

AGENDA

Lexington Planning Board

Wednesday, August 13, 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. **92 Hayden Avenue - Preliminary Subdivision**
Public meeting for a preliminary subdivision to create 3 lots. *Applicant request application be withdrawn*
2. **125 Hartwell Avenue - Definitive Subdivision**
Public hearing for a Definitive Subdivision to create 3 lots.
3. **952 Waltham Street - Village overlay site plan review**
Public hearing for a major site plan review application for a multi-family development in the village overlay district (continued from 3/27, 5/7, & 6/25)
4. **287 Waltham Street - Special Residential Development**
Public hearing for a major site plan review for a special residential development (continued from 4/10 & 6/11)
5. **131 Hartwell Avenue - Definitive Subdivision**
Acceptance of performance guarantee and endorsement of definitive subdivision plan
6. **475 Bedford Street - Definitive Subdivision**
Acceptance of performance guarantee and endorsement of definitive subdivision plan

Board Administration

1. **Board Member & Staff Updates**
Informational Updates from Board and Staff
2. **Review Annual Report**
3. **Review of Draft Meeting Minutes: 7/16**
4. **Upcoming Meetings**

Wednesday August 27
Wednesday September 10
THURSDAY September 25
Wednesday October 8
Wednesday October 22
Wednesday November 19 (tentative: Wed. Nov. 5, if needed)
Wednesday December 10

Adjourn

1. **Adjourn – The meeting will continue until all items are finished. The estimated adjournment time is 9:45 pm.**

Zoom Details

1. **Zoom Details - <https://www.lexingtonma.gov/377/Access-Virtual-Meetings>**
Topic: Planning's Zoom Meeting
Time: Aug 13, 2025 06:00 PM Eastern Time (US and Canada)
Join Zoom Meeting
[https://lexingtonma.zoom.us/j/87377626758?](https://lexingtonma.zoom.us/j/87377626758?pwd=NUJ5RbDAanhELIoN33KGA26cNSdZVl.1)
[pwd=NUJ5RbDAanhELIoN33KGA26cNSdZVl.1](https://lexingtonma.zoom.us/j/87377626758?pwd=NUJ5RbDAanhELIoN33KGA26cNSdZVl.1)

Meeting ID: 873 7762 6758
Passcode: 588130



Meeting broadcast by LexMedia

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

92 Hayden Avenue - Preliminary Subdivision

PRESENTER:

Applicant, Staff and Board
Discussion

ITEM NUMBER:

SUMMARY:

The applicant request this application be withdrawn. Staff recommends the Board vote on the applicant's request to withdraw the application to close out the record.

SUGGESTED MOTION:

Move to accept the Applicant's request dated August 4,2025 to withdraw the preliminary subdivision application submitted on July 10, 2025 for 92-100 Hayden Avenue.

Move to have the Chair sign the draft withdrawal acceptance and make any non-substantive corrections.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

ATTACHMENTS:

Description	Type
 Request to Withdraw	Cover Memo



800 Boylston Street, Suite 1900
Boston, MA 02199

617.236.3300
www.bxp.com

BXP, Inc.
(NYSE: BXP)

August 4, 2025

Lexington Planning Board
Town Office Building
1625 Massachusetts Avenue
Lexington, MA 02420

RE: Request to Withdraw Preliminary Subdivision Application for 92 – 100 Hayden Avenue

Dear Members of the Planning Board:

BXP, on behalf of the Applicant, 92 Hayden Avenue Trust, respectfully requests to withdraw the application for approval of a preliminary subdivision plan for the properties numbered 92 and 100 Hayden Avenue Lexington, MA, with the public Planning Board hearing scheduled for August 13, 2025. BXP also requests that the application fee be refunded. Please reach out to Chris Carr (ccarr@bxp.com) or Rick DeAngelis (rdeangelis@bxp.com) with any questions.

Sincerely,

BXP on behalf of
92 Hayden Avenue Trust

800 Boylston Street
Suite 1900
Boston, MA 02199

Boston

Los Angeles

New York

San Francisco

Seattle

Washington, DC

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

125 Hartwell Avenue - Definitive Subdivision

PRESENTER:

Applicant: Eliot Community Human
Services Inc. / Michael Poracro

ITEM NUMBER:

SUMMARY:

The Planning Board will hold a virtual public hearing on the application of Michael Porcaro c/o Eliot Community Human Services, 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 surrounding a cul-de-sac.

The property is located at 125 Hartwell Avenue, Lexington, MA also known as Map 74, Lot 10 in the CM (Manufacturing) and TMOD (Transportation Management Overlay) zoning districts. A Preliminary Subdivision application was submitted on March 11, 2025 prior to the Special Town Meeting vote when the property was still in the Village High Rise Overlay (VHO) District.

Application material may be viewed here (click file
tab): <https://lexingtonma.portal.opengov.com/records/104159>

Staff memo is attached.

The applicant will present, staff will provide comments, and Board members will discuss and the Chair will open the hearing up to public comments. After public comments the Chair will return to Board discussion.

SUGGESTED MOTION:

After discussion, staff recommends approval with conditions and will prepare a draft approval for the Board's review.

Move to close the public hearing for the definitive subdivision application for 125 Hartwell Avenue.

Move to accept the two waiver requests to submit the soil surveys, soil test results, and owner maintenance documents to be submitted prior to issuance of any building permits.

Move to approve the definitive subdivision for 125 Hartwell Avenue with the 22 conditions of approval as detailed in the draft decision as may be amended this evening.

Move to have the Chair sign the decision and correct any non-substantive errors.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

ATTACHMENTS:

Description	Type
 Staff Memo 8.8.25	Cover Memo



TOWN OF LEXINGTON
PLANNING OFFICE

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



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

To: Lexington Planning Board

From: Aaron Koepper, Planner

Re: Project Review for 125 Hartwell Avenue: Residential Definitive Subdivision

Date: August 8, 2025

Property Information	
Project Address	125 Hartwell Avenue
Applicant / Owner	Eliot Community Human Services Inc. / Michael Poracro
Type of Review	Residential Definitive Subdivision
Permit Number	PLAN-25-31
Parcel ID	Map 74, Lot 10
Zoning District	CM – Manufacturing, TMO-1 (Transportation Management Overlay District for Hartwell Ave.)
Property Size	175,087 SF or ±4 Acres

Land Conditions	
Existing Conditions	The 4-acre property is currently improved by a two-story commercial office building, surface parking with 135 parking spaces, landscaping, and outdoor lighting.
Environmental Conditions	The property slopes down from west to east. Two drainage channels exist along the eastern and southeastern bounds of the lot, and a drainage basin is present along the northern lot line. Wetlands are found both on the project site and on adjacent properties.

Dates & Deadlines	
Filed with Town Clerk	July 10, 2025
Filed with Health	July 14, 2025
Public Hearing Date	August 13, 2025
Action Deadline	October 8, 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 from decision filing with Town Clerk
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Waiver Requests	
Ch. 175 § 6.1.D(2)	The Applicant requests a waiver for c. 175 § 6.1.D(2) for soil surveys, test pits, and test borings . The Applicant requests that the required test pits and test borings be provided as a condition of approval.
Ch. 175 § 6.1.D(11)(b)	The Applicant requests a waiver for c. 175 § 6.1.D(11)(b) for an agreement allocating the responsibility for costs and maintenance among owners . The Applicant requests that the required agreement be provided as a condition of approval.

Project Summary
The Applicant is requesting approval of a definitive subdivision plan which proposes three (3) residential lots on an approximate 250-foot long roadway with a cul-de-sac. The Applicant submitted a preliminary subdivision plan with the Town Clerk on March 11, 2025 in order to preserve the 2024 Zoning Bylaw, in which this property was included in the VHO (Village High-Rise Overlay) District. The Planning Board granted approval of the preliminary subdivision plan on April 17, 2025. Per Massachusetts state law, a submission of a preliminary subdivision plan can freeze the zoning on the land for eight years if a definitive subdivision plan is 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 VHO (Village High-Rise Overlay) district 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 VHO 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 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 9, 2025 was revised on August 7, 2025 to include zoning district boundaries and additional plan notes. The proposed lots each meet the required frontage of 50 feet, area of 20,000 sq. ft., and access requirements. The proposed 50-foot ROW with a 26-foot wide roadway is appropriate for a non-residential subdivision.

The Applicant has provided written response to staff comments and conditions on the Preliminary Subdivision approval, dated July 9, 2025.

The Fire Department does not have any concerns.

The Board of Health received the application on July 14, 2025 and does not have any concerns.

The property contains wetland resource areas under the state and local wetlands protection act. The wetland resources areas are not all shown on the submitted plans. Recommend having a wetland specialist demarcate the wetland boundaries and file an ANRAD with the Conservation Commission. The stormwater management plan must meet Section 5(2) of the Conservation Commission's Rules for peak rate and volume performance standards, the drainage analysis must also meet the Section 5(6) Pre-development conditions performance standards that treats all impervious surfaces on the site as open space in good condition based on the new plan that all impervious surfaces will be removed to accommodate the subdivision. The new drain outlet from infiltration system will need to meet the minimum setback from wetlands, including the drain basin if it was constructed prior to 2008 and is confirmed to be a wetland resource area.

Engineering staff will conduct a full review of the stormwater upon receipt of the full application to the Conservation Commission. 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.

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 the required application to the Conservation Commission.

Staff recommends approval with a condition of approval requiring the Applicant to file required application 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:

952 Waltham Street - Village overlay site plan review

PRESENTER:

Applicant: Hongsheng Tang

ITEM NUMBER:

SUMMARY:

The Board re-open the public hearing on the application to construct 8 townhouse-style ownership units in 3 buildings with garages, visitor parking, stormwater management, and landscaping. The property is located at 952 Waltham Street, Lexington, MA also known as Map 10, Lot 19A.

Application material may be viewed online at (click files tab) <https://lexingtonma.portal.opengov.com/records/101348> (*new material submitted after June 25*)

A staff memo and peer review memos are attached.

The Applicant will present to the Board, staff and the peer review consultant will summarize reports, and board members will discuss. The Chair will then open the hearing up to public comments. After public comments the board will return to board and applicant for discussion. At the end of the night, the Board will vote to continue the hearing to a future meeting date to respond to comments. Staff recommends continuing the hearing to Thursday September 25, 2025 (material submission deadline September 8).

The Applicant has requested a final action deadline be extended to September 30.

SUGGESTED MOTION:

At the end of the discussion, staff recommends a motion to continue the public hearing to Thursday September 25 and extend the final action deadline.

Move to continue the public hearing for the site plan review application at 952 Waltham Street to ***Thursday*** September 25, 2025 at or after 6:00 p.m. on Zoom.

Move to accept the Applicant's request to extend the final action date for the site plan review application to September 30, 2025.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

ATTACHMENTS:

Description		Type
	Peer Review Memo 3	Cover Memo
	Staff Memo 8.8.25	Cover Memo
	Final Action Deadline Extension Request	Exhibit



August 6, 2025

Ms. Abby McCabe, AICP, Planning Director
Town of Lexington
1625 Massachusetts Avenue
Lexington, MA 02420

**RE: Technical Review Letter #3
952 Waltham Street – Townhouse-style Development**

Dear Abby,

This letter is to advise the Town of Lexington's Planning Board that Apex Companies, LLC (Apex) has reviewed the revised materials submitted for the proposed townhouse-style development project located at 952 Waltham Street. The Applicant's submission includes the following documents:

- Response to comments letter prepared by Allen & Major Associates, Inc (A&M), revised through August 4, 2025.
- Plans entitled "Civil Site Plans For: Townhouse Development," prepared by Allen & Major Associates, Inc, revised through July 21, 2025.
- Report entitled "Drainage Report," prepared by Allen & Major Associates, Inc, revised through July 21, 2025.
- Document entitled, "Groundwater Mounding Analysis," prepared by Allen & Major Associates, Inc, dated July 21, 2025.
- Plot plan entitled "Plan of Land Showing Proposed Improvements, 952 Waltham Street, Lexington, Massachusetts," prepared by A.S. Elliott Associates, revised through August 4, 2025.
- Architectural package entitled "952 Waltham Street, Lexington," prepared by Next Phase Studios, no date.
- Document entitled "Elevations Form," stamped by land surveyor Elliott J. Paturzo, dated August 4, 2025.

These documents have been reviewed for conformance to the following Town Bylaws and Regulations:

- Chapter 176 of the Code of Lexington, Section 12.9 Utilities
- Chapter 181 Article VI of the Code of Lexington, Stormwater Management Compliance
- The Massachusetts Stormwater Management Standards
- Standard engineering practice regarding stormwater management and site design.

Background

The Applicant, Hongsheng Tang, has submitted a Site Plan Review and Stormwater Permit application to the Lexington Planning Board for a proposed townhouse-style development. The project proposes to redevelop the existing 0.57 acre, single-family lot located at 952 Waltham Street, into three townhouse buildings with three units in each building.

Comments

Planning Board Zoning Regulations – Chapter 176 of the Code of Lexington (Section 12.9 Utilities)

1. *Section 12.9.4 – Utility meters and other infrastructure elements shall be located in low visibility areas, screened from view, and designed to blend in with the design.*

The site plans do not show any utility meters or electrical transformers. The Applicant should clarify if any utility meters or electrical transformers will be required for the proposed development and show them on the plans.

A&M Response 4/22/25: Water and electric meters have been added to the revised Utility Plan. Final location of meters to be coordinated with utility providers. It is not yet known whether an electrical transformer will be required to meet the electrical demands of the project and further review is required by the electrical engineer prior to the Building Permit process to determine the project electrical needs. Although an electrical transformer is not anticipated as part of the project, a potential pad location has been shown on the Utility plan in the southeast corner of the site.

Apex Response 5/2/25: Acknowledged. Water and electric meters have been added to the Site Plans. We understand that it remains uncertain whether a pad-mounted transformer will ultimately be required for this project. However, electrical utility service providers such as National Grid and Eversource typically require vehicular access to pad-mounted transformers for installation, maintenance, and replacement. Based on our review, it does not appear that the proposed transformer location would provide adequate vehicular access. We recommend that any approval by the Planning Board be conditioned upon review and approval of the final transformer location by the applicable utility provider prior to construction.

A&M Response 7/21/25: The potential transformer pad has been moved to the landscaped island in the parking area for better access for service provider.

Apex Response 8/6/25: The Applicant has relocated the potential transformer pad to the parking area landscaped island as noted. The pad is now located above the proposed subsurface infiltration chamber system, and adjacent to a proposed light pole. We would not advise locating the transformer pad above the infiltration system for maintenance purposes. Furthermore, this layout may not comply with utility provider requirements for transformer installation and bollard placement. We recommend that the Applicant refer to the requirements of the electrical utility provider to determine if this is an acceptable location.

2. *Section 12.9.5.1 – Projects shall meet the erosion control performance standards of § 181-75C.*

See the section “Stormwater Management Regulations – Chapter 181 Article VI of the Code of Lexington” below for the project’s conformance to the performance standards of § 181-75C.

A&M Response 4/22/25: No response required.

Apex Response 5/2/25: Per our review in the section “Stormwater Management Regulations – Chapter 181 Article VI of the Code of Lexington”, we note no non-compliance to the performance standards of § 181-75C. **Item closed.**

3. *Section 12.9.5.2 – Projects disturbing more than 10,000 square feet of land area shall meet the performance standards of § 181-73 for above-threshold projects.*

See the section "Stormwater Management Regulations – Chapter 181 Article VI of the Code of Lexington" below for the project's conformance to the performance standards of § 181-73.

A&M Response 4/22/25: No response required.

Apex Response 5/2/25: See our outstanding comments pertaining to the performance standards of § 181-73 in the section "Stormwater Management Regulations – Chapter 181 Article VI of the Code of Lexington" below. **Item closed.**

4. *Section 12.9.5.3 – All basement floors and slabs shall be at least two feet above the estimated seasonal high groundwater table.*

There were two test pits excavated on site (TP-101 and TP-102). TP-101 was excavated in the vicinity of the western townhouse complex (units 7-9), and TP-102 was excavated in the vicinity of the northern townhouse complex (units 4-6). There was no test pit excavated in the vicinity of the eastern townhouse complex (units 1-3). We recommend the Applicant excavate an additional test pit in the vicinity of units 1-3 to confirm compliance with this regulation.

TP-101 and TP-102 indicated estimated seasonal high groundwater (ESHGW) at elevation 240. The lowest proposed basement ground elevation, according to the architectural plans, is elevation 246. Therefore, assuming the slab is less than four feet thick, there is at least two feet of separation between the slab and the estimated seasonal high groundwater table.

A&M Response 4/22/25: Test Pit TP-105 was performed on April 9, 2025 as near to the proposed footprint of Units 1-3 as practicable due to an existing retaining wall and steep slopes. Ledge was uncovered at elevation 249.5. No groundwater was noted. Additional Test Pits were performed on the same day within the footprint of the proposed drainage system as detailed in the revised Grading and Drainage plan and test pit Form 11 Logs within the revised drainage report.

Apex Response 5/2/25: Acknowledged. The Applicant performed test pit TP-105 approximately 11 feet from the nearest edge of the proposed building for units 1-3 and encountered ledge at elevation 249.5. The finished floor elevation of Units 2 and 3 are 252.70. Assuming the slab is 2 feet thick, the bottom of slab is at elevation 250.70. Therefore, to comply with this regulation, the elevation of estimated seasonal high groundwater (ESHGW) must be 248.70 or lower. Ledge was encountered at elevation 249.50, and the submitted test pit log did not indicate any mottling. Therefore, we believe the proposed design complies with this regulation.

A&M Response 7/21/25: Comment has been noted and the Applicant takes no exception to this comment.

Apex Response 8/6/25: Item closed.

5. *Section 12.9.5.4 – Country drainage is preferred along roadways, sidewalks, pathways, and other compacted surfaces where soils permit.*

The Applicant proposes vegetated swales along the east, north, and south sides of the proposed development.

A&M Response 4/22/25: Comment has been noted and the Applicant takes no exception to this comment.

Apex Response 5/2/25: Item closed.

6. *Section 12.9.5.5 – Pocket parks, plazas, terraces, and other civic gathering spaces shall incorporate low-impact development techniques consistent with Appendix VI-B of Chapter 181 that address stormwater on-site quantity and quality.*

Appendix VI-B of Chapter 181 indicates that cisterns can be used to harvest and store rainwater runoff from roofs, which can help reduce flooding and erosion caused by stormwater runoff. The project proposed two subsurface stormwater infiltration chambers systems that function as cisterns per this regulation. The Applicant proposes vegetated swales along the east, north, and south sides of the proposed development. Vegetated swales are an accepted low impact development (LID) technique.

A&M Response 4/22/25: Comment has been noted and the Applicant takes no exception to this comment.

Apex Response 5/2/25: Item closed.

7. *Section 12.9.5.6 – Reduce impervious surfaces and consider opportunities for permeable pavement where applicable. Drain impervious surfaces into on-site landscape areas. Reduce stormwater collection and removal from site.*

The project does not include the use of permeable pavement. A paved bike path is proposed at the northwestern corner of the site, with runoff directed into the adjacent roadway. Additionally, no rain gardens or vegetated retention basins are proposed. Instead, the project relies on a subsurface infiltration chamber system, which has been designed to maximize available space for the townhouse development.

A&M Response 4/22/25: Comment has been noted and the Applicant takes no exception to this comment.

Apex Response 5/2/25: We defer to the Planning Board whether permeable pavement is required.

A&M Response 7/21/25: Comment has been noted and the Applicant takes no exception to this comment. No pervious pavement is proposed for the project, due to the robust proposed drainage system, as noted by the peer reviewer.

Apex Response 8/6/25: We take no exception to the Applicant's approach and consider this **item closed** unless the Planning Board determines that further stormwater management strategies are required.

8. *Section 12.9.5.7 – Strive to replicate natural hydrologic conditions and manage precipitation on-site by exceeding the LID and conservation design requirements.*

As mentioned above, the project proposes several LID techniques, including subsurface stormwater infiltration chambers and vegetated swales.

A&M Response 4/22/25: Comment has been noted and the Applicant takes no exception to this comment.

Apex Response 5/2/25: Item closed.

9. *Section 12.9.5.8 – Use stormwater harvesting systems, such as cisterns and ponds, for plant irrigation.*

The Applicant should confirm if the project includes any irrigation for plants or grass at the surface level.

A&M Response 4/22/25: No irrigation is proposed for the project. It is understood that the plantings will require hand-watering after installation until fully established. Plantings shall remain established and in good health for a period of 2-years after the issuance of an Occupancy Permit or shall be replaced in kind.

Apex Response 5/2/25: Acknowledged. We defer to the Planning Board whether irrigation is required.

A&M Response 7/21/25: Comment has been noted and the Applicant takes no exception to this comment. No irrigation is proposed for the project, all trees, plants and shrubs shall be hand watered until fully established.

Apex Response 8/6/25: We take no exception to the Applicant's approach and consider this **item closed** unless the Planning Board determines that an irrigation system shall be required.

[Stormwater Management Regulations – Chapter 181 Article VI of the Code of Lexington](#)

10. This project is classified as an above-threshold project because it requires site plan review and will disturb more than 10,000 square feet of land area, and therefore is subject to Chapter 181 in its entirety. The project is required to meet the above-threshold performance standards and the stormwater permit is consolidated into the site plan review application, pursuant to § 181-72.A.(4).

A&M Response 4/22/25: Comment has been noted and the Applicant takes no exception to this comment.

Apex Response 5/2/25: Acknowledged. **Item closed.**

11. *§ 181-73.B.(2)(d) – The minimum time of concentration for street drainage shall be five (5) minutes.*

The submitted HydroCAD calculations use a minimum time of concentration of 6 minutes. The HydroCAD calculations should be revised to use a minimum time of concentration of 5 minutes.

A&M Response 4/22/25: The HydroCAD minimum time of concentrations have been updated to 5 minutes in the revised drainage report submitted with this response letter.

Apex Response 5/2/25: The HydroCAD report submitted in the revised drainage report continues to use a minimum time of concentration of 6 minutes and has not been updated to use a minimum time of concentration of 5 minutes.

A&M Response 7/21/25: HydroCAD has been updated to use a minimum time of concentration of 5 minutes. See the Drainage Report revised through July 21, 2025.

Apex Response 8/6/25: The Applicant has revised the Drainage Report to use a minimum time of concentration of 5 minutes. **Item closed.**

12. *§ 181-73.B.(2)(f) – Impervious cover is measured from the Site plan and includes any material or structure on or above the ground that prevents water from infiltrating through the underlying soil (including compacted gravel).*

The Applicant should add the property's proposed ratio of impervious coverage to the dimensional requirements table on Sheet C-102.

A&M Response 4/22/25: The impervious coverage ratio has been added to the dimensional requirements table on revised Sheet C-102.

Apex Response 5/2/25: Acknowledged. The impervious coverage ratio has been added to the dimensional requirements table. **Item closed.**

13. *§ 181-73.B.(2)(g) – Off-site areas shall be assessed based on their predeveloped condition for computing the water quality volume (i.e., treatment of only on-site areas is required). However, if an off-site area drains to a proposed stormwater management facility, flow from that area must be accounted for in the sizing of a specific Facility.*

The Proposed Watershed Plan (PWS) in the Drainage Report limits the area of analysis in the HydroCAD model to the project site. Additionally, the existing conditions plan does not depict topography beyond the property limits, making it unclear whether off-site areas contribute runoff to the site. To ensure accurate watershed delineation and proper stormwater management system sizing, we recommend that the Applicant supplement the surveyed topography with publicly available LIDAR data, such as from MassMapper, to identify any off-site drainage areas that may require consideration.

A&M Response 4/22/25: LIDAR data from the Town of Lexington's online GIS program, MAPGEO, has been added to the Existing and Proposed Watershed Plans. The abutting property to the east of the site has a small portion of grassed area (west of the abutting house) that flows onto the site. All other abutting landcover flows to the north and south of the site.

Apex Response 5/2/25: Acknowledged. We take no exceptions to the delineation of overland flow from the abutting property. **Item closed.**

14. *§ 181-73.B.(2)(l-n) – Retain the volume of runoff equivalent to, or greater than, 1.0 inch multiplied by the total post-construction impervious surface area on the redeveloped site, including any directly connected impervious area draining onto the redeveloped site; **and/or** remove 90% of the average annual load of Total Suspended Solids generated from the impervious area on the site; and remove 60% of the average annual load of Total Phosphorus (TP) generated from the total area on the site.*

The "Stormwater Recharge/Water Quality Volume Table" and the "TSS Removal Calculation Worksheet" provided in Section 6 of the Drainage Report demonstrate compliance with these requirements. The proposed design retains runoff equivalent to 1.0 inch multiplied by the total post-construction impervious surface area on the redeveloped site and removes 90% of the average annual load of Total Suspended Solids generated from the impervious area on the site.

A&M Response 4/22/25: Comment has been noted and the Applicant takes no exception to this comment.

Apex Response 5/2/25: The revised drainage calculations continue to demonstrate compliance with this requirement. **Item closed.**

15. *§ 181-74.A.(5) – Stormwater runoff velocities shall be minimized to the greatest extent practicable. Increases in runoff velocities due to the removal of existing vegetative cover during development and the resulting increase in impermeable surface area after development must be taken into account when providing for erosion control.*

The proposed vegetated swales along the northern and southern extents of the site include sections with steep slopes, exceeding 20% in some areas. These slopes may result in higher runoff velocities, potentially leading to erosion and reduced treatment effectiveness. We recommend incorporating flow-dissipating measures, such as check dams, stone weirs, or similar velocity control structures, to slow and disperse runoff within the swales and enhance their overall performance.

A&M Response 4/22/25: Check dams have been added to the steep slopes all the grassed swales as detailed in the revised Grading and Drainage plan.

Apex Response 5/2/25: Acknowledged. The Applicant has proposed stone check dams within the vegetated swales at intervals of approximately 30–40 feet and has reinforced sections of the swales with rip rap where slopes exceed 3:1. We recommend that the Applicant provide a construction detail for the proposed check dams to clarify their dimensions, materials, and installation method. Additionally, we suggest that A&M coordinate with the project landscape architect to ensure that slope stabilization measures are compatible with existing and proposed vegetation, particularly where slopes intersect with tree root zones or proposed planting areas.

A&M Response 7/21/25: A construction detail of stone check dams has been added to C-506 with the requested dimensions and material, which is to be 6" diameter rip rap stone. Tree protection has been added to the Erosion Control & Site Prep Plan.

Apex Response 8/6/25: The Applicant has provided a stone check dam detail and has called out existing tree areas to be protected on sheets C-102 and C-103. **Item closed.**

16. *§ 181-74.A.(7) – Sediment trapping and settling devices shall be employed to trap and/or retain suspended sediments and allow time for them to settle out in cases where perimeter sediment controls (e.g., silt fence and hay bales) are deemed to be ineffective in trapping suspended sediments on-site.*

The Erosion Control Plan (C-101) does not currently include temporary diversion swales or sediment traps. The existing site has relatively steep grades that will be exposed during earthwork activities. The planned cut areas will leave sections of bare soil vulnerable to erosion and sediment transport. To mitigate these risks, we recommend that the Applicant incorporate temporary diversion swales and sediment traps into the Erosion Control Plan. These measures will help manage runoff, slow flow velocities, and improve sediment retention during construction, particularly in areas where steep existing slopes are disturbed. Temporary sediment traps should not be located within the footprints of the proposed stormwater infiltration chamber systems.

A&M Response 4/22/25: A linear temporary sediment trap for temporary use during construction has been added to C-101, along the low point of the site to mitigate off-site flow to Waltham Street during heavy rainfall and to trap stormwater flowing to the relative low-point of the site.

Apex Response 5/2/25: Acknowledged. The Applicant has included a temporary linear sediment trap at the site's low point to help intercept and retain runoff during construction. However, no temporary diversion swales are shown on the Erosion Control Plan. Given the steep existing and proposed slopes and the extent of site clearing, we recommend the use of temporary diversion swales to route runoff toward the sediment trap during active earthwork. These measures should be repositioned as needed throughout construction, consistent with the Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas, to maximize sediment capture and minimize off-site impacts.

A&M Response 7/21/25: Temporary diversion swales have been added to both sides of the sediment trap on the revised Erosion Control Plan dated July 21, 2025.

Apex Response 8/6/25: The Applicant has added temporary diversion swales to Sheet C-101 as noted. **Item closed.**

17. *§ 181-75.D. – Operation and Maintenance Plan.*

The Applicant should make the following modifications to the Operation & Maintenance Plan (O&M) consistent with the requirements of § 181-75.D.:

- a. The owner should sign the O&M plan.
- b. Add to the O&M plan a plan or map drawn to scale showing the location of the systems and stormwater management facilities, including existing and proposed easements, catch basins, manholes/access lids, main, and stormwater management facilities along with the discharge point.

A&M Response 4/22/25: The Owner, HongSheng Tang, has signed the “Illicit Discharge Statement” at the end of the drainage report. The drainage report contains the O&M report under Section 2.0. A simplistic BMP Plan has been added to the O&M Plan as requested.

Apex Response 5/2/25: Per the requirement § 181-75.D.(2)(b), the O&M plan should be signed by the owner. The O&M plan should function as a standalone document and is separate from the Illicit Discharge Statement.

The Applicant has included a BMP Plan in the O&M plan, consistent with the requirement.

A&M Response 7/21/25: Comment has been noted and the Applicant takes no exception to this comment. The BMP Plan has been added to the O&M Plan.

Apex Response 8/6/25: The O&M plan—Section 2.0 of the Drainage Report—should be signed by the owner. The O&M plan should function as a standalone document. It does not appear that the O&M plan (Section 2.0) includes a signature of the Owner.

[Massachusetts Stormwater Management Standards](#)

18. *Standard 1: No new untreated discharges to wetlands*

Standard 1 restricts new stormwater conveyances or outfalls from discharging untreated stormwater to wetland resources. The submitted HydroCAD calculations indicate that the proposed stormwater infiltration systems retain stormwater runoff up to the 100-year storm event. However, our comments in this letter—specifically under Comment #19 below—should be addressed before we can confirm compliance with Standard 1.

A&M Response 4/22/25: Comment has been noted and the Applicant takes no exception to this comment. Please see A&M response to Comment #19, below.

Apex Response 5/2/25: We cannot confirm compliance with this standard until Comment 19.a is reconciled.

A&M Response 7/21/25: Comment has been noted and the Applicant takes no exception to this comment. See Response to 19a, below.

Apex Response 8/6/25: Acknowledged. See response to Comment 19.a. **Item closed.**

19. *Standard 2: Peak rate attenuation*

The "Proposed Conditions – Peak Rate of Runoff" section of the Drainage Report provides a table that compares post-development peak rates of runoff to pre-development rates at the design point for the 1-, 2-, 10-, and 100-year storm events. We have the following comments pertaining to Standard 2:

- a. According to the Massachusetts Stormwater Handbook, test pits must be conducted at each proposed infiltration BMP location to confirm soil texture, permeability, and depth to ESHGW. The two test pits were excavated approximately 35 feet outside of the proposed infiltration system footprint. Given the presence of ledge outcroppings on site, subsurface conditions may be variable. We recommend the Applicant excavate an additional test pit within the footprint of the proposed infiltration area to confirm suitability, prior to any potential approval by the Planning Board.

A&M Response 4/22/25: Additional test pits have been conducted around the proposed infiltration system. See Grading and Drainage Plan as well as submitted Form 11's in the revised drainage report for TP-103 – 106.

Apex Response 5/2/25: Test pits were excavated to a depth of two feet below the bottom of the proposed chamber systems. While groundwater was not encountered at that depth, the seasonal high groundwater elevation (ESHGW) is conservatively assumed to be two feet below the bottom of the systems due to the absence of deeper data.

Volume 3 of the Massachusetts Stormwater Handbook ("Documenting Compliance") states that a mounding analysis is required when the vertical separation between the bottom of an infiltration BMP and ESHGW is less than four (4) feet and the BMP is used to attenuate the peak discharge from the 10-year or greater 24-hour storm. Based on the current assumptions, this requirement appears to apply.

Accordingly, we recommend that the Applicant either (a) perform a mounding analysis to demonstrate that groundwater mounding will not impact system performance, or (b) excavate additional test pits to a depth of four feet below the bottom of the infiltration systems to verify that greater separation to groundwater exists and that mounding analysis is not required.

A&M Response 7/21/25: A mounding analysis has been provided with the revised drainage report dated July 21, 2025.

Apex Response 8/6/25: The submitted mounding analysis shows a mound rise of 0.716 ft (UIS 1A/1B) and 0.109 ft (UIS 1C) after 4 days, both below the required 2 feet separation to ESHGW. This appears to demonstrate adequate groundwater separation to ensure system performance. **Item closed.**

- b. The time of concentration for Subcatchments P-6 and P-7 in the post-development condition is calculated as 12.8 minutes, which exceeds the corresponding time of concentration in the pre-development condition. Typically, post-development times of concentration are shorter due to increased impervious surfaces and more direct flow paths. However, in this case, the proposed vegetated swales extend the flow paths around the site perimeter, potentially increasing travel time. The calculations for post-development time of concentration use a "Woods + Light Brush" land cover classification. To verify the appropriateness of this assumption, the Applicant should

provide a construction detail of the vegetated swales, including proposed land cover, vegetation type, and final surface treatment.

A&M Response 4/22/25: The vegetated swales have been updated to use a dense grass land cover classification. The time of concentration for these swales has been reduced to 7.7 minutes.

Apex Response 5/2/25: Acknowledged. We take no exception to this land cover assumption. The revised time of concentration of 7.7 minutes is less than the corresponding time of concentration in the pre-development condition. **Item closed.**

- c. The proposed HydroCAD model for Subcatchments P-6 and P-7 assign a Curve Number (CN) of 55, corresponding to a "Woods" land cover classification. However, our understanding is that the existing wooded area within these areas will be cleared up to the property line as part of the project. The Applicant should update the model to reflect the post-development land cover conditions accurately, ensuring that the assigned Curve Number aligns with the actual site modifications.

A&M Response 4/22/25: The land cover classification for these sub catchments has been updated to Grass "Good".

Apex Response 5/2/25: Acknowledged. We take no exception to this land cover classification. **Item closed.**

- d. The proposed infiltration chamber system does not include a dedicated emergency overflow mechanism. If the system exceeds capacity due to an extreme storm or becomes clogged from poor maintenance, stormwater may back up through the proposed catch basins at the site's entrance, potentially discharging onto Waltham Street. The Massachusetts Stormwater Handbook (Volume 2, Chapter 2) recommends that subsurface infiltration systems incorporate an outlet near the top of the system to accommodate emergency overflows. However, due to site constraints, there are no existing wetlands or stormwater infrastructure available for connection. Given that the 100-year storm event does not result in any stormwater backing up to the elevation of the upstream catch basins, we take no exceptions to the proposed design. However, maintenance of the proposed stormwater infiltration systems consistent with the O&M Plan and the manufacturer's guidelines are imperative to avoid flooding.

A&M Response 4/22/25: Comment has been noted and the Applicant takes no exception to this comment. An Operation and Maintenance log has been included in the drainage report under Section 2.0 "An Operation and Maintenance".

Apex Response 5/2/25: Acknowledged. **Item closed.**

20. *Standard 3: Recharge*

Section 6 of the Drainage Report provides recharge calculations. The calculations demonstrate that the provided recharge volume far exceeds the required volume.

We cannot confirm compliance with this standard until the additional test pit log is submitted per our comment above.

A&M Response 4/22/25: Additional test pits have been submitted. The recharge volume still far exceeds the required volume.

Apex Response 5/2/25: We cannot confirm compliance with this standard until our response to Comment 19.a is reconciled.

A&M Response 7/21/25: Comment has been noted and the Applicant takes no exception to this comment. See Response to 19a, above.

Apex Response 8/6/25: Acknowledged. See response to Comment 19.a. **Item closed.**

21. *Standard 4: Water quality*

The project is subject to the standard removal rate of 80% of the annual average TSS load. The calculations provided in Section 6 of the Drainage Report show 98% proposed TSS removal in compliance with these requirements. TSS removal is achieved via deep sump hooded catch basins, a proprietary hydrodynamic separator, and a subsurface isolator row prior to discharge to each of the subsurface infiltration systems. We recommend the Applicant delineate the limits of the isolator row on the Grading & Drainage Plan.

We cannot confirm compliance with this standard until the new test pit log is submitted.

A&M Response 4/22/25: Additional test pits have been submitted. The limits of the isolator row have been added to the Grading & Drainage Plan.

Apex Response 5/2/25: Acknowledged. Isolator rows are shown on the Grading & Drainage Plan. We cannot confirm compliance with the TSS removal standard until our response to Comment 19.a is reconciled.

A&M Response 7/21/25: Comment has been noted and the Applicant takes no exception to this comment. See Response to 19a, above.

Apex Response 8/6/25: Acknowledged. See response to Comment 19.a. **Item closed.**

22. *Standard 5: Land use with higher potential pollutant loads (LUHPPL)*

The project is not considered a LUHPPL. Therefore, Standard 5 does not apply.

A&M Response 4/22/25: No response required. The Applicant takes no exception to this comment.

Apex Response 5/2/25: **Item closed.**

23. *Standard 6: Critical areas*

The project site does not discharge to or near a critical area and therefore Standard 6 does not apply.

A&M Response 4/22/25: No response required. The Applicant takes no exception to this comment.

Apex Response 5/2/25: **Item closed.**

24. *Standard 7: Redevelopment*

The project is not considered a redevelopment. Therefore, Standard 7 does not apply.

A&M Response 4/22/25: No response required. The Applicant takes no exception to this comment.

Apex Response 5/2/25: Item closed.

25. *Standard 8: Construction period pollution prevention and erosion and sedimentation control*

- a. The proposed project will disturb less than one (1) acre of land and is therefore exempt from filing a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction General Permit.
- b. To prevent compaction of underlying soils, which could significantly reduce infiltration capacity, the applicant should adhere to the manufacturer's installation guidelines for the subsurface infiltration chamber system. The Massachusetts Stormwater Handbook recommends that infiltration areas be roped or fenced off before construction, and that construction equipment should not be allowed to traverse these areas to preserve soil permeability. We recommend the Applicant add fencing to the Erosion Control Plan to protect the area of the proposed infiltration systems from sedimentation and compaction during construction.
- c. The Stormwater Management Report contains a Construction Maintenance Plan consistent with the requirements of Standard 8.

A&M Response 4/22/25: No response required. The Applicant takes no exception to these three comments 25a-c.

Apex Response 5/2/25: We have no further comments pertaining to items (a) and (c). Per item (b), we recommend the Applicant add fencing to the Erosion Control Plan to protect the area of the proposed infiltration systems from sedimentation and compaction during construction.

A&M Response 7/21/25: Temporary construction fencing has been added to C-101, around the perimeter of the proposed infiltration system.

Apex Response 8/6/25: The Applicant has added temporary construction fencing around the proposed infiltration system to prevent compaction as noted. **Item closed.**

26. *Standard 9: Operation and maintenance plan (O&M plan)*

Section 2.0 of the Drainage Report contains an Operation & Maintenance Plan consistent with the requirements of Standard 9.

A&M Response 4/22/25: No response required. The Applicant takes no exception to this comment.

Apex Response 5/2/25: Item closed.

27. *Standard 10: Prohibition of illicit discharges*

An illicit discharge statement was provided. However, it has not been signed. Apex recommends the Applicant submit an illicit discharge statement signed by the Owner consistent with Standard 10 requirements.

A&M Response 4/22/25: An illicit discharge statement signed by the property owner has been provided on the last page of the revised drainage report.

Apex Response 5/2/25: Acknowledged. The Applicant has provided a signed illicit discharge statement. **Item closed.**

General Comments

28. The project includes several proposed retaining walls and a landscaped boulder wall; however, the plans do not specify the type of retaining walls proposed, nor do they include construction details. We recommend that the Applicant provide detailed descriptions and construction details for each type of retaining wall.

Additionally, any required perforated subdrains and their connections to the site's drainage infrastructure should be clearly shown on the Grading & Drainage Plan to ensure proper drainage and wall stability.

Several of the proposed retaining walls reach heights of up to 14 feet, yet no fall protection (e.g., fencing or guardrails) is depicted. To enhance safety, we recommend that the Applicant incorporate appropriate fall protection measures where required by applicable building codes and best practices.

A&M Response 4/22/25: Typical retaining wall details have been added to Detail Sheet C-507. Fall protection in the form of a 6' tall chain-link fence has been added to the Layout and Materials sheet. All walls over 48 inches in height are to be designed and stamped by a structural engineer during the Building Permit phase. An underdrain has been added to the southern retaining wall to ensure proper drainage, and the details of the underdrain shall be coordinated and confirmed with the wall designer during the building permit phase. A detail of the landscaped boulder wall will be provided in subsequent site plan revisions during the Site Plan Review permitting process.

Apex Response 5/2/25: Acknowledged. We recommend that the Planning Board condition any project approval on the submission of fully engineered retaining wall plans and calculations, stamped by a licensed professional engineer, prior to building permit issuance.

A&M Response 7/21/25: Comment has been noted and the Applicant takes no exception to this comment. Fully engineered retaining wall plans stamped by a licensed professional engineer shall be submitted with the building permit application.

Apex Response 8/6/25: Acknowledged. As suggested, we recommend that the Planning Board condition any approval on the submission of fully engineered retaining wall plans and calculations, stamped by a licensed professional structural engineer, prior to building permit issuance. **Item closed.**

29. The proposed retaining walls are located close to abutting property lines, raising concerns about whether there is adequate space for proper construction, including material staging, equipment access, and backfill placement. The Applicant should confirm that sufficient clearance is available for these activities and that erosion and sediment controls can be properly installed and maintained within the available space during construction.

Additionally, the Applicant should clarify how construction activities will be contained within the property limits and whether temporary construction access restrictions or protective barriers will be implemented to prevent unintended disturbance to adjacent properties.

To ensure structural integrity and compliance with best practices, we recommend that the Applicant provide detailed retaining wall design drawings stamped by a professional structural engineer before construction.

A&M Response 4/22/25: Additional callouts have been added to the Layout & Materials Plan, highlighting the distance to abutting property lines and heights of the wall. The wall has been designed to be a lesser height than the distance to abutting property lines. All walls over 48 inches in height are to be designed and stamped by a structural engineer during the Building Permit phase. It is anticipated that the retaining walls will be gravity block walls without the need for geogrid.

Apex Response 5/2/25: Acknowledged. Consistent with our response to Comment 28, we recommend that the Planning Board condition any approval on the submission of fully engineered retaining wall plans and calculations, stamped by a licensed professional structural engineer, prior to building permit issuance.

A&M Response 7/21/25: Comment has been noted and the Applicant takes no exception to this comment. See Response to comment 28, above.

Apex Response 8/6/25: Acknowledged. As suggested and consistent with our response to Comment 28, we recommend that the Planning Board condition any approval on the submission of fully engineered retaining wall plans and calculations, stamped by a licensed professional structural engineer, prior to building permit issuance. **Item closed.**

30. The project proposes four street-level parking spaces with a cross slope of approximately 7%. Excessive cross slopes can create vehicle stability issues and make it difficult for passengers to enter and exit vehicles safely. We recommend that parking space cross slopes do not exceed 5% to maintain functionality and user comfort.

The Applicant should clarify if the four street-level parking spaces are considered visitor spaces for all units. The Massachusetts Accessibility Code (521 CMR) requires that “common-use” parking areas include accessible parking spaces. If these spaces are shared parking, the Applicant may be required to provide an accessible parking space. The Applicant has provided construction details of accessible parking spaces, but none are shown on the plans.

A&M Response 4/22/25: Slopes have been reduced to 5% across the bituminous parking area. A potential accessible stall has been shown, and the grades meet minimum ADA/MAAB requirements, however, the Applicant has refrained from expressly declaring the stall as handicapped-only, to avoid this restriction due to limited visitor parking on-site. Additional discussion with the Lexington Planning Board during the Hearing process will be required.

Apex Response 5/2/25: Acknowledged. The Applicant has reduced cross slopes in the parking area to 5%. This is generally acceptable for parking areas without accessible spaces. However, ADA requirements limit all slopes in accessible parking areas to 2%. The proposed grading of the potential accessible stall is not compliant with ADA requirements. If the Applicant wishes to provide a marked or potential ADA accessible stall, the slope of the parking space and adjacent access aisle must be reduced to a maximum slope of 2% in all directions.

A&M Response 7/21/25: Due to site grading constraints, there will not be an ADA parking space on site. Additionally, none of the proposed units are accessible.

Apex Response 8/6/25: Apex's understanding is that the proposed development consists entirely of private residential townhouses, with no sales or leasing office, public accommodations, or publicly accessible amenities. The four visitor parking spaces are unassigned but intended solely for use by residents and their guests.

In accordance with the U.S. Department of Justice ADA Title III Technical Assistance Manual and 521 CMR §3.3, accessibility requirements for parking and accessible routes do not apply to strictly residential developments where use is limited to owners, residents, and their guests. Since there are no public accommodations or publicly funded units, neither the ADA nor 521 CMR requires the applicant to provide accessible parking spaces or accessible routes in this case.

We recommend that the Planning Board confirm this interpretation with the Lexington ADA Coordinator or Building Department as part of the final approval process.

31. The Utilities Plan does not show any proposed gas utilities on site. It is assumed that the project is designed to be fully electric, but the applicant should confirm whether natural gas service is required for the development. If gas utilities are needed, their proposed locations should be shown on the plans to ensure coordination with other site infrastructure.

A&M Response 4/22/25: Gas is not proposed for this site due to Lexington's fossil fuel-free initiative, as requested by the Town. Units will utilize electric heat and cooling.

Apex Response 5/2/25: Acknowledged. **Item closed.**

32. There is no rip rap pad shown at the outlet of FES-1. Rip rap should be provided at the outlet to prevent erosion. We recommend the Applicant show rip rap on the plan set or provide a detail for this outlet.

A&M Response 4/22/25: FES-1 has been eliminated, and area drain "AD-1" has been re-routed to roof drain lateral "RD-1."

Apex Response 5/2/25: Acknowledged. AD-1 has been rerouted to roof drain lateral RD-1. The proposed pipe sizing in the Drainage Report indicates that the pipe from RD-1 to DMH-1 has sufficient capacity for this design. However, AD-1 is proposed as a drop structure in order to make up grade differential. The resulting structure has a depth from rim to invert of 27.5 feet. This depth raises concerns related to structural integrity, constructability, and long-term maintenance.

Additionally, the proposed invert of the discharge into the lateral from RD-1 to DMH-1 is 243.9. This is located approximately 12 feet from TP-105 which encountered ledge at elevation 249.5. There is a reasonable probability that ledge removal may be required in order to construct this drain line as proposed.

A&M Response 7/21/25: The park area has been regraded to slope eastward to the grassed swale. AD-1 has been removed from the park area. The proposed invert to DMH-1 has been raised to reduce depth of ledge removal.

Apex Response 8/6/25: Acknowledged. The applicant has raised the invert of RD-1 into DMH-1 to 246.95. The invert at RD-1 is 248.50, and the nearby TP-105 encountered ledge at 248.0. Ledge removal may be required to install this drainage infrastructure. We have no further comments on this matter; **Item closed.**

33. Several areas on the Grading & Drainage Plan show proposed contours tying into existing contours where the existing slopes are as steep as 1H:1V (notably in the northeastern corner of the site). While we recognize that some existing slopes on-site are naturally steep, the proposed earthwork near these areas may increase the risk of erosion and slope instability.

To mitigate potential stability concerns, we recommend that the Applicant provide slope stabilization measures, such as riprap or other appropriate treatments, in areas where slopes are steeper than 2H:1V.

A&M Response 4/22/25: Riprap has been proposed along existing slopes 2:1 or greater.

Apex Response 5/2/25: Acknowledged. The Applicant has proposed riprap in areas in and around the proposed swales where existing or proposed slopes are 2:1 or steeper. We suggest that A&M coordinate with the project landscape architect to ensure that slope stabilization measures are compatible with existing and proposed vegetation, particularly where slopes intersect with tree root zones or proposed planting areas. **Item closed.**

34. Based on the proposed inverts and slopes, the pipe downstream of AD-1 appears to conflict with the finished grade, potentially daylighting between the two nearby retaining walls. The Applicant should clarify the pipe's alignment and confirm that it remains properly buried throughout its length. Adjustments may be necessary to maintain adequate cover and prevent exposure.

A&M Response 4/22/25: FES-1 has been eliminated, and area drain "AD-1" has been re-routed to roof drain lateral "RD-1."

Apex Response 5/2/25: See response to Comment 32 above.

A&M Response 7/21/25: The park area has been regraded to slope eastward to the grassed swale. AD-1 has been removed from the park area.

Apex Response 8/6/25: Acknowledged. We take no exception to the revised grading of the park area. **Item closed.**

35. The proposed sewer design includes a deep manhole with a rim-to-invert depth of 22.5 feet (SMH-1). While deep sewer manholes can be necessary in certain conditions, this depth raises concerns related to structural integrity, constructability, and long-term maintenance.

We recommend that the Applicant provide additional documentation confirming the following:

- **Structural Design:** The manhole is designed to withstand soil pressure at this depth, with an appropriate diameter and reinforcement as required by industry standards.
- **Constructability:** The excavation plan addresses trench stability, dewatering (if necessary), and worker safety in compliance with OSHA regulations.
- **Maintenance Accessibility:** The proposed depth does not create challenges for routine maintenance, including jetting and vacuum truck operations.
- **Alternative Considerations:** Whether adjustments to pipe slopes, intermediate manholes, or other design modifications could reduce the required depth.

We recommend that the Applicant coordinate with the Lexington Engineering Department to confirm that the proposed depth is acceptable and meets all applicable regulations.

A&M Response 4/22/25: Proposed sewer manhole "SMH-1" has been re-routed to under the bituminous parking lot, reducing the rim to invert depth. Proposed sewer manhole "SMH-3" has been labeled as a drop manhole with a distance of 10.5 feet from the rim to the proposed invert elevation.

Apex Response 5/2/25: Acknowledged. SMH-1 is no longer proposed as a drop structure. We take no exception to the revised design, including the 10.5 foot drop at SMH-3. **Item closed.**

36. The Fire Truck Vehicle Movements Plan (C-105) indicates that the fire apparatus must reverse out of the site. Some fire departments prohibit apparatus from reversing due to safety concerns and operational limitations. We recommend that the Applicant confirm whether this maneuver is acceptable to the Lexington Fire Department or if modifications to the site layout are necessary to accommodate forward egress.

A&M Response 4/22/25: The fire apparatus has been updated to make a left turn into the site as detailed in the submitted revised Fire Truck Turning Plan.

Apex Response 5/2/25: Acknowledged. The Fire Truck Vehicle Movements Plan continues to indicate that the fire apparatus must reverse out of the site. We recommend that the Applicant confirm whether this maneuver is acceptable to the Lexington Fire Department or if modifications to the site layout are necessary to accommodate forward egress.

A&M Response 7/21/25: The applicant has coordinated with the Lexington Fire Department to allow reverse movement while exiting the site, as the driveway is 150' or less, per discussions with the Lexington Fire Department.

Apex Response 8/6/25: Acknowledged. **Item closed.**

Our review is based on the information that has been provided. As noted above, additional review is required to verify comments have been incorporated into the revised submission.

We appreciate the opportunity to assist you with this important project. Please feel free to contact me at (617) 657-0278 or dylan.odonnell@apexcoss.com with any questions or comments.

Sincerely,

Apex Companies, LLC



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

To: Lexington Planning Board

From: Aaron Koepper, Planner

Re: Site Plan Review for 952 Waltham Street; Village and Multi-Family Overlay District | Memo #3

Date: August 8, 2025

<u>Public Meeting:</u>	Advertised for March 27, 2025 and continued to May 7, 2025 without discussion; hearing held on May 7, 2025, on June 25 continued without discussion to August 13, 2025
<u>Filed with Town Clerk:</u>	February 12, 2025
<u>Decision Deadline:</u>	September 3, 2025

Executive Summary

Staff updates:

- New Average Natural Grade and Building Height/Elevations forms were submitted 8/4/2025, and updated renderings submitted 8/5/2025. Upon preliminary review discrepancies between civil plans and listed points were noticed and will need to be revised. Applicant to coordinate their engineer, surveyor, and architect and ensure consistency between submitted materials.
- Engineering Dept. confirmed that no water and/or sewer analysis is required for this proposal.

Main items to be resolved:

- All submitted materials must show consistent elevations and grade.
- Submit updated architectural plans showing dimensions of vehicle and bicycle parking.
- Update proposed landscape plan to more closely satisfy replacement requirements of the Tree Bylaw with more tree plantings and replace the proposed 49 arborviataes with trees qualifying for mitigation. [Tree Mitigation Plan rev. thru 7/21/25 shows 365 caliper inches required to be replaced and 244.5 inches proposed for planting with only 171 inches qualifying for mitigation]
- Photometrics plan does not show footcandes across property lines. Applicant shall provide plan to confirm that there is no light trespass onto abutting properties and/or the public right of way.
- Recommend low level bollard lighting in the location of the pedestrian/bicycle access path and exterior staircase in the rear of the site.

- Recommend a “no parking sign” at the location of the bike parking
- Recommend (if approved by the Post Office) relocating the concrete mailbox pad closer to the side of the site with the walking/bike path.
- Recommend providing space along front of property for trash and recycling pick up.

Project Summary

The proposed development is for three buildings and a total of 8 dwelling units. The project is proposing townhouse style units, each unit containing four bedrooms. Units include a lower level two-car garage, and three floors of living above. No affordable units are proposed or required. The development includes five visitor vehicle parking spaces, and a short-term bicycle rack with space for two bicycles.

The Planning Board’s peer review consultant, Apex Companies, has provided comments based on the revised plan on utilities and stormwater under a sperate memo dated August 6.

Chapter 135 Zoning Bylaw Review

Section 5.0 General Regulations

5.1.8 Bicycle Parking Facilities

Section 5.1.8.3 states that each bicycle parking space shall be sufficient to accommodate a bicycle 6’ in length and 2’ in width. Plans need to be updated to show the dimensions of long-term bicycle parking within unit garages to demonstrate compliance.

Section 7.0 Special District Regulations

7.5.5 Dimensional Controls

Maximum Height: The maximum height in feet of a building in the VO District is 40’ and the number of stories is not restricted.

Chapter 176 Planning Board Zoning Regulations Review

5.0 Submission Materials

5.2 Information Required

Section 5.2.2.1(b) requires a map showing steep slopes distinguished as follows: Slopes greater than 15% but less than 25%; Slopes greater than 25% but less than 40%; and Slopes greater than 40%. This was missing from the submission and shall be provided for existing and proposed conditions of the site.

Section 5.2.10.1 requires the number and dimensions of all parking spaces. The applicant’s response indicates all spaces surface spaces are 19 x 9 ft. and garage spaces are 20 by 10 ft. Please update plans showing the dimensions of parking spaces within unit garages.

Section 12.0 Site Plan Review Design Regulations

12.6 Landscaping

The proposed 49 American Abroborvitae and Degroot’s Spire Arborvitae do not qualify for protected tree replacement mitigation according to the Tree Bylaw. This means the total migitation replacement inches is 171 inches where 365 inches are required. Staff recommends replacing aroborvitaes with a Green Giant Arborvitae or another tree from the [recommended mitigation list](#). See Tree Bylaw section below.

The Tree Mitigation Plan (L-102) last revised 7/21/2025 does not show all proposed locations of large deciduous trees from the Landscaping Plan (L-101).

No irrigation is proposed. The owners of the project will be required to maintain the the plantings in perpetuity. The Applicant's response to comments references only a 2 year period. Replacement in-kind for the life of the project will be a condition of any approval. Irrigation is recommend to assist with the long-term survival of plantings.

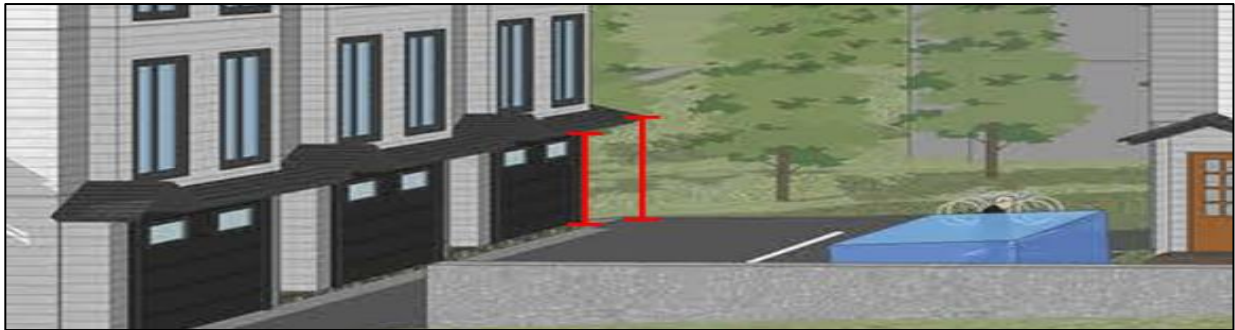
12.8.7 Outdoor Lighting

The plan shows 3 pole lights mounted at 13 feet. Would the applicant revise light pole to lower the pole to 12 feet? This would be consistent with a recent update to the Planning Board's Regulations.

Chapter 176 Planning Board Zoning Regulations Review

Planning:

Setback distance is measured to the farthest projecting point of the building, including roof overhangs, and stairs. Applicant should confirm if setbacks are measured to the building foundation or the roof line. Steps to doors will also need to meet the minimum required setbacks. Updated elevations submitted on August 4 may need to be adjusted or verify that the second means of egress meets min. setbacks.



The garages on Units 1 – 3 are significantly taller than the garages on Units 4 – 8. What is the reason for the height difference? Can the garages on Units 1 – 3 be shortened to lower the building height?

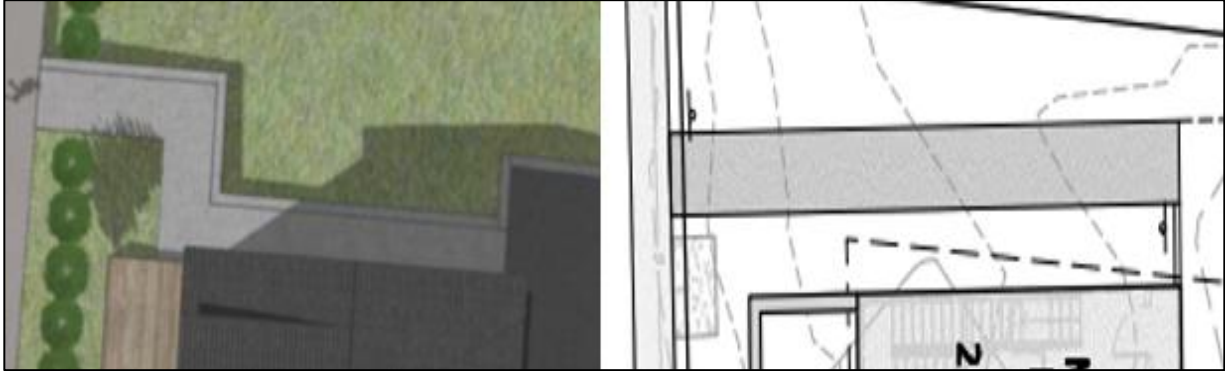
Is the area next to Unit 3 still a common area, renderings area show as walled off and inaccessible. Civil plans show as open.

Renderings show a row of windows on Units 1, 2, & 3 not shown on floor plans or on the other two buildings. What is this space, can it be removed to lower building height?



Is the applicant able to eliminate any paved surface area by making the site circulation exclusively a one-way? (see two-way directional arrows in front of Unit #8)

Staff encourages the applicant to work towards a design for the path connecting to Waltham Street that reduces the proposed 9.6%± slope and promotes the use of the path.



Renderings show back doors without safe access to the ground level.



Other Town Staff & Board/Committee Comments

Environmental Services:

The applicant has indicated a preference for town trash and recycling pick up. Planning Board site-plan approval does not imply approval for municipal refuse pickup. Applicant will need to obtain required approvals from Lexington Environmental Services for town collection or provide private trash/recycling/compost services. Staff recommends providing area on site plan along curb for trash and recycling.

Tree Removal – Tree Bylaw General Bylaw Chapter 120:

Applicant is proposing the removal of 15 trees within the setbacks (totaling 185 DBH inches removed). This equates to 365 DBH inches required for replanting and/or payment into a Tree Fund for mitigation under the Tree Bylaw.

Staff recommends mitigation be met, or met more closely, by replanting on the property and updating the landscape plan to provide an additional 193.5 DBH on the project site. The proposed arborvitaes are on the Planning Board's preferred list but only Green Giant Arborvitaes are accepted by the Tree Bylaw for mitigation [see page 103 section 6a](#).

Applicant should update Landscaping Plan and Tree Mitigation Plan to show all proposed new trees.

Building:

Building code requires that townhouses be sprinklered.

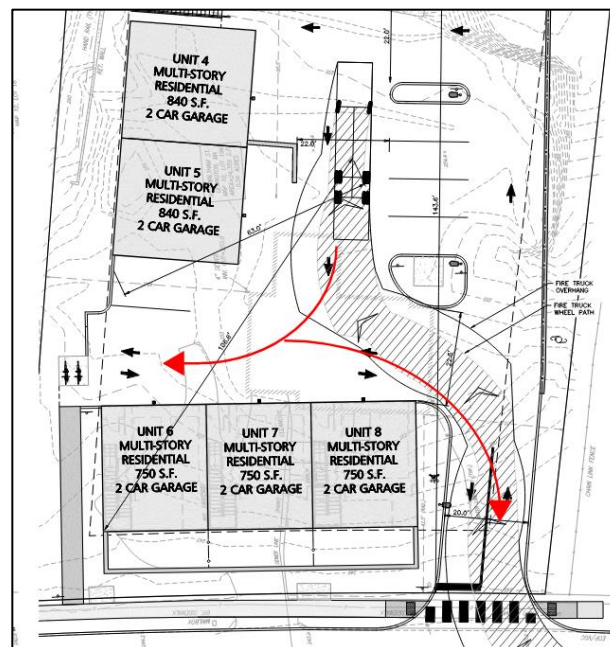
A noise study will be necessary prior to construction to confirm that post-construction the noise level at the lot line is not increased by over 10 dBA from the existing (pre-construction) ambient noise level.

Note – Since the proposal is for less than 25 parking spaces, the Zoning Bylaw does not require EV parking. However, the building code requires one EV space per unit garage. Applicant will be required to show the EV locations at the time of building permit submittal.

Fire:

There needs to be sprinkler access from the exterior of each building. Please update plans to provide.

Plans show fire truck reversing onto Waltham Street, is there a way to have the truck back up between Units 5 & 6, and then exit in a forward-facing direction? Having the truck pull forwards onto Waltham Street is preferable.



List of recommended project specific conditions and findings:

- 1) Landscape maintenance in perpetuity.
- 2) Fully designed retaining wall plans with calculations to be provided by a licensed professional structural engineer with building permit application.
- 3) If the Tree Bylaw is not waived in full by the Planning Board, a Tree Removal and Mitigation Permit is required from the Tree Warden.
- 4) Pest control and dust management plan submitted to health dept.
- 5) A noise study to determine ambient noise level prior to construction.

- 6) Electric vehicle spaces to be shown on building permit plans.
- 7) Provide \$20 Lexpress pass to each initial household along with information material about Lexpress and the MBTA Services.
- 8) Addresses for each unit will be coordinated with Public Safety, Assessing, and Engineering staff following a decision issuance.
- 9) Waltham Street was paved in 2023 and is currently under a moratorium.



Town of Lexington

PLANNING BOARD

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Michael Schanbacher, Chair
Melanie Thompson, Vice Chair
Tina McBride, Clerk
Robert Creech, Member
Charles Hornig, Member
Michael Leon, Associate Member

RECEIVED

1:04 pm, Aug 11 2025

Date: August 11, 2025

Lexington Planning Board

Re: Request for Extension of Final Action Deadline

Project Address: 952 Waltham Street (PLAN-25-10)

TOWN CLERK

LEXINGTON MA
TC#451

To the Lexington Planning Board:

I am hereby requesting that the public hearing for a major site plan review application submitted to the Town Clerk on February 12, 2025 to extend the final action deadline as follows to allow more time to update plans to submit requested material.

Current Final Action Deadline: August 20, 2025

Decision deadline date: September 30, 2025

Respectfully,

Signature: Hongsheng Tang

Print Name: HONGSHENG TANG

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

287 Waltham Street - Special Residential Development

PRESENTER:

Applicant: Lex Terrace LLC

ITEM NUMBER:

SUMMARY:

The Planning Board will re-open the public hearing on the site plan review and stormwater management application for a proposal for 15 dwelling units. The applicant will present changes since the June 11 meeting.

Material may be viewed (click file tab): <https://lexingtonma.portal.opengov.com/records/100633> (*new material uploaded after July 21*)

Staff will provide comments and board members will discuss. The Chair will then open the hearing for public comments. After public comments, the Board will return to the board for discussion.

There are still outstanding items needed before the Board can vote. Staff will recommend continuing the hearing to a future meeting date that allows sufficient time for the applicant to fully respond to comments.

Staff and peer review memos are attached.

SUGGESTED MOTION:

At the end of the discussion, the Board is expected to vote to continue the public hearing to a future meeting date and announce the new date, time, and place. The final action deadline date of August 20 will need to be extended by mutual agreement with the applicant and Board.

Staff suggested motions:

Move to continue the public hearing to **Wednesday, October 22, 2025 at or after 6:00 pm on Zoom** to allow time for a complete package be submitted that addresses all outstanding items. (*Submit by Sept. 29*).

Move to accept the Applicant's request to extend the final action deadline to October 31, 2025.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

ATTACHMENTS:

Description		Type
☐	Staff Memo 8.8.2025	Cover Memo
☐	Peer Review Nitsch Memo 8.8.25	Cover Memo



TOWN OF LEXINGTON
PLANNING OFFICE

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



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

To: Lexington Planning Board

From: Aaron Koepper, Planner

Re: Project Review for 287-295 Waltham Street: SRD, Major Site Plan Review | Memo #3

Date: August 8, 2025

Public Meeting: April 10, 2025; May 28, 2025 further continued to June 11, 2025
without discussion; August 13, 2025
Filed with Town Clerk: February 3, 2025
Decision Deadline: August 20, 2025

Executive Summary

Main items to be resolved & Updates Since June 11:

- Submit signed/stamped average natural grade and elevations/building-height calculation forms. – ANG forms submitted 8/7/25 without elevation forms or plan showing ANG points.
- The basements of Buildings A & B are not 2 ft. above the estimated seasonal high groundwater and will require additional drainage designs and details.
- Civil and drainage plans need significantly more detailed information before the Board can vote (wall, stairs, utility details and specifications).
- Engineering Dept confirmed that no additional water and/or sewer analysis is required for this proposal.
- Add the length and width of parking spaces to plans.
- Label the front/rear/side yard setback measurements.
- Update the open-space calculation to align with the most recent submission and ensure that the 15% requirement is still being met in redesigns.
- No short-term bike parking shown, need minimum 2 spots for compliance.

Project Summary

This proposal is for a Compact Neighborhood Development (CND), where the size of dwelling units is limited per c. 135 § 6.9.7.3. The applicant proposes five (5) buildings, with a total of fifteen (15) units. The applicant proposes three (3) townhouse-style buildings with three (3) units each, and two (2) garden apartment-style buildings, containing three (3) units each. All units are proposed as rental.

The townhouse-style buildings all include a “basement” area as well as parking on the ground level, and three stories of living space above. The basement area houses a water heater, sprinkler room, and storage. The parking section includes space for one (1) car and two (2) bicycles, as well as a laundry room. The first floor of living space has a combined kitchen, dining, and living area, a pantry, a bathroom, and a porch. The second floor of living space includes two (2) bedrooms, a master and a second bedroom, both with an attached bathroom and closet. A porch is present off of the master bedroom, next to the closet. The third floor of living space includes a third bedroom with an attached bathroom and closet, and a roof garden.

The garden-style units each follow a similar layout, with the ground floor of each building proposed as an accessible unit. The ground floor of each garden-style building holds a combined kitchen, dining, and living area, a utility room with a washer and dryer, and three (3) bedrooms, each connected to a bathroom and closet. There is additional access to one (1) bathroom from the combined kitchen, dining, and living area. A sprinkler room, trash access, and parking for five (5) bicycles is accessible from the exterior of the building, on the ground floor. The second and third stories of the garden-style units have identical layouts, with a combined kitchen, dining, and living area, a utility room with a washer and dryer, three (3) bedrooms, each connected to a bathroom and closet, and a porch.

The two inclusionary dwelling units are proposed as Unit 1 in Building A and Unit 1 in Building B, both being the leftmost units in the townhouse-style buildings.

All buildings on the site will utilize a common drive entrance/exit with access to Waltham Street.

The Planning Board has hired a professional engineer to serve as peer review consultant to review the utilities and stormwater management. The memo from Mr. Maher of Nitsch Engineering dated August 8, 2025 is enclosed. More detail is required before the Board can vote. Plans should be at a construction ready level.

Parking Analysis/GFA & IDU				
Parking Analysis:				
Vehicle Parking	Parking Required		Provided	Notes
Long-Term Bicycles	1.5 per dwelling unit	23	28	Complies; 2 in each garage for buildings A,B, & C., and 10 within garden-style buildings
Short-Term Bicycles	0.1 per dwelling unit	2	0	Include a min. of 2 short-term spaces
Car Parking Spaces	1 per dwelling unit	15	20 (9 garaged, 9 surface, 2 accessible)	Paved area outside of garages not counted
Gross Floor Area and Inclusionary Dwelling Units (IDU):				
	Required or Allowed (Sq. Ft.)		Provided (Sq. Ft.)	Notes
GFA of all units (not including IDU)	27,778		26,136	Complies
IDU	4,627		4,652	Complies

SHI	3,084	3,101	
Total Allowable GFA	31,400	30,940	Base GFA + IDU

Chapter 135 Zoning Bylaw Review

Section 5.0 General Regulations

5.1 Off-Street Parking and Loading

Plans do not show any short-term bicycle parking spaces, applicant will need to update plans to comply (minimum 2 spaces). Per § 5.1.8.4, bicycle parking apparatus shall be of a high-security design to which the frame and wheel may be attached, installed in a visible location to deter vandalism and theft, and permanently mounted to the ground. "Inverted-U-Frame or other racks that support the bicycle at two or more points above the center of gravity are required."

Section 5.1.13.6 states that a strip of land not less than 5' in width shall be provided on at least two sides of a parking lot for the storage of snow and designated on the off-street parking and loading plan.

Section 6.0 Special Regulations

6.9 Special Residential Developments

Section 6.9.6.4 states that, "as measured by stories, (the height limit) shall be three stories in all districts." The provided Average Natural Grade and Elevations forms are not signed/stamped by surveyor. Please stamp/sign forms and Building Commissioner will review height and stories.

Section 6.9.10 states that at least 15% of developable site area shall be set aside as common open space. Please label on plans where designated open space is and provide the slope of the area.

Chapter 176 Planning Board Zoning Regulations Review

Section 5.0 Submission Materials

5.2 Information Required

Per § 5.2.10.1, please show the dimensions of parking spaces and location of trash and recycle removal areas. Any exterior dumpster areas shall be within a screened enclosure.

Section 12.0 Site Plan Review Design Regulations

12.4 Access; Parking; Transportation

Section 12.4.1.2(d) requires that dumpsters "be located in low visibility areas such as within or behind buildings. All dumpsters shall have a lid, be located on an impervious surface with proper drainage, and be screened with a gated solid enclosure." Plans do not indicate how trash will be collected. If a dumpster is needed, Applicant must ensure that it is properly stored and screened. Provide enclosure detail on plan set.

Section 12.4.4 dictates that "projects shall be accessible for shuttles and public transportation," and that, "projects near a bus stop are encouraged to provide a bench and shelter." Staff notes and appreciates the bus stop shelter and bench proposed along Waltham Street. Applicant should confirm if this is a private bus shelter for residents of the new development only, or if they will be providing an easement for public use of the bus shelter.

12.6 Landscaping

The proposed plantings on the planting schedule dated 7/21/2025 (L-102) are all on the Lexington Preferred Plant List.

Staff sees the replanting of trees on-site as favorable and encourages the Applicant to provide an additional 20 DBH inches of on-site replanting rather than contributing to the Lexington Tree Fund to satisfy mitigation requirements.

12.8 Outdoor Lighting (and 5.4 of Zoning Bylaw)

Previous submission showed light spillage across property lines, and recent submission does not include a photometrics plan. Per c. 135 § 5.4.4.2, if outdoor lighting is proposed, the Applicant is “required to eliminate light trespass onto any street or abutting lot or parcel.” Include revised photometric plan adjusted to confirm no light spill over the property lines. Recommend any pole lights be no higher than 12 ft.

Town Staff & Board/Committee Comments

Planning:

Staff would like to see more detailed visuals of the nature path proposed behind Building C.

Most recent plans do not show outdoor lighting, will any be needed?

How will the site handle refuse pick-up? Staff requests a plan showing location for pick-up and diagram of how a refuse truck will enter, turn around, and exit the property. Staff recommends private pick up.

Section 6.9.10.1 requires, “at least 15% of the developable area in a Special Residential Development shall be set aside as common open space.” Previously submitted plans showing shared open spaces have been updated. As plans evolve applicant will need to ensure open space is being accounted for and provide calculations to show compliance.

As a recommended condition of approval, Applicant shall receive mailbox location approval from the Post Master prior to issuance of a building permit. Post Master typically recommends a communal mailbox off the main road without having to enter the development.

Building:

The ANG and Elevations forms provided 3/10/2025 are not signed or stamped. Please have the forms signed, stamped, and resubmitted for Building Commissioner review.

Zoning:

Buildings A & B: The basement floor elevation is located below the ESHGW elevation. CH. 135 § 4.5.4 requires the basement to be located a minimum of 2 ft. above ESHGW unless the applicant provides sufficient evidence that a proposed lesser vertical distance will not impact the structure being proposed in a manner contrary to the purposes of this Section 4.5, any other structures or constructed facilities, or the functions of the natural groundwater system (such as base flow maintenance) and if all of the following conditions are met:

- Detailed engineering plans, certified by a Registered Professional Engineer showing a foundation and perimeter drain management system and roof stormwater management system(s) that will mitigate and control groundwater discharge and stormwater runoff, are provided;

- The provided foundation and perimeter drain discharge management system and roof stormwater management system plans have been reviewed by the Building, Conservation, Health and Engineering Departments and comments adequately addressed;
- Roof drains and downspouts connect to a stormwater management system designed by a Registered Professional Engineer; and
- The applicant has agreed to pay the fee for consulting services to perform engineering review pursuant to the provisions of MGL Chapter 44, Section 53G.

Fire:

Plans show the truck having to cross over non-paved areas to negotiate the turnaround. Truck should not have to cross un-paved area.

You need to show that the rear of any of the buildings is reachable by 250 ft. of hose from both sides and meeting.

Fire & DPW:

Fire and water department should confirm the proposed water lines and submit documentation to the Planning Board prior to the Board accepting proposal.

Tree Committee/Tree Bylaw:

The Applicant currently proposes 636 DBH inches of replacement planting to satisfy a required 656 DBH inches. Staff sees replanting of trees on-site as favorable and encourages the Applicant to provide an additional 20 DBH inches of on-site replanting rather than contributing to the Lexington Tree Fund to fully satisfy mitigation requirements.

Sustainability and Resilience:

Geothermal is mentioned as a consideration. It would be helpful to provide more information on that and what would influence whether it could be implemented.

Section 12.9.5.8 encourages the use of, "stormwater harvesting systems, such as cisterns and ponds, for plant irrigation." Has the Applicant explored any ways to meet this recommendation to reuse water on site?

List of recommended project specific conditions and findings:

- 1) Landscape maintenance in perpetuity.
- 2) If the Tree Bylaw is not waived in full by the Planning Board, a Tree Removal and Mitigation Permit is required from the Tree Warden.
- 3) Pest control and dust management plan submitted to health dept.
- 4) A noise study to determine ambient noise level prior to construction.
- 5) Provide \$20 Lexpress pass to each initial household along with information material about Lexpress and the MBTA Services.
- 6) Addresses for each unit will be coordinated with Public Safety, Assessing, and Engineering staff following a decision issuance.

- 7) This area of Waltham Street was paved in 2020 and is currently under a moratorium until 2026. Any excavation will need to comply with moratorium requirements and will require a \$400 restoration fee.

August 8, 2025

Lexington Planning Board
c/o Abby McCabe, AICP
Planning Director
1625 Massachusetts Avenue
Lexington, MA 02420

RE: Nitsch Project #15854.4
Second Review Letter
287 & 295 Waltham Street
Lexington, MA

Dear Planning Board Members:

Nitsch Engineering, Inc. (Nitsch) received and reviewed the following information for the 287 & 295 Waltham Street project as part of our second review:

- Plan entitled, "Lex Terrace Development, 287 – 295 Waltham Street, Lexington, MA 02421", dated January 21, 2025, revised July 18, 2025 (15 Sheets);
- Peer Review Response Letter prepared by Patriot Engineering, dated July 18, 2025; and
- Stormwater Management Report and calculations for a Multi-Family Development at 287 & 295 Waltham Street, Lexington, Massachusetts, prepared by Patriot Engineering, dated January 18, 2025, revised July 18, 2025.

Nitsch used the Massachusetts Department of Environmental Protection (MassDEP) Stormwater Handbook, Lexington Stormwater Management Regulations and Standard Engineering Practice as guides in reviewing the stormwater design for the project.

Nitsch's comments are intended to assist the Lexington Planning Board in understanding the proposed project, to identify the technical issues relating to the stormwater design and to make recommendations to the Town of Lexington (the Town) for possible technical improvements to the proposed project.

Nitsch Engineering understands that this project is a c Compact Neighborhood Development under Section 6.9 of the Zoning Bylaw for Special Residential Developments and is also subject to a stormwater permit for an above-threshold project classification under the Stormwater Management Regulations, which is consolidated into the site plan review approval. [Section 12.9](#) of the Planning Board's Regulations require site plan review applications to consolidate the stormwater review into the Planning Board's site plan review.

Nitsch Engineering's initial comments from April 5, 2025, are in normal text type. Nitsch Engineering's current comments are shown in **bold** text.

PROJECT OVERVIEW

Currently, the subject properties have a combined area of approximately 5.7±-acres with a two (2) existing dwellings and driveways. The Applicant is proposing to demolish the existing dwellings and construct five (5) buildings with a total of 15 units, utilities and surface parking areas with a total of 20 parking spaces.

TOWN OF LEXINGTON STORMWATER RULES AND REGULATIONS

1. Section 181-72.B(1)(i)[1] states that a copy of the NPDES Construction General Permit be submitted with the Application. The Limit of work (LOW) is not indicated on the plan. The Applicant should confirm the area of disturbance and whether a NPDES permit is required for the project.

The Limit of Work has been added to the plans and the area of disturbance labeled. The Applicant has requested that the NPDES Construction General Permit be submitted after Site Plan review has been completed and prior to the issuance of a building permit. Nitsch has no objections.

2. Section 181-75.D indicates the requirements for an Operation and Maintenance (O&M) Plan. The submission did include an O&M Plan. However, Nitsch Engineering requests that the Applicant provide an updated O&M Plan based on any revised stormwater calculations and site utility improvements that complies with Section 181-75.

A revised O&M Plan has been included with the latest submission. Nitsch recommends that since changes may be required to the Stormwater Report, the Applicant may be required to revise the O&M.

UTILITY COMMENTS

1. The Plan does not indicate any protection bollards and a bollard detail for the proposed transformer. The Plan should be revised indicating protection bollards for the transformer in accordance with electric utility requirements and a detail should be provided.

The Plans have been revised to indicate bollards in front of the proposed transformer. However, a detail for the bollard has not been provided. The Plans should be revised to indicate a bollard detail.

2. The Plans should be revised to indicate the proposed path for electric, cable and telephone services to the site and buildings.

The Applicant has addressed this comment.

3. The Plan does not indicate any fire protection services to each of the buildings. The Plan should be revised indicating fire protection services to each of the building, if applicable, along with any applicable details.

The Plans have been revised to indicate fire services to each of the proposed buildings. However, for Buildings 'D' and 'E', there is a single water line that will feed the domestic and fire water services. The Applicant should confirm with the Lexington fire Department and the DPW that this is acceptable.

4. The Plan indicates that the proposed sewer connection to the existing sewer manhole in Waltham Street will be a drop inlet. Based on the existing invert elevations of that sewer manhole, this new connection may be the second type inlet for that structure. The Applicant should confirm with the Town that the proposed sewer connection to the existing sewer manhole is acceptable. If not, the Plan should be revised accordingly.

UTILITY COMMENTS – continued

The Plans have not been revised for the sewer connection to the existing sewer manhole in Waltham Street. The responses letter indicates that the applicant will continue to review with the Town Engineering department and make any requested adjustments. Nitsch recommends that the Applicant confirm with the Town that this type of connection is acceptable prior to plan approval.

5. The Plan does not indicate the proposed cutting & capping of utility services for the two (2) family dwelling units to be demolished. The Plan should be revised indicating the cutting & capping of utility services for the two (2) family dwelling units to be demolished.

The Plans have been revised to indicate bollards in front of the proposed transformer. However, a detail for the bollard has not been provided. The Plans should be revised to indicate a bollard detail.

6. The Town of Lexington should confirm whether any of the proposed capping of utilities should be performed at their respective utility mains.

The Applicant has stated that directions to conform with the Town of Lexington capping requirements have been added to the plan for the contractor to determine the required procedure. Nitsch recommends that the Applicant confirm with the Town the type of cutting & capping of utilities prior to plan approval.

7. The Plans indicate the water quality inlet detail have elevations 30+ feet higher than those listed in the drainage design. The Applicant should review and revise accordingly.

The Applicant has not addressed this comment.

8. The Applicant should confirm with the Lexington Fire Department the location and number of fire hydrants to service the site.

The Applicant states that the location of the fire hydrant has been revised and the applicant will continue to review the town Fire Services to determine final location.

DRAINAGE/STORMWATER MANAGEMENT COMMENTS

1. The Plan indicates that the soil logs were performed in December 2018 and June 2019. Nitsch Engineering is not aware of more recent soil testing being performed. Nitsch recommends that more recent soil testing be performed in the vicinity of the proposed infiltration systems and building foundations prior to completing the site plan review process.

Additional soil testing was conducted on April 30, 2025 and the data has been added to the Plans. None of the recent test holes were conducted in the vicinity of the proposed subsurface infiltration system – 1 (SIS-1). Nitsch recommends that an additional soil test be conducted at SIS-1 to determine the oil profile, refusal and any seasonal high groundwater.

DRAINAGE/STORMWATER MANAGEMENT COMMENTS – continued

2. The Plan indicates that the bottom of Subsurface Infiltration System–1 is located two (2) feet above the refusal elevation of 234.7 as indicated in the soil log for Test Pit 3. Nitsch recommends that the Applicant provide a soil mounding analysis.

The Applicant has provided a mounding analysis in the revised Stormwater Report, however, the calculations are not correct as they do not match the dimensions indicated on the Plans. The mounding analysis should be revised to correctly dimension the lengths and widths of each recharge area.

3. The Plan indicates that the bottom of Subsurface Infiltration System–2 is located two (2) feet above the refusal elevation of 231.8 as indicated in the soil log for Test Pit 4. Nitsch recommends that the Applicant provide a soil mounding analysis.

The Applicant has provided a mounding analysis in the revised Stormwater Report, however, the calculations are not correct as they do not match the dimensions indicated on the Plans. The mounding analysis should be revised to correctly dimension the lengths and widths of each recharge area.

4. The Plans do not indicate the location of the access/manhole covers for the infiltration system. The Plan should be revised indicating the location and details of the access/manhole covers for the infiltration systems.

The Applicant indicates that inspection ports have been added to the details for the infiltration systems.

5. The subsurface infiltration system details do not indicate the locations and elevations of the inlet and outlet pipes. The Plan should be revised to include the locations and elevations of the inlet and outlet pipes.

The Plans have been revised to indicate additional elevations have been added.

6. The detail for the Outlet Control Structure indicates the height of the structure being greater than ten (10) feet tall. Based on the soil test logs, the Applicant should indicate how the unit will be installed if refusal is located higher than the bottom of the structure.

The Applicant has not addressed this comment.

7. The Plans do not indicate any overflow device(s) for each of the subsurface infiltration systems. The Applicant should review and revise accordingly.

The Applicant has indicated that emergency overflows will be added at the lowest downspout of each building and a note has been added to the detail sheet. Nitsch recommends that the Plan be revised indicating the type of overflow detail that will be used for the downspouts.

8. The Plan does not provide any information on the proposed stone walls located on the site and whether there are any subdrainage pipes for the walls and connections to the proposed storm drain systems. The Plan should be revised with details for the proposed stone walls and any storm drainpipe connection requirements.

DRAINAGE/STORMWATER MANAGEMENT COMMENTS - continued

The Applicant has indicated that subdrainage pipes have been added to the plan and will be designed in conjunction with final wall designs prior to construction. The Plans indicate a number of stone retaining walls and stairs throughout the site with no wall grades. Nitsch recommends that details for the proposed stone walls, stairs and grading elevations be provided.

9. The Plans indicate details for concrete headwalls and they do not appear to be used on the site. The Applicant should review and revise accordingly.

The Applicant has indicated that the concrete headwall detail has been removed from the Plans. The Plans still indicate the concrete headwall detail. In addition and as noted above, the Plans indicate a number of stone retaining walls and stairs throughout the site with no wall grades. Nitsch recommends that details for the proposed stone walls, stairs and grading elevations be provided.

10. The Plans indicate the use of area drains, however, no sumps are indicated for the area drains. The Plans should be revised with a sump.

A note has been added to the plan noting a minimum 2-foot sump. The area drain detail should be revised to indicate the area drain having a 2-foot sump.

11. The Plans indicate a trench drain detail, however, the location of trench drain(s) for the site are not indicated. The Plans should be revised with the locations of trench drains.

The Applicant has not addressed this comment.

12. The Stormwater Report indicates that the project will remove 90% TSS and is proposing the use of a water quality inlet structure known as Barracuda. The Applicant should provide documentation that this unit will provide 50% TSS Removal.

The Applicant has addressed this comment.

13. A snow storage plan was not provided by the Applicant. The Applicant should provide a snow storage plan.

The Applicant has not addressed this comment.

14. The Applicant should provide pipe sizing calculations for the storm drain system.

The Applicant has not addressed this comment.

15. The Stormwater Report indicates that an exfiltration rate of 2.41 inches per hour (in/hour) was used for the subsurface infiltration systems. As noted above, additional soil testing should be performed in the area of the infiltration systems and Nitsch recommends that permeability testing be performed to indicate the hydraulic conductivity of the soil.

DRAINAGE/STORMWATER MANAGEMENT COMMENTS - continued

The Applicant has partially addressed this comment. Nitsch recommends that additional soil testing be conducted at SIS-1 to determine the soil profile, any refusal and any seasonal high groundwater.

DEP STORMWATER MANAGEMENT STANDARDS

Nitsch provided additional comments in reference to the 10 Stormwater Standards below:

Standard 1: No new untreated stormwater conveyances to wetland resources area. This Standard does not appear applicable.

Standard 2: Stormwater management systems must be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates. The Applicant provided information that indicates that this standard has been met; however, some changes to the calculations have been recommended. This standard will be reviewed again once the applicable changes have been made.

Nitsch has the same response.

Standard 3: Annual recharge to groundwater. Nitsch recommends that the Applicant conduct a mounding analysis.

The Applicant has provided a mounding analysis in the revised Stormwater Report, however, the calculations are not correct as they do not match the dimensions indicated on the Plans. The mounding analysis should be revised to correctly dimension the lengths and widths of each recharge area.

Standard 4: For new development, stormwater management systems must be designed to remove 80% of the average annual load (post-development conditions) of Total Suspended Solids (TSS). The Stormwater Report indicates that the project complies to remove 90% TSS, but since Nitsch has recommended that the changes be made to the Stormwater Report, this standard will be reviewed again once the applicable changes have been made.

Nitsch has the same response.

Standard 5: Stormwater discharges from areas with higher potential pollutant loads require the use of specific stormwater management Best Management Practices (BMP) (see chart on page 1-8). The use of infiltration practices without pretreatment is prohibited. This standard does not appear to be applicable.

Standard 6: Stormwater discharges to critical areas must utilize certain stormwater management BMPs approved for critical areas. This Standard does not appear to be applicable.

Standard 7: Redevelopment of previously developed sites. The project will not result in a reduction of impervious area in the proposed conditions.

Standard 8: Erosion and sediment controls must be implemented to prevent impacts during construction or land disturbance activities. Steep slopes on the property shall be properly stabilized to minimize erosion during construction. Erosion controls shall not be removed until all slopes are stabilized and vegetated.

DEP STORMWATER MANAGEMENT STANDARDS – continued

The Applicant has not addressed this comment. The Plans should be revised with details to address the stabilization of the site during construction activities.

Standard 9: All stormwater management systems must have an O & M Plan to ensure that systems function as designed. A snow storage plan was not provided by the Applicant.

The Applicant has not addressed this comment.

Standard 10: Prohibition of Illicit Discharges. The Applicant should provide a signed Illicit Discharge Statement.

The Applicant has addressed this comment.

SUMMARY

The Applicant should update the Planning Board of any additional Federal, State and Local permitting requirements needed for the project.

Additional information is required to complete the review of this project. Currently, the project as submitted does not provide sufficient information to show that the proposed project meets the requirements of the Lexington Stormwater and Utility Regulations.

Nitsch recommends the Applicant submit written responses to address each comment in this letter and provide the additional requested detailed information to the Planning Board prior to their approval.

If the Planning Board has any questions, please call.

Very truly yours,

Nitsch Engineering, Inc.



William R. Maher, PE, LSIT
Project Manager

WRM

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

131 Hartwell Avenue - Definitive Subdivision

PRESENTER:

Staff and Board Discussion

ITEM NUMBER:

SUMMARY:

On June 25, 2025, the Planning Board approved the definitive subdivision for 3 lots at 131 Hartwell Avenue. The appeal period has now ended without an appeal. The Planning Board may accept a performance guarantee and endorse the plans. A draft covenant is attached as the performance guarantee. Staff recommends approval.

Application material may be viewed: <https://lexingtonma.portal.opengov.com/records/100775>

SUGGESTED MOTION:

Move to accept and sign the covenant submitted by 131 Hartwell LLC for the definitive subdivision approval at 131 Hartwell Avenue.

Move to endorse the Definitive Subdivision plans for 131 Hartwell Avenue.

**Board members please come to the office to sign.*

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

ATTACHMENTS:

Description

Type

COVENANT

131 Hartwell LLC (the "Applicant") submitted an application to the Lexington Planning Board (the "Board") on May 13, 2025, for the approval of a plan entitled "Plans for Definitive Non-Residential Subdivision of Land", 131 Hartwell Avenue Lexington, Massachusetts, Prepared for 131 Hartwell LLC. dated March 28, 2025 revised through June 10, 2025 prepared by Allen & Major Associates, Inc., Woburn, Massachusetts. The application was submitted to the Town Clerk on May 20, 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 Applicant, 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 April 22, 2025 and submitted to the Town Clerk on May 20, 2025, as qualified by the definitive plan as approved.
 - b. The Planning Board's Development Regulations governing this development.
 - c. The definitive plan revised through June 10, 2025 as approved on June 25, 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.

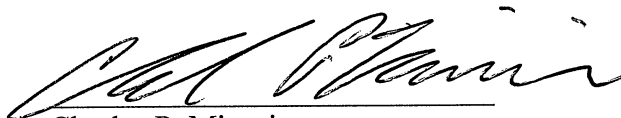
4. The ways and municipal services required to serve the lots in said subdivision shall be installed and constructed as shown on the definitive plan and in accordance with the Subdivision Regulations adopted by the Board, with such modifications or conditions, if any, as have been imposed by the Board, 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; 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 District of the Land Court 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 four (4) 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 filed with the Land Registration Section of the Middlesex South District Registry of Deeds on February 15, 2019 as Document No. 0187528.

Exectued as sealed instrument this 14th day of July, 2025.

Applicant

131 Harwell Avenue LLC



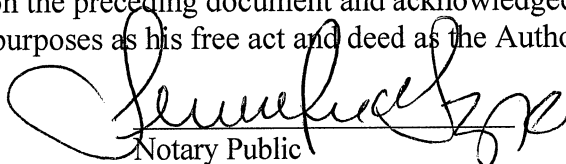
Charles P. Minasian
Authorized Signatory

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

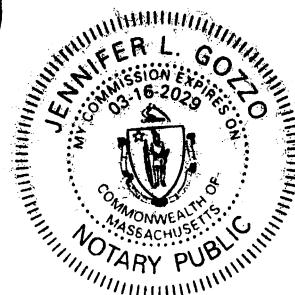
July 14th, 2025

On this 14th day of July, 2025, before me, the undersigned notary public, personally appeared Charles P. Minasian, Authorized Representative 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 he signed it voluntarily for its stated purposes as his free act and deed as the Authorized Signatory of 131 Hartwell LLC.



Notary Public

My commission expires:



Town of Lexington Planning Board

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

475 Bedford Street - Definitive Subdivision

PRESENTER:

Staff and Board Discussion

ITEM NUMBER:

SUMMARY:

On July 16, 2025, the Planning Board approved a definitive subdivision application for a 3 lot subdivision at 475 Bedford Street. The appeal period has ended without an appeal. The Board may now accept a performance guarantee and endorse the plans. A covenant as a guarantee is proposed and attached. Staff recommends approval.

Application materials may be viewed online at <https://lexingtonma.portal.opengov.com/records/105967>

SUGGESTED MOTION:

Move to accept and sign the covenant from Cresset Lexington, LLC for the definitive subdivision approved at 475 Bedford Street.

Move to endorse the Definitive Subdivision Plan for 475 Bedford Street as approved on July 16, 2025.

**Board members please come to the office and sign.*

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

ATTACHMENTS:

Description

Type

COVENANT

Let it be known that Cresset Lexington, LLC, (the "Owners") have submitted an application on behalf of Pulte Homes of New England (the "Applicant") to the Lexington Planning Board on June 12 2025, for approval of a plan entitled, "Definitive Subdivision Plans, Fieldside at Lexington Subdivision, 475 Bedford Street Lexington, MA," prepared by VHB (revised through revised through June 25, 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 Applicant covenants and agrees with the Town as follows:

1. That no lot may be built upon or conveyed until the construction of ways and the installation of municipal services have been provided to serve such lot in accordance with any covenants, conditions, agreements, terms, and conditions specified in the following:
 - a. The Application for Approval, dated June 12, 2025 as qualified by the definitive subdivision plan as approved.
 - b. The Planning Board's Development Regulations governing this development.
 - c. The definitive plan as approved.
 - d. Other document(s) specifying construction to be completed, namely:

It is understood and agreed that 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.

2. This covenant shall be binding upon and inure to the benefit of the executors, administrators, devisees, heirs, successors and assigns of the Applicant. It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid development and shall operate as a restriction upon said land.
3. Nothing herein shall be deemed to prohibit conveyance by a single deed of either the entire parcel shown on the plan or of all lots not previously released by the Board. Notwithstanding any provision herein to the contrary, a mortgagee who acquires title to the mortgaged premises, or part thereof, by foreclosure or otherwise may sell any lot subject to the terms and conditions of this covenant.

4. The undersigned warrant(s) and represent(s) that they are the owners in fee simple of all the land included in the development, and there are no mortgages or liens of record or otherwise on any of said land, except those described below and subordinated to this Covenant, and the present holders of said mortgages or liens have assented to this Covenant prior to its execution by the Applicant.

The description of the mortgage(s) and lien(s) is as follows:

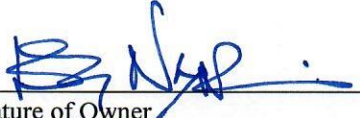
Mortgage, Security Agreement and Financing Statement by Cresset Lexington LLC to Radius Bank dated December 22, 2006 and recorded with the Middlesex South Registry of Deeds in Book 68720, Page 254.

The mortgagee agrees to hold the mortgage subject to the covenants set forth herein and agrees that the covenants shall have the same status, force and effect as though executed and recorded before the taking of the mortgage and further agrees that the mortgage shall be subordinate to this covenant.

The lien holder agrees to hold the lien subject to the covenants set forth herein and agrees that the covenants shall have the same status, force and effect as though executed and recorded before the taking of the lien and further agrees that the lien shall be subordinate to this covenant.

5. 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 this covenant placed on the plan.
6. Upon final completion of the construction of ways and installation of municipal services as specified herein, on or before eight (8) years from the date of endorsement of the definitive plan, 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.
7. This covenant can be executed in counterparts which when taken together shall constitute one instrument.

Executed under seal as of the _____ day of _____, 20____.



Signature of Owner

EDWARD NARDI

Owner's Name Printed

Signature of Planning Board Member

Board Member's Name Printed

Signature of Planning Board Member

Board Member's Name Printed

Signature of Planning Board Member

Board Member's Name Printed

Signature of Planning Board Member

Board Member's Name Printed

Signature of Planning Board Member

Board Member's Name Printed

Signatures of a Majority of the Members of the
Planning Board of the Town of Lexington

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY, ss

On this _____ day of _____ 20____, before me, the undersigned notary public, personally appeared the Lexington Planning Board proved to me through satisfactory evidence of identification, which were _____, to be the persons whose names are signed on the proceeding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

_____, Notary Public
My Commission Expires _____

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Board Member & Staff Updates

PRESENTER:

Staff and Board Discussion

ITEM NUMBER:

SUMMARY:

Lowell Street Affordable Housing Development - Received the project eligibility letter from EOHLC on August 6. This allows the Applicant to submit their application for the Comprehensive Permit to the Zoning Board of Appeals. Causeway Development is working towards submitting the application this fall.

Affordable Homeownership Opportunity at The Edgewood on Meriam Hill - The application process is now open for qualified applicants (4-bdrm for \$357,800) at Meriam Street. The application deadline is September 19. View the Application Flyer

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Review Annual Report

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

Draft Annual Planning Board Report is forthcoming (due Sept. 8)

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Review of Draft Meeting Minutes: 7/16

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Upcoming Meetings

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Adjourn – The meeting will continue until all items are finished. The estimated adjournment time is 9:45 pm.

PRESENTER:

ITEM NUMBER:

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

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

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

8/13/2025