
Minutes of the Planning Board Meeting

January 13, 2015 - 7:00 PM

195 Main Street, Maynard - Room 201

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

7:00 – Vice Chair Bernie Cahill called the meeting to order
Additions/deletions/reordering of agenda
Approval of minutes to be reviewed later in the meeting

Public Hearing:

7:02 p.m. Request by Acton Survey & Engineering for Planning Board determination of an Approval Not Required request for the properties located at 61 Butler Ave (Map 15, Parcel 169) and 4 Wood Lane (Map 15, Parcel 202). The proposed ANR transfers a portion of the property to the adjacent parcel at 61 Butler Ave.

The engineer Seth Donahoe from Acton Survey & Engineering, Inc. presented the Approval Not Required Plan (ANR) to the Board. The purpose of the plan is for reconfiguring the backyard conveying 4,000 s.f. both lots have legal frontage and area. There are no changes planned to the structures.

A motion was made by Greg Tuzzolo to endorse the ANR plan for 61 Butler Ave and 4 Wood Lane dated 12/21/14, seconded by Max Lamson. The Board voted 5 to 0 in favor of this motion.

7:06 p.m. Request by Skylight, LLC., for Planning Board determination of an Approval Not Required request for property located at 30 Arthur Street. (Map 20, Parcel 23). The proposed ANR transfers a portion of the property to the adjacent parcel at 49-51 Waltham Street.

George Dimakarakos from Stamski and McNary, Inc. presented the ANR plan. Skylight owns both parcels, the purpose of the plan is a transfer of parcels.

A motion was made by Andrew D'Amour to endorse the ANR plan as presented, seconded by Max Lamson. The board voted 4 to 0, with Linda Connolly abstaining because she is an abutter.

Vice-chair Cahill stated that Linda Connolly will recuse herself from the next hearing as she is an abutter, Andrew D'Amour will be a voting member for the hearing. Town Planner Bill Nemser stated that this is a re-submittal based on comments at previous public hearing, the hearing has been re-noticed and abutters re-notified. Staff has reviewed the revised plans. The Board took a recess because they were waiting for the Chair Kevin Calzia to arrive.

Chair Calzia arrived at 7:12 p.m. and opened the: Recommencement of the hearing/application filed by Skylight, LLC., 20 Main Street, Acton, MA 01720 for the property located at 49-51 Waltham Street (Map 15, Parcel 230 and Map 20 Parcel 23) for a Special Permit allowing construction of multi-family dwellings within the Business Zoning District.

George Dimakarakos from Stamski and McNary, Inc. appeared before the Board. Since the last meeting the unit and driveway layout plan has been reconfigured. The ANR plan signed tonight swapped two parcels one from Arthur St to Waltham and one from Waltham to Arthur St. The new plan provides a singular access to Waltham St. The new plan is for three duplexes, total of six units. The engineer stated there are new architectural plans that will be presented tonight, these plan revisions are trying to accommodate the wishes of the abutters and town comments.

Chair Calzia asked Town Engineer Wayne Amico to comment on the revised plan. Mr. Amico stated he has reviewed the new plan, the reconfigured lots meet zoning requirements, the new setbacks also comply. He then went thru the list of requirements and will give comment on the sections that have not been addressed. The areas that still require information or discussion were:

Architectural plans; engineer has plans to present tonight

Width of driveway -15 ft turning radii for two vehicles entering and exiting; engineer agrees

Lighting recommend pole lights and some photometric, indicate illumination levels and where they will be placed; engineer agrees

Recommend granite curbing at entrance radii; applicant hoping not to provide any curbing, keeping low profile with widened radii; Mr. Amico will review request once plans are revised to show new radius pedestrian flow, handicap ramps, then will determine if that request will be agreed to;

Stormwater management; engineer is working on a plan

Bio retention area two to three feet, three ft, engineer stated design is constrained by invert into stream, will show on plan for more clarity

Calculation density velocity; engineer will clarify

Video tape before and after construction; engineer agrees

Drain lines; is this a foundation underdrain or roof gutter to downspout and piped; engineer stated it will be both, will clarify on plans

Grass swales

Landscaping plan; engineer stated he would like input from the Board on what they want to see then will prepare a Landscape Plan

Copy of Order of Conditions from Conservation Commission should be provided prior to endorsement; engineer stated they are still working with Cons comm.

Deck unit two; engineer will clarify

Setback dimensions to deck

Fence detail

Sidewalk detail

Top of wall finish grade, anything wall over 4 ft to get approval thru bldg commissioner

Location of DMH 1 move out of Bio retention area

Sewer connection detail

Telephone and cable location

Waltham Street was paved a few years ago, redesign sewer and water connections to be one connection.

Chair Calzia asked for comments from the Building Inspector, Rick Asmann talked about making sure there is adequate snow storage area.

Chair Calzia opened the hearing to Board comments:

This will be a condo association, there was question and discussion on lighting and pole location; trash removal; fence location; visitor parking; sidewalks along frontage on Waltham Street; snow storage areas. Bernie Cahill stated he has concern on units two and three which face Waltham Street, would like to see a fence of some kind, Building Inspector warned that this could impact visibility of traffic exiting, could use plantings or a two ft wall instead of a fence.

Chair Calzia discussed the landscape plan, should the Board provide guidance on what they would like to see. Greg Tuzzolo stated that safety, sight lines, fencing and other obstructions should be shown on the plan. The Board talked about larger plantings instead of fence to provide screening, the applicant will have a landscape plan prepared. Andrew D'Amour suggested a change in the size of the windows along the side of Waltham Street. Building Inspector has some issues with the pitch of the roof, the pitch should be increased to be closer to 35 ft. The applicant stated that the buildings were designed to not appear as tall, aesthetically would look better with higher pitch.

Chair Calzia opened the hearing to the public comments:

Jim Fulton 14 Brook Street, had a discussion with Wayne Amico about sewer issue and that the drain line had been damaged. Feels that easement setbacks are not being addressed, he handed out an agreement between DPW and Russo's Restaurant ZBA decision regarding maintaining the drain pipe. Chair Calzia asked for summary of the concern, this document is on record. Mr. Fulton stated the document say the town has the discretion of what goes in there, there is a condition that allows the town to go in and enter any part of the property, prior to this submittal this property was a business these are residential and proper setbacks are not provided.

Chair Calzia deferred to Town Engineer on access needs, unclear on why the town would need to access this portion of it. The Town Engineer stated the easement is normally taken outside the limits of a structure 5 or 10 ft out of that, there are no structures proposed in the easement, it appears there is enough access. The easement is normally larger than what it is created for. Mr. Fulton says this is a pre-existing condition; there is a water table issue. Chair Calzia asked what type of work might be required on this, Mr. Amico stated as long as no structure is built on that easement there is access, there are access points, the current state will be part of the video tape. Ask Town Counsel about liability to the Town and also

buyer beware this is all on the title of the property. Wayne Amico town has rights to access, modify, construct, and reconstruct what is there.

Vic Tomyl what are the dimensions of the easement, there is supposed to be a meeting with Town Boards about the water problem in the area, thinks the applicant is endangering the future inhabitants of the site.

The Board discussed getting an update from Conservation Commission. Bill Nemser will start to draft conditions.

A motion was made by Bernie Cahill to continue the public hearing to the meeting of February 10, 2015, seconded by Greg Tuzzolo, the board voted 5 to 0 in favor of this motion.

Update from Town Planner:

- NBOD discussion at next meeting,
- Presentation will be made at the Board of Selectmen meeting Tuesday by proprietor of the Brewery, if project goes forward with a location other than Clock Tower the Board will have to change use tables to allow in another area.
- MAPC open house is January 27 in Boston.

The Board will hold a working session on January 26, 2015 on the NBOD.

A motion was made by Kevin Calzia to adjourn the meeting, seconded by Bernie Cahill.

Meeting adjourned at 9:23 p.m.