

Minutes of the Maynard Planning Board
Meeting 3-8-16

Members present: Bernie Cahill, Greg Tuzzolo, William Gosz, Samantha Paull,

7:00 p.m. Chair Cahill called the meeting to order.

Bond Approval Request – Keene Ave. Subdivision

Town Planner Bill Nemser stated that there is negotiation between town engineer and applicants engineer, it was agreed on the bond to be \$135,000 there is a list of remaining items to be addressed. Town engineer there are some conditions that are required prior to the Certificate of Occupancy being issued.

A motion was made by Greg Tuzzolo to accept the bond amount for Keene Ave Subdivision for \$135,000 as recommended by the Town engineer, seconded by Bernie Cahill. The Board voted 4 to 0 in favor of the motion.

Determination of Minor or Major Modification – 213 Main Street Hancock Associates is requesting the Planning Board make a determination if a proposed change to the approved Special Permit and Site Plan for the subject property constitute a major or minor modification.

Chair Cahill read the request for determination. The applicant Brian ? from Hancock Associates was present on behalf of the applicant. The two approved plans were presented as well as the proposed plan. 213 Main Street has received an Order of Conditions from Conservation, and they will go back to revise. The project was originally approved in 2013, in 2014 the applicant received a minor modification for reconfigured parking area. The proposed plan is for four units all pushed together with a garage and only four parking spaces, the request is whether this is a minor or major modification. Greg asked if the height of the building has changed due to the garage, the engineer stated that the 2013 plan had a three story building, the first floor will be the garage. Greg asked for a summary of the previous approvals, Bill Nemser stated the biggest concern was two entries off Main Street. Greg stated the Planning Board was previously sued over the decision, wants to know if there are issues that relate to the Special Permit decision. The applicant stated any changes or modifications are not part of the settlement. Changes to this plan are parking, moving the unit to the right and adding garages. Samantha asked if parking was allowed in front of the garage, and whether the front of the units were all flat, which is not visually attractive. The determination the Board needs to make is whether the request is a minor or major modification to the Special Permit. Town Engineer Wayne D'Amico suggested that there should be a public hearing so that the abutters can give input on the project. Chair Cahill asked if conditions can be put on a minor modification request. The Board felt it was a minor modification but if not able to conditions to the decision then they would like to see the changes made to the plans that have been discussed tonight before giving approval. The stormwater management has been revised to reflect the proposed changes and they will meet with Conservation next week. The Board reviewed the criteria for making the determination. Chair Cahill polled the Board the consensus was that it was a minor modification but required conditions and revisions to the plan, there is less impact on the riverfront

area. The Board can decide it is a minor modification, major modification or continue the hearing for additional information, the vote has to be a supermajority. The applicant asked for a continuance to the next hearing, the applicant will make the changes to the outside architectural details, elevations and scale of buildings, provide more parking and turnaround details.

A motion was made by Bernie Cahill that the hearing be continued to March 22, 2106, seconded by William Gosz. The Board voted 4 to 0 in favor of the motion.

Continued Public Hearing – Special Permit Request The petitioner DG Custom Homes, LLC., Maynard, MA 01754 is requesting a Special Permit as required by Section 3.1.2 of the Zoning By-laws to increase residential space from 2 to 3 units (Multi-family residence in the General Residence Zoning District). The property is located at 51 Summer Street, Maynard, MA 01754.

Chair Cahill opened the continued public hearing. Bill Nemser handed out a staff report with the updated comments. Steve Poole of Lakeview Engineering was present. Changes were made to the trench drain at the entrance to the property, a template for the parking spaces was added. The applicant has discussed with Conservation, will get a stormwater permit. The abutters were notified by certified mail but Mr. Golden did meet with them in person, the abutters concern was a car going thru the fence, it was discussed to add a physical barrier such as boulders next to the fence. Greg asked if the applicant is aware of the landscape guidelines. The changes to the site are building of the parking spaces and walkways. Greg stated that the landscape guidelines apply to this project and the Board should go thru the regulations and grant relief from those sections that don't apply, would like to see the trees that are going to remain shown on the plan. There was discussion of the location of the AC condensers, Greg does not want them located in the setback. Bill Nemser suggested going thru the landscape regulations. The waivers are offset front and side yard setback, width of access drive, width of interior drive, stacking area, curve radius, maneuvering aisle, landscaping front/side setback with conditions of Zoning Board of Appeals approval, Conservation approval, revise site plan showing changes as discussed including location of tree removal, approval by town engineer, physical barrier on adjacent property.

A motion was made by Bernie Cahill to close the public hearing, seconded by William Gosz. The Board voted 4 to 0 in favor of the motion.

A motion was made by Bernie Cahill to grant the Special Permit for multi family dwelling units in the residential area with the waivers as listed above, seconded by William. The Board voted 4 to 0 in favor of the motion.

A motion was made by Bernie Cahill to grant the Special Permit for parking standards subject to the conditions of the Town Engineer and revised site plan, ZBA approval, Conservation Commission approval seconded by William Gosz. The Board voted 4 to 0 in favor of the motion.

Continued Public Hearing – Site Plan Review and Special Permit Request: In conjunction with a Site Plan Review request for a change of use, the petitioner (Open Table Inc., PO Box 42 Concord, MA

01742) is requesting a Special Permit allowing relief from parking standards as permitted by Section 6.1.3 of the Zoning By-laws, for property located at 33-37 Main Street (former Aubuchon Hardware).

Chair Cahill stated the Open Table is looking to use only half of the building and are looking to a continuance of the public hearing. A complete application has not been filed yet. The Board discussed how to handle the request due to there not being a complete application filed.

A motion was made by Samantha Paull to deny the application as presented without prejudice due to failure to submit a complete application in accordance with Planning Board regulations, seconded by Bernie Cahill. The Board voted 4 to 0 in favor of the motion.

Other Business –Discussion items from Board

There was discussion on a parking study being done in the downtown area.

A motion was made by Bernie Cahill to adjourn the meeting, seconded by William Gosz.

Meeting adjourned at 9:52 p.m.