

LYNNFIELD PLANNING BOARD MEETING April 29, 2019

1. Call to Order

A meeting of the Planning Board was held preceding Town Meeting on Monday, April 29, 2019 at 6:45 PM in Room #112 at the Lynnfield Middle School. Chairman Charville called the meeting to order at 6:52 PM and stated that 4 Board members, office staff, the Town Moderator, and Town Counsel were in attendance; Mrs. Flaws was absent.

2. Consideration of Proposed Amendment to Warrant Article #15

Chairman Charville explained the need for an amendment to Article #15 is to ensure there is “a by-right backstop” to the EH use in an EH zone; he explained that this is needed due to a gap in the recodified Zoning Bylaw. Chairman Charville added that it is a legal requirement that there be some type of default if an EH project is not approved in an EH zone. The amendment makes Single Residence D the only by-right use in such a case. Atty. Tom Mullen had explained that since this is the most restrictive zoning option, it therefore offers the most protection to the town. Chairman Charville agreed with this.

Mr. Wills disagreed with the amendment and proposed a revision to the amendment stating the parcel be subject to the same zoning requirements that apply in the district in which it is located. Mr. Wallace asked if this would apply to future projects only or include existing EH developments; Chairman Charville said that existing projects would be grandfathered. Mr. Sheehan asked for clarification and discussion ensued. Mr. Wills said this could be making land “much less useful”; Chairman Charville said he felt that was the intent. Atty. Mullen said that in such a case, it would not be an overlay zone, but an actual zoning change. He then explained that if an attempt to rezone a parcel to EH failed at Town Meeting, that parcel would still remain in its original zone. Mr. Wills stated that if any such proposal to rezone failed and was then not subject to rezoning, he could agree to the amendment.

Chairman Charville requested a motion that the Planning Board recommends Article #15 as amended by adding footnote 4 to the Table of Dimensional and Density Regulations. Mr. Sheehan made the motion and Mr. Wills seconded; the motion was unanimously approved.

Mr. Sheehan motioned to adjourn the meeting at 7:08 PM; Mr. Wallace seconded, and the motion was approved 4 – 0.

Respectfully submitted,

Susan Lambe, Planning Office