

PLANNING BOARD MINUTES
MEETING OF NOVEMBER 30, 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, Hornig, Canale, Harden and planning staff McCall-Taylor, Schilt and Tap present. Mr. Galaitsis arrived at 8:20 p.m., as his flight had been delayed.

***** MINUTES *****

Review of Minutes: The Board reviewed and corrected the minutes for the meetings of September 28, October 17, 19, 24 and 26, 2005. On motions duly made and seconded, it was voted to approve the minutes as amended.

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

SUBDIVISION OF LAND

Cedar Street Preliminary Conventional Subdivision Plan, JMG Development, LLC, Public Information Meeting: Ms. Manz provided some process background information for the audience and said that Mr. Gelormini had presented a number of sketch cluster subdivision plans for this land over the past year. He has decided to proceed with a conventional subdivision scheme.

Present for this item were Mr. Joseph Gelormini, the applicant; Ms. Patricia Brown, attorney; Mr. David Jay, landscape architect; and Mr. Ron O'Brien, engineer. Mr. Gelormini introduced his development team and added that all of the property owners were present tonight; the Lloyd family own the largest portion, on which the horse farm is located.

Mr. Jay briefly explained the site analysis and existing conditions plans and outlined the proposed site layout. A new street running from Fremont Street to Cedar Street, off of which a short cul de sac would extend at the southwest end of the site, would provide access for 14 single-family homes. Two existing homes would be demolished and replaced for the present owners, one house would remain as it is, for a net increase of 11 housing units within the development boundaries.

Mr. O'Brien provided an overview of the site construction plan, including grading, which he characterized as not dramatic, as most of the site is not steep; the drainage system, which he said would handle all of the stormwater on site; and the roadway, along which sidewalk would be provided on one side. Two five-foot wide access easements to the abutting town land are shown. He added that no waivers are needed or requested for this proposal.

Board Questions and Comments: Mr. Hornig noted that the engineering division had asked for a drainage report as one was not included in the submission and the Planning Board would like to see it too. Several aspects of the plan troubled him:

- The drainage system funnels storm water to the steep corner of the site near the Pine Meadows Golf Course.
- The detention areas are at the edges of the site.
- Catch basin #53 troubled him.
- The plan seems to indicate clear cutting of the trees; he wants to see some left at the edges. Mr. Gelormini responded that at the next stage they would walk the site and identify desirable trees, and that large, e.g., 30" diameter, trees would be saved and other trees planted. The Board agreed to plan a site walk.
- Underground electric – effect on existing trees

Mr. Canale seconded those concerns. He also asked that:

- attention be paid to the appearance of the transition area between the development and the Pine

Meadows golf course,

- the developer consider a hammerhead configuration, instead of a full turnaround cul de sac, to reduce impervious surface, a request mentioned by other board members as well, Mr. Harden suggesting that a 20-foot wide roadway would suffice, though it would require a waiver. Mr. O'Brien indicated that this is a possibility.

In response to Mr. Harden's questions, Mr. Gelormini said that no affordable units would be included, he has no partners in the venture at this time, and the houses would be priced above \$1 million. Sizes would range from four units at about 2,500 square feet and the rest 3,000 and 4,000 square feet with heights of 32 to 34 feet.

Mr. Galaitsis arrived at this point in the meeting.

Ms. Brown briefly described the results of the traffic study, based on 11 units, indicating that the number of car trips generated by the development would be quite minimal. Asked about streetlights, Mr. Gelormini said that each lot would have a ten-foot light pole near the street.

Mr. Galaitsis' concerns were the gerrymandered appearance of lots three and four and the potential for bigger houses if the street is narrowed. Mr. O'Brien indicated that the shape of those lots could be improved as the plan matures. He stated that the proposed houses would not be increased in size even if the house lots gain square-footage as a result of narrowing the street pavement.

The Board expressed a number of misgivings about the proposed stormwater management system, especially the detention basin and pond. Mr. Galaitsis suggested to Mr. O'Brien the use of an infiltration system at the lowest portion of the tract, instead of a detention system. Mr. Canale asked if mitigation from 128/95 traffic noise was being considered. Mr. Hornig requested ten-foot wide access easements to adjoining town land, instead of the proposed five feet. It was noted that the five street names proposed by the developer for the subdivision road were not acceptable due to their similarity to existing street names in Lexington.

Audience Questions and Comments: Many people in the audience had comments and questions about the development, the stormwater management system in particular. The detention basin on lots two and three elicited a great deal of concern in terms of capacity, effects on neighboring properties, public health (mosquito breeding potential), and child safety.

Traffic was also cited as a danger to children, especially on Freemont Street, which has been safe for neighborhood children to cross in their play from yard to yard. It threatens an important aspect of the neighborhood's desirability according to Mr. Josh Brand, a new resident at 6 Freemont Street. Mr. Hans Herta, 45 Freemont Street, expressed his doubts about the accuracy of the traffic study, characterizing it as too conservative.

Mr. Meryll Plasse, 197 Cedar Street, stated that the developer has a lot to learn about the property; there is ledge and clay there and the Lloyd home had water in the basement. A resident of 33 Freemont Street stated that Freemont Street needs a drainage system.

Mrs. Patricia Yeo, 9 Freemont Street, described her problems with ground water and stormwater, and expressed concern about the danger to children of the detention ponds. Others concurred.. Mr. O'Brien described what measures could be taken to address these issues. Mr. Chris Wooster, 26 Freemont Street, and others in the audience, described the problems they have had during snow removal after storms.

Ms. Manz closed the information meeting at 9:30 p.m.

The Board offered the following comments to guide the developer in the next submission, which the Board felt should be another preliminary plan:

- Comments in the staff reports by the Planning and Engineering Departments need to be addressed. Planning Staff will provide any additional comments from other departments if they become available.
- More information is needed in the drainage reports, and there are concerns about channeling water to the adjacent Town owned land and golf course. There are existing impacts to the water resources on the golf course that could potentially be exacerbated with additional runoff or discharge from the site. Prior to redesign of the drainage system, it is recommended that the applicant consult with the Conservation Commission and the Recreation Department about existing conditions in the area in order to minimize any off-site impacts.
- Additional consideration should be given to the location of the detention basins, especially those adjacent to the property line. Consideration should also be given to using infiltration systems rather than detention basins for the stormwater drainage facilities.
- More information is needed about the limit of work area, and efforts to preserve existing trees and provide a buffer between the proposed development and abutting properties. All efforts should be made to retain as many large and mature trees as possible.
- More information is needed about the location of the dwelling units on Lots 9 and 10; care should be taken to keep the houses out of the sewer easement and the wetland buffer. The Board is interested in how these houses will fit into the contours on the site, and whether fill will be needed. Consideration should also be given to how these two lots will transition toward the golf course, and to reduce disturbance by restricting the limit of work in this area.
- The Board would prefer a reduction of the road pavement width to 20-feet to reduce impervious surface. A hammerhead or alternative turnaround should be considered in lieu of the cul-de-sac, which could be done by requesting a waiver from the requirements of the Development Regulations for the street design. The Board would consider a reduction in the amount of right-of-way, if it allowed better buffering around the edges of development, but without a corresponding increase in the amount of impervious surface on the developed lots.
- The Board would like to see more information on the size of the proposed houses, including proposed schematic design plans, in order to better assess building heights and setbacks.
- Coordination is needed with the property owner at 19 Freemont Street regarding the storm drain and potential easements that connect to the property at 25 Freemont Street. The property owner has stated that there are legal obligations to maintain this drainage system.
- The proposed location of the telephone, electric and cable lines coincides with that of the proposed street trees, and will need to be changed to avoid any disturbance from tree roots. Additional information is also needed regarding the locations of street lighting. Depending on discussions with Keyspan, the location of any proposed gas lines should also be shown on the utility plans.
- There is concern regarding the irregular shapes of Lots 3 and 4, and the Board would prefer to see a better alignment of the lots on the east side of the street.
- The Board would prefer to see the two five-foot pedestrian easements that connect to the adjacent Town owned land combined to one 10-foot easement and placed in a more central and visible location.
- Neighbors have expressed concern about the water table, and existing problems with basement flooding. More information is needed pertaining to soils conditions on the site, and the redesign of the drainage system should ensure there are no impacts to abutting residential properties. Results of the findings of test pits should be provided to verify soils conditions and the depth of the water table.
- More information should be provided pertaining to snow storage areas, with provisions to ensure that all storage will be accommodated on-site.
- The Board is interested in conducting a group site visit at the time of the next submission.

***** AFFORDABLE HOUSING INITIATIVE *****
Inclusionary Housing Policy, Review Draft Dated November 25, 2005: Consultant Philip Herr, Ms. Mary Haskell and Mr. Ken Kreutziger of the Housing Partnership, and Todd Cataldo, local developer, were present for this discussion of a potential inclusionary housing zoning amendment. Under review was the document drafted by Mr. Herr and the Housing Partnership in October and revised after subsequent discussions with the Planning Board.

Ms. McCall-Taylor provided the answer to a question that had been raised at an earlier meeting about affordable accessory apartment units, that the Department of Housing and Community Development (DHCD)'s rules are: an affordable apartment must be offered to people on a waiting list maintained by a local housing entity such as the Housing Authority; the renter may not be a relative; an annual certification of affordability must be performed. If the unit is unoccupied at the time of certification it is removed from the Town's subsidized housing inventory. Mr. Canale added that he learned at a recent "smart growth" workshop that the state is currently investigating whether to allow counting affordable accessory apartments on the subsidized housing inventory and municipalities are waiting further guidelines or regulations.

The Planning Board agreed to add "...and not including accessory apartments." to section 135-46.I (2), Applicability, of the inclusionary housing document at this time. At the suggestion of Mr. Harden the Board agreed to add a provision that accessory apartments would not count toward the inclusionary basis. It was felt that this might encourage alternative housing types.

Members wanted to formulate guidelines so that the larger the development, the more affordable units would be provided on site.

Discussion then turned to the resale basis. A number of mechanisms for setting the resale price of a deed-restricted ownership affordable dwelling were weighed, including: allow 5 percent appreciation per year; price it at one-half of a market rate unit; sell the unit to a buyer with a (household) income the same percent of the AIM as the sellers was when they purchased the dwelling; or as prescribed by the subsidizing agency or LexHAB's rules. The Planning Board indicated that it would work with LexHAB. It was recognized that asset limitations would be part of any deed restriction mechanism. Mr. Herr advised the Board not to include the terms of the asset limitations in the amendment itself, as they can be very complex and could irretrievably side track Town Meeting discussion of the amendment.

***** REPORTS *****

Staff

Traffic Mitigation Group: Ms. McCall-Taylor reported that the Board of Selectmen had adopted a charge for this group and would soon be soliciting members.

Planning Board

Smart Growth Workshop: Mr. Canale reported briefly on the recent smart growth workshop he and Ms. Manz had attended, and it was noted that the Planning Office has copies of the state "Smart Growth Tool Kit" which was presented there.

Senior Center Siting Committee: Mr. Hornig reported that the Senior Center Siting Committee is still looking at and evaluating possible sites for a new senior center.

On a motion duly made and seconded, it was voted to adjourn the meeting at 11:20 p.m.

Anthony G. Galaitis, Clerk