

PLANNING BOARD MINUTES
MEETING OF FEBRUARY 28, 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*****

Upcoming Meetings & Anticipated Meetings:

March 8 will be a joint meeting with the Board of Selectmen (BOS) and Planning Board regarding the Hartwell Avenue zoning initiative at 7:00 p.m.

March 14 is a Planning Board meeting in the Selectmen's Meeting Room 7:00 p.m.

March 26 & 28 will be pre Town Meeting Planning Board meetings.

443 Lincoln Street filed a special permit that needs to have public hearing need to start before May 2.

The TMMA meeting will be on March 21 for Planning Board Articles.

Comprehensive Plan Update:

Last night was the 2nd Comprehensive Plan Meeting followed by the first of the 6 panels which covered transportation. The next panel meeting on housing will be March 13 in the morning.

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

CONTINUED PUBLIC HEARINGS

Article 38, Small Commercial rezoning Marrett Road/Spring Street:

Chair, Mr. Canale, opened the continued public hearing at 7:12 p.m. with approximately 50 people in the audience. Mr. Minasian presented his revised proposal with a reduced scope. The density will not change and the main concern was the CS side of the street. The proposal has 15 additional uses with only 12 new uses, and 5 development standards which will not impact traffic. The new district will be called CSX.

The BOS chose not to make a recommendation since they did not have the full proposal before them.

Mr. Minasian said the BOS never received the full proposal until after the meeting Tuesday.

Individual Board Comments:

- Concerned about food not consumed on premises could create litter.

- Fast food.
- Other uses could create more traffic.

Audience Comments:

- Two concerns with some changes are with privacy and appreciate changes in dimensional controls was removed.
- The neighborhood has young children and Bridge School.
- Light, noise, and trash are a concern. The changed uses are too many and need to be addressed with the neighborhood.
- There is a neighborhood petition, with 93 signatures, that was given to the Planning Board expressing concerns that the Scope of the Article was too sweeping and that there was insufficient public outreach. *Mr. Minasian said even after changing the proposal they collected signatures on the old proposal and they had received the revised information on Tuesday and the signatures were gotten on Wednesday.*
- Request that Article 38 be withdrawn by the applicant for now and discuss further with the neighbors.
- I want to understand the late changes that were just made. There will be no changes in building heights and setbacks? *Yes.*
- The new proposal seems more in line with what is appropriate and if it does it is fine with me.
- Who has done a traffic study. The traffic is backed up all the way down the road. *There is a study on the website for south Lexington. There are requirements that the zoning bylaw sets up for a traffic study when a use comes up for a special permit.*
- Mr. Carrow read his presentation to the Planning Board that included a number of points citing sustainability and process shortcomings, and cited many specific points as examples.

Individual Board Comments:

- Need to address smells and hours of operation for what is being proposed.
- Most of the uses have a low impact on traffic based on what we see.
- Feeling ambivalent and am concerned that this is coming right before the comprehensive plan and concerned other CS Districts in Town would want the same considerations.
- This was proposed after the new year and the Board has not had time to drill down and review the town-wide consequences and is not being a holistic approach. This seems to be mostly office space.

- This is too much too soon and feel rushed at this point and don't feel can support this.
- This is a small step in the right direction to create vitality in the small commercial districts.
- There were some things that were in the first proposal that were good and not in this proposal. Would like to have this commercial area have vital commercial activities and focus on retail and services and am concerned about the amount of office space that may be added. Would like to have a good outcome in two to three years and am concerned the outcome may not be what we really want. Want different uses than business offices and the intensity should be increased and the proposal as is does not do it this is a bandaid and would hurt in the long run.
- Consider bringing this to a special Town Meeting and lose the large office space and address targeted uses and will help you get the neighbors to support you.
- This motion is not ready yet and would be a no vote unless the general office spaces were eliminated or not overwhelm the neighborhood.
- There is no guarantee there will be a special Town meeting and we are asking him to withdraw since the Board has to close the public hearing and take a vote.

Mr. Minasian stated there are only 10 parcels that are in a CS District in the Town, and he has an allowed use of a gas station and you can't put a retail operation in a lower space it would be an office space. He could have the math school that would be traffic all the time, but he is looking to get mixed uses.

On a motion of Mr. Hornig, seconded by Ms. Corcoran-Ronchetti, it was voted, 4-1, (Ms. Johnson opposed) to close the public hearing at 8:27 p.m.

If there was more time this proposal would have a better chance to pass but is too rushed. Would like to have more density, which is what the Town needs and this would be locking in the density we may not want.

On a motion of Ms. Corcoran-Ronchetti, seconded by Ms. Johnson, it was voted, 4-1 (Mr. Hornig opposed), to recommend Town Meeting refer this Article back to the Planning Board.

Article 42, Special Permit Residential Development (SPRD):

Chair, Mr. Canale, opened the continued public hearing at 8:39 p.m. with approximately 30 people in the audience. Mr. Daggett presented his revised proposed article on SPRD and does not have a revised draft motion for the Board at this time. The major change is with age-restricted

housing; it is not ready for prime time and is being removed and replaced with accessible housing. The ownership of open space, and vehicular traffic direction will remain as is for now.

Individual Board Comments:

- Are the financial considerations actual or your own assumptions? Have you spoken with developers? *Yes.*
- Using 1.5 is not feasible why use it? The numbers do not work. *Give some options and the numbers are from the applicant's perspective.*
- Are there any builders that would stand up with this and says it works? The 1.5 does not work and will always get conventional and the 2.0 does not give enough incentive for builders to do.
- Have you done anything with a higher multiplier? *No that should be a PD.*
- If this does not work, it will just have developers build more 2 million dollar homes.
- Disappointed that age-restricted was removed.
- There is a lot to support here which saves SSD, and if goes to three times proof should be a PD. Do not agree that the numbers do not work believe they are viable options. I support this proposal.
- Support the proposal.
- Legal fees might be greater for the Shared Benefit Developments and do not agree and am not concerned about how profitable it is.
- Concerned there is no motion ready and Town Meeting is in a month and concerned with getting a 2/3 vote. This seems to be an interim policy and will see if things are feasible and would be more comfortable making a test drive. There is a concern that Town Meeting may not approve

Audience Comments:

- This is a good plan and would allow us to down size to stay here.
- Are the affordable units always the smallest and would they be dispersed through the development? *Yes.*
- The Board should have the option on every development, for the open space, the Town should have the right of first refusal.
- This is a step in the right direction and the current bylaws do not provide enough benefit to the Town.

- Is there a control how the buildings would look? Concerned about getting more boxy looking houses. The overall site plan review would be part of the special permit.

On a motion of Mr. Hornig, seconded by Ms. Corcoran-Ronchetti, it was voted, 5-0, to close the public hearing at 9:40 p.m.

On a motion of Ms. Johnson, seconded by Ms. Corcoran-Ronchetti, it was voted, 4-1 (Mr. Hornig opposed), to recommend approval of this article to Town Meeting.

Concern this would be feasible and no concrete numbers only assumptions.

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

1106 Massachusetts Avenue, Definitive Special Permit:

Chair, Mr. Canale, opened the continued public hearing at 9:43 p.m. with approximately 50 people in the audience. Mr. Cataldo, applicant, Mike Novak, from Meridian Associates were present and reviewed the plan, explained this is a waiver-less proof plan, and addressed the Engineer's letter.

Individual Board Comments:

- The house on Lot A looks way too big and pinched there. *The footprint is based on the desires of HDC. What is the height? Below the 40 feet.*
- HDC have one more meeting for details.
- Have you addressed the screening issue? *We just got the letter this afternoon and the species is not native they want.*

Audience Comments:

- This house will be looming over our house and at the last meeting we discussed landscaping. Our landscaper suggest along our entire property line Arborvitae (Green Giant). The Board wanted a native species to Middlesex County to be substituted.
- Once April comes around the workers will park on Tower Road will take up a lot of space.
- There was ledge or seasonal high water in the soil tests.

On a motion of Mr. Hornig, seconded by Ms. Corcoran-Ronchetti, it was voted, 5-0, to close the public hearing at 10:10 p.m.

The Board has 90 days for the decision and staff will work on draft decision right after Town meeting reports are done.

15-17 Fairland Street, Preliminary subdivision:

Ms. Johnson recused herself from this project since her son may have a financial interest.

Present was Mr. Farrington, attorney, and Jim DeCelle, Engineer, and Mark Barons and his son Mark Barons, developers. Need two approvals one for the ANR at 185 Lincoln Street and one for the preliminary subdivision plan.

Mr. Henry said he was waiting to hear from Town Counsel regarding the ANR for the land division regarding if it is legal and workable. Mr. Farrington said could make the ANR subject to the approval of Town Counsel. Mr. Henry says he was not prepared to deal with that tonight and needs to hear from Town Counsel.

Individual Board Comments:

- Concern about the drainage system will still be there. *Soil tests are having us move detention system to the front.*
- There needs to be a provision to improve the condition of Fairland Street and use to access the development.
- Want a memo from the applicant showing they have a legal right to use Fairland Street.
- Think about waivers for Fairland Street.
- Address 185 Lincoln Street with an acceptable resolution.

On a motion of Mr. Hornig, seconded by Mr. Creech, it was voted, 4-0, approve the preliminary plan with the above referenced conditions.

Audience comments:

- Request Planning Board Member attend the meeting with residents.

7 Rangeway, Street Determination Establish Performance Guarantee:

The Board authorized the Planning Director to accept on behalf of the Board a performance guarantee with Mr. Bob Cataldo for \$2500.00.

On a motion of Mr. Hornig, seconded by Mr. Creech, it was voted, 5-0, accept the performance guarantee for \$2500.00 with Mr. Bob Cataldo.

186 Bedford Street, potential PDD:

Mr. Grant, attorney, the Ciampa Family, applicant, Doug Harnett were present to informally meet with the Planning Board regarding a proposal for a mixed use development. It is next to a commercial zone and adjoins Bell Ave. The applicant would need to rezone the site from a residential use to a Planned Development. This would provide homes for seniors and they have met with the neighbors. They provided a brief overview of the proposed project. There would be 10% affordable for not only seniors but also young professionals who want to stay in town. Meeting with DRT next Wednesday.

Individual Board Comments:

- Come to the Board before filing the PSDUP with a draft and a higher level of detail and wait till after Town meeting.
- This seems rushed and needs to be mitigated more for site context.
- Fire access does not have two points of egress and do not have turning radii for some of the parking spaces.
- Parking for residents and workers needs to be better.
- Want to see senior housing with a guarantee.
- Want 25% affordable units.

On a motion, duly made and seconded, it was voted to adjourn the meeting at 11:04 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.

- Marrett Road Commercial District public hearing presentation (16 pages).
- Mr. Carrow presentation dated February 28, 2018 (10 pages).
- Updated 2/28/18 SPRD warrant Article proposal. (19 pages)
- Cover letter for 1106 Massachusetts Avenue dated 2/21/18 (2 pages).
- Definitive Special Permit Plan Set for 1106 Massachusetts Avenue (11 pages).
- Meridian response to Engineering comments dated 2/21/18 for 1106 Massachusetts Avenue (4 pages).
- Stormwater Analysis and Calculations revised 2/21/18 for 1106 Massachusetts Avenue (60 pages).
- Stormwater Management revised 2/21/18 for 1106 Massachusetts Avenue (34 pages).
- Preliminary subdivision plan for 15 & 17 Fairland Street & 185 Lincoln Street dated 12/12/17 (8 pages).
- Town Engineer comments regarding 15 & 17 Fairland Street (2 pages).
- Staff agenda item and recommendation for 15 & 17 Fairland Street (2 pages).
- Letter sent to abutters regarding 186 Bedford Street (8 pages).

Bob Creech, Clerk