

AGENDA

Lexington Planning Board

Wednesday, November 19, 2025

Remote on Zoom: [https://www.lexingtonma.gov/377/Access-](https://www.lexingtonma.gov/377/Access-Virtual-Meetings)

Virtual-Meetings

6:00 PM

Development Administration

1. **16 Clarke Street - Public Hearing Definitive Subdivision**
Public hearing for a definitive subdivision to create 3 lots as a zoning freeze.
2. **217-219, 229, 233, & 241 Massachusetts Avenue – Public Hearing Definitive Subdivision**
Public hearing for a definitive subdivision as a zoning freeze.
3. **429 & 433 Marrett Road - Public Hearing Definitive Subdivision**
Public hearing for a definitive subdivision for a zoning freeze.
4. **80 Bedford Street - Public Hearing Definitive Subdivision**
Public hearing for a definitive subdivision for a zoning freeze.
5. **407 Waltham Street – Public Hearing Definitive Subdivision**
Public hearing for a definitive subdivision for a zoning freeze.
6. **Accept Performance Guarantees & Endorse Definitive Subdivision Plans**
Accept Performance Guarantees & Endorse Definitive Subdivision Plans approved on October 8 and 22, 2025:
 - 3 Maguire Road
 - 10 Maguire Road
 - 11 Larchmont Lane
 - 242 Bedford Street
 - 251-301 Massachusetts Avenue & Fottler Avenue
 - 419 Marrett Road
 - 439 Marrett Road

Board Administration

1. **Review of potential Zoning Amendment recommendations for Annual Town Meeting 2026**
Annual Town Meeting warrant soon to be open. Annual Town Meeting expected to begin the last Monday in March. Planning Board to discuss articles to be submitted to the Select Board in December.

2. **Potential future Zoning Amendments for discussion**
Board to discuss potential future zoning amendments.
3. **Planning Board comments for ZBA**
Planning Board additional comments to send to the ZBA for Lexington Woods Affordable Housing proposal at 591 Lowell Street
4. **Board Member - Committee Positions and Liaison Assignments**
Board Member committee memberships and liaison assignments.
Assignment of new Planning Board member for Housing Partnership Board and Hanscom Area Towns Committee.
5. **Board Member & Staff Updates**
6. **Review of Draft Meeting Minutes: 10/8**
7. **Upcoming Meetings**
Wednesday 12/10

Adjourn

1. **Adjourn – The meeting will continue until all items are finished. The estimated adjournment time is 9:00 pm.**

Zoom Details

1. **Zoom Details - <https://www.lexingtonma.gov/377/Access-Virtual-Meetings>**
Planning is inviting you to a scheduled Zoom meeting.
Topic: Planning's Zoom Meeting
Time: Nov 19, 2025 06:00 PM Eastern Time (US and Canada)
Join Zoom Meeting
[https://lexingtonma.zoom.us/j/87330526514?](https://lexingtonma.zoom.us/j/87330526514?pwd=PI8V4imDk5XtTVyywTNWEjJQOOj8h0.1)
[pwd=PI8V4imDk5XtTVyywTNWEjJQOOj8h0.1](https://lexingtonma.zoom.us/j/87330526514?pwd=PI8V4imDk5XtTVyywTNWEjJQOOj8h0.1)

Meeting ID: 873 3052 6514
Passcode: 789098



Meeting broadcast by LexMedia

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

16 Clarke Street - Public Hearing Definitive Subdivision

PRESENTER:

Applicant: North Shore Residential
Development

ITEM NUMBER:

SUMMARY:

The Planning Board will hold a virtual public hearing on the application of North Shore Residential Development, Inc. for approval of a definitive subdivision plan under §175-6.0 of the Planning Board's Subdivision Regulations. Application proposes subdividing property into 3 lots on a cul-de-sac. A preliminary subdivision was approved on April 17, 2025.

This application is intended as a zoning freeze under MGL c.40A §6 and not proposed to be constructed.

Application materials may be viewed online at <https://lexingtonma.portal.opengov.com/records/106270>

The applicant will present their proposed subdivision plans, staff will provide any comments, and the Board will be reviewing the proposed subdivision for compliance with bylaws and regulations. The Chair will then take public comments on the proposed subdivision before the Board votes to close or continue the hearing.

Note: The Board has not yet received an application for a multi-family development, but will hold a hearing on that in the future after an application is submitted to them.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

ATTACHMENTS:

Description	Type
 Staff memo	Cover Memo



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Abby McCabe, Planning Director
Meghan Roche, Asst. Planning Director
Aaron Koepper, Planner
Carolyn Morrison, Planning Coordinator

To: Lexington Planning Board
From: Aaron Koepper, Planner
Re: Project Review for 16 Clarke Street: Definitive Subdivision
Date: November 10, 2025

Property Information	
Project Address	16 Clarke Street
Applicant	North Shore Residential Development, Inc.
Owner(s)	Robert W. Astapoveh, James Charnesky, Hana Laznickova, Tamar A. Myers, John Q. Zhang, Richard Zhang, Elisa Adams – Trustee of Elisa Adams Business Trust, Samuel J. Andonian – Trustee of Samuel J. Andonian Revocable Trust, Jennifer Andonian – Trustee of Samuel J. Andonian Revocable Trust, Heidi Lack-Trustee of Hawk Realty Trust 2014, Yilin Zhang – Trustee of Yan Realty Trust, Richard Yilin Zhang – Trustee of Yan Realty Trust, 16-14 Clarke Street LLC, B5 LLC, Golden Enterprises LLC, Minuteman Dental LLC
Type of Review	Definitive Subdivision
Permit Number	PLAN-25-48
Parcel ID	Map 49, Lot 79
Zoning District	CB – Central Business, previously in the MFO (Multi-Family Overlay)
Property Size	40,689 SF or ±0.93 Acres

Land Conditions	
Existing Conditions	The property is currently improved by one (1) single-story commercial office building, surface parking for forty-two (42) vehicles, and landscaping. The site falls within the Battle Green Historic District.
Environmental Conditions	No easements presently found on the property. The property is across the street from the Belfry and Belfry Park.

Dates & Deadlines	
Filed with Town Clerk	October 1, 2025
Filed with Health	October 1, 2025
Public Hearing Date	November 19, 2025

Action Deadline	December 30, 2025
Action Required	Approve with or without conditions and waivers; OR disapprove with reasons stated in detail where the plan does not comply with the subdivision regulations.
Appeal Period	20 days after decision filing with Town Clerk

Waiver Requests	
Ch. 175 § 6.1.C(2)(a)[6]	The Applicant requests a waiver for c. 175 § 6.1.C(2)(a)[6] for a wetlands delineation because property is not in any wetland resources areas.
Ch. 175 § 6.1.D(2)	The Applicant requests a waiver from c. 175 § 6.1.D(2) for the providing of soil surveys, test pits, and test borings . The Applicant requests that the required information be provided as a condition of approval.
Ch. 175 § 6.1.D(11)	The Applicant requests a waiver from c. 175 § 6.1.D(11) for draft documents providing for the operation and maintenance of landscaping, streets, and utilities by the property owners . The Applicant requests that the required documents be provided as a condition of approval.
Ch. 175 § 6.1.D(12)	The Applicant requests a waiver from c. 175 § 6.1.D(12) for Phasing . The Applicant requests that the required phasing document be provided as a condition of approval.

Project Summary
The Applicant is requesting approval of a definitive subdivision plan which proposes three (3) lots on an approximate 160-foot-long roadway with a cul-de-sac. The Applicant submitted a preliminary subdivision plan with the Town Clerk on March 11, 2025, to preserve the Zoning Bylaw in effect at that time. The Planning Board granted approval of the preliminary subdivision plan on April 22, 2025. Per Massachusetts state law, submission of a preliminary subdivision plan can freeze the zoning on a parcel of land for eight years if a definitive subdivision plan is also submitted within 7 months. The Applicant is continuing the subdivision process and has applied for a definitive subdivision plan to freeze the Zoning Bylaw and Zoning Map on the property. On March 17, 2025, Special Town Meeting (STM 2025-1) approved <u>Article 2 – Amend Section 7.5 of the Zoning Bylaw to Reduce Multi-Family Dwelling Unit Capacity</u>, removing the MFO overlay district on this property. If the Definitive Plan is approved and endorsed by the Planning Board, the full Zoning Bylaw and Zoning Map in place on March 11, 2025, can be applied to the property for eight years from the date of the plan’s endorsement.

Staff Comments

The proposed 40-foot ROW with a 24-foot-wide roadway is appropriate for a subdivision.

The Applicant has provided written response to staff comments and conditions on the Preliminary Subdivision approval, dated September 17, 2025.

The Board of Health received the application on October 1, 2025, and does not have any concerns.

The Fire Department does not have any concerns.

If there is a drain connection to municipal water services an RDA application is required to be filed with the Conservation Commission, no drain connection is currently proposed on the submitted plans. The property is not within any Conservation Commission wetland resource jurisdictional areas.

16 Clarke Street is located within the Battle Green Historic District. Any proposed demolition and exterior changes trigger Historic District Commission review and approval. An application for the MFO mixed-use multi-family proposal is currently before the Historic District Commission (HDC-25-29) and the next hearing is scheduled for December 4, 2025. The MFO proposal will also require an application submission to the Planning Board.

Staff recommends approval of the subdivision. A draft definitive subdivision approval for the Board's review and consideration will be provided to the applicant and board members.

Staff recommend a condition of approval pertaining to the Applicant's responsibility for obtaining and necessary approvals from, or any other permits, licenses or approvals as necessary.



AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

217-219, 229, 233, & 241 Massachusetts Avenue – Public Hearing Definitive Subdivision

PRESENTER:

Applicant: North Shore Residential
Development

ITEM NUMBER:

SUMMARY:

The Planning Board will hold a virtual public hearing on the application of North Shore Residential Development for approval of a definitive subdivision plan under §175-6.0 of the Planning Board's Subdivision Regulations. Application proposes subdividing property into 3 lots on a cul-de-sac. A preliminary subdivision application was approved by the Planning Board on February 26, 2025. This application is intended as a zoning freeze under MGL c.40A §6 and not proposed to be constructed. The applicant intends to move forward with the mixed-use, multi-family development approved by the Planning Board May 7, 2025. Application materials may be viewed online at <https://lexingtonma.portal.opengov.com/records/107638>. A staff memo is attached.

The applicant will present, the Board members will discuss, then the Chair will take public comments. The Board will then discuss further and may vote on the application.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

ATTACHMENTS:

Description	Type
 Staff Memo	Cover Memo



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Abby McCabe, Planning Director
Meghan Roche, Assistant Director
Aaron Koepper, Planner
Carolyn Morrison, Planning Coordinator

To: Lexington Planning Board

From: Meghan Roche, Assistant Planning Director

Re: Project Review for 217, 229 233 and 241 Massachusetts Avenue: Definitive Subdivision

Date: November 10, 2025

Property Information	
Project Address	217, 229, 233 and 241 Massachusetts Avenue
Applicant/Owner	Ron Lopez, North Shore Residential Development, Inc.
Type of Review	Definitive Subdivision
Permit Number	PLAN-25-34
Parcel ID	Map 13, Lots 372, 373, 374 and 375 (now all lot 375)
Zoning District	CRS (Retail Shopping) & VLO (Village Legacy Overlay)
Property Size	±30,886 SF combined

Dates & Deadlines	
Filed with Town Clerk	August 26, 2025
Filed with Health	August 26, 2025
Public Hearing Date	November 19, 2025
Action Deadline	November 24, 2025
Action Required	Approve with or without conditions and waivers; OR Disapprove with reasons stated in detail where the plan does not comply with the subdivision regulations.
Appeal Period	20 days after decision filing with Town Clerk

Waiver Requests	
Ch. 175 § 6.1D(2)	The Applicant requests a waiver for c. 175 § 6.1(D)(2) for Soil Surveys, Test Pits, and Test Borings . The Applicant requests the required test pits and test borings be provided as a condition of approval.
Ch. 175 § 6.1(D)(11)(a) & (b)	The Applicant requests a waiver for c. 175 § 6.1 (D)(11)(a) and (b) for providing the Maintenance plan for the drainage system and for providing an agreement allocating the responsibility for costs and

	maintenance among owners. The Applicant requests the required documents be provided as a condition of approval.
Ch. 175 § 6.1(C)(2)(6) and 6.1(C)(4)(c)	The Applicant requests a waiver for c. 175 § 6.1(C)(2)(6) and 6.1(C)(4)(c) for providing a wetlands delineation by a professional wetland's specialist on the site analysis map and the site construction plan. The Applicant requests the required information be provided as a condition of approval.
Ch. 175 § 6.1(D)(12)	The Applicant requests a waiver from providing a construction phasing document and requests this document be provided as a condition of approval.
Ch. 175 § 6.1(C)(5)(a)[6]	A waiver from providing sight lines for entering and merging traffic at street and driveway intersections and other data pertaining to traffic safety. Planning staff support a condition of approval that this information be provided prior to construction.

Project Summary

The Applicant is requesting approval of a definitive subdivision plan which proposes three lots on an approximate 175-foot long roadway with a cul-de-sac.

The Applicant submitted a preliminary subdivision plan with the Town Clerk on January 31, 2025 in order to freeze the 2024 Zoning Bylaw. The Planning Board granted a decision to approve the preliminary plan on February 26, 2025. Per Massachusetts state law, a submission of a preliminary subdivision plan can freeze the zoning for a parcel if a definitive subdivision plan is also submitted within 7 months.

The Applicant is continuing with the subdivision process and has applied for a definitive subdivision plan freezing the 2024 Zoning Bylaw and Zoning Map that includes a VO (Village Overlay) district on the property. On March 17, 2025, Special Town Meeting (STM 2025-1) approved Article 2 – Amend Section 7.5 of the Zoning Bylaw to Reduce Multi-Family Dwelling Unit Capacity, removing these 4 parcels from the VO District and establishing the VLO (Village Legacy Overlay) district. If the Definitive Plan is approved and endorsed by the Planning Board, the full 2024 Zoning Bylaw and Zoning Map including the VO overlay district can be applied to the property for eight years from the date of the plan's endorsement.

Staff Comments

The plan set dated July 23 was revised on October 14, 2025, per C. 175 §7.2(B)(3)(b) and (c) to relocate the centerline of the proposed intersection to be aligned opposite Bowker Street. The drainage report was also updated on October 14, 2025, due to the change in site layout.

There is no minimum lot size and no minimum frontage required for lots in the VO District. The proposed 40-foot ROW and 26-foot-wide roadway is appropriate for the proposed subdivision.

The Fire Department does not have any concerns.

The Health Division does not have any concerns.

The proposed lots and cul-de-sac fall within the 200-foot Riverfront Area and are subject to review and approval by the Conservation Commission through a Notice of Intent filing. The Applicant intends to pursue multi-family development at the site and has received approval for the project through a Conservation Order of Conditions, and the subdivision plan is intended for zoning freeze purposes only and not for construction.

Test pits will be required to confirm the ESHGW and there should be a 2 ft. separation between the ESHGW and the bottom of any infiltration system.

The Applicant has provided a response to all staff comments from the Preliminary Subdivision Approval.

A draft definitive subdivision approval for the Board's review and consideration has been provided to the applicant and board members.

Staff recommend a condition of approval pertaining to the Applicant's responsibility for obtaining and necessary approvals from MassPort and FAA Regulations, or any other permits, licenses or approvals as necessary including the required application to the Conservation Commission.

Staff recommend a condition of approval requiring the Applicant to file a Notice of Intent with the Conservation Commission and receive an Order of Conditions prior to any site disturbance or construction related to this definitive subdivision plan. If the roadway layout and subsequently the layout of the lots to be created changes as part of the Conservation Commission review, the Applicant will be required to submit notice of modification to the Planning office and may require a new hearing with the Planning Board.



AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

429 & 433 Marrett Road - Public Hearing Definitive Subdivision

PRESENTER:

Applicant: Marrett Retail LLC

ITEM NUMBER:

SUMMARY:

The Planning Board will hold a virtual public hearing on the application of Marrett Retail LLC for approval of a definitive subdivision plan under §175-6.0 of the Planning Board's Subdivision Regulations. Application proposes subdividing property into 2 lots on a cul-de-sac. A preliminary subdivision application, filed under 439 Marrett Road, was approved April 10, 2025. This application is intended as a zoning freeze under MGL c.40A §6 and not proposed to be constructed.

Application materials may be viewed online at <https://lexingtonma.portal.opengov.com/records/109740>

A staff memo is attached.

The applicant will present, the Board members will discuss, then the Chair will take public comments. The Board will then discuss further and may vote on the application.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

ATTACHMENTS:

Description	Type
 Staff Memo	Cover Memo



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Abby McCabe, Planning Director
Meghan Roche, Asst. Planning Director
Aaron Koepper, Planner
Carolyn Morrison, Planning Coordinator

To: Lexington Planning Board

From: Aaron Koepper, Planner

Re: Project Review for 429-433 Marrett Road: Definitive Subdivision

Date: November 4, 2025

Property Information	
Project Address	429-433 Marrett Road
Applicant / Owner	Marrett Retail LLC
Type of Review	Definitive Subdivision
Permit Number	PLAN-25-44
Parcel ID	Map 33, Lots 104A & 104B
Zoning District	CN – Neighborhood Business, VO – Village Overlay
Property Size	54,362 SF or ±1.25 Acres

Land Conditions	
Existing Conditions	The 1.25-acre properties are currently improved by one (1) day-care-style residential building, one (1) commercial building with two (2) storefronts, surface parking with forty-three (43) spaces, outdoor lighting, and landscaping.
Environmental Conditions	The site slopes down slightly from north to south. A 10 ft transition area is present at 433 Marrett Road, along the lot line of the western boundary.

Dates & Deadlines	
Filed with Town Clerk	September 22, 2025
Filed with Health	September 22, 2025
Public Hearing Date	November 19, 2025
Action Deadline	December 21, 2025
Action Required	Approve with or without conditions and waivers; OR disapprove with reasons stated in detail where the plan does not comply with the subdivision regulations.
Appeal Period	20 days after decision filing with Town Clerk

Waiver Requests	
Ch. 175 § 6.1.D(11)(a)	The Applicant requests a waiver for c. 175 § 6.1.D(11)(a) for draft documents providing for the operation and maintenance of landscaping, streets, and utilities by the property owners . The Applicant requests that the required document be provided as a condition of approval.
Ch. 175 § 6.1.D(12)	The Applicant requests a waiver for c. 175 § 6.1.D(12) for Phasing . The Applicant requests that the required phasing documents be provided as a condition of approval.

Project Summary
The Applicant is requesting approval of a definitive subdivision plan which proposes two (2) lots on an approximately 220-foot-long roadway with a cul-de-sac. The Applicant submitted a preliminary subdivision plan with the Town Clerk on February 28, 2025 in order to preserve the Zoning Bylaw in effect at that time. The Planning Board granted approval of the preliminary subdivision plan on April 14, 2025. Per Massachusetts state law, submission of a preliminary subdivision plan can freeze the zoning on a parcel of land for eight years if a definitive subdivision plan is also submitted within 7 months. The Applicant is continuing the subdivision process and has applied for a definitive subdivision plan, to freeze the Zoning Bylaw and Zoning Map on the property. On March 17, 2025, Special Town Meeting (STM 2025-1) approved <u>Article 2 – Amend Section 7.5 of the Zoning Bylaw to Reduce Multi-Family Dwelling Unit Capacity</u>. If this Definitive Plan is approved and endorsed by the Planning Board, the full Zoning Bylaw and Zoning Map as of February 28, 2025 can be applied to the property for eight years from the date of the plan’s endorsement. This subdivision application is not intended to be constructed and is for the purposes of a zoning freeze.

Staff Comments
On October 2, 2025, a Form W (Application for Waivers) was submitted by the applicant to request relief from the providing the draft maintenance documents and from the providing of phasing documents at this time and requests they be required as a condition of approval to be submitted prior to any construction. The proposed 40-foot ROW with a 20-foot-wide roadway is appropriate for a subdivision. The Applicant has provided written response to staff comments and conditions on the Preliminary Subdivision approval, dated September 19, 2025. The Board of Health received the application on September 22, 2025, and does not have any concerns. The Fire Department does not have any concerns.

If there is a connection to Town water system, an RDA application is required to be filed with the Conservation Commission.

Staff recommends approval. A draft definitive subdivision approval for the Board's review and consideration will be provided to the applicant and board members.

Staff recommend a condition of approval pertaining to the Applicant's responsibility for obtaining and necessary approvals from, or any other permits, licenses or approvals as necessary including any required application to the Conservation Commission.

Staff recommends approval with conditions related to construction practices and phasing and owner maintenance documents to be submitted prior to any building permits for this proposal.

Zoning Districts:



AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

80 Bedford Street - Public Hearing Definitive Subdivision

PRESENTER:

Applicant: James C. Johnston Trust

ITEM NUMBER:

SUMMARY:

The Planning Board will hold a virtual public hearing on the application of James C. Johnston Trust for approval of a definitive subdivision plan under §175-6.0 of the Planning Board's Subdivision Regulations.

Application proposes subdividing property into 2 lots on a cul-de-sac. A preliminary subdivision was approved April 10, 2025. This application is intended as a zoning freeze under MGL c.40A §6 and not proposed to be constructed.

Application materials may be viewed online at <https://lexingtonma.portal.opengov.com/records/109749>

A staff memo is attached.

The applicant will present, the Board members will discuss, then the Chair will take public comments. The Board will then discuss further and may vote on the application.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

ATTACHMENTS:

Description	Type
 Staff Memo	Cover Memo



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Abby McCabe, Planning Director
Meghan Roche, Asst. Planning Director
Aaron Koepper, Planner
Carolyn Morrison, Planning Coordinator

To: Lexington Planning Board

From: Aaron Koepper, Planner

Re: Project Review for 80 Bedford Street: Definitive Subdivision

Date: November 5, 2025

Property Information	
Project Address	80 Bedford Street
Applicant / Owner	James C Johnston & Mary H Johnston Trust
Type of Review	Definitive Subdivision
Permit Number	PLAN-25-46
Parcel ID	Map 57, Lot 81
Zoning District	RS – One Family Dwelling, VO – Village Overlay
Property Size	50,473 SF or ±1.16 Acres

Land Conditions	
Existing Conditions	The 1.16-acre property is currently improved by one (1) single-family residential home, one (1) outbuilding that contains a finished upper story and garage parking, a paved driveway, and landscaping. The house and barn are listed on Lexington's Comprehensive Cultural Resource Inventory, and any substantial demolition is subject to a demolition delay pursuant to c. 19.
Environmental Conditions	The site slopes down from west to east. No easements currently shown on the lot.

Dates & Deadlines	
Filed with Town Clerk	September 22, 2025
Filed with Health	September 22, 2025
Public Hearing Date	November 19, 2025
Action Deadline	December 21, 2025
Action Required	Approve with or without conditions and waivers; OR disapprove with reasons stated in detail where the plan does not comply with the subdivision regulations.
Appeal Period	20 days after decision filing with Town Clerk

Waiver Requests	
Ch. 175 § 6.1.D(11)(a)	The Applicant requests a waiver for c. 175 § 6.1.D(11)(a) for draft documents providing for the operation and maintenance of landscaping, streets, and utilities by the property owners . The Applicant requests that the required document be provided as a condition of approval.
Ch. 175 § 6.1.D(12)	The Applicant requests a waiver for c. 175 § 6.1.D(12) for Phasing . The Applicant requests that the required document be provided as a condition of approval.

Project Summary
The Applicant is requesting approval of a definitive subdivision plan which proposes two (2) lots on an approximate 230-foot-long roadway with a cul-de-sac. The Applicant submitted a preliminary subdivision plan with the Town Clerk on March 3, 2025, in order to preserve the Zoning Bylaw in effect at that time. The Planning Board granted approval of the preliminary subdivision plan on April 10, 2025. Per Massachusetts state law, submission of a preliminary subdivision plan can freeze the zoning on a parcel of land for eight years if a definitive subdivision plan is also submitted within 7 months. The Applicant is continuing the subdivision process and has applied for a definitive subdivision plan, freezing the Zoning Bylaw and Zoning Map on the property. On March 17, 2025, Special Town Meeting (STM 2025-1) approved <u>Article 2 – Amend Section 7.5 of the Zoning Bylaw to Reduce Multi-Family Dwelling Unit Capacity</u>. If this Definitive Plan is approved and endorsed by the Planning Board, the full Zoning Bylaw and Zoning Map as of March 3, 2025, can be applied to the property for eight years from the date of the plan's endorsement.

Staff Comments
The Applicant is requesting relief from the providing of draft maintenance documents and from the providing of phasing documents. The proposed 40-foot ROW with a 20-foot-wide roadway is appropriate for a subdivision. The Applicant has provided written response to staff comments and conditions on the Preliminary Subdivision approval, dated September 19, 2025. The Board of Health received the application on September 22, 2025, and does not have any concerns. The Fire Department does not have any concerns.

There are no Conservation Commission jurisdictional resources areas on the property. If there is a drain connection to the municipal water systems, an RDA application is required to be filed with the Conservation Commission.

The George A. Vickery House and barn are listed on the Historic Commission's Cultural Inventory. On July 16, 2025, the Historical Commission held a public hearing regarding the application for Full Building Demolition (HC-25-14) of the structures located at 80 Bedford Street. The Commission voted to find the structures preferably preserved and to impose a 21-month demolition delay expiring on April 17, 2027.

Staff recommends approval. A draft definitive subdivision approval for the Board's review and consideration will be provided to the applicant and board members.

Staff recommend a condition of approval pertaining to the Applicant's responsibility for obtaining and necessary approvals from, or any other permits, licenses or approvals as may be required from other entities, boards or committees.



AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

407 Waltham Street – Public Hearing Definitive Subdivision

PRESENTER:

Applicant: 407 Waltham Street LLC

ITEM NUMBER:

SUMMARY:

The Planning Board will hold a virtual public hearing on the application of 407 Waltham Street LLC for approval of a definitive subdivision plan under §175-6.0 of the Planning Board's Subdivision Regulations.

Application proposes subdividing property into 2 lots with access via an easement. A preliminary subdivision application was approved May 7, 2025.

Application materials may be viewed online at <https://lexingtonma.portal.opengov.com/records/109153>

A staff memo is attached.

The applicant will present, the Board members will discuss, then the Chair will take public comments. The Board will then discuss further and may vote on the application.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

ATTACHMENTS:

Description	Type
☐ Staff Memo	Cover Memo



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Abby McCabe, Planning Director
Meghan Roche, Asst. Planning Director
Aaron Koepper, Planner
Carolyn Morrison, Planning Coordinator

To: Lexington Planning Board
From: Aaron Koepper, Planner
Re: Project Review for 407 Waltham Street: Definitive Subdivision
Date: November 12, 2025

Property Information	
Project Address	407 Waltham Street
Applicant / Owner	407 Waltham Street LLC
Type of Review	Definitive Subdivision
Permit Number	PLAN-25-47
Parcel ID	Map 32, Lot 14
Zoning District	CRS – Retail Shopping & VO – Village Overlay
Property Size	29,995 SF or ±0.69 Acres

Land Conditions	
Existing Conditions	The 0.65-acre property is currently improved by a single-story commercial building with four (4) storefronts, surface parking for forty-eight (48) vehicles, and landscaping.
Environmental Conditions	A 20 ft. wide drainage easement is present along the lot line shared at 403 Waltham Street. Wetland resource areas have been identified behind the site, with 50' and 100' buffer zones existing on the property.

Dates & Deadlines	
Filed with Town Clerk	September 23, 2025
Filed with Health	September 23, 2025
Public Hearing Date	November 19, 2025
Action Deadline	December 22, 2025
Action Required	Approve with or without conditions and waivers; OR disapprove with reasons stated in detail where the plan does not comply with the subdivision regulations.
Appeal Period	20 days after decision filing with Town Clerk

Waiver Requests	
Ch. 175 § 6.1.D(1)	The Applicant requests a waiver from c. 175 § 6.1.D(1) for the providing of hydrologic and drainage analysis because no drainage infrastructure and no new ways proposed. The Applicant requests that the required information be provided as a condition of approval.
Ch. 175 § 6.1.D(2)	The Applicant requests a waiver from c. 175 § 6.1.D(2) for the submission of soil surveys, test pits, and test borings . The Applicant requests that the required information be provided as a condition of approval.
Ch. 175 § 6.1.D(11)	The Applicant requests a waiver from c. 175 § 6.1.D(11) for draft documents providing for the operation and maintenance of landscaping, streets, and utilities by the property owners . The Applicant requests that the required document be provided as a condition of approval.
Ch. 175 § 6.1.D(12)	The Applicant requests a waiver from c. 175 § 6.1.D(12) for Phasing . The Applicant requests that the required document be provided as a condition of approval.
Ch. 175 § 6.1.A and C(1), (2),(3),(4),(5),(6),(7)	The Applicant requests a waiver c. 175 § 6.1.A for coordination by a Landscape Architect and 6.1.C(1) – (7) for various plan sheet submittals related to utilities, plantings, street profiles, landscaping, construction plan. The Applicant requests these be waived since proposal on sheet 1 depicts a lot split with no new roadway proposed.

Project Summary
The Applicant is requesting approval of a definitive subdivision plan which proposes two (2) lots to create lot 1 and lot 2 from the 0.69-acre property. Lot 2 is in the rear and accessed from an access easement over the northerly portion of lot 1. The Applicant submitted a preliminary subdivision plan with the Town Clerk on March 3, 2025, to preserve the Zoning Bylaw in effect at that time. The Planning Board granted approval of the preliminary subdivision plan on May 7, 2025. Per Massachusetts state law, submission of a preliminary subdivision plan can freeze the zoning on a parcel of land for eight years if a definitive subdivision plan is also submitted within 7 months. The Applicant is continuing the subdivision process and has applied for a definitive subdivision plan, freezing the Zoning Bylaw and Zoning Map on the property. On March 17, 2025, Special Town Meeting (STM 2025-1) approved <u>Article 2 – Amend Section 7.5 of the Zoning Bylaw to Reduce Multi-Family Dwelling Unit Capacity</u>. If this Definitive Plan is approved and endorsed by the Planning Board, the full

Zoning Bylaw and Zoning Map as of March 3, 2025, can be applied to the property for eight years from the date of the plan's endorsement.

Staff Comments

The Applicant has provided written response to staff comments and conditions on the Preliminary Subdivision approval, dated September 23, 2025.

The Board of Health received the application on September 23, 2025, and does not have any concerns.

The Fire Department does not have any concerns.

The property is within wetland protection jurisdiction, and any redevelopment requires a Notice of Intent filing with the Conservation Commission.

Staff recommends approval. The requested waivers are reasonable given the proposal is for a lot line change with no new road proposed. A draft definitive subdivision approval for the Board's review and consideration will be provided to the applicant and board members.

Staff recommend a condition of approval pertaining to the Applicant's responsibility for obtaining and necessary approvals from, or any other permits, licenses or approvals as necessary including any required application to the Conservation Commission.



AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Accept Performance Guarantees & Endorse Definitive Subdivision Plans

PRESENTER:

Board & Staff

ITEM NUMBER:

SUMMARY:

Accept Performance Guarantees & Endorse Definitive Subdivision Plans approved on October 8 and 22, 2025:

- 3 Maguire Road
- 10 Maguire Road
- 11 Larchmont Lane
- 242 Bedford Street
- 251-301 Massachusetts Avenue & Fottler Avenue
- 419 Marrett Road
- 439 Marrett Road

The covenants for each are attached. Staff has in the office, or is in the process of collecting, the Applicant signature pages. The original copies will be available for Board member signature in the planning office after the meeting.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

ATTACHMENTS:

Description	Type
📁 Covenant 3 Maguire	Backup Material
📁 Covenant 10 Maguire	Backup Material
📁 Covenant 242 Bedford	Backup Material
📁 Covenant 11 Larchmont	Backup Material
📁 Covenant 251-301 Massachusetts Ave Fotler	Backup Material
📁 Covenant 419 Marrett Rd	Backup Material
📁 Covenant 439 Marrett Rd	Backup Material

COVENANT

SRE FLAG LLC (herein called the “Developer” or the “Owner”) submitted an application dated August 29, 2025, to the Planning Board of the Town of Lexington, a municipal corporation situated in Middlesex County, Massachusetts (herein called the “Planning Board” or “Town”), for the approval of a definitive plan of a certain subdivision entitled “3 Maguire Road, Lexington, Mass” by VHB dated August 22, 2025 and revised plan set submitted on September 11, 2025; and

WHEREAS, the Developer has requested the Planning Board to approve such definitive plan without requiring a performance bond or other surety;

NOW THEREFORE, in consideration of the Planning Board approving the definitive plan without requiring a performance bond or other surety, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the Developer represents, covenants and agrees with the Town pursuant to Massachusetts General Laws, Chapter 81, Section 81U, as amended, as follows:

1. The Developer is the owner in fee simple of all the land included in the aforesaid subdivision and said land is subject to a mortgage of record.
2. This Covenant shall run with the land included in the aforesaid subdivision and shall operate as a restriction upon said land.
3. The ways and municipal services required to serve the lots in said subdivision shall be installed and constructed as shown on the definitive plan and in accordance with the Rules and Regulations of the Planning Board of the Town, with such modifications or conditions, if any, as have been imposed by the Planning Board or Board of Health of the Town, such modifications or conditions being set forth in a Certificate of Vote dated October 8, 2025 to be recorded herewith, before such lots may be built upon or conveyed other than by a mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lots subject to the limitation that no lots shall be built upon until such ways and services have been provided to serve such lots, unless explicitly allowed in writing by the Planning Board; and provided further that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to this Covenant, of either the entire parcel of land shown on the definitive plan or of all lots shown on the definitive plan not previously released by the Planning Board.
4. Reference to this Covenant shall be entered upon the definitive plan and this Covenant shall be recorded when the definitive plan is recorded.
5. Lots within the subdivision may be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Planning Board and specifically enumerating the lots to be released thereunder.

6. This Covenant shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the Developer.

Executed as a sealed instrument this ____ day of _____ 2025.

WITNESS

OWNER

SRE FLAG LLC

BY: _____

Name: Kevin T. Sheehan

Title: Authorized Signatory

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this ____ day of _____ 2025, before me, the undersigned notary public, personally appeared Kevin T. Sheehan, the authorized signatory of SRE FLAG LLC, proved to me through personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public

My commission expires:

Executed by the Lexington Planning Board on 19 day of November 2025.

Majority of the Lexington Planning Board:

Planning Board Member Signature

Planning Board Member Printed Name

Planning Board Member Signature

Planning Board Member Printed Name

Planning Board Member Signature

Planning Board Member Printed Name

Planning Board Member Signature

Planning Board Member Printed Name

Planning Board Member Signature

Planning Board Member Printed Name

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this _____ day of _____ 2025, before me, the undersigned notary public,
personally appeared Lexington Planning Board Member

_____,
proved to me through personal knowledge to be the person whose name is signed on the
preceding or attached document, and acknowledged to me that he signed it voluntarily for its
stated purpose.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this _____ day of _____ 2025, before me, the undersigned notary public,
personally appeared Lexington Planning Board Member

_____,
proved to me through personal knowledge to be the person whose name is signed on the
preceding or attached document, and acknowledged to me that he signed it voluntarily for its
stated purpose.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this _____ day of _____ 2025, before me, the undersigned notary public,
personally appeared Lexington Planning Board Member

_____,
proved to me through personal knowledge to be the person whose name is signed on the
preceding or attached document, and acknowledged to me that he signed it voluntarily for its
stated purpose.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this _____ day of _____ 2025, before me, the undersigned notary public,
personally appeared Lexington Planning Board Member

_____,
proved to me through personal knowledge to be the person whose name is signed on the
preceding or attached document, and acknowledged to me that he signed it voluntarily for its
stated purpose.

Notary Public
My commission expires:

COVENANT

SRE FLAG LLC (herein called the “Developer” or the “Owner”) submitted an application dated August 29, 2025, to the Planning Board of the Town of Lexington, a municipal corporation situated in Middlesex County, Massachusetts (herein called the “Planning Board” or “Town”), for the approval of a definitive plan of a certain subdivision entitled “10 Maguire Road, Lexington, Mass” by VHB dated August 22, 2025, revised plans submitted September 11, 2025; and

WHEREAS, the Developer has requested the Planning Board to approve such definitive plan without requiring a performance bond or other surety;

NOW THEREFORE, in consideration of the Planning Board approving the definitive plan without requiring a performance bond or other surety, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the Developer represents, covenants and agrees with the Town pursuant to Massachusetts General Laws, Chapter 81, Section 81U, as amended, as follows:

1. The Developer is the owner in fee simple of all the land included in the aforesaid subdivision and said land is subject to a mortgage of record.
2. This Covenant shall run with the land included in the aforesaid subdivision and shall operate as a restriction upon said land.
3. The ways and municipal services required to serve the lots in said subdivision shall be installed and constructed as shown on the definitive plan and in accordance with the Rules and Regulations of the Planning Board of the Town, with such modifications or conditions, if any, as have been imposed by the Planning Board or Board of Health of the Town, such modifications or conditions being set forth in a Certificate of vote dated October 8, 2025 to be recorded herewith, before such lots may be built upon or conveyed other than by a mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lots subject to the limitation that no lots shall be built upon until such ways and services have been provided to serve such lots, unless explicitly allowed in writing by the Planning Board; and provided further that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to this Covenant, of either the entire parcel of land shown on the definitive plan or of all lots shown on the definitive plan not previously released by the Planning Board.
4. Reference to this Covenant shall be entered upon the definitive plan and this Covenant shall be recorded when the definitive plan is recorded.
5. Lots within the subdivision may be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Planning Board and specifically enumerating the lots to be released thereunder.

6. This Covenant shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the Developer.

Executed as a sealed instrument this ____ day of _____ 2025.

WITNESS

OWNER

SRE FLAG LLC

BY: _____

Name: Kevin T. Sheehan

Title:

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this ____ day of _____ 2025, before me, the undersigned notary public, personally appeared Kevin T. Sheehan, the authorized signatory of SRE FLAG LLC, proved to me through personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public

My commission expires:

Executed by the Lexington Planning Board on 19 day of November 2025.

Majority of the Lexington Planning Board:

Planning Board Member Signature

Planning Board Member Printed Name

Planning Board Member Signature

Planning Board Member Printed Name

Planning Board Member Signature

Planning Board Member Printed Name

Planning Board Member Signature

Planning Board Member Printed Name

Planning Board Member Signature

Planning Board Member Printed Name

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this _____ day of _____ 2025, before me, the undersigned notary public, personally appeared Lexington Planning Board Member

_____,
proved to me through personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this _____ day of _____ 2025, before me, the undersigned notary public, personally appeared Lexington Planning Board Member

_____,
proved to me through personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this _____ day of _____ 2025, before me, the undersigned notary public, personally appeared Lexington Planning Board Member

_____,
proved to me through personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

County of _____, SS

On this _____ day of _____ 2025, before me, the undersigned notary public, personally appeared Lexington Planning Board Member

_____,
proved to me through personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

COVENANT

240 Bedford LLC (the "Owner") submitted an application to the Lexington Planning Board (the "Board") on September 8, 2025, for the approval of a plan entitled "Subdivision Plan Located in Lexington, MA (Middlesex County)", 242 Bedford Street, Lexington, MA, Prepared for 240 Bedford LLC. dated September 5 and revised through September 11, 2025 prepared by Patriot Engineering, Lexington, Massachusetts (the "Definitive Plan") consisting of 15 sheets. The application was submitted to the Town Clerk on September 8, 2025.

In consideration of the Lexington Planning Board approving said plan without requiring a performance bond or other surety, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the Owner, who is the owner of all the land included in the aforesaid subdivision, represents, covenants and agrees with the Town pursuant to Massachusetts General Law, Chapter 41, Section 81U, as amended as follows:

1. Applicant is the owner in fee simple of all the land included in the aforesaid subdivision, and there are no mortgages of record or otherwise on any of said land.

2. No lot shall be built upon or conveyed until the construction of ways and the installation of municipal services have been approved to serve such lot in accordance with any covenants, conditions, agreements, terms, and conditions specified in the following:

- a. The Application for Approval, dated September 8, 2025 and submitted to the Town Clerk on September 8, 2025, as qualified by the definitive plan prepared by Patriot Engineering revised through September 11 as approved.
- b. The Planning Board's Development Regulations governing this development.
- c. The Definitive Plan as approved with conditions on October 22, 2025, and issued on October 24, 2025.
- d. Other document(s) specifying construction to be completed, namely:

It is understood and agreed that the lots within the development shall, respectively, be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Board specifically enumerating the lots to be released.

3. This Covenant shall be binding upon and inure to the benefit of the successors and assigns of the Applicant. It is understood and agreed that this Covenant shall run with the land included in the aforesaid subdivision and shall operate as a restriction upon said land.

4. The ways and municipal services required to serve the lots in said subdivision shall be installed and constructed as shown on the definitive plan and in accordance with the Subdivision Regulations adopted by the Board, with such modifications or conditions, if any, as have been imposed by the Board, before such lot may be conveyed other than by a mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot subject to the limitation that no lot shall be conveyed until such ways and services have been provided to serve such lot,

unless explicitly allowed in writing by the Planning Board; and provided further that nothing herein shall be deemed to prohibit a conveyance by a single

deed, subject to this Covenant, of either the entire parcel of land shown on said subdivision plan or of all lots shown on such plan not previously released by the Board.

5. Reference to this Covenant shall be entered upon said plan and this Covenant shall be recorded when said plan is recorded.

6. This Covenant shall take effect upon the endorsement of said plan and shall promptly be recorded with the Middlesex South Registry of Deeds by the Applicant with the appropriate marginal reference to the Covenant placed on the plan.

7. Upon final completion of the construction of ways and installation of municipal services as specified herein, in or within two (2) years, the Board shall release this covenant by an appropriate instrument duly recorded. Failure to complete construction and installation within the time specified herein, or such later date as may be specified by vote of the Board with a written concurrence by the Applicant, shall result in the automatic rescission of the approval of the plan.

8. Lots within the subdivision may be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Planning Board and specifically enumerating the lots to be released thereunder.

9. Title reference see Deed recorded with the Middlesex South District Registry of Deeds in Book 81335, Page 256.

Exectued as sealed instrument this ____ day of _____, 2025.

240 BEDFORD LLC

Sean P. Maloney
Authorized Signatory

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss _____, 2025

On this ____ day of _____, 2025, before me, the undersigned notary public, personally appeared Sean P. Maloney, Authorized Signatory as aforesaid, who proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding document and acknowledged to me that she signed it voluntarily for its stated purposes as his free act and deed as the Authorized Signatory of 240 Bedford LLC.

Notary Public

My commission expires:

Town of Lexington Planning Board,
November 19, 2025

COVENANT

Tropeano Realty Company LLC (the "Owner") submitted an application to the Lexington Planning Board (the "Board") on August 24, 2025, for the approval of a plan entitled "Subdivision Plan Located in Lexington, MA (Middlesex County)", 11 Larchmont Lane Lexington, MA, Prepared for Tropeano Realty Company LLC. dated August 20, 2025 and revised through September 29, 2025 prepared by Patriot Engineering, Lexington, Massachusetts (the "Definitive Plan"). The application was submitted to the Town Clerk on August 27, 2025.

In consideration of the Lexington Planning Board approving said plan without requiring a performance bond or other surety, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the Owner, who is the owner of all the land included in the aforesaid subdivision, represents, covenants and agrees with the Town pursuant to Massachusetts General Law, Chapter 41, Section 81U, as amended as follows:

1. Applicant is the owner in fee simple of all the land included in the aforesaid subdivision, and there are no mortgages of record or otherwise on any of said land.
2. No lot shall be built upon or conveyed until the construction of ways and the installation of municipal services have been approved to serve such lot in accordance with any covenants, conditions, agreements, terms, and conditions specified in the following:
 - a. The Application for Approval, submitted August 25, 2025 and submitted to the Town Clerk on August 27, 2025, as qualified by the definitive plan as approved.
 - b. The Planning Board's Development Regulations governing this development.
 - c. The Definitive Plan as approved on October 8, 2025.
 - d. Other document(s) specifying construction to be completed, namely:

It is understood and agreed that the lots within the development shall, respectively, be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Board specifically enumerating the lots to be released.

3. This Covenant shall be binding upon and inure to the benefit of the successors and assigns of the Applicant. It is understood and agreed that this Covenant shall run with the land included in the aforesaid subdivision and shall operate as a restriction upon said land.
4. The ways and municipal services required to serve the lots in said subdivision shall be installed and constructed as shown on the definitive plan and in accordance with the Subdivision Regulations adopted by the Board, with such modifications or conditions, if any, as have been imposed by the Board, before such lot may be conveyed other than by a mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot subject to the limitation that no lot shall be conveyed until such ways and services have been provided to serve such lot, unless explicitly allowed in writing by the Planning Board; and provided further that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to this Covenant, of either the entire parcel of land shown on said subdivision plan or of all lots shown on such plan not previously released by the Board.

5. Reference to this Covenant shall be entered upon said plan and this Covenant shall be recorded when said plan is recorded.
6. This Covenant shall take effect upon the endorsement of said plan and shall promptly be recorded with the Middlesex South Registry of Deeds by the Applicant with the appropriate marginal reference to the Covenant placed on the plan.
7. Upon final completion of the construction of ways and installation of municipal services as specified herein, in or within two(2) years, the Board shall release this covenant by an appropriate instrument duly recorded. Failure to complete construction and installation within the time specified herein, or such later date as may be specified by vote of the Board with a written concurrence by the Applicant, shall result in the automatic rescission of the approval of the plan.
8. Lots within the subdivision may be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Planning Board and specifically enumerating the lots to be released thereunder.
9. Title reference see Deed recorded with the Middlesex South District Registry of Deeds in Book 34465, Page 217.

Executed as sealed instrument this ____ day of _____, 2025.

TROPEANO REALTY COMPANY LLC

Valerie A. Giacalone
Authorized Signatory

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss _____, 2025

On this ____ day of _____, 2025, before me, the undersigned notary public, personally appeared Valerie A. Giacalone, Authorized Signatory as aforesaid, who proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding document and acknowledged to me that she signed it voluntarily for its stated purposes as his free act and deed as the Authorized Signatory of Tropeano Realty Company LLC.

Notary Public
My commission expires:

Accepted on November 19, 2025
Town of Lexington Planning Board

COVENANT

Oxbow Realty Trust VI, u/d/t dated February 14, 1995 and recorded with the Middlesex South District Registry of Deeds as Document No. 968856, The Tri-S Lexington Realty Trust, u/d/t December 20 1991, and recorded with the Middlesex South District Registry of Deeds as Document No. 861947, and Tri-S302 Realty Trust u/d/t dated January 22, 1996, and filed with the Land Registration Section of the Middlesex South District Registry of Deeds as Document No. 994357, (collectively, the "Owner") submitted an application to the Lexington Planning Board (the "Board") on September 8, 2025, for the approval of a plan entitled "Subdivision Plan Located in Lexington, MA (Middlesex County)", 251-253, 267-275, and 301 Massachusetts Avenue, Lexington, MA, Prepared for Sean Maloney, Trustee. dated September 5, 2025 and revised on September 11, 2025 prepared by Patriot Engineering, Lexington, Massachusetts (the "Definitive Plan") consisting of 15 sheets. The application was submitted to the Town Clerk on September 8, 2025.

In consideration of the Lexington Planning Board approving said plan without requiring a performance bond or other surety, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the Owner, who is the owner of all the land included in the aforesaid subdivision, represents, covenants and agrees with the Town pursuant to Massachusetts General Law, Chapter 41, Section 81U, as amended as follows:

1. Applicant is the owner in fee simple of all the land included in the aforesaid subdivision, and there are no mortgages of record or otherwise on any of said land.
2. No lot shall be built upon or conveyed until the construction of ways and the installation of municipal services have been approved to serve such lot in accordance with any covenants, conditions, agreements, terms, and conditions specified in the following:
 - a. The Application for Approval, dated September 8, 2025 and submitted to the Town Clerk on September 8, 2025, as qualified by the definitive plan prepared by Patriot Engineering as revised through September 11, 2025, as approved.
 - b. The Planning Board's Development Regulations governing this development.
 - c. The Definitive Plan as approved with conditions on October 22, 2025.
 - d. Other document(s) specifying construction to be completed, namely:

It is understood and agreed that the lots within the development shall, respectively, be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Board specifically enumerating the lots to be released.

3. This Covenant shall be binding upon and inure to the benefit of the successors and assigns of the Applicant. It is understood and agreed that this Covenant shall run with the land included in the aforesaid subdivision and shall operate as a restriction upon said land.
4. The ways and municipal services required to serve the lots in said subdivision shall be installed and constructed as shown on the definitive plan and in accordance with the Subdivision

Regulations adopted by the Board, with such modifications or conditions, if any, as have been imposed by the Board, before such lot may be conveyed other than by a mortgage deed; provided

that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot subject to the limitation that no lot shall be conveyed until such ways and services have been provided to serve such lot, unless explicitly allowed in writing by the Planning Board; and provided further that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to this Covenant, of either the entire parcel of land shown on said subdivision plan or of all lots shown on such plan not previously released by the Board.

5. Reference to this Covenant shall be entered upon said plan and this Covenant shall be recorded when said plan is recorded.

6. This Covenant shall take effect upon the endorsement of said plan and shall promptly be recorded with the Middlesex South Registry of Deeds by the Applicant with the appropriate marginal reference to the Covenant placed on the plan.

7. Upon final completion of the construction of ways and installation of municipal services as specified herein, in or within two (2) years, the Board shall release this covenant by an appropriate instrument duly recorded. Failure to complete construction and installation within the time specified herein, or such later date as may be specified by vote of the Board with a written concurrence by the Applicant, shall result in the automatic rescission of the approval of the plan.

8. Lots within the subdivision may be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Planning Board and specifically enumerating the lots to be released thereunder.

9. Title reference see Deed recorded with the Middlesex South District Registry of Deeds in Book 81335, Page 256.

Executed as sealed instrument this ____ day of _____, 2025.

Oxbow Realty Trust VI

Sean P. Maloney
Trustee

The Tri-S Lexington Realty Trust

Sean P. Maloney
Trustee

Tri-S302 Realty Trust

Sean P. Maloney
Trustee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

_____, 2025

On this ____ day of _____, 2025, before me, the undersigned notary public, personally appeared Sean P. Maloney, who proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding document and acknowledged to me that she signed it voluntarily for its stated purposes as his free act and deed as the Trustee of Oxbow Realty Trust, The Tri-S Lexington Realty Trust, and Tri-S302 Realty Trust.

Notary Public
My commission expires:

Town of Lexington Planning Board
November 19, 2025

COVENANT

Curtain Realty Trust (the "Owner") submitted an application to the Lexington Planning Board (the "Board") on September 12, 2025, for the approval of a plan entitled "Subdivision Plan Located in Lexington, MA (Middlesex County)", 419 Marrett Road, Lexington, MA, Prepared by Patriot Engineering, Lexington, Massachusetts (the "Definitive Plan") dated September 11, 2025 and revised on September 16, 2025. The application was submitted to the Town Clerk on September 15, 2025.

In consideration of the Lexington Planning Board approving said plan without requiring a performance bond or other surety, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the Owner, who is the owner of all the land included in the aforesaid subdivision, represents, covenants and agrees with the Town pursuant to Massachusetts General Law, Chapter 41, Section 81U, as amended as follows:

1. Applicant is the owner in fee simple of all the land included in the aforesaid subdivision, and there are no mortgages of record or otherwise on any of said land.
2. No lot shall be built upon or conveyed until the installation of municipal services have been approved to serve such lot in accordance with any covenants, conditions, agreements, terms, and conditions specified in the following:
 - a. The Application for Approval, dated September 12, 2025, and submitted to the Town Clerk on September 15, 2025, as qualified by the definitive plan for 419 Marrett Road prepared by Patriot Engineering, revised on September 16, 2025 as approved.
 - b. The Planning Board's Development Regulations governing this development.
 - c. The Definitive Plan as approved with conditions on October 22, 2025 .
 - d. Other document(s) specifying construction to be completed, namely an executed access and utility easement.

It is understood and agreed that the lots within the development shall, respectively, be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Board specifically enumerating the lots to be released.

3. This Covenant shall be binding upon and inure to the benefit of the successors and assigns of the Applicant. It is understood and agreed that this Covenant shall run with the land included in the aforesaid subdivision and shall operate as a restriction upon said land.
4. The municipal services required to serve the lots in said subdivision shall be installed and constructed as shown on the definitive plan via an access and utility easement and in accordance with the Subdivision Regulations adopted by the Board, with such modifications or conditions, if any, as have been imposed by the Board, before such lot may be conveyed other than by a mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot subject

to the limitation that no lot shall be conveyed until such ways and services have been provided to serve such lot, unless explicitly allowed in writing by the Planning Board; and provided further that nothing herein shall be deemed to prohibit a conveyance by a single

deed, subject to this Covenant, of either the entire parcel of land shown on said subdivision plan or of all lots shown on such plan not previously released by the Board.

5. Reference to this Covenant shall be entered upon said plan and this Covenant shall be recorded when said plan is recorded.

6. This Covenant shall take effect upon the endorsement of said plan and shall promptly be recorded with the Middlesex South Registry of Deeds by the Applicant with the appropriate marginal reference to the Covenant placed on the plan.

7. Upon final completion of the municipal services as specified herein, in or within two (2) years, the Board shall release this covenant by an appropriate instrument duly recorded. Failure to complete construction and installation within the time specified herein, or such later date as may be specified by vote of the Board with a written concurrence by the Applicant, shall result in the automatic rescission of the approval of the plan.

8. Lots within the subdivision may be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Planning Board and specifically enumerating the lots to be released thereunder.

9. Title reference see Deed recorded with the Middlesex South District Registry of Deeds in Book 71433, Page 504.

Executed as sealed instrument this day of , 2025.

CURTAIN REALTY TRUST

Amy S Griffin
Authorized Signatory

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss _____, 2025

On this day of _____, 2025, before me, the undersigned notary public, personally appeared Amy S Griffin, Authorized Signatory as aforesaid, who proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding document and acknowledged to me that she signed it voluntarily for its stated purposes as his free act and deed as the Authorized Signatory of 240 Bedford LLC.

Notary Public
My commission expires:

Town of Lexington Planning Board
November 19, 2025

COVENANT

Curtain Realty Trust (the "Owner") submitted an application to the Lexington Planning Board (the "Board") on September 12, 2025, for the approval of a plan entitled "Subdivision Plan Located in Lexington, MA (Middlesex County)", 439 Marrett Road, Lexington, MA, Prepared by Patriot Engineering, Lexington, Massachusetts (the "Definitive Plan") revised through September 16, 2025. The application was submitted to the Town Clerk on September 15, 2025.

In consideration of the Lexington Planning Board approving said plan without requiring a performance bond or other surety, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the Owner, who is the owner of all the land included in the aforesaid subdivision, represents, covenants and agrees with the Town pursuant to Massachusetts General Law, Chapter 41, Section 81U, as amended as follows:

1. Applicant is the owner in fee simple of all the land included in the aforesaid subdivision, and there are no mortgages of record or otherwise on any of said land.
2. No lot shall be built upon or conveyed until the installation of municipal services have been approved to serve such lots A and B in accordance with any covenants, conditions, agreements, terms, and conditions specified in the following:
 - a. The Application for Approval, dated September 12, 2025 and submitted to the Town Clerk on September 15, 2025, as qualified by the definitive plan for 439 Marrett Road, prepared for Curtin Realty Trust, dated September 16, 2025 as approved.
 - b. The Planning Board's Development Regulations governing this development.
 - c. The Definitive Plan as approved with conditions on October 22, 2025.
 - d. Other document(s) specifying construction to be completed, namely:

It is understood and agreed that the lots within the development shall, respectively, be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Board specifically enumerating the lots to be released.

3. This Covenant shall be binding upon and inure to the benefit of the successors and assigns of the Applicant. It is understood and agreed that this Covenant shall run with the land included in the aforesaid subdivision and shall operate as a restriction upon said land.
4. The municipal services required to serve the lots in said subdivision shall be installed and constructed as shown on the definitive plan and in accordance with the Subdivision Regulations adopted by the Board, with such modifications or conditions, if any, as have been imposed by the Board, before such lot may be conveyed other than by a mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot subject to the limitation that no lot shall be conveyed until such ways and services have been provided to serve such lot, unless explicitly

allowed by the Planning Board; and provided further that nothing herein shall be deemed to prohibit a conveyance by a single

deed, subject to this Covenant, of either the entire parcel of land shown on said subdivision plan or of all lots shown on such plan not previously released by the Board.

5. Reference to this Covenant shall be entered upon said plan and this Covenant shall be recorded when said plan is recorded.

6. This Covenant shall take effect upon the endorsement of said plan and shall promptly be recorded with the Middlesex South Registry of Deeds by the Applicant with the appropriate marginal reference to the Covenant placed on the plan.

7. Upon final completion of the municipal services as specified herein, in or within two (2) years, the Board shall release this covenant by an appropriate instrument duly recorded. Failure to complete construction and installation within the time specified herein, or such later date as may be specified by vote of the Board with a written concurrence by the Applicant, shall result in the automatic rescission of the approval of the plan.

8. Lots within the subdivision may be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Planning Board and specifically enumerating the lots to be released thereunder.

9. Title reference see Deed recorded with the Middlesex South District Registry of Deeds in Book 57347, Page 411.

Executed as sealed instrument this day of , 2025.

CURTAIN REALTY TRUST

Amy S Griffin
Authorized Signatory

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

, 2025

On this day of , 2025, before me, the undersigned notary public, personally appeared Amy S Griffin, Authorized Signatory as aforesaid, who proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding document and acknowledged to me that she signed it voluntarily for its stated purposes as his free act and deed as the Authorized Signatory of 240 Bedford LLC.

Notary Public

My commission expires:

Town of Lexington Planning Board
November 19, 2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Review of potential Zoning Amendment recommendations for Annual Town Meeting 2026

PRESENTER:

Board & Staff Discussion

ITEM NUMBER:

SUMMARY:

Annual Town Meeting warrant soon to be open. Annual Town Meeting expected to begin the last Monday in March. Planning Board to discuss articles to be submitted to the Select Board in December.

Review of potential zoning amendment recommendations for Annual Town Meeting 2026. Full Zoning Bylaw (Chapter 135).

- Amend §135-6.7 Accessory Apartments to comply with new state requirements adopted in the 2024 Affordable Homes Act and EOHLC Regulations
- Amend the rounding calculation in the Village Overlay Districts §135-7.5.12.1 when the result is a fractional dwelling unit
- Technical corrections to fix any errors (placeholder to correct any typos discovered)

The Planning Board typically sends a list of requested warrant articles to the Select Board in December (Dec. 10 meeting). The Board members should discuss timing, the workload, and recommendations for any articles that could be ready for public hearings in late January or early February timeframe. Recommendations reports are due in March.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Potential future Zoning Amendments for discussion

PRESENTER:

Board Discussion

ITEM NUMBER:

SUMMARY:

Potential future Zoning Amendments the Board may wish to discuss, but discussion is not limited to, the following sections of the zoning bylaw. The following areas have been raised in the past. Full Zoning Bylaw (Chapter 135) here.

- Special Residential Developments §135-6.9
- Bicycle Parking Requirements §135-5.1.8. A memo from the Bicycle Advisory Committee is attached.
- Residential Gross Floor Area definition §135-10.0 and maximum limits §135-4.4

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

ATTACHMENTS:

Description	Type
☐ Lex BAC letter	Cover Memo



Town of Lexington, Massachusetts

Bicycle Advisory Committee

BETTY GAU, CHAIR
DAVID ARMSTRONG
JONATHAN BERNAYS
JAMES CADENHEAD
SUZAN CHEN
JASON DEARLING
SARAH HEWS
JONATHAN SCHWARZ
THOMAS SHIPLE

Date: November 14, 2025

To: Ms. Abby McCabe, Planning Director Town of Lexington, and the Planning Board

CC: Select Board

Re: Bicycle Parking Zoning Bylaw

Dear Ms. McCabe and Planning Board,

We are writing to express our continued interest in having the Planning Board bring an article to Annual Town Meeting 2026 to update Lexington's zoning bylaw to require bicycle parking for additional land uses in new developments. Currently, the only land uses requiring bicycle parking are office, manufacturing, research or laboratory uses (Ch 135-5.1.8), and residential uses requiring Site Plan Review (Ch 176-12.4.2.4). For example, municipal buildings, day care centers, recreation facilities, retail businesses and restaurants currently have no requirement to provide bicycle parking.

In October 2024 we forwarded to staff a draft bike parking table for your consideration. We would be happy to work with you to refine this draft both in the description of land uses and the amount of bike parking required.

On a separate note, we would like to thank you for your work this past summer in updating the bike parking regulations under Site Plan Review.

Sincerely,
Betty Gau, Bicycle Advisory Committee, Chair

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Planning Board comments for ZBA

PRESENTER:

ITEM NUMBER:

SUMMARY:

The Planning Board may discuss sending any additional comments to the Zoning Board of Appeals (ZBA). On November 13, the Zoning Board opened the public hearing on the application at 591 Lowell Street. The hearing was ultimately continued to December 11. The meeting recording should soon be available on LexMedia. The letter sent from the Planning Board and the staff memo are attached. If the Board wishes to provide any further information or an additional letter for the ZBA's December 11 meeting the Board should discuss on November 19.

The application material can be found here: <https://lexingtonma.portal.opengov.com/records/110809>

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

ATTACHMENTS:

Description	Type
▣ PB Letter to ZBA	Cover Memo
▣ Staff Memo to ZBA	Cover Memo



Town of Lexington

PLANNING BOARD

1625 Massachusetts Avenue

Lexington, MA 02420

Tel (781) 698-4560

planning@lexingtonma.gov

www.lexingtonma.gov/planning

Michael Schanbacher, Chair

Melanie Thompson, Vice Chair

Tina McBride, Clerk

Robert Creech, Member

Charles Hornig, Member

Michael Leon, Associate Member

To: Members of the Zoning Board of Appeals

From: Members of the Planning Board

Date: November 4, 2025

Re: Planning Board Comments on 591 Lowell Street Proposal

At a meeting of the Planning Board held on October 22, 2025, the Planning Board agreed to send a letter of support to the Zoning Board of Appeals on the application from Causeway Development. The development is located on the Lexpress B route, which goes to Lexington Center, the Burlington Mall and Lahey Clinic areas in Burlington. The Board encourages increased bus service on Lowell Street and notes that, with the increase in housing, there could be additional demand for bus service on Lowell Street. The Planning Board will review the proposal further at the Planning Board's next meeting and will send any additional comments on the site plan and waiver requests to the Zoning Board for your December meeting.

Previous discussion of the project during the project eligibility comment period and at the 2024 Town Meeting article, the Planning Board had the following positive comments:

- 1) Consistent with the housing goals in the 2022 Lexington Next Comprehensive Plan by increasing the supply of subsidized housing and a range of housing types;
- 2) Housing for people of range of incomes below the most commonly used 80% Area Median Income threshold;
- 3) Efficient design with solar proposed on the building roofs;
- 4) Site design with parking under the buildings and away from the wetlands;
- 5) Design includes indoor and outdoor gathering space; and
- 6) Integrating bicycle parking and walkways for the residents.

Sincerely,

Michael Schanbacher, Planning Board Chair



TOWN OF LEXINGTON
**LAND USE, HOUSING
& DEVELOPMENT**

1625 Massachusetts Avenue
Lexington, Massachusetts 02420
Tel: 781-698-4560
planning@lexingtonma.gov
www.lexingtonma.gov/planning



To: Town of Lexington Zoning Board of Appeals

From: Carol Kowalski, Assistant Town Manager for Development
Abby McCabe, Planning Director
Olivia Lawler, Zoning Administrator
Meghan Roche, Assistant Planning Director
Aaron Koepper, Planner
EmmaJean Anjoorian, LUHD Department Assistant/Zoning Clerk

Re: 591 Lowell Street (Lexington Woods) ZBA Application Review Comments

Date: November 5, 2025

Property Information	
Project Address	591 Lowell Street (Previously listed as 0 Lowell Street)
Parcel ID	Map 68 Lot 44
Permit #	ZBA-25-23
Property Owner	Town of Lexington
Type of Review	Comprehensive Permit, MGL c. 40B, §21 and ZBA Regulations c. 138
Zoning District	GC (Government Civic)
Property Size	3.11 Acres or 135,697 SF
Existing Site Conditions	The site is an undeveloped wooded area with bordering wetlands and buffer zones in the rear of the property in the north easterly corner.

Important Dates / Timelines	
Public Hearing Date	November 13, 2025
Filed with Town Clerk	October 17, 2025
Date to close the public hearing (180 days after opening)	May 12, 2026
Final Decision Issuance (40 days after close of hearing)	June 21, 2026

Approval Information	
Action Required at Decision Deadline	The ZBA may approve as proposed, approve with conditions, or deny only if the ZBA finds it cannot impose reasonable conditions to protect health safety, open space, and building design concerns. The Housing Appeals Committee does not generally support disapprovals.
Applicability	In MGL C. 40B the Comprehensive Permit Law was enacted to facilitate the construction of low- or moderate-income housing. The consolidated permit process allowing the ZBA to waive local regulations was established to ensure low- and moderate-income housing is available by overriding regulatory barriers. The multi-family use is considered an allowed use through the Comprehensive Permit process.
Requested Waivers or Waivers Needed	<u>Board of Appeals Regulations:</u> c. 138-22A(8) – Partial waiver request from providing floor, roof, and foundation plans for all buildings and wall sections with electrical, plumbing and mechanical details. c. 138-25C(4) – Request relief from 10-ft. by 20-ft. parking space size to provide 9 ft. by 22 ft. parallel spaces and 9 ft. by 18 ft. spaces c. 138-25C(5) – To allow less than 30-ft. between buildings, 20.7 ft. proposed between Building B & C and 23 ft. between Building C & D. <u>Zoning Bylaw (c. 135):</u> c. 135-5.1.13.2 – Request more than 33% compact spaces. c. 135-Table 2 for Single-Family Residential maximum height is 40-feet & 2.5 stories. Buildings range from 43.6 to 46.3 feet & 3 stories proposed. c. 135-5.1.11 to allow parking within 10.4 ft. of the street line, where 25 feet is required in the GC the district. c. 135-5.3.5 relief for the width or depth of the transition area between zoning districts where 20-ft. is required in the GC.

	c. 135-5.5 Traffic Standards. Relief from certain traffic standard requirements/acceptance of report. c. 135-5.1.11 Minimum Yards for Parking – Parking space within 5-ft. of a wall of a principal building General Bylaw: c. 120-4(B) – for the Zoning Board to waive the jurisdiction of the Tree Bylaw to be within the ZBA’s jurisdiction and condition a final landscape plan be submitted as a condition of approval.
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Background & History
Parcel 68-44 was a gift from the state in 1978 for purposes of conservation, recreation or housing. Recreation and Conservation Commissions do not wish to use the site. At Annual Town Meeting in April 2024, Town Meeting voted to authorize the Select Board to pursue and authorize an affordable housing development at the Town-owned parcel at 68-44 at the corner of Lowell Street and North Street. On April 22, 2024, the Conservation Commission reviewed an Abbreviated Notice of Resource Area Delineation and approved the boundaries of the Bordering Vegetated Wetlands and the 200-ft. Riverfront Area as shown on the plan revised through April 2, 2024, pursuant to MGL c. 131, § 40 (CORD-24-1). A Request for Proposals was issued in August 2024. In the fall of 2024, the Select Board selected Causeway Development to be the applicant to develop the land for affordable housing and they entered a Land Disposition Agreement (LDA) on February 5, 2025. After permitting, and after all conditional agreements outlined in the Agreement, and after closing of the property, the Applicant will own and maintain management of the property. Lexington’s Subsidized Housing Inventory is currently at 11.07% and above the state’s required minimum of 10% of the Town’s total housing stock. With the Select Board’s authorization of the Comprehensive Permit application, this proposal is considered a “friendly 40B” application to further the Town’s goal to create more affordable housing units. On August 6, 2025, the EOHLC approved the proposal and issued the project eligibility letter, which allows the Comprehensive Permit application to be submitted to the ZBA.

Project Summary
The project proposes a 100% affordable housing community on the 3.1-acre property. The development includes a total of 40 dwelling units in four buildings composed of: 14 one-bedroom dwelling units, 18 two-bedroom dwelling units, and 8 three-bedroom dwelling units. The buildings are three stories with an elevator. The dwelling units will be restricted to households with income levels range from 30-80% of the Area Median

Income (AMI). The proposal also includes 60 vehicular parking spaces, a shared outdoor space and a shared community room, landscaping, bicycle parking, stormwater improvements, and rooftop solar. The unit sizes range from 590 SF to 1,042 SF. 30 vehicular parking spaces are located under the buildings and additional parking spaces are surface spaces.

The Zoning Board hired a peer review consultant to assist in this review. A peer review memo from Dylan O'Donnell of Apex Companies is in a separate memo and focused on site stormwater management, sanitary sewer, water supply and other utility elements, and traffic.

The Board members, the peer review consultant, and staff visited the project site on November 5, 2025.

Waiver Requests

The Applicant has submitted a list of waivers requesting relief from certain sections in the Zoning Bylaw (Chapter 135 of the Code of Lexington) and the Board's Regulations (Chapter 138). Through the Comprehensive Permit process the Board of Appeals has authority under M.G.L. chapter 40B and its implementing regulations to waive requirements of local bylaws and can act on behalf of any other local permitting authority through the Comprehensive Permit process. The ZBA should consider the waiver request but need not make specific findings under the variance criteria of §135-9.2.2.2. The following are staff comments on the waiver requests.

Board Regulations Ch. 138

c. 138-22A(8) – Waiver request from providing floor, roof, and foundation plans for all buildings and wall sections with electrical, plumbing and mechanical details.

Staff support this waiver request. The Comprehensive Permit law permits applicants to submit preliminary and less detailed plans. Staff believe the submitted site plan prepared by a registered professional engineer, the architectural plans prepared by Merge Architects, and the submitted graphics are sufficient for understanding the proposal. Staff consider this a partial waiver request.

c. 138-25C(4) – Request relief from 10-ft. by 20-ft. parking space size to provide 9 ft. by 22 ft. parallel spaces and 9 ft. by 18 ft. spaces.

Most of the parking spaces appear to be 9 ft. by 18 ft. but the applicant should confirm in an updated set of plans because not all spaces are labelled. The four parallel spaces are shown as 9 ft. by 22 ft. Staff support this request because the proposed dimensions of the 30 carport parking spaces and the 4 parallel parking spaces meet the minimum dimensional requirement required by the Zoning Bylaw. Staff support the 18-foot length of the remaining 26 uncovered parking spaces because (1) the Zoning Bylaw allows for up to 2 feet of unpaved landscape to be included in the space depth and (2) neighboring communities including Arlington, Burlington and Woburn allow 18 feet for a standard parking space.

c. 138-25C(5) – To allow less than 30-ft. between buildings, 20.7 ft. proposed between Building B & C and 23 ft. between Building C & D.

The Assistant Fire Chief has reviewed the proposal and does not have concern with the fire department's access to the buildings and to the full size. A more condensed site layout to limit the disturbed areas is preferred to stay further away from the wetland areas. Staff support this request.

c. 138-25C(3) – Minimum usable outdoor open space: 1,000 square feet per dwelling unit, exclusive of the required vehicular area and unusable lands.

No waiver has been requested from the Board's open space requirements, but the Applicant should show on the plan the square footage of the open space to confirm the amount of useable open space. The proposal includes an outdoor community space with a pavilion, walking path and lawn areas behind the buildings, and patios.

Zoning Bylaw Ch. 135

c. 135-5.1.13.2 [Number of Compact Cars] for relief from 5.1.13(1)(a) Dimensions – Request for more than 33% of the parking spaces to be compact.

Staff request more information on the size of all the parking spaces. The Zoning Bylaw considers compact spaces to be 8.5 ft. by 15 ft. It is not clear that this waiver is necessary if there are no spaces of that size. Please provide the number of spaces requesting relief for the Board's review.

c. 135-3.4 Table 1, Permitted Uses for multi-family housing in the GC district.

The affordable multi-family residential use is permitted pursuant to the Comprehensive Permit law and 2024 Town Meeting Article 33. Staff consider this a project finding rather than a waiver request.

c. 135 – Table 2 Request to exceed the 2.5 story and 40 ft. residential height limit to allow 3 stories and 43.3 ft. based on the average natural grade. Building A – 43.6 ft., Building B 48.2 ft., Building C – 46.3 ft., Building D – 44.1 ft.

The roofs are sloped to minimize the mechanical equipment and maximize solar. The lowest point of the roof is 33 ft. Staff support the 3 stories and height request because it maximizes the site design by providing affordable housing with less impervious surface further from the wetland buffer areas. The slope and grade of the site is lower than Lowell Street and so will reduce the perception of the building height in relation to the street.

c. 135-4.4.2.2 – Request to exceed the maximum Gross Floor Area (GFA) to allow a total GFA of 48,886 SF where 17,769.7 SF is the maximum.

The GFA maximum applies to one- and two-family dwellings. Staff support this request to provide housing for 40 households in homes ranging in size from 590 SF to 1,042 SF. The average size of new single-family homes over the last several years has exceeded 5,000 SF. The proposal for smaller homes is consistent with both LexingtonNext, (the Town's Comprehensive Plan), and with the intent of the GFA bylaw of creating smaller and median sized homes to provide a more diverse housing stock which limits the massing of buildings.

c. 135-5.1.11 – Request to allow parking within 25 ft. of the street line (10.4 ft.) proposed for parallel spaces across from Building B and the surface parking spaces across from Building C; and to allow parking spaces and maneuvering aisles within 5 feet of the wall of a principal building.

The first parallel parking space in front of Building B is proposed to be 10.4 ft. from the street line. A total of 8 parking spaces is proposed to be within the 25 ft. street line. Staff recommend landscape screening at least 4 ft. high along the 4 spaces across from Building C where the vehicle headlights would be facing Lowell Street. Given the steep downward slope away from the street line, with the addition of landscaping, the vehicles parked within 25 feet of the street line should be less visible from the street than if there was no grade change from the street. Staff support this request because the proposed design of the buildings requires most vehicles to park in a carport-style space and the width of the maneuvering aisle is wider than necessary (due to Fire Dept. requirements), so there is ample space to maneuver vehicles away from the building.

c. 135-5.1.13 – Request to waive dimensional standards for parking space and maneuvering aisles.

Staff request the applicant provide clarity on this specific request. Most of the parking spaces and maneuvering aisles appear to comply with the dimensional standards. However, staff noticed that the parking spaces under the buildings when next to a building column are required to be 3 ft. from any wall/column (5.1.13.c) and all parking and driveways 5 ft. from a wall of a principal building. Staff support the request for the parking spaces to be located under the building and not with 12 ft. wide spaces. Staff acknowledge that the parking design standards section of the Bylaw was originally designed for commercial uses and has not been updated for residential uses. Staff believe the 9 by 19 ft. parking spaces will be manageable for the residents.

c. 135-5.3.5 – Request to provide less than a 20 ft. wide landscape transition area between zoning districts.

This section of the Zoning Bylaw requires a landscape transition area of a certain depth to provide screening. Staff believe the proposal is generally compliant by providing a landscape buffer around the development but with building A being within 15 ft. of the property line. Staff recommend the final landscape plan consists of deciduous and evergreen plantings and shrubs to provide buffering and year-round screening. Plantings should be with native materials with tall and small trees, shrubs, and ground covers.

c. 135-5.5 – Request to waive or accept the submitted traffic study.

The traffic assessment submitted should be updated to reflect the changed site plan layout included in the traffic report sheet L1-00. The traffic study has been provided to the peer review consultant and is awaiting further comments on the report. The report recommends maintaining the visibility at the site's entrance, a transportation coordinator to facilitate carpooling, a welcome packet for new residents with information about public transportation options and keeping internal traffic flow moving smoothly (Report page 22-24). If the Applicant is requesting waivers from any specific section of 5.5, that should be specified for the Board's consideration.

General Bylaw – Ch. 120

c. 120-8.B – Request to waive the requirement for the submission of a site plan stamped by a registered surveyor showing the tree species, DBH for all trees 6-inches or greater to be removed.

The Applicant has submitted an Erosion & Sediment Control Plan that includes the limit of work and shows the trees to be removed primarily in the main development area but does not include a survey that includes a list of all types and sizes of the trees to be removed. Staff feel this plan is sufficient to understand there will be significant tree removal for the development but the rear Easterly corner closest to the wetlands will remain undisturbed, as will a border along Lowell Street.

c. 120-4(b) – Request the Zoning Board waive jurisdiction of the Tree Bylaw to be consolidated into the ZBA's application.

The bylaw allows "For sites under the jurisdiction of the Planning Board or Zoning Board of Appeals, the Planning Board or Zoning Board of Appeals may, by including in their findings an explanation of the reasons, waive in part or in full this bylaw when they deem it necessary for the good of the community."

c. 120-8C – Request to waive full mitigation based on the caliper replacement of the protected trees to be removed.

Staff recommend a preliminary landscape plan be submitted so the Board can review to verify that as much landscaping and new trees are maximized and recommend a final landscape plan with the species could be considered as a condition of approval but request the types of trees and plantings and general locations be provided to the ZBA's review.

Staff Comments

The application and plans were sent to various town departments on October 17 and to various boards and committees on October 21. Below is a summary of any staff and board comments.

Inclusionary Housing: Planning staff recommend consistency with the Planning Board's local preference recommendation for multi-family developments. In this case, the recommendation would be that 25% of the

dwelling units (10) be recommended to the subsidizing agency for local preference at the initial leasing phase. Local preference is available for current Lexington residents, employees of any organization or business in Lexington, and households with children attending Lexington public schools.

Staff recommend an Affordable Fair Housing Marketing Plan be submitted to staff and the RHSO prior to any marketing of the units.

Staff request a **preliminary landscape plan** be submitted for the Board's review showing the proposed locations and preliminary planting schedule with the types (tall deciduous, tall evergreen, buffering, small trees etc.) of trees. All proposed plantings and trees should be native and be on the Conservation Commission's [approved planting list](#), the [Planning Board's preferred list](#), or the [Tree Committee's list](#) (page 11-22). Trees along the street are recommended to be species that will grow tall. If a preliminary plan is reviewed staff believes the request for a final landscape plan as a condition of approval is reasonable.

It is recommended that prior to building occupancy, the developer and staff review locations on the site for "No Parking" signage and other wayfinding signage as necessary, and such signage be installed.

Staff recommend creating three 10 ft. by 3 ft. spaces for larger cargo bicycles in the community building. The development proposes 30 wall-mounted bike racks in the carports under the buildings, 10 U-style in the community building, and 16 lift-assisted spaces in the community building for a total of 60 bicycle parking spaces.

Staff recommend that the developer work with staff to determine the safest location for school-aged children to wait for the school bus. It should be assumed that a school bus will not enter the site for pick up or drop off.

The white "do not block" box on Lowell Street will require approval from the Department of Public Works and if approved, it should be determined who will be installing and maintaining the road striping in perpetuity, as it will likely need repainting often on Lowell Street.

The architectural renderings appear to show a different color/material for the parking spaces under the buildings; however, the civil plans only show bituminous concrete. Planning Staff support a difference in material type or color for the drive aisle and parking spaces to better separate the two visually. This is especially apparent for the spaces where vehicles are only partially covered by the building carport. This could help discourage double parking and blocking the driving aisle.

It is recommended that landscaping, snow removal, trash/recycling/composting be managed by a property management company.

Health:

The Health Department has no concerns but recommends a condition of approval that the Applicant submit a dust control and a rodent control plan to the Board of Health prior to demolition and construction.

Transportation Manager:

Recommend providing room at the front of the property along Lowell Street for an accessible bus shelter. Supportive of the parking design standards request for smaller sized parking spaces.

Sustainability & Resiliency Officer:

The development is designed to be all-electric and follow the Specialized Energy Code. Solar is proposed on the roofs of the buildings to power the heating and cooling for the apartments, and the design of the roof will maximize sun exposure.

Fire:

The Assistant Fire Chief approves the fire apparatus turning analysis on the site. If there are any e-bike charging in the bike room the room shall be 1-hour fire rated.

Engineering:

The traffic signals improvements are underway along Lowell Street. The signals and associated infrastructure are being upgraded at the Lowell St./North St. intersection along with others. These upgrades will allow any future signal timing changes easy to implement if needed in the future.

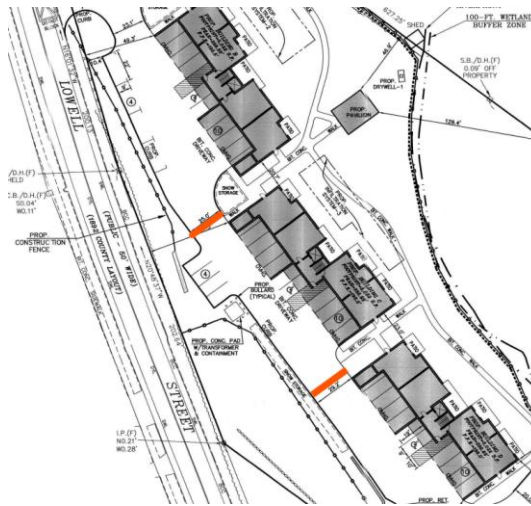
Engineering does not have concerns with the water and sewer proposal, but request profiles be submitted in the next plan submission for review.

Transportation Safety Group (TSG):

The TSG met on November 4. This group includes representatives of Police, Engineering, Planning, School Transportation, Transportation Services, and liaisons from the Transportation Advisory Committee, Bicycle Advisory Committee, Greenways Corridor Committee, and the Commission on Disability. TSG offers the following comments:

- Two sections of speed humps to slow down vehicles on the site. While there is dedicated parking underneath the buildings, pedestrians must cross the driveway to access additional parking areas. Speed humps can be designed in such a way that allows for sizing to match emergency vehicle wheel

well as needed. Recommended location in red below.



- The proposed “Do Not Block” box on Lowell Street should be lengthened to cover the entire driveway opening. Instead of the painted words “DO NOT BLOCK”, TSG recommends a white sign on post and this can be installed within the ROW.
- The Lexpress “flag down” bus service route operates on this section of Lowell and North streets. For this service as well as the school bus, where can residents safely wait?
- Are there plans to connect the concrete walkway that currently ends at the property line and the existing crosswalk ramp at the intersection of Lowell and North streets? This area could be improved to include a waiting area for public transportation services.
- Future connections for consideration: there is a rough trail on the North Street properties (68-45 and 69-99) that could be improved to provide direct access to the Lowell Street crosswalk and connect users to the bike path along Lower Vine Brook. This proposed connection would require improvements to North Street near Adams Street and additional work to improve the existing trail but should be explored.
- Recent improvements were made at the intersection of Lowell St and North St as part of a traffic signal improvement project overseen by the Engineering Department. This project removed existing traffic signal equipment and installed new traffic control and pedestrian equipment. Signal timing at this intersection can be adjusted as necessary.

Town Proposed Improvements:

In addition to the traffic signal improvements currently underway, an additional sidewalk and crosswalk are requested in the FY27 Capital Plan to improve access to an existing paved footpath that the Town had negotiated in 1983 and 1998 across two developments providing safe pedestrian access for the community from Lowell Street to the shopping plaza.

Outdoor Lighting:

A lighting plan showing the proposed light fixture specifications, locations, and photometrics was not submitted and is due at time of building permit (§5.4.3). The applicant requests this be a condition of approval to be submitted prior to issuance of a building permit. Staff agree the lighting plan can be a condition of approval and

request any light post be no taller than 12 feet from the ground to the heights point of the light fixture. There should be no light spill over the property line except for at the entrance area for the safety of pedestrians. Any lighting for any proposed signage should be downlit.

Questions for the Applicant:

What is the expected construction timeframe? Is it expected that all the buildings will be completed around the same time or will occupancy be phased? This will help the Board determine if a bond or surety should be considered.

Staff Recommendation

At the end of the discussion on November 13, staff recommend the Board request to continue the public hearing to a specific date, time, and place and make the announcement at the meeting. The next hearing date will depend on the comments received by the peer review consultant, the comments from the hearing, and how quickly the Applicant can prepare responses. The date will be set by the Board at the end of the discussion on November 13.

If the hearing is continued to the following Board's meeting on Thursday, December 11 at 7:00 pm on Zoom, written responses and revised material should be received by Monday, November 24.

If the hearing is continued to the Board's meeting on Thursday, January 8 at 7:00 pm on Zoom, written responses and revised material should be received by Monday, December 8.

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Board Member - Committee Positions and Liaison Assignments

PRESENTER:

ITEM NUMBER:

SUMMARY:

Board Member committee memberships and liaison assignments. Assignment of new Planning Board member for Housing Partnership Board and Hanscom Area Towns Committee. List from May 2025 attached.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

ATTACHMENTS:

Description	Type
 Committee Members and Liaison Assignments	Exhibit

Planning Board Representatives/ Liaisons to Boards & Committees May 7, 2025

Select Board Appointments

Board/ Committee	Role	Planning Board Designee
Housing Partnership Board	Voting Member	Mr. Hornig (9/2027)
Vision for Lexington Committee	Voting Member	Mr. Schanbacher (9/2027)

Planning Board Appointments

Board/ Committee	Role	Planning Board Designee
MAGIC (MAPC Subregion) alternate	Voting Member	Mr. Creech (6/2026)
Hanscom Area Towns Committee	Voting Member	Mr. Hornig (9/2026)
Community Preservation Committee	Voting Member	Mr. Creech (6/2027)
Economic Development Advisory Committee	Liaison	Mr. Hornig (6/2028)
Transportation Advisory Committee	Liaison	Ms. McBride (6/2028)
Bicycle Advisory Committee	Liaison	Ms. Thompson (6/2028)
Sustainable Lexington Committee	Liaison	Mr. Creech (6/2028)
Greenways Corridor Committee	Liaison	Mr. Creech (6/2028)
Lexington Center Committee	Liaison	Ms. McBride (6/2028)
Turning Mill NCD	Voting Member	Mr. Schanbacher (10/31/2027)
Pierce- Lockwood NCD	Voting Member	Mr. Creech (10/31/2026)
Design Advisory Committee	Liaison	Mr. Schanbacher (6/2028)

Planning Board Observing

Board/ Committee	Role	Planning board Designee
Tree Committee		Mr. Schanbacher
Historic Districts Commission		Ms. McBride
Historic Commission		Ms. Thompson
Conservation Commission		Mr. Hornig
Zoning Board of Appeals		Ms. Thompson

School Committee Appointments

Board/ Committee	Role	Planning Board Designee
School Master Plan Advisory Committee (School appointment)	Voting Member	Mr. Schanbacher

Tally: Schanbacher = 5; Creech = 5; Hornig = 4; Thompson = 3; McBride = 3

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Board Member & Staff Updates

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Review of Draft Meeting Minutes: 10/8

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Upcoming Meetings

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

Wednesday 12/10.

Potential 2026 meeting dates, to be confirmed: 1/7, 1/21, 2/4, & 2/25

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Adjourn – The meeting will continue until all items are finished. The estimated adjournment time is 9:00 pm.

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Zoom Details - <https://www.lexingtonma.gov/377/Access-Virtual-Meetings>

PRESENTER:

ITEM NUMBER:

SUMMARY:

Planning is inviting you to a scheduled Zoom meeting.

Topic: Planning's Zoom Meeting

Time: Nov 19, 2025 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://lexingtonma.zoom.us/j/87330526514?pwd=PI8V4imDk5XtTVyywTNWEjJQOOj8h0.1>

Meeting ID: 873 3052 6514

Passcode: 789098

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/19/2025