

# **LYNNFIELD PLANNING BOARD MEETING May 13, 2020**

## **1. Call to Order**

A Special meeting of the Planning Board (PB) was held on Wednesday, May 13, 2020; the meeting was held virtually via the Zoom platform. Chairman Charville called the meeting to order at 7:00 PM, and noted the entire PB was in attendance, including: Michael Sheehan, Katherine Flaws, Thomas Wallace, Charlie Wills, and Brian Charville. Chairman Charville requested a motion to open the scheduled Public Hearing (PH) at 7:11 PM; Mr. Wills made the motion and Mr. Sheehan seconded it. The motion was voted on via roll call: Wills-Aye, Wallace-Aye, Sheehan-Aye, Flaws-Aye, Charville-Aye.

## **2. Public Hearing – Zoning Petition Warrant Article**

The petitioner, Alan Dresios, did not attend and sent a brief recap of his presentation via email; this was read. Chairman Charville summarized that the Warrant Article (WA) seeks to ensure that any future Zoning Article in Lynnfield must obtain a 2/3 majority vote vs. a simple 50% majority to pass. Director of Planning and Conservation Emilie Cademartori informed that the state is proposing the simple majority as standard use. Mr. Wills said that state law would take precedent and could result in costly legal situations. Mr. Sheehan agreed, and Chairman Charville added that since Lynnfield already requires the 2/3 majority, there is no clear benefit to this type of a WA. Ms. Flaws said she was in favor of saying the PB does not support this WA. Chairman Charville requested a motion; Mr. Wallace motioned that the PB not support this WA as written and Mr. Sheehan seconded it. The motion was voted on via roll call: Charville-Aye, Wills-Aye, Wallace-Aye, Sheehan-Aye, Flaws-Aye.

Mr. Wills made a motion to close the PH and Ms. Flaws seconded it. The motion was voted on via roll call: Charville-Aye, Wills-Aye, Flaws-Aye, Wallace-Aye, Sheehan-Aye.

## **3. Hannah's View Estates – Preliminary Subdivision Plan**

(1414, 1452 & 1466 Main Street; 2, 4 & 6 Sagamore Place)

Engineer Scott Cameron and developer Angus Bruce presented the Preliminary Plan for a new subdivision of 15 homes off of upper Main Street. Chairman Charville asked if they felt the submitted Preliminary Plan met the town requirements for a Preliminary Subdivision Plan. Mr. Cameron said they had “tried to capture as much of the regulations as possible”. Chairman Charville said the plan was missing many things, including basics such as septic systems, wells, and house locations. Mr. Wills opined that the PB should not rush to approve a plan that contains many unknowns; Mr. Cameron agreed and said his goal had been to introduce the

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project and to work with the Town Engineer (TE) to set the initial bond. Mr. Cameron explained that Hannah Lane is a 950' cul-de-sac that interacts with Zachary Drive, which is 1463' and connects to Sagamore Place. Mr. Cameron said the Board of Health (BOH) had tested the soil and found the property to be relatively well drained. Mr. Cameron said that with this abbreviated presentation he was looking for initial PB feedback.

Chairman Charville raised his concerns about Ch. 61 which allows the town the right of 1<sup>st</sup> refusal on the purchase of the property. Mr. Cameron said he is aware of this; Chairman Charville asked if Mr. Cameron had contacted the Ipswich River Watershed Association (IRWA) and directed staff to forward to the applicant the IRWA's recent letter. Chairman Charville asked what the next steps would be; Mr. Cameron said the stormwater management system plan was forthcoming. Ms. Flaws said a hydrology study should be explored now. Chairman Charville asked Mr. Cameron if the revised plan would "be able to check all required boxes on the list?"; Mr. Cameron said yes, if that was the PB's wish. Chairman Charville said that major items such as drainage, house locations, and driveways must be included. Mr. Wills asked what the time limit to approve a Preliminary Plan was; Chairman Charville said 45 days, which ended on 5/15. Ms. Cademartori said the current Municipality Permit Relief Act allowed the town to hold off any action until the State of Emergency has ended.

Mr. Wills asked if the Hannah Lane cul-de-sac abutted the Sagamore Golf Course, and if a stub road would connect to that property. Ms. Cademartori noted that a stub was required by the Town's Subdivision Rules and Regulations to connect to any undeveloped land. Mr. Cameron said this could be accomplished with an easement. Mr. Wills stated that he felt strongly that this should be a paved stub and not merely an easement on paper. Mr. Bruce asked if it would be preferable to eliminate the cul-de-sac. Chairman Charville asked if the cul-de-sac was necessary for frontage and added that the required stub could be added there. Mr. Wills then asked if the abutting property was the golf course or LCWD land. Ms. Flaws asked if this plan was actually a qualified Preliminary Plan, considering so much required information was missing. Chairman Charville said the plan could be approved, approved with modifications or denied with an explanation. Ms. Cademartori clarified that the current State of Emergency would likely remain in place even after the stay-at-home guidelines were lifted. PB candidate Ed Champy said if the applicant requested an extension in writing, the 45-day deadline could be extended. Mr. Champy also asked if grading the land was planned, as this had not been specified.

Mr. Cameron stated that this was a successful 1<sup>st</sup> meeting as he had gleaned several takeaways. Mr. Sheehan said his major concern with the plan was water sourcing; Mr. Cameron said he had met with the Fire Department (FD) to begin discussions last year. Resident John Thomas asked if the plan included gas and water lines into the development; Mr. Cameron said nearby gas

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lines were being evaluated, and water would be determined in conjunction with the FD. Mr. Thomas then asked if storm drainage would utilize a detention basin or drain into LCWD land; Mr. Cameron said multiple options were being considered and he was aware of the PB's position on underground systems. Ms. Cademartori said most systems in town were open systems, but Zepaj Lane used an underground system. Mr. Champy asked if a plastic system was planned; Mr. Cameron said it would be concrete. Chairman Charville asked if additional time for plan updating was needed; Mr. Cameron said the stormwater plan could be reviewed at the 5/27 meeting. Chairman Charville asked if all revisions could be ready then; Mr. Cameron said 6/24 was more likely. Mr. Cameron said he would forward a request for an extension through at least the 5/27 PB meeting, so that review of the Preliminary Plan could continue.

### **4. Proposed Tree Bylaw – Update/Discussion**

Ms. Cademartori said the MAPC grant to support developing of tree-protection and OSRD / cluster zoning will expire on 6/30 and all funding would be spent by then; she added that both the tree and OSRD bylaws needed additional updating. Chairman Charville said work on the tree bylaw was headed in the right direction and Mr. Wallace agreed. Ms. Cademartori said pending decisions include: who will administer this bylaw, and the setting of application fees and fines. Mr. Wallace asked if hazardous trees would be excluded; Ms. Cademartori said it would not be a blanket exemption. Mr. Wills asked how the tree bylaw would have impacted the recent work on the Boston Clearwater site on Lowell Street; Ms. Cademartori said all border trees on the property would have been protected. Chairman Charville said that Concord and Wellesley both administer their tree bylaws through the Building Department; but using the Lynnfield Tree Warden (DPW Director Tomasz) was not practical due to his many responsibilities. Chairman Charville asked if the Tree Committee could be the administrators; Ms. Cademartori said they were an ad hoc group of volunteers. Chairman Charville asked if the ConCom could administer and Ms. Cademartori said that current staffing would not allow for that. Ms. Flaws suggested the PB administer the tree bylaw and the ConCom enforce it. Chairman Charville suggested a \$100 application fee as well as \$100 for an initial violation. Ms. Cademartori said this would be dependent on whether the application was tied to a building permit. Ms. Cademartori requested feedback on the mitigation revisions; Mr. Wallace said they were improved and simpler. Ms. Cademartori said information still to be added included trees in wetlands areas and using an arborist to determine which trees constitute hazardous trees.

Ms. Cademartori said she would meet with the Building Inspector to discuss the use of building permits and other administrative issues. Ms. Cademartori said all outstanding questions will be reviewed with a goal of having a full draft of both bylaws for the June PB monthly meeting.

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### **5. Approval of Minutes – February 26, 2020**

Chairman Charville requested a motion to approve the February 26, 2020 meeting minutes as submitted; Mr. Sheehan made the motion and Mr. Wallace seconded it. The motion was voted on via roll call: Wallace-Aye, Charville-Aye, Wills-Aye, Flaws-Aye, Sheehan-Aye.

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

Chairman Charville discussed the use of the Zoom platform and asked for any feedback received from residents to be forwarded to him. It was decided that staff would email all who attended the meeting, and those who had tried to attend, with the link to the recording of the meeting.

Ms. Flaws motioned to adjourn the meeting at 9:16 PM and Mr. Wallace seconded it. The motion was voted on via roll call: Charville-Aye, Wills-Aye, Flaws-Aye, Wallace-Aye, Sheehan-Aye.

Respectfully submitted,

Susan Lambe, Planning Office