

LYNNFIELD PLANNING BOARD MEETING October 2, 2019

1. Call to Order

A Special Meeting of the Planning Board was held on Wednesday, October 2, 2019 in the Maney Meeting Room at Town Hall. Chairman Charville called the meeting to order at 7:00 PM, and noted this was a Special Meeting of the Planning Board (PB) whose main purpose was the Public Hearing (PH) of the upcoming Town Meeting (TM) Warrant Articles (WA). All Board members were in attendance, including: Chairman Brian Charville, Vice-chairman Michael Sheehan, Charlie Wills, Katherine Flaws and Thomas Wallace.

6. Tuttle Lane Definitive Plan Signing

Chris Sparages, engineer for the project, was in attendance. PB members signed original, Mylar copies of the Definitive Subdivision Plan for Tuttle Lane; signing was complete at 7:10 PM.

Chairman Charville noted agenda items will be taken out of order to accommodate presenter schedules.

4. Article 12 - Proposed Zoning Bylaw Amendment – Location of Districts and Adoption of “Zoning District Map of the Town of Lynnfield”, dated October, 2019

Director of Planning and Conservation Emilie Cademartori introduced Patrick McDonald, the staff member who conducted and completed the extensive work on a new Zoning District Map for the town. Mr. McDonald said the map currently being used was adopted in 1953 and it needed to be modernized; additionally, he updated GIS shape files as the state has new standards for GIS map use. Mr. McDonald said the goal of the new map was to make it geometrically correct, meaning all vertices in the map are accurate. Mr. McDonald said the revised map is also in compliance with all new state and federal standards; he added that improved technology will allow the map to access a wealth of information. Mr. McDonald explained the methodology of the project included researching all Town Annual Reports and Warrant Articles since 1954, and in some cases using online resources dating back to 1929. Mr. McDonald said that when zoning plans were digitized in 1997, it led to some issues with inaccurate scaling. Some of the changes in the map include: the Municipal District has changed from an overlay to an actual district, precinct lines have been adjusted and verified, improved display of the Groundwater Protection District, and improved delineation between ponds and wetlands. Mr. McDonald said that having the quality assurance of an in-house produced map has resulted in very useful data for future projects.

(Chairman Charville requested a motion to open the PH at 7:31 PM. Mr. Sheehan made the motion and Mr. Wills seconded; the motion carried 5 – 0.)

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Mr. Wills asked if the map was to be used to “find our way around town”; Mr. McDonald said the full-size poster map displayed in the hallways, and the zoom feature on the on-line map could both be used to find streets and lot lines; he added that not all streets could be labeled. Ms. Cademartori said that all street names would be included in the GIS map when it was updated and hosted on the town website. Mr. Sparages asked if the map would show offsets; Mr. McDonald said that could be added as a text layer. Mr. Sparages then asked if the shape files would be made available to the public; Ms. Cademartori said they will be provided to MA GIS and could be downloaded from that site; she added that the new map will provide searchable data that will be extremely useful for planning and zoning work. Mr. Sheehan asked how future changes to the map would be done; Ms. Cademartori said that since the town now owns the shape files, changes can be made in house, thereby assuring quality. Chairman Charville requested a motion that the PB recommend that TM adopt this new Zoning Map dated September 18, 2019 and Article 12; Ms. Flaws made the motion and Mr. Wallace seconded; the motion carried 5 – 0.

2. Article 10 - Proposed Zoning Bylaw Amendment – Appendix A

Ms. Cademartori said that upon reviewing Article 10, one error was noted and would be changed as the Warrant was still open. The change was on page 4 of Appendix A where restaurants should have been listed as an Allowed Use in General Business and Commercial Districts. Chairman Charville asked if all changes highlighted in the table were to “bring the Bylaws into use conformity” with the pre-recodification bylaws; Ms. Cademartori said yes. Chairman Charville said the Board had received a letter to be added into the record from resident Paul Marchionda (it has been appended). Chairman Charville requested a motion that the PB recommend adoption of Warrant Article 10 inclusive of the change added by Ms. Cademartori. Mr. Sheehan made the motion and Ms. Flaws seconded; the motion carried 5 – 0.

3. Article 11 - Proposed Zoning Bylaw Amendment – Inadvertent Recodification Changes

Ms. Cademartori detailed the needed changes, which include: removing the Wireless District, inadvertent omissions, typographical errors, proper titling, and correcting definitions. Chairman Charville requested a motion that the PB recommend that TM adopt Warrant Article 11; Ms. Flaws made the motion and Mr. Wills seconded; the motion carried 5 – 0.

5. Parsons Avenue Extension – Road Acceptance

Ms. Cademartori said the BOS would hear the laying out of the way at their next meeting, and that street acceptance had been proposed last year, but residents voiced objections. Ms. Cademartori said that the developer and Town Engineer (TE) had worked to satisfy these objections. Chairman Charville asked if the PB makes their recommendation to the BOS or TM;

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Ms. Cademartori said the 1st step is the BOS meeting. Chairman Charville requested a motion that the PB recommend to the BOS and TM that Parsons Ave. Ext. be laid out and accepted as a public way; Mr. Sheehan made the motion and Mr. Wills seconded; the motion carried 5 – 0.

7. Administrative Matters/Topics for Next Meeting

- Continued IRWA discussion and speaker, scheduled for 7:30 PM.
- Tree Grant and Preservation Bylaw – study other communities

Ms. Cademartori asked if the PB would submit specific questions for the IRWA in advance of the meeting, to help IRWA tailor their presentation.

Ms. Flaws motioned to adjourn the meeting at 8:16 PM; Mr. Wills seconded, and the motion carried 5 – 0. Chairman Charville subsequently reconvened the meeting in order to formally close the PH; Mr. Wallace made the motion at 8:24 and Mr. Wills seconded it. The motion carried 3 – 0.

Respectfully submitted,

Susan Lambe, Planning Office

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October 1, 2019

Lynnfield Planning Board
55 Main Street
Lynnfield, MA 01940

RE: Public Hearing, October 2, 2019

Attention Emilie Cademartori VIA Email

Dear Board Members:

I understand that a public hearing has been scheduled for October 2, 2019 at 7:00 PM to provide opportunity to comment on proposed corrections to the Lynnfield Zoning Bylaws. According to the published notice, the amendments are being proposed to correct errors inadvertently introduced with the recodification of the Bylaw in 2017. Unfortunately, I have other commitments on October 2nd that will prevent me from being able to attend the hearing so I am submitting my comments in writing and would appreciate them being read into the record at the hearing.

A recodification by definition is the rearranging of the content of the Bylaw to a more systematic form. That is not what was voted on and approved at the 2017 Town meeting. There are differences in the previous and current (2017) bylaw that clearly go well beyond the definition of a recodification and are in fact bylaw changes which I had previously corresponded to the Board.

The following is a summary of the items that I have come across from working with the pre 2017 and the current Bylaw. By no means should this outline be construed to identify all of the differences in the bylaws that exceed the definition of a recodification and as such fall into the category of bylaw changes. These are just the ones that I currently am aware of. For convenience I will refer to the pre 2017 Bylaw as the Old Bylaw" and the 2017 Bylaw as the "New Bylaw".

1. Section 7.4 of the Old Bylaw required the issuance of site plan approval from the Zoning Board for any alteration, enlargement or expansion of a non-conforming building. In Section 5.3 of the New Bylaw, any alteration, enlargement or expansion of a non-conforming building requires the issuance of a special permit from the Zoning Board.
2. Section 10.6 Lot Size Exceptions of the Old Bylaw was completely eliminated from the New Bylaw.
3. Section 11.1 of the Old Bylaw specified that an existing non-conforming use or structure may be continued "... unless and until abandoned for a period of two years". Section 5.6 of the New Bylaw in addition to the word abandon, the words, "not used for a period of two years" we added to the definition.