



OFFICE OF THE
BOARD OF SELECTMEN
TOWN OF MAYNARD
MUNICIPAL BUILDING
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Meeting Minutes
Monday, September 17, 2018
Maynard High School Auditorium

(This public meeting was recorded.)

To view this tape:

<https://www.youtube.com/user/WAVMproductions>

Present:

Armand Diarbekirian, Selectman
Chris DiSilva, Chairman/Selectman
David Gavin, Selectman
Melissa Levine-Piro, Clerk/Selectman
Justine St. John, Selectman

Gregory W. Johnson, Town Administrator
Adam Costa, Town Counsel
Joel D. Kahn, Equity Alliance
Becky Mosca, Administrative Assistant

1. Meeting Opening

Mr. DiSilva called the meeting to order at 7:30 pm.

2. Powder Mill Place Discussion

Mr. DiSilva, Chairman, Board of Selectmen opened the meeting.

Mr. Johnson, Town Administrator, went over the meeting rules. The rules followed as for all meetings, in that when someone has a comment, question or statement, to state your name, address, and direct all questions to the board through the chair. In addition, to limit questions to three questions or for three minutes. Attendees could return for a second chance to speak if time permits.

Mr. Kahn, consultant with Equity Alliance working with the one spec Apartments at Powder Hill LLC and Mr. Cuttone, Manager-Owner of this project.

Opening comments from Mr. Kahn:

The application process is shown as "40B". This project is for new housing and both Acton and Maynard need more housing. A Local Initiative Program (LIP) was submitted to both towns. It starts with the Board of Selectmen then goes on to the Department of Housing & Community Development (DHCD) process application is a 40B. We are trying to work with the Board of Selectmen. This will move on to the Planning Boards and Zoning Boards for support and approvals.

There are open lines of discussion to address issues. The Local Initiative Program (LIP) plan is to work as a friendly 40B and not go to an unfriendly 40B. This is why we are here tonight. The property on the Acton side has 10.47 acres. The property on Maynard side has 2.18 acres. This property covers 12.65 acres in total.

To date nothing has happened with either town. We need a Memorandum of Agreement (MOA) worked up with clear understanding. The plan for 254 units at this site is planned with 74 units in Maynard and the remaining balance in Acton. Parking spaces for each unit is based on 1.57 vehicles per unit. Some of the parking will be underground.

Camera work was completed on the sewer lines and shows roots growing in the lines, and a belly in the pipe. We will offer to fix these problems.

A study shows the new units might add 11 students to the school system. Another study showed that impact to be 12 students.

Impact assessment from the town assessor in Maynard estimated a quarter million in revenue per year in taxes.

Downtown businesses, restaurants, and stores could all benefit from the project's impact.

Wendy's might have extra traffic.

The Maynard Police Chief & Maynard Fire Chief both felt it would be okay, to add on workload from this project.

Fees that will be charged with this development include:
\$184,000.00 in building permits, and \$900,000.00 in access fees for water and sewer utilities.

The Historical Commission indicated that two homes in the area are on the register. Both properties will be relocated to a corner of the property.

Conservation plans show that this would be on the Acton side as the river is located on their property. Walkways will be added near the river so it will be walk-able for all residents.

This will add to the affordable housing units to both towns. The target tenants would be for teachers, police and fire employees. The project would bring Maynard into compliance, with affordable housing requirements.

Mr. DiSilva, Chairman, opened this meeting to the public to hear comments, issues and questions for the proposed project on Powder Mill Road.

Ms. Duggan, resident, stated she believes that we had some forward thinking people here in Maynard back in the day. We have built a sewer system. The towns around us do not have sewer systems, like Acton, Concord, Stow, and Sudbury to name a few.

Ms. Duggan, resident, said she thinks Maynard should have a municipal agreement with the town of Acton if we move forward with this project. She believes that river cleanup in the past was \$10,000,000.00 for the Town of Maynard's share and if we don't have any type of agreement with the town of Acton we will once again be paying for the cleanup even though we have had Acton in the mix of adding their sewer to our waterways.

Ms. Duggan, resident, reported that the Acton Community Housing Corporation has another project lined up and they have hinted that they might come to Maynard and ask to tie in to our sewer system too.

Ms. Duggan, resident, thinks this is major issue, "I do not think this is a good idea for Maynard. It might open up for other towns to come to Maynard and asked to use our sewer".

Ms. Duggan, resident, added that if this project is going to be accepted. All the money should go to the sewer system. I know it is an old system". We only have one pipe down the river to the pumping station. We have old pipes and an old system, remember that.

Ms. Roussell, resident, asked how much water do we need to run our sewer system? We are in a water ban. How much water goes thru the system now per day?

Department of Public Works Director, Aaron Miklosko responded that the town needs one million gallons per day. This project would need another 42,000 gallons per day.

Ms. Roussell, resident, does not think we should add another town to our system. If the Schools to receive \$250,000.00 how does that help the schools. The school wants to buy bleachers and it costs more than that.

Mr. Cranshaw, resident, thinks this is a financial risk for Maynard, in that this has many benefits to Acton and gets many services from Maynard. If Maynard says no to this friendly 40B, we get no money for this project from the developer but this will probably pass through Department of Housing & Community Development (DHCD) so the \$2 million is a concern.

Mr. Downey, resident, commented about the Finance Committee meeting from September 2018, which a reported 1.4 million for sewer, and headroom, but what happens when other things are built out. What happens when the Mill fills up? We hit our limits. It is not the town's best interest.

Resident, (missed name) from Great Road, stated a multi-year benchmark for one bedroom, two bedrooms, three bedrooms and that any given year but we could get more children from this location.

Mr. Kahn, said the information given is from past studies that say with that amount of bedrooms over the lifetime stays the same regarding the enrollment to schools.

Ms. Steiner Milligan, resident, states that if affordable housing is a state requirement for this type of project, (40B) and Maynard has 8.6 % for the affordable housing, why would Maynard go for a large project that has this size building at 74 units.

Resident, (missed name), is concerned with the traffic study, and does not understand the one lane each way, why not add turning lane? Their study said this has no impacts on traffic. He is in disbelief with that information.

Resident, (missed name), Apple Ridge, is concerned regarding the Community Gardens gateway planter boxes and who owns the land they are on.

Mr. DiSilva, Chairman, said we have worked this out in the past with landowners to use the space for the planter's boxes at the entrances to Maynard.

Mr. Cranshaw, resident, asked financial question with the sewer: How would Maynard collect money from the Acton residents if they do not live in Maynard? Maynard cannot put a lien on an Acton property. Should or can we get a bond or something.

Mr. Cranshaw, resident, asked about the children that live at this property. What if they live across the hall from each other? What if the child wants to attend the Acton schools, can they get that choice to go to the Acton schools?

Mr. McMillen, resident, he thinks that the project at Parker Street should be accounted for in the percent of the town's total affordable housing units before this project at Powder Mill Place has the chance to really affect Maynard with a higher percent of affordable housing units.

Ms. Keenan, resident, asks how we charge for sewer when Acton will not be using our water! Do we put on meters on the units to meter the sewer system?

Mr. Kahn, replied that each building would have separate meters. We promote proactive metering. Acton is picking up the water. The lawyers will work this out. No question everybody pays.

Ms. Duggan, resident, asks how many Section D sewer connections the town of Maynard provides. Concord Mews started out with 40 kids in the school now has 119 children in the schools. In addition, keep in mind a few years back we rezoned Mill and Main for 500 apartments.

Mr. Marks, resident, asks what percent is built out in Maynard. What percent will be green space? Will public have access to the River?

Mr. Kahn, replied that the river area in Acton design is incomplete at this time. In addition, the design will need approval from Acton. The plan for the river access is to have a walkway. The hope is that Maynard and Acton will follow up on the connection to the walkways.

Ms. Leake, resident, stated that the traffic study is my concern as the traffic in West Concord backs up now, and with this new project the new impacts for Maynard might make this a long backup in West Concord to get on to Route 2 in the morning.

Mr. Kahn, replied that we have no feedback from Acton yet. As of now, we do not know the impacts.

Mr. Fulton, resident, questioned how the 274 units with meters would be installed, one for each unit or a master per building. The usage bill sent out to tenants per their usage. Is this based on the rate and tier per usage?

Mr. Kahn, replied that the plan is for one master per building. One of the contractors will complete the installation of the meters. Other properties we have use this same type of metering and it works. This does take into account the tiers and rates for billing.

Mr. Cranshaw, resident, stated he would like to hear from the planner and developer regarding the bikes and sidewalks. How can residents walk or ride a bike to Stop and Shop. Currently it is very hard to get to those stores without the sidewalk access. Do you know if Acton planning to be doing this work? Will Acton be adding pedestrian lights and crosswalk access at the street?

Mr. Kahn, stated that the idea for the sidewalks up to Stop and Shop are questions from Maynard. No one from Acton is talking about this yet.

Mr. Noonan, resident, is concerned with the traffic, affordable housing, river access, and what is the benefit to town.

Mr. Kahn, stated that the need for housing and the economic benefits to the town. The project will upgrade housing choices for housing stock. There is risk on both sides as this is a \$50,000,000.00 housing project. Balance can be made.

Mr. Butler, resident, commented to the Selectmen, that this 40B projects buys in via the MOA with a deal that is better than a flat rate as it would be a nice way to buy into our sewer system. As we see with Verizon, say 50 to 100 year down the road or just let the deal expire.

Mr. Kahn, replied just so everyone is clear, the language in the draft MOA is a draft. Please do not read into this draft, but wait until we have the final MOA.

Ms. Messenger, resident, believes all of Maynard is affordable. Affordable market rates or low rents in Maynard or Acton are very different. The schools in Acton are rated better than Maynard's. Why would anyone pay rent for \$2000.00 in PMP-Maynard when they could rent in PMP-Acton at the same location for \$2000.00? At a meeting back in January with the consultant about the water and sewer rates, he commented that this would be one of many rate hikes for ratepayers in Maynard. If the rates are going, up how will this stay affordable?

Mr. Kahn, replied that all the apartments will be the same in the project for the affordability side will be the same and the look is the same.

Resident, from Great Road (missed name), asked has the decision been made regarding this project.

Mr. DiSilva, Chairman, replied that no the board has not made any decisions. This is the beginning for this board. This board will start to have discussions and this will be one of many and we will follow up with questions, concerns, plans and answers.

Resident, Great Road (missed name), asked will we have a chance to ask DPW and School questions? Can we submit questions?

Mr. DiSilva, Chairman, replied that yes please email any questions or concern we will collect your questions and get answers.

Mr. Downey, resident, wanted to clarify that I am not opposed to the project. We need to be realistic this property and other properties will be developed. We are not able to restrict projects. My concerns are with the limits on the sewer.

Mr. Calabria, resident, is concerned with whether this is or should be zoned for single or multifamily. What if we agreed to, no discussion unless we can have 2 to 3 (LIP) for this project? With a Maynard LIP, and an Acton LIP. In addition, to inter municipal agreements for two entities.

Ms. Miles, resident, asked what if the developer sells the property to another developer? What will happen to the MOA if it is signed?

Mr. DiSilva, Chairman, replied that the MOA follows the property.

Ms. Steiner Milligan, resident, stated that she want to say she is ok with this project but does this project go forward whether or not Maynard wants this here in Maynard or not?

Mr. Kahn, said it is the hope that this project is worked out for all parties in both Maynard and Acton.

Ms. Steiner Milligan, resident, stated that this is a community that has a strong Cultural District.

Ms. Copley, resident, The number of housing units for Maynard in the plans show a total of 74 with 19 affordable my question is "Will the Maynard residents be given preference to qualify for these units"?

Mr. Kahn, replied, which is one of the items that should be reviewed when approving the affordable units.

Ms. Kelly, resident, asked if this could be a requirement that both towns have a LIP with two separate paths but at the same time. Maynard has the street side of the property and Acton has the riverside of property. Request the highest buildings be on the Acton side of the property.

Mr. Tomy, resident, stated he does not think anyone but Maynard residents should be hooked up to Maynard's sewer system. The developer has deep pockets let them pay for Acton to bring their sewer system over to their residents. They can go under the river just as well as Maynard.

Mr. Cohen, resident, stated he is concerned about our Fire Department. They show it will not be an impact here in Maynard. However, what if mostly senior's move into the Parker Street project, then the Parker Street site has need of fire service and then another area in town has a fire need and that needs to be covered. How will this be safe and how will this not be impact on town of Maynard.

Ms. Schluter, resident, asked a sewer question, does Maynard have a comprehensive wastewater management plan. Moreover, does it work for Maynard? How will this all work together?

Mr. Mollica, resident, asked if this project does not look like it benefits Maynard but maybe it benefits Acton if the residents at Powder Mill Place project get all our services. The traffic flow of another 250 to 300 cars on Powder Mill might impact Wendy', and maybe another added back in Concord.

Ms. Duggan, resident, asked if we would welcome the Maynard units and the affordable units. It is the other units that I am not open to Question would it still be a friendly 40B.

Mr. Kahn, replied it might change the friendly 40B.

Ms. Steiner Milligan, resident, asked how much is this going to cost Maynard?

Mr. Kahn, replied the upgrades that Maynard needs to make this positive for the project, the developer will make the upgrades at his expense.

Ms. Kyte, resident, stated we have other projects in line here in Maynard that are near to being built, 42 Summer Street and a couple on Main Street. How are those new units going to affect Maynard?

Mr. Newell, resident, stated that the Parker Street project doesn't this give Maynard' safe harbor"? Now we are only at 2%. Why would the Powder Mill Place and end up as an unfriendly 40B?

Mr. DiSilva, Chairman, replied that is an unknown at this time as board has not talked as a board about this whole project. This is the beginning of our work.

Mr. Fulton, resident, stated that Maynard and Acton boards have not reviewed the project together.

Mr. Kahn, replied that Acton would have a public meeting in October.

Mr. Fulton resident, from Brooks Street, state that Maynard only has one firehouse the other towns around us have more than one. Yet, Maynard is being asked to cover for this area.

Chief Anthony Stowers of the Maynard Fire Department, replied that **Maynard** is part of the mutual aid we have worked with Concord, Acton, and Sudbury. For every call Maynard handles we get back up from another town.

Ms. Denaro, resident, wonders what the effect of this new affordable housing will have on Maynard.

Mr. Kahn, states that he does not have what the final rates for rents in Massachusetts will end up as we have a shortage of rental properties, population is up, and robust jobs in the area. He is concerned with what can be done to keep Maynard boards meeting on the project to move it forward.

Mr. DiSilva, Chairman, stated that there are things for all to consider with moving forward.

Kristen Ferraro, resident, new to Maynard and likes the downtown and wants to keep seeing it grow.

Mr. Kahn, asked how you want to see Maynard grow its downtown. One way is to get people to move into town.

Mr. Ferraro, resident, asked what the alternative is. If this project does not go as a friendly 40B than what?

Mr. DiSilva, Chairman, thanked everyone for attending tonight. Mr. DiSilva asked everyone to view the Board of Selectmen agendas for details.

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Adjournment

A motion was made by Mr. DiSilva and seconded by Mr. Gavin to adjourn the meeting at 9:37 pm. Voted: *Motion carried unanimously.*

Approved: 7:03 pm

Date: 1/2/19



Melissa Levine-Piro, Clerk/Selectman

Initials: