

Maynard Planning Board Meeting
March 22, 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 Flanary – Assistant Town Planner

Called to Order at 7:04 pm by Chair Arsenault

Chair Arsenault conducted a roll call to ensure each Planning Board Member was able to hear the meeting and could be heard.

Chair Arsenault invited comments on the minutes of the March 8, 2022 Planning Board meeting. Mr. Cranshaw stated that his name was misspelled in a few instances. Mr. Nemser corrected the misspellings.

Chair Arsenault made a motion to approve the minutes of the March 8, 2022 meeting as amended, which was seconded by Jim Coleman.

The Board voted unanimously in favor of the motion.

Special Working Group – 2 Waltham Street /2 Powdermill Road Project

Chair Arsenault stated that the Select Board has requested that two Planning Board members join a working group to discuss the 2 Waltham St /2 Powdermill Rd properties, which have been acquired by a developer. He asked Mr. Nemser to give background on the project. Mr. Nemser stated that there will be a marijuana delivery business, which will be reviewed by the Planning Board during the special permitting process. The proposed mixed use, multiphase project will include residential units and benefit from the density bonus of the Downtown Overlay District (DOD). The project will require a site plan and special permits, as well as a Memorandum of Agreement between the town and the developer. It is advantageous for members of both Boards to negotiate the Host Community Agreement for the marijuana delivery business concurrently with the development agreement.

Chair Arsenault asked if members of the Planning Board would have input during the process as several members have specialized knowledge. Mr. Nemser stated that the working group would discuss the general blueprint, and report back to the main Boards for input.

Ms. Robert inquired what the timeline for the working group would be. Ms. Flanary explained that it is a multiphase project and the timeline is somewhat uncertain. The developers have already received some of the necessary conservation permitting. They will need a special permit to add a second story to a preexisting non-conforming structure. She stated that the working group process will allow Board members a better understanding of the scope of the proposed projects.

Mr. Cranshaw asked if affordable housing would be a part of the residential project and questioned the timing of a working group around a development that may not materialize this fiscal year. Mr. Nemser replied that the Select Board wants to ensure that if they issue a Host Community Agreement for the marijuana delivery business, that the adjacent property development will also benefit the town using the DOD criteria.

It was decided that Mr. Brown and Chair Arsenault will be the two Planning Board representatives to the working group. Other Board members have special assignments as follows: Mr. Brown is supporting the Powdermill Road corridor study, Mr. Coleman is working on Mill and Main development, Ms. Robert is working on accessory dwelling units (ADU's) and Ms. Garabedian will be assigned a special project as appropriate.

Home Occupation Amendment Review

Mr. Nemser has amended the draft of the Bylaws considering community survey responses and input from the Select Board.

Mr. Cranshaw outlined some of the issues the Board will have to consider regarding Home Occupation. These include noise, traffic, parking, crowding and population density. He asked for the Board's input on these issues. Mr. Brown stated he thought most home businesses should go through special permit.

Mr. Nemser proposed that potential issues could be resolved by Code Enforcement. For example, a noise complaint is investigated by the Building Commissioner or designee. If there is cause, a citation would be issued.

Ms. Garabedian suggested that certain activities (music lessons) can be very loud and should be allowed by special permit with conditions (soundproofing). Mr. Nemser argued that it shouldn't be too prohibitive or restrictive, which could impede the special permitting process.

Mr. Coleman added that he sent an email to Chair Arsenault and Mr. Nemser that may be shared with the Planning Board. He advised that we outline criteria with factors such as employees, parking/traffic and noise. To be objective, noise should be measured by decibel count and not individual perception.

Ms. Robert stated that there should be recourse for neighbors who may be bothered by noise or other irritants. Without an enforceable noise code, these issues become moot.

Mr. Brown stated he is concerned with the town carrying the burden to enforce. If the Building Inspector is expected to enforce and somebody is not cooperative, it's a waste of town resources. He

added that measuring noise at a property boundary versus units in a building is very different and perhaps not practicable. It would be more efficient to impose a special permitting process.

Mr. Nemser emphasized that the Board consider activities "typically associated with a residential neighborhood." These are secondary uses to the residential zone – not mixed use. Ms. Flanary responded that we need to be mindful of wording describing "typical neighborhood activities," which could be construed as exclusionary.

Downtown Overlay District (DOD) Review

The discussion was guided by the Master Plan Goal H3-1.

Mr. Cranshaw gave a brief history of some of the DOD projects in the past. The intent was to propel redevelopment of the downtown area, but other minor projects have been included. One of the goals is to make sure that the DOD is indeed mixed use with commercial properties at street level and residential upper levels. Many of the projects have been teardowns or redevelopments. A lot of the downtown area is underused, especially in the upper levels.

Mr. Nemser added that the DOD projects have improved the look of businesses along Main Street, thus prompting other businesses to upgrade/update their storefronts.

Chair Arsenault asked Mr. Coleman for his opinion on the DOD. Mr. Coleman reminded the Board that everything is driven by economics and codes. Every building we have is unique, with old and new structures. Some things are just not economically feasible in a given time. For example, the upper floor of the Walgreen's property on Main Street that has been vacant. However, overall the DOD projects have been beneficial to the town.

Ms. Robert raised a question about the geographic outline of the DOD zoning district. The DOD guidelines have propelled certain projects forward, specific to the Assabet River and the nature of downtown, and she would like to see more of that. Ms. Flanary stated that some of the maps for the zoning district do not align and that she would like to correct that.

Mr. Brown agreed that it can be prohibitively expensive to retrofit some of these buildings with sprinklers and elevators and to make them ADA compliant. These are some of the challenges we face with redevelopment of older buildings.

Ms. Garabedian suggested obtaining a grant for improvement of the area, and other Board members agreed. Many of the upper floor units are rented by younger people pooling their money and living together due to the cost. Mr. Nemser responded that Mass Development has programs for reactivation of underutilized properties that we could investigate.

Mr. Cranshaw pointed out that housing availability in the DOD is extremely successful. There has been an increase in affordable housing stock and total number of available units. Mr. Nemser added that rental units and condos in the town are quickly filled and that the key would be reactivating those upper

floor units. A program through Mass Development or the Affordable Housing Trust would make them more appealing and invite a younger demographic.

Chair Arsenault suggested we review our criteria for the special permitting in the DOD, to help encourage development of the upper floors and to ensure goals are in alignment. Mr. Nemser agreed there may be incentives available and offered to circulate his pamphlet on Upper Floor Redevelopment.

Ms. Flanary pointed out that another success story is lighting design in the town. Appropriate lighting design by businesses makes the community more inviting and open, as well as conducive to nightlife.

Chair Arsenault brought up the issue of parking related to housing, indicating that the best use of land in an area is centralized parking, for example a parking garage. Mr. Cranshaw responded that the bylaws for parking in a residential district have been amended to account for the number of bedrooms contained within. Mr. Nemser proposed that if the developer deems parking in an area is adequate, we shouldn't feel the need to add more. If someone is parked in an illegal space, they should be ticketed. Ms. Flanary stated that due to winter parking rules, some residents are permitted to park in municipal parking lots. Chair Arsenault added that Complete Street projects may lower the demand for car parking.

Chair Arsenault noted the following items for follow-up and further discussion: DOD boundaries; economic impacts; use of data mapping and geographic analysis tools; zoning to encourage upper floor development. Successes include available housing, lighting design and outdoor dining downtown.

Planning Update

Mr. Nemser notified the Board of receipt of a grant for Phase II of the Powdermill Corridor Study.

In-person meetings can start April 1. Mr. Arsenault stated that all meetings will be hybrid going forward.

Mr. Nemser offered to send a video link for a presentation on Hudson's downtown redevelopment to the Board.

Ms. Flanary stated she is working on the Home Occupation bylaws amendment, as well as the MBTA Communities initiative.

Mr. Coleman made a motion to close the meeting, which Ms. Robert seconded.

The Board voted unanimously to close the meeting via roll call.

The meeting was adjourned at 8:56 pm