

**Maynard Planning Board – Meeting and Public Hearing**  
**September 10, 2019 - 7 p.m.**  
**195 Main Street, Room 101**

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**Board Members Present:** Greg Tuzzolo – Chair, Andrew D’Amour, Bill Cranshaw, Jim Coleman, Chris Arsenault, Mike Uttley – Alternate Member

**Others Present:** Bill Nemser – Town Planner; Wayne Amico – Town Engineer; Tim Hess – Town Design Review Consultant; Linde Ghere – Coolidge School Working Group; Donna Dodson – Coolidge School Working Group; James MacDonald – MacDonald Development

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**Called to Order** at 7:03 p.m. by Greg Tuzzolo

**Approval of Minutes (07.09.19, 07.23.19, 08.13.19)**

*Bill Cranshaw made a motion to approve the Minutes of July 9, 2019, which was seconded by Chris Arsenault.*

***The Board voted unanimously in favor of the motion.***

*Greg Tuzzolo made a motion to approve the Minutes of July 23, 2019 and August 13, 2019, which was seconded by Chris Arsenault.*

***The Board voted unanimously in favor of the motion.***

**Update on the Coolidge School RFP for the building from by Linde Ghere of the Coolidge School Working Group (15 minutes)**

Linde Ghere and Donna Dodson of the Coolidge School Working Group presented an update on the Coolidge School RFP. Donna stated that the Working Group (the Group) was formed about a year ago. The Group has a conceptual lot layout that was put out with the RFP, which is on the Town website. All proposals will be due October 3, 2019. Rather than drawing the ANR with the RFP, the Group intends to wait to get a bid from the developer to submit those together. The Group will have to come back to the Planning Board (PB) because the property is currently in a residential zone and will require a special permit to convert it to a multi-family property. The initial idea was to create 8-10 units in the building but the Group does not feel that is possible given the dimensional requirements in the zoning by-laws as well as the parking space regulations. Their goal is to retain some of the parking that currently exists. They are in communication with Wayne Amico on the topic.

The Group will require a variance from the Zoning Board of Appeals (ZBA) in order to have only eight feet at the back of the property, instead of the required 15, to preserve the sledding hill as well as zoning relief for the setback of the parking lot. The focus at this point is to determine how to get bids, how to successfully “sell” the concept while protecting some of the town’s interests – the sledding hill,

the playground, and the parking. The Group may consider bids for just a handful of luxury units as well as bids for 8-12 non-luxury units, including one or two senior-housing units.

The Group is also in discussion with Richard Asmann regarding the possible rezoning of the park (after ANR and sale) to Open Space in order to protect that space and the town's interests.

Linde Ghere stated that the Group has gone through a couple iterations of the drawing in order to best accommodate the lot dimension requirements.

Bill Nemser, who has been involved with the Group, commented that the Group will need to address density issues as the PB will likely be the adjudicating body on that topic. Linde Ghere pointed out that it has been a regular topic of discussion for the Group and that the challenge is that the property as it exists today does not come close to the dimensional requirements set forth in the zoning by-laws. There will need to be a determination at some point of whether there can be a variance to the zoning regulations in order to maintain the interests of the town residents to maintain the sledding hill and the park. Another option would be to sell the entire parcel (including the hill and park) to a developer and include a dedicated conservation easement in the terms. However, the Group's position is that, based on feedback at the Town Meeting that would not be a desirable option for town residents.

Bid proposals will be due on October 3, 2019 and reviewed by October 10, 2019. The Group will be prepared to discuss the bids at Town Meeting, including the one that they will be recommending to the Board of Selectmen. It be voted on at Town Meeting and the Selectmen can then proceed with the sale. If the Group does not receive any viable proposals, they do not need to accept any proposal at all.

Wayne Amico stated that his team has worked extensively with the Group and that a lot of thought has been put into trying to preserve as much of the park, the sledding hill, and public access for those spaces as possible. The current draft of the property's concept configuration attempted to balance the interests of town residents with a future developer's need to have enough space for a profitable project. The Group will be open to suggestions during the PB process.

Bill Cranshaw asked if the PB would be able to act on an ANR if it made it non-conforming because the building is too close to the lot line. Bill Nemser stated that any decision the PB makes for the current configuration would be contingent upon variance approval from the ZBA. Likewise, the ZBA would need to condition any zoning variance for the subject property upon PB approval. Bill Nemser pointed out that an exception to the current zoning regulations would be a density bonus, which may or may not be applicable depending on the bids the Group receives.

Bill Cranshaw asked for clarification on who will be requesting the zoning variance and permit, the Group or the Developer. Wayne Amico stated that the Town would move forward with the ANR to subdivide the land and get the required permit from the PB, and then the developer would request permitting for the development project.

Chris Arsenault asked if the sale of the parcel would be contingent upon PB approval and if the purchaser would have recourse if the PB did not approve. Linde Ghere stated that the RFP is written that if PB approval or ZBA approval are not obtained, then the proposed purchaser has the right to withdraw their agreement. In the event that happens, the Group would issue a new RFP. Linde Ghere explained that the reason the Group is attempting to complete the approvals during the current cycle for Town

Meeting is to allow time for any potential buyer to apply for state grants before the deadline of March 1, 2020. Otherwise the Town would be paying for another year of the building to sit empty.

Linde Ghere reminded the attendees that the building requires \$4M in repairs. The Group includes a developer who has provided feedback on the financial viability for a developer to re-purpose the building.

Bill Cranshaw pointed out that utilizing inclusionary zoning (density bonus) for this project would only address the issue of lot size requirements and would not address the other issues of setback requirements, etc. Bill Nemser agreed that the other variances would still require approval from the ZBA.

Linde Ghere stated that it's likely a developer would need to build a minimum of eight units in order to begin seeing profitability and that another option could be for the building to be demolished and a brand new building constructed on the lot. However the approximate cost to the Town to demolish the building would be \$400,000. There is also the potential for another use of the property, such as a day care or school and it's possible that the Group will get a bid for that type of use, but consideration would need to be given to parking and traffic. If the property goes to a non-profit, the Town would receive no tax revenue from the property.

Tim Hess asked if the Group has had any legitimate bidders, walk-throughs, etc. The Group has had discussions with two bidders: one that would likely do a historic preservation and create rental units and the other would likely develop condos. There have been other developers that have toured the property, but the Group does not have specifics on the intended bids of those developers.

### **Public Hearing – 115 Main Street (Continued from August 13, 2019)**

Greg Tuzzolo stated that the project for 115 Main Street had been re-advertised prior to the meeting. He opened the Public Hearing. James MacDonald stated that, in the revised plans, parking is now at street level. There will be a three-story building on top of a street-level garage. The building will have 36 units, including 24 "micro units" (like studio apartments), six one-bedroom units, and six two-bedroom units.

The applicant reviewed the list of requested waivers. There are 37 parking spots being proposed, which is short of the regulations requiring 54. However, the applicant feels that the residents in the micro units will likely have one or no car. The applicant also stated that the by-laws require 1500 square feet of land per unit, which will not be fulfilled with this project as there will only be about 580 square feet of land per unit. The applicant also pointed out that the by-laws require a 20-foot rear setback from the lot line. However, the applicant has one parking space (#22) that has no setback. He explained that that parking space backs up to a parking lot. The applicant is also requesting a waiver to allow for standard parking spaces that are eight and a half feet wide instead of the required nine feet and to allow for compact parking spaces that are eight feet wide instead of the required eight and a half feet. The applicant stated that he did not conduct a traffic study but does have some data from their engineer. Their survey was done by an engineer and not a surveyor.

The applicant stated that he is continuing to work on the plans for the retaining wall. He is working with an environmental scientist (Ecotech). He is requesting that that part of the project be incorporated into the development agreement, whereby the development agreement would specify that the plans for the wall would be completed at a later date. The applicant has discovered that the wall is unlicensed, which was unexpected. They have been in contact with many different experts, including the Army Corps of Engineers, Mass DEP, Epsilon, etc. before being referred to Ecotech. All of the experts they've been in contact with have indicated that the repair process will take some time to complete given that they will have to first get the license prior to doing any work on the wall. The applicant has been in communication with Wayne Amico regarding the topic as well.

Wayne Amico suggested that it might be reasonable to have the license of the wall be a condition of any decisions the Planning Board makes with regard to this project. Because the applicant is planning improvements to the wall, it must be licensed in order for work to be done to it. Wayne Amico pointed out that his primary concern is ensuring that the wall is adequately and safely repaired once the license issue has been resolved.

Tim Hess asked if there's been any clarification as to where the western boundary of the parcel is located. The applicant stated that the entire length of the wall lies within the property line, meaning that he owns the entire retaining wall.

Access to the parking lot has been changed from Main Street to the rear of the building based on feedback regarding the traffic along Main Street coming in and out of CVS. The applicant followed Tim Hess' recommendation of utilizing that back of the property to enter. The new entry plan will require tenants in vehicles to go around to Summer Street rather than cutting through CVS' parking lot from Main Street. There has been some discussion, as part of the development agreement, to re-stripe the entire municipal lot which would add two additional parking spaces to the municipal lot.

Bill Cranshaw expressed concern about the revised parking lot layout. Greg Tuzzolo stated that it would be helpful to have a map of the entire parking lot layout, including CVS, etc. to provide some context. Bill Cranshaw feels that a traffic safety study should be done in both locations – Main Street and Summer Street access points.

Andrew D'Amour expressed concern about the number of planned units for the project. The Board discussed with the applicant whether there would be any alternatives to the number of units he's intending to build in order to come closer to the by-law requirements. The applicant stated that the project needs to make sense financially and that's why he is planning on building the number of units that are in the current plans. Bill Cranshaw pointed out that the objective of the DOD in the area of the subject property is to have commercial projects that have some residential component, not for primarily residential projects with a minor commercial component. He is not sure how the DOD criteria can be met with this project. The applicant stated that his understanding is that the Town is trying to get more housing downtown.

Greg Tuzzolo asked the applicant to address the commercial use of the space. The applicant explained that there will be seven extra parking spaces that can be used for commercial purposes. He also stated that the patrons of the commercial space will likely be able to park in the residential spaces during the days while residents are not home. He pointed out that he has a similar building down Main Street at the dental office (which is 2000 square feet vs 1800 square feet of commercial space at the subject

property) and the parking system he uses seems to work well for that location as there have been no complaints in the four years it has been open. For past projects, the applicant has not utilized assigned spots but he is willing to do so if the Board requests it. The applicant explained why assigned parking is problematic and that, in his experience with other properties, it works better when there is not assigned parking.

The applicant described what the pedestrian circulation would look like. All access points will be handicap accessible.

The applicant plans to have bike racks available. Bill Cranshaw also asked about safe storage of bikes for residents. Tim Hess recommended that the applicant consider some sort of secure bike storage for residents of the property, such as a bike cage in lieu of one of the parking spaces.

The river promenade will be paved with brick, lined with trees, and have benches for pedestrians. There will be a "living fence" (a vine wall) separating the parking lot from the promenade. Tim Hess pointed out that the living fence is not referenced in the drawings. He also asked about the width of the promenade that was referred to by the applicant. The applicant stated that the drawings were updated and submitted just prior to the meeting. The Board did not have the updated drawings in front of them, and Tim Hess asked if there is a deadline for submissions prior to the hearing. The Board confirmed that there is a deadline. Tim Hess pointed out that the updates were submitted a couple hours prior to the Public Hearing and not distributed.

Greg Tuzzolo stated that there have been some broad concerns raised and that the Board needs to determine what high-level questions they need answered and to have the applicable supporting documentation. He suggested that the Board should consider comparative studies before spending too much time on one potential plan. He recommended that the applicant provide a traffic study and other supporting material for the current proposal so that the Board can make informed decisions. The applicant stated that he will hire someone to conduct that study and ask them for alternate options to the current plan.

Wayne Amico stated that he is less concerned with traffic generation and more concerned with circulation, safety, pedestrian access, etc. He recommended that the applicant consider those areas of concern when hiring someone to conduct a traffic study.

The Board expressed general concern regarding the number of units planned for the project. Greg Tuzzolo pointed out there are a number of tradeoffs that need to be considered: amenity opportunities, financial/commercial motivations, general health/public safety. Bill Cranshaw also reminded the applicant that he will need to address how utilities will be impacted by the project. Wayne Amico stated that his understanding is that water capacity was determined to be fine but there were outstanding questions on sewer capacity that the applicant is working on. Bill Cranshaw stated that the applicant will need to provide a financial report demonstrating the offsetting of Town costs.

Wayne Amico recommended that the next step be for him and his review engineer to meet with the applicant, go through all the final comments from VHB, and review all of the feedback from the current hearing to determine what else the applicant needs to work on with regard to supporting material for their application.

Greg Tuzzolo asked for any additional comments. Tim Hess agreed that safety of people on and around the site is a critical factor. He also agreed that the Town should be sensitive to the financial viability of the project for the developer. However, he also pointed out that there is an obligation to ensure that the project works for the Town as well. Tim Hess feels that the site is powerfully unique and that a competent project will not only ensure safety, but also embrace the river by improving access and amenities related to it in addition to connecting Main Street to the Rail Trail. Greg Tuzzolo stated that he fully agrees.

Greg Tuzzolo stressed that when time has been spent on peer review for engineering and design, it confuses and complicates the process to have different design drawings to review at the hearing. The updated drawings need to be made available to those in attendance at the hearing so that everyone is looking at the most up-to-date information. Bill Cranshaw stated that he would like to see not only the most up-to-date information but also what changes were made.

*Greg Tuzzolo made a motion to continue the Public Hearing for 115 Main Street to October 22, 2019, which was seconded by Andrew D'Amour.*

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

*Greg Tuzzolo made a motion to adjourn, which was seconded by Andrew D'Amour.*

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

**Adjourned** at 9:20 p.m.