

PLANNING BOARD MINUTES
MEETING OF AUGUST 24, 2005

A regular meeting of the Lexington Planning Board held in the Selectmen's Meeting Room, Town Office Building, was called to order at 7:30 p.m. by Chairman Manz with members Harden, Hornig, Canale and planning staff McCall-Taylor, Schilt and Tap present. Mr. Galaitsis was absent.

***** MINUTES *****

Review of Minutes: The Board reviewed and corrected the minutes for the meeting of May 11, 2005. On a motion duly made and seconded, it was voted to approve the minutes as amended.

The Board reviewed the minutes for the meetings of April 27, 2005 and June 8, 2005. On a motion duly made and seconded, it was voted to approve the minutes as written.

The Board reviewed and corrected the minutes for the meeting of August 10, 2005. On a motion duly made and seconded, it was voted to approve the minutes as amended.

***** ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS *****
SUBDIVISION OF LAND

31, 33, 35 Cary Avenue Cluster Subdivision, Sheldon Corp., Request for Minor Revision to Approved Special Permit: The Board reviewed material Mr. Todd Cataldo submitted to support his request for two minor revisions to the 31, 33, 35 Cary Avenue subdivision special permit, granted on May 11, 2005. Mr. Cataldo was present and explained that the buyer of Lot 1 of the Cary Avenue Subdivision wants a larger bedroom suite for his parents, who spend approximately six months a year with the family helping with childcare. This could be accomplished by enlarging a room on the second floor using what was originally the double high ceiling space of a room on the first floor. The change would not increase the number of bedrooms, the area of the dwelling's footprint, or change the elevations. Additionally, details showing two chimneys and a portico over a door were inadvertently left off of the definitive plan.

Mr. Cataldo asked the Board to approve:

1. an increase the living space on Lot 1 by 435 square feet;
2. an increase in the gross floor area by 351 square feet, which is directly related to the request to increase the living space in the dwelling; and
3. an increase in site coverage of 36 square feet to allow the construction of two chimneys and a portico over a door, as these construction details were inadvertently left off the original plan.

Board members expressed their discomfort at approving incremental changes to a carefully considered and approved package, but a majority agreed that the requested changes are minor in effect and have come very early in the implementation process. Mr. Hornig expressed some discomfort with how to handle incremental changes to an approved plan, but said that he would not withhold, by abstaining, the fourth vote needed to approve a revision to a special permit.

Upon a motion duly made and seconded, it was voted to deem as minor and to approve the three changes listed above to the Special Permit with Site Plan Review for the 31, 33, 35 Cary Avenue Cluster Subdivision, granted on May 11, 2005. The accessory apartment proposed for Lot 4 will be removed.

Wisteria Lane Definitive Conventional Subdivision, Homes Development Corp., Endorse Decisions: The Board endorsed the Certificate of Action and Special Permit, which it approved at the meeting of August 17, 2005 for the Wisteria Lane Definitive Subdivision at 58 Colony Road.

Lexington Hill Sketch Cluster Subdivision Plan, off Walnut Street, Presentation by the Applicant: Representing the development team for the new Lexington Hills Cluster Subdivision proposed for land off Walnut Street, formerly the site of the Middlesex County Hospital, were Mr. Habib Amnipoor, Mr.

Joseph Lerman, Lexington August Realty Trust; Mr. Norman Kolat, architect, Mr. Gary Larson and Mr. Ti Johnson, of Larson Associates, landscape architects.

Mr. Larson briefly outlined the recent history of the property. The applicant would like to build a cluster subdivision, in part, on land formerly the subject of a subdivision proposal by Walnut Roseland LLC. That company withdrew its definitive cluster plan in February 2004, when it was unable to secure a secondary means of access to the site. The current applicant has a purchase and sale agreement on the Walnut Roseland property, which they would subdivide along with seven adjacent acres that were purchased in 2004 at the Department of Capital Asset Management auction. Mr. Larson explained that the Walnut Roseland plan would be the basis for the development with a similar layout on the seven additional acres. As it was before, the design is based on the existing circulation pattern on the site from when the hospital operated there, enhancing it and improving the areas.

Mr. Larson said that a loop road provides secondary access. Forty-one dwelling units are proposed: 27 single-family detached, ten units in duplexes, and four affordable units. Over ten acres would be left as open space. A walking path would traverse the site. Traffic generated by the proposed development would be minimal, but the team believes a sidewalk should be put along Walnut Street for pedestrian safety, with the added benefit of improved traffic sight distances. This may necessitate the placement of the sidewalk within the development site rather than with the Walnut right of way.

Mr. Larson briefly showed three alternative layouts that the team considered, but said that the cluster shown is the one they believe most appropriate for the land. Planning Board members indicated that they would like to see a proof plan, as it is a reference for evaluating cluster layout and impacts. Ms. McCall-Taylor added that the Development Regulations call for the submission of a proof plan. The Board commented that the three alternate schemes shown tonight seemed unworkable.

Mr. Hornig stated his position that if the transmission tower remains, it should be on a lot of its own with the required setbacks. Mr. Larson indicated that with improved technology, a new tower would likely be much shorter than the current 160-foot one. Mr. Hornig also stated that he wants the open space massed in larger areas, keeping the presently undisturbed areas as open space.

Relative to the transmission tower on the site, the Board asked that issues around it, e.g., it is properly permitted, what agreements are in place, etc., be resolved before another plan is submitted. Mr. Lerman indicated that determining who will pay to relocate the tower is a major issue for the development team. He said that at the auction the lease was represented as in default.

Mr. Canale asked why including townhouses was rejected. The response was that they were thought not to fit the character of the site. Mr. Canale also asked if they are aware of any remnants of Oxbow Road, or old cart paths on the property. They were not.

The Board asked the applicant to submit another sketch plan, including a proof plan, and to address the following:

- The impacts of the 41 dwelling units in the proposed plan taking into consideration the other new development in the area, i.e., AvalonBay's 387-unit rental community on the former Met State Hospital campus and JPI's project on the county hospital land in Waltham.
- Provide further details on the potential walking path through the development.
- A range of unit sizes is desirable.
- A traffic study is needed.
- Transmission tower issues need resolution, including the potential effect of a tower's presence on

the number of dwelling units.

- Contiguous open space is preferred.
- Consult with the Central Transportation Planning Staff (CTPS) and the Massachusetts Area Planning Council about its current study of traffic along Trapelo Road, which includes south Lexington.

A person in the audience asked about the size of the proposed houses. The applicant responded that three- and four-bedroom dwellings are most likely.

***** POSSIBLE SPECIAL TOWN MEETING *****

Battle Green Inn, CB to CD, Rezone for Residential Condominiums, Oak Tree Development: The development team for the potential conversion of the Battle Green Inn, 1720 Massachusetts Avenue, consisting of Mr. Eric Shapiro, Mr. Arthur Klipfel, and Ms. Gwen Noyes, of Oak Tree Development; Mr. Erik Rhodin, architect, of Line Architects; Mr. John Farrington, attorney, was present to introduce a revised proposal. The 2005 Annual Town Meeting had voted down the previous plan. Mr. Shapiro said the team seeks feedback from the Planning Board before deciding if it will petition the Selectmen to call a fall special town meeting to consider the new proposal.

Mr. Rhodin presented a model of the entire central business district, which included the existing Battle Green Inn. He replaced the Inn building with a model of the proposed residential condominium building, demonstrating its scale to the surrounding buildings. The proposed building would have three stories, with retail space of 5,800 square feet (up from 4,800 square feet) and 30 residential units of slightly larger size than shown in the previous plan, which had included 40 units and a partial fourth floor. Mr. Rhodin explained that the main structure façade facing the Cohoes parking lot had been pushed back to 24 feet from the property line; the Vinebrook Road façade would remain at 12 feet from the property line where it abutted the Pride's property. The Board was provided with a chart of zoning and area comparisons with existing and proposed figures. Mr. Rhodin acknowledged helpful input from the Center Collaborative.

Mr. Rhodin presented section drawings of several Massachusetts communities' central business district main streets and buildings, which demonstrated Lexington Center's relatively wide street and low building heights compared to other attractive town centers.

Board Comments and Questions: Mr. Canale said that the increase in retail space was a positive aspect and that the reduced scale does respond to concerns expressed by Town Meeting. But, as he supported the first proposal, he does not regard the new proposal as an improvement. Mr. Hornig commented that he preferred the first proposal, but that this one is all right.

Mr. Harden applauded the team's presentation, remarking that model makes clear how the proposed structure would fit into the Center. He said that this still represents a dramatic change to the Center but would represent a more incremental step toward change. How deliveries to the building occupants would be accomplished is still a matter of concern for him, as is the loss of a metered parking space on Waltham Street.

Ms. Manz expressed her appreciation of the new presentation. She questioned the smaller number of parking spaces in the underground garage. Mr. Rhodin indicated that it is the result of making some improvements suggested during the spring town meeting. She noted the increase in some of the residential units' sizes and prices. Mr. Rhodin responded that there is a wide range of unit sizes. And the affordable component of three units remains a part of the proposal.

Mr. Harden raised some issues around the parking garage and how the spaces would be allocated among employees of the retail businesses and other center businesses and, residents for the maximum public benefit. Mr. Shapiro noted that some of his current retail tenants would not return after the conversion.

Audience Comments and Questions: Mr. Richard Michelson expressed his opposition to allowing residential uses in the center, to putting the entrance to the proposed structure on Waltham Street, and to the lack of a loading dock for deliveries. Mrs. Iris Wheaton noted that identifying the affordable units on the plans would be helpful and that three affordable units may not represent the desired ten percent component.

Mrs. Helen Pride, a resident of Vine Brook Road and direct abutter to the Battle Green Inn, asked about the building's height and façade and the existing trees at that property line, noting that the east facing façade was moved farther from the property line, but that facing Vine Brook residents was not moved back. Mr. Rhodin described the façade and assured her that the mature trees would be saved.

In response to a lament about losing the hotel from Ms. Francesca Anderson, Mr. Shapiro reiterated the industry factors that render the hotel unviable.

***** CENTRAL BUSINESS DISTRICT *****

Joint Meeting with Selectmen and Center Collaborative: In connection with the Planning Board's upcoming joint meeting with the Selectmen on Lexington Center and other issues and scheduled for September 7, Ms. Manz reported that members of the Center Collaborative agreed to present a preliminary summary of its June 11 charrette. The Collaborative indicated that it is still assembling input from that event and from other forms of outreach to stakeholders and will present a more complete and formal report at a later time. The Planning Board discussed its hope that time would allow other subjects of mutual concern, i.e., the Housing Partnership's inclusionary housing initiative, traffic mitigation, the importance of acquiring GIS capability for the Town, Phase II of the Marrett Road-Spring Street-Bridge Street intersection study, to be brought up at the joint meeting in preparation for the Selectmen's goal-setting session on September 14. The Board agreed on the importance of defining for itself the concepts it wants to accomplish in these areas.

***** REPORTS *****

Staff:

Traffic Demand Management Fund: Ms. McCall-Taylor noted that Patriot Partners agreed to advance the second installment of the money it pledged to the TDM fund so that Phase II of the Marrett-Spring-Bridge intersection study could go forward.

Housing Partnership: Ms. McCall-Taylor reported that the Housing Partnership would be having an Inclusionary Housing Workshop.

Board

Scenic Byways: Mr. Canale reported on an upcoming conference on the subject of Historic Roads – Scenic Byways. He will be submitting an abstract for a conference panel on how an historic legacy can coexist with 21st century life.

On a motion duly made and seconded, it was voted to adjourn the meeting at 10:55 p.m.

Anthony G. Galaitis, Clerk