

PLANNING BOARD MINUTES
MEETING OF OCTOBER 19, 2005

A regular meeting of the Lexington Planning Board held in the Legion Room, Cary Hall, was called to order at 7:35 p.m. by Chairman Manz with members Hornig, Canale, Harden and planning staff McCall-Taylor, Schilt and Tap present. Mr. Galaitsis was absent.

***** AFFORDABLE HOUSING INITIATIVE *****

Inclusionary Housing By-Law, Housing Partnership and Philip B. Herr & Associates; Review Draft Zoning Amendment: Present to take part in reviewing a draft inclusionary housing by-law, (in a document entitled "*Inclusionary Language Refinements*", dated October 13, 2005; revised October 19, 2005), prepared by the Zoning Subcommittee of the Housing Partnership Board and consultant Philip Herr, were Mr. Herr, and Ms. Mary Haskell, Mr. Kenneth Kreutziger and Mr. William Carlson of the zoning group. Their goal is to have the Planning Board bring a zoning amendment to the 2006 Annual Town Meeting which would mandate that 15 percent of the proposed dwelling units in new residential developments must be affordable to a range of low-income households, consistent with the Department of Housing and Community Development definitions.

Discussion centered on the language of the draft amendment in terms of intent, effect, clarity and consistency. The latest draft of the document included provisions to allow affordable units to be provided off-site. It also clarified the formulas used to calculate the maximum allowed housing costs in a manner consistent with the Department of Housing and Community Development standards.

The Board questioned whether the number of new units on which the affordable housing percent would be calculated would include those built to replace teardowns or only the net gain in housing units on the site. It was determined that the language should be made clearer to encourage preservation of existing units for use as the affordable units. Mr. Hornig queried the Board as to whether there was consensus that the applicability should be the same as that of a special permit for a three-unit subdivision, and the Board concurred. Mr. Canale expressed concern about the potential for large additions to existing houses. Mr. Harden stated that the process may be too complicated; it would be simpler to use the total number of housing units in the calculation and not just the net gain in units.

Discussion then centered on how the provisions would apply to accessory apartments. Mr. Herr noted that the provisions for the minimum size of accessory apartments are similar to those of other towns.

Mr. Hornig stated that providing for an expedited application and review process for projects with inclusionary units is not appropriate, as all projects going through Town permitting processes deserve an expedited review. Ms. Manz indicated that she feels that the provision adds an incentive for developers.

Mr. Harden said that the multipliers for a range of development sizes do not appear to be a gradual slope, and the increments should be revised to be more equitable. Mr. Hornig added that requiring one affordable unit for each seven units is problematic in that it would apply to only a narrow band of incomes; he felt a ratio of one unit for every ten units for income levels at 80 percent of the area median income levels was more appropriate, and would help to ensure that the town stayed within the requirements of Chapter 40B. Mr. Herr stated that he could supply a better array of figures for calculations for different income levels. Mr. Schilt suggested creating a worksheet, with calculations, after the manner of the maximum impacts worksheet for clusters.

Mr. Todd Cataldo, informally representing Lexington developers, asked some questions and made a number of observations. He questioned the fairness of the proposed measure, saying it placed the burden of providing new affordable housing squarely on developers. Among Mr. Cataldo's concerns were:

- Provisions for a seven-lot subdivision that would require the affordable units to be on-site.

- If accessory apartments may be considered affordable units, the conditions and mechanisms for them should be made very clear.
- The by-law should apply to as-of-right subdivisions, and not just to those that require a special permit.
- The policy needs to be palatable to the landowners too.
- Make clear the conditions and mechanisms for off-site affordable housing.

Mr. Herr observed that the proposal will evolve as it moves forward. He said he will make more revisions based on the discussions at this meeting and will provide another draft for the Board to review.

***** MINUTES *****

Review of Minutes: The Board reviewed and corrected the minutes for the meeting of October 5, 2005. On a motion duly made and seconded, it was voted to approve the minutes as amended.

The Board reviewed the minutes for the Executive Session of October 5, 2005. On a motion duly made and seconded, it was voted to approve the minutes as written.

***** NOVEMBER 2005 SPECIAL TOWN MEETING *****

Report to Town Meeting on Article 2, Rezone 1720 Massachusetts Avenue (Battle Green Inn), CB to CD: The Board reviewed and revised a draft of its Report to Town Meeting on Article 2, CB to CD, Rezone 1720 Massachusetts Avenue (Battle Green Inn).

On a motion duly made and seconded, it was voted to approve the Report to Town Meeting on Article 2. Ms. Manz noted that the Chamber of Commerce had voted to support the proposed rezoning at its meeting that morning.

***** ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS *****
PLANS NOT REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW

ANR 2005-7, 27 Eliot Road, 27 Eliot Road, Map 40, Lot 90: After review and discussion, on a motion duly made and seconded, it was voted to endorse the plan entitled "Subdivision Plan of Land in Lexington in Massachusetts", dated September 16, 2005, prepared and certified by Clifford E. Rober, Professional Land Surveyor, Arlington, Mass., with Form A/2005-7, submitted by Roger L. Williams, as it does not require approval under the Subdivision Control Law.

ANR 2005-8, 20 Slocum Road: After review and discussion, on a motion duly made and seconded, it was voted to endorse the plan entitled "Plan of Land located in Lexington in Massachusetts", dated October 11, 2005, prepared and certified by Clifford E. Rober, Professional Land Surveyor, Arlington, Mass., with Form A/2005-8, submitted by Jill L. Hai, as it does not require approval under the Subdivision Control Law.

SUBDIVISION OF LAND

Rowland Avenue Extension, Richard Perry, Endorse Approved Plans: The Board endorsed the Rowland Avenue Extension Definitive plans, which it had approved on July 27, 2005, and for which the 20-day appeal period had passed without an appeal.

***** PLANNING BOARD POLICIES AND GUIDELINES *****
REVIEW OF EXISTING BOARD POLICIES

Reduced Frontage Subdivision: The Board reviewed the Planning Board *Policies, Guidelines: Section 135-38E, Frontage Reduction for Lots in a Small Subdivision*, first adopted in 1995, then revised in 1996 and 1999. Remarks centered on what is the appropriate size for houses in these small subdivisions, given

homebuilding trends in recent years. Reinforcing the original intent of the policy, to ensure a harmonious relationship between the houses, including those in the neighborhood, with respect to bulk and mass, yards and open space, etc., it was decided that the Board, at its discretion, may require that a house in a reduced frontage subdivision not have a gross floor area, living area or site coverage that is more than one and one half times the median for the neighborhood as shown in the neighborhood profile. Ms. Manz asked that "comparable to" be removed from paragraph two on page four of the document. The other Board members agreed to this.

On a motion duly made and seconded, it was voted to adopt the Policies and Guidelines, Section 135-38E, as amended.

***** REPORTS *****

PLANNING BOARD

Scenic Byways, Regional Landscape: Mr. Canale reported on recent efforts of regional groups and authorities to nurture the concept of a regional landscape as an adjunct to the Scenic Byways vision. He said that the subject would be on the Selectmen's agenda after the November Town Meeting.

Senior Center Siting Committee: Ms. Manz reported that the Selectmen would like the Planning Board to be represented on the Senior Center Siting Committee. Mr. Hornig agreed to represent the Board on the committee.

Adams Street Gravel Pit Change of Use: Ms. Manz reported that there would be a site walk of the Quinn Perkins gravel pit site on Saturday, led by Burlington officials.

STAFF

Trapelo Road Corridor Study: Ms. McCall-Taylor reported on the progress of the Boston Metropolitan Planning Organization and Metropolitan Area Planning Council study of the Trapelo Road corridor.

On a motion duly made and seconded, it was voted to adjourn the meeting at 11:10 p.m.

Anthony G. Galaitsis, Clerk