

LYNNFIELD PLANNING BOARD MEETING October 28, 2020

1. Call to Order

The regular monthly meeting of the Planning Board (PB) was held on Wednesday, October 28, 2020. The Chair, Mr. Charville, called the meeting to order at 7:01 PM and said the meeting was being held virtually per Governor Baker's directive and would be recorded; Board members in attendance were: Chair Brian Charville, Vice Chair Michael Sheehan, Clerk Kate Flaws, and Tom Wallace. Mr. Champy was unable to attend.

2. Tuttle Lane - Update

Developer Brian Hannon said the first coat of pavement had recently been installed and utility pole #34 was in the process of being replaced and repositioned; he added that the curvature of the new road gave it "character". Mr. Hannon said the next step will be building homes, and based on the advice of all engineers, installation of sidewalks and curbing would be done in spring. Mr. Hannon said that work to be done in the fall included completing all utilities and roadway stormwater systems, adding foundation and framework to lot #8, and excavating and continuing on lot #9. Mr. Hannon said lot #9 on the corner of Summer St. had approval from the Historical Commission (HC) to move the garage location to the far-side of Summer Street. Mr. Hannon summarized, saying they had made great progress in a difficult year and would work on the 2 homes over the winter before beginning the remaining homes in spring. Chair Charville asked about marketing the property; Mr. Hannon said the realtor would be Lillian Montaldo and the builder is Doug Orr of Orr Homes, Lexington, Mass.

3. 2, 4, 8 & 10 Harvey Park

Atty. Jay Kimball and engineer Bob Griffin appeared to present a potential approval-not-required (ANR) plan that consists of registered land that currently has 4 homes built in the early 1900's; the land is all 1 parcel and they plan to create 4 individual lots. Atty. Kimball said this would not be a subdivision based on MGL Ch. 41, § 81L which allows exceptions to the subdivision rule. Mr. Griffin said the parcel totaled 1.8 acres and the 4 existing homes included 2 single family (SF) and 2 duplexes; he added they plan to replicate these 6 dwelling units. Mr. Griffin said the homes are rental properties in poor condition and have been owned by the same family for 60 years, who now wish to replace them with 4 new structures. Mr. Griffin said the current road width is 18' and the plan would allow for a turn around and improved water and hydrant infrastructure; he added each lot would meet the 15,000 sq. ft. requirement of the Residence A zone.

Chair Charville asked where the existing public way began and ended, and if the town services the roadway; Mr. Griffin said he was unsure, and yes, snow and trash removal are currently

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provided. Chair Charville asked if the 4 planned lots would meet all size and setback requirements; Atty. Kimball said yes, but this was not required under § 81L. Ms. Flaws asked if any of the current homes were part of the Town's affordable housing inventory; Planning and Conservation Director Emilie Cademartori said they were not part of the Town's current SHI units. Ms. Flaws asked if the new homes would be rentals; Mr. Griffin said they would be sold. Ms. Cademartori asked if they would be condos; Mr. Griffin said yes, with a common HOA. Mr. Sheehan asked if any of the proposed homes would remain on their existing lots; Mr. Griffin said there would be some movement. Mr. Sheehan asked what size the proposed homes were; Mr. Griffin said they would be larger: 2,000 sq. ft. for the condos and 3,000 sq. ft. for the SFs, and all would have 2-car garages. Ms. Flaws asked about stormwater-retention systems; Mr. Griffin said the plan would increase impervious area; therefore, they would likely add drywells to manage runoff. Mr. Sheehan asked about additional non-conformities and needed Variances; Mr. Griffin said lot size, setbacks, and lot coverage would all be conforming, so the single non-conformity would be having 4 buildings on a single lot. Ms. Cademartori said that an additional non-conformity would be lack of frontage; Atty. Kimball said they would request a waiver for this prior to razing the buildings. Ms. Cademartori said that the required lot area was met for SF homes, but 2 family homes require twice the lot area; Atty. Kimball said this could possibly require relief. Ms. Cademartori asked how they would be able to have the single lot remain if new buildings were to be constructed; Atty. Kimball said they may pursue Zoning relief in advance. Chair Charville asked why this project was not proposed as a new subdivision; Atty. Kimball said that would still have required zoning relief unless "1 of such buildings remains standing". Mr. Griffin said the new building footprints would be a significantly different layout and requested the PB's input as to whether they should go to the ZBA first. Chair Charville said he wished there were options beyond the 2 existing bylaws; Atty. Kimball said the project would definitely have a positive impact on the neighborhood. Former PB member Charlie Wills said the idea of having a single owner is preferable to separate lots and would allow all needed roads to be considered driveways; he then asked if the existing road was really 18' wide and Mr. Griffin said yes. Mr. Griffin said gas lines and water mains would be relocated to the roadway. Mr. Wills asked if there would be any legal issues; Atty. Kimball said there would not be if the project was a condominium. Ms. Cademartori said the easiest path would be to apply to the ZBA for a raze and rebuild for 6 units on 1 property and then seek a Special Permit for condos; Atty. Kimball said they must also consider marketability. Ms. Cademartori said an ANR would trigger the stormwater bylaw just as a subdivision would, due to the impervious area. Chair Charville asked if this discussion had been helpful to the applicants; Mr. Griffin said yes.

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4. 109 Lowell Street – Proposed Preliminary Subdivision Plan

Atty. Kimball explained the plan encompassed 7 total lots on 11.5 acres, 5 of which were in Zone RC (40,000 sq. ft. lot, 180' of frontage) and 2 of which were partially in Zone RD (60,000 sq. ft. lot, and 210' of frontage). Engineer Peter Ogren said a Purchase and Sale agreement had been signed with the developer, Paul Caggiano, and the current owner, Linda Vallis, will retain ownership of Lots 1 and 2, and the remaining 5 will be developed. Mr. Ogren said a previous ANR allowed these 5 lots to be cleaved from the parcel, and the BOH has done testing. A Preliminary Plan (PP) was submitted on October 14 due to the potential adoption of an Open Space Residential Design concept at the October 17, 2020, Town Meeting; the group will now pursue a Definitive Plan, but would like feedback from the PB on the PP before they proceed. Specifics they would like input on include:

- Inclusion of a stub road; Chair Charville said this is important to avoid problems such as those seen on Tuttle Lane / Cranberry Lane.
- Should the stub be paved; Ms. Flaws asked if an easement to Smith Farm Trail exists, Mr. Wills said there is, but Mr. Ogren said it is for Greenbelt (not for a road).
- Is a waiver for road length needed; Mr. Ogren said yes, as the potential road length is 960 feet. Mr. Sheehan said the Fire Department (FD) must weigh in and Ms. Flaws said there is no compelling reason to allow this length; Mr. Ogren agreed to contact the FD.

Ms. Cademartori asked if the road could be in an S-curve to avoid excessive grading of the hill; Mr. Ogren said that was possible, but eliminating the hill was needed to build lot 7. Chair Charville asked Mr. Ogren to look for alternative roadway layouts to better work around the topography. Mr. Ogren said that all trees have been located on the plan in an effort to preserve them. Ms. Flaws asked if trees along lot lines and the backs of lots could also be preserved; Mr. Ogren said this is a possibility. Ms. Cademartori noted only 2 catch basins on the road; Mr. Ogren said an additional, double catch basin was located in the cul-de-sac and all would be subject to the stormwater bylaw. Ms. Cademartori relayed the TE's request for sidewalks on both sides of the road; Mr. Ogren agreed. Chair Charville asked Atty. Kimball how they would now proceed; Mr. Ogren said he would examine alternative roadway alignments and present those at the next PB meeting on November 18th.

5. Richardson Green – Notice of Intent/Ch. 61 Sale

Ms. Flaws said she and Ken MacNulty had walked the property with Strategic Planning Committee (SPC) members as the BOS had asked they be consulted, and they had researched

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grant opportunities. Chair Charville asked about next steps; Mr. MacNulty said the SPC would meet in early December and he was waiting to hear if the Ch. 61 group could make a formal presentation. Chair Charville said he and Ms. Cademartori had met with the Town Administrator (TA) and would plan to meet with the BOS to review grant options and timing, as well as make a formal recommendation. Ms. Flaws said the group had “provided all we can” and, as the BOS wanted to gauge public interest in the project, the PB must now send out a clear message. Chair Charville said the PB would draft a formal request to the BOS. Ms. Cademartori noted the need to determine town interest in protecting the parcel, and how to work with Essex County Greenbelt (ECG) on the financial plan; Ms. Flaws said the town would need to establish a bond. Mr. MacNulty said ECG would assist, but only if they see a strong indication of the town’s commitment to the project as well as some town funding. Additional discussion included possible use of ConCom funds and establishing a timeline prior to the December BOS meeting and January Public Hearing. Ms. Cademartori suggested a survey to gauge public interest; Mr. MacNulty agreed to discuss this with her.

6. Proposed Tree Protection Bylaw – Next Steps

Chair Charville said he would begin a revision of the tree bylaw based on resident feedback including received comments and a site visit. Ms. Flaws asked if the OSRD bylaw would be pursued; Chair Charville said the reception at Town Meeting to such a bylaw would likely be the same as it had been this month; Ms. Flaws expressed concern as large parcels of land still exist; Ms. Cademartori said the recently created buildout map confirmed this. Discussion about the indefinite postponement of the bylaws at Town Meeting (TM) continued, and Ms. Flaws offered an apology to resident Ken Peterson for having mentioned him by name in her remarks at Town Meeting. Chair Charville thanked the Tree Committee for their support. Resident Kendall Inglese said that TM needed an executive summary with a cost estimate rather than the detailed information presented.

7. Approval of Minutes – October 14, 2020

Mr. Sheehan motioned to approve the October 14, 2020 meeting minutes as circulated, and Mr. Wallace seconded it. The vote was taken via roll call: Charville-Aye, Wallace-Aye, Sheehan-Aye, and Flaws-Aye.

8. Administrative Matters/Topics for Next Meeting

Topics for the November meeting may include:

- Proposed Preliminary Plan of Subdivision – 109 Lowell Street (Vallis property)
- Hannah’s View Estates Definitive Plan (upper Main St.), including 3rd-party engineering

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- ConCom funding for Richardson Green parcel's acquisition by the Town
- Richardson Green parcel – Ch. 61 final vote of endorsement
- Carpenter Road forum re: possible closure of Route 1 access

Ms. Flaws motioned to adjourn the meeting at 9:06 PM; Mr. Sheehan seconded the motion. The vote was taken via roll call: Charville-Aye, Flaws-Aye, Sheehan-Aye, and Wallace-Aye.

Respectfully submitted,

Susan Lambe, Planning Office