

PLANNING BOARD MINUTES

MEETING OF MAY 1, 2007

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

\*\*\*\*\* ADMINISTRATION OF LAND DEVELOPMENT\*\*\*\*\*

SUBDIVISION OF LAND

PUBLIC HEARINGS

Walnut Street, Lexington Hills, Continued Public Hearing Conventional Subdivision Definitive Plans: At 7:05 p.m. Ms. Manz opened the continued public hearing on Lexington Hills. In attendance for the development team were Gary Larson, landscape architect, Attorney Ed Grant, Frederick Russell, civil engineer, and Habib Aminipour, Omeed Aminipour and Joseph Lerman, property owners.

Mr. Larson said they did a site walk on Saturday and found the cart path with stonewall remnants which ties into the site. There is a 12-foot walking path easement between lots 5 & 6 with an approximate 4-foot change in grade, which would connect to the cart path.

Mr. Larson said that he had come up with some possible names for the roads -- Cart Path Lane, Stagecoach Way, Milk Run Lane, and Wheelwright Road. The proposed subdivision name would be Wellington Farm Estates. Ms. McCall-Taylor stated there were existing roads named Milk, Wheeler, and Wright, which might cause confusion. After some discussion, it was decided that the road names would be Cart Path Road for the longer road and Stagecoach Road for the shorter one, although the Board was willing to consider some other name than Stagecoach Road.

Mr. Canale stated that at the site visit he looked at the location of the pathway along Walnut Street and it seems to be an acceptable compromise. Ms. Manz asked for confirmation that Potter Pond has given permission to use their property for the pathway and that an easement must be obtained from the state to have the pathway go through state property. Mr. Larson stated that Potter Pond had agreed to the connection. If the state fails to approve the easement then the applicant would need to come back to the Planning Board to amend the special permit.

Ms. Manz also raised the issue from the previous week regarding the improvement of Walnut Street. Mr.

Hornig agreed there is a problem with safety, however he is not sure widening the street is the answer. Mr. Canale wanted conditions of the construction included since they are a crucial piece to this plan. Mr. Zurlo wanted to see a diagram of how they proposed to manage construction at this point. He would like to see designation of an entrance in and exit out. Mr. Russell agreed saying that vehicles during construction on Walnut Street would be limited to one way heading to Waltham to avoid left hand turns on Concord Avenue and that signs indicating this would be posted within the site. Mr. Hornig said there already is a truck limitation imposed. Ms. McCall-Taylor advised them that Waltham never put up any signs to enforce the traffic restrictions. Mr. Zurlo said they should also post signage for construction ahead as a warning to motorists. Mr. Russell said speed limits for trucks could be posted from Concord Avenue to Trapelo Road. Ms. McCall-Taylor said that in order to do that they would have to go to the Traffic Safety Advisory Committee, and as condition of the special permit, the applicant could be required to pursue this process. Mr. Hornig said a street opening permit will be required and it may have additional conditions such as the hiring of police details.

On a motion duly made and seconded, it was voted to close the public hearing at 7:28 p.m.

The Board then deliberated on the subdivision and discussed various conditions that would be included in the decision or on updated plans. Mr. Hornig listed the following conditions to be incorporate into the decision: update plans and text of the easement to show sidewalk easement along entire Walnut Street frontage; update plans and text to show footpath to town standards on Lot 5 or 6; text of the easement to grant rights to the Town for the waterline on the south side of the property; drainage covenant with operation and maintenance plan including individual gutters, downspouts, and drywells; landscape covenant for the individual lots; plans showing the names of the roads as Stagecoach Road on Road B and Cart Path Road on Road A; an additional hydrant on Road B within 500 feet of the ones at the end; all utilities underground; the preservation of the stonewall in Parcel A and exclude it from the limit of work area; sidewalk ramped with curb cuts; concrete drainpipes; flush curb; provide surety for the footpath to Potter Pond; future use of Parcel A to be limited to two homes; no construction parking on Walnut Street with all site traffic to be directed southbound in a one way pattern; and while force main construction in going on in the street there will be no site truck traffic on Walnut Street. The other members agreed with his suggestions as well as incorporating conditions that had been discussed at the other sessions of the public hearing.

On a motion duly made and seconded, it was voted unanimously, 5-0, to approve with conditions the special permit with site plan review. On a motion duly made and seconded, it was voted unanimously, 5-

0, to approve with conditions the definitive conventional subdivision plan.

Ledgemont Subdivision Rescission: At 7:35 p.m. Ms. Manz opened the public hearing on the Ledgemont Center, definitive subdivision plan rescission. Attorney John Farrington represented the owners of Ledgemont Center, the Beale Company, LLC. The applicant is requesting a rescission of the definitive subdivision plan dated October 26, 1987, removing the potential construction of an additional driveway entrance from Spring Street. This application has been made because when Beale Company deals with banks on financing issues, the banks always question why the subdivision exists. Now they are requesting the rescission to prevent future issues.

Board Comments: Mr. Galaisis wanted to know what was the current condition of this area. Mr. Farrington said it was landscaped with a stonewall 12-15 feet from the street. Mr. Hornig wanted to know what the lines would revert to. Ms. McCall-Taylor said it would revert back to the 1984 deed lines. Mr. Hornig asked if it would comply with the current zoning when rescinded. Mr. Farrington responded what would be the risk since it currently does not comply with zoning as it is above the maximum floor area ratio. Mr. Zurlo wanted to know if the driveway was located completely on Lot A-1. He was under the impression they would just be removing curb cuts. Mr. Farrington said they would be removing the curb cuts and the tee. Mr. Zurlo asked if the property lines will remain the same Mr. Farrington said it removes the subdivided parcel. Mr. Hornig stated parcel A2 would disappear as well. Mr. Canale asked about the nature of the current construction. Mr. Farrington said he was unaware of any current construction. Mr. Hornig asked if the two subdivided lots would become one larger lot. Ms. McCall-Taylor said the rescission would just make it as if the 1987 subdivision never existed. The stub street would no longer exist and the boundaries of the two large parcels would change somewhat. Ms. Manz said she is comfortable with rescinding the plans and that doing so did not appear to create any legal problems.

On a motion duly made and seconded, it was voted to close the public hearing at 7:55 p.m.

On a motion duly made and seconded, it was voted unanimously 5-0 to approve the rescission of the Ledgemont definitive subdivision plan.

177 Grove Street, Continued Public Hearing Conventional Subdivision Definitive Plans: At 8:00 p.m. Ms. Manz opened the continued public hearing on Grove Street. She announced to the audience that the public hearing would be continued to May 30, 2007, to allow consideration of any modifications of the cluster subdivision plan. Ms. McCall-Taylor said this would allow time for the applicant to incorporate

any changes or modifications that the Conservation Commission may require from the upcoming hearing on May 22, 2007. Ms. Manz apologized to the members of the audience who came to the hearing, but explained that the Board would like to have the input of the Conservation Commission and address any issues that may need to be resolved. The hope is that they will go forward with the cluster subdivision plan. Mr. Canale made a motion to continue the public hearing to May 30, 2007 at 9:00 p.m. Mr. Canale said that if there is a compelling need from the public to be heard now, they should hear them. Ms. Manz explained the process and history of this subdivision to the audience about the extensions and negotiations. Mr. Hornig said that Conservation Commission would be addressing drainage issues.

Audience concerns were about height restrictions, storm water plan of conventional subdivision plans, if percolation tests were done, when they can view the changes. Mr. Hornig stated that materials to consider for the conventional plan should be submitted by 5/16/07. Ms. Manz explained that further consideration of the cluster plan is limited in scope.

On a motion duly made and seconded, it was voted unanimously 5-0 to continue the public hearing on the Grove Street Conventional Subdivision Plan to May 30, 2007 at 9:00 p.m. at Estabrook Hall.

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

Review of Minutes: The Board reviewed and corrected the minutes for the meeting of March 21, 2007.

On a motion duly made and seconded, it was voted unanimously 5-0 to approve the minutes as amended.

\*\*\*\*\*BOARD AND STAFF REPORTS\*\*\*\*\*

Mr. Canale discussed the MetroFuture meeting, stating there were more than 400 in attendance and although the Governor did not attend it was on the Governor's radar screen. This was the first meeting for one-third of the attendees and the selected model still got a 94% approval. It is a five-page document and will be reviewed over the summer. The next step is to look at the implementation.

Mr. Zurlo requested input on the Economic Development Task Force's work and presented a process diagram which was distributed to the Board. The end product of the EDTF process was presented as creation of a master plan for the larger commercial districts in Town. The board expressed general agreement to initiate that type of exercise but raised concerns about defining goals and the instruments for implementation before undertaking such an activity. Mr. Zurlo requested a joint meeting with the EDTF

to present current work on build-out as well as this issues.

Ms. Manz discussed Center Committee updates, which include the N-Star parking lot to be finished in four to six weeks, the Battle Green Inn demolition to begin June 1, 2007, and Town Meeting's approval to proceed with a test section of brick sidewalks using the money allotted last year.

Ms McCall-Taylor asked for a volunteer from the Planning Board to work with the cluster advisory group being set up. Mr. Hornig said he was interested in participating.

Mr. Henry is working on drafting a storm water bylaw that complies with the National Pollutant Discharge Elimination System regulations. It will require outreach, monitoring and educating on the new regulations, and the possibility of a storm water utility. He is looking into the use of low impact development techniques to handle the discharge of storm water.

Mr. Canale said the Mayor of Waltham didn't seek acceptance of the \$70,000 from Lexington to do the crosswalk in Waltham so that if it is built it is in Lexington. Lexington participated in Transportation Improvement Program day, including the project addressing the Waltham and Marrett Roads issues.

On a motion duly made and seconded, it was voted to adjourn the meeting at 9:30 p.m.

Gregory Zurlo, Clerk