

# **LYNNFIELD PLANNING BOARD MEETING August 4, 2021**

## **1. Call to Order**

The regular monthly meeting (for July) of the Planning Board (PB) was held on Wednesday, August 4, 2021 at 6:30 PM in the Maney Meeting Room at Town Hall. Vice-Chair Katherine Flaws called the meeting to order at 6:30 PM and said a quorum of PB members, including herself, Amy MacNulty, Ed Champy, and Page Wilkins was present, and added that Chair Brian Charville was on a planned absence.

## **2. 2021 Initiatives – Planning Board**

A revision to the current town zoning of Accessory Apartments was the first discussion point. Planning and Conservation Director Emilie Cademartori said Building Inspector (BI) Joseph O’Callaghan planned to update this bylaw to make it more “workable”. Ms. Cademartori said many towns are currently updating Accessory Dwelling Unit (ADU) bylaws in order to enhance housing stock; she added that Lynnfield now allows such units only as in-law apartments. Ms. Flaws said allowing other family members vs. only aging parents would be important, and, also possibly not restricting occupants to be family members with the caveat that the primary residence be owner-occupied. Ms. Cademartori said the BI would require an annual safety inspection and, in the case of structural changes, restrict maximum size and require off-street parking. Ms. Wilkins asked if stand alone ADUs would be included; Ms. Cademartori said these structures were not currently allowed, and were self-limiting due to septic restrictions. Mr. Champy said a maximum size restriction and requiring owner occupancy would be critical as this would affect property values. Ms. Flaws asked if ADU occupants would be restricted to family members or over age 55. Ms. MacNulty agreed with requiring owner occupancy and annual safety reviews. Ms. Cademartori said she would work with the BI to review ways to make the current bylaw less restrictive and added that all ADUs would still require a Special Permit.

Ms. Cademartori said the BI was also considering revisions to the fence size and maximum garage size zoning bylaws, as well as a general bylaw for grading regulations. Ms. Flaws asked if a solar bylaw was to be considered; Ms. Cademartori said that while this is currently unregulated, “ground mounted solar equipment is not usually well received”. Currently, fences under 6’ do not require a permit and this can result in safety issues if line of sight is obscured; the BI would like to add front yard setback limits, and

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Ms. Cademartori will request Town Counsel advice on whether this is a zoning or general bylaw.

### **3. Cont'd. Public Hearing, 109 Lowell St. – Vallis Way, Definitive Subdivision Plan**

Mr. Champy motioned to reopen the PH and Ms. Wilkins seconded the motion, which carried 4 – 0. Ms. Cademartori said the revised plan submitted had not allowed time for peer engineer reviewing, therefore, the PH would be continued at the next meeting of the PB; she added that this would allow time for a full peer review and the applicant's response before the meeting on August 25<sup>th</sup>. Ms. MacNulty motioned to continue the PH until Wednesday, August 25<sup>th</sup> and Ms. Wilkins seconded the motion; the motion carried 4 – 0.

### **4. 79 Chestnut Street – ZBA Case #21-15**

Ms. Cademartori said the ZBA had heard this case at their meeting the prior evening, and the case had been continued to allow for revisions to the plan (razing and rebuilding on a non-conforming lot) based on abutter concerns about the size and setback of the proposed new home. Ms. Cademartori said the revised plan would be presented at the next PB meeting and this would allow time for the Board to make a recommendation to the ZBA; the DPW would also make a determination on the applicability of the Scenic Road Bylaw (SRB). Mr. Champy suggested an architect be used in order to make best use of the site and preserve the character of the street, and Tree Committee Chair Jane Bandini noted the Historical Commission would also review this case.

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### **Continuation of #2. 2021 Initiatives – Planning Board:**

Ms. Flaws asked if revising the SRB should be considered as part of the 2021 initiatives. Ms. Cademartori said MA state law allows for PB input for trees and stone walls, but not for curb cuts. Ms. Bandini said the ZBA case at 79 Chestnut St. does not come under the jurisdiction of the SRB as it does not propose an additional driveway, and Ms. Wilkins suggested adding fence restrictions to the SRB. Discussion ensued, and it was decided not to pursue a revision of the SRB as the PB had taken on enough at the present time.

### **5. Public Hearing – Proposed Revisions to the Subdivision Rules & Regulations**

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Ms. MacNulty motioned to open the PH and Mr. Champy seconded the motion, which carried 4 – 0. Ms. Cademartori explained the revisions were needed for multiple reasons, including:

- Stormwater regulation changes at the state level
- Building and technical requirement changes detailed by the Town Engineer
- Updated GIS technology requirements
- More logical ordering of contents
- Need for timely and complete submissions requirements

Ms. Cademartori said that Subdivision Application submissions would now include a checklist of requirements and she proposed to “add language requiring submission 2 or more weeks prior to meetings, and requiring staff review to determine if an application is complete” prior to it being filed with the Town Clerk. Mr. Champy asked if revisions to waivers policy were made; Ms. Cademartori said if major waivers were to be requested, either a Preliminary Plan should be filed or informal feedback should be requested in advance from the PB. Ms. Flaws suggested moving Article 14 to follow Design Standards. Article 13, GIS Requirements, is to be updated by GIS Coordinator Patrick McDonald and then relocated to a more logical place in the regulations.

Ms. Flaws asked if any further revisions were needed or if any other concerns should be discussed; Ms. Cademartori said only very minor changes and the GIS revisions were pending. Ms. Flaws asked if a vote on the SRR revisions should be taken; Ms. Cademartori suggested that the needed GIS changes be incorporated, and that a “clean”, dated copy that has been reviewed by Town Counsel be voted on at the next meeting. Ms. Wilkins motioned to continue the PH until Wednesday, August 25<sup>th</sup> and Ms. MacNulty seconded the motion; the motion carried 4 – 0.

### **6. Tree Preservation Bylaw – Outreach Campaign**

Ms. Flaws said that a Warrant Article (WA) for the possible Ch. 61- Richardson Green purchase would be needed for October Town Meeting (TM) and she is concerned about having both the Tree Preservation Bylaw (TPB) and Ch. 61 on the same agenda. Ms. Flaws noted the Ch. 61 purchase was a 1-time opportunity and the TPB could be considered in Spring. Ms. MacNulty asked if the applicant of the project proposed for the R-G land was submitting a citizen’s petition to change the zoning of the parcel; Ms. Cademartori said she was unsure and she also informed that the date for TM is October

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18<sup>th</sup> with the Warrant is scheduled to close on September 20<sup>th</sup>. Ms. Wilkins noted the PB would not submit the Ch. 61 WA; Ms. Cademartori confirmed this as it will be a financial WA. Ms. MacNulty asked what other business would come before TM; Ms. Cademartori said any proposed zoning changes, e.g., ADUs, and the mid-year budget review.

Resident Patricia Fabbri suggested not focusing the “messaging” of the TPB as restrictive, but as a way to make the town more livable. Ms. Cademartori opined that the decision on the TPB and further outreach could be made following the meeting with the SB on the 16<sup>th</sup>.

### **7. Approval of Minutes –June 23, 2021**

Mr. Champy motioned to approve the June 23, 2021 meeting minutes as circulated, and Ms. Wilkins seconded it; the motion carried 4 – 0.

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

Staff informed of a resident’s request that PB meetings be held at the Merritt Center to allow for improved social distancing; Ms. Flaws agreed that this should be pursued. Other agenda items for the August 25<sup>th</sup> meeting will include: the continued PH for Vallis Way, final revisions to the SRR, and new and continued ZBA cases.

Ms. Wilkins motioned to adjourn the meeting at 8:35 PM and Ms. MacNulty seconded; the motion carried 4 - 0.

Respectfully submitted,

Susan Lambe, Planning Office