

PB Minutes May 14, 2013

Date: 14 May 2013

Time: 7:07 P.M.

Place: Maynard Town Hall, 195 Main Street, Room 101

Members Present: Max Lamson (ML) Chair, Greg Price (GP), Kevin Calzia (KC), Bernie Cahill (BC), Greg Tuzzolo(GT), Steve Wood, Interim Assistant Planner, Clerk

Members Absent: Jason Kreil

Discussion/Action Items:

1. ML opens meeting announcing Greg Tuzollo as a full voting member. ML continues by reading the advertised legal notice:

A public hearing will be held on **Tuesday, May 14, 2013 at 7:10 p.m.** at the Maynard Town Building, 195 Main Street, Maynard, Room 101, to hear all persons interested in a Petition filed by Acton Survey & Engineering, Inc. on behalf of the owners, Loftis Maynard, LLC, 213 Main Street, Maynard, MA, Map 13, Parcel 62, in the General Residence District for a Special Permit pursuant to Section 3.1.2 of the Maynard Zoning Bylaws to construct a multi-family dwelling and for a Site Plan approval pursuant to Section 10.5.1.4 to allow for more than five parking spaces.

A copy of the application and plan are on file with the Town Clerk and the Planning Board office.

The original hearing on this Petition will be continued on April 23, 2013 to May 14, 2013 at 7:00 p.m. At that time the Petitioner will be allowed to Withdraw without Prejudice. The application of the Petitioner will start as a new hearing at 7:10 p.m., May 14, 2013, so that all abutters will have been properly notified.

Max Lamson, Chairman
Maynard Planning Board

Petitioner is allowed to withdraw without prejudice. Petitioner agrees to withdraw as long as the Peer Review remains.

ACTON TAKEN: ML Motion to close hearing and allow Petitioner to withdraw without prejudice. GP Second. Vote 5-0 in favor.

7:10 ML Introduces Mark Donohoe, (MD) from Acton Survey & Engineering who in turn introduces his client, Alex Wolfram. MD explains the essence of the project and describes the need for a Special Permit to request more parking spaces than the By-Laws allow. He adds that the new structure will be a similar architectural style to buildings across the street.

ML gives summary of previous Public Hearings. The Board has met four times. The Board learned late in the process that some abutters were not noticed. The Town has corrected that,

noticed the abutters across the Assabet River, and are beginning the Hearing anew. The Board will use the Peer Review report from Wayne Amigo. ML also mentioned that the Building Commissioner, the Chief of Police, the Fire Chief have all reviewed the proposed project and have no problems with it.

ML Opens discussion to other Board members. Discussion centers on the definition of Multi-Family- it is one dwelling with 2 duplexes. Thus the project requires a Special Permit. Also, there was clarification of the sidewalk plans, the plantings between the two parking lots and the fact that Acton Survey will backfill the retaining wall and will construct a wood guard rail in place of the existing chain-link fence. There is 200 feet total frontage of which 80 feet is the development. MD stated that By Right, they could build two separate buildings, but chose to build on the East side to make it a better project. There are four units each consisting of around 1200 sq.ft. Each unit will have three bedrooms. No economic impact study has been done. It is unlikely due to the small size of each unit that there will be families with school children occupying the units. A moving van can park on the street. The By Right parking would be similar to the parking planned for the proposed project. With regard to abutters across the River, will there be flood lights to the rear of buildings? MD. No. Storm water drainage will be designed according to State regulations. The Peer Review and ConsCom have agreed with Acton Survey's plans. It appears at this point that the units will be rented. The driveways are 36 feet wide.

ML Are there further comments from the Board? If not, we'll open the Hearing to the Public.

Ms. Gadde from Summer Hill Road expressed concern about the noise from the residents of the building. MD. No balconies will be built. The building is well removed from River. The residents will have access to the vacant area however ConsCom has restricted the use of the vacant area. There are accommodations for snow removal.

Ms. Mallonee ,196 Main Street asked for more snow removal details. MD stated that ConsCom has agreed to Acton Survey's snow removal plans. There is no need for de-icing (treating the snow).

Ms. Stokey, 231 Main Street disagreed and stated that snow is treated on the roads. Discussed he difficulty of snow removal in that section of Main Street.

Ms. Gadde talked about her concern for safety and snow removal.

Ms. Li, 194 Main Street discussed cars parking on street during Sunday church services.

Ms. Doyle, 9 Spring Lane questioned the issue of who is going to enforce the plan. MD. ConsCom has devised a plan that includes enforcement.

Mr. Kittlitz, 50 Summer Hill Road asked whether units would be gas or oil heated. MD They will be gas.

GT asked if there were provisions for trash storage. MD yes, trash storage will be placed on sidewalk between buildings.

Ms. Mallonee asked about height of guard rail. MD said it would be two feet high.

Ms. Stokey asked if sidewalk would be replaced. MD said maybe. They would work with Dept. of Public Works.

ML Asked about the development potential of the vacant lot. MD said no possibility.

Rick Asmann, Building Commissioner, said that developer can build By Right and needs no Planning Board permission. Just needs to request permit from him.

Mr. Bret, Concord Street, discussed his memories of the Goat Farm, the name given to 213 Main Street. Claims it is historic land and opposed to new project. Ms Bret is opposed as well.

Ms. Gaddes states that she doesn't like the plan, looks like cramming as many people into the space as possible.

Mr. Kittlitz asked about the overall height of building. MD said it was difficult to determine at this time. Building would be two stories in front and three stories in back. Roof will be Gable type and will look like roofs across the street. Raises point that if Applicant divides project into two buildings there will be no view.

Ms. Li entered her letter of concerns into the record.

ML once this Hearing is closed to Public, Board can determine trash details.

Ms. Stokey discussed the letter of concerns she submitted for the record. Discussion centered on the historical nature of original building, the loss of trees, the parking issues, loss of River views, impact on neighborhood character, concerns of enforcement of ConsCom regulations.

Mr. Johnson, contractor for my Li expressed concerns about Board approving Special Permit for this project.

Ms. Li believes it is more safe to split building in two.

Mr. Kittlitz agrees it would be better to have two buildings.

Discussion on re-vegetation of property followed.

ACTION TAKEN GP made motion to close Public Hearing. KC Second. Vote 5-0 in favor.

ML Next step in process is for Board to deliberate to decide to allow special permit or not.

9:15 P.M. Five minute recess.

9:20 ML reopened meeting and read advertised legal notice: "The Maynard Planning Board will hold a public hearing on Tuesday May 14, 2013 at 7:15 P.M. Town Hall, Room101, 195 Main Street relative to the discussion for modification of a Special Permit by the applicant, John Anderson, Central Hudson, Inc for 107 Main Street. Assessor's Map 14 Parcel 146A. The location is in the General Resident/Downtown Overlay District."

Mr. Anderson described his need for a modification of Special Permit at 107 Main Street and need for parking spaces. He is seeking relief from paying for parking spaces he doesn't use.

ML thanked Mr. Anderson for explaining his request. Sounds like these parking spaces would be transferred from private to public use. Discussion centered on why he had to take the extra parking spaces. He said he had an agreement with BOS to take extra spaces. Having this modification approved by the Board allows him to negotiate with the BOS to free him of 10 parking spaces costing him \$400 per month. ML asked Building Commissioner if he had any concerns about this request. Rick said No.

ACTION TAKEN BC made motion to close Public Hearing on 107 Main Street. ML Second. Vote 5-0 in favor.

ML canvassed Board as to where they stood.

ACTION TAKEN ML made motion to amend Special Permit from April 10, 2006 at 95-107 Main Street to waive request to maintain 13 parking spaces.

GP Second

Vote 5-0 in favor

ML Sensitive to late hour. (10 P.M.)

ACTION TAKEN KC made motion to continue the deliberation on 213 Main Street to May 28, 2013 at 7:00 P.M.

GP Second Vote- 5-0 in favor.

ACTION TAKEN GP Made motion to adjourn. ML Second. Vote 5-0 in favor.

Meeting adjourned at 10:10 P.M.