

Concord Square Planning & Development, Inc.

Memorandum

To: Lynnfield Planning Board

From: Angus Jennings, AICP

Date: February 9, 2008

Project: Lynnfield 40R Planned Village Development District
Proposed Meadow Walk Development Application

Applicant: National Development
c/o Edward Marsteiner
2310 Washington Street
Newton Lower Falls, MA 02462

Introduction

The Town of Lynnfield adopted a 40R Zoning Overlay District known as the Planned Village Development District (PVDD) at a Town Meeting in April, 2007. The approved bylaw (Bylaw) incorporates by reference the "Lynnfield 40R Planned Village Development District Design Standards and Procedures" (Design Standards), which were endorsed by vote of the Planning Board on April 16, 2007.

National Development is the owner of the land within the PVDD and on January 23, 2008, submitted an application for development to the Lynnfield Town Clerk's Office. The proposed development is required to comply with the Bylaw, which cannot be waived, and the Design Standards unless specific waivers are approved. Project mitigation is governed by the project's MEPA (Massachusetts Environmental Policy Act) review process, currently underway, and compliance with the terms of a Development Agreement approved by the Lynnfield Board of Selectmen.

In accordance with the regulations established in M.G. L. c.40R § 11, 760 CMR 59.04(1)(f) and Section 9.5.12 of the Planned Village Development District Bylaw, the Planning Board is required to issue a decision on the application within the 120-day timeframe established by the 40R statute unless that date is extended at the applicant's option. Within this timeframe, the Planning Board and other municipal departments must review the application for compliance with the Bylaw and Design Standards. The Planning Board must also hold public hearings and consider comments from the public on the proposed application. The public hearing will begin on Wednesday, February 13, 2008 at 7:30 P.M. in the Auditorium at the Lynnfield Middle School, 505 Main Street.

Project Description

The Meadow Walk Development application proposes the redevelopment of a portion of the Lynnfield Colonial golf course site. Said parcel of land is shown on Lynnfield

Assessors Map 45, Parcel 999 and Assessors Map 50, Parcel 1553. The areas in Wakefield owned by the applicant are shown on the Wakefield Assessors Maps as Parcels 36W-031-07A and 41-030-26F.

The proposal is comprised of a mixed-use project that includes retail, office and housing development. Approximately 68 of the 202 acre site owned by PHF-ND Colonial LLC c/o National Development would be developed under the plan submitted in the application. As part of the Development Agreement, the Applicant has agreed to deed approximately 110 acres to the Town of Lynnfield for use as a nine-hole municipal golf course. The Development Agreement between National Development and the Town of Lynnfield also includes specific project mitigation measures including traffic improvements.

Residences would include three four-story apartment buildings, each including sixty rental units. Twenty-five percent of the housing units would be affordable to households earning less than 80% of Area Median Income (AMI), and marketed subject to an affirmative fair marketing plan approved by the Board of Selectmen in January 2007. The residences would overlook the nine-hole golf course and would be served by pedestrian connections to the retail and office portion of the site. Parking for the three apartment buildings would be located partially below the buildings, and pervious pavement is proposed for the surface parking accompanying the residential development in order to encourage stormwater recharge.

Procedural History

The Meadow Walk Development Application was submitted to the Lynnfield Town Clerk on January 23, 2008. At the time of application, no waivers from the Design Standards were requested. Provisions of the PVDD Bylaw may not be waived.

In order to improve public accessibility, the application materials have been placed on the Town of Lynnfield website: <http://www.town.lynnfield.ma.us/Meadow%20Walk/ND/Meadow%20Walk.htm>.

As the review process moves forward, written comments received by the Planning Board and additional supplemental materials as may be received by the Applicant will be placed online on a regular basis.

On January 24, the Planning Board Secretary and Concord Square Planning & Development, Inc., the Planning Board's peer review consultant, held an informational meeting for municipal officials to discuss the application review process. This meeting was attended by Planning Board member Alan Dresios, Planning Board Secretary Kathy Randle, Conservation Commission Secretary Betty Adelson, Town Engineer Charlie Richter, Winnie Barraso from the Office of the Building Inspector, two officials from the Fire Department, Town Administrator Bill Gustus, Ed Marsteiner from National Development, and by Angus Jennings and Victoria Maguire from Concord Square.

The applicant has submitted a separate application for review with the Lynnfield Conservation Commission. The Conservation Commission has retained a specialized

consultant to review, among other things, the proposed stormwater management plan. We will keep the Planning Board apprised of this review process.

The applicant also filed an Expanded Environmental Notification Form (ENF) with the MEPA Office on August 31, 2007. The MEPA review process is currently underway. Copies of the Expanded ENF are on file in Town Hall.

Materials Submitted for the Record

From the Applicant:

Meadow Walk Development Application. This application included a cover letter from National Development, completed development application including stated compliance with specific design standard requirements, both stamped and signed by the Applicant's landscape architect. The application was accompanied by a set of plans including site layout, residential and retail architectural renderings, stormwater management plan, lighting plan, street cross-sections and construction detail. As required by Sec. 9.5.11. of the Bylaw, the submittal included a proposed Master Affordable Housing Restriction Agreement and Rental Monitoring Services Agreement.

From Local Officials:

As required by the Bylaw Sec. 9.5.12.2.(c), copies of the Meadow Walk application materials were sent to Town departments along with a letter inviting their comments. To date, no written comments have been received from municipal departments in Town Hall. However, we have been in contact with several departments and anticipate that comments will be received as the departments complete their substantive reviews of the proposal.

From State Officials:

Concord Square notified Don Schmidt and Bill Reyelt at DHCD that the Meadow Walk application was filed. An initial meeting has been scheduled on February 26 at 9:30 AM at the DHCD offices in Boston to review the draft Master Affordable Housing Restriction Agreement and Rental Monitoring Services Agreement and ensure that these documents are in the proper form to ensure addition of the housing units to the Town's Subsidized Housing Inventory (SHI).

Public comments received:

To date, no written comments have been received from Lynnfield citizens or other interested parties.

Completeness Review

The Bylaw at Sec. 9.5.12.2.(d) requires that the Planning Board "shall evaluate the proposal with regard to its completeness and shall submit an advisory report in writing to the Applicant certifying the completeness of the application."

Our review of the application completeness finds that the Applicant, National Development, submitted all of the required items as required by the Planned Village Development District (PVDD) Bylaw.

Development Application Review

We are in the process of reviewing the submitted application and plans for consistency with the District Bylaw and Design Standards. In addition to review for compliance with these documents, we will take into account comments received from Planning Board members, Lynnfield municipal officials, citizens and others. Upon completion of our substantive review, we will prepare a report identifying areas in which the plan is not consistent, if any, or where additional information must be provided by the Applicant in order to complete our consistency review.

At the direction of the Planning Board, we will not review the plans for consistency with the following sections of the Design Standards at this time, pending their review by other peer reviewers retained by the Board or, in the case of stormwater management, by the Conservation Commission:

- Sec. 5.D. Landscaping
- Sec. 5.F. Lighting
- Sec. 5.G. Stormwater Management

It should be noted that several aspects of the proposed development, including stormwater management, are also included in the Applicant's MEPA filing, and are subject to review and approval within that process.

Summary

The public hearing for Planning Board review of the proposed Meadow Walk application will begin on Wednesday, February 13 at 7:30 PM. During the course of the public hearing, which is anticipated to involve several meetings, the Planning Board will review whether "the proposed Development Project as described in the application meets all of the requirements and standards set forth in this Section 9.5 and applicable Design Standards [unless] a waiver has been granted therefrom" (Bylaw Sec. 9.5.12.5(b)).

At the first hearing, the Planning Board will provide an introduction and Concord Square will present a brief summary of the process to date, and of the procedural and substantive requirements of the 40R statute, regulations and the PVDD Bylaw. The Applicant will present their Application, followed by discussion by the Planning Board members and invitation for public comment.

Prior to the conclusion of the first session of the public hearing, we recommend that the Board set out a schedule for subsequent public hearings, perhaps to include identification of specific dates for consideration of various elements of the proposal, to allow all parties to prepare accordingly.

Please feel free to contact my office at any time with questions or comments.

Thanks.