

Maynard Planning Board – Meeting and Public Hearing
January 23, 2018 - 7 p.m.
195 Main Street, Room 201

Board Members Present: Greg Tuzzolo – Chair, Brent Mathison, Megan Zammuto, Bill Cranshaw

Others Present: Bill Nemser – Town Planner, Wayne Amico, Adam Costa – Co-Counsel, Andrew Scribner-MacLean – Assistant Town Administrator

Called to Order at 7:04 p.m. by Chair Tuzzolo

Approval of Minutes

Greg Tuzzolo made a motion to approve the Minutes of 07-18-17, 07-25-17, 08-01-17, 08-08-17, 08-15-17, and 11-14-17, which was seconded by Brent Mathison.

The Board voted 4-0 in favor of the motion.

Bond Release Request

- 1) Orchard Valley Estates: The required work has been satisfactorily completed, and town staff recommends release of the remaining partial bond.
- 2) Fowler Street Extension: Work has been completed to the satisfaction of the Department of Public Works, and the Town Engineer, and the Town Planner. Town staff recommends release of the bond.

Greg Tuzzolo made a motion to approve the release of the remaining \$10,000 bond for Orchard Valley Estates, and the motion was seconded by Megan Zammuto.

The Board voted 4-0 in favor of the motion.

Greg Tuzzolo made a motion to approve the release of the \$40,500 bond for Fowler Street Extension, and the motion was seconded by Brent Mathison.

The Board voted 4-0 in favor of the motion.

ANR Determination: 129 Parker Street

Daniel Ruiz of Capital Group Properties presented a summary of the parcel creation request for two non-buildable lots at 129 Parker Street. The request had been reviewed by Town Counsel,

the Town Planner, and the Town Engineer prior to the meeting, and they had no issues with the request.

Greg Tuzzolo made a motion that the Board determines that the proposed ANR application is compliant and does not constitute a subdivision according to town by-laws. The motion was seconded by Brent Mathison.

The Board voted 4-0 in favor of the motion.

Public Hearing – 173 Main Street (Mill View Condos)

Greg Tuzzolo opened the Public Hearing for the 173 Street Main Street (Mill View Condos) project and summarized the special permit request for the project, which consists of seven townhouse condominium units.

Walter Eriksen of business address 92 Middlesex Road, Tyngsboro, MA presented his proposed project plan and noted three waiver requests:

- 1) Exemption from photometric plan requirement as there will be no exterior lighting other than building lights, which will all be Dark Sky compliant
- 2) Exemption from underground utility requirement due to small site size and proximity of existing telephone pole
- 3) Exemption from 20' interior driveway requirement for entire property due to 8' easement behind property that's been in place since the 1930s

The Board asked for clarification on several aspects of the proposed project, including the following: trash removal and dumpsters; vehicle access to the back of the building via the easement; pedestrian access to and from the back of the building between the condos and Quarterdeck Seafoods; mail and package delivery; lighting at the back of the building.

Walter Eriksen agreed to provide documentation to the Board detailing exactly how emergency vehicles would be able to access the back of the building and to consider a pedestrian path (either stairs or a paved slope) at the side of the building. He also agreed to provide some form of documentation indicating the light spread from the external building lights at the back of the building and to contact the Postmaster to discuss mailbox specifications.

Chuck Foley of 161 Main Street (Foley & Sons Floor & Tile Co.) expressed support of a plan to improve that lot but has concerns about the impact and possible damage to his property from construction vehicles and subsequent traffic and parking. He pays taxes on the driveway next to his building, which allows access to the easement road behind the proposed condos and surrounding buildings. He referenced damage that already occurs annually to his building and

property from existing traffic flow and asked for an alternative method of access to be considered.

Vincent Dinh of 165 Main Street supports development of the 173 Main Street lot but has concerns about parking and traffic flow.

Chris Basile of 175 Main Street (Quarterdeck Seafoods) asked what the plans are to handle drainage of runoff water since his property sits at a lower level than 173 Main St and the flow of water leads to his property. He also mentioned that at one time the easement was U-shaped with two accesses, one of which was subsequently blocked by a fence. He asked whether the fence installation was done legally and suggested that having another access to the easement would alleviate many of the traffic flow concerns. He expressed support of the project.

A town resident pointed out that currently vehicles are using the 173 Main Street space as a turn-around to exit the easement road and that once there is a building and parking lot in that space, they won't be able to do so, making traffic flow even more difficult.

Greg Tuzzolo made a motion to continue the Public Hearing for 173 Main Street (Mill View Condos) to February 13, 2018 at 7:00 p.m., and the motion was seconded Brent Mathison.

The Board voted 4-0 in favor of the motion.

Public Hearing – Inclusionary Zoning By-law

Greg Tuzzolo opened the Public Hearing for the Inclusionary Zoning By-Law and provided copies of the proposed By-Law to those in attendance. Bill Nemser provided some background information on the proposed by-law.

Andrew Scribner-MacLean presented the following modification recommendations to the Board:

- 1) 7.9.2-1 – Change the by-law to apply to all multi-family units, not just six or more
- 2) 7.9.4-1a – Substitute a new table to start with a factor lower than 10% and apply it to all unit quantities in order to encourage development
- 3) 7.9.4-2 – Change this section to create a consistent calculation for cash payment regardless of what the affordable housing unit fraction is
- 4) 7.9.5-2b – Direct a capped portion of the affordable housing funds to public transportation in order to facilitate meeting the transportation needs of the affordable housing market

Adam Costa provided feedback on how some other communities have written their inclusionary zoning by-laws.

Walter Eriksen commented that the proposed Inclusionary Zoning By-law is not appealing or financially viable to developers who are interested in smaller projects.

The footnote under the table of 7.9.4-1a should have been removed from the proposed by-law after the last meeting.

Greg Tuzzolo made a motion to continue the Public Hearing for Inclusionary Zoning By-Laws to February 13, 2018, which was seconded by Megan Zammuto.

The Board voted 4-0 in favor of the motion.

Public Hearing – Recreational Marijuana By-law (Continued from 01.02.18)

The Board deliberated on the Recreational Marijuana By-Law proposal with revisions from the previous town meeting.

Greg Tuzzolo made a motion to approve the revised proposal of the Recreational Marijuana By-law and present it to the Board of Selectman for inclusion on the warrant for the March 31, 2018 Special Town Meeting. The motion was seconded by Bill Cranshaw.

The Board voted 4-0 in favor of the motion.

Town Planner Updates

Bill Nemser reiterated to the Board that Kevin Sweet would leaving his role as Maynard Town Administrator as of February 14, 2018. Andrew Scribner-MacLean will be the Acting Town Administrator until a replacement is found.

Greg Tuzzolo made a motion to adjourn, which was seconded by Brent Mathison.

The Board voted 4-0 in favor of the motion.

Adjourned at 9:38 p.m.