

LYNNFIELD PLANNING BOARD MEETING December 12, 2018

1. Call to Order

A meeting of the Planning Board was held on Wednesday, December 12, 2018 at 7:00 p.m. in the Maney Meeting Room at Town Hall. Present: Chairman Brian Charville, Vice-chairman Michael Sheehan, Clerk Charlie Wills, and Katherine Flaws; John Gioioso was an excused absence. Chairman Charville called the meeting to order at 7:02 PM and announced it was being recorded.

2. Public Hearing – Revised Subdivision Rules and Regulations – Tree Regulations

Mr. Wills motioned to open the Public Hearing, and Mr. Sheehan seconded; the motion carried 4 – 0. The text of the notice was read. Chairman Charville thanked Tree Committee member Jane Bandini and DPW Director John Tomasz for recognizing the need to update the tree regulations and for their input.

Planning and Conservation Director Emilie Cademartori said that after reexamining the proposed revisions and considering the Planning Board's (PB) wishes, she and Ms. Bandini had drafted a few additional revisions. They want to ensure that the PB has the opportunity to see the onsite trees on a plan, that they then may choose to protect. Ms. Bandini said the new revisions were to address procedural ideas and to add clarification. Mr. Wills asked what changes were added under "Definitions"; Ms. Bandini said the definition of a "significant tree" never said what to do once the criteria for determining its significance had been met. Chairman Charville said he felt the definition of a significant tree was adequate, that the newer revisions were of a similar scope as those proposed, and that he was comfortable with the proposed revisions as advertised. Mr. Wills said the specified trees would be shown on the contour plan. Finding no further comments, Chairman Charville requested a motion to approve the revised Subdivision Rules and Regulations as advertised. Ms. Flaws made the motion and Mr. Sheehan seconded it. The motion carried 4 – 0.

3. Status Update – Sagamore Place (Janet Way)

Chairman Charville explained that due to the lapsed continued Public Hearing, Town Counsel Tom Mullen had advised that the Public Hearing must be re-advertised. Additionally, the developer has requested a 90 day postponement; the likely new hearing will be at the February PB monthly meeting.

4. Nomination of Representative to NSPC/MAPC

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Ms. Cademartori said the NSPC Work Plan for FY 2019 has been sent to the PB. The Lynnfield Board of Selectmen (BOS) has designated their representative to the NSPC and would like the PB to do the same. Ms. Cademartori said the meetings are held monthly and that she will attend as a staff member and as the alternate for the BOS. Chairman Charville asked who the PB's current representative is; Ms. Cademartori was not aware of anyone so designated, and added that Jennifer Welter has attended as needed. Ms. Flaws attended the 10/25 workshop. Ms. Cademartori added that the PB representative would be a voting member of the NSPC. Resident Alan Dresios said that there could only be one voting member from the town; Ms. Cademartori agreed but said the PB rep could vote in their absence. Chairman Charville requested a motion to designate Ms. Flaws as the PB representative to the NSPC; Mr. Wills made the motion and Mr. Sheehan seconded it. The motion carried 4 – 0. Ms. Cademartori said that NSPC meetings were also open to any interested members of the public.

5. Public Comments

Chairman Charville requested any public comments; there were none.

6. FY 2020 – Preliminary Budget

Ms. Cademartori announced that the Town Administrator (TA) and Finance Director had decided to combine the line items from the PB budget and Conservation Commission's (ConCom) budget to create a new line item for the Department of Planning and Conservation (DPC). Budgeted funds from the 2 Boards will be combined. The new DPC must have a mission statement and goals which are being worked on. Ms. Cademartori requested input from the PB and said that budget monies can be used toward department goals. As an example, she said the \$1400 designated as "Other" could be used towards the completion of the CAI Zoning Map.

Chairman Charville asked if a Board endorsement to the budget was needed at this time. Ms. Cademartori said it was only needed if the PB did not accept a level-funded budget. Ms. Flaws suggested putting in a request to fund the Master Plan (MP); Ms. Cademartori said the MP would then have to be listed as a department goal. Mr. Sheehan asked if a consultant would be used for the MP. Ms. Cademartori said the TA is perhaps not in favor of updating the MP. Mr. Sheehan said the MP would be helpful to have and the funding could be requested now. Chairman Charville noted the MP was being handled by Mr. Gioioso with the TA and the process has suffered due to his absence. Chairman Charville asked Ms. Cademartori to speak with TA for an update. Ms. Cademartori said she would focus on the "hot topics" for the MP and then confer with TA as to what had been discussed with Mr. Gioioso. Ms. Cademartori said

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she would add the MP to the department's budget and goals, and asked if any other objectives or accomplishments should be added. Chairman Charville mentioned that the idea of modernizing what we deliver to constituents, i.e. "getting the word out" has been a great improvement of late. He added that establishing an annual PB calendar could be a useful tool for all.

Chairman Charville suggested adding \$5000 to the budget in order to finalize needed changes to the CAI Zoning Map between spring and fall Town Meetings. Mr. Wills asked what changes were needed. Ms. Cademartori explained the base map is from 1953 and the numerous changes were the result of the conversion to digital maps, which resulted in lost resolution. She added that the warrant language of all major changes since 1953 must be checked to ensure that the map correctly reflects each change. Mr. Wills noted that when the Zoning Bylaws were first established, the map was not correct; a resident filed an appeal in 1961 which resulted in a court case that the town lost. Ms. Cademartori said that parcel level accuracy is needed on the map. Chairman Charville asked that each member of the PB receive a hard copy of the MP as it currently exists, and study it so it can be further discussed at the January meeting.

Ms. Cademartori said that DPC initiatives for the coming year would include: completion of outstanding subdivisions, the Master Plan, an update to the Subdivision Rules & Regulations done in conjunction with the town engineer, the zoning map update, and a focus on stormwater compliance. Stormwater compliance, which is within the jurisdiction of the Subdivision Rules & Regulations and the ConCom, has seen little enforcement. Ms. Cademartori said that "plenty of infrastructure is not in compliance with the law based on maintenance programs not being done." She added that this effort would likely be a yearlong project. Mr. Wills asked if there are any problems with HOA documents not being recorded. Ms. Cademartori said many homeowners have been surprised to learn of their responsibility for stormwater compliance. Mr. Wills noted that when maintenance is left to any HOA it is often problematic. Ms. Cademartori said that of the 30 properties with maintenance requirements reviewed to date, only 2 are in compliance (one being Market Street). Chairman Charville asked if budget support for 3rd party title examiners was needed; Ms. Cademartori said that to date, the Registry of Deeds website has been sufficient.

Ms. Cademartori said an additional focus for the PB in the coming year would be improved coordination with the Building Inspector, the Board of Health (BOH), and the Zoning Board of Appeals (ZBA). Chairman Charville suggested a \$25,000 budget request to begin work on the MP, and Ms. Cademartori said she would inquire about this.

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7. Approval of Minutes – November 7, 2018; October 24, 2018; March 16, 2017

Chairman Charville informed that 8 of 12 sets of uncompleted minutes from the backlog to 2016 remain to be done (4 of the meetings have no recordings). Mr. Wills noted a typo in the 10/24/2018 minutes and motioned to approve them as corrected. This was seconded by Mr. Sheehan and approved 4 – 0. A motion to approve the 11/7/2018 minutes as distributed was made by Mr. Sheehan, seconded by Mr. Wills, and approved 4 – 0. A motion to approve the 3/16/2016 minutes as distributed was made by Mr. Sheehan, and seconded by Chairman Charville. Ms. Cademartori informed that per Town Counsel, Board members can vote on the approval of minutes for which they were not present at the meeting. Chairman Charville noted that this will be “approving by acclamation”; the motion carried 4 – 0.

8. Administrative Matters/Topics for Next Meeting

Chairman Charville stated topics would include:

- potential changes to the Zoning Bylaws
- brainstorming for the MP
- Public Hearing for Road A. This will be the initial presentation to the public by engineers and the developer and would best be scheduled for the Merritt Center (and hopefully televised). Chairman Charville said a peer review engineer must be engaged; Ms. Cademartori asked if the PB and ConCom could both use Linden Engineering and said she would engage them. Developer Brian Hannon suggested a joint meeting of the PB and ConCom after the initial Public Hearings.

Ms. Cademartori said that the developer for Parsons Ave. Ext. is working with the town to correct faulty aprons in exchange for a potential agreement to have the town plow snow this winter. Chairman Charville advised Mr. Hannon that the Public Hearing would be scheduled for either January 29th or 31st.

Ms. Flaws motioned to adjourn the meeting at 8:18 PM; Mr. Wills seconded, and the motion was approved 4 – 0.

Respectfully submitted,

Susan Lambe, Planning Office