

LYNNFIELD PLANNING BOARD MEETING October 27, 2021

1. Call to Order

Chair Brian Charville called the regular monthly meeting of the Planning Board (PB) to order at 7:00 PM on Wednesday, October 27, 2021. Members in attendance were: Chair Charville, Kate Flaws, Amy MacNulty and Page Wilkins; Ed Champy was on an excused absence.

The Chair extended congratulations to Town Meeting for supporting the Tree Preservation Bylaw (TPB), and thanked the Finance Committee, Conservation Commission, Tree Committee, Recycling Committee, staff, and the MAPC for their efforts and support on its behalf.

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

Ms. MacNulty motioned to reopen the PH and Ms. Wilkins seconded the motion, which carried 4 – 0. Atty. Jason Kimball attended with Atty. Jay Kimball, engineer Peter Ogren, and developer Paul Caggiano. Atty. Kimball informed that he had met with Chair Charville and Planning and Conservation Director Emilie Cademartori earlier, and the major issue that needed addressing was the requested waiver to extend the length of the dead-end roadway. Mr. Ogren said this waiver was a threshold issue and such waivers had been granted many times; he added that the allowed length of 500' from Lowell St. creates only 1 new building lot. Atty. Kimball said that last month's meeting was the first time the PB had changed their opinion on granting the waiver and asked what the Board wanted to see in order to grant the waiver. Chair Charville said the PB had not changed their posture on the waiver; Atty. Kimball said he was referring to an earlier straw poll. Chair Charville said waivers are granted if they are in the public interest, and asked what that would be in this case. Atty. Kimball said the public interest here would be allowing water access to the Sagamore Golf Course property; he added that "local conditions" here (the shape of the lot) should allow for the waiver and that the frequent precedent of allowing this waiver had been set. Atty. Kimball again asked "what the Board wanted" in order to grant this waiver; Chair Charville informed that this PH was not a Question-and-Answer session. Ms. Cademartori said waivers were granted in order to make projects better, not because of precedence.

Ms. Flaws said that additional work on the plan had been requested, including a possible reconfiguration; Atty. Kimball said the plan complied with Zoning, was a by-right use, and presented no hardships. Ms. Flaws said blasting creates a hardship, and asked if the Board's requests from the prior meeting would be addressed now. Chair Charville reminded that peer review engineer Bill Jones's written comments also needed to be addressed. Mr. Ogren said he had submitted revised stormwater calculations and that Mr. Jones's 1st comment was about the road length waiver. Chair Charville said the PB was not ready to vote on this without the

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required tree survey; Mr. Ogren said that over 600 12" + trees had been located. Chair Charville added the PB was not willing to decide on the waiver until all questions had been answered. Ms. Cademartori reminded that LCWD Superintendent John Scenna had requested information on June 23, 2021, that had not yet been supplied. Atty. Kimball suggested "conditional approval" of the waiver; Ms. Cademartori said she would not recommend that and the LCWD needed definitive information. Mr. Kimball again insisted on the street-length waiver and Chair Charville then asked PB Members if anyone desired to make a motion to allow the street length to exceed 500', and no one made such a motion. Atty. Kimball asked if the PB would entertain such a motion at a future PH; Chair Charville said yes. Ms. MacNulty asked what other plan options might look like, and Ms. Flaws reminded that Mr. Champy had made a good suggestion about the shape of the road.

Atty. Kimball said the Fire Department (FD) had found no issues with the road based on its May 20, 2021, letter; Chair Charville disagreed that the letter said that, and asked Captain and Fire Prevention officer Jim Alexander to opine. Mr. Alexander said the FD was concerned with ingress to the development to safely access all homes, and with the water supply on the presented plan. Chair Charville asked if the FD had concerns with dead-end streets that were 500' long or 1000' long; Mr. Alexander answered yes to both. Ms. Wilkins asked what specific concerns a longer road length posed and why the 500' limit was established; Mr. Alexander said he would respond to her with details. Chair Charville asked if fire suppression was supplied by LCWD and what other mitigation of the proposed subdivision would help with fire safety; Mr. Alexander answered yes, and not allowing plantings in the cul-de-sac.

Ms. Flaws said the prior PB meeting in September had been very productive, yet the applicant team was returning without having acted on what was discussed. Ms. Wilkins said that the PB had been very clear about what was needed, and had reiterated many of the points a 2nd and 3rd time. Discussion ensued about drainage concerns, the number of lots that could be yielded, and prior meeting issues. Chair Charville said the PB is willing to advance the project, but in order to do so, the PB needs to look at "the whole plan"; he added that the "remaining land of Vallis" shown on the subdivision plan must be part of the subdivision per Town Counsel. Resident and Tree Committee Chair Jane Bandini, 537 Essex St., requested the PB take into account the effects of this project on the entire town, as the road length requested would result in an environmental impact to all. Ms. Wilkins suggested that Atty. Kimball listen to the prior meeting recordings that detail all the Board's concerns in order to avoid further continuation of the hearings. The PB's concerns needing a response were identified as:

- the LCWD Commissioner's letter
- the Linden Engineering memo

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- the needed tree survey
- a solution to the land of Vallis
- stormwater calculations including the land of Vallis

Discussion about the possible number of lots the land of Vallis could yield and stormwater effects took place. Ms. Flaws recommended considering Mr. Champy's roadway suggestions; Ms. Wilkins asked for a response to the idea of combining the road and the Vallis driveway, and Ms. MacNulty noted that shifting the roadway would solve the Lot #5 hill issue.

Ms. Wilkins motioned to continue this PH until 11/17/21 at 7:00 PM at the Merritt Center, and Ms. Flaws seconded it. The motion carried 4 – 0.

3. Violet Circle – Extension Request and Update

Developer Marco Tammaro informed that this project was now fully permitted and construction was planned for the Spring; he added that a bond has been posted and asked if the fee to extend the time to complete the project was still needed. Chair Charville said the extension fee could not be waived, based on the Subdivision Rules and Regulations, and asked how long the remaining work might take. Mr. Tammaro was unsure and explained the drainage was complete, but the road and sidewalks still needed to be paved. Chair Charville requested a motion to extend the time to complete Violet Circle until 12/31/2022; Ms. MacNulty motioned and Ms. Wilkins seconded the motion, which carried 4 – 0. The PB requested Mr. Tammaro submit the home design plans to the PB when he applies for Building Permits.

Mr. Tammaro also submitted the As-Built plan for #914 Salem St. and noted that the driveway for #6 Witham St. and planting of street trees there was pending.

4. Ch. 61 – Richardson Green

Ms. MacNulty informed that Essex County Greenbelt Association's (ECGA) fundraising efforts were well on their way: \$250K has been raised towards the goal of \$300K, and the recent \$20K match opportunity is 50% complete. Ms. Cademartori said the Select Board's PH to consider the Right of First Refusal to purchase Ch. 61 land will be held on 11/15, and both the Conservation Restriction and the Purchase and Sale documents have been drafted and are under review by Town Counsel and ECGA. Ms. Cademartori noted that after exercising the right to purchase, there are 90 days to act and the goal for closing on the property is 3/1/2022.

5. Vision for Willis Woods

Ms. Cademartori informed that the Public Forum was now scheduled for 11/18 from 6:30 – 9:00 PM and would be held virtually. The purpose of the forum is to present the drafted goals of

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all 4 participating municipalities and garner feedback. Preparation for the forum will be done at the 11/8 Partners meeting, and an invitation to both meetings will be sent to PB members.

6. Approval of Minutes – September 29, 2021 and October 13, 2021

Ms. Wilkins motioned to approve both the September 29 and October 13 meeting minutes as circulated, and Ms. MacNulty seconded it; the motion carried 4 – 0.

7. Administrative Matters/Topics for Next Meeting

- proposed Rules and Regulations for new TPB
- the continued PH for proposed subdivision “Vallis Way”
- possible PB initiatives, including Solar Bylaw and Master Plan
- an update on Richardson-Green Ch. 61
- an update on the Willis Woods project

Ms. Flaws motioned to adjourn the meeting and Ms. MacNulty seconded the motion, which carried 4 – 0 at 8:40 PM.

Respectfully submitted,

Susan Lambe, Planning Office