

**Maynard Planning Board Meeting**  
**March 14, 2023 – 7:00 p.m.**  
**(Zoom Meeting)**

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

**Others Present:** Julia Flanary – Assistant Planning Director; Phil Silverman – Vicente LLP; Veronica Apodaca, GreenStar, Inc.; Danny Schissler – Tree Committee; Steve Smith – Tree Committee

The meeting was opened at 7:02 p.m. by Mr. Arsenault. A roll call of attendance was taken.

**Public Hearing** - GreenStar, Inc., DBA Rise

Special Permit renewal request filed by GreenStar, Inc., DBA Rise, 22-24 Main Street, Maynard. Consistent with Sections 7.9, 9.4.6 and 10.4 of the Zoning By-Laws, the petitioner is requesting renewal of the existing Special Permit allowing a cannabis retail establishment at 22-24 Main Street.

Mr. Arsenault gave some background on the proposal. Mr. Silverman said the company is pleased with its present operations and cooperation from the town. The hours have been expanded to 8 am – 10 pm and are no longer appointment only, as modified in the current special permit. There have been no traffic issues, and no public safety issues.

Ms. Apodaca spoke about community partnerships and contributions to river clean up, Open Table and Jazzfest.

Board members did not have any concerns regarding the proposal.

Mr. Arsenault asked for public comment, of which there was none.

*Mr. Arsenault made a motion that the applicant continues to meet the criteria for a special permit as described in section 10.4 of the Zoning By-laws. The motion was seconded by Mr. Coleman.*

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

Mr. Arsenault made a motion that the applicant continues to meet the criteria for the Downtown Overlay District (DOD), in accordance with section 9.4.6 of the Zoning By-laws. The motion was seconded by Mr. Coleman.

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

Mr. Arsenault made a motion to allow a marijuana retail shop at the location of 22-24 Main St., for a period of 2 years, effective March 14, 2023. The motion was seconded by Mr. Coleman.

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

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

**Public Hearing: Trade Shop**

The Board will consider recommending approval of amendments to the Maynard Protective Zoning By-laws to the May 15, 2023 Spring Annual Town meeting. The proposed Zoning By-law amendments consist of:

1. Amend Section 3.1.2, Use Regulations, Table A, “4. Business Uses”, to allow a Trade Shop use “by right” in the Business, Central Business and Industrial Zoning Districts and by Special Permit of the Zoning Board of Appeals within the Health Care Industrial Zoning District. This will amend the Use Regulations Table as depicted below:

<b>Principal Uses</b>									
<b>4. Business Uses</b>	<b>S-1</b>	<b>S-2</b>	<b>GR</b>	<b>B</b>	<b>CB</b>	<b>HCI</b>	<b>I</b>	<b>GA</b>	<b>OS</b>
<u>Trade Shop</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>BA</u>	<u>Y</u>	<u>N</u>	<u>N</u>

**2. Add the following definition of “Trade Shop” to Section 11.0 “Definitions”:**

**Trade Shop:** A building, structure or premises used by a practitioner of a trade or a craft.

Mr. Arsenault opened the Public Hearing for the above item, and elicited comments from the Board. The Board members did not have any concerns. Mr. Arsenault then asked for public comment. Andy Moerlein of 123 Summer Street stated that he had concerns that the

designation for Trade Shop under S-1 and S-2 is by permit, and not by right. This particularly affects smaller businesses and sends a message that Trade Shops are not allowed.

Mr. Arsenault clarified that *accessory* use is permissible, but not *primary* use in a residential zone. Mr. Cranshaw added that you can have a primary use Trade Shop in a business district. These amended regulations clarify the definition and placement of Trade Shops.

*Mr. Cranshaw made a motion to approve the proposed amendment to section 3.1.2. Use Regulations, Table A, as well as to section 11.0 "Definitions," definition of a Trade Shop. Mr. Coleman seconded the motion.*

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

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

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

### **Tree Committee Presentation**

Presentation by Danny Schissler and Steve Smith of the Town of Maynard Tree Committee. The Tree Committee is interested in partnering and assisting committees throughout the Town to help meet their mission, community principles, and master plan goals.

Mr. Schissler gave an overview of the Committee's work to increase tree coverage in Maynard through outreach and education. Mr. Smith and his wife have held fundraisers and the committee solicits grant and town funding for tree planting and maintenance. The Committee seeks to collaborate with the Planning Board to create a formal process for the Board to review proposed plans to increase the urban tree canopy through native and resilient plantings. This could be done via a liaison position to promote information sharing between the two groups. The Committee would like an opportunity to review and discuss the Landscape Regulations and make recommendations to the Planning Board. This would include education to developers regarding appropriate plantings. Planning Board members are invited to a walkthrough of the Downtown Arboretum on April 28.

Mr. Arsenault asked for further information on the Downtown Arboretum. Mr. Smith described the Committee's work to move away from a monoculture tree population (Norway Maple, etc), and to native trees that have a better chance of survival. This will create a diverse arboretum that looks pleasing while educating people about the benefits of native plants and biodiversity. All trees are tagged with species names. The hub of the arboretum is downtown, with spokes going to other areas of the community.

Mr. Cranshaw suggested putting the Tree Committee on the distribution list for all development projects. Participation in pre-applications hearings and Planning Board meetings by the Tree Committee would inform landscaping design.

Mr. Cranshaw suggested the Tree Committee speak to Mr. Nemser about the Powdermill Corridor Project and opportunities for planting along there.

### **Open Space and Recreation Plan Approval**

Conservation Agent, Julia Flanary, will present the 2023 Open Space and Recreation Plan. This plan is for the next seven years and is required to qualify for Department of Conservation Services funding. A letter of review from the Planning Board must be submitted with the OSRP with any comments to the State. The documents attached consist of the Plan itself and Appendices separated for easy download. The Plan will be combined into one document for final submission. The Agent is asking for the Board to issue a letter of review approving the plan with any comments.

Ms. Flanary reviewed the proposal with the Board and asked for comments. She will need a letter of approval with comments for submission to the State.

Mr. Arsenault asked what the plan is used for and what enforcement it carries. Ms. Flanary responded that it's a guidance document similar to the Master Plan. Importantly, it is necessary for obtaining State funds for recreation.

*Mr. Arsenault made a motion to approve the Open Space and Recreation Plan as presented, which was seconded by Ms. Robert.*

*Natalie Robert: Yes*

*Jim Coleman: Yes*

*Annette Garabedian: Yes*

*Chris Arsenault: Yes*

*Bill Cranshaw: Abstain*

*The vote was 4-0 for approval.*

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

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

**Meeting closed: 8:35 p.m.**