

9.7 Powder Mill Overlay District

9.7.1 Purpose. The purpose of the Powder Mill Overlay District (PMOD) is to foster a development environment that will improve the Powder Mill Corridor and better serve its constituencies. The PMOD is intended to further the goals of the Maynard Master Plan and meet state requirements for MBTA-adjacent communities (MGL c.40A sec.3A). The PMOD should:

- Foster cohesive vibrant, attractive, and sustainable development along the Powder Mill Road Corridor that benefits and compliments existing communities while creating new economic opportunities for Maynard.
- Encourage quality site and architectural standards.
- Promote a range of housing choices.
- Enable mixed retail, commercial, residential uses.
- Increase opportunities for infrastructure improvements that would promote increased pedestrian access, mobility, and stormwater improvements.
- Increase views, access, and connections to the Assabet River.
- Require that new development proactively protects the River from storm water and the contaminants contained within.
- Maintain and encourage appropriate massing and height of buildings that blend in and enhance the building elevations already in existence.
- Foster new development that protects and restores the riverbank.

9.7.2 Applicability. The Powder Mill Overlay District (PMOD) 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 PMOD except where specifically modified or supplemented by this section. Where the PMOD varies dimensional or other requirements otherwise set forth in this Zoning By-Law, the terms, and conditions of the PMOD shall control. Future development along the Powder Mill Corridor may result in the expansion of the PMOD or creation of new PMOD sub-districts. PMOD sub-districts and individual requirements are contained in Section 9.7.7.

A parcel may utilize either the PMOD or the underlying district. A single parcel may only use either the PMOD or the underlying district.

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

9.7.4 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 Corridor and the immediate neighborhood and provide significant benefit to the residents of the Town of Maynard as provided;

2. When applicable, the proposed development will provide effective protection of the Assabet River from stormwater runoff from new impervious surfaces being proposed.
3. The proposed development will improve the functioning of the Powder Mill Corridor by at least one of the following means:
 - Provide a significant improvement to pedestrian/cyclist accessibility on the Powder Mill Corridor;
 - Increase views and access to the Assabet River for the general public;
 - Other targeted improvements to the Powder Mill Corridor as opportunities arise with new development deemed by the Planning Board to provide a substantial benefit to the corridor.
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.

9.7.5 Site Plan Approval. Section 10.5 shall apply to uses, building and structures permitted by right or by Special Permit in the PMOD.

9.7.6 Affordable Housing Requirements. Unless otherwise specified in this Section, the Town’s Inclusionary Zoning by-law (See Section 7.10) shall apply to the PMOD. In Applicable Projects, twenty percent (20%) of housing units constructed shall be deed-restricted Affordable Housing Units, provided the Town receives approval from the Executive Office of Housing and Livable Communities (EOHLC) for the 20% requirement. If the Town does not receive said approval, the requirement shall be the highest amount allowable by EOHLC in PMOD-A. For purposes of calculating the number of units of Affordable Housing required within a development project, any fractional unit shall be rounded down to the next whole number. The Affordable Units shall be available to households earning income up to eighty percent (80%) of the Area Median Income. All affordable units shall be developed on-site.

9.7.7 Sub-Districts. The PMOD is to be divided into location-specific sub-districts indicated by letters (A, B, C ...), with individual regulatory frameworks designed to retain the existing beneficial characteristics of existing community and commercial development.

	PMOD-A†	PMOD-B	PMOD-C	PMOD-D	PMOD-E
Parcel Numbers	<ul style="list-style-type: none"> • 011.0-0000-0064.0 • 011.0-0000-0065.0 	011.0-0000-0017.0 016.0-0000-0001.0	011.0-0000-0014.0 011.0-0000-0013.0 011.0-0000-0012.0	011.0-0000-0016.0 011.0-0000-003.0	015.0-0000-0099.0 015.0-0000-0382.0 015.0-0000-0098.0

	<ul style="list-style-type: none"> • 016.0-0000-0003.0 • 016.0-0000-0021.0 	010.0-0000-0143.0 010.0-0000-0144.0	011.0-0000-0011.0 011.0-0000-0010.0 011.0-0000-009.0 011.0-0000-008.0 011.0-0000-007.0 011.0-0000-006.0 011.0-0000-005.0 011.0-0000-004.0 011.0-0000-0018.0 011.0-0000-0019.0 011.0-0000-0018.0 011.0-0000-0020.0 011.0-0000-0021.0 011.0-0000-0022.0 011.0-0000-0023.0 011.0-0000-0024.0 011.0-0000-0025.0 011.0-0000-0026.0 011.0-0000-0027.0 011.0-0000-0028.0 011.0-0000-0029.0 011.0-0000-0030.0 011.0-0000-0031.0 011.0-0000-0032.0 011.0-0000-0033.0 011.0-0000-0034.0 011.0-0000-0035.0 011.0-0000-0036.0 011.0-0000-0037.0	011.0-0000-001.0 010.0-0000-0095.0 010.0-0000-0096.0 010.0-0000-0097.0 010.0-0000-0098.0 010.0-0000-0099.0 010.0-0000-0100.0 010.0-0000-0101.0 010.0-0000-0102.0 010.0-0000-0103.0 010.0-0000-0104.0 010.0-0000-0105.0	015.0-0000-0097.0 015.0-0000-0096.0 015.0-0000-0095.0
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† Denotes MTBA “3A” compliant sub-district

9.7.8 Dimensional Requirements.

Minimum Lot Requirements for Use					
	PMOD-A	PMOD-B	PMOD-C	PMOD-D	PMOD-E
Area (square feet)	1,500 s.f. per residential unit	1,500 s.f. per residential unit	1,500 s.f. per residential unit	1,500 s.f. per residential unit	1,500 s.f. per residential unit
Frontage (feet)	50	50	50	50	50

Width (feet)	50	50	50	50	50
Maximum / Minimum Yard Requirements					
Front (feet) †	25	50/35	15/10	20/10	15/10
Side (feet)	30	None/50	None/10	None/10	None/5
Rear (feet)	30	None/25	None/10	None/15	None/None
Building Height for All Uses					
Maximum Height (feet)	45 feet	40 feet	35 feet	40 feet	35 feet
Open Space Requirements (Per Section 11)					
	25% of parcel (includes pedestrian infrastructure)	40% of parcel (includes pedestrian infrastructure)	20% of parcel (includes pedestrian infrastructure)	20% of parcel (includes pedestrian infrastructure)	10% of parcel (includes pedestrian infrastructure)

† The minimum front yard requirement may be reduced to the average of the setbacks of the primary buildings on the lots adjacent thereto on either side.

9.7.9 Parking. Vehicle parking is required as follows for all subdistricts:

Use	Minimum Parking
Dwelling Unit	One space per unit
Medical Office	One space per 400 sq. ft. of gross floor area (g.f.a.)
Office	One space per 500 sq. ft. of g.f.a.
Restaurant	One space per 85 sq. ft. of g.f.a.
Retail	One space per 500 sq. ft. of g.f.a.
Other uses not noted here	See Section 6.1 for parking requirements

9.7.9.1 Bicycle parking spaces shall be provided for all uses, except single- and two-family dwellings, at a rate of not less than one (1) bicycle parking space for each ten (10) motor vehicle parking spaces in the parking facility, but never less than two (2) bicycle parking spaces; and no parking facility shall be required to have more than thirty (50) bicycle parking spaces overall. Where bicycle parking spaces within a building are not accessible to visitors, at least one third of the required bicycle parking spaces shall be installed outdoors and located as close as possible and within plain sight of the main building entrance or entrances. Multifamily dwellings allowed as of right in subdistrict PMOD-A are exempt from this requirement.

9.7.10 Permitted and Prohibited Uses. In addition to the uses permitted in the underlying district (per Section 3.1.2) the following uses are allowed by right or by special permit:

Use - By-Right (Y) or Special Permit (SP)	PMOD-A	PMOD-B	PMOD-C	PMOD-D	PMOD-E
Accessory apartment	N	SP	Y	Y	SP
Adult day care	SP	Y	SP	SP	SP
Bank or financial institution	Y	N	N	Y	Y
Body Art Establishment	Y	N	N	Y	Y
Brewery with ancillary food service	Y	N	N	Y	SP
Cocktail lounge	SP	N	N	Y	N
Educational institution, for profit	Y	N	N	Y	Y
Farmer brewery	SP	N	N	SP	SP
Fitness club	Y	N	N	Y	Y
Garden apartment	Y	Y	Y	N	N
Garden center	SP	N	N	SP	SP
General or personal service establishment	Y	N	N	Y	Y
Healthcare Facility	SP	N	N	N	N
Healthcare/elderly housing, Assisted living residence	SP	SP	SP	N	N
Hotels, motels, extended stay facility	SP	N	N	SP	N
Live/work dwelling unit	Y	SP	SP	Y	Y

Marijuana retailer	SP	N	N	Y	Y
Medical office	Y	N	N	Y	Y
Microdistillery/Microwinery	SP	N	N	Y	SP
Multifamily dwelling over 17 units/acre‡	SP	SP	SP	SP	SP
Multifamily dwelling, 17 units/acre maximum‡	Y	Y	Y	Y	Y
Nursing and convalescent home	SP	SP	SP	N	N
Printing shops	Y	N	N	Y	Y
Private club	Y	N	N	SP	SP
Professional or Business Office	Y	N	N	Y	Y
Public Market	Y	SP	SP	Y	SP
Recreational use	Y	Y	Y	Y	Y
Restaurant Fast Food	SP	N	N	Y	Y
Restaurants or other food service uses not including fast food restaurants	Y	N	N	Y	Y
Retail business	Y	N	N	Y	Y
Supermarket, up to 25,000 square feet floor area, gross	Y	N	N	Y	Y
Theater, halls, clubs, or other places of entertainment	SP	N	N	Y	SP
Veterinarian office or animal hospital	Y	N	N	Y	SP
Wholesale business	Y	N	N	N	N

‡ May not be subject to age restrictions.

9.7.11 Site and Building Design Standards

9.7.11.1 The following standards shall apply to new development on all lots utilizing the Powder Mill Overlay District. Multifamily dwellings allowed as of right in subdistrict PMOD-A are exempt from this requirement.

9.7.11.1.1 Walkways and Pedestrian Connections. A protected means of travel, such as a sidewalk, bike lane, or multiuse path, shall be provided to connect pedestrians and cyclists from the lot to a public street.

9.7.11.1.2 Historic Structures. New development on lots with historic structures, as defined by Section 9.1.19, shall be reviewed by the Maynard Historical Commission. The recommendation of the Commission shall be advisory and are not binding, however every effort shall be made to preserve historic structures. Where historic structures are demolished or altered beyond recognition, the Commission may request documentation of the structure's significance, such as photographs, educational materials, or an inventory form approved by the Massachusetts Historical Commission.

9.7.11.1.3 Sustainability. One functioning Universal Level 2 electric vehicle charging station shall be installed for every 10 residential parking spaces, with a minimum of one charging station installed. Buildings shall satisfy at least one product category from requirements within the LEED BD+C: New Construction, Low-Emitting Materials, as amended.

9.7.11.1.4 Green Stormwater Infrastructure. Stormwater management systems shall utilize at least one of the following on the lot unless the application proves through documentation that such management mechanisms cannot be accommodated on the lot: bioretention cells (exfiltrating and filtering); constructed stormwater wetlands (including gravel wetland designs); treebox filters (exfiltrating and filtering); water quality swales; grass channels; or green roofs.

9.7.11.2 In addition to the standards outlined in Section 9.7.11.1, the following standards shall apply to new development on all lots utilizing the Powder Mill Overlay District that abut Powder Mill Road. Multifamily dwellings allowed as of right in subdistrict PMOD-A are exempt from this requirement.

9.7.11.2.1 Sidewalks. A sidewalk shall be provided along the lot's street frontage, with minimal interruption by driveways. The sidewalk shall be at least 5 feet wide. Sidewalks may be located wholly or partially within the street layout. Sidewalks shall be constructed with concrete and vertical granite curb.

9.7.11.2.2 Street Trees. A minimum of one street tree for every 40 feet of lot frontage shall be provided within the front yard setback. Street trees shall be placed at regular intervals to maximize continuous shade for pedestrians. Unless otherwise determined by the Conservation Commission, street trees included in the required front yard setback shall consist of a mix of not-invasive tree species that have a minimum caliper size of three (3) inches when planted.

9.7.11.2.3 Pedestrian Plazas and Pocket Parks. Lots with non-residential or mixed uses shall have one or more pedestrian plazas or pocket parks. The purpose of the plaza or park is to serve as a safe, enjoyable gathering spot

for pedestrians. Within the plaza or park, at least one seating area shall be included. Public art, educational signage, and play structures are encouraged where appropriate. The plaza or park shall be visible to either Powder Mill Road or the Assabet River. Shade trees, ornamental trees, and other landscaping shall be included to provide shelter from the sun, to reduce noise, to clean the air, or to otherwise beautify or enhance the appearance of the corridor. All landscaping shall use species that are tolerant to the climatic conditions in Maynard and shall be designed to facilitate ongoing maintenance. The plaza or park shall be considered part of the minimum required open space and can extend into the front yard. The area required for a sidewalk shall not be included in the plaza or park. The combined area of the plaza or park shall measure at least five percent of the gross floor area on the lot, but not more than 3,000 square feet shall be required.

9.7.11.2.4 Location of Driveways and Parking Lots. No driveway or parking lot shall be placed in between the primary building on the lot and Powder Mill Road. Driveways and parking lots shall be designed in such a way that allows the safe passage of pedestrians from their parked vehicles to the primary building. Driveways should be located to minimize the number and width of curb cuts.

9.7.11.2.5 Building Design and Siting. New buildings shall be oriented towards the street and shall have a primary entrance facing the street. The ground story of buildings shall be designed to be occupied by non-residential uses that typically have a regular flow of people into and out of the establishment. Windows shall cover at least 60 percent but no more than 80 percent of the ground story of the primary elevation of the building facing the street. The design for multi-story buildings shall create a visual distinction between the upper and ground stories, such as a stepback, architectural banding, or other visual break. Flat-roofed buildings that have a height greater than 36' must provide a minimum of a 5' stepback of the building front façade between the third and fourth stories.

9.7.11.3 In addition to the standards outlined in Section 9.7.11.1, and Section 9.7.11.2 if applicable, the following standards shall apply to new development on all lots utilizing the Powder Mill Overlay District that abut the Assabet River:

9.7.11.3.1 River Access. New buildings constructed on any lot shall provide a walkway, path, viewing area, seating area, or other form or physical access that allows views of the Assabet River and riverfront area. The applicant may provide an easement for public access to the Town in lieu of physical infrastructure.

9.7.11.3.2 Vista Pruning. Vista pruning is encouraged to create visual access to the Assabet River. Vista pruning means the selective thinning of tree branches or understory shrubs to establish a specific "window" to improve visibility. Vista pruning does not include the cutting of trees which would reduce the leaf canopy to less than 90% of the existing crown cover and does not include the mowing or removal of understory brush. Consultation with the Town's Conservation Agent prior to vista pruning is recommended.

9.7.11.3.3 Building Siting. New buildings shall be sited to minimize obstruction of views of the Assabet River from the street. Where possible, building design and siting should create or enhance the view of the riverfront area.