

AGENDA

Lexington Planning Board

Wednesday, September 21, 2022

Held fully remote through Zoom link available here:

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

6:00 PM

Staff Reports

- 1. 95 Hayden Ave. & 128 Spring St. (99 Hayden Ave.) - Continued Public Hearing for Major Site Plan Review**
- 2. 9 Bruce Road - Street Adequacy Determination (SAD)**
- 3. 6 Park Street - Street Adequacy Determination (SAD) continued from 9/7/22 meeting**
- 4. 35 Hayes Lane – Public Hearing for a Site Sensitive Residential Definitive Subdivision Development and Street Adequacy Determination**
- 5. 7 Bird Hill Road – Request to release surety from the required improvements of the March 3, 2020 Street Adequacy Determination**

Board Administration

- 1. Update on the Bedford/Hartwell Complete Streets 25% Design Project and Transportation Demand Overlay District Plans**
- 2. Staff Updates**
- 3. Board Member Updates**
- 4. Upcoming meetings – 9/28/22, 10/12/22, 10/19/22**
- 5. Review of Meeting Minutes: 9/13/22, 9/7/22**

Adjourn



Meeting broadcast by LexMedia

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

95 Hayden Ave. & 128 Spring St. (99 Hayden Ave.) - Continued Public Hearing for Major Site Plan Review

PRESENTER:

Applicant: Hobbs Brook Real Estate
LLC

ITEM NUMBER:

SUMMARY:

The Lexington Planning Board opened the public hearing on Wednesday, August 17, 2022. The hearing was then continued to September 7th, where it was continued without discussion to Wednesday, September 21. The application of Hobbs Brook Real Estate LLC is for a Major Site Plan Review at 95 Hayden Avenue and 128 Spring Street (99 Hayden Avenue) pursuant to Sections 7.3 [Planned Development Districts] and 9.5 [Site Plan Review] of the Zoning Bylaws. The property is located in a Planned Development (PD-6) Zoning District; Assessor's Map 18, Lot 2B and Map 17, Lot 22.

The property was re-zoned to PD-6 at Annual Town Meeting in Spring 2022. Proposal is to raze two existing buildings to construct two new buildings with a connector and structured parking. Project will create new building for life science tenants.

Applicant's responses and updated material are uploaded in the below link.

The material submitted with this application can be found
here: <https://lexingtonma.viewpointcloud.com/records/64765>

SUGGESTED MOTION:

Board will re-open the public hearing, hear from the Applicant on the revised material and response to comments, and open the hearing up to public comments and questions.

Staff has reviewed the submitted material and believes all outstanding items have been addressed. A draft decision of approval with conditions is uploaded here as an attachment. If the Board is ready, at the end of the discussion, the Board should vote on the two requested waivers, vote on the application, and vote to close the public hearing.

Suggested motions to approve:

Move to approve the request to waive the strict requirement of the Board's zoning regulations to allow finished grades greater than 3:1 because of the existing ledge and the tree bylaw because the tree removal and replacement has been incorporated into this site plan review.

Move to approve the major site plan review application submitted by Hobbs Brook Real Estate for 95 Hayden Ave. and 128 Spring Street with the conditions outlined in the draft decision prepared by staff and discussed tonight.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022

ATTACHMENTS:

Description	Type
❏ Draft Decision of Approval with Conditions	Exhibit
❏ Draft Decision with revisions since 09.16.22	Exhibit
❏ Applicant Presentation	Cover Memo



LEXINGTON PLANNING BOARD
1625 MASSACHUSETTS AVENUE, LEXINGTON, MA

MEMBERS OF THE PLANNING BOARD:
ROBERT PETERS, CHAIR, MICHAEL SCHANBACHER, VICE CHAIR
MELANIE THOMPSON, CLERK, ROBERT CREECH, CHARLES HORNIG,
MICHAEL LEON, ASSOCIATE MEMBER

**DECISION OF THE LEXINGTON PLANNING BOARD
MAJOR SITE PLAN REVIEW**

**95 Hayden Avenue and 128 Spring Street
Proposed as 97, 99, 101, and 103 Hayden Avenue**

September 21, 2022

APPLICANT: Hobbs Brook Real Estate LLC
404 Wyman Street, Suite 425
Waltham, MA 02451

PROPERTY OWNER: 95 Hayden LLC & 99 Hayden LLC
404 Wyman Street, Suite 425
Waltham, MA 02451

PROPERTY LOCUS: 128 Spring Street - Map 18, Lot 2B
95 Hayden Avenue – Map 17, Lot 22
Planned Development District 6 approved 2022 Annual Town Meeting

APPLICATION DATE: Application filed with the Town Clerk on July 21, 2022

PUBLIC HEARING INFORMATION: Notice of Public Hearing published in the Minuteman newspaper on July 28 and August 4, 2022
Notice of Public Hearing posted by the Town Clerk on July 20, 2022
Public Hearing was held on August 17, September 7, and September 21, 2022

PROJECT SUMMARY

The Planning Board held a public hearing on August 17, and continued hearings on September 7, and September 21, 2022 to review the application of Hobbs Brook Real Estate LLC for Major Site Plan Review pursuant to Sections 7.3 *Planned Development Districts* and 9.5 *Site Plan Review* of the Zoning Bylaw.

The zoning for the project was approved as a new zoning district PD-6 at the 2022 Annual Town Meeting with a proposal to raze some existing buildings, construct two new buildings and a connector building, renovate existing buildings, and construct an addition to an existing parking garage (the "Project"). The Project is anticipated to be constructed in three separate phases. Building 1 is proposed to be one level of parking, four (4) stories of lab/office, and a penthouse. Building 2 is proposed to be three (3) levels of parking, four (4) floors of lab/office, and a penthouse. Building 3 will be the renovation of existing buildings. The Project also includes adding a four-level addition to the existing parking garage and converting the existing lab space within the parking garage back into parking.

The two new buildings are designed to serve life science tenants. The Project proposes 328,850 sf of new building and 546 additional parking spaces. Upon project completion, there will be 757,261 square feet of lab/office and 1,664 parking spaces within the campus.

The Site, known as 128 Spring Street and 95 Hayden Avenue, currently contains an office and lab building complex, two parking garages, and associated surface parking and other site improvements that were developed beginning in the 1960s. The Site is bounded generally by Spring Street on the west and Hayden Avenue on the south. Another Planned Development District CD-12 abuts the Site to the east and an RO Residential District to the north. The Site is bordered by wetlands on the north and east sides. The Site slopes steeply down from the center of the property toward the north, south and east and less steeply toward the west. Substantial ledge is present on the property. Many mature trees are present. There is a conservation restriction and trail easement on the northern and eastern portion of the Site.

STATEMENT OF FINDINGS

PROCEDURAL FINDINGS:

After having reviewed all the plans and material filed by the Applicant and its representatives and having considered the analysis, supplemental information provided during the course of the public hearings, correspondence and testimony from various staff, the public, and from all other interested parties, the Lexington Planning Board makes the following Project findings:

1. The public hearing opened on August 17, 2022, was continued to September 7, and continued further to September 21, 2022. The September 7 meeting was continued without testimony at the request of the Applicant. The hearings were held remotely via Zoom, pursuant to M.G.L. c. 30A §§18-25, c. 20 of the Acts of 2021, and c. 107 of the Acts of 2022 further extending the remote access provisions through March 31, 2023. The Planning Board accepted public comments via Zoom, mail, and e-mail.
2. Lexington Planning Board members Charles Hornig, Robert Creech, Melanie Thompson, and Michael Schanbacher participated in the public hearings. Chair Robert Peter presided over all three public hearings. The Board closed the public hearing on September 21, 2022.

3. Lexington Planning Board members Robert Peters, Charles Hornig, Robert Creech, Melanie Thompson, and Michael Schanbacher deliberated on the Application at a meeting on September 21, 2022.

PROJECT SPECIFIC FINDINGS:

In the course of the public hearing process, the Planning Board took under advisement all information received from various municipal departments; comments made by members of the public; and information submitted by the Applicant. The Planning Board arrived at this Decision based on §135-7.3 [Planned Development Districts] and §135-9.5 [Site Plan Review] of the Zoning Bylaw and makes the following findings:

1. The proposed use, intensity, and general layout of the Project were part of the approval of Zoning District PD-6 at Annual Town Meeting 2022. Additionally, the Select Board entered into a Memorandum of Understanding (MOU) with the Applicant on April 13, 2022.
2. The Planning Board finds that this is a reasonable use of the Site. The site is currently an office lab park originally built in the 1950's and 1960's. The proposed redevelopment with renovations and new construction will enhance the Hayden Avenue life sciences cluster.
3. The Ledgemont Technology Center Campus consists of two parcels comprising the Site. The 11.34-acre property known as 128 Spring Street and sometimes referred to as 99 Hayden Avenue is presently improved with 206,188 square feet of gross floor area (GFA) in 5 connected buildings (Buildings A, B, C, D, & E), 113,156 square feet GFA in a parking garage, and surface parking. The adjacent 24.97-acre parcel known as 95 Hayden Avenue is improved with 222,204 square feet of GFA in an office building, 196,060 square feet of GFA in a multi-level parking garage, and surface parking.
4. The Applicant proposes to redevelop the 128 Spring Street parcel by constructing a new lab/office building to be known as Building 1, renovating Buildings C and D to be Building 3, razing existing buildings A, B, and E to make way for a new Building 2, and adding an addition to the existing parking garage. Building 1 is proposed as a four-story plus penthouse lab/office building with one level of subsurface parking. Building 2 is proposed as a four-story plus penthouse lab/office building with four levels of subsurface parking and loading. The existing building, parking garage and surface parking on the 95 Hayden parcel will remain. The buildout and proposed changes are further explained in the document *99 Hayden Project Calculations* prepared by Margulies Perruzzi revised August 24, 2022.
5. Sustainable, Climate-sensitive, and Environmentally-conscious Design.

The renovation and new construction involved in the Project use modern design techniques and is designed to meet LEED Gold standards.

The MOU for the Project specifically requires that the Applicant provide Level 2 (or higher) electric vehicle (EV) charging stations in a minimum of 4% of the newly created off-street parking spaces and appropriate conduits and space for transformers and switchgear to allow for future installation of electric vehicle charging stations at 50% of the newly created off-street parking spaces. The Project is designed with a minimum of 22 EV charging spaces (4%) and 273 EV capable parking spaces (50%) included in the 546 total new parking spaces proposed. The Applicant may implement additional EV charging spaces, in excess of those shown, depending on final tenant requirements.

6. Siting of Facilities. The Project is appropriately sited to minimize the aesthetic impact and environmental impact. The proposed Building 1 is located away from the Woodcliffe Road neighborhood and the wetlands. This location maintains the wooded buffer and lessens the need for ledge removal.
7. Open space, Natural features, and the Landscape, emphasizing the function of Natural, Aesthetic, Social and Reactional design. A conservation restriction presently exists on the Site. The Project expands the conservation restriction by more than an acre, providing additional protection to undeveloped open space with significant conservation values. In addition, the Applicant is providing a public easement for the use of the planned new trail connection and trailhead parking on the Site.
8. Ecosystem function. With the exception of the trail connection on the north side of the Site, all construction activity is outside the 100-foot wetland buffer. The Project has less impact to the wetlands than the development previously approved but not constructed under the 2009 Planned Commercial District CD-14. The Project proposes removing several trees on the site. The Applicant proposes a planting scheme that mimics the existing hickory-oak forest on the Site.
9. Safety, Circulation and Connectivity that is Safe and Accessible for All.

The Project is designed to provide accessible sidewalks and ramps. The Applicant will remove a small portion of the existing landscape wall adjacent to the Spring Street driveway to allow improved sight lines. As part of this Project the Applicant will install a rectangular rapid flashing beacon aided crosswalk connecting the Spring Street sidewalk and Hayden Woods trail to the Shade Street Conservation Area. Wayfinding signs will be installed to direct tenants and employees to Hayden Avenue as the primary access for the Site.

To re-enforce egress and entry via Hayden Avenue the Applicant proposes that all buildings within the Site have Hayden Avenue addresses. Emergency services agreed with the Applicant's proposed numbering scheme. The buildings will be numbered as follows:

New Building 1	97 Hayden Avenue
New Building 2	101 Hayden Avenue
Renovated Building 3 (previously known as Buildings C and D)	99 Hayden Avenue
Parking Garage	103 Hayden Avenue
*95 Hayden will remain	

10. Effective and efficient transportation systems and the adverse impacts of motor vehicle transportation.

The Applicant provided a *Transportation Impact and Access Study* prepared by MDM Transportation Consultants dated July 14, 2022. The Board finds that while there will be an increase in traffic, there is capacity in the roadway network to support the Project. Levels of Service are expected to remain the same upon completion of the Project. The MOU requires that when the Project reaches 80% occupancy, the Applicant conduct a traffic monitoring study and, if the traffic volumes are over 5% of what was estimated, conduct a more in-depth traffic study with proposed mitigation.

The Applicant has provided a *Parking and Transportation Demand Management (PTDM)* Plan, dated July 14, 2022, which was developed in accordance with the Planning Board Zoning Regulations c. 176 Section 9.3.2(4) Major Site Plan Review. The Applicant committed to the following program elements as outlined in the PTDM Plan: Route 128 Business Council membership; an on-site transportation coordinator; shuttle services to and from Alewife subway station; a pre-tax transit pass sales program; employee transit subsidies; on-site showers and lockers; space for a bike share station; bicycle storage facilities; garage space for car share service; on-site support services and amenities; an online listing of alternative transit services; HOV parking spaces; transportation management events; electric vehicle charging stations; nature trail promotion and wayfinding; enhanced pedestrian crossing and connectivity on Spring Street; a tenant manual; and annual reporting.

Commuter shuttle stops will be provided at 95 and 97 Hayden Avenue.

Shower and locker facilities will be provided in Building 3 but will not be fully constructed until Phase 3 of construction. Temporary shower and locker spaces will be provided until final construction is complete for Phase 3.

The 2.75 parking ratio presented on the site plan for the Project is based on net square feet consistent with local zoning guidelines, which exclude common area space. The Applicant has provided evidence that there is adequate parking while not overparking the site. The Board requested that the Project team provide comparative data in support of the proposed parking ratios as adequate for the proposed use. The Applicant provided data from 45-65 Hayden Avenue and 99 Hayden Avenue. This Project provides 5% more parking than comparative projects with similar PTDM Plans. The Board finds that there is adequate parking to support the proposed use.

11. Potential Adverse Effects of Development

Lighting

The proposed lighting is dark sky compliant. Exterior lighting adheres to the Model Lighting Ordinance (MLO) provided by IES (Illuminating Engineering Society) and IDA (International Dark Sky Association) and the standards listed in Section 5.4 of the Zoning Bylaw. The Applicant has agreed to the Correlated Color Temperature for the LED exterior and landscape fixtures to be 3000K or less. In addition, the Applicant has reduced the light output on the parking garage roof and along the access drive nearest to the Woodcliffe neighborhood. The light output light fixture will provide 1.4 foot-candles under the light fixture and 0.3 foot-candles in the middle of the fixture spacing with a pole height of 20-ft.

Automatic shading is provided on the north side of Building 1 to reduce light trespass. The automatically controlled shading will be lowered seasonally at dusk to dawn. In conjunction with the shades on the north side of Building 1, all new buildings will include an automatic lighting controls system that will reduce light output from 100% to 30% beginning at 11 pm and continuing throughout the night until 6 am unless manually overridden by occupancy sensors.

The outdoor roadway and landscape lighting schedule is dusk to dawn with reduction of light levels for safety and security from 11 pm to 6 am. Exterior building mounted light fixtures at entry and egress will be reduced to 30% light output for safety and security between 11pm and 6 am.

Noise

Rock removal is expected as ledge is present on Site. All blasting will be performed by a licensed firm. The Applicant explained that due to the nature of the Site, and the fact that labs will be operating on-site during construction, ledge will primarily be removed through micro-blasting and hoe-ramming. This strategy will reduce noise and vibration impacts. Surveys of surrounding buildings and foundations will be performed consistent with State requirements.

The Construction Noise Management Plan dated June 2, 2022 details methods to meeting construction noise limits and other mitigation strategies, including notification of abutters, temporary sound barriers, and a complaint hotline and email. A detailed ledge removal plan will be developed consistent with State guidelines and will be provided with the initial building permit submission.

The MOU limits noise level limits to 5 dBA above established ambient noise levels. An acoustic study has been conducted and ambient noise levels have been measured.

Trees

Fourteen protected trees and an additional 255 internal site trees are proposed to be removed. According to the Tree Bylaw, a total of 292 caliper-inches need to be mitigated. The proposed plan calls for planting 358 new trees for a total of 985 caliper-inches. The Board finds that proposed development exceeds the Tree Bylaw mitigation requirements.

12. Protection of surface and groundwater quality: The stormwater management system is designed to comply with the Town of Lexington Stormwater Regulation and the National Pollutant Discharge Elimination System Program. If necessary, the Applicant will obtain a waiver from Section 130-5(2) of the Wetland Protection Code Rules as a result of the anticipated slight increase in stormwater volume generated by the 1-year storm.
13. Historic significance: The proposed development enhances the Hayden Avenue life science cluster. The Project does require razing a building significant to Lexington's history of innovation and manufacturing. This building is not on the Historic Resources List. As required in the MOU, the Applicant will provide funding to the Lexington Historical Commission for archival research and exhibition planning.
14. Impacts on Public Services and Facilities: Sewage and water usage is being reviewed separately by the Engineering Division.
15. Signage: Signs will be reviewed per the requirements of the MOU.

Waiver Requests

The Planning Board may waive any of its Rules and Regulations if the Board finds the waiver is in the public interest. In addition, for sites under the jurisdiction of the Planning Board, the Board may waive the application of the Tree Bylaw, in part or in full, if it deems it appropriate.

- The Board waives the requirements of Section 12.3.6 of Chapter 176 - The Planning Board's Zoning Regulations which requires finished grades be no greater than 3:1 slope. The proposed earthwork will reveal ledge which will be exposed at a slope greater than 3:1.
- The Board waives the Tree Bylaw in full, as the site plan review process has carefully considered the amount of tree loss, including those protected by the Tree Bylaw, against the proposed landscaping and determines that the project as outlined in the documents submitted to the Board, adequately addresses the purposes of the Tree Bylaw.

Major Site Plan Review – rev. 09.20.22

95 Hayden Avenue and 128 Spring Street – September 21, 2022

CONDITIONS OF APPROVAL

The Planning Board finds that the Application, Site Plans, and supporting material submitted by the Applicant comply with all applicable provisions of Lexington's Zoning Bylaw and applicable regulations, relevant to this review, except those waived by the Planning Board during the public review of the project. Accordingly, the Planning Board votes to approve the plan subject to the following conditions:

General Provisions.

1. This approval is subject to the Preliminary Site Development and Use Plan ("PSDUP") approved by Town Meeting at the 2022 Annual Town Meeting and the plan set revised through September 14, 2022 as submitted for this Site Plan Review application.
2. All construction activities relative to this decision shall comply in all respects to all applicable Zoning Bylaw, Planning Board Zoning Regulations, and other municipal requirements except as specifically modified or waived by the PSDUP approved by Town Meeting.
3. No material corrections, additions, substitutions, alterations, or changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the prior written approval of the Planning Board or their designee. Any request for a material modification of this approval shall be made in writing to the Planning Department for review and approval by the Planning Board or their designee and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation. Upon receipt of such a request, the Planning Department may, in the first instance, decide in writing to authorize a minor modification to the site plans, or the Planning Director may refer the matter to the Planning Board, which may consider and approve minor modifications at a regularly scheduled Planning Board public meeting. In the event the Planning Board determines the change is major in nature (e.g., resulting in material changes, newly identified impacts, etc.), the Planning Board shall consider the modification at a noticed public hearing pursuant to the procedures for Site Plan Review in § 135-9.5.4.
4. In the event that the site plan review is not exercised or substantial use thereof has not commenced within three (3) years of the date of recording, except for good cause as determined by the Planning Board, the permit shall be deemed null and void.
5. Applicant is responsible for filing any other permits or approvals that may be required by other town, state, or federal entities such as the application for Stormwater Permit approval from Lexington Engineering Department and any approvals from the Conservation Commission.

Before the start of any site work:

6. The Applicant shall record this Decision with any exhibits at the Middlesex South Registry of Deeds prior to the commencement of authorized site activity and shall submit proof of recording to the Planning Office. Failure to record this Decision prior to the commencement of authorized site activity may result in rescission of this Decision.

7. An Approval Not Required (ANR) Plan depicting any proposed internal lot line adjustments may be submitted to the Planning Board for endorsement and proof of recording at the Registry of Deeds submitted to the Planning Office prior to issuance of a building permit.
8. The plans for the Project, including civil (revised through September 2, 2022), architectural (revised through September 14, 2022), and landscape (revised through September 2, 2022), shall be revised to include the following, the final approved plan set combined into one PDF, and shall be submitted electronically to the Planning Office:
 - Show ESHGW elevations listed at test pit locations.
 - Provide a conduit for future bike share stations adjacent to the secure bike storage in the garages of Buildings 1 & 2.
 - Provide the location and number of EV and EV ready parking spaces. EV and EV ready parking spaces shall be located adjacent to the building lobbies in the enclosed parking structures to further encourage use of electric vehicles by occupants.
 - Provide accessible curb ramps at all crosswalk locations.
 - Show the location of the required 110 bicycle parking spaces.
 - Provide bicycle parking detail showing at least 2-foot by 6-foot spaces to provide for double sided racks with at least 4 feet between the racks.
 - Add bollards surrounding the bicycle racks for protection where appropriate.
9. The limits of land clearing or grading for the installation of any improvements relative to the project, including but not limited to the driveways, stormwater management system, and utilities, shall be the limits of the grading shown on the site plans. Prior to any clearing of the land, the limits of such clearing and grading as shown on the approved plan shall be clearly marked in the field and shall remain in place until the completion of the project construction. This limit of work line shall be reviewed in the field by the Applicant and Planning staff prior to the issuance of a building permit.

Prior to issuance of the first Building Permit:

10. A detailed ledge removal plan, consistent with State guidelines, shall be provided with the initial Building Permit submission for review.
11. The lighting analysis of the lower courtyard will be reviewed during the applicable building permit review.
12. Shower and locker facilities will be included in Building 3 (proposed 99 Hayden Avenue), which will be constructed in Phase 3 of construction. Temporary shower and locker spaces will be provided until final construction is complete for Phase 3.

During Construction and Site Development

13. A copy of this Decision shall be kept on the Site in a location that is highly visible and accessible during construction.

14. Any work in the roadway and utility work is subject to the Department of Public Works Rules and Regulations. Agents of the Planning Board shall have the right to enter the Site and to gather all information, measurements, photographs, or other materials needed to ensure compliance with this approval. Agents of the Planning Board entering onto the Site for these purposes shall comply with all safety rules, regulations, and directives of the Applicant and the Applicant's contractors.
15. Seven working days before any construction begins, Applicant shall notify Engineering so that a pre-construction meeting can be arranged on-site.
16. No equipment on-site shall be started and allowed to warm up prior the start of the allowed construction hours or hours outlined in the Lexington Noise Control Bylaw. No vehicles are to arrive at the construction site before the designated construction hours, with no vehicle parking, standing, or idling on adjacent public or private streets. Oversized deliveries of construction materials shall occur before or after peak traffic hours.
17. The Applicant shall perform daily cleanup of construction debris, including soil on streets within two hundred (200) yards from the entrance of the site driveways caused by construction relative to the Project.
18. The Applicant shall check all stormwater features prior to and at the end of each construction day. In the event a multiple day storm event occurs, the project manager shall check on the stormwater features to ensure they are functioning properly and have not exceeded their capacity. Any necessary repairs, adjustments, or deficiencies that are identified shall be commenced immediately and completed promptly.
19. The Applicant shall provide appropriate erosion control methods such as silt fences, straw wattles, or organic hessian fabric burlap filled with compost around the stockpiles in case of a storm event, in addition to the temporary dust control requirements.
20. The use of hay bales is prohibited on-site.
21. The use of plastic stabilization netting is prohibited.
22. The Applicant shall be responsible for ensuring that runoff and eroded material does not run onto Spring Street or Hayden Avenue.
23. Generators and heaters associated with construction and earth removal, as needed, shall be wrapped in temporary noise barriers so they are compliant with the Town's construction noise limits.

Before the issuance of the First Occupancy Permit within the development:

24. Prior to the issuance of the first Certificate of Occupancy for the Project or within twenty-four (24) months after commencement of construction activities on the Site (whichever is earlier), the trail and access easement shall be prepared for review and approval by the Town. Upon acceptance by the Town, the Applicant shall file the appropriate deeds and easements with Middlesex South District Registry of Deeds or Middlesex South Registry District of the Land Court. Proof of such recording shall be provided to the Planning Department, including the date of recording, along with the book and page number of executed legal documents.
25. The Applicant shall install a Rectangular Rapid Flashing Beacon crosswalk across Spring Street connecting to the planned trail connection and the Spring Street sidewalk. This crosswalk shall

be designed and built according to the direction and approval of the Lexington Engineering Division.

26. The Applicant shall install an additional section of guardrail along Spring Street near the proposed new crosswalk, according to the direction and approval of the Lexington Engineering Division.
27. The Applicant shall provide the Planning Board with an "Interim As-Built Plan" stamped by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all improvements completed as part of the applicable phase of development are completed in accordance with the approved Site Plans in a form acceptable to the Lexington Engineering Division.

Prior to the request for the last Certificate of Occupancy within the development:

28. Upon completion of all phases of the Project and prior to the request for a final Certificate of Occupancy, the Applicant shall provide the Planning Office with an "As-Built Plan" stamped by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all improvements are completed in accordance with the approved Site Plans and the Town's applicable rules and regulations in a form acceptable to the Lexington Engineering Division.
29. Upon completion of the Project and prior to the request for a Certificate of Occupancy, the Applicant shall provide the Planning Office with a "Landscape As-Built Plan" stamped by a Professional Landscape Architect registered in the Commonwealth of Massachusetts certifying that all improvements are completed in accordance with the approved Site Plans.
30. The as-built plan shall be submitted in both hard copy (2 large copies) and electronic formats (PDF and AutoCAD) to the Planning Office for review. The AutoCAD file must conform to the current form of the Mass GIS Standard for Digital Plan Submission to Municipalities or other standard requested by the Lexington Engineering Division. The plan shall include, but not be limited to, site utility improvements and tie-in dimensions to all pipes and connection points. The as-built information shall be delivered to Planning Office a minimum of fourteen (14) business days in advance of the Applicant seeking a Certificate of Occupancy sign-off to allow time for the Town Engineer or designee to review and approve the submitted information.
31. The Applicant shall submit a statement certifying that all conditions of approval of this decision have been met and site improvements are complete.

On-Going:

32. Car share spaces shall be inside the existing parking garage, grouped together near the entry, and will be protected from the elements.
33. The Applicant shall comply with the Ledgemont Stormwater Report prepared by Environmental Partners, dated July 2022, or any further revisions that may be required with the stormwater permit approval. The Operations and Maintenance Manual is part of this report.
34. Maintenance of the landscaping in accordance with the landscape plan shall be perpetual, with owner(s) responsible for replacing in kind any landscape that does not survive the first available growing season.
35. The annual PTDM monitoring shall include an analysis of the estimated reduction of single occupancy vehicle trips in the technical report.

36. Automatic shading shall be provided on the north side of Building 1 to reduce light trespass. The automatically controlled shading shall be lowered seasonally at dusk to dawn. All new buildings shall include an automatic lighting control system that will go from 100% to 30% light output from the hours of 11pm and 6am unless overridden by occupancy sensors. A lowered wattage light fixture shall be along the northern portion of the outer road that abuts the Woodcliffe Road neighborhood and wetlands. The lowered light output light fixture shall provide no more than 1.4 foot-candles directly under the light fixture and 0.3 foot-candles in between the light fixtures with a maximum pole height of 20-feet.
37. During the nighttime hours outdoor roadway and landscape lighting will operate from dusk to dawn with reduction of light levels for safety and security from 11pm to 6am. Exterior building mounted light fixtures at entry and egress shall be reduced to 30% light output for safety and security between 11pm and 6 am.
38. The Correlated Color Temperature for the LED exterior and landscape fixtures shall be 3000K or less.
39. Any new plantings (shrubs, bushes) or physical landscape features located within the roadway sight lines shall be maintained at a height of 2 feet or less above the adjacent roadway grade to ensure unobstructed lines of sight

RECORD OF VOTE

On September 21, 2022, the Planning Board voted in favor, opposed, and none (0) in abstention to grant a Major Site Plan Review approval with conditions for the PD-6 95 Hayden Avenue and 128 Spring Street Development Project

Charles Hornig –
Robert D. Peters -
Robert Creech -
Michael Schanbacher -
Melanie Thompson –

Robert Creech, Chair Approval: _____ Date: _____

EXHIBITS (submitted material to be provided by staff/forthcoming)



LEXINGTON PLANNING BOARD
1625 MASSACHUSETTS AVENUE, LEXINGTON, MA

MEMBERS OF THE PLANNING BOARD:
ROBERT PETERS, CHAIR, MICHAEL SCHANBACHER, VICE CHAIR
MELANIE THOMPSON, CLERK, ROBERT CREECH, CHARLES HORNIG,
MICHAEL LEON, ASSOCIATE MEMBER

**DECISION OF THE LEXINGTON PLANNING BOARD
MAJOR SITE PLAN REVIEW**

**95 Hayden Avenue and 128 Spring Street
Proposed as 97, 99, 101, and 103 Hayden Avenue**

September 21, 2022

APPLICANT: Hobbs Brook Real Estate LLC
404 Wyman Street, Suite 425
Waltham, MA 02451

PROPERTY OWNER: 95 Hayden LLC & 99 Hayden LLC
404 Wyman Street, Suite 425
Waltham, MA 02451

PROPERTY LOCUS: 128 Spring Street - Map 18, Lot 2B
95 Hayden Avenue – Map 17, Lot 22
Planned Development District 6 approved 2022 Annual Town Meeting

APPLICATION DATE: Application filed with the Town Clerk on July 21, 2022

PUBLIC HEARING INFORMATION: Notice of Public Hearing published in the Minuteman newspaper on
July 28 and August 4, 2022
Notice of Public Hearing posted by the Town Clerk on July 20, 2022
Public Hearing was held on August 17, September 7, and September 21, 2022

PROJECT SUMMARY

The Planning Board held a public hearing on August 17, and continued hearings ~~held on~~ September 7, and September 21, 2022 to review the application of Hobbs Brook Real Estate LLC for ~~a~~ Major Site Plan Review pursuant to Sections 7.3 *Planned Development Districts* and 9.5 *Site Plan Review* of the Zoning Bylaws.

Rev. 9.2014.22

The zoning for the project was approved as a new zoning district PD-6 at the 2022 Annual Town Meeting with a proposal to raze some existing buildings, ~~and~~ construct two new buildings and a connector building, renovate existing buildings, and construct an addition to an existing parking garage (the "Project"). The Project is anticipated to be constructed in three separate phases. Building 1 is proposed to be one level of parking, ~~and~~ four (4) stories of lab/office, and a penthouse. Building 2 is proposed to be three (3) levels of parking, ~~and~~ four (4) floors of lab/office, and a penthouse. Building 3 will be the renovation of existing buildings. The Project also includes adding a four-level addition to the existing parking garage and converting the existing lab space within the parking garage back into parking.

The two new buildings are designed to serve life science tenants. The Project proposes 328,850 sf of new building and 546 additional parking spaces. Upon project completion, there will be 757,261 square feet of lab/office and 1,664 parking spaces within the campus.

The Site, known as 128 Spring Street and 95 Hayden Avenue, currently contains an office and lab building complex, two parking garages, and associated surface parking and other site improvements that were developed beginning in the 1960s. The Site is bounded generally by Spring Street on the west and Hayden Avenue on the south. Another Planned Development District CD-~~12~~ abuts the Site to the east and ~~an~~ RO Residential District to the north. The Site is bordered by wetlands on the north and east sides. The Site slopes steeply down from the center of the property toward the north, south and east and less steeply toward the west. Substantial ledge is present on the property. Many mature trees are present. There is a conservation restriction and trail easements on the northern and eastern portion of the Site.

STATEMENT OF FINDINGS

PROCEDURAL FINDINGS:

After having reviewed all the plans and material filed by the Applicant and its representatives and having considered the analysis, supplemental information provided during the course of the public hearings, correspondence and testimony from various staff, the public, and from all other interested parties, the Lexington Planning Board makes the following Project findings:

1. The public hearing opened on August 17, 2022, ~~and~~ was continued to September 7, and continued further to September 21, 2022. The September 7 meeting was continued without testimony at the request of the Applicant. The hearings were held remotely via Zoom, pursuant to M.G.L. c. 30A §§18-25, c. 20 of the Acts of 2021, and c. 107 of the Acts of 2022 further extending the remote access provisions through March 31, 2023. The Planning Board accepted public comments via Zoom, mail, and e-mail.
2. Lexington Planning Board members Charles Hornig, Robert Creech, Melanie Thompson, and Michael Schanbacher participated in the public hearings. Chair Robert Peter presided over all three public hearings. The Board closed the public hearing on September 21, 2022.

3. Lexington Planning Board members Robert Peters, Charles Hornig, Robert Creech, Melanie Thompson, and Michael Schanbacher deliberated on the Application at a meeting on September 21, 2022.

PROJECT SPECIFIC FINDINGS:

In the course of the public hearing process, the Planning Board took under advisement all information received from various municipal departments; comments made by members of the public; and information submitted by the Applicant. The Planning Board arrived at this Decision based on §135-7.3 [Planned Development Districts] and §135-9.5 [Site Plan Review] of the Zoning Bylaw and makes the following findings:

1. The proposed use, intensity, and general layout of the Project were part of the approval of Zoning District PD-6 at Annual Town Meeting 2022. Additionally, the Select Board entered into a Memorandum of Understanding (MOU) with the Applicant on April 13, 2022.
2. The Planning Board finds that this is a reasonable use of the Site. The site is currently an office lab park originally built in the 1950's and 1960's. The proposed redevelopment with renovations and new construction will enhance the Hayden Avenue life sciences cluster.
3. The Ledgemont Technology Center Campus consists of two parcels comprising the Site. The 11.34-acre property known as 128 Spring Street and sometimes referred to as 99 Hayden Avenue is presently improved with 206,188 square feet of gross floor area (GFA) in 5 connected buildings (Buildings A, B, C, D, & E), and 113,156 square feet GFA in a parking garage, and surface parking. The adjacent 24.97-acre parcel known as 95 Hayden Avenue is improved with 222,204 square feet of GFA in an office building, and 196,060 square feet of GFA in a multi-level parking garage, and surface parking.
4. The Applicant proposes to redevelop the 128 Spring Street parcel by constructing a new lab/office building to be known as new-Building 1, by renovating Buildings C and D to be new-Building 3, and by razing existing buildings A, B, and E to make way for a new Building 2, and adding an addition to the existing parking garage at 128 Spring Street/99 Hayden. New-Building 1 is proposed as a four-story plus penthouse lab/office building with one level of subsurface parking. New-Building 2 is proposed as a four-story plus penthouse lab/office building with four levels of subsurface parking and loading. The existing building, parking garage and surface parking on the 95 Hayden parcel will remain. -The buildout and proposed changes are further explained in the document 99 Hayden Project Calculations prepared by Margulies Perruzzi revised August 24, 2022.
5. Sustainable, Climate-sensitive, and Environmentally-conscious Design.

The renovation and new construction involved in the Project use modern design techniques and is designed to meet LEED Gold standards.

The MOU for the Project specifically requires that the Applicant provide Level 2 (or higher) electric vehicle (EV) charging stations in a minimum of 4% of the total newly created off-street parking spaces and appropriate conduits and space for transformers and switchgear to allow for future installation of electric vehicle charging stations at 50% of the newly created off-street parking spaces. The Project is designed with a minimum of 22 EV charging spaces (4%) and 273 EV capable parking spaces (50%) included in connection with the 546 total new parking

spaces proposed. The Applicant may implement additional EV charging spaces, in excess of those shown, depending on final tenant requirements.

6. Siting of Facilities. The Project is appropriately sited to minimize the aesthetic impact and environmental impact. The ~~new~~ proposed Building 1 is located away from the Woodcliffe Road neighborhood and the wetlands. This location maintains the wooded buffer and lessens the need for ledge removal.
7. Open space, Natural features, and the Landscape, emphasizing the function of Natural, Aesthetic, Social and Reactional design. A conservation restriction presently exists on the Site. The Project expands the conservation restriction by more than an acre, providing additional protection to undeveloped open space with significant conservation values. In addition, the Applicant is providing a public easement for the use of the planned new trail connection and trailhead parking on the Site.
8. Ecosystem function. With the exception of the trail connection on the north side of the Site, all construction activity is outside the 100-foot wetland buffer. The Project has less impact to the wetlands than the development previously approved but not constructed under the 2009 Planned Commercial District CD-14. The Project ~~does~~ proposes removing several trees ~~internal to~~ the site ~~to be removed~~. The Applicant proposes a planting scheme that mimics the existing hickory-oak forest on the Site.
9. Safety, Circulation and Connectivity that is Safe and Accessible for All.

The Project is designed to provide accessible sidewalks and ramps. The Applicant will remove a small portion of the existing landscape wall adjacent to the Spring Street driveway to allow improved sight lines. As part of this Project the Applicant ~~is~~ will installing a rectangular rapid flashing beacon aided crosswalk connecting the Spring Street sidewalk and Hayden Woods trail to the Shade Street Conservation Area. Wayfinding signs will be installed to direct tenants and employees to Hayden Street Avenue as the primary access ~~egress~~ for the Site.

~~In an effort~~ To re-enforce egress and ~~regress~~ entry via ~~the~~ Hayden Street Avenue the Applicant proposes that all buildings within the Site ~~to~~ have Hayden Street Avenue addresses. Emergency services agreed with the Applicant's proposed numbering scheme. The buildings will be numbered as follows:

New Building 1	97 Hayden Avenue
New Building 2	101 Hayden Avenue
Renovated Building 3 (previously known as Buildings C and D)	99 Hayden Avenue
Parking Garage	103 Hayden Avenue
*95 Hayden will remain	

10. Effective and efficient transportation systems and the adverse impacts of motor vehicle transportation.

The Applicant provided a *Transportation Impact and Access Study* prepared by MDM Transportation Consultants dated July 14, 2022. The Board finds that while there will be an increase in traffic, there is capacity in the roadway network to support the Project. Levels of Service are expected to remain the same upon completion of the Project. ~~The~~ MOU requires

Major Site Plan Review – rev. 09.20.22

95 Hayden Avenue and 128 Spring Street – September 21, 2022

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that when the Project reaches ~~at least~~ 80% occupancy, the Applicant ~~will~~ conduct a traffic monitoring study and, if the traffic volumes are over 5% of what was estimated, conduct a more in-depth traffic study with proposed mitigation ~~will be conducted~~.

The Applicant has provided a *Parking and Transportation Demand Management (PTDM)* Plan, dated July 14, 2022, which was developed in accordance with the Planning Board Zoning Regulations c. 176 Section 9.3.2(4) Major Site Plan Review. The Applicant committed to the following program elements as outlined in the ~~Parking and Transportation Demand Management~~ (PTDM) Plan: Route 128 Business Council membership; ~~having~~ an on-site transportation coordinator; shuttle services to and from Alewife subway station; a pre-tax transit pass sales program; employee transit subsidies; on-site showers and lockers; space for a bike share station; bicycle storage facilities; garage space for car share service; on-site support services and amenities; an online listing of alternative transit services; HOV ~~parking~~ spaces; transportation management events; electric vehicle charging stations; nature trail promotion and wayfinding; enhanced pedestrian crossing and connectivity on Spring Street; a tenant manual; and ~~annual~~ reporting.

Commuter shuttle stops will be provided at 95 and 97 Hayden Avenue.

Shower and locker facilities will be provided in Building 3, but will not be fully constructed until Phase 3 of construction. Temporary shower and locker spaces will be provided until final construction is complete for Phase 3.

The 2.75 parking ratio presented on the site plan for the Project is based on net square feet consistent with local zoning guidelines, which excludes common area space. The Applicant has provided evidence that there is adequate parking while not overparking the site. The Board requested that the Project team provide comparative data in support of the proposed parking ratios as adequate for the proposed use. The Applicant provided data from 45-65 Hayden Avenue and 99 Hayden Avenue. This Project provides 5% more parking than comparative projects with similar PTDM Plans. The Board finds that there is adequate parking to support the proposed use.

11. Potential Adverse Effects of Development

Lighting

The proposed lighting is dark sky compliant. Exterior lighting adheres to the Model Lighting Ordinance (MLO) provided by IES (Illuminating Engineering Society) and IDA (International Dark Sky Association) and the standards listed in Section 5.4 of the Zoning Bylaw. The Applicant has agreed to the Correlated Color Temperature for the LED exterior and landscape fixtures to be 3000K or less. In addition, the Applicant has reduced the light output on the parking garage roof and along the access drive nearest to the Woodcliffe neighborhood. The light output light fixture will provide 1.4 foot-candles under the light fixture and 0.3 foot-candles in the middle of the fixture spacing with a pole height of 20-ft.

Automatic shading is provided on the north side of Building 1 to reduce light trespass. The automatically controlled shading will be lowered seasonally at dusk to dawn. In conjunction with the shades on the north side of Building 1, all new buildings will include an automatic lighting controls system that will reduce light output ~~go~~ from 100% to 30% ~~light output from the hours of 11pm and 6am~~ beginning at 11 pm and continuing throughout the night until 6 am; unless manually overridden by occupancy sensors.

The outdoor roadway ~~/ and~~ landscape lighting schedule is dusk to dawn with reduction of light levels for safety and security from 11 pm to 6 am. Exterior building mounted light fixtures at entry and egress ~~shall will~~ be reduced to 30% light output for safety and security between 11pm and 6 am.

Noise

Rock removal is expected as ledge is present on Site. All blasting will be performed by a licensed firm. The Applicant explained that due to the nature of the Site, and the fact that labs will be operating on-site during construction, ~~ledge~~ will primarily be removed through micro-blasting and hoe-ramming. This strategy will reduce noise and vibration impacts. Surveys of surrounding buildings and foundations will be performed consistent with State requirements.

The Construction Noise Management Plan dated June 2, 2022 details methods to meeting construction noise limits and other mitigation strategies, including notification of abutters, temporary sound barriers, and a complaint hotline and email. A detailed ledge removal plan will be developed consistent with State guidelines and will be provided with the initial building permit submission.

~~Foundation surveys of nearby buildings shall be performed by the Applicant prior to work as may be necessary in accordance with applicable law and regulations.~~

The MOU limits noise level limits ~~of to~~ 5 dBA above established ambient noise levels. An acoustic study has been conducted and ambient noise levels have been measured.

Trees

Fourteen protected trees and an additional 255 internal site trees are proposed to be removed. According to the Tree Bylaw, a total of 292 caliper-inches need to be mitigated. The proposed plan calls for planting 358 new trees for a total of 985 caliper-inches. The Board finds that proposed development exceeds the Tree Bylaw mitigation requirements.

12. Protection of surface and groundwater quality: The stormwater management system is designed to comply with the Town of Lexington Stormwater Regulation and the National Pollutant Discharge Elimination System Program. If necessary, the Applicant will obtain a waiver from Section 130-5-(2) of the Wetland Protection Code Rules Adopted by the Lexington Conservation Commission as a result of the anticipated slight increase in stormwater volume ~~being~~ generated by the 1-year storm.
13. ~~Town character and Historical~~ significance: The proposed development enhances the Hayden Avenue life science cluster. ~~The Project does require razing a building significant to Lexington's history of innovation and manufacturing. This building is not on the Historic Resources List. As required in the MOU, the Applicant will provide funding to the Lexington Historical Commission for archival research and exhibition planning.~~
14. Impacts on Public Services and Facilities: Sewage and water usage is being reviewed separately by the Engineering Division.
15. Signage: Signs will be reviewed per the requirements of the MOU.

Waiver Requests

The Planning Board may waive any of its Rules and Regulations if the Board finds the waiver is in the public interest. In addition, for sites under the jurisdiction of the Planning Board, the Board may waive the application of the Tree Bylaw, in part or in full, if ~~they~~it deems ~~s~~ it appropriate.

- The Board waives the requirements of Section 12.3.6 of Chapter 176 - The Planning Board's Zoning Regulations which requires finished grades be no greater than 3:1 slope. The proposed earthwork will reveal ledge which will be exposed at a slope greater than 3:1.
- The Board waives the Tree Bylaw in full, as the site plan review process has carefully considered the amount of tree loss, including those protected by the Tree Bylaw, against the proposed landscaping and determines that the project as outlined in the documents submitted to the Board, adequately addresses the purposes of the Tree Bylaw.

CONDITIONS OF APPROVAL

The Planning Board finds that the Application, Site Plans, and supporting material submitted by the Applicant comply with all applicable provisions of Lexington's Zoning Bylaw and applicable regulations, relevant to this review, except those waived by the Planning Board during the public review of the project. Accordingly, the Planning Board votes to approve the plan subject to the following conditions:

General Provisions.

1. This approval is subject to the Preliminary Site Development and Use Plan ("PSDUP") approved by Town Meeting at the 2022 Annual Town Meeting, ~~the Memorandum of Understanding ("MOU") executed on April 13, 2022,~~ and the plan set revised through September 14, 2022 as submitted for this Site Plan Review application.
2. All construction activities relative to this decision shall comply in all respects to all applicable Zoning Bylaw, Planning Board Zoning Regulations, and other municipal requirements except as specifically modified or waived by the PSDUP approved by Town Meeting.
3. No material corrections, additions, substitutions, alterations, or ~~any~~ changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the prior written approval of the Planning Board, or their designee. Any request for a material modification of this approval shall be made in writing to the Planning Department for review and approval by the Planning Board, or their designee and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation. Upon receipt of such a request, the Planning Department may, in the first instance, decide in writing to authorize a minor modification to the site plans, or the Planning Director may refer the matter to the Planning Board, which may consider and approve minor modifications at a regularly scheduled Planning Board public meeting. In the event the Planning Board determines the change is major in nature (e.g., resulting in material changes, newly identified impacts, etc.), the Planning Board shall consider the modification at a noticed public hearing pursuant to the procedures for Site Plan Review in § 135-9.5.4.
4. In the event that the site plan review is not exercised or substantial use thereof has not commenced within three (3) years of the date of recording, except for good cause as determined by the Planning Board, the permit shall be deemed null and void.

5. Applicant is responsible for filing any other permits or approvals that may be required by other town, state, or federal entities such as the application for Stormwater Permit approval from Lexington Engineering Department and any approvals from the Conservation Commission.

Before the start of any site work:

6. The Applicant shall record this Decision with any exhibits at the Middlesex South Registry of Deeds prior to the commencement of authorized site activity and shall submit proof of recording to the Planning Office. Failure to record this Decision prior to the commencement of authorized site activity may result in rescission of this Decision.
7. An Approval Not Required (ANR) Plan depicting any proposed internal -lot line adjustments may be submitted to the Planning Board for endorsement and proof of recording at the Registry of Deeds submitted to the Planning Office prior to issuance of a building permit.
8. The plans for the Project, including civil (revised through September 2, 2022), architectural (revised through September 14, 2022), and landscape (revised through September 2, 2022), shall be revised to include the following, ~~and the final approved plan set combined into one PDF,~~ and shall be submitted electronically to the Planning Office ~~with the following revisions:~~
 - o ~~Revised to~~ Show ESHGW elevations listed at test pit locations.
 - o ~~A conduit be~~ Provided a conduit for future bike share stations adjacent to the secure bike storage in the garages of Buildings 1 & 2.
 - o ~~Provide~~ the location and number of EV ~~parking~~ and EV ready parking spaces. EV and EV ready parking spaces ~~will shall~~ be located adjacent to the building lobbies in the enclosed parking structures to further encourage use of electric vehicles by occupants.
 - o Provide accessible curb ramps at all crosswalk locations.
 - o Show the location of the required 110 bicycle parking spaces.
 - o Provide ~~the~~ bicycle parking detailed showing at least 2-foot by 6-foot spaces to provide for double sided racks with at least 4-~~feet~~ between the racks.
 - o Add bollards surrounding the bicycle racks for protection where appropriate.

9. The limits of land clearing or grading for the installation of any improvements relative to the project, including but not limited to the driveways, stormwater management system, and utilities, shall be the limits of the grading shown on the site plans. Prior to any clearing of the land, the limits of such clearing and grading as shown on the approved plan shall be clearly marked in the field and shall remain in place until the completion of the project construction. This limit of work line shall be reviewed in the field by the Applicant and Planning staff prior to the issuance of a building permit.

Prior to issuance of the first Building Permit:

9.10. A detailed ledge removal plan, ~~will be developed~~ consistent with State guidelines, ~~and will~~shall be provided with the initial Building Permit submission for review.

~~40. The limits of land clearing or grading for the installation of any improvements relative to the project, including, but not limited to the driveways, stormwater management system, and utilities, shall be the limits of the grading shown on the site plans. Prior to any clearing of the land, the limits of such clearing and grading as shown on the approved plan shall be clearly marked in the field and shall remain in place until the completion of the project construction. This limit of work line shall be reviewed in the field by the Applicant and Planning staff prior to the issuance of a building.~~

11. The lighting analysis of the lower courtyard will be reviewed during the applicable building permit review.

12. Shower and locker facilities will be included in Building 3 (proposed 99 Hayden Avenue), which will be constructed in Phase 3 of construction. Temporary shower and locker spaces will be provided until final construction is complete for Phase 3.

During Construction and Site Development

13. A copy of this Decision shall be kept on the Site in a location that is highly visible and accessible during construction.

14. Any work in the roadway and utility work is subject to the Department of Public Works Rules and Regulations. Agents of the Planning Board shall have the right to enter the Site and to gather all information, measurements, photographs, or other materials needed to ensure compliance with this approval. Agents of the Planning Board entering onto the Site for these purposes shall comply with all safety rules, regulations, and directives of the Applicant and the Applicant's contractors.

15. Seven working days before any construction begins, Applicant ~~must~~shall notify Engineering so that a pre-construction meeting can be arranged on-site.

16. No equipment on-site shall be started and allowed to warm up prior the start of the allowed construction hours or hours outlined in the Lexington Noise Control Bylaw. No vehicles are to arrive at the construction site before the designated construction hours, with no vehicle parking, standing, or idling on adjacent public or private streets. Oversized deliveries of construction materials shall occur before or after peak traffic hours.

17. The Applicant shall perform daily cleanup of construction debris, including soil on streets within two hundred (200) yards from the entrance of the site driveways caused by construction relative to the Project.

18. The Applicant shall check all stormwater features prior to and at the end of each construction day. In the event a multiple day storm event occurs, the project manager shall check on the stormwater features to ensure they are functioning properly and have not exceeded their capacity. Any necessary repairs, adjustments, or deficiencies that are identified shall be commenced immediately and completed promptly.

19. The Applicant shall provide appropriate erosion control methods such as silt fences, straw wattles, or organic hessian fabric burlap filled with compost around the stockpiles in case of a storm event, in addition to the temporary dust control requirements.

20. The use of hay bales is prohibited on-site.
21. The use of plastic stabilization netting is prohibited.
22. The Applicant shall be responsible for ensuring that runoff and eroded material does not run onto Spring Street or Hayden Avenue.
23. Generators and heaters associated with construction and earth removal, as needed, shall be wrapped in temporary noise barriers so they are compliant with the Town's construction noise limits.

Before the issuance of the First Occupancy Permit within the development:

24. Prior to the issuance of the first Certificate of Occupancy for the Project or within twenty-four (24) months after commencement of construction activities on the Site (whichever is earlier), the trail and access easement shall be prepared for review and approval by the Town. Upon acceptance by the Town, the Applicant shall file the appropriate deeds and easements with Middlesex South District Registry of Deeds or Middlesex South Registry District of the Land Court. Proof of such recording shall be provided to the Planning Department, which includes the date of recording, along with the book and page number of executed legal documents.
25. The Applicant shall install a Rectangular Rapid Flashing Beacon crosswalk across Spring Street connecting to the planned trail connection and the Spring Street sidewalk. This crosswalk shall be designed and built according to the direction and approval of the Lexington Engineering Division.
26. The Applicant shall install an additional section of guardrail along Spring Street in proximity ~~to~~ near the proposed new crosswalk, according to the direction and approval of the Lexington Engineering Division.
27. The Applicant shall provide the Planning Board with an "Interim As-Built Plan" stamped by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all improvements completed as part of ~~this the~~ applicable phase of development are completed in accordance with the approved Site Plans in a form acceptable to the Lexington Engineering Division.

Prior to the request for the last Certificate of Occupancy within the development:

28. Upon completion of all phases of the Project and prior to the request for a final Certificate of Occupancy, the Applicant shall provide the Planning Office with an "As-Built Plan" stamped by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all improvements are completed in accordance with the approved Site Plans and the Town's applicable rules and regulations in a form acceptable to the Lexington Engineering Division.
29. Upon completion of the Project and prior to the request for a Certificate of Occupancy, the Applicant shall provide the Planning Office with a "Landscape As-Built Plan" stamped by a Professional Landscape Architect registered in the Commonwealth of Massachusetts certifying that all improvements are completed in accordance with the approved Site Plans.
30. The as-built plan shall be submitted in both hard copy (2 large copies) and electronic formats (PDF and AutoCAD) to the Planning Office for review. The AutoCAD file must conform to the current form of the Mass GIS Standard for Digital Plan Submission to Municipalities or other

standard requested by the Lexington Engineering Division. The plan shall include, but not be limited to, site utility improvements and tie-in dimensions to all pipes and connection points. The as-built information shall be delivered to Planning Office a minimum of fourteen (14) business days in advance of the Applicant seeking a Certificate of Occupancy sign-off to allow time for the Town Engineer, or designee to review and approve the submitted information.

31. The Applicant shall ~~also~~ submit a statement certifying that all conditions of approval of this decision have been met and site improvements are complete.

On-Going:

32. Car share spaces shall be inside the existing parking garage, ~~(grouped together near the entry),~~ and will be protected from the elements.
33. The Applicant shall comply with the Ledgemont Stormwater Report, prepared by Environmental Partners, dated July 2022, or any further revisions that may be required with the stormwater permit approval. The Operations and Maintenance Manual is part of this report.
34. Maintenance of the landscaping in accordance with the landscape plan ~~is shall be~~ perpetual, with owner(s) responsible for replacing in kind any landscape that does not survive ~~within~~ the first available growing season.
35. The annual PTDM monitoring ~~will shall~~ include an analysis of the estimated reduction of single occupancy vehicle trips in the technical report.
36. Automatic shading shall be provided on the north side of Building 1 to reduce light trespass. The automatically controlled shading shall be lowered seasonally at dusk to dawn. ~~In conjunction with the shades on the north side of Building 1,~~ All new buildings ~~will shall~~ include an automatic lighting controls system that will go from 100% to 30% light output from the hours of 11pm and 6am, unless manually overridden by occupancy sensors. A lowered wattage light fixture shall be along the northern portion of the outer road that abuts the Woodcliffe Road neighborhood and wetlands. The lowered light output light fixture shall provide no more than 1.4 foot-candles directly under the light fixture and 0.3 foot-candles in between the light fixtures with a maximum pole height of 20-feet.
37. During the nighttime hours outdoor roadway ~~and~~ landscape lighting ~~schedule is will operate from~~ dusk to dawn with reduction of light levels for safety and security from 11pm to 6am. Exterior building mounted light fixtures at entry and egress shall be reduced to 30% light output for safety and security between 11pm and 6 am.
38. The Correlated Color Temperature for the LED exterior and landscape fixtures shall be 3000K or less.
39. Any new plantings (shrubs, bushes) or physical landscape features ~~to be~~ located within the roadway sight lines ~~should also shall~~ be maintained at a height of 2 feet or less above the adjacent roadway grade to ensure unobstructed lines of sight

RECORD OF VOTE


On September 21, 2022, the Planning Board **voted in favor, opposed,** and none (0) in abstention to grant a Major Site Plan Review approval with conditions for the PD-6 95 Hayden Avenue and 128 Spring Street Development Project

Charles Hornig –
Robert D. Peters -
Robert Creech -
Michael Schanbacher -
Melanie Thompson –

Robert Creech, Chair Approval: _____ Date: _____

EXHIBITS (submitted material to be provided by staff/forthcoming)

DRAFT



95 HAYDEN AVE & 128 SPRING STREET (PROPOSED 97, 99, 101 AND 103 HAYDEN AVE)

PLANNED DEVELOPMENT DISTRICT (PD-6)
LEXINGTON PLANNING BOARD - SITE PLAN REVIEW
SEPTEMBER 21, 2022 CONTINUED PUBLIC HEARING

Resilient. Progressive. **Dynamic.**



INTRODUCTION - TEAM



marguliesperruzzi

ARCHITECT

ENVIRONMENTAL
 PARTNERS
— An Apex Company —

CIVIL ENGINEER



TRANSPORTATION CONSULTANT

goulston&storr

LEGAL

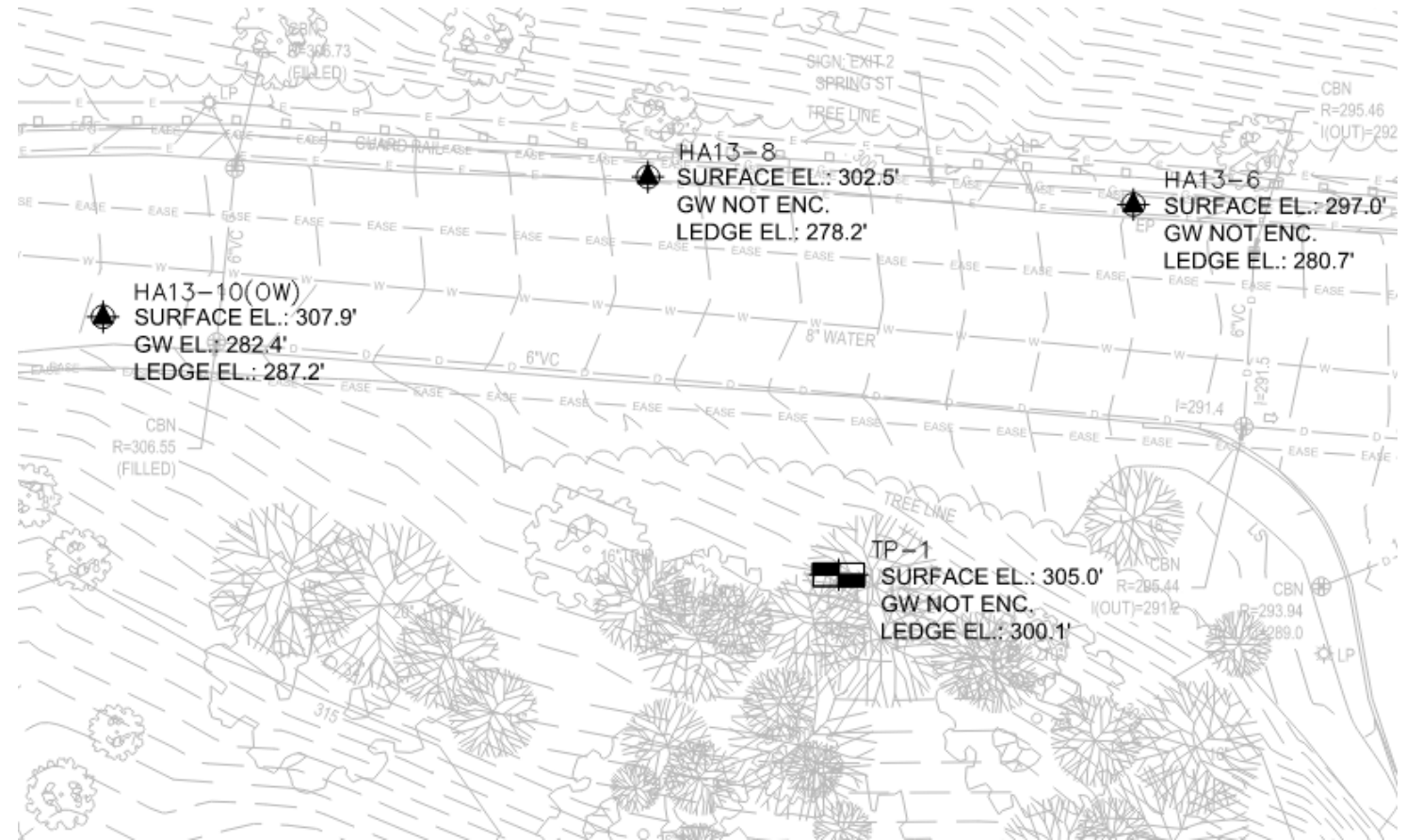
AGENDA

- ACTIVITIES SINCE AUGUST 17 HEARING
 - Response to Comments letter August 25, 2022
 - *Addresses 8/17 Planning Staff's Report and technical comments related to site lighting, engineering, earth removal/noise, and traffic and transportation details*
 - Revised Plans submitted September 2, 2022
 - *These revised plans effected the changes discussed in the 8/25/22 Response to Comments letter*
 - Meeting with Planning Staff September 6, 2022
 - *Resulted in request for minor additional plan revisions related to bicycle rack details and automatic interior shades.*
 - Revised Plans submitted September 14, 2022
 - *These revised plans reflect minor revisions related to bicycle rack details and automatic interior shades*
 - *Also submitted full project plan set with revision bubbles highlighting all changes to plans since the original filing on July 15, 2022*
- OVERVIEW OF PLAN REVISIONS
- DISCUSSION

PLAN REVISIONS

EXISTING CONDITIONS PLANS (C3.1, C3.4, C3.5)

- Added borehole locations from Geotechnical Report by Haley & Aldrich
- Added surface, groundwater, and ledge elevations to the test pits and boreholes in the vicinity of the proposed subsurface stormwater infiltration facilities



- Removed portion of existing stone walls on at Spring Street entrance
- Barrier extension on Spring Street
- Added level landing pads, detectable warning pads, and accessible ramps to Spring Street crosswalk area

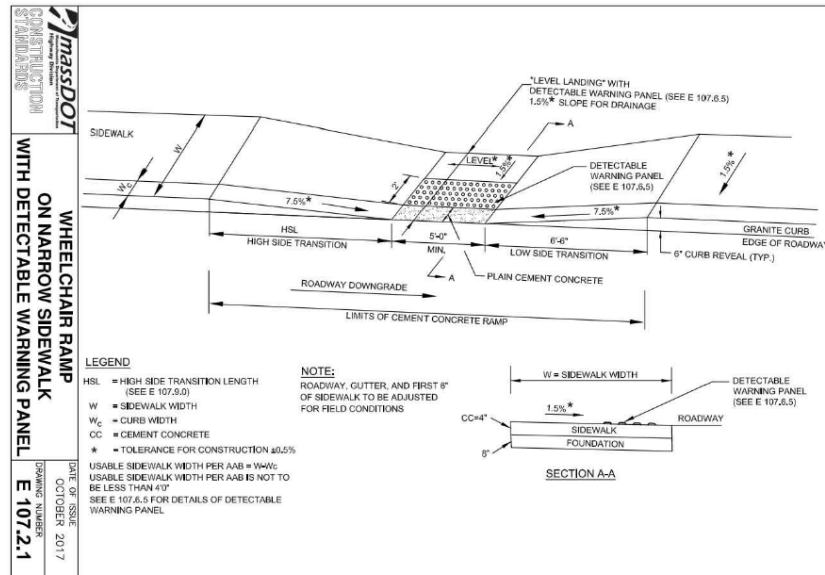


- Provided more detail for accessible ramps between Building 1 and Building 2
- Added three bicycle racks to the entrance of Building 1
- Added three bicycle racks to the entrance of Building 3 (connector space)



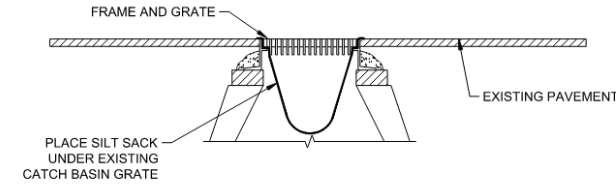
CONSTRUCTION DETAILS 3 (C11.3)

- Added MassDOT ramp and detectable warning pad details for the Spring Street crosswalk area
- Added notes to catch basin silt sack detail regarding silt removal and inspection to prevent overflow



SPRING STREET CURB RAMP DETAIL

SCALE: N.T.S.

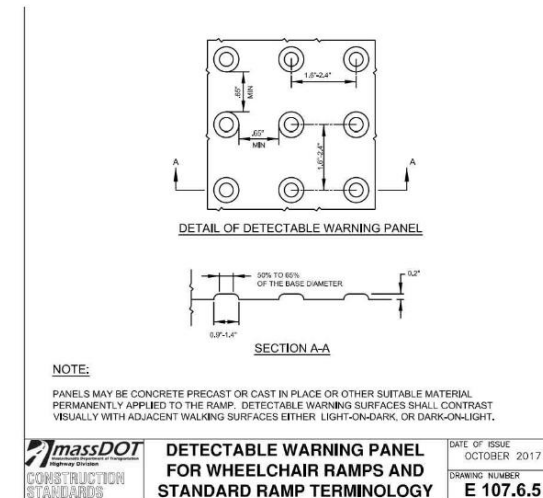


NOTES:

- SILT SACKS SHALL BE INSPECTED WEEKLY (CONSISTENT WITH REQUIREMENTS OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER POLLUTION PREVENTION PLAN (SWPPP). ACCUMULATED SILT SHALL BE REMOVED TO ALLOW CATCH BASIN TO FUNCTION PROPERLY.
- SILT SACK INSPECTIONS SHALL ENSURE THAT SILT SACKS OPERATE AS DESIGNED AND DO NOT OVERFLOW.
- SILT SACK AS MANUFACTURED BY ACF ENVIRONMENTAL OR APPROVED EQUAL.

SEDIMENTATION CONTROL AT CATCH BASINS (SILT SACKS)

SCALE: N.T.S.

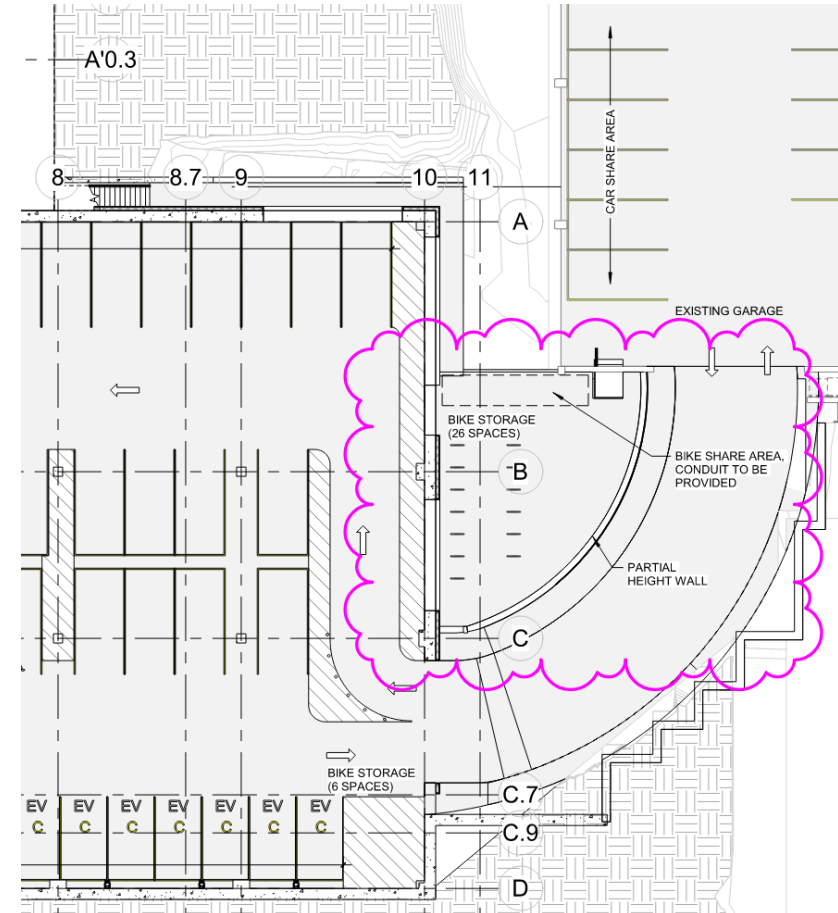


DETECTABLE WARNING PANEL

SCALE: N.T.S.

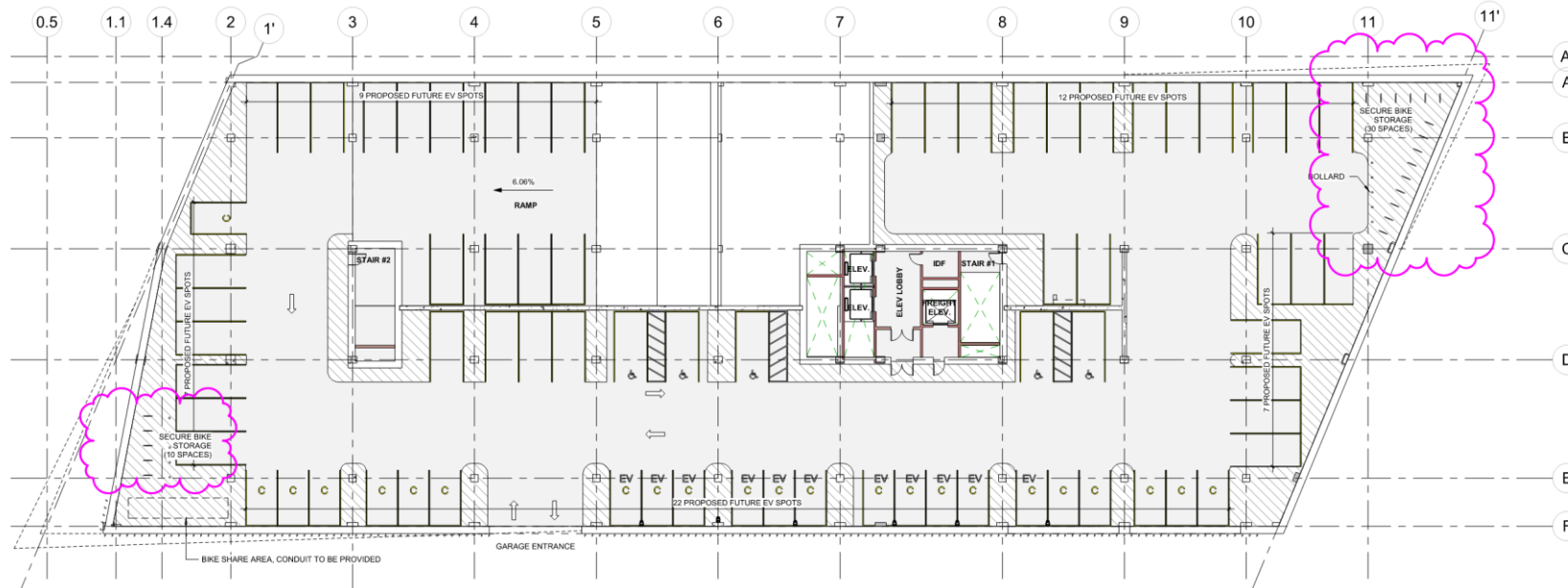
97 HAYDEN AVE - FLOOR PLANS (A1.1)

- Building 1 Parking Level
 - Added partial wall barrier between driving lane and bicycle storage area
 - Revised bicycle racks to allow for double sided parking (spaced 4' apart)
- Building 1 Ground Level
 - Added 7 double sided bicycle racks (totaling 14 bicycle parking spaces) to maintain the total of 40 enclosed bicycle parking spaces for Building 1 (26 spaces on the parking level, 14 spaces on the ground level)
- Added automatic interior shade locations
- Added car share parking area location in existing garage
- Labelled EV parking spaces and future EV spaces on all floor plans



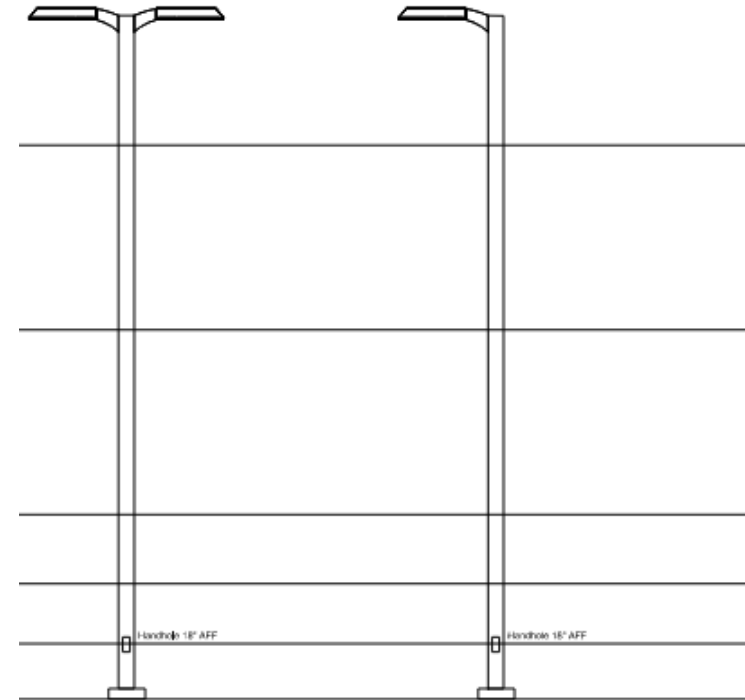
101 HAYDEN AVE - FLOOR PLANS (A2.1)

- Building 2 Level P3
 - Added bollards to protect bicycle racks
 - Revised bicycle racks to allow for double sided parking (spaced 4' apart)
 - Added 5 double sided bicycle racks (totaling 10 bicycle parking spaces) in the southwest corner to maintain the total of 40 enclosed bicycle parking spaces for Building 2 (30 spaces in the northeast corner, 10 spaces in the southwest corner)
- Labelled EV parking spaces and future EV spaces on all floor plans



LIGHTING DETAILS & PHOTOMETRIC PLANS (AL1.1 - AL3.1)

- Reduced light levels for the rooftop garage to an average of 1 footcandle via revised light fixtures
- The revised light fixtures have a lower light output (5,000 lumen 40w), mounted on an 18 foot pole (reduced from 20 foot pole in initial filing)



LG8 / TYPE 4 DISTRIBUTION
DOUBLE HEAD

18FT POLE MOUNTED LIGHT
AT ROOF PARKING
DOUBLE HEAD

LG9 / TYPE 4 DISTRIBUTION

18FTPOLE MOUNTED LIGHT
AT ROOF PARKING
SINGLE HEAD

DISCUSSION

APPENDIX

PORTION OF WALL TO BE REMOVED AT SPRING STREET CURB CUT



LOOKING SOUTHWEST



LOOKING NORTHEAST



AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

9 Bruce Road - Street Adequacy Determination (SAD)

PRESENTER:

Applicant: Seaver Construction

ITEM NUMBER:

SUMMARY:

The Lexington Planning Board will hold a virtual public meeting on **Wednesday, September 21, 2022**, at 6:00 PM on Seaver Constructions' application for a Street Adequacy Determination per §176-7.0 of the Planning Board Zoning Regulations, located at 9 Bruce Road: Map 14, Lot 1C in the RS Zoning District. The Planning Board will determine the adequacy of Hillside Road, an unaccepted road, and determine whether the Applicant shall be required to improve a portion of the road to town standard.

Materials may be viewed online at: <https://lexingtonma.viewpointcloud.com/records/64283>

SUGGESTED MOTION:

Below is planning staff's recommended motion to the Planning Board. This may change by board members during the course of the meeting.

1. That the Planning Board determine Hillside Avenue, in the vicinity of 9 Bruce Road to Bruce Road, is not presently of adequate grade and construction to provide for the needs of vehicular traffic, but will be adequate with the following improvements:
 - a. The Applicant shall collect a core sample of the road every 50 feet to determine if the base layer can be re-used for reconstruction. If the base layer does not meet road specifications, the Applicant must remove and replace the base layer following Town of Lexington Engineering Cross-Section Standards; and
 - b. If the base layer does meet Town specifications, the Applicant shall conduct a full-depth reclamation; and
 - c. Install 4" of pavement on compacted base in 2 lifts of 2.5" binder and 1.5" top course; and
 - d. Install cape cod berm throughout and address current drainage runoff issues with a groundwater infiltration system; and
 - e. Submit all required plans, including details regarding the right of way, and transitions into existing parking areas, driveways, and gravel edges for review and approval; and
 - f. The Applicant shall widen the width of the road to a minimum of 16'; and
 - g. The Applicant shall contact the Police Department providing a minimum of 7 days' notice of road closures or needed police details; and
 - h. The Applicant shall submit a surety payment to the Applicant for the total cost of the improvements approved by the Planning Board, as estimated by the Engineering Department; and
 - i. The Applicant shall contact the Engineering Department providing a minimum of 48 hours' notice to witness the entirety of the roadway reconstruction and all work shall comply with the

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022

ATTACHMENTS:

Description	Type
 Street Adequacy Determination Staff memo to Planning Board, dated September 15, 2022	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
Sheila Page, Assistant Director
Molly Belanger, Planner


To: Planning Board Members
From: Molly Belanger, Planner
Re: Project Review for 9 Bruce Road: Street Adequacy Determination
Date: September 15, 2022

Property Information	
Project Address	9 Bruce Road
Applicant/Owner	Seaver Properties LLC
Type of Review	Street Adequacy Determination per §176-7.0
Permit Number	PLAN-22-11
Parcel ID	Map 14, Lot 1C

Dates & Deadlines	
Filed with Town Clerk	August 25, 2022
Public Meeting Date	September 21, 2022
Action Deadline	October 10, 2022
Action Required	Approve with or without conditions and waivers; OR Disapprove.

Land Conditions	
Applicability	<p>The entirety of Hillside Avenue is unaccepted by the Town, with the nearest accepted road being Bruce Road. The property owner intends to add more than 1,000 square feet of Gross Floor Area (GFA) to the lot and is responsible for road improvements to Hillside Avenue, adjacent to the property lines of 9 Bruce Road on Hillside Avenue until Bruce Road per §176.7.0 <i>Unaccepted Streets Standards</i>.</p> <p>Bruce Road may have been considered the frontage of Map 14, Lot 1C, however, there is no adequate access for emergency or delivery vehicles from Bruce Road, due to heavy sloping. Both emergency and delivery vehicles must access the lot from Hillside Avenue where the driveway is also located. Because of this, Hillside Avenue is considered the frontage street of Map 14, Lot C, making it subject to a street adequacy determination.</p>
Summary of Roadway Conditions	<p>Engineering, Fire, and Planning staff visited the site on June 19, 2022. Bruce Road has an inadequate width that varies from 11' to 13'. The outline of the roadway is unclear as extra parking spaces have been paved off the road. The road is in very poor condition</p>

	with heavy alligator cracking and signs of base failure throughout. Planning, Fire, and Engineering staff found Hillside Avenue to be inadequate for the proposed use.
--	--

Staff Comments	
<p>The Applicant has submitted a waiver to request that the Planning Board allow a 16' road width on Hillside Avenue. Planning, Engineering, and the Fire Department are in support of this waiver, as widening the roadway beyond 16' would create a significant challenge for the Applicant, due to sloping of the surrounding land.</p> <p>The Applicant shall notify the Police Department prior to roadway construction to arrange for any necessary details and roadway closure notices.</p> <p>If the project is approved by the Planning Board, the Applicant shall submit a surety payment to the Planning Office for the total cost of the improvements which will be determined by the Engineering Department. The surety shall be released back to the Applicant once the Engineering Department has observed and confirmed the Applicant has completed the required roadway improvements to town standards.</p>	
<p>Figure 1:</p> 	

Recommended Motion

1. That the Planning Board determine Hillside Avenue, in the vicinity of 9 Bruce Road to Bruce Road, is not presently of adequate grade and construction to provide for the needs of vehicular traffic, but will be adequate with the following improvements:
 - a. The Applicant shall collect a core sample of the road every 50 feet to determine if the base layer can be re-used for reconstruction. If the base layer does not meet road specifications, the Applicant must remove and replace the base layer following Town of Lexington Engineering Cross-Section Standards; and
 - b. If the base layer does meet Town specifications, the Applicant shall conduct a full-depth reclamation; and
 - c. Install 4" of pavement on compacted base in 2 lifts of 2.5" binder and 1.5" top course; and
 - d. Install cape cod berm throughout and address current drainage runoff issues with a groundwater infiltration system; and
 - e. Submit all required plans, including details regarding the right of way, and transitions into existing parking areas, driveways, and gravel edges for review and approval; and
 - f. The Applicant shall widen the width of the road to a minimum of 16'; and
 - g. The Applicant shall contact the Police Department providing a minimum of 7 days' notice of road closures or needed police details; and
 - h. The Applicant shall submit a surety payment to the Applicant for the total cost of the improvements approved by the Planning Board, as estimated by the Engineering Department; and
 - i. The Applicant shall contact the Engineering Department providing a minimum of 48 hours' notice to witness the entirety of the roadway reconstruction and all work shall comply with the Town of Lexington Engineering Standards.

CC:

Seaver Properties LLC, Owner/Applicant
John Livsey, Town Engineer
Matt Weisman, Senior Civil Engineer
Tim Flaherty, Deputy Fire Chief
Mike McLean, Police Chief
Jim Kelly, Building Commissioner

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

6 Park Street - Street Adequacy Determination (SAD) continued from 9/7/22 meeting

PRESENTER:

Applicant: ChandraDeepak Amenani

ITEM NUMBER:

SUMMARY:

ChandraDeepak Amenani has submitted an application for a Determination of the Adequacy, Grade and Construction Plan of an Unaccepted Street for 6 Park Street per §176-7.0 of the Planning Board Zoning Regulations. As a result of the Planning Board's determination, it may find 6 Park Street to: 1) be of adequate grade and construction, or 2) not of adequate grade and construction but it may be if certain improvements are made, or 3) not of adequate grade and construction.

This item was reviewed at the September 7 Planning Board meeting and at the Applicant's request, this was further continued to September 21. Since the last meeting, the Applicant met with the Deputy Fire Chief but no new information has been submitted as of 9/15.

Staff maintains the recommendation that the road be widened to 20-ft. from 6 to 1 Park Street as summarized in the attached memo. An updated road construction plan was received on Monday, September 19 reflecting the 20-ft. road width expansion.

Application material may be viewed here: <https://lexingtonma.viewpointcloud.com/records/65095>

SUGGESTED MOTION:

Staff Recommended Motions (subject to change by the Board during the course of the meeting):

Motions on Waiver Requests:

That the Board does not accept the requested waiver to reduce the pavement width to 18 ft. where 20 ft. is required for two-way travel lanes pursuant to § 175-7.2 E 1 (b) of the Board's Subdivision Regulations because the 20 ft. is needed for public safety access and not in the public interest. - ***Revised road construction plan submitted on 9/19/22 plan shows road widening to the 20 ft. from 1-6 Park St. This waiver is no longer requested or needed.***

That the Board accepts the requested waiver related to timing and construction, to complete road improvements, as required by this decision, after the new dwelling is constructed so the road is not damaged during construction.

Motion on Street Adequacy Determination and Required Improvements:

1. That the Planning Board determine Park Street, in the vicinity of 1-6 Park Street, is not presently of adequate grade and construction to provide for the needs of vehicular traffic, but will be adequate with

the following improvements:

- a. Widen existing pavement width that abuts the frontage of 1-6 Park Street from 16' to 20';
- b. Conduct test pits of soil underneath the existing road to evaluate soil quality for road reconstruction. The Engineering Department shall be contacted to witness the test pits being collected;
- c. If test pits show soil adequate of road reconstruction, the Applicant shall reclaim existing pavement abutting the frontage of 4-6 Park Street;
- d. If test pits show soil not adequate of road reconstruction, the Applicant shall replace existing pavement abutting the frontage of 4-6 Park Street with 12" of packed gravel and crushed stone;
- e. The Applicant shall install a new binder course with a minimum thickness of 2.5 inches; and
- f. Install a new wearing course, with a minimum thickness of 1.5 inches;
- g. The Applicant shall contact the Engineering Department providing a minimum of 48 hours' notice to witness the entirety of the roadway reconstruction and all work shall comply with the Town of Lexington Engineering Standards; and
- h. The Applicant shall contact the Police Department providing a minimum of 7 days' notice of road closures or needed police details; and
- i. Prior to construction, Applicant shall submit a surety for the cost of required improvements, as estimated by the Engineering Department, which is to be returned to the Applicant upon proper completion of all conditions of this decision.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022

ATTACHMENTS:

Description	Type
☐ Staff Memo	Cover Memo
☐ Revised Road Construction Plan 09.19.2022	Exhibit



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
Sheila Page, Assistant Director
Molly Belanger, Planner
Lori Kaufman, Department Assistant

To: Planning Board
From: Molly Belanger, Planner
Re: Project Review for 6 Park Street: Street Adequacy Determination
Date: August 30, 2022

Property Information	
Project Address	6 Park Street
Applicant/Owner	ChandraDeepak Amenani
Type of Review	Street Adequacy Determination per §176-7.0
Permit Number	PLAN-22-10
Parcel ID	Map 72, Lot 454

Land Conditions	
Applicability	The entirety of Park Street is unaccepted by the Town, with the nearest accepted road being Reed Street. The property owner intends to add more than 1,000 square feet of Gross Floor Area (GFA) to the lot and is responsible for road improvements to Park Street, adjacent to the property lines of 6 Park Street until Reed Street per §176.7.0 <i>Unaccepted Streets Standards</i> .
Summary of Roadway Conditions	Park Street has an inadequate width that varies from 16'-17'. The edge of the roadway's paving is unclear as extra parking spaces have been expanded and paved off the road over time. The road is in very poor condition with heavy alligator cracking and signs of base failure throughout. Planning and Engineering staff found Park Street to be inadequate for the proposed use. No drainage issues were observed at the time of the site inspection in October 2021.

Dates & Deadlines	
Filed with Town Clerk	August 10, 2022
Public Meeting Date	September 7, 2022
Action Deadline	September 23, 2022
Action Required	Approve with or without conditions and waivers; OR Disapprove.

Waivers	
§175-7.2	<p>“Required standard of providing 20-ft two-way travel way for a local road as part of roadway improvement for a Street Adequacy Determination application.” The Applicant requests a waiver to build the road to 18’ instead of the standard 20’ required in the Board’s Subdivision Rules and Regulations.</p> <p>Applicant also requests a waiver for the timing of the construction related to the timing of the dwelling to allow for the construction of the road to come after the construction of the new dwelling.</p>

Staff Comments
<p>On November 2, 2021, Planning staff sent a memo of suggested improvements to the Applicant after a site inspection in October 2021, recommending the Applicant propose the following improvements to the Planning Board:</p> <ul style="list-style-type: none"> a. Widen existing pavement width that abuts the frontage of 4-6 Park Street from 16’ to 18’; b. Conduct test pits of soil underneath the existing road to evaluate soil quality for road reconstruction. The Engineering Department shall be contacted to witness the test pits being collected; c. If test pits show soil adequate of road reconstruction, the Applicant shall reclaim existing pavement abutting the frontage of 4-6 Park Street; d. If test pits show soil not adequate of road reconstruction, the Applicant shall replace existing pavement abutting the frontage of 4-6 Park Street with 12” of packed gravel and crushed stone; e. The Applicant shall install a new binder course with a minimum thickness of 2.5 inches; and f. Install a new wearing course, with a minimum thickness of 1.5 inches; g. The Applicant shall contact the Engineering Department to witness the roadway reconstruction. <p>Since that time, the Fire Department inspected 6 Park Street on May 4, 2022 and requested the minimum 20’ width from 1-6 Park Street. Fire did not witness any hardships (steep slopes, structures in the way, etc. that would prohibit the Applicant from widening the existing roadway between 1-6 Park Street to the minimum 20’ width. On May 4, 2022, the Applicant was notified of Fire’s disagreement with the width suggested in the original staff memo from the fall and recommended the improvements be expanded to include widening the pavement to 20 ft. from 1 to 6 Park St.</p> <p>The Applicant applied for a Street Adequacy Determination on August 5, 2022, with a request for §175-7.2 “Required standard of providing the full 20-ft. two-way travel way for a local road as part of roadway improvement for a Street Adequacy Determination application.” The Applicant did not provide reasoning for this waiver request. Applicant’s submission proposes increasing the width to 18 ft. in front of 4 & 6 Park St. only, consistent with the original November 2 staff memo and not the updated request from May 2022.</p>

Figure 1:



Figure 2: 2020 Aerial View



Staff Recommended Motions:**Motions on Waiver Requests:**

That the Board does not accept the requested waiver to reduce the pavement width to 18 ft. where 20 ft. is required for two-way travel lanes pursuant to § 175-7.2 E 1 (b) of the Board's Subdivision Regulations because the 20 ft. is needed for public safety access and not in the public interest.

That the Board accepts the requested waiver related to timing and construction, to complete road improvements, as required by this decision, after a new dwelling is constructed.

Motion on Street Adequacy Determination and Required Improvements:

1. That the Planning Board determine Park Street, in the vicinity of 1-6 Park Street, is not presently of adequate grade and construction to provide for the needs of vehicular traffic, but will be adequate with the following improvements:
 - h. Widen existing pavement width that abuts the frontage of 1-6 Park Street from 16' to 20';
 - i. Conduct test pits of soil underneath the existing road to evaluate soil quality for road reconstruction. The Engineering Department shall be contacted to witness the test pits being collected;
 - j. If test pits show soil adequate of road reconstruction, the Applicant shall reclaim existing pavement abutting the frontage of 4-6 Park Street;
 - k. If test pits show soil not adequate of road reconstruction, the Applicant shall replace existing pavement abutting the frontage of 4-6 Park Street with 12" of packed gravel and crushed stone;
 - l. The Applicant shall install a new binder course with a minimum thickness of 2.5 inches; and
 - m. Install a new wearing course, with a minimum thickness of 1.5 inches;
 - n. The Applicant shall contact the Engineering Department providing a minimum of 48 hours' notice to witness the entirety of the roadway reconstruction and all work shall comply with the Town of Lexington Engineering Standards; and
 - o. The Applicant shall contact the Police Department providing a minimum of 7 days' notice of road closures or needed police details; and
 - p. Prior to construction, Applicant shall submit a surety for the cost of required improvements, as estimated by the Engineering Department, which is to be returned to the Applicant upon proper completion of all conditions of this decision.

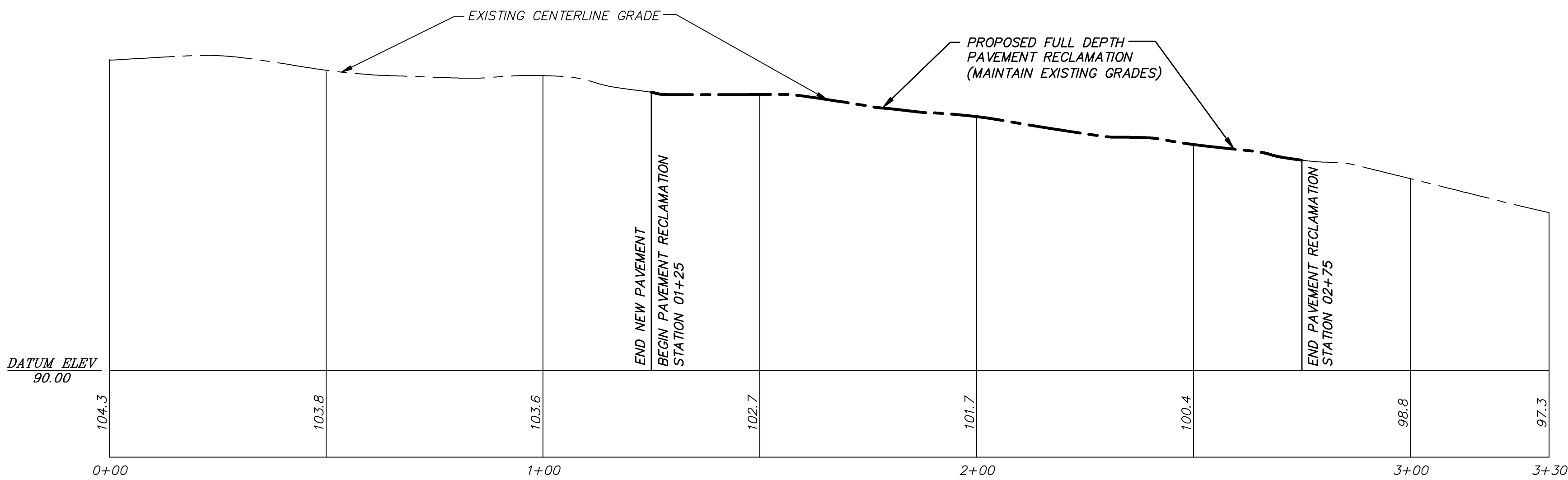
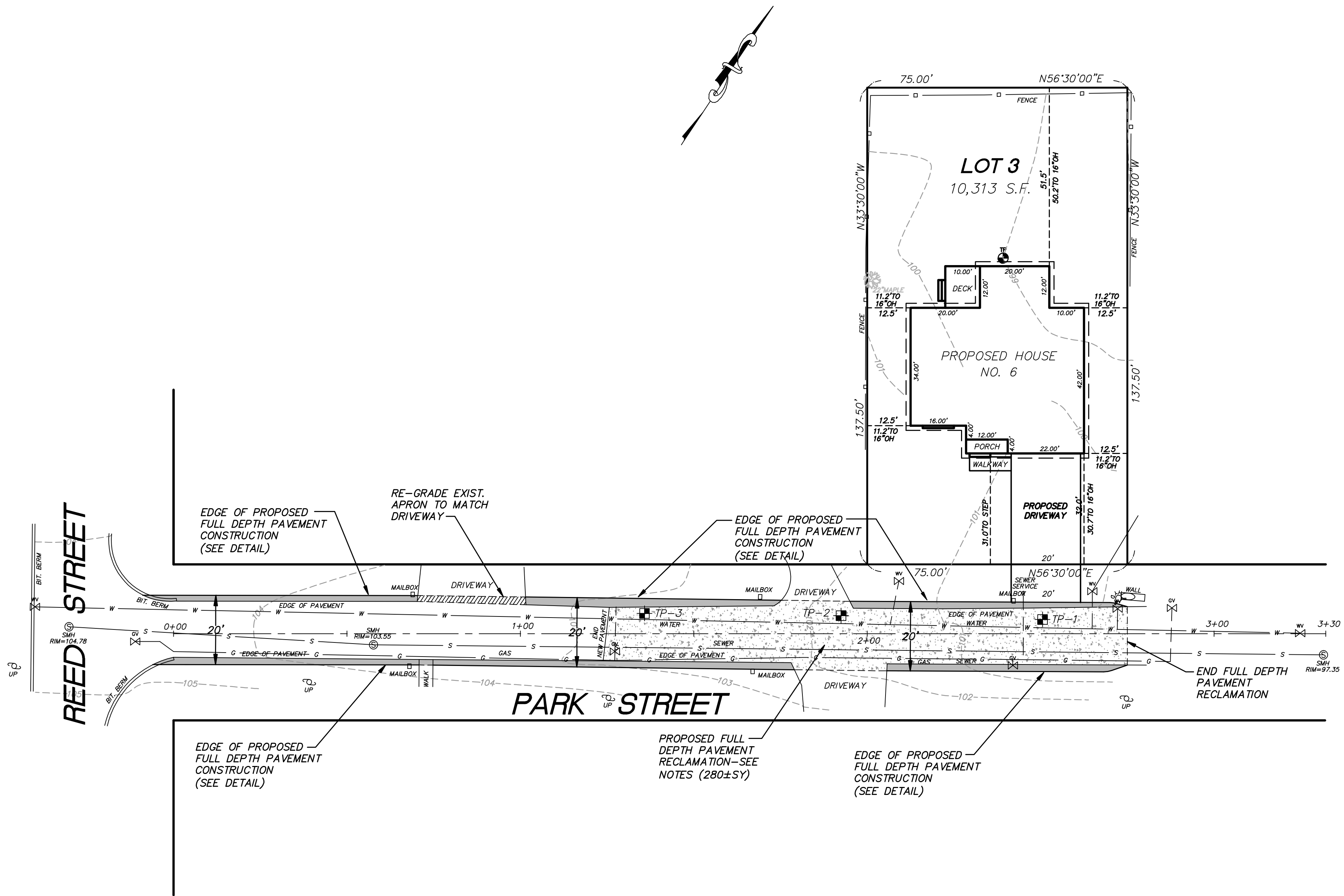
CC: ChandraDeepak Amenani, Applicant

John Livsey, Town Engineer

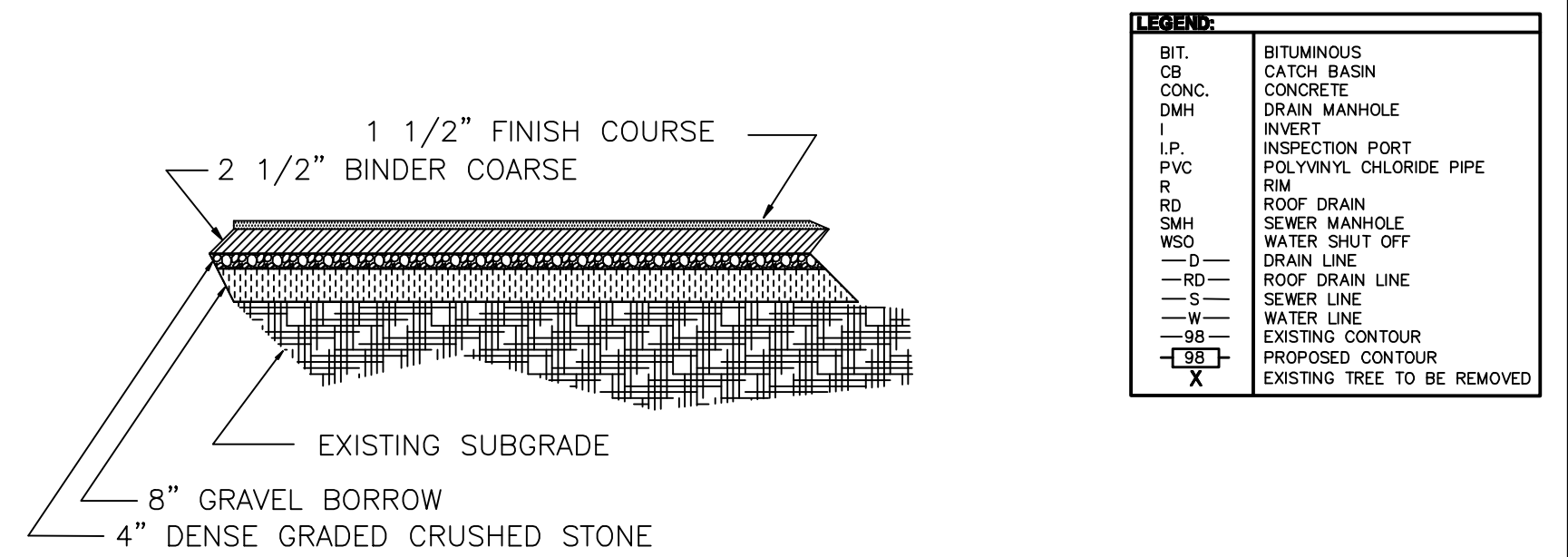
Jim Kelly, Building Commissioner

Mike McLean, Police Chief

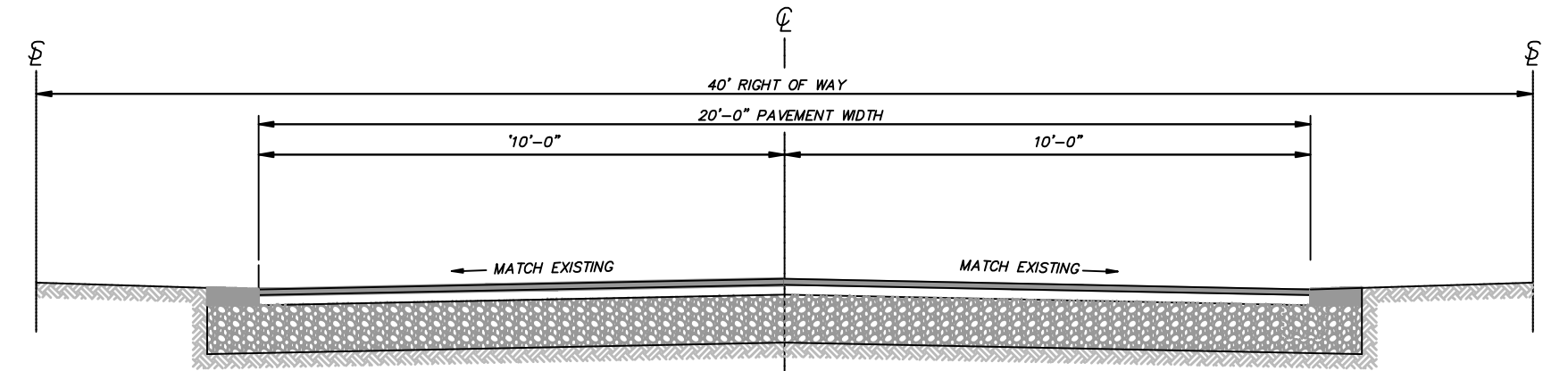
Tim Flaherty, Deputy Fire Chief



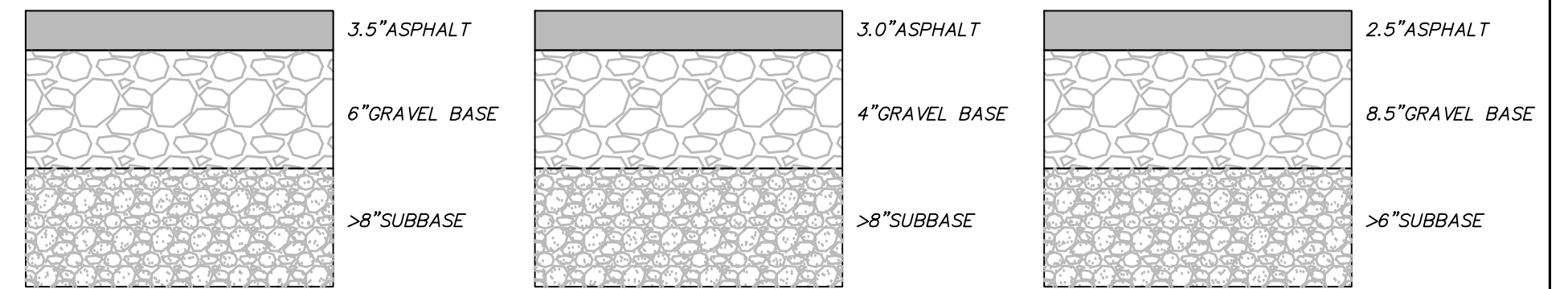
PROFILE
SCALE: 1"=20' (HOR.)
1"=4' (VER.)



FULL DEPTH PAVEMENT CONSTRUCTION
NOT TO SCALE



TYPICAL STREET CROSS SECTION
NOT TO SCALE



TEST PIT-1
04/29/22

TEST PIT-2
04/29/22

TEST PIT-3
04/29/22

NOTES:

EXISTING ELEVATIONS AND SITE FEATURES BASED ON FIELD SURVEY BY KEENAN SURVEY, 8 WINCHESTER PLACE, WINCHESTER, MA.

UTILITIES SHOWN ARE FROM FIELD INSPECTION AND PLANS OF RECORD. UTILITIES MUST BE VERIFIED BY CONTRACTOR PRIOR TO EXCAVATION BY CALLING DIG SAFE AT 888-DIG SAFE AND THE LEXINGTON DEPARTMENT OF PUBLIC WORKS (781) 274-8300 AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION.

THE APPLICANT SHALL CONSTRUCT FULL DEPTH PAVEMENT CONSISTING OF A 2-1/2" BINDER COURSE AND 1-1/2" FINISH COURSE AND MINIMUM 8" GRAVEL BORROW BASE WITH 4" DENSE GRADE CRUSHED STONE ON TOP FOR NEW ASPHALT AREAS TO CREATE A MINIMUM PAVEMENT WIDTH OF 20 FEET.

THE APPLICANT SHALL PROVIDE FULL DEPTH RECLAMATION OF PARK STREET FOR EXISTING LIMIT OF ASPHALT SHOWN FROM APPROXIMATELY STATION 1+25 TO STATION 2+75 CONSISTING OF A 2-1/2" BINDER COURSE AND 1-1/2" FINISH COURSE AND MINIMUM 12" GRAVEL BASE.

THE APPLICANT SHALL APPLY TACK COAT WHERE FULL DEPTH PAVEMENT RECLAMATION MEETS EXISTING PAVEMENT TO REMAIN.

FINISH COURSE FOR FULL DEPTH CONSTRUCTION AND RECLAIMED AREAS SHALL BE INSTALLED AT THE SAME TIME.

THE APPLICANT SHALL CONTACT THE LEXINGTON ENGINEERING DEPARTMENT A MINIMUM OF 48 HOURS PRIOR, TO WITNESS THE ENTIRETY OF THE ROADWAY CONSTRUCTION AND ALL WORK SHALL COMPLY WITH THE TOWN OF LEXINGTON ENGINEERING STANDARDS.

ALL PROPOSED IMPROVEMENTS TO PARK STREET WILL BE WITHIN THE ROADWAY RIGHT-OF-WAY. NO WORK OR IMPROVEMENT IS PROPOSED ON ABUTTING PARCELS.

EXISTING MAILBOXES TO BE RELOCATED DUE TO ROADWAY WIDENING TO BE COORDINATED WITH THE HOMEOWNER.

REVISIONS

NO.	DATE	REVISION	BY
1	09/18/22	REVISE PAVEMENT WIDTH TO 20 FEET	FWR

ROAD CONSTRUCTION PLAN

6 PARK STREET

IN

LEXINGTON, MASSACHUSETTS

(MIDDLESEX COUNTY)

PREPARED FOR

DEEPAK AMENANI

SCALE: 1"=20' DATE: JULY 20, 2022

FREDERICK W. RUSSELL, PE
154 ALDRICH ROAD
WILMINGTON, MA 01887

SHEET No. 1 OF 1

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

35 Hayes Lane – Public Hearing for a Site Sensitive Residential Definitive Subdivision Development and Street Adequacy Determination

PRESENTER:

Applicant: Peter Johnson

ITEM NUMBER:

SUMMARY:

Public hearing on Peter Johnson's application for a Definitive Review for a Site Sensitive Special Permit Residential Development per §135.6.9.3.1 of the Lexington Zoning bylaws, and a Street Adequacy Determination per §176-7.0 of the Planning Board Zoning Regulations, and Definitive Subdivision approval per §175 Planning Board Subdivision Regulations located at 35 Hayes Lane: Map 55, Lot 47A in the RO Zoning District. The Applicant is proposing to construct an addition on the existing dwelling, create two new lots to add one dwelling on each of the two lots.

Application materials may be viewed online at: <https://lexingtonma.viewpointcloud.com/records/66154>

SUGGESTED MOTION:

Staff recommends opening the public hearing, hearing the applicant's presentation, having board discussion, taking public comments, then continuing the public hearing to a future meeting date to allow applicant time to respond to any requests. The date, time, and place will be determined by the Board on 9/21 but staff recommends continuing to the Wednesday, October 19 meeting at 6:00 pm on Zoom.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022

ATTACHMENTS:

Description

Type

Street Adequacy Determination Staff memo to Planning Board, dated

- September 19, 2022 Cover Memo
- Planning Staff Memo Definitive Site Sensitive Development and Subdivision 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
Sheila Page, Assistant Director
Molly Belanger, Planner

To: Planning Board

From: Molly Belanger, Planner

Re: Project Review for 35 Hayes Lane: Street Adequacy Determination

Date: September 16, 2022, revised to September 19, 2022

Property Information	
Project Address	35 Hayes Lane
Applicant/Owner	Valerie and Peter Johnson
Type of Review	Street Adequacy Determination per §176-7.0
Parcel ID	Map 55, Lot 47A

Land Conditions	
Applicability	The entirety of Hayes Lane is unaccepted by the Town, with the nearest accepted road to 35 Hayes Lane being Fletcher Avenue. The property owner intends to add more than 1,000 square feet of Gross Floor Area (GFA) to the lot and is responsible for road improvements to Hayes Lane, adjacent to the property lines of 35 Hayes Lane per §176.7.0 <i>Unaccepted Streets Standards</i> , as Fletcher Avenue intersects with the frontage of 35 Hayes Lane.
Summary of Roadway Conditions	Engineering and Planning staff visited the site on July 19, 2022. Hayes Lane has an inadequate width of 14'. The road is otherwise in generally good condition.

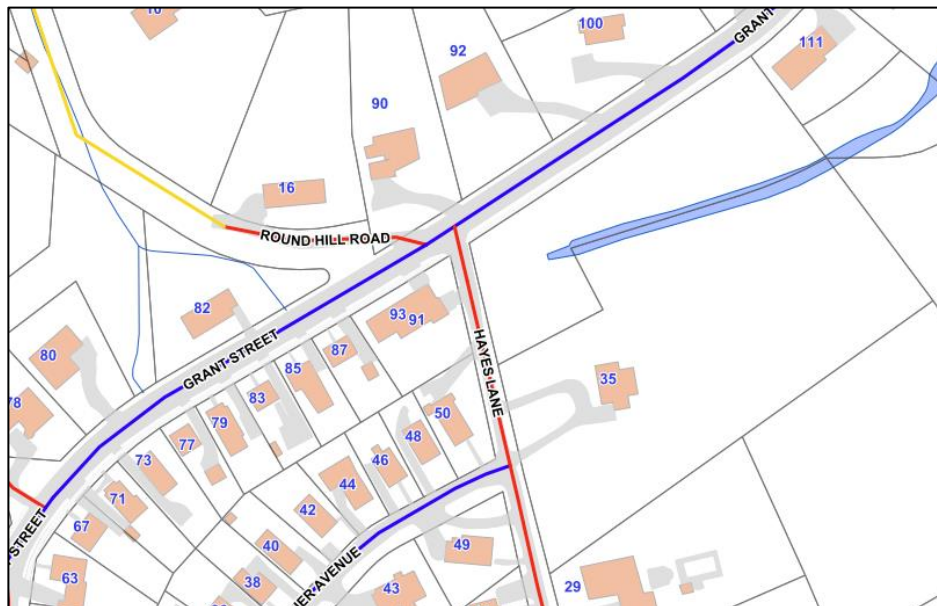
Dates & Deadlines	
Filed with Town Clerk	Waiver filed
Public Meeting Date	September 21, 2022
Action Deadline	October 10, 2022
Action Required	Approve with or without conditions and waivers; OR Disapprove.

Waivers	
§175-7.2	"Required standard of providing 20-ft two-way travel way for a local road as part of roadway improvement for a Street Adequacy Determination application."

Staff Comments

The Applicant has submitted a waiver request for §175-7.2 "Required standard of providing the full 20-ft. two-way travel way for a local road as part of roadway improvement for a Street Adequacy Determination application." The intent of this waiver waives any requirement to widen the roadway which abuts the frontage of 35 Hayes Lane, which would keep the roadway at its current 14' width. The Applicant stated the proximity to a 200' riverfront area, and mature street trees as the reasoning for this request.

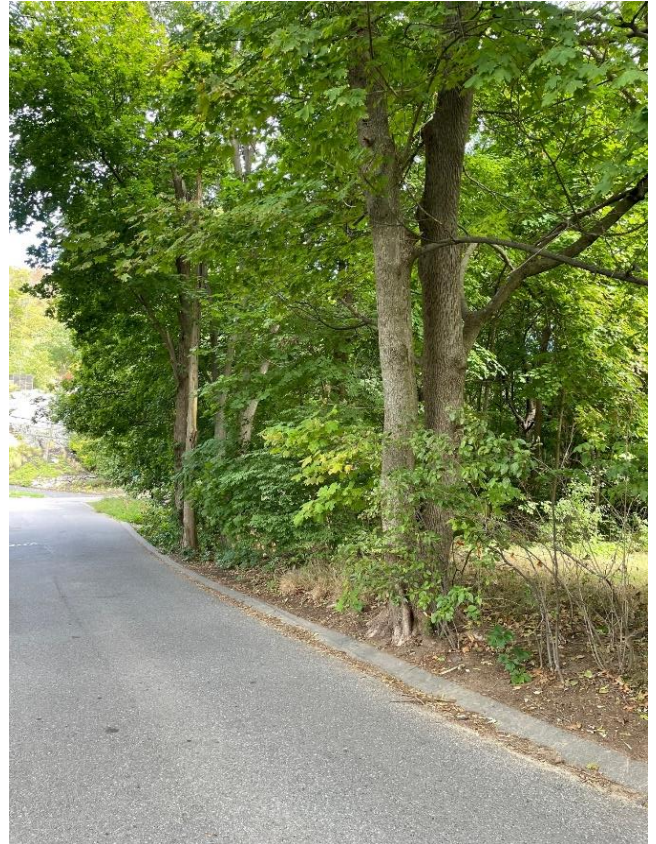
Figure 1:



Fire observed the significant street trees, but would like the road widened to the maximum amount possible, without compromising the trees or their roots.

Planning Staff observed numerous mature street trees on either side of Hayes Lane. Planning staff supports a waiver to waive the 20' width requirement, and to allow the existing 14' width to remain, as the roadway also falls within a 200' riverfront buffer, and as the current pavement is in very good condition, with cape cod berms present. (See photos below of street trees and pavement condition). If the road were to be widened, work would happen within the drip line so it is likely that the tree's roots would be compromised.

Conservation has pointed out that a portion of the roadway that abuts the frontage of 35 Hayes Lane, is within a 200' riverfront area buffer, and all plans which include additional pavement being added to the road must be reviewed by the Conservation Commission and is subject to their approval.



Recommended Motion

Recommended Motions:

That the Planning Board accepts the Applicant's waiver request for §175-7.2 "Required standard of providing the full 20-ft. two-way travel way for a local road as part of roadway improvement for a Street Adequacy Determination application." which would keep the roadway at its current 14' width due to the roadway's proximity to a 200' riverfront area buffer, and mature street trees.

CC:

Peter and Valerie Johnson

John Livsey, Town Engineer

Jim Kelly, Building Commissioner

Mike McLean, Police Chief

Tim Flaherty, Deputy Fire Chief



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
Sheila Page, Assistant Director
Molly Belanger, Planner

To: Lexington Planning Board

From: Molly Belanger, Planner

Re: Project Review for 35 Hayes Lane: Definitive Special Permit Residential Development – Site Sensitive Development & Definitive Subdivision

Date: September 16, 2022, revised September 19, 2022

Property Information	
Project Address	35 Hayes Lane
Parcel ID	Map 55, Lot 47A
Applicant/Owner Name	Valerie Johnson and Peter Johnson
Type of Review	Definitive Special Permit Residential Development – Site Sensitive and Definitive Subdivision
Zoning District	RO - One Family Dwelling
Property Size	3.08 acres or 134,097 Square Feet
Existing Conditions	The lot is improved by a single-family home with a loop around driveway off of Hayes Lane.
Environmental Conditions	The property is affected by a conservation restriction to preserve open space on the property. The restriction prohibits buildings and structures, the placement or removal of soils, etc. within the restricted space. The property is also affected by wetlands, the 100' wetlands buffer, and a 200' riverfront area buffer.

Important Dates/Timelines	
Filed with Town Clerk	August 25, 2022
Filed with Health	August 25, 2022 (no comments)
Public Hearing date deadline– within 65 days of filing	October 31, 2022
Decision Deadline 90 days following the date of the public hearing	December 20, 2022
Appeal Period	20 days from the date the decision has been filed with the Town Clerk.

Approval Information	
Action Required at Decision Deadline	The Planning Board may vote to grant, grant with conditions, or deny a special permit.
Applicability	<p>Per Town Code Chapter §135-6.9.2 a special permit residential development is a project in which one or more lots, tracts, or parcels of land are to be improved for use as a coordinated site for housing. No special permit residential development shall be initiated without first obtaining a special permit in accordance with the provisions of this section. The purpose of the special permit is to provide a detailed review of residential developments that have a substantial impact on the character of the Town, adjacent residential areas, and the provision of public facilities and services.</p> <p>Per Town Code Chapter 135 §6.9.3 a site sensitive development (SSD) is the development of a parcel with configurations of lots allowing flexibility and creativity in residential development through reductions in minimum lot area and frontage requirements to minimize site disturbance, preserve historic and sensitive natural resources, and allow for efficient patterns of construction to lower development cost. The number of dwellings in a site sensitive development may not exceed the number of dwellings that could be constructed in the development of a conventional subdivision. [Amended 4-9-2014 ATM by Art. 32]</p>

Project Summary
<p>The Applicant previously submitted a sketch plan application which was reviewed by the Planning Board on March 16, 2022. The Planning Board generally supported the application, with one member requesting that the Applicant looks into a design where all three homes shared the common driveway to avoid creating another curb cut on Hayes Lane. During public comment, two abutters voiced their support for the project.</p> <p>The Applicant has since applied for a definitive site sensitive development. The Applicant is proposing a site sensitive development due to the current lot being affected by a Conservation Restriction, a 100' wetlands buffer, and a 200' Riverfront buffer. The existing dwelling will remain, and an attached garage will be added. Two more lots will be created through a subdivision, and a new dwelling will be added to each of the two new lots. Two new, non-buildable parcels will also be created. Parcels 1 and 2 will hold conservation restrictions. Both new dwellings will be accessed from two new driveways off Hayes Lane. Two new curb cuts will be created as a result of this project. The second additional dwelling will share the existing looped driveway with the existing dwelling that is to remain. The plans show both new homes to be around 4,000 square feet with attached two-car garages.</p> <p><u>Unaccepted Street – Street Adequacy Determination</u></p> <p>The entirety of Hayes Lane is unaccepted by the Town, with the nearest accepted road to 35 Hayes Lane being Fletcher Avenue. The property owner intends to add more than 1,000 square feet of Gross Floor Area (GFA) to the lot and, per §176.7.0 <i>Unaccepted Streets Standards</i>, is responsible for road improvements on Hayes Lane, from Fletcher Avenue through the entire frontage of 35 Hayes Lane.</p>



TOWN OF LEXINGTON *PLANNING OFFICE*

1625 Massachusetts Avenue
Lexington, Massachusetts 02420
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planning@lexingtonma.gov
www.lexingtonma.gov/planning

Abby McCabe, Planning Director
Sheila Page, Assistant Director
Molly Belanger, Planner

Engineering and Planning staff visited the site on July 19, 2022. Hayes Lane has an inadequate width of 14' (Please see Planning staff's 35 Hayes Lane street adequacy determination memo to the Planning Board, dated September 16, 2022.) The road is otherwise in generally good condition. Planning and Engineering staff found Hayes Lane to be inadequate for the proposed use due to its width, and suggest a minimum width of 16'.

A Street Adequacy Determination (SAD) application has not been filed with the Planning Office as of September 16, 2022, however, the Applicant has submitted a waiver request for 175.7.2 to waive the minimum roadway width requirement of 20 feet to allow for the existing 14-foot width to remain.

Comments

Building/Zoning

- The overhang of the proposed dwelling on Lot #1 is intruding into the setback and is not allowed. Lexington measures to the furthest protrusion when calculating the distance to the setback, including overhang, bulkheads, etc.
- Driveway widths should be included in the plans, including the exiting driveway as that may need to be widened to improve emergency access.
- 135-6.9.4 states that "An applicant is not entitled to the maximum development, nor is the applicant entitled to approval of a special permit residential development."
- The developer should be clear in its request as to how much development is requested; impervious surface, sit coverage, and GFA should be shown for each lot. Similarly, the Board, in its decision should clarify the approved amount of development - i.e. whether or not the maximum is allowed. This will provide clarity to future owners on what is permissible under the special permit.
- The Applicant should plan to manage stormwater for the maximum amount allowed impervious surface for each lot to allow for potential future improvements to the lots.
- Notations on the deeds should be required so that new owners are notified of their limits under the special permit.
- The Applicant should clarify whether or not the development will need a Home Owners Association.
- The proposed plan shows no tree removal within the setbacks. The Applicant should seek a waiver from the tree committee.

Engineering

- The plans have Hayes Ln labeled as "private", however, this should be labeled as an "unaccepted road" and is subject to a street adequacy determination.
- Stormwater will be reviewed during the NOI process. Engineering has no issue with the project at this time.

Conservation

- The Applicant went before the Conservation Commission on November 22, 2021 for an Abbreviated Notice of Resource Area Delineation to confirm Bordering Vegetated Wetlands, Bank/Mean Annual High-Water Line, Riverfront Area, and Bordering Land Subject to Flooding. An Order of Resource Area Delineation was issued by the Conservation Commission on December 17, 2021.
- The current Conservation Restriction runs along the side of the lot and allows for public access. Conservation Staff suggests the Planning Board consider requiring the creation of a second Conservation Restriction area on the back of the lot to further protect the wetlands and watershed buffer area. Conservation Staff advised the Applicant to keep the additional Conservation Restriction separate from the existing so the public access will not extend into the Applicant's backyard.
- The conservation values on this site are significant and include wetland, flood, and water quality protection, open space protection, public access and trails, and consistency with clearly delineated Federal, State, or Local Governmental policies is important. Protection of the Premises furthers the Town of Lexington's 2015 Open Space and Recreation Plan; the protection of Town's water and wetland resources (Objective 2a); the reduction of sources of air and water pollution within the Town (Objective 2b); the protection of the Town's Tree Canopy (Objective 2e); the connectivity between open space and recreation and access enhancement (Objective 5a).
- An appropriate Wetlands Protection application will need to be filed with the Conservation Commission for review and approval for any work and/or activities that fall within jurisdictional wetland areas, or that impact these areas, before commencing construction. The Conservation Commission will review said filing and approve work and/or activities if found complying. Since a Conservation Commission filing hasn't been submitted, it is not known whether the entire project has been designed to comply with the Wetland Protection performance standards Section 5(2) and 5(6) or with the Stormwater Management Code for an above threshold project. Hence, it is suggested that the Planning Board require this Site Sensitive Development to fully comply with the Above Threshold standard of the Lexington Stormwater Management regulation and with Section 5(2) and Section 5(6) of the Lexington Wetland Protection Rules regardless of whether site disturbance is greater than an acre and/or the activity falls within jurisdictional wetland areas and to include such a condition in the Planning Board Special Permit accordingly.

Historic

- The existing dwelling to remain is not listed with the Historic Commission.

CC:

Peter Johnson, Owner

Valarie Johnson, Owner

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

7 Bird Hill Road – Request to release surety from the required improvements of the March 3, 2020 Street Adequacy Determination

PRESENTER:

Staff

ITEM NUMBER:

SUMMARY:

The street adequacy determination from March 3, 2020 required road improvements associated with the reconstruction of the house. As part of the road improvement process a surety was posted by the Applicant. Work has now been completed, inspected by Engineering staff, and the Applicant requests a release of the funds. Engineering and Planning staff confirm that the required improvements have been completed and recommends the release of funds back to the Applicant.

SUGGESTED MOTION:

Move to release the surety in the amount of \$4,730.00 to the Applicant (Vahan Zhamkochian and Narine Sharkhatunyan) after confirmation of completion of the road improvements required as part of the March 3, 2020 Street Adequacy Determination.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022

ATTACHMENTS:

Description	Type
7 Bird Hill SAD Approval	Exhibit



Town of Lexington

PLANNING BOARD

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Charles Hornig, Chair
Bob Peters, Vice Chair
Michael Schanbacher, Clerk
Melanie Thompson
Bob Creech
Michael Leon, Associate

From: Molly Belanger, Planner
To: Jim Kelly, Building Commissioner
Re: Street Adequacy Determination for 7 Bird Hill Road
Date of Application: October 21, 2020
Date of Decision: March 10, 2020

Dear Mr. Kelly,

On March 3, 2020, at a duly called and properly posted meeting, the Planning Board acted upon an application for a determination of the adequacy of the width, grade, and construction of Bird Hill Road, as it relates to the proposed use of 7 Bird Hill Road for the reconstruction of a single family house. The procedure for such an application, pursuant to §176-7.0 of the Planning Board's *Zoning Regulations (Regulations)*, requires that the Planning Board determine that Bird Hill Road is not presently of adequate grade and construction but will be if certain improvements are made.

To achieve the intent and purpose of the *Regulations*, the Planning Board determined that the following conditions must apply in order that the proposed use of 7 Bird Hill Road proceed as proposed:

1. The edge cracking along 8 Bird Hill Road, 10 Bird Hill Road, and 14 Bird Hill Road be saw-cut and patched to prevent further pavement failure.

In order to prevent damage to the road, the Planning Board will allow the roadwork to take place after the house is built, but the roadwork must be completed prior to an occupancy permit is issued. Before obtaining a building permit, the applicant must post surety of \$4,730.00 with the Planning Board, an amount sufficient to cover the cost of the road improvements plus 10 percent.

On behalf of the Planning Board,

Molly Belanger
Planner

cc: John Livsey, Town Engineer
Planning Board file
YM Designs, Inc.

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Update on the Bedford/Hartwell Complete Streets 25% Design Project and Transportation Demand Overlay District Plans

PRESENTER:

Assistant Planning Director Sheila
Page

ITEM NUMBER:

SUMMARY:

Assistant Planning Director Sheila Page will provide the Board with an update on the Bedford Hartwell Corridor Complete Street 25% Design Plans and an update on Transportation Demand Overlay District Plan. A memo and working draft are attached as exhibits.

SUGGESTED MOTION:

No formal action is needed. This is information for the Board and to hear any initial board feedback.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022

ATTACHMENTS:

Description	Type
☐ Staff Memo	Cover Memo
☐ Revised presentation September 21, 2022	Cover Memo



Town of Lexington

TO: Planning Board

FR: Sheila Page, Assistant Planning Director

CC: Ross Morrow, Assistant Town Engineer
John Livsey, Town Engineer
Carol Kowalski, Assistant Town Manager for Development
Sandhya Iyer, Economic Development Director

DATE: September 14, 2022

Re: Update Bedford Hartwell Corridor Complete Street 25% Design Project

Purpose

The traffic analysis based on a reasonable development build-out reveals traffic volumes beyond the capacity of project scope. The following memo provides a clearer understanding of the potential impact and some solutions to consider. A combination of the proposed solutions will be needed. A similar presentation was presented to the Select Board on July 18, 2022. At that meeting the Select Board provided guidance as to which solutions are preferred. As discussed later in this memo transportation demand management is part of the solution.

Introduction

VHB, consultants for the Town, held the first of three public meetings on October 19, 2021. Ninety-seven interested parties attended. The feedback was robust and very helpful to the design team. A business stakeholders meeting was held on September 27, 2021, which was well-attended.

Using the existing zoning and expertise of the economic development and planning staff, VHB developed build-out scenarios to inform the designers as to the future needs of the transportation system. The VHB team met with the Town of Lexington staff on February 10th to discuss the initial findings of the Hartwell Ave / Bedford Street land use scenarios, traffic analysis, and traffic impacts of the full build-out potential within the study area. This memorandum summarizes the items discussed and includes potential next steps for the Town.

Buildout Scenarios

VHB developed two “buildout” scenarios for the Bedford / Hartwell corridor. Scenario A formulates a likely build out within the study area while adhering to the current zoning bylaws. Scenario B considers a

potential zoning bylaw revision that allows for a small portion of multi-unit residential development¹. For both buildout scenarios, each parcel was assigned a probability of redevelopment as “likely”, “possible” or “unlikely” and a resulting gross square foot area (GFA) of building; and then its associated impact on the transportation system was established.

For the purposes of the traffic analysis, the build out scenarios included the full development buildout for all parcels identified as *likely* to redevelop and 50-percent of the development buildout for the parcels identified as *possible* to redevelop. In both A and B scenarios, the traffic analysis included more than 4,000,000 square feet (SF) of additional development to be constructed over a 20-year period.

Traffic Analysis

To quantify the traffic impacts of these potential buildout scenarios, preliminary trip estimates for the two scenarios were projected using trip generation rates published by the Institute of Transportation Engineers (ITE), 11th Edition². For simplicity, it was assumed that all office/lab uses are comprised of a 50/50 split between office and lab space. The resulting number of trips expected to be generated by the buildout scenarios is in the magnitude of 3,000+ trips during both the weekday morning and evening peak hours, when the study area corridors are already congested by traffic generated by commuters in the greater region. This potential future buildout comprises the highest impact. While it is difficult to predict the actual buildout of the corridor, full development of the potential buildout scenarios seems unlikely.

Traffic Operations Analysis

VHB conducted capacity analyses at the following study area intersections for a reduced buildout scenario, which included approximately 65-percent of the Scenario A buildout described above.

- › Hartwell Avenue at Maguire Road
- › Hartwell Avenue at Bedford Street
- › Bedford Street at I-95 SB Ramps

At each of the study area intersections, potential improvement alternatives to accommodate the volume of traffic associated with the reduced buildout scenarios were assessed. At the intersections of Hartwell Avenue at Maguire Road and Hartwell Avenue at Bedford Street, the peak hours are projected to operate at poor levels of service. While the potential upgrades do improve pedestrian and bicycle mobility and increase vehicular capacity on most approaches, the upgrades are unable to improve vehicular operations while accounting for the increased volume anticipated by the buildout scenarios. Although not the ideal situation, recent experience on similar projects that seek MassDOT support for the use of federal funding for the construction of transportation improvements indicate that MassDOT will be receptive to the inclusion of multimodal designs over roadway capacity to create a better balance for all transportation modes (walking, biking, transit, and vehicle) on a corridor. While MassDOT may tolerate a decrease in vehicular operations, it is very likely that Federal Highway will not tolerate decrease operations that would impact the I-95 ramps and vehicles queuing onto the highway. The impact to the highway is the greatest during morning peak hours.

As part of the traffic analysis at the southbound ramp system at the interchange, VHB evaluated the construction of a traffic signal and a roundabout at the ramp intersection with Bedford Street as traffic

¹ Scenario B includes approximately 13% residential uses.

² Trip Generation, 11th Edition, Institute of Transportation Engineers, Washington, D.C., 2021.

control at the ramps would alleviate difficulties at the Bedford/Hartwell intersection. The following table presents the findings using the following reduced buildout scenarios and associated traffic volume impacts. Each of these improvement alternatives, the traffic signal and the roundabout, relocates the northern I-95 SB On-Ramp, eliminating the weave condition along I-95 SB. Eliminating the weave is usually viewed favorably by MassDOT and the Federal Highway Administration.

Table 1 Buildout Scenario A Analyzed

Condition - % of Buildout Scenario A	Total Weekday Morning Peak Hour Volume to Study Area	I-95 SB Off-Ramp Volume during Weekday Morning Peak Hour
65% of Buildout	2,150	1,605
40% of Buildout	1,215	1,290
30% of Buildout	925	1,190

The roundabout alternative would result in excessive queues on the I-95 SB off-ramp, resulting in significant queueing onto I-95. A signal at this location would also result in extensive queueing along the off-ramps. These queues appear to be contained within the ramp, without extending onto I-95 SB; however, FHWA will need to approve the design and analysis and may not look favorably on queues of this magnitude.

Part of the Solution

Extending the project limits to include the entire interchange (I-95 NB and SB Ramps) into the study area would allow for additional interchange configuration alternatives to be incorporated into the traffic analysis for the buildout scenarios and may alleviate some of the associated congestion. We have asked MassDOT to approve and fund the study limit revision to include both I-95 NB and SB ramps as the initial approval from MassDOT included only the I-95 SB ramps. This additional study area is crucial to the success of the project. VHB is prepared to include the entire interchange into the design, once MassDOT approves the additional scope of work and the funding.

Once design alternatives and the traffic analyses are conducted we will have better idea as to how much capacity can be added under different design alternatives. While an interchange redesign will add capacity to the Bedford / Hartwell intersection, it also adds complexity and cost of construction which is not currently in the MPO's long range plan. On the plus side, design alternatives would likely eliminate the vehicular weave where vehicles exiting must cross vehicles entering the highway. Increased highway safety is an important criterion in funding. We do expect the interchange design to fit within the right of way.

Additional Potential Solutions

Redesign of the full I-95 interchange is part of the solution. We must consider other initiatives to relieve the expected congestion. Such efforts may include enacting strict transportation demand management requirements, adding complimentary uses such as residential multi-family, and designing creative alternatives such as a new access route to Hartwell Avenue.

- › A more balanced mix of land uses (e.g., mixing residential and commercial) within the project area may alleviate the intense directional vehicular volumes experienced with the current build out scenarios analyzed. The Town could revise the zoning bylaws for the Hartwell Avenue area to allow multi-family residential / commercial mixed-use development; however, a split of at least 40-percent residential is recommended to significantly reduce the trip generation from the project area.
- › The Town could revise their transportation demand management policies for all redevelopments within the study area to require aggressive measures to influence the vehicular congestion along the corridors.
 - Un-bundle the rental or lease of parking spaces from the rental or lease of floor space and charge market rate for on-site parking spaces. This is required of both the property owner and of each tenant, so tenants are required to pass on to their employees the full market rate cost.
 - Provide financial incentives not to park
 - A commitment to achieving a set automobile mode share commitment (Somerville requires 50-percent), to be enforced with annual monitoring. Aggressive transportation demand management requires robust alternative transportation options. In order to achieve a mode share commitment of 50% public transit is imperative.
 - All tenants are required to subsidize MBTA transit passes (or other public transit service) by 90-percent of the pass cost.

It should be noted that a robust transportation demand management relies on safe, reliable and convenient transportation options throughout town. Strict management requirements could have an impact on our economic development initiatives as part of the appeal of many suburban locations is free and ample parking.

- › A more direct connection between I-95 southbound and Hartwell Avenue such as a collector-distributor road from the Bedford Street interchange with direct access to Hartwell Avenue would alleviate the congestion along Bedford Street. This road would likely go through town property and resource areas. Significant environmental constraints as well as the impact on Town operations will be difficult to overcome and limit the feasibility of this condition. Additional funding would be needed to fully explore this option as it is not included in the consultant's current scope.

As the Select Board knows, the expectations of a vibrant commercial district are great. In order to create a vibrant district, successful businesses, safe multimodal transportation options and people are needed. Because the predicted impact of the potential development is great, efforts beyond the 25% Design project are needed.

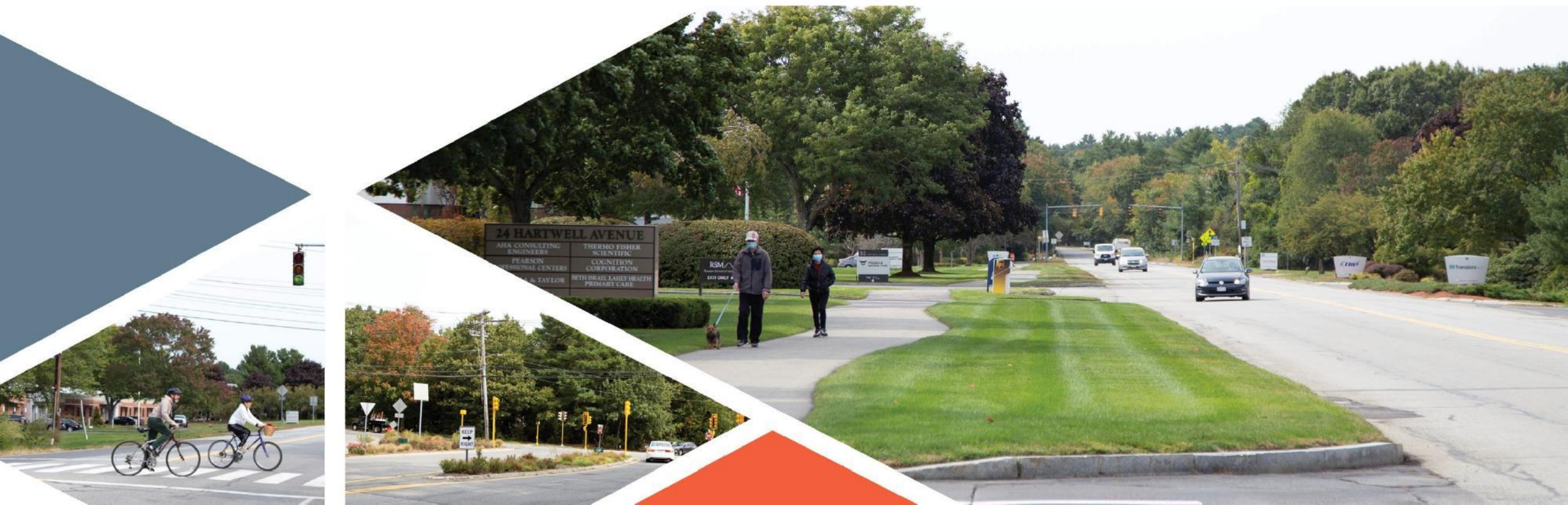
Possible mitigation to investigate	Impact toward successful mitigation	Initial pros and cons	What it takes	Who makes the final decision?	Pursue further?
Allow Multi-family Housing on Hartwell	<ul style="list-style-type: none"> Medium The more we allow the more impactful the mitigation. VHB suggests 40% of build out be multi-family to significantly impact the traffic volumes. 	<ul style="list-style-type: none"> People are needed for a vibrant corridor. Could be part of MBTA communities effort. Employees can walk to work Housing is needed to support economic development Takes away from potential commercial development 	<ul style="list-style-type: none"> Zoning Amendment: Public meeting/ Town Meeting process 	<p>Town Meeting Decides</p> <p>With endorsements from Planning Board and Select Board</p>	<p>Yes</p> <p>No</p> <p>Comments:</p>
Strong Transportation Demand Management = Unbundling parking	<ul style="list-style-type: none"> Low/Medium 	<ul style="list-style-type: none"> Not a new concept...but not common outside Rt. 128 Paying for parking is a motivator to find alternative forms... Could be a detriment to economic development 	<ul style="list-style-type: none"> Zoning Amendment: Public meeting /Town Meeting process Add to TMO-1 Plan: PB regulation process- 	<p>Town Meeting Decides</p> <p>With endorsements from Planning Board an Select Board</p> <p>PB to change TMO-1 regulations</p>	<p>Yes</p> <p>No</p> <p>Comments: Instead provide incentives not to park</p>
Create Alternative ramp	<ul style="list-style-type: none"> High 	<ul style="list-style-type: none"> Not included in current scope Opportunity to “think outside the box” - not a unique idea as people have suggested this. Environmental constraints Could severely limit operations of compost facility: May need to find alternative location Implementation very expensive - this concept is not included in the MPO’s long range plan. 	<ul style="list-style-type: none"> Additional funding = wetland survey, traffic analysis, alternative designs If viable, evaluate environmental constraints/impacts and operation impact = may need additional study 	<p>Select Board</p> <p>Town Meeting for funding MassDOT and MPO</p> <p>FHA has final say</p>	<p>Yes</p> <p>No</p> <p>Comments:</p>



Bedford/Hartwell Complete Streets Project

TMO-1 Hartwell Area Plan Update

Planning Board Update
September 21, 2022





Project Update

- Survey Work / Existing Conditions Analyses
- Business/Property Owner Stakeholders Meeting - September 27, 2021
- 1st of 3 public meetings – October 19, 2021
- Buildout Scenario
“likely” – “possible” – “unlikely”
- Design Alternatives
- Traffic Analyses



Findings

- Improved pedestrian and bicycle mobility
- Improved look and feel of the corridor
- 3000+ additional trips both weekday peak morning and evening hours
- Intersections projected to operate at poor levels of service
- Decreased operations = back ups onto I-95 SB ramps





Part of the Solution

- Complete interchange redesign
- Additional study and analyses is needed
- MassDOT is considering funding the added scope of work
- Any change to the interchange requires both MassDOT and FHWA approval
- Out of scope for MPO long range plan
- Will reduce the capacity issue but may not resolve the issue





Additional Solutions to Consider

- Add multifamily residential use as an allowed use
- Strong TDM Measures
- Direct connection between I-95 SB and Hartwell Avenue

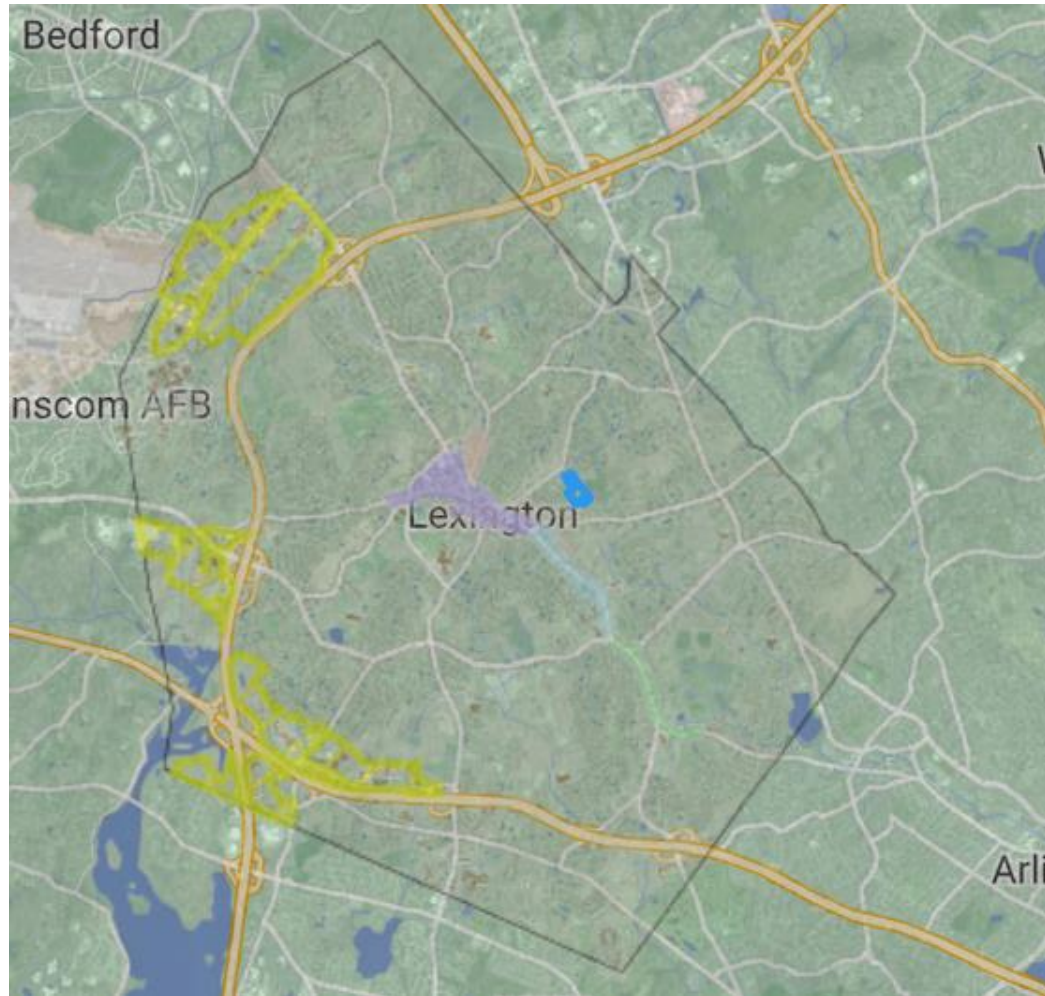


Pros and Cons

Possible mitigation to investigate	Impact toward successful mitigation	Initial pros and cons	What it takes	Who makes the final decision?	Pursue further?
Allow Multi-family Housing on Hartwell	<ul style="list-style-type: none"> Medium The more we allow the more impactful the mitigation. VHB suggests 40% of build out be multi-family to significantly impact the traffic volumes. 	<ul style="list-style-type: none"> People are needed for a vibrant corridor. Could be part of MBTA communities effort. Employees can walk to work Housing is needed to support economic development Takes away from potential commercial development 	<ul style="list-style-type: none"> Zoning Amendment: Public meeting/ Town Meeting process 	Town Meeting Decides With endorsements from Planning Board and Select Board	Yes No Comments:
Strong Transportation Demand Management = Unbundling parking	<ul style="list-style-type: none"> Low/Medium 	<ul style="list-style-type: none"> Not a new concept...but not common outside Rt. 128 Paying for parking is a motivator to find alternative forms... Could be a detriment to economic development 	<ul style="list-style-type: none"> Zoning Amendment: Public meeting /Town Meeting process Add to TMO-1 Plan: PB regulation process- 	Town Meeting Decides With endorsements from Planning Board an Select Board PB to change TMO-1 regulations	Yes No Comments: Instead provide incentives not to park
Create Alternative ramp	<ul style="list-style-type: none"> High 	<ul style="list-style-type: none"> Not included in current scope Opportunity to "think outside the box" - not a unique idea as people have suggested this. Environmental constraints Could severely limit operations of compost facility: May need to find alternative location Implementation very expensive - this concept is not included in the MPO's long range plan. 	<ul style="list-style-type: none"> Additional funding = wetland survey, traffic analysis, alternative designs If viable, evaluate environmental constraints/impacts and operation impact = may need additional study 	Select Board Town Meeting for funding MassDOT and MPO FHA has final say	Yes No Comments:



Transportation Management Overlay District (TMOD)



Purpose:
allow greater opportunity for
facilitating effective multi-
modal transportation
networks that increase the
quality of life in Lexington
through improved traffic
management and mitigation

Implementation: Each area
must have a Plan



Transportation Demand Management

Transportation Management Overlay District TMO-1 Hartwell Area



Chap 176 Section 10.2 - TMO—Hartwell Ave Area District Plan

- 5.1 Parking minimum is the maximum
- PTDM Plan—TMA and other incentives=goal to 85% SOV trips
- Mitigation fee—\$5/sqft net floor area (add'l fees over 100,000 sqft)
- Proposed Mitigation Projects




Transportation Demand Management Transportation Management Overlay District TMO-1 Hartwell Area Plan Elements

- **Infrastructure Recommendations**
- **Regulatory Recommendations**
- **Administrative Recommendations**
- **Programmatic Recommendations**



Transportation Demand Management Transportation Management Overlay District TMO-1 Hartwell Area

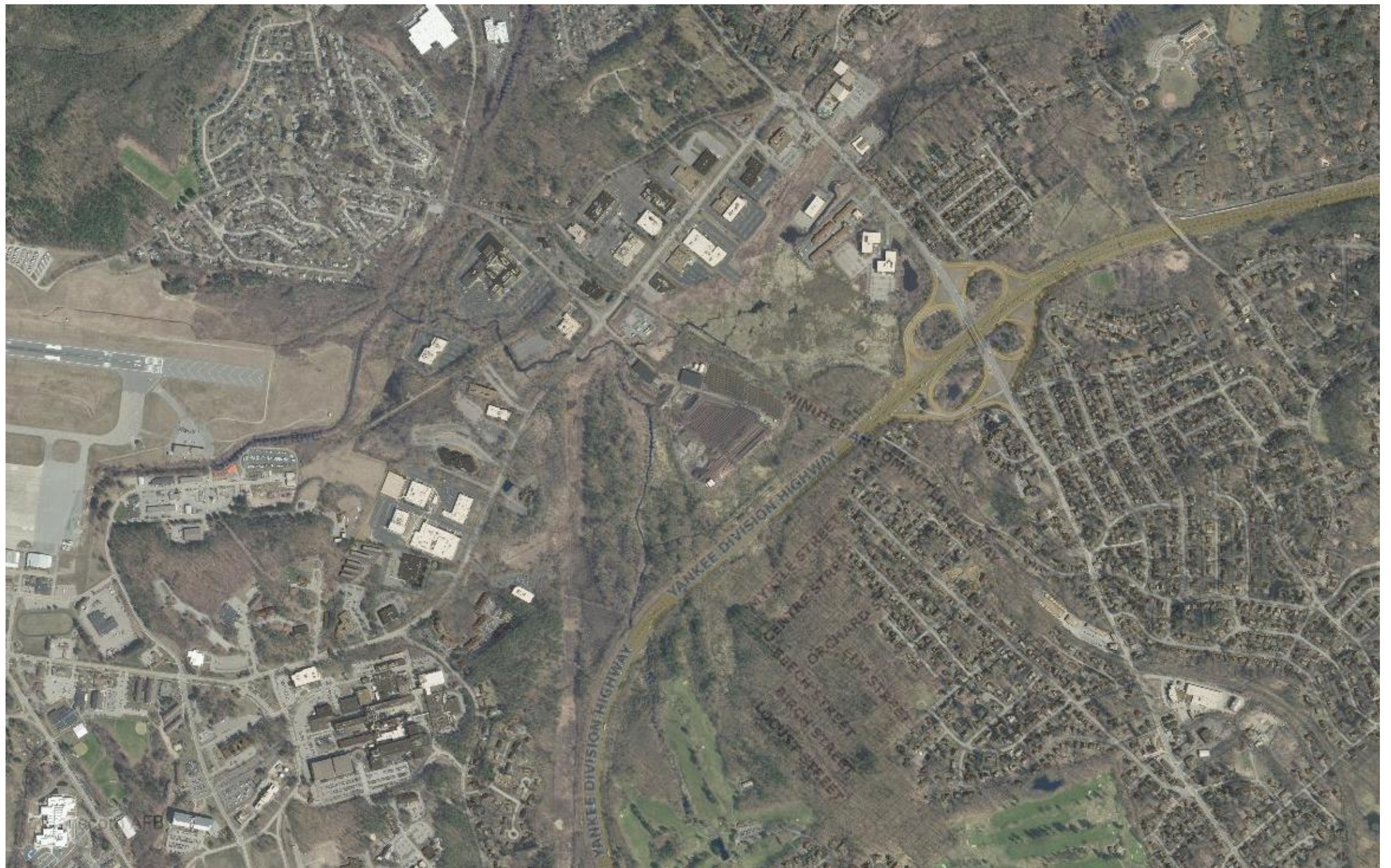
- Data gathering
- Stakeholder interviews
- Evaluation & Analysis
- **Draft Plan Recommendations**
- **Final Plan Adoption**
- **Plan Implementation**



October 12, 2022
Planning Board
Meeting



THANK YOU!



AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Staff Updates

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Board Member Updates

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Upcoming meetings – 9/28/22, 10/12/22, 10/19/22

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Review of Meeting Minutes: 9/13/22, 9/7/22

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2022