

LYNNFIELD PLANNING BOARD MEETING November 17, 2021

1. Call to Order

Chair Brian Charville called the meeting to order at 7:00 PM on Wednesday, November 17, 2021, and noted that this regular monthly meeting of the Planning Board (PB) was being held earlier than usual due to the upcoming holiday. Members in attendance were: Chair Charville, Vice-chair Kate Flaws, Page Wilkins, and Amy MacNulty; Clerk Ed Champy was absent. Chair Charville announced the Attorney General had notified the Town Clerk of the approval of the Tree Preservation Bylaw, which was now fully in effect.

2. Cont'd. Public Hearing, 109 Lowell St. – Vallis Way, Definitive Subdivision Plan

Ms. Flaws motioned to reopen the Public Hearing (PH) and Ms. MacNulty seconded the motion, which carried 4 – 0. Atty. Jason Kimball requested a continuation of the PH until the 12/15 PB meeting. Chair Charville thanked him for ongoing communication and information, and reiterated the 12/31 date for completion.

Chair Charville said updated information would be posted on the website as it is received. Ms. MacNulty motioned to continue this PH until 12/15/21 at 7:00 PM at the Merritt Center, and Ms. Flaws seconded it. The motion carried 4 – 0.

3. 29 Daventry Court – ZBA Case #21-20

Atty. Jay Kimball reviewed the requested Special Permit to allow increased imperviousness within the Groundwater Protection District (GWP) in order to allow a conforming addition and a non-conforming farmer's porch. The property is currently grandfathered at 16.2% imperviousness vs. the allowed 15% in the GWP, and increasing the home by 865 sq.ft. will raise imperviousness to 20.8%; however, the addition of a planned filtration system would decrease this percentage to 13%. Atty. Kimball added that the included Operation and Maintenance (O&M) manual for Stormwater detailed that the system was properly designed to comply with the Stormwater Bylaw.

Chair Charville asked if the system was 20 chambers; Atty. Kimball said yes and Planning and Conservation Director Emilie Cademartori informed that the Town Engineer had verified that the system was designed appropriately. Ms. Flaws asked if a deed restriction requiring ongoing maintenance should be added; Atty. Kimball said this would be stipulated by the Board of Health (BOH), Conservation Commission, and ZBA. Atty. Kimball said the increased room count from 7 to 8 was given preliminary approval by the BOH and would be reviewed by the ZBA. Ms. Flaws motioned that the PB not oppose the requested Special Permit and Ms. Wilkins seconded the motion; Ms. Cademartori suggested the decision include adhering to the O&M. Ms. Wilkins moved to amend the motion to ensure that the O&M be included in the decision

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and Ms. MacNulty seconded this motion, which carried 4 – 0. The amended motion was then voted on, and carried 4 – 0.

4. Proposed Rules and Regulations – Tree Preservation Bylaw

Ms. Cademartori said that MAPC had previously submitted a template for Rules and Regulations (RR), and these have been revised based on the final bylaw; she added that a PH will be needed to adopt them. Ms. Cademartori said criteria for approval of permits will be established, and the majority of requested permits would be approved by office staff, but, in the case of an appeal, the permit would come before the PB. Additional items needing to be finalized include: fees, the timing of applications, mitigation, the process for approval, final compliance, and ensuring compliance.

Chair Charville asked if ZBA fees are graduated; Ms. Cademartori said no, and Ms. Flaws suggested fees could be based on the size of the parcel. Ms. Wilkins suggested clarifying the 10 and 30-day permit timelines in Sections 6.f. and 6.g. of the bylaw, and Ms. Cademartori added that obtaining a Certificate of Exemption should not be too burdensome. Discussion ensued and it was decided that the timeline was appropriate as stated: within 10 business days, a response of “granted, denied, or still under review (necessitating 30 days)” could be given. Ms. Cademartori said 11 properties in town that were likely to be razed and rebuilt would be photographed to capture existing trees; Chair Charville suggested sending these homeowners a letter and Ms. MacNulty said realtors could also receive a letter. Rich McCarthy, 4 Mohawk Lane, suggested more prohibitive fines for noncompliance based on the Definitive Subdivision Plan for Vallis Way. Ms. Cademartori will forward updated RR in advance of the 12/15 PH, which may need to continue to a second meeting.

5. Planning Board Initiatives

The previously discussed possible Solar Bylaw was reviewed; including whether applicability would be to commercial buildings or buildings over a certain size only, if the 2 new elementary schools were solar powered (they are “solar ready”), and if there existed an “appetite” to take up another bylaw so soon after the TPB. Ms. Flaws noted that Wellesley had recently adopted a Climate Action Plan; Chair Charville said that would be more exploratory, whereas a Solar Bylaw could be modeled as the TPB. Ms. Cademartori suggested determining the most important goals of the Board in order to narrow the focus. Ms. MacNulty offered to outline various options, including something comparable to the Green Communities program offered by Reading Municipal Light Department. Chair Charville suggested discussion at the next meeting include a Solar Bylaw, a Climate Resiliency and Preparedness plan, and how best to promote natural resources; he added that the Master Plan (MP) update had not been addressed

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and asked about the possible cost of this and if MAPC might assist with it. Ms. Cademartori said the existing MP had focused on affordable housing and the town was now very “built-out”. Chair Charville reminded that sections of the MP could be focused on rather than drafting an entirely new one. After discussion it was decided that revisiting parts of the MP after 20 years would be helpful and informative; office staff will research past efforts and update the Board.

6. Ch. 61 – Richardson Green

Ms. Cademartori informed that the Select Board (SB) had opened the PH for consideration of the land purchase on Monday, and would keep the hearing open while the Purchase and Sale was being completed; the SB expect to execute the right to purchase at their November 29th meeting. Ms. Cademartori said the Conservation Commission had approved the Conservation Restriction on the land and will vote to expend their funding towards the purchase at their December meeting; she added that the closing on the purchase was on track for the last week of February 2022.

7. Vision for Willis Woods

Ms. Cademartori informed that the virtual Public Forum scheduled for November 18th at 7:00 PM had 75 registered attendees. The goal of the forum is to glean public feedback before finalizing the Vision plan.

8. Approval of Minutes – October 27, 2021

Ms. MacNulty motioned to approve the October 27 meeting minutes as circulated, and Ms. Flaws seconded the motion, which carried 4 – 0.

9. Administrative Matters/Topics for Next Meeting

- An extensive update of the continued PH for Vallis Way

Ms. Flaws motioned to adjourn the meeting and Ms. Wilkins seconded the motion, which carried 4 – 0 at 8:29 PM.

Respectfully submitted,

Susan Lambe, Planning Office