

Maynard Zoning Board of Appeals (ZBA) Meeting and Public Hearing
January 23, 2023 – 7:00 p.m.
(Held remotely via Zoom)

ZBA Board Members Present: Scheiner– Chair; Page Czepiga – Vice Chair; Leslie Bryant; Brad Schultz, alternate; Jerry Culbert; John Courville

Others Present: Bill Nemser – Planning Director; Julia Flanary – Assistant Planning Director

Called to Order at 7:02 p.m. by Chair Scheiner.

Approval of the Minutes of December 19, 2022

Ms. Bryant made a motion to approve the minutes of the December 19, 2022 meeting of the Maynard Zoning Board of Appeals, which was seconded by Mr. Courville.

The Board voted unanimously in favor of motion by hand.

Public Hearing

Continued from ZBA Meeting of 12.19.22: Special Permit Application filed by Justin King, 18 Garfield Ave., Maynard, MA 01754. The applicant resides at the subject property, a single-family dwelling located in Zone S-1 (Single Residence District). Per Maynard Town By-laws Section 3.2.5, the petitioner is requesting a Special Permit for a Trade Shop use to operate a small-engine repair business at his residence.

Mr. Harris is looking into having gates installed on the property. He has spoken to the Fire Chief and will be switching to 30 gallon containers to hold waste materials.

Mr. Scheiner said the Fire Chief was concerned about the amount of gasoline being stored and asked Mr. Harris how much he was storing. He is storing 10 gallons. Chemicals such as spray paint, brake cleaner and carburetor cleaner would be used on the property anyway since he maintains his own equipment.

The Board reviewed the criteria for considering a special permit including traffic flow, neighborhood character and natural environment. There was a discussion of possible permits needed from DEP to store hazardous materials, as well as from the Fire Department.

Ms. Bryant asked if all machines have to be run for 15 minutes for testing. Mr. Harris said it is usually 10-15 minutes, but not more. Mr. Nemser asked about the frequency of engine testing; it's usually about once a day in the afternoon to late afternoon. Mr. Schultz asked if there was ever a time when 3 machines were run for 15-minute blocks in one day. Mr. Harris said that rarely ever happens. Mr. Schultz asked if he puts up a fence will traffic be able to get in and out. The fence will not go around the whole property and visibility should be OK.

Ms. Czepiga asked about the fumes and if equipment tests occur in the driveway. Mr. King responded that testing is done in the driveway, but that they are small engines and don't produce a lot of noise or fumes.

Ms. Bryant made a motion to close the Public Hearing, which was seconded by Mr. Courville.

The Board voted the unanimously in favor of motion by hand.

The Board deliberated and reviewed the definitions of "trade shop" and the 6 criteria for issuance of a special permit. The Board advised use of the property and driveway only to conduct the business activities, and that the business must be registered with the town. Business may be conducted by appointment only during specified hours. The special permit shall be for one year.

Mr. Culbert made a motion to issue the special permit with conditions as discussed above. The motion was seconded by Mr. Courville.

The Board voted unanimously in favor of the motion by hand.

Adjournment of the meeting

Mr. Courville made a motion to adjourn the meeting, which was seconded by Mr. Culbert.

The Board voted unanimously in favor of the motion by hand.

Meeting Close: 7:57 p.m.