

PLANNING BOARD MINUTES  
MEETING OF MARCH 21, 2007

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

\*\*\*\*\* MINUTES \*\*\*\*\*

Review of Minutes: Mr. Galaitis was unhappy with the approved minutes of February 28, 2007, and wanted them reconsidered. Mr. Canale said that the changes that Mr. Galaitis was concerned with did not change the essence and were not a significant change. Ms. McCall-Taylor said the minutes were already printed in the Report to Town Meeting. Ms. Manz and Mr. Hornig felt the minutes did not require changes. Mr. Galaitis also wanted changes made to the March 7, 2007 minutes regarding his statements. The Board agreed to defer the discussion of the minutes of March 7, 2007 to a future meeting and Mr. Galaitis would forward to the Board and staff his revisions for consideration.

The Board reviewed and corrected the minutes for the meeting of March 12, 2007. On a motion duly made and seconded, it was voted to approve the March 12, 2007 minutes as amended.

\*\*\*\*\* SUBDIVISION ADMINISTRATION \*\*\*\*\*

PUBLIC HEARING

Walnut Street, Lexington Hills, Conventional Subdivision Definitive Plans: At 7:15 p.m. Ms. Manz opened the public hearing on Lexington Hills. There were 5 people in the audience.

In attendance to present the plan were Gary Larson, landscape architect, Attorney Ed Grant, Frederick Russell, civil engineer, and Habib Aminipour, property owner. Mr. Larson gave a brief history of the project leading to the February 15, 2007 submission of this conventional subdivision definitive plan.

Mr. Larson provided an overview of the plan, which he felt addressed the concerns of the Board from the last meeting including Lot 1's relationship to the site, potential development of the Waltham piece of the property, and the removal of the 250-foot tower, which Comcast will vacate by June 30, 2007. Soil testing revealed that soils are loamy sand and deep. The test pits were 7-10 feet deep except for one where they hit refusal, probably a boulder, at 3 ½ feet. Mr. Larson doubted that there was ledge on the property. The pits showed no ground water, only mottling at 3 to 5 feet in those on the eastern edge. All structures have

been removed from the existing site, except the roads. The south line of the property has an existing sanitary sewer that runs in Lexington for 1700 feet and then crosses into Waltham.

Mr. Larson explained that the basic concepts are still the same, but the tower is to be eliminated allowing an additional lot for a total of 19 residential lots. The two roads will be as previously proposed, 24 feet wide, with a 50-foot right of way (ROW), and will be 1,130 and 935 feet long. There will be sidewalks provided on both sides of the roads and along the entire frontage on Walnut Street. A pedestrian access to adjacent Lot 1 would be located in the back at the western end of the property. The access would be owned and maintained by the homeowner's association. The preference for a sanitary sewer would be to go with gravity flow, but since approval from the City of Waltham for tying into their existing sewer system has not been granted, an alternative forced main system has been designed. If at a later date approval does come from Waltham to use their sewers, the Planning Board will be advised. The water loop has been relocated, allowing a reduction in grading to reduce the impact on the site and retain 2,600-2,700 square feet more of trees than the last plan. The line of trees would also be closer to the homes, increasing the amount of undisturbed vegetation.

One and two-thirds acres of the property is located in the City of Waltham. Its zoning regulations would allow a maximum of 3 lots, but to accommodate houses on the lots there would need to be two ten-foot retaining walls. While Mr. Larson has recommended only two lots be created, the drainage, sewage and traffic reports were done based on the assumption of three houses being built.

Mr. Larson does not believe that Lot 1 is developable. The grade difference is 65' from high to low point. The slope analysis shows that most of the lot is well above 8%, which is the maximum for road grades. That, combined with the 3 vernal pools, creates too many environmental and grading issues to develop the land. To access Lot 1 from the development side would require a road with approximately 12 to 14 feet of fill on one side of the ROW, and 14 to 16 feet of cut on the other side. Sections show that any access from the road to a house would exceed the maximum 12 percent grade for a driveway. Because of all these issues Mr. Larson did not provide for a road easement to Lot 1.

Mr. Fred Russell, civil engineer, said there are four watersheds on site with the majority of flow running south to Waltham. There would be five subsurface infiltration systems throughout the site and the flows were calculated including anticipated flows from the Pulte development in Waltham. Test pits were done throughout the site. The major infiltration systems are located in fill, but the percolation rates assumed the parent material.

Mr. Russell said that the sanitary sewer system would have a pump station in the southeast corner with an on-site generator. The system would tie into the existing gravity system just past the Potter Pond entrance.

Board Comments:

Mr. Canale was concerned that there was a difference in what was presented tonight and what DCAM's consultants had said about Lot 1's development potential and asked if the applicants had spoken with the Greenway group or any other consultants. Mr. Larson said they spoke with Fred Merrill at Sasaki who said he hadn't given as much credence to slopes as he should have.

Mr. Canale also wanted to know about the public access that was discussed at the last meeting between lots 18 & 19 and between lots 4 & 5. He wanted to know why the public access point between lots 18 and 19 was only 8 feet wide and not more generous, and how do the applicant planned to distinguish it as public access. Mr. Larson stated that he thought the access between Lots 4 and 5 was to be for vehicular access and, since that wasn't possible, had not put in any access. The eight-foot width was what was left after the frontage for the lots on the circle was taken. They may put a granite marker at the road.

Mr. Canale asked about Walnut Street -- where does the ROW end, are there a sidewalk and trees in the ROW now, and would there be a sidewalk and trees or any buffer after construction is completed? Mr. Larson responded that there are some good-sized trees on Walnut Street, but not in the ROW. Existing trees are being identified; if they are viable they would be maintained. He anticipated clearing up brush and undergrowth to improve visibility and make the road feel wider. There would be no natural vegetative buffer between the ROW and the lots. Mr. Canale then asked what low impact development techniques would be used for roof runoff. Mr. Russell said that it would go into its own infiltration system. Each lot has 2 drywells, which would be maintained by the owner.

Mr. Canale asked if they had a mitigation plan for traffic control during construction. Mr. Russell said on Walnut Street a plan was submitted. A majority of the work would be done on the shoulder, and that they would have to block off traffic for utilities. The trucking route would be Walnut Street to Trapelo Road to the highway.

Mr. Hornig said that since they have not yet heard from engineering they will have to continue the hearing and there may be some issues to be addressed at a later date. The things that are of concern at this time are the following:

- Lack of an easement for sidewalk across lots 7, 8, & 9 for a sidewalk;
- No pedestrian easement between lots 4 & 5, it does not have to be a dedicated lot. The standard width for a pedestrian easement is 20 feet;
- The Town does not have an easement for the waterline where it has been relocated within the ROW;
- No operation and maintenance covenant on the drainage system for public and private systems;
- No landscape covenant for the individual lots;
- No street names have been presented;
- Street trees seem crowded and irregular in spacing;
- No identification of hydrant locations on the plans, and they should be spaced every 500 feet;
- No snow storage is shown;
- Utilities are shown in the same strip as the street trees. Why does that not seem like a problem?

Mr. Larson said he is not sure easements work with snow storage. There would be an area for storage within the cul-de-sac and for the rest of the development, they would do what is standard practice throughout New England, push the snow to the sides of the ROW. Mr. Russell said the utilities are placed below the root ball when first done and the roots then grow around. Mr. Larson said roots don't basically go that deep.

Mr. Canale was concerned with traffic management on Walnut Street as it is a very narrow street. He wanted to know what actions are being proposed to minimize the impact on traffic during construction. Ms. McCall-Taylor suggested the developer talk to the police regarding their concerns about Walnut Street. Mr. Canale wanted to preserve the stonewalls, keeping the stones on site to be reused. Mr. Hornig felt it was important to have pedestrian access to Concord Avenue and the schools. Mr. Grant stated it is not the applicants' responsibility to provide pedestrian access all the way to Concord Avenue, that it would be a town responsibility. Ms. Manz said the Board will advocate for sidewalks, but she is not sure the applicant would be responsible to provide sidewalks to Concord Avenue.

Mr. Galaitis addressed the possibilities of Lot 1 becoming developable now and suggested they use a cluster subdivision plan. Mr. Larson said they were too far along to consider a cluster subdivision plan and that they were not looking to develop Lot 1. Mr. Galaitis also wanted to know if they considered doing the lots in Waltham on slabs, leaving the natural features alone. He suggested the pedestrian access paths be identified to the public by carving "path" into granite posts. Mr. Larson said a 6" by 6" granite post with lettering down the side could be a possibility. Mr. Galaitis voiced concerns about the location of trees and utilities and wanted a better plan for the snow storage.

Ms. Manz wanted to know if there is a timetable for development of the lots in Waltham and if they had names for the roads yet. She suggested a change in the subdivision name to prevent future confusion.

Mr. Larson advised that there is no timetable for the Waltham lots at this point. He said that he would have to discuss the street names he had in mind with the owners before presenting them to the Board.

Ms. McCall-Taylor wanted to know why they showed utilities above ground on poles across the frontage. Mr. Russell stated the lines are owned by other utilities, there are multiple lines on the poles and it could be expensive to remove. Ms. McCall-Taylor said to explore options for getting the lines brought down off the poles.

Audience Comments:

Mr. Roger Wrubel from Massachusetts Audubon Society had a concern with the access point width of 8 feet, adding that the granite posts marking the pedestrian access should be specified in the plans. He said the use of cisterns, a low impact development technique, to handle roof-runoff instead of drywells, would allow the runoff to be used for watering vegetation. Mr. Russell said the reason for drywells is for storm water management. He agreed to consider use of cisterns.

Mr. Kevin Johnson from the South Lexington Civic Association was concerned about the public access being only 8 feet wide. He suggested a trail/sidewalk to Potter Pond from an access point on the north side of the lot, which might give this subdivision more of a sense of neighborhood.

Ms. Joanne Frolich asked who would be responsible for the repaving of Walnut Street after construction is finished. Mr. Hornig said the applicant would repave at the end.

Ms. Manz said the public hearing would need to be continued to a later date, at which time the following issues would need to be addressed:

- Expanding the pedestrian access, with explicit markings;
- Second pedestrian pathway between lots 4 & 5;
- Sidewalk requirements;
- Engineering Department's Report;
- Additional sidewalk easements;
- Rainwater recovery system;

- Name of Streets and subdivision;
- Traffic management during construction;
- Sight distance at north driveway.

Mr. Larson addressed the sight distance for the north driveway, explaining there is a crown just to the south of the main road. You can see from a distance, but there is a dip where you cannot see the intersection as you get closer. He suggested that signs be placed as you approach the intersection to advise drivers.

Ms. Manz questioned whether the Board could micromanage the construction process, and Mr. Zurlo pointed out that it could address the limitation of construction activities as allowed by 135-11.c(8) of the Zoning Bylaw.

It was agreed that the public hearing be continued to April 25, 2007 at 6:00 p.m. and any changes must be submitted a week before the public hearing.

Mr. Zurlo asked when the Development Regulations state as part of their purpose “avoiding negative aspects of growth and development”, could this suggest the withholding of the special permit approval unless an affordable unit is provided? To him it seemed like there was a stronger case for affordable housing than for sidewalks. Ms. Manz said that aspirational statements are hard to enforce and there is no need to invite a challenge of the bylaw at this time. Mr. Zurlo stated that some towns have mandatory inclusionary housing even without a bylaw.

The Board discussed the inclusionary zoning presentation that would take place at Town Meeting. Mr. Canale said Wellesley takes money based on the difference between the market cost and the cost of affordable units and turns it over to the housing development corporation.

\*\*\*\*\* REPORTS \*\*\*\*\*

Staff Reports: Ms. McCall-Taylor said that Bill Scanlan has been hired to consult on the cluster bylaw. He has begun work and will soon be providing information to the Board.

Board Reports: Mr. Canale said he has a group meeting tomorrow with the Lexington/Waltham/Belmont Task Force.

Mr. Hornig said that the 2020 Economic Development Task Force (EDTF) would like to have a discussion with the Planning Board regarding the Floor Area Ratio and buildouts. Ms. Manz said to defer this discussion until after Town Meeting has concluded. Mr. Zurlo stated he thought the MAPC MetroFuture program could be used as a model for community outreach and decision making in the work of the EDTF. He also mentioned he would like to have Larry Smith of the EDTF present his FAR analysis to the Board once the content was developed to include a broad range of issues.

On a motion duly made and seconded, it was voted to adjourn the meeting at 10:25 p.m.

Gregory Zurlo, Clerk