

LYNNFIELD PLANNING BOARD MEETING September 23, 2021

1. Call to Order

Chair Brian Charville called the special meeting of the Planning Board (PB) to order at 7:01 PM; members in attendance included: Chair Charville, Amy MacNulty, Page Wilkins, and Ed Champy. Board member Kate Flaws had a prior commitment. Chair Charville announced that due to the new state guidelines issued on June 16, 2021, the meeting was being held remotely via Zoom and being recorded.

2. Tree Preservation Bylaw – Final Revision

Chair Charville announced the Select Board (SB) would meet on 9/27 to approve the Warrant Articles (WA) for Town Meeting (TM), and that the proposed Tree Preservation Bylaw (TPB) potentially could garner their unanimous support if a few minor adjustments were made. These would include:

1. § 225-2. a. based on citizen feedback, the Town should not be exempt from the TPB
2. § 225-13. b. based on SB feedback, further narrowing of the definition of “Building Activity” to exclude Variances and expansion of an existing home by more than 50%. The definition of Building Activity would now include only: Special Permits, Site Plan Reviews (SPR), construction of a new dwelling or subdivision, or the needed sitework for any of these.

Ms. MacNulty asked about SPR; Chair Charville said this was defined by the Zoning Bylaws and Planning and Conservation Director Emilie Cademartori noted this would include school buildings but not private residences. Ms. Wilkins suggested the wording in § 225-13. b.(v) be changed from ‘receiving’ to ‘undertaking’; this was agreed upon. Mr. Champy asked if, in the case of a single-family raze and rebuild where all trees were removed prior to Building Permit application, how this could be identified; Ms. Cademartori agreed this could be challenging. Resident Paul Marchionda asked if trees were cleared now, would the TPB retroactively apply to such removal; the answer was no, that the TPB will apply to conduct only after its adoption.

3. § 225-13. c. the definition of “Building Activity Permit” was discussed, and it was decided to pare back the definition so that it remained, but was not worded in a way that it restated the definition already established for “Building Permit”.

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Mr. Champy asked if a permit was needed to clear land without any building activity; Ms. Cademartori said only if the land was over an acre. Ms. Wilkins suggested 2 grammatical revisions which were incorporated into § 225-1. and § 225-2. c. Ms. Wilkins also suggested adding language to § 225-12. to clarify that the Notice of Violation from the PB would specify the date that fines would begin accruing. Ms. MacNulty asked about incorporating a timeline for all permitting; Ms. Cademartori said this would be added into the processes. Mr. Marchionda cited the recent ZBA case at 79 Chestnut St. and asked if the TPB would allow for averaging of setbacks as Zoning does; Ms. Cademartori said unusual circumstances would be addressed in the Tree Permit.

Chair Charville requested a motion that the PB submit the TPB as revised to the SB for inclusion in the Warrant; Ms. Wilkins made the motion and Ms. MacNulty seconded it. The vote was taken via roll call: Charville – Aye, Champy – Aye, MacNulty – Aye, and Wilkins – Aye. Chair Charville said that he will send the revised TPB to the Select Board and Town Administrator.

3. Administrative Matters/Topics for Next Meeting

Chair Charville reminded all of the SB meeting on Monday, September 27, at 6:00 p.m., and Ms. Cademartori said reaching out to TPB supporters to ask for their attendance at TM was crucial.

Ms. MacNulty motioned to adjourn the meeting at 7:48 PM and Mr. Champy seconded; the motion carried 4 – 0 via roll call: Charville – Aye, Champy – Aye, MacNulty – Aye, and Wilkins – Aye.

Respectfully submitted,

Susan Lambe, Planning Office