

Maynard Planning Board Meeting and Public Hearing
January 11, 2022 – 7:00 p.m.
(Held remotely via Zoom)

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

Others Present: Bill Nemser – *Planning Director*; Julia Miller – *Assistant Town Planner/Conservation Agent*; Mike Petrovick – *Architect for Veterinary Clinic/Applicant LPS Maynard, LLC*;

Called to Order at 7:00 p.m. by Chris Arsenault

Chris Arsenault asked each Board member if they were able to fully participate in the meeting remotely. Bob Brown stated that he can fully participate in the meeting but must recuse himself from the Maynard Crossing Public Hearing because he is an abutter to the project. All other Board Members stated that they can fully participate.

Minutes Approval (12.14.21)

Jim Coleman made a motion to approve the Minutes of 12.14.21, which was seconded by Bill Cranshaw.

The Board voted unanimously in favor of the motion (roll call).

Public Hearing – Special Permit Request for Veterinary Clinic at Maynard Crossing

The applicant, LPS Maynard, LLC, is requesting a special permit for a veterinary clinic at Maynard Crossing in Building R-2, Unit 15-4. Present on the call to represent the applicant during the Public Hearing was architect Mike Petrovick.

Bill Nemser provided a brief background, stating that the Maynard Crossing project was approved in 2016. There is a concept plan associated with the project that is accompanied by a regulatory framework in the Zoning By-laws (ZBL). There is a requirement for any project within Maynard Crossing that requires a special permit, there must be a finding by the Planning Board (PB) that it is generally consistent with the concept plan. A veterinary clinic is one of the approved uses at the site; however, it does require a special permit.

Mike Petrovick presented a map of Maynard Crossing and pointed out that the subject property would be located in the R-2 Building, which is in the far northwest corner of the shopping center, directly adjacent to Planet Fitness. It is a 5300 square-foot facility. The applicant does not intend to do any exterior work to the building. Mike Petrovick pointed out that the flow through the facility would be through the main entrance, though there is a side emergency exit that would also be used for clients to leave privately after euthanasia of their pet. There is an area of the facility that is labeled as “kennel”;

however, it only reflects the holding area for the animals. Most of the animals are only at the facility during the day, though there might be some who stay overnight after surgery. There will only be one veterinarian on duty at any given time with two to four technicians there at the same time. Mike Petrovick reiterated that veterinary use is approved for the site. He noted that the use would be very quiet and that clients are only seen by appointment, not walk ins. Therefore, the flow of clients is very regulated with set hours.

Jim Coleman asked what the hours of operation are intended to be and what the experience of the veterinarian is. Mike Petrovick stated that the hours will be 9 a.m. until 6 p.m. with the potential for a later closing around 7 or 8 p.m. one night of the week. The facility would be open six or seven days per week. The company hires seasoned veterinarians who have experience running an independent facility. There are usually two or three veterinarians assigned to each facility but only one of them at the clinic at a time. Jim Coleman asked Mike Petrovick to cite some examples of other clinics that are managed by the applicant. He stated that there is one facility in Hudson, NH with a primary veterinarian with eight years of experience as well as two backup veterinarians with four and five years of experience. There is also a facility in Braintree, MA but he was not sure of the years of experience of the veterinarians at that location.

Bill Cranshaw stated that he heard Mike Petrovick say that there would be no overnight boarding of animals except in the event of recovery from surgery or medical observation. He asked if that could be a condition of approval. Mike Petrovick felt that having a condition for only one overnight stay might create a challenge for the applicant since there might be extenuating circumstances that require a pet to spend more than one night. Bill Cranshaw noted that he was interested in distinguishing between a medically required boarding and standard boarding. Mike Petrovick stated that from a building permit perspective, there is a drastic difference with very strict code requirements for a kennel. The applicant does not intend to pursue those structural changes or requirements since there is no intent to board animals outside of short-term medical situations.

Annette Garabedian asked about after-hours emergency veterinary care. Mike Petrovick spoke from his own experience with pets, stating that this type of facility would not be equipped to handle after-hours emergencies and that clients would need to go to an emergency clinic.

Bill Cranshaw asked how pet waste will be handled. Mike Petrovick stated that individual owners would be responsible for their pets and that the facility does not have an exterior part of the facility where pets would be walked. Bill Cranshaw noted that could be a condition of approval. Mike Petrovick stated that would be fine.

Annette Garabedian asked if there are any controlled substances for the pets and, if so, if they would be kept in a locked and secured area. Mike Petrovick stated that controlled substances would be kept in a locked cabinet and that there are state guidelines for how that is managed.

Chris Arsenault asked if there would be any signage restricting clients from allowing their pets to eliminate outside of the building. Mike Petrovick stated that there is no requirement for that in their lease and that they have not been asked to do so. He noted that there is a public walkway at the exterior of the building and that it would be difficult to prevent people from walking their pets in that area.

Annette Garabedian asked where the facility's dumpsters are located. Mike Petrovick noted on the property map where the dumpsters are located, at the northern corner of the R-2 building. He pointed out that medical waste is handled differently, with all of that waste contained on site and collected by a private company that is contracted by the applicant. He reiterated that all of the medical waste is kept inside; nothing is kept outside of the building.

With regard to signage regarding walking pets/pet waste, Chris Arsenault stated that he would be hesitant to include a condition without first getting feedback from the developer. Bill Nemser stated that there could be a probationary period as a condition and that he could check in with the property manager to see if there have been any issues within that probation period of time.

Annette Garabedian asked where pets that are required to stay overnight relieve themselves and whether any employees are there with the pets overnight. Mike Petrovick stated that the pets are not taken outside to relieve themselves and that there is an employee that would stay overnight with the animal(s).

Jim Coleman stated that he is glad to see this type of facility coming to Maynard and noted that Maynard is a pet-friendly town.

Chris Arsenault suggested that a condition of approval be that the applicant and property manager provide a report to Town Staff in six months indicating the condition of the exterior of the subject property with regard to pet waste. There were no objections from the other Board members to that condition.

Bill Cranshaw asked if there could also be a condition stating that the veterinary employees will not bring the animals outside to relieve themselves or for exercise.

Chris Arsenault made a motion that the applicant meets the special criteria for Special Permit as described in Section 10.4 of the ZBL, which was seconded by Bill Cranshaw.

The Board voted unanimously in favor of the motion (roll call).

(Bob Brown was recused from voting. Annette Garabedian voted as an Acting Board Member.)

Chris Arsenault made a motion to approve the Special Permit for a veterinary clinic in Building R-2, Unit 15-4 at Maynard Crossing with the following two conditions:

- 1) The applicant must report to Town Staff in six months regarding the condition of the exterior of the building as it relates to pet waste.*
- 2) The veterinary staff will not be walking animals to relieve themselves outside of the building.*

The motion was seconded by Jim Coleman.

The Board voted unanimously in favor of the motion (roll call).

(Bob Brown was recused from voting. Annette Garabedian voted as an Acting Board Member.)

Jim Coleman made a motion to close the Public Hearing, which was seconded by Chris Arsenault.

The Board voted unanimously in favor of the motion (roll call).

(Bob Brown was recused from voting. Annette Garabedian voted as an Acting Board Member.)

Planning Update

Bill Nemser had received the final draft of the Powder Mill Corridor Study, which he distributed to the Board Members last week. He received some comments back but is still accepting comments from the Board. Bill Nemser is almost done writing the grant request for “Phase 2” of the Powder Mill Corridor Study. There is still a portion of the original grant to be utilized (in the form of in-kind services), which will be a presentation from MAPC as part of a joint meeting between the PB and the Select Board. The Select Board has agreed to a joint meeting on a future PB Meeting date. The goal is to have the joint meeting take place prior to March. Bill Nemser will review the topics and agendas for the upcoming meetings to determine the best time to have the joint meeting take place.

There will be a Special PB Meeting and Public Workshop to discuss the potential Home Occupation revisions of the ZBL on Wednesday, February 9, 2022. Chris Arsenault asked if it would be possible for him to meet with Bill Nemser, Bill Cranshaw, and a member of the ZBA to have a better understanding of the goals and objectives of the Special Meeting. The public survey should be published imminently.

Bill Nemser stated that Building R-3 of Maynard Crossing was originally going to be a big-box store. There will be an agenda item in an upcoming PB Meeting to discuss proposed changes to the original plan. The applicant proposes changing the building to be called R-3a and R-3b, which will allow for smaller tenants in lieu of one big-box store. There would be a courtyard between the two buildings. The change includes a reduction in total square footage as well as impervious surface and an increase in parking. Bill Nemser will be forwarding the information to the Board for review.

Chris Arsenault asked if there are any updates to the topic of Maynard being an MBTA community. Bill Nemser explained that the state has created a piece of legislation that is part of Chapter 40A (growth management laws) that says that MBTA-served communities must provide a certain level of zoned districts at a high density (defined as 15 units per acre). If a community does not comply with that requirement by a particular date, it will not be eligible to receive certain grants such as MassWorks. Bill Nemser has spoken with some colleagues from DHCD, MAPC, and MAGIC, and many small towns are upset about the proposed legislation. There is an open comment period that will close at the end of March. Before the DHCD has any regulations in place, they want feedback from the various communities. Bill Nemser is currently collecting feedback from Board Members and others to present to the Select Board. Bill Nemser stated that he is proud of all the progress Maynard has made with regard to affordable housing, density, and other housing efforts. He feels that the new legislation would be very unfair and unreasonable with requirements that are not even feasible for a town like Maynard (e.g. 50 contiguous acres). Bill Nemser invited the Board members to join the DHCD online meeting taking place on 01.12.22.

Chris Arsenault asked Bill Nemser to discuss Complete Streets and what it means for Maynard. Bill Nemser stated that there was a presentation done several years ago on the topic and that he would forward it to the Board members as a good reference for understanding. He sees Complete Streets as a

philosophy that promotes non-motorized circulation. The basic premise is that everyone has the right to use the streets; they are not just for motor vehicles. It doesn't always have to be related to bike lanes. For example, Maynard just received a grant for curb bump-outs to help calm traffic and improve accessibility. Other examples would be adding or improving a crosswalk or widening a sidewalk. Maynard adopted a Complete Streets resolution around 2013 and a Complete Streets policy around 2016, acknowledging that the Town will try to incorporate components of Complete Streets wherever possible. The greatest challenge is the limitation of DPW's budget. However, improvements can be incorporated into new projects that come before the Board for approval. Bill Nemser stated that the question that comes up a lot is, when the Board is doing mitigation or amendments, there needs to be more concrete requirements to meet Complete Streets goals. Bill Cranshaw pointed out that applicants should be doing transportation studies rather than traffic studies in order to consistently and equally consider all forms of transportation and not just vehicles.

The Board and Bill Nemser continued to discuss Complete Streets in general and then spoke about its specific impact on the Powder Mill Corridor initiative. There was a discussion about ways to manage Complete Streets goals in a proportional way. Bill Nemser gave some suggestions of Complete Streets ideas for downtown, side as widening sidewalks and creating more outdoor dining space.

Jim Coleman stated that at 129 Parker Street, the developer has almost finished enclosing the dumpsters on three sides. He asked Bill Nemser if the developer will be fully enclosing the dumpster areas instead of having one side open. Bill Nemser stated that he could not recall the plans but will check.

Jim Coleman stated that he was able to join an MAPC meeting regarding strip-mall conversion. There was an example showing the conversion of the Woburn mall, but Jim Coleman pointed out that what Maynard did with the Maynard Crossing project was a better demonstration of the elements discussed during the meeting. Chris Arsenault agreed.

Bill Nemser introduced new Conservation Agent/Assistant Town Planner, Julia Miller. Julia was on the call and stated that she has requested a change to the Conservation Commission's regular meeting days so that they are not in conflict with the Planning Board, and she can more fully participate in the PB Meetings going forward.

Jim Coleman made a motion to close the meeting, which was seconded by Chris Arsenault.

The Board voted unanimously in favor of the motion (roll call).

Adjourned at 8:41 p.m.