

LYNNFIELD PLANNING BOARD REGULAR MEETING – February 28, 2024

1. 7:00pm - Call to Order

Chair Brian Charville called the meeting to order at 7:00 pm and identified the Planning Board (PB) members in attendance, including himself, Clerk Ed Champy III, Amy MacNulty and Page Wilkins and said that Vice Chair Kate Flaws was expected to arrive shortly. Chair Charville introduced staff members in attendance – Director Emilie Cademartori and Administrative Assistant Sondria Berman, and stated the meeting was being recorded by video and audio to assist with the preparation of minutes.

2. Approval Not Required (ANR) Plan- 932 A Lynnfield Street

Attorney Timothy Doyle presented the approval not required (ANR) plan for 932 A Lynnfield Street, off Goodwin Circle. Atty. Doyle explained the applicant seeks to subdivide the rear lot and add a portion of the subdivided lot to the adjacent front lot at approximately 30,000 sq. feet and maintain the remaining rear lot at approximately 15,000 sq. feet. He noted the property was exempt from subdivision regulations because the lot was created prior to the adoption of subdivision laws in Lynnfield.

Ms. Wilkins requested further detail on the existing and future lot lines and entry/egress points to each of the properties; she asked why the deeded plan from 1980 does not show a second structure on the property; Atty Doyle stated it was incorrect as two structures exist on the property.

7:05pm - Vice Chair Flaws arrived at the meeting

Chair Charville inquired about future plans for Lot A1; Atty. Doyle stated it would retain its by-right use as a residential lot for a single-family dwelling and that Lot 2 would become an oversized lot.

Chair Charville asked for feedback from Director Cademartori. Director Cademartori stated that Atty. Doyle correctly cited the statute allowing for an ANR. She added that the most recent plan on file at the Registry of Deeds does not show the additional structure on the lot as Ms. Wilkins pointed out, but that this is clearly an old structure that pre-dates the plan. Director Cademartori asked about the lot line limits; she requested the ANR plan note that the endorsement of the ANR lot lines by the PB does not suggest zoning compliance.

Clerk Champy asked if the ANR plan would allow for a raze and rebuild on both newly created lots; Atty. Doyle said yes. PB members discussed the lot lines, frontage requirements, and entry/egress points to each of the lots to be created.

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Clerk Champy asked what the purpose was behind the ANR; Atty. Doyle explained his client preferred to create two lots, one with conventional access off of Lynnfield Street and a second off Lynnbrook Drive. He noted that by creating one oversized lot, a multi-family dwelling could be a possible development option.

Chair Charville inquired about the zoning history on the parcel; Atty. Doyle stated proposals to re-zone the parcel had been presented in years past to create a multi-family and mixed-use development, but ultimately the proposals for re-zoning failed due to abutter opposition.

Chair Charville asked for confirmation that Form A, payment, and the ANR plan had been completed and received by the Town Clerk and planning office; Director Cademartori said yes.

Chair Charville requested audience comment; hearing none, ***Chair Charville requested a motion the PB endorse the proposed approval not required (ANR) plan for 932A Lynnfield Street; Clerk Champy moved in favor and Ms. Wilkins seconded the motion. Director Cademartori stated PB members would be able to sign the plan back at the planning office. The motion carried 5-0.***

3. ZBA Case 24-4 3 Barnsley Road 8.3 Accessory Dwelling Unit

Homeowner and applicant Aleksey Danilkin of 3 Barnsley Road addressed the PB and explained the accessory unit in his home pre-dated his ownership of the property but did not have a permit history on file with the Town. He explained the accessory unit will allow his elder parent to be cared for in his home.

Director Cademartori stated it would be helpful for the applicant to determine with the building department if their accessory unit had been permitted issued in the past, as it could indicate compliance with building code and safety requirements. She continued if a permit history cannot be determined, a site visit by the Town building inspector would be necessary to confirm such compliance prior to the issuance of an accessory unit permit. Mr. Danilkin stated he would welcome the site visit to confirm compliance.

Director Cademartori noted that she confirmed with the Board of Health that the septic capacity for the property was adequate for the accessory unit.

Chair Charville requested audience comment; hearing none, ***Chair Charville requested a motion the PB not oppose the requested special permit for an accessory unit at 3 Barnsley Road; Vice Chair Flaws moved in favor and Ms. MacNulty seconded the motion. The motion carried 5-0.***

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4. Library Building Committee – Presentation Regarding Special Town Meeting

Chair Charville noted that the Planning Board was advised by Town Counsel of their responsibility to approve or deny the re-submission of the land transfer article from the October 2023 Town Meeting which has been brought forth for reconsideration by a citizens petition. Director Cademartori explained that because the re-submission of the failed article is being requested within a two-year window, it triggers additional approvals from applicable Town boards and committees.

Russell Boekenkroger, Library Trustee and Library Building Committee Chair, spoke on behalf of the Library Trustees and presented the land transfer article for re-submission. Mr. Boekenkroger noted that since the October 2023 Town Meeting, the Library Building Committee has been working diligently to revise their design, pricing for the project, as well as secure the necessary extensions for grant funding and town appropriations. He explained Library requires the Town to transfer ownership of the Reedy Meadow parcel to the Library via the land transfer article.

Mr. Boekenkroger provided a brief history of Reedy Meadow land ownership. He stated on July 18, 2016, the Board of Selectmen declared the Reedy Meadow parcel as “surplus land” to be used for the future development of a new town library; he stated the parcel was transferred to the Library Trustees for that purpose at Town Meeting on October 17, 2016 with a five-year sunset clause, wherein the ownership would revert back to the Town. Mr. Boekenkroger asked the PB to approve the re-submission of the land transfer warrant article to allow residents to reconsider supporting a new library.

Chair Charville asked for PB comment; Clerk Champy noted his conversations with residents after the October Town Meeting suggested an overall aversion to the costs associated with the library project.

Vice Chair Flaws agreed with Clerk Champy’s assessment of the community’s reticence to fund the library project, but emphasized that the costs were not clearly outlined to residents prior to the October 2023 Town Meeting vote. Vice Chair Flaws stated there is more information that can and should be shared with residents about the costs of the library project and comparisons to costs associated with the renovation of the existing library.

Chair Charville requested further comment from Board and staff members; Director Cademartori asked for the PB to confirm a date, time and location for a second meeting to consider their support of the article, should it be approved for the warrant. Chair Charville noted the Town

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Meeting could occur as early as March 18th; as such, he recommended the PB consider hearing the library's presentation ahead of Toll Brothers' special meeting on March 13th at 6 pm at the Merritt Center.

Chair Charville asked for audience comment; hearing none, *Chair Charville requested a motion the PB support re-submission of the land transfer article for Reedy Meadow to the Library for the purposes of building a new library to be voted on at the upcoming special Town Meeting; Vice Chair Flaws moved in favor and Ms. Wilkins seconded the motion. The motion passed 5-0.*

Chair Charville echoed Vice Chair Flaws' comments and stated the PB's support of the re-submission of the land transfer article serves as a procedural step to allow for further consideration of the library project by the Town.

5. ZBA Case 24-5 30 Homestead Road Section 9.3.8 Groundwater Protection District Special Permit

Applicant and homeowner Leah Hook of 30 Homestead Road shared an overview of her home addition and renovation project. She explained she was informed by the Town that her property was in the groundwater protection district and as such, was subject to impermeable area limitations. She stated she enlisted an engineer to increase infiltration on her property via a French drain, thereby mitigating some impervious area on her property.

Chair Charville inquired about the percent impervious on the property; Director Cademartori stated 30 Homestead is a pre-existing non-conforming lot, with imperviousness that is already over the 15% limit. She added that the project will not significantly increase the imperviousness, and that the French drain system to be installed will be an improvement and bring the lot closer to complying with the 15% limit.

Director Cademartori stated that as acting town engineer, Mr. Tomasz serves as the town's reviewer of engineering calculations for Zoning Board of Appeals (ZBA) permits. Director Cademartori stated Mr. Tomasz chose a 2-inch rainfall event as the standard for calculations, and that the calculations completed for 30 Homestead Road comply with this criteria.

Chair Charville requested audience comment; hearing none, *Chair Charville requested a motion the PB not oppose the requested special permit at 30 Homestead; Clerk Champy moved in favor and Vice Chair Flaws seconded the motion. The motion carried 5-0.*

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6. Continued Public Hearing- 1301 Main Street – Section 10.5 Special Permit Elderly Housing- The Regency at Lynnfield by Toll Brothers, Inc.

Chair Charville requested a motion the PB re-open the public hearing for 1301 Main Street request for special permit under section 10.5 Elderly Housing; Vice Chair Flaws moved in favor and Ms. Wilkins seconded the motion. The motion carried 5-0.

Director Cademartori stated the engineer was delayed for a moment; Chair Charville stated the PB would move to another agenda item but would keep the public hearing open.

7. Lynnfield 2040 Community Vision Plan- Draft & Feedback Survey

Chair Charville stated the draft Lynnfield 2040 vision plan has been made available online and the feedback survey continues to be open for community members to submit their feedback on the draft vision. Director Cademartori stated that the planning office has provided printed copies of both the draft vision and the survey to those who requested them. Chair Charville confirmed the online survey feedback portal would remain open through Friday, March 1st.

Ms. MacNulty stated that residents who submitted their email to MAPC received an email announcement about the draft vision and survey; she added that she posted announcements the draft vision and survey feedback portal would be closing soon to over twenty community Facebook groups.

Director Cademartori asked if PB members wished to discuss their thoughts about the draft plan at the current meeting; Chair Charville stated the PB submitted their individual feedback through the portal and would review the final plan at the next regular monthly PB meeting on March 27, 2024.

Chair Charville requested audience comment; hearing none, Chair Charville moved to the next agenda item.

8. Approval of Minutes- January 31, 2024

Chair Charville asked PB members for any changes to the draft minutes from the January 31, 2024 PB meeting as circulated; hearing none, *Chair Charville requested a motion the PB approve the January 31, 2024 draft minutes as circulated; Ms. Wilkins moved in favor and Vice Chair Flaws seconded the motion. The motion carried 5-0.*

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Administrative Items for Next Meeting

Chair Charville confirmed that the upcoming March meetings for the PB included a special meeting on March 13th, 2024 to discuss 1301 Main Street- The Recency at Lynnfield Elderly Housing Development and a regular monthly meeting on March 27th, 2024 with both meetings starting at 7pm and taking place at the Merritt Center. Director Cademartori noted that the March 13th meeting is anticipated to be a robust review of the project, and may be an excessively long meeting if combined with the library presentation; she recommended the PB consider alternatives such as an alternative zoom meeting date or starting the meeting earlier on March 13th; Ms. MacNulty commented she would be open to zoom or starting the meeting on March 13th at 6pm; Chair Charville stated his preference for a 6pm start time on March 13th to allow for the library presentation. PB members agreed to the 6pm start time on March 13th to afford time for the library discussion from 6-7pm and Toll Brothers' presentation on 1301 Main Street starting at 7pm.

10. Continued Public Hearing- Resumption of discussion for 1301 Main Street – The Regency at Lynnfield, Toll Brothers, Inc.

Chair Charville noted to audience members that all submitted application materials for the Toll Brothers development at 1301 Main Street can be found on the PB webpage; he added that meeting dates and topics are also featured on the website to allow for organized discussions by subject. Chair Charville stated the topics for the current meeting would focus on economic impacts, architecture, and design. He noted the PB expects to discuss the Town's peer review of the project at the March 13th, 2024 special meeting.

Scott Cameron of the Morin-Cameron Group addressed the PB and outlined item topics for discussion to include economic impacts, architecture, neighborhood impacts and fiscal impacts. Mr. Cameron introduced representatives from Toll Brothers, Inc. in attendance including Ted Merchant and David Buckley.

Mr. Cameron noted many of the items to be presented have already been shared with the Town during the re-zoning process. Mr. Cameron described the scope and location of the project, citing the additional 9.1 acres of donated conservation land. He discussed water main infrastructure improvements including Lynnfield Center Water District's water main extension down Main Street and the expected loop configuration through Sagamore Golf Course, Vallis Way and Lowell Street. Mr.

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Cameron stated there would be no impacts to public schools or public works and noted that each of the proposed 66 units would create a tax surplus for the town.

Mr. Cameron pivoted to discussions regarding the neighborhood character of the development and impacts to abutting properties. He noted that the units would be set back from Main Street, and that most of the development would have a natural tree buffer to abutting properties. He stated the units will feature a traditional New England style, and include a private clubhouse for residents only. Mr. Cameron described the look and location of the on-site sales office would be well-manicured and maintained. He noted that the signage from the street would require a variance due to increased size, but that the sign was designed for vehicles passing by to note the entrance.

Vice Chair Flaws asked what would be put in place of the sales office area once the homes are sold; Mr. Cameron stated the site plans call for homes to be built in place of the sales office. Clerk Champy suggested the applicant prepare an additional construction management plan set with phased construction plans so that the PB can review how construction will progress over time.

Vice Chair Flaws inquired about water conservation, sustainability and landscaping plans for the project, emphasizing her support of Lynnfield's efforts to promote fiscal responsibility and energy conservation for new development projects. She recommended the applicant reach out to local organizations for guidance such as GreenScapes and the Ipswich River Watershed Association (IRWA) to consider drought-resistant plantings and landscaping designs. Mr. Cameron stated he was actively working on landscaping plans and had hoped to receive the peer review comments before conducting a formal presentation to the PB.

Chair Charville referenced the IRWA's letter to the PB recommending the project comply with the upcoming revised Wetland Protection Act (WPA) regulations and asked Mr. Cameron if the applicant intends to do follow the recommendation; Mr. Cameron stated the updated regulations are still pending, and as such, the project's design complies with existing WPA regulations. He noted the project was engineered using the Cornell extreme storm events design and that the project emphasized natural methods for stormwater management to address additional important items such as increased nitrate removal and increased groundwater infiltration. He continued that most of the landscaping will include meadows and the manicured grass areas would be limited to areas around the homes.

Mr. Cameron presented a fiscal analysis, and stated the project would create an overall tax surplus for the Town, create temporary and permanent jobs, generate additional permitting fee revenue,

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and increase excise tax revenues. Mr. Cameron reviewed an economic analysis of the 66-unit project compared to an 86-lot subdivision, showcasing the former provides a fiscal net benefit.

Director Cademartori asked if there was a lighting plan and if the development was dark sky compliant; Mr. Cameron stated the lighting plan was included with the plan set and that everything is dark sky compliant.

Vice Chair Flaws inquired about heating of the homes; she asked if energy-efficient options with cost-saving benefits will be incorporated into the design and if the applicant had reached out to Reading Municipal Light Department (RMLD) to review incentives; Director Cademartori stated that she spoke with RMLD and that they were able to provide service should the development become a 100% electric. She added RMLD would sit down with the applicant to discuss the incentives available; Vice Chair Flaws stated the tax incentives could offer a cost-savings to Toll Brothers. Mr. Merchant stated he would be willing to have a discussion with RMLD; but stated their internal marketing does not show a decrease in propane preferences. Mr. Merchant confirmed the Toll Brothers development will comply with the state's the stretch code and reiterated Toll Brothers commitment to reliable energy and construction methods and practices. Vice Chair Flaws stated clean energy alternatives are reliable and can be implemented on projects with scale, referencing other developments such as the Riverwalk in Concord that uses zero fossil fuels. Mr. Merchant stated he would be willing to meet with the Town and discuss their preferences for the project.

Ms. MacNulty inquired about the septic system design; Director Cademartori stated the septic system design has not been submitted yet but that once received, it will be set out for peer review on behalf of the Planning Board and Board of Health. Mr. Cameron stated that soil testing has been delayed due to weather but that it is expected to be completed soon.

Chair Charville requested audience comment; Edward Minor of 8 North Hill Drive, cited concerns about the PB placing limits on propane use and grass plantings. He noted the LCWD restricted the availability of water to be used for irrigation, and that the high cost of the homes requires an appealing grassed landscape design. Additionally, Mr. Minor questioned the efficacy of heat pumps with extreme temperatures in the New England climate relative to propane.

Patricia Campbell of 7 Patrice Lane expressed her fears that children with special needs, who can qualify for public school enrollment through age 22, could potentially live in the development with an over 55 homeowner and attend Lynnfield Public Schools.

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Lauren Hurton of 1066 Main Street expressed concerns about the increase in traffic along Main Street due to the development, specifically as it relates to heavy vehicles and trucks crossing the Lowell Street/Main Street intersection. She stated that the lack of a suitable sidewalk network for pedestrian safety is a significant concern for her and her children, and that with increased traffic, this would become an even greater concern. She stated she is not opposed to the Regency development, but inquired what steps were being made to address traffic concerns. She asked about the expansion of the LCWD water line and if construction would be done on Main Street by the four corners intersection of Lowell Street and Main Street; Mr. Cameron stated there would not be construction at the four corners intersection. Ms. Hurton discussed concerns about vendors and workers traveling to the job site adding to traffic concerns; Mr. Merchant confirmed that heavy site work equipment often stays on site for the duration of construction but that workers would typically drive their own cars to and from the site. Mr. Merchant explained that the increase in traffic will vary depending upon the construction schedule. Ms. Hurton reiterated her desire to see the four corners intersection improved by the DPW with painted crosswalks and connected sidewalks for safety prior to the Toll Brothers development starting construction. Ms. Hurton stated that in her ongoing communications with Mr. Tomaz he indicated that funding allocations would determine next steps for improvements; Ms. Hurton expressed frustration that funding continues to delay improvements to the four corners intersection. She added that flooding issues have also plagued the intersection at times; Chair Charville recommended she report the safety and flooding concerns to Mr. Tomasz.

Ms. MacNulty agreed with Ms. Hurton's safety concerns and asked Toll Brothers to consider what temporary solutions could be put in place to address safety concerns at the intersection.

Chair Charville asked for further comment from staff, PB members, and Toll Brothers; Mr. Cameron asked to confirm the date and topics for the upcoming meeting; Chair Charville confirmed a special meeting of the PB would take place on March 13th 2024 at 7pm at the Merritt Center to discuss the peer review. Director Cademartori stated she would reach out to TEC and let Mr. Cameron know the anticipated date of receipt of the peer review and clarify what topics will be discussed. Director Cademartori stated that the engineering plans for the LCWD water line connections would be completed by the peer reviewer for LCWD, but that the review would be submitted to the PB for consideration upon LCWD approval.

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Chair Charville requested a motion the PB continue the public hearing request for special permit at 1301 Main Street to Wednesday March 13, 2024 at 7pm at the Merritt Center; Clerk Champy moved in favor and Vice Chair Flaws seconded the motion. The motion passed 5-0.

10. Tree Preservation Bylaw Rules and Regulations

Chair Charville requested a motion to open the public hearing on amendments to the Tree Preservation Bylaw's rules and regulations; Vice Chair Flaws moved in favor and Clerk Champy seconded the motion. The motion passed 5-0.

Chair Charville read the public hearing notice aloud (see attached).

Director Cademartori stated the Tree Preservation Bylaw Rules and Regulations were amended once since their adoption in 2021; she stated the redlined changes proposed will improve clarity, procedure, and enforcement.

Chair Charville noted that the amendments to the rules and regulations are distinct from the Tree Preservation Bylaw itself, which requires amendments to be approved at Town Meeting.

Director Cademartori highlighted the significant amendments include the provision for an additional fee, paid by the applicant, for a certified arborist to determine hazardous tree designations and additional compliance criteria to close out the permit. Director Cademartori noted there was one additional proposed change to add to the rules and regulations under Section 5b, vii: "Any applicant claiming hazardous tree designation(s) must include with their application documentation completed by a certified arborist substantiating said designation(s)".

Chair Charville requested audience and PB comment; hearing none, *Chair Charville requested a motion the PB adopt the proposed revisions to the Tree Preservation Bylaw's rules and regulations as redlined and inclusive of the additional proposed changes discussed at the present meeting; Ms. Wilkins moved in favor and Ms. MacNulty seconded the motion. The motion carried 5-0.*

Chair Charville requested a motion the PB close the public hearing on the amendments to the Tree Preservation Bylaw rules and regulations; Vice Chair Flaws moved in favor and Clerk Champy seconded the motion. The motion carried 5-0.

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Administrative Items, cont.

- Next meeting topics to possibly include bylaw additions and amendments pertaining to noise and work start time ordinances, and accessory dwelling units.
- MBTA Compliance Working Group: Director Cademartori stated she has been asked to facilitate the creation of a working group for MBTA compliance. She asked PB members to volunteer to be a part of the group; Vice Chair Flaws and Ms. Wilkins volunteered to join the group.

11. Adjournment

Chair Charville requested a motion for adjournment; Clerk Champy moved in favor and Ms. Wilkins seconded the motion. The motion carried 5-0.

Respectfully submitted,

Sondria Berman

Land Use Administrative Assistant, Planning and Conservation