

LYNNFIELD PLANNING BOARD MEETING March 16, 2017

A meeting of the Planning Board (PB) was held on Thursday, March 16, 2017 at 7:00 in the Merritt Center at Market Street. Present were: Chairman John Faria, Alan Dresios, Heather Sievers, and Michael Sheehan.

Chairman Faria announced the meeting was being recorded.

1. Market Street – Major/Minor Modification

Mr. Ted Tye of National Development said that a prior application to construct a 3 story building had been withdrawn, and the PB was now being asked to consider a new, 2 story plan. Mr. Tye said Mr. Dresios had pointed out at the prior meeting that the first determination that needs to be made is whether the new plan is a major or minor modification. Mr. Tye detailed the criteria for a minor change, including that the proposed change must not affect the overall buildout of the property, and must not reduce open space or the number of housing units. Mr. Tye said the proposed plan is a minor change, and if the PB agrees with this, a review of the plan must be scheduled at a public meeting. If the PB determines the plan is a major change, a Public Hearing would have to be scheduled.

Chairman Faria noted that the submitted documentation would suffice for a major or minor change; he also said the applicant has worked to comply with all the required criteria. Chairman Faria said that in this case there is not a significant difference between designating the plan a major or minor change. Mr. Tye noted that adhering to the Design Standards was paramount to both National Development and the PB. Chairman Faria requested that the PB have 2 – 3 weeks' notice prior to the submission of design plans so the meeting could be publicized for interested residents. Mr. Dresios asked for clarification of prohibited uses, specifically, #9- Hazardous Waste, and suggested having an expert look into this. Mr. Tye said this was the purview of the Zoning Board. Chairman Faria said the ZBA and Board of Health (BOH) would determine if the proposed tenant was an allowed use of the building. Chairman Faria said that his opinion was that this is a major change since it is proposing a new structure in a new location. Ms. Sievers said she views it as a minor change. Mr. Sheehan said he also views it as a minor change. Resident David Basile said he feels this is a major change based on a report from the town of Wakefield stating that a critical care facility at Market Street would strain the sewer lines that had been put in place. He added that the South Lynnfield Water District should be consulted, and parking spaces should be relooked at. Police Chief David Breen said he had come to speak about impact on public safety and inquired whether a Selectmen's meeting would be the more appropriate forum. Chairman Faria said he would like to hear his views. Chief

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Breen said he views medical offices as a good use of the building, and added that that if it is an urgent care facility, they will not receive ambulances as all 911 calls must transport to a hospital. Chief Breen added that the Fire Chief would also have feedback about the plan, and that both the police and fire departments would likely have difficulty handling the increased workload if the building has an urgent care facility.

Chairman Faria asked Mr. Crawford if Lynnfield has a hospital fund; Mr. Crawford said he was unsure about a hospital fund, but that the town does have a medical fund for “devices”. Chairman Faria asked Mr. Crawford if he had information about the urgent care facility; he answered no. Mr. Straus of National Development said it was planned to be 5500 sq. ft. of the 20,000 sq. ft. building. He added that it was not an emergency room and there would be no ambulances received, it was for minor medical issues only. Chairman Faria asked Chief Breen why he thought there would be ambulance service to the building; he answered that urgent care patients can be deemed as needing emergency care and would then be transported via 911 calls and ambulance. Resident Wallace McKenzie spoke in hopes that the PB would view this as a major modification and asked what mitigation would be offered as compensation for having a multi-story building so close to the berm. Chairman Faria said that mitigation will be handled subsequently. Resident Jeff_____ noted a letter to the editor stating opposition to this building had been signed by 32 residents; he therefore thinks a Public Hearing on this matter should be publicized in the newspaper. Resident Mark McDonough said that doctors often refer patients for immediate hospitalization, and this will be a strain on police and fire resources. Mr. Basile asked Chairman Faria to request the developer to file this application as a major change since all the documentation for this is in place. Chairman Faria said this was not a fair question. Finding no other discussion, Chairman Faria proposed a motion that the plan provided by National Development for the construction of Building #1350 be accepted as a minor change by reason of the fact that under §9.5.15 of the PVDD such construction does not affect the number of square feet in the overall buildout and does not affect the amount of open space provided in the overall plan. Further, the construction of Building #1350 has no effect on housing units. To such extent that any other criteria may be involved, such criteria are waived. This waiver does not extend to the Design Standards. The applicant shall provide the PB with full architectural and landscape design plans as a condition of the aforementioned waiver. Such designs will be presented at a public meeting of the PB no later than 19 days hereafter, unless such time is extended by the Board. The applicant shall further pay \$7,500 towards review fees prior to exercising any benefits of this motion. The Board shall publish notice of the next meeting regarding Building

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#1350 in a local Lynnfield newspaper. Ms. Sievers moved to adopt this; Mr. Dresios seconded the motion. The vote was 3 in favor with 1 opposed. Ms. Sievers informed Chairman Faria that Ms. Randeale had left the meeting due to illness.

2. Warrant Article – Zoning Bylaws Recodification

Chairman Faria said a vote was needed to put the recodification of the Zoning Bylaw on the Warrant for Town Meeting. A resident asked if the recodified Zoning Bylaws could be put on the website, or copies could be distributed. Chairman Faria said he would like to, but could not due to technical problems. Resident said the town spends \$30,000 annually on the website. Ms. Sievers said hard copies would be made available. Mr. Basile noted that multiple issues have been identified, but the documents have never changed.

Chairman Faria asked for a motion to send the Articles as written by Alan, to the Town Meeting. New copies of the Articles with changes made by Town Counsel Mullen were distributed; the reading of which was waived. It was moved to recommend Sections A and D, and NOT Sections B and C, to Town Meeting by Chairman Faria. The motion was seconded by Mr. Sheehan and unanimously approved.

The motion to adjourn was made, seconded, and unanimously approved.

Respectfully submitted,

Susan Lambe, Planning Office