

PLANNING BOARD MINUTES

MEETING OF APRIL 2, 2008

A regular meeting of the Lexington Planning Board was held in the Planning Office, Room G-1, Town Office Building, and called to order at 6:05 p.m. by Chairman Hornig with members Canale, and Manz and planning staff McCall-Taylor, Henry and Kaufman present. Mr. Galaitsis and Mr. Zurlo joined the meeting in progress.

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

APPROVAL NOT REQUIRED

Pine Meadows, Determination of Field Change: On a motion duly made and seconded, it was voted, 3-0, to allow gutters and downspouts to be considered a minor change to the Special Permit with Site Plan Review.

On a motion duly made and seconded, it was voted, 3-0, to allow a minor change to the Special Permit with Site Plan Review to allow gutters and downspouts to be added to the houses in the Pine Meadows Subdivision, provided the downspouts discharge into the infiltration trench.

Grant Street at Glen Road South, Release of Covenant: On a motion duly made and seconded, it was voted, 3-0, to endorse the release of covenant upon verification that that all of the documents required by the development regulations have been received.

Mr. Galaitsis joined the meeting.

88-110 Shade Street, Determination of Field Change: On a motion duly made and seconded, it was voted, 3-1, (Mr. Galaitsis opposed) that the addition of 100 square-foot decks with steps to the rear of two units is a minor change to the Special Permit with Site Plan Review.

On a motion duly made and seconded, it was voted, 3-1, (Mr. Galaitsis opposed) to allow the addition of two 100 square-foot decks with steps as a minor revision of the Special Permit with Site Plan Review for the 88-110 Shade Street Subdivision.

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

Review of Minutes: The Board reviewed and corrected the minutes for the March 12, 2008. On a motion duly made and seconded, it was voted, 2-0-2, (Mr. Canale and Mr. Galaitis abstained) to approve the minutes as amended.

The Board reviewed and corrected the minutes for the March 19, 2008. On a motion duly made and seconded, it was voted, 4-0, to approve the minutes as amended.

\*\*\*\*\* ARTICLES FOR 2008 TOWN MEETING\*\*\*\*\*

The Board discussed their position on the following Articles:

- 1) Article 9a- Survey and Define Affordable Housing Assistance Programs. On a motion duly made and seconded, it was voted, 4-0 to support;
- 2) Article 9g – Parker Manor Condo Purchases. On a motion duly made and seconded, it was voted, 3-1, (Mr. Galaitis opposed) to support.

At 6:25 p.m., the Planning Board recessed to join the Board of Selectmen’s Meeting.

\*\*\*\*\* JOIN THE BOARD OF SELECTMEN’S MEETING\*\*\*\*\*

Chairman Krieger, Mr. Kelley, Mr. Cohen, Mr. Manz and Mr. Burnell; Mr. Valente, Town Manager; and Ms. Pease, Executive Clerk, were present.

Article 58, Amend Zoning By-Law, Transition Areas and Setbacks

Mr. Larry Smith, Cranberry Hill Associates, and Mr. Colin Smith, Colin Smith Architecture and Design, both members of the Board of Directors at the Chamber of Commerce, presented Article 58, Amend Zoning By-Law, Transition Areas and Setbacks. The article would modify the “Street Line” setback from 50 feet to 25 feet in the CM district and the “minimum front yard in feet” from 100 feet or 75 feet to 50 feet, which would allow for 4 lanes of traffic, bike lane, transit areas, and walkways.

The Planning Board wants to put off considering the changes until an over-all plan has been put together that looks at safety issues and mobility issues. They hope to bring the issue back to the next town meeting.

Mrs. Krieger mentioned the possibility of Hanscom bringing on a new Air Force Cyber Command entity that would bring 500 additional jobs. This issue should be part of the discussions.

Article 59, Amend Zoning By-Law, Parking and Bicycle Facility Standards

This article proposes reducing the number of required parking spaces for office use from four per 1,000 square feet to a minimum of three. There would be preferential spaces for carpool, vanpool and bicycle use. Mr. Smith noted this would allow for the reduction of impervious surface. He stated that the average in surrounding towns is three spaces per 1,000.

Mr. Dick Thuma, Wood Street, would like to see all of Mr. Smith's articles looked at comprehensively and thought out more before any changes are approved.

Mr. Smith stated the purpose of the articles is to give developers some incentives for improving Hartwell Avenue.

The Planning Board supports this article. They still plan to review the parking section of the by-law over the next year.

The Selectmen feel that even if Mr. Smith's articles do not pass Town Meeting the discussions will help people begin to focus and think about what they want and how the Town can achieve it. Mr. Smith has done a lot of groundwork, which appears to be on the right track.

The Selectmen took positions on the following articles:

Article 49, Amend Zoning By-Law, Special Permit Residential Development

The Selectmen support this article 3-0-1 (Burnell abstained, Kelley waiting). A majority of the Selectmen believe it is a step in the right direction. Mr. Burnell is dissatisfied with the way the current bylaw has been applied and has more questions he needs answered. Mr. Kelley supports the bylaw, but the process is problematic. Mr. Galaitis will have a minority report at Town Meeting

Article 50, Amend Zoning By-Law, Height of Buildings and Structures

The Selectmen support Part A of this article 4-1 (Kelley). Mrs. Krieger, Mr. Cohen and Mr. Manz also support Parts B and C, which simplify the existing by-law's definition of the height of buildings. A majority of the Selectmen believe the new houses being built are too large for the lots. This article will help to bring the houses back in dimension with the lot size.

Article 51, Associate Planning Board Member

The Selectmen support this article 5-0.

Article 52, Amend Zoning By-Law, CRS Zone 303, 311-325 Woburn Street, 400 Lowell Street

The Selectmen asked if there are any limitations on CD zoning based on the size of this property. There is no legal limitation on size; but there is a practical limitation given that overhead costs and paperwork for a CD are much higher. Also, on smaller lots there is the possibility that the Attorney General will overturn a vote as spot zoning. The Selectmen will take a position after hearing a presentation at their meeting on April 7. The Planning Board supports this article 3-2 and believes it will improve the current situation by improving the sidewalks and landscape buffering, reducing curb cuts and improving the traffic pattern.

Mrs. McKenna supports the article but feels there should be a Transportation Demand Management contribution requirement. She has spoken to Mr. Farrington who will discuss with the owners of Countryside to see if they would consider a contribution and hopes the Selectmen will ask Mr. Farrington that question. At next year's Town Meeting she intends to bring forth a

By-law change that would mandate that every rezoning proposal include one component of TDM requesting a contribution to public transportation system in perpetuity and tied to inflation.

Mr. Manz wants to make sure that there is a legal opinion on Mrs. McKenna's suggested by-law change.

Article 53, Amend Zoning By-Law, CM District Floor Area Ratio

The Selectmen do not support this article 3-1 (Burnell supports; Manz waiting). Mrs. Krieger wants to see an integrated approach to rezoning that is sustainable and has a strong traffic mitigation program that would reduce the number of vehicles trips. We also need to look beyond Lexington to Route 128, which is currently over capacity. In order to reduce the number of vehicle trips incentives need to be offered like density and expedited permitting. This applies to Articles 53 to 59. Mr. Manz is holding off, but wants people to keep in mind that most of the buildings are over the current FAR and he does not think that the Planning Board will be able to arrive at a plan in just one year; he also has traffic concerns. Mr. Burnell supports this article as a starting point; then the Planning Board can bring back in a more acceptable format to review and tie up the loose ends at next year's Town Meeting.

Mr. Cohen and Mr. Kelley do not support the article and hope the Planning Board can bring back a proposal next year.

Article 54, Amend Zoning By-Law, Mixed Uses in CM District

The Selectmen do not support this article 5-0. They want to see the Planning Board come back next year with an article that addresses the subject.

Article 55, Amend Zoning By-Law, CRO District Floor Area Ratio

The Selectmen support this article 5-0. The Planning Board plans to suggest an amendment that would require a Special Permit for light manufacturing. The Selectmen would not support the Planning Board's amendment to require a special permit.

Article 56, Amend Zoning-Bylaw, Traffic By-Law

The Selectmen oppose this article 5-0. This article needs integration into the whole Traffic Mitigation issue.

Article 58, Amend Zoning By-Law, Transition Areas and Setbacks

The Selectmen were split on this article (Krieger and Cohen – no; Manz and Burnell – yes; Kelley waiting). This article needs to be integrated as part of the Planning Board’s plan for future years.

Article 59, Amend Zoning By-Law, Parking and Bicycle Facility Standards for Official Use

The Selectmen support this article 5-0.

Article 57, Amend Zoning By-Law, Development Standards, and Article 60, Amend Zoning By-Laws, Parking Standards for Retail Sales, will be indefinitely postponed.

The Planning Board adjourned to Room G-1.

At 8:30 p.m., the Planning Board returned to the Planning Office and continued the Planning Board Meeting in the Planning Office, Town Office Building.

\*\*\*\*\* ARTICLES FOR 2008 TOWN MEETING\*\*\*\*\*

The Board continued the discussion of their positions on the following Articles:

- 3) Article 15a – Woburn Street Reconstruction, put on the agenda for Monday;
- 4) Article 15d – CBD Sidewalks, put on the agenda for Monday;
- 5) Article 15e – GIS Implementation Plan, on a motion duly made and seconded, it was voted, 5-0 to support;
- 6) Article 43 – Resolution- Petroleum Supply Impacts, on a motion duly made and seconded, it was voted, 5-0 to support; and
- 7) Article 48 – CBD Sidewalks, put on the agenda for Monday.

The Board discussed and edited the report on Articles 53-60. On a motion duly made and seconded, it was

voted, 5-0, to make an amendment to Article 55 at Town Meeting.

On a motion duly made and seconded, it was voted, 5-0, to accept the report on Articles 53-60 as amended.

Mr. Farrington requested that Article 52, Countryside Plaza, be heard before Article 49. Board members did not support this and it was decided to have him request a time certain after the Planning Board Articles instead.

Mr. Zurlo suggested that the Board have the presentation of Articles 53 through 60 done by the Chairman, Mr. Hornig. Article 53 will be the longest and take ten minutes and five minutes for each of the following Articles.

Mr. Hornig will present Article 49, Mr. Hornig or Mr. Zurlo will present Article 50, Mr. Canale will present Article 51 and Ms. Manz will present Article 52.

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

Review of Minutes: On a motion duly made and seconded, it was voted, 5-0, to reopen consideration of the minutes for March 12, 2008, taken up earlier in the evening.

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

\*\*\*\*\*BOARD REPORTS\*\*\*\*\*

Mr. Hornig advised the TMMA that any changes to the Zoning Articles should be brought to the Planning Board by Monday evening.

Ms. McCall-Taylor will discuss the Planning Board's motions and issues for Article 53-60 with Larry Smith.

Mr. Zurlo said the Economic Development Task Force (EDTF) is meeting tomorrow evening with Steve Cecil in response to the technical memorandum and to review the executive summary framework.

The vote on Article 50, Height of Buildings and Structures, was stated incorrectly in the Board's report at 5-0, it should have been 4-0 (Mr. Canale was recused).

\*\*\*\*\*PLANNING BOARD ORGANIZATION SCHEDULE\*\*\*\*\*

On Monday April 7, the Planning Board will meet at 6:00 p.m. in the Planning Office and then join the Board of Selectmen's Meeting at 6:30. If there are any amendments to be made they should be brought to the Board no later than Monday at the meeting.

On a motion duly made and seconded, it was voted to adjourn the meeting at 10:02 p.m.

Wendy Manz, Clerk