

PLANNING BOARD MINUTES
MEETING OF JANUARY 17, 2018

A meeting of the Lexington Planning Board, held in the Selectmen's Meeting Room was called to order at 7:01 p.m. by Chair, Richard Canale with members Ginna Johnson, Charles Hornig, Nancy Corcoran-Ronchetti, and Bob Creech, and planning staff Aaron Henry, David Fields, and Lori Kaufman present.

*****STAFF REPORTS*****

Anticipated Meetings:

The next Planning Board meetings will be January 31, February 14, 28, and March 14.

The Planning Board in coordination with the Comprehensive Plan Advisory Committee) CPAC meeting will be held on January 30, 2018, at 7:00 p.m. in Estabrook Hall.

The Planning Board met with the Board of Selectmen to discuss the economic development plan for North Hartwell Avenue which will take place during the Special Fall Town Meeting.

*****COMPREHENSIVE PLAN UPDATE*****

Comprehensive Plan Update:

Mr. Henry said staff was finalizing contracts for a facilitator and panel discussions for the meeting scheduled for Tuesday, January 30, at 7:00 p.m. in Estabrook Hall for the first meeting with the CPAC.

*****DEVELOPMENT ADMINISTRATION*****

15-17 Fairland Street, Preliminary subdivision:

Ms. Johnson recused herself since her son worked with the team and might again this summer.

Mr. John Farrington, attorney, James S. DeCelle and Jim Burke, from DeCelle-Burke-Sala, Project Engineers, Mark Barons, developer and owner of three parcels were present. Mr. DeCelle said no waivers are being requested for the 8 new lots on the extension of Gafford Avenue, and would not include 185 Lincoln Street as part of the subdivision. Mr. DeCelle said they gave responses to the Engineering Department's questions and submitted them at the meeting for the Board's review.

Mr. Farrington said this project will be creating 6 new houses there are two legal issues one discussing how to do the ANR at 185 Lincoln Street and there is a landlocked abutting piece of property that was signed off approximately 4 or 5 years ago and requires further discussion before the next visit with Mr. Henry and Mr. Fields.

Board Comments:

- What properties are controlled by the applicant? *Mr. Farrington said all properties are owned except the land that is to be ANR from 185 Lincoln Street.*
- Have you considered a special permit like SSD or BHD? *Mr. Farrington said it was a difficult site but not everything is off the table. Have you identified any waivers that you would want to ask for the definitive plan? Mr. DeCelle said not yet.*
- Do you believe the ANR meets the standards in our bylaws? *Mr. Farrington replied yes it complies with case law.*
- What is the action deadline? *January 27. Would you allow an extension of the action deadline? Yes.*
- There will be topographical changes with soils being brought in and removed do you have the numbers yet? *No*
- There are about 18 acres of open space above the properties on Lincoln Street. Can you find a way to allow wildlife to continue to pass through the protected area and roam that space as they do now? *Yes the applicant will look into it.*
- Would like to walk the site and set a date? *Staff will send out a poll to select a good date for everyone.*
- Has the history of the parcel with the ANR at 185 Lincoln Street been reviewed by staff? *The applicant and staff will discuss further at a later date.*

Audience Comments:

- We just heard about this project two days ago there will be a significant reduction of open space and impact the wildlife. Request that at least 15% of the site keep the remaining trees and not destroy the forest.
- Concerns about the damage to the roads during construction of the five streets four are private ways and only one is accepted.

A Board Member asked the applicant if he had reached out to any neighbors. Mr. Farrington said they only met with the immediate neighbors so far. The Board assumes there will be more outreach. The Engineering Department has submitted their concerns. The applicant just got them and will address them.

- Many years ago the water pressure in my house was measured very low how will the additional houses impact the water pressure? Mr. Henry said Engineering is aware and there will be ongoing discussions with DPW and the applicant and if this is to go forward the water pressure will first have to be addressed.

- There was no communication from the developer until tonight and that has created a trust concern. This is a critical issue and the water pressure is borderline and needs to be addressed.
- Concerned only learned about this meeting on Friday; there is a steep grade and wetlands in the abutter's back yard and is worried about the runoff and will the water get into our basement.
- Would like to see a concerted effort to work together to for a holistic approach.
- What are the waivers they may or may not ask for and why was notice so last minute?
- If a lot is shown as unbuildable who has the right to change that? *Mr. Henry responded that it is not a prohibition but is based on the bylaws at that time the plan is signed and can change status, which will be determined by the Planning Board.*
- All the streets leading up to this development should be accepted and be the responsibility of the developer.
- Lexington is changing fast and this is a large area and once you remove the trees it will completely change the topography and concerned about flooding; who would I call if my basement floods after this project. Right now my basement does not get water.
- Concerned about the wildlife that is left.
- Will explosives be used on the granite for that site? *Yes blasting will be the quickest way to remove ledge and is controlled and safe, but depends on the final reports.*
- There are safety issues with this project with maintenance of the roads.
- Concerned with the runoff once the trees are removed during a heavy rain.
- Concerned with the Ecosystem being disturbed.
- What is the benefit to adding this development to the Town?
- What will be done with the house at the bottom of Lincoln Street? *The house will be restored.*

Board Comments:

- The developer should reach out to abutters and abutters should send their questions to be discussed further.

On a motion of Mr. Hornig, seconded by Ms. Corcoran-Ronchetti, it was voted, 4-0, to accept the applicants request to extend the action deadline for the decision to February 21. The project will be taken up again on February 14, 2018.

6 Eliot Street, Sketch Balanced Housing Development (BHD):

John Farrington, attorney, Dick and Rich Perry, applicants, Rick Waitt and Michael Novak from Meridian Associates were present. Mr. Farrington said the BHD was reduced from 14 to 13 units with one being an affordable unit in 10 structures and a reduction in the gross square footage and was compared to a conventional plan.

Mr. Waitt presented the changes to the plan that were made since the last meeting for the BHD to what the conventional plan could have built.

Individual Board Comments:

- The plan is heading in the right direction on the open space.
- These are great plans and easy to work with, but still don't see the benefit to the Town and has tilted towards the applicant.
- Remind the applicant BHD units maximums are guidelines and not automatically granted.
- Create clusters of units to create more open space and eliminate an expensive road and have only 10 units eliminate the three units on the east side.
- Create something nice with existing house instead of having it demoed or consider a site sensitive development instead of the conventional plan. This plan could be a lot better.
- In favor of the conventional rather than the BHD because it would be more in character with the neighborhood.
- Several Historical Commission Members felt the building is habitable. If the developer did that would allow a lot more square footage and flexibility.

Audience comments:

- An attorney who was representing 5 Pelham Road and 10 Elliot Road said the project was too dense, the common open space does not increase visual amenity to the neighborhood, the proposed dwellings should be cited better and complimentary to adjacent properties and reduce the number of dwelling units.
- The increase in density does not fit in with the character of the neighborhood.
- A petition was read by an abutter with concerns expressed by a number of residents of the Monroe neighborhood.
- Concern was expressed about the construction of the houses will cause damage to the Copper Beech tree and the Board should make it a condition to save.

The applicant said was responding to the Board comments and if they don't get positive feedback with the plan presented tonight they will have to go to a standard subdivision and will be more destructive to the area.

- A conventional plan could destroy the area and the plan proposed has too many BHD units and would urge the Perry's to work together with the neighbors and suggest trying a SSD.

Individual Board Comments:

- Concerned that a conventional subdivision will be built.
- Can't vote for this plan would hope the applicant will be open to another plan and give it one more go and has some ideas if they are opened to it.
- Prefer conventional, but would be open to the SSD and possibly see what could be done with the existing home.
- Prefer SSD, in terms of BHD maybe allow 11 units unless the applicant can incorporate the existing house and then would allow 14 units. Maybe same units, but configure it differently.

Mr. Farrington said Ms. Johnson should send her ideas, and would take a good look at the BHD in a different format, will look at some reconfiguration of the BHD, but not SSD or conventional to be built. Mr. Farrington asked the Board to summarize comments and forward to staff to send to them.

*****2018 ANNUAL TOWN MEETING*****

Potential Warrant Articles:

Citizen's petition

Marrett Road Commercial development

Mr. Charles Minasion presented his proposal for Town Meeting by rezoning his parcel which would allow more uses and change the density on his property. On one side of the street certain uses are allowed and just wanted to match what is allowed on the other side of the street.

Individual Board Comments:

- What was public outreach that was done? *Mr. Minasion said he has spoken to some of the abutters and they felt this should have been standardized a long time ago. Twelve years ago some of these uses were allowed.*
- Why isn't residential allowed? *This is not the right time now maybe in the future, the goal was to fill the empty space for now.*
- There needs to be a serious discussion regarding residential and should this hold up this piece now and do the housing after having the conversation. *Mr. Minasion said he would be willing to add a residential piece if the Board would support it.*
- Provide concrete samples about what you are looking to do.

- Have you reached out to any residents? *Mr. Minasian said Ms. Ciccolo, Board of Selectmen Member agreed to help with this outreach to neighbors.* This is late in the game to allow neighbors time to have their concerns addressed.
- Can't support all the uses like banks. Change CG initials in is confusing with GC.
- Office Uses in the past were not encouraged in this area and raises some concerns.
- There is concern about traffic issues. This needs more public discussion.
- Wish the Board had time to study this proposal.
- Medical Clinic please explain what that is. Staff will look into it.

Special Permit Residential Development:

Mr. Matt Daggett presented his citizen's article and the focus is small thoughtful changes with for smaller units and affordable housing, senior housing, true diversity and more common open space.

Individual Board Comments:

- Share any modeling done at the public hearing and with staff.
- Senior housing needs more investigation.
- Add a column for clarity, and like adding affordable, but have concerns with environmental protections.
- Common open space should be real open space available to the public as a requirement.
- Trail connections and tree preservation should be requirements.
- Are these proposed changes sustainable and will people apply for these?

*****BOARD ADMINISTRATION*****

Minutes Review and Approval:

On a motion of Mr. Hornig, seconded by Ms. Corcoran-Ronchetti, it was voted, 5-0, to approve the minutes of February 1, 15, March 1, 15, 20, 29, April 3, 5, 10, 12, November 29, and December 13, 2017 with the changes staff incorporated.

On a motion, duly made and seconded, it was voted to adjourn the meeting at 11:07 p.m.

The meeting was recorded by LexMedia.

The following documents used at the meeting can be found on the Planning Board website in Planning Board packets or in the planning office file.

- Preliminary subdivision plan for Fairland Estates 15 & 17 Fairland Street, dated 12/12/17 (8 pages).

- Staff memo regarding 15 & 17 Fairland Street (2 pages).
- Engineering memo regarding 15 & 17 Fairland Street (2 pages).
- 6 Eliot Road Sketch subdivision plan set (10 pages).
- Staff memo regarding 6 Eliot Road (1 page).
- Abutters and neighbors petition regarding 15-17 Fairland Street (16 pages).
- Letter from Miyares and Harrington LLP regarding 6 Eliot Road (3 pages).
- Letter from Diane Boissonneault and mark Sullivan regarding 6 Eliot Rd (3 pages).
- Letters/petition regarding 6 Eliot Road (4 pages).
- Responses to Engineering questions from James DeCelle regarding 15-17 Fairland Road (6 pages).
- Mr. Daggett Comparison of Special permit Residential Development chart (3 pages).

Bob Creech, Clerk