

## **LYNNFIELD PLANNING BOARD MEETING June 13, 2018**

A meeting of the Planning Board was held on Wednesday, June 13, 2018 at 7:00 p.m. in the Maney Meeting Room at Town Hall. Present: Vice-chairman Michael Sheehan, Clerk Charlie Wills, Katherine Flaws, and John Gioioso; Chairman Brian Charville was absent. Vice-chairman Sheehan called the public meeting to order at 7:00 PM and announced it was being recorded.

### **1. Continued Public Hearing – Perley Burrill (914 Salem Street)**

Vice-chairman Sheehan said he was concerned about the late submission of the revisions that had been made to the original plan, and that the Planning Board (PB) had not had time to review them. He asked if not making a final decision this evening would create a problem for the allowed time frame of the submission. He informed the engineers from Hancock Associates that they could choose to present the revisions or wait until the PB had adequate time to review the changes. At 7:05, Vice-chairman Sheehan requested a motion to reopen the public hearing. Ms. Flaws made the motion and Mr. Wills seconded it; the motion carried 4 – 0.

Town Engineer Charlie Richter, speaking on behalf of the town of Lynnfield, said they would like to present the revised plan. He said there are no changes to the lot configurations or the shared driveway. The revisions made are to the drainage system, and include larger catch basins. Katie Cruz from Hancock Associates reviewed the changes, including adding a shallow pond and culvert to mimic the existing drainage on the property. This will allow for drainage from offsite areas during major storms; the culvert will collect the water and direct it properly. Ms. Cruz said that some utilities will be moved to accommodate the pond, but the roadway will still be 20 feet, and the fire hydrant will remain at the road entrance. Mr. Wills asked to see the pond on the plan, and how large the pipe will be. Ms. Cruz answered it was 18 inches. Mr. Gioioso asked why the pond was added. Ms. Cruz answered it was in response to the peer reviewers report that offsite drainage should be considered.

Vice-chairman Sheehan asked if anyone wished to speak; Mr. Richter asked that Bill Jones of Linden Engineering, the peer reviewer, give his feedback. Mr. Jones said that he had reviewed the property multiple times and that only a few items remained that could be changed or added as conditions. These include:

- The requested waiver to install Cape Cod berm along only 60% of the roadway; Mr. Jones said that should be installed along the entire roadway.
- A street sign will be needed unless Salem Street house numbers are used, which Mr. Jones said would be acceptable.

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Mr. Jones then said that all requested waivers were now detailed vs. the original “All Construction, Sec. 8.2”; he listed them:

- Road size of 20 feet vs. 26 feet
- Reduction of cul-de-sac radius has been approved by the Fire Department
- Cape Cod berm vs. standard berm
- No street sign
- No sidewalks; fine as there is a shared driveway
- Street lighting waiver – acceptable
- Natural gas waiver – acceptable

Mr. Jones said that 85% of his comments had been addressed. Vice-chairman Sheehan asked what other conditions needed to be met. Mr. Jones said that item # 18 in his report, hazardous waste, needed to be closed out before construction begins. He also said it was important to address that “this is not intended to be a public way; this is going to stay a private way”. Mr. Jones said it should be said at Town Meeting that this subdivision is not up to PB standards due to the waivers; therefore it is to remain a private way”. Mr. Jones said that an additional condition to be met is that prior to the discharge of the drain, the drainage statement must be signed.

Mr. Gioioso asked if moving the utilities to install the pond would affect the abutters; Ms. Cruz answered no, the electrical was being moved from the side of the roadway to underneath the road. Ms. Flaws asked if the 2<sup>nd</sup> house was set too far back for a Salem Street address in the case of an ambulance needing to find it. Mr. Richter answered that the intent is to create a shared driveway, not a roadway. Ms. Flaws asked if shared driveways are allowed in our Zoning Bylaws; and cited the 2 lot subdivision Violet Circle. Mr. Richter said the shared driveway had been created to appeal to developers. Ms. Flaws asked if this creates a safety issue; Mr. Richter said the Fire Department has no concerns. Mr. Wills added that there are many shared driveways in town, and then asked if there was a legal issue concerning frontage requirements of a common driveway. Atty. Kimball said there was not, and cited the Fox Hill subdivision off of Summer Street. Mr. Wills asked if not creating a new street name was acceptable; Mr. Richter said that both the Assessor and the Post Office approved of using Salem street numbers. Mr. Richter said it is important that the PB cites in their recommendation that this is a private way and not entitled to town services. Mr. Wills said a maintenance agreement should be kept on record. Ms. Campbell said she shares the concern about safety and not naming the street. Mr. Gioioso asked how maintenance agreements are enforced. Mr.

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Richter answered that HOA agreements are required to file reports. Mr. Wills said the onus is on the homeowners to clear snow for safety purposes. Mr. Richter said that naming private driveways can create a problem for the town; Vice-chairman Sheehan agreed that if that happens, homeowners ultimately want town services. Vice-chairman Sheehan asked if the Cape Cod berm creates a potential problem; Mr. Richter said no. Mr. Gioioso asked if the homeowners receive a tax break since they have no town services; Mr. Richter said that is a matter for the Assessor. Mr. Wills noted that the driveway of house #2 is part of the circle and shows no break in the curb; Mr. Richter said this would change to a dotted line to reflect the break. Mr. Wills also noted that the wording in the cul-de-sac erroneously said “60’ Radius” and should be “60’ Diameter”. Mr. Jones said that would be amended and corrected. Mr. Wills asked if both homes would be serviced by the fire hydrant; Mr. Richter answered yes.

Vice-chairman Sheehan asked for a motion to continue the public hearing until 6/27. Mr. Gioioso made the motion, Mr. Wills seconded it. The motion carried 4 – 0.

### **2. Master Plan Update**

Vice-chairman Sheehan asked to continue the discussion of the Master Plan (MP) during the agenda item regarding the Town Planner (TP) position. Mr. Gioioso reported that he had asked Town Counsel when a new MP should be developed. Atty. Tom Mullen had answered the MP should be revisited “from time to time”. Mr. Gioioso said that we should establish some clarity on what would be considered a “reasonable time” to revisit the MP. He then asked if it would be preferable to keep the existing MP in place or to determine when we want a new one. Vice-chairman Sheehan said we do need to move forward on the MP, but it is a very large undertaking. He asked MP committee member Heather Sievers if a 10 year review period is somewhat standard, or if continuously updating as things change is preferred. Ms. Sievers said there should be a mechanism in place for keeping the MP updated. Vice-chairman Sheehan said we should take some action, but using only volunteers makes it difficult. Mr. Gioioso asked when the last MP was completed; Ms. Sievers said 2007. Mr. Gioioso asked what value the MP has if it is not being used regularly; Ms. Sievers said that MPs are “unfunded mandates”, and the value of the MP is to the Finance Committee who use it for budget planning. Mr. Gioioso said it is important for the town to recognize the value of the MP, and noted that it is a waste if “everyone doesn’t buy into this”. Ms. Sievers said that TA Dolan supports the MP, and prefers to have a consultant create it. Vice-chairman Sheehan said that is very

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costly; Ms. Sievers agreed that it would have to be in the budget. Mr. Gioioso said he wants to move that the PB go forward with the MP and bring it to the TA and BOS. Resident Patricia Campbell said she was involved in the last MP which was planned well by the consultant. She said the process dissolved after responsibilities were delegated to subcommittees due to the PB being too busy to undertake it themselves. Ms. Campbell recommended the PB review the prior goals and policy statement that were well done by the consultant. She also said that she had great concerns about the survey that was undertaken by the PB and that non-residents had responded to it. Ms. Sievers said the survey did not include the actual age of respondents, just an age range. Ms. Flaws said that Boxborough had used a consultant, but was able to save money by gathering data with volunteers. Mr. Gioioso suggested requesting funding from Town Meeting; Ms. Flaws suggested trying to obtain a grant. Vice-chairman Sheehan felt these were good ideas, and suggested either continuing the discussion at the next PB meeting or having someone reach out to the TA now. Mr. Gioioso offered to reach out to Mr. Dolan, and Ms. Sievers said that Mr. Dolan had used MAPC as a consultant on the MP for Melrose. Ms. Flaws asked where a copy of the most recent MP could be found, and if it was dated 2007 or 2002. Mr. Wills asked if the MP was a wish list; Ms. Flaws said it was an outline of capital needs in order to plan all facets of the town. Vice-chairman Sheehan said the MP would be on the next meeting agenda and include an update from Mr. Gioioso. Ms. Flaws suggested that social media be used to publicize the MP; Ms. Sievers added that the TA is looking to update all IT in town. Mr. Gioioso said that a governance plan for the MP should be added. Ms. Campbell added that looking at the prior plan would be helpful. Ms. Sievers said the current MP is not on the town website; a now defunct website had the old MP and goals.

### **3. Discussion of Town Planner jobdescription and posting of ad**

Vice-chairman Sheehan suggested continuing this topic until the next meeting so that Chairman Charville could be in attendance. Mr. Gioioso said he had learned there is a Personnel Committee that has guidelines listed on the town website. He added that it is important this be done correctly and we should determine what role the Personnel Committee would have. Vice-chairman Sheehan said this topic will be pursued at the next meeting.

### **4. Discussion of letter to School Board**

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Mr. Gioioso reviewed the reason for drafting this letter. He felt the PB had a responsibility to inform the School Board that they were endorsing a plan (Fairways Edge) that would affect enrollment numbers. Mr. Gioioso said since the plan was no longer active; the letter is no longer necessary.

### **5. Public Comments**

Ms. Campbell asked for an update on the Will's Brook project, specifically, when it would be discussed again. Ms. Lambe said the public hearing on the adjacent project, Sagamore Place, has been continued until July 25, 2018. Ms. Campbell said the Peabody City Council had written a letter prior to town meeting stating that they were opposed to the 55+ project. Ms. Campbell added that she is pleased the PB is concerned with using proper process in reaching decisions.

### **6. Discussion of distribution of info for PB meetings**

Ms. Lambe said she requested this agenda item to find an efficient way to get all needed information to board members in a timely manner; Mr. Gioioso had also been concerned about this. Mr. Gioioso noted that some town boards have packets delivered prior to meetings. Ms. Lambe explained that materials are often delivered or sent as late as the actual day of the meeting. She read an email from Chairman Charville that suggested leaving documents in the town hall mail room for pick up, and requesting information be submitted as PDFs so it can be sent out prior to the meetings. Ms. Sievers suggested referencing the Subdivision Rules and Regulations for guidelines and Mr. Wills said there should be set timelines for submission of materials. Ms. Lambe will recap the information in the Subdivision Rules and Regulations for the next meeting. Vice-chairman Sheehan said the PB should set reasonable timelines for submission of materials to the board, and that this discussion should be continued at the next PB meeting.

### **7. Approval of Minutes**

- 4/25/2018 – based on comments at the prior PB meeting, Ms. Lambe had reviewed the recording and found that Ms. Flaws used the word “surface” to describe a proposed sewage treatment plant at Fairways Edge. The minutes reflect this and a motion to approve them was made by Ms. Flaws. Mr. Wills seconded the motion, and it carried 4 – 0.

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- 5/30/2018 – Mr. Wills asked if the Sagamore Place developer's name was William or Angus. Ms. Lambe said she will review meeting sign-in sheets to determine this (sheets reflect "William"). Mr. Wills asked if the Ramsdell Way developer had used the phrase "dug it up" at the meeting ("Mr. Touchette said he had dug it up for gas and water"). Ms. Lambe said she would review the recording; she clarified the minutes accordingly ("Mr. Touchette said the developer had dug it up for gas and water, but still had 450 feet of road left to dig up for a sewer line"). Ms. Flaws said the town she had contacted for information on the town planner position was Boxborough, not Boxford as recorded. A motion was made by Mr. Wills to accept the minutes with the changes. Ms. Flaws seconded it; and the motion carried 4 – 0.

### **8. Topics for next meeting**

- Public Hearing SRB, driveway addition 3 Carter Road
- Continued Perley Burrill public hearing
- Master Plan update
- Town Planner position
- Submission and distribution of meeting materials
- Review of Minutes

### **9. Further discussion of Perley Burrill, #914 Salem Street**

Mr. Wills suggested sending the plan to town counsel for approval of the requested waivers. Ms. Sievers said that the "as built" plan must list all conditions and waivers. It was decided the updated version of the HOA agreement would be submitted to Atty. Mullen for review.

Vice-chairmen Sheehan requested a motion to close the meeting at 9:00 PM; Mr. Wills made the motion, and Ms. Flaws seconded it. The motion carried 4 – 0.

Respectfully submitted,

Susan Lambe, Planning Office

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