

Lynnfield Planning Board Minutes
November 7, 2018 Special Meeting

7:00 Pm Chairman Charville called the meeting to order, noting additional members present; Katherine Flaws, Michael Sheehan and Charles Wills. John Gioiso was not present.

Chairman Charville explained the purpose of the meeting was to further consider proposed changes to the Subdivision rules and regulations as discussed at two prior meetings. He noted that a public hearing would be necessary to formally adopt any changes.

Guests present were Tree Committee member Jane Bandini and DPW Director John Tomasz.

Chairman Charville shared the written memo from Town Counsel Tom Mullen in response to questions submitted after the last meeting.

Ms. Flaws noted that she supports the concept of language to preserve more trees, but that a Town Bylaw would be more effective than the subdivision regulations. It would balance the protection of trees both on existing properties and land being subdivided. She cited numerous examples from others Towns, including Wellesley and Lexington. Ms. Flaws suggested that all stakeholders with varied interests, including developers, be involved in drafting a bylaw.

Ms. Bandini inquired what interest would the bylaw seek to protect.

Ms. Flaws feels that property rights should be controlled by a bylaw, not just by regulations. Regulations alone would not adequately achieve the desired protection of trees.

At this point, any revisions to the regulations would not impact the "Road A" subdivision and that it is worth taking the time to develop a bylaw.

Cranberry lane resident Page Wilkins agreed that a bylaw is a good idea, but feels that it would be difficult to pass and that revising the regulations is still worth pursuing. After attending the Road A site visit, she found it very helpful seeing the trees noted on the plan (as would be required under the proposed revisions). She thinks it would be helpful to the public and the Board when considering a plan and could be persuasive in helping to preserve more trees.

Chairman Charville surveyed the Board members on their desire to move ahead with the regulation revisions versus a bylaw. He expressed that he thought a bylaw would be good, but that in the meantime the changes to the regulations would be worthwhile. Mr. Sheehan said that either approach would be good, but agreed that a bylaw could be difficult to pass. Mr. Wills said that he is normally against unnecessary regulations, but that such revisions may have improved the outcome of the Zepaj Lane/ Green Street project. He continued that there is not much land left to subdivide. Chairman Charville noted that trees have been an issue on all projects he has seen since joining the Board.

Chairman Charville recommended that the Board proceed to review the redline version of the proposed revisions.

It was agreed that the definitions of Hardwood and Softwood trees could be removed. The definition of Significant tree was refined. Woodland was also changed to reflect some comments made by Town Counsel. Language about trees to be included on all submitted trees was changed throughout the regulations. A standard for tree protection was added and the requirements for street trees was changed.

Mr. Dresios reminded the Board not to assume that a preliminary plan will be submitted. Most applicants go directly to the Definitive plan.

Ms. Cademartori agreed to incorporate all the discussed changes and to take the necessary steps to post a public hearing to be held during the December meeting.

Comments

Mr. Wills brought up the Road A entrance from Summer Street and questioned whether the distance from the Silver Maple (~ 15 feet) was sufficient to protect the tree. Ms. Bandini did not think 15 feet was adequate, and the roots would be damaged. It was noted that the opinion of an arborist will be needed when the Definitive plan is submitted.

Ms. Bandini explained the history and purpose of the Tree Committee and prior unsuccessful attempt at passing a tree bylaw. She indicated the Committee would support the Board, but felt the bylaw would need to be proposed and backed by the Planning Board and other town boards (Selectman, Conservation). Ms. Flaws noted that with so much recent development, residents may be more receptive this time.

Next Meeting

Ms. Cademartori explained that there were no new items submitted for the November 28 meeting and that the proponents for Sagamore Place have indicated they will need to continue. It was decided that the November 28 meeting can be cancelled.

The December meeting was set for third Wednesday, December 19 (rather than the 26th).

8:35 Meeting adjourned.