

Maynard Planning Board Meeting

January 24, 2023 – 7:00 p.m.

(Hybrid – Town Hall and Zoom)

Maynard Planning Board Members Present: Chris Arsenault – Chair; Bob Brown – Vice Chair; Jim Coleman; Bill Cranshaw; Natalie Robert; Annette Garabedian (Alternate)

Others Present: Bill Nemser – Maynard Planning Director (Remote); Julia Flanary – Assistant Planning Director; Tim Hess – Studio In Situ Architects; Walter Sullivan, Esq (Attorney for Sugarloaf Maynard LLC); Joanna Morales

The meeting was opened at 7:01 p.m. by Mr. Arsenault. A roll call of attendance was taken.

Public Hearing

Public Hearing (Continued from December 13, 2022) - Special Permit and Site Plan Application filed by Studio InSitu Architects 63 Main Street, Maynard, MA, on behalf of Sugarloaf Maynard LLC, 16 Holden Road, Belmont, MA. Consistent with Sections 3.0, 7.9, 9.4.6 and 10.0 of the Zoning By-laws, the petitioner is requesting Special Permit and Site Plan approval to operate a marijuana retailer establishment in the Central Business Zoning District/Downtown Overlay District at 25 Nason Street.

Mr. Hess presented the Site Plan, including parking spaces and security cameras. The current plan has been modified from the original version. Mr. Amico has met with the applicant twice and provided a thorough review of the project, acting as a peer-reviewer and not as Town Engineer.

The Board reviewed the proposal in detail and asked many questions of Mr. Hess. Special attention was paid to the parking areas and the fire lane. Mr. Nemser will ask Chief Stowers for clarification on the use of the fire lane. The Board requests a new site plan with justification addressing the special permit criteria, as well as the responses from Chiefs Stowers and Noble.

The Board reviewed the criteria for special permits in the Downtown Overlay District (DOD). The applicant will provide tree wells, a handicapped parking space, and the use of the side wall by the Cultural Council/Outdoor Mural program.

Ms. Robert made a motion to continue the hearing regarding 25 Nason St. to the February 14, 2023 Planning Board Meeting. The motion was seconded by Mr. Brown.

The Board voted unanimously in favor of the motion, via roll call.

Mr. Arsenault made a motion to adjourn the Hearing, which was seconded by Mr. Coleman.

The Board voted unanimously in favor of the motion, via roll call.

Public Hearing

Special Permit requests filed by Mario and Joanna Morales of 219 Bishop Drive Framingham, MA 01702. The petitioner is requesting a Special Permit to operate a motor vehicle repair business located at 76 Powder Mill Rd Maynard, MA 01754 and a Special Permit for relief from the sign regulations at the same location. The petitioner will be leasing the building from the property owner who operates an auto sales dealership in a separate structure on the subject property.

Ms. Flanary provided background on the application. There is currently an auto sales and repair business on the property in question. Regarding the request for relief from the sign regulation, there is a signpost in existence but it falls outside of the setback requirement.

Ms. Morales described their intended use of the property. The business will consist of autobody, detailing, glass and general repair, as well as notary services.

Mr. Nemser described the use criteria. The use should be compatible with the adjacent area. In this case it is a commercial area on the same lot as an automobile dealership. The property in question is 76A Powder Mill Road and areas covered by the lease. There are multiple businesses on the site with one landlord.

Ms. Morales outlined what the lease (attached to the application) allows in terms of space usage, using aerial view photos. The vehicles in the back will be removed by the current tenant.

Ms. Garabedian asked about the mitigation plan for dealing with oil, antifreeze and other fluid runoff into the Assabet River. Ms. Flanary said it would be in her jurisdiction as Conservation Agent, and that the Board could consider the environmental impact of having cars there. Members of the Board expressed concern about possible contamination of the River.

The current signpost is on Town land and does not conform to setback requirements.

Mr. Cranshaw made a motion to grant the Special Permit for use as an autobody/vehicle repair business in accordance with section 10.4.2 of the Zoning Bylaws, with the following conditions: A maximum of 15 vehicles parked behind the building on the leased area – defined by the

building's north edge to the River. The vehicles shall be parked within 75 feet of the building on an impervious surface; the impervious surface that has historically been used on Town land shall be marked as such and no vehicles parked in that area. The applicant shall submit an operation plan addressing potential fluid leakage for approval by Town staff within 30 days of the permit start date, to be approved within 60 days of receipt. The Special Permit is subject to renewal in 18 months.

The Board asked the applicant to speak to management of potential fluid spillage into the surrounding environment. She responded that she would speak to Mario about the issue. They would not be parking vehicles on soil or near the edge of the river. They are aware of the concerns with the property's location and would do due diligence to make sure there is no further contamination to the environment.

The above motion was seconded by Ms. Robert.

The Board voted 4 to 1 in favor of the motion, via roll call:

Mr Coleman: No

Mr. Arsenault: Yes

Ms. Robert: Yes

Mr. Brown: Yes

Mr. Cranshaw: Yes

Mr. Arsenault made a motion to continue the hearing for the Special Permit for the sign relief to February 28, 2023, which was seconded by Ms. Robert.

The Board voted unanimously in favor of the motion, by roll call.

Approval of Meeting Minutes

Mr. Arsenault made a motion to approve the meeting minutes from December 13, 2022, which was seconded by Ms. Robert.

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

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

The Board voted unanimously in favor of the motion, by roll call.

Meeting closed: 10:11 p.m.