



**129 Parker Street Ad Hoc Committee Minutes
Town Building, Lower Meeting Room #101
Wednesday, January 22, 2014
7:00 P.M.**

Committee Members Present: Eric Smith, AICP; Ken Estabrook, Chairman; Ron Calabria; Amy Hart; Eugene Redner; Bernard Cahill; Lynda Thayer

Others Present: Angus Jennings; Bob Depietri

Mr. Estabrook called the meeting to order.

Review and Approval of Minutes:

The Committee reviewed the minutes and made changes.

January 15, 2013 - *Motion made to accept the minutes of January 15 as amended. Motion seconded. The motion passed unanimously.*

Update on Issues Since Previous Meeting: Mr. Estabrook stated Mr. Jennings has prepared a draft recommendations document for the Committee's review.

Mr. Smith read comments provided by Fire Chief Stowers regarding the gas service to the PK2 building. He indicated there is no power going to any structure at 129 Parker Street. There is no water going to PK2 and the sprinkler system has been drained. NStar has indicated there is still gas going to two structures at 129 Parker Street, including PK2. Once the gas has been turned off a safety walk will be conducted to alleviate any fears of the neighbors.

Mr. Smith stated the Assessor provided a revenue report issued on March 26, 2013 and will provide updated information as needed. He will be meeting with the Fire Chief to discuss the project as he has expressed concern that an assisted living facility can generate 100 additional emergency calls per year, based on the proposed size of the facility.

Mr. Jennings stated that assisted living and independent living are being considered, which would have different impacts. He stated once the fiscal impact work is done it would look at each scenario independently to determine the impact to the town. He announced the Conservation Commission hearing did not go forward because of the weather and was continued to February 4, 2014.

Mr. Estabrook encouraged the members to gather information to be included in the recommendation. Ms. Thayer expressed concern on how to incorporate recommendations that the property owner will move forward with. She stated she is struggling with providing an offset if they reduce the amount of retail.

Committee Recommendations: Mr. Jennings walked the Committee through the recommendations document he prepared. Mr. Estabrook recommended the first section contain information on what the 129 Parker Street Ad Hoc Committee is and how it came about. He stated he would like a specific number included for retail, specifying 250,000 square feet which includes 60,000 square feet for a supermarket.

Discussion was held on the number of housing units that would be acceptable and able to pass at town meeting, and the impact that number would have on town services, including the schools. Mr. Estabrook stated the School Committee will be discussing this as they are seeing with the new high school an increased number of people choosing to attend Maynard schools. They will be discussing the capacity of the school and what the projected population of the school is going to be.

Mr. Jennings stated as written the Committee would recommend any housing development contain at least 10% affordable housing. He recommended referencing the local action units in this section and provided background information on this process. Mr. Estabrook recommended carefully wording this section as there is a lot of technical information.

Mr. Calabria asked if they decide to go beyond 10% affordable what events would trigger another 40B project to supersede this and would the town be stuck with this because it was already agreed to. Mr. Jennings stated when a building permit is issued and the unit is occupied within a year the unit will count toward the affordable housing inventory. Mr. Estabrook recommended the wording in this document should be that affordable housing solutions should be considered.

Mr. Jennings stated the recommendation on office space is that it could be an allowed use, but does not indicate it would be in place of retail space. Mr. Estabrook proposed that the Committee be specific about what commercial uses would be acceptable in addition to retail.

Mr. Jennings stated if the inclusion of indoor recreation would be determined to be feasible prior to development the Committee would support it with a requirement that a portion be set aside for recreational use by the town. Mr. Estabrook stated there is a definition in the zoning bylaws for indoor athletic and exercise facility and that definition will have to be reviewed. Mr. Cahill stated an indoor athletic facility is not currently an allowable use so this would have to be added. At the present time only a health club is allowable.

Mr. Jennings stated another recommendation would be consideration of establishing a minimum per square foot limitation on specific individual retailers to ensure this is differentiated from downtown Maynard. Mr. Depietri stated he would have no problem with a 1,000 square foot minimum, but it may be a problem if a higher minimum was used.

Mr. Jennings asked if the Committee would like to say something specific about PK2 or let the fact that it is left out of the concept plan speak for itself. Mr. Estabrook stated he would like to say something in terms of this has been eliminated in response to the reduction in the scale of the project and a number of issues with the building and concerns on the part of the citizens. Ms. Thayer stated she would not equate this to the reduction in scale, but rather the condition of the building, safety concerns, and cost of converting the building. Mr. Calabria stated to him PK2 is not

mitigation but rather inducement or linkage. He stated to ask the developer to fund something not on the top of the priority list and not pay for mitigation is a bad idea. He stated mitigation should follow the current capital planning priorities. Mr. Cahill stated Mr. Calabria's idea should be included as a recommendation as part of the development agreement in addition to traffic mitigation.

Mr. Jennings stated if there is a concern about a four story building it would be good to understand if that is a general concern or specific as related to visibility or proximity to existing homes. Mr. Estabrook stated there are currently height restrictions of 40 feet. Mr. Depietri stated he has to determine if the proposed four story buildings will be more than 40 feet and if so it may require an adjustment to the height restriction. Mr. Estabrook stated he feels a statement should be included in the recommendations that there is potential for a proposed change.

Mr. Jennings asked if the Committee would like to include restrictions to the retail pad sites to limit gas stations and drive through fast food. He stated Mr. Depietri indicated that some of the restaurants, such as Panera, now have drive through windows. It was agreed that this would have to be reviewed.

Mr. Jennings reviewed language indicating the Committee prefers concept plan 2B with some modifications. The Committee agreed they need to address the green space and the walkability of the site through site design, architecture, etc. Mr. Estabrook stated particular attention ought to be paid to ensuring and understanding of potential visual impact of the site development surrounding the property, in particular the Vose Hill neighborhood. Mr. Cahill stated he does not feel that including a line about delivery hours will make or break the development agreement and he is open to recommending this as part of the site plan review process.

Mr. Jennings reviewed language on infrastructure features. After discussion Mr. Estabrook stated it is clear that there is work that needs to be done on this area and the Committee's recommendations need to incorporate the fact that traffic studies need to be done in a such a way that there is a mechanism for having a third party review them. Mr. Calabria stated each traffic study needs to account for the traffic conditions being experienced at that time. Mr. Jennings stated until the residential is fully occupied the impacts will not be known. Mr. Estabrook stated there are other infrastructure systems that should be included such as municipal services, water system, police, fire, etc.

Mr. Jennings reviewed language on fiscal impact. Mr. Estabrook stated he believes what was discussed is that a fiscal impact analysis should be done as part of this process giving Maynard residents an opportunity to have full information to make decisions. He does not feel it has to be significantly revenue positive. Mr. Redner stated this would sway a lot of votes one way or the other. Mr. Calabria stated the language should state the recommendation assumes a positive impact on the town. He also stated recommendation should be that the Board of Selectmen fund the Planning Board's needs and hire special counsel for a development agreement or someone with expertise in development agreements. It was agreed to include this language in the recommendation.

Mr. Smith suggested that the Committee work with the developer to see if one or more public uses could be integrated into one of the proposed buildings in the development in a mixed-use layout.

Public Comment:

Steve Pomfret, 2 Dana Road – He asked if the plan includes demolition of PK2. Mr. Estabrook stated yes, PK2 would be demolished. Mr. Pomfret stated this needs to be clarified for the public. He stated public perception now is that something has been taken away from them, which is PK2, and they are not getting anything back so this needs to be explained.

Bill Cranshaw, 20 Mockingbird Lane – He stated he did not hear anything in discussion of fiscal impact about the impact on downtown business or the impact on neighborhood home values. He did not hear anything about a pathway to the school and who would be paying for it. He stated this information would be helpful. He stated it is best not to imply that tax rates will go down because new revenue does not necessarily mean lower taxes.

Michelle Booth, 2 Field Street – She stated she is concerned about the building heights and how a special permit would play out. She would rather see this regulated by NBOD or zoning intervals. She asked that all neighborhoods be included when considering truck traffic, noise, and lighting issues. She asked for restrictions on times of truck deliveries.

Trish Saunders, Dettling Road – She asked about the scale of the project and the reduction of approximately 100,000 square feet of retail space. She stated last week many of the Committee members were in favor of significantly scaling back the number of residential units and this week this seems to have gone back to the original proposal. She stated she does not see any clarity on the square footage related to the medical office building. She asked what the square footage of building is going to be on an acre parcel as compared to what was defeated last year, as she does not feel this proposal is smaller. Mr. Estabrook stated they do not have that information available. She expressed surprise that the scale of the project is not smaller as people at town meeting wanted a smaller development.

Al Whitney – He stated the Committee made a fatal error in not doing due diligence on the PK2 property and giving up \$7 million.

Michelle Booth, 2 Field Street – She asked about data on who would be attracted to the site as it would be helpful to understand the impact. She stated this had been provided earlier by Mr. Depietri. Mr. Estabrook stated this will probably come up again as part of the fiscal impact study.

Peter Falzone, 15 Dettling Road – He referenced the location of a building on the document which may be incorrect.

Trish Saunders, Dettling Road – She asked if the calculations on impact to the schools is based on factors like accessibility to public transportation and major highways. She stated she does not see young urban professionals being drawn to this community. She sees older people and young families who are looking for a small community to raise their children. Mr. Smith explained how the calculations are made. Mr. Jennings stated it is important that consultants are totally transparent on how they arrived at the numbers they project and one factor is definitely location and what type of demographic is going to be attracted to certain types of housing.

Sandra Liu, Maple Court – She stated she was pushing for a main street design because it would be more pedestrian friendly and would not be the typical shopping center with a huge parking lot that you see everywhere.

Bill Cranshaw, 20 Mockingbird Lane – He stated it would be useful in discussion of the residential that it be made clear they are talking about rental units. He stated it would be useful if the Committee has an opinion on whether ownership units are okay.

Sandra Liu, Maple Court – She asked about the Lynnfield development as it appears to be comparable and it provided for a community center. Mr. Jennings stated he was part of the negotiation of that development agreement and has a copy of it that can be made available. He stated this was a complex negotiation and it did provide for a community center space.

John Kulik, Field Street – He expressed concern about the traffic mitigation plan and sequencing. He stated once a building is up there will be occupancy. He asked about what will take place in the initial traffic analysis versus the traffic impact study. He stated he highly recommends that a special counsel be hired by the Planning Board to assist them with this project.

Discussion of Next Steps in Process: Mr. Estabrook stated the next meeting will be January 29 and he recommended the Committee follow the same procedure in terms of an agenda for that meeting. He stated he is hoping to come to closure. He asked members to review their notes to make sure all their issues and concerns are incorporated.

Mr. Jennings stated he will incorporate into the recommendation document the changes discussed today and will provide a redline copy at the next meeting.

Mr. Estabrook stated if the Committee comes to agreement next week they will still need one more meeting on February 5 to review the final copy.

The next Committee meeting is scheduled for Wednesday, January 29, 2014 at 7:00 p.m.

Adjournment: *Motion made to adjourn. Motion seconded. The motion passed unanimously.*