

# **LYNNFIELD PLANNING BOARD MEETING December 18, 2019**

## **1. Call to Order**

The monthly meeting of the Planning Board (PB) was held on Wednesday, December 18, 2019 in the Maney Meeting Room at Town Hall. Chairman Charville called the meeting to order at 7:02 PM, and noted that PB members Michael Sheehan, Thomas Wallace, Charlie Wills, and Brian Charville were present, and that Katherine Flaws was expected. Chairman Charville added that it was the final, regular PB meeting of the year, and that it was being recorded by audio.

## **2. Sagamore Place (formerly Janet Way) – Request for Extension**

Director of Planning and Conservation Emilie Cademartori said developer Angus Bruce, who was present, and Town Engineer (TE) Charlie Richter had met and agreed that an extension until November 1, 2020 (the end of construction season) was sufficient. Resident Ken Peterson questioned the number of planned homes and the bonding process; Ms. Cademartori said there could be a maximum of 5 homes, but currently only 2 are planned and she explained the subdivision bonding process (which is not being requested yet by the developer).

Chairman Charville requested a motion to grant the requested extension until 11/1/2020; Mr. Wills made the motion and Mr. Sheehan seconded it; the motion carried 4-0.

## **3. Budget Requests FY 2021 – Priorities**

Ms. Cademartori said she would like feedback from the PB prior to submission of the budget, and she reviewed progress on departmental goals for the current year. Chairman Charville requested PB members review the current goals and send feedback to Ms. Cademartori. Ms. Cademartori said she would apply to MAPC for a technical assistance grant that can be used in conjunction with remaining capital funds in order to continue the ongoing review of the Town's Master Plan (MP). Ms. Cademartori said the MAPC was impressed with the completed 2017 survey and the grant could provide "a potential way to get started" (on updating the MP). Chairman Charville asked the amount of remaining capital funds; Ms. Cademartori said \$7,200. Chairman Charville asked if members were in agreement with this idea of members reviewing goals and sending feedback to Ms. Cademartori; all were. Ms. Cademartori requested member feedback on other goals before Christmas.

## **4. Private Well Regulation Discussion**

Ms. Cademartori said that Town Counsel (TC) had shared information about regulating private wells with regard to water quality and protecting consumers, but that the PB was more interested in the possibility of regulating water quantity used. As an example, Ms. Cademartori

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cited the town of Wenham, which began regulating public and private wells in 2008. Wenham is a Municipal Water District, but the state statute which allowed them to regulate applies to independent water commissions also. Mr. Sheehan asked if well regulation would cover the whole town or just one water district; Ms. Cademartori said town-wide regulation is possible (but 3 statutes would determine this). Mr. Wills noted there are areas in town that are in neither district. Mr. Sheehan asked who would monitor the wells; Ms. Cademartori said the size of the well determines this, with larger wells regulated by the DEP and smaller wells regulated by towns or HOAs. Ms. Cademartori added that LCWD Director John Scenna prefers state regulation. (Ms. Flaws arrived at 7:30 PM)

Chairman Charville asked if additional legal input from TC was pending; Ms. Cademartori said yes and that she would review the Wenham bylaws with him as an example. Ms. Cademartori said that the LCWD is most interested in regulating new wells and wants to determine the impact of existing wells prior to deciding whether to regulate those as well.

### **5. Proposed OSRD and Tree Bylaws – Update/Discussion**

Ms. Cademartori began the review of the MAPC first drafts of Tree and Cluster Bylaws for Lynnfield which were drafted by Ella Wise; she explained the purpose of the review is to offer feedback to Ms. Wise as she continues to refine the bylaws. Key ideas presented for the tree bylaw include:

- Trigger of 6” DBH may be too large
- MA working on update of Public Shade Tree Law to 4”, would be good to conform to std. size
- Agreement with 4”, may have to educate community
- Apply any new tree-protection bylaw only to lot setback areas; possible exemption for front yard setback, or “reversed rear” setback; i.e., possibly reduce front yard setback, and maximize rear yard setback.
- Do not include regulation of lawn size
- If building up to setback; this triggers mitigation
- LI, C, LB, and GB zones to have different standards
- Apply to new construction, raze and rebuild, and existing homes
- Exemption for hazardous trees including detailed provisions for this, with town approved arborist documentation (except in true emergency cases)
- Trigger is pulling any permit: demo, shed, pool, etc.
- Reviewing Agent undecided, Tree Warden not able to regulate this.
- When mitigation is needed, abutters are notified.

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- Mitigation mechanisms need further research; ticket-able offense?
- Definite need for septic system mitigation (exceptions for tree work to occur due to septic-system work)

Ms. Cademartori and PB members also plan to review tree bylaws from other towns prior to making their recommendations to Ms. Wise. Key ideas presented for the OSRD bylaw include:

- Definite goal is to maximize greenspace
- Potentially want to “limit unit size and type of units”
- 1972 Cluster Zoning (Greenbelt) Bylaw no longer applicable due to 25 acre minimum, yet nothing else in current zoning serves to give developers alternatives and preserve greenspace
- Changing Greenbelt law vs. new OSRD law with the goal of saving open space on smaller tracts is more likely to be approved by voters.
- Revised Greenbelt law to exclude wetlands from Greenbelt zone; land “should be high and dry”.
- Trigger mechanism: number of homes, parcel size, 30-35% minimum open space
- Recognize that this option is limiting diversity of housing stock “due to political considerations”.

Chairman Charville suggested January 15<sup>th</sup>, 2020 as a possible extra meeting to review the next draft of both bylaws. PB members agreed with having a special meeting to review draft bylaws.

### **6. Approval of Minutes – November 20, 2019**

Chairman Charville requested a motion to approve the November 20, 2019 meeting minutes as submitted; Mr. Wallace made the motion and Mr. Wills seconded it; the motion carried 5 – 0.

### **7. Administrative Matters/Topics for Next Meeting**

- Tentative meeting on January 15, 2020, pending response from MAPC regarding bylaw updates. This meeting will be for bylaw review only.
- Tuttle Lane update – currently, demo of houses is imminent and a pre-construction site visit will be planned for mid-January. Construction is planned to continue as weather permits.

Mr. Sheehan motioned to adjourn the meeting at 9:21 PM; Ms. Flaws seconded, and the motion carried 5 – 0.

Respectfully submitted,

Susan Lambe, Planning Office