

**Maynard Planning Board Meeting**  
**June 28, 2022 – 7:00 p.m.**  
**(Hybrid – Town Hall and Zoom)**

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

**Others Present:** Bill Nemser – Planning Director; Julia Flanary – Assistant Town Planner; Wayne Amico – Town Engineer

**Called to Order** at 7:03 pm by Chair Arsenault

**Wisteria Lane Subdivision – Bond Reduction Request**

Scott Erikson of Perkins & Anctil presented on behalf of the developers. The firm has been working with Mr. Amico to fulfill minor requirements including as-built plans and solar and pedestrian lighting. They are seeking a reduction in the \$144,000 bond in the amount of \$100,000. Mr. Nemser shared the detailed breakdown of remaining items to be fulfilled, which Mr. Amico reviewed for the Board. The remaining items total \$37,800. Chair Arsenault asked if any items would need to come before the Board and was told they would not.

*Chair Arsenault made a motion to reduce the bond from \$144,000 to \$37,800, which was seconded by Mr. Coleman.*

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

**39-43 Main Street – Approval Not Required (ANR)**

Mr. Nemser reviewed the project for the Board, including the Approval Not Required (ANR) definition for subdivision control. Criteria for the ANR are: 1. Minimum frontage requirements on a recognized way 2. Conforming structure for dimensional requirements 3. Structures already in place. The Board should find that the project either meets or does not meet the criteria. Mr. Cranshaw added that it is a question of lot size and shape, not usage.

The site in question is the former Aubuchon hardware store in Naylor Court. The agent for the applicant presented the site plan. This application is to create a separate parcel (Parcel X on the

site plan) to be conveyed to an adjoiner. The entire parcel would be split in two. There are no changes to the building structure being proposed. There is sufficient access for emergency vehicles (vital access). The site meets zoning requirements for frontage and dimensions.

*Chair Arsenault made a motion that the signed plan dated 6/10/2022 meets the ANR criteria and does not constitute a subdivision. The motion was seconded by Jim Coleman.*

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

### **Release from Covenant - Olde Marlborough Estates**

Mr. Nemser presented the relevant history. The property in question was built in 1988 and never released from covenant to build roads and add lighting, etc. The bond was removed but the covenant was never released, which affects the title status and possible sale of the property. Mr. Nemser explained that the covenant is an agreement between the town and the developer to provide guarantees for construction of roads, DPW standards, streetlights, curbing and sidewalks and trees.

*Chair Arsenault made a motion to release the Olde Marlborough Road Estates subdivision (currently known as Tobin Drive) from the covenant dated 8/23/1988, registered in the Middlesex Court of Deeds book 19311 page 192. The motion was seconded by Mr. Coleman.*

***The Board voted unanimously in favor of the motion. (Cranshaw recused from discussion and vote)***

### **Discussion - Home Based Businesses Working Group Update**

Mr. Cranshaw stated that a preliminary draft has been distributed to ZBA and PB members, and members should submit comments to their Chairs this week.

There was a discussion of the commercial vehicle by-right of one vehicle of 25,000 pounds in the General Residential Zone. Mr. Coleman suggested to reduce it to 12-14,000 pounds as a 25,000-pound truck is quite large.

Chair Arsenault asked about the prohibited uses listed in the draft. Mr. Cranshaw explained that body art is already a prohibited home occupation and the others are uses frequently prohibited in similar ordinances. Mr. Cranshaw suggested that the Planning Board may want to revisit the

Body Art restrictions in the ZBL. Mr. Nemser stated that permanent makeup falls under body art and has specific regulations. Could also include piercing.

Ms. Garabedian asked about Airbnb and similar services. Mr. Cranshaw responded that that is another separate area that needs to be worked on, as is daycare, which has its own rules and zoning.

Chair Arsenault pointed out there is a difference between ancillary use and primary/full time use. This project consolidates customary home occupation and trade shops.

Chair Arsenault opened the floor to public comment. Andy Moerlein of 123 Summer St. offered his support of the project. He asked if there is a working document to review. The draft will be released for public comment in the coming weeks.

### **Approval of Minutes**

The Board reviewed the minutes of 02/08/22, 02/09/22 and 05/24/22.

*Mr. Cranshaw made a motion to approve the minutes of February 8, 2022, which was seconded by Chair Arsenault.*

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

*Mr. Cranshaw made a motion to approve the minutes of February 9, 2022, which was seconded by Chair Arsenault.*

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

*Mr. Cranshaw made a motion to approve the minutes of May 24, 2022, which was seconded by Chair Arsenault.*

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

### **Overlay Zoning Districts - Reading Material**

Mr. Nemser has added articles of interest to Board Docs for the Board's review.

### **Updates from the Planning Director**

The health agent has accepted a new position and will be leaving. The Town hired a new clerk. Jazzfest was a success, making great use of the space in the Basin in front of the mural. Hopefully it will happen annually. Turnout was steady, but outbound advertising efforts could be improved. Ms. Lynda Thayer stated that the hope is to do it again next year. Ms. Thayer asked what people's sources of information are, so that we can increase awareness.

The second Powdermill Corridor grant was received. The funds must be spent by next summer. This is a multijurisdictional project. One of the goals is to create 4-5 blueprints with Complete Streets templates, waterfront templates, etc. Chair Arsenault remarked that we should use the prior discussions by the Board to guide the project going forward.

Chair Arsenault congratulated the Board for meeting goals for the fiscal year. He asked the Board if they are comfortable with their special projects; Board members responded that they are.

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

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

**Meeting closed: 8:37 p.m.**