

**Maynard Planning Board Meeting**  
**November 23, 2021 – 7:00 p.m.**  
**(Held in person at Town Hall with remote participation available via Zoom)**

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**Board Members Present:** Chris Arsenault – *Chair*; Jim Coleman – Vice Chair; Bill Cranshaw; Bob Brown; Annette Garabedian

**Others Present:** Bill Nemser – *Planning Director*; Nick Dimopoulos – *170 Main Street Applicant*

**Called to Order** at 7:01 p.m. by Chris Arsenault

**Minutes Approval (10.12.21 and 11.09.21)**

*Annette Garabedian made a motion to approve the Minutes of 10.12.21, which was seconded by Bill Cranshaw.*

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

*Jim Coleman made a motion to accept the Minutes of 11.09.21, which was seconded by Bob Brown.*

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

**170 Main Street (Jimmy’s Gas) – Site Plan and Special Permit Approval Extension Request**

Bill Nemser provided a brief summary of the history of the project. He noted that there is a provision in the Zoning By-laws (ZBL) that construction must commence within 24 months of a special permit being granted unless there is good cause, as determined by the Planning Board. Chris Arsenault noted that there was an email from Town Counsel included in the staff report indicating that the Planning Board can extend the approval if they find good cause to do so. Bill Cranshaw pointed out that there will likely need to be a future discussion about how long after an approval has expired that the Planning Board can still consider an extension request. The applicant for the subject property was under the impression that the special permit expires in December 2021. However, the special permit expired in the spring of 2021. Bill Cranshaw asked if there are rules that dictate the acceptable length of an extension. Bill Nemser stated that it is up to the discretion of the Board.

The applicant, Nick Dimopoulos appeared in-person for the meeting and noted that the special permit wasn’t recorded on the Register of Deeds until December 9. He did not realize it was approved in April or else he would have requested the extension sooner. The applicant indicated that he was working on financing through the bank but with everything shut down due to COVID, the business was operating at a significantly lower rate than prior to the pandemic. Once things started to pick back up, he started the process of financing and reviewing contractors but ran into issues with contractor availability. He is

requesting a yearlong extension but will abide by whatever extension the Board decides to give if they grant one.

Chris Arsenault asked the Board for feedback. Bill Cranshaw stated that he would consider an even longer extension, to June of 2023, in order to allow sufficient time for the applicant to begin the project. Chris Arsenault asked Bill Nemser if there would be a downside to a longer extension. Bill Nemser stated that the reason the provision exists is to prevent warehousing of projects during normal times. However, the pandemic has created an abnormal environment. He does not see a downside to a longer extension. Jim Coleman expressed concern that the coming year is uncertain with regard to COVID and that he would, therefore, be in favor of extending the approval for two years from April 2021. Bill Cranshaw noted that the effective date of the special permit approval was in May of 2021. The applicant anticipates beginning construction in spring of 2022. Bob Brown expressed concern with setting precedent with a two-year extension for other applicants who might request an extension with good cause. Jim Coleman feels that the extraordinary times caused by the pandemic provide a valid reason for a longer extension.

*Jim Coleman made a motion that the Board finds good cause for an extension of the special permit approval for 170 Main Street, which was seconded by Chris Arsenault.*

Chris Arsenault stated the good cause to be the designation of the COVID-19 pandemic by the federal government, financial impacts, and other associated impacts of the pandemic. Bill Cranshaw also pointed out that the property has not changed hands and that it is the original applicant requesting the extension.

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

*Chris Arsenault made a motion to extend the Planning Board Decision permit for the project at 170 Main Street until May 12, 2023, which was seconded by Jim Coleman.*

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

## **Planning Update**

Chris Arsenault stated that he had met with the Maynard Tree Committee the previous morning. The Committee has been in place for about a year. They are coordinating with Justin DeMarco of DPW. Their charge is to consider the development and protection of trees throughout Maynard. Chris Arsenault invited the Committee to join a Board meeting after the holidays to get their perspective. The Committee has some ideas for possible zoning changes. Chris Arsenault recommended they send their ideas to the Board for consideration. It was noted that there is also a Maynard Tree Corps but that the Committee is a town representative.

Jim Coleman stated that when he built his first house in Maynard in 1958, it was a requirement to have two trees on each lot in the front yard. Bill Nemser stated that it is still a requirement for subdivision plans. Bill Nemser said there have been programs in the past for tree giveaways, which provided an opportunity for public education.

Chris Arsenault stated that he had been invited to the Finance Committee's most recent meeting. He attended that meeting and shared the Planning Board's FY2022 priorities with the Committee. He stated that the Committee is interested in better understanding the Master Plan priority initiatives. Bill Nemser noted that the Committee was very complimentary of the Planning Board and their efforts. They are interested in the idea of a Powder Mill Overlay District.

Bill Nemser stated that members of the Beijing Royal School are back in town, with the full leadership teaming coming within the next couple weeks. Bill Nemser and Justin DeMarco met with the school representatives who are in Maynard right now. There is sufficient town water for the school to open in the existing structure, but Bill Nemser stated that he would need to know right away and coordinate with DPW if there is additional construction required so that the town can plan for water and sewage requirements.

The school is still planning on K-12 for the initial stage, which will only encompass one wing of the building with plans for R&D on the other side in the future. Jim Coleman asked if the school has a timeline for beginning work on the property. Bill Nemser stated that they are very optimistic that they can get started right away. He noted that they have already stripped out the interior of the building. Jim Coleman asked how many students there would be. Bill Nemser stated that they are planning to start with less than 200. (Bill Nemser noted that there are 15,000 students at the Beijing location of the school.)

Bill Nemser stated that the space of the former Battle Road Brewery has been taken over by Bull Spit Brewery, a successful business from the western part of the state that needed to expand its production and distribution. They have already received their liquor license from the Select Board. Bob Brown asked if there would be a restaurant component. Bill Nemser stated that, although that is not typically part of their business model, they will have a restaurant at the mill location.

Bill Nemser stated that at the next meeting, he will have the condo association from 31 Main Street come in front of the Board to discuss the lighting situation so that the Board can determine whether the third light that was installed is acceptable or not.

Bill Cranshaw provided an update on the potential home-based business zoning revisions. The working group is targeting initial public outreach for December. In January there would likely be a virtual workshop for additional input followed by a draft proposal the following month. There is a survey being developed to gather initial feedback from the public. Bill Nemser stated that he received a letter of concern from a resident. He provided a copy of the letter to the Board members.

There is a new Assistant Town Planner/Conservation Agent who will be starting in December.

Chris Arsenault asked Bill Nemser if there are any updates on the Powder Mill Corridor initiative. Bill Nemser stated that there is one more MAPC meeting that is pending. Bill Nemser and Bob Brown will submit another technical assistance grant for the waterfront initiative. Bob Brown stated that he has done some research to determine different potential sources of money to help the Board develop their riverfront ideas. He also looked at the types of riverfront projects that other communities have undertaken. He suggested that a next step could be to reach out to some contacts from those communities to gather feedback and information that might help the Board determine how to approach upcoming riverfront projects. Bob Brown stated that he was unsure of what authority he has to pursue

those types of conversations for information gathering purposes. Bill Cranshaw noted that a Board member can never represent him or herself as a representative of the Town without permission from the Board to do so.

Bill Cranshaw stated that he feels that the Board needs to determine what they envision for riverfront development prior to pursuing specific grant information. Jim Coleman stated that he feels it would be helpful to have more information from the type of research Bob Brown discussed so that he can better envision what he wants to see done with the riverfront. The Board debated whether it makes sense for Bob Brown to do more research now or not. Bill Cranshaw stated that he would want to know how other communities gained access to their riverfront areas. Bill Nemser stated that the Select Board authorized the Town Administrator to move forward with Host Community Agreement negotiation with Upa Inc. Marijuana Delivery, whose location will be at 2 Powder Mill Road. He noted that, as a result, the Board might be presented with a project that could affect the riverfront and that it would be nice to have some riverfront ideas prior to that time. Chris Arsenault stated that he would like to understand from Bob Brown's research the process that other communities went through with their riverfront development. Bill Cranshaw wondered what other towns Maynard might want to emulate in its riverfront development. He also noted that his goal would be access along the entire riverfront rather than having specific access points.

Chris Arsenault stated that he is in full support of Bob Brown doing further research and gathering information that will help the Board create a vision for the riverfront. He pointed out that the only caveat would be to not use Town resources.

Bill Nemser stated that at the next meeting on the 14th, the Board will review a petition for a special permit for a veterinary clinic at Maynard Crossing. Chris Arsenault stated that the December 28 meeting should be cancelled.

*Jim Coleman made a motion to close the meeting, which was seconded by Bob Brown.*

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

**Adjourned** at 8:05 p.m.