

PLANNING BOARD MINUTES

MEETING OF January 17, 2007

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

***** MINUTES *****

Review of Minutes: The Board deferred the minutes of January 3, 2007 until the meeting of January 31, 2007.

***** COMMUNITY PRESERVATION COMMITTEE UPDATE *****

Ms. Manz updated the Board on the recent actions of the CPC. The CPC has voted on several items thus far, voting in favor of the Center Playfield drainage improvements, the restoration project of the Munroe and Olde Burial Ground cemeteries, fire monitoring for the Historical Society, the boiler replacement at Buckman Tavern, funding for the comprehensive historical resources, new windows at Greeley Village, and a facilities study for the Muzzey School Condominiums. The proposed pilot project for an affordable “buydown” program requested by the Housing Partnership was not supported at this time, neither was the request of Supportive Living, Inc. for funding to help their creation of an independent living facility. The CPC has yet to take votes on East Lexington Library project, the proposed renovations of Cary Hall, the West Lexington Greenway Corridor Trail, and the possible open space acquisition.

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

SUBDIVISION OF LAND

960-900 Waltham Road, Revised Sketch Plan for Cluster Subdivision, Presentation by the Applicant: In attendance to present a revised sketch plan for a cluster subdivision for approximately 4 acres off Waltham Road were Attorney Richard LeClair, landscape architect Roger Kallstrom and architect Charles Navicek. The property owners, members of the DiVincent family, were present as well.

Mr. Kallstrom began by stating that the development team was hoping for approval of the proposed sketch plan so that they could begin the process of preparing for a preliminary plan. Since they were last

before the Board in October, the plan was revised to reflect the board's suggestions and with some changes suggested by the architect. These changes still provide for a 15-unit clustered development proposal, but now there are upper and lower "villages" with townhouses among the four types of units providing a mix of housing styles.

Board Comments: Mr. Galaitis returned to the proof plan, originally submitted in October, which shows four (4) single family homes, and while he likes the clustering a great deal, he was troubled by the impacts of the proposed plan, which were based on the calculated number of 8.93 units, as compared to those of the conventional four-unit subdivision. He expressed his preference for a cluster subdivision but also stated that the proposed impacts are too high and unacceptable. He suggested that, if the developer prefers the large size units (like the proposed "C" units), then he should propose a conventional subdivision; and, if the developer pursues a cluster subdivision, then he should return with a development whose impacts are closer to those of 4 units rather than impacts of 8.93 units. In response to this, project architect Charles Navicek explained that the "living area" calculation provided includes both planned construction and any possible expansions of living area, like finishing basements or attics, to provide the board with the upper maximum of what may occur under this plan. Planning Board member Richard Canale echoed the concern of Mr. Galaitis, but felt that the open space provided for in the plan was a tremendous bonus. He also commented that this plan was more sprawling than the previous sketch plan and wondered why the development team would have moved in this direction, as this layout seems to create difficulties for residents to use the open space. Mr. Canale expressed that he did think that in general, this was on the right track. Mr. Zurlo also shares the concerns of density and impact and suggested a site visit may help the Board. He also raised the comment that the affordable units shouldn't be able to be differentiated visually (by housing type) from the other housing units/types as may have been suggested by the project team. Ms. Manz stated her disappointment with the expansion of the project into the rear of the lot, and thinks that this site is a great opportunity to do townhouses addressing Waltham Street, which is a busy street and not a single-family neighborhood. She preferred the first sketch plan as this plan is too spread out with too much pavement. Ms. Manz likes the trail and the affordable housing element, but is concerned about the number of curb cuts and the length of drives. Mr. Canale commented that the Traffic Mitigation Group (TMG) was also looking at this area for the possible location of a signalized pedestrian crossing and that perhaps this project could consider on-street parking as part of a larger traffic-calming initiative. The Board appreciated acknowledgement of the historic Ricci Road, which once passed over a corner of the lot, but Board members disagreed as to the way this history should be noted on the property.

The applicant then requested the Board provide the maximum number of units the applicant would be allowed to build. Planning Director Maryann McCall-Taylor recommended that the Board not offer any firm number to the developers as it is not necessarily the unit count that is most important but the impacts and proposed siting of them that is more determining. The applicant will return at a future date with revised plans.

Doran Green, Preliminary Subdivision Plan – Cluster, Presentation by Applicant: The project proponent returned with a revised plan based on comments received at the Planning Board meeting of January 3, 2007. Project Attorney John Farrington relayed to the Board that the revised proposal does now meet the impervious surface area maximums. Landscape Architect Gary Larson walked the Board through the following revisions: the attachment of two units on East Street, grading of the foot path to ensure it is accessible, returning the existing two-family home to the plan, widening the driveways to 18 feet where they serve two units, reducing impervious surface area to below the allowed maximum, revision of drainage plans on the Holmes Road frontage and a slight change to the alignment of the Holmes Road curb cut to reduce the impact of vehicle headlights on the abutter across the street. Attorney Farrington reiterated the proponents' desire to contribute funds, to be combined with funds from the unrelated Jefferson Union project, to provide an affordable housing unit off-site. All legal work associated with this unit will be handled pro bono by Attorney Farrington.

Board Comments: Ms. Manz wondered why the applicant wouldn't simply provide the affordable unit on site in the existing two-family. Mr. Zurlo, who was generally pleased with the previous plan, thought this plan was also good. Mr. Canale was pleased to see the two-family preserved and wondered whether they would continue to be rental. He also wondered about the preservation intent of the applicant, to which the applicant replied their intent was to ensure that similar materials, architecture, roof pitch are employed in the development of the new housing units. Mr. Galaitsis was dissatisfied with the lack of response to the concerns he expressed over the plan on 1/3/07, and reiterated his position that the proposed plan is not a cluster. In support of this position (and after confirming with Mr. Larson that the proposed tract could support no more than a four single-family home conventional subdivision), he observed that: a) The plan as proposed violates the Planning Board's "Cluster Development Guidelines", with respect to dwelling sizes and types, b) He considered "detached" two of the units described by the developer as "attached"; he said that attached units should look like a single family home, per the cluster guidelines, c) Five of the proposed single-family dwellings have living areas of 3,400, 3,400, 3,600, 3,600 and 3800 sq. ft., exceeding in size any of the abutting conventional dwellings; these five dwellings (of the proposed nine) by themselves would have a higher impact than a maximum four single-family home conventional

subdivision that could fit in this tract, d) The proposed plan clashes with: §135-44.D of the zoning by-law, which states that *“The procedure for a cluster subdivision or a special residential development or a development with significant public benefit (DSPB) is not intended be used as an alternative to allow the construction of a conventional subdivision that could not otherwise comply with the standards and requirements set forth in this By-Law or in the Development Regulations”*, and clashes with §135-48.C.2(a), which states that *“The projected impacts of a cluster subdivision or a special residential development shall not be greater than the total projected impacts of one-family detached dwellings that could be constructed on individual lots in a conventional subdivision on the tract according to the procedure described in this section.”*, e) Project impacts are near or over the maximum limits of 100%, as compared to the 65% – 85% range limits of previously approved clusters. In concluding, Mr. Galaitsis reiterated that the proposed plan is not a cluster; therefore, it should not be reviewed as a cluster. The Board then discussed several aspects of the bylaw and its intent relative to the plan, specifically impervious surface, siting, impact limits and consistency from project to project. Ms. Manz read Member Hornig’s comments, including concerns about attaching two units and providing affordable units on site.. Ms. Manz then commented that she was satisfied with the design.

Audience Comments: Ms. Dratch, of 2 Maureen Road and a Town Meeting Member, offered the Board her opinion that this plan is very nice and prefers that the development be at 100% of the impacts as it makes future expansion of it very difficult. Tom Tracey, of 5 Holmes Road, expressed his displeasure with the Board’s position as this plan, when compared to the guidelines, seems too large. Mr. Larson then explained to the Board that the footprints of the now-attached homes were reduced, as were the number of bedrooms, and that the clustering as presented is not simply motivated by a desire to limit impacts but to work with the site’s features and create a space that relates to it.

A motion to approve the preliminary plan was then made, seconded with three members in favor and one member, Mr. Galaitsis, opposed.

On a motion duly made and seconded, it was voted to adjourn the meeting at 11:00 p.m.

Gregory Zurlo, Clerk