

**TOWN OF MAYNARD  
PLANNING BOARD**

195 Main Street, Maynard, Room101  
Tuesday, July 29, 2014 - 7:00 p.m.

Members present: Chair: Kevin Calzia, Max Lamson, Gregory Tuzzolo, Linda Connolly, Andrew D'Amour

Also present: Town Planner Bill Nemser and Building Inspector/Zoning Enforcement Officer Rick Asmann

7:05 p.m. Chair Calzia opened the meeting

7:10 p.m. **Approval Not Required Plan (ANR) Frank Lanmaria on behalf of the owner Summer Street Nominee Trust corner of Summer Street and Concord Street Map 14 Parcel 272 into two parcels.**

The applicant was not present so Rick Asmann gave a description of the property and the plan to divide the property into two lots in the General Residence district and the dimensional requirements. A member of the audience stated the zoning district is incorrect and asked if Rick was speaking as building inspector. Rick indicated that he is speaking as Zoning Enforcement Officer and that the lot is in the General Residence District, it was previously shown incorrectly on the 2006 Zoning Map, but has since been corrected. The Zoning Map of Aug 2012 shows the property in the General Residence District. The Board asked about frontage on corner lots, driveway locations, it was explained that both structures would have to be razed for either lot to be developed, the lots cannot be sold individually until they are razed. It was asked if there are any historic restrictions, and about the shape of Lot 2.

Chair Calzia opened the discussion to the public:

Resident Vic Tomyl of Powdermill Road doesn't think the building inspector should present the petition, and stated issues with the lot. Town Planner Bill Nemser stated he had Rick present because he is more familiar with the property. Rick Asmann stated as Zoning Enforcement Officer he reviews the ANR plan for completeness and many of the issues that Mr. Tomyl brought up such as topography, wetlands are not required to be shown on the ANR, as long as the frontage is adequate and accessible and required area the Planning Board is obligated to endorse it. The applicant is not required to be present at the hearing. Vic Tomyl stated the proposed structures should be shown and the building inspector should not be presenting. Bill Nemser stated he had reviewed the plan and requested additional information which the applicant provided and feels the plan meets the requirements as set forth for an Approval Not Required plan.

*A motion was made by Max Lamson to endorse the Approval Not Required Plan for land at 71 Summer Street dated July 7, 2014, and accompanying sketch dated July 7, 2014 showing existing buildings and egress, seconded by GregTuzzolo. The Board voted 5 to 0 in favor of the motion. The Board endorsed the ANR plan.*

7:45 p.m. **Miscellaneous Business: Foresite Engineering request for minor modification to the "Taylor Road Subdivision, Definitive Subdivision Plan of Land in Maynard, Mass" regarding street lights.**

Bill Nemser stated he met with the applicant and they will comply with the required three street lights on the property modified with DPW review. Bill spoke with DPW this afternoon they are satisfied with proposed of modified design, the applicant wishes to withdraw this request for hearing.

7:50 p.m. **Continued Public Hearing for approval of a Definitive Plan Subdivision entitled "LSREF2 Clover REO2, LLC Subdivision" dated June 5, 2014 showing three (3) lots, filed by Holden Engineering and Surveying, Inc. on behalf of the owners, LSREF2 Clover REO2, LLC, 129 Parker Street, Maynard, MA, being Map 20 Parcel 197 on the Maynard Assessors Map.**

Chair Calzia read a letter dated July 22, 2014 from Attorney Angelo Catanzaro requesting to withdraw the petition without prejudice.

*A motion was made by Greg Tuzzolo to accept the request for withdrawal of the 129 Parker Street Definitive Subdivision Plan without prejudice, seconded by Andrew. The Board voted 5 to 0 in favor of this motion.*

Vic Tomyl is questioning the street lighting and the disconnect between the Planning Board, Building Inspector and DPW on agreeing what should be installed, these decisions should be made during the subdivision process otherwise down the

road they become a betterment assessment on top of the regular tax bill, Chair Calzia thanked Mr. Tomyl for his comment stating the Board does need to review that part of the regulation as this issue has come up before.

**7:55 p.m. Request by Acton Surveying and Engineering, Inc. for Modification of a Special Permit from Section 10.4.5. at 213 Main Street, approval of a multi family dwelling**

Brien Andrysick, of Acton Survey and Engineering appeared before the Board. Brian stated that the Order of Conditions has been issued by Conservation Commission. The modifications to the plan are the parking lot has been redesigned so now the cars don't have to back out onto Main Street, there are sidewalks on either side of the parking lot on the outer side, the inner units have access from the parking lot, snow storage is available outside sidewalk on each side, trash pads on either side of sidewalks. The proposed grading slope for the repair of the wall is 3:1 slope which is easier access and maintenance, revised stormwater design.

The Board must first determine if this is a minor or major modification. If they feel it is major then the changes must be reviewed under a Public Hearing process. Bill Nemser stated that the changes are in the spirit and consistent with the original request, he met with the town engineer and he was pleased with the changes to the plan, there are some conditions, the special permit was already for multifamily. Rick Asmann had questions about the snow storage area and the curb cut. The Board discussed the parking lot space widths and trash storage area and screening, the buildings were moved further back, one of the limitations was the encroachment on the river, the original plan had retaining walls on each side, the buildings have been shifted back to the West and one foot higher.

Bill Nemser stated the Board needs to make the determination, does this change the result of the original decision and or are you giving the applicant relief that was not previously granted. The Board discussed whether approval of a minor modification be appealed, and would it be worth going thru public hearing since the previous hearing was contentious.

There are no additional waivers being requested. The modifications the Board would like to see are trash storage, snow storage, arbor vitae planting, replace the town owned sidewalk on all frontage, a turning radius study of how cars move in an out, spaces 18 ½ ft deep and why was the retaining wall removed now a steep slope.

Chair Calzia opened the discussion to the public:

There were no comments from the public

*A motion was made by Linda Connolly to continue the Acton Survey & Engineering Request for Modification of the Special Permit for 213 Main Street to August 26 ,2014, seconded by Andrew D'Amour. The Board voted 5 to 0 in favor of this motion.*

**8:50 p.m. Old/New Business: Appointment of Planning Board representative to Minuteman Advisory on Greater Interlocal Coordination (MAGIC).**

*A motion was made by Max Lamson to appoint Bill Nemser as the Planning Board representative to Minuteman Advisory on Greater Interlocal Coordination (MAGIC), seconded by Chair Calzia. The Board voted 5 to 0 in favor of this motion.*

**Updates from Town Planner:** Bill Nemser stated he is working on two grant requests; one is for downtown revitalization thru the state, the other is thru MAPC request for study for inclusive housing and zoning, it would create an additional zoning district to facilitate 40B or what option is worked into it. The Economic Development Committee has been created and will be meeting to discuss ways to support existing businesses, attracting new businesses and job opportunities. There is funding available thru the Community Development Committee(CDC), Linda is going to attend the next meeting to see if she is interested in being the Planning Board representative. There are timelines to submit for the funding, will get more information, the Board should review the options and discuss more at the August 26<sup>th</sup> meeting. Bill discussed some of the possible options and sustainability. There will be a goal setting meeting in the next few weeks with the Town Administrator, Asst. Town Administrator and Town Planner, Bill will report back to the Board. For next meeting the Board should come up with which bylaws they want to discuss modifying.

*A motion was made by Greg to adjourn, seconded by Max.*  
Meeting adjourned at 9:36 p.m.