

**Maynard Planning Board Meeting**  
**June 9, 2020 – 7:00 p.m.**  
**(Held remotely via Zoom due to COVID-19)**

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**Board Members Present:** Greg Tuzzolo – *Chair*; Andrew D’Amour – *Vice Chair*; Bill Cranshaw; Jim Coleman; Mike Uttley – *Acting Member*

**Others Present:** Bill Nemser – *Town Planner*; Kaitlin Young – *Assistant Town Planner/Conservation Agent*; Tim Hess – *Town Design Consultant*; Wayne Amico – *Town Engineering Consultant*; James MacDonald – *MacDonald Development*; Jacque MacDonald -- *MacDonald Development*; Candace Ho -- *MacDonald Development*

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**Called to Order** at 7:00 p.m. by Greg Tuzzolo

**Bond Release Request – Keene Avenue**

Attorney Melissa Robbins was in attendance representing developer Jay Burglund of Burglund Homes. Her understanding is that all outstanding issues have now been addressed by the developer. Bill Nemser had not yet seen a response from the abutter who had an unresolved issue. Melissa Robbins stated that she would forward the most recent response from that abutter to Bill, which she did during the meeting. Bill Nemser stated that the developer had completed all of DPW’s requests to their satisfaction and he confirmed receipt of the email from the abutter stating her satisfaction with the developer’s resolution to the outstanding issue. Wayne Amico confirmed that the developer has completed all of the outstanding punch list items. He asked what type of assurance the developer can provide that the process required to turn the road over to the Town will be completed. Melissa Robbins explained the process and stated that it has already begun and assured Wayne Amico, the Town, and the Planning Board members that the developer will continue with the process until it is finalized and all documents have been filed indicating that the road is Town owned.

Bill Nemser stated that there was a previous reduction of the bond and that the remaining balance of the bond is \$30,000. Melissa Robbins explained the process of the bond release.

There were no comments from the public.

*Greg Tuzzolo made a motion to release the security for the Keene Avenue subdivision, which was seconded by Andrew D’Amour.*

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

## **Determination of Major/Minor Modification – 42 Summer Street (continued from May 26, 2020)**

Prior to the meeting, Greg Tuzzolo had created a document outlining each area of concern from the design review, the recommendation from the design reviewer, the response from the applicant, and Greg's assessment of whether the item constitutes a major or minor modification. Greg Tuzzolo presented the document to the attendees. There were 19 items on the list, and the large majority of them are considered by Greg to be minor. Andrew D'Amour suggested polling the Board members to determine where there was agreement or disagreement with Greg's assessment. Andrew D'Amour stated that he agrees with all of Greg Tuzzolo's comments. Bill Cranshaw considered all items to be minor with the exception of one item: the omission of pediments. Jim Coleman stated that he feels every item on the list is minor. Mike Uttley stated that he agrees with Greg Tuzzolo's assessment and asked to find out if there have been any changes made by the applicant to address the items noted as major on the list.

Greg Tuzzolo asked for the applicant's confirmation of each of the responses noted in the document. Candace Ho of MacDonald Development stated that everything was accurate with the exception of line 17, which was corrected during the meeting.

With regard to the rail system, which was indicated as the first major item on Greg Tuzzolo's list, the applicant stated that, regardless of the material used, the length would require additional support. The applicant stated that there are drawings available to demonstrate his proposal, but neither the Board nor the design reviewer has seen those drawings. The applicant forwarded the drawings to Bill Nemser during the call so that everyone would have access to them via BoardDocs. Tim Hess' feedback was that the proposal is acceptable; however, the drawings do not include details such as the mounting brackets. He also noted that in the drawing, the base of the rails is even with the base of the columns, whereas that is not the case at the construction site. Tim Hess recommended that the Board have a detailed drawing to consider prior to making a decision. There was a discussion about consistency of the spacing of the rail supports throughout the building area. Tim Hess' recommendation was to have the 2'4" spacing from post to rail support be the consistent measurement and allow variance for the distance between rail supports as needed. The applicant agreed.

The next item discussed was the material being used for the porch. Tim Hess and the Board agreed that if that material were to be changed from PVC to wood or Hardie board, then it would make sense to revise the size of the column base at the same time. The applicant agreed that if he were forced to change the material that it would make sense to also change the column bases to match the plans. The Board and Tim Hess discussed the applicant's usage of PVC and concerns related to that material. Bill Nemser pointed out that there is a maintenance By-law for multi-family dwellings that would allow for code enforcement in the event that any of the material had deteriorated to the point of being noticeably detrimental to the appearance of the building. He also noted that the applicant takes pride in the appearance and maintenance of his other properties in town.

Mike Uttley asked for clarification of the process in the event that one of the items is deemed by the Board to be a major modification. Bill Nemser stated that it would require a public hearing to take place as it would entail an amendment to the original decision.

*Greg Tuzzolo made a motion to find the following items from his list to be minor modifications:*

- *1 – consistency of ganged window casing*
- *2 – pediment detailing*
- *6 – rail system (with proposed change of porch spacing having 2’4” offset)*
- *7 – fascia pieces at deck*
- *8 – square cut eaves*
- *9 – gable flipped*
- *10 – 2<sup>nd</sup> floor window missing (with proposed change of adding a mock window)*
- *12 – West elevation massing flipped*
- *13 – window trim head casing*
- *14 – window trim sill*
- *17 – door casing (with proposed correction of changing to larger exterior casing)*
- *18 – door panel configuration*
- *19 – door height (with proposed correction of adding blind transom panel over doors)*

*The motion was seconded by Bill Cranshaw.*

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

*Greg Tuzzolo made a motion to find item 11 a major modification, which was seconded by Andrew D’Amour.*

***The Board voted 4 in favor and 1 (Jim Coleman) against the motion.***

*Greg Tuzzolo made a motion to find items 5, 15, and 16 to be major modifications, which was seconded by Andrew D’Amour.*

***The Board voted 3 against (Bill Cranshaw, Jim Coleman, and Mike Uttley) and 2 in favor of the motion.***

*Greg Tuzzolo made a motion to find that items 5, 15, and 16 are minor modifications, which was seconded by Jim Coleman.*

***The Board voted 3 in favor and 2 against (Greg Tuzzolo and Andrew D’Amour) the motion.***

Greg Tuzzolo noted that the project is not yet complete and he asked the applicant to come to the Board with any additional changes prior to making them.

## **Town Planner Update**

Bill Nemser stated that in the decision for GreenStar Herbals it was determined that the developer would pay for and install all trees that were required for mitigation as part of the approval. However, DPW can obtain the trees and has indicated that they prefer to plant them. Bill Nemser asked if the Board would be amenable to that. GreenStar Herbals has offered to still pay for the trees as well as

provide reimbursement to DPW for the installation. Wayne Amico provided further clarification stating that DPW was provided with GreenStar Herbal's subcontractor quote for purchase and installation of the trees. DPW can purchase significantly more trees for the downtown area for the same price as was quoted to GreenStar Herbals. Furthermore, DPW Director is the town's Tree Warden and is a certified arborist. Kaitlin Young stated that DPW has asked for GreenStar to provide a couple different quotes for purchase and installation. GreenStar Herbals has agreed to pay DPW prior to DPW purchasing and installing the trees. There was a brief discussion about the maintenance of the trees after installation. Those details are still being worked out. The Board agreed for DPW to conduct the purchase and installation of the trees with GreenStar Herbals providing payment to DPW for the cost.

Bill Nemser stated that he and Greg Tuzzolo would be in attendance at the drive-in style Town Meeting on Saturday June 13.

With regard to municipal vulnerability, Bill Nemser stated that the Town is applying for a grant for a hazard mitigation plan. Bill Nemser had sent a letter to Greg Tuzzolo asking for support of the grant request. The Board is in full support of the grant request, and Greg Tuzzolo will sign the letter and return it to Bill Nemser.

Bill Nemser has crafted conditions of approval for 115 Main Street based on previous conversations and he will send the list to the Board members. Kaitlin Young stated that the DEP did issue a file number for the Conservation Commission permit per the notice of intent that was submitted by the applicant. There was no requirement for Chapter 91 permitting at this point.

This meeting is Mike Uttley's final meeting as a member of the Planning Board due a move out of state. Resident Natalie Robert has applied to the Board of Selectmen to be appointed as the Alternate Member of the Planning Board. Bill Cranshaw asked if any terms are coming to an end soon. The new Town Clerk is currently reviewing all of the term dates for the Town Committee and Board positions. Bill Nemser will follow up.

Jim Coleman asked if the next Planning Board meeting would occur in person or remotely. Greg Tuzzolo and Kaitlin Young anticipate remote meetings to continue for a while.

Bill Nemser stated that the Board of Selectmen is finalizing the authorization of outdoor dining.

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

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

**Adjourned** at 8:32 p.m.