

**Maynard Planning Board – Meeting and Public Hearing
May 15, 2018 - 7 p.m.
195 Main Street, Room 101**

Board Members Present: Greg Tuzzolo – Chair (arrived 7:02 pm), Andrew D’Amour – Vice Chair/Acting Chair (until Greg Tuzzolo’s arrival), Brent Mathison, Bill Cranshaw

Others Present: Bill Nemser – Town Planner, Wayne Amico – Town Engineer, James MacDonald – MacDonald Development, Inc.

Called to Order at 7:00 p.m. by Andrew D’Amour

Approval of Minutes

Andrew D’Amour requested a minor revision to the submitted Minutes of 5/8/18 for clarification purposes.

Andrew D’Amour made a motion to approve the revised Minutes of 5/8/18, which was seconded by Brent Mathison.

The Board voted 3-0 in favor of the motion.

(After the approval of the Minutes, Greg Tuzzolo arrived and led the remainder of the meeting.)

ANR – 3 Elaine Street

Greg Tuzzolo made a motion that the proposed ANR meets the criteria and does not constitute a subdivision, which was seconded by Andrew D’Amour.

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

Public Hearing – 170 Main Street

Greg Tuzzolo reopened the Public Hearing for 170 Main Street, which was continued from April 10, 2018. The petitioner requested another continuance until June 12, 2018.

Greg Tuzzolo made a motion to continue the Public Hearing from 170 Main Street to June 12, 2018, which was seconded by Andrew D’Amour.

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

Public Hearing – 115 Main Street

Greg Tuzzolo reopened the Public Hearing for 115 Main Street, which was continued from May 8, 2018. Mr. MacDonald was in attendance to present details on his proposed project: a four-story brick apartment building very similar to a property he built near the McDonalds on Main Street. The existing Gruber building and the building behind it would be torn down and a new building would be constructed with a driveway between the building and the river and around the back of the building.

Greg Tuzzolo explained that the Board and Town had already received some drawings of the proposed project and that the Town Engineer, Wayne Amico, had responded to Mr. MacDonald with some feedback. He also explained that the Maynard Conservation Commission had reviewed the proposed project and provided feedback as well. There will be a design review process, which will involve a peer-review design consultant, at an appropriate time in the future. There is a development agreement in place between the Town and the applicant. Bill Nemser reviewed some of the components of the agreement.

Greg Tuzzolo provided the public an opportunity to ask questions related to the process. Mr. MacDonald then reviewed the drawings of his plans with the public. A resident asked about parking spaces. There will be 44 residential parking spaces, some of which will be at ground level and some of which will be basement parking – not visible from street level. A resident asked if traffic will enter and exit at the same location. All traffic will enter and exit at Main Street. The Town Engineer is reviewing traffic impact and will provide feedback to Mr. MacDonald. A resident asked about protection for Post Office parking, water usage, and customer parking. A resident asked about rules related to the distance that must be maintained between the river and any new structure built next to it. Wayne Amico pointed out that any new project cannot worsen current conditions.

A resident asked that the applicant and the Board consider snow storage, setbacks, truck turnaround analysis, and emergency vehicle access. A resident asked about the affordable unit requirements for this project. Bill Nemser explained the general requirements but stated that the specifics for this project will depend upon the final plan. A resident asked for clarification of the project's water impact as well as clarification on the parking spaces. Wayne Amico explained that there will be a water and sewer assessment conducted to determine capacity impacts. Bill Cranshaw explained that the downtown zoning by-laws require two additional spaces for the retail portion, so there would be 46 total parking spaces. A resident asked if there will be a higher fence installed to inhibit dumping into the river. Greg Tuzzolo stated that protection of the river will be a topic of discussion in reviewing the plans. A resident expressed concern about the traffic flow through one entrance/exit.

A resident asked if the applicant is requesting a permit for more units than would be acceptable for the site based on standard zoning by-laws. Bill Nemser explained that the Downtown Overlay District (DOD) provides incentives for projects with smaller units and affordable housing units. A standard permit would allow for one unit per 1500 square feet of land. A special permit allows for one unit per 800 square feet of land but requires a development agreement between the Town and the developer. The Planning Board would determine whether or not a special permit would be granted based on specifics of each site/project. A resident asked for clarification on how the current plans would increase access to the river, as required per the zoning by-laws. Mr. MacDonald stated that the topic of a path along the river between Main Street and the rail trail has come up on several occasions and that he is taking it under consideration.

A resident asked if the developer would receive any tax reduction benefits as part of a density incentive. There are no tax reduction incentives. A resident asked for clarification of the retail portion of the building and asked the developer to strongly consider increasing the setback and including benches or some other improvements. There would be both retail and residences on the ground floor with three floors of residential units above. A resident asked if Mr. MacDonald would consider changing the parking spaces from the current plans of riverfront to the other side of the proposed building, adjacent to the CVS parking. Bill Nemser reminded the attendees that there are very specific requirements for any new development in the DOD and that the Board would be carefully reviewing Mr. MacDonald's plans with regard to the DOD by-laws. A resident asked who would be responsible for administering the affordable housing units and the qualification process for them. Mr. MacDonald will not use a third-party for administration. A resident asked who would be responsible for maintaining the retaining wall along the river. Wayne Amico indicated that it depends on where it falls along the property line, which is yet to be determined.

Greg Tuzzolo requested the following information from Mr. MacDonald as a follow-up to the meeting and for future discussions:

- Context drawings of the property within the surrounding area
- Site photos
- More detailed information on the proposed retaining wall, including a site survey
- Consideration of the potential for rear access to the property

Greg Tuzzolo made a motion to continue the Public Hearing for 115 Main Street to June 12, 2018, which was seconded by Andrew D'Amour.

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

Public Hearing – 42 Summer Street

Greg Tuzzolo reopened the Public Hearing for 42 Summer Street, which was continued from May 8, 2018. Mr. MacDonald presented his proposed plan for a 26-unit, four-story brick apartment building with garage parking underneath. There would be 39 parking spaces.

Greg Tuzzolo mentioned that the Board would want from Mr. MacDonald some elevation scale studies to understand the scale of the proposed building in relation to other surrounding buildings. A resident expressed concerns about the traffic flow in/out of and around the project. A resident asked about effects of the development on the trees located around the property. Greg Tuzzolo stated that a landscape architect would be required for this project and that the effects of any changes to existing landscaping, as well as any planned landscaping, would be taken into consideration.

A resident abutter expressed concerns about the proximity of the proposed building to her adjacent property. She also expressed concerns about the style of the proposed building not matching the style of the nearby residences as well as the traffic congestion on the corner where the property is located. Wayne Amico provided some feedback on the proposed project. Two residents expressed concerns about potential noise coming from the building due to HVAC units on the roof. An abutter mentioned that there is a discrepancy in the surveys that might impact the petitioner's setback assumptions. The Town will follow up. A resident asked if the proposed building height includes the HVAC units. It does

not. A resident asked if there would be an assessment of the potential impact of excavation on the property and surrounding properties. Greg Tuzzolo stated that that would be part of the Board's review process.

A resident asked Mr. MacDonald to reconsider the design of the building and stated that she believes the style and size of building he has proposed is not appropriate for the location.

Greg Tuzzolo made a motion to continue the Public Hearing for 42 Summer Street to June 12, 2018, which was seconded by Brent Mathison.

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

Public Hearing – 129 Acton Street Cell Phone Tower

Greg Tuzzolo reopened the Public Hearing for 129 Acton Street Cell Phone Tower, which was continued from May 8, 2018. The petitioner stated that he had submitted all required paperwork to the Town.

Greg Tuzzolo made a motion to close the Public Hearing for 129 Acton Street Cell Phone Tower, which was seconded by Andrew D'Amour.

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

Greg Tuzzolo made a motion to approve the special permit for 129 Acton Street Cell Phone Tower, which was seconded by Brent Mathison.

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

Public Hearing – Citizen's Petition for Zoning By-law Amendment

Bill Nemser responded to some questions that came up during the last meeting. An attorney who is representing the petitioner was in attendance. She stated that the petitioner would be happy to remove the portion of the petition related to Clinics (Item 2 in the proposed amendment) at Town Meeting, and she requested that the Board make a recommendation for the amendment (conditional upon removal of Item 2 from the proposed amendment).

Greg Tuzzolo made a motion to close the Public Hearing for the Citizen's Petition for a Zoning By-Law Amendment, which was seconded by Andrew D'Amour.

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

Greg Tuzzolo made a motion to recommend the Citizen's Petition for a Zoning By-Law Amendment conditional upon removal of Item 2 (Clinic and Healthcare Facilities). The motion was seconded by Andrew D'Amour.

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

Town Planner Updates

There was a letter of interest submitted by Jim Coleman for the alternate Board Member position.

Greg Tuzzolo made a motion to adjourn the meeting, which was seconded by Andrew D'Amour.

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

Adjourned at 9:31 p.m.