

LYNNFIELD PLANNING BOARD MEETING – September 28, 2022

1. 7:01pm - Call to Order

Chair Brian Charville called the regular, monthly meeting to order at 7:01 pm and identified the Planning Board (PB) members in attendance, including himself, Clerk Edward Champy, III, members Amy MacNulty and Page Wilkins, and noted that Vice Chair Kate Flaws would be arriving shortly. Chair Charville also introduced Planning and Conservation staff in attendance as Director Emilie Cademartori and Administrative Assistant Jennifer Welter and stated that the meeting was being recorded by audio.

2. 7:02pm – Continued Public Hearing - 109 Lowell Street (Vallis Way) – Proposed Subdivision Plan

Chair Charville requested a motion to re-open the public hearing for Vallis Way; Ms. MacNulty motioned in favor and Mr. Champy seconded the motion. The motion carried 4-0.

Atty. Jay Kimball requested a continuation of the public hearing to October 26, 2022 in order to complete civil engineering work on the revised lot layout. Director Cademartori added that geotechnical research for the infiltration has identified needed changes to the basin. Cademartori requested that the revisions be ready in time to be fully reviewed.

Chair Charville asked if there were any comments from the audience; none replied.

Chair Charville requested a motion to extend the approval deadline for 109 Lowell Street (Vallis Way) through October 31, 2022; Ms. Wilkins motioned in favor and Mr. Champy seconded the motion. The motion carried 4-0.

Chair Charville requested a motion to continue the public hearing for 109 Lowell Street (Vallis Way) to Wednesday, October 26, 2022. Mr. Champy motioned in favor and Ms. Wilkins seconded the motion. The motion carried 4-0.

3. 7:05pm – Public Hearing – 495 Chestnut Street – Proposed Driveway on Scenic Road

Chair Charville requested a motion to open the public hearing for 495 Chestnut Street; Mr. Champy motioned in favor and Ms. MacNulty seconded the motion. The motion carried 4-0.

Homeowner Christopher Lammi was present to summarize the project.

7:07pm – Vice Chair Kate Flaws arrived at the meeting.

Lammi purchased the home in 2020. He has since fired his contractor and has taken over the project. The front entrance will change from the east to the west side of the home, with a second driveway added off of Chestnut Street, 15' wide that ends in a small circular paved area. A number of trees were removed, and replacement trees will be installed per discussions with the Tree Warden. A 25' cut into

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the scenic stone wall is proposed. Chair Charville asked about the plan for the existing wall. Lammi suggested that he is “fine” with rebuilding a stone wall up to the neighbor’s property line. Ms. MacNulty asked about the plan for the existing current driveway, to which Lammi responded that it would be reduced in size, but the original curb cut would be maintained. Chair Charville asked if the Town Engineer had reviewed the plan for the curb cut, to which Director Cademartori said that he had reviewed the plan again earlier that day. She reiterated that a retaining wall structure cannot be built into the right-of-way. Lammi pointed out a manufactured block retaining wall already built elsewhere on the property. Lammi also said that he needed to open up the entrance for the new driveway from 12’ to 15’. Mr. Champy suggested that the driveway will probably be wider at the mouth – perhaps to 25’. Ms. Wilkins asked about the height of the retaining wall. Lammi responded that it would not be higher than 4’. Ms. MacNulty asked if the wall would look like the other newly built retaining wall, to which Lammi said yes, using Nicolock interlocking blocks. Ms. Wilkins asked if the wall could be made to look consistent with the rustic stone walls elsewhere on Chestnut Street. Ms. MacNulty and Mr. Champy made similar comments about the aesthetic benefits of the “look and feel” of the historic stone walls.

Ms. Flaws questioned the Board’s jurisdiction, to which Mr. Champy said that the request was for a second curb cut. Ms. Wilkins added that the Board could deny the request because of the disturbance to the historic wall, or the Board could take another path. Chair Charville then suggested that an alternate path could be that the Board could condition the wall design that would be visible at the street. Director Cademartori noted that the landscape architect should review the design of such a curb cut in terms of how to transition the butt ends of the wall once the cut is made.

Mr. Champy suggested that Lammi may need to accommodate the elevation change by moving further back into the property. Chair Charville stated that he would like to see a more detailed plan. Ms. Flaws complimented Lammi on the general aesthetics of the home remodeling. She noted a similar property where the original stones were worked into a retaining wall design. Champy added that use of the existing stone may provide a cost savings. Lammi said that he could agree to use the suggested style of using existing stones. Chair Charville said that for the next review he would like to see the driveway mouth pulled back to the property line, with the new style of retaining existing stones. Mr. Champy added that this alternation would probably result in a more workable driveway design for the homeowner.

Director Cademartori added that a street tree had been removed as half of it was dead. However, the tree planting plan shows replacement trees being planted inside the wall on private property, rather than in the right-of-way, as required. However, there is very little room in the right-of-way, and the slope is challenging. The plan was submitted Sept. 1, 2022. Chair Charville asked Lammi if he would consider the review for the October 19 special meeting. Mr. Lammi expressed concern about moving into the house so close to the holidays. Director Cademartori suggested that the break in the wall could occur first so that move-in could take place. The rest of the project could then follow. Mr. Champy further

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added that if the Town Engineer approves the rebuilding plan for the right-of-way, he would approve. Ms. Wilkins suggested a motion be made with conditions.

Ms. Wilkins suggested a motion to condition approval, including; removal of and reuse of the existing stones (all natural), in the “spirit” of previous other historic stone wall properties, with no retaining wall using interlocking block. The alternative is a denial.

Lammi summarized that the design would likely be a 25’ driveway width, with the slope stabilized naturally. Director Cademartori noted that increased removal of vegetation might require more replacement trees to be planted. Lammi added that a stump still on Town property would need to be removed. Ms. Wilkins suggested that the plan be approved with any follow-on changes to be reviewed and amended at a later date. Ms. Flaws suggested that that approval be based on approval by the Town Engineer, no more than 25’ of wall be removed, no interlocking retaining wall materials (to be left all natural), Ms. Wilkins added the condition of no more than 25’ of removal, reuse of stone as shown on the plan, that the stones be reused on the property, that a natural grade and wall structure be created, that no engineered block be used, and all subject to approval by the Town Engineer.

Chair Charville requested a motion to approve the plan according to the listed conditions above as motioned by Ms. Flaws and seconded by Mr. Champy. The motioned passed 4-1 with Chair Charville voting against the motion, citing his opinion that a more engineered plan should be proposed.

Chair Charville requested a motion to close the public hearing for 495 Chestnut Street. Mr. Champy motioned in favor and Ms. Wilkins seconded the motion. The motion carried 5-0.

4. 7:45pm – ZBA Case #22-12 - 1414 Main Street Section 5.3 & 5.6 Raze & Rebuild single family.

Attorney Tim Doyle summarized the request for the special permits. Zoning requires the parcel to have 210’ of frontage where it now has 197.4’. The property is in the Groundwater Protection Overlay District. The property meets all the zoning setbacks. The driveway is quite long, and the homeowner has not yet decided if the driveway and walkways will be pervious or impervious. According to Section of 9.3 of the Groundwater Protection regulations, the impervious land area can’t be any more than 15% of the total area. The proposed impervious area is 20.3% of the total area. A Cul-Tec system will handle the water off the home. Mr. Champy questioned the lack of detail for the Cul-Tec system and the number of bays. Ms. Wilkins questioned what was before the Board, to which Director Cademartori answered that the ZBA has to consider 2 special permits; the raze and rebuild of the home, and the approval to exceed the 15% limit of imperviousness under the Groundwater Protection Overlay District.

Director Cademartori noted that the current plan only seeks to recharge what exceeds the 15%.

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Ms. Wilkins asked about the number of trees that would be removed, to which Director Cademartori responded that until a full tree permit is applied for, the tree protection plan is still unknown. When the lot was first sold, the applicant had a Tree Preservation Bylaw Certificate of Exemption, as the building footprint did not require any tree removal.

Director Cademartori noted that a significant project concern is the slope of the driveway that will shed significant water to the street. Mr. Champy said that there are options to prevent this, such as contouring or pitching the driveway.

Chair Charville asked what recommendations/changes the Board would like to provide the ZBA. Mr. Champy said he would like to see a plan showing where the water will go. He would also like to see a more detailed plan showing the Cal-Tec systems and bays. Director Cademartori noted that a stormwater plan is not required. Mr. Champy asked who would design the infiltration and the water run-off on this site. Director Cademartori said that she had sent the plan to the Town Engineer. Planning Board members can also make further requests.

Ms. Wilkins asked for conditions for any approval. Mr. Champy suggested development of a plan of the driveway that shows how to mitigate the water running to Main Street, and the Cul-Tec infiltration systems with calculations and layout – all of which the Town Engineer would review and approve. Director Cademartori added the inclusion of a Tree Preservation Permit and Tree Preservation Bylaw compliance.

Chair Charville asked for a motion to recommend to the ZBA the special permits for 1414 Main Street pursuant to Sections 5.3 and 5.6, and Section 9.3 of the Zoning Bylaw on the conditions that the applicant comply with the Tree Preservation Bylaw, and that the applicant provide plans to the Town Engineer's satisfaction showing driveway contouring and details of the Cul-Tec infiltration system. Mr. Champy; Ms. Wilkins motioned in favor and Mr. Champy seconded the motion.

Chair Charville asked for debate on the motion. Ms. Flaws expressed concern about continuing to waive the 15% imperviousness restriction, which she said exists for a reason. Ms. MacNulty indicated that she agreed with Ms. Flaws. Atty. Doyle noted that the applicant had a well, to which Ms. MacNulty remarked that it was still taking a lot of water from the ground and applying overall pressure to the Groundwater Protection District.

The motion passed 4-1, with Ms. Flaws voting against the motion.

5. 8:18pm– Tuttle Lane - Definitive Subdivision – Endorse New Letter of Credit

Director Cademartori reminded the Board that at the August 31, 2022 Planning Board meeting the members voted to reduce the bond amount. At that time the Board endorsed an extension of the bond as the expiration was the following day. Therefore, the bond had to be kept current until it was renewed. The Town Engineer did provide a letter showing the new amount, but the document had not been

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available to endorse. The revised letter of credit is now valid through September 21, 2024, with the new amount of \$197,580 as voted on in the August meeting. The revised letter was circulated for board signatures.

6. 8:12pm – Sagamore Place – Definitive Subdivision Update

Director Cademartori reported that she did a drive-through earlier in the day and noted that the street appeared to be recently swept, and that significant recent events have resulted in a large amount of sediment at the catch basins. The shoulders look good, and all the grass has come in. The Prokopis's sod has been installed so paving should likely begin. The Prokopis's have received approval from the Tree Warden to remove the planted street trees with the trees replanted to another area of their property.

Mr. Champy reported that there was significant fill brought in on the backside of 1 Sagamore Place, which is burying the trees. Director Cademartori noted that the trees were likely to die.

7. 8:21pm- 271 Main Street Definitive Subdivision – Appeal Dismissal

Director Cademartori reported that the appeal was dismissed. The mylars were passed for signatures.

8. 8:22pm – Approval of Minutes – August 31, 2022

The draft August 31, 2022, minutes will be reviewed at the October 26, 2022 meeting.

9. 8:45pm - Administrative Matters/Discussion of Topics for next meeting

Director Cademartori reported that the Town has been awarded a Community Compact Best Practices Grant to develop a Lynnfield Vision Plan (mini-master plan). The narrative of the grant and the scope and budget were circulated to members. The scope and budget have been drafted by MAPC who will be the consultant for this project.

Director Cademartori also reported that the Zoning Board's Boston Clearwater case was upheld upon appeal. It is possible that Boston Clearwater will appeal this decision. In the meantime, Boston Clearwater is proceeding with rebuilding of the spring house. It is possible that all the trees on the slope will now be removed.

10. 8:51pm– Adjournment

Chair Charville requested a motion to adjourn. Vice Chair Flaws motioned in favor and Ms. Wilkins seconded the motion. The motion carried 5-0.

Respectfully submitted,
Jennifer Welter