
Minutes of the Planning Board Meeting

February 10, 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 –Chair Calzia called the meeting to order

Additions/deletions/reordering of agenda; none required

Approval of minutes; minutes will be reviewed at the next meeting

Public Hearing: 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.

Chair Calzia asked for an update since the last meeting. Applicant John Anderson presented a revised architectural drawing showing changes to the side units that will face Waltham Street. The roof lines have also been changed to a higher pitch, the height is still under 35 ft, gives more of a New England look. Mr. Anderson stated he has not had a chance to meet with Greg regarding the landscaping, but he did hire a landscaper to design a landscape plan which addressed the comments from the last meeting. Mr. Anderson presented the plan and described what landscaping, fencing and screening is proposed. The lighting layout has been added to the plan, all down lighting, LED lights.

Greg Tuzzolo approves of the variations in facades, support higher roofs, but would like to see all existing and proposed landscaping shown on the plan, Mr. Anderson said the rest of the land will be grassed, feels this plan in line with other design plans for similar projects. The plans have been revised to show the berm at entrance. There was discussion of which trees will be removed and remain and what the Board will require to be shown on the landscape plan or if the details can be conditioned.

Town Engineer Wayne D'Amico stated the Board should thoroughly describe what is required of landscaping in the conditions. Mr. D'Amico referred to his letter dated February 6, most items have been addressed. The lighting sheets are adequate, recommend that a cut sheet of what type of landscaping and fencing is being installed, recommend construction details be revised for 12" wide modified Cape Cod berm.

Town Planner Bill Nemser contacted Town Counsel about the easement, the best solution would be to condition the plan based on the applicant providing an indemnity document for the Town and future owners, granted by the Board of Selectmen. Mr. Anderson replied that there is already an easement, not asking for one, if attorneys do not work out, he will go to the Selectmen. Mr. D'Amico agreed that the wording of the easement can be conditioned.

Chair Calzia asked if Bill Nemser will write up decisions, Mr. Nemser stated if approved first enter certificate of vote with Town Clerk, write up a decision with conditions, Wayne D'Amico, Board and Town Counsel will review. The Fire Chief wanted no overnight parking sign along the main access.

Chair Calzia asked if there were any public comments; there were none.

The Board discussed which plans need to be amended, and what changes can be conditioned. The buildings will be black roof, grey shingles and siding, white trim, the plans should be revised to reflect this.

A motion was made by Bernie Cahill to close the public hearing for a Special Permit to allow construction of multi-family dwellings on property located at 49-51 Waltham Street, seconded by **Andrew D'Amour????**; the Board voted 5 to 0 in favor of this motion.

The Board began deliberations. No new information can be heard now that the public hearing is closed.

Chair Calzia listed the conditions which will need to be written into the decision:

Clarify existing easement or granting of new easement by Board of Selectmen;

Adjustment of plan details;

Details of lighting and poles

Steeper pitched roof lines preferred

Elevations and with colors and detail; plans revised

Landscaping details and description of plantings and fences

Video of culvert before building permits are issued

Landscape – five maples, two in front of bldg B, three in front of bldg A, on Western side a hedge of five hemlocks 6-8 ft, interior Southwestern fence line several existing 10-20 ft desirous to leave as long as it doesn't affect fence line and grading, Waltham St side of bldg B approx. 5 azaleas or similar to span length, Waltham St of bldg A. approx. 5 azaleas or similar to span length, balance of interior will be grass, fence along Hayes cut at angle two rail vinyl fence, along Western side abutting business 6 ft vinyl fence, 30x30x30 two ft high rock wall along Hayes.

Chair Calzia read the requirements for a Special Permit. The Board found the conditions were met for a Special Permit. The Board also found the plan met the requirements for Site Plan approval being consistent with regulations.

A motion was made by Bernie Cahill to approve the Special Permit with conditions as recorded tonight for the property at 49-51 Waltham Street seconded by Kevin Calzia; the board voted 5 to 0 in favor of this motion.

A motion was made by Andrew D'Amour to grant Site Plan approval for the property at 49-51 Waltham Street subject to the conditions as recorded tonight, seconded by Kevin Calzia; the board voted 4 to 1 in favor of this motion.

Other Business NBOD (Neighborhood Business Overlay District) project update.

8:52 p.m. Chair Calzia asked Bill Nemser to provide an update to the Board. Bill Nemser stated he has not received all the comments back from the Board, then create a draft, he has sent out memo to the Board of Selectmen that this will not be ready for the Spring Town Meeting. After that memo, the 129 Parker team has requested a meeting with Town Counsel, Town Administrator and Town Planner the purpose of the meeting is to ensure that the applicants understands what the town's position is on the application of the overlay on the entire parcel, the memorandum of agreement (MOA) or new MOA. The applicant states they still have supermarket, have a letter of intent from a senior living facility, everything they are proposing will be ok in the NBOD update, if change to conceptual plan it applies to entire parcel. The Board thinks that it would be more helpful to have a workshop after the meeting of the 26th once the Town has a better idea of what the applicant is bringing forth. There was discussion of definitions being better clarified for the allowed uses. The Board would like to look at broader zoning definitions throughout the town not just the NBOD, so the residents don't think the changes are being made for a specific project/developer.

The Board would like to have a representative at the meeting on the 26th at 2 p.m., either Andrew or Linda will attend.

Town Planner Update:

Acton Street is coming back in with a site plan and conceptual plan for 18 housing units. Bill met with the applicant in December, the hearing will be on the March agenda, they want to get on the spring Town Meeting, the filing came in today. There is an issue with repetitive petitions if denied cannot reapply for two years.

Bill met with a developer on a pre-application meeting for a drive-thru coffee shop at the site of the former Gruber Bros furniture store. Greg raised the question whether this was a historic building, the Board felt it was detrimental to not re-use the building, and the traffic is already difficult in this area. Bill recommended the applicant come in and talk with the Board before a filing is made. There is a historic placard on the front of the building, what Board has the authority and what permitting is required.

Bill reported that the Brewery hearing will go to Town Meeting, hearing for Planning Board will be for approval for Brewery ancillary service in Central Business District.

A motion was made by Kevin, seconded by Bernie.

Meeting adjourned at 10:01 p.m.