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February 7, 2022

Lynnfield Planning Board  
c/o Ms. Emilie Cademartori,  
Director of Planning and Conservation  
Town Hall  
55 Summer Street  
Lynnfield, MA 01940

*RE: Response to Linden Engineering Review Letter dated December 9, 2021 and Lynnfield Center Water District Review Letter dated June 23, 2021*

Dear Emilie:

The following are my responses to the issues raised in the second updated Review Letter of Linden Engineering and the Review Letter from the Lynnfield Center Water District. The numbers in this letter correspond to the numbers in each of the respective review letters.

Concerning the Linden Engineering December 9, 2021 Review Letter:

10. Previously responded to by applicant awaiting opinion from Town Counsel.

14. Previously responded to by applicant and based on the comments by Ms. Cademartori at the Planning Board's last public hearing on the subdivision, Town Counsel responded affirming applicant's counsel's position on the status of the easement. See information attached.

Page 15, paragraph 4. Concerning mechanics for controlling the amount of cleared land and impervious area not tributary to its own infiltration system on each of the lots and future lots, applicant would suggest that the HOA would not be the appropriate mechanism for establishing and controlling such matters, but instead the same should be left to a Supplemental Covenant which would run with the land.

Page 16, paragraph LL. The Association Trust has been revised and is submitted herewith. The

We are a professional association and not a partnership. Each attorney in the association has a separate practice and no attorney in the association is responsible for the debts or liabilities of any of the others

O&M Plan has been updated to the latest version. Questions concerning roof drains and impervious areas should be more appropriately dealt with in a Supplemental Covenant containing terms agreeable to all parties. Applicant stands ready to provide such a document upon request and approval of the Planning Board.

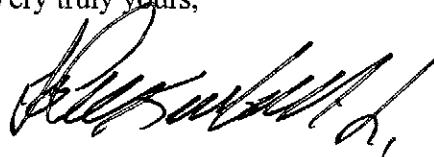
With respect to the Lynnfield Center Water District letter:

2. The applicant has previously responded to the question of the validity of the water line easement over Smith Farm Trail and its enforceability upon recordation of the prior Form H-1 executed by the original developer of Smith Farm Trail. The applicant's counsel's position has been confirmed by Town Counsel according to the Planning Board Director as presented at the last public hearing on the subdivision. The easement language for the proposed water easement providing a loop between proposed Vallis Way and the Smith Farm Trail water line easement will follow the same language used in the Planning Board Form H-1 which, based on discussions with Mr. Scenna, Superintendent of the LCWD, is acceptable to them. Mr. Scenna also noted at a recent meeting with him that it is the responsibility of the Planning Board to handle the acceptance of the prior water line easement over Smith Farm Trail and its proper recordation at the Registry of Deeds. See attached memo and recorded documentation herewith.

6. b. It is correct the entire property at 109 Lowell Street is within the geographical geometrical boundaries of the Lynnfield Center Water District and do not require further acceptance into said District. Notwithstanding that, the applicant acknowledges the connection fees set forth in paragraph c, noting the same relate to the fee schedule established by the District for connecting a water main to the proposed development and the charges for individual house connections within said subdivision. The applicant affirms that no action is necessary by either the applicant or the Water District to include any portion of the parcel within the Water District.

The applicant stands ready to provide additional information as requested.

Very truly yours,



John H. Kimball, Jr.

JHK,JR./lkk

Cc: Applicant

Lynnfield Center Water District  
William Jones, Peer Reviewer