



LYNNFIELD CENTER WATER DISTRICT WARRANT
The Commonwealth of Massachusetts
Regular Board Meeting
7:00 pm September 28, 2022

Date, time, place: The regular meeting of the Board was held on Wednesday, September 28, 2022 at 7:00 PM.

Present: Commissioners Anders Youngren, Joseph Maney, Jack Adelson, Superintendent John Scenna, Treasurer Kevin Sullivan, and Clerk of the Board Christine Smallenberger

Absent: none

Others attending: Tom McEnaney (District Counsel), Ann Malenfant/CDM Smith, Richard Luft, Ted Merchant, Scott Cameron, Richard Nylen and Ken MacNulty

Additional attachments: Agenda, incorporated into the minutes hereto.

Next Regular Meeting: October 3, 2022 at 7:00 PM

Adjourn: 7:54 PM

The meeting was called to order at 7:06 PM

The Special District Meeting (SDM) warrant currently has 1 article to elect a new commissioner to fill the balance of Chairman Jack Adelson's term due to his resignation. Superintendent Scenna thanked Commissioner Adelson for his dedication and drive for the district; Commissioner Adelson provided strong financial leadership and support throughout a pandemic and economic uncertain times over the 2+ years.

Article 3 is for inclusion of parcels of land to be voted into the district for a 66-unit housing for a 55+ development in the northeast corner on the existing parcel of land owned by the Luft Trust and Sagamore Golf Course. The presentation comes after several months of discussion, planning and review and analysis and engineering between the district and Sagamore. Superintendent Scenna recommends the request be granted and brought forward to the full district to allow for continued discussion and ultimately come to a vote at the SDM with Article 3 on October 20th.

The request will fully design and fund the expansion of the LCWD system from the dead-end on Main Street to the east side of the golf course and loop back to Lowell Street. This expansion will obtain optimum hydraulic flow and water quality not only to the proposed development but also to existing district customers; this is supported by data created by CDM Smith. The request will provide an easement on the west side to allow us to loop our stations, wells and facilities in an economical manner to the district. The Luft Trust would grant an easement to avoid installing the connecting pipe from Station 2 to Glen Drive through wetlands and public land. The Luft Trust is in discussion with the town in turning over a section of land to the town or LCWD permanently; this would likely be a parcel formerly owned by the district. The Luft Trust will discuss the possibility of limiting development towards Middleton for a fixed period of time. This is fully in our protection zone as it abuts our well field. Conserving the land is environmentally friendly and in the best interest of the well fields in the area. An additional meeting on October 13th will allow district residents to ask questions on tonight's presentation.

Richard Luft, a trustee, is here before the board to have the district approve 1287 Main St. and 1301 Main St. into the water district. After 95 years the family is looking to develop 36 acres of their 168 total acres. Water is critical to the success of this project. The over 55 development will offer net positive income for the town, open space with the 18-hole golf course remaining, and water protection and water quality. Scott Cameron, a civil engineer and vice president for MCG proposed to include 3 single family parcels: 1217, 1219 and 1245 Main Street so you would have a contiguous district without gaps. Mr. Cameron compiled the limits of our existing water system coming up at Main Street, terminating at the well head, proposing to extend to the development up to Friendship Lane, where it terminates at a hydrant, and then down to Lowell Street to an additional proposed subdivision at Vallis Way, encompassing the loop. Ted Merchant, the land development director for Toll Brothers said the water use for this development is low impact and the water consumption is only expected to be 5,000 to 6,000 gallons of water per day for 66 units, significantly less than 4-bedroom single family homes. Commissioner Maney asked Ann Malenfant do you agree with that number of 5,000 to 6,000 per day; Ann Malenfant from CDM feels the number is reasonable. Commissioner Maney asked what is Plan B if this is not approved. The trust is 100% focused on this plan. Plan B would consider other alternatives as a lot of effort was put forth to make this happen. The trust will not be going away but they believe this can satisfy the family and town. Superintendent Scenna stressed the trust has a by-right option which could mean building single family homes and that would have major impacts on the district. This option allows the trust to develop and gives the district a lot of positives to take out of it. It's fair to say the family has waited a long time and want to monetize the golf course and Mr. Luft's

hands are tied. Mr. Luft had spoken with many of the neighbors who understands what is going on. Commissioner Youngren asked if they could expand on the timeframes. There was a parcel of land that was swapped in return for a parcel on the northern side, it would create added well protection and numerous trails that connect to the Richardson property and is a high value to the town for conservation and well protection. The protection would last decades long with no development. Commissioner Youngren asked CDM if you see any issue with this to satisfy good engineering and watering distribution practices. Ann Malenfant said the loop provides good engineering for water quality and eliminating dead-ends satisfies the DEP, improves minimum fire flows in the development and the pressures are adequate; those are the key items we looked at in the model. The model was done conservatively with existing conditions. MWRA will help provide a more robust connection. The reports will be available to the district on the website.

Commissioner Maney asked what are the next steps and what type of vote is required. If the board votes to include in the SDM warrant, the warrant needs to be posted within 14 days. Under the enabling act, if the majority at the SDM authorize to include the development into the district, the next step is for the district clerk to send notice of a copy of the petition along with the vote taken by the district meeting to the town clerk and secretary of commonwealth to become part of the district. If voters vote no, the parcels won't be included in the district. There is a section in our by-laws, that once there is a negative vote, you cannot bring the question back to the voters for a 12-month period.

Commissioner Youngren asked the superintendent a critical part of creating the loop is connecting Vallis Way, which is not part of this project but is a separate matter and is looking for an update on this project. Vallis Way is one possible option and is nearing approval of their permit. If that were not to happen there are other options. Vallis Way would be the most efficient; the district looks forward to working with the Luft Trust design team to determine the best path to loop. The loop is critical for water quality and flow and everyone in the district will see a benefit. Commissioner Youngren noticed the proposal brings a dead-end up to Friendship Lane with a hydrant; do we have plans to offer membership to Friendship Lane. CDM is recommending we pursue this eventually. For now, the system will be built out to this extent. The new fire hydrants will provide fire protection service to this area.

Commissioner Maney asked about our startup costs. We don't have any direct costs; the design, construction and buildout is on the developer. We will support it and review the plans to our specifications, oversee installation of all water mains and install meters. Every unit will be individually metered. There will be 66 new customers assessed the tax levy and volumetric rates. Irrigation will not be drawn from our system and will likely be

from another source. The board will have another session on October 13th for anyone to ask questions with the SDM vote on October 20th.

Richard Nylen, representing the owners from 163 Lowell Street, understands looping the system and preserving the well head areas for the district is all positive. His question is why the rush as there are a lot of unanswered questions, such as what is going to happen with the loop. Mr. Nylen also pointed out that the owner, Mr. Luft, was careful to say decades of restriction and not in perpetuity. Mr. Nylen understood that the water taken from the district would only be used for this development, but the golf course will continue to operate so does this give them the right to tie the golf course into the system which would use a considerable amount of water. Mr. Nylen said it appears this is also tied to the MWRA connection which seems to be an intent of the Ipswich River Watershed asking the district to find another source and this development is unable to get water from other sources. Mr. Nylen wants to know why the decision has to be now for the tie-in to MWRA and the district does not control the property that provides the loop. Superintendent Scenna said there are a lot of statements you made that are unknown. They will likely come out and this has nothing to do with tying into the MWRA. Tying into the MWRA was decided 2 years ago. The intent is just to provide water to the homes in the development and the district controls all connections to the system. Anyone in the district can be asked to be connected into the system. Once you are in the district, we take those requests on a case-by-case basis to make these decisions.

Motion: a motion was made to add the following article to the October 20, 2022, warrant to the Special District Meeting to see if the district will vote to include the following parcels of land located on Main Street within the Lynnfield Center Water District: 1287 Main Street which will have temporary address of 1301 Main Street, 1217 Main Street, 1219 Main Street and 1245 Main Street.

Seconded: the motion was seconded, and the motion was passed with Commissioner Youngren, Commissioner Adelson, and Commissioner Maney saying aye by a unanimous vote.

Motion: a motion was made to close the warrant for the October 20, 2022 Special District Meeting.

Seconded: the motion was seconded, and the motion was passed with Commissioner Youngren, Commissioner Adelson, and Commissioner Maney saying aye by a unanimous vote.

A motion was made to adjourn at 7:54 pm for executive session.

Respectfully submitted,