

PLANNING BOARD MINUTES

MEETING OF APRIL 18, 2007

A regular meeting of the Lexington Planning Board, held in the Ellen Stone Room in Cary Hall, was called to order at 7:00 p.m. by Chairman Manz with members Hornig, Galaitsis, and planning staff Henry and Kaufman present. Mr. Canale arrived at 7:10 p.m. Ms. McCall-Taylor arrived at 7:40 p.m. Mr. Zurlo was absent.

\*\*\*\*\* EXECUTIVE SESSION \*\*\*\*\*

177 Grove Street, Remand: At 7:00: p.m., on a motion duly made and seconded, by individual poll of the Board – Mr. Galaitsis, Mr. Hornig, Ms. Manz – it was voted to go into executive session for the purpose of discussing the 177 Grove Street Court Remand with Town Counsel, Attorney Kevin Batt and to reconvene in open session for the regular Planning Board meeting at Estabrook Hall.

The Board returned to open session at 7:45 p.m.

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

PUBLIC INFORMATION MEETING

147 Shade Street, Preliminary Reduced Frontage Subdivision Plan: At 7:45 p.m. Ms. Manz opened the public information meeting. In attendance to present the plan were Frederick Russell, civil engineer, and Chen He & Wendy Whu, property owners. Mr. Russell presented the plans. The changes made from the last plan were rotation of the house at the rear of the lot, delineation of the Limit of Work (LOW), relocation of the driveway 15 feet east to maintain more vegetation on the westerly property line, reconfiguration of the common driveway by widening it to 18 feet from the curb to the first house and then 12 feet after the first house, reduction of the impervious surface ratio (ISR), increasing the setback of the existing house to 25 feet, inclusion of a drainage analysis showing subsurface infiltration facilities, and addition of conceptual elevations and cross sections of the proposed house. A public benefit of \$47,000, equal to roughly half the cost of construction of the new road, would be made available to the Town.

Board Comments: Mr. Galaitsis questioned why the water and sewer lines are not located under the road. Mr. Russell responded that he does not like them under a pavement and feels it helps avoid future problems. Mr. Galaitsis indicated that at least one side of the new building gave the appearance of a four-

story building, but it needs to look like no more than 2 ½ stories; he couldn't approve it as shown. Mr. Hornig asked if the top level was an attic or half story, and if it was habitable space. He asked if the engineering review was ready. Mr. Henry said that the Town Engineer had yet to sign off on it. Mr. Hornig asked about the existing utilities, if they were above ground, and if gas is being used. Mr. Russell said that the existing utilities are above ground and the existing house has gas, but the proposed house will not. Mr. Hornig stated he would look for existing utilities to be underground. Mr. Hornig also wanted to know if they were taking any trees down on Shade Street. Mr. Russell said they were not anticipating the removal of any Shade Street trees. Mr. Hornig wanted to see all the easements for access, utilities, drainage, and landscaping, as well as a plan showing all trees within the LOW and whether or not they will be retained and removed. Mr. Canale said that the adjacent house on the locus plan is not correct. Mr. Russell said the town map is not updated. Mr. Canale wants the building footprint for abutting properties shown on the definitive plan, and wanted to know about the neighborhood profile. Mr. Henry said that 3,331 square feet was the median for houses in the neighborhood. Mr. Russell said the gross floor area was approximately 5,000 square feet, or 150% of the median. Mr. Canale wanted to know why they needed all 40 feet in height. He would want to see more details, as it is higher up in the site. Mr. Russell said this plan is only conceptual; the definitive plan will be more in depth. Ms. Manz stated that she as well is concerned with the number of stories and the 5,000 gross floor area, which she would rather be less. Ms. Manz said they could pass along without an engineers review, but Mr. Hornig preferred to wait for the review. Ms. Manz said that they will postpone the vote until next week. There were no questions from the audience.

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

Review of Minutes: The Board reviewed and corrected the minutes for the meeting of March 7, 2007. On a motion duly made and seconded, it was voted 3-0-1 (Mr. Galaitsis abstained) to approve the minutes as amended.

The Board reviewed and corrected the minutes for the meeting of March 14, 2007. On a motion duly made and seconded, it was voted 4-0 to approve the minutes as amended.

The Board reviewed the minutes for the meeting of March 19, 2007. On a motion duly made and seconded, it was voted 4-0 to approve the minutes.

The Board reviewed the minutes for the meeting of March 26, 2007. On a motion duly made and seconded, it was voted 4-0 to approve the minutes.

The Board reviewed and corrected the minutes for the meeting of March 28, 2007. On a motion duly made and seconded, it was voted 4-0 to approve the minutes as amended.

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

PUBLIC INFORMATION MEETING

88, 92, & 100 Shade Street, Preliminary Plan for Cluster/Special Residential Subdivision: Michael Snow, Landscape Architect, reviewed development plans to date. There are three parcels, with a total of 9.3 acres, zoned for single-family use. On the northern half there is a mansion of 8,500 square feet on 1.5 acres and 3 single-family residences on separate lots. The cul-de-sac has a 40-foot right of way with a pavement width of 20 feet, which narrows to a 12-foot driveway to the mansion, Journey's End. The applicant will try to maintain the mansion as a single-family residential house, but will make it 3 attached dwellings if he is unable to market it as one. The center is open space and has 3.2 acres. The south end has approximately 3.6 acres with twenty dwellings units 1,077 square feet and larger. The dead end road was replaced with a loop road surrounding a center green area; the entrance is 20 feet wide, then 18 feet going out to pods, and narrowing to 10-12 foot driveways and an emergency access road. Lot 7 was incorporated into the rest of the layout. Every unit has an internal garaged space and one external parking spot for two parking spaces per dwelling. The carriage house has three spaces that serve the two adjacent units and the apartment above. There are four stormwater management basins, two in the south section, one in the center, and one in the north. Due to elevation issues, the sewers in the south go across the open space and connect to public sewer to the north. There are four lighting fixtures in the central green area site in the southern portion and two on the northern cul-de-sac.

Board Comments: Mr. Canale asked if the applicant plans on preparing a traffic report. Mr. Cataldo stated that Mr. Hornig said it was not required for a development this size. Mr. Canale asked how many parking spaces were on site. Mr. Snow responded that there would be approximately 50-52 spaces allowing 2 spaced per unit. Mr. Canale asked if it was to be accepted as a public street. Mr. Snow responded no, that it was an interior drive. Mr. Canale wanted to know how the south cluster would access the open space and how it would be marked and delineated. Mr. Cataldo said that they would add an access path at the back corner. Mr. Canale questioned what they were offering for affordability and

Mr. Cataldo said none. He felt that since the inclusionary article did not pass at Town meeting, they are not required to provide affordable units; however he pointed out that the cluster units are more affordable than anything being built elsewhere in town. Mr. Canale also addressed a concern about sidewalks and paths, which were not shown on the plans. Mr. Snow said that there were no sidewalks other than access to private driveways and the streets. Mr. Snow said he was not excluding it at this level; they just did not address it yet. Mr. Cataldo said sidewalks could be unsightly if not maintained, but he is open to them. Mr. Snow said for stormwater management purposes he is not proposing any curbing, and sidewalks should be different materials that are more pervious. Ms. McCall-Taylor said there is no right of way so sidewalks could be placed anywhere that works. Mr. Canale wanted to know whether the Historical Commission wanted to save the mansion's garage. Mr. Cataldo said that they discussed the preservation of the garage and that they were trying to market this as a package for one buyer as a semi-estate to include the mansion, garage and the single-family lots. Mr. Canale also wanted to know what the setbacks were on the south side and what provisions had been made for snow storage. Mr. Snow said setbacks were 25 feet in response to zoning and snow storage has not been identified yet. Mr. Hornig wanted to know if the right of way in the north end was a substandard subdivision street or a shared driveway? Mr. Snow said it was an existing turnaround. Mr. Hornig expressed his preference for a shared driveway with no right of way. Mr. Hornig asked about the design of a looped water system. Mr. Henry observed that there may be a conflict between the Planning Board and Engineering on this issue. They need to check with Engineering regarding a sewer tie-in for more than the five to six units that were anticipated when the sewer stub was put in Shade Street. Mr. Hornig wants to see in the plans the water lines, limit of work lines, three accesses to the open space, and gas service. Mr. Snow said the electric lines will be underground and all existing lines will be abandoned, communications will be from all providers, and utilities service locations won't be available until the utility providers approve plans. Mr. Hornig was concerned about parking for guests during Christmas parties with snow and fire access. He wants drafts of covenants and a preservation covenant for the interior and exterior of the mansion. Mr. Galaitis liked the clustered units, large open space, lots of attached units and small household units. However, he was concerned about the amount of impervious surface; no sidewalks were shown and if they were shown and counted as impervious, the proposed plan would go over the maximum allowed impervious surface ratio. He wanted the emergency access width to be increased to 20 feet and counted as impervious when calculating the impervious surface ratio. He wanted to know where people would park if there was a party. He felt the roads should be full width and the mansion should have a 20-foot driveway. He requested a lower density on the south side and he would expect the whole impact on the development to

be closer to 12 rather than the 13.56. He also wants snow removal storage addressed explicitly for the south side cluster.

Ms. Manz said her concerns were similar to those already expressed. She wanted to see some sidewalks in both clusters. The applicant was advised to check with fire department about turning radius of the loop road. Her preference was that the emergency access be pervious surface, but it appeared that impervious surface was required. She suggested the access be gated to avoid having it become a regular entrance, which the Board had avoided because of inadequate sight lines.

Marilyn Fenollosa from the Historical Commission spoke regarding a preservation easement for the mansion. She could see restrictions on alterations of the façade and some interior spaces. She said that an easement requires public benefits and usually the right to public access. This could be a problem with an interior restriction. She felt the minimum the Historical Commission would want would be a full photographic documentation of the interior and story of any removed elements.

Audience Comments: Thomas Fenn of 15 Shade Street wanted to know the setback from Shade Street. Mr. Snow said 40 feet. Mr. Fenn wanted to know if they could move back the whole development. He liked the three single-family units and did not want a gate at the end of the emergency access, as they are ugly. In addition he had concerns about parking and the roads being paved. He felt that having the mansion preservation restrictions on interior made no sense, as there was no public benefit. Mr. DaRu of 109 Shade Street said the streets should be stone dust or pea gravel rather than paving and there should be no sidewalks as it looks too developed. He felt that it was a good plan. Ms. Fenollosa asked if this development would be mostly adults, and what about school buses coming into the site. Pick up at Shade Street is a long walk for children without sidewalks. Mr. Adler of 121 Shade Street said the sidewalks do not have to run parallel to the street and could be paths throughout the community. He felt attaching a garage to the mansion is not desirable.

On a motion duly made and seconded, it was voted 4-0 to approve the preliminary plan with conditions.

\*\*\*\*\* ARTICLES FOR 2007 TOWN MEETING\*\*\*\*\*

Article 4, Inclusionary Housing: Ms. Manz was contacted by Charles Lamb regarding reconsideration of this article by the TMMA. The concern was the number of units and where the offsite units would be. He

suggested that the bylaw apply only to developments of 9 or 10 units or greater, and that discretion be given to the Planning Board in determining if the inclusionary units would be located on or offsite. Ms. Manz said that Selectman Jeanne Krieger also believed there was interest in bringing back a modified bylaw. The Planning Board will address this concern next week. Mr. Hornig would not object to changes, but would not propose them up and Mr. Canale felt more fundamental things needed to be changed for a positive outcome. Mr. Bicknell suggested that the Board exempt those who were single parcel owners as of 2002. Ms. Manz said she did not see the fairness in excluding those who assembled land parcels after 2002.

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

Charles Hornig, Acting Clerk