

PB Minutes, 129 Parker Street
8 May 2013
7:00 P.M.
Town Hall Room 201

Attending: Max Lamson (ML) Chair, Bernie Cahill (BC), Greg Price (GP), Jason Kreil (JK), Kevin Calzia (KC), Greg Tuzzolo (GT), Alternate, Steve Wood, Interim Planning Assistant, Recorder.

7:00 P.M.

1. ML opened meeting and made motion to close Continued Public Hearing NBOD Amendments advertised February 14 and February 21, 2013. GP Second. ACTION TAKEN Vote 5-0 to approve motion to close.
2. Continued Public Hearing NBOD Amendments advertised April 16 and 23, 2013 to amend Protective Zoning By-Laws -9.3 NBOD.
3. Presentation by Developer.
 - a. New information from Developer (Capital Group) includes an update of Concept Plan. This new Plan now includes a clearer presentation of Crosswalks, Bike Racks, Walking Trails, and Sidewalks.
 - b. Comments by PB members: This centered on reduction of parking spaces. Reduction is due to reduced size of largest buildings.
 - c. Public Comments: Rick from Lincoln Street, expressed concern about cost of renovations to bring PK2 up to code. Raised concerns about who would pay for these renovation costs. Lisa Mead, Town Counsel (TC) said this is not a matter for this hearing. Kathy G. from South Street, asked if there has been a Peer Review of the building size reduction (Plan B). TC, Mitigation required by Peer Review has been incorporated in Development Agreement. Ellen D., Parker Street, expressed concern that Town Public Safety officials have not been consulted regarding this development. ML thought they had been consulted. _____ Field Street wanted a definition of what Emerging Energy Technology was. She expressed concern about Wind Turbines that might be built on site. ML said it was part of the Green Communities Act. TC read definition from Protective Zoning By-Laws. Terry S. from Brooks Street said there were two different plans on Town 129 Parker Street website. She doesn't know which she is voting for. Needs clarity. Developer said she is voting for a plan with two buildings that may be no greater than 85,000 square feet. Sally B. from Butler Street claimed that the discussion of Development Agreement should be a part of PB hearing. Beverly from Crane Street expressed concern about the wetlands. ConsCom has written letter of March 15 th stating that Development is not in compliance. ML Whenever the Development Plan is filed, it will have to comply with State Regulations. Sandy L. from Maple Court submitted a personal study of a comparison of 129 Parker with other existing shopping centers. Copy is entered into record. Ken E. From McKinley Street stated the confusion between the Concept Plan and the Site Plan. Site Plan will consist of more detail. The Development Agreement will also allow for mitigation until a finalized Development Agreement is submitted for Town vote. Marie G. from Parker Street submitted her letter to PB expressing concern about buffer area and her driveway. Ms. Grimes from _____ had concerns about truck traffic, housing site and additional school children. Sally B. Butler Road. does the PB feel it has enough information to make an informed decision on this project? Does this proposal meet the needs of Maynard? KC Must have trust in the process. John K. from

Field Street, pointed out the inadequacies of the project. Vic T. Powder Mill Road has concerns about Item 1, Section 9.3.2. He believes we are giving away Zoning control to suit Developers.

4. ACTION TAKEN: Three letters submitted to the record: Letter from _Sandy Lu comparing 129 Parker Street to Wayland development, letter from Charles Shea, and letter from Marie Gunnerson.

5. Lisa Mede, Town Counsel, submitted for the record “Recommendations on Article 1. Amendment to Section 9.3 of the Town of Maynard Protective Zoning By-Laws and Article 2, Concept Plan B dated March 26, 2013 both of the Special Town Meeting for May 19,2013.” She then reviewed draft of PB recommendations item by item. Items 1-7 are recommended by the PB as written. Item 8 requires PB discussion. ML opened discussion that centered on Affordable Housing and the desire to avoid 40 B designation. PB wants to move toward the 10% goal of Affordable Housing in Maynard. ML expressed concerned that proposed development doesn’t include provisions for accommodating this goal. ML, BC and KC expressed their desire to include Affordable Housing provision in this Development Plan. Lisa Mede said there are other ways of calculating the Affordable Housing percentage. JK has difficulty dealing with this subject this late in the process. GP has similar concerns and wonders how ML arrived at 10%. ML 10% goal for Parker Street would allow Town to maintain 8.2% Affordable Housing status. Item 9. Driveways and setbacks need clarification. This subject is under jurisdiction of PB. JK stated there is no reference in document on private property setbacks. TC will draft a recommendation. Item 10. PB agrees on this Item. Item 11 PB is fine with this. Once this recommendation is finalized, the PB decides to recommend or not recommend this project.

6. ACTION TO BE TAKEN. ML will look into whether Fire and Police Chiefs have “no problem” with this project.

7. ACTION TAKEN. GP makes motion to continue Hearing to Wednesday May 15 in RM 201 at 7:00 P.M. BC Second. Vote 5-0 in favor.

8. ACTION TAKEN. ML makes motion to convene Executive Session with Board of Selectmen and reconvene Public Hearing following Executive Session. BC Second. Vote 5-0 in favor.

9: 15 P.M. Joint session with Board of Selectmen: Dawn Capello (DC), Jim Bushemi, and Brendon Chetwynd

9. 10:45 P.M. ACTION TAKEN. Reconvened Public Hearing. ML Recording minutes for Planning Board.

10:46 P.M. ACTION TAKEN. DC states that we are not voting on the Development Agreement tonight.

10:47 P.M. ACTION TAKEN. DC makes motion to adjourn BOS meeting.

10:48 P.M. ACTION TAKEN. GP makes motion to adjourn PB Open Hearing, JK second, Vote 5-0 in favor.