a containment system designed and operated to hold either 10 percent of the total possible storage capacity of all containers, or 110 percent of the largest container's storage capacity, whichever is greater.

6. Storage of road salt or other de-icing chemicals (such as Urea) in quantities greater than for normal household use.

7. Stockpiling or disposal of snow or ice containing road salt or other de-icing chemicals that have been collected outside of the Water Supply Protection District. Snow or ice removed within the District may be stockpiled at the road curb.

8. Within Zone 2 or the IWPA, onsite recycling or treatment, generation, storage and disposal of hazardous wastes, including without limitation chemical wastes, radioactive wastes, waste oils, and infectious wastes in quantities that exceed the Very Small Quantity Generator limits for each waste. All such on site recycling or treatment of hazardous wastes are prohibited in Zone 1.

9. Within Zone 1, manufacture, use, storage, or generation of toxic or hazardous materials in the Zone 1, except for the storage and use of water supply treatment chemicals necessary for the protection and operation of drinking water wells.

10. Within Zone 1, storage of commercial pesticides, herbicides, chemical fertilizers, or manure unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate. These activities are permitted in zone 2 or the IWPA with a special permit.

11. Commercial hazardous waste treatment, storage and disposal facilities.

9.2.6 Uses Permitted by Special Permit. The following uses are permissible by Special Permit upon review of operating plans, and subject to conditions set forth for each specific application. Failure to comply with the terms and conditions set forth in a special permit shall be grounds for revocation of said permit.

1. Within Zone 2 or the IWPA, above ground fuel storage tanks that meet the criteria in 17.5.1 (b).

2. Within Zone 2 or the IWPA, operations that generate hazardous waste below Very Small Quantity generator limits may operate under special permits.

3. Within Zone 2 or the IWPA, commercial agricultural operations.
4. Within Zone 2 or the IWPA, commercial mining of land.
5. Within Zone 2 or the IWPA, commercial, industrial, and community facility uses requiring site plan review to prevent compaction and siltation, loss of recharge, exfiltration from sewer pipes and contamination by oils, chemicals, nutrients, or other adverse impact on the Water Supply Protection District.
6. Within Zone 2 or the IWPA, parking lots and vehicle rental agencies.
7. Within Zone 2 or the IWPA, any uses with more than 10,000 square feet of impervious service.
8. Within Zone 2 or the IWPA, any use otherwise permitted as of right or by special permit that requires a permit under the National Pollutant Discharge Elimination System permit program established pursuant to 33 USC1342, the Surface Water Discharge Permit Program established pursuant to MGL c 21 § 43, or the Groundwater Discharge Permit Program established pursuant to MGL c 21 § 43.
9. All structures constructed within zone 1 require a special permit.

9.2.7 Criteria. In addition to the notice otherwise required by this By-Law, the Special Permit Granting Authority shall give written notice of an special permit application within the Water Supply Protection District to the Planning Board, the Board of Health, and to the Conservation Commission and request a report and recommendation from each. After notice and a public hearing, the Special Permit Granting Authority may grant such a permit provided that it finds that the proposed use:

1. Is in harmony with the purposes and intent of this Section 9.2 and will promote the purposes of the Water Supply Protection District;
2. Is appropriate to the natural topography, soils, and other characteristics of the site to be developed;
3. Will not, during construction or thereafter, have an adverse environmental impact on any water body, groundwater supply, or water course in the District; and
4. Will not adversely affect the quality or quantity of any existing or potential water supply.

9.2.8 Procedures. If the Planning Board, the Board of Health, or the Conservation Commission, within 14 days of the Special Permit Granting Authority's request for

comments, opposes the granting of the Special Permit or recommends conditions or limitations on the permit, the Special Permit Granting Authority must either

1. Follow such recommendations; or,
2. State in writing as part of its findings the reasons for not allowing such recommendations.

9.2.9 Site Plan Approval. The provisions of Section 10.5 shall apply to all uses requiring a Special Permit under Section 9.2.

9.2.10 Design and Operating Standards.

1. Above ground Tank Operating Standard - Provisions shall be made to ensure that each above ground tank installed within the Water Supply Protection District pursuant to these regulations shall meet the following operational criteria:

- a. Is constructed on a concrete pad, concrete floor (basement tanks), or other impermeable surface,
- b. Is surrounded by a berm or other containment structure that will contain 110 percent of the contents of the largest tank within the structure, and,
- c. In the case of a basement tank, provisions have been made to prevent discharge of any leakage from the tank to a basement sump or other discharge structure.

2. Underground Tank Operations Standards – All underground tanks installed within the Town shall comply with State Board of Fire Protection regulations (527CMR 9.00) and with any other regulations governing underground tanks that may be promulgated by the Massachusetts DEP from time to time.

9.2.11 Safeguards. Provisions shall be made to adequately protect against toxic or hazardous materials discharge or loss through corrosion, accidental damage, spillage, or vandalism through such measures and provisions for spill control in the vicinity of chemical or fuel delivery points, secure storage areas, for toxic and hazardous materials, and indoor storage provisions for materials that are water soluble or that may corrode.

1. Disposal – No disposal of hazardous materials is permitted within the Water Supply Protection District.
2. Fill – Fill materials used within the Water Supply Protection District shall contain no solid wastes, toxic or hazardous materials, or hazardous wastes. The SPGA may require testing of soils by Massachusetts DEP-certified laboratory at the applicant's expense prior to granting a Special Permit to fill within the district.

3. Soil Containment - For industrial and commercial uses within Zone 2 or the IWPA, an emergency response plan to prevent contamination of soils or water in the event of accidental spills or discharges of toxic or hazardous materials shall be submitted to the SPGA if requested. The SPGA may request that the Fire Chief or other Town Official review said plan.

4. Monitoring - As a condition of granting a Special Permit, the SPGA may request that applicants who propose certain uses that, in the opinion of the SPGA based upon recommendations from the Department of Public Works, the Board of Health, and/or the Conservation Commission, constitute potential threats to the water supply must submit a monitoring plan and conduct periodic monitoring. This monitoring may include the installation and maintenance of groundwater monitoring wells at locations specified by the Department of Public Works, and analysis for parameters to be determined by the Town. All costs of well installation and monitoring shall be the responsibility of the applicant.

5. On-Site Recharge – Land uses that result in the rendering impervious any lot or parcel more than 15 percent or 2500 square feet, whichever is greater, are prohibited, unless a system for artificial recharge of precipitation is provided that will not result in degradation of groundwater quality. All storm water runoff from impervious surfaces shall be recharged on site unless in conducting site plan review it is determined by the SPGA or others that recharge is not feasible because of site conditions or is not recommended because of storm water quality. Such recharge shall be by surface infiltration through vegetated surfaces unless otherwise approved by the SPGA during site plan review. If dry wells or leaching basins are approved for use, design shall incorporate oil, grease, and sediment traps prior to infiltration. Drainage from loading areas shall be collected separately from storm water runoff in closed loop systems. This drainage may be discharged to the storm sewer or through infiltration only after laboratory analysis. Contaminated runoff shall be disposed of in accordance with 310 CMR 30.

6. Grade Reduction – Soil overburden shall not be lowered to finish exterior grades less than five feet above the maximum ground water elevation as determined by deep hole observation unless technical evidence can be provided satisfying the SPGA that ground water quality or quantity will be affected. Technical evidence may include without limitation a determination of soil and hydro-geologic conditions where low permeability will mitigate infiltration.

9.2.13 Notice of Violation. Notice of any violations of this section shall be given by the Building Commissioner to the responsible person within forty eight (48) hours of detection of a violation or a continuing violation. Notice to the assessed Owner of the property shall be deemed notice to the responsible person. Such notice may be verbal, and shall be confirmed in writing within five working days. Such notice shall specify the nature of the violation, and the specific requirement or prohibition violated. The violation may also identify actions necessary to remove or remedy the violation,

preventive measures for avoiding future violations, and a schedule of compliance. A copy of such violation notice shall be submitted to the Building Commissioner, the Planning Board, and the Conservation Commission, and the Fire Chief. The cost of correcting the violation shall be borne by the Owner or operator of the premises. For situations that require immediate remedial action to prevent adverse impact to the water resources within the Water Supply Protection District, The Town of Maynard, the Building Commissioner, the Board of Health the Department of Public Works, or any of their agents may order the Owner or operator of the premises to remedy the violation immediately. If said Owner or operator does not comply with the order, the Town or any of it's Officers or Agents, may take actions necessary to remedy the violation and recover any and all costs of such actions from the Owner and/or operator. For the purposes of this section, "immediately" shall mean within 24 hours.

1. In the event of any discharge or disposal within the Water Supply Protection District requiring a report to the Massachusetts Department of environmental Protection within 2 hours or 72 hours as specified in 310 CMR 40.0000 subpart C (310 CMR 40.0311 through 40.03114, the Town may make such notification if the responsible party fails to do so.

9.3 NEIGHBORHOOD BUSINESS OVERLAY DISTRICT (NBOD)

9.3.1 Purpose. The Neighborhood Business Overlay District (NBOD) is established:

1. To encourage and authorize the mixed-use development of large land areas by means of authorizing and combining a variety of building types and uses with conditions and safeguards; and
2. To prevent detrimental effects and impacts upon neighboring land uses and upon the Town of Maynard generally.

9.3.2 Applicability. The NBOD is an overlay district superimposed over, rather than replacing, the applicable underlying zoning districts. The NBOD authorizes certain uses not allowed in the underlying base district provided certain special terms and conditions are met regarding the establishment of such uses. Where the NBOD authorizes uses not otherwise allowed in the underlying district, the provisions of the NBOD shall control. Except as provided in this Section 9.3, the NBOD does not in any manner alter or remove the zoning rights permitted in the underlying base zoning district(s). Nothing contained in this Section 9.3 shall prohibit or limit uses otherwise permitted by right or by special permit in the base zoning district(s).

9.3.3 Requirement for Approval of a Concept Plan at Town Meeting. No development for uses not otherwise allowed in the underlying zoning district shall be permitted on any land within the NBOD without first obtaining approval, by a majority vote at Town Meeting, of a Concept Plan that identifies the proposed development. At the property owner's discretion, one or more Concept Plans may be submitted at different times and a Concept Plan may include development of all, or any smaller portion, of the

relevant parcel or lot. Each Concept Plan submitted for approval at Town Meeting shall include the following information:

1. The area of land proposed to be developed under the NBOD regulations, which may be less than the total area of the applicable lot.
2. The topography of the land to be developed.
3. The location of wetlands and water bodies, if any.
4. The location of existing roads and ways serving the land to be developed.
5. The general location, size and shape of existing structures to be removed, and the general location, size and shape of existing structures to remain.
6. The general location and size of all required buffer areas provided in compliance with Section 6***.
7. The general location and approximate size of all proposed new buildings including the approximate size of each single principal use within said buildings; the final size of each single principal use to be determined via the Town's site plan review process and shall not exceed the dimensional requirements in Table ***.
8. Examples of amenities and design features to be included as part of the proposed development
9. Illustrations of the general architecture of the proposed structures.
10. A preliminary traffic impact analysis.
11. A written proposal from the Property Owner ("Developer") that addresses, but is not limited to, the following:
 - a. Any proposed exactions, financial gifts, easements or land gifts
 - b. Payment for consultant review of plans and documents accompanying the Concept Plan
 - c. The timing of assessment of new improvements
 - d. The Developer's payment for design and implementation of traffic improvements
 - e. Transfer of responsibilities and commitments in the event the property is sold

Such proposal shall be incorporated into the terms of a development agreement, which may include other provisions between the Developer and the Town of Maynard acting by and through the Board of Selectmen and the Planning Board before final site plan approval is granted by the Planning Board

9.3.4 Subsequent Permits. Immediately following approval of a Concept Plan at Town Meeting as provided in Section 9.3.3, the owner and/or developer shall be entitled to apply for any other permits and approvals required for all or any portion of the development shown on the Concept Plan, including, without limitation, site plan review.

9.3.5 Permitted Principal Uses. The following uses are allowed by right in the Neighborhood Business Overlay District:

Healthcare Facility
Health Club
Restaurant
Garden Center
Personal Service Establishment
Supermarket
Retail Business
Wholesale Business
Mixed Use with fewer than 5 dwelling units
Multiple principal uses on a single lot or parcel within the NBOD.

9.3.6 Permitted Accessory Uses. The following uses shall be available as accessory to the above principal uses and as accessory to uses permitted in the underlying district(s).

Outdoor storage of recreational equipment.
Outdoor recreational facilities including athletic field and tennis and basketball courts.
Outdoor storage, display and sales of merchandise accessory to a permitted principal retail use.
Bank automated teller machine.
Management or maintenance office related to the principal use
Parking and accessory drives for all permitted uses in the underlying, base Zoning District, as
well as any and all utilities necessary to support such permitted uses, whether or not on the
same lot as the principal use.
Uses and structures customarily incidental to any permitted principal use.

9.3.7 Uses Permitted by Special Permit of the Planning Board. The following uses are allowed by special permit in the Neighborhood Business Overlay District:

Multi-family Dwelling

Parking Structures
Mixed use with 5 or more dwelling units

9.3.8 Dimensional Requirements. Table F lists the dimensional requirements for each single principal use within the NBOD. Uses listed in Table G as “N/A” have no corresponding dimensional requirement.

TABLE H: NBOD DIMENSIONAL REQUIREMENTS

Principal Use	Maximum Gross Floor Area
Multi-Family Dwelling	N/A
Healthcare Facility	N/A
Health Club	30,000 s.f.
Restaurant	10,000 s.f.
Garden Center	25,000 s.f.
Personal Services Establishment	5,000 s.f.
Supermarket	75,000 s.f.
Retail Business	35,000 s.f.
Wholesale Business	35,000 s.f.

9.3.9 District Total. The total gross floor area for all principal uses within the NBOD, including nonresidential portions of Mixed Use structures, excluding multifamily dwellings, healthcare facilities, and residential components of mixed use structures, shall not exceed 175,000 s.f..

9.3.10 Housing Cap. The maximum number of housing units in the NBOD shall not exceed one-hundred (100).

9.3.11 Design Criteria. In addition to provisions in other sections of this By-law, the criteria listed in this Section 9.3.11 shall apply to any action in the NBOD requiring site plan approval under Section 10.5.

1. Lighting. These standards are intended to: promote a lighting design for all development within the NBOD to ensure public safety and welfare; and protect the night sky from unnecessary ambient light. Any lighting plan submitted as part of a Site Plan Review application, shall include the following:

a. All lighting installations shall be designed to achieve no greater than the minimum luminance levels for the activity as recommended in the most recent standards established by the Illuminating Engineering Society of North America (IESNA);

b. To prevent glare on off-site locations, all outdoor lighting fixtures shall be full cut-off (Full-cutoff means that no light is emitted above the horizontal plane that intersects the lowest part of the fixture). Where

necessary to prevent light or glare, accessories such as hoods and shields shall be used on lighting fixtures. The source of light shall be so arranged and shielded as to prevent direct glare from the light source into any public street or onto adjacent property;

c. Security lighting shall be shielded and directed at a downward angle.

d. As part of any application for Site Plan Review, the applicant shall prepare a lighting study showing that the development will meet these standards.

2. Utilities Underground. All new, non-municipal utilities (such as electricity, telephone, gas, fiber optic cable) shall be placed underground.

3. Setbacks/Buffers. For the construction of any new building, a setback area of one-hundred (100) feet shall be provided at the perimeter of any lot or parcel in the NBOD where it abuts the property line of any residentially zoned or occupied properties, except for fences twelve (12) feet in height or less and driveways necessary for access and egress to and from the new building(s); provided, however, that existing structures and existing access roadways and paved areas are exempt from this requirement. Notwithstanding the preceding, existing structures and paved areas shall not be made more non-conforming except for American with Disabilities Act (ADA) compliance. A buffer area of forty-five feet (45) shall be provided where the property line of any land within the NBOD is contiguous to the property line of another lot within an existing residential district. The buffer shall be landscaped and screened by way of fences, walls, and/or plantings (including existing vegetation and trees) to reasonably and substantially shield abutting land from parking and loading areas and buildings. Any such fences or walls may, in the reasonable determination of the Planning Board, provide openings to allow safe pedestrian access and egress between the development site and the adjacent neighborhood.

4. Parking. Required parking shall be 4 spaces per one thousand (1,000) square feet of gross floor area for retail and supermarket uses. For outdoor sales and display areas of a Garden Center uses, required parking shall be one space per three thousand (3,000) square feet of outside merchandise display area. For all other allowed uses, the parking requirement for such use shall be in accordance with the schedule of parking uses set fourth in Section 16.3 of this by-Zoning Law.

9.3.12 Site Plan Approval. The provisions of Section 10.5, Site Plan Approval, shall apply to uses, buildings and structures permitted by right or by special permit in the NBOD.

1. All new development pursuant to the NBOD shall be subject to Site Plan Approval from the Planning Board. The Planning Board may not issue such Approval unless the proposed Site Plan substantially conforms to the Concept Plan approved by the Town Meeting. The Planning Board may permit minor modifications to the proposed development in connection with its site plan review, provided that the Planning Board finds, in its reasonable discretion and in writing, that any such modifications do not materially conflict with the general intent of the Concept Plan as approved.

9.3.13 Signage. The provisions of Section 6.2 for the underlying base zoning district shall govern signage for projects built under the NBOD provisions.

9.4 DOWNTOWN MIXED-USE OVERLAY DISTRICT (DOD)

9.4.1 Purpose. The purpose of this overlay district includes the following:

1. To foster a vibrant, attractive, and durable downtown;
2. To encourage quality development in the downtown that shall include site and architectural features consistent with the best development within the DOD as well as those standards set forth by the Planning Board through Site Plan Regulations;
3. To enable a modest increase in density of development in the downtown;
4. To enable mixed retail, commercial, residential uses;
5. To increase the effectiveness of allocation of parking spaces;
6. To improve the pedestrian experience in the downtown;
7. To provide greater flexibility in uses allowed that can enhance how downtown functions.
8. To recognize the value of the Assabet River and its value as a significant asset to the downtown;
9. To significantly increase views and physical access to the river while fostering development that proactively protects the River from storm water and the contaminants contained within.
10. To maintain and encourage appropriate massing and height of buildings that blend in and enhance the building elevations already in existence, in most cases a two-story street front facade.

9.4.2 Applicability. The DOD is an overlay district superimposed on the included portions of the underlying zoning districts. All use allowances, definitions, regulations and standards of the underlying zoning district shall apply within the DOD except where specifically modified or supplemented by this section. Where the DOD varies dimensional or other requirements otherwise set forth in this Zoning By-Law, the terms and conditions of the DOD shall control.

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

9.4.4 Permitted and Prohibited Uses. In addition to the uses permitted in the underlying district (see Table A), the following uses are permitted:

TABLE I: TABLE OF DOD USES

Use	Permitted (Y), Not Permitted (N), Special Permit (SP)
Multi-Family Dwelling (for lots with frontage on Main or Nason Streets bounded by Florida Road and Summer Street or for lots with frontage on Summer Street between Nason and Main Streets).	N
Multi-Family Dwelling (for lots that do not fall under the restricted area above)	SP
Mixed Use with 6 or fewer dwelling units	Y
Mixed Use with more than 6 dwelling units	SP

9.4.4 Dimensional Requirements. The following requirements shall be substituted for those set forth in Table B:

TABLE J: DOD DIMENSIONAL REQUIREMENTS

Minimum Lot Requirements for Multi-Family and Mixed Use	
Area (square feet)	1,500 s.f. per residential unit (see Section 9.4.5)
Frontage (feet)	20 feet
Width (feet)	0
Maximum / Minimum Yard Requirements for Multi-Family and Mixed Use	
Front (feet) – Maximum / Minimum	10*
Side (feet) – Maximum / Minimum	Unlimited*
Rear (feet) – Maximum / Minimum	Unlimited*
Maximum Building for Multi-Family and Mixed Use	

Maximum Lot Coverage %	90%
Building Height for All Uses	
Minimum Height (stories)	2 stories (see Section 9.4.5)
Maximum Height (feet)	45 feet

* Increase by 15 feet when abutting a residential lot not within the Downtown Overlay District

9.4.5 Mixed Use and Multifamily Reduced Area Requirement; Development Agreement. In order to provide maximum flexibility to prospective developers while ensuring sufficient safeguards for the Town, a Special Permit may be issued by the SPGA to reduce the minimum lot requirement for multi-family and mixed use to a minimum of eight-hundred (800) sq. ft. per residential unit if and only if an executed Development Agreement between the Developer and The Town of Maynard acting by and through the Board of Selectmen and the Planning Board. The development agreement shall include all of the following:

1. Agreement from the developer to include in the development a number of “affordable” units equal to or greater than 15% of the total number of units in the development, rounded up to the nearest whole unit or an agreement from the developer to make a donation to the “Maynard Affordable Housing Trust” (or any equivalent town fund or account which is dedicated to the development of “affordable” housing stock) equal in value to the whole number of affordable units, multiplied by the “affordable unit equivalent” (in dollars). This “affordable unit equivalent” shall be determined by the Affordable Housing Committee, or in the absence of such an committee, by the Board of Selectmen.
2. Agreement from the Developer to make a donation to the Maynard Community Preservation Fund, or other equivalent town fund or account dedicated to the acquisition and preservation of open space or recreation land.

The development agreement may include any of the following but shall not be limited to the following:

3. Description of Development Characteristics:
4. Type of housing
5. Number of units and/or bedrooms, Rental vs. owned, Percentage owner occupied if condominiums, Age restrictions, Subsidizations, Affordable component, Townhouse vs. garden style, Architecture (see Section 8.3 of Zoning Bylaws)
6. Parking proposed, including underground

7. Percentage and type of retail (if applicable)
8. Long term use guarantee (to remain in retail)
9. Sales of goods vs. restaurant uses defined
10. Percentage and type of commercial use(s) if applicable
11. Flexibility of changing use to be allowed
12. Show consistent or reduced parking usage intensity
13. Type and quality of construction proposed
14. Number of stories/height
15. Percent lot coverage
16. Mitigation / Infrastructure Improvements. To fund or contribute to the Town to fund the mitigation of impacts to Town services created by the proposed development. Examples include the following:
 - a. Public infrastructure improvements
 - b. Water supply wells, permitting, improvements
 - c. Water main improvements
 - d. Sewer main lines and structures
 - e. Sewage treatment plant upgrades/improvements
 - f. Storm water improvements, including aiding the Town to comply with municipal National Pollution Discharge Elimination System (NPDES) requirements.
 - g. Cable utilities improvements or conversion to underground utilities
 - h. Proposed traffic mitigation

9.4.6 Special Permit Criteria. The SPGA shall apply the following review criteria in addition to the criteria identified in Section 10.4 of this By-law:

1. The proposal constitutes a high quality development with regards to construction materials, architectural design, and site design, which will enhance

the downtown and the immediate neighborhood and provide significant benefit to the residents of the Town of Maynard as provided in Section 9.4.1;

2. When applicable, the proposed development will provide effective protection of the Assabet River from storm water runoff from new impervious surfaces being proposed.

3. The proposed development will improve the functioning of the downtown by at least one of the following means:

- a. Provide a significant improvement to the usage and/or number of public parking spaces in the downtown area;
- b. Provide a significant improvement to the effectiveness of the parking space allocation of the downtown area;
- c. Provide a significant improvement to the pedestrian experience in downtown Maynard;
- d. Provide a significant improvement to the water quality of current storm water runoff reaching the Assabet River;
- e. Increase views and access to the Assabet River;
- f. Provide a significant improvement to the functioning of the downtown area;

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

9.4.7 Special Permits for Minimum Building Height. While increased density is one of the goals of the DOD, situations may arise in which development of multi-story structures may not be practical. In such cases, an applicant may request relief from the minimum building height as identified within this section through a Special Permit. In evaluating the Special Permit request, The SPGA shall use the following review criteria in addition to the criteria identified in Section 10.4 of this By-law:

- 1. Ability of the reduced height development to fit within the surrounding streetscape.
- 2. That the single story building proposed is the only reasonable, practicable alternative for development of the site in question. Alternatives need not be economically equivalent.

3. That there are circumstances particular to the site in question that do not apply to the neighborhood in general.
4. That adherence to the bylaw requirement for a multi-storied building will impose unreasonable hardship on the development of the site and its owners.
5. The proposed development purpose is an allowed use in the underlying district and/or the overlay district, and could not be accomplished with a multi-story structure.

9.4.8 Parking Standards within the DOD. Parking requirements in the DOD are designed to allow existing first floor uses to meet their parking requirements based on non-contracted use of existing public parking in the downtown and to acknowledge that shared parking solutions work well in downtowns where users typically will visit multiple destinations within walking distance of each other.

1. First Floor Rehabilitation Credit. The rehabilitation of the 1st floor of any preexisting (prior to the adoption of the DOD on May 22nd, 2007) structure whose previous and proposed new use are non-residential is exempt from minimum parking space requirements. The expansion of the 1st floor of said structure by less than 500 square feet (s.f.) of gross floor area (g.f.a.) is also exempt from minimum parking requirements. For expansions greater than or equal to 500 s.f. of g.f.a., parking must be provided for said expansion by using the total expansion size, minus 500 s.f. g.f.a., and Table F.

9.5 OPEN SPACE DISTRICTS

9.5.1 Purpose. The Open Space District is intended for:

1. the preservation and maintenance of the ground water table upon which the inhabitants of the Town and other municipalities depend on for water supply;
2. the protection of the public health and safety of persons and property against the hazards of flood water inundation;
3. the protection of the community against the costs which may be incurred when unsuitable development occurs in swamps, marshes, along water courses, or in areas subject to floods;
4. to preserve and increase the amenities of the Town; and
5. to conserve natural conditions, wild life and open space for the education, recreation and general welfare of the public.

9.5.2 Permitted Uses. The following uses are permitted within the Open Space District.

1. Conservation of soil, water, plants, and wildlife.
2. Recreation including nature study, boating and fishing where otherwise legally permitted.
3. Grazing and farming, including truck gardening and harvesting and storage of crops.
4. Forestry.
5. Proper operation and maintenance of dams and other water control devices including temporary alteration of the water level for emergency or maintenance purposes. An owner of a private dam may lower water level to a point not below what was flooded prior to the erection of the dam.
6. Any religious use, educational use or child care center, as provided for by Section 3 of G.L. c. 40A.

9.5.3 Uses Permitted by Special Permit. Upon the issuance of a special permit by the Planning Board, and subject to such other special conditions and safeguards the Planning Board deems necessary to fulfill the purposes set forth in Section 9.4.1, the following uses may be authorized :

1. Boat houses, duck walks, landings, and small structures for non-commercial recreational uses;
2. Municipal uses such as water works, pumping stations and parks;
3. Dams, excavations or grading, consistent with the purposes of this section, to create ponds, pools, or other changes in the watercourses, for swimming, fishing or recreational uses, agricultural uses, scenic features, or drainage improvements.

9.5.4 Prohibited Uses. Except as provided above and in G.L., c. 131, s. 40, there shall be in the open space district;

1. No land filling or dumping in any part of the district;
2. No building or structure, except as provided in Section 3;
3. No permanent storage of materials or equipment.

9.5.5 Site Plan Approval. Section 10.5 shall apply to uses, buildings and structures permitted by right or by special permit in the Open Space District.

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

TABLE K: OPEN SPACE DISTRICT - PARKING REQUIREMENTS

USE	PARKING REQUIREMENT
Dwelling unit	1.5 spaces per unit
Retail	One Space per 500 sq.ft. of gross floor area (g.f.a.)
Office	One Space per 500 sq.ft. of g.f.a.
Medical office	One Space per 400 sq. ft. of g.f.a.
Restaurant	One Space per 85 sq. ft. of g.f.a.
Hotel, motel, bed & breakfast	One Space per sleeping room, plus 1 space per 400 sq. ft. of meeting space
Manufacturing, industrial	One Space per 1,000 sq.ft. of g.f.a.
Other uses not specifically noted here	See Section 6.1 for parking requirement

9.5.7 Parking Location. Parking shall be provided on the same lot as the proposed use. When on-site parking cannot fulfill the entire parking requirement of the proposed use(s), the remaining parking requirement may be fulfilled by parking on a separate lot within a non-residential district through a Special Permit. The proposed offsite lot must be within 1,000 ft. of the lot to be developed. If the separate lot is not under common ownership with the original lot, a Special Permit issued under this provision for the off-site spaces shall require a lease of said lot for a length of not less than 5 years.

9.5.8 Mixed Use and Shared Use Parking. Refer to Section 6.1 for more information.

9.5.9 Special Permit to Reduce Minimum Parking Requirement. Refer to Section 6.1 for more information.

SECTION 10.0 ADMINISTRATION AND PROCEDURES

10.1 ENFORCEMENT

10.1.1 Building Commissioner. There shall be a Building Commissioner appointed by the Town Administrator.

10.1.2 Zoning Officer. Pursuant to G.L.c.40A, §7, the Building Commissioner shall serve as the zoning enforcement officer ("Zoning Officer").

10.1.3 Violations. If the Zoning Officer is informed or has reason to believe that any provision of this By-law is being violated, he shall make or cause to be made an investigation of the facts and inspect the property where such violation may exist.

1. If upon such investigation and inspection he finds evidence of such violation, he shall give notice thereof in writing to the owner and occupant of said premises and demand that such violation be abated within such time as the Zoning Officer deems reasonable. Such notice and demand may be given by mail, addressed to the owner at his address as it then appears on the records of the Board of Assessors and to the occupant at the address of the premise.
2. If after such notice and demand the violation has not been abated within the time specified therein, the Zoning Officer shall institute appropriate action or proceedings in the name of the Town to prevent, correct, restrain, or abate such violation of this By-law.

10.1.4 Enforcement Requests. If the Zoning Officer is requested in writing to enforce this By-law against any person allegedly in violation of the By-law, he shall notify in writing the party requesting such enforcement of any action or refusal to act, and the reasons therefore, within fourteen days of receipt of such request.

1. Before any court proceeding is initiated to enforce the provisions of this By-law, the Building Commissioner shall inform the alleged violator of his right to appeal any decision of the Building Commissioner to the Board of Appeals.

10.1.5 Building Permit. Applications for building permits, and certificates of occupancy shall be filed with the Building Commissioner on forms furnished by him.

10.1.6 Issuance. The Building Commissioner shall issue no permit for the erection, enlargement, alteration, or change in use of any building or part thereof, unless plans and specifications and intended use are in all respects in conformity with the provisions of this By-law and comply with the Massachusetts Building Code.

10.1.7 Regulations. The Building Commissioner shall adopt reasonable rules and regulations governing the method of application for and issuance of such permits.

10.1.8 Penalty. Anyone who violates a provision of this By-law, or of any condition of a variance, special permit, or site plan, shall be punishable by a fine of \$300 for each offense.

1. Each separate calendar day, or part thereof, that an unlawful occupancy, construction, or use of land or structures thereon occurs or continues is considered a separate offense.
2. Each calendar day, or part thereof, that land or structures thereon shall be occupied or used, for the purpose authorized by a variance, special permit, site plan, or other provision of this By-law, during which time the person so occupying or using fails to comply with all of the restrictions and conditions imposed by the terms of such variance, special permit, site plan, or other provision of the By-laws, shall be considered a separate offense.

10.1.9 Non-Criminal Disposition. The Building Commissioner may enforce the provisions of this By-law pursuant to the Town's Non-Criminal Civil Disposition by-law as set out in the Town of Maynard General By-laws.

10.2 BOARD OF APPEALS

10.2.1 Establishment. The Board of Selectmen shall appoint a Board of Appeals of five members and two associate members who shall serve without remuneration and shall act on all matters within its jurisdiction. No member of the Planning Board shall also serve as a member of the Board of Appeals.

10.2.2 Powers. The Board of Appeals shall have and exercise all the powers granted to it by Chapters 40A, 40B, and 41 of the General Laws and by this By-Law. The Board's powers are as follows:

1. To hear and decide applications for special permits. Unless otherwise specified herein, the Board of Appeals shall serve as the special permit granting authority.
2. To hear and decide appeals or petitions for variances from the terms of this By-Law, with respect to particular land or structures, as set forth in G.L. c. 40A, s. 10. The Board of Appeals shall not have the power to grant use variances.
3. To hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of G.L. c. 40A, ss. 8 and 15.
4. To hear and decide comprehensive permits for construction of low or moderate income housing by a public agency or limited dividend or nonprofit corporation, as set forth in G.L. c. 40B, ss. 20-23.

10.2.3 Regulations. The Board of Appeals may adopt rules and regulations for the administration of its powers.

10.2.4 Fees. The Board of Appeals may adopt reasonable administrative fees and technical review fees for petitions for variances, administrative appeals, and applications for comprehensive permits.

10.3 PLANNING BOARD

10.3.1 Establishment. The Planning Board shall consist of the five members and one associate member, who shall be appointed by a vote of the Board of Selectmen and the Planning Board, and when designated by the chairman of the Planning Board, shall sit on the board for the purposes of acting on a site plan approval or special permit application in the case of absence, inability to act, or conflict of interest on the part of any member of

the Planning Board, or in the event of a vacancy on the Board. The associate member shall be appointed for a three-year term of office.

10.3.2 Powers. The Planning Board shall have the following powers:

1. To hear and decide applications for special permits as provided in this By-law, subject to any general or specific rules therein contained and subject to any appropriate conditions and safeguards imposed by the Board.
2. To conduct site plan review pursuant to Section 10.5.

10.3.3 Rules and Regulations. The Planning Board shall adopt rules and regulations not inconsistent with the provisions of the Zoning By-law for conduct of its business and otherwise carrying out the purposes of said Chapter 40A, and shall file a copy of such rules in the office of the Town Clerk.

10.3.4 Fees. The Planning Board may adopt reasonable administrative fees and technical review fees for applications for special permits and site plan approval.

10.4 SPECIAL PERMITS

10.4.1 Special Permit Granting Authority. The Board of Appeals, Planning Board, and the Board of Selectmen shall be the special permit granting authorities as specified in the various sections of this By-law and shall hear and decide applications for special permits.

10.4.2 Criteria. Special permits shall be granted by the Special Permit Granting Authority, unless otherwise specified herein, only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this By-Law, the determination shall include consideration of each of the following:

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.

10.4.3 Conditions. The SPGA may impose additional conditions and limitations, including but not limited to the following, as it deems necessary:

1. Screening structures or principal and accessory uses from view from adjoining lots or from a street, by landscaping, plantings, walls, fences, screening, or other devices;
2. Limitations on the size, number of occupants or employees, method or hours of operation, extent of facilities or other operating characteristics of a use;
3. Regulation of the number, design and location of access drives or other traffic features of the proposed use;
4. Provision of a greater number of off-street parking spaces;
5. Limitation on the number, location, type and size of signs or illumination or modification of the design features thereof;
6. Limitation on construction activities, such as but not limited to, the hours during which construction activity may take place, the movement of trucks or heavy equipment on or off the site, measures to control dirt, dust, erosion and to protect existing vegetation on the site;
7. Requirements for independent monitoring, at the expense of the applicant, and reporting to the Building Commissioner if necessary to insure continuing compliance with the conditions of a special permit or of this By-law; and
8. Such other limitation as may be reasonably related to reducing any adverse impact on, or increasing the compatibility of the proposed use, structure or activity with, the surrounding area.

10.4.4 Application. The SPGA may adopt additional rules relative to the issuance of special permits and shall file a copy with the Town Clerk. The rules shall prescribe a size, form, contents, style, and number of copies of plans and specifications and the procedure for submission and approval of such permits.

10.4.5 Modification of Special Permit. After a special permit has been granted by the SPGA, minor revisions in the plan may be made in accordance with applicable law, by-laws, and regulations, but the use or development approved under such special permit shall otherwise be in accordance with the plans. The developer shall notify the SPGA in advance of any such revision which shall not be effective until approved by a vote of the SPGA.

1. If the SPGA determines such revisions not to be minor, it shall order that an application for a modified special permit be filed, and a public hearing be held in the same manner as set forth for a new application.

10.4.6 Security for Special Permit. The SPGA, as a condition of granting a special permit may require that the performance of the conditions and observance of the safeguards of such special permit be secured by one, or in part by one and in part by the other, of the methods described in the following clauses. The SPGA shall administer this securing of performance.

1. Bond, Deposit or Tripartite Agreement. By a proper bond, deposit of money or negotiable securities, or tripartite agreement, sufficient in the opinion of the SPGA to secure performance of the conditions and observance of the safeguards of such special permit. The form of the security shall be reviewed and approved by Town Counsel and Town Treasurer.
2. Until completion of the development the sum of any deposit or security held under clause a) above may from time to time be reduced by the SPGA by an amount not to exceed 85% of the value of work originally estimated.
3. Upon the completion of the development or upon performance of the conditions and safeguards imposed by such special permit, security for the performance of which was given, the applicant shall send by registered mail to the SPGA an affidavit that the conditions and safeguards in connection with which such security has been given have been completed.
4. If the SPGA determines that the conditions and safeguards of the special permit have been complied with, it shall release the interest of the Town in such security, return or release the security to the person who furnished the same, or release the covenant by appropriate instrument, duly acknowledged. If the SPGA determines that the conditions or safeguards included in the special permit have not been complied with, it shall specify the conditions or safeguards with which the applicant has not complied in a notice sent by registered or certified mail, to the applicant.
5. If the SPGA fails to send such a notice within sixty days after it receives the applicant's affidavit, all obligations under the security shall cease and terminate, any deposit shall be returned and any such covenant become void.
6. Upon failure of the applicant to complete such work to the satisfaction of the SPGA and in accordance with all applicable plans, regulations, and specifications, the Town shall be entitled to enforce such bond or to realize upon such securities to the extent necessary to complete all such work without delay.

10.4.7 Regulations. The special permit granting authority may adopt rules and regulations for the administration of this section.

10.4.8 Fees. The special permit granting authority may adopt reasonable administrative fees and technical review fees for applications for special permits.

10.4.9 Lapse. Special permits shall lapse if a substantial use thereof or construction there under has not begun, except for good cause, within 24 months following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.

10.5 SITE PLAN APPROVAL

10.5.1 Applicability. Site Plan approval shall be required in the following cases:

1. In the Central Business District, any exterior alteration of a building or structure, except for signs, or the expansion of the footprint of a building or structure, or any change to parking layout and/or parking requirements.
2. In all Districts, except for the Central Business District, construction or expansion of a building or structure, other than a single or two family dwelling, that causes the building or structure to exceed 1,000 square feet in gross floor area.
3. Any building or special permit for a property located in the Water Supply Protection District, Section 9.2.
4. In all Districts, except the Central Business District, any use that creates the need for 5 or more parking spaces, other than for a single or two-family dwelling.
5. Ground or building mounted solar photovoltaic facility in the I or HC/I Districts.

10.5.2 Site Plan Approval Authority. The Planning Board shall be the Site Plan Approval Authority.

10.5.3 Effect. For any development requiring Site Plan Approval and for any use requiring a special permit for which Site Plan Approval also is required, all building permits, occupancy permits and any other related permit or approval shall be issued subject to compliance with the terms and conditions of the approved Site Plan related to such Development or use.

10.5.4 Contents. All Site Plans shall show:

1. All existing and proposed buildings, structures, parking spaces, driveway openings, driveways, service areas and other open uses;
2. All facilities for sewage, refuse and other waste disposal, and for surface water drainage, and all landscape features (such as fences, walls, planting areas and walks) on the lot.

3. Drainage calculations shall be submitted, which detail the peak rates of runoff for the 2, 10 and 100 year storms for both Pre-Development and Post-Development conditions. In addition, the calculations should show the volume of runoff leaving the site for each storm under Pre and Post-Development conditions.

10.5.5 Submittal. Fifteen (15) copies of the site plan shall be distributed by the Applicant to municipal boards and departments as follows: six (6) copies to the Planning Board, two (2) copies to the Conservation Commission, One (1) copy to the Department of Public Works, one (1) copy to the Board of Health, one (1) copy to the Chief of the Fire Department, one (1) copy to the Board of Selectmen, one (1) copy to the Chief of the Police Department, one (1) copy to the Town Clerk to keep on file, one (1) copy to the Building Commissioner.

1. All expenses for advertising, engineering, professional planning, design, traffic or other consultants that, in the opinion of the Planning Board, may be necessary for the review of all plans, recording and filing of all plans and documents, all other expenses including, but not limited to administrative, legal, inspection or other fees in connection with, or for said Site Plan shall be borne by the applicant. An escrow account for payment of expenses shall be required prior to the review of site plan, if deemed necessary by the Planning Board.

2. The Applicant shall have the right to an appeal from the selection of an outside consultant to the Board of Selectmen. Said appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications, all in accordance with Mass General Law Chapter 44 Section 53G.

10.5.6 Procedures. The Planning Board shall review and act upon the site plan, with such conditions as may be deemed appropriate, within ninety (90) days of its receipt, and notify the applicant of its decision. The decision of the Planning Board shall be upon a majority of those present and shall be in writing. No building permit shall be issued by the Building Commissioner without the written approval of the site plan by the Planning Board, or unless 90 days lapse from the date of the submittal of the site plan without action by the Board.

1. The applicant may request, and the Board may grant by majority vote, an extension of the time limits set forth herein.

2. No deviation from an approved site plan shall be permitted without modification thereof.

10.5.7 Criteria. Each Agency, Board or Individual to which said site plan is referred for review shall make such recommendations as are deemed appropriate and shall send copies thereof to the Planning Board and to the Applicant; provided however, that failure of any such board, agency or individual to make recommendations within thirty five (35) days of receipt by such board, agency, individual of the site plan shall be deemed lack of

opposition thereto. In reviewing the site plan, the Planning Board and each board shall consider, among other things, the following:

1. Protection of adjoining premises and general neighborhood from detrimental use of the lot.
2. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent street, properties or improvements.
3. Adequacy of the methods of disposal for sewage, refuse and other wastes and of the provisions for control and retention of storm water runoff so as not to cause a down stream flooding in the 100 year storm, nor to discharge to down stream properties at a peak rate for the 2- and 100- year storms to exceed the peak rate of discharge for those same storms under current conditions. To the extent feasible, the volume of runoff should also be balanced for the 2- and 10- year storms.
4. The design criteria for underground drainage conveyance systems (pipes, manholes, discharge structures), if required, and shown on all site plans shall, as a minimum, be the 25-year storm, unless the 100- year storm is required under G.L. Chapter 131, Section 40, or the regulations by the Conservation Commission and/or the Board's consultant.
5. Provisions of off street loading and unloading of vehicles incidental to the servicing of the building and related uses of the lot.
6. Adequacy of all other municipal facilities relative to fire and police protection, and other municipal services to meet the needs of the residents housed on the site.

10.5.8 Regulations. The Board may adopt reasonable regulations for the administration of site plan review.

10.5.9 Fee. The Board may adopt reasonable administrative fees and technical review fees for site plan review.

10.5.10 Lapse. Site plan approval shall lapse after two years from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Such approval may, for good cause, be extended in writing by the Board upon the written request of the applicant.

10.5.11 Appeal. Any decision of the Planning Board pursuant to this Section shall be appealed in accordance with G.L. c. 40A, s. 17 to a court of competent jurisdiction.

10.6 DESIGN REVIEW

10.6.1 Purpose. The purposes of Design Review are to assure overall high standards of design for downtown buildings, preserve and enhance the architectural integrity and

character of Maynard's existing building stock, to promote a high quality of architectural design in new construction that complements Maynard's historic downtown, and 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 Board determines meets the best of area architecture.

10.6.2 Applicability. When conducting Site Plan Review, the Planning Board shall also conduct a Design Review of the proposed project in light of the purposes of this section set forth above, the General criteria set forth below, and the standards set forth in the Planning Board's Site Plan Review Regulations. A design review will be required only in the Central Business, the Business, Downtown Overlay and Healthcare/Industrial Districts.

10.6.3 Waiver. For any proposed development in the Business District subject to Site Plan Review that is not also within the Downtown Overlay District, the applicant may submit as part of the Site Plan application a request for a waiver from Design Review. The following criteria shall be considered as part of the Design Review waiver request: proximity to the downtown and proximity to existing, historical buildings.

10.6.4 Review. The determination of coherence and harmony with existing buildings in the area/neighborhood shall be made by the Planning Board based on information supplied by the applicant, as required in Section A.V.B. "Buildings" of the Site Plan Review Regulations of the Town of Maynard.

10.6.5 Elements. The review of design features to determine the quality and appropriateness of proposed design changes for downtown Maynard, and particularly in relation to the fine, old historic buildings, shall include, but shall not be limited to, a review of the following features: Facades, exterior walls and details; rear and back sides of buildings; windows, doors, and entryways; materials and colors; central pedestrian-scale features; awnings, canopies, and marquees; lighting fixtures and function; specific storefront features; building systems; signage; landscaping and screening; overall mass and proportion; and the relationship to nearby buildings sidewalks, and streets of the building proposed to be built or altered.

10.6.6 Examples. In conducting Design Review, the Planning Board shall use the following landmark buildings in the downtown area as examples of buildings that effectuate the purposes and exhibit the design features that this Section 14.4.C is intended to promote:

1. The Case Building at 22-26 Nason Street.
2. The former Assabet Savings Bank building at 17 Nason Street.
3. The Masonic Building at 100 Main Street.
4. The building located at 1 Nason Street.

5. Buildings 1-8 of the Mill at Clock Tower Place.

10.6.7 Design Guidelines. In determining appropriateness of whether a particular project's design meets the purposes of this Section 10.6, the Planning Board shall follow the design guidelines included in the Board's Site Plan Review Regulations.

1. Minimize use of wetlands, steep slopes, floodplains and hilltops.;
2. Minimize obstruction of scenic views.
3. Preserve unique natural or historical features.
4. Minimize tree, vegetation and soil removal and grade changes.
5. Maximize open space retention.
6. Screen objectionable features from neighboring properties and roadways.
7. Consideration shall be given to the impacts of the project on town services and infrastructure.
8. Electric, telephone, cable television, gas, water, sewer, drainage and other such utilities shall be underground except in cases of extreme physical and environmental constraints.
9. Exposed storage areas, machinery, service areas, truck loading areas, utility buildings and structures and other unsightly uses shall be set back or screened to protect the neighbors and those using public ways from objectionable features. Such areas shall not impede the flow of traffic on public ways.
10. When applicable, the site plan shall show measures to reduce and abate noise generated from the site that will impact surrounding properties.
11. The site plan shall comply with all zoning requirements for parking, loading, signage, dimensions and environmental performance standards and all other provisions of this By-law.
12. The site plan shall be consistent with the objectives of the Comprehensive Plan and other applicable specific plans adopted by the Planning Board.

SECTION 11.0 DEFINITIONS

The following words and terms used in this by-law are defined or explained as follows:

Accessory Building: An accessory building is one located on the same lot with the main building detached or attached, and is subordinate and customarily incidental to the use of the main building.

Accessory Family Dwelling Unit: A dwelling unit contained within or being an extension of a single family structure to accommodate an additional family only if a member of the family of the additional family is related by blood, marriage or adoption to the owner of the premises and the accessory family dwelling unit shall contain no more than six hundred (600) square feet in total area.

Accessory Use: An accessory use is one located on the same lot with (or in) the main building or use and which is subordinate and customarily incidental to the use of the main building or the land. Uses accessory to permitted uses which are necessary in connection with scientific research, scientific development, or related production do not have to be located on the same parcel of land as the principal activity as long as a special permit is issued under and in accordance with G.L. c. 40A, s. 9.

Adult Entertainment Uses: The following definitions apply in Section 7.1:

Adult bookstore: An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement, as such terms are or may be defined in G.L. c. 272, § 31, as amended from time to time.

Adult motion picture theater: An enclosed building used for presenting material distinguished by an emphasis on matter depicting, describing or relating to sexual conduct or sexual excitement, as such terms are or may be defined in G.L. c. 272, § 31, as amended from time to time.

Adult paraphernalia store: An establishment having as a substantial or significant portion of its stock, devices, objects, tools, or toys which are distinguished or characterized by their association with sexual activity, including sexual conduct or sexual excitement, as defined in G.L. c. 272, § 31, as amended from time to time.

Adult video store: An establishment having a substantial or significant portion of its stock in trade, videos, movies, or other film material which are distinguished or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement as defined in G.L. c. 272, § 31, as amended from time to time.

Obscene entertainment: All Adult Entertainment Uses noted herein, including establishments which display live nudity for their patrons and all other activities defined as "obscene" in G.L. c. 272, § 31, as amended from time to time.

Affordable Unit: A low or moderate incoming housing unit as defined in G.L. Chapter 40B Section 20 -23.

Agriculture, exempt: Use of land for agricultural purposes on more than 5 acres, or two qualified acres, as set forth in G.L. c. 40A, s. 3.

Agriculture, nonexempt: Accessory agriculture only on 1.5 acres. No animal rearing, other than associated with normal household use.

Ancillary use: An ancillary use is one located in the same district, but not necessarily on the same lot, with the main building or use, and which is subordinate to or customarily incidental to the use of the main building or the land.

Assisted living residence: A facility licensed pursuant to G.L. c. 19D.

Body Art: The practice of physical body adornment by permitting establishments and practitioners using, but not limited to, the following techniques: body piercing, tattooing, branding and scarification. This definition does not include practices that are considered medical procedures by the Massachusetts Board of Registration in Medicine, such as implants under the skin, which are prohibited.

Body Art Establishment: A location, place or business that has been granted a permit by the Board, whether public or private, where the practices of Body Art are performed, whether or not for profit.

Buildable Lot: A lot, as defined in this By-law, which meets all the minimum requirements set forth in this By-law necessary for the authorized construction of at least one main building/structure.

Building: A structure enclosed within exterior walls, built, erected and framed of a combination of materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals or property.

Building Commissioner: The Building Commissioner under the State Building Code or other designated authority, or his duly authorized representative, charged with the enforcement of this By-law.

Buildings, Coverage: Building coverage shall be determined by dividing the total area of all buildings on the lot, including carports and canopies, whether or not such car ports or canopies are attached to a building, by the total lot area.

Building, Story: That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

Building or Structure, Height: The height of a building shall be the vertical distance measured, in the case of flat roofs, from the mean of finished ground level to the level of

the highest point of the roof beams adjacent to the street wall, and, in the case of pitched roofs, from the mean of finished ground level to the mid-rafter span of the highest roof slope. Where no roof beams exist or there are structures wholly or partly above the roof, the height shall be measured from the curb level to the level of the highest point of the building.

Change of Use: A change from one principal use to another principal use as listed in the Table of Uses.

Child Care Center: Any facility as defined in G.L. c. 15D, s 1A.

Clinic: A building or part thereof, used by medical doctors, dentists, chiropractors, licensed massage therapists, osteopaths, psychotherapists, or occupational therapists their staff and their patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices; reception areas, waiting rooms, treatment rooms, laboratories, x-ray and minor operating rooms, pharmacies and dispensaries directly associated with the clinic, but shall not include accommodations for in-patient care, or overnight care facilities. See 105 CMR 140.020.

Club or lodge, private: Buildings, structures and premises used by a nonprofit social or civic organization, or by an organization catering exclusively to members and their guests for social, civic, recreational, or athletic purposes which are not conducted primarily for gain and provided there are no vending stands, merchandising, or commercial activities except as may be required generally for the membership and purposes of such organization.

Development: Any man-made change to a parcel of land or the buildings or structures thereon, including, but not limited to mining, dredging, filling, grading, paving, excavation or drilling operations.

Distribution facility: A building used primarily for the storage of goods and materials, for distribution, but not for sale on the premises.

Dwelling: A building for human habitation, which shall not include a trailer or other mobile living unit or hotel, dormitory, hospital or rooming house.

Dwelling, Single Family: A dwelling designed for or occupied by one (1) family.

Dwelling, Two Family: A dwelling designed for or occupied by two (2) families.

Dwelling, Multi-Family: A dwelling designed for or occupied by more than two (2) families.

Dwelling Unit: A portion of a building designated as the residence of one family or individual with suitable approved provisions for eating, sleeping, cooking and sanitation.

Emerging energy technology: Research and testing of new and emerging technologies and technological devices; establishments engaged in services related to the environment; development and manufacturing of renewable energy or alternative energy (RE/AE) equipment and systems, provided such energy related uses shall be guaranteed expedited permitting.

Essential services: Services provided by a public service corporation or by governmental agencies through erection, construction, alteration, or maintenance of gas, electrical, steam, or water transmission or distribution systems and collection, communication, supply, or disposal systems whether underground or overhand, but not including wireless communications facilities. Facilities necessary for the provision of essential services include poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment in connection therewith. Included are transformer stations, substations, pumping stations (except as an accessory use), and telephone exchanges.

Expedited Permitting for Clean Energy Facilities: All local permitting decisions – formal determinations, orders of conditions, licenses, certificates, authorizations, registrations, plan approvals, or other approvals or determinations with respect to the use, development or redevelopment of land, buildings, or structures required by any issuing authority – applicable to the siting and construction of clean energy facilities within the relevant zoning districts shall be issued within one year of submission of a completed application.

Family: A person or number of persons occupying a Dwelling Unit and living as a single housekeeping unit.

Family day care home, large: Any private residence operating a facility as defined in G.L. c. 15, s. 1A.

Family day care home, small: Any private residence operating a facility as defined in G.L. c. 15D, s. 1A.

Farm stand, exempt: Facilities for the sale of produce, and wine and dairy products as set forth in G.L. c. 40A, s. 3.

Farm stand, nonexempt: Facilities for the sale of produce and dairy products not exempted by G.L. c. 40A, s. 3.

Fast Food: Food which is (a) primarily intended for immediate consumption rather than for use as an ingredient in or component of meals; (b) available upon a short waiting time; and (c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold.

Fast- Food Restaurant: An Establishment serving fast food. Grocery stores, small

markets with deli counters, and traditional bakeries are specifically exempted from this definition.

Floor Area, Gross: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls or, from the centerline of a wall separating two buildings but not including interior parking spaces, loading space for motor vehicles or any space where the floor to ceiling height is less than six feet.

Funeral home or parlor: Facility for the conducting of funerals and related activities such as embalming.

Garden Center: A retail center for the sale and/or display of shrubs, trees, plants, garden supplies, and related items, such as tools and equipment, home goods, and food, for sale to the general public.

Garage, Private: Any building or portion of a building accessory to and located upon the same lot as a residential building or upon a lot in the same ownership and adjacent to the lot on which the served residential building is located which is used for keeping of a motor vehicle or motor vehicles and in which no business or industry dealing with sales, servicing or repair of such vehicles is carried on.

General service establishment: Repair shop for household appliances, radio and television sets, or office equipment; retail laundry or dry cleaning establishment; printer.

Ground or building mounted solar photovoltaic facility: A solar photovoltaic system that is structurally mounted on the ground or a building, and has a minimum nameplate capacity of 250 kW DC.

Health Club; Fitness Center: An establishment providing exercise equipment, training, and recreational opportunities to the general public.

Health Care Dwelling Unit: A dwelling unit, with or without integral cooking facilities, within a Healthcare/Industrial District, as part of a multi-unit development of such dwelling units, provided there shall be allowed no more than 2 residents per unit.

Healthcare/Elderly Housing: A Healthcare Dwelling Unit to be occupied only by residents age 55 or older.

Healthcare Facility: A Clinic or Hospital.

Hospital: Any institution, however named, licensed by the Commonwealth of Massachusetts as a hospital, acting through the Department of Public Health, or any successor agency, whether operated as a charity or as for-profit, which is maintained for the purpose of caring for persons admitted thereto for diagnosis or medical, surgical or rehabilitative treatment which is rendered within said institution, including related

facilities such as hospital diagnostic laboratory, out-patient departments, patient pharmacy, stock room, physical therapy, staff and administrative offices.

Indoor athletic and exercise facility: A commercial enterprise offering athletic activities or exercise/fitness activities to the general public for a fee; said facilities may have accessory restaurants and retail sales open to patrons of the establishment and further said facilities may be used for social or business gatherings.

Kennel: As defined in G.L. c. 140, s. 136A, "one pack or collection of dogs on a single premises, whether maintained for breeding, boarding, sale, training, hunting or other purposes and including any shop where dogs are on sale, and also including every pack or collection of more than three dogs three months old or over owned or kept by a person on a single premises irrespective of the purpose for which they are maintained."

Kennel, private: Any building or land being occupied by a kennel as an accessory use, in which the dogs belong solely to the owner or lessee of the residential principal use and are kept as pets or for purposes of show or hunting. Any "assistance dogs," such as those who aid the deaf or blind, sheltered on the premises are not counted against the "three dog" threshold.

Kennel, commercial: An establishment being occupied by a kennel which does not meet all aspects of the definition of "private kennel" above, or which is required to be licensed by the Town as a business, including any kennel where dogs are boarded or on sale. A veterinary hospital shall not be considered a kennel unless it engages in the selling of dogs or in the boarding of dogs for other than medical or surgical purposes

Laboratory, research: Laboratory or research establishments including biotechnology companies, but excluding laboratories categorized as Level 4 by the National Institutes for Health. No Building, structures or premises shall be used for laboratories with a bio-safety rating that exceeds Bio-safety Level 3, as established by the United States Department of Health and Human Services, Public Health Service, Centers for Disease Control and National Institutes of Health ("CDC-NIH") under guidelines set forth in the CDC-NIH publication entitled "Bio-Safety in Microbiology and Biomedical laboratories", 2nd edition, May, 1988, including appendices, addenda and replacement thereto.

Lot: An area of land, undivided by any street, in one ownership with definitive boundaries ascertainable from the most recently recorded deed or plan or certificate of title which is:

Recorded in the Middlesex County South District Registry of Deeds, or issued by the Land Court and registered in the Land Court section of such Registry, or disclosed by any and all pertinent public documents. A lot may or may not be buildable; such a determination is to be made on the basis of compliance with minimal dimensional regulations and other criteria as set out in these By-Laws.

Lot Area: Lot area is the area within a lot, including land over which easements have

been granted, but not including any land within the limits of a street upon which the lot abuts, even if fee to such street is held by the owner of the lot. For purposes of satisfying the Dimensional Requirements of this By-law for the minimum area of a Buildable Lot, no Lot shall include more than 20% of its required minimum lot area as land under water, 100-Year floodplain, wetlands or any land which constitutes a protected resource area as defined under the Maynard Wetlands Administration By-law (excepting the 100 foot buffer zone), or any combination thereof in the aggregate. Where a question exists as to the extent of such protected resource area(s) on a lot, the Building Commissioner or the Planning Board may require the applicant to have the limits of the resource area(s) flagged in the field by a consultant knowledgeable in such matters, and then to make a formal Request for Determination of Applicability to the Conservation Commission to certify the boundaries of the resource areas prior to the issuance of any permits or approvals.

Lot Frontage: Lot frontage is the uninterrupted linear or curvilinear extent of a Lot measured along the street right of way from the intersection of one Side Lot Line to the intersection of the other Side Lot Line. The measurement of Lot frontage shall not include irregularities in the street line and in the case of a corner lot, shall extend to the point of intersection of the sideline of the rights of way. If a lot has frontage on more than one street, frontage on one street only may be used to satisfy the minimum lot frontage.

Lot Line: A line dividing one lot from another or from a street or any public place.

Lot Line, Rear: A line separating one lot from other lots or from land in different ownership, being the boundary of a lot which is opposite or approximately opposite the frontage street. Where, because of irregular lot shape, the Building Commissioner and the lot owners cannot agree as to whether a lot line is a side or rear line, it shall be considered a rear line.

Lot Width: Lot width is defined as the diameter of the largest circle that can be inscribed within the side lot lines at any point on a continuous line from the frontage of the Lot to the front line of the principal structure of the Lot.

Manufacturing: A use engaged in the basic processing and manufacturing of materials, or the manufacture from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding the following: Acid manufacture; Cement, bituminous concrete or asphalt manufacture; lime, gypsum or plaster of paris manufacture; Production of chlorine or similar noxious gases; Distillation of bones; Drop-forge industries manufacturing forging with power hammers; Manufacture or storage of explosives in bulk quantities; Fertilizer manufacture; Garbage, offal, or dead animal reduction or dumping; Glue manufacture; Hair manufacture; Petroleum refining; Processing of sauerkraut, vinegar or yeast; Rendering or refining of fats or oils; Smelting of tin, copper, zinc or iron ore, including blast furnace or blooming mill; Stockyard or feeding pen; Slaughter of animals, not including the killing of fowl.

Manufacturing, Light: Light industry or light manufacturing: Includes the following (with related offices), provided that such uses shall not include the sale or transfer of flammable liquids, gas, explosives or other potentially hazardous materials, except for the uses operating under a license granted under the authority of Chapter 148 of the Massachusetts General Laws as of the date of this ordinance:

- a. Assembly of previously prepared or manufactured parts;
- b. Laboratory or research establishments including biotechnology companies, but excluding laboratories categorized as Level 4 by the National Institutes for Health.
- c. Machine shops or other metal working;
- d. Printing and graphic arts establishments;
- e. Manufacture, compounding, processing, packaging, stamping or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceutical and biotechnical, toiletries and food products, and wood, but not including the rendering of fats or oils.

Medically Assisted Housing: A Healthcare Dwelling Unit to be occupied only by residents that may need on-site medical assistance or assistance with other activities or daily living in order to live independently and by members of their families age 55 or older.

Medical, dental, or psychiatric offices: A building designed and used as an office for the diagnosis and treatment of human patients that does not include overnight care facilities or licensing as a clinic.

Mixed Use: A single structure with the above floor(s) used for residential or office use and a portion of the ground floor for retail/commercial or service uses.

Motor vehicle body repair: An establishment, garage or work area enclosed within a building where repairs are made or caused to be made to motor vehicle bodies, including fenders, bumpers and similar components of motor vehicle bodies, but does not include the storage vehicles for the cannibalization of parts.

Motor vehicle general repairs: Premises for the servicing and repair of autos, but not to include fuel sales.

Motor vehicle light service: Premises for the supplying of fuel, oil, lubrication, washing, or minor repair services, but not to include body work, painting, or major repairs. May include sale of convenience items, packaged food or fast food facility.

Nonconforming Use or Structure: Any use or structure which is lawfully in existence

or lawfully begun but which does not conform to the most recent effective zoning regulations for the district in which such use or structure exists. See Section 5.0.

Nursing or Convalescent Home: A building housing a facility licensed to provide full-time long term accommodation and a combination of personal and health care services in a supervised environment. Said facilities shall provide long term intensive, skilled and supportive nursing care, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves. The facilities may contain common areas for therapy, recreation and dining; further, the facilities may also include on-premise medical offices and treatment facilities related to the care of the tenants. For the purposes of this Bylaw, it includes: extended care facility, intermediate care facility, convalescent home and rest home.

Open Space: Open space shall be those areas of a lot which except as provided by this zoning bylaw are to remain un-built and which shall not be used for parking, storage or display.

Parking: The following definitions apply to Section 6.1:

Access Driveway (or Throat): The travel lane that allows motor vehicles ingress from the street and egress from the site and includes the area between the sidelines of the street to the area within the lot.

Interior Driveway: A travel lane located within the perimeter of a parking lot which is not used to directly enter or leave parking spaces. An interior driveway shall not include any part of the access driveway.

Maneuvering Aisle: A travel lane located within the perimeter of a parking lot by which motor vehicles directly enter and leave parking spaces.

Parking Stall Length of Line: The dimension of the stall measured parallel to the angle of parking.

Width of Parking Stall: The linear dimension measured across the stall and parallel to the maneuvering aisle.

Parking Structure: A building (or part thereof), which is designed specifically to be for automobile parking and where there are a number of floors or levels which parking takes place.

Personal Services Establishment: Establishments providing non-medically related services, including beauty and barber shops; clothing rental; dry cleaning pick-up stores; laundromats (self-service laundries); massage therapy; psychic readers; shoe repair shops; tanning salons. These uses may also include accessory retail sales of products related to the services provided. This shall not include dry cleaning establishments in which cleaning of clothes takes place on-site or Body Art Establishments.

Professional Office: Professional or government offices including; accounting, auditing and bookkeeping services; advertising agencies; architectural, engineering, planning, and surveying services; attorneys; counseling services; court reporting services; data processing and computer sciences; detective agencies and similar services; educational, scientific, and research organizations; employment, stenographic, secretarial, and word processing services; government offices including agency and administrative facilities; management, public relations, and consulting services; photography and commercial art studios; writers and artists offices outside of the home.

Recreational: Primary or accessory use by persons (and, in a manner approved by the appropriate authority, their pets) of a lot or structure for indoor or outdoor exercise or relaxation, including team sports, nature study, boating, fishing as otherwise legally permitted

Retail Business: A commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser.

Seasonal and Charitable Sales: Sales of goods (such as Christmas trees) or services (such as car washes) by non-profit charitable organizations to raise funds for the benefit of the same or other non-profit charitable organizations, if such sales (a) are an accessory use on a temporary basis (not to exceed 45 days), and (b) do not, in the judgment of the Building Commissioner, constitute a significant and unreasonable impact on neighboring properties as regards to parking, traffic, light, noise, fumes, etc.

Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, designs, trade names or trade marks whether stationary or portable, by which anything is made known, such as used to locate an individual, form of association, a corporation, a profession, a business, or a commodity or product which are visible from a public or private street or right of way and used to attract attention. The following definitions shall apply to Section 6.2:

Area of Sign: The area, including all lettering, wording, and accompanying designs and symbols, together with the background on which they are displayed, the frame around the sign, and any "cut outs" or extensions, but not including any supporting structure, bracket or bracing. Calculation of sign areas shall use the following formulae:

1. For two-dimensional signs affixed to or fabricated from a mounting background or signboard: the area shall be the smallest rectangular plane that wholly contains the sign.
2. For two-dimensional signs consisting of individual letters or symbols affixed directly to the building wall, window, or awning: the area shall be the smallest area enclosed by a series of straight lines connected at right

angles which encompasses all of the letters and symbols.

3. For two-dimensional double-faced signs less than four (4) inches thick: use the area of one face as calculated under subparagraph.

4. For three-dimensional signs, double-faced signs greater than four (4) inches thick, objects used as signs, and "V" shaped signs: the area shall be determined by the largest of either the front or side projected view of the sign.

Awning Sign: Any sign painted, sewn or attached onto an awning. Awnings may not extend more than Thirty Six (36) inches into the Public Way. Awnings shall conform to the Massachusetts State Building Code.

Banner Sign: Any sign constructed of fabric or flexible material. Pennants and flags are banner signs. Banner signs may be used as permanent and temporary signs. A permanent banner sign shall not exceed sixteen (16) square feet in size.

Bracket: A device used to attach a sign to a building other than with screws or bolts.

Clearance: A completely open and unobstructed space measured from the ground level to the lowest portion of a hanging sign. No less than eight feet (8') clearance shall be allowed when the sign is over a public or private way or walking area.

Directory Sign: Any sign which contains listings of two or more commercial uses or users. A directory sign shall be designed and constructed with provisions for changes of listing without reconstruction of the entire sign.

Free-standing sign: Any sign structurally separate from the building, being supported on itself, on a standard, or on legs. Free standing signs shall be non-moveable and permanently anchored.

Illumination: The act of applying or brightening a sign with light.

Lineal frontage: The length in feet of a building or storefront which abuts a street or public right-of-way at its first floor or entrance level.

Plaque or Historic Marker: A permanent, non-illuminated sign which identifies a structure or site designated by the Maynard Historical Commission as being historically significant. In the case of a structure, said sign shall be attached parallel to the structure and shall not exceed four (4) square feet. In the case of a site, said sign shall be placed on a structure or shall be freestanding, and shall not exceed four (4) square feet in area. The sign area for a plaque or historic marker shall not be figured in the allowable sign area for the structure or site.

Projecting Sign: A sign which extends forward or out from a facade of a building. Signs shall project no more than five feet (5') from a building or two-thirds ($\frac{2}{3}$) of the width of the sidewalk, whichever is less. A Projecting Sign shall not exceed eight (8) square feet in area.

Public Market: A market or market place as defined in G.L. c. 40, s. 10.

Sandwich Board Sign: A sign structurally separate from a building and being supported on itself, usually on legs; a sandwich board sign shall be moveable and without permanent anchoring. Said sign shall not be more than six (6) square feet in area, as calculated for two-dimensional double-faced signs, shall be constructed of materials intended for outdoor use and shall not impair visibility or ability to use any public way or public area.

Temporary Sign: A sign which is intended for a limited period of display. A temporary sign may be erected for a period not to exceed the time frames listed in the following categories. A temporary sign that does not meet the following criteria shall be subject to the same requirements as for permanent signs. Poster-type signs, construction signs, and real estate signs are considered temporary signs provided they meet the following necessary criteria:

1. Poster-type sign: (1) may not occupy more than twenty (20)% of the window area and may not be attached to the exterior surface of the window. (2) shall be related to use conducted or goods available on the premises. (3) may not be used for more than twenty-eight (28) consecutive days.

2. Construction sign: (1) identifies parties involved in construction on the same premises only (2) shall not contain advertising (3) shall not be utilized for more than one (1) year, or for the duration of work on the lot, whichever is longer (4) shall not exceed sixteen (16) square feet in area. (5) shall be removed promptly by contractor within fourteen (14) calendar days of the completion of work.

3. Real Estate sign: (1) shall be related to sale, rental, or lease of same lot shall not be more than twelve (12) square feet in area. (2) shall be removed within seven (7) calendar days after sale, rental, or lease.

4. Any banner sign shall be considered a temporary sign provided it meets the following criteria: a. A banner sign intended to advertise a business establishment prior to permanent signing: (1) shall be erected for a maximum of thirty (30) calendar days (2) shall be no larger than twenty (24) square feet in area per business (3) shall be attached to the building.

5. A banner sign intended to advertise a special event: (1) shall be no greater than seventy-five (75) square feet in area if placed across a public street; otherwise, shall be no greater than twenty (24) square feet in area. (2) shall be erected for a maximum of sixty (60) calendar days, and (3) shall be removed within three (3) calendar days after the event is over.

6. A sandwich board sign shall be considered a temporary sign provided that it meets the following criteria: a. the sign is intended to advertise a special event or seasonal product and b. it shall be erected for a maximum of thirty (30) calendar days within any twelve-month period.

Wall Sign: Any sign painted on or affixed to a building wall is a wall sign. Wall signs consist of two basic categories:

1. Directly applied: painted or three-dimensional letters applied directly to a building surface.
2. Independent Wall Sign: painted, incised or three-dimensional letters affixed to a sign board which is then attached to a building surface.

Window Sign: Any temporary or permanent sign affixed to the surface of the glass of any part of any building. Window sign(s) shall not occupy, in total, more than twenty percent (25%) of the glass area and may not be attached to the exterior surface of the glass. Window signs shall contain no letters greater than nine (9) inches in height. Any interior sign which is within five feet (5') of the window glass and which is visible from the outside of the building shall be considered a window sign even though it may not be affixed directly to the glass. Window displays of actual products or merchandise for sale or rent on the business premises shall not be considered window signs.

Supermarket: A retail establishment or full-service grocery store primarily selling food and grocery items which may provide multiple departments offering for sale unprepared foods such as, but not limited to, fresh meats, fresh poultry, fresh seafood, organic foods, bakery products that are baked on the premises, a fresh produce department and a deli department offering freshly prepared foods and counter service, which may contain a pharmacy and which may sell other merchandise such as convenience items, household supplies, hardware, and personal care and health products.

Street: A public way or private way either shown on a plan approved in accordance with the subdivision control law or otherwise qualifying a lot for frontage under the subdivision control law, G.L. Chapter 41, Section 81L-81GG.

Street Line: The boundary of a street right of way or layout.

Structures: A combination of materials assembled to give support or shelter such as; buildings, towers, masts, sheds, roofed storage areas, mechanical equipment, swimming

pools, signs, fences; but not including septic tanks, and septic systems and accessory facilities associated with the provision of utilities such as, drains, wells, transformers and telephone poles.

Temporary sales: The sale of goods or merchandise, whether indoors or outdoors, for a limited period of time. Temporary sales shall not exceed thirty consecutive days of operation, or sixty days in any calendar year. See Section 7.8.

Trailer: Any vehicle which is drawn by or used in connection with a motor vehicle and which is so designed and constructed or added to by means of such accessories as to permit the use and occupancy thereof for human use or habitation, whether resting on wheels, jacks or other foundations. It shall include the vehicle commonly known as a mobile home, containing completed electrical, plumbing and sanitary facilities and be designed to be installed on a temporary or permanent foundation for permanent living quarters.

Use, Principal: The main or primary purpose for which a Structure or Lot is designed, arranged or intended or for which it may be used, occupied or maintained under this zoning bylaw.

Veterinarian's office; animal clinic or hospital: A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to the clinic or hospital use.

Water Supply Protection District: In Section 9.2, the following definitions are used:

Aquifer: Geological formation composed of rock or unconsolidated materials or a part of a formation that is capable of yielding a significant amount of ground water.

Drinking water supply: Groundwater or surface water currently in use or which may reasonably be in use in the future as a source of public or private water supply.

Ground water: Water below land surface in a zone of saturation.

Hazardous Material: Any substance included in the Massachusetts Oil & Hazardous Materials List, 310 CMR 40.900 Appendix I, as amended from time to time.

Hazardous Waste: Any material for which disposal is regulated in 310 CMR 30.00, the Massachusetts Hazardous Waste Regulations.

Impervious Surface: Material covering the ground, including but not limited to macadam, concrete, asphalt, buildings, that does not permit water to penetrate the soil.

Maximum Groundwater Elevation: The seasonal high level of the groundwater table. This level shall be the same as the maximum groundwater elevation defined and determined in 310 CMR 15.00 (Title 5, Subsurface Disposal of Wastewater)

Mining of Land: The removal or relocation of top soil, sand, gravel, metallic ores or bedrock.

Radioactive Materials: Any materials having an activity that exceeds the limits set forth in Appendix B, Table II of 10 CFR Part 20.

Small Quantity Generator: A person or business that generates regulated recyclable chemical wastes or non-acutely hazardous wastes in quantities below those stipulated for Small Quantity Generator designation and that complies with all regulations in 310 CMR 30.351 (1) through (11).

Solid Waste: Municipal and commercial refuse, including refuse, construction debris, garbage, sludge, and recyclable materials but not including brush, vegetative compostable materials and tree stumps.

Very Small Quantity Generator: A person or business that generates regulated recyclable chemical wastes or non-acutely hazardous wastes in quantities below those stipulated for Very Small Quantity Generator designation and that complies with all regulations in 310 CMR 30.353 (1) through (11).

Wholesale Business: A business primarily engaged in buying merchandise for resale to retailers or to industrial, commercial, institutional, farm, business users or other wholesalers, or in acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies on a commission basis.

Wireless Telecommunication Tower and Facilities: For the purposes of Section 7.4, the following definitions shall apply:

Tower Height: The height of the tower or of any component including antenna(s), as measured vertically from the extreme highest point of the tower to the lowest point of natural grade within a perimeter circle extending 10 feet outside the bounds of the smallest circle containing all the supporting legs of the tower.

Wireless Telecommunication Tower and Facilities: (hereinafter also referred to as the "facility or facilities") shall include towers, antenna(s), panels, and appurtenant structures designed to facilitate the following services: cellular telephone service, personal communications services, and enhanced mobile radio service. For the purposes of this By-law, wireless telecommunication facilities shall also include any satellite dish greater than three (3) feet in diameter.

Yard: An open space on a lot unoccupied by a building or structure or parts thereof;

provided however, that roof overhangs, cornices or eaves shall not extend twenty four (24) inches into the minimum required yard. Steps, unroofed porches, window sills, slanted bulkheads, fences, gates or security stations, yard accessories, ornaments and furniture and customary summer awnings are permitted in any yard but shall be subject to height limitations and setback limitations. The minimum required yard shall be a strip of

PRINCIPAL USES									

land of uniform depth required by this zoning bylaw measured from the lot or street line and adjacent thereto.

SPONSORED BY: Planning Board
APPROPRIATION: None
FINCOM RECOMMENDATION: No Recommendation

(Please see Table of Uses attached at end of Warrant)

The following action was taken:

Yes 276, No 80 (237 needed for a 2/3 vote) to incorporate the typographical corrections and improper references to the prior zoning bylaw as follows:

Section 1.1,	First line, add “..of Maynard” after Town.
Section 1.4.1,	Fifth line, change “notice or” to “notice of”
Section 2.1	Change “HC” to “HCI”
Section 6.1.4	Change “10.5.2” to “10.4.2”
Section 6.1.11	In Table E, change “5.0” to “15.0”
Section 6.2.3(4)	Last line, change reference to “6.2.12”
Section 6.2.4(4)	Change reference to 6.2.5
Section 6.2.5(3)	Last line, change reference to “6.2.5.2”
Section 6.2.10(2)	Line three, change reference to “6.2.10.4”
Section 6.2.10(2)	Line seven, change reference to “6.2.10.4”
Section 7.5.2(5)	Line seven, change reference to “7.5.2.2”
Section 9.2.5(3)	Change (3) to (c)
Section 9.2.5(4)	Line five, change reference to “9.2.5 subsections”
Section 9.2.6(1)	Change reference to 9.2.5
Section 9.2.13	Titled Notice of Violation should be numbered 9.2.12
Section 9.3.3(6)	Change “6***” to “6.1”
Section 9.3.3(7)	Change “***” to “G”
Section 9.3.8	Change “Table F” to “Table G”
Section 9.3.11(4)	Last line, change reference to “6.1”
Section 9.4.4	“Table I” Table of DOD Uses should be labeled “Table H”
Section 9.4.4	Titled “Dimensional Requirements” should be numbered 9.4.5

Section 9.4.4	"Table J" DOD Dimensional Requirements should be "Table I" and in the Table , change "9.4.5" under "Minimum Height" to "9.4.8"
Section 9.4.5	Titled "Mixed Use and Multifamily Reduced Area Requirement" should be numbered 9.4.6;
Section 9.4.5(5)	Line three, remove the words "(see section 8.3 of zoning bylaw)"
Section 9.4.6	Titled "Special Permit Criteria" should be numbered 9.4.7
Section 9.4.7	Titled " Special Permits for Minimum Building Height" should be numbered 9.4.8
Section 9.4.8	Titled "Parking Standards within the DOD" should be numbered 9.4.9
Section 9.5.4.2	Change "3" to "9.5.2 and 9.5.3"
Section 9.5.6	"Table K, Open Space District, Parking Requirements", should be labeled "Table J".
Section 10.6.6	Line three, change reference to "10.6"
Section 11	Definitions. "Wireless Telecommunications Tower and Facilitites, reference should be changed to "7.5"
All Table of Uses	Change heading "O" in the last column to "OS"

The Finance Committee made no recommendation.

The Planning Board recommended.

This article was voted by a secret ballot as per Town by-law.

Special Town Meeting – October 26, 2011 – Fowler Middle School

ARTICLE: 3 AMEND ZONING BY-LAW HEALTH CARE INDUSTRIAL DISTRICT

TO SEE IF THE TOWN WILL VOTE TO AMEND THE ZONING BY-LAW, WITH REGARD TO THE HEALTH CARE INDUSTRIAL DISTRICT (HCID), BY MAKING THE FOLLOWING CHANGES:

Item 1. In Table A, the Table of Use Regulations, make the following changes in the column for the "HC/I" District:

1. Residential Use

- * Multifamily dwelling: Change "N" to "Y"
- * Garden Apartment: Change "N" to "Y"

2. Governmental, Institutional and Public Service Uses

- * No changes

3. Agricultural and Outdoor Uses

- * No changes

4. Business Uses

- * Private club: Change "N" to "Y"
- * Retail business: Change "N" to "Y"
- * *General or personal service establishment: Change "BA" to "Y"
- * Hotels, motels: Add the term "Extended stay facility": Change "N" to "Y"
- * Restaurants or other food service uses not including fast food restaurants: Change "N" to "Y"
- * Fuel distribution facility: Change "N" to "PB"
- * Printing shop: Change "N" to "Y"

5. Industrial Uses

- * No changes

6. Accessory and Other Uses

- * Trade shop: Change "N" to "Y"

.....
Item 2. Add the following new entries to Table A, the Table of Use Regulations:

1. Residential Use	S-1	S-2	GR	B	CB	HC/I	I	GA	O
Live/work dwelling unit	N	N	N	Y	Y	Y	N	N	N
3. Agricultural and Outdoor Uses									
Garden center	N	N	N	Y	Y	Y	N	N	N
4. Business Uses									
Supermarket	N	N	N	Y	Y	Y	Y	N	N
Fitness club	N	N	N	Y	Y	Y	Y	N	N
Brewery with ancillary food service	N	N	N	N	N	Y	N	N	N

Item 3. Add the following new Section 4.3.2:

4.3.2 Existing Buildings and Structures in the Health Care Industrial District. The standards set forth in Table B, Dimensional Requirements, shall apply only to new construction in the Health Care Industrial District. Existing buildings and structures shall be considered conforming for the purposes of this By-Law, and shall not be subject to the provisions of Section 5.0, herein.

Item 4. Add the following new Section 9.6, entitled “Health Care Industrial District:”

9.6 HEALTH CARE INDUSTRIAL DISTRICT

9.6.1 Purpose. The Health Care Industrial District(HCID) contains Clock Tower Place, with its buildings and facilities. The existing buildings and structures contain approximately 1.1 million square feet of gross floor area. This Section 9.6 has been adopted to promote the orderly development, occupation, and use of the Clock Tower and surrounding vacant land, and to integrate such development, occupation and use, with neighboring districts.

9.6.2 Limitations on Certain Uses. The total gross floor area of space devoted to the following uses shall not exceed the percentage of total gross floor area in the district, unless a special permit is granted by the Planning Board:

- | | |
|--|-----|
| * Multifamily, garden apartment, hotel, motel,
extended stay facility, or live/work dwelling unit | 50% |
| * Retail business, general or personal service establishment | 15% |
| * Restaurant | 10% |

9.6.3 Special Permit Required. Any use, allowed as of right or by special permit in Table A, which is proposed to be located in a building constructed in the HC/I District after the applicable date of this amendment shall require the issuance of a special permit by the Planning Board, except those exempt by statute. This provision shall apply in a new building replacing any existing building which has been razed.

9.6.4 Vehicle Trip Reduction. Any application for site plan review or a special permit within the HC/I District shall be accompanied by a vehicle trip reduction plan to promote traffic management for employees. Such plan shall include shuttle service to the nearby MBTA stations, bicycle racks and facilities, showers for employees, and other trip reduction measures that provide incentives to employees.

9.6.5 Parking. The following minimum parking requirements shall be substituted for those set forth in Section 6.1.5:

- | | | |
|---|---|--|
| * | Nonresidential parking area | 2 spaces per 1000 sq. ft. gross flow |
| * | Multifamily, garden apartment, hotel, motel, extended stay, live/work dwelling unit | 1 space per dwelling unit or room for independent lease or occupancy |

Item 5. Amend the Zoning Map by adding the following parcel to the Health Care Industrial Zoning District:

Map 14, Lot 272

Item 6. Add the following new definitions to Section 11:

Brewery with ancillary food service: 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.

Live/work dwelling unit: A structure or portion of a structure that combines a commercial, manufacturing, or artistic activity with a residential living space for the owner or occupant and that person's household.

OR WHAT IT WILL DO IN RELATION THERETO.

SPONSORED BY: Planning Board
APPROPRIATION: None
FINCOM RECOMMENDATION: No Recommendation

The following action was taken:

Voted: Yes 245, No 41 (191 needed for a 2/3 vote) to amend the Protective Zoning Bylaw in 1. Table A, the Table of Use Regulations, make the changes as noticed in Item 1 of Article 3 of the warrant for the HC/I District.

2. Add the following new entries to Table A, the Table of Use Regulations, Categories, Residential Use, Agricultural and Outdoor Uses and Business Uses, as noticed in Item 2 of Article 3 of the warrant.

3. Add a new Section 4.3.2 as noticed in Item 3 of Article 3 of the warrant.

4. Add a new Section 9.6 entitled “Health Care Industrial District” as noticed in Item 4 of Article 3 of the warrant.
5. Item 4. Section 9.6.2 reduce retail space allowance from 15% to 10 %, change restaurants from 10% to 4%
6. Item 4, Section 9.6.2. add the following language; Restaurants shall contain at least 5,000 square feet of gross floor area. Retail shall contain at least 10,000 square feet of gross floor area, but not more than 50,000 square feet. Supermarket shall contain at least 20,000 square feet of gross floor area. Any establishment of or use resulting in any of the uses set forth above shall require site plan approval from the Planning Board in accordance with Section 10.5
7. Add the new definitions as printed in Item Six (6) of Article Three (3) of the warrant to Section Eleven (11) of Protective Zoning Bylaw.

The Finance Committee made no recommendation

The Planning Board recommended.

This article was voted by a secret ballot as required per Town By-Law.

**ARTICLE: 4 MASSACHUSETTS BUILDING CODE APPENDIX 120.AA,
“STRETCH CODE”.**

TO DETERMINE WHETHER THE TOWN OF MAYNARD WILL VOTE TO ADOPT, OR AUTHORIZE THE BOARD OF SELECTMEN TO ADOPT, THAT PORTION OF THE STATE BUILDING CODE, 780 CMR APPENDIX 120AA, KNOWN AS THE MASSACHUSETTS STRETCH ENERGY CODE (“STRETCH CODE”), AS REQUIRED BY STATE REGULATION. THE KEY PROVISIONS OF THE STRETCH CODE ARE SUMMARIZED BELOW.

Summary of the Massachusetts Building Code Appendix 120.AA, “Stretch Code”

1. History. Appendix 120.AA of the State Building Code, known as the “Stretch Code” was adopted by the Massachusetts Board of Building Regulations and Standards in May 2009, as an optional appendix.

2. Purpose. The optional Stretch Code was developed in response to the call for improved building energy efficiency in Massachusetts. Towns and cities in the Commonwealth may adopt Appendix 120.AA in place of the energy efficiency requirements of the “base” building code. The Stretch Code mandates approximately 20% greater building energy efficiency.

3. Green Communities Act. In 2008, Massachusetts adopted the Green Communities Act, Chapter 169 of the Acts of 2008, the purpose of which is to provide for renewable and alternative energy and energy efficiency in the Commonwealth. The Green Communities Act requires that Massachusetts adopt each new IECC within one year of its release. The IECC is updated on a three (3) year cycle. The next version will be IECC 2012, which is expected to be similar to the Stretch Code and required by the Commonwealth..

4. Effect. The Stretch Code, 780 CMR 120 AA, may be adopted or rescinded by any municipality in the Commonwealth in the manner prescribed by law. When adopted by a municipality the Stretch Code, rather than 780 CMR 13, 34, 61, or 93, as applicable, shall govern.

5. Residential - New Construction. New residential buildings three (3) stories or less will be required to meet an energy performance standard using the Home Energy Rating System (HERS).⁵ The HERS index scores a home on a scale where 0 is a zero-net-energy home, and 100 is a code compliant new home (currently based on the IECC 2006 code). The HERS index has been in use for many years by programs such as Energy Star Homes, LEED for Homes, and by the Federal IRS for tax credits and energy efficient mortgages. HERS ratings are performed by an independent HERS rater, working with the home builder, and then submitted to the local building code official. The Stretch Code requires a HERS index of 65 or less for new homes of 3,000 square feet or above, and 70 or less for new homes below 3,000 square feet (this includes multi-family units in buildings of 3 stories or less). A HERS index of 65 means that the home is estimated to use 65% as much energy as the same home built to the 2006 energy code, or a 35% annual energy savings.

6. Residential – Home Renovations. Home additions and renovations have two options to meet the stretch code:

- * The same “performance” approach as new construction but requiring a HERS of 80 or less for significant changes to homes over 2,000 square feet, or 85 or less for homes below 2,000 square feet.
- * A “prescriptive” approach, where specific efficiency measures are required rather than HERS index number. This utilizes the Energy Star for Homes program prescriptive requirements, and insulation at least equal to IECC 2009.

7. Commercial –New Construction. The Stretch Code also applies a performance-based code to commercial buildings, with the option of a prescriptive code for small and medium-sized commercial buildings. Buildings smaller than 5,000 square feet are exempt, as are building renovations, and “specialty” buildings – supermarkets, laboratories, and warehouses – below 40,000 square feet in size, due to their widely differing energy needs. These exempt buildings remain subject to the “base”

⁵For a summary of the HERS index see: http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_HERS

Massachusetts energy code (IECC 2009 and ASHRAE 90.1-2007), and all applicable Massachusetts amendments.

- * Large buildings of any type over 100,000 square feet, and “specialty” buildings over 40,000 square feet are required to meet a performance standard set at 20% below the energy usage of the commonly used ASHRAE 90.1-2007 code, demonstrated through modeling by methods and software approved by the Commonwealth.
- * Medium-sized commercial buildings, which include residential buildings of 4 stories or more, but that are less than 100,000 square feet, have the option of meeting the same 20% better than ASHRAE 90.1-2007 performance standard, or using a simplified, prescriptive energy code.

OR WHAT IT WILL DO IN RELATION THERETO.

To do or act thereon.

SPONSORED BY: Green Communities
APPROPRIATION: None

The following action was taken:

Voted: That the Town adopt the Stretch Code as a new Chapter XXIX entitled the Stretch Energy Code, in the Town of Maynard General Bylaws as follows:

Section 1. Definitions

- A. International Energy Conservation Code (IECC) 2009 – The International Energy Conservation Code (IECC) is a building code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency. Commencing July 1, 2010, the baseline energy conservation requirements of the MA State Building Code will default to IECC 2009 and MA amendments.**
- B. Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115 AA, the Stretch Energy Code is the International Energy Conservation Code (IECC) 2009 with amendments contained herein.**

Section 2. Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings.

Section 3. Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 61, or 93 as applicable.

Section 4.

The Town of Maynard, seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR, mandates adherence to Appendix 115 AA.

Section 5. Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115 AA, including any amendments or modifications, is herein incorporated by reference into the Town of Maynard General Bylaws, Chapter XXIX.

Section 6. Enforcement

The Stretch Code is enforceable by the building inspector official.

The Finance Committee made no recommendation.

ARTICLE: 5 PURCHASE MAYNARD COUNTRY CLUB

To see if the town will vote to appropriate a sum of TWO MILLION AND NO/100's DOLLARS (\$2,000,000.00) from the Community Preservation Fund and/or future receipts for the acquisition, including legal and other costs associated with said acquisition, of a parcel of land currently owned by the Maynard Country Club as Assessors' Map 5, Lots 75 and 85, Maynard, Massachusetts and Map 12 Lot 73 in Acton, Massachusetts consisting of approximately 61.81 +/- acres, more or less, known as the Maynard Country Club, which land shall be in the care custody and control of the Board of Selectmen for the purpose of open space, recreation and/or affordable housing as allowed by the Community Preservation Act. And further that the Board of Selectmen is authorized to purchase, acquire or take by eminent domain said property and enter into all agreements and to execute any and all instruments as may be necessary on behalf of The Town of Maynard to affect said purchase or action in relation thereto and that to meet said appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority, and to authorize the Open Space Committee, Conservation Commission and the Board of Selectmen to submit on behalf of the town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the Self-Help Act (M.G.L. Chapter 132A § 11) and/or any other state or federal programs including those in aid of conservation land acquisition; and/or any

others in any way connected with the scope of this Article; said gifts or grants to be deposited in the Undesignated Community Preservation Fund balance; and or to pass any vote or take any action relative thereto.

SPONSORED BY: Community Preservation Committee
APPROPRIATION: \$2,000,000.00

The following action was taken:

Voted: Yes 352, No 16 (245 needed for a 2/3 vote) that the Town accept the article as printed in the warrant except “and or to pass any vote or take any action relative thereto.”

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE: 6 AMEND ZONING DISTRICTS UNDER SECTION 5 AND SECTION 6

TO DETERMINE WHETHER THE TOWN OF Maynard will vote to amend the Zoning By-laws and “Zoning Map of Maynard” referred to under section two of the Protective Zoning By-law, as amended by changing the description of the Residential Districts under Section 3 and the business Districts under Section 5, to include that portion of the Residential District encompassed within the boundaries of 170 Main Street (Map 14, Parcel 130) as a portion of the Business District. Such change will make the boundary of the Business District coincide with that of the Downtown Overlay District under Section 6F of the Protective Zoning By-law. That portion of the Residential District to be re-zoned is described as follows: Beginning at the confluence of the Business and Residential zones and the property line along Sudbury Street and thence along the property line 46.25 feet to the property corner and the street line of High Street, thence along the property line and High Street 323.15 feet to the corner of the property, thence along the property line 46.25 feet to the intersection of the property line and the zoning district line, thence along the zoning district 323.15 feet to the point of beginning. This area is a portion of the property, as shows on a Plan of Land in Maynard Mass. dated October 10, 2006, prepared by Inland Survey, Inc. dba Zanca Land Survey for Dimopoulos Realty Trust and 174 Main Street Realty Trust, on file in the South Middlesex Registry of Deeds.

To do or act thereon.

SPONSORED BY: Planning Board
APPROPRIATION: None

The following action was taken:

Voted: Yes 98, No 5 (69 needed for a 2/3 vote) that the Town accept the article as printed and amend the zoning map as noted therein except "To do or act thereon."

The Finance Committee made no recommendation

The Planning Board recommended

This article was voted by a secret ballot as per Town By-Law.

ARTICLE: 7 SALE OF EXCESS REAL PROPERTY

To see if the town will vote to raise and appropriate the sum

(A) authorize the Board of Selectmen that they may transfer the care custody, management and control of the parcels of Town-owned land a portion of the property identified on Assessor's Map 5, Parcel 4, which said portion consists of approximately two (2) acres and which portion is shown on a plan entitled Two-acre conservation parcel adjacent to 124 Acton Street, 2011 and on record in the Town Clerk's office below from Conservation Purposes to general municipal purposes for the purpose of conveying, selling or otherwise disposing of said portions of parcels of land; and

(B) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell or otherwise dispose of a portion of the property identified on Assessor's Map 5, Parcel 4, which said portion consists of approximately two (2) acres and which portion is shown on a plan entitled Two-acre conservation parcel adjacent to 124 Acton Street, 2011 and on record in the Town Clerk's office subject to such restrictions and limitations as the Selectmen deem appropriate.

To do or act thereon.

SPONSORED BY: Conservation Committee

APPROPRIATION: None

The following action was taken:

Voted: Yes 93, No 3 (64 needed for a 2/3 vote) that the town (A) authorize the Board of Selectmen that they may transfer the care custody, management and control of the parcels of Town-owned land a portion of the property identified on Assessor's Map 5, Parcel 4, which said portion consists of approximately two (2) acres and which portion is shown on a plan entitled Two-acre conservation parcel adjacent to 124 Acton Street, 2011 and on record in the Town Clerk's office, from Conservation Purposes to general municipal purposes for the purpose of conveying, selling or otherwise disposing of said portions of parcels of land; and

(B) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to convey, sell or otherwise dispose of a portion of the property identified on Assessor's Map 5, Parcel 4, which said portion consists of approximately two (2) acres and which portion is shown on a plan entitled Two-acre conservation parcel adjacent to 124 Acton Street, 2011 and on record in the Town Clerk's office subject to such restrictions and limitations as the Selectmen deem appropriate.

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE: 8 ACQUISITION OF REAL PROPERTY

To see if the Town will vote to authorize the Board of Selectmen to purchase, acquire or take by eminent domain a certain twelve (12) acre parcel of land which has significant conservation value and which is located adjacent to the Town owned bike and walking trail off of 18 Winter Street, Map 23 Parcel 3 and which contains second growth forest and a number of vernal pools and other significant natural features. And to fund said acquisition, including legal and other costs associated with said acquisition, to appropriate the sum of approximately two hundred and fifty thousand DOLLARS (\$250,000.00). And further that the Board of Selectmen is authorized to enter into all agreements and to execute any and all instruments as may be necessary on behalf of the Town of Maynard to affect said purchase or action in relation thereto and that to meet said appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow said sum under M.G.L. Chapter 44 or any other enabling authority, and to authorize the Open Space Committee, Conservation Commission and the Board of Selectmen to submit on behalf of the town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the Self-Help Act (M.G.L. Chapter 132A § 11) and/or any other state or federal programs including those in aid of conservation land acquisition; and/or any others in any way connected with the scope of this Article; said gifts or grants to be deposited in the Undesignated Community Preservation Fund balance; and or to pass any vote or take any action relative thereto

To do or act thereon.

SPONSORED BY:	Conservation Committee
APPROPRIATION:	\$250,000.00

The following action was taken:

Voted: Yes 96, No 1 (65 needed for a 2/3 vote) to accept the article as printed except "to do or act thereon" and to appropriate the sum of \$250,000.00 for the purposes stated therein.

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE: 9 **PRUNING AND LANDSCAPING**

To see if the town will vote to raise and appropriate the sum \$15,000.00 from Perpetual Care for pruning the mature trees in the Cemetery and to begin the process of upgrading the landscaping.

To do or act thereon.

SPONSORED BY: Department of Public Works
APPROPRIATION: \$15,000.00
FINCOM RECOMMENDATION:

The following action was taken:

Voted: That the Town accept the article as printed except "To do or act thereon."

The Finance Committee recommended.

ARTICLE: 10 **MOWER**

To see if the town will vote to raise and appropriate the sum of \$9,500.00 from Perpetual Care for the purchase a 60 inch rear discharge mower.

To do or act thereon.

SPONSORED BY: Department of Public Works
APPROPRIATION: \$9,500.00

The following action was taken:

Voted: That the Town accept the article as printed except "To do or act thereon."

The Finance Committee recommended.

ARTICLE: 11 **USE OF UNEXPENDED PROCEEDS OF OUTSTANDING BOND**

To see if the town will vote to transfer a portion of the unexpended proceeds of outstanding bond anticipation notes that the Town issued pursuant to the vote of the Town passed May 21, 2007 (Article 14), which vote appropriated and authorized a borrowing of \$4,280,000.00 for the design, construction, equipment and repairing the Public Safety Building to fund the replacement of three boilers and associated components at the Maynard High School and Green Meadow Elementary School, and to repair and upgrade the Green Meadow School, to finance costs associated with the repair and/or replacement of two boilers located in the Coolidge and Fowler schools; or to take any other action relative thereto.

To do or act thereon.

SPONSORED BY:
APPROPRIATION:

Town Administrator
\$61,181.98

The following action was taken:

Vote: That the Board of Selectmen is authorized to transfer \$61,000.00 of the unexpended proceeds of outstanding bond authorization that the Town issued pursuant to the vote of the Town passed May 21, 2007 (Article 14), which vote appropriated and authorized a borrowing of \$4,280,000.00 for the design, construction, equipment and repairing the Public Safety Building to fund the replacement of three boilers and associated components at the Maynard High School and Green Meadow Elementary School, and to repair and upgrade the Green Meadow School in order to finance costs associated with the repair and /or replacement of two boilers located in the Coolidge and Fowler Schools.

The Finance Committee recommended.

ARTICLE 12: AMEND ZONING BY-LAW, VISIBILITY AND SIGHT DISTANCE

**TO SEE IF THE TOWN WILL VOTE TO AMEND THE
ZONING BY-LAW BY ADDING THE FOLLOWING SECTION 7.7,
REGARDING VISIBILITY AND SIGHT DISTANCE AT CORNERS AND
DRIVEWAYS:**

**7.7 VEHICLE VISIBILITY AND SIGHT DISTANCE AT CORNERS AND
DRIVEWAYS**

7.7.1 General. In all Districts; on any lot adjacent to any public or private street corner, all structures, fences, plantings, free standing walls or any other *sight obscuring* assembly shall not be erected between a plane three (3) feet above curb level and a plane eight (8) feet above curb level in order to afford traffic visibility across the corner within a triangle bounded by the street lot line and straight line drawn between points on each such lot line fifteen (15) feet from the intersection of said lots or extensions thereto.

7.7.2 Exceptions. The following are exempt:

1. Retaining walls above three (3) feet;
2. Single mail boxes;
3. Existing trees;
4. New deciduous trees planted no closer the ten (10) feet apart.

7.7.3 Curb Cut Design.

1. No curb cuts within twenty-five feet (25'-0") of a street or intersection or within 15' of a crosswalk.
2. The grade and design of any driveway providing access to off street parking shall permit an unobstructed view, to the driver of any car exiting, of traffic on the street and of pedestrians in accordance with this Section.
3. The distance of driveways from street corners or cross walks as required herein may be modified if the Planning Board determines that an alternate design would better facilitate traffic, public safety and the project as a whole.

7.7.4 Landscaping. Screening of any type shall not be erected between a plane three (3) feet above curb level and a plane eight (8) feet above curb level or obstruct vehicle sight distances as required in this Section.

OR WHAT IT WILL DO IN RELATION THERETO.

SPONSORED BY:	Planning Board
APPROPRIATION:	None
FINCOM RECOMMENDATION:	No Recommendation

The following action was taken:

This article was **DEFEATED.**

Motion made and seconded to dissolve the Special Town Meeting of October 26, 2011 at 12:20 p.m.

Annual Report for Calendar Year 2011 Council on Aging (COA)

Clock Tower Place, Building 7, Suite 180 Office Hours: 9:00 AM- 1:30 PM, Mon-Fri,
Closed Town Holidays.

Business Telephone: 978-897-1009 Van Dispatch Telephone: 978-897-1032

Council Members: Alfred T. Whitney, Jr., Chairman; Richard Gross, Vice Chairman;
Thomas P. Papson, Treasurer; Ellen Waldron, Secretary; Nancy Hatch, Carol Milioto,

Judy Peterson and Rosalie Poitras. **Staff:** COA Director: Marcia Curren; Clerk/Dispatcher: C.
David Hull; Van Driver: Janine Parker and Temporary Alternate Van Drivers: Bruce Whitney
and Tom Berlied.

The Council on Aging provides the following services to Seniors and Disabled Non-Seniors of Maynard. We are a member of the Minuteman Senior Services Group of 16 communities. This participation allows us to access social services outside the scope of the COA.

COA VAN SERVICE: This service provides transportation for Maynard Seniors and disabled non-seniors to medical, dental and other health care programs, to Elder Day Care, to food shopping and nutrition programs, to educational and recreational programs, to voting in Maynard, and to other locations in Concord, Acton, Stow, and as well as parts of Littleton and Sudbury. (\$1 donation per ride.)

Passenger miles: 22,538

Passenger trips: 5,774

SENIOR CENTER at Clock Tower Place: Daily Monday – Friday, 9:00 AM to 1:30 PM, except Town Holidays. Activities include: conversation, computers, card games, crafts, exercise equipment, weekly piano music and sing-along, chair exercises, monthly visits by our State Representative, informational programs and speakers. The COA thanks Wellesley Management/Clock Tower Place for their generous donation of this venue to the Seniors of Maynard.

TELEPHONE CALLS RECEIVED/MADE: 6,286

OFFICE VISITS: 324

DURABLE GOODS: (canes, crutches, tubs seats, walkers, etc.) Donations are received and equipment is loaned. Pick up and delivery when needed.

FUEL ASSISTANCE In-take Site for South Middlesex Opportunity Council (SMOC): Application packages prepared and mailed as requested; interviews conducted and applications processed. Open to all qualifying Maynard residents.

SNAP PROGRAM: (Supplemental Nutrition Assistance Program of the US Dept. of Agriculture) Assistance is provided to Seniors in preparing applications under the Accelerated Simplified Program for Seniors.

SHINE COUNSELOR: (A volunteer from Minuteman Senior Services) The COA manages intake telephone calls, information, and referrals, coordinating the activities with the SHINE COUNSELOR.

SENIOR FLU VACCINE CLINIC: Coordinated with the Maynard Board of Health. Senior volunteers provide assistance at the Clinic.

SENIOR TAX WORK OFF PROGRAM: Coordinated and managed by the COA office.

AARP TaxAide Program (Maynard): The COA provides information and referral to this program from January to April 15th each year.

REFERRALS TO LOCAL CHARITIES: Charities include the Salvation Army and Society of St. Vincent DePaul. These organizations assist Maynard residents/families in need of temporary financial assistance.

The following activities are entirely supported by a Fiscal Year Formula Grant provided by the Massachusetts Executive Office of Elder Affairs:

DROP-IN CENTER at the Congregational Church: Every Tuesday morning from 8:00 AM – 12:30 PM Weekly activities, parties, games, music, socialization, guest speakers, entertainers and nutritious catered luncheons (\$2.00 donation) are provided.

COA QUARTERLY NEWSLETTER: Published in the summer, autumn winter and spring by the COA and are processed and mailed to 1,600 Senior homes with the assistance of Senior volunteers.

LINE DANCE PROGRAM: Weekly classes October - April/May.

Respectfully submitted,

Marcia Curren, Director
mcurren@townofmaynard.net

2011 Annual Report of the Gas Inspector

During 2011, there were 172 Gas Permits issued with a total dollar amount of \$4245.00. Inspections were made on all work requested by plumbers and gas fitters.

Submitted by

Raymond Smith, Gas Inspector

2011 ANNUAL REPORT INSPECTOR OF WIRES

To: Town of Maynard Board of Selectmen.

Once again, I would like to thank the Board of Selectman and the residence of the Town of Maynard for the opportunity to serve as the Inspector of Wires. Over the past year, things have slowed down in the building community. Most of the permits filled out were for residential electrical alterations. We have a new project in town with the building of the new high school and I look forward to this project.

There were 220 permits with Total dollar value of \$48,291.77, taken out for electrical work for the period of January 1, 2011 until December 31, 2011.

It has also been my pleasure to work with Mr. Sullivan and Mr. Asmann over the last year.

Sincerely,
Peter Morrison
Inspector of Wires

2011 Annual Report of the Plumbing Inspector

During 2011 there were 155 Plumbing Permits issued for a total dollars amount of \$4595.00. Inspections were made on the rough and finish work when requested by the installing plumber.

Submitted by

Raymond Smith, Plumbing Inspector

Annual Report of the Board of Health for 2011

The Town of Maynard is served by the following Board of Health members and staff:

Ronald Cassidy (Chairman), Holli Murray (Member), Lisa Thuot (Member), Kevin Sweet (Public Health Director/ISW Manager), Stephanie Duggan (Clerk), Beth Grossman (Food Inspector), Tom Natoli (Animal Control Officer), and Les Boardman (Dog Officer)

The Board of Health is responsible for a wide range of health and environmental concerns, including the promotion of public health, control of dangerous disease and protection of the environment. In addition to permitting and inspectional services associated with the enforcement of local and state sanitary and environmental regulations, the department also provides communicable disease investigation and prevention programs, food establishment inspection services, pool and camp permitting, funeral director permitting, solid waste and septage hauler permitting, tanning establishment permitting, temporary and annual dumpster permitting, complaint investigations, housing inspections, tobacco sales permitting and enforcement, wastewater and water supply plan review and permitting, as well as animal control services and all-hazard emergency preparedness planning and response.

The Board of Health oversees the Town's contracted services for the Municipal Curbside Collection of solid waste and recycling. This includes Composting Programs, Recycling supervision, planning for Hazardous Waste Collection Days and additional programs in the area of integrated solid waste management.

The Board of Health is comprised of three appointed members who serve overlapping three-year terms. Ronald Cassidy continued to serve as Chairman throughout 2011.

1. Landfill Monitoring

The Board's engineering firm, Environmental Compliance Service, Inc. (ECS) continued to provide mandated landfill gas monitoring on a quarterly basis. Landfill groundwater and surface water sampling was conducted bi-annually, and monitoring reports were prepared on behalf of the Town and submitted to the MA Department of Environmental Protection. In addition to improved performance, ECS has offered a significant cost-savings to the Town for landfill testing/monitoring services.

2. Solid Waste / Recycling Program

The Pay-As-You-Throw program (stickers) helps to keep the tonnage of trash down while encouraging residents to recycle. In July, when our circular trash sticker supply was depleted, we updated our system by introducing new "sticker tags" to the program. The transition to sticker tags has gone smoothly and has been very well received by both residents and sales establishments throughout town. Trash sticker tag sales totaled \$246,456.00 for the year. In addition to this program, we received \$13,920.00 in fees for

monthly trash collection at three condominium complexes as well as the Maynard Housing Authority.

Dumpsters

In accordance with Section 10 of the Town's Solid Waste Regulations, any dumpster (temporary or permanent; commercial or residential) requires a permit from the Board of Health. Permits allow for the inspection and follow-up of sanitation violations such as overflow, toxic/hazardous waste, improper placement or maintenance, as well as sanitation-related complaints by the general public (i.e. offensive odor, fly/insect population, debris, etc.). Violations of this regulation are enforceable through non-criminal disposition citations. The Board of Health worked diligently in 2011 to bring this regulation up to standard by documenting and permitting all permanent dumpsters in Maynard. Permanent dumpster permits are issued July 1st and expire June 30th of the following year for a \$50.00 annual fee. Temporary dumpster permits (roll-offs for construction/demolition/relocation) expire 30 days from the date of issue for a \$15.00 fee. Any dumpster not properly permitted will be subject to a \$50.00 fine per month (beginning July 1st for permanent dumpsters). Dumpster permit regulations and applications are available at the Board of Health office or online.

Sharps Collection

The Board of Health sharps disposal program has been extremely successful. Several residents have been taking advantage of the sharps disposal kiosk. This program is encouraged by both the MA Department of Public Health and MA Department of Environmental Protection regulations to prevent the possibility of accidental "needle sticks" that endanger workers in the solid waste field. A sharps collection kiosk is located in the Board of Health office and is provided as a convenience to residents of Maynard. In addition, a kiosk is available during drop-off collection days at the DPW Barn.

Mercury Reduction

We want to remind residents about our mercury reduction program which was established in an effort to remove mercury from the waste stream, and to reduce the discharge of mercury pollution into the environment. Residents may bring their mercury containing thermometers to the Board of Health, and exchange them for digital thermometers as part of mercury recycling efforts. The office also accepts button cell batteries and old thermostats that contain mercury. Residents should be aware that florescent bulbs contain a small amount of mercury that may be reclaimed, and these bulbs cannot be disposed of in the trash. Town-owned buildings are collecting their own used florescent bulbs for recycling, and residents may drop off their used florescent bulbs during business hours at Aubuchon Hardware, so they can be recycled. We want to express our appreciation to participating businesses for their support in reducing the amount of mercury going into our waste stream.

3. Emergency Preparedness

The Board of Health continued to function as the designated department for the Town to work with the MA Department of Public Health (MDPH) on Emergency Planning efforts. This involves being the planning advocate between MDPH and their deliverables under the Center for Disease Control and Prevention (CDC), and the volunteers who have joined our Maynard Citizen Corp/Medical Reserve Corp (MCC/MRC). The Public Health Director represents Maynard on the Region 4A Public Health Emergency Preparedness Coalition, serving as Vice-Chairman of the Region, consisting of 34 communities.

MCC/MRC

The **Maynard Citizens Corps/Medical Reserve Corps (MCC/MRC)** functions on behalf of the Town under an All-Hazards approach and reports to and coordinates through the Board of Health. These volunteers are a vital piece of the town's emergency response capabilities.

A total of 7 residents serve as appointed members of the MCC/MRC Executive Board and have all made significant contributions this year. In April, 2011, Deborah Roussell and Kathy McMillan were designated as Co-Chairs of the MCC/MRC and continue to serve in this role.

The Board has worked hard to oversee the many accomplishments of the MCC/MRC in 2011:

- Converted the volunteer database to the Region 4A MA Responds system. This new system not only automates background checks and license/certification/training verifications, but also allows for a streamlined, centralized method of new volunteer registration, mission planning, and improved communication with current volunteers.
- Provided/Attended training opportunities through the American Red Cross, MA Emergency Management Agency (MEMA), and other state agencies
- Converted to an e-mail-based newsletter distribution system, increased newsletter production from quarterly to monthly, seasonally-focused newsletters (i.e. power outages, influenza, hypothermia, etc.)
- Participated in Town events to share emergency preparedness information as well as to staff First Aid stations, including Maynard Fest, Farmers' Market, Relay for Life, Truck Day, and Maynard Road Race. New this year, the MCC/MRC participated in the library's Truck Day festivities with a very successful, educational "Boo-Boo-Brigade" tent. Children brought their favorite teddy bear or doll for a first-aid check, band aid, and balloon.
- Assisted the LEPC in opening and maintaining an emergency overnight shelter during the October Snow Storm
- Provided volunteer recruitment opportunities at community events and through various news media
- Continued improvement and training for the Neighborhood Captains Program
- Fully staffed and dispensed 104 vaccinations for residents at the Annual Seasonal Flu Clinic/Emergency Dispensing Site (EDS) Drill in October
- Participated in a region-wide communication drill in conjunction with the Region 4A Communication Plan

The Board of Health would like to thank all MCC/MRC volunteers for offering us their time and expertise throughout the year. The BOH would especially like to thank Mary Hilli for serving as Chair of the MCC/MRC for the past two years – through her dedication and hard work, the MCC/MRC has experienced tremendous growth through numerous enhancements accomplished with her facilitation as Chair. We are pleased that she has agreed to continue to serve the Board as Secretary and mentor as an MCC/MRC Volunteer.

4. Other Programs and Services.

Tobacco Control

The Boards of Health Tobacco Control Alliance based in Leominster, MA, has worked with the Maynard Board of Health since 1994. The Alliance provides inspectional services regarding all tobacco-related issues including but not limited to, enforcement of all youth access and environmental tobacco smoke regulations and enforcement of the Smoke-Free Work Place Law. The following is the 2011 summary of Alliance services:

INSPECTIONAL STAFF: Joan Hamlett/ Marty Miareki/Eric Jack

TOBACCO PERMITS:

Total Number of Tobacco Permits Issued:	13
Number of Store/Merchant Permits (inspected)	13
Number of Vending Machine Permits	0
Revenue Brought in by Tobacco Permits	\$650.00

INSPECTIONAL SERVICES:

The Alliance provides three types of inspectional services. Youth Access inspections are done to make sure stores are checking ID's and not selling tobacco products to minors. Retailer inspections are to determine if stores are following state and local regulations regarding required signage, how products are displayed, etc. Smoke-Free Workplace Law or Secondhand smoke inspections are usually done in response to a complaint that employees or patrons are smoking in a bar, restaurant, or workplace.

Youth Access:

The Alliance did not complete any youth access inspections during the 2011 calendar year. The youth access inspections, beginning July 2011, are now completed through a federal inspection program, and the Alliance does not have access to the data at this time. They will only be conducting youth access checks based on any local complaints or as directed by DPH. Maynard was selected for inspection by DPH for 2011.

Number of Inspections	1 full
Number of Stores Inspected	13
Number of Violations	3
Number of Warnings	0
Number of Permit Suspensions	0
Compliance rate for 2011	77%
Non-compliance rate for 2011	23 %

Retailer Inspections:

Number of Inspections	2 full
Number of Stores Inspected	13x2
Number of Violations	9
Number of Warnings	9
(Violations: missing required signs, missing DOR permits. Nine re-inspections necessary to bring all locations into compliance)	

Merchant Education Packets and Under 27 materials were delivered to each merchant to assist in training their employees not to sell to minors. All stores accepted Merchant Education Packets and six stores are using the optional Under 27 materials.

Smoke-Free Workplace Law or Secondhand smoke Inspections:

Number of Inspections	0
Number of Violations	0
Number of Warnings	0
Number of Fines	0
Amount of Fines	0

*These inspections are conducted on a complaint basis. There were no complaints in 2011.

OTHER:

For this funding cycle, tobacco education efforts will be focused on Other Tobacco Products, known as OTP's. These are low-cost tobacco items that are on the market to keep young people interested in tobacco use. These items are all low-cost, often come in candy or fruit flavors, many are smokeless, and some are dissolvable. Many are packaged to look like other items (i.e. lipstick case, candy item) so that parents and teachers would not be able to identify them as a tobacco product. Efforts will include identifying parent groups and presenting information at school staff meetings.

Contracted Services

Nursing Contracts: Emerson Homecare in Concord provides skilled-care nursing services to elderly patients from Maynard at the time of discharge from Emerson Hospital, conducts all of our epidemiological investigations, and staffs our senior health clinics. During the fall flu clinics for the seniors and Town employees, EHC nurses administered a reduced number of flu shots due to additional and earlier clinics run by the MCC/MRC and the local pharmacies.

In 2011, the Town of Maynard joined the Massachusetts Virtual Epidemiologic Network (MAVEN) through the Massachusetts Department of Public Health, allowing Emerson Homecare nurses to directly receive and investigate epidemiological incidents, replacing the previous fax procedure. Not only does this paperless system allow for faster response time and follow-up measures, but it also provides a centralized, comprehensive database for epidemiological incidents for the 228 cities/towns currently within the network.

Mental Health: The BOH contracts with Eliot Community Human Services Inc. of Concord to provide Maynard residents with critical, affordable, and accessible mental health services. Town funding allows the clinic to offer residents options in the event of a financial hardship or non-reimbursable support. In 2011, a total of 213 children, adolescents, adults, elders and families from Maynard received service, representing an 18% increase from last year. 30% of these clients were children/adolescents, and 25% of clients were diagnosed with a severe & persistent mental illness. Additionally, 57% of clients were seen by one of the Eliot Psychiatrists for the purpose of prescription/medication evaluation and monitoring which speaks to the severity and complexity of the individuals they serve. Supplementary services include telephone/crisis intervention, 24-hour emergency coverage, telephone support to family members, case coordination with schools, doctors, hospitals, police, and housing authorities, assistance obtaining entitlements (i.e. social security, transportation, food stamps), and assistance with medications (i.e. injection clinic, paperwork, and lab review). To continue this level of service, individual community support is crucial. The need for these types of services has increased 38% in five years and is expected to continue to increase as available resources and insurance coverage continue to decline.

East Middlesex Mosquito Control Program (EMMCP):

The EMMCP conducts a program in Maynard consisting of mosquito surveillance, larval mosquito control, and public education. Moderate rains during the spring and early part of the summer produced normal spring and early summer mosquito activity. Frequent rains during August and September resulted in large populations of floodwater mosquitoes at the end of the season. The adult mosquito surveillance program used traps to collect mosquitoes from 3 Maynard locations. Data was compiled from 9 mosquito trap collections over 5 nights. During the summer and the early fall, selected trap collections from Maynard and other Project communities were tested for West Nile Virus (WNV) and EEE by the Mass. Dept. of Public Health. During 2011 there were 5 human WNV cases in the State including 4 cases from the metro-Boston area and 2 EEE cases that were contracted in southeastern Massachusetts. A graduate student intern monitored recently constructed stormwater detention basins within the district to evaluate the capability of these sites to produce mosquitoes following individual rain events and during periods of frequent rains.

The larval mosquito control program relied on the larvicides *Bacillus thuringiensis* var. *israelensis* (Bti) and methoprene, which are classified by the EPA as relatively non-toxic. An April helicopter application of Bti controlled mosquito larvae at 12 wetland acres. Field crews using portable sprayers applied Bti in the spring and the summer to 17 wetland acres when high densities of mosquito larvae were found in stagnant water. Project personnel applied time-release methoprene pellets to control *Culex* mosquito larvae at 981 roadside catch basins. *Culex* mosquitoes are considered the primary vectors of WNV.

The Project's public education program is designed to develop awareness within the public and the private sectors as to their roles in mosquito control. The Project serves as a resource to residents, municipal officials and the local media on mosquitoes and mosquito borne diseases. A web page www.town.sudbury.ma.us/services/health/emmcp provides residents with information on mosquitoes, control programs and related topics.

Annual Report of the Animal Control Officer (ACO): Tom Natoli continues to provide valuable services to the Town on a 24-hour, on-call basis. His role in planning our annual Rabies Clinics and the extensive work performed in addressing the many

different types of animal control issues is an invaluable asset. The ACO must attend training programs conducted by the State and remain registered as both an Animal Control Officer and a Problem Animal Control (PAC) Officer. He is appointed by the Board of Selectmen to serve as the Town Animal Inspector as well. The ACO provides a monthly report of his work to the BOH, which totaled 199 calls in 2011. A more detailed summary of the types of calls is included in the summary table. This year, in continuing with his PAC requirements, Tom attended a coyote-focused course through Mass Wildlife. The BOH wishes to thank Tom for his dedicated efforts in these areas.

Annual Report of the Dog Control Officer: Dog Officer, Les Boardman, together with his assistant DCO, Jennifer Condon, continued to provide dog control services to the Town under the Board of Health in 2011. There were 916 dog licenses issued in 2011. All dogs should be licensed in January of each year or the owners/keepers may be liable to pay a fine. The law applies to all dogs, age six months or over, regardless of the time of year ownership is acquired. Additionally, the law states the maximum number of dogs, age 6 months or older per household/residence, is three (3). Dog registration forms are sent to all households in January of each year with the Town Census – forms are also available at the Town Clerk's office. The ACO provides a monthly report of his work to the Public Health Director – a more detailed summary of the types of calls is included in the summary table. The BOH would like to thank Les, Jennifer, and their staff for their commitment to dog ownership health and safety.

Contact our Board with any questions concerns or comments. The Board of Health office is open from 8:00 a.m. to 4:00 p.m., Monday through Friday. Board meetings are held the second Monday of each month at 7:00 p.m. in Room 101 (the lower meeting area of the Town Hall), unless posted otherwise. Please contact us at: (978) 897-1302, Fax us at: (978) 897-8489, or e-mail us at ksweet@townofmaynard.net.

Also, consult the Town of Maynard webpage for copies of the BOH regulations, health information, solid waste and recycling updates, and more at: <http://www.townofmaynard-ma.gov>.

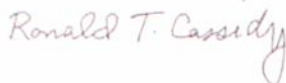
Respectfully submitted:



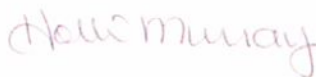
**Kevin Sweet, Public Health Director
Integrated Solid Waste Manager**



Lisa Thuot, Member



Ronald Cassidy, Chairman



Holli Murray, Member

Annual Statistical Summary of Routine Work: 2011

<u>License and Permits</u>					
Food Service (Full, Retail)		50		<u>Inspections/Investigations</u>	
Temporary/Seasonal Food		7		Housing Inspections	39
Catering		6		State Housing Inspections	3
Fraternal Clubs		6		Rooming House Inspections	3
Church Kitchens		3		Home Reviews	0
Mobile Foods		2		Septic	
School Kitchens		3		New	0
Residential Kitchens	2			Repair	0
Food Pantry		2		New Food Service Operations	4
Frozen Desserts		3		Pools	3
Funeral Directors		3			
Swimming Pools		3		<u>Complaints:</u>	
Tanning Salon		2		With Animal Control	1
Septic Haulers		8		With Fire/Police	5
				With DPW	0
<u>Food Program</u>				Food Establishments	6
Food Inspections/Re-Insp.	201			<u>Dog Control Program:</u>	
Hearings	2			Total number of calls	467
Plan Reviews	4			Dog Impounded	30
Change of Owner Mtgs.	1			Unclaimed Dogs*	4
<u>Communicable Disease Cases:</u>				Animal Bites	8
Tuberculosis		0		* Unclaimed dogs are adopted out by ACO or surrendered to Buddy Dog Humane Society or Shelter	
Viral Meningitis		0		<u>Mosquito Control Program</u>	
Salmonellosis		3		Larvicide application	
Lyme Disease		2		Aerial (acres)	12
Chicken Pox		0		Ground locations (acres)	17
Hepatitis (A, B & C)		4		Mosquito traps	
Pertussis	0			Sites	9
Campylobacteriosis		3		Nights of testing	5
Cryptococcus		0		Catch basins treated	981
Streptococcol		0		Web Reference:	
Giardiasis		1		http://sudbury.ma.us/services/health/emmcp	
Legionellosis		2		<u>Animal Control Investigations:</u>	
Toxoplasmosis		0		Total number of calls	199
Shigellosis		0		Quarantines	34
<u>Tobacco Control Program:</u>				Rabies vaccine clinics	2
Permitted merchants	13			Animals Vaccinated:	
Rounds of inspection		2		April Clinic	27
Total number of inspections		26		November Clinic	24
Total number of violations		9		State Laboratory tests for rabies	0
				Positive Tests for rabies	0

FACILITIES DEPARTMENT ANNUAL REPORT YEAR ENDING DECEMBER 31, 2011

First and foremost, I would like thank the Board of Selectman, the Town Administrator and the hiring committee for the opportunity to serve as the first Facilities Manager for the Town of Maynard. I am sure that the process of getting this position approved was difficult at best, and I thank you.

I spent the first few weeks as Facilities Manager in Maynard meeting everyone and taking a close look at the properties and the reports from prior efforts. The schools have been my primary focus since they have the largest square footage and the highest use of energy than other Town owned property.

Projects completed and in process are as follows:

- Trim in the Town Hall painted, the copula is back in great shape and new doors installed.
- The Fire Station has a safe and certified fire escape.
- The Coolidge Administration Building has a new boiler.
- The new high school is off to a great start.
- We are moving forward with improvements to the Fowler Middle School and Green Meadow Elementary School. A new boiler for the Fowler School is being looked at with the hopes of installing a high efficiency gas unit.
- Old carpeting removed throughout Green Meadow School and new tile floors installed.
- Green Meadow has upgrades to the lighting system and air-handling units. There is a possibility of a new roof on the school.
- Outside consultants are assisting the Town in cost effective capital improvements to all buildings in Town.
- Lighting throughout the Town, including streetlights and parking lots, are scheduled for new LED fixtures. The new fixtures will reduce energy consumption and require less maintenance.
- We are also moving forward with a town wide computerized work order system to help track and record all maintenance issues.

I am an active member of many committees in town as well as a new member of the Assabet Valley Vocational School Building Committee.

I look forward to continued progress throughout the Town for the remainder of this fiscal year and in the future.

Thank You,
Gregg Lefter
Facilities Manager

2011 Annual Report of the Maynard Public Library

Submitted by Library Director, Stephen Weiner

Library Staff for 2011: For 2011 staff included: Cynthia Howe, Mark Malcolm, Conrad Miller, Dennis Morrissey, Jeremy Robichaud, Sarah Thurston, Stephen Weiner and Karen Weir. We regret to announce that Conrad Miller retired effective January 1, 2012. Our circulation staff included Maureen Berry, McCauley Brooks, Emily Doucette, Dorothy Flood-Granat, Jacqueline McGoldrick, Phil Peacock, Indira Rao, Margaret Scheiner, Sara St. Pierre, Stephanie Wasiuk, Sean Webb and Lily Weiner. Most of our circulation staff works only a few hours a week.

Board of Library Trustees: The Board of Library Trustees for 2011 consisted of Patricia Chambers, Chair, William J. Cullen, Secretary, and Frank Hill, Member at Large.

Friends of the Maynard Public Library: The Friends sponsored some wonderful events during 2011. The Friends Board consisted of Sally Thurston, President, Julie Williams, Vice President, Dennis Morrissey, Treasurer, and Paula Goldman, Secretary.

Library Volunteers: Our volunteer group included: Charles Beauvais, Joseph Berry, Janet Brayden, Susan Gerroir, Marilyn Hanson, Connie Keenan, Karen Lund, and Mary Jane Papson. I would like to especially thank Jan Rosenberg would leads our very popular book discussion group, The Book Mill.

Library Circulation: The library circulated 96,868 books and 49,129 audio visuals (CDs, DVDs, audio books, etc). 977 items went out through the Overdrive Program (the Minuteman Library Network's download program). 23, 808 items were checked out through the self-check module. 523 new cards were registered, and there were 24,298 public computer users. The library discharged and returned 119,390 books belonging to other libraries. 23,122 items were borrowed from other libraries for Maynard patrons to use and we sent out 27,418 items to other libraries for use by their patrons. Overall, 319,944 items passed over the library's circulation desk, or roughly 32 items per resident. Library use has increased from 125,701 in 2005 (when the library moved from the west wing of the Town building to the current location at the Roosevelt school on Nason street) to 319,944, an increase of 194, 0243 items.

Library Awards: The library received an award from the Massachusetts Cultural Council for \$500, which helped defray the cost of the summer concert featuring Patty Larkin. We also received a \$7,500 award from the Massachusetts Board of Library Commissioners to implement a "One Town One Book" program in 2012. We also received a second annual award from the Massachusetts Board of Library Commissioners for 11,701.37. Finally, we gratefully received supplemental funds from the Friends of the Maynard Public Library to support several kinds of programs in the amount of \$9,000. We received a total of \$28,701.37 in awards. We are also grateful to the numerous patrons who donated to the library's Gift Fund.

Electronic Programs: The library's web site was completely redesigned for easier use and the library increased its downloadable book holdings through the Minuteman Library Network's Overdrive Program. As a result, use of the Overdrive Program

increased by 66% in 2011, as patrons borrowed an average of 81 electronic books per month or an average of 18 per week.

Library Programs: The library held 116 programs, or almost 10 a month. The Friends of the Maynard Public Library sponsored many of these programs. They drew in 4592 participants. It is worth noting that the Summer Reading Club had 315 participants and that the annual summer concert featuring Patty Larkin drew 508 attendants.

Days Open, Meetings, and Elections: The library was open 294 days in 2011. One election was held and 298 people voted. 374 meetings were held during those 294 days. These meetings drew 7,250 attendants. This means that 12,140 people came into the library to attend a meeting, participate in a program, or vote.

Library Hours Open: The library was open these hours: Monday, Wednesday, and Friday, Saturday 10 AM-5 PM and Tuesday and Thursday 2 PM-9PM. The library closed on Saturday during the summer.

In Closing, I would like to thank Town Administrator Michael Sullivan and all Town officials for their support of the library program. I would also like to thank the Board of Library Trustees, the Friends of the Maynard Public Library and the library staff, who push themselves each day to deliver the kind of service the people of Maynard deserve.

Respectfully submitted,

Stephen Weiner, Library Director

Annual Report 2011

Maynard Veteran's Services

Agent's Report

To the Honorable Board of Selectmen, Town Administrator, and the Veteran Community of Maynard, this report is submitted for the year ending 2011.

Veterans Benefits

Veterans Benefits are governed under Chapter 115 of the Massachusetts General Laws (M.G.L. c. 115) and the Commonwealth of Massachusetts Regulations 108 (C.M.R. 108). Benefits assist qualified needy veterans and their dependents based on income levels and in accordance with the Budget Standards Chart. The Town of Maynard is reimbursed 75% by the State for Veteran's Assistance payments issued by this office.

The Veterans Agent is responsible for determining the eligibility of all cases processed through his office. The Agent conducts interviews, establishes approvals, and conducts follow-up on veterans receiving assistance. Field investigations, within the local community, are performed by this office to determine the recipient's eligibility to receive benefits.

Veteran's Services also include assisting Maynard veterans in filing federal forms for benefits, which include service-connected disability claims, non-service-connected claims, VA health care, requests for medals, requests for service records, bonus applications, burial assistance and other federal benefits such as counseling in vocational rehabilitation and employment.

Additionally, the Agent acts under Power of Attorney for veterans researching and processing cases to the Rating Review Board (Department of Veteran Services), and prepares appeal cases to the VA Board of Veteran's Appeals on behalf of the veteran. The Agent also acts as liaison between State and U.S. Representatives on behalf of veterans and their dependents.

Office

The Veteran's Office is located on the main floor of the Maynard Town Hall. The office is currently staffed one day a week -- Tuesdays from 6 – 8 PM. Additional hours are available, by appointment, Monday through Saturday.

Legislation

During the past year, the Federal Government passed legislation which the President signed into law granting all eligible veterans and their dependents a 3.6% Cost of Living Allowance (COLA) increase. This was the first COLA increase for eligible veterans and their dependents in two years.

Salute

It has been my honor to be the Junior Vice-Commander of Disabled American Veterans (DAV) Chapter 82 for 2010/2011. DAV Chapter 82 has done a tremendous amount of fund raising and volunteer work for local veterans and I commend them. The Chapter raised nearly \$10,000 during the annual "Forget-Me Not" campaign and the citizens of Maynard were a large part of the campaign. Many people donated to our members standing outside in the summer heat. There is something special about individuals that donate to others, especially our veterans, during these challenging economic times. Thank you to the residents of Maynard for your continued generosity to our Disabled Veterans. One hundred percent (100%) of your donations went to local Disabled Veterans, their families in need, nursing home Veterans and Veterans undergoing medical treatment in VA Hospitals located in Massachusetts. Salute!

Second Salute

Veteran Service Organizations continue to be the backbone of the Veteran communities throughout Massachusetts and the Nation. The Maynard American Legion Post is one such organization that supports and assists Maynard's Veterans and their families on a daily basis. The Maynard Post and its members provide a tremendous amount of support to local Veterans and their families at no cost to the Town or other government agencies. The Post's Auxiliary raised over \$5,000 for a local organization known as Honor Flight New England that transports area Veterans to Washington, DC to visit and reflect at their memorials with no cost to the veteran. As a community, we are extremely fortunate to have an organization like the American Legion and its members who continually give of themselves for the sake of others. Salute!

Respectfully Submitted,

Wayne E. Stanley Sr., MSgt, USAF (Retired)
Veterans Agent

2011 Annual Report of the Board of Assessors

The Town of Maynard is served by the following Board members and staff:

Michael Manning (Chairman), Stephen Pomfret (Member), William Cranshaw (Member), Angela Marrama (Chief Assessor) and Marianne Dee (Assessing Clerk)

We continue to focus on collecting and analyzing the assessing data so that our records are accurate and current. All our data is now on line with GIS software, which ties the maps, and aerial views with the assessing data. Fiscal Year 2012 was an Interim Year Adjustment, which was conducted in house along with all the condominiums in town being reviewed by Patriot Properties. There were 699 inspections completed by the assessor and Patriot Properties. We continue to strive for accuracy in recording real and personal property data and to meet all deadlines established by the Department of Revenue.

The Town of Maynard has 4,032 taxable parcels for Fiscal Year 2012. The count of these taxable parcels by property class is as follows:

Property Type	FY2011		FY2012	
	Parcel Count	Value	Parcel Count	Value
Single Family 101	2635	830,649,100	2642	823,517,500
Condominium 102	478	104,545,200	480	104,545,000
Miscellaneous 103&109	12	5,310,100	12	5,050,400
Two Family 104	258	83,996,600	257	82,616,500
Three Family 105	25	8,545,500	25	8,332,200
Four and up 111-125	46	30,231,500	46	29,902,800
Vacant Land 130-132&106	117	7,086,800	115	7,489,400
Open Space 200-231	0	0	0	0
Commercial 300-393	133	53,927,800	133	54,038,000
Industrial 400-452	19	65,976,300	25	62,265,500
Chapter 61 Land	2	2,371	2	2,053
Chapter 61A Land	5	30,252	4	26,363
Chapter 61B Land	3	2,017,547	3	2,019,072
Mixed Use 012-043	36	15,949,900	36	15,730,800
PersonalProperty501-508	231	29,144,770	252	27,793,527

The Board of Selectman voted to split the tax rate using a 1.39 rate split, which resulted in a tax rate of \$18.45 for residential and open space and \$27.17 for commercial, industrial and personal property at their December 6, 2011 meeting. New values and new growth for Fiscal Year 2012 were certified by the Department of Revenue on December 6, 2011.

The following is a comparison of total valuations by fiscal year:

Fiscal Year	Assessed Value	Tax Levy	Tax Rates	
			R/O	CIP
2008	1,384,295,611	20,055,412	13.33	22.76
2009	1,350,084,313	21,269,986	14.51	23.63
2010	1,279,843,525	22,402,823	16.14	25.71
2011	1,237,413,740	23,147,926	17.50	26.91
2012	1,223,329,115	23,909,712	18.45	27.17

Tax Rate as expressed per \$1,000 of valuation

Valuation by Property Class

Property Class	FY08	FY09	FY10	FY11	FY12
Residential	1,209,200,633	1,160,942,242	1,097,382,875	1,078,732,98	1,069,740,840
Open Space	5,131,900	4,902,700	0	0	0
Commercial	68,668,853	69,858,722	69,263,456	63,559,690	63,529,248
Industrial	82,485,500	83,249,800	83,951,200	65,976,300	62,265,500
Personal	18,808,725	31,130,849	29,245,994	29,144,770	27,793,527

Levy by Property Class

Property Class	FY08	FY09	FY10	FY11	FY12
Residential	16,118,644	16,845,271	17,711,760	18,877,827	19,736,719
Open Space	68,408	71,138	0	0	0
Commercial	1,562,903	1,650,762	1,780,763	1,710,391	1,726,090
Industrial	1,877,370	1,967,193	2,158,385	1,775,422	1,691,754
Personal	428,087	735,622	751,915	784,286	755,150

Respectfully submitted,

Angela M. Marrama, Chief Assessor

MAYNARD CONTRIBUTORY RETIREMENT SYSTEM

ANNUAL REPORT DECEMBER 31, 2011

Active Members	208
Inactive Members	63
Retired Members	93
Total Membership	364

ASSETS

Cash	1,859,694.62	
Fixed Income Securities	9,608,024.31	
Equities	14,590,643.87	
Alternative Investments	133,476.00	
Interest Due And Accrued	25.65	
Accounts Receivable	1,540.35	
Accounts Payable	(-67,832.71)	\$26,125,572.09

FUNDS AND LIABILITIES

Annuity Savings Fund	6,912,501.84	
Annuity Reserve Fund	2,302,846.35	
Military Service Fund	13,228.63	
Pension Fund	1,449,813.89	
Pension Reserve Fund	15,447,181.38	\$26,125,572.09

RECEIPTS

Members Deductions	696,265.43
Transfers from Other Systems	38,437.98
Members Make Up Payments And Redeposits	1,195.98
Investment Income Credited To Members Accounts	20,200.04
Investment Income Credited To Annuity Reserve Fund	65,843.19
Reimbursements From Other Systems	36,029.32
Received From Commonwealth For COLA	16,042.56
Pension Fund Appropriation	1,533,692.00
Member Payments From Rollovers	0.00
Investment Income Credited To Military Service Fund	39.57
Investment Income Credited To Expense Fund	183,374.29
Federal Grant Reimbursement	0.00
Pension Reserve Appropriation	0.00
Interest Not Refunded	802.34

Miscellaneous Income	3,346.24
Excess Investment Income	<u>2,632,285.51</u>

TOTAL RECEIPTS	\$5,227,554.45
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DISBURSEMENTS

Refunds To Members	30,381.66
Transfers To Other Systems	273,495.66
Annuities Paid	277,059.73
Option B Refunds	0.00
Pension Payments	1,271,197.53
Survivorship Payments	62,593.92
Ordinary Disability Payments	55,540.14
Accidental Disability Payments	216,966.65
Accidental Death Payments	52,550.16
Section 101 Payments	0.00
Reimbursements To Other Systems	120,628.58
COLA's Paid	0.00
Board Member Stipends	2,536.25
Salaries	37,225.30
Legal Expenses	15,000.00
Medical Expenses	0.00
Fiduciary Insurance	0.00
Service Contracts	0.00
Professional Services	1,243.00
Education And Training	0.00
Travel	2,161.40
Administrative Expenses	16,491.97
Furniture and Equipment	289.95
Management Fees	89,172.26
Custodial Fees	<u>19,254.16</u>

TOTAL DISBURSEMENTS	\$2,543,788.32
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Emergency Management Agency

The Maynard Emergency Management Agency is the town agency responsible for coordinating federal, state, local, volunteer, and private resources during emergencies and disasters in the Town of Maynard. Emergency Management develops plans for effective response to all hazards, disasters or threats; trains emergency personnel and volunteers to protect the public; provides information to residents; and assists individuals, families, and businesses to mitigate against, prepare for, and respond to and recover from emergencies, both natural and manmade.

In June 2011, Fire Chief and Emergency Management Director Stephen Kulik retired. I would like to thank him for his years of service and support. In addition, I would like to thank Deputy Emergency Management Director Ronald Cassidy and members of the Maynard Citizen Corps/Medical Reserve Corps (MCC/MRC) for their dedication to ensuring the safety of the residents of Maynard.

The year of 2011 was a continuing challenge for Emergency Management and town officials. We faced significant storms in August and October that stressed the Town's emergency response system, but were successfully managed by the Emergency Management Team. While there are always areas for improvement, the consensus among town officials and citizens alike is that teamwork, cooperation and coordination among the Town's first responders and support agencies was excellent. These events were declared disasters by the Federal Emergency Management Agency (FEMA). In 2012, I will be attempting to recover a significant portion of the thousands of dollars allocated to response and clean up efforts through the FEMA public assistance process.

The Emergency Management Director serves as the Chairman of the Local Emergency Planning Committee (LEPC). The LEPC is the planning side of the Town's department-wide response to emergencies. The LEPC participated in the Fall Flu Clinic that was run as an emergency drill and is planning additional training opportunities for the upcoming year. The LEPC assists Emergency Management with maintaining required National Incident Management System (NIMS) training, Tier II reporting, and emergency plan updates among other requirements needed to maintain our certification in order to continue to qualify for public safety grants. In 2011, Maynard's Comprehensive Emergency Management Plan (CEMP) was updated in accordance with Massachusetts Emergency Management guidelines and was approved by the Massachusetts Emergency Management Agency (MEMA).

In December 2011, with input and assistance from several town officials, the Emergency Operations Center (EOC) was completed. The EOC is located at Maynard Police Headquarters and is under the command and authority of the Emergency Management Director during activation. The center provides a place for representatives of the Local Emergency Management Team to assemble and coordinate support for any type of emergency in the Town. The EOC is equipped with computers and communication and monitoring equipment, which enables officials of the various departments and outside

agencies to communicate and bring needed resources to the emergency. If additional resources from outside the community are required, Emergency Management will coordinate requests through the Massachusetts Emergency Management Agency (MEMA).

In closing I would like to remind residents to update their telephone numbers in the Town's Emergency Alert Notification System (Connect-CTY); it's fast, easy and secure. You can register and update contact information by going to the Town of Maynard website at:

www.townofmaynard-ma.gov and click on the "SIGN UP NOW" box, or by calling Maynard Emergency Management at (978) 897-1350. Emergency Management has also dedicated a public information line for residents to call for important recorded information during an incident; please make note of the following number **(978) 897-1332**.

Respectfully submitted:

A handwritten signature in dark ink, appearing to read "Kevin A. Sweet".

Kevin A. Sweet
Emergency Management Director

2011 Annual Report of the Maynard Fire Department
Report of the Fire Chief

2011 marked another year busy year for your Maynard Fire Department. Firefighters responded to 1354 emergency calls for service throughout the year. In addition, we responded to 171 special incidents or inspections not listed below. Emergency responses break out as follows:

Rescue/Emergency Medical Incidents/Mutual Aid	790
Fire/Hazardous Conditions/Alarms/Weather/Mutual Aid	337
Service/Good Intent	227
Total	1354

The Maynard Fire Department stands ready in its mission to protect the life and property of the Citizens of Maynard through a combination of modern firefighting and emergency medical practices and a firm commitment to education and prevention. The department is comprised of 16 highly professional career firefighter/emergency medical technicians and 1 on-call firefighter each taking direction from 4 dedicated and skilled fire captains.

Because of the size of the department, many firefighters and all 4 Captains are assigned ancillary duties they perform in addition to emergency responses. These duties consist of inspection services, fire alarm maintenance, and emergency medical supervisor, training coordinator, radio maintenance, personal protective equipment quartermaster, information technology, public safety education, vehicle maintenance and webmaster. The department is overseen by the fire chief who is assisted by an administrative assistant. Below are the personnel that make up your fire department.

Fire Chief Anthony Stowers
Administrative Assistant Nancy Brooks

Group 1

Captain William Soar
Firefighter/EMT James MacGillivray
Firefighter/EMT Craig Desjardins
Firefighter/EMT Adam Nichols
Vacant spot

Group 2

Captain Patrick Sullivan
Firefighter/EMT Mark Tomy
Firefighter/EMT Patrick Hakey
Firefighter/EMT Sean Kiley
Firefighter/EMT Walter Latta

Group 3

Captain Peter Morrison
Firefighter/EMT Gerald Byrne
Firefighter/EMT John Primiano
Firefighter/EMT Jeffrey Boudreau
Vacant spot

Group 4

Captain Joe Landry
Firefighter/EMT David Hillman
Firefighter/EMT Timothy Gray
Firefighter/EMT John King
Firefighter/EMT Erik Byam

On-call Group

Firefighter Sean Murphy

This year saw the retirement of Fire Chief Stephen Kulik and Firefighter Richard Hill. Chief Kulik began his service to the citizens of Maynard in 1969 as a call firefighter; he was appointed as a career firefighter in 1974, promoted to the rank of Captain in 1989 and began his tenure as Chief in 2001. Richard Hill began his career in Maynard in 1974 as a call firefighter and was appointed as a career firefighter in 1978 and worked until January of 2012. I would like to personally thank both of these gentlemen for their dedicated service to the community and wish them a long and healthy retirement. Firefighter Robert DeCosta, a career firefighter in Maynard since 2007 decided to make the move to the Fitchburg Fire Department, thank you and good luck Robert. Some sad news to pass on as we reflect on this past year as retired firefighter Peter Oskirako passed away. Peter was a career firefighter here in Maynard from 1973-2001, our best wishes go out to his family as he will be missed.

Emergency Medical Services Division

Captain Sullivan oversees our emergency medical service which once again accounted for the majority of emergency requests this year. All of our career firefighters and officers have and maintain their emergency medical technician certificates. This allows them to work in a dual role as both a firefighter and emergency care provider at a medical emergency at the basic life support level. Our firefighter/EMT respond with Pro-EMS to all advanced life support emergencies and support the efforts of paramedics at those emergencies.

Public Education

The Maynard Fire Department is committed to reducing risk to the community through prevention and education programs that are conducted in schools and to community groups. Firefighter Sean Kiley oversees this program has been instrumental in securing funding for a community wide student awareness of fire education (SAFE) program through grant money. This program is aimed at educating school children in the dangers of fire safety and assists with our annual open house during fire prevention month in October. Maynard's firefighters also participated in the Middlesex County Sheriffs "Youth Safety Camp". This camp involved firefighters and police officers from Maynard, Acton and Stow, in conjunction with the Assabet Valley Boys and Girls Club working together, they provided a fun and educational day for 50 area children. Maynard firefighters are working to put together the first annual "Senior Citizens Expo Day", more information will be coming out soon. Maynard's firefighters are also exploring the implementation of a voluntary home inspection program aimed at reducing community risk and reducing human suffering.

Building and Apparatus and Equipment

Our building continues to show the wear and tear of a building its age, in addition to being very tight quarters for necessary apparatus, there also some issues with mold and a leaking roof. We are looking forward to developing a plan to replace this facility with a more modern and efficient building to better suit the needs of our citizens. Firefighter Timothy Gray has taken on the role of apparatus maintenance to coordinate regular service and needed repairs, as the fleet ages his jobs becomes a little more challenging. Our current in-service apparatus is as follows:

Engines 1, a 2001 "Emergency One" class "A" pumper, this is our front line engine and first due for fires and non-medical related emergencies. This truck appears to be in good condition.

Engine 2, a 1991 "Emergency One" class "A" pumper, while also used as a structural firefighting engine, its primary mission is as a mutual aid engine and it is the second due engine for incidents here in Maynard. This piece of apparatus is nearing the end of its service life and will be considered for replacement in the upcoming years.

Engine 3, a 1997 “Emergency One (Freightliner) pumper, smaller than engines 1 and 2, the primary mission of this engine is response to medical incidents and motor vehicle accidents. It is also used to supplement other apparatus at building or brush fires.

Engine 4, a 2011 Ford F-350 Super Duty 4x4 pick-up truck, it is equipped with a water tank and high pressure pump for use at brush fires. It also doubles as the shift commander’s vehicle for use in his daily activities such as inspections and department business.

Ladder 1, a 1986 “Emergency One” Aerial Ladder Truck, it has a 100 ft. hydraulic ladder and a full compliment of ground ladders. It also carries rescue equipment and an assortment of tools for use when ventilating a structure during a fire. This truck is now 26 years old and near the end of its useful life, we are starting to see increased maintenance items associated with this apparatus and expect this trend to continue.

Car 9 is the Fire Department Ambulance. It is a 2005 Ford F-450 chassis and a patient compartment built by the Horton Company of Ohio. It was placed in service in December 2004. The truck has had numerous mechanical problems including an engine overhaul as a result of a class action suit. We have recommended a new Ambulance be purchased so that this one can be placed in reserve status as it continues to have maintenance issues as a first run ambulance.

Car 10 is a 2005 Ford Explorer that was handed down to the Fire Chief in 2008. It was formally a police cruiser. It has over 105,000 miles and should be replaced in the coming years.

While there is no standard rule for the appropriate age of apparatus that should be retired, it is safe to say that we need to look at replacing some of ours in the coming years to ensure for the safety of our firefighters and to maintain efficiency in service delivery. Our vehicle extrication equipment, commonly referred to as the “Jaws of life”, is slated for upgrading this coming year as it has reached the end of its service life as a front line piece of equipment. Our Self contained breathing apparatus is in good shape although Firefighter Walter Latta has written a grant supported by the Federal Government for upgrade and replacement for some of our air cylinders. Firefighter Latta also oversee our protective clothing program ensuring it is in good shape and that all firefighters have the correct equipment to perform their duties.

Communications and Inspection Services

Communications for the Maynard Fire Department falls into a few broad categories; the first is the Municipal Fire Alarm System that notifies the fire department directly when activated for a fire or other emergency. These are the red fire alarm boxes you see on the side of buildings or on utility poles. Captain Peter Morrison takes care of maintenance and oversees testing on this system to ensure a constant state of readiness, additionally, he also performs electrical inspections. Radio communications is the other primary

method of communication for the Maynard Fire Department during emergency situations. Our radio program is in the hands of firefighter Gerald Byrne, he works with fire department personnel and our outside radio vendor to ensure our radios are maintained and repaired in a timely manner so they are ready when needed. Firefighter Jeffrey Boudreau is our resident webmaster and takes care of posting information about Maynard Fire on our Facebook page, if you would like to receive regular updates from us, you can like us on Facebook! Our inspectional services division is headed up by Captain Joe Landry. Captain Landry inspects, or coordinates inspections for all business and residential occupancies that require them throughout the year.

The Future

I have only been your Fire Chief for a very short time; however, it has been my observation that the firefighters and officers that work for the citizens of Maynard are very capable, conscientious and committed to providing the very best service possible while carrying out their mission. Together we are going to continue to improve the Maynard Fire Department using teamwork, technology, education and up to date industry models. I would personally like to thank the community as a whole for being so welcoming, the Board of Selectman for their faith and support, Mike Sullivan and his entire staff for their guidance in my transition to this position and all of my fellow department heads who have demonstrated an unparalleled level of professionalism in my short tenure in Maynard.

Respectfully submitted,

Anthony Stowers/Fire Chief

REPORT OF THE CHIEF OF POLICE

<http://web.maynard.ma.us/gov/mpd/>

Submitted herewith is the Annual Report of the Maynard Police Department
For the Calendar Year 2011

PERSONNEL

Officer William Duggan returned in April from his year long deployment in Afghanistan. We would like to thank Officer Duggan and his family for the sacrifice they have made over this period of time. The Town and the Police Department are delighted that he had a safe return home and would like to thank him for his service.

Officer Corrigan is currently serving his country assigned to military training. We all wish Officer Corrigan the best of luck and thank him for his service. We look forward to his return in July 2012.

Officer Joseph Behnke Jr. was appointed as a permanent officer to the Maynard Police Department on August 8, 2011 after serving as a temporary officer.

Officer Peter Booth served for a short time from August to December 2011. We wish him well in his career as a Hopkinton Police Officer.

The Maynard Police Department would like to thank Parking Clerk Ellie Waldron for 40 years of dedicated service to the town of Maynard. Ellie retired in July 2011.

DEPARTMENT ROSTER

Chief

James F. Corcoran

Lieutenant

James F. Dawson

Sergeants:

Stephen Jones
Michael Noble
Brian Quinlan
Thomas Neufell

Patrolmen:

Karl Nyholm	Meters
Phil Craven	Prosecutor
Mary McCue	
Gregory Balzotti	

William Duggan Photo Officer/Juvenile Officer
Paul Maria Detective
Brian Cushing
Richard Seeley
Jeffrey Houle
Eric Davoll
Brian Petersen
Christopher Sweeney
Joseph Behnke
Shawn Corrigan

Administrative Assistant:

Lucie DiStefano

Custodian:

James Maria

Crossing Guards:

Parnell Houle

Martha Shugrue

Marita Garcia

Matrons:

Debbie Richardson

Nancy Brooks

Cheryl Budrewicz

Phyllis Tower

Special Police Officers

Douglas MacGlashing

Ralph Aulenback

James Loomer

Deborah Richardson

Walter Sarvela

Edward Kiley

John Connors

James Clark

Tim O'Neil

Bruce Noah

Richard Clark

John Kaziukonis

Alfred Whitney

Robert DaCosta

POLICE GRANTS FY2011

The Maynard Police Department received grants in the following areas in 2011; some of the grants not depleted may carry over to the following year.

- **COPS LAW-ENFORCEMENT TECHNOLOGY** **\$105,383**
- **E-911 STATE GRANT** **\$16,023**
- **911 TRAINING GRANT** **\$4,141**
- **GAAD GRANT- no longer funded** **\$1,322**
- **DARE GRANT- no longer funded** **\$171**
- **COMMUNITY POLICING GRANT – no longer funded - depleted**

The Maynard Police Department will continue to apply for all grants associated with policing. Due to the present economy, the competition for grant money is very difficult. Grant money supplements our operational budget.

COMMUNITY POLICING GRANT

With the elimination of funding for Community Policing in 2009, the funds are depleted. The Maynard Police Department will continue to serve the Community in any way that it can; unfortunately the department can no longer fund many of the Community Activities it did in the past.

MAYNARD POLICE 2011 TOY DRIVE

The Maynard Police Department is proud to announce that this year's Toy Drive was an enormous success. Once again, Officer Greg Balzotti showed his dedication to the Town and spent much of his own time to achieve this outcome. We greatly appreciate Officer Balzotti's time, eagerness and enthusiasm to the Toy Drive. A special gratitude is extended to the many volunteers and companies that made donations. Their efforts and generosity enabled us to help many families in Maynard enjoy their Christmas Holiday. The Toy Drive is an ideal example of the community successfully working together.

Parking Clerk & Meter Revenue

The Town of Maynard is currently using the services of Kelly & Ryan Associates as a collection agency for our parking ticket revenue.

Parking Tickets Issued **1341**

Meter & Parking Collections:

January 2011 - December 2011 **\$56,793**

Parking Clerk Collections 2011 \$35,146
Total Collection \$91,939

Maynard Police Department Statistical Information

Traffic Citation	849
Total Arrests	225
Total Incidents	12,881
Accidents	193
Accidents with Injury	24
Hit and Run Accidents	37
Operating Under the Influence Liquor	20
Operating Under the Influence Drugs	5

Vehicles

Cruiser	Year	Make	Model	Current Mileage	Date Purchased	Description
#10	2009	Ford	Crown Victoria	50000	Mar-09	Detective's Unmarked
#11	2008	Ford	Explorer	72000	Jul-08	Patrol Supervisor Marked
#12	2010	Ford	Crown Victoria	76000	Nov-09	Patrol Marked
#13	2006	Ford	Crown Victoria	76000	Mar-06	Chief's Unmarked
#14	2011	Ford	Crown Victoria	23000	Mar-11	Patrol Marked
# 15	2010	Ford	Crown Victoria	37000	Jul-10	Patrol Marked

Ford Motor Company has discontinued its production of the Crown Victoria car; the new version of this vehicle is a Ford Taurus and will be available in 2012. However, there will be an added cost to outfit the new vehicle due to the fact that much of the equipment will not be compatible with the new models. The Ford cruisers have been in production since 1950 and is extremely reliable.

Emergency Medical Dispatch (EMD)

EMD requires that the State 911 Department establish, with the Commission's approval, statewide certification requirements for enhanced 9-1-1 telecommunicators that include emergency medical dispatch and quality assurance of emergency medical dispatch programs. These standards will require emergency medical dispatch personnel to have public safety answering points or provide emergency medical dispatch through an appropriate resource. To comply with this new mandate, (implementation July 1, 2012) all Maynard Police Officers will be certified in emergency medical dispatch. They will attend a 24 hour training course funded by the State 911 Department Training Grant, with no cost to the Maynard tax payer.

Maynard Police Department Training Room/ Emergency Operations Center

Over the course of the past two years, the Maynard Police Department in conjunction with Kevin Sweet, Maynard Emergency Management Director, furnished and equipped a multiple purpose room at the Maynard Police Station. This room was constructed by the students at Assabet Valley Regional Vocational School and furnished with funds from the C.O.P.S Technology Grant. This room will be completely operational in 2012 and ready for any incident or disaster that may arise. We can also use this room for Maynard Police Department training as well as to sponsor outside agency training, therefore, allowing a limited number of Maynard Police Officers training free of charge. I would like to thank the students, faculty and administrators of Assabet Valley Regional Vocational High School for their support; once again this room was constructed and furnished with very little cost to the Maynard tax payer.

In closing, I would like to thank the Board of Selectmen, Town Administrator, Department Heads, Fire Department, DPW and all the Town Employees and Officials who have helped the Maynard Police Department over the past year. A special thanks to the men and women of the Maynard Police Department for the work they do day in and day out to help make The Town of Maynard a safe community.

Respectfully Submitted,
James F. Dawson
Acting Chief of Police

DEPARTMENT OF PUBLIC WORKS

ANNUAL REPORT OF THE SUPERINTENDENT

TO THE BOARD OF SELECTMEN AND CITIZENS OF MAYNARD FOR THE YEAR ENDING DECEMBER 31,
2011.

The Department of Public Works is comprised of six (6) Divisions which include Administration, Highway, Water & Sewer, Waste Water Treatment Plant, Parks & Forestry, and Cemetery Divisions. These Divisions are staffed by sixteen (16) Full Time Employees and one Part Time Employee, including the Superintendent and office staff. Employees, although assigned to a particular Division, may be required to fill in at other Divisions during emergencies. With the demands on this Department, we feel that additional employees are essential to provide an adequate level of service to the Community.

The Cemetery and Forestry Divisions are under the direction of the Highway Division.

During regular business hours the Administrative Office will take all calls for the Department, calls will be forwarded to the appropriate Division.

Administrative Offices: Hours M-F, 8:00 AM to 4:00 PM
Phone 978- 897-1317 Fax #978- 897-7290

Water/Sewer Billing Hours Mon., Wed. & Thur. 9:00 AM to 3:00 PM
Enquiries Phone # 978-897-1366

If you have an emergency after hours please call the Police Department at 978-897-1011, they will contact the appropriate Division to respond to your call.

To Contact the Department of Public Works thru the Town Website go to:
www.townofmaynard-ma.gov, click on Public Works (DPW) page and click on **Contact**.

PRIMARY DIVISIONAL RESPONSIBILITIES

HIGHWAY DIVISION

- Road Construction and Resurfacing
- Sidewalk Construction, Maintenance and Repair
- Catch Basin Cleaning, Construction and Repair

- Drain Line Maintenance, Construction and Repair
- Street Sweeping, Side Walk Sweeping and Parking Lots
- Traffic Signs, Street Name Signs and Line Painting
- Snow and Ice Control – Street Light Maintenance
- Vehicle and Equipment - Maintenance and Repair

WATER & SEWER DIVISION

- Water Supply
- Water Treatment, Sampling and Distribution
- Hydrants Maintenance and Replacement
- Water Services and Connections
- Meter Readings
- Sewer Collection
- Maintenance of Pump Stations and Collection System
- DEP & EPA Compliance and Reports.

PARKS AND FORESTRY DIVISION

- Tree Trimming and Removals
- Maintenance of Parks and Athletic Fields
- Road Side Maintenance

WASTE WATER TREATMENT PLANT

- Maintenance and Operation of Treatment Plant
- Processing of Influent
- DEP and EPA Compliance and Reports

CEMETERY DIVISION

- Maintenance of Cemetery Property
- Internments as Required

ADMINISTRATIVE DIVISION

- Oversee All Divisions
- Oversee All Construction
- Establish and Prioritize Projects, Short and Long Range
- Solicit Bids on All Department Projects
- Interface With All Federal, State and Local Authorities
- Prepare all Federal and State Reports
- Ensure Compliance With All Federal and State Mandates

- Accounts Payable and Receivable Commitments
- Infrastructure Improvements
- Street Lighting
- Execute Administrative Functions
- Water and Sewer Billing & Accounting

The preceding section is a brief outline of Divisional Responsibilities and should not be considered a complete listing of areas of responsibility or obligations.

HIGHWAY DIVISION

Presently there are 220 Streets in the Town of Maynard with more than 50 miles of roadways. The Highway Division is charged with maintaining these roadways.

Road Construction & Resurfacing

Preparation for the paving schedule for the next Fiscal Year is in progress. How much paving will be done is related to the State reimbursement, Chapter 90 Funds.

The Highway Division installed approximately 220 tons of asphalt on various streets and sidewalks. This work includes repairing deteriorated sections of sidewalks, repairing deteriorated sections of roads, repaving trenches after repairing water breaks or drainage repairs, patching around catch basins and manholes that have been repaired. This is an ongoing process to keep the streets and sidewalks in a safe condition.

Utilizing Chapter 90 Funds Sections of Parker Street, Haynes Street, Brown Street, Acton Street, Summer Street and Nick La were resurfaced. Bent Av., Virginia Rd. and Pomciticut Av. were resurfaced and funded by a bond that was approved at the Fall 2011 Town Meeting. The Department of Public Works continues to strive to update the roads and infrastructure thru the Town as our budget allows.

Drain Line Maintenance, Construction & Repair

The Department rebuilt over 15 catch basins or manholes in 2011 that deteriorated over time. This is an ongoing program to maintain the drainage and sewer systems.

The Storm Water Management Act requires the inspection of all outfalls for pollutants. We have begun inspecting and mapping locations along the Assabet River.

Catch basins and selected drain lines were mechanically cleaned in 2011 to insure adequate design capacity.

The purchase of a New Excavator this year has been put to great use helping out with Drainage, Water System Repairs and Grave Openings.

The Department again requests that the residents of Maynard keep the catch basins in front of their property clear of leaves and trash. This prevents localized flooding during sudden downpours or prolonged rainstorms. With over 900 catch basins in our community your assistance is greatly appreciated.

Street Sweeping, Sidewalk Sweeping

All sidewalks are cleaned of winter sand and debris, all roadways, parking lots and schools are swept annually. Clean up programs sponsored by various civic organizations such as the Boy Scouts, Garden Club, Litter League, Rail Trail, Organization for the Assabet River and other organizations are supported by this Department.

The Town Sweeper was put to work at various times during the year including Town Wide Spring Sweeping, along with multiple Down Town Clean-Up's and selected areas as needed through-out the year. The Street Sweeper is a tremendous asset to our fleet, in addition to compliance with the Storm Water Act.

Traffic Signs, Street Name Signs and Line Painting

Traffic and street name signs are replaced when needed. A Sign Replacement Program of all street name signs with larger and more reflective signs is in place and should be completed within the next few years. New signs are added as directed by the Police Department or the Board of Selectmen.

Crosswalks, parking stalls, handicapped designations and other markings on roads and parking lots are repainted in the spring or early summer. Center and edge lines on main roads are painted by contract as these require specialized equipment.

Snow and Ice Control

The primary function of the Highway Division during the winter is to insure that Town roadways and sidewalks - approximately 100 lane miles of roads and 14 miles of sidewalks - are open and safe as soon as possible after snow or ice incidents. All streets and sidewalks are plowed and sanded as necessary. Snow is removed as needed from the Central Business District along with outlying areas and intersections, and schools to allow for proper traffic movement, pedestrian use and general safety considerations.

With the purchase of new equipment the Town is now treating the streets with Road Salt mixed with Magnesium Chloride, this process helps keep the salt on the road which helps prevent ice build-up.

Within the first month of 2011 there was more than 90 inches of snow fall. Thru dedication and long hours by the DPW Staff and Contractors, the roads and sidewalks were kept clear and safe. The DPW thanks the Town Residents and Business Owners for their patience during a very difficult snow season.

Vehicle & Equipment – Maintenance & Repair

The Highway Division maintains all vehicles owned by the Department of Public Works. There are presently 30 pieces of equipment registered in our fleet which include trucks, loaders, backhoes, sidewalk plows, sewer rodders, brush chippers etc. The average age of the fleet is approaching 30 years old. Equipment is maintained to the highest degree possible, however because of the age of the equipment, this program is quite expensive and time consuming.

Working with the Board of Selectmen and the Capital Planning Committee the DPW has developed a program of upgrading their fleet. This past year we purchased a mini excavator, 6 wheel dump truck and 2 sanding units along with 2 pick-up trucks. With this new equipment operations (particularly snow incidents) are more efficient.

PARKS and FORESTRY DIVISION

The Highway Department has assumed the responsibilities of The Parks and Forestry Division. The Highway Division is now responsible for the maintenance of all Town Owned Parks and Athletic Fields – except for the Schools.

Tree Trimming and Removals

The Highway Department has assumed responsibility for the maintenance of all public shade trees. During 2011 the Town removed 15 trees and pruned numerous trees that this Department considered unsafe. Christmas trees may be dropped off at the Boys Club for disposal during the month of January. This Department chips approximately 2,000 Christmas trees in a typical year.

Maintenance of Parks and Athletic Fields

The Highway Division maintains approximately 1,000,000 square feet of grass areas, which include athletic fields, parks and numerous small grass areas scattered through out Town.

This Department maintains the fields to the highest level possible with available manpower and funding. This Department in conjunction with the Board of Selectmen are looking into alternatives to improve the maintenance of the Towns Parks and Athletic Fields.

All playground equipment is inspected on a regular schedule and repairs are made. Safety issues are monitored at the playgrounds and corrective action taken. The Town appropriated funds to upgrade Reo Road and Coolidge School Playgrounds.

Road Side Maintenance

This Highway Division controls vegetation growth on the sides of roads. Cutting brush along our roads allows for greater visibility which makes our roads safer. We will continue this program with a concentration on the busiest roads. The DPW asks all residents for their cooperation in assuring that plantings do not interfere with the use of sidewalks or obstruct the vision of motorists.

CEMETERY DIVISION

Glenwood Cemetery uses approximately 25 acres of land at the present time. The Town owns land for expansion and sections of the Cemetery have been sub-divided into two grave lots where appropriate.

Maintenance of Cemetery Property

The Highway Department has the responsibility for the maintenance of the Cemetery. The grass is mowed as needed and grass is trimmed around headstones and trees on a regular basis. All Town plantings and shrubs are trimmed in the Spring. It is the lot owner's responsibility to maintain shrubs and plantings on their lots. The Cemetery Division will continue to remove shrubs that become unsightly or overgrown. The Town also directs the placement of monuments and flat markers to ensure conformance to Cemetery By-laws. The Cemetery Division installs G.I. Markers for our Veterans, the Veterans Administration supplies the G.I. Markers.

WATER DIVISION

The Water Division is responsible for ensuring that the water supply meets or exceeds all EPA and DEP guidelines for safe drinking water. The Division does extensive testing of the water supply, both at the source and at various points in the distribution system to ensure the quality of water. Testing is done on a weekly basis for bacteria and more extensive testing for other contaminants is conducted on a schedule mandated by DEP. All water samples are sent to a certified laboratory for analysis to ensure compliance with DEP & EPA standards and your assurance that the water you drink is of the best possible quality.

Water Supply Water Pumping Record in Gallons

	<u>2009</u>	<u>2010</u>	<u>2011</u>
January	24,807,000	25,142,000	22,628,000
February	24,836,000	24,941,000	19,351,000
March	29,994,000	30,465,000	25,841,000
April	27,215,000	30,022,000	23,707,000
May	29,515,000	34,771,000	25,791,000
June	31,218,000	32,321,000	27,258,000
July	28,190,000	33,944,000	30,232,000
August	30,466,000	32,465,000	26,968,000
September	29,343,000	27,284,000	23,599,000
October	28,380,000	25,534,000	22,740,000
November	25,790,000	21,988,000	22,070,000
December	25,443,000	23,519,000	23,602,000
TOTAL	307,097,000	342,403,000	293,787,000
AVG. DAILY			
CONSUMPTION	973,277	841,000	804,000

Water Treatment & Sampling

The water is treated with a minimal amount of chemicals to insure safe drinking water and meet all DEP & EPA standards for drinking water. These samples are sent to a State certified laboratory for testing. The water is treated at the source or at the Water Treatment Plants, which removes excess Iron and Manganese, ph is adjusted and Chlorine is added to remove any bacteria in the water. All personnel who work in the Water Department are licensed by the State.

Water Distribution

The Town has approximately 70 miles of water mains ranging from 16 inches to 4 inches in diameter. Many of these water mains are more than 70 years old. The master plan on the water system has been completed and improvements will be forthcoming based on this report. Good progress has been made over the years.

The distribution system is monitored for water leaks and repairs are made immediately when discovered. We had 3 major water breaks and 6 service leaks during 2011. This is excellent for a system of our size and age.

Hydrant Maintenance and Replacement

The Water Division flushes fire hydrants throughout the year. During 2011, 4 hydrants were replaced with a new model and 4 hydrants, were repaired, gate valves were installed as needed. Fire hydrants are periodically tested by the Fire Department and conditions noted. Shoveling out of hydrants is completed as needed. The Town asks your co-operation in keeping any hydrants near your property clear of snow to assist this Department and the Fire Department.

Water Services & Connections

The Division inspects all connections to the water system, there were 6 new service connections installed in 2011. We assisted 5 home owners with frozen water services; house service shut-offs were replaced as needed.

Meter Readings

All residential radio read and commercial water meters are read quarterly, we presently have about 3,900 water services. Water and sewer bills are sent out four (4) times a year and are mailed out with Property Tax Statements.

SEWER COLLECTION

Over 95% of the residents in Maynard are serviced by the sewer collection system. Trunk lines and mains vary with age. Infiltration and inflow into the system is a concern. Problem areas are being looked into and corrective action will be taken as needed in the near future. 6 new sewer connections were inspected in 2011.

Maintenance of Pump Stations and Collection System

The Town presently has 10 pump stations at various locations throughout town to service low lying neighborhoods. These pump stations are checked daily with a thorough inspection, cleaning and servicing once a year.

Continuous efforts in maintaining sewer lines is ongoing, during 2011 there were 32 sewer blocks. The department would like to remind residents to be considerate of what is put into the waste system. Non bio-degradable items such as paper towels, handi-wipes, rags, etc. are the largest cause of blockages.

The I&I (Infiltration & Inflow) Study has been completed and a five (5) year program has been implemented identifying problem areas in the Sewer Collection System. This will be an ongoing program mandated to meet our NPDES Permit for the WWTP.

WASTEWATER TREATMENT PLANT

The Wastewater Treatment Plant is responsible for ensuring that all effluent discharged into the Assabet River meets or exceeds all EPA and DEP requirements. Maynard has maintained compliance with all EPA and DEP mandates.

Operation of Treatment Plant

The Town hired Weston and Sampson Services to provide a contract manager to manage the treatment plant and the employees at the treatment facility in January 2011. Weston and Sampson Services has increased the efficiency of operations by establishing new laboratory sampling schedules and subcontracting out most of the laboratory analysis. A new preventative maintenance and lubrication program has been established and the monthly reports are now being submitted electronically to EPA. These are just a few of the improvements that have been made at the facility in 2011. Weston and Sampson also assisted the Town with an agreement to transport the liquid sludge to the Greater Lawrence Sanitary District which has resulted in a major reduction in sludge disposal costs. Construction of the plant upgrade and Comag facility was completed in early 2011 on time and within budget.

There was a very smooth transition to the new upgraded facility and start-up of the new Comag tertiary treatment system. The new day to day operations has now become routine and all personnel have become very familiar with the daily operation and maintenance associated with the new treatment process.

The new Comag process has met the limit for phosphorus of 0.1 mg/l. The 60 day average for total phosphorous was 0.07 mg/l. The Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) removals are at 99% and 99% respectfully, our permit requires a minimum removal efficiency.

A summary of the monthly flows from 2009, 2012 and 2011 are as follows:

W.W.T.P. Recorded Flow in Gallons

	<u>2009</u>	<u>2010</u>	<u>2011</u>
January	31,759,000	36,615,000	24,350,000
February	29,574,000	35,158,000	26,666,000
March	38,041,000	74,497,000	56,844,000
April	35,091,000	51,991,000	42,176,000
May	30,334,000	33,336,000	34,879,000
June	27,797,000	25,546,000	29,478,000

July	30,921,000	23,976,000	26,813,000
August	28,086,000	22,809,000	28,412,000
September	26,040,000	22,077,000	31,910,000
October	30,659,000	24,627,000	38,522,000
November	34,845,000	24,553,000	38,327,000
December	38,892,000	27,237,000	39,912,000
Total	382,039,000	402,422,000	418,297,000
Daily Average	1,046,682	1,102,526	1,146,019

SUPERINTENDENT OF SCHOOLS

DR. ROBERT J. GERARDI, JR.

There is a fresh exuberance in the Maynard Public School Community with much expectation for increased opportunities for the children of Maynard. The largest and most visible improvement currently taking place is the construction of the new Maynard High School. The site is cleared and the construction has begun. As the foundation goes in and the steel goes up, the expectations for excellence in education rises as well. But even the most beautiful, state-of-the-art building is only as good as its contents; the people and programs within that drive the academic and athletic achievements.

This year brought many staffing changes for the Maynard School District starting with myself in the role of the new Superintendent of Schools. The Maynard School Department was fortunate to find a familiar colleague, Don Holm, to fill in as the Interim Curriculum Director. Don actually once held the position of Maynard Curriculum Director many years ago during his esteemed career in metro-west education. Two assistant principal positions were replaced this year. Mrs. Pamela Bator is at the Green Meadow School and Mr. Charles Caragianes is at Maynard High School. I am confident that we all feel fortunate to have become part of the Maynard Public School Community.

The Maynard Leadership Team (MLT) in collaboration with the Maynard Teachers Association (MTA) have maintained a spirit of collegiality as we move forward together on instructional leadership initiatives. As a Race to the Top district, we had additional grant funding to create a Management, Association Leadership Team (MALT). MALT is meeting biweekly and its first task is to develop the new educator evaluation system that has been legislatively mandated. The goal is to provide an evaluation system that supports all educators through a cycle of continual improvement based on multiple measures of achievement.

In committee work, administrators and union members have been focused on improving the 21st Century Learning Skills. All educators agree that these skills will be the driving force in our future. Those 21st Century Learning Skills are the vehicle that will provide all students in the Maynard Public Schools the opportunity to be career and college ready when they graduate.

One measure of college readiness that the Department of Elementary and Secondary Education (DESE) collect is college attendance data. The most recent data DESE has displayed on its website is from the 2009-10 school year. The range of college attendance is from 78.3% to 88.5% for Maynard High School and the High Schools from the four neighboring towns of Acton-Boxboro, Lincoln-Sudbury, Nashoba, and Hudson. Within that range, Maynard High School is firmly in the middle with a college attendance rate of 84.3%.

Maynard High School Principal, Dr. Laura Chesson and teacher, Emily Dowd are co-chairing the 21st Century Technology Integration Sub-committee. That committee is investigating the expansion of our already successful WAVM TV/Production after school activity into a daytime curricular offering. Another very important initiative that this committee is exploring is in the area of Science, Technology, Engineering, and Math (STEM). We live in the metro-west region where many of our

community members are employed in the high tech industries. With this community base, it is a natural extension to provide students who are career and college ready to enter the high tech industry.

Green Meadow Elementary School Principal, Donna Dankner, is chairing the 21st Century Communication and Global Awareness Sub-committee. That committee is currently evaluating the benefits of an immersion foreign language program. Several districts in Massachusetts have run successful immersion foreign language programs for over two decades. It is my understanding that no communities in the metro-west region have had similar programs. Wouldn't it be exciting if the Maynard Public Schools were the first to implement such an innovative program.

I have found that the exuberance is not just in the Maynard School Community but also in the community at-large. I have found all of the town leaders to be welcoming and supportive. I have also observed an extremely high level of respect among town boards and town departments. That is a sign to every resident that your government is highly functioning. That makes me proud that I was selected to be a member of the Maynard Community!

MAYNARD HIGH SCHOOL

LAURA CHESSON, Ed.D., PRINCIPAL

This year the graduation of the class of 2011 was held at Alumni Field with great cooperation from the weather.

Class Valedictorian Katherine Jones and Salutatorian Neil McCarthy were among the eighty-three percent of the class going on to further education, sixty-seven percent to attend four year colleges and sixteen percent to attend two year colleges or specialty schools. Graduates of our school went onto schools such as University of Massachusetts, Northeastern University, RPI, Ithaca College, WPI, Quinnipiac College, UCONN, NYU, UVM, and Boston College.

Ten members of the class of 2010 participated in the Senior Project

In 2011, Maynard continued to make strides in raising academic standards and in improving student performance. There were 40 student enrolled in advanced placement courses. Those students took 68 exams to determine if they were eligible for college credit. Eighty percent of the scores for these exams were "3" or better – qualifying these students to receive college credit. These results are better than the state average (72%). One hundred percent of the classes of 2012 and 2013 passed the science MCAS. The Class of 2013 took the MCAS in May 2010 as a basis of receiving a high school diploma with scores the highest to date.

The Virtual High School program continued to offer the opportunity for online courses. Both a homework club and tutoring assistance from members of the National Honor Society offered assistance in the after-school hours continued to support student learning. MCAS tutoring was provided for students at risk for not achieving a competency determination.

Maynard High School continues to support academic achievement through student recognition. The National Honor Society inducted eighteen students in November for a membership of forty. Additional means by which the high school recognized academic achievement was the quarterly honor roll and state and national academic achievement awards.

The 2011 – 2012 school year welcomed Ms. Jennifer Dargie (Social Studies, Mr. James Tredeau (World Language), Ms. Laura Tardivo (Special Education), Mr. Adam Blaustein (Special Education), and Mr. Charles Caragianes (assistant principal) to Maynard High School.

The Maynard High School Council was renamed the Maynard High School Improvement Council. The council meetings were now opened to all interested parents. Mr. Caragianes, Ms. Lisa MacLean (lead teacher guidance), and Dr. Chesson led the first meeting discussing attendance issues and supports for students in distress.

WAVM students continued to keep the public updated in all phases of their radio and television broadcasting by filming parades, church services, concerts, graduation, sports, and school and town programs. The Beacon Santa Telethon, held in December, raised over \$32,000 for needy area families. In the spring, the station hosted its annual community day event, which invites members of the community to be a “DJ for a day.” The May banquet was the highlight of the year, bringing a fun-filled weekend to the staff for a job well done.

The Maynard High School music program has been very busy this year. Many public performances were held including a Winter Concert, Spring Concert, Pops Night, Solo and Ensemble Night, and caroling for the town. The band also marched in the Memorial Day Parade, Veteran’s Day Parade, Little League Parade, and Christmas Parade. They also performed at all the home football games and at the kick-off for the Relay for Life.

Maynard High School Athletic Teams increased participation with the formation of a Co-op Football Team with Bromfield School in Harvard and by obtaining a waiver for 8th graders to play on the junior varsity teams. Highlights for the Winter/Spring 2011 season and the Fall 2011 season were:

- Boys and Girls basketball teams qualified for the post-season tournament.
- Co-op Ice Hockey team with Assabet lost in the semi-final round of the Central MA Div 3A tournament to champion Groton-Dunstable.
- Baseball team qualified for Central MA Div 3 tournament through semi-final round.
- Softball team welcomed new head coach Ann Kizer and finished strong in the league.
- Girls Outdoor Track & Field senior Karen Carlson qualified for Central MA tournament in both the 400meter Hurdles and the Triple Jump Events
- Boys Outdoor Track & Field freshman Ryan Fowler qualified for Central MA tournament in the Discus throw Event.
- Girls Soccer Team were Mid Wach D Co-Champs and again qualified for the Central Mass tournament making it to the Quarter Final Round
- Boys soccer again won the Mid-Wach D League championship, and qualified to the Central MA tournament.
- Seniors Tess Weyburne and Ryan Nadeau received All-State recognition by the Central MA Coaches Association.

- Golf senior Lucien Gerondeau qualified as the 3rd seed in the Central Ma Individual Tournament and qualified for the State Tournament.
- Co-Op "Tiger" Football started under new Head Coach Harold Ogilvie, had 45 players and finished the season 4-7.

Special thanks to the Booster Club for their support whenever asked. Thanks also to *Remembering Maynard's Own and the Athletic Hall of Fame* for the continuing support of Maynard School Athletic programs. These organization continue to fund scholarships to athletes who cannot pay the student activity fee at the High School or Fowler School.

Other highlights of the year to be cited: Students participated in a variety of extra-curricular activities such as Peer Leadership, Future Teachers, School-to-Career, Student Government, International Club, Math League, the Animae Club, and the Best Buddies Program.

Maynard High School has continued to pursue its academic, civic and social goals to serve the educational needs of the community.

MAYNARD HIGH SCHOOL

CLASS OF 2011

	Bedrosian, Colleen Suzannah	+	Krauss, Micaela
+	Bendall, Sara Ann	o	Lees, Allison Marie
	Bouthiette, Grant Edward	+	LoChiatto, Michael Ronald
	Bremar, Clinton James		Long, James Patrick
	Brennan, Sean Michael		Loughlin, Zachary Brown
	Brown, Thomas Steven		Mariani, Nicholas David
	Carlson, Karen Nancy	+	Marshall, Elizabeth Helen
	Carlson, Kelsey Beth		Martinec, Nathan George
	Celi, Jessica Lauren		Massaro, Nicolas Anthony
	Centola, Keith Thomas		Mazerolle, Ryan
+	Cerqua, Anthony Joseph		McCarthy, Daniel John
+	Cerqua, Francesca Liana	** +	McCarthy, Neil Denis
+	Cerqua, Mathew Henry		McCormack, Maxwell James
	Chase, Cambren Michael	+o	Messier, Jacquelyn Lisa
o	Cisek, Michael Francis		Morris, David
+ o	Cobb, Madeline Harris	+	Moser, Marilyn Reed
	Cook, Laura Lee		Murphy, Brian William
+	Corbett, Matthew Lucas		Murphy, Kathleen Marie
	Corcoran, McKenzie Frances		Murphy, Sean Michael
+ o	Costello, Anna Catherine	o	O'Dowd, Megan Jean
o	Cotter, Timothy		Orangio, Katlyn Jean
	Cox, Mathew David		Panetta, Stefanie Lynn
	Davis, Jonathan Bradley		Pettis, Brett
	DiStefano, Rebecca Anne		Punch, Olivia Jean
	Doucette, James Lawrence		Ramos, Jonathan
	Faul, Cameron Mitchell		Rico, Jeffrey Paul

+	Fitzgerald, Elizabeth Marie		Robichaud, Nicole Brigitte
	Gaudet, Michael Christopher		Rossley, Shauna Lee
	Gomez, Cristian		Sawyer, Andrew
	Gonzalez, Billy	o	Sczerzen, Amy Ollila
	Gorgone, Scott Robert		Sullivan, Sean Michael
+	Hoff, Rebecca Elizabeth		Sulzer, Jacob Thomas
+	Howes, Ashley Anne		Tyler, Joseph Leo
+	Howes, Kelsee Leigh		Viscariello, Brian Thomas
+	Jones, Erin Elizabeth		Voner, Jack Nicholas
* +	Jones, Katherine Anne		Webb, Sean Robert
+	Jones, Katherine Dever	o	Wesley, Adam Robert
+	Kapsimalis, Marley George	+	Witham, Emily Catherine
+	Kohlman, Katrina Rose	o	Zerbey, Corianne Cummings
*	Valedictorian		
**	Salutatorian		
+	National Honor Society		
o	Senior Project		

FOWLER SCHOOL

JEFF MELA, PRINCIPAL

I hereby submit the Fowler School Annual Report for 2011.

2011 has been a year of new initiatives, professional development, and school growth, which has positively impacted student learning. In August, Fowler English teachers received training from Columbia University, Teacher's College, on Writer's Workshop. ELA Teachers in grades 4-8 helped students to become skillful, competent, and energetic writers. Fowler implemented a new bell schedule, changing from a six to a seven period day. The new schedule tripled Common Planning Time minutes, which is a collaborative teaming model that impacts student learning. The schedule also increased the number of Specials for the students by 40%. Professional Development opportunities for teachers improved and diversified, which allowed for multi-school collaboration for teachers to begin planning for the new Common Core Curriculum Frameworks in Math and English. Fowler teachers continued to work very hard at "meeting the needs of the whole child" and developed a school goal "All Fowler Students Succeed."

Fowler offered a range of diverse extracurricular activities for the students: Talent Show, School Sports, School Play, Yearbook, Band and Jazz Band, Arts and Academics Program, MCAS Prep classes, Model United Nations, School Dances and Socials, Chorus, and WAVM. These opportunities allow students to be involved at Fowler outside of the classroom. Fowler teachers sponsored events such as McTeacher's Night, Fowler Fair, and Family Fun Night as a way to raise money and develop positive connections with the students and families.

The Fowler Band concluded its concert season in May with a Platinum Medal, highest level of performance, at the Great East Festival in Agawam, MA. Adjudicators recognized the student's mature ensemble sound, technical facility, and very high level of musicality during a clinic following

the performance. This event is made possible each year through the substantial efforts of the Maynard Music Association, and the generosity of the Maynard Police Department.

Students in Grades 4 and 5 continue their study of piano in the Yamaha keyboard lab. Fowler School is one of the few elementary/middle schools statewide to offer the Yamaha MIE keyboard program joining musical skills with technology software. Grade 4 instrumental students offered their first band concert in June.

The fourth grade had an exciting year with the implementation of our new writing curriculum. Through Writer's Workshop, the students are bringing their writing alive through personal narratives and fiction stories. We are having several publishing parties to celebrate the students' growth as writers. This year fourth grade visited the Boston Science Museum to explore different exhibits and view an Omni show about animal migrations, related to our classifying living things science unit. In January, students viewed Harriet Tubman from Historical Perspectives for Children. Ms. Tubman talked about her life and her important role in history. Fourth grade uses this assembly to kick off a biography study.

The fifth grade class included field trips and performances related to science, math and history learning. In the fall students were treated to a performance of MathsAmazing! This program was designed to inspire kids to be excited about math. The performance was entertaining, engaging and informative. Thanks to the Parent Group for helping to fund this event. Fifth graders traveled to Mars and visited the Christa McAuliffe Challenge Center in Framingham. Thanks to the problem solving skills of students, everyone returned to Earth safely! In the spring students walked the Boston Freedom Trail where they discussed sites important in American history. Additionally in the spring students did a historical walk through Maynard identifying and learning about the history of their town. Finally, students performed a class play of The Lewis & Clark Expedition for parents and 4th graders to end the year.

The sixth grade students have been busy working on their new writing program. Students have written in several genres, and have spent time learning the process of the writer's workshop approach to writing. Students participated in a field trip to the North Shore Music Theater to see *A Christmas Carol*. This was an amazing production and brought the literature to life for the students! Students look forward to the speaker, Brandon Eang. Brandon speaks to the students about his experiences growing up in Cambodia under the regime of the Khmer Rouge.

The seventh grade students took a week-long field trip to Nature's Classroom in Becket, Massachusetts. This is a field trip experience that strives to educate the entire child. Students' experiences teach them social skills such as responsibility, problem solving, teamwork and communication. Classes generally take place outside, but connect to math, science, ELA, technology, wellness, history, and art. The students' experiences at Nature's Classroom are discussed and remembered throughout the 7th grade year and are still discussed by students for many years.

The students in the 8th grade had a busy and rewarding year. In addition to exceptional learning experience inside the classroom, the 8th graders were exposed to learning outside the classroom as well. In May, the students were visited by the staff of the Museum of Science for a presentation on Motion: Speed, Velocity & Acceleration. The students were brought up on stage to participate in

various experiments such as gravitational acceleration with the help of crashing metal plates, knocking a moving target out of the air using a powerful air cannon, and making suggestions for altering the design of a medieval siege engine. This assembly was funded by the Fowler Parent Group. In the fall, students attended Chamber Theater's *Encore!* Presentation of five short plays. It was the first time at the theater for many of the students. Plays such as *Tell Tale Heart* and *the Monkey's Paw* fit in well with their English curriculum. In another week the eighth grade, who are learning Spanish for the first time this year, will be attending a performance of the Bolivian/Andean musical group "Sumaj Chasquis." The goal is to foster an appreciation and understanding for the music and culture of Bolivia as students obtain new knowledge and compare and contrast Bolivian culture to their own. This event was funded by the Maynard Education Foundation.

I would like to extend my sincere appreciation to the members of the PTO and the School Improvement Council for their hard work, guidance, and support. Thank you Trish Signet, Lisa Adams, Ellen Henline, Dan Charbonneau, Ellen Duggan, Tara Livolsi, and Chris Fleming. In closing, Fowler thanks the school committee, parents, and the community for their continued support and encouragement.

GREEN MEADOW SCHOOL

DONNA DANKNER, PRINCIPAL

The annual report for the Green Meadow School highlights our commitment to providing students with a challenging and supportive learning environment that meets the needs of all learners. Currently our community consists of 538 students in preschool through grade three. As we look to the future, we anticipate consistent enrollment, maintaining the current grade level configurations.

Through a rich curriculum and high quality instruction, we are able to maximize the learning of each student. This year we have focused on several curriculum initiatives with the goal of enhancing each student's development as effective readers and writers. Teachers have been engaged in extensive professional development to enhance students' skills as writers through Writing Workshop. Both during the summer and throughout the school year, teachers have collaborated with the Reading and Writing Project of Columbia University. Using Lucy Calkins *Units of Study for Teaching Writing* in conjunction with high quality professional development, teachers have made writing a major instructional focus. Students have become adept at identifying characteristics of high quality writing, enabling them to write effectively in different genres. They have also learned to revise and edit their work in preparation for publishing and presentation to an audience. Completed student writing is shared and celebrated with families and peers, strengthening the home school connection.

Developing fluent and strategic readers who understand complex text continues to be a major focus of our literacy program. To achieve this goal, students read a range of texts on their individual reading level along with authentic literature selections in an anthology which allow teachers to target instruction, focusing on specific skills and strategies. Individualized spelling programs and a focus on word study further support this goal by enhancing fluency. Students are learning not only to decode words but also to derive meaning from print enabling them to understand increasingly complex text.

In math, students continue to develop a strong number sense which supports their understanding of mathematical concepts, enhancing strategic thinking skills and problem solving abilities. Through social studies and science, students learn to understand and negotiate the world around them. Art, Music, and Physical Education extend their curricular experiences while broadening their understandings. Technology, creativity, and collaboration are infused in all curriculum areas, continuing our commitment to developing 21st century skills. Our instructional focus is the enhancement of content knowledge while developing the higher order thinking skills that will maximize student achievement.

Green Meadow is truly a vibrant learning community. Time devoted to Professional Development both during the summer and throughout the school year provides the staff with opportunities to share ideas about instructional strategies, explore curriculum initiatives, focus on assessment, and collaborate with colleagues to continue to provide high quality instruction that meets the needs of all students. In support of this objective, we are striving to enhance the Integration of Technology into the curriculum. Smart Boards or interactive whiteboards, document cameras, net books, and laptops have become integral components of classroom instruction. Teachers continue to participate in courses to develop ways to effectively utilize these important resources to enhance and extend student learning. In addition, teachers are developing websites to enhance communication with families, providing a strong connection to curriculum and instruction.

Establishing a strong home school connection is an important focus at Green Meadow School. A family survey, conducted early in the year, highlighted programs and discussion topics that would support families and enhance communication. A series of parent coffees during the day and discussions during the evening offered opportunities to explore important topics. *Friends and Foes* explored ways for students to create respectful relationships as a means of establishing and maintaining friendships. *Nurturing Thinkers* explored curriculum and assessment through the lens of 21st century instruction. This series will continue throughout the year, offering multiple opportunities for families to share ideas and information through participation in these important discussions.

We are very fortunate to have the ongoing community support. Through an active and productive PTO and a dedicated Enrichment Committee, our students enjoy a wide range of programs that extend curriculum and introduce new experiences. For example, this year, students learned from paleontologist Greg Wenzel, explored Vernal Pools with naturalist Erica Whitworth as well as increasing their understanding of magnets through a program from the Museum of Science. The PTO also funds transportation for fieldtrips that support and extend curriculum. Each year highly successful annual fundraisers, such as the magazine drive, the box tops collection, and the Green Meadow Auction, provide the PTO with the funding needed to support the school. In addition, our active school council is working diligently to revise our school handbook and develop a comprehensive School Improvement Plan to reflect our curriculum initiatives, commitment to community, and core values.

Our core values, *We are Safe, We are Kind, We are Learners*, form the basis of a vibrant and respectful learning community in which all students are valued and supported. Collaborative learning, challenging curriculum, and high quality instruction are characteristic of the Green Meadow Community. We appreciate the important role of each individual as well as the contributions and

efforts of all members of the community that enrich our school and enhance the education of our students.

STUDENT SERVICES DEPARTMENT

JILL GREENE, DIRECTOR of STUDENT SERVICES

Since the inception of Massachusetts Special Education Law Chapter 766, the Maynard Public School System has served the special education needs of students with disabilities by providing supports and services in a variety of settings. As of October 2011, the school district provided special education services to 230 students; all but 15 students attended Green Meadow, Fowler and Maynard High School.

Fifty students enrolled in the Green Meadow Preschool Program at the start of the 2011-2012 school year and, since September, the number of students in our program has continued to grow. To provide a greater range of program options for our students in the preschool program, the Green Meadow Preschool continues to offer three full-day preschool classes in addition to five half-day sessions. The Preschool Program is accredited by the National Association for the Education of Young Children (NAEYC) - the nation's leading organization of early childhood professionals. By maintaining our accreditation, the Green Meadow Preschool program has become a leader in a national effort to raise the quality of early childhood education, and to help give all children a better start.

The Student Services Department conducts Preschool Screenings for three and four year olds throughout the year, and a Kindergarten Screening in April. As a result of these screenings, parents and school personnel are apprised of a child's cognitive, communication, physical and behavioral strengths as well as possible areas of need. Ongoing screening and assessment activities are conducted for students in grades K-12, residing in Maynard, suspected of having special education or related service needs.

In addition to Special Education and the Green Meadow Preschool, the Student Services Department also coordinates the English Language Education Program for Limited English Proficient students and Formerly Limited English Proficient students in grades K to 12. As of October 2011, the school district provided these supports to more than 20 students.

Currently, the Student Services Department manages over \$400,000 in Federal and State grants pertaining to special education and early childhood education. Paraprofessional positions, contracted services, instructional materials, and professional development are funded by these grants. These funds further support our efforts to provide quality supports and services to the students in Maynard.

EXCEL – BEFORE AND AFTER SCHOOL ENRICHMENT

“Excellence in Care, Enrichment and Learning”

Lois V. Cohen, Director

The EXCEL Program is a tuition-based before and after school program for children in kindergarten through grade eight, operated under the auspices of Maynard Public Schools. There were 203 students enrolled in the past year with a dedicated staff of twenty-five part-time and full-time teachers, college students, high school students and volunteers.

Professional development for all EXCEL staff included pediatric/adult first aid and CPR. Staff attended the October conference for child care providers sponsored by the Network of Extended Day Directors in Wayland, MA.

Evan Hayward, a student at Lesley College, completed an internship in creative writing with first and second graders this past fall.

Partial and full scholarships for special activities have been provided for needy families through the generous donations of the Maynard Community Chest. Secondly, EXCEL continues to work with Child Care Search, a child care resource and referral program, in order to provide affordable child care for eligible families.

Special theme programs were offered on early release days and February/April school vacations in 2011. An eight week summer enrichment program with weekly themes was available to children in kindergarten through grade eight. Morning, afternoon or full day programs were offered. Field trips and special events included: Canobie Lake Park, Beaver Brook Reservation/Spray Pool, Breezy Picnic Grounds/Waterslides, Foothill, Purgatory Chasm and Miniature Golf, Davis Farmland, Harvard Bowling Lanes, Mt. Wachusett, Museum of Science, Ecotarium, New England Aquarium, Pawtucket Red Sox, George’s Island, Castle Island, Glow Golf, Altitude Rocks, Jungle Encounters, Boston Codzilla, Larz Anderson Auto Museum, Patriot’s Place and Duck Tours.

Spanish after school classes were arranged through Global Child, a world language organization, at a separate tuition for students at Green Meadow School (grades K-3). Chess Wizards (grades 1-8) and Wicked Cool for Kids Science (Work-It Circuits, grades 1-3) classes were offered during the fall.

EXCEL sponsored drum classes offered through Rhythm Kids this past spring and fall. These classes emphasize movement, exercise, drumming and cultural activities for Green Meadow students in grades K-3 at a separate tuition.

The Fowler After School Chorus, sponsored by EXCEL, was opened to students in grades 4, 5 and 6, under the direction of Jennifer Lilley, music teacher at Green Meadow School. Twenty-four students participated.

EXCEL at Green Meadow School provided before school (7:00 a.m. to 8:30 a.m.) and after school (dismissal to 6:00 p.m.) enrichment/care for kindergarten through second grade. The cafetorium, gym, and two classrooms were utilized daily. Due to space constraints, third graders were housed at the

Fowler School cafeteria and participate in mandatory Homework Club every afternoon. Children in kindergarten through grade three were offered a choice of activities including field trips, reading, cooking, arts and crafts, indoor/outdoor games, science projects, music and quiet time within a theme-oriented curriculum.

The Fowler After School Club (FASC) is located in classrooms on the second floor of Fowler School for students in grades four through eight (dismissal to 6:00 p.m.). The program included supervised homework time with access to computers, crafts, cooking, sewing, community service projects, sports, guest presentations and field trips.

Information about the program: Phone 978-897-8021 or e-mail: excelfasc@maynard.k12.ma.us.

ANNUAL REPORT OF THE MAYNARD ADA COMMISSION JANUARY 2012

The ADA (Americans' With Disabilities) Commission was re-activated in December 2010. The Commission works with Town Officers and Town Departments to identify and assist with Community needs under guidelines of the Americans with Disabilities Act (ADA) law.

The ADA Commission of Maynard for 2011 has completed the following initiatives:

1. Mission Statement: "To offer all Town Citizens with permanent and temporary disabilities an Equal Opportunity in accessing Town government offices, public buildings, Programs, Goods & Services, Transportation, Telecommunications via the Internet, and Recreational opportunities. In collaboration with Town Officials and the Maynard Community, the ADA Committee will:

*Educate town citizens and officials about the Town's needs including but not
Limited to physical accessibility, electronic mail communications and
Community programs.

*Provide a referral database of area resources and services for Citizens in
Need.

*Advocate for safe community access for all Citizens.

2. Inclusion of the Mission Statement in a Brochure for the community.

3. Reviewed and provided assistance in conjunction with Town Departments re: obtaining a Handicapped Parking street placard to enable safe vehicular access and functional mobility To/from a dwelling.

4. Instituted an online link for the Town of Maynard web page, along with dissemination of Information re: ADA Meeting monthly dates & times, Meeting Minutes & related issues.

Please take some time to refer to the ADA link @ <http://www.townofmaynard-ma.gov>.

In 2012 the Maynard residents will see a more public view of the Commission as we start to roll out several programs. The public is always invited to meetings held the 2nd Tuesday of each month.

Respectfully submitted,

Sonia Kim OTR/L, CYT –Chairperson, Paul Giunta-Secretary, Marina Colakovic, Jerry Culbert,
Carol DeCoursey

2011 Annual Report of the Maynard Community Preservation Committee

Provisions of the Community Preservation Act (CPA) were approved at the Maynard Town Meeting in May, 2006, when residents voted to enact a property tax surcharge of 1.5% to fund the CPA. Maynard property tax surcharge funds are supplemented with money from a State fund. Following adoption of the CPA by Maynard, a nine-member Community Preservation Committee was formed in November 2006 to study existing town resources, identify critical needs, and evaluate proposals for addressing needs that can be funded with CPA funds. Proposals must be related to one, or more, of the following: Open Space, Community Housing Historic Preservation, and Recreation. Program information and proposal application forms are available at the Library and from the Town Clerk.

Since adoption of the CPA, Maynard has received approximately \$400,000 in State CPA matching funds. To date Town meetings have appropriated \$2,471,500 for 18 projects. The 2011 Town Meeting and Special Town Meetings approved funding for the following projects:

Maynard Conservation Fund Support	\$10,000
Restoration of Glenwood Cemetery Fence	190,000
Purchase of the Maynard Country Club property	2,000,000
	<hr/>
	\$2,200,000

The Committee is pleased to report that the repair of the rock wall at the intersection of Main and Nason Streets, funded in part with CPA money, has been completed.

Respectfully submitted:

2011 Community Preservation Committee:

Chair Doug Moore, Conservation Committee
Vice Chair Robert Moore, member-at-large
Clerk Jane Audrey-Neuhauser, member-at-large
Treasurer Rick Lefferts, member-at-large
Mike Chambers, Recreation
Dave Griffin, Historical Commission
Robert Horn, Capital Planning Committee
Dave Hull, Housing Authority
Greg Price, Planning Board

Annual Report of the Maynard Finance Committee 2011
Submitted by Peter Campbell

Pursuant to the Town Charter, the Finance Committee reviews all articles presented on the warrants for annual and special town meetings. The Committee prepares written recommendations, and explanations of those recommendations, for each article. The Finance Committee also holds at least one open hearing before each town meeting to receive comments from town residents and to explain the Committee's recommendations.

The Finance Committee analyzes the annual town budget prepared by the Board of Selectmen to verify that it is balanced; that it is consistent with established goals; and that it provides value to the Town. The Finance Committee also oversees the Reserve Fund, which is used to fund unanticipated expenses.

Overall, the philosophy of the Finance Committee is to promote accountability among the Town's departments in management of their operating and capital budgets.

Members:

The Finance Committee has seven members. Members are appointed by the Town Moderator for three-year terms. As of December 31, 2011, the following volunteers were serving on the Finance Committee:

PJ Gauthier
Eugene Redner
James Early
Bob McCarthy
Peter Campbell
Chris Johnson
Jennifer Gaudet

Peter Campbell serves as the Chair, Chris Johnson serves as the Vice-Chair, and PJ Gauthier serves as the Secretary.

2011 Activities:

The Finance Committee meets regularly on the second and fourth Monday of the month and schedules special meetings as necessary. The Finance Committee held approximately 30 meetings in 2011. Some of these meetings were held during town meetings in order to render official votes and conduct official business during the proceedings. The Finance Committee held open hearings prior to the Annual Town Meeting in May 2011 and the Special Town Meetings in May and October 2011. Finance Committee members participated in several joint meetings with the Board of Selectmen and the School Committee. Committee members also volunteered additional time to manage special projects and to serve on sub-committees in conjunction with other boards and committees.

In February 2011, the Finance Committee participated in the annual Joint Budget Review meeting. This half-day meeting provides the opportunity for the Town's Administrator, Department Heads and representatives from Boards and Committees to present and discuss their proposed budgets for the

upcoming fiscal year. This annual joint meeting, designed to facilitate communication at the start of the budget development process, is mandated by the Town Charter (Section 6-5(a)).

The main focus of the Finance Committee, for the first half of the year, is to review the proposed annual town budget for the upcoming fiscal year. Specifically, the Committee verifies that the cost of services is accurately represented and that the proposed budget is balanced. Maynard is not unique in that available resources are not sufficient to fund all the Town's capital and operating needs. Each year, the Town's leaders have to choose the priorities for that year.

Throughout the year, Committee members also met periodically with assigned department heads for budget review and updates. The purpose of these meetings is for committee members to learn budget specifics so that the Committee is better prepared to analyze reserve fund transfer requests.

Reserve Fund Transfers:

Massachusetts General Law pertaining to municipal government allows town meetings to appropriate reserve funds for extraordinary or unforeseen expenditures. By law, the Finance Committee must vote to approve transfers from reserve funds. Reserve funds are typically appropriated at the Annual Town Meeting and are available and accounted for on a Fiscal Year basis (July 1 - June 30). Town meeting approved Reserve Funds of \$200,000 in Fiscal Year 2011.

FY2011 Reserve Fund Transfers

Date	Budget	Purpose	Amount
02/23/11	Treasurer Consulting	cover use of consultant	\$ 59,722
04/19/11	Snow and Ice	cover deficit	\$ 105,000
04/19/11	Recreation	Memorial Gym	\$ 26,500
06/27/11	Fire	sick leave buy back	\$ 8,700
		Total	\$ 199,922

Respectfully Submitted,

Peter Campbell

2011 Annual Report of the Maynard Historical Commission

The Maynard Historical Commission met in formal session nine times.

At the beginning of the year, Stephen Korbet confirmed his resignation for personal reasons. The Commission functioned with four members for the balance of 2011. The addition of a fifth member is expected early in 2012.

The Commission:

- Completed a set of binders and a master index containing information on the approximately 400 properties in Maynard listed under the Massachusetts Cultural Resources Information System (MACRIS). These binders, now available to the public in the reference section of the Maynard Public Library, allow interested citizens to obtain historic information about these properties.
- Completed the identification of additional properties suitable for inclusion in the MACRIS database and notified the state about properties in the database, which had been demolished.
- Completed design of historic recognition programs (plaques, markers, certificates) to acknowledge and promote civic, commercial and residential restoration or preservation projects in Maynard. Samples have been ordered and received. Program announcement will occur in the first quarter of 2012.
- Renewed *Historic New England* membership, which provides passes for Maynard residents to visit 36 historic properties throughout New England and a quarterly magazine, both available at the library.
- Received approval from the Community Preservation Committee and Town Meeting to restore or provide an historic replica of the fence at Glenwood Cemetery, Maynard's only property listed on the National Register of Historic Properties. Satisfactory bids were not received after two bid cycles. Discussion with the architect and town administration continues with resolution expected in early 2012.
- Completed drafts of five walking tours emphasizing historic properties. Results of a grant application to the Cultural Council Grant to support production of the brochures will be known in Q1 2012.
- Publicized the role of the Commission in the Beacon-Villager with an article "*Five Things about the Maynard Historical Commission.*"

Respectfully submitted,

Jack MacKeen, Chair
Lee Caras

Peggy Brown
Dave Griffin

2011 Annual Report of the Maynard Housing Authority

To the Honorable Board of Selectmen,

Herewith is the report of the Maynard Housing Authority for the year ending December 31, 2011.

At this time, the Authority's three elderly and handicapped developments are fully occupied, Powdermill Circle (fifty-six units), Concord Street Circle (fifty-six units) and Summerhill Glen (thirty units). In 2011 there were five new tenants at Powdermill Circle, five new tenants at Concord Street Circle and three new tenants at Summerhill Glen.

The HUD Low Rent Family Dawn Grove (thirty-two units) is fully occupied at this time. There were three new tenants that moved into this development in 2011.

Properties at Dawn Grove, Powdermill Circle and Concord Street Circle had additional major maintenance related projects undertaken to improve both appearance and safety in the developments.

For information relative to low income housing for the elderly, handicapped or families, please contact the Executive Director at the Authority office, 15 Powdermill Circle, Monday through Friday, 8:30 a.m. to 4:00 p.m. Telephone (978) 897-8738 or (978) 897-6893. TDD #1-800-545-1833 – Ext. 144.

Respectfully submitted,

William Primiano, Chairman
C. David Hull, State Appointee/Vice Chair
George Hardy, Treasurer
Robert Subick, Asst. Treasurer
Judith Peterson, Secretary of the Board

2011 Annual Report of the Maynard Planning Board

To: The Honorable Board of Selectman and Citizens of Maynard:

The following is the Annual Report of the Maynard Planning Board for the year ending December 31, 2011.

At the start of 2011, the Planning Board Members included Chairman Greg Price, Vice Chairman Michael Bingley, Max Lamson and Jason Kreil. After soliciting for new members, we welcome the appointment by the Board of Selectmen of Bernard Cahill.

During this year the board, with the support of the Board of Selectman and with the help of the Town Administrator, undertook a ten month revision of the Zoning Bylaws. They also brought to the town substantial changes to the Zoning at Clock Tower Place which is zoned in the Health Care Industrial District. Within that district the changes were made to residential uses to allow for multifamily dwelling units and garden apartments; under the business uses to allow for the following: private clubs, retail business, and general or personal service establishments; under the category of hotels and motels, the board added the term extended stay; under assessory and other uses, to allow for trade shops.

During the process of the proposed Zoning changes, the board worked with Town Counsel, Mark Bobrowski, and hired traffic and economic consultants to protect the Town's interests. The board also presented, to the Town, an amendment to allow the boundaries at 170 Main Street to move from residential to Business District. The changes will make the boundary of the Business District coincide with that of the Downtown Overlay District. After much participation from the Town's people, all amendments passed with some minor changes. All changes were submitted for approval to the Attorney's General's Office by the Town Clerk. The approval from the State will take approximately ninety (90) days.

Although the board had many public meetings on the Zoning Bylaws, it still heard many requests from applicants. The board voted:

- Site plan approval for the new Maynard High School.
- To allow a third bedroom at 216-218 Main Street.
- To allow residential living in what was office space at 5 Waltham Street.
- Voted on the remaining conditions at McDonald's Restaurant at 2 Main Street.
- Allowed Clock Tower Place a Special Permit for additional signage to place rental signs on their buildings.
- The board also voted to approve modifications to the cell tower at 100 Tower Road and at 146 Main Street, Clock Tower Place.

The planning board meets on the 2nd and 4th Tuesdays of the month starting at 7:00 p.m. All are welcome to attend our meetings and the town appreciates citizens' input.

The Planning Board wishes to thank all town officials, other boards and committees for their support during 2011.

Respectfully submitted,
Marie Morando, Planner Assistant

2011 Annual Report of the Board of Appeals

The Town of Maynard is served by the following board members and staff:

Marilyn Messenger, Chair, Leslie Bryant, Lynne Lombardi, Paul Schenier and Martha Elliot and Marie Morando, recording secretary. Ms. Elliot was appointed to the board during the summer of 2011.

The board meets on as need basis. During 2011, the Board of Appeals granted five special permits, one was withdrawn, and they heard another application for a variance, but it was withdrawn without prejudice.

The Zoning Board is also in the process of hearing a special permit request for a recreational permit at 16 Riverside Park Maynard, MA. The permit will allow the applicant to conduct a canoe and kayak rental on this property.

Respectfully submitted,
Marie Morando, Recording Secretary



Maynard Cultural Council

Maynard's Cultural Council is part of a grass-roots network of 335 local councils that serve every city and town in the Commonwealth. The Maynard Cultural Council's mission is to support public programs that promote access, education, diversity, and excellence in the arts, humanities, and interpretive sciences within the community. This is accomplished by re-granting lottery funds received through the Massachusetts Cultural Council (MCC), in accordance with their guidelines, to individuals and organizations that will present their programs in our community or local area.

Maynard's Cultural Council funds a variety of programs each year such as school field trips, after school programs, concerts, festivals, lectures, theater, dance, music, film, and more. The cultural programs are appropriate for diverse age and interest groups; they take place in schools, community centers, libraries, parks, and wherever communities come together. Whenever possible we give priority to projects for school aged children, seniors, and programs that address the needs of any underserved audiences.



The annual deadline for receipt of grant applications to the Maynard Cultural

Council is October 15th. Grants are awarded in January after careful review by both LCC and MCC Councils.

The Maynard Cultural Council is honored to be among the local councils in the State to achieve "streamlined

status." Criteria for streamlining include strong local procedures, a history of member training, and a clean approval record. The streamlining process eliminates numerous steps in the yearly funding cycle and speeds up local reimbursements. Grant applications,

reimbursement forms and general information are available at the Town Hall and on the Massachusetts Cultural Council website.

In 2011 Maynard received \$3.870 from the state to allocate for grants. We received and reviewed a total of 22 grant applications for Fiscal 2011. Fourteen projects, with total funds of \$4,200, were approved. In 2011 the Maynard Cultural Council sponsored:

- Green Meadow: Deraldo Ferreira & The Afro-Brazilian Ensemble
- Maynard Community Band: Wednesday Night Concerts in the Park
- Community School: Imagimotion, Nancy Railsback and Yoga Kids
- Maynard Public Library: Free Summer Concert - Patty Larkin
- Fowler School: Sumaj Chasquis, Good Messengers from South America
- Fowler School: Theatre Espresso – Uprising on King Street
- Ruth Harcovitz : Showtunes for the Elderly
- Organization for the Assabet River: Wild and Scenic Film Festival
- Richard Clark: And Now Mark Twain
- Bill Reed – Regenesiis: Sustainability and the Patterns of Place
- Catherine Evans: Creating art Reflective of Work in Solo Show
- Catherine Evans: Teaching the Lost Art of Gimp
- Laura Grundstrom: Yoga Kids Summer Camp
- Discovery Museums: Free, Fun, Fridays

In addition to its funding from the MCC, the Maynard Cultural Council raises funds through various special events. These tax-deductible funds raised on a local level may be used to augment the amount awarded by the State but are not restricted to state approvals.

We invite community input to help assess the local cultural needs. Our monthly meetings are posted in the Town Hall and will be posted on the LCC section of the Town's website.

Respectfully submitted,



Priscilla Alpaugh Cotter, Co-Chairman

Nan Krueger, Co-Chairman

Membership:

Priscilla Alpaugh Cotter, Co-Chair 2013

Nan Kruger, Co-Chair 2013

Diane Donovan 2012

Gail Erwin 2014

Andrew Kuhn 2014

Annual Report of the Town School Building Committee

The current school building committee began in December 2009 and maintained a schedule of two (2) meetings per month until January 2012 when it went to one (1) meeting each month. The school design is complete, the groundbreaking ceremony is over and the earth behind the existing high school has been moved for months. Many residents have heard blasting of rock and then the hammering of rock and, starting in February, the sound of steel being erected.

The town web site has a web page dedicated to the school building committee and on that page, you will find our meeting schedule, meeting agendas, meeting minutes along with progress photos of the new high school construction. We encourage all residents to visit the web page periodically and follow the progress. Please keep in mind our meetings are always open to the public, we encourage you to attend.

Respectfully submitted,

Jerry Culbert, Chair

Voting Members	Non-voting Members
Jerry Culbert, Chair	Robert Gerardi, Superintendent of Schools
Philip Berry, Vice Chair	Pete DiCicco, Business Advisor-School Dept.
Matt Briggs	Mike Sullivan, Town Administrator
Anthony Midey	Gregg Lefter, Town Facility Manager
Ken Neuhauser	Marie Morando, Committee Secretary
Chris Johnson	
Bonnie Winokar	
Ed Mullin	
Bob Nadeau	

CALENDAR YEAR 2011 REPORT WHITE POND CITIZEN'S STUDY COMMITTEE

ESTABLISHED

The Town of Maynard established the White Pond Citizen's Study Committee (WPCSC) for reviewing the current and future source of water for town residents. Selectmen recognized that a supply of clean, pure and adequate water is essential to the town's future and the well-being of its residents. The committee was established in 2010 but appointments did not take effect until early 2011. One of several tasks assigned to the committee was the evaluation of the engineering contract with Woodard and Curran.

Members of the committee are: Paul Boothroyd, Dick Downey, Ellen Duggan, Jim Fulton, Jason Kreil, Peter Reed & Herb Symes. Also appointed was a Finance Committee Liaison, Gene Redner, as a non-voting member (Town Charter does not allow Fin-Com members to vote on other committees so that there is no appearance of conflict of interest when recommending funding)

MISSION

The committee set out to offer additional value to the town other than simply reviewing the work of the engineers. The committee was interested in reviewing the entire water resources of the town and not be constrained to a narrow view as our name may imply. We established a goal of making recommendations to the Selectmen (who are also Department of Public Works Commissioners) on a plan, spanning short term (less than 10 years) and long term (up to 100 years), periods. We set out to look at projected population growth, industry growth, regulation trends, past history, economic and health impacts, and user costs and fees.

While our name implies focus on White Pond, we took a much broader view and evaluated not only the pond, but also whether any new source would be necessary. If so, what other options are available, such as expansion of existing wells, new wells, joining an existing water district, or, perhaps, creating our own district with surrounding towns.

INVESTIGATION

Our first meeting took place in February and we organized ourselves with a chair, vice chair and secretary. We also set up a web page to keep all interested parties up to date on our progress. The public was solicited to join in on our discussion through invitations in the *Beacon Villager*, and on our web page.

The current Superintendent of Public Works, Gerry Flood, was kind enough to provide the committee with a physical tour of the entire water system, which included all of the well sites, the treatment plants, water storage tanks, portions of the distribution system and White Pond (which is located just outside of the town border). Photographs of the sites were taken for reference.

Mr. Flood attended many of our meetings and provided much insight into the workings of the system as well as many of the pros and cons of the existing infrastructure and its operation. We also heard

from two previous Superintendents, Walter Sokolowski and Tom Sheridan, who graciously attended several meeting with their insights. The testimony of these three individuals was very interesting and informative, especially where it converged and where their opinions differed.

Members of the committee combed through all previous engineering studies to see what might still be relevant and act as a reality check for the current engineering contract. Other members solicited the MAPC (Metropolitan Area Planning Council) for their detailed demographic information on population growth for Maynard and surrounding towns. Still others reviewed the info about joining the MWRA (Massachusetts Water Resource Authority). Others researched land availability, right-of-ways, permitting, etc. that would be involved with any of the options we would consider.

WORK PRODUCT

Around mid-year, we gave an interim report to the public and selectmen at one of their meetings. We continued to work on gathering as much reference information as possible in order to have a complete understanding of our situation and what options were available to us.

Because of the severe 2010-2011 winter season, the engineering work as well as the committee's work got a late start and we were not able to maintain our original timeline. We pulled together our information toward the end of the year and started building a "decision matrix" to assist in evaluating our many options. This effort is still in progress while this annual report is being written. We are still trying to get clarifications to the engineer's report and operational data from the treatment plants; therefore, our schedule continues to slip. We expect to finalize our research in the 1st quarter of 2012 and write the report of our recommendations shortly thereafter.

Submitted by:

White Pond Citizens Study Committee
Paul Boothroyd,
Dick Downey,
Ellen Duggan,
Jim Fulton,
Jason Kreil,
Peter Reed
Herb Symes
Gene Redner

2011 Annual Report of the Maynard Community Life Center Committee

The mission of the Maynard Community Life Center Committee (MCLCC) is to perform the following actions and create and submit a report to the Maynard Board of Selectmen in time for Spring Town Meeting, May 2012:

1. Analysis of need
2. Alternatives to address the need and a recommendation of a best solution

Including:

Site Location – research and submit a summary of best possible locations for the proposed multi-use facility

Facility Uses – research and submit a summary of the most important uses the facility should include; Senior Center and the important uses particular to that demographic (music, arts & crafts, games, internet access, etc.), and Recreation, and the important uses (basketball court, indoor soccer, etc.)

Estimated size and cost

Funding – research and submit a summary of all possible funding sources and any pertinent information (grants, fundraising, override, capital bond, etc.)

Potential Revenue

The committee first met on September 15, 2011 and regularly scheduled meetings followed every two weeks. Each of the nine (9) committee members has been very active and productive with many activities requiring substantial time outside the regular meetings.

A report will be submitted to the Board of Selectmen for their review and consideration by early April 2012. The report will highlight the needs of all age groups along with an outline of specific room requirements for various activities, a very rough estimate of potential cost, several locations within the Town considered, and attachments of all supporting data.

Respectfully submitted,

Jerry Culbert, Chair

Dawn Capello, Vice Chair

William Freeman

Tom Papson

Al Whitney

Mary Brannelly

Joanne Sheehan

Jack MacKeen

Danielle Rocheleau

PERSONNEL STAFFING PLAN

As required by Town Charter Section 5-2, herewith is the personnel and staffing plan currently in place for all Town Departments with exception of the School Department.

The personnel and staffing plan is organized by department. The initials PT denote part-time employees. Employees listed are those permanent part-time or full-time employees. Employees listed are those permanent part-time or full-time. The plan is in order as the departments appear in the budget documents.

OFFICE OF THE SELECTMEN

Town Administrator
Administrative Secretary
Facilities Manager
Custodian

Michael Sullivan
Rebecca J. Mosca
Gregg Lefter
Frederick Brooks

TOWN ACCOUNTANT

Town Accountant/Finance Director
Clerk (PT)

Juli Colpoys
Carol Akillian-Casey

TREASURER/COLLECTOR

Treasurer/Collector
Asst. Treasurer
Asst. Collector

*Eric Kinsherf
Cheri Poirier
Denée Howard

OFFICE OF THE ASSESSORS

Assistant Assessor
Clerk

Angela Marrama
Maryanne Dee

TOWN CLERK

Town Clerk
Asst. Town Clerk

Michelle Sokolowski
Cathy Berard

BUILDING DEPARTMENT

Building Commissioner
Inspector

Richard Asmann
Laura Ann Livoli

BOARD OF HEALTH

Health Officer
Clerk (P.T.)

Kevin Sweet
Stephanie Duggan

PUBLIC LIBRARY

Library Director
Assistant Librarian
Children's/Young Adult Librarian
Automated Services Librarian
Paraprofessional (FT)
Paraprofessional (FT)

Stephen Weiner
Cynthia Howe
Mark Malcolm
Conrad Miller
Eleanor Carey
Karen Weir

COUNCIL ON AGING

Van Driver
Van Driver
COA Director (PT)
Clerk (PT)

Bruce Whitney
Janice Parker
Marcia Curren
C.David Hull

POLICE DEPARTMENT

Chief
Secretary
Parking Clerk
Lieutenant
Sergeant
Sergeant
Sergeant
Meter Officer
Prosecutor
Officer
Officer
Officer/ Photo/Firearm
Officer
Officer
Officer
Officer
Officer
Evidence Officer
Officer
Officer
Officer
Officer
Officer
Custodian

James Corcoran
Lucie Distefano
*Ellen Waldron
James Dawson
Michael Noble
Brian Quinlan
Stephen Jones
Karl Nyholm
Philip Craven
Mary McCue
Eric Davoll
William Duggan
Gregory Balzotti
Christopher Sweeney
Paul Maria
Brian Cushing
Thomas Neufell
Richard Seeley
Brian Peterson
Jeffrey Houle
*Tony Rego
*Adam Bullock
Joseph Behnke
James Maria

Temporary

FIRE DEPARTMENT

Fire Chief	*Stephen J. Kulik
Secretary (PT)	Nancy W. Brooks
Captain	Patrick A. Sullivan
Captain	Joseph P. Landry
Firefighter	Gerald J. Byrne
Firefighter	David D. Hillman
Firefighter	William H. Soar
Firefighter	James A. MacGillivray
Firefighter	Peter R. Morrison
Firefighter	Michael D. Hamill
Firefighter	Timothy C. Gray
Firefighter	Mark Tomy
Firefighter	Craig Desjardins
Firefighter	Richard G. Hill
Firefighter	John W. Primiano
Firefighter	Jeffery W. Boudreau
Firefighter	Patrick Hakey
Firefighter	Sean Kiley
Firefighter	Walter Latta

DEPARTMENT OF PUBLIC WORKS ADMINISTRATION

Acting Superintendent	Jerry Flood
Administrative Secretary	Dorothy Jay

CEMETARY DEPARTMENT

Foreman

HIGHWAY DEPARTMENT

Lead Mechanic	Joseph Foster
Skilled Laborer	Richard Bottino
Skilled Laborer	Matti Tuomi
Skilled Laborer	Marc Currier
Equipment Operator	Michael Kaskiewicz
Skilled Laborer	Charles Wilkins
Skilled Laborer	James Ferguson

WATER & SEWER DEPARTMENT

Foreman/Lead Operator	Timothy Mullally
Water/Sewer Operator	Walter Marr
Water/Sewer Operator	John DeMars
Water/Sewer Pumping Station Operator	Michael Abbondanzio

SEWER DEPARTMENT

Chief Operator	Charles Dismuke
Asst. Chief Operator	Victor Vasselin
Laboratory Technician	*Steven Lossow
Skilled Laborer	Scott Hirschberg

Several Town Departments that are staffed by individuals on either a Fee Basis or Contract Basis are not eligible for Town benefits. Those departments are as follows:

FINANCE

Recording Secretary	*Ellen Waldron
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TOWN CLERK

Census Workers	Sundry
Voter Registrar (Flat Fee)	Madeline Lukashuk
Voter Registrar (Flat Fee)	Deborah Collins
Voter Registrar (Flat Fee)	C. David Hull
Election Workers	Sundry
Town Meeting Workers	Sundry

PLUMBING/GAS

Inspector (Fee Basis)	Raymond Smith
Inspector	Adam Sahlberg

WIRE

Inspector (Fee Basis)	Peter Morrison
	James Downing

SEALER OF WEIGHTS & MEASURES

Sealer (Fee Basis)

Brian Feeney

DOG OFFICER

Dog Officer (Contract)

Leslie Boardman

VETERANS

Agent (Flat Fee)

*Brian Stearns

Agent (Flat Fee)

Wayne Stanley

PLANNING BOARD

Administrative Assistant

Marie Morando

ZONING BOARD OF APPEALS

Administrative Assistant

Marie Morando

RECREATION

Instructors, Aides, Supervisors (PT)

Sundry

CONSERVATION COMMISSION

Conservation Agent

Linda Hansen

(*) indicates that employee is no longer working with the Town

SOME WAGES PAID MAY REFLECT TOTALS FROM MORE THAN ONE DEPARTMENT,
OVERTIME AND PRIVATE DETAILS (NON-TOWN FUNDS)

TOWN EMPLOYEES		SALARY		TOWN EMPLOYEES		SALARY	
Abbondanzio, Michael	74,479.27	Lefter, Gregg	30,517.16				
Akillian-Casey, Carol A	41,063.92	Loomer, James	4,628.14				
Asmann, Richard	61,882.45	Lossow, Steven	29,312.14				
Aulenback, Ralph	9,758.58	MacGillivray, James A	67,560.26				
Balzotti, Gregory E	67,996.22	MacGlashing, Douglas	18,102.12				
Behnke, Joseph	69,702.14	Malcolm, Mark A	55,806.40				
Berard, Cathy	27,500.92	Manning, Michael	1,000.00				
Booth, Peter	22,879.51	Maria, James V	15,761.11				
Bottino, Richard E	49,659.31	Maria, Paul A	92,358.01				
Boudreau, Jeffrey W	70,794.04	Marr, Walter C	47,200.31				
Brooks, Frederick J	49,712.16	Marrama, Angela	78,723.25				
Brooks, Nancy	41,787.99	McCue, Mary B	67,368.52				
Budrewicz, Cheryl	3,160.12	McDaid, Timothy	60,299.61				
Bullock, Adam	22,736.09	Miller, Conrad D	50,655.04				
Byam, Erik	62,633.03	Morando, Marie	41,190.94				
Byrne, Gerald	88,890.35	Morrissey, Dennis	34,406.64				
Clark, James	2,845.72	Morrison, Peter R	132,376.48				
Clark, Richard	4,815.16	Mosca, Michelle	1,297.50				
Colpoys, Juli-Lyn	91,398.77	Mosca, Rebecca J	51,972.34				
Connors, John	4,586.16	Mullally, Timothy P	85,693.09				
Cook, Marilyn	1,000.00	Neufell, Thomas A	134,122.16				
Corcoran, James F	137,089.16	Nichols, Adam	66,659.14				
Corrigan, Shawn	26,284.51	Noah, Bruce	11,367.36				
Cranshaw, William	1,000.00	Noble, Michael	127,643.93				
Craven, Philip	81,935.72	Nyholm, Karl	86,864.48				
Curren, Marcia	22,274.04	O'Neil, Timothy	2,291.42				
Currier, Marc L	64,265.36	Papson, MaryJane	1,000.00				
Cushing, Brian R	86,649.13	Parker, Janine	36,926.88				
DaCosta, Robert	77,092.27	Peacock, Philip	2,284.38				
Davoll, Eric	70,773.54	Petersen, Brian	97,176.13				
Dawson, James F.	95,470.44	Poirier, Cheryl	56,295.44				
Dee, Marianne	41,750.18	Pomfret, Stephen	1,000.00				
DeMars, John	62,102.67	Portnoy, Dorothy	55,560.10				
Desjardins, Craig L	73,768.09	Primiano, John W	65,928.27				

Dismuke, Charles T	71,935.14	Quinlan, Brian P	69,028.19
Distefano, Lucie	55,862.04	Rego, Tony	39,322.81
Doucette, Emily	3,047.25	Richardson, Deborah	9,401.94
Duggan, Stephanie	17,605.84	Robichaud, Jeremy	34,455.40
Duggan, William J	53,038.89	Sarvela, Walter	3,714.96
Duncan, Elizabeth	2,050.00	Seeley, Richard	93,114.51
Ferguson, James	46,829.35	Smith, Raymond	20,270.00
Flood, Gerard P	89,823.37	Soar, William H III	95,972.93
Flood-Granat, Dorothy	1,117.76	Sokolowski, Michelle	54,752.03
Foster, Joseph D	78,388.21	Stanley, Wayne	2,749.98
Gray, Timothy C	71,356.65	Stearns, Brian	2,749.98
Grossman, Beth A	10,060.00	Sullivan, Michael	107,242.80
Haakey, Patrick A	75,530.61	Sullivan, Patrick A	92,735.43
Hansen, Linda	24,920.80	Sweeney, Christopher	82,807.99
Hill, Richard G	78,130.60	Sweet, Kevin	78,693.37
Hillman, David	69,251.93	Thurston, Sarah	3,778.59
Hirshberg, Scott	16,483.12	Tomyl, Mark	75,201.44
Hodlin, Gregory	3,900.00	Tuomi, Matti J	58,918.11
Houle, Jeffrey	76,297.55	Vasselin, Victor	74,989.81
Howard, Denece	50,940.91	Waldron, Ellen J	30,616.53
Howe, Cynthia Claire	64,666.00	Wasiuk, Stephanie	1,700.00
Hull, C. David	11,058.63	Webb, Sean	1,088.06
Hurme, Donald	39,860.00	Weiner, Stephen	69,684.38
Johnston, Barbara	17,886.99	Weir, Karen	36,426.15
Jones, Stephen G	82,429.13	Whitney, Alfred T Jr	11,047.36
Kaskiewicz, Michael	53,488.38	Whitney, Bruce	11,300.00
Kaziukonis, John	16,804.14	Wilkins, Charles	50972.44
Kiley, Edward	10,573.30		
Kiley, Sean	75,203.85		
King, John	73,228.40		
Kulik, Stephen J	109,829.36		
Landry, Joseph	95,169.71		
Latta, Walter A. Jr.	80,170.16		

SOME WAGES PAID MAY REFLECT TOTALS FROM MORE THAN ONE DEPARTMENT,			
SCHOOL EMPLOYEES	SALARY	SCHOOL EMPLOYEES	SALARY
Ablard, Jennifer	48,109.67	Justason, James M	51,082.13
Adams, Jennifer E	72,483.79	Kalember, Kyle	27,615.92
Adams, Patricia P	77,946.06	Kanniard, Kathryn	7,854.19
Adamson, Candace A	71,102.29	Kennedy, Tiffany	25,434.26
Alford, Rebecca	2,043.75	Kessler, Rosemarie	83,442.08
Amidon, Donna	8,418.98	Kiirikki, Esa	1,387.50
Andrade, Aicha	39,342.65	Kilpatrick, Phyllis	3,220.00
Andrade, Colleen	36,787.93	Kinch, Robert W	55,948.36
Arrington, Amy	49,413.22	King, Kelly	1,756.71
Arsenault, Tina	12,296.17	King, Michelle	30,435.08
Aukstikalnis,Suzanne	27,055.21	Kizik, Victor	43,863.47
Baird, JoEllen	40,299.87	Koskinen, Bryn	3,014.00
Baldassarre, Maria	11,841.35	Krasinski, Katherine	65,454.63
Baldelli, Linda	9,741.25	Kutlowski, Marie	40,232.63
Ballard, John J	47,250.44	Kyzer, Ann	3,937.00
Banios, Mary Beth	54,999.88	LaBelle-Pierce,Jean	75,468.29
Barbagallo, John	44,525.55	Laferriere, Samantha	14,499.49
Barbella, Laura	4,800.00	lambert, Lauren	2,536.50

Barcock, Sarah	24,853.01	Lambert, Rosanne	81,046.56
Baron, Judith	16,533.15	Lamoureux, Daniel	1,600.00
Barron, Jodi	30,713.26	Lamoureux, Theresa	7,666.10
Bator, Pamela	41,599.92	Landers, Nanda	28,409.44
Bausmith, Andrea	14,316.70	Lankford, Barbara K	76,254.56
Bearden, Danielle	25,538.13	Latta, Lynda L	13,033.46
Belaska, Jessica	35,873.01	Lattuca, Jacqueline	3,451.92
Bell, Kevin	1,284.00	Laughman, Amanda	17,207.28
Bergner, Barbara	16,573.12	Lawton, Denise	45,868.71
Bishop, Pamela	2,252.67	LeBlanc, Sandra	47,234.88
Blaustein, Adam	23,911.49	Lerner, Rochelle	64,663.00
Blickenstaff, Bouchra	1,541.48	LeSage, Carol	16,950.45
Boisvert, Kathie	3,253.12	LeSage, Jonathan	33,913.87
Bourke, Sarah	30,865.29	LeSage, Malaina	3,514.56
Bousquet, Jennifer	37,784.94	LeSage, Paul Harry	19,586.09
Bozek, Amy E	25,183.21	Leskovac, Pamela	2,740.00
Bradley, Erin	34,832.39	Lewis, Ellen	3,535.00
Bradley, Susan	15,806.14	Lilley, Jennifer	62,762.58
Brainard, Kyle	16,837.29	Lind, Jice A	53,233.84
Braman, Hilary	29,690.44	Lindberg, Paul	2,330.00
Bransfield, Kerri	9,321.85	Lingener, Elizabeth	57,032.64
Bratica, Kathleen	67,683.29	Little, Elizabeth	45,830.29
Brennan, Mary P	23,372.96	Lochiatto, Joanne T	41,164.60

Brennan, Patricia	69,454.65	Lomen, Marcy	57,183.67
Brisson, William C	77,790.29	Lucas, Gail	6,820.00
Brooks, Alison	13,808.40	Luther, Douglas	55,349.56
Brooks, Diahann	20,190.06	Lyons, Joan	23,738.42
Brown, Victoria	13,597.29	Macauley, Brian	63,868.49
Bruno, Mary	22,572.78	MacLean, Lisa E	91,392.12
Buma, Matthew	12,063.19	Maguire, Russell	59,930.80
Burns, Anna	42,944.86	Manning, Kevin	2,137.50
Caloggero, Steven R	71,077.29	Mara, Gayle	83,922.08
Caragianes, Charles	37,491.30	Markowitz, Katherine	75,118.29
Carpenter, Mary	25,815.35	Marrese, Christopher	81,045.00
Carter, Pamela	36,072.01	Martell, Amy	2,755.68
Caruso, Kevin	72,183.10	Martell, Joan	16,212.64
Cerasuolo, Florence	7,594.21	Martin, Peter	75,749.83
Cerqua, Patricia	16,267.00	Masterson, Mark	114,466.56
Charles, Scynthia	3,774.11	Matthei, Victoria	4,900.68
Chesson, Laura	102,234.40	McCarthy, Patricia	60,058.76
Chisholm, Julia	3,205.70	McDonald, Gail	61,703.06
Coen, Patricia	16,337.47	McGurn, Kate	9,872.38
Cohen, Janet	7,987.82	McNamara, Susan	74,416.80
Cohen, Lois	63,903.88	McNiff, Lisa	4,003.30
Coleman, Marlene E	71,702.29	McPhail, Melissa	68,494.49
Coletti, Jonathan	16,406.17	McPherson, Marisa	15,072.64

Collins, Kristen	1,593.75	Mehigan, Michael	47,779.43
Conway, Sean	62,886.08	Mela, Jeff N	96,550.01
Copley, Geoffrey	9,064.24	Mendonca-Higgin, Maria	72,940.51
Coppola, Cheryl	75,133.00	Messenger Patricia	1,340.00
Corcoran, Karen P	32,894.38	Messina, Nancy A	82,292.58
Corke, Mary	12,394.77	Mills, Catherine	9,456.50
Corrigan, Kaitlyn	41,740.86	Minasian, Mark	57,550.48
Cosetta, Sandra L	11,990.30	Mitzcavitch, Mary	16,969.66
Costello, Julie L	34,127.78	Monahan, Rosamond	74,610.73
Cotter, Brenna	25,689.29	Mooradian, Lynne S	89,663.58
Cotter, Michael	82,207.28	Moore, Colleen M	66,579.89
Couture, Brenda	60,988.79	Morgan, Kara	7,772.64
Crocker, William	3,030.00	Muise, Renee	45,297.27
Cushing, Kathryn	3,042.00	Mully, Hanne B	76,504.56
Danker, Donna	102,249.86	Murphy, Gail	2,846.80
Dargie, Jennifer	12,922.70	Murphy, Rite Marie	87,171.58
Dawson, Jacqueline	2,634.94	Murphy, Robert	22,995.57
Dearden, Joseph	53,626.84	Nelson, Denise	75,563.29
Decker, Diane	6,397.50	Neuman, Gail	55,412.37
DeMars, Patricia	82,395.93	Neuman, Scott	1,432.50
Depatino, Tarah	21,403.38	Nichols, Carolanne	1,480.00
Dicicco, Peter S	74,316.84	Oechsle, Stephan	57,750.20
Ditto, Karen	52,133.78	Oliveira, Kimberly	19,892.10

Ditullio, Lindsey	1,068.75	Olsen, Jennifer E	28,882.22
Donohue, Amanda	1,575.00	Orzech, Paul	48,608.43
Donohue, Andrew	1,929.57	Parmeter, Seth	3,268.50
Donovan, Denise	4,541.72	Patrikis, Elaine	7,494.81
Doucette MacDona, Laura	13,261.18	Patterson, Meghan	3,042.00
Dowd, Emily	35,444.23	Peralta, Tammy A	43,546.36
Downs, Lisa	8,712.28	Perham, Sean	42,481.14
Dowst, Leslie Adams	57,708.93	Pileeki, Nicholas	19,830.19
Doyle, Elizabeth	6,876.69	Poulson, Betsy M	29,432.37
Duchesneau, Jane M	71,302.29	Poulson, Joan	1,720.00
Duddy, Annmarie	60,877.37	Pratt, Patrick	24,687.93
Duffy, Michelle	1,004.08	Predka, Marc	6,413.97
Dumond, Rochelle	4,492.57	Primiano, Jerilyn	5,620.00
Durkee, Mary	14,520.39	Radler, Richard	4,330.00
Dzerkacz, Charlotte	1,387.50	Rak, Louise S	55,782.62
Elkins, Denise	71,807.51	Ravesi, Theresa	11,668.12
Enneguess, Kristen	12,819.80	Ray, Sharon	2,638.56
Erickson, Lucinda	83,550.44	Reed, Kristin	20,298.27
Ewing, Nieta Candace	81,336.58	Reilly, Lois	6,663.92
Falco, Susan	7,289.19	Reimann, Karen B	21,216.47
Falkoff, Johanna	59,598.56	Reynolds, Katharine	4,674.29
Farrell, Kathleen	4,440.00	Richardson, Maurice C	9,200.19
Ferranti, Mary S	42,059.44	Roche, Jennifer	5,191.90

Fields, Patricia	9,114.24	Rocheleau, Rhonda	46,207.12
Filz, Joyce	8,920.72	Roessle-Meerman, Kaitlin	60,075.78
Finnegan, Mary B	72,828.29	Rosato, Clare	17,499.99
Fitzsimmons, Denise	11,964.26	Roussell, Deborah M	78,089.29
Fledderjohn, Timothy	15,010.20	Ruggiero, Thomas	3,016.00
Fleming, Christopher	72,543.79	Ryan, Jane E	4,020.00
Flynn, John F	80,936.58	Santillo, Sharon	70,902.29
Flynn, Kathleen	4,216.85	Sawdo, Linda	17,488.08
Foley, Marcia E	7,492.26	Schuster, Elizabeth	28,099.48
Folgar, Carlos	4,154.00	Sczerzen, Robert	50,529.00
Foss, Kelly	56,709.26	Seyller, Sharon	88,659.87
Fowler, Michael	1,237.50	Sforza, John E	4,500.00
French, Beverly	11,611.40	Shapiro, Denise	15,379.14
Frick, Michael	3,200.00	Shaw, Cynthia	8,831.07
Fuchs, Arlene	56,721.94	Shugrue, Martha	7,365.42
Gallant Ansari, Shannon	67,937.29	Sicard, Donald R	11,591.32
Gamble, Donna	25,066.73	Silberzweig, Shayna	55,287.47
Garcia, Marita	5,622.10	Simmons, Patricia	15,888.93
Gargas, Kathleen	7,419.62	Sinicki, Joyce	30,101.00
Gargas, Kristin	7,289.19	Sinopoli, Mark	64,959.87
Gately, Janis	18,898.29	Slowick, Margot	71,465.06
Gately, Mary	11,366.22	Smart, Anne Marie	81,336.58
Gately, Patricia	1,050.00	Smith, John	2,094.00

Gerardi, Robert	76,499.93	Smith-Tummino, Joanne	2,276.76
Gerondeau, Patricia	45,670.29	Sorrentino, Kristine	3,042.00
Gilfeather, Ellen J	13,306.96	Spitzmiller, Katherine	35,888.37
Ginnity, Laura	49,048.41	Steigerwald, Stephanie	62,392.14
Giordano, Deborah	7,862.03	Steinbach, Marie	42,265.99
Giunta, Lauren E	60,066.21	Stenhouse, Joelle	13,894.42
Goff, Cheryl	22,085.58	Stevens, Michael P	82,430.58
Goloborodko, Michelle	52,801.43	Stewart, James	6,344.67
Grandin, Philip	57,655.68	Sturniolo, Lisa	49,963.59
Grant, Alexandra	53,905.99	Sullivan, Brenda	85,505.65
Green, Tami	29,444.80	Sullivan, Kathleen	39,276.13
Greene, Jill C	99,153.43	Sullivan, Margaret	49,406.30
Griffin, Michelle	41,086.93	Tardivo, Laura	15,649.92
Griswold, Florence B	14,245.92	Tatem-Small, Cecilia	68,494.49
Grossman., Susan C	71,440.72	Testa, Michael	43,572.88
Grzegorzczuk, Bartosz	2,836.00	Thomas, Nathaniel	53,791.65
Gubala, Malgorzata	15,630.84	Thompson, Michelle	2,391.20
Gubala, Piotr	2,836.00	Thompson, Ray	41,128.78
Gulezian, Kristy L	54,875.99	Thorburn, Patricia	25,942.43
Hackett, Susan M	11,826.62	Tishler, Alison	49,901.21
Hahn, William	1,860.34	Titus, Kristen	82,204.00
Hales, Travis	3,250.00	Tobin, Julie	45,584.60
Harpin, Kaila	3,119.00	Travers, Michelle	35,632.59

Hastry, Robert	15,162.10	Tredeau, James	16,162.56
Hayner, Kelly L	71,316.29	Troisi, Meredith	2,590.25
Haynes, Nancy A	35,158.19	Tucker, Marie	11,872.52
Hayward, Sheila	58,386.14	Tyler, Joan R	7,651.78
Hazel, Sara	60,225.23	Ullrich, Danielle	1,575.00
Helin, Walter	36,210.36	Vanaria, Lawrence	74,289.29
Helsingius, Patricia	1,840.00	Vasta, Jane	45,627.97
Herlihy, David M	50,117.65	Veneziano, Julie	7,550.31
Higgins, David	9,406.92	Vingerhoet, Sally	7,170.51
Highfield, Shirley A	23,517.00	Viros, Viviane	30,095.00
Hill, Nolia	41,085.37	Waldron, Michael	71,601.29
Hilli, Thomas	20,616.90	Wallace, Christine	12,928.42
Hines, Kelli	2,230.55	Wallace, Marybeth	53,705.99
Hobbs, Debora	26,989.66	Walsh, Denise	13,129.21
Hobin, Christine	1,162.50	Wardwell, Mary E	31,647.53
Hoff, Rebecca	3,312.38	Wayda, Rachel	12,708.42
Holly, Deborah A	67,669.42	Weksner, Diane P	62,392.58
Holm, Donald	70,999.95	Wiesner, Tracey	44,888.65
Houle, Parnell R	7,365.42	Willett, Ashley	7,531.23
Howes, Paul T	3,016.00	Wright, Andrew	1,687.50
Ignachuck, Jean E	59,124.91	Wright, Robert A	46,328.77
Ignachuck, Walter J	45,360.57	Young, Michele	6,480.00
Indelicato, Francine	24,756.72		

Jackson, Jennifer J	24,783.21		
Jackson, Judith	16,811.72		
Jaffee-Zeller, Ellen	71,243.72		
Jaillet, Kris	8,594.01		
James, Lisa J	58,386.14		
Jarger, Faith	24,803.00		
Jarvis, Raymond	3,042.00		
Johnston, Jamie	3,260.00		
Jones, Brenda	5,060.00		
Jones, Charlotte A	63,473.13		
Jones, Corrie	34,420.43		
Jones, Jennifer	52,456.43		
Jones, Stephen	4,154.00		



COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

ANNUAL 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 MIDDLE SCHOOL AUDITORIUM, Three Tiger Drive in said Town, on Monday, May 16, 2011, at 7:00 p.m. then and there to act on the following articles:

The following action was taken:

At 7:00 p.m. on May 16, 2011, the Moderator Jim Coleman called the Annual Town Meeting to order.

Two hundred thirty one (231) voters were in attendance.

Guests were acknowledged and admitted.

The Pledge of Allegiance was lead by the Moderator.

Motion made and seconded to waive the reading of the warrant in its entirety but made a part of the record of this meeting and that the Moderator be permitted to refer to each article by subject matter instead of reading each article completely. Motion carried.

ARTICLE 1: **TOWN REPORT ACCEPTANCE**

To hear and act upon the reports of Town Officers and Committees.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: None

The following action was taken:

Voted: To accept the report of the White Pond Citizens Committee as a report in progress.

Finance Committee made no recommendation.

ARTICLE 2: **MINUTEMAN ADVISORY GROUP FOR INTER-LOCAL
COORDINATION (MAGIC)**

To see if the Town will vote to raise and appropriate from taxation the sum of \$1750.00 to fund the Town's continuing participation in the Minuteman Advisory Group for Inter-local Coordination (MAGIC) for Fiscal Year 2012.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$1750.00

The following action was taken:

**Voted: To accept the article as printed in the warrant except the words
"To do or act thereon."**

The Finance Committee recommended.

ARTICLE 3: **FUND WATER QUALITY TESTING
ORGANIZATION FOR ASSABET RIVER (O.A.R)**

To see if the Town will vote to raise and appropriate from sewer enterprise fees the sum of \$1,000.00 to fund water quality testing of the Assabet River by the Organization for the Assabet River in Fiscal Year 2012.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$1,000.00

The following action was taken:

**Voted: To accept the article as printed in the warrant except the words
"To do or act thereon."**

The Finance Committee recommended.

ARTICLE 4: **COST OF LIVING ADJUSTMENT (COLA)**

To see if the town will vote to appropriate the increase in the maximum base on which the retiree Cost of Living Adjustment (COLA) is calculated from its current \$12,000.00 to \$15,000.00, and then annually increasing the base by \$1,000.00 until reaching the maximum allowed by law and approved by the retirement board pursuant to Chapter 32, section 103(j) inserted by Section 19 of Chapter 188.

To do or act thereon.

SPONSORED BY: Maynard Retirement Board
APPROPRIATION: \$33,000.00

The following action was taken:

Voted: To raise and appropriate from taxation an increase in the maximum base on which the retiree cost of living adjustment (COLA) is calculated from its current \$12,000.00 to \$15,000.00, pursuant to Chapter 32, section 19 of Chapter 188.

The Finance Committee recommended.

ARTICLE 5: FISCAL YEAR 2012 SALARY ADMINISTRATION PLAN

To see if the Town, under the authority of Section 108A of chapter 41 of the Massachusetts General Laws, will vote to amend the Maynard Salary Administration Plan by deleting the Section 19 entirely and substituting therefore, a new Section 19 as printed in warrant as attached.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: None

The following action was taken:

Voted: Yes 177, No 40 to accept the article as printed in the warrant except the words "To do or act thereon."

The Finance Committee recommended.

This article was voted by a secret ballot as required by Town By-Law.

ARTICLE 6: FISCAL YEAR 2012 OPERATING BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide to meet the salaries and wages of Town Officers and employees, expense, and outlays of the Town Departments, and other sundry and miscellaneous, but regular, expenditures necessary for the operation of the Town for Fiscal Year 2012 (July 1, 2011 – June 30, 2012), said sums of money as listed in the column entitled "FY2012" and further, to accept and expend Federal and State Funds to offset certain salaries or expenses or outlays as listed below against specific line items; and to do or act thereon.

FISCAL YEAR 2012 OPERATING BUDGET

DEPT	ACCOUNT TITLE	FISCAL YEAR 2011 ADOPTED	FISCAL YEAR 2012 RECOMMENDED
114	MODERATOR - EXPENSES	75.00	75.00
122	SELECTMEN - SALARIES	256,006.00	199,576.00
122	SELECTMEN - EXPENSES	41,500.00	52,500.00
131	FINANCE COMM. - SALARIES	2,300.00	2,100.00
131	FINANCE COMM. - EXPENSE	200.00	300.00
135	TOWN ACCOUNTANT - SALARIES	124,728.00	129,741.00
135	TOWN ACCOUNTANT - EXPENSE	10,445.00	4,380.00
141	ASSESSORS - SALARIES	113,747.00	116,676.00
141	ASSESSORS - EXPENSE	9,000.00	5,205.00
145	TREASURER/COLLECTOR - SALARIES	146,543.00	157,464.00
145	TREASURER/COLLECTOR - EXPENSE	34,800.00	49,100.00
151	LEGAL - EXPENSE	150,000.00	57,200.00
155	DATA PROCESSING - EXPENSE	219,725.00	207,000.00

155	DATA PROCESSING - MINUTEMAN EXPENSE	26,738.00	27,738.00
158	TAX TITLE FORECLOSURE - EXPENSE	15,000.00	28,000.00
161	TOWN CLERK - SALARY	82,487.00	82,014.00
161	TOWN CLERK - EXPENSE	2,721.00	2,500.00
162	ELECTION & REG -.SALARIES	935.00	830.00
162	ELECTION & REG - EXPENSE	5,304.00	5,100.00
163	ELECTION - EXPENSE	19,700.00	11,300.00
171	CONSERVATION - SALARIES	19,341.00	21,525.00
171	CONSERVATION - EXPENSE	1,004.00	967.00
175	PLANNING BOARD - SALARIES	37,272.00	37,473.00
175	PLANNING BOARD - EXPENSES	1,425.00	1,600.00
192	PUBLIC PROP. (MAINT) - SALARIES	49,062.00	50,375.00
192	PUBLIC PROP. (MAINT) - EXPENSE	47,094.00	42,250.00
195	TOWN REPORT - EXPENSE	9,000.00	2,000.00
210	POLICE - SALARIES	1,885,664.00	1,829,259.00
210	POLICE - EXPENSE	196,450.00	201,050.00
220	FIRE - SALARIES	1,482,431.00	1,464,865.00
220	FIRE - EXPENSE	103,452.00	141,835.00
230	AMBULANCE - SALARIES	144,600.00	117,000.00
230	AMBULANCE - EXPENSE	48,800.00	36,700.00
241	BUILDING INSPECTOR - SALARIES	56,537.00	55,537.00
241	BUILDING INSPECTOR - EXPENSE	2,390.00	2,725.00
242	GAS INSPECTOR - EXPENSE	75.00	0.00
243	PLUMBING INSPECTOR - EXPENSE	330.00	0.00
244	SLR OF WEIGHT & MEAS - EXPENSE	500.00	250.00
245	WIRING INSPECTOR - EXPENSE	2,050.00	0.00
291	CIVIL DEFENSE - EXPENSE	500.00	450.00
292	DOG OFFICER - SALARY	14,214.00	0.00
292	DOG OFFICER - EXPENSE	900.00	0.00
294	FORESTRY - EXPENSE	20,000.00	9,000.00
300	MAYNARD SCH JOINT FACILITIES MANAGER - SALARIES	35,000.00	25,000.00
300	MAYNARD SCHOOL - SALARIES	10,372,315.00	10,611,483.00
300	MAYNARD SCH TRANSPORTATION - EXPENSE	492,200.00	480,800.00
300	MAYNARD SCH ATHLETIC - EXPENSE	53,050.00	58,250.00
300	MAYNARD SCH EXPENDITURE - EXPENSE	2,464,602.00	2,241,634.00
310	ASSEBET VALLEY VOC.SCH ASSESSMENT	871,608.00	836,575.00
421	DPW - ADMIN SALARIES	133,080.00	144,175.00
421	DPW - ADMIN EXPENSE	8,850.00	4,520.00
422	HIGHWAY - SALARIES	396,792.00	390,611.00
422	HIGHWAY - EXPENSE	276,268.00	189,246.00
423	SNOW & ICE - SALARIES	45,000.00	45,000.00
423	SNOW & ICE - EXPENSE	45,000.00	45,000.00
424	STREET LIGHTING - SALARIES	2,000.00	1,500.00
424	STREET LIGHTING - EXPENSE	100,000.00	100,000.00
433	TRASH COLLECTION - EXPENSE	727,059.00	741,893.00
491	CEMETERY - SALARIES	25,855.00	18,000.00
491	CEMETERY - EXPENSE	4,100.00	3,190.00
510	BOARD OF HEALTH - SALARIES	79,860.00	92,172.00
510	BOARD OF HEALTH - EXPENSE	76,769.00	82,933.00
541	COUNCIL ON AGING - SALARIES	70,405.00	71,577.00
541	COUNCIL ON AGING - EXPENSE	3,519.00	1,597.00
543	VETERANS - SALARIES	5,500.00	6,000.00
543	VETERANS - EXPENSE	17,900.00	20,400.00

610	LIBRARY - SALARIES	361,640.00	364,050.00
610	LIBRARY- EXPENSE	44,916.00	51,916.00
612	ROOSEVELT BUILDING - EXPENSE	84,394.00	78,900.00
619	HISTORICAL PROFESSIONAL SERVICES	600.00	600.00
630	RECREATION - EXPENSE	12,000.00	0.00
710	PRINCIPAL ON LT - EQUIP	10,730.00	10,000.00
710	PRINCIPAL ON LT - ATH FAC	31,023.00	25,000.00
710	PRINCIPAL ON LT - MIDDLE SCH	1,605,129.00	1,061,700.00
710	PRINCIPAL ON LT - LIBRARY	318,500.00	200,000.00
710	PRINCIPAL ON LT - HS FEASIBILITY	10,790.00	0.00
710	PRINCIPAL ON LT - POLICE STATION	359,600.00	225,000.00
710	PRINCIPAL ON LT - SCHOOL BOILERS	63,600.00	40,000.00
710	PRINCIPAL ON LT - REMEDIATION PETROLEUM	14,000.00	10,000.00
710	PRINCIPAL ON LT - REMEDIATION LANDFIL	24,000.00	15,000.00
710	PRINCIPAL ON LT - WINTER ST	7,200.00	5,000.00
751	INTEREST ON LT DEBT - EQUIP	0.00	245.00
751	INTEREST ON LT DEBT - ATH FAC	0.00	4,750.00
751	INTEREST ON LT DEBT - MIDDLE SCH	0.00	508,776.00
751	INTEREST ON LT DEBT - LIBRARY	0.00	110,750.00
751	INTEREST ON LT DEBT - POLICE STATION	0.00	130,100.00
751	INTEREST ON LT DEBT - SCHOOL BOILERS	0.00	22,800.00
751	INTEREST ON LT DEBT - REMEDIATION PETROLEUM	0.00	3,800.00
751	INTEREST ON LT DEBT - REMEDIATION LAND FILL	0.00	8,700.00
751	INTEREST ON LT DEBT - REMEDIATION WINTER	0.00	2,100.00
752	INTEREST ON ST NOTES	0.00	360,000.00
910	RET SYS-PENSION CONTR	1,497,913.00	1,567,183.00
911	RET SYS - NON CONTRIB.	2,576.00	2,576.00
913	UNEMPLOYMENT COMPENSATION	75,000.00	40,000.00
914	HEALTH INSURANCE	4,084,545.00	4,533,845.00
915	LIFE INSURANCE	9,888.00	9,888.00
916	MEDICARE	210,000.00	215,000.00
945	INSURANCE PREMIUMS	216,300.00	212,000.00
950	UTILITIES - TELEPHONE	36,000.00	42,000.00
955	TOWN AUDIT - EXPENSE	39,900.00	37,000.00
TOTAL OPERATING BUDGET		<u>30,812,021.00</u>	<u>31,263,895.00</u>

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$31,263,895.00

The following action was taken:

Voted: Yes 160, No 34 that the Town raise and appropriate, transfer from available funds, or otherwise to meet the salaries and wages of Town Officers and employees, expenses, and outlays of the Town Departments, and other sundry and miscellaneous but regular expenditures necessary for the operation and delivery of the municipal services in fiscal year 2012 (July 1, 2011 – June 30 2012) in the amount of \$31,263,895.00

The Finance Committee recommended.

This article was voted by a secret ballot as required by Town By-law.

ARTICLE 7: **AUTHORIZE REVOLVING FUNDS**

To see if the Town will vote pursuant to G. L. c. 44, § 53E1/2, to authorize the use of revolving fund accounts for the following boards or departments, and that unless otherwise amended by Town Meeting, such accounts shall not exceed the following amounts for Fiscal Year 2012:

Conservation Commission: for the purpose of administering the consultant fee provision of Maynard's Wetland Protection By-law, the funds to be set at \$15,000.00 in Fiscal Year 2012 from Wetlands By-law Consultant Fees, said funds to be expended by the Conservation Commission.

Planning Board: for the purpose of fees and expenses associated with Site Plan Review, Special Permit and Subdivision Applications, and Zoning Bylaw and Subdivision Regulation revisions; the funds to be set at \$22,400.00 in Fiscal Year 2012 from Site Plan Review, Special Permit and Subdivision Application fees; said funds to be expended by the Planning Board.

Board of Health:

Town Drop Off Center Fees: For the purpose of fees and expenses associated with disposal of household hazardous products, yard waste, tires and electronics collected at town drop-off center at the Highway Garage, the funds to be set at \$8,000.00 in Fiscal Year 2012.

Licensing Fees: for the purpose of fees and expenses associated with inspections of food establishments in the Town of Maynard, the funds to be set at \$12,000.00 in Fiscal Year 2012 and said funds to be expended by the Board of Health.

Council of Aging: For the purpose of fees and expenses associated with operating the Council of Aging, the funds to be set at \$10,000.00 in Fiscal Year 2012 and said funds to be expended by the Council on Aging.

Sealer of Weights and Measures: for the purpose of fees and expenses associated with the inspections performed by the Sealer of Weights and Measures, the funds to be set at \$5,000.00 in Fiscal Year 2012 from Sealer and Weights and Measurers Fees, said funds to be expended by the Town Administrator's Office.

Electrical Inspection Services: for the purposes of fees and expenses associated with inspections performed by the Wiring Inspector, the funds to be set at \$22,000.00 in Fiscal Year 2012 from Wiring Fees, said funds to be expended by the Fire Department.

Plumbing Inspectional Services: for the purpose of fees and expenses associated with inspections performed by the Plumbing Inspector, the funds to be set at \$10,000.00 in Fiscal Year 2012 from Plumbing Fees, said funds to be expended by the Town Administrator's Office.

Gas Inspection Services: for the purpose of fees and expenses associated with inspections performed by the Gas Inspector, the funds to be set at \$6,600.00 in Fiscal Year 2012 from Gas Fees, said funds to be expended by the Town Administrator's Office.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: None

The following action was taken:

Voted: Yes 179, No 18 that the Town accept the article as printed in the warrant except the words "To do or act thereon."

The Finance Committee recommended.

This article was voted by a secret ballot as required by Town By-Law.

ARTICLE 8: CAPITAL OUTLAY

To see if the Town will vote to raise and appropriate the sum of \$161,900.00 to fund the following capital items for Town Departments.

Fire Department 2-way Radio	\$22,000.00
Fire Escape Repair	\$18,900.00
Police Cruiser	\$30,000.00
Alumni Field Track/Tennis	\$61,000.00
Plow Truck	\$30,000.00
TOTAL	\$161,900.00

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$161,900.00

The following action was taken:

Voted: Yes 182, No 18 that the Town accept the article as printed in the warrant except the words "To do or act thereon."

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 9:**CAPITAL PROJECT BONDING**

To see if the Town will vote to raise and appropriate the sum of \$2,185,000.00 for the following projects:

Town Hall Repairs	\$35,000.00
Playground/Park Improvements (3)	\$250,000.00
Athletic Field Improvement	\$150,000.00
Road Improvements	\$300,000.00
Sidewalk Installation/Improvements	\$500,000.00
Green Meadow Carpet Replacement	\$100,000.00
Green Meadow Systems Upgrades	\$620,000.00
Total Project Cost	\$2,185,000.00

To determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	\$2,185,000.00

The following action was taken:

Voted: Yes 169, No 25 (129 needed for a 2/3 vote) that the Town appropriate \$2,185,000.00 for the following projects:

Town Hall Repairs	\$ 35,000.00
Playground/Park Improvements (3)	\$250,000.00
Athletic Field Improvements	\$150,000.00
Road Improvement	\$300,000.00
Sidewalk Installation/Improvement	\$500,000.00
Green Meadow Carpet Replacement	\$100,000.00
Green Meadow System Upgrades	\$620,000.00
Contingency for all projects listed above	\$230,000.00
Total Project Cost	\$2,185,000.00

And that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$2,185,000.00 under Chapter 44 of the General Laws or any other enabling authority; that the Board of Selectmen is authorized to contract for and expend any federal or state aid available for the projects; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

Motion made and seconded to adjourn the Annual Town Meeting to 9:50 p.m.

Motion carried.

At 9:30 p.m. the Moderator, Jim Coleman called the Special Town Meeting to order.

Motion made and seconded to adjourn the Special Town Meeting for the purpose of finishing the Annual Town Meeting and reconvene immediately following the end of said meeting.

ARTICLE 10: **FINANCE COMMITTEE RESERVE FUND**

To see if the Town will vote to raise and appropriate from taxation the sum of \$300,000.00 to provide for any extraordinary or unforeseen expenditures of the various Town Departments, by a vote of the Finance Committee out of the Reserve Fund, as provide by M.G.L. Chapter 40, Section 6.

To do or act thereon.

SPONSORED BY:	Finance Committee
APPROPRIATION:	\$300,000.00

The following action was taken:

Vote: Yes 118, No 9 to accept the article as printed in the warrant except the words "To do or act thereon."

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 11: **CONSULTANT PLANNER**

To see if the Town will vote to raise and appropriate the sum of \$20,000.00 in order to contract with a part time community development planner for the Fiscal Year beginning July 1, 2011 through June 30, 2012, or to take any other action relative thereto.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$20,000.00

The following action was taken:

Voted: Yes 112, No 14 to accept the article as printed in the warrant except the words "To do or act thereon."

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 12: WATER ENTERPRISE BUDGET FISCAL YEAR 2012

To see if the Town will vote to raise and appropriate from Water Enterprise Fees a sum of \$1,260,064.00 to operate the Water Enterprise Budget as listed in the column entitled "Recommended Fiscal Year 2012" as follows:

FISCAL YEAR 2012 WATER ENTERPRISE BUDGET

DEPT	ACCOUNT TITLE	FISCAL YEAR 2011 ADOPTED	FISCAL YEAR 2012 RECOMMENDED
450	WATER - SALARIES	229,300.00	222,265.00
450	WATER - EXPENSE	462,235.00	457,250.00
450	LONG TERM DEBT PRINCIPAL	463,806.00	455,238.00
450	LONG TERM DEBT INTEREST	160,748.00	125,311.00
TOTAL WATER ENTERPRISE BUDGET		1,316,089.00	1,260,064.00

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$1,260,064.00

The following action was taken:

Voted: Yes 117, No 9 that the Town meet the salaries and wages of Town Officers and employees, expenses, and outlays of the Water Enterprise System, and other sundry and miscellaneous but regular expenditures necessary for the operation of the system for Fiscal Year 2012 for a total budget of \$1,260,064.00 and further raise and appropriate from water fees in the same amount of \$1,260,064.00

The Finance Committee recommended.

This article was voted by a secret ballot as per Town By-Law

ARTICLE 13: SEWER ENTERPRISE BUDGET FISCAL YEAR 2012

To see if the Town will vote to raise and appropriate from Sewer Enterprise Fees a sum of \$1,768,669.00 to operate the Sewer Enterprise Budget as listed in the column entitled "Recommended Fiscal Year 2012" as follows:

FISCAL YEAR 2012 SEWER ENTERPRISE BUDGET

DEPT	ACCOUNT TITLE	FISCAL YEAR 2011 ADOPTED	FISCAL YEAR 2012 RECOMMENDED
440	SEWER - SALARIES	136,813.00	123,233.00
440	SEWER - EXPENSE	96,681.00	101,200.00
440	LONG TERM DEBT PRINCIPAL	135,534.00	106,550.00
440	LONG TERM DEBT INTEREST	58,724.00	45,241.00
443	WWTP - SALARIES	308,806.00	199,756.00
443	WWTP - EXPENSE	604,148.00	760,800.00
443	LONG TERM DEBT PRINCIPAL	484,234.00	298,262.00
443	LONG TERM DEBT INTEREST	209,485.00	133,627.00
TOTAL SEWER ENTERPRISE BUDGET		2,034,425.00	1,768,669.00

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$1,768,669.00

The following action was taken:

Voted: Yes 122, No 11 that the Town meet salaries and wages of Town Officers and employees, expenses and outlays of the Sewer Enterprise System, and other sundry and miscellaneous but regular expenditures necessary for the operation of the system for Fiscal Year 2012 (July 1, 2011 – June 30, 2012) for a total budget of \$1,768,669.00 and raise and appropriate funds from sewer fees in the same amount of \$1,768,669.00.

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 14: WATER ENTERPRISE STABILIZATION FUND

To see if the Town will vote to raise and appropriate from Water Enterprise Fees a sum of \$135,000.00 to the Water Enterprise Stabilization Fund.

To do or act thereon.

SPONSORED BY: Department of Public Works
APPROPRIATION: \$135,000.00

The following action was taken:

Voted: Yes 120, No 3 (89 needed for a 2/3 vote) to accept the article as printed in the warrant except the words "To do or act thereon."

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 15: SEWER ENTERPRISE STABILIZATION FUND

To see if the Town will vote to raise and appropriate from Sewer Enterprise Fees a sum of \$135,000.00 to the Sewer Enterprise Stabilization Fund.

To do or act thereon.

SPONSORED BY: Department of Public Works
APPROPRIATION: \$135,000.00

The following action was taken:

Voted: Yes 118, No 16 (89 needed for a 2/3 vote) to accept the article as printed in the warrant except the words "To do or act thereon."

The Finance Committee recommended.

This article was voted by a secret ballot as required by Town By-Law

**ARTICLE 16: AUTHORIZE TREASURER TO BORROW IN
 ANTICIPATION OF TAXES**

To see if the Town will vote to authorize the treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the Fiscal Year beginning July 1, 2011 in accordance with provision of General Laws, Chapter 44, Section 4, and to issue a note or notes, therefore, payable within one year in accordance with the provisions of General Laws, Chapter 44, Section 17

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: None

The following action was taken:

Voted: Yes 121, No 13 (89 needed for a 2/3 vote) to accept the article as printed in the warrant except the words "To do or act thereon."

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 17: SOLAR ARRAY

To see if the Town will vote to approve the contractor as selected through the request for proposal (RFP) process as prescribed by MGL Chapter 30 B. Furthermore, to allow the Board of Selectmen, or their designee, to negotiate a contractual agreement based on the RFP with the said contractor.

All costs of development, permitting, construction, monitoring will be born by the contractor and will not be an expense to the town. The town will realize a revenue income from the partnership based on the generation from the array.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: None

The following action was taken:

Voted: Yes 114, No 18 (88 needed for a 2/3 vote) to accept the project and support the Board of Selectmen entering into a contractual agreement to generate electricity by means of photovoltaic technology at the former landfill on Waltham Street and other suitable public properties; and further the, Board of Selectmen shall be authorized to enter into and negotiate a lease agreement in excess of 3 years for the purpose of a photovoltaic facility and under terms and conditions as they shall deem appropriate and as authorized by all applicable laws for the property commonly known as the Town of Maynard Landfill and which said property is located at Town of Maynard Assessor's Map 21 and Lot 15.

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 18:**COMMUNITY PRESERVATION FUND RESERVE
APPROPRIATION FISCAL YEAR 2012**

MOVE: To appropriate \$ 10,000.00 from the FY2012 Community Preservation Fund Budget Reserve for the operating expenses of the Community Preservation Committee. Also to appropriate from FY2012 annual CPA estimated tax revenues the following amounts: \$ 22,000.00 for the Open Space Reserve Fund, \$ 22,000.00 for the Historic Resources Reserve Fund, \$ 22,000.00 for the Community Housing Reserve Fund, and \$136,500.00 for the CPA Budgeted Reserve Fund.

**COMMUNITY PRESERVATION FUND RESERVE
APPROPRIATION FISCAL YEAR 2012**

To see if the Town will vote to appropriate or reserve from FY2012 Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee (CPC), with each item to be considered a separate appropriation:

<u>Appropriations:</u>	
From FY2011 estimated revenues for Committee Administrative and Operating Expenses	\$10,000.00
<u>Reserves:</u>	
From FY2011 estimated revenues for Historic Preservation	\$22,000.00
From FY2011 estimated revenues for Open Space	\$22,000.00
From FY2011 estimated revenues for Community Housing	\$22,000.00
From FY2011 estimated revenues for Budgeted Reserve	\$136,500.00
TOTAL:	\$212,500.00

To do or act thereon.

SPONSORED BY:
APPROPRIATION:

Community Preservation Committee
\$212,500.00

The following action was taken:

Voted: Yes 108, No 15 to appropriate \$10,000.00 from the FY2012 Community Preservation Fund Budget Reserve for the operating expenses of the Community Preservation Committee. Also to appropriate from FY2012 annual CPA estimated tax revenues the following amounts; \$22,000.00 for the Open Space Reserve Fund, \$22,000.00 for the Historic Resources Reserve Fund, \$22,000.00 for the Community Housing Reserve Fund and \$136,500.00 for the CPA Budget Reserve Fund. Total Appropriation; \$212,500.00

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 19:

COMMUNITY PRESERVATION AUTHORIZATION

To see if the Town will vote to strike the following language from Article 8 endorsed at a Special Town Meeting held on May 18, 2010, as follows; "From Historic Resources Reserve Fund for the restoration of the Glenwood Cemetery fence according to the specifications as set forth by LPBA Architects Inc. \$140,000.00."

To do or act thereon.

SPONSORED BY: Finance Director
APPROPRIATION: \$140,000.00

The following action was taken:

Voted: Yes 111, No 7 that the Town will strike the following language from the Special Town Meeting May 18, 2010 (Article #8): "From Historical Resources Reserve Fund for restoration of the Glenwood Cemetery Fence according to the specifications as set forth by LPBA Architects Inc. \$140,000.00"

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 20:

APPROPRIATION TO STABILIZATION FUND

To see if the Town will vote to raise and appropriate, the sum of \$150,000.00 to the Stabilization fund.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$150,000.00
FINCOM RECOMMENDATION:

The following action was taken:

Voted: Yes 96, No 20 (77 needed for a 2/3 vote) that the Town raise and appropriate the sum of \$150,000.00 to the Stabilization Fund.

The Finance Committee recommended.

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 21:

COMMUNITY LIFE CENTER

To see if the town will vote to raise and appropriate, transfer from available funds, the sum of \$30,000 to conduct a study and develop conceptual plans for a facility to serve the public, furthermore, to allow the Board of Selectmen to appoint a committee to assist, plan and engage the community in this initiative. This study should consider foremost the needs of seniors and their desire to establish a senior center as a component part of a structure or a separate structure within a campus. The study should capture the needs of all of the diverse demographics within Maynard and work towards creating a model which will serve all residents.

SPONSORED BY: Council on Aging
APPROPRIATION: \$30,000.00

The following action was taken:

Voted: Yes 92, No 24 to raise and appropriate, transfer from available funds, the sum of \$30,000.00 to conduct a study and develop conceptual plans for a facility to serve the public.

The Finance Committee recommended

This article was voted by a secret ballot as required per Town By-Law.

ARTICLE 22:

CITIZENS' PETITION

To request the Town of Maynard to approve a resolution to call upon the United States Congress to pass and send to the states for ratification a constitutional amendment to overturn the Supreme Court's decision in Citizens United v. Federal Election Commission and to restore democracy to the people.

To do or act thereon.

SPONSORED BY: Citizens Petition
APPROPRIATION: None

Comments: In a 5-4 ruling in Citizens United v. Federal Election Commission, the Supreme Court held for the first time that corporations have a First Amendment right to spend unlimited amounts from their treasuries to support or oppose candidates for elected office. Prohibitions on corporate political donations, according to the court, violate the First Amendment-guarantee free speech rights of corporations. This ruling essentially established that according to meaning and intent of the First Amendment, corporations should be treated as natural persons and that money equals free speech. While special interest money was always a concern in elections, corporations--including foreign corporations--may now intervene directly in elections, taking power away from the voters.

RESOLUTION

WHEREAS, the First Amendment to the United States Constitution was designed to protect the free speech rights of people, not corporations;

WHEREAS, for the past three decades, the United States Supreme Court has transformed the First Amendment into a powerful tool for corporations seeking to evade and invalidate democratically-enacted reforms;

WHEREAS, this corporate takeover of the First Amendment has reached its extreme conclusion In the United States Supreme Court's recent ruling in *Citizens United v. Federal Election Commission*;

WHEREAS, The United States Supreme Court's ruling in *Citizens United v. Federal Election Commission* overturn longstanding precedent prohibiting corporations from spending their general treasury funds in our elections;

WHEREAS, the United States Supreme Court's ruling in *Citizens United v. Federal Election Commission* has unleashed a torrent of corporate money in our political process unmatched by any campaign expenditure totals in United States history;

WHEREAS, the United States Supreme Court's ruling in *Citizens United v. Federal Election Commission* presents a serious and direct threat to our democracy;

WHEREAS, the people of the United States have previously used the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and self-government;

Now be it resolved that the Town of Maynard, Massachusetts hereby call upon the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people.

Now be it further resolved that the Town Clerk be directed to send a copy of this resolution to Maynard's Congressional Representative and Senators, Mass State Senator, and Mass State Representative.

Submitted by: Herb Mallinson 3/30/11

The following action was taken:

Voted: Yes 67, No 43 that the Town of Maynard approve a resolution to pass and send to the State for ratification a constitutional amendment to overturn the Supreme Court's decision in *Citizens vs. Federal Election Committee* to restore democracy to the people.

The Finance Committee made no recommendation.

This article was voted by a secret ballot per Town By-Law.

Motion made and seconded to dissolve the Annual Town Meeting of May 16, 2011 at 11:35 p.m.

Motion carried.

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 MIDDLE SCHOOL AUDITORIUM**, THREE TIGER DRIVE IN SAID town, on Monday, May 16, 2011 at 9:30 P.M. then and there to act on the following articles:

The following action was taken:

At 11:35 p.m. the Moderator, Jim Coleman reconvened the Special Town Meeting

ARTICLE S-1 : CONDOMINIUM PROPERTY ASSESSMENTS

To see if the Town will appropriate a sum, not to exceed twelve thousand dollars (\$12,000.00) for the purpose of conducting assessment inspections of approximately 300 condominium properties.

To do or act thereon.

SPONSORED BY: BOARD OF ASSESSORS
APPROPRIATION: \$12,000.00

The following action was taken:

Voted: That the Town raise and appropriate from taxation and or available funds the sum not to exceed \$12,000.00 to facilitate additional assessment of condominium properties in Maynard.

The Finance Committee recommended.

ARTICLE S-2: FY2011 OPERATING BUDGET TRANSFERS

To see if the Town will vote to amend the FY2011 Operating Budget by approving the following transfers:

TOTAL BUDGET AMENDMENT

**FISCAL YEAR 2011
TRANSFERS SPECIAL TOWN MEETING MAY 16, 2011**

		From:	To:
129	1.129.511004 - TOWN ADMIN SALARIES	55,000.00	
129	1.129.511008 - TOWN ADMIN SALARIES	15,000.00	
132	1.132.599001 - FINCOM RESERVE FUND	105,000.00	
151	1.151.530005 - LEGAL EXPENSE	20,000.00	
151	1.151.530102 - LEGAL EXPENSE	40,000.00	
151	1.151.530105 - LEGAL EXPENSE	8,000.00	
192	1.192.521001 - PUBLIC MAINT EXPENSE	3,000.00	
300	1.300.511008 - SCHOOL FACILITIES MANAGER	10,000.00	
910	1.910.517004 - RETIREMENT EXPENSE	4,000.00	
913	1.913.517002 - UNEMPLOYMENT EXPENSE	60,000.00	
423	1.423.558000 - SNOW & ICE DEFICIT		320,000.00
135	1.135.530009 - TOWN ACCT EXPENSE	1,000.00	
135	1.135.513000 - TOWN ACCT SALARIES		1,000.00
192	1.192.530005 - PUBLIC MAINT EXPENSE	1,000.00	
192	1.192.513000 - PUBLIC MAINT SALARIES		1,000.00
158	1.158.530013 - TAX TITLE EXPENSE	3,500.00	

210	1.210.524001 - POLICE EXENSE	4,020.00	
510	1.510.511002 - BOARD OF HEALTH SALARIES		7,520.00
610	1.610.511009 - LIBRARY SALARIES	4,500.00	
610	1.610.558000 - LIBRARY EXPENSE		4,500.00
710	1.710.591003 - DEBT PRINCIPAL EXPENSE	380,000.00	
751	1.175.591503 - DEBT INTEREST EXPENSE		380,000.00
		714,020.00	714,020.00

To do or act thereon.

SPONSORED BY:

Board of Selectmen

APPROPRIATION:

None

The following action was taken:

Voted: That the Town amend the Fiscal Year Operating budget by approving the following transfers as amended from the warrant and appears below.

**FISCAL YEAR 2011
TRANSFERS SPECIAL TOWN MEETING MAY 16, 2011**

		From:	To:
129	1.129.511004 TOWN ADMIN SALARIES	55,000.00	
129	1.129.511008 TOWN ADMIN SALARIES	15,000.00	
151	1.151.530005 LEGAL EXPENSE	20,000.00	
151	1.151.530102 LEGAL EXPENSE	40,000.00	
151	1.151.530105 LEGAL EXPENSE	8,000.00	
192	1.192.521001 PUBLIC MAINT EXPENSE	3,000.00	
300	1.300.511008 SCHOOL FACILITIES MANAGER	10,000.00	
910	1.910.517004 RETIREMENT EXPENSE	4,000.00	
913	1.913.517002 UNEMPLOYMENT EXPENSE	60,000.00	
423	1.423.558000 SNOW & ICE		215,000.00
135	1.135.530009 TOWN ACCT EXPENSE	1,000.00	
135	1.135.513000 TOWN ACCT SALARIES		1,000.00
192	1.192.530005 PUBLIC MAINT EXPENSE	1,000.00	
192	1.192.513000 PUBLIC MAIT SALARRIES		1,000.00
158	1.158.530013 TAX TITLE EXPENSE	3,500.00	
210	1.210.524001	4,020.00	

	POLICE EXPENSE		
510	1.510.511002 BD. OF HEALTH SALARIES		7,520.00
610	1.610.511009 LIBRARY SALARIES	4,500.00	
610	1.610.558000 LIBRARY EXPENSE		4,500.00
710	1.710.591003 DEBT PRINCIPAL EXPENSE	380,000.00	
751	1.751.591503 DEBT INTERST EXPENSE		380,000.00
		609,020.00	609,020.00

The Finance Committee recommended.

ARTICLE S-3:

To see if the Town will vote to amend the FY2011 Wastewater/Sewer Enterprise Operating Budget by approving the following transfers:

**FISCAL YEAR 2011
WASTEWATER/SEWER ENTERPRISE FUND
TRANSFERS SPECIAL TOWN MEETING MAY 16, 2011**

		From:	To:
6200	6200.443.511002 - SALARIES	82,021.00	
6200	6200.443.530005 - EXPENSE		82,021.00
	TOTAL	82,021.00	82,021.00

The following action was taken:

Voted: That the Town amend the Fiscal Year 2011 Wastewater/Sewer Enterprise Operating Budget by approving the following transfers:

**FISCAL YEAR SOLL
WASTEWATER/SEWER ENTERPRISE FUND
TRANSFERS SPECIAL TOWN MEETING MAY 16, 2011**

		From:	To:
6200	6200.443.511002 SALARIES	82,021.00	
6200	6200.443.530005 EXPENSE		82,021.00
	TOTAL	82,021.00	82,021.00

The Finance Committee recommended.

ARTICLE S-4: GLENWOOD CEMETERY FENCE RESTORATION PROJECT

To see if the Town will vote to appropriate from Community Preservation Funds and Perpetual Care Trust Fund the amounts recommended by the Community Preservation Committee (CPC) for this community preservation project,

Appropriations:

From Community Preservation Annual Budgeted Reserve Fund \$ 190,000.00

From Perpetual Care Trust Fund \$30,000.00

With a project total cost of \$230,000.00

(The balance of this project would be satisfied through a previous article voted at Special Town Meeting 10/98)

Total Appropriations from Community Preservation Fund \$ 190,000.00

Total appropriation from Perpetual Care Trust \$30,000.00

To do or act thereon.

SPONSORED BY: Community Preservation Committee

APPROPRIATION: \$220,000.00

The following action was taken:

Voted: To appropriate from Community Preservation Reserve Fund for \$190,000.00 and \$30,000.00 Perpetual Care for the restoration of the Glenwood fence.

The Finance Committee recommended.

ARTICLE S-5: SEWER CAPITAL OUTLAY

To see if the Town will vote to transfer from Sewer Retained Earnings the sum of \$422,500.00 to refurbish and rebuild or replace two (2) secondary clarifiers and pumps and the Vac/Jetta at the Waste Water Treatment Plant.

To do or act thereon.

SPONSORED BY: Board of Selectmen

APPROPRIATION: \$422,500.00

The following action was taken:

Voted: That the Town transfer from Sewer Retained Earnings the sum of \$422,500.00 to refurbish and rebuild or replace two (2) secondary clarifiers including pumps and the Vac/Jetta at the Waste Water Treatment Plant.

The Finance Committee recommended.

ARTICLE S-6:**WATER CAPITAL OUTLAY**

To see if the Town will vote to transfer from Water Retained Earnings the sum of \$131,000.00 for the following projects:

F-250 Pick-up	\$31,000.00
Generator, Old Marlboro Rd.	\$30,000.00
Hatch Covers, Pump Station	\$10,000.00
Compact Utility Excavator	\$60,000.00
Total:	\$131,000.00

To do or act thereon.

SPONSORED BY: Department of Public Works
APPROPRIATION: \$131,000.00

The following action was taken:

Voted: That the Town transfer from Water Retained Earnings the sum of \$131,000.00 for the following projects:

- F-250 Pick-up \$31,000.00
- Generator, Old Marlboro Rd. \$30,000.00
- Hatch Cover, Pump Station \$10,000.00
- Compact Utility Excavator \$60,000.00

Total: \$131,000.00

The Finance Committee recommended.

ARTICLE S-7:**MAYNARD CONSERVATION LAND TRUST FUND**

To see if the Town will vote to appropriate the sum of \$10,000 from the Community Preservation Trust to the Maynard Conservation Land Trust.

Description:

From Open Space Reserve Fund to the Maynard Conservation Land Trust Fund, with any of these expenditures from said Conservation Land Trust Fund to be subject to the provisions of the Community Preservation Act \$ 10,000.00

To do or act thereon.

SPONSORED BY: Community Preservation Committee
APPROPRIATION: \$10,000.00

The following action was taken:

Voted: That the Town appropriate the sum of \$10,000.00 from the Community Preservation Trust to the Maynard Conservation Land Trust.

The Finance Committee recommended.

ARTICLE S-8: COMMUNITY PRESERVATION FUND TRANSFER

To see if the Town will vote to transfer from the Community Preservation Budgeted Reserve Fund the sum of \$3,000.00 to the Community Preservation Administrative and Operating Expenses Fund to pay Avery Associates fee.

SPONSORED BY:	Community Preservation Committee
APPROPRIATION:	\$3,000.00

The following action was taken:

Voted: That the Town transfer from the Community Preservation Budgeted Reserve Fund the sum of \$3,000.00 to the Community Preservation Administrative and Operating Expense.

The Finance Committee recommended.

Motion made and seconded to dissolve the Special Town Meeting of May 16, 2011 at 12:07 p.m.

TOWN OF MAYNARD, MASSACHUSETTS
Combined Balance Sheet
All Fund Types and Account Group
June 30, 2011

	<u>Governmental Fund Types</u>			<u>Fiduciary Fund Types</u>		<u>Account Group</u>		
	<u>General</u>	<u>Special Revenue</u>	<u>Capital Projects</u>	<u>Trust and Agency</u>	<u>Enterprise Fund</u>	<u>Enterprise Capital Projects</u>	<u>General Long-Term Debt</u>	<u>Totals (Memorandum Only)</u>
ASSETS								
Cash and Cash Equivalents	2,640,007	3,691,682	3,072,729	4,878,809	1,030,344	808,128		16,121,699
Petty Cash	158							158
Receivables:								
Property Taxes	1,665,852							1,665,852
Allow. For Abatement (Overlay)	(863,316.00)							(863,316.00)
Tax Liens	1,231,022							1,231,022
R.E. C141A	28,457							28,457
Excise	181,111							181,111
Septic Title V		27,969						27,969
CPA		813						813
Water/Sewer Rates					1,361,787			1,361,787
Water/Sewer Accounts					26,844			26,844
Water/Sewer Liens					(71,989.00)			(71,989.00)
Water/Sewer Commit in Add Tax					(12,019.00)			(12,019.00)
Cross Connection Lien					290			290
Water Cross Connection					(7,214.00)			(7,214.00)
Sewer Assmnt					(1,951.00)			(1,951.00)
General Short-Term Debt			4,000,000				21,142,995	21,142,995
General Long-Term Debt Acc Group							5,045,317	5,045,317
Water Long-Term Debt Acc Group							6,469,196	6,469,196
Sewer Long-Term Debt Acc Group							32,657,508	32,657,508
Total Assets	4,883,291	3,720,464	7,072,729	4,878,809	2,326,092	808,128	32,657,508	56,347,021
LIABILITIES AND FUND EQUITY								
Liabilities:								
Warrants payable	95,416	16,960			8,394			120,770
Bans payable			4,000,000					4,000,000
Deferred Revenues	2,222,388	28,782			1,295,748			3,546,918
Bonds							32,657,508	32,657,508
Other Liabilities	67,136			320,917				388,053
Total Liabilities	2,384,940	45,742	4,000,000	320,917	1,304,142		32,657,508	40,713,249
Fund Balances:								
Reserved for Encumbrances	714,796				71,580			786,376
Unreserved Fund Balance	1,783,555				950,370			2,733,925
Reserved Fund Balance						808,128		12,113,471
Total Fund Equity	2,498,351			4,557,892	1,021,950	808,128	0	15,633,772
Total Liabilities and Fund Equity	4,883,291	3,720,464	7,072,729	4,878,809	2,326,092	808,128	32,657,508	56,347,021