

**Maynard Planning Board – Meeting and Public Hearing**  
**June 12, 2018 - 7 p.m.**  
**195 Main Street, Room 101**

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**Board Members Present:** Greg Tuzzolo – Chair, Andrew D’Amour – Vice Chair, Brent Mathison, Megan Zammuto, Bill Cranshaw, Jim Coleman -- Alternate

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

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**Called to Order** at 7:07 p.m by Greg Tuzzolo

**Approval of Minutes**

The Board reviewed the Minutes of May 15, 2018.

*Greg Tuzzolo made a motion to approve the Minutes of May 15, 2018, which was seconded by Andrew D’Amour. Megan Zammuto abstained from voting.*

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

**Open Table Special Permit Update**

A condition of the 2016 special permit that was granted to Open Table was for them to appear before the Board one year later to provide an update and address any concerns that might have come up during the year. Prior to the current meeting, the Board had heard from the Maynard Police Department, the Maynard Business Alliance, and the Department of Public Works with no concerns from anyone regarding the special permit for Open Table. There were members of the Open Table staff present at the meeting and they had no issues or concerns to address. The Board agreed that further updates would only be required as needed versus annually.

**Public Hearing – 170 Main Street**

Greg Tuzzolo reopened the Public Hearing for 170 Main Street (Jimmy’s Garage), which was continued from May 15, 2018 per the petitioner’s request. The petitioner was present at the meeting and explained that because of parking space restrictions, one of the proposed tenants chose not to commit to the project. As a result, the petitioner needs to revise the project plans and will present them when ready. The petitioner requested another continuance. Bill Nemser reminded the petitioner that he would need to complete a new special permit application with the revised proposal.

*Greg Tuzzolo made a motion to continue the Public Hearing for 170 Main Street to July 10, 2018, which was seconded by Andrew D’Amour.*

***The Board voted 5-0 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 15, 2018. James MacDonald of MacDonald Development was in attendance at the meeting. Everyone in attendance was able to view a proposed design for the property as James MacDonald explained his revised parking plan, which moved the proposed building within the property area to increase the setback.

Greg Tuzzolo reviewed the process as follows:

- Consensus on the footprint of the proposed building and parking lot in relation to the property
- Dialog between Town Engineer and applicant
- Detailed discussion of architecture
- Determination of plan approval

Wayne Amico explained that he and Town Consultant, Gene Crouch of VHB, had provided James MacDonald with a memo of feedback related to his original plan as well as criteria that is required for compliance prior to Board approval. James MacDonald's revised parking plan is in response to that feedback. The revised proposal includes more space between the building and the river and between the building and the road.

Bill Cranshaw pointed out that the property is zoned for mixed use and that the proposed project should contain a considerable amount of retail space but that the plans presented did not make it clear where the retail space would be and how it would be accessed. He also asked how the residents would access the Rail Trail. James MacDonald stated that the drawing under review was focused more on parking and that a future drawing would detail the building usage.

Greg Tuzzolo stated that he would like to see a more detailed drawing of how the proposed project would sit in relation to the other properties around it. He also mentioned that although the revised plan shows more space between the building and the river, there is no detailed depiction of a river walkway, for example, or any fencing, etc. as discussed in previous meetings.

Wayne Amico offered some recommendations for a pathway between Main Street and the Rail Trail with a wooden guard rail in front of the parking area, a five- or six-foot walkway, and a chain-link or ornamental fence along the river.

The Board requested more detail in the proposal drawings.

Heather Nickle of Brooks Street asked if there was an update on who owns the retaining wall along the river on the west side of the property and who is responsible for any costs related to the wall. She also asked about potential impact to the retaining wall as a result of the proposed project.

A town resident asked for clarification on the number of parking spaces for retail versus for residents of the property. Bill Nemser stated that it would ultimately depend on the number of residential units approved by the Board.

William Doyle asked that the Board carefully consider the total parking allowances being requested by the applicant.

Natalie Robert of Summer Street asked about the impact to traffic flow in the area of the property. Greg Tuzzolo said that information will be looked at in greater detail once the plans for the property are more clearly defined.

Elizabeth Stein Mulligan asked that the Board keep in mind that the Town recently received a designation as a cultural district. She also asked that the Board reviews the original specifications for mixed-use buildings within the Downtown Overlay District (DOD) and that they carefully consider traffic and water impacts of the proposed project.

Greg Tuzzolo asked if a survey had been completed. James MacDonald indicated that it is in process.

A resident of Euclid Avenue is concerned about appearance due to the proposed height of the project.

Resident William Doyle asked how a garbage truck would be able to exit the property. Greg Tuzzolo said that the Board would look at turning studies as part of the review process.

Natalie Robert asked for clarification on the proposed number of stories for the building. The current plans call for four stories above ground with parking underneath.

Ken Estabrook asked for clarification on exactly what questions the Board was looking to answer during the meeting.

Tim Hess suggested that the details being discussed were premature since a survey has not been completed nor has a plan that addresses all of the requirements for a proposed project within the DOD.

A resident asked if an engineering study has been done to determine what impact the proposed project would have on the existing retaining wall at the river. A study has not yet been done.

Megan Zammuto recommended that the applicant host his own community forum to gather feedback from the community.

James MacDonald acknowledged the feedback of the community and the Board. With regard to a pedestrian pathway between Main Street and the Rail Trail, he expressed concern about responsibility/liability but will consider it. Wayne Amico mentioned that any pedestrian path would need to be at least five feet wide and that the applicant could grant an easement to the Town, which would allow the applicant to maintain ownership of that part of the property while limiting his liability for pedestrian usage of the pathway. Wayne Amico recommended that the applicant contact an attorney for specific legal advice related to an easement.

Bernie Cahill of Gabrielle Circle recommended that the Board continue the hearing until the applicant can present a complete site plan with his application.

*Greg Tuzzolo made a motion to continue the Public Hearing for 115 Main Street to August 14, 2018, which was seconded by Andrew D'Amour.*

***The Board voted 5-0 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 15, 2018. James MacDonald presented a revised parking plan, which shifts the original planned location of the proposed building to the opposite side of the property and places the proposed parking lot next to the abutting residence on Summer Street. The revised parking plan also sets the property back farther from Summer Street per Wayne Amico's suggestion to the applicant. The height of the building and the number of parking spaces remains the same as the original proposal, but the footprint of the building is slightly smaller than originally proposed.

Bill Cranshaw questioned how the proposed building takes advantage of the Rail Trail, whether there would be access to the building from Summer Street, and how the proposed four-story building would be compliant with the DOD's requirements.

Greg Tuzzolo asked for public comment. An abutter asked if the property has been surveyed. James MacDonald stated that it has not been surveyed.

Bill Nemser asked for clarification on the applicant's planned setback and stated that his understanding is that the maximum is 10 feet. He recommended that the applicant confirm the required setbacks with the Building Commissioner.

Several residents expressed concerns about the appearance of the building not fitting in with the character of the neighborhood.

A resident of Maple Street has concerns about the traffic congestion around the property being exacerbated by the proposed project.

Another resident of Maple Street reiterated the concerns about traffic congestion and asked about a traffic study and water impact study. Wayne Amico stated that those studies would need to be submitted by the applicant as part of the process.

Resident, Rex Olson, stated his concerns about the view of the skyline and the Mill being blocked/ruined by the proposed building and asked if the A/C units would be located on top of the building just as they are on top of the applicant's current property at the intersection of Summer and Nason Streets.

Elizabeth Steiner Mulligan of Lincoln Street mentioned that the proposed property is also within the Cultural District.

Natalie Robert of Summer Street and an abutter to the property stated that she is not opposed to a project at that location but believes the proposed project is too large.

Bill Nemser pointed out that the parking lot as proposed in the revised plan would require a setback waiver from the Planning Board in order to be approved.

An abutter resident of Euclid Avenue expressed her concern about potential noise from the proposed property.

Heather Nickle of Brooks Street asked when an erosion study would be conducted and whether there would be any safety considerations for having a four-story building so close to the Rail Trail. Bill Nemser stated that the applicant would need to submit an engineering study as part of his plan, along with a storm water runoff study, etc. The Board would consider safety as part of their overall review process.

A resident of Brooks Street pointed out that in previous Public Hearings that he has attended, the engineering studies and detailed information related to a proposed project have been available at the time the Public Hearing takes place. He also expressed concerns about the proposed building ruining the view of the Mill from Brooks Street. He asked the applicant to conduct the surveys and studies that would be required for such a project.

A resident of Maple Street asked if there's a point at which the applicant is required to submit the information that is being asked of him. Greg Tuzzolo responded that there can be no response to the applicant without the required details of his plan.

Bill Nemser stated that prior to the meeting many people within the community specifically requested an opportunity to provide input on the applicant's proposed project.

Bob Lawton of 50 Summer Street asked that the applicant submit a plan that does not require a waiver from the Board so that both versions of the plan can be reviewed.

*Greg Tuzzolo made a motion to continue the Public Hearing for 42 Summer Street to August 14, 2018, which was seconded by Andrew D'Amour.*

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

## **Town Planner Updates**

Bill Nemser reminded the Board that there would be a community meeting for the Master Plan at the Maynard Golf Course the evening of June 21, 2018. He also reminded the Board to provide feedback on the Community Preservation Committee's recommendations Open Space and Recreation Fund (to address section 9.4.5(2) of the Zoning By-laws). Bill Cranshaw asked for the appointment of Jim Coleman to the Community Preservation Committee to be added to the agenda for the July meeting.

*Greg Tuzzolo made a motion to adjourn the meeting, which was seconded by Megan Zammuto.*

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

**Adjourned** at 8:59 p.m.