

Maynard Planning Board – Meeting and Public Hearing
November 26, 2019 - 7 p.m.
195 Main Street, Room 101

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

Others Present: Bill Nemser – Town Planner; Wayne Amico – Town Engineer; Reinardele Chaveiro – ANR Applicant; Bill Depietri – Capital Group; Justin DeMarco – DPW Director; Linde Ghery – Coolidge School Working Group

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

ANR Determination – 35 5TH Street

Bill Nemser explained that what the applicant is requesting is conforming. There is a non-conforming existing structure. Town Staff has no concerns about the request. The applicant intends to remove the non-conforming structure, which is a barn that is in poor condition. Greg Tuzzolo pointed out that the proposed property line would run directly through the existing structure.

Greg Tuzzolo made a motion to move that the ANR application does not constitute a subdivision and is entitled to ANR endorsement based on the plans as presented. The motion was seconded by Andrew D’Amour.

The Board voted unanimously in favor of the motion.

Update from DPW Director Justin DeMarco

Bill Nemser stated that he had invited Justin DeMarco to join the Planning Board (PB) meeting to give the Board members an opportunity to meet him, ask questions, and have a general discussion. Greg Tuzzolo noted that one of the criteria that the Board considers when assessing a special permit application is the capacity of the town infrastructure to handle the proposed project. Justin DeMarco asked what the current review process is for evaluating that information for each proposed project. Greg Tuzzolo asked Wayne Amico to explain.

Wayne Amico stated that, up until a few years ago, there was no formal review process in place. The applicant was required to talk to DPW and determine if their proposal was feasible and reasonable with regard to water, sewer, etc. The previous DPW Director put in place a new set of water and sewer regulations, which were adopted by the Board of Selectmen, about a year and a half ago. As part of the PB review process, Wayne Amico stated that he always recommends that the applicant meet with DPW

to review water and sewer capacity as it related to the site. DPW uses the consulting firm Stantec, which reviews each project and its impact on water and sewer infrastructure.

Greg Tuzzolo explained that while larger projects such as 129 Parker Street will entail a more detailed review, there might be smaller projects that are happening by right, and the Board is interested in understanding the overall water and sewer capacity of the town in order to address those projects proactively as needed. Andrew D'Amour further explained that there is usage that has been approved but does not yet exist, and the Board wants to understand how to factor that future usage into consideration for new proposed projects.

Justin DeMarco stated that the current process as described by Wayne Amico is the right method to continue utilizing. He has met with DPW's three consulting agencies to discuss his plans and vision for the town. He has requested three quotes from the consulting firms for modeling systems that would help address the questions being asked by the Board. Each quote is for a specific requirement: 1) modeling the capacity and production for the waste water treatment facility; 2) analysis of the Powder Mill corridor; and 3) a town-wide analysis of sewer capacity production from distribution to treatment. When he receives those three quotes, DPW will make a concerted effort to put them into the Enterprise Fund, which would be a town-paid analysis that would help various committees, including the PB. Justin DeMarco recommended that the PB continue to follow their current process in the meantime.

Bill Cranshaw stated that he feels that the current process is too localized to address overall water and sewer capacity. Justin DeMarco explained that the first and third quotes will only address sewer models and that the water models will be developed once well 4A is on line. That's the well system that is behind the Fowler School, which replaces the failed well on Rockland Avenue.

Bill Nemser pointed out that multi-family use requires a special permit. There is nothing by-right that allows multi-family other than the mill. Andrew D'Amour asked about industrial uses and stated that an industrial facility could use a significant amount of water in its operations.

Bill Cranshaw asked Justin DeMarco which study the Board should refer to in their decision-making process at this time. Justin DeMarco explained that usage is constantly fluctuating and it's not as simple as looking at usage at a moment in time. Wayne Amico stated that Stantec likely has some data on water and sewer capacity for the town of Maynard that could be utilized by the PB for its decision making.

Chris Arsenault asked Justin DeMarco if he could come back with an update for the PB. Justin stated that he will come back to the PB once he has received all the quotes. He also agreed to meet with the PB at future meetings for regular updates.

Public Hearing – 129 Parker Street/Maynard Crossings (Continued from 11.12.19 PB meeting)

The applicant presented information relevant to questions about the plan that came up during the previous meeting related to a bike rack, car stacking at the drive-thru, loading operations, etc. With regard to the bike rack, there was one shown on the original master plan at the corner of Parker Street and Digital Way. The applicant stated that there were discussions about whether or not it made sense to have the bike rack there. The applicant felt that it did not make sense to have a bike rack in that location, so it was removed from the plan and there will be landscaping in lieu of the bike rack.

Bill Cranshaw stated that he was hoping to see a pedestrian connection off of Parker Street. The applicant explained that consideration was given to putting in a sidewalk as a pedestrian connection. However it would not lead to a convenient place for pedestrians as it would lead to the back of the building. Chris Arsenault agreed with the applicant that a sidewalk leading to the back of the building wouldn't make sense, but he encouraged the applicant to include landscaping that would discourage pedestrians from wanting to access the building from that location for safety purposes (e.g. shrubs/bushes vs. just a grassy area).

The applicant said there were questions about car stacking at the drive-thru, so the applicant presented a document showing how the cars would stack at the drive thru. Chris Arsenault asked what a good rule-of-thumb is for stacking. The applicant's traffic engineer was in attendance and stated that there is capacity for seven to eleven cars at the drive-thru on the site before the main driveway is affected. That would be at peak time, prior to 9:00 a.m., after which time the queue would be fairly low. He also pointed out that there is a by-pass lane for customers who choose to park instead of waiting in the drive-thru lane. Bill Cranshaw asked if the self-parking area would be blocked when there are seven or more vehicles stacked in the drive-thru lane.

The traffic engineer estimates that there will be 99 customers per hour during the peak hours, with roughly half of those customers using the drive-thru. Andrew D'Amour asked if the delivery truck would be using the by-pass lane. The applicant stated that deliveries would not be happening during the peak business hours but rather before 5:00 a.m. or after 9:00 a.m. Bill Cranshaw asked about the fact that the Operations Manual says no deliveries before 7:00 a.m. The applicant stated that the Operations Manual does allow for deliveries during those times.

Bill Cranshaw asked about the drive-thru being half one-way and half two-way. The applicant said it's very common to have it designed that way and there will be very clear signage.

Greg Tuzzolo asked Wayne Amico for additional input. Wayne feels like the applicant has addressed all of the questions, though he pointed out that the question of the delivery hours needs to be clarified.

Greg Tuzzolo asked for public comment.

Trish Saunders of Dettling Road stated that the Town has already issued permits for the foundation of the building, and she argued that a business with a drive-thru window would qualify as retail/fast food versus grocery in terms of which section it would fall under within the Operations Manual. Bill Nemser explained that the foundation permit was issued based on approval of the site plan and that the current hearing is related specifically to the drive-thru. Trish also asked if the question about delivery hours would be addressed.

There was an extensive conversation about perceived discrepancies and lack of clarity within the Operations Manual with regard to delivery hours for the various businesses within the development. The Board discussed the potential of approving the special permit with a condition that deliveries would not occur prior to 7:00 a.m. The applicant was not amenable to that as Dunkin Donuts would need to have product delivered prior to customers arriving first thing in the morning. Greg Tuzzolo stated that he felt that a discussion related to the delivery hours and possible changes to the approved delivery hours was outside of the scope of the hearing and should be postponed to a later date.

Greg Tuzzolo asked if there were any other questions related to layout, circulation, car stacking, etc. Bill Cranshaw stated that he would like to see a condition whereby the queue would be managed such that vehicle access to the two-way self-parking area is maintained at all times. The applicant pointed out that there are operational provisions that could be put in place to address that issue, such as additional pavement markings, changes to menu items available at the drive-thru, etc. The Board agreed that, even given the assurance of the applicant, a condition should be included in the special permit that explicitly states that the site must remain safe and accessible, that traffic flow is not impeded, and that access to the two-way self-parking area is unobstructed. Bill Nemser stated that he will draft a condition to send to the Board for review. There will also be a condition that the hours shall be consistent with the approved Operations Manual.

Greg Tuzzolo reviewed all of the special permit criteria and whether or not the application for the drive-thru meets the criteria for a special permit.

Greg Tuzzolo made a motion to determine that the request meets the criteria for a special permit as described in Section 10.4 of the Zoning By-Laws. The motion was seconded by Chris Arsenault.

The Board voted unanimously in favor of the motion.

Greg Tuzzolo made a motion to issue a special permit to allow a drive-thru at Building 8 of Maynard Crossing with conditions as read into the record. The motion was seconded by Andrew D'Amour.

The Board voted unanimously in favor of the motion.

Public Hearing 86A Powdermill Road– Victory Plaza

Leo Bertolami of Victory Plaza/86A Powder Mill Road was present to request a continuance of the Public Hearing to December 10, 2019. He stated that he will have the full traffic report available to submit for review by Monday, December 2. Chris Arsenault pointed out that that would not provide the required two weeks for review. The applicant agreed to a continuance to January 14, 2020.

Jim Coleman made a motion to continue the Public Hearing to January 14, 2020, which was seconded by Andrew D'Amour.

The Board voted unanimously in favor of the motion.

Town Planner Update

Linde Ghere was in attendance to provide an update on the Coolidge School project. She stated that at Special Town Meeting, the town voted to sell the property and the Board of Selectmen approved the sale. Bill Nemser set up a meeting with the development group that is buying the property for December 18, 2019. Andrew D'Amour asked to see the proposal. Bill Nemser stated that it is available on the

Town's website. Linde Ghere stated that the working group has been trying to work in the interests of the town, including the people who attended the Coolidge School and want to see it preserved as well as the people who want to see the open space of the playground protected. She mentioned that the developer will be meeting with the Affordable Housing Trust (AHT) the day before the meeting with Bill Nemser because the AHT has some grant money that they might be able to put toward the project. She offered to set up a meeting with the Board and the developer prior to any deliberations.

Bill Nemser explained that the PB would be considering topics related to multi-family use of the property whereas the Zoning Board of Appeals would consider anything related to the dimensional requirements of the property. Bill will provide a summary to the PB after he meets with the developer.

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

The Board voted unanimously in favor of the motion.

Adjourned at 9:09 p.m.