

# **LYNNFIELD PLANNING BOARD MEETING February 27, 2019**

## **1. Call to Order**

A meeting of the Planning Board was held on Wednesday, February 27, 2019 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. Chairman Charville called the meeting to order at 7:00 PM and announced it was being recorded with audio and video. He informed those present that the 2 Public Hearings on the agenda would both be continued until March 27, 2019.

## **2. 7:00 Public Hearing – Sagamore Place (formerly Janet Way) – Proposed Definitive Plan Modifications**

Mr. Wills motioned to open the Public Hearing (PH), and Mr. Sheehan seconded; the motion carried 4 – 0. The text of the notice was read; Chairman Charville asked if there was a motion to waive the full reading of the notice. Mr. Wills made the motion and Mr. Sheehan seconded it; the motion carried 4 – 0.

Chairman Charville asked developer Angus Bruce if the March 27<sup>th</sup> date was agreeable; he answered yes. Mr. Wills made the motion to continue the PH until March 27, 2019 at 7:00 PM and Mr. Sheehan seconded it; the motion carried 4 – 0. Planning Director Emilie Cademartori reminded all that this meeting will be held at the Merritt Center.

## **3. Woods of Lynnfield - Proposed Elderly Housing adjacent to North Main Street and Sagamore Place**

Atty. Kimball introduced developer Angus Bruce and said the proposed plan, while still 66 units, is very different from the one presented last year (Will's Brook); he then introduced other members of the team. Atty. Kimball noted the parcel was 22.6 acres off of Main Street and would be accessed from Main Street, making it completely independent from Sagamore Place. Atty. Kimball said the team would also be proposing the Warrant Article to rezone the area to Elderly Housing (EH) at the Selectmen's meeting later that evening.

## **4. 7:30 Continued Public Hearing – “Road A”, 333, 339, & 349 Summer Street - Proposed Definitive Plan of Subdivision**

Ms. Flaws motioned to reopen the PH, and Mr. Wills seconded; the motion carried 4 – 0. Chairman Charville asked developer Michael Hannon if he wished to continue the PH on March 27<sup>th</sup>; Mr. Hannon said yes. Chairman Charville informed that Town Counsel (TC) had opined on 2 questions: the first being how to measure the length of the cul-de-sac (TC essentially

## **LYNNFIELD PLANNING BOARD MEETING February 27, 2019**

opined “from Summer Street to the end of the cul-de-sac”), and the second being whether the stub road on the cul-de-sac should be “built-out to road standard” (TC essentially opined “Yes, as that is how the Subdivision Rules and Regulations read”).

Atty. Jesse Schomer, counsel for the applicant, stated that a number of issues were currently being addressed, including some with the Conservation Commission, and added that they were awaiting the PB’s peer review from Linden Engineering. He added that the March 27<sup>th</sup> meeting would be appropriate to continue the PH, and they are willing to extend the Board’s time to make a decision on the project if needed. Chairman Charville said he would keep the matter of an extension in mind for the 3/27 meeting if it becomes necessary.

Planning and Conservation Director Emilie Cademartori said the peer reviewer has inquired as to whether he should postpone review of the plan until the revisions have been completed; Mr. Hannon said he will have engineer Chris Sparages respond to him.

Chairman Charville requested a motion to continue the PH until March 27<sup>th</sup>, 2019 at 7:30 at the Merritt Center. Ms. Flaws made the motion, and Mr. Wills seconded; the motion carried 4 – 0.

### **5. 70 Oakridge Terrace – BOA Case #19-02**

Applicant Ivaylo Vladov said his home has a 2 bedroom septic system, but currently has only 1 bedroom. He plans to add another bedroom, but based on the proximity to Pillings Pond and the location of the septic, the only available location for the addition will require a side yard and setback Variance. Chairman Charville asked whether the existing septic would remain in place; the answer was yes, and if the home was one floor (yes). Chairman Charville asked who owned the adjacent Right of Way (ROW); Mr. Vladov said it was a private street and he was the only one who uses it. Ms. Cademartori asked if the ROW allows others access to the pond; Mr. Vladov was unsure. Mr. Wills commented that someone must be assessed for the ROW; Ms. Cademartori said she has seen several such parcels around the pond and they are used by abutters. Chairman Charville asked whether the ROW was the only access to the home, and if an entryway was part of the addition; both answers were yes. Chairman Charville noted the current setback of 10’2” would now be 7’2” and asked what the slope of the land was; Mr. Vladov said approximately 15 feet. Chairman Charville asked Tom Wallace if he had any comment on the plan; he said he did not and noted he lives in the neighborhood. Ms. Flaws asked if all abutters were aware of the plan; Mr. Vladov said yes and there were no objections. Mr. Sheehan said he had no objection to the plan and the ROW serves as a buffer. Ms. Flaws added that this is similar to the easement on 4 Pagos Way that provides setback. Ms. Cademartori noted that when the current septic was installed, a deed restriction had been placed

## **LYNNFIELD PLANNING BOARD MEETING February 27, 2019**

on the property limiting it to 2 bedrooms. Chairman Charville requested a motion to express to the ZBA that the PB does not oppose the proposed Variance at 70 Oakridge Terrace. Ms. Flaws made the motion, and Mr. Sheehan seconded it; the motion carried 4 – 0.

### **4. Zoning Bylaws – Potential Revisions**

Chairman Charville said an effort was being made to further modernize the zoning bylaws and resident Alan Dresios had written a letter proposing corrections and possible changes. Ms. Cademartori said she also had outlined potential corrections and changes. She added that when the bylaws were last revised (10/16/2017), several items (including dimensional requirements and definitions) were left out. Mr. Wills, Mr. Dresios, and Ms. Cademartori said these were likely accidental omissions. Ms. Cademartori said a complete technical review of the bylaws should be undertaken; Chairman Charville agreed. Mr. Dresios said that references for public vs. private ways should be reviewed; Ms. Cademartori said private ways do exist and Mr. Wills added that they have the legal status of a driveway. Chairman Charville suggested adding inclusionary zoning bylaws and mini greenbelt regulations; Ms. Flaws suggested adding solar panel bylaws. Chairman Charville said Ms. Cademartori will proceed with the technical review and a future meeting on just this topic will be scheduled. Ms. Cademartori said she will also focus on the conforming vs. nonconforming use issues that the 2018 Bali Hai proposal had revealed.

### **7. Approval of Minutes – December 20, 2016; January 20, 2017; February 14, 2017; February 27, 2017; December 12, 2018**

Chairman Charville requested motions to approve minutes from multiple meetings.

- 12-20-2016 - Mr. Sheehan motioned; Ms. Flaws seconded and the motion carried 4 – 0.
- 1-20-2017 - Mr. Sheehan motioned; Ms. Flaws seconded and the motion carried 4 – 0.
- 2-14-2017 and 2-27-2017 – Ms. Flaws motioned; Chairman Charville seconded and the motion carried 4 – 0.
- 12-20-2018 - Mr. Sheehan motioned; Ms. Flaws seconded and the motion carried 4 – 0.

### **8. Administrative Matters/Topics for Next Meeting**

Ms. Cademartori stated that the Annual Report for Town Meeting needed to be completed and reminded the PB that scheduling a joint meeting with the ConCom had been requested. Topics for the March 27<sup>th</sup> meeting will include:

- Sagamore Place (formerly Janet Way) plan revisions

## **LYNNFIELD PLANNING BOARD MEETING February 27, 2019**

- Continuation of the Road A Public Hearing
- Possible Warrant Articles for Town Meeting

Ms. Flaws motioned to adjourn the meeting at 10:02 PM; Mr. Wills seconded, and the motion was approved 4 – 0.

Respectfully submitted,

Susan Lambe, Planning Office