



TOWN OF MAYNARD TOWN CLERK

MUNICIPAL BUILDING
195 MAIN STREET
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Tel: 978-897-1300 Fax: 978-897-8553

MINUTES STM, March 26, 2018

A quorum was obtained at 7 p.m. and Special Town Meeting commenced.

Moderator Richard Downey opened the meeting and made Ron Calabria Deputy Moderator for the evening.

Pledge of Allegiance

The guest list was made available by Moderator Downey. Guests must wear their guest badge and sit in the designated guest area. Guests may only speak on issues if invited or requested to by a town official and acknowledged by the moderator.

Moderator asked residents to please clearly state name and address each time they get up to speak. Please stay on topic and be concise. If you have more than one question please go to rear of line to give equal opportunity to others. Please be respectful at all times to other residents and town officials.

Motion made by resident William Kohlman, and seconded @ 7:06pm to waive the reading of the warrant in its entirety but be made part of the record of this meeting and that the moderator is allowed to refer to each article by subject matter instead of reading each article completely. Accepted.

MODERATOR MOTIONS TO MOVE Articles 1, 3, 5, 7-9 AS ONE-CONSENT CALENDAR

Article 1 AFFORDABLE HOUSING TRUST, CHAPTER 35 SECTION 4 & COMMUNITY PRESERVATION COMMITTEE CHAPTER 11, SECTION 2

Article 3 NON-CRIMINAL DISPOSTION CHAPTER 15 SECTION 5

Article 5 HAZARDOUS MATERIALS CHAPTER 29 SECTION 3E

Article 7 SMOKING DELETE CHAPTER 21 SECTION 26

Article 8 SOLID WASTE COLLECTION CHAPTER 7 SECTION 3

Article 9 UTILITY POLE DELETE CHAPTER 21 SECTION 27

Vote Open Maj. Article 1, 3, 5,7,8,9 carries

Article 2 BOARD OF HEALTH NUISANCES CHAPTER 21 SECTION 1 &2

Vote Open Maj. Article 2 carries

**Article 4 ESTABLISH DISABLED AND ELDERLY TAXATION RELIEF FUND
CHAPTER 60 SECTION 3D**

Resident Comments/Questions

Steven Wagner- Charles St.

Q: Is this a replacement for past programs or tax work off?

A. David Gavin: No, this is meant to be a supplemental program. There is still a tax work off program.

Vote Open Maj. Article 4 carries

Article 6 NUISANCE, OUTSIDE DINING CHAPTER 21 SECTION 17A AND 17B

Resident Comments/Questions

Jeff Swanberg- 96 Acton St.

Comment: I support this article strongly- especially for increasing foot traffic and makes a more vibrant and energetic town for not only residents but visitors as well.

Vote Open Maj. Article 6 carries

Article 10 ACCEPTANCE OF GIFT OF LAND

Vote Open Maj. Article 10 carries

Article 11 ACCEPTANCE OF EASEMENT

Resident Comments/Questions

Marie Gunnerson- Parker St.

Q: Does this affect the layout of the development?

A: Chris DiSilva- No, it's set back- just a small sliver of land

Cornelia Keenan- Great Rd.

Q Who will maintain it?

A: C. DiSilva- this is an easement to access a proposed underground well.

Vote 2/3 Secret Maj Article 11 carries

Article 12 LOCAL ACCEPTANCE OF TAX PROVISION

Resident Comments/Questions

Cornelia Keenan- Great Rd

Q: Isn't 2% the max according to law?

A: Melissa Levine-Piro: No

Betsy Gardstein- Main St

Comment: I support this article, I have a Master's in Public Health and I believe the opioid addiction crisis can be alleviated with marijuana for those suffering with pain. What is the limited distance for a liquor store?

Town Counsel

A. No buffer zone

Karen Grimes- Field St.

Comment- there is statistics about distance

Marie Gunnerson- Parker St

Q: Do we have a map to show distance?

A: No

Adam Conn- Acton St

Q: If this does not pass can establishments be placed anywhere?

A: No, Zoning Commissioner will determine based on nature of business.

Marius Albota-Taylor Rd.

Q: Who decided distance?

A: Planning Board

Dagmar Smith –Arthur St

Q: What happens if this fails?

A: Planning Board would take it up again but the deadline is approaching to get town Zoning By-Laws in place.

Marius Albota- Taylor Rd.

Q: State buffer zone is different than ours?

A: Yes, States is a default

Marius Albota- Comment: it is too close.

Tom Cummings- Great Rd.

Q: have we already voted as a town to accept marijuana?

A: Yes

Ken Estabrook-McKinley St.

Comment- Planning Board approached this with a very thoughtful process through Public Hearing and Special Permitting process otherwise a lot of this is by right.

This article protects us as a town. We can tighten up with another article at a later date.

Vote Open Maj. Article 14 carries

ARTICLE 15 AQUISITION OF LAND FOR FIRE DEPARTMENT

Resident Comment/Questions

Cornelia Keenan- Great Rd

Q: what is the address 146 Main St?

A: It is the legal address of the Mill

Steven Wagner

Comment: I like this site- it is a great central location

Chief Stowers: We looked at 16 sites and this one was at the top of the list.

Wendy Garcy- Sudbury St

Q: What is the traffic impact?

Vote Open Maj. Article 12 carries

ARTICLE 13 BOARD OF SELECTMEN AS LICENSE AUTHORITY CHAPTER 94G SECTION 3

Resident Comments/Questions

Ellen Greendale- Elmwood St

Q: Would a business that produces/sells/tests edibles need a permit for each of those?

A: Town Counsel: No, that would fall under a craft cultivator also the BOS and PB would oversee those licenses. There are provisions that are in place that would not allow a business to operate out of a home.

Maro Hogan- Thompson St

Q: How could a marijuana business if located at 129 Parker St operate so close to the High School?

Town Counsel

A: It cannot operate within 300 feet of a school – It does not exempt 129 Parker St. Retail is not allowed in industrial.

Vote Open Maj. Article 13 carries

ARTICLE 14 AMEND THE TOWN OF MAYNARD ZONING BY-LAWS MARIJUANA RETAILER

Resident Comments/Questions

Meghan Cryan- Old Marlboro Rd

Q: is distance from door to door or parking lot to door? From where?

Town Counsel

A: Section 4 explains exactly how it is measured.

Steven Wagner- Charles St

Q: Where did the distance of 300 feet get decided?

Town Counsel

A: Distance is decided by Planning Board and state allows for a decrease

Steve Pomfret- Durant Ave.

Q: What are regulations for establishments that have edibles? Does that fall under Board of Health?

Town Counsel

A: Not yet determined- BoH are trying to find ways to involve themselves.

Karen Grimes- Field St

Comment: I've researched surrounding town bylaws State labs have failed. Be careful where we locate these establishments. I am presenting an Article to amend Article 14 from a distance of 300ft to 1200 ft.

Town Counsel responds: Amendment is out of order and therefore not allowed to be entered. Zoning Article amendment requires a notice of Public Hearing.

Scott Murphy-Mockingbird Ln

Q: Have any come forward to open a business?

Town Counsel

A: No

A: only during emergencies would there be an impact.

Deb Roussell- Grant St

Comment: I am in favor of a new fire station and would love a community center to be considered to be an add on to this building.

Hope Davis- Dettling Rd

Q: what would happen to old fire station?

A: not ready to discuss

Ron Calabria- Deer Path

Comment: This is the limit we could get from a kind stand point and is not enough for a community center to be added.

Mara Hogan-Thompson St

Q: If approved how do you address noise matter when responding?

A: We are an emergency response department and use the sirens when needed.

Vote 2/3 Secret Maj Article 15 carries

A motion was made and seconded to dissolve the Special Town Meeting at 8:35 p.m.

Respectfully submitted

Diane N. Donovan

Assistant Town Clerk

4/3/2018

