

**TOWN OF LYNNFIELD
CONSERVATION COMMISSION
MEETING MINUTES**

March 19, 2024 - 6:30 PM

Al Merritt Center, 600 Market Street, Lynnfield

Conservation Commission board members:

Chair Don Gentile, Vice Chair Kirk Mansfield, Jan Solomon, Erin Hohmann, Bryce Foote, Jared Yagjian, Maria Donovan, Director Emilie Cademartori

6:30pm – Don Gentile called the meeting to order.

Continued Public Hearing

6:31pm- Notice of Intent – 1301 Main Street 209-0677

Applicant: Ted Merchant, Toll Brothers, Inc

Project: Construction of 66-unit single family detached senior housing development including clubhouse, roadway network, stormwater management system, septic system, utilities, and landscaping.

Scott Cameron, Morin-Cameron Group, led by introducing the team; Dan Wells, LEC, Ann Marton, LEC, Dan Powers, Morin-Cameron Group, and Jeff Heidelberg from Toll Brothers who will be taking over the project from Ted Merchant. Cameron provided the project update.

Cameron reviewed the benefits and drawbacks of alternative plans for re-routing the secondary access route. The preferable plan is an alternative design to include all the 66 units but alters the original road path to the 3 outlying cul-de-sac units, and incorporates those 3 homes into the main home clusters. Cameron touted the resulting flexibility for the developer, the lessened pavement requirement, the reduced impact to the resource areas, and decreased tree removal. A colored map showed the new areas of which Toll Brothers would be seeking variances.

Chair Gentile asked if alternative plans were investigated regarding routing water through Friendship Lane and into the development. Donovan inquired about shortening the access route around the housing clusters to reduce pavement, suggesting that a home cluster be rotated. Solomon asked about the tree removal estimates. Solomon offered that although the alternative plan showed improvement, there is still much impact to the resource areas that the Commission is required to protect, and the request for variances is significant.

Gentile then said that he wasn't sure that the improvements would convince the Commission that the requirements for variances have been met.

Cademartori noted that the developer will yet need to respond to the initial peer review, and that a decision could be made for the Commission to ask the developer to respond to the original design or begin to fully engineer the alternative design which would then require a new response. The new design has not yet been fully engineered. Foote noted that the new alternative provides the better starting point. Ann Marton, LEC, noted that the developer's response to many of the items will be similar for both the original and alternative plans.

Cademartori noted that the April meeting will be on ZOOM April 9, to which Cameron said that their team would be ready to speak further about the alternative plan and the variance requests.

On a motion duly made by Mansfield and seconded by Hohmann, the LCC voted (7-0) continue the public hearing to April 9, 2024

New Public Hearings

7:30pm - Notice of Intent – 849 Main Street 209-0678

Applicant: Zepaj Development LLC

Project: Raze & rebuild single family house, install new septic system and new driveway with associated tree removal and site grading, future pool & patio within 200 Ft Riverfront to Beaver Dam Brook and 100 ft buffer to Bordering Vegetated Wetland.

Developer Mario Zepaj was present to review the project. Cademartori reviewed the riverfront location and stream stats opinion from DEP. The stream is not considered perennial because there is not a large enough watershed. The existing driveway will be widened somewhat for a new 2-car garage. The septic system, replacing the current cesspool, will be located as far as possible from the resource areas. The house must remain as a 3-bedroom house because of its proximity to the stream. Yagjian noted that the site seemed somewhat wet at the site visit, but Hohmann thought it was not too wet, noting puddling in the driveway that was not present during a follow-on dry day site visit. Cademartori noted the trees that would be retained. The plan will show a future pool "envelope" for the benefit of a new buyer. Cademartori noted that the location of the pool is shown on the plan outside of the no-build zone. The order is good for 3 years, and Cademartori will write a condition into the order that the final pool plans would need to be submitted for further review at the time of building permit submission.

On a motion duly made by Mansfield and seconded by Foote, the LCC voted (7-0) to issue an OOC for 849 Main Street - File, #209-0678.

Administrative Matters

In between hearings, Gentile took the opportunity to introduce new Commissioner Maria Donovan. Donovan thanked Gentile and provided brief remarks about her background.

New Public Meetings

7:46pm - Request for Determination of Applicability – 231 Salem Street

Applicant: Pierce Road LLC

Project: Raze & rebuild of existing single-family house, with new septic, utilities and driveway partially within the 200' Riverfront to Hawkes Brook

Craig Marchonda, Marchonda and Associates presented the request. The location and footprint of the new home will remain essentially the same as existing. The septic system is located outside the 200' riverfront buffer. There will be a minor cut and fill and grade change. All the trees will be retained.

On a motion duly made by Hohmann and seconded by Solomon, the LCC voted (7-0) to issue a negative determination for 231 Salem Street.

7:55pm - Request for Determination of Applicability –323 Main Street

Applicant: Keith DePari & Liane Moscato

Project: Construction of inground swimming pool with grading, retaining wall and landscaping partially within the 100 ft Buffer to Bordering Vegetated Wetland

Homeowner Keith DePari summarized the request. The original project was proposed and permitted in 2017, but never executed. This is the parcel immediately adjacent to the Conservation Commission's path at Partridge Island. The Conservation Commission has an easement on a portion of the property in the rear. The same plans from 2017 are proposed with no changes. The work that is in jurisdiction is the retaining wall and the grading of the side yard slope. The work is subject to the bylaw. Gentile asked why the request was filed as an RDA instead of an NOI, to which Cademartori said that only the grading was within jurisdiction. DePari noted that he planned for 2-3 red maples to be planted near the slope. The contractor has included his construction methodology to show access to the pool. There is a full landscaping plan. Cademartori noted that the narrative does not include a method of slope stabilization and re-vegetation once construction is completed. The slope was originally vegetated with a wild flower seed mix which was overtaken by weeds. The homeowner said that he would probably leave it as soil and again add a seed mix. Cademartori said that the draft Determination includes slope stabilization and re-vegetation as TBD. Donovan suggested that the homeowner retain any green groundcover that grows up from the easement.

On a motion duly made by Mansfield and seconded by Foote, the LCC voted (7-0) to issue a negative determination for 323 Main Street.

8:07pm - Request for Certificate of Compliance – 209-0612

9 Tapley Road

Cademartori noted that the site visit did not take place and that it will need to be moved to the next meeting – April 9, 2024.

8:08pm - Administrative Matters:

74 Crescent Avenue – Cademartori noted that in a previous meeting, there was a request for a COC, but that a site visit did not take place since there was a discrepancy in the plans. Cademartori presented the construction discrepancies over time.

- *A site visit is planned for 6:00pm, Thursday, April 4, 2024.*

- Updates - Ongoing/ Projects at conservation properties
 - Cademartori announced the Beaver Dam Brook community volunteer clean-up event for Saturday, March 23. Participation will include the boy and girl scouts, members of the Open Space & Recreation Working Group (OSRWG) and interested Recreation Commission members.
- Review Draft Minutes January 16 2024
 - The Minutes will be reviewed in the April 9, 2024 meeting.
- State Ethics & Conflict of Interest
 - Members were reminded to complete the online ethics training and submit their results through the portal
- Confirmation of attendance for upcoming Meeting Dates
 - Cademartori reviewed the need for advance notice of attendance for upcoming meeting dates in order to insure a quorum

8:35pm - Adjournment

On a motion duly made by Mansfield and seconded by Foote, the LCC voted (7-0) to adjourn the March 19, 2024 LCC meeting.

Next Regular Meeting – Tuesday April 9, 2024 (ZOOM)

Note this is the second Tuesday instead of the third

As recorded and submitted by Jennifer Welter