

# **LYNNFIELD PLANNING BOARD MEETING February 26, 2020**

## **1. Call to Order**

The monthly meeting of the Planning Board (PB) was held on Wednesday, February 26, 2020 in the Maney Meeting Room at Town Hall. Chairman Charville called the meeting to order at 7:00 PM, and noted the entire PB was in attendance, including: Michael Sheehan, Katherine Flaws, Thomas Wallace, Charlie Wills, and Brian Charville. Chairman Charville asked all attendees to sign the sign-in sheet and added that the meeting was being recorded by audio.

## **2. 13 Underhill Road – ANR**

Applicant Richard Rosen reviewed his plan to divide the lot adjacent to his home to add privacy to his lot. Planning and Conservation Director Emilie Cademartori noted that the plan submitted had no address and that the deed must be written correctly. Chairman Charville asked if any other changes or concerns should be addressed; Ms. Cademartori said that the ANR application properly states that the created lot was “not buildable” when it was added to the adjacent lot and created no zoning conflicts. Mr. Rosen confirmed that the existing home at 13 Underhill was a raze and rebuild. Mr. Wills asked if the land he was adding to his lot was “high and dry”; Mr. Rosen said yes. Mr. Wills motioned to endorse the ANR plan as submitted; Ms. Flaws seconded, and the motion carried 5 – 0.

## **3. 455 Salem Street – ZBA Case #20-02**

Homeowner Ashley MacDonald appeared to present the project and said that her father had purchased the home in 2007 and added an accessory apartment in the basement, and she became the owner in 2018. In applying to refinance the home, she learned that the apartment was never approved or permitted. Ms. MacDonald desires to correct this and provide the needed egress. Ms. Flaws asked what the square footage of the home vs. that of the apartment was; Ms. MacDonald said the main floor of the home is 2000 sq. ft. and the apartment is 1300’ sq. ft. Mr. Sheehan asked what changes had been made to correct the issues; Ms. Mac Donald said a bedroom window had been added to provide additional egress. Mr. Sheehan asked what other entrance the apartment had; Ms. MacDonald said a separate side door. Ms. Flaws said that §8.7 does allow an accessory apartment to exceed 25% of the main dwelling area if the house warrants it. Mr. Wills asked if the apartment was created illegally; Ms. MacDonald said it never had ZBA approval. Mr. Wills asked when the apartment was built; Ms. MacDonald said between 2007-2008. Mr. Sheehan asked how best to decide such cases in the future; Ms. Cademartori said that upon sale, the permit for an accessory apartment is voided. Mr. Wills said many such apartments exist in town. Chairman Charville asked if a building permit had been obtained to install the new window; Ms. MacDonald said yes, and added that she recognizes

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that errors have been made and she is attempting to correct them. Chairman Charville suggested reminding the ZBA that the home is not being enlarged.

Chairman Charville requested a motion that the PB not oppose ZBA Case #20-02; Ms. Flaws made the motion and Mr. Sheehan seconded it; the motion carried 4 – 0, with Mr. Wills voting “present”.

### **4. 15 Hutchins Circle – ZBA Case #20-03**

Applicant Vera Rodrigues explained the existing home she purchased needs major upgrades and a sunroom on stilts had already been removed, and that her architect’s plan included a full height 2<sup>nd</sup> floor, adding a family room on the side, and they had hoped to have a 2-car garage underneath. The underneath garage cannot be done due to the proximity to the septic system so it is now planned for the side of the home. Engineer Giovanni Fodera said the existing home is 800 sq. ft. and the planned home is 2000 sq. ft.; he added that the home had been shifted to the left side of the lot in order to stay 10’ from the septic. Chairman Charville asked if the existing home would be moved; Mr. Fodera said no, just added onto. Mr. Sheehan noted that the new footprint changed the setbacks; Mr. Fodera said the front setback had decreased 5’ from 31’ to 26’. Mr. Sheehan asked what the change was in relation to the neighbors; Mr. Fodera said it decreased from 47.48’ to 7.96’. Mr. Wills asked if the zoning was RA; Mr. Fodera said it was RC. Ms. Flaws asked what the impervious % of the lot was; Mr. Fodera said it was 7% and would change to 18%. Ms. Cademartori said that the home was in the Groundwater Protection District and would require a recharge system. Ms. Flaws asked if there was adequate space for a roof recharge system; Ms. Cademartori said it would likely have to go in a corner location and was not currently shown on the plan. Mr. Wills noted that when the lot was created it was likely in a 10,000 sq. ft. zone and should not be judged based on RC zoning; he added that on that basis, a setback of 10’ was allowed, but this plan is only 7.96’. Mr. Wills asked which side of the lot is considered the rear in the case of a pie shaped lot. Chairman Charville asked if the abutters had been contacted; Ms. Rodrigues said they had spoken to all but one, and all were satisfied with the plan. Ms. Flaws asked how many trees would be removed; Ms. Rodrigues said all large trees will remain and the others will only be trimmed. Ms. Flaws asked what the proposed number of bedrooms was; Ms. Rodrigues said it would remain at 3. Chairman Charville said that Section 5.5 does not allow an increased square footage of more than 100%. Ms. Cademartori said increasing the size of an existing non-conforming home requires a Special Permit, and a Variance is needed for setbacks. Mr. Wills reiterated that although the sidelines would be conforming, a setback that would not have been allowed was being created.

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Mr. Sheehan motioned that the Planning Board not recommend the ZBA approve the requested relief in Case #20-03; Mr. Wills seconded and the motion carried 5 – 0.

### **5. Proposed OSRD (Open Space Residential Design) Bylaw – Update/Discussion**

MAPC Senior Planner Ella Wise said the draft of the proposed bylaw has been in progress for 2 months and the purpose of this meeting was to garner public feedback to determine any potential revisions needed. Ms. Wise presented the proposed bylaw via a slideshow and began by reviewing the goals and timeline of the bylaw. Major goals include housing diversity and preservation of open space. Ms. Wise said another option of preserving open space was Greenbelt Zoning, but this only requires protection of 20%. Mr. Wills said Greenbelt requires protection of 2/3 of a project and engineer Peter Ogren added that it had been used often in Lynnfield. Ms. Wise said that OSRD is similar to Greenbelt, but is updated and geared specifically for subdivisions; she added that many towns in the Greater Boston area are using OSRD.

Following the slide presentation of options, the following discussion/questions ensued:

- Mr. Sheehan asked what the threshold for OSRD would be; Ms. Wise said 3 lots in Zones RB, RC, and RD; therefore, the smallest parcel would be 2 acres. Ms. Wise used the current subdivision Tuttle Lane as an example to illustrate options that OSRD could create and explained that a definite 4-step design process would be followed.
- Mr. Sheehan asked if OSRD adds to the density of a project; Ms. Wise said basic OSRD does not, but Special Permits could. Ms. Flaws added that density increase would depend on which bonus is used.
- Ms. Flaws opined that the density bonus for public access to open space should remain in the draft as it is in agreement with Master Plan survey results.
- Chairman Charville suggested a bonus for open space using native plantings; Ms. Wise agreed with being specific about what should be protected.
- Ms. Cademartori said the 4-step design process would ensure considering all criteria. Ms. Flaws asked if any of the design standards related to water usage; Ms. Wise said the standards were low impact and water usage could be incorporated, she added that lawns do not meet OSRD standards, but meadows do.
- Mr. Wills asked if smaller homes would lead to a loss of tax revenue and added that the price of these homes would likely not be affordable to 1<sup>st</sup> time buyers.

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- Chairman Charville asked if a bonus for adding affordable homes should be included; Ms. Cademartori suggested audience feedback on this topic.
- Resident Jane Bandini suggested lowering the 40' height restriction on homes; Chairman Charville said that could be part of a larger package of zoning bylaws changes, not necessarily part of adoption of OSRD.
- Mr. Ogren said that the smaller lots would not allow for septic systems; Ms. Cademartori said using the greenspace from septic areas is included in the draft bylaw.
- Mr. Sheehan asked who owns and maintains the preserved open space; Ms. Wise said maintenance plans are part of the approval process.
- Resident Page Wilkins asked how the greenspace was deeded; Ms. Wise said title to the open space typically is held either through an HOA, a nonprofit, or via the Conservation Commission. Ms. Cademartori said all Greenbelts in town are owned by HOAs.
- Resident Paul Marchionda said the goal of preserving open space is good, but OSRD is not the way to achieve it as there is too much uncertainty created by stripping away by-right subdivisions; he added that cluster by choice would be a better option.
- Chairman Charville asked how to calculate yield; Ms. Wise explained the basic formula (defined in the draft OSRD bylaw) and the native yield option and said these were dependent on the site plan.
- Mr. Sheehan asked if shared driveways are public ways and fire access was adequate; Ms. Wise said that most OSRDs do not use shared driveways and all safety issues are still under the jurisdiction of the Subdivision Rules and Regulations.
- Resident Ed Champy asked about fire access in the case of cul-de-sacs and dead ends; Ms. Wise said that street connectivity is what OSRD encourages.
- Mr. Marchionda said that OSRD by-right has too much room for interpretation and would result in the same infrastructure costs; Ms. Cademartori disagreed and said OSRD offers many ways to reduce costs; she added that the goal of the PB is not to take away conventional yield.
- Mr. Champy agreed affordable housing is a good idea, but did not agree with a 2:1 ratio.

Chairman Charville suggested detailing the next steps for the project. Ms. Cademartori said the PB must choose between drafting 1 or 2 separate bylaws (Basic OSRD with Cottage Cluster included or Cottage Cluster as a separate bylaw). Mr. Sheehan said that basic OSRD has the

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best chance of TM approval. Chairman Charville said modifications could be made in the future or 3 bylaws could be proposed now:

- Basic OSRD
- OSRD with a density bonus
- OSRD with Cottage Cluster

Ms. Flaws preferred Basic OSRD only. Mr. Ogren suggested adding a bonus for Elderly Housing. Mr. Wallace said he had received positive feedback about preserving open space. Mr. Sheehan asked how to best publicize the proposed bylaw; Ms. Cademartori suggested drafting the Warrant Article(s) and the resulting Public hearing and BOS discussion would help with publicity. Chairman Charville announced that the decided upon next steps were proposing 3 Warrant Articles as follows (in likely order of TM passage);

1. Basic OSRD
2. OSRD with Cottage Cluster
3. OSRD with Density Bonus

### **6. Approval of Minutes – February 12, 2020**

Chairman Charville requested a motion to approve the February 12, 2020 meeting minutes as submitted; Mr. Wallace made the motion and Ms. Flaws seconded it; the motion carried 5 – 0.

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

It was decided to move the date of the upcoming Special Meeting from 3/11 to 3/18 to allow sufficient time for completion of revisions to the bylaw. Other matters discussed:

- Citizen's Planner Conference on 3/21 at Holy Cross
- Annual Report due date of 3/10
- Tuttle Lane construction update

Ms. Flaws motioned to adjourn the meeting at 9:16 PM; Mr. Wills seconded, and the motion carried 5 – 0.

Respectfully submitted,

Susan Lambe, Planning Office