

**Maynard Zoning Board of Appeals – Meeting and Public Hearing**  
**August 7, 2017 - 7 p.m.**  
**195 Main Street, Room 101**

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**Board Members Present:** Paul Scheiner – Chair, Marilyn Messenger, Leslie Bryant, Jerry Culbert, John Courville, Jamal De Vita

**Others Present:** Barbara Carboni – Special Town Counsel, Wayne Amico – Town Engineer, Aaron Miklosko – Director of Public Works, Bill Nemser – Town Planner

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**Called to Order** at 7:00 p.m. by Paul Scheiner

**Public Hearing – 129 Parker Street Special Permit Request**

Paul Scheiner opened the continuation of the Public Hearing for 129 Parker Street from July 24, 2017. The Board discussed at length whether or not the adverse effects of the proposed project would outweigh the beneficial impacts to the town and neighborhood relative to the following items:

- Socio-economic needs of the community
- Traffic flow and safety
- Adequacy of utilities
- Neighborhood character
- Environmental impacts
- Potential fiscal impact

*Jerry Culbert made a motion to close the public hearing, which was seconded by Marilyn Messenger.*

***The Board voted unanimously in favor of the motion.***

*Jerry Culbert made a motion that based on review of the criteria of section 10.4.2 of the Zoning By-Laws, the Board finds that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or neighborhood in view of the particular characteristics of the site and of the proposal in relation to that site. The motion was seconded by Jamal De Vita.*

***The Board voted 4-1 in favor of the motion.***

Paul Scheiner reviewed section 9.2 of the Zoning By-laws and indicated that the Board needed to make a determination on each of the four items within that section as they relate to the permit request for 129 Parker Street.

The Board discussed in detail with the applicant the potential impact on the water supply from de-icing with sodium chloride and which, if any, alternatives could be considered. Wayne Amico and Aaron

Miklosko participated in the discussion and offered their feedback as well. Paul Scheiner presented some calculations he conducted to assess the potential impact from salting the pavement of the proposed project. The applicant suggested attaching conditions to the special permit.

The Board deliberated on the special permit requirements of section 9.2.7 of the Zoning By-laws and agreed that each of the four criteria of that section is true.

*Jamal De Vita made a motion to grant the special permit in congruence with section 9.2.7 of the Zoning By-Laws, finding that each of the following points is true of the proposed use at 129 Parker Street:*

- 1. Is in harmony with the purposes and intent of section 9.2 and will promote the purposes of the Water Supply Protection District;*
- 2. Is appropriate to the natural topography, soils, and other characteristics of the site to be developed;*
- 3. Will not, during construction or thereafter, have an adverse environmental impact on any water body, groundwater supply, or water course in the District; and*
- 4. Will not adversely affect the quality or quantity of any existing or potential water supply*

*The special permit shall be granted subject to the following conditions:*

- That in the event a new well is drilled, the ZBA reserves the right to impose further conditions to ensure that the project complies with the criteria of section 9.2.7 of the Zoning By-laws*
- That the applicant will conduct quarterly testing of the century wells with results to be sent to the ZBA*
- That the applicant will utilize de-icing material consistent with Maynard DPW standards and methods consistent with the DPW operations manual, subject to future consideration should a more beneficial and efficient alternative be presented, and will utilize the minimum amount required to ensure public safety*
- That the ZBA decision incorporates the conditions and requirements imposed by the Planning Board and the Conservation Commission with respect to the project*

*The motion was seconded by Jerry Culbert.*

***The Board voted 5-0 in favor of the motion.***

Marilyn made a motion to adjourn, which was seconded by John.

**Adjourned** at 9:20 p.m.