

Minutes of the Maynard Planning Board
Room 201 Maynard Town Offices
February 14, 2017

Members present: Greg Tuzzolo-Chairman, Samantha Elliott, William Gosz, Brent Mathison, Megan Zammuto

7:05 PM- Call to Order

Chair Tuzzolo introduced new member Megan Zammuto

Approval of Minutes (12.13.16 and 01.10.17)

The Board reviewed the minutes of 12-13-16 and 1-10-17, Samantha had a few edits to the 1-10-17 minutes. The Board approved with edits.

Chair Tuzzolo made a motion to approve the minutes of 12-13-16 and 1-10-17 edited per Samantha's comments, seconded by William Gosz. The Board voted 5 to 0 in favor of the motion.

Withdrawal of Petition: Maynard Crossings JV, LLC - Capital Group Properties, 259 Turnpike Road, Southborough, MA 01772, is withdrawing their request for Special Permit approval for a mixed-use development at 129 Parker Street to allow an Independent Living Facility (replacement petition has resubmitted for Continuing Care Retirement Community).

Chair Tuzzolo asked Attorney Angelo Catanzaro to explain the request for withdrawal. The attorney stated that when the new application was submitted for Continuing Care Retirement Community it was requested to withdraw the application for the Independent Living Facility, it was determined that the use Continuing Care Retirement Community better fit the allowed uses in the Neighborhood Business Overlay District (NBOD). The applicant asked to formally withdraw the petition for the Independent Living Facility.

Chair Tuzzolo made a motion to approve the request to withdraw the petition of Maynard Crossings JV, LLC for an Independent Living Facility at 129 Parker Street, seconded by William Gosz. The Board voted 5 to 0 in favor of the motion.

Public Hearing (Continued from 01.25.16): The Petitioner, Maynard Crossings JV, LLC - Capital Group Properties, 259 Turnpike Road, Southborough, MA 01772, is requesting Special Permit approval for a mixed-use development at 129 Parker Street to allow a Drive-Thru Use (supermarket pharmacy).

Public Hearing (Continued from 01.25.16): The Petitioner, Maynard Crossings JV, LLC - Capital Group Properties, 259 Turnpike Road, Southborough, MA 01772, is requesting Special Permit approval for a mixed-use development at 129 Parker Street to allow a Multi-family Dwelling (up to 180 units).

Public Hearing: The Petitioner, Maynard Crossings JV, LLC - Capital Group Properties, 259 Turnpike Road, Southborough, MA 01772, is requesting Special Permit approval for a mixed-use development at 129 Parker Street to allow an Continuing Care Retirement Community (143 units).

Chair Tuzzolo opened the continued public hearings from January 25, 2017 for 129 Parker Street to allow a drive-thru use supermarket pharmacy and to allow a multi-family dwelling (up to 180 units), he also opened the public hearing for the approval to allow a Continuing Care Retirement Community at 129 Parker Street.

Chair Tuzzolo began by stating he would like to make some remarks based on comments from the Board, Town Planner and Town Boards. Chair Tuzzolo described the procedure for the hearing. Chair Tuzzolo read a statement stating it has been agreed by the Town and applicant to hold the three public hearings at the same time as they all relate to the same property. The applicant will be separately filing a Site Plan for review in the next few weeks, when this happens it will be added into the same discussion of the three public hearings.

Attorney Catanzaro counsel for the applicant introduced the applicant and engineers, Robert Depietri of Capital Group property, John Kucich of Bohler Engineering, and Jason Sobel of Green International. Attorney Catanzaro stated he had been in contact with Town Counsel Jon Witten who is unable to attend due to illness, it was agreed that any legal issues that come up will be tabled tonight until Attorney Witten can be present.

Attorney Catanzaro stated that tonight they will focus on three specific uses of the special permits; they will give a brief overview. The Neighborhood Business Overlay District (NBOD) requires Special Permit approval for certain uses; these should be the only uses that require Special Permit. When the NBOD was redrafted, it was after a long process of these uses being included in the NBOD. Town meeting has approved the concept plan and underlying bylaw, the applicant feels they meet the conditions of the bylaws, NBOD, and Zoning bylaw. Attorney Catanzaro stated the three Special Permit uses requested were consistent with the Memorandum of Agreement (MOA), an agreement with the owner and the Town Board of Selectmen. The uses are a result of an Adhoc Committee recommendation that these uses be allowed in the NBOD. Mitigation of traffic will be addressed more thoroughly in connection with the Site Plan Approval application which will be filed in the next week. The applicant has no objection to hearing all the public hearings at the same time; including the Site Plan once properly noticed.

Attorney Catanzaro stated the uses were in harmony with the NBOD, combining different types and varieties, meeting the intended purpose of the bylaw, demographically the uses were what the region needed, there is a market and need for apartments, similarly the elderly housing was a specific request of the town to be included in the MOA, as the population is aging the facility will serve a great need for the residents that want to remain in town but no longer in a single family home. The drive-thru pharmacy is also another need which is in demand. There is a requirement that there are adequate utilities and facilities this will be addressed more on the Site plan. The site has adequate water and sewer and the applicant will be making improvements to roadways and contribution of \$900K for other infrastructure improvements, this is part of the MOA. The applicants do not feel any of the proposed uses will have an adverse effect on conservation lands; they have worked with government on the turtle area to keep them in their breeding area. The impact on town services, there should be no significant

impact on schools with this type of apartment; this will be addressed in more detail later. The impact on tax structure is significant.

Attorney Catanzaro turned the hearing over to Tom Hayden from LeCesse Development Corporation to discuss the apartment complex. Mr. Hayden presented a PowerPoint presentation showing the proposed construction of the 180 apartment units. The project consists of three residential buildings; one 4 story, two three story, about 21 units/acre, 2 parking spaces per unit. Mr. Hayden stated that parking is very important, they design parking to ensure there is sufficient parking spaces for residents and guests. The amenities include a clubhouse with fitness center, pool and package delivery system to clubhouse. On-site management and maintenance for satisfaction of residents and community. The breakout of the units is 260 bedrooms total, 22 affordable units, higher level communities have less children, the study reported approximately 35 children, given the unit mix and rent level they anticipate 20 children. This is not a gated community.

Chair Tuzzolo asked for questions from the Board and public comments.

Brent Mathison asked about the carriage house type units are they included in the 180 units. Mr. Hayden stated that the carriage home units are included, there are four (2 units each), the carriage home units are more secluded with garage below. Locations were indicated on the plan; Attorney Catanzaro stated that the locations shown on the concept plan is the layout proposed. Samantha Elliott asked are the garages single story. Mr. Hayden replied they are single story, 55 garages in addition to the parking spaces. Chair Tuzzolo stated he would like to see the location of the amenity buildings on the site. The developer stated he will bring more detailed plans next meeting.

Public input, there were several questions about the garage setbacks and what the rents would be. Mr. Saunders encouraged the board to explore carriage house, don't remember hearing about these at previous meetings. Mr. Hayden said they have been on all the drawings for at least the last year, they are in the Concept Plan.

Chair Tuzzolo asked about the location of the affordable units within the development, Attorney Catanzaro stated that has not been determined yet, they will not be in any one location, will be disbursed throughout the development. The affordables will be exactly the same as the other units, it will not carry with each specific unit. Brent asked if not unit specific, how do they know that the number of affordable units is met. Attorney Catanzaro stated this is detailed in the MOA, this is not a 40B that regulates them, and there will be a program for how affordable units are allocated. Town Planner Bill Nemser stated that the town has a housing specialist that will be working with the town on maintenance of these affordable units.

Samantha commented there were two buildings shown on concept plan as carriage houses other buildings were labeled as garages, changes should be indicated or color coded. The applicant stated they would highlight any variation from the Concept plan, as the Board has to find the Site Plan to be in substantial compliance with the plan.

Attorney Catanzaro introduced Mark Lowen of Hawthorn Development to present the Continuing Care Retirement Community. Mr. Lowen presented a PowerPoint presentation about Hawthorn describing who they are, how the facility operates and the services they provide to manage the facility. This type of facility is low impact on Town facilities, no impact on schools, creates employment opportunities and allows local seniors to stay in the area and age in place.

Chair Tuzzolo asked for comments from the Board and public.

Chair Tuzzolo asked about the ratio of number of parking spaces. Mr. Lowen clarified that these developments were designed with .6 spaces/suite which is adequate to handle residents, staff, and visitors, as many residents do not have cars. Samantha asked about the snow storage area. Attorney Catanzaro stated that snow storage will be addressed with the site plan.

Resident Karen Grimes asked what the rent would be. Mr. Lowen responded 2-3K/month which included all food and amenities. There were questions for clarification about how tall the buildings were sidewalks and walking paths.

Chair Tuzzolo asked about the vehicular circulation and individual roadways within the two areas of the Continuing Care and apartments are there opportunities to integrate these roads for less paved area. Both developers responded that the separate roads keep traffic flow to a minimum, to eliminate cut thru traffic, separate pedestrian points are fine but cut thru roads are problematic with the age of residents. Mr. Hayden stated that separate roads are better so that residents don't park in the senior housing areas, people will park and take shortest route, and they discourage connectivity. Attorney Catanzaro asked what was the particular concern, Chair Tuzzolo's concern is redundant pavement, and they will talk more about vehicular circulation, some ways to improve design without flow thru traffic, when they get to the discussion on traffic. Samantha commented that the developers refer to continuous path around building but on the plans in the NE corner a section of sidewalk is missing, the engineer will correct the plan.

Chair Tuzzolo asked for the presentation on the request for the drive-thru at the supermarket pharmacy. Attorney Catanzaro stated that the representative from Price Chopper was unable to attend tonight so he will give the presentation. In NBOD supermarket is by right, pharmacy is also allowed by right, the Special Permit is required for the drive-thru facility which is attached to the outside of the facility facing Parker Street, Price Chopper requested this location. Price Chopper has 137 supermarkets 85 have pharmacies, 11 have drive-thrus. As they open new markets they have the drive-thrus, the older stores generally don't have them. It is estimated that approximately 150 will use drive thru/week; it is a convenience to residents to drop off or pick up prescriptions. There is a dedicated parking area if the queue gets too long for pull off. The history of drive-thrus there have been no safety incidents at all, communicate thru cell phone, bullet resistant glass, money drawer only open from inside, cameras monitor all transactions and vehicles, all types prescriptions filled, no additional traffic created due to drive thru. The average age of customer is younger parents that don't want to park get kids out etc. The drive-thru is a convenience to customers, doesn't present adverse impact to the project as a whole.

Chair Tuzzolo asked for questions from the Board and the public.

Samantha asked if it had a single lane drive thru, and if there would there be directional signage for the drive-thru. Attorney Catanzaro replied yes single lane and directional signage.

A resident commented that without seeing the site plan it was hard to tell what traffic would be, trucks will be going around the back of the building, how does that impact the drive thru, air quality for idling vehicles, the number of users seems low, is it even viable. Attorney Catanzaro responded that Price Chopper provided the numbers. Jason Sobel, the traffic engineer from Green International, described the traffic flow, the plans showed a detail of the drive thru area with four cars in queue, data shows independent study of drive thru pharmacies the max queue is for 4 at any time, there is also designated overflow. Mr. Sobel showed how trucks will enter and exit for deliveries.

Another resident stated they thought the use rate would be higher than 150/week, there will be potential for noise, air quality. Mr. Sobel commented that a regular pharmacy would have a higher rate than a pharmacy in a grocery store, substantially less transactions at these stores.

Chair Tuzzolo asked for comments from Town Engineer Wayne Amico. Mr. Amico stated he had reviewed the 3 Special Permit applications and sent a letter January 20 with comments, he received responses to all memos, but has not yet reviewed yet, he would like to go thru and issue a revise response at the next meeting. Water/sewer usage memo still requires more info.

Chair Tuzzolo asked how the applicant wants to move forward. The issues that need further discussion are infrastructure, water, sewer, traffic, public safety, stormwater management, conservation/wildlife, landscaping, many of these will be addressed in the Site Plan review, signage, and operations. Chair Tuzzolo stated that part of the intent is to make a statement to the public about what will be discussed, they can provide comments, to make available materials for the meeting as far in advance so meeting time is utilized well and if public can't be available they can submit written comments.

Attorney Catanzaro stated they intend to file the Site Plan application Thursday, this would allow the Site Plan public hearing to be opened at the March 28th meeting. That will allow for two meetings in between, a lot of topics flow out of the Site plan. The next meeting could focus on the Architectural aspects as well as updates on the apartments and continuing care center.

Bill Nemser stated they have a consultant, Mark Rosenshein and the applicant should coordinate a meeting with him. Attorney Catanzaro stated that most other topics fell under the site plan.

A motion was made by Greg Tuzzolo to continue the three public hearings to March 14, 2017 at 7 pm, seconded by William Gosz. The board voted 5 to 0 in favor of the motion.

Town Planner Updates a. Community Preservation Committee: PB Volunteer b. Zoning By-law updates

Bill Nemser stated that there should be a member of the Board that attends the CPC meetings, the problem is that they meet alternate weeks from the Planning Board. Bill Nemser stated there will be a few proposed changes which will require public hearings and recommendations for placement on the warrant for Town meeting.

A motion was made by Greg Tuzzolo to adjourn, seconded by Brent Mathison approved 5-0.

Meeting adjourned at 9:31 p.m.