

AGENDA

Lexington Planning Board

Wednesday, March 1, 2023

Held virtually through Zoom link available here:

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

6:00 PM

Town Meeting

1. **Continued Public Hearing: Article 33 Amend Zoning Bylaw Relative to Special Permit Residential Developments (SPRD)**
2. **Continued Public Hearing: Article 40 Citizen Petition to Amend Zoning Bylaw Section 4.4 to Reduce Residential Gross Floor Area**

Town Meeting Recommendation Reports

1. **Article 34: Amend Zoning Bylaw and Zoning Map to establish Overlay Districts to allow multi-family housing for MBTA Communities**
2. **Article 35: Supplemental Inclusionary Housing Requirements**
3. **Article 36: Amend Zoning Map – Central Business District**
4. **Article 37: Extend Action Deadline for Major Site Plan Review**
5. **Article 38: Minor Modifications to Approved Permits**
6. **Article 39: Technical Corrections**

Development Administration

1. **15-17 Fairland St & 185 Lincoln St. – Accept performance guarantee and endorse approved plans**
2. **21 Tower Road - Street Adequacy Determination (SAD) release of surety**

Board Administration

1. **Staff Updates**
2. **Board Member Updates**
3. **Upcoming Meetings: 3/15, Before Town Meeting: 4/5, 4/26**
4. **Review of Meeting Minutes: 2/1**

Adjourn

1. **Meeting will continue until all items are finished. Estimated adjournment 8:30 pm**



Meeting broadcast by LexMedia

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:

3/1/2023

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Continued Public Hearing: Article 33 Amend Zoning Bylaw Relative to Special Permit Residential Developments (SPRD)

PRESENTER:

Special Permit Residential
Development Amendment Committee

ITEM NUMBER:

SUMMARY:

Continued Public Hearing (from February 8 & February 15) for Annual Town Meeting Warrant Article 33: Amend Zoning Bylaw - Special Permit Residential Development

The Select Board's Special Permit Residential Development Amendment Committee (Ad Hoc) was created in response to a citizen petition to amend Section 6.9 (Special Permit Residential Developments) of the Zoning Bylaw. The Committee has been working to recommend bylaw changes to encourage the development of residential neighborhoods not otherwise allowed through conventional subdivisions. The purpose of this article is to provide incentives for builders to choose to produce development that provide smaller homes, include affordable homes and create a variety of home building types not readily available in Lexington, rather than conventional subdivisions.

The Committee presented to the Planning Board on February 8. The zoning proposal and February 8 presentation is attached. The Committee will provide any updates in response to the recent hearings and recent public information sessions.

At the end of the discussion, staff recommends the Board vote to close this public hearing and vote to make a recommendation to Town Meeting.

SUGGESTED MOTION:

Staff has prepared a draft recommendation of support, attached.

Suggested Motion:

Move to recommend Town Meeting approve Article 33 as amended through March 1 and as outlined in the Board's draft recommendation report in the packet.

Vote to close the public hearing.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description	Type
📎 Article 33 Motion	Exhibit
📎 02.23.23 Presentation	Presentation
📎 Rev Zoning Motion 03.01.23 CLEAN	Exhibit
📎 Rev Zoning Motion 03.01.23 REDLINED	Exhibit
📎 Draft Article 33 Report	Cover Memo

ARTICLE SPRD

AMEND ZONING BYLAW SPECIAL PERMIT RESIDENTIAL DEVELOPMENTS

To see if the Town will vote to amend the Zoning Bylaw of the Town of Lexington to amend or replace the provisions regarding Special Permit Residential Developments to encourage the development of residential neighborhoods not otherwise allowed through conventional subdivisions; or act in any other manner in relation thereto.

(Inserted by the Select Board)

DESCRIPTION:

The purpose of this zoning amendment is to provide incentives for builders to choose to produce developments that provide smaller homes, include affordable homes and create a variety of home building types not readily available in Lexington, rather than conventional subdivisions.

MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

1. Amend § 135-3.4, Table 1, Permitted Uses & Development Standards, by replacing row A.1.05 with the following:

		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM	CSX
A.1.05	Special Residential Development (SRD)	R	R	R	R	N	N	N	N	N	N	N	N

2. Replace § 135-6.9 with the following:

6.9. SPECIAL RESIDENTIAL DEVELOPMENTS.

6.9.1 Purposes.

This section is intended to:

1. Encourage greater diversity of housing opportunities to meet the needs of a diverse population with respect to income, ability, accessibility needs, number of persons in a household and stage of life;
2. Encourage the development of inclusionary housing;
3. Promote development proposals designed with sensitivity to the characteristics of the site;
4. Permit different types of structures and residential uses to be combined in a planned interrelationship that promotes an improved design relationship between buildings;
5. Preserve historically or architecturally significant buildings or places;

6. Encourage the preservation and minimum disruption of outstanding natural features of open land and minimize impacts on environmentally sensitive areas;
7. Encourage sustainable development through the use of green building practices and low-impact development techniques; and
8. Promote the efficient and economical provision of public facilities such as utilities and streets and facilitate a detailed assessment, by Town officials and the public, of the adequacy of such facilities and services for the proposed level of development.

6.9.2 Applicability.

A Special Residential Development (“SRD”) 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 and for which deviations from the dimensional standards that apply to conventional developments are allowed in order to achieve a diversity of household types, sizes and affordability. Instead of determining density by dwelling type, minimum lot area, and frontage requirements, the total Gross Floor Area (GFA) of market-rate residential development for the tract as a whole is limited.

No Special Residential Development shall be initiated without site plan review by the Planning Board in accordance with the provisions of this section and § 9.5 of this Bylaw.

6.9.3 Types of Special Residential Development.

1. Site Sensitive Development (SSD): A Special Residential Development in which the number of dwellings is limited as set forth below so that existing site features such as natural grades, mature trees, stone walls, and historic structures may be retained.
2. Compact Neighborhood Development (CND): A Special Residential Development in which the size of the dwelling units is limited as set forth below.

6.9.4 Scale of Development.

The amount of development permitted in a Special Residential Development shall be based on a proof plan showing at least two lots fully complying with the provisions of this bylaw (other than this § 6.9 and § 6.12), the Planning Board’s Subdivision Regulations, and the criteria set forth below.

6.9.5 Threshold Criteria for Site Sensitive Development.

An SSD must be designed to preserve natural features, mature native trees, habitat areas, sloped areas, historically or architecturally significant buildings or places. Where possible, an SSD should be sited to preserve mature native trees and the critical root zone.

6.9.6 Dimensional Standards.

The requirements of § 4.0 are modified as follows within a Special Residential Development:

1. Lot area. There is no minimum lot area required; provided, however, that the lot area for each lot shall be sufficient to safely meet the off-street parking requirements of this bylaw and the installation of

any on-site water supply and sewage disposal facilities.

2. Frontage. There is no minimum frontage required; provided, however, that frontage for each lot shall be sufficient to provide for adequate access to the building site in the judgment of the Fire Department. Adequate access may be demonstrated by use of shared driveways, parking lots or other means.
3. Yard Requirements. The Minimum Yards required by § 4.0 shall apply only to the perimeter of the site but are not required elsewhere within the site.
4. Height Requirements. The height limits in Table 2 shall apply, except that the height limit, as measured by stories, shall be three stories in all districts.
5. Gross Floor Area. The total GFA of all dwelling units other than inclusionary dwelling units shall not exceed 115% of the total GFA that would be permitted under the proof plan in accordance with § 6.9.4 and § 4.4. Section 4.4 does not otherwise apply.

6.9.7 Dwelling Unit Count and Size.

1. Number of Dwellings. In a Site Sensitive Development, the number of dwellings shall not exceed the number of dwellings shown on the proof plan in accordance with § 6.9.4. There is no limit on the number of dwellings in a Compact Neighborhood Development.
2. Number of Dwelling Units. There is no upper limit on the number of dwelling units in a dwelling. The number of dwelling units shall not be less than the number of lots shown on the proof plan in accordance with § 6.9.4
3. Dwelling Unit Size. The average GFA for all dwelling units in a Compact Neighborhood Development may not exceed 2,250 square feet. The GFA for any single dwelling unit in a Compact Neighborhood Development may not exceed 2,800 square feet. There is no limit on the GFA of a dwelling unit in a Site Sensitive Development.
4. Building Size. The maximum GFA for any building in a Compact Neighborhood Development shall not exceed 9,350 square feet. The GFA for any building in a Site Sensitive Development shall not exceed 12,000 square feet.

6.9.8 Inclusionary Housing

1. Inclusionary Dwelling Units.
 - a. At least 15% of the GFA permitted under the proof plan submitted pursuant to § 6.9.4 and § 4.4 shall be incorporated into inclusionary dwelling units, as defined by regulations promulgated by the Planning Board pursuant to § 6.9.8.5 (the “Inclusionary GFA”).
 - b. At least two-thirds of the Inclusionary GFA shall be incorporated into dwelling units eligible for inclusion on the Town’s Subsidized Housing Inventory as determined by the Massachusetts Department of Housing and Community Development and shall remain affordable in perpetuity.
2. Inclusionary dwelling units shall be substantially similar in size, layout, construction materials, fixtures, amenities, and interior and exterior finishes to comparable dwelling units in the same

dwelling.

3. A Special Residential Development with more than one inclusionary dwelling unit shall proportionally disperse those units throughout the development rather than concentrate them within particular sections of a dwelling or within particular dwellings.
4. Occupants of inclusionary dwelling units shall have the same access to common areas, facilities, and services as enjoyed by other occupants of the development including but not limited to outdoor spaces, amenity spaces, storage, parking, bicycle parking facilities, and resident services.
5. The Planning Board, in consultation with the Select Board, the Housing Partnership Board, and the Commission on Disability, shall adopt regulations concerning physical characteristics, location, and access to services of inclusionary dwelling units; defining limits on the household income of occupants, sale price, and rent of inclusionary dwelling units; and the form of required legal restrictions for such units.
6. A Special Residential Development with six or fewer market-rate dwelling units shall be permitted to meet the requirements of this section by making a payment to the Town's Affordable Housing Trust in an amount equal to the estimated construction cost of 15% of the GFA permitted under the proof plan submitted pursuant to § 6.9.4, as determined in accordance with regulations to be promulgated by the Planning Board.
7. No certificate of occupancy shall be issued for multi-family housing until an affordable housing restriction for any inclusionary dwelling units is executed, submitted to the Town, and, to the extent required, recorded.

6.9.9 Regulations

The Planning Board shall adopt Site Plan Review regulations and standards, consistent with this Section, regarding Special Residential Developments, including with respect to pedestrian and vehicular access to, and egress from, the site, landscaping, screening, and buffers, lighting, stormwater management, architectural style and scale, water and wastewater systems, and refuse disposal.

The Planning Board shall also adopt Site Plan Review regulations and standards for Site Sensitive Developments, to protect natural features of the site such as natural grades and slopes, views, mature trees, stonewalls, natural resources such as agricultural soil, and common open space.

3. Amend § 135-10, Definitions as follows:

1. Delete the definitions of "BALANCED HOUSING DEVELOPMENT" and "PUBLIC BENEFIT DEVELOPMENT".
2. Amend definitions as follows:

SITE SENSITIVE DEVELOPMENT (SSD)

A type of special residential development as defined in § 6.9.

SPECIAL RESIDENTIAL DEVELOPMENT (SRD)

A residential development regulated by § 6.9, in which a tract of land is divided into one or more lots for constructing dwellings allowing deviation from the dimensional standards that apply to conventional developments.

3. Add the following definitions:

COMPACT NEIGHBORHOOD DEVELOPMENT (CND)

A type of special residential development as defined in § 6.9.



The Special Permit Residential Development (SPRD) Ad Hoc Committee





SPRD Ad Hoc Committee Presentation Outline

- The Need for Change
- The Committee's Statement of Values
- Goals
- Recommendations
- The Project Review Process
- Summary and Q&A



The Need for Change

- A. There is a critical shortage of affordable housing in Lexington and across Massachusetts
- B. In Lexington, current zoning rules and market incentives lead to the construction of very large homes on single lots.
- C. Since 2008, our SPRD bylaw produced six units of affordable housing, and opportunities are lost every year.



The Need for Change

Special Permit Residential Developments (SPRDs) were added to Lexington's zoning bylaw in 2008. They were intended to provide an alternative to the subdivisions of large single-family homes that may be built by right under state law, and which predominate in Lexington. Despite good intentions, the SPRD bylaw has not yielded much diversity in housing, as indicated in the previous slide. It has become evident that if SPRDs are not judged feasible and attractive to private builders, they will default to large single-family homes, which are inherently less sustainable, and accessible only to households with the highest incomes.



The Ad Hoc Committee's Work

This committee's work is an attempt to fine-tune SPRDs in light of our experience over the last 15 years of development, and to respond to the community's continuing desire, as memorialized in LexingtonNext, to encourage smaller, more varied and more inclusive housing. The need for change continues.



Affordable Housing Terms

- Housing that costs less than 30% of monthly income is considered **affordable**
- Designated Affordable Housing is **subsidized** to bring the rent or purchase price down
- Subsidized Housing Inventory (SHI) defined as homes that are affordable to households earning up to 80% of the area median income (AMI).



**AFFORDABLE
HOUSING**



**WORKFORCE
HOUSING?**



Affordable Housing Terms

- “Low income Housing” is defined as affordable for households making up to 80% of metropolitan Area Median Income (AMI).
- “Workforce Housing” is usually priced for households with incomes of 80% to 150% of Area Median Income.
- “Inclusionary Zoning” requires Affordable homes in a new housing development.





Income vs. Actual Housing Cost

- **\$112,150** (80% of AMI) maximum income for family of 4 to qualify for housing assistance
- **\$281,500** income needed to finance the average-priced \$1.5 million home in Lexington
- **\$2,154** maximum “Affordable” rent for a 3 BR home
- **\$4,000** average rent for a 3BR market rate home in Lexington



Lexington Needs Workforce Housing

Lexington Town Salaries 2022	Minimum	Maximum
Laborer	\$48,651	\$58,614
Firefighter	\$69,850	\$69,850
Teacher with Bachelor's	\$51,498	\$89,296
Upper Middle Engineer	\$72,175	\$98,858
Teacher with Master's	\$54,673	\$100,722
Upper Middle Manager	\$86,611	\$111,838



Statement of Values

We seek greater diversity in housing to meet the needs of families and individuals of different circumstances. New homes should be built to sustainable standards and respect the town's expectation for quality design.





Goals

1. Attractive alternative to building a conventional subdivision
2. Smaller, more affordable and sustainable homes
3. Accessible design suitable for persons of different abilities
4. Design and siting conducive to neighborhood interaction
5. An increase in the number of affordable homes to meet our SHI obligations and workforce housing needs
6. Zoning regulations that are clear, predictable and time-certain



Example

Multiple units in a house-sized building in a walkable neighborhood.



Duplex



Fourplex



Example: RiverWalk Concord





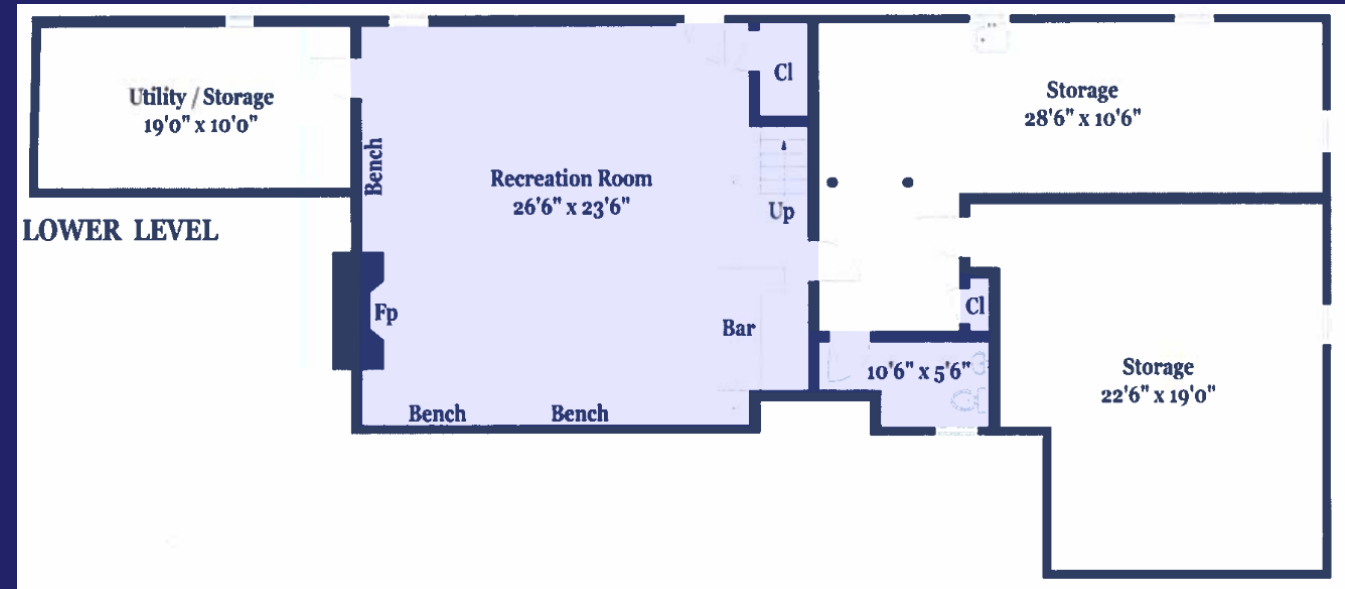
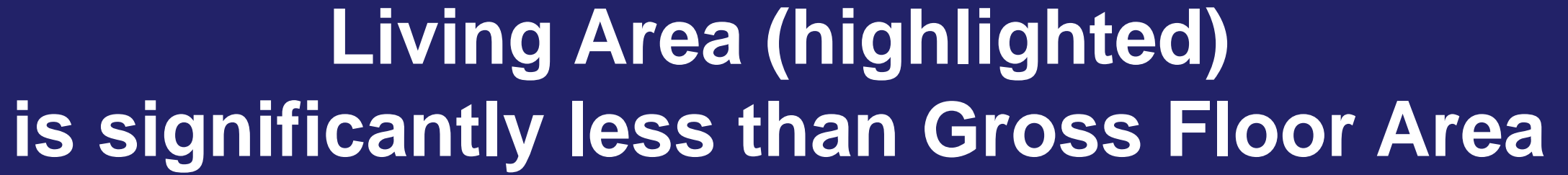
Definitions, Terms

Gross Floor Area (GFA includes basements, habitable attics, half-stories), porches and garages.

Living area is significantly less than GFA

Parcel setbacks will be held to same standards as conventional subdivisions; and unit GFA will be limited by three factors, the maximum average size of units permitted, the maximum allowed unit size, and the maximum building size.

No individual unit lot size will be required in new SPRDs





Smaller, more affordable and sustainable homes

- The goal is to permit homes of several hundred square feet to 2800 square feet GFA.



2,800 square feet



1,780 square feet condominium



Summary of Recommendations

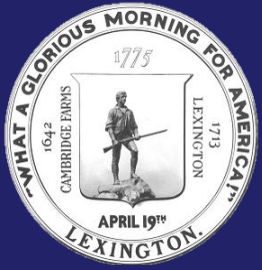
1. Update Site Sensitive Development (SSD) model
2. Replace Balanced Housing Development (BHD) and Public Benefit Development (PBD) provisions with a new Compact Neighborhood Development (CND)
3. For SSD and CND require a percentage of inclusionary housing (or payments in lieu)
4. Use Site Plan Review rather than Special Permit



Recommendation 1: Update Site Sensitive Residential Development (SSD)



- Support permitting of a variety of housing types (detached, attached, multi-family) with no minimum lot size
- Add to allowed floor area an additional 15% GFA for affordable homes
- Permit another 15% market rate GFA as a density bonus
- Allow Payments in Lieu for developments of 6 or fewer 7 homes



Recommendation 2: Create Compact Neighborhood Development

- Permit a variety of home types (detached, attached, multi-family) with no minimum lot size
- Add to allowed floor area an additional 15% GFA for affordable homes
- Permit another 15% market rate GFA as a density bonus
- Limit the maximum size of a single home to 2,800 square feet GFA and the average size of units not to exceed 2,250 square feet GFA
- Allow Payments in Lieu for developments of 6 or fewer homes





Inclusionary Housing Requirements

1. Two-thirds of the affordable GFA must be for households earning less than 80% AMI to be included in the Subsidized Housing Inventory.
2. Developments of 2-6 homes will provide a payment toward future affordable homes representing the cost of constructing the affordable GFA.
3. The payment will be based on project construction cost per square foot.



The Project Review Process: Use Site Plan Review & Eliminate Special Permit

Review will be by Site Plan Review. If a project submitted to the Planning Board meets the stated dimensional and other requirements of the bylaw, it is approved by right subject to Planning Board review and conditions, resulting in a more predictable and timely approval process.



SPRD and MBTA Multi-Family 2023 Town Meeting

Complementary strategies; both support LexingtonNext, the comprehensive plan, and the Select Board's housing goals

MBTA Multi-family: specific locations on the map, near public transportation, SPRD: any future residential subdivision

MBTA: 15 units per acre, SPRD: approximately 7 units per acre

Both are urgent needs that require a comprehensive strategy.



Comparison of OSRD and new SRD

	Existing SSD	New SSD	New CND	OSRD
Inclusionary	None	15% of conventional GFA or Proof Plan for more than 6 homes and Payment in Lieu for 6 homes or fewer	15% of conventional GFA or Proof Plan for more than 6 homes and Payment in Lieu for 6 homes or fewer	20% of total GFA and 25% of total GFA for large projects
Maximum Unit Size	None	None	2,800 sf GFA	5,250 sf GFA
Maximum Average Unit Size	None	None	2,250 sf GFA	2,625sf GFA
Minimum Units	None	≥ Proof Plan	None	None
Housing Types	Detached, single homes	Detached, attached, multi-family	Detached, attached, multi-family	Detached, attached, multi-family
Required Common Space	Not required	Not required	Not required	50%



In summary

The SPRD Committee has worked hard to formulate a comprehensive approach which includes additional zoning models as alternatives to conventional subdivisions and will encourage development of the homes Lexington wants and needs. We have heard from consultants, housing professionals, developers, advocates, Town committees, and representatives of various Lexington constituencies and stakeholders.

We welcome your questions and thoughts as we seek to improve and refine our proposals for the 2023 Town Meeting.

Over the course of our work, we have become sincere advocates for these improvements to Lexington zoning, and we are seeking your informed support.

We ask that you stand with us to get this done!

ARTICLE SPRD

AMEND ZONING BYLAW SPECIAL PERMIT RESIDENTIAL DEVELOPMENTS

To see if the Town will vote to amend the Zoning Bylaw of the Town of Lexington to amend or replace the provisions regarding Special Permit Residential Developments to encourage the development of residential neighborhoods not otherwise allowed through conventional subdivisions; or act in any other manner in relation thereto.

(Inserted by the Select Board)

DESCRIPTION:

The purpose of this zoning amendment is to provide incentives for builders to choose to produce developments that provide smaller homes, include affordable homes and create a variety of home building types not readily available in Lexington, rather than conventional subdivisions.

MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

1. Amend § 135-3.4, Table 1, Permitted Uses & Development Standards, by replacing row A.1.05 with the following:

		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM	CSX
A.1.05	Special Residential Development (SRD)	R	R	R	R	N	N	N	N	N	N	N	N

2. Replace § 135-6.9 with the following:

6.9. SPECIAL RESIDENTIAL DEVELOPMENTS.

6.9.1 Purposes.

This section is intended to:

1. Encourage greater diversity of housing opportunities to meet the needs of a diverse population with respect to income, ability, accessibility needs, number of persons in a household and stage of life;
2. Encourage the development of inclusionary housing;
3. Promote development proposals designed with sensitivity to the characteristics of the site;
4. Permit different types of structures and residential uses to be combined in a planned interrelationship that promotes an improved design relationship between buildings;
5. Preserve historically or architecturally significant buildings or places;

6. Encourage the preservation and minimum disruption of outstanding natural features of open land and minimize impacts on environmentally sensitive areas;
7. Encourage sustainable development through the use of green building practices and low-impact development techniques; and
8. Promote the efficient and economical provision of public facilities such as utilities and streets and facilitate a detailed assessment, by Town officials and the public, of the adequacy of such facilities and services for the proposed level of development.

6.9.2 Applicability.

A Special Residential Development (“SRD”) 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 and for which deviations from the dimensional standards that apply to conventional developments are allowed in order to achieve a diversity of household types, sizes and affordability. Instead of determining density by dwelling type, minimum lot area, and frontage requirements, the total Gross Floor Area (GFA) of market-rate residential development for the tract as a whole is limited.

No Special Residential Development shall be initiated without site plan review by the Planning Board in accordance with the provisions of this section and § 9.5 of this Bylaw.

6.9.3 Types of Special Residential Development.

1. Site Sensitive Development (SSD): A Special Residential Development in which the number of dwellings is limited as set forth below so that existing site features such as natural grades, mature trees, stone walls, and historic structures may be retained.
2. Compact Neighborhood Development (CND): A Special Residential Development in which the size of the dwelling units is limited as set forth below.

6.9.4 Scale of Development.

The amount of development permitted in a Special Residential Development shall be based on a proof plan showing at least two lots fully complying with the provisions of this bylaw (other than this § 6.9 and § 6.12), the Planning Board’s Subdivision Regulations, and the criteria set forth below.

6.9.5 Threshold Criteria for Site Sensitive Development.

An SSD must be designed to preserve natural features, mature native trees, habitat areas, sloped areas, historically or architecturally significant buildings or places. Where possible, an SSD should be sited to preserve mature native trees and the critical root zone.

6.9.6 Dimensional Standards.

The requirements of § 4.0 are modified as follows within a Special Residential Development:

1. Lot area. There is no minimum lot area required; provided, however, that the lot area for each lot shall be sufficient to safely meet the off-street parking requirements of this bylaw and the installation of

any on-site water supply and sewage disposal facilities.

2. Frontage. There is no minimum frontage required; provided, however, that frontage for each lot shall be sufficient to provide for adequate access to the building site in the judgment of the Fire Department. Adequate access may be demonstrated by use of shared driveways, parking lots or other means.
3. Yard Requirements. The Minimum Yards required by § 4.0 shall apply only to the perimeter of the site but are not required elsewhere within the site.
4. Height Requirements. The height limits in Table 2 shall apply, except that the height limit, as measured by stories, shall be three stories in all districts.
5. Gross Floor Area. Section 4.4 shall not apply. The total GFA of all dwelling units other than inclusionary dwelling units shall not exceed 115% of the sum of (1) the total area of all lots in the proof plan multiplied by 0.16 and (2) 4,550 SF multiplied by the number of lots shown on the proof plan.

6.9.7 Dwelling Unit Count and Size.

1. Number of Dwellings. In a Site Sensitive Development, the number of dwellings shall not exceed the total gross floor area of the development divided by the maximum building size determined under § 6.9.7.4, rounded up. There is no limit on the number of dwellings in a Compact Neighborhood Development.
2. Number of Dwelling Units. There is no upper limit on the number of dwelling units in a dwelling. The number of dwelling units shall not be less than the number of lots shown on the proof plan in accordance with § 6.9.4
3. Dwelling Unit Size. The average GFA for all dwelling units in a Compact Neighborhood Development may not exceed 2,250 square feet. The GFA for any single dwelling unit in a Compact Neighborhood Development may not exceed 2,800 square feet. There is no limit on the GFA of a dwelling unit in a Site Sensitive Development.
4. Building Size. The GFA of any building in a Special Residential Development other than an Historic Building shall not exceed 9,350 square feet in the RO District and 7,030 SF in the RS and RT Districts.

6.9.8 Inclusionary Housing

1. Inclusionary Dwelling Units.
 - a. At least 15% of the of the sum of (1) the total area of all lots in the proof plan multiplied by 0.16 and (2) 4,550 SF multiplied by the number of lots shown on the proof plan shall be incorporated into inclusionary dwelling units, as defined by regulations promulgated by the Planning Board pursuant to § 6.9.8.5 (the “Inclusionary GFA”). At least two-thirds of the Inclusionary GFA shall be incorporated into dwelling units eligible for inclusion on the Town’s Subsidized Housing Inventory as determined by the Massachusetts Department of Housing and Community Development and shall remain affordable in perpetuity.
2. Inclusionary dwelling units shall be substantially similar in size, layout, construction materials,

fixtures, amenities, and interior and exterior finishes to comparable dwelling units in the same dwelling.

3. A Special Residential Development with more than one inclusionary dwelling unit shall proportionally disperse those units throughout the development rather than concentrate them within particular sections of a dwelling or within particular dwellings.
4. Occupants of inclusionary dwelling units shall have the same access to common areas, facilities, and services as enjoyed by other occupants of the development including but not limited to outdoor spaces, amenity spaces, storage, parking, bicycle parking facilities, and resident services.
5. The Planning Board, in consultation with the Select Board, the Housing Partnership Board, and the Commission on Disability, shall adopt regulations concerning physical characteristics, location, and access to services of inclusionary dwelling units; defining limits on the household income of occupants, sale price, and rent of inclusionary dwelling units; and the form of required legal restrictions for such units.
6. A Special Residential Development with six or fewer market-rate dwelling units shall be permitted to meet the requirements of this section by making a payment to the Town's Affordable Housing Trust in an amount equal to the estimated construction cost of 15% of the GFA permitted under the proof plan submitted pursuant to § 6.9.4, as determined in accordance with regulations to be promulgated by the Planning Board.
7. No certificate of occupancy shall be issued for multi-family housing until an affordable housing restriction for any inclusionary dwelling units is executed, submitted to the Town, and, to the extent required, recorded.

6.9.9 Regulations

The Planning Board shall adopt Site Plan Review regulations and standards, consistent with this Section, regarding Special Residential Developments, including with respect to pedestrian and vehicular access to, and egress from, the site, landscaping, screening, and buffers, lighting, stormwater management, architectural style and scale, water and wastewater systems, and refuse disposal.

The Planning Board shall also adopt Site Plan Review regulations and standards for Site Sensitive Developments, to protect natural features of the site such as natural grades and slopes, views, mature trees, stonewalls, natural resources such as agricultural soil, and common open space.

6.9.10 Common Open Space Standards.

1. Minimum common open space. At least 15% of the developable site area in a Special Residential Development shall be set aside as common open space.

3. Amend § 135-10, Definitions as follows:

1. Delete the definitions of "BALANCED HOUSING DEVELOPMENT" and "PUBLIC BENEFIT DEVELOPMENT".

2. Amend definitions as follows:

SITE SENSITIVE DEVELOPMENT (SSD)

A type of special residential development as defined in § 6.9.

SPECIAL RESIDENTIAL DEVELOPMENT (SRD)

A residential development regulated by § 6.9, in which a tract of land is divided into one or more lots for constructing dwellings allowing deviation from the dimensional standards that apply to conventional developments.

3. Add the following definitions:

COMPACT NEIGHBORHOOD DEVELOPMENT (CND)

A type of special residential development as defined in § 6.9.

(3/1/2023)

ARTICLE SPRD

**AMEND ZONING BYLAW
SPECIAL PERMIT RESIDENTIAL DEVELOPMENTS**

To see if the Town will vote to amend the Zoning Bylaw of the Town of Lexington to amend or replace the provisions regarding Special Permit Residential Developments to encourage the development of residential neighborhoods not otherwise allowed through conventional subdivisions; or act in any other manner in relation thereto.

(Inserted by the Select Board)

DESCRIPTION:

The purpose of this zoning amendment is to provide incentives for builders to choose to produce developments that provide smaller homes, include affordable homes and create a variety of home building types not readily available in Lexington, rather than conventional subdivisions.

MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

1. Amend § 135-3.4, Table 1, Permitted Uses & Development Standards, by replacing row A.1.05 with the following:

		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM	CSX
A.1.05	Special Residential Development (SRD)	R	R	R	R	N	N	N	N	N	N	N	N

2. Replace § 135-6.9 with the following:

6.9. SPECIAL RESIDENTIAL DEVELOPMENTS.

6.9.1 Purposes.

This section is intended to:

1. Encourage greater diversity of housing opportunities to meet the needs of a diverse population with respect to income, ability, accessibility needs, number of persons in a household and stage of life;
2. Encourage the development of inclusionary housing;
3. Promote development proposals designed with sensitivity to the characteristics of the site;
4. Permit different types of structures and residential uses to be combined in a planned interrelationship that promotes an improved design relationship between buildings;
5. Preserve historically or architecturally significant buildings or places;

6. Encourage the preservation and minimum disruption of outstanding natural features of open land and minimize impacts on environmentally sensitive areas;
7. Encourage sustainable development through the use of green building practices and low-impact development techniques; and
8. Promote the efficient and economical provision of public facilities such as utilities and streets and facilitate a detailed assessment, by Town officials and the public, of the adequacy of such facilities and services for the proposed level of development.

6.9.2 Applicability.

A Special Residential Development (“SRD”) 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 and for which deviations from the dimensional standards that apply to conventional developments are allowed in order to achieve a diversity of household types, sizes and affordability. Instead of determining density by dwelling type, minimum lot area, and frontage requirements, the total Gross Floor Area (GFA) of market-rate residential development for the tract as a whole is limited.

No Special Residential Development shall be initiated without site plan review by the Planning Board in accordance with the provisions of this section and § 9.5 of this Bylaw.

6.9.3 Types of Special Residential Development.

1. Site Sensitive Development (SSD): A Special Residential Development in which the number of dwellings is limited as set forth below so that existing site features such as natural grades, mature trees, stone walls, and historic structures may be retained.
2. Compact Neighborhood Development (CND): A Special Residential Development in which the size of the dwelling units is limited as set forth below.

6.9.4 Scale of Development.

The amount of development permitted in a Special Residential Development shall be based on a proof plan showing at least two lots fully complying with the provisions of this bylaw (other than this § 6.9 and § 6.12), the Planning Board’s Subdivision Regulations, and the criteria set forth below.

6.9.5 Threshold Criteria for Site Sensitive Development.

An SSD must be designed to preserve natural features, mature native trees, habitat areas, sloped areas, historically or architecturally significant buildings or places. Where possible, an SSD should be sited to preserve mature native trees and the critical root zone.

6.9.6 Dimensional Standards.

The requirements of § 4.0 are modified as follows within a Special Residential Development:

1. Lot area. There is no minimum lot area required; provided, however, that the lot area for each lot shall be sufficient to safely meet the off-street parking requirements of this bylaw and the installation of

any on-site water supply and sewage disposal facilities.

2. Frontage. There is no minimum frontage required; provided, however, that frontage for each lot shall be sufficient to provide for adequate access to the building site in the judgment of the Fire Department. Adequate access may be demonstrated by use of shared driveways, parking lots or other means.
3. Yard Requirements. The Minimum Yards required by § 4.0 shall apply only to the perimeter of the site but are not required elsewhere within the site.
4. Height Requirements. The height limits in Table 2 shall apply, except that the height limit, as measured by stories, shall be three stories in all districts.
5. Gross Floor Area. ~~Section 4.4 shall not apply.~~ The total GFA of all dwelling units other than inclusionary dwelling units shall not exceed 115% of ~~the sum of (1) the total area of all lots in the proof plan multiplied by 0.16 and (2) 4,550 SF multiplied by the number of lots shown on the proof plan.~~

Deleted: does

Deleted: total

Deleted: area permitted for all lots in the proof plan pursuant to ~~[insert table 4.4.42]~~

Deleted: the total GFA that would be permitted under the proof plan in accordance with § 6.9.4 and § 4.4. Section 4.4 does not otherwise apply.¶

Deleted: section

Deleted: .

Deleted: number of dwellings shown on the proof plan in accordance with § 6.9.4

6.9.7 Dwelling Unit Count and Size.

1. Number of Dwellings. In a Site Sensitive Development, the number of dwellings shall not exceed the ~~total gross floor area of the development divided by the maximum building size determined under § 6.9.7.4, rounded up.~~ There is no limit on the number of dwellings in a Compact Neighborhood Development.
2. Number of Dwelling Units. There is no upper limit on the number of dwelling units in a dwelling. The number of dwelling units shall not be less than the number of lots shown on the proof plan in accordance with § 6.9.4
3. Dwelling Unit Size. The average GFA for all dwelling units in a Compact Neighborhood Development may not exceed 2,250 square feet. The GFA for any single dwelling unit in a Compact Neighborhood Development may not exceed 2,800 square feet. There is no limit on the GFA of a dwelling unit in a Site Sensitive Development.
4. Building Size. ~~The GFA of any building in a Special Residential Development other than an Historic Building shall not exceed 9,350 square feet in the RO District and 7,030 SF in the RS and RT Districts.~~

6.9.8 Inclusionary Housing

1. Inclusionary Dwelling Units.
 - a. ~~At least 15% of the of the sum of (1) the total area of all lots in the proof plan multiplied by 0.16 and (2) 4,550 SF multiplied by the number of lots shown on the proof plan shall be incorporated into inclusionary dwelling units, as defined by regulations promulgated by the Planning Board pursuant to § 6.9.8.5 (the "Inclusionary GFA").~~ At least two-thirds of the Inclusionary GFA shall be incorporated into dwelling units eligible for inclusion on the Town's Subsidized Housing Inventory as determined by the Massachusetts Department of Housing and Community Development and shall remain affordable in perpetuity.
2. Inclusionary dwelling units shall be substantially similar in size, layout, construction materials,

Deleted: ~~<#>Building Size.~~ The maximum GFA for any building in a Special Residential Compact Neighborhood Development other than an Historic Building shall not exceed 9,350 square feet in the RO District and 7,030 SF in the RS and RT Districts. The GFA for any building in a Site Sensitive Development shall not exceed 12,000 square feet.¶

Deleted: At least 15% of the GFA permitted under the proof plan submitted pursuant to § 6.9.4 and § 4.4 shall be incorporated into inclusionary dwelling units, as defined by regulations promulgated by the Planning Board pursuant to § 6.9.8.5 (the "Inclusionary GFA").¶

fixtures, amenities, and interior and exterior finishes to comparable dwelling units in the same dwelling.

3. A Special Residential Development with more than one inclusionary dwelling unit shall proportionally disperse those units throughout the development rather than concentrate them within particular sections of a dwelling or within particular dwellings.
4. Occupants of inclusionary dwelling units shall have the same access to common areas, facilities, and services as enjoyed by other occupants of the development including but not limited to outdoor spaces, amenity spaces, storage, parking, bicycle parking facilities, and resident services.
5. The Planning Board, in consultation with the Select Board, the Housing Partnership Board, and the Commission on Disability, shall adopt regulations concerning physical characteristics, location, and access to services of inclusionary dwelling units; defining limits on the household income of occupants, sale price, and rent of inclusionary dwelling units; and the form of required legal restrictions for such units.
6. A Special Residential Development with six or fewer market-rate dwelling units shall be permitted to meet the requirements of this section by making a payment to the Town's Affordable Housing Trust in an amount equal to the estimated construction cost of 15% of the GFA permitted under the proof plan submitted pursuant to § 6.9.4, as determined in accordance with regulations to be promulgated by the Planning Board.
7. No certificate of occupancy shall be issued for multi-family housing until an affordable housing restriction for any inclusionary dwelling units is executed, submitted to the Town, and, to the extent required, recorded.

6.9.9 Regulations

The Planning Board shall adopt Site Plan Review regulations and standards, consistent with this Section, regarding Special Residential Developments, including with respect to pedestrian and vehicular access to, and egress from, the site, landscaping, screening, and buffers, lighting, stormwater management, architectural style and scale, water and wastewater systems, and refuse disposal.

The Planning Board shall also adopt Site Plan Review regulations and standards for Site Sensitive Developments, to protect natural features of the site such as natural grades and slopes, views, mature trees, stone walls, natural resources such as agricultural soil, and common open space.

6.9.10 Common Open Space Standards.

1. Minimum common open space. At least 15% of the developable site area in a Special Residential Development shall be set aside as common open space.

3. Amend § 135-10, Definitions as follows:

1. Delete the definitions of "BALANCED HOUSING DEVELOPMENT" and "PUBLIC BENEFIT DEVELOPMENT".

Moved (insertion) [1]

Deleted:

Deleted: ¶
1.

2. Amend definitions as follows:

SITE SENSITIVE DEVELOPMENT (SSD)

A type of special residential development as defined in § 6.9.

SPECIAL RESIDENTIAL DEVELOPMENT (SRD)

A residential development regulated by § 6.9, in which a tract of land is divided into one or more lots for constructing dwellings allowing deviation from the dimensional standards that apply to conventional developments.

3. Add the following definitions:

COMPACT NEIGHBORHOOD DEVELOPMENT (CND)

A type of special residential development as defined in § 6.9.

[\(3/1/2023\)](#)

Moved up [1]: 6.9.10 Common Open Space Standards.¶

¶
1. Minimum common open space. At least 15% of the developable site area in a Special Residential Development shall be set aside as common open space.¶

Deleted: ¶



Town of Lexington

PLANNING BOARD

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Robert D. Peters, Chair
Michael Schanbacher, Vice Chair
Melanie Thompson, Clerk
Robert Creech, Member
Charles Hornig, Member
Michael Leon, Associate Member

RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD

ARTICLE 33: AMEND ZONING BYLAW — SPECIAL PERMIT RESIDENTIAL DEVELOPMENT

RECOMMENDATION

On Wednesday, March 1, 2023, after three Public Hearings, the Planning Board voted (X) in favor and (X) opposed , to recommend that Town Meeting **approve** Article 33 to amend the Zoning Bylaw relative to Special Permit Residential Developments (SPRDs).

JUSTIFICATION FOR RECOMMENDATION

The amendments under Article 33 were developed by staff and consultants under the supervision of the Select Board's Special Permit Residential Development (SPRD) Ad Hoc Committee. They update §6.9 of the Zoning Bylaw, which provides alternatives to conventional subdivisions, by replacing Special Permit Residential Developments (SPRDs) with two types of Special Residential Developments (SRDs).

All SRDs:

- Permit a variety of housing types (detached, attached, and multi-family) to create a diverse housing stock;
- Within the existing 40-foot height limit, permit 3-story buildings to gain flexibility in design;
- Limit the total gross floor area (GFA) of the development to what would be permitted in a conventional subdivision plus a 15% bonus to subsidize the inclusionary dwelling units;
- Limit the GFA of each dwelling to maintain the scale of the development;
- Require provision of inclusionary dwelling units with price and income limits to provide housing low-income and workforce housing; and
- Be permitted through Site Plan Review rather than by Special Permit to streamline the approval process.

SRDs must provide inclusionary (subsidized) dwelling units with a GFA at least 15% of the total GFA permitted in a conventional subdivision, with at least two-thirds of that GFA incorporated into dwelling units that are eligible for inclusion on the Subsidized Housing Inventory. Where there are six or fewer market-rate dwelling units, a payment to the Affordable Housing Trust calculated in accordance with Planning Board regulations may be made in lieu of providing a dwelling unit.

Site Sensitive Developments (SSDs) are similar in purpose to the current provision of the same name. They require preservation of natural features, mature native trees, habitat areas, sloped areas, and historically or

architecturally significant buildings or places. The number of dwellings is limited to the number permitted in a conventional subdivision but the number and size of dwelling units within those dwellings is not limited.

Compact Neighborhood Developments (CNDs) replace the current Balanced Housing Development (BHD) and Public Benefit Development (PBD) provisions. CNDs do not limit the number of dwellings or dwelling units, but limit the average dwelling unit GFA to 2,250 SF, with an absolute maximum of 2,800 SF. In addition to the price-limited inclusionary dwelling units, CNDs will produce dwelling units significantly smaller and less expensive than those produced currently.

Use of the Site Plan Review process rather than the Special Permit process makes these developments more attractive to landowners while protecting the community's interests. After a public hearing with notice to abutters, the Planning Board will impose conditions to enforce compliance with the zoning bylaw and the Board's development regulations.

SRDs are consistent with goals, objectives, and directives from the 2022 *Lexington NEXT* Comprehensive Plan:

- Goal 2: To promote a wide range of housing options:
 - Produce a range of housing types in a variety of locations throughout town (*objective 2.1*)
 - Increase the supply of subsidized housing (*objective 2.2*)

PUBLIC PROCESS:

The public hearing was opened on February 8, 2023, after publication of the legal advertisement in the Lexington Minuteman Newspaper on January 19, 2023, and January 26, 2023. The Board held continued hearings on February 15 and March 1. The SPRD Committee presented at many public meetings and events since 2019. Outreach in 2023 has included:

- Select Board on February 13th.
- Commission on Disability on February 14th
- Planning Board on February 15th
- Housing Partnership Board on February 21st
- Community-Wide Meeting at the Community Center on February 23rd
- Sustainable Lexington Committee on February 28th
- Town Meeting Members Association Information Session on March 2nd
- League of Women Voter's First Friday at Cary Library on March 3rd

The public hearing was closed on March 1 and the Board voted to recommend Town Meeting .

RECORD OF THE VOTE:

Michael Schanbacher moved that the Planning Board recommend that Town Meeting **approve** the motion under Article 33 as presented. Melanie Thompson seconded the motion. The Planning Board voted in favor of the motion 0-0-0 (Roll Call: Robert Creech – yes, Charles Hornig – yes, Robert Peters – yes, Michael Schanbacher – yes, Melanie Thompson – yes).

SIGNATURE OF THE PLANNING BOARD CHAIR

Robert D. Peters

Exhibits:

Approved [Planning Board Meeting Minutes](#)

DRAFT

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Continued Public Hearing: Article 40 Citizen Petition to Amend Zoning Bylaw Section 4.4 to Reduce Residential Gross Floor Area

PRESENTER:

Matt Daggett, Citizen Petition

ITEM NUMBER:

SUMMARY:

Continued Public Hearing to Amend Zoning Bylaw Gross Floor Area Annual Town Meeting Article 40 (Continued from February 15). Board members asked some questions and continued the discussion to March 1.

To see if the town will vote to amend the Zoning Bylaw to reduce the maximum allowable residential Gross Floor Area limits; or act in any other manner in relation thereto. This article proposes revisions to the dimensional controls regulations authorized under Chapter 135, Section 4.4 of the Zoning Bylaw.

Proposed Zoning Motion and Presentation from February 15 is attached. Mr. Daggett will present updates and responses since the February 15 meeting. An updated motion and exhibits are attached.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description

Type

	REV Motion 2.28.23	Exhibit
	Article 40 Changes 2.28.23	Exhibit
	02.15.23 Presentation	Presentation
	Motion presented on 2.15.23	Presentation
	Exhibits	Exhibit

Town of Lexington

Motion

2023 Annual Town Meeting

ARTICLE 40 AMEND ZONING BYLAW, GROSS FLOOR AREA (Citizen Article)

MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, where ~~struck-through~~ text is to be removed and underlined text is to be added, except where otherwise stated below, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington.

1. Amend: §135-4.4 as follows:

4.4.2 Maximum Allowable Residential Gross Floor Area Tables. The total gross floor area of all buildings on a lot containing a one-family or two-family dwelling may not exceed the amount listed in ~~the table below~~ Table 4.4.2.1 based on lot area. Notwithstanding the previous sentence, the total gross floor area of all buildings on a lot on which a one-family or two-family dwelling is lawfully in existence, lawfully begun, or subject to a building permit or special permit issued before January 1, 2024 may not exceed the amount listed in Table 4.4.2.2 based on lot area. For the purposes of §135-6.12.3.7(a), Table 4.4.2.2 shall be used to determine the gross floor area permitted based on a proof plan.

Table 4.4.2.1:

<u>Lot Area (in square feet)</u>	<u>Maximum Gross Floor Area (in square feet)</u>
<u>0 to 5,000</u>	<u>0.76 * Lot Area</u>
<u>5,000 to 7,500</u>	<u>3,800 + 0.42 * (Lot Area - 5,000)</u>
<u>7,500 to 10,000</u>	<u>4,850 + 0.12 * (Lot Area - 7,500)</u>
<u>10,000 to 15,000</u>	<u>5,150 + 0.11 * (Lot Area - 10,000)</u>
<u>15,000 to 30,000</u>	<u>5,700 + 0.1 * (Lot Area - 15,000)</u>
<u>More than 30,000</u>	<u>7,200 + 0.1 * (Lot Area - 30,000)</u>

Table 4.4.2.2:

<u>Lot Area (in square feet)</u>	<u>Maximum Gross Floor Area (in square feet)</u>
<u>0 to 5,000</u>	<u>0.8 * Lot Area</u>
<u>5,000 to 7,500</u>	<u>4,000 + 0.55 * (Lot Area - 5,000)</u>
<u>7,500 to 10,000</u>	<u>5,375 + 0.23 * (Lot Area - 7,500)</u>
<u>10,000 to 15,000</u>	<u>5,950 + 0.2 * (Lot Area - 10,000)</u>
<u>15,000 to 30,000</u>	<u>6,950 + 0.16 * (Lot Area - 15,000)</u>
<u>More than 30,000</u>	<u>9,350 + 0.16 * (Lot Area - 30,000)</u>

Town of Lexington
Motion
2023 Annual Town Meeting

2. That the amended Bylaws shall take effect for building permit and special permit applications submitted on or after January 1, 2024.

Article 40 Motion dated 01/19/2023	Article 40 Motion dated 02/28/2023
<p>4.4.2 Maximum Allowable Residential Gross Floor Area Tables. The total gross floor area of all buildings on a lot containing a one-family or two-family dwelling may not exceed the amount listed in the table below <u>Table 4.4.2.1</u> based on lot area. <u>Notwithstanding the previous sentence, lots in which a one-family or two-family dwelling is lawfully in existence, lawfully begun, or subject to a building permit or special permit issued before January 1, 2024 shall instead be limited to the total the gross floor area amount listed in Table 4.4.2.2 based on lot area. Building permits or special permits pursuant to §135-6.9 or §135-6.12 shall be limited to the total the gross floor area amount listed in Table 4.4.2.2 based on lot area.</u></p>	<p>4.4.2 Maximum Allowable Residential Gross Floor Area Tables. The total gross floor area of all buildings on a lot containing a one-family or two-family dwelling may not exceed the amount listed in the table below <u>Table 4.4.2.1</u> based on lot area. <u>Notwithstanding the previous sentence, the total gross floor area of all buildings on a lot on which a one-family or two-family dwelling is lawfully in existence, lawfully begun, or subject to a building permit or special permit issued before January 1, 2024 may not exceed the amount listed in Table 4.4.2.2 based on lot area. For the purposes of §135-6.12.3.7(a), Table 4.4.2.2 shall be used to determine the gross floor area permitted based on a proof plan.</u></p>
<p>That the amended Bylaws shall take effect for building permit and special permit applications submitted on or after January 1, 2024, in order to avoid making permits at risk of compliance during the legislative process, as outlined under Section 6 of Chapter 40A of the General Laws.</p>	<p>That the amended Bylaws shall take effect for building permit and special permit applications submitted on or after January 1, 2024.</p>

Article 40: Amend Zoning Bylaw, Gross Floor Area

15 February 2023

Planning Board Public Hearing

Article Summary

- The Town has discussed the issues regarding large new houses for over 30 years, with few implemented approaches to address the phenomenon
- In 2016, the Town adopted new zoning to regulate the size of single- and two-family housing
- Article 40 proposes a measured, data-driven bylaw adjustment to address current housing trends, longstanding policy goals, and resident concerns

History and Milestones

- **1992:** Planning Department begins to collect data on "teardowns"
 - **1994:** Planning Board proposes a "jumbo house" zoning amendment
 - **1997:** Planning Board publishes their study: *"New, Larger Houses in Existing Neighborhoods"* calling for regulatory action
 - **2002:** Comprehensive Plan recommends strategies for mitigating the trend of replacing smaller homes with very large ones
 - **2016:** Town Meeting adopts the Planning Board's zoning article, establishing the first floor area limits on single/two-family structures
 - **2022:** Comprehensive Plan catalogs resident sentiments on the need to address large new houses, recommends further limits on floor area
-

Large House Study (1997)

- *"The construction of new, much larger houses in existing neighborhoods is a trend that has many people concerned"*
- *"When that trend accelerates, as it has done in recent years, a byproduct is community anxiety"*
- *"In part, this report is prompted by a recent goal setting session of the Planning Board at which Board members reported on the number of comments they receive about large houses and "tear downs"*

Comprehensive Plan (2002)

Strategy 2: Protect existing housing that is important for the maintenance of diversity:

"Over time, demolition and replacement is eroding the Town's once-rich diversity of housing, steadily reducing the number of small freestanding single-family dwellings as a significant Lexington resource for affordability, and producing a "monoculture" of new housing comprised of only large, expensive new homes. Actions may take the form of mitigation requirements for houses that are large for their lots, and demolition delay requirements that might slow the process of change."

A group of approximately ten people are gathered on a paved road, looking towards a dark vehicle in the distance. The scene is captured at sunset, with the sun low on the horizon, creating a strong lens flare and casting long shadows. The people are dressed in casual attire, including t-shirts, button-down shirts, and trousers. The background is filled with lush green trees and foliage.



1

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Planning Board Report (2016)

Conclusions:

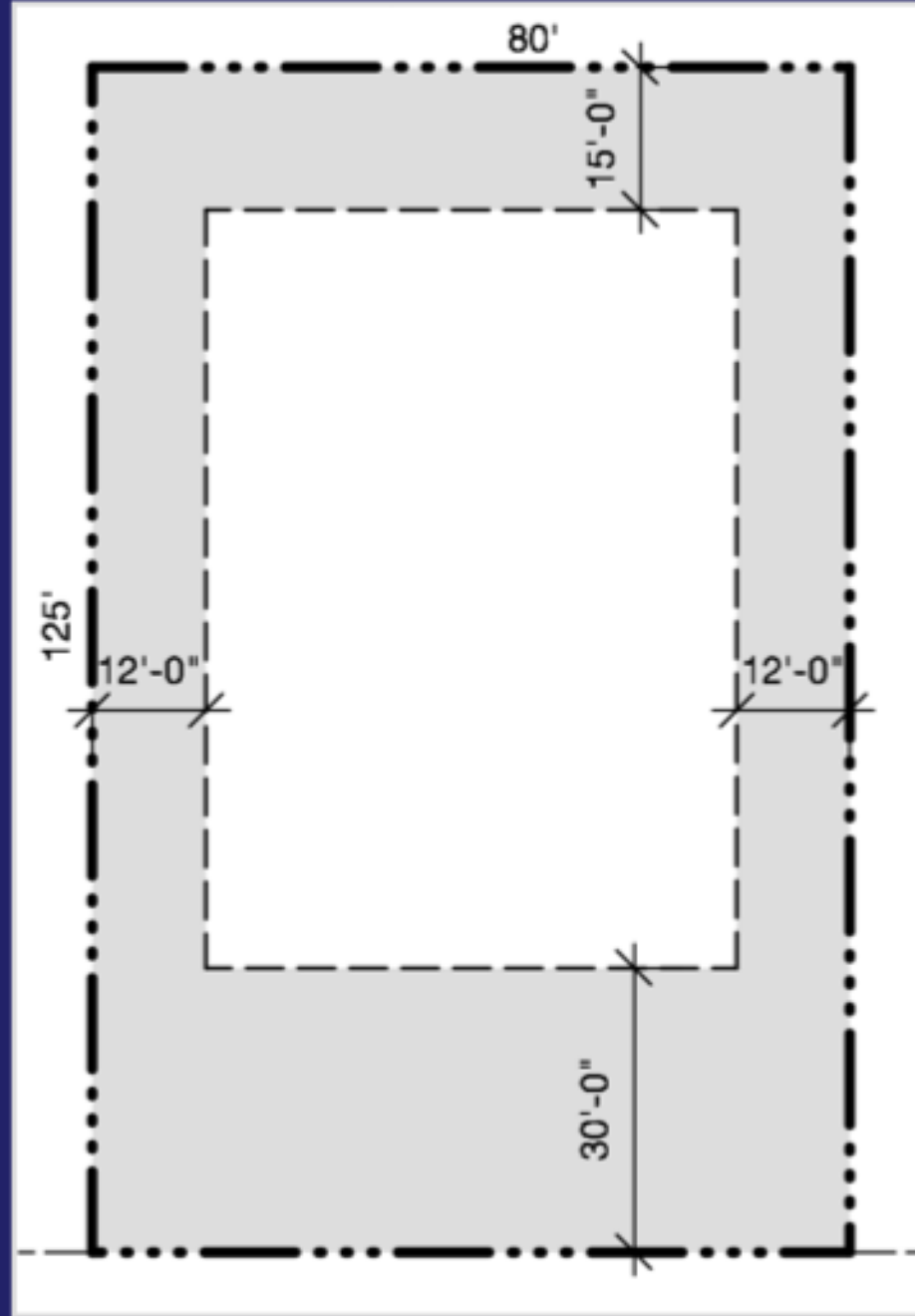
- Teardowns are impacting neighborhoods across Town and the trend is accelerating.
- Abutters are impacted by loss of views, loss of tree canopy and loss of sunlight, and loss of privacy.
- Housing in Lexington is getting significantly bigger and more expensive. Housing options are becoming fewer. Lexington's population is becoming stratified by age and income.
- *The trajectory of residential redevelopment in Lexington is not creating "The Lexington We Want."*

House Size Limits Adopted (2016)

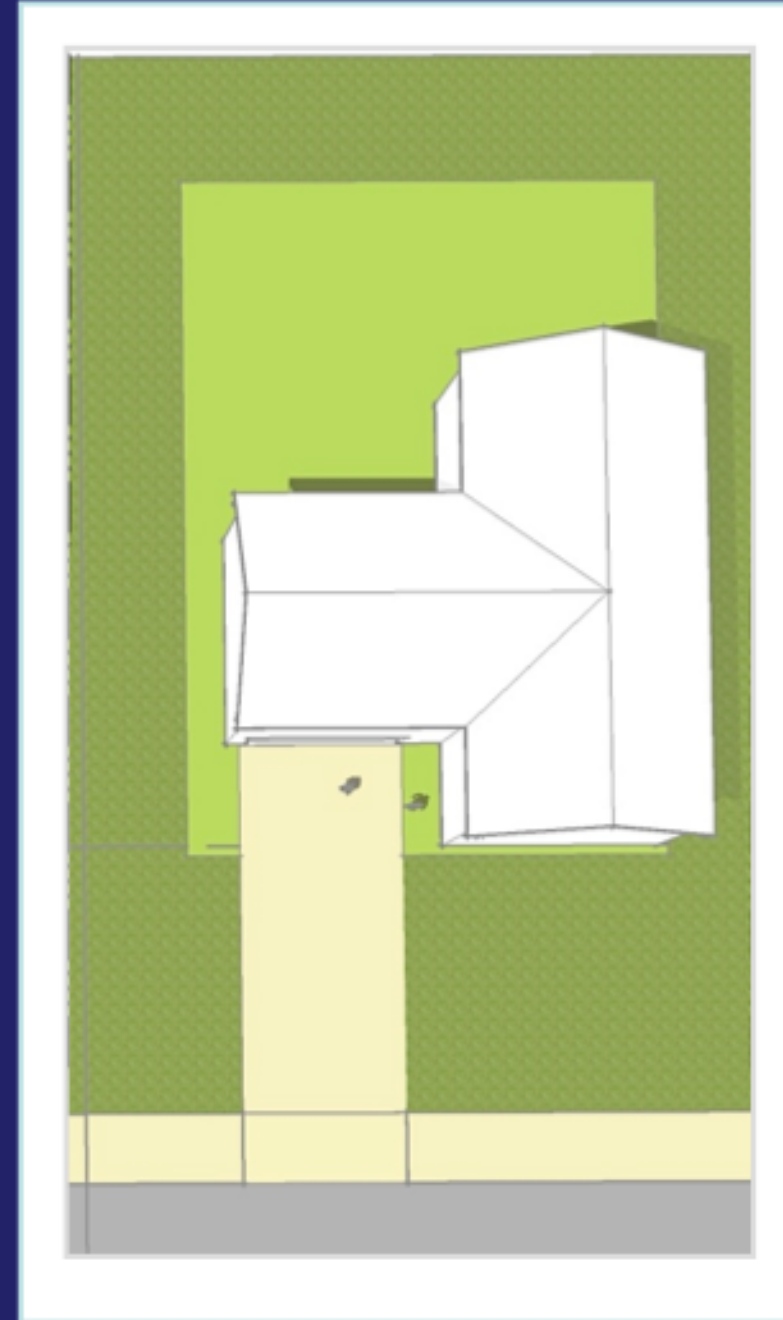
- §135-4.4.1: Purpose

"Lexington seeks to have a socially and economically diverse community, both over the whole of the community and within its neighborhoods. In support of that fundamental social goal, a basic housing goal is to provide housing opportunities supportive of the population diversity we seek. The Town encourages small- and medium-sized housing stock, in the interest of providing diverse housing sizes throughout the Town, § 4.4 limits the massing of buildings, which may impact owners of abutting properties, the streetscape, landscape, and the character of the neighborhood and Town."

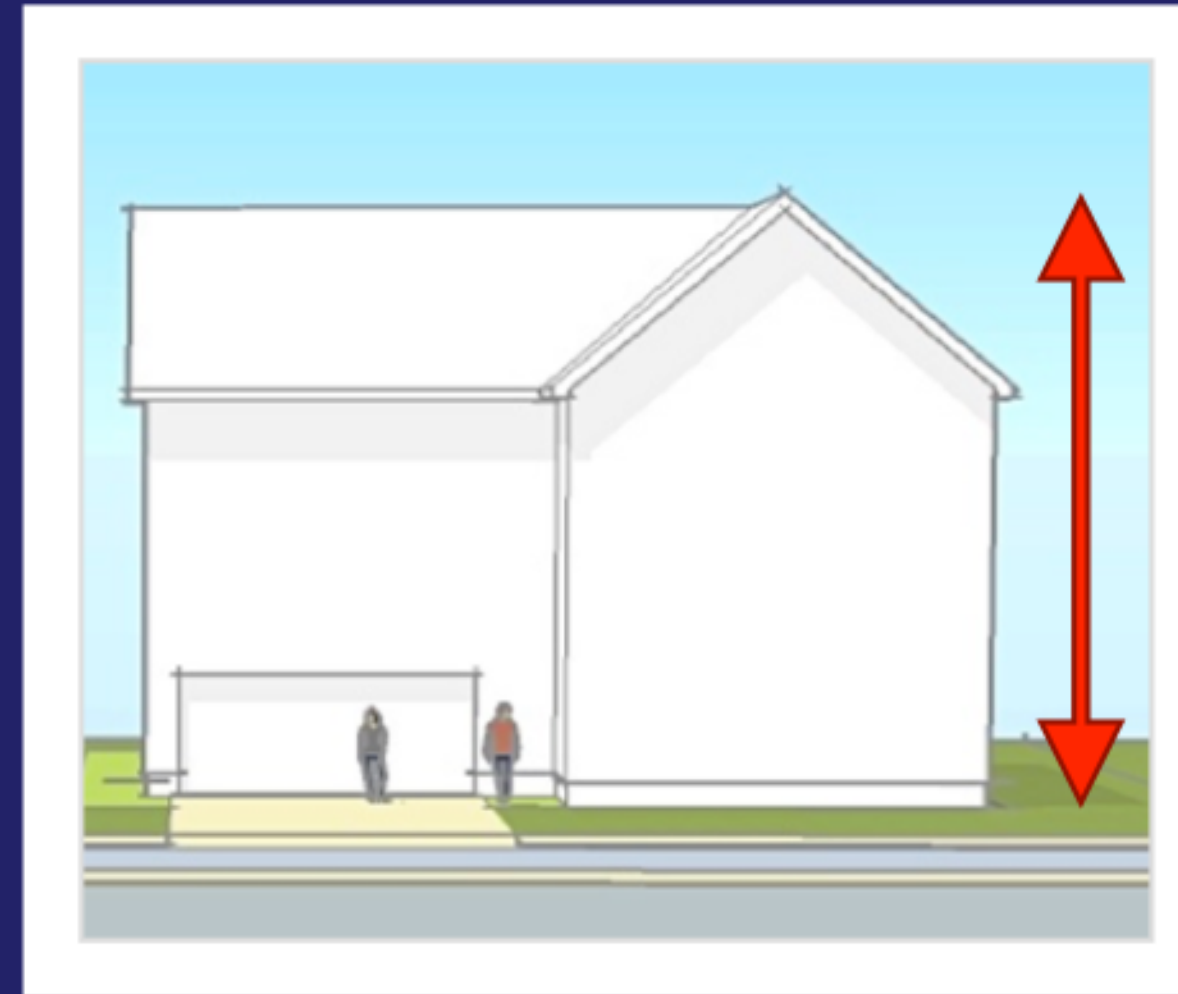
Dimensional Controls



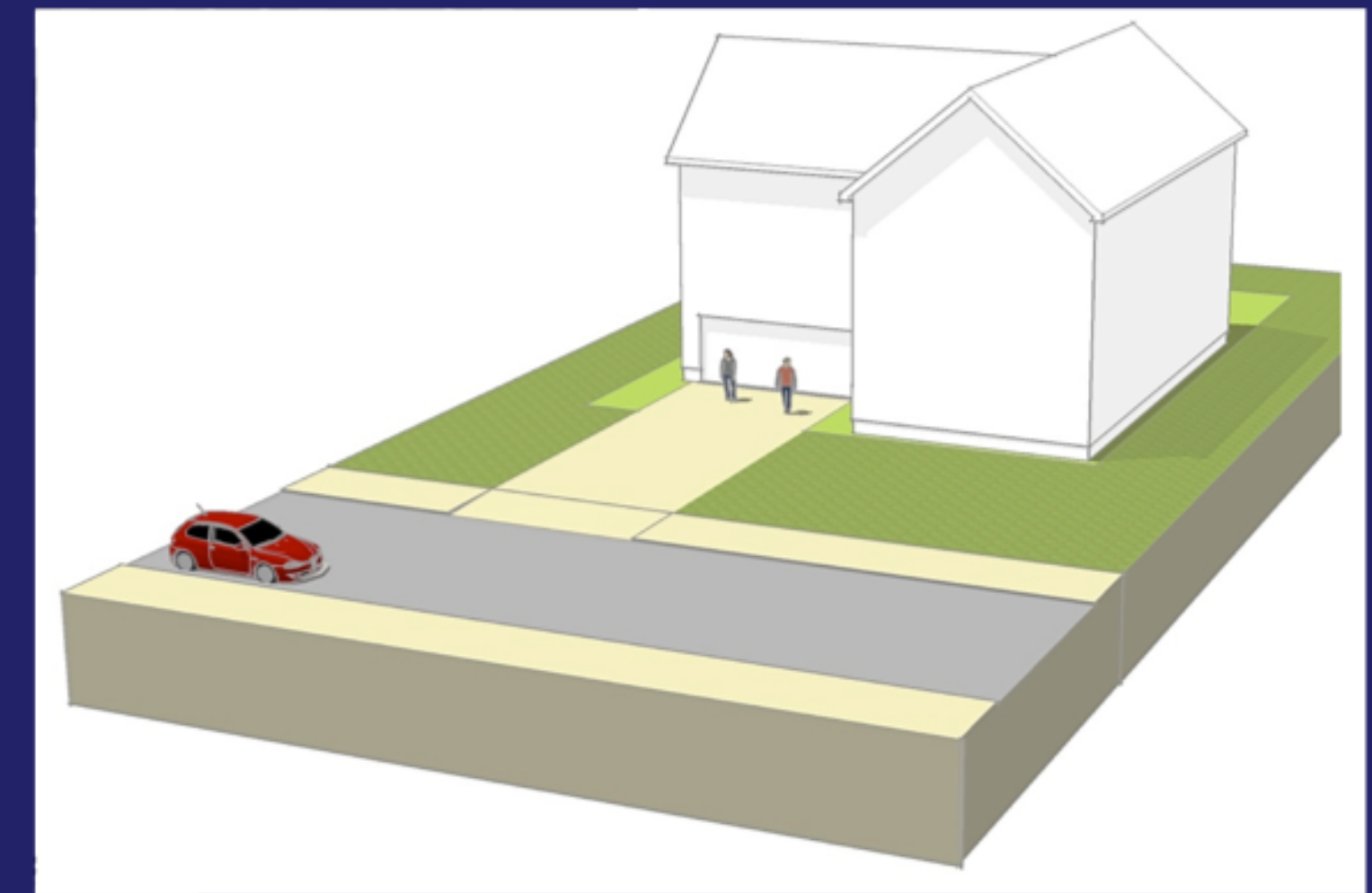
Setbacks



Site Coverage



Height Limits



Floor Area Limits

Definitions

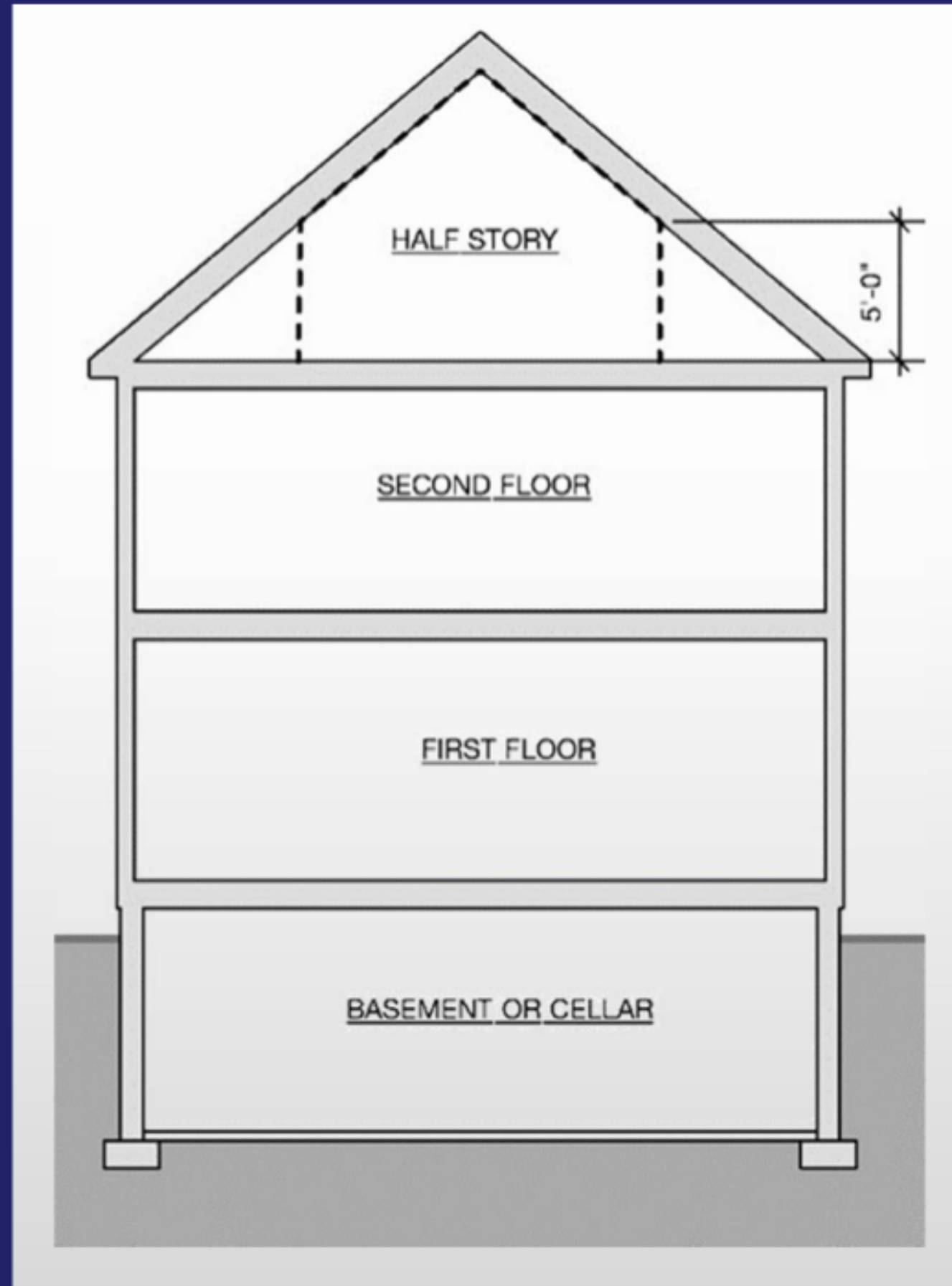
- ***Gross Floor Area (GFA)***
The total floor area inside the building envelope
- ***Finished Living Area (FLA)***
The total floor area that is finished, accessible to other finished areas, and meets specific height requirements



Gross Floor Area: 6,974 SF

Finished Living Area: 5,537 SF

GFA Building Areas



Included in GFA calculation

- Horizontal areas of all stories of all buildings on the same lot
- Half stories
- Garages
- Basements and cellars
- Porches

Excluded from calculation

- Attics
- Crawl spaces
- Decks

GFA Worksheet Example

Calculation for Floor Area Ratios (GFA)

Address: 135 Worthen Road

Lot Size: 15,987

Maximum Allowed GFA:

Lot Area (in square feet)	Maximum GFA (in square feet)
0 to 5,000	0.8 * Lot Area
5,000 to 7,500	4,000 + 0.55 * (Lot Area - 5,000)
7,500 to 10,000	5,375 + 0.23 * (Lot Area - 7,500)
10,000 to 15,000	5,950 + 0.2 * (Lot Area - 10,000)
15,000 to 30,000	6,950 + 0.16 * (Lot Area - 15,000)
More than 30,000	9,350 + 0.16 * (Lot Area - 30,000)
Maximum Allowed GFA:	7,108

Existing and Proposed GFA:

Area	Existing Square Feet	Proposed Square Feet*
Basement: ceiling height of at least 6'8"		854
Garage		904
First Floor		2200
Second Floor		3052
Half Story (Max.40% of Second floor)		0
Porch(s)		64
Any Other Structures on Property (Sheds, etc.)		0
Total GFA	0	7074

*Square footages must have documented areas on a floor plan showing how square footage was calculated. Confirm Building Plans delineate Gross Floor Areas.



William M Erickson

Architect Name

William M. Erickson

Architect Signature

10 Sept. 2021

Date

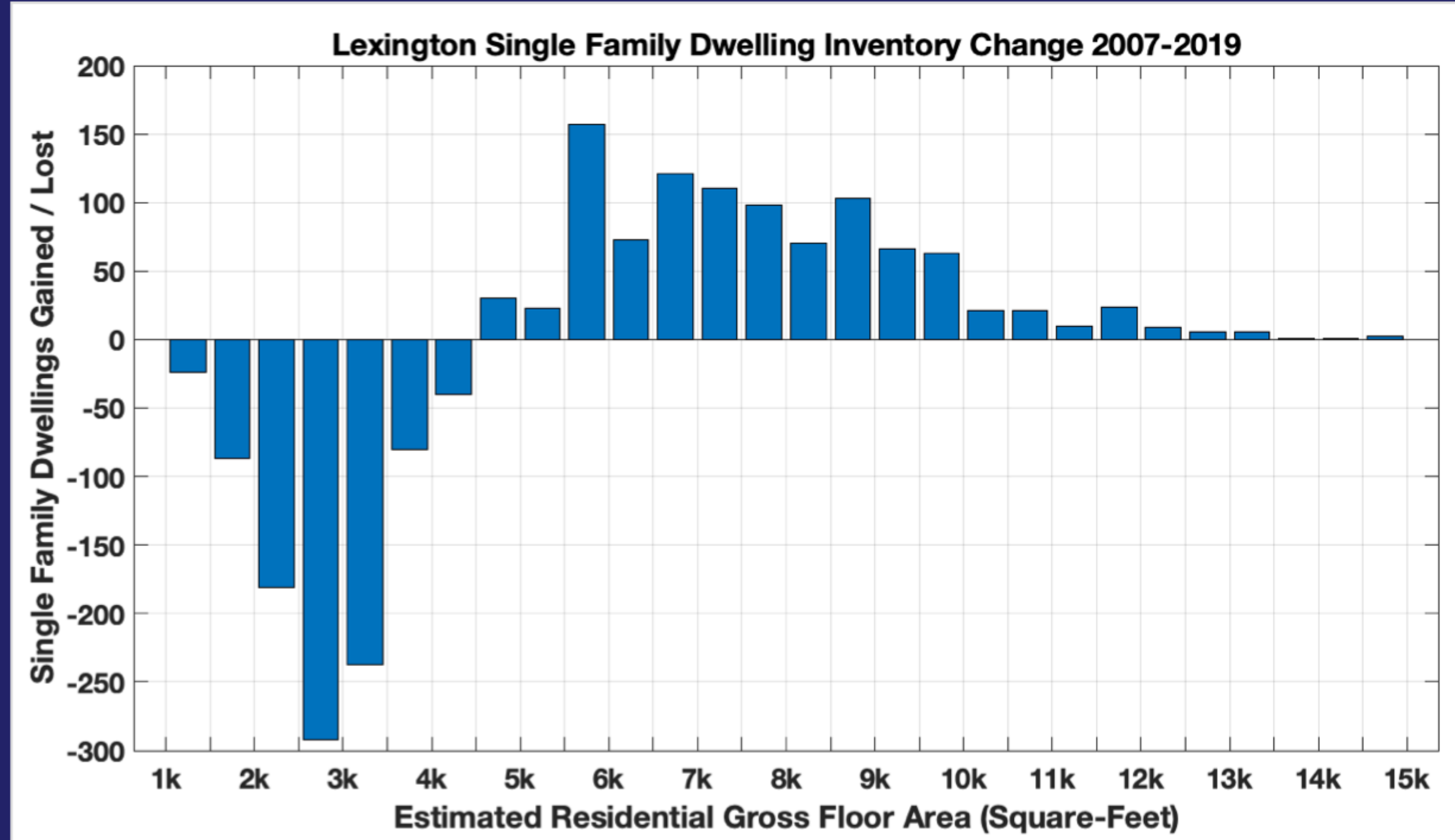
Trends in Town-Wide Survey (2012-22)

2012	2017	2022
Housing:	Housing:	Housing:
<ul style="list-style-type: none"> ✓ loss of affordable housing ✓ housing changes → changing character of neighborhoods ✓ too many tear-downs ✓ “McMansions” ✓ large houses on too small plots ✓ housing too expensive ✓ developments built on previously open spaces/farm land ✓ need for housing diversity ✓ too much building→ 	<ul style="list-style-type: none"> ✓ tear downs ✓ mansionization ✓ overdevelopment/crowding ✓ multi-dwelling units ✓ builders being only concerned about making money, behaving without proper or adequate control, resulting in negative impacts on neighborhoods and the community at large ✓ loss of small, moderately priced houses in favor of large, expensive ones 	<ul style="list-style-type: none"> ✓ lack of diversity in housing stock ✓ affordability of housing ✓ too many large houses (mansionization) ✓ too many tear-downs ✓ zoning inconsistencies ✓ zoning favoring developers and development

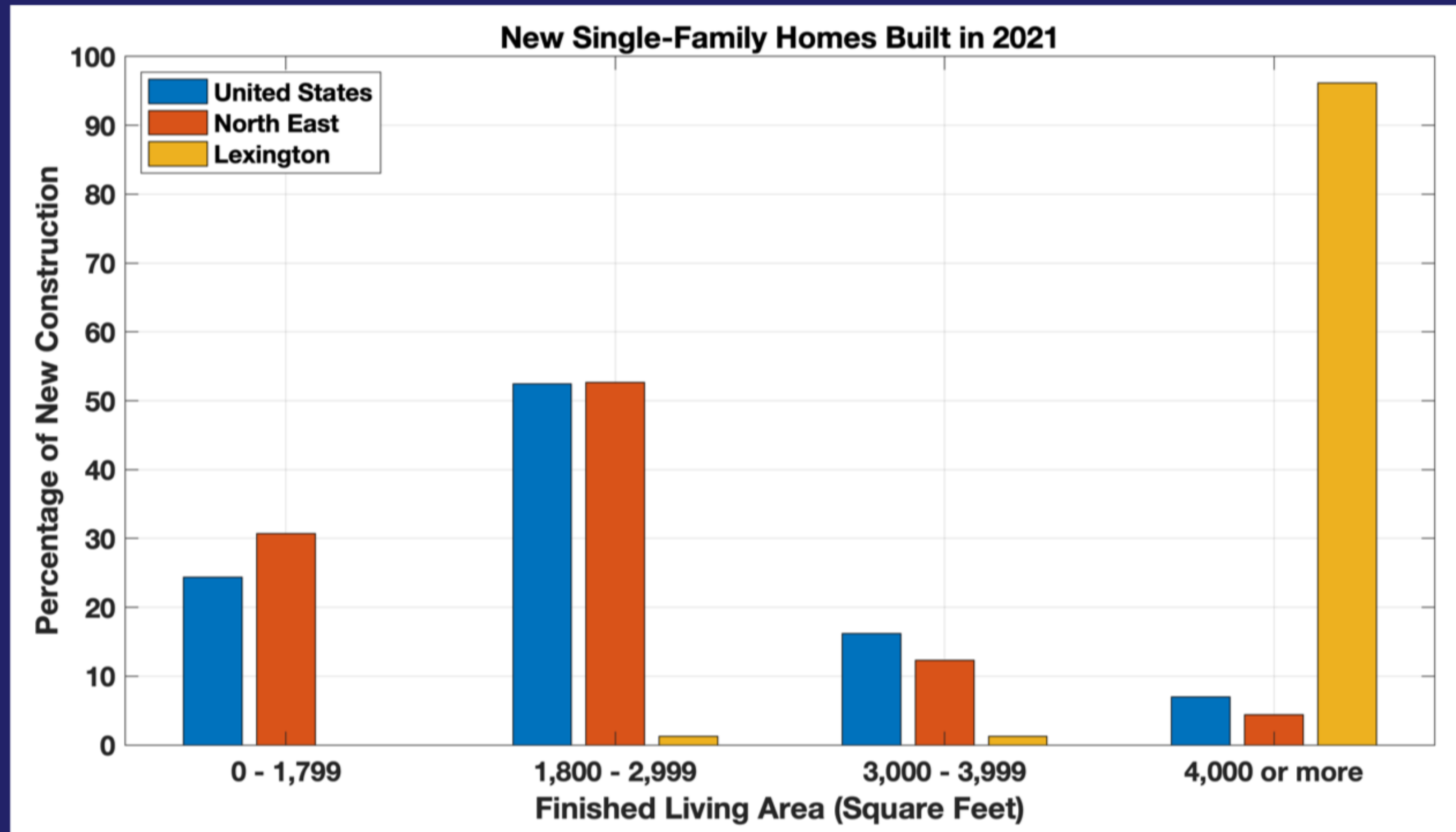
Comprehensive Plan (2022)

- Across the public outreach sessions, large new construction and teardowns were the second most commented on housing issue
- An *immediate* plan action is to: *"further limit the gross floor areas of homes," to "manage the impact of large homes on established neighborhoods"*

Trends: Changes in Housing Inventory



Trends: Regional New Housing Sizes



Trends: Maximization of Opportunity



10,540 SF GFA
98.56% used



9,750 SF GFA
98.07% used



9,371 SF GFA
99.76% used



8,289 SF GFA
99.81% used



7,042 SF GFA
99.99% used



7,023 SF GFA
99.90% used



7,219 SF GFA
99.52% used



8,163 SF GFA
97.67% used

Article 40 Approach

- Respond to the longstanding need for action on reducing the size of large, new single-lot housing
 - Use a data-driven approach to model, assess, and recommend proposed reductions in GFA
 - Engage in continued outreach with residents, town staff, and the Lexington-based building community
 - Listen to feedback and advocate for adoption
-

Caveats and Limitations

- Zoning cannot directly solve challenges with affordability and redevelopment ("teardowns")
 - Regulating GFA is a useful and flexible tool for controlling building mass, but is also imperfect
 - Any type of zoning regulation is a careful balance of shared community and individual property rights
 - Real property is an important financial asset, but return-on-investment is only one factor of ownership
-

Proposal

- Reduce the allowable GFA for new structures
- Retain current GFA limits for existing structures
- Some subdivision alternatives retain current limits
- Implement in 2024 to avoid creating at-risk permits
- No changes to the GFA definition or the ability to seek relief from the Zoning Board of Appeals

Example Reductions for New Development

Lot Size (SF)	GFA Allowed Today (SF)	GFA Allowed Article 40 (SF)	Percent Reduction
5,000	4,000	3,800	5%
7,5000	5,375	4,850	10%
10,000	5,950	5,150	13%
15,000	6,950	5,700	18%
30,000	9,350	7,200	23%

Comparison to Peer Communities

- Analysis of peer communities who regulate floor area indicates that currently Lexington is more permissive:
 - Brookline permits ~37% less GFA
 - Concord permits ~12% less GFA
 - Newton permits ~17% less GFA
 - Weston permits ~49% less GFA
- Article 40 would bring Lexington's limits better inline with those of peer communities

Benefits of Adoption

- Modest and tailored reduction that addresses longstanding community concerns and housing policy recommendations
 - Enables the production of smaller new construction houses, creating a greater house size spectrum in Lexington
 - Potentially creates incentives for the renovation and expansion of existing houses
 - Potentially creates incentives for use of conventional subdivision bylaw alternatives (e.g. Open Space Residential Developments)
 - Small changes required for implementation by Town staff
-

Questions?

ARTICLE 40 AMEND ZONING BYLAW, GROSS FLOOR AREA (Citizen Article)

To see if the Town will vote to amend Section 135-4.4 of the Zoning Bylaw to reduce the maximum allowable residential Gross Floor Area; or act in any other manner in relation thereto.

(Inserted by Matthew Daggett and 9 or more registered voters)

DESCRIPTION

The purpose of this article is to refine the maximum allowable residential Gross Floor Area (GFA) requirements adopted under Article 41 of the 2016 Annual Town Meeting, in order to better reflect the Town's goals of having a wider array of housing sizes and options.

PROPOSED MOTION

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, where ~~struck through~~ text is to be removed and underlined text is to be added, except where otherwise stated below, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington.

1. Amend: §135-4.4 as follows:

4.4.2 Maximum Allowable Residential Gross Floor Area Tables. The total gross floor area of all buildings on a lot containing a one-family or two-family dwelling may not exceed the amount listed in ~~the table below~~ Table 4.4.2.1 based on lot area. Notwithstanding the previous sentence, lots in which a one-family or two-family dwelling is lawfully in existence, lawfully begun, or subject to a building permit or special permit issued before January 1, 2024 shall instead be limited to the total the gross floor area amount listed in Table 4.4.2.2 based on lot area. Building permits or special permits pursuant to §135-6.9 or §135-6.12 shall be limited to the total the gross floor area amount listed in Table 4.4.2.2 based on lot area.

Table 4.4.2.1:

<u>Lot Area (in square feet)</u>	<u>Maximum Gross Floor Area (in square feet)</u>
<u>0 to 5,000</u>	<u>0.76 * Lot Area</u>
<u>5,000 to 7,500</u>	<u>3,800 + 0.42 * (Lot Area - 5,000)</u>
<u>7,500 to 10,000</u>	<u>4,850 + 0.12 * (Lot Area - 7,500)</u>
<u>10,000 to 15,000</u>	<u>5,150 + 0.11 * (Lot Area - 10,000)</u>
<u>15,000 to 30,000</u>	<u>5,700 + 0.1 * (Lot Area - 15,000)</u>
<u>More than 30,000</u>	<u>7,200 + 0.1 * (Lot Area - 30,000)</u>

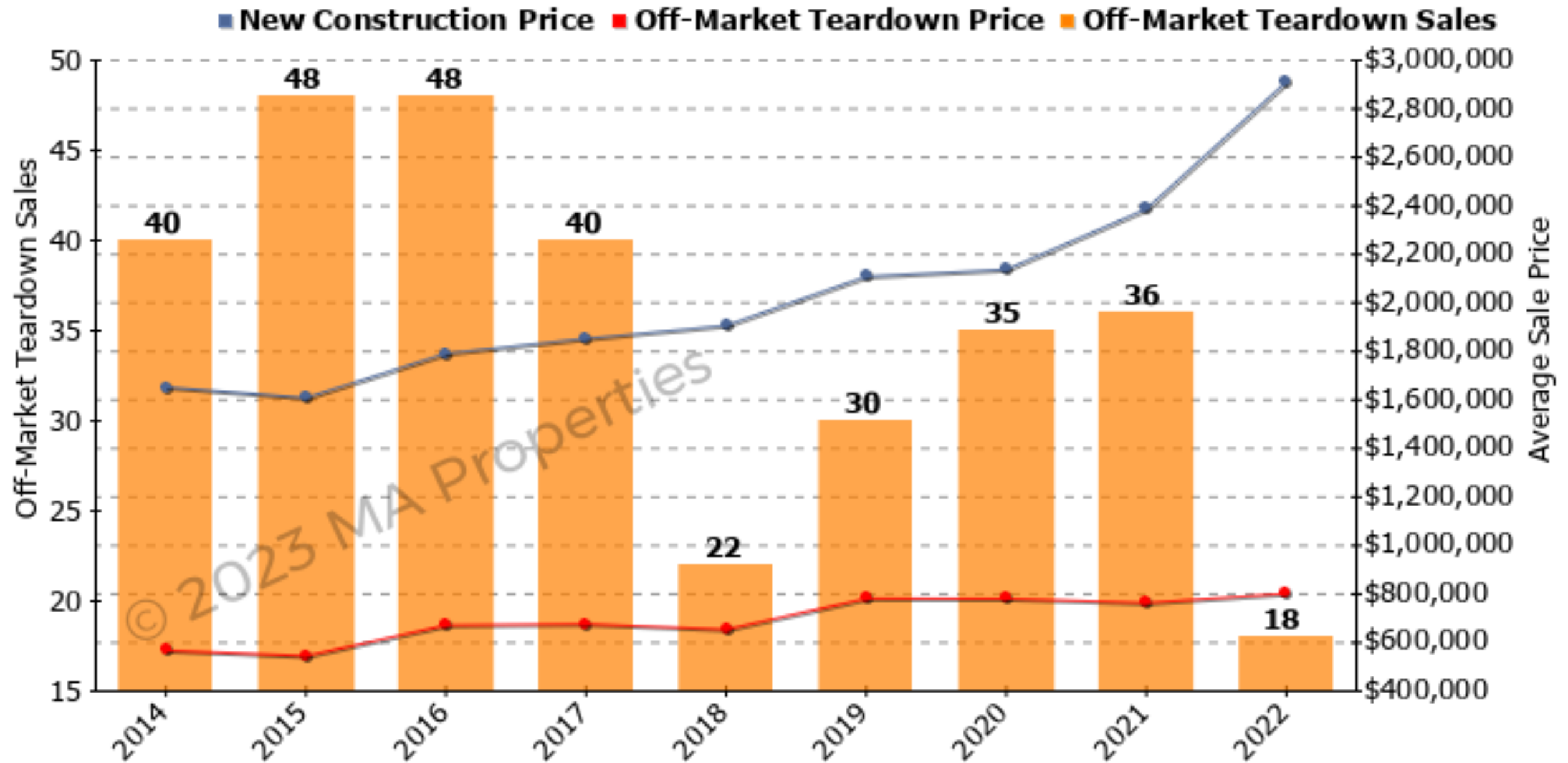
Table 4.4.2.2:

Lot Area (in square feet)	Maximum Gross Floor Area (in square feet)
0 to 5,000	$0.8 * \text{Lot Area}$
5,000 to 7,500	$4,000 + 0.55 * (\text{Lot Area} - 5,000)$
7,500 to 10,000	$5,375 + 0.23 * (\text{Lot Area} - 7,500)$
10,000 to 15,000	$5,950 + 0.2 * (\text{Lot Area} - 10,000)$
15,000 to 30,000	$6,950 + 0.16 * (\text{Lot Area} - 15,000)$
More than 30,000	$9,350 + 0.16 * (\text{Lot Area} - 30,000)$

2. That the amended Bylaws shall take effect for building permit and special permit applications submitted on or after January 1, 2024, in order to avoid making permits at risk of compliance during the legislative process, as outlined under Section 6 of Chapter 40A of the General Laws.

Article 40 Motion dated 01/19/2023	Article 40 Motion dated 02/28/2023
<p>4.4.2 Maximum Allowable Residential Gross Floor Area Tables. The total gross floor area of all buildings on a lot containing a one-family or two-family dwelling may not exceed the amount listed in the table below <u>Table 4.4.2.1</u> based on lot area. <u>Notwithstanding the previous sentence, lots in which a one-family or two-family dwelling is lawfully in existence, lawfully begun, or subject to a building permit or special permit issued before January 1, 2024 shall instead be limited to the total the gross floor area amount listed in Table 4.4.2.2 based on lot area. Building permits or special permits pursuant to §135-6.9 or §135-6.12 shall be limited to the total the gross floor area amount listed in Table 4.4.2.2 based on lot area.</u></p>	<p>4.4.2 Maximum Allowable Residential Gross Floor Area Tables. The total gross floor area of all buildings on a lot containing a one-family or two-family dwelling may not exceed the amount listed in the table below <u>Table 4.4.2.1</u> based on lot area. <u>Notwithstanding the previous sentence, the total gross floor area of all buildings on a lot on which a one-family or two-family dwelling is lawfully in existence, lawfully begun, or subject to a building permit or special permit issued before January 1, 2024 may not exceed the amount listed in Table 4.4.2.2 based on lot area. For the purposes of §135-6.12.3.7(a), Table 4.4.2.2 shall be used to determine the gross floor area permitted based on a proof plan.</u></p>
<p>That the amended Bylaws shall take effect for building permit and special permit applications submitted on or after January 1, 2024, in order to avoid making permits at risk of compliance during the legislative process, as outlined under Section 6 of Chapter 40A of the General Laws.</p>	<p>That the amended Bylaws shall take effect for building permit and special permit applications submitted on or after January 1, 2024.</p>

Off-Market Teardown Analysis: Lexington



Source: <https://www.mapropertiesonline.com/lexington-market-review-2022-new-Construction>



3,628 SF GFA



4,327 SF GFA



4,363 SF GFA



4,449 SF GFA



4,939 SF GFA



5,056 SF GFA



5,108 SF GFA



5,116 SF GFA



5,224 SF GFA



5,280 SF GFA



5,290 SF GFA



5,328 SF GFA



5,372 SF GFA



5,385 SF GFA



5,432 SF GFA



5,450 SF GFA



5,602 SF GFA



5,609 SF GFA



5,715 SF GFA



5,802 SF GFA



5,818 SF GFA



5,835 SF GFA



5,941 SF GFA



5,943 SF GFA



5,967 SF GFA

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Article 34: Amend Zoning Bylaw and Zoning Map to establish Overlay Districts to allow multi-family housing for MBTA Communities

PRESENTER:

Board Discussion

ITEM NUMBER:

SUMMARY:

The Planning Board opened the public hearing on zoning amendment article 34 on February 1 and held continued hearings on February 8 and February 15. On February 15, the Planning Board closed the public hearing and voted to recommend Town Meeting approval the zoning amendment proposal.

A draft of the Planning Board's recommendation to Town Meeting is attached for the Board's review. Board members should review the final proposed article 34 motion and the Town Meeting report.

Planning Board's proposal is to create overlay districts permitting multi-family housing with inclusionary housing requirements, and allows mixed use in some districts under specific conditions.

This article implements the requirements of M.G.L. c. 40A § 3A by establishing new overlay zoning districts on the Zoning Map and amends the Zoning Bylaw to permit multi-family housing, and mixed-use developments (in some areas).

More info and background here: <http://lexingtonma.gov/MBTAZoning>

SUGGESTED MOTION:

Board members should review the draft report and be ready to provide any edits to the Town Meeting recommendation.

Move to approve the draft article 34 report to Town Meeting and vote to allow the Chair to sign the report.

Select member to do the Town Meeting presentation.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description	Type
☐ Article 34 Final Motion	Exhibit
☐ Art 34 Motion-REDLINED	Exhibit
☐ Draft Article 34 Report	Exhibit

Town of Lexington
Motion
2023 Annual Town Meeting

ARTICLE 34

**AMEND ZONING BYLAW AND MAP
MULTI-FAMILY HOUSING FOR MBTA**

MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, and Zoning Map be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

- 1) Add rows to the table in § 135-2.2.5 (Overlay Districts) as follows:

VO	Village Overlay
MFO	Multi-Family Overlay
VHO	Village High-Rise Overlay

- 2) In § 135-10.0, add a new definition as follows:

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD)

The Massachusetts Department of Housing and Community Development.

- 3) Add a new § 135-7.5 as follows:

7.5 VILLAGE AND MULTI-FAMILY OVERLAY DISTRICTS.

7.5.1 Purpose. The purposes of the Village Overlay (VO, MFO, and VHO) Districts are:

1. To provide family housing and ensure compliance with MGL c. 40A § 3A;
2. To promote multi-family housing near retail sales and services, office, civic, and personal service uses;
3. To reduce dependency on automobiles by providing opportunities for upper-story and multi-family housing near public transportation such as bus stops, the Minuteman Commuter Bikeway, and major transportation routes;
4. To ensure pedestrian-friendly development by permitting higher density housing in areas that are walkable to public transportation, shopping, and local services;
5. To respond to the local and regional need for affordable housing by permitting a variety of housing types with inclusionary housing requirements;
6. To encourage economic investment in the redevelopment of properties;
7. To encourage residential and commercial uses to provide a customer base for local businesses; and
8. To meet the goals of the housing element of the 2022 Lexington NEXT Comprehensive Plan.

7.5.2 Overlay District. Village and Multi-Family Overlay Districts shall not replace existing zoning districts but shall be superimposed over them. The provisions of this section apply only to developments on a lot located entirely within Village and Multi-Family Overlay Districts where the property owner has elected to comply with the requirements of the Village Overlay District, rather than complying with those of the underlying zoning district.

7.5.3 Procedures and Regulations. Development under this section requires Site Plan Review by the Planning Board under § 9.5. The Planning Board shall adopt regulations to

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facilitate site layout, building design, and outdoor amenity spaces. All site plan review standards applicable to developments under this section shall be consistent with the purposes of this section and DHCD's current *Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act* as amended.

7.5.4 Permitted Uses.

1. All developments under this section shall include multi-family housing. All residential uses under this section shall be multi-family housing.
2. Developments may also include nonresidential uses permitted in an underlying zoning district.
3. Where the underlying zoning district is the CB District, at least 30% of the net floor area of the street floor shall be occupied by uses permitted on the street floor in the CB District. No more than the greater of 20% or 20 feet of the frontage on a public way may be dedicated to residential uses.
4. Developments in the VO district may contain nonresidential uses on the street floor and basement to the extent permitted in either the CRS or CB zoning district, except that:
 - a. The following uses are not permitted:
 - i. Medical clinic for outpatient services
 - ii. Motor vehicle sales or rental
 - iii. Sale of fuel, motor oil, or other motor vehicle parts or accessories
 - iv. Cleaning, maintenance, and repair of motor vehicles
 - v. Private postal service
 - b. Nonresidential uses that require a special permit in the CRS or CB District shall require a special permit.
 - c. The development standards for office uses in Table 1 (Permitted Uses and Development Standards), section G.2.0 shall not apply.
5. Accessory uses for residential uses are permitted to the same extent they would be permitted in the RO District.

7.5.5 Dimensional controls. The dimensional controls of § 4.0 are modified as follows for developments under this section:

1. § 4.1.4 (One Dwelling Per Lot) does not apply.
2. § 4.2.2 (Lot Regularity), § 4.2.3 (Lot Area), and § 4.2.4 (Lot Frontage) do not apply to lots with existing buildings.
3. § 4.3.5 (Height of Dwellings Near Lot Lines) does not apply.
4. § 4.4 (Residential Gross Floor Area) does not apply.
5. Nonresidential FAR is not restricted.
6. The minimum required front yard in feet is the lesser of that required in the underlying zoning district and 15 feet, except that where 50% or more of the façade facing the public way is occupied by nonresidential principal uses, no front yard is required. Minimum required front yard areas shall be used as amenity space available for occupants and semi-

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public uses such as landscaping, benches, tables, chairs, play areas, public art, or similar features. Parking spaces are not permitted in the minimum required front yard.

7. The minimum required side yard in feet is the lesser of that required in the underlying zoning district and that shown below:

If Actual Lot Frontage Is	Side Yard Must Be At Least
More than 100 feet	15 feet
More than 75 feet but not more than 100 feet	12 feet
More than 50 feet but not more than 75 feet	10 feet
More than 0 feet but not more than 50 feet	7.5 feet

8. The minimum required rear yard in feet is the lesser of that required in the underlying zoning district and 15 feet.
9. The site coverage is not restricted.
10. Except as noted below, the maximum height in feet of buildings is:

District	MFO	VO	VHO
Height in feet	52	40*	70*

- a. *In the VO District, where at least 30% of the total net floor area of the street floor of the development is occupied by nonresidential principal uses, the maximum height is 60 feet if the nonresidential uses are permitted in the underlying district or 52 feet if the nonresidential uses are not permitted in the underlying district.
- b. *In the VHO District where at least 50% of the total net floor area on the lot is occupied by nonresidential principal uses permitted in the underlying district, the maximum height is 115 feet.
11. The number of stories is not restricted.

7.5.6 Off-Street Parking and Loading. The provisions of § 5.1 (Off Street Parking and Loading) are modified as follows:

1. The parking factor for dwelling and rooming units is 1 per unit.
2. The parking factor for other uses shall be the same as in § 5.1.4 (Table of Parking Requirements) for the CB District.
3. Developments under this section may provide fewer parking spaces where, in the determination of the Planning Board, proposed parking is found to be sufficient to meet the needs of the development. In making such a determination the Planning Board may develop regulations to evaluate any parking reduction requests to consider complementary uses, proximity to public transportation, proximity to municipal and street parking, transportation demand management (TDM) measures, and shared parking arrangements at the Board's discretion.

7.5.7 § 5.5 (Traffic Standards) does not apply.

7.5.8 § 7.4.4 (Sustainable Design) does not apply.

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7.5.9 The provisions of § 5.3 (Landscaping, Transition and Screening) and § 5.3.5 (Required Depth or Width (in feet) of a transition area are modified as follows:

1. Transition areas, as specified under § 5.3.4 (Transition Areas), are required only along the boundary of the Village Overlay Districts (VO, MFO, & VHO) and shall have a depth of five (5) feet.

7.5.10 The provisions of § 7.3 (Planned Development Districts) are modified as follows:

1. Notwithstanding § 7.3.2.3 (Compliance Required) and § 7.3.3 (Existing RD and CD Districts), development under this section, development of related accessory structures and improvements, and removal of existing structures and improvements need not conform to a preliminary site development and use plan.

7.5.11 Nonconforming Off-Street Parking and Loading. The provisions of § 8.7 are modified as follows:

1. § 8.7.1.2 (Increase in Floor Area) does not apply.
2. § 8.7.2 (Reconstruction or Replacement of a Building) does not apply.

7.5.12 Inclusionary Housing.

1. In any development containing eight (8) or more dwelling units, at least 15% of the dwelling units shall be Inclusionary Dwelling Units with household income limited to 80% of the Area Median Income and eligible for inclusion on the DHCD's Subsidized Housing Inventory. Where a fraction of a dwelling unit is required for this calculation, the amount of required dwelling units shall be rounded down. If DHCD determines in writing that the Town has not shown this 15% requirement to be feasible, at least 10% of the dwelling units in any development containing ten (10) or more units shall be Inclusionary Dwelling Units with household income limited to 80% of the Area Median Income and eligible for inclusion on the Subsidized Housing Inventory.
2. Inclusionary dwelling units shall be substantially similar in size, layout, parking, construction materials, fixtures, amenities, and interior and exterior finishes to the other dwelling units in the same dwelling.
3. Inclusionary dwelling units shall be proportionally dispersed throughout the development and not concentrated within particular sections of a dwelling or within particular dwellings.
4. Occupants of inclusionary dwelling units shall have the same access to common areas, facilities, and services as enjoyed by other occupants of the development including, but not limited, to outdoor spaces, amenity spaces, storage, parking, bicycle parking facilities, and resident services.
5. The Planning Board, in consultation with the Select Board, the Housing Partnership Board, and the Commission on Disability, may adopt regulations consistent with DHCD's Compliance Guidelines and this section to facilitate equitable size, physical characteristics, location, and access to services for the inclusionary units and the form of required legal restrictions.

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6. Certificate of occupancy. No certificate of occupancy for a dwelling unit in a development permitted under this section shall be issued until the regulatory agreements for any inclusionary dwelling units are recorded.

7.5.13 Playground and Recreation Areas. Any development containing forty (40) or more dwelling units shall provide an outdoor play area or common space appropriate for use by families with children which may include features such as swings, jungle-gyms, slides, tables, chairs, benches, and similar features. Areas shall incorporate universal design standards.

7.5.14 Conditions. The Planning Board may impose reasonable terms and conditions, consistent with the parameters established by DHCD's Compliance Guidelines, to promote these objectives and serve the purposes of this section. Approval may reasonably regulate matters such as vehicular access and circulation on site, architectural design of a building, site design, and screening for adjacent properties. The Board may require a performance guarantee to ensure compliance with these conditions.

- 4) Amend the Zoning Map to add the following areas shown on maps on file with the Town Clerk to the VO District:

- a. East Lexington
- b. Bedford Street/Worthen Road
- c. Bedford Street/Reed Street
- d. Bedford Street/Bike Path
- e. Marrett Road/Waltham Street
- f. Marrett Road/Spring Street
- g. Concord Avenue/Waltham Street

- 5) Amend the Zoning Map to add the following areas shown on maps on file with the Town Clerk to the MFO District:

- h. Lexington Center
- i. Bedford Street North

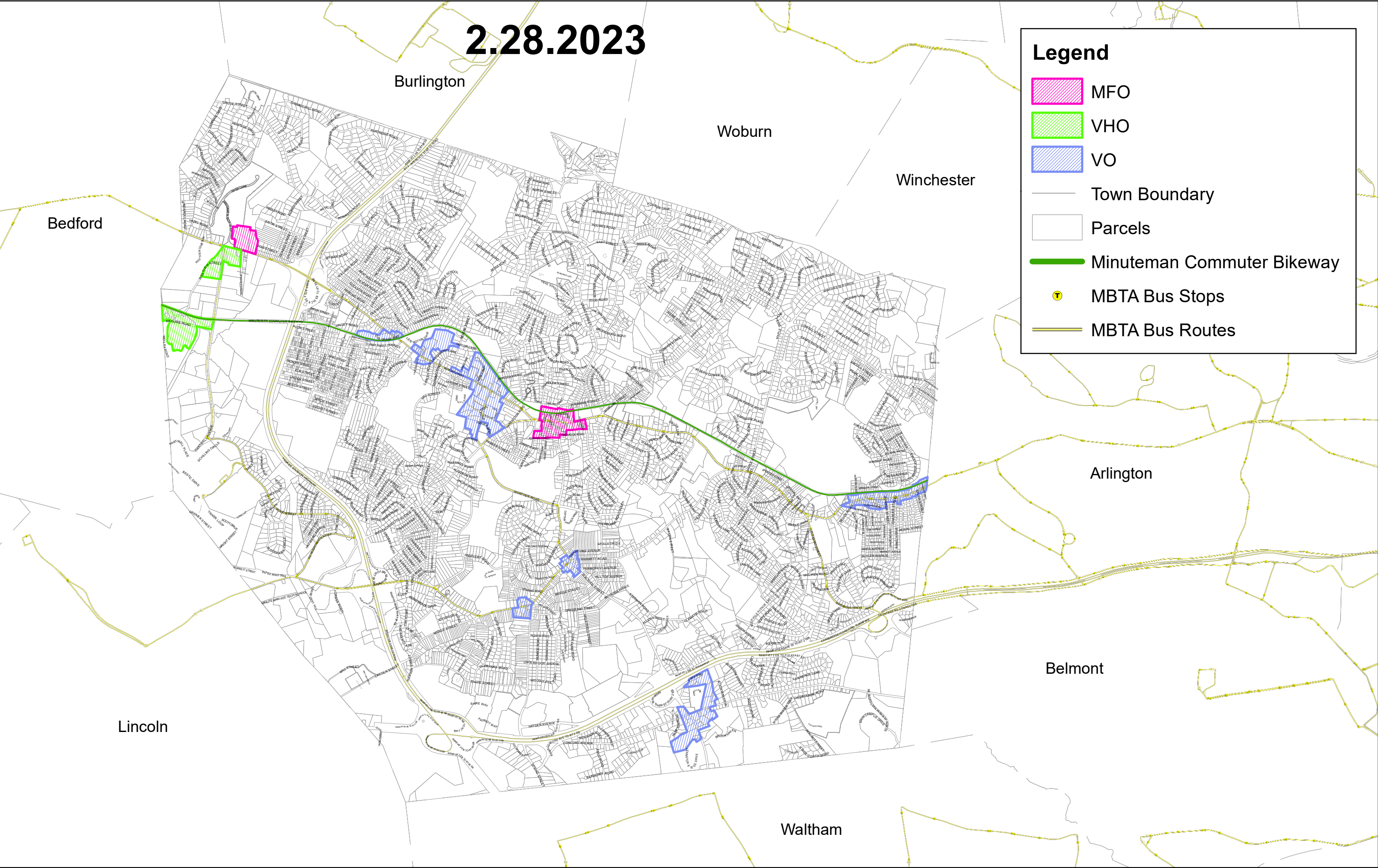
- 7) Amend the Zoning Map to add the following areas shown on maps on file with the Town Clerk to the VHO District:

- j. Hartwell Avenue/Westview Street
- k. Maguire Road
- l. Hartwell Avenue/Wood Street

(02/27/2023)

Draft Overlay Districts

2.28.2023



Legend

MFO

VHO

VO

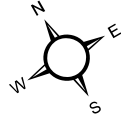
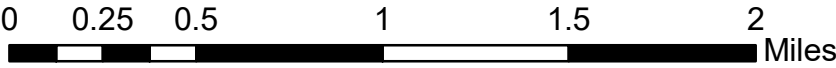
Town Boundary

Parcels

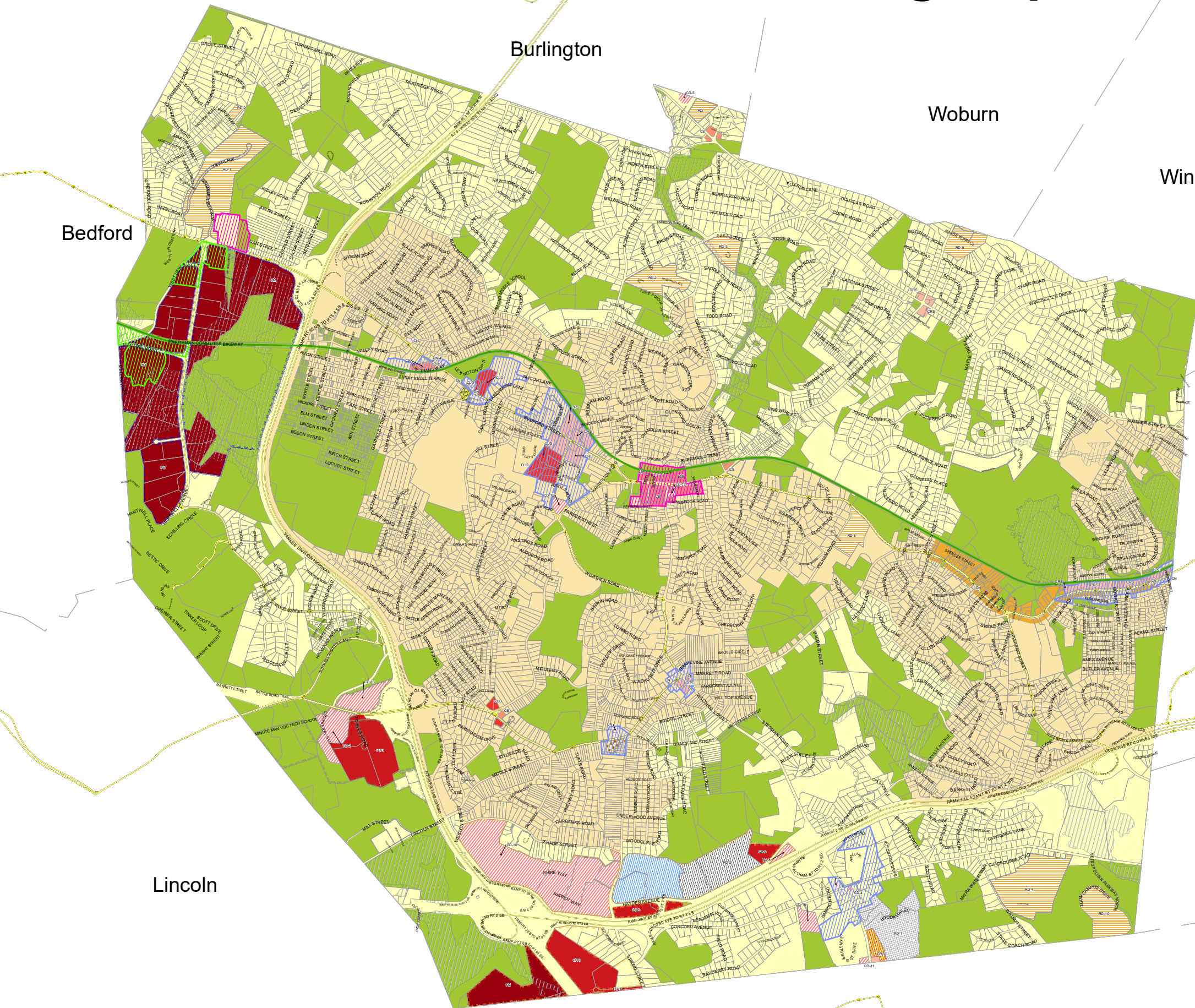
Minuteman Commuter Bikeway

MBTA Bus Stops

MBTA Bus Routes



Zoning Map



Legend

- MFO
- VHO
- VO
- Town Boundary
- Parcels
- Minuteman Commuter Bikeway
- MBTA Bus Stops
- MBTA Bus Routes

Transportation Management Overlay Districts

- District**
- Forbes Road - Marrett Street TMO
 - South Lexington TMO
 - Hartwell Avenue Area TMO

Standard Zoning Districts

COMMERCIAL / INDUSTRIAL DISTRICTS

- CB - Central Business
- CLO - Local Office
- CM - Manufacturing
- CN - Neighborhood Business
- CRO - Regional Office
- CRS - Retail Shopping
- CS - Service Business
- CSX

OTHER

- GC - Government Civic

PLANNED DEVELOPMENT DISTRICTS

- CD - Planned Commercial
- PD-1 -Planned Development
- PD-2 -Planned Development
- PD-4 -Planned Development
- PD-5 -Planned Development
- PD-6 -Planned Development
- RD - Planned Residential

RESIDENTIAL DISTRICTS

- RO - One Family Dwelling
- RS - One Family Dwelling
- RT - Two Family Dwelling

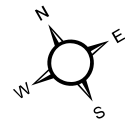
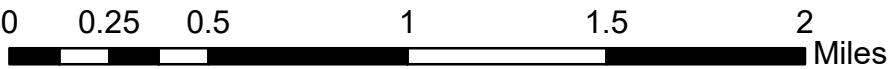


EXHIBIT: ALL PARCELS PROSED IN ZONING MAP ARTICLE 34

MFO	VHO	VO		
Map #	Lot #	Site Address	Current Zone	Overlay District
48	23	6 WALLIS CT	CB	MFO
48	24	5 WALLIS CT	CB	MFO
48	25	3 WALLIS CT	CB	MFO
48	22	2-4 WALLIS CT	CB	MFO
48	26	1 WALLIS CT	CB	MFO
48	20	1620 MASSACHUSETTS AVE	CB	MFO
48	38	4 VINE BROOK RD	CB	MFO
48	21	1628 MASSACHUSETTS AVE	CB	MFO
48	27	1640 MASSACHUSETTS AVE	CB	MFO
48	28	1654 MASSACHUSETTS AVE	CB	MFO
48	37	52A-52B WALTHAM ST	CB	MFO
48	30A	1666 MASSACHUSETTS AVE	CB	MFO
48	31	1684-1692 MASSACHUSETTS AVE	CB	MFO
48	35	20 WALTHAM ST	CB	MFO
48	36A	50 WALTHAM ST	CD-12	MFO
48	33	1726 MASSACHUSETTS AVE	CB	MFO
48	34	1734 MASSACHUSETTS AVE	CB	MFO
48	101	1709 MASSACHUSETTS AVE	CB	MFO
48	100	1729 MASSACHUSETTS AVE	CB	MFO
48	102	1707 MASSACHUSETTS AVE	CB	MFO
48	104	4 GRANT ST	CB	MFO
48	99	1733 MASSACHUSETTS AVE	CB	MFO
48	103	EDISON WY	CB	MFO
48	98A	1761 MASSACHUSETTS AVE	CB	MFO
48	97A	1775 MASSACHUSETTS AVE	CB	MFO
48	96	DEPOT SQ	RS	MFO
49	30	73 WALTHAM ST	CB	MFO
49	31B	55 WALTHAM ST	CB	MFO
49	43	20 MUZZEY ST	CB	MFO
49	32	41 WALTHAM ST	CB	MFO
49	42	18 MUZZEY ST	CB	MFO
49	33B	31 WALTHAM ST	CB	MFO
49	66	21 MUZZEY ST	CB	MFO
49	34	27 WALTHAM ST	CB	MFO
49	81	5 RAYMOND ST	RS	MFO
49	35B	25 WALTHAM ST	CB	MFO
49	80	7 RAYMOND ST	CB	MFO
49	40A	14A MUZZEY ST	CB	MFO
49	67	19 MUZZEY ST	CB	MFO
49	35A	1752 MASSACHUSETTS AVE	CB	MFO
49	68	15 MUZZEY ST	CB	MFO
49	183	WALTHAM ST	CB	MFO
49	36	1770 MASSACHUSETTS AVE	CB	MFO
49	39	10 MUZZEY ST	CB	MFO

49	37B	1780 MASSACHUSETTS AVE	CB	MFO
49	69	11 MUZZEY ST	CB	MFO
49	70A	7 MUZZEY ST	CB	MFO
49	37A	1788 MASSACHUSETTS AVE	CB	MFO
49	79	16-16 CLARKE ST	RS	MFO
49	38	1792 MASSACHUSETTS AVE	CB	MFO
49	71	MASSACHUSETTS AVE	CB	MFO
49	73A	1822 MASSACHUSETTS AVE	CB	MFO
49	74		CB	MFO
49	11	MASSACHUSETTS AVE	GC	MFO
49	12A	1777 MASSACHUSETTS AVE	CB	MFO
49	76	1844 MASSACHUSETTS AVE	CB	MFO
49	10	13 DEPOT SQ	CB	MFO
49	9	15 DEPOT SQ	CB	MFO
49	8A	1833 MASSACHUSETTS AVE	CB	MFO
49	6	9-11 MERIAM ST	CB	MFO
49	5A	MERIAM ST	GC	MFO
84	69	476 BEDFORD ST	CM	VHO
84	80A	17 HARTWELL AVE	CM	VHO
84	70A	482 BEDFORD ST	CM	VHO
84	81	7 HARTWELL AVE	CM	VHO
85	17A	1 MAGUIRE RD	CM	VHO
85	11	WESTVIEW ST	CM	VHO
85	16	3 MAGUIRE RD	CM	VHO
85	12	80 WESTVIEW ST	CM	VHO
85	15	10 MAGUIRE RD	CM	VHO
85	3	85 WESTVIEW ST	RO	VHO
85	2	87 WESTVIEW ST	RO	VHO
85	1	0 WESTVIEW ST	RO	VHO
85	5	75 WESTVIEW ST	RO	VHO
85	4	81 WESTVIEW ST	RO	VHO
74	10	125 HARTWELL AVE	CM	VHO
74	6A	131 HARTWELL AVE	CM	VHO
10	18	956 WALTHAM ST	RO	VO
10	19A	952 WALTHAM ST	RO	VO
10	17B	945 WALTHAM ST	RO	VO
10	20	942 WALTHAM ST	RO	VO
10	62	332 CONCORD AVE	RO	VO
10	16	927 WALTHAM ST	RO	VO
10	25	338 CONCORD AVE	RO	VO
10	24	346 CONCORD AVE	RO	VO
10	23	352 CONCORD AVE	RO	VO
10	19B	354 CONCORD AVE	RO	VO
10	21A	922 WALTHAM ST	RO & CD-4	VO
10	15	915 WALTHAM ST	CN	VO
10	14	382 CONCORD AVE	RO	VO
10	31B	331 CONCORD AVE	RO	VO

10	34A	903 WALTHAM ST	CN & RO	VO
10	31A	CONCORD AVE	RO	VO
10	31C	CONCORD AVE	RO	VO
13	1	12 MASSACHUSETTS AVE	CN	VO
13	2	16 MASSACHUSETTS AVE	CN	VO
13	10	32 MASSACHUSETTS AVE	CN	VO
13	11	38-40 MASSACHUSETTS AVE	CN	VO
13	12A	46 MASSACHUSETTS AVE	CN	VO
13	39	62 MASSACHUSETTS AVE	CN	VO
13	40	98-100 MASSACHUSETTS AVE	RT	VO
13	93	104 MASSACHUSETTS AVE	RT	VO
13	94	120 MASSACHUSETTS AVE	RT	VO
13	95	134-136 MASSACHUSETTS AVE	RT	VO
13	96	142 MASSACHUSETTS AVE	RT	VO
13	97	158-160 MASSACHUSETTS AVE	RT	VO
13	98	166 MASSACHUSETTS AVE	RT & RS	VO
13	418	MASSACHUSETTS AVE	CRS	VO
13	99	172 MASSACHUSETTS AVE	RS	VO
13	416	11 MASSACHUSETTS AVE	CRS	VO
13	100A	4 CHARLES ST	RS	VO
13	415B	27 MASSACHUSETTS AVE	CRS	VO
13	327B	MAY ST	RS	VO
13	412	109 MASSACHUSETTS AVE	CRS	VO
13	319	7 BOWKER ST	RS	VO
13	414	55 MASSACHUSETTS AVE	CRS	VO
13	413	93 MASSACHUSETTS AVE	CRS	VO
13	275	198 MASSACHUSETTS AVE	RS	VO
13	318A	11 BOWKER ST	RS	VO
13	381	121 MASSACHUSETTS AVE	CRS	VO
13	327A	18 LISBETH ST	RS	VO
13	411	3 BOW ST	CRS	VO
13	328	15 CLELLAND RD	RS	VO
13	276	214 MASSACHUSETTS AVE	RS	VO
13	320	3 BOWKER ST	RS	VO
13	380A	131 MASSACHUSETTS AVE	CRS	VO
13	277	220 MASSACHUSETTS AVE	RS	VO
13	379A	135 MASSACHUSETTS AVE	CRS	VO
13	326	14 LISBETH ST	RS	VO
13	329	17 CLELLAND RD	RS	VO
13	325	10 LISBETH ST	RS	VO
13	321	250 MASSACHUSETTS AVE	RS	VO
13	335	9-11 LISBETH ST	RS	VO
13	322	262 MASSACHUSETTS AVE	RS	VO
13	331A	19 CLELLAND RD	RS	VO
13	323	280 MASSACHUSETTS AVE	RS	VO
13	324	282 MASSACHUSETTS AVE	RS	VO
13	377A	165 MASSACHUSETTS AVE	CRS	VO

13	334	32 CLELLAND RD	RS	VO
13	337B	284 MASSACHUSETTS AVE	RT, small rear porti	VO
13	376	211 MASSACHUSETTS AVE	CRS	VO
13	338A	286-292 MASSACHUSETTS AVE	RT	VO
13	333	36 CLELLAND RD	RS	VO
13	375	217 MASSACHUSETTS AVE	CRS	VO
13	374	229 MASSACHUSETTS AVE	CRS	VO
13	339	314 MASSACHUSETTS AVE	RT	VO
13	340	320 MASSACHUSETTS AVE	RT	VO
13	372	241 MASSACHUSETTS AVE	CRS	VO
13	341	346 MASSACHUSETTS AVE	RT, rear portion in	VO
13	371	251 MASSACHUSETTS AVE	CRS	VO
13	342	350 MASSACHUSETTS AVE	RT, rear portion in	VO
13	370	267 MASSACHUSETTS AVE	CRS	VO
13	343	356-358 MASSACHUSETTS AVE	RT, rear portion in	VO
13	367	FOTTLER AVE	CRS	VO
13	344	364 MASSACHUSETTS AVE	RT, rear portion in	VO
13	348	CLELLAND RD	RS	VO
13	345	368 MASSACHUSETTS AVE	RT, rear portion in	VO
13	369	275 MASSACHUSETTS AVE	CRS	VO
13	346	378 MASSACHUSETTS AVE	RT, rear portion in	VO
13	347	386 MASSACHUSETTS AVE	RT, rear portion in	VO
13	349	390 MASSACHUSETTS AVE	RT, rear portion in	VO
13	368	301 MASSACHUSETTS AVE	CRS	VO
13	350	400 MASSACHUSETTS AVE	RT	VO
13	351	410 MASSACHUSETTS AVE	RT	VO
13	352	418-420 MASSACHUSETTS AVE	RT	VO
13	353	430 MASSACHUSETTS AVE	RT	VO
13	360	329 MASSACHUSETTS AVE	CRS	VO
13	359	337 MASSACHUSETTS AVE	CRS	VO
13	354	440 MASSACHUSETTS AVE	RT	VO
13	358	343 MASSACHUSETTS AVE	CRS	VO
13	356A	351 MASSACHUSETTS AVE	CRS	VO
13	355	371 MASSACHUSETTS AVE	CRS	VO
13	373	233 MASSACHUSETTS AVE	CRS	VO
13	415A	31 MASSACHUSETTS AVE	CRS	VO
13	417	7 MASSACHUSETTS AVE	CRS	VO
21	12	389 MASSACHUSETTS AVE	CRS	VO
21	11	421 MASSACHUSETTS AVE	CRS	VO
32	13B	429 WALTHAM ST	RS	VO
32	14	407 WALTHAM ST	CRS	VO
32	83	410 WALTHAM ST	RS	VO
32	15	403 WALTHAM ST	CRS	VO
32	82	400 WALTHAM ST	CRS	VO
32	16	324 MARRETT RD	CRS	VO
32	57	311 MARRETT RD	CN	VO
32	55	384 WALTHAM ST	CN	VO

32	56	313 MARRETT RD	CN	VO
32	54	11 GRAPEVINE AVE	RS	VO
32	80+81	396 WALTHAM ST	CRS	VO
33	73	13 SPRING ST	RS	VO
33	72A	15 SPRING ST	RS	VO
33	74	11 SPRING ST	RS	VO
33	75	9 SPRING ST	RS	VO
33	76	7 SPRING ST	RS	VO
33	77	5 SPRING ST	RS	VO
33	72B	SPRING ST	RS	VO
33	78	424 MARRETT RD	CSX	VO
33	79	428 MARRETT RD	CSX	VO
33	80	430 MARRETT RD	CSX	VO
33	81	436 MARRETT RD	CSX	VO
33	82	442 MARRETT RD	CSX	VO
33	83	450 MARRETT RD	RS	VO
33	84	452 MARRETT RD	RS	VO
33	104A	433 MARRETT RD	CN	VO
33	105	419 MARRETT RD	RS	VO
33	103	439 MARRETT RD	RS	VO
33	104B	429 MARRETT RD	CN	VO
33	3	342 MARRETT RD	RS	VO
33	1	336 MARRETT RD	RS	VO
33	266	329 MARRETT RD	CN	VO
33	267	323 MARRETT RD	CN	VO
33	265	335 MARRETT RD	RS	VO
33	268	365-367 WALTHAM ST	CN & RS	VO
5	3	983 WALTHAM ST	RO	VO
5	2	979 WALTHAM ST	RO	VO
5	1	959 WALTHAM ST	RO	VO
56	6C	39 BEDFORD ST	CRS	VO
56	222	33-35 BEDFORD ST	CRS	VO
57	9D	1989 MASSACHUSETTS AVE	RS	VO
57	136	59 WORTHEN RD	RS	VO
57	132	51 WORTHEN RD	CLO	VO
57	4C	32 WORTHEN RD	RS	VO
57	131	2 MILITIA DR	CLO	VO
57	14F	32 BEDFORD ST	CRS	VO
57	133A	4 MILITIA DR	CLO	VO
57	14A	46 BEDFORD ST	CRS	VO
57	130	1 MILITIA DR	CLO	VO
57	134	5 MILITIA DR	CLO	VO
57	129	21 WORTHEN RD	CLO	VO
57	135	3 MILITIA DR	CLO	VO
57	144	45 BEDFORD ST	CRS	VO
57	124A	53 BEDFORD ST	CRS	VO
57	79	60 BEDFORD ST	CRS	VO

57	126	8 CAMELLIA PL	CRS	VO
57	80	74-76 BEDFORD ST	CRS	VO
57	123	69 BEDFORD ST	RS	VO
57	81	80 BEDFORD ST	RS	VO
57	145	3-25 LOIS LN	RS	VO
57	119	81 BEDFORD ST	RS	VO
57	124B	57 BEDFORD ST	CRS	VO
64	157	101 BEDFORD ST	RS	VO
64	161	89 BEDFORD ST	RS	VO
64	158	95-97 BEDFORD ST	RS	VO
64	159	BEDFORD ST	RS	VO
64	156	1 CAROL LN	RS	VO
64	173	3 CAROL LN	RS	VO
64	162	113 BEDFORD ST	RS	VO
64	154	1 REVERE ST	RS	VO
64	65	5 REED ST	RS	VO
64	66	162 BEDFORD ST	CN	VO
64	64	9 REED ST	RS	VO
64	77	159-161 BEDFORD ST	RS	VO
64	63	19 REED ST	RS	VO
64	67	172 BEDFORD ST	CN	VO
64	74A	183 BEDFORD ST	CN	VO
64	73A	185 BEDFORD ST	CN	VO
64	72	187 BEDFORD ST	CN	VO
64	181	175-181 BEDFORD ST	CLO	VO
64	76	171 BEDFORD ST	CLO	VO
64	71	193-195 BEDFORD ST	CN	VO
64	75A	177 BEDFORD ST	CLO	VO
64	70	197 BEDFORD ST	CN	VO
64	98A	11 LARCHMONT LN	RS	VO
71	34	229 BEDFORD ST	CN	VO
71	33	231 BEDFORD ST	CN	VO
71	31A	235 BEDFORD ST	CN	VO
71	30	237 BEDFORD ST	RS	VO
71	62	BEDFORD ST	RS	VO
71	61A	242 BEDFORD ST	CS & RS	VO
84	1C	459 BEDFORD ST	GC	VO
84	85A	475 BEDFORD ST	RO	VO
13	422	0 BOW ST	RS	VO
13	101	11 CHERRY ST	RS	VO
13	305A	0 HILLSIDE AVE	RS	VO
13	102	0 CHERRY ST	RS	VO
10	58A	5 PIPER RD	RO	VO
10	59A	7 PIPER RD	RO	VO
10	61	344 CAMBRIDGE/CONCORD	RO	VO
9	11B	CONCORD AVE	RO	VO
9	29	336 CAMBRIDGE/CONCORD	RO	VO

AMEND ZONING BYLAW AND MAP – VILLAGE & MULTI-FAMILY OVERLAY DISTRICTS
– PLANNING BOARD REVISED 2/27/23

ARTICLE 34

**AMEND ZONING BYLAW AND MAP
MULTI-FAMILY HOUSING FOR MBTA COMMUNITIES**

To see if the Town will vote to amend the Zoning Bylaw and Map to create districts permitting multi-family housing or mixed-use developments by right; or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Planning Board)

DESCRIPTION:

This article implements the requirements of M.G.L. c. 40A § 3A by establishing new overlay zoning districts on the Zoning Map and amending the Zoning Bylaw to permit multi-family housing and mixed-use developments in some areas with an as-of-right approval process within those new districts.

MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, and Zoning Map be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

- 1) Add rows to the table in § 135-2.2.5 (Overlay Districts) as follows:

VO	Village Overlay
VMOMFO	Village Mid-Rise Multi-Family Overlay
VHO	Village High-Rise Overlay

- 2) In § 135-10.0, add a new definition as follows:

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD)

The Massachusetts Department of Housing and Community Development.

- 3) Add a new § 135-7.5 as follows:

7.5 VILLAGE AND MULTI-FAMILY OVERLAY DISTRICTS.

7.5.1 Purpose. The purposes of the Village Overlay (VO, ~~VMFO~~, and VHO) Districts are:

1. To provide family housing and ensure compliance with MGL c. 40A § 3A
2. To promote multi-family housing near retail sales and services, office, civic, and personal service uses;
3. To reduce dependency on automobiles by providing opportunities for upper-story and multi-family housing near public transportation such as bus stops, the Minuteman Commuter Bikeway, and major transportation routes;
4. To ensure pedestrian-friendly development by permitting higher density housing in areas that are walkable to public transportation, shopping, and local services;
5. To respond to the local and regional need for affordable housing by permitting a variety of housing types with inclusionary housing requirements;
6. To encourage economic investment in the redevelopment of properties;
7. To encourage residential and commercial uses to provide a customer base for local businesses; and
8. To meet the goals of the housing element of the 2022 Lexington NEXT Comprehensive Plan.

AMEND ZONING BYLAW AND MAP – VILLAGE & MULTI-FAMILY OVERLAY DISTRICTS
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- 7.5.2** Overlay District. Village and Multi-Family Overlay Districts shall not replace existing zoning districts but shall be superimposed over them. The provisions of this section apply only to developments on a lot located entirely within Village and Multi-Family Overlay Districts where the property owner has elected to comply with the requirements of the Village Overlay District, rather than complying with those of the underlying zoning district.
- 7.5.3** Procedures and Regulations. Development under this section requires Site Plan Review by the Planning Board under § 9.5. The Planning Board shall adopt regulations to facilitate site layout, building design, and outdoor amenity spaces. All site plan review standards applicable to developments under this section shall be consistent with the purposes of this section and DHCD's current *Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act* as amended.
- 7.5.4** Permitted Uses.
1. All developments under this section shall include multi-family housing. All residential uses under this section shall be multi-family housing.
 2. Developments may also include uses nonresidential uses permitted in an underlying zoning district.
 3. Where the underlying zoning district is the CB District, at least 30% of the net floor area of the street floor shall be occupied by uses permitted on the street floor in the CB District. No more than 40% of the greater of 20% or 20 feet of the center storefront frontage on a public way or 20 ft.
 4. Developments in the VMO district may contain other nonresidential uses on the street floor and basement to the extent permitted in either the CRS or CB zoning district, except that:
 - a. The following uses are not permitted:
 - i. Medical clinic for outpatient services
 - ii. Motor vehicle sales or rental
 - iii. Sale of fuel, motor oil, or other motor vehicle parts or accessories
 - iv. Cleaning, maintenance, and repair of motor vehicles
 - v. Private postal service
 - b. Nonresidential uses that require a special permit in the CRS or CB District that require a special permit shall require a special permit.
 - c. The development standards for office uses in Table 1 (Permitted Uses and Development Standards), section G.2.0 shall not apply.
 5. Accessory Uses for residential uses are permitted to the same extent they would be permitted in the RO District.
- 7.5.5** Dimensional controls. The dimensional controls of § 4.0 are modified as follows for developments under this section:
1. § 4.1.4 (One Dwelling Per Lot) does not apply.
 2. § 4.2.2 (Lot Regularity), § 4.2.3 (Lot Area), and § 4.2.4 (Lot Frontage) do not apply to lots with existing buildings.
 3. § 4.3.5 (Height of Dwellings Near Lot Lines) does not apply.
 4. § 4.4 (Residential Gross Floor Area) does not apply.

AMEND ZONING BYLAW AND MAP – VILLAGE & MULTI-FAMILY OVERLAY DISTRICTS
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5. Nonresidential FAR is not restricted.
6. The minimum required front yard in feet is the lesser of that required in the underlying zoning district ~~and/or~~ 15 feet, except that where 50% or more of the ~~front~~ façade facing the public way of the street floor is occupied by nonresidential principal uses, no front yard is required. Minimum required front yard areas shall be used as amenity space available for occupants residences and semi-public uses such as landscaping, benches, tables, chairs, play areas, public art, or similar features. Parking spaces are not permitted in the minimum required front yard.
7. The minimum required side yard in feet is the lesser of that required in the underlying zoning district and that shown below:

If Actual Lot Frontage Is	Side Yard Must Be At Least
More than 100 feet	15 feet
More than 75 feet but not more than 100 feet	12 feet
More than 50 feet but not more than 75 feet	10 feet
More than 0 feet but not more than 50 feet	7.5 feet

8. The minimum required rear yard in feet is the lesser of that required in the underlying zoning district and 15 feet.
9. The site coverage is not restricted.
10. Except as noted below, ~~t~~he maximum height in feet of buildings is:

District	<u>MFVO</u>	VVO	VHO
Height in feet	52	40*	70*

~~11. *In the VMO District:~~

- a. ~~*In the VO District, w~~where at least 30% of the total net floor area of the street floor of the development is occupied by nonresidential principal uses, permitted in the underlying district, the maximum height is 60 feet if the nonresidential uses are permitted in the underlying district or 52 feet; if the uses are not permitted in the underlying district.
- b. *In the VHO District, where at least 50% of the total net floor area on the lot is occupied by ~~if the nonresidential principal uses are not permitted in the underlying district~~, the maximum height is 11~~52~~ feet.

~~12. *In the VHO District where at least 50% of the total net floor area of a development is occupied by nonresidential principal uses permitted in the underlying district, the maximum height is 115 ft.~~

~~13.11.~~ 11. The number of stories is not restricted, ~~except in the VO where the number of stories is limited to 4.~~

7.5.6 Off-Street Parking and Loading. The provisions of § 5.1 (Off Street Parking and Loading) are modified as follows:

1. The parking factor for dwelling and rooming units is 1 per unit.
2. The parking factor for other uses shall be the same as in § 5.1.4 (Table of Parking Requirements) for the CB District.
3. Developments under this section may provide fewer parking spaces where, in the determination of the Planning Board, proposed parking is found to be sufficient to meet the needs of the

AMEND ZONING BYLAW AND MAP – VILLAGE & MULTI-FAMILY OVERLAY DISTRICTS
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development. In making such a determination the Planning Board may develop regulations to evaluate any parking reduction requests to consider complementary uses, proximity to public transportation, proximity to municipal and street parking, transportation demand management (TDM) measures, and shared parking arrangements at the Board's discretion.

7.5.7 § 5.5 (Traffic Standards) does not apply.

7.5.8 §7.4.4 (Sustainable Design) does not apply.

7.5.9 The provisions of § 5.3 (Landscaping, Transition and Screening) and §5.3.5 (Required Depth or Width (in feet) of a transition area are modified as follows:

Transition areas, as specified under § 5.3.4 (Transition Areas), are required only along the boundary of the Village Overlay Districts (VO, ~~VMFO~~, & VHO) and shall have a depth of ~~fifteen~~ fifteen (~~15~~) feet.

7.5.10 The provisions of § 7.3 (Planned Development Districts) are modified as follows:

1. Notwithstanding § 7.3.2.3 (Compliance Required) and § 7.3.3 (Existing RD and CD Districts), development under this section, development of related accessory structures and improvements, and removal of existing structures and improvements need not conform to a preliminary site development and use plan.

7.5.11 Nonconforming Off-Street Parking and Loading. The provisions of § 8.7 are modified as follows:

1. § 8.7.1.2 (Increase in Floor Area) does not apply.
2. § 8.7.2 (Reconstruction or Replacement of a Building) does not apply.

7.5.12 Inclusionary Housing.

1. In any development containing eight (8) or more dwelling units, at least 15% of the dwelling units shall be Inclusionary Dwelling Units with ~~a~~ household income ~~limited to~~ limited to 80% of the Area Median Income and eligible for inclusion on the DHCD's Subsidized Housing Inventory. Where a fraction of a dwelling unit is required for this calculation, the amount of required dwelling units shall be rounded down. If DHCD determines in writing that the Town has not shown this 15% requirement to be feasible, at least 10% of the dwelling units in any development containing ten (10) or more units ~~must~~ shall be Inclusionary Dwelling Units with ~~for~~ households ~~with~~ income limited to 80% of the Area Median Income and eligible for inclusion on the Subsidized Housing Inventory.
2. Inclusionary dwelling units shall be substantially similar in size, layout, parking, construction materials, fixtures, amenities, and interior and exterior finishes to the other dwelling units in the same dwelling.
3. Inclusionary dwelling units shall be proportionally dispersed throughout the development and not concentrated within particular sections of a dwelling or within particular dwellings.
4. Occupants of inclusionary dwelling units shall have the same access to common areas, facilities, and services as enjoyed by other occupants of the development including but not limited to outdoor spaces, amenity spaces, storage, parking, bicycle parking facilities, and resident services.
5. The Planning Board, in consultation with the Select Board, the Housing Partnership Board, and the Commission on Disability, may adopt regulations consistent with DHCD's Compliance

AMEND ZONING BYLAW AND MAP – VILLAGE & MULTI-FAMILY OVERLAY DISTRICTS
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Guidelines and this section to facilitate equitable size, physical characteristics, location, and access to services for the inclusionary units and the form of required legal restrictions.

6. Certificate of occupancy. No certificate of occupancy for a [residence-dwelling unit](#) in a development permitted under this section shall be issued until the regulatory agreements for any inclusionary dwelling units are recorded.

7.5.13 Playground and Recreation Areas. Any development containing forty (40) or more dwelling units shall provide an outdoor play area or common space appropriate for use by families with children which may include features such as swings, jungle-gyms, slides, tables, chairs, benches and similar features. Areas shall incorporate universal design standards.

7.5.14 Conditions. The Planning Board may impose reasonable terms and conditions, consistent with the parameters established by DHCD's Compliance Guidelines, to promote these objectives and serve the purposes of this section. Approval may reasonably regulate matters such as vehicular access and circulation on site, architectural design of a building, site design, and screening for adjacent properties. The Board may require a performance guarantee to ensure compliance with these conditions.

- 4) Amend the Zoning Map to add the following areas shown on maps on file with the Town Clerk to the [VMO](#) District:

- a. East Lexington
- b. Bedford Street/Worthen Road
- ~~c.~~ [Bedford Street/Reed Street](#)
- ~~e-d.~~ [Bedford Street/Bike Path](#)
- ~~d-e.~~ Marrett Road/Waltham Street
- ~~e-f.~~ Marrett Road/Spring Street
- ~~f-g.~~ Concord Avenue/Waltham Street

- 5) Amend the Zoning Map to add the following areas shown on maps on file with the Town Clerk to the [VMFO](#) District:

- ~~g-h.~~ Lexington Center
- ~~h-i.~~ Bedford Street North

- 7) Amend the Zoning Map to add the following areas shown on maps on file with the Town Clerk to the VHO District:

- ~~i-j.~~ Hartwell Avenue/Westview Street
- ~~j-k.~~ Maguire Road
- ~~k-l.~~ Hartwell Avenue/Wood Street

DRAFT



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RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD

ARTICLE 34: AMEND ZONING BYLAW AND ZONING MAP FOR MULTI-FAMILY HOUSING FOR MBTA COMMUNITIES

RECOMMENDATION

On Wednesday, February 15, 2023, after three public hearings, the Planning Board unanimously voted five (5) in favor and none (0) opposed, to recommend that Town Meeting **approve** Article 34 to Amend the Zoning Bylaw and Zoning Map to allow multi-family housing by adding a new Section 7.5 and establishing Village and Multi-Family Overlay Districts on the Zoning Map.

JUSTIFICATION FOR RECOMMENDATION

The zoning overlay districts established under Article 34:

- Are consistent with multiple goals, objectives, and directives from the 2022 *Lexington NEXT* Comprehensive Plan:
 - Goal 1: To promote the diversity, equity, and inclusion of people visiting, living, and working in Lexington.
 - Remove barriers to living in Lexington (*objective 1.1*)
 - Goal 2: To promote a wide range of housing options:
 - Produce a range of housing types in a variety of locations throughout town (*objective 2.1*)
 - Increase the supply of subsidized housing (*objective 2.2*)
 - Increase the effectiveness of housing efforts (*objective 2.6*)
 - Affirmatively further fair housing (*objective 2.9*)
 - Goal 3: To promote a vital economy, including a variety of small and large businesses that contribute to the tax base and provide goods and services to meet the needs of residents, employees, and visitors.
 - Encourage private redevelopment in large commercial areas, making them more exciting (*objective 3.1*)
 - Improve Lexington Center so that it becomes more of a destination (*objective 3.3*)
 - Retain and support existing businesses and evaluate opportunities for commercial growth in strategic locations (*objective 3.4*)

- Goal 7: To make traveling into Lexington safe, pleasant, and efficient with sustainable and equitable mobility options for all ages and abilities.
 - Adopt land use policies that advance the town's transportation goals (*objective 7.5*)
- To develop zoning that will create housing production. Zoning to the minimum state compliance will not create more housing nor vibrant business districts due to land and construction costs;
- Proposed districts are 2% of Lexington's total land area;
- Disperse multi-family housing throughout town, on many lots, to promote gradual and incremental change;
- Advances Select Board's goals for more affordable and accessible housing and vibrant mix of businesses;
- Address the region's housing crisis through zoning of multi-family housing;
- Provide more housing options for the local and regional workforce by enabling density that is suitable for both sale and for rent housing;
- Require 10-15% of a project's dwellings to be available for households with limited income and add dwelling units to Lexington's Subsidized Housing Inventory (SHI);
- Promote economic vitality and multimodal transportation by locating districts near bus stops and bus routes, near the Minuteman Bikeway, and in areas near businesses;
- Create walkable neighborhoods with transit-oriented housing opportunities near public transportation and businesses;
- Are consistent with Lexington's 2020 Town Meeting Systemic Racism Resolution to consider "racial and other equity impacts in all decisions and planning processes in order to work towards dismantling systemic racism and white privilege, and take action to integrate racial equity tools into policy making...";
- Are supported by the findings of the Vision for Lexington 2022 town-wide survey;
- Create vibrant commercial areas enjoyable to current and future residents;
- Incentivize mixed uses by allowing higher heights for housing above businesses to help keep a strong commercial tax base to fund town services;
- Are consistent with the Planning Board's long-standing goal to broaden housing opportunities;
- Provide height incentives, i.e., economic development incentives, to developers with the objectives of preserving street level small businesses where they exist today and where they contribute to the vitality of our neighborhoods; and
- Lexington has received \$2,670,500 in MassWorks grants for intersection and sidewalk improvements. Communities must meet the statute to be eligible for MassWorks infrastructure grant programs. Ensure compliance with MGL c. 40A § 3A for MBTA Communities, providing a competitive advantage for state grants and state funding and avoiding ineligibility for certain grants and other consequences of not following a state mandate.

PUBLIC PROCESS:

Since the last Annual Town Meeting in 2022, the Planning Board has held 23 public meetings, including a community workshop, eight public work sessions, and three public hearings and public presentations where the public, community members, property owners, and Town Meeting members were invited and encouraged to participate. At the October 25, 2022 Community Workshop, 80 residents were introduced to the law and were asked to identify general locations for housing. The resident-created maps from the workshop served as the basis for the Planning Board's proposed districts. The Planning Board found the resident-created map locations to be logical and defensible when defining the multi-family housing districts.

On Wednesday, February 1, 2023, after publication of the legal advertisement in the Lexington Minuteman Newspaper on January 12, 2023 and January 19, 2023, the Planning Board opened the public hearing. Continued public hearings were held on February 8 and February 15. The public hearing closed on February 15 and the Board voted to approval of Article 34.

Over 200 people attended the February 1st public hearing. A total of 94 written comments were submitted during the public hearings and considered by the Planning Board. The Board carefully considered all testimony and comments to develop the zoning proposal being presented to Town Meeting.

RECORD OF THE VOTE:

Michael Schanbacher moved that the Planning Board recommend that Town Meeting **approve** the motion under Article 34 as presented. Melanie Thompson seconded the motion. The Planning Board voted in favor of the motion 5-0-0 (Roll Call: Robert Creech – yes, Charles Hornig – yes, Robert Peters – yes, Michael Schanbacher – yes, Melanie Thompson – yes).

SIGNATURE OF THE PLANNING BOARD CHAIR

Robert D. Peters

Exhibits:

Resident [Created Community Workshop Map](#), combined, from October 25, 2022

Approved [Planning Board Meeting Minutes](#)

DRAFT

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Article 35: Supplemental Inclusionary Housing Requirements

PRESENTER:

Board Discussion

ITEM NUMBER:

SUMMARY:

The Planning Board held a public hearing for Town Meeting Article 35 on February 1 and continued to February 8 and February 15. The Planning Board closed the public hearing on February 15 and voted to recommend Town Meeting *refer* this article to the Planning Board.

The Board will review the draft report to Town Meeting with their recommendation.

Select member to do the Town Meeting presentation.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description	Type
☐ Article 35 Motion	Exhibit
☐ Draft Article 35 Report	Exhibit

Town of Lexington
Motion
2023 Annual Town Meeting

ARTICLE 35

**AMEND ZONING BYLAW
SUPPLEMENTAL INCLUSIONARY HOUSING REQUIREMENTS**

MOTION:

The Planning Board recommends Town Meeting refer this article to the Planning Board.

(02/24/2023)



Town of Lexington

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

RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD

ARTICLE 35: AMEND ZONING BYLAW – SUPPLEMENTAL INCLUSIONARY HOUSING REQUIREMENTS

RECOMMENDATION

On Wednesday, February 15, 2023, after three public hearings, the Planning Board unanimously voted five (5) in favor and none (0) opposed, to recommend that Town Meeting *refer* Article 35 for Supplemental Inclusionary Housing Requirements to the Planning Board.

RATIONALE FOR RECOMMENDATION

The Department of Housing & Community Development (DHCD)'s *Compliance Guidelines for Multi-family Zoning Districts* permit municipalities to require 10% of units in a project to be affordable units with a cap on the income of households not less than 80% of the Area Median Income (AMI). DHCD may approve a greater percentage of affordable units over 10%, but never more than 20%, if a third party provides an economic feasibility analysis of the zoning demonstrating that the variety of housing units can be feasibly be developed.

The Planning Board initially placed this article on the warrant separately from Article 34 with the intent of performing the study and requiring more 10% of a project's units to be affordable. After consultation with Town Counsel, the Board has incorporated all affordable housing language into the motion under Article 34.

PUBLIC PROCESS:

On Wednesday, February 1, 2023, after publication of the legal advertisement in the Lexington Minuteman Newspaper on January 12, 2023 and January 19, 2023, the Planning Board opened the public hearing. Continued public hearings were held on February 8 and February 15. The public hearing closed on February 15 and the Board voted to refer the matter to the Planning Board.

Over 200 people attended the February 1st public hearing. A total of 94 written comments were submitted during the public hearings and considered by the Planning Board. The Board carefully considered all testimony and comments to develop the zoning proposal being presented to Town Meeting.

RECORD OF THE VOTE:

Michael Schanbacher moved that the Planning Board recommend that Town Meeting *refer* Article 35 to the Planning Board. Melanie Thompson seconded the motion. The Planning Board voted in favor of the motion 5-0-

0 (Roll Call: Robert Creech – yes, Charles Hornig – yes, Robert Peters – yes, Michael Schanbacher – yes, Melanie Thompson – yes).

SIGNATURE OF THE PLANNING BOARD CHAIR

Robert D. Peters

Exhibit:

[Approved Planning Board Meeting Minutes](#)

DRAFT

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Article 36: Amend Zoning Map – Central Business District

PRESENTER:

Board Discussion

ITEM NUMBER:

SUMMARY:

This article would move several properties adjacent to the Central Business (CB) District into the district to facilitate consistent development. The properties proposed include the Meriam Street parking lot, areas between that parking lot and the existing CB District used for parking or recreation, the medical building at 16 Clarke Street, and the adjacent residential property at 7 Raymond St.

Amend the Zoning Map to rezone the following areas into the CB District as shown on the map below:

- a. Lots 5A, 79, and 80 on assessor's map 49; and
- b. All portions of the area bounded by Massachusetts Avenue, Meriam Street, the northern sideline of the Minuteman Commuter Bikeway, and Grant Street not currently located in the CB District.

The Planning Board opened the public hearing on this article on February 1 and held continued hearings on February 8 and 15. On February 15, the Planning Board voted to close the hearing and recommend Town Meeting approve article 36. The Board will review a draft report with their recommendation to Town Meeting.

SUGGESTED MOTION:

The Board should review the draft recommendation, make any edits, and vote to approve the recommendation to Town Meeting and vote to have the Chair sign the report.

Select member to do the Town Meeting presentation.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description		Type
	Article 36 Motion	Exhibit
	Draft Article 36 Report	Cover Memo

Town of Lexington
Motion
2023 Annual Town Meeting

ARTICLE 36

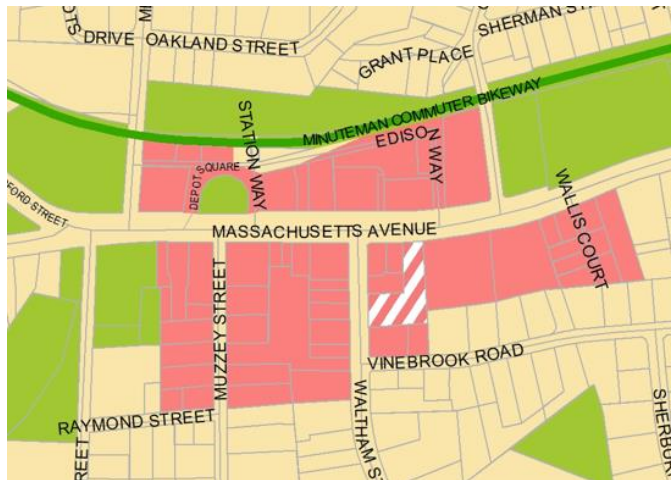
**AMEND ZONING BYLAW AND MAP
CENTRAL BUSINESS DISTRICT**

MOTION:

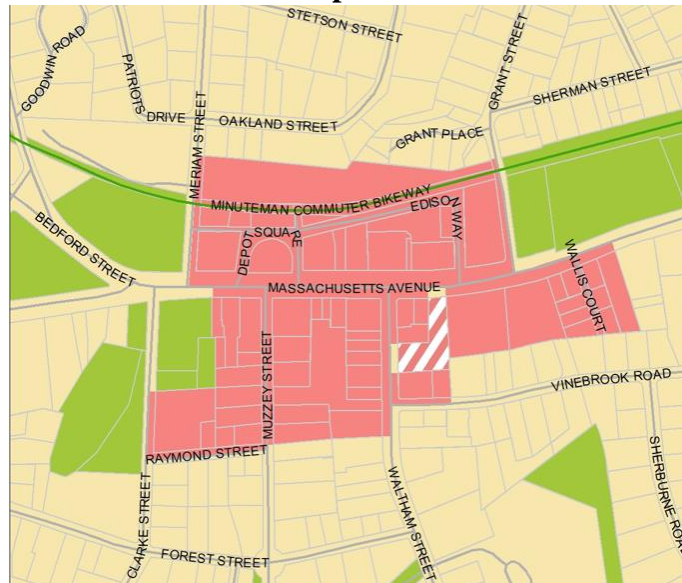
That the Zoning Map be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

1. Amend the Zoning Map to rezone the following areas into the CB District:
 - a. Lots 5A, 79, and 80 on assessor's map 49; and
 - b. All portions of the area bounded by Massachusetts Avenue, Meriam Street, the northern sideline of the Minuteman Commuter Bikeway, and Grant Street not currently located in the CB District.

Existing:



Proposed:





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Melanie Thompson, Clerk
Robert Creech, Member
Charles Hornig, Member
Michael Leon, Associate Member

RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD

ARTICLE 36: AMEND ZONING MAP - CENTRAL BUSINESS DISTRICT

RECOMMENDATION

On Wednesday, February 15, 2023, after three public hearings, the Planning Board unanimously voted five (5) in favor and none (0) opposed, to recommend that Town Meeting **approve** Article 36 to amend the zoning map to expand the Central Business (CB) District.

RATIONALE FOR RECOMMENDATION

This article proposes to amend the Zoning Map by incorporating the following lots and areas into the adjacent CB zoning district:

- The municipal parking lot on Meriam Street, currently zoned GC (Government Civic);
- The medical building at 16 Clarke Street, currently zoned RS (One-Family);
- The residential property at 7 Raymond Street, currently zoned RS; and
- Other areas completely surrounded by the new district boundaries, including a segment of the Minuteman Commuter Bikeway (currently zoned GC), remnants adjacent to the Bikeway (currently zoned RS), and Emery Park (currently zoned GC).

The purpose of this article is to facilitate development consistent with the rest of the CB District. No changes to the Zoning Bylaw are proposed with this article — these areas would be subject to the current CB District allowable uses and dimensional controls, including the 25-foot height limit.

Rezoned areas owned by the Town can not have their current use changed without Town approval. In the case of Emery Park, approval by the legislature would also be required.

PUBLIC PROCESS:

On Wednesday, February 1, 2023, after publication of the legal advertisement in the Lexington Minuteman Newspaper on January 12, 2023, and January 19, 2023, the Planning Board opened the public hearing. Continued public hearings were held on February 8 and February 15. The public hearing closed on February 15 and the Board voted to recommend that Town Meeting approve Article 36.

RECORD OF THE VOTE:

Michael Schanbacher moved that the Planning Board recommend that Town Meeting **approve** Article 36. Melanie Thompson seconded the motion. The Planning Board voted in favor of the motion 5-0-0 (Roll Call: Robert Creech – yes, Charles Hornig – yes, Robert Peters – yes, Michael Schanbacher – yes, Melanie Thompson – yes).

SIGNATURE OF THE PLANNING BOARD CHAIR

Robert D. Peters

Exhibit:

[Approved Planning Board Meeting Minutes](#)

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Article 37: Extend Action Deadline for Major Site Plan Review

PRESENTER:

Board Discussion

ITEM NUMBER:

SUMMARY:

The Planning Board opened the public hearing on this article on February 1st, held continued hearings on February 8 and 15, and voted to close the hearing on February 15. On February 15, the Board voted to recommend Town Meeting approve article 37. The Board will review their draft report to Town Meeting.

This article would extend the Planning Board's current 60-day application action deadline for Major Site Plan Review applications.

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows:

1. Amend §135-9.5.4.4 as follows:
 4. The Planning Board or its designee shall review and act upon the site plan, requiring such conditions as necessary to satisfy the Review Standards and the Zoning Regulations, and notify the applicant of its decision. The decision shall be in writing and shall be rendered within 60 days (for a minor site plan review) and 150 days (for a major site plan review) from the date of submission of a complete application.

SUGGESTED MOTION:

The Board should review the draft recommendation, make any edits, and vote to approve the recommendation to Town Meeting and vote to have the Chair sign the report.

Select member to do the Town Meeting presentation.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description		Type
	Article 37 Motion	Exhibit
	Draft Article 37 Report	Cover Memo

Town of Lexington
Motion
2023 Annual Town Meeting

ARTICLE 37

**AMEND ZONING BYLAW
ACTION DEADLINE FOR MAJOR SITE PLAN REVIEW**

MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, where ~~struck through~~ text is to be removed and underlined text is to be added, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

1. Amend §135-9.5.4.4 as follows:
 4. The Planning Board or its designee shall review and act upon the site plan, requiring such conditions as necessary to satisfy the Review Standards and the Zoning Regulations, and notify the applicant of its decision. The decision shall be in writing and shall be rendered within 60 days (for a minor site plan review) and 150 days (for a major site plan review) from the date of submission of a complete application.

(02/24/2023)



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Melanie Thompson, Clerk
Robert Creech, Member
Charles Hornig, Member
Michael Leon, Associate Member

RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD

ARTICLE 37: AMEND ZONING BYLAW – ACTION DEADLINE FOR MAJOR SITE PLAN REVIEW

RECOMMENDATION

On Wednesday, February 15, 2023, after three public hearings, the Planning Board unanimously voted five (5) in favor and none (0) opposed, to recommend that Town Meeting **approve** Article 37 to amend the Zoning Bylaw to extend the action deadline for major site plan review from 60 days to 150 days.

JUSTIFICATION FOR RECOMMENDATION

Changing the time to review a major site plan from 60 days to 150 days gives the Planning Board and staff more time to review applications and gives the developer time to respond to comments during the public hearing. The proposed deadline is in line with typical special permit and subdivision review times.

PUBLIC PROCESS:

On Wednesday, February 1, 2023, after publication of the legal advertisement in the Lexington Minuteman Newspaper on January 12, 2023 and January 19, 2023, the Planning Board opened the public hearing. Continued public hearings were held on February 8 and February 15. The public hearing closed on February 15 and the Board voted to recommend approval of Article 37.

RECORD OF THE VOTE:

Michael Schanbacher moved that the Planning Board recommend that Town Meeting **approve** the motion under Article 37 as presented. Melanie Thompson seconded the motion. The Planning Board voted in favor of the motion 5-0-0 (Roll Call: Robert Creech – yes, Charles Hornig – yes, Robert Peters – yes, Michael Schanbacher – yes, Melanie Thompson – yes).

SIGNATURE OF THE PLANNING BOARD CHAIR

Robert D. Peters

Exhibits: Approved [Planning Board Meeting Minutes](#)

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Article 38: Minor Modifications to Approved Permits

PRESENTER:

Board Discussion

ITEM NUMBER:

SUMMARY:

Annual Town Meeting Warrant Article 38 - Amend Zoning Bylaw for Minor Modifications to approved permits. The Board opened the public hearing on February 1 and held continued hearings on February 8 and 15. On February 15, the Board closed the public hearing and voted to recommend approval of this article to Town Meeting. The Board will review a draft recommendation report to Town Meeting, make any edits, and then vote to finalize the recommendation to Town Meeting.

Amend Sections 9.2 and 9.4 of the Zoning Bylaw to create a process for minor modifications to projects that have received prior Board of Appeals or Planning Board approval.

This amendment would establish a process that would allow the Board of Appeals or Planning Board to consider requests for minor modifications to projects that have received prior approval at a public meeting without requiring a new public hearing.

SUGGESTED MOTION:

The Board should review the draft recommendation, make any edits, and vote to approve the recommendation to Town Meeting and vote to have the Chair sign the report.

Move to approve the report to Town Meeting and have the Chair sign the report.

Select member to do the Town Meeting presentation.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description		Type
	Article 38 Motion	Exhibit
	Draft Article 38 Report	Cover Memo

Town of Lexington
Motion
2023 Annual Town Meeting

ARTICLE 38

**AMEND ZONING BYLAW
MINOR MODIFICATIONS TO APPROVED PERMITS**

PROPOSED MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

- 1) Add a new § 135-9.2.2(5) as follows:
 5. To consider and approve minor modifications to an approved special permit, appeal, variance, or comprehensive permit. Minor modifications shall be limited to changes that do not have a material impact on the project permitted by the special permit, appeal, variance or comprehensive permit, and do not grant any zoning relief not originally requested or approved. Minor modifications shall be consistent with the Zoning Bylaw. Minor modifications may be authorized by a majority vote of the Board of Appeals. If the Board of Appeals in its review determines that a requested modification constitutes a major modification, it shall require the submission of an application for amendment requiring a new public hearing pursuant to M.G.L. c. 40A.

- 2) Add new § 135-9.4.7 as follows:

9.4.7 Modifications.

Any modification to an approved special permit requires prior approval from the SPGA. Certain requests may be considered as a minor modification, authorized by a majority vote of the SPGA. Minor modifications shall be limited to changes that do not have a material impact on the project permitted by the special permit, appeal variance or comprehensive permit, and do not grant any zoning relief not originally requested or approved. Minor modifications shall be consistent with the Zoning Bylaw. If the SPGA in its review determines that a requested modification constitutes a major modification, it shall require the submission of an application for amendment requiring a new public hearing pursuant to M.G.L. c.40A.



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Michael Leon, Associate Member

RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD

ARTICLE 38: AMEND ZONING BYLAW – MINOR MODIFICATIONS TO APPROVED PERMITS

RECOMMENDATION

On Wednesday, February 15, 2023, after three public hearings, the Planning Board unanimously voted five (5) in favor and none (0) opposed, to recommend that Town Meeting **approve** Article 38 to amend the zoning bylaw for minor modifications to approved permits.

RATIONALE FOR RECOMMENDATION

- This zoning amendment establishes a process in the Zoning Bylaw consistent with the current practices of the Board of Appeals and the Planning Board.
- The purpose is to streamline the Board's review process for applications requesting minor changes that have already had a public hearing and received Board approval.
- This amendment allows the Board to consider if the Applicant's request is minor at a public meeting. If the request is not deemed minor, the Applicant must submit a new application for a full public hearing.
- The Board of Appeals and Planning Board will establish regulations to detail the minor modification application process.

PUBLIC PROCESS:

On Wednesday, February 1, 2023, after publication of the legal advertisement in the Lexington Minuteman Newspaper on January 12, 2023 and January 19, 2023, the Planning Board opened the public hearing. Continued public hearings were held on February 8 and February 15. The public hearing closed on February 15 and the Board voted to recommend Town Meeting approve article 38.

RECORD OF THE VOTE:

Michael Schanbacher moved that the Planning Board recommend that Town Meeting **approve** Article 38. Melanie Thompson seconded the motion. The Planning Board voted in favor of the motion 5-0-0 (Roll Call: Robert Creech – yes, Charles Hornig – yes, Robert Peters – yes, Michael Schanbacher – yes, Melanie Thompson – yes).

SIGNATURE OF THE PLANNING BOARD CHAIR

Robert D. Peters

Exhibit:

[Approved Planning Board Meeting Minutes](#)

DRAFT

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Article 39: Technical Corrections

PRESENTER:

Board Discussion

ITEM NUMBER:

SUMMARY:

The Planning Board opened the public hearing on this article on February 1 and held continued hearings on February 8 and 15. On February 15, the Board closed the public hearing and voted to recommend Town Meeting approval article 39. The Board will review the recommendation report for Town Meeting.

This article would not change the Zoning Bylaw in any substantive way, but would correct any typos or errors discovered during the course of the public hearings for zoning amendments.

1. Amend § 135-9.5.5.3 as follows:
 3. Open space, natural features, and the landscape, emphasizing the function of natural, aesthetic, social, and ~~reactional~~ recreational design;
2. Amend § 135-6.7.3.2 as follows:
 2. An owner of the property on which the accessory apartment is to be created shall occupy one or the other of the dwelling units as a primary residence, except for temporary absences as provided herein. ~~For the purposes of this section, the "owner" shall be one or more individuals who constitute a family, who hold title directly or indirectly to the dwelling, and for whom the dwelling is the primary residence.~~

-

SUGGESTED MOTION:

Move to approve the report to Town Meeting with any edits made on March 1, and vote to have the Chair sign the report.

Select member to do the Town Meeting presentation.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description		Type
	Article 39 Motion	Exhibit
	Draft Article 39 Report	Cover Memo

Town of Lexington
Motion
2023 Annual Town Meeting

ARTICLE 39

**AMEND ZONING BYLAW
TECHNICAL CORRECTIONS**

PROPOSED MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, where ~~struck through~~ text is to be removed and underlined text is to be added, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

1. Amend § 135-9.5.5.3 as follows:
 3. Open space, natural features, and the landscape, emphasizing the function of natural, aesthetic, social, and ~~reactional~~ recreational design;
2. Amend § 135-6.7.3.2 as follows:
 2. An owner of the property on which the accessory apartment is to be created shall occupy one or the other of the dwelling units as a primary residence, except for temporary absences as provided herein. ~~For the purposes of this section, the "owner" shall be one or more individuals who constitute a family, who hold title directly or indirectly to the dwelling, and for whom the dwelling is the primary residence.~~



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Charles Hornig, Member
Michael Leon, Associate Member

RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD ARTICLE 39: AMEND ZONING BYLAW – TECHNICAL CORRECTIONS

RECOMMENDATION

On Wednesday, February 15, 2023, after three public hearings, the Planning Board unanimously voted five (5) in favor and none (0) opposed, to recommend that Town Meeting **approve** Article 39 to amend the zoning bylaw for technical corrections.

RATIONALE FOR RECOMMENDATION

This zoning amendment is intended to correct errors and provide clarifications for consistency. It is not intended to alter the zoning in any substantive way. The changes are:

- Correcting a spelling error to change “reactional” to “recreational”; and
- Removal of the term “family” consistent with the 2021 Special Town Meeting article to use more inclusive language.

PUBLIC PROCESS:

On Wednesday, February 1, 2023, after publication of the legal advertisement in the Lexington Minuteman Newspaper on January 12, 2023 and January 19, 2023, the Planning Board opened the public hearing. Continued public hearings were held on February 8 and February 15. The public hearing closed on February 15 and the Board voted to recommend Town Meeting approve Article 39.

RECORD OF THE VOTE: Michael Schanbacher moved that the Planning Board recommend that Town Meeting **approve** Article 39. Melanie Thompson seconded the motion. The Planning Board voted in favor of the motion 5-0-0 (Roll Call: Robert Creech – yes, Charles Hornig – yes, Robert Peters – yes, Michael Schanbacher – yes, Melanie Thompson – yes).

SIGNATURE OF THE PLANNING BOARD CHAIR

Robert D. Peters

Exhibit:

[Approved Planning Board Meeting Minutes](#)

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

15-17 Fairland St & 185 Lincoln St. – Accept performance guarantee and endorse approved plans

PRESENTER:

Staff

ITEM NUMBER:

SUMMARY:

On November 9, 2022, the Planning Board approved a minor modification to the 2019 special permit 16 dwelling units. Planning Board's Approval can be found here (PDF). Prior to building permits, the Board needs to accept a performance guarantee and vote to endorse the approved plans.

A covenant has been submitted for the Board's review and approval, attached. Staff has reviewed and recommends approval.

SUGGESTED MOTION:

Board should vote to accept the covenant and vote to endorse the approved plans.

After the vote, board members will need to sign the plans and covenant for recording at the Registry.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description	Type
Board 2022 Modification Approval	Exhibit

	Final Approved Plans	Exhibit
	Utility Easement 4	Exhibit
	Draft Covenant	Exhibit



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2022 14 Nov, 3:38 pm

TOWN CLERK Robert D. Peters, Chair
LEXINGTON MA Michael Schanbacher, Vice Chair
Melanie Thompson, Clerk
Robert Creech, Member
Charles Hornig, Member
Michael Leon, Associate Member

**DECISION OF THE LEXINGTON PLANNING BOARD
ON A MINOR MODIFICATION TO THE SPECIAL PERMIT RESIDENTIAL DEVELOPMENT
BALANCED HOUSING DEVELOPMENT**

15-17 FAIRLAND STREET & 185 LINCOLN STREET

Assessor's Map 42 & Lots 204C, 205 & 233

November 9, 2022

The Lexington Planning Board (the "Board") at a meeting on November 9, 2022 voted to **approve** a Minor Modification to a balanced housing development special permit known as Fairland Commons originally approved on July 10, 2019 for 16 dwelling units, 14 accessible from an interior drive off Fairland Street and two of the units accessible from 185 Lincoln Street (the "Project"). On April 15, 2020, the Project was modified to create a 25-ft. wide reservation easement from the interior driveway to the adjacent ~1.5-acre landlocked property of Lincoln Street Assessor's Map 42, Lot 232B.

The modification considered by the Board on November 9, 2022 proposes to modify the approved plans by establishing three utility easements, an access easement on the Fairland Commons properties to benefit the abutting property off Lincoln Street Map 42, Lot 232B and a grading easement on Lot 232B for the benefit of the Fairland Commons Properties, by amending the language of condition # 33 of the Board's April 15, 2020 modification approval.

APPLICANT: Barons Custom Homes
1 Garfield Circle
Burlington, MA 01803

PROPERTY OWNERS: Philip & Terry Joy
17 Fairland Street (Map 42, Lot 204C)
Lexington, MA 02421

15 Fairland LLC (Map 42, Lot 205)
1 Garfield Circle Unit 6
Burlington, MA 01803

185 Lincoln LLC (Map 42, Lot 233)
1 Garfield Circle Unit 6
Burlington, MA 01803

PROPERTY LOCUS: 17 Fairland Street (Map 42, Lot 204C)
15 Fairland Street (Map 42, Lot 205)
185 Lincoln Street (Map 42, Lot 233)
Lexington, MA 02420

BACKGROUND AND PROJECT SUMMARY

The Applicant applied for a minor modification to the previously approved balanced housing special permit residential development, which was originally granted by the Board on July 10, 2019. On April 15, 2020, the Project was modified to create a 25-ft. wide reservation easement from the interior driveway to the adjacent ~1.5-acre landlocked property known as Assessor's Map 42, Lot 232B. The Project had been the subject of an appeal, to the Massachusetts Superior and Appeals Court, and on May 12, 2022 remanded to the Board for further proceedings. See Memorandum and Order, Wang v. Planning Board of Lexington, 21-P-513 (May 12, 2022) ("Appeals Court Decision").

The purpose of this minor modification is to modify the approved plans to establish three utility easements, and an access easement on the Applicant's Fairland Commons properties to the benefit of the abutting ~66,384 sq. ft. property off Lincoln Street at Assessor's Map 42, Lot 232B and a grading easement on abutting Lot 232B for the benefit of Applicant's Fairland Commons properties.

The only modifications associated with this request are to amend the approved plans to show five easements as shown on the plan set entitled "Site Plan Balanced Housing Development Fairland Commons, 15 & 17 Fairland Street – 185 Lincoln Street, Lexington, Massachusetts" prepared by Decelle-Burke-Sala & Associates, Inc, dated March 20, 2019, revised through September 25, 2022, consisting of 18 plan sheets as further detailed in the modification's cover letter titled "Addendum A" and to amend the language of condition # 33 of the Planning Board's April 15, 2020 special permit modification approval.

STATEMENT OF FINDINGS

After having reviewed all the plans and reports filed by the Applicant, the Board has determined that the Application complies with the requirements of the Zoning Bylaw and the Board's Subdivision and Zoning Regulations. The Board makes the following procedural findings and project findings:

FINDINGS:

1. The Board finds this request to be a minor modification to the balanced housing development special permit approvals of July 10, 2019 and April 15, 2020 because it does not materially change the original approval for 16 dwelling units.
2. The July 10, 2019 and the April 15, 2020, balanced housing development special permit approvals were subject to an appeal by the abutting property owner Chuan Wang, who sought legal access and a reservation easement from the subdivision to his property off Lincoln Street-at Map 42, Lot 232B.
3. The Board finds that the submitted modified plans revised through September 25, 2022 and the modified condition #33 below do provide access from the interior drive off Fairland Street to Mr. Wang's abutting property at Lincoln Street Map 42 Lot 232B, pursuant to § 175-7.2 C (2).
4. Lexington Planning Board members Charles Hornig, Robert Peters, Michael Schanbacher, Robert Creech, and Melanie Thompson deliberated on the Application at a duly authorized meeting on November 9, 2022. Mr. Wang and his legal counsel attended the meeting, participated in public comment, and indicated support for the Application.

DECISION

At a meeting on November 9, 2022, the Planning Board evaluated the request in relation to the above findings, and did this day by a vote of five (5) in favor and none (0) opposed, vote to **approve** the Minor Modification as described above and as outlined in the application submission and accept the revised plan set entitled "Site Plan Balanced Housing Development Fairland Commons, 15 & 17 Fairland Street – 185 Lincoln Street, Lexington, Massachusetts" prepared by Decelle-Burke-Sala & Associates, Inc, dated March 20, 2019, revised through September 25, 2022, consisting of 18 plan sheets with the following conditions:

1. Prior to endorsement, the Applicant shall provide a performance guarantee in a manner acceptable to the Board prior to the release of any lots or the issuance of any building permits from the construction of any buildings, to insure the required improvements related to the construction of the road and services will be constructed and installed in accordance with the balanced housing development special permit approval, pursuant to § 175-6.5 of the Board's Subdivision Regulations.
2. Applicant is responsible for filing this special permit modification approval, the endorsed Proposed Layout Plan (sheet 5 of 18) and the Property Rights and Dimensional Standards & Easement Plan (sheet 18 of 18) both revised through September 25, 2022, and all related easement documents with the South Middlesex Registry of Deeds.
3. Proof of recording including document bearing the date of recording and the book and page number of this Special Permit Modification, the Proposed Layout sheet 5, and the Property Rights and Dimensional Standards and Easement Plan sheet 18 of the approved plan set shall be submitted to the Planning Office prior to issuance of any building permits.
4. The conditions of the July 10, 2019 Special Permit and the April 15, 2020 Special Permit Modification shall remain in full force in effect with the exception of condition # 33 of the April 15, 2020 approval, which is amended by this modification approval.
5. Special Permit condition of approval # 33 of the Board's April 15, 2020 Special Permit Modification is hereby amended to state that these modified plans provide legal access to the abutting property owned by Chuan Wang pursuant to Subdivision Regulations § 175-7.2 C (2) by providing an easement for access from the way to the adjacent property off Lincoln Street Map 42, Lot 232B.

Approval #33 shall now read as follows:

The modified plans as approved by the Board on November 9, 2022 provide legal access to the abutting property owned by Chuan Wang pursuant to Subdivision Regulations § 175-7.2 C (2) by providing an easement for access from the way to the adjacent property off Lincoln Street, Map 42 Lot 232B. This decision does not determine whether the property off Lincoln Street, Map 42 Lot 232B, "can be developed" within the meaning of Subdivision Regulation § 175-7.2 C (1) with the benefit of the easements reflected in the plans approved on November 9, 2022. The Board reserves decision on that question until presented with an appropriate application requiring its determination.

APPLICATION AND PLANS


The Planning Board evaluated the request for the Minor Modification of the Fairland Commons Balanced Housing Development Special Permit filed by the Applicant on October 24, 2022 and the following related submissions ("Project"):

1. Application and owner authorizations, submitted to the Planning Board permit # PLAN-22-19, stamped by the Town Clerk on October 25, 2022.
2. Applicant's minor modification cover letter titled "addendum A" describing easements.
3. Planning Board special permit granted on July 10, 2019.
4. Planning Board special permit modification granted on April 15, 2020.
5. Approved plan set entitled "Site Plan Balanced Housing Development Fairland Commons, 15 & 17 Fairland Street – 185 Lincoln Street, Lexington, Massachusetts" prepared by Decelle-Burke-Sala & Associates, Inc. dated March 20, 2019, revised through June 12, 2019 consisting of 19 sheets plan.
6. Modified plan set entitled "Site Plan Balanced Housing Development Fairland Commons, 15 & 17 Fairland Street – 185 Lincoln Street, Lexington, Massachusetts" prepared by Decelle-Burke-Sala & Associates, Inc. dated March 20, 2019, revised through September 25, 2022, consisting of 18 plan sheets.

RECORD OF VOTE

On November 9, 2022, the following members of the Planning Board voted to approve the Minor Modification to the balanced housing development special permit: Charles Hornig, Robert Peters, Michael Schanbacher, Robert Creech, and Melanie Thompson.

The following members of the Planning Board voted to deny the Minor Modification Request: None.


Robert Peters

10 Nov 2022
Date

SOIL TEST PIT DATA:

DATE PERFORMED:
12/29/17
TEST BY:
James W. Burke, SE #273

INDICATES
ESTIMATED
SEASONAL HIGH
GROUND WATER
INDICATES
OBSERVED
GROUND WATER

TEST PIT	1
GRD. EL.	313.1
GW. EL.	NGWO
0"	Ap. SANDY LOAM 10yr3/4 Friable
12"	Bw. SANDY LOAM 10yr4/6 Single grained
30"	C. SAND 25yr5/4 Tight grain and gravel with some silt and stones, massive
54"	LEDGE

TEST PIT	3
GRD. EL.	309.9
GW. EL.	NGWO
0"	Ap. SANDY LOAM 10yr3/4 Friable
10"	Bw. SANDY LOAM 10yr4/6 Single grained
28"	C. SAND 25yr5/4 Tight grain and gravel with some silt and stones, massive
48"	LEDGE

TEST PIT	5
GRD. EL.	310.7
GW. EL.	NGWO
0"	Ap. SANDY LOAM 10yr3/4 Friable
10"	Bw. SANDY LOAM 10yr4/6 Single grained
28"	C. SAND 25yr5/4 Tight grain and gravel with some silt and stones, massive
98"	LARGE BOULDER

TEST PIT	7
GRD. EL.	318.4
GW. EL.	NGWO
0"	Ap. SANDY LOAM 10yr3/4 Friable
8"	Bw. SANDY LOAM 10yr4/6 Single grained
20"	C. SAND 25yr5/4 Tight grain and gravel with some silt and stones, massive
48"	LEDGE

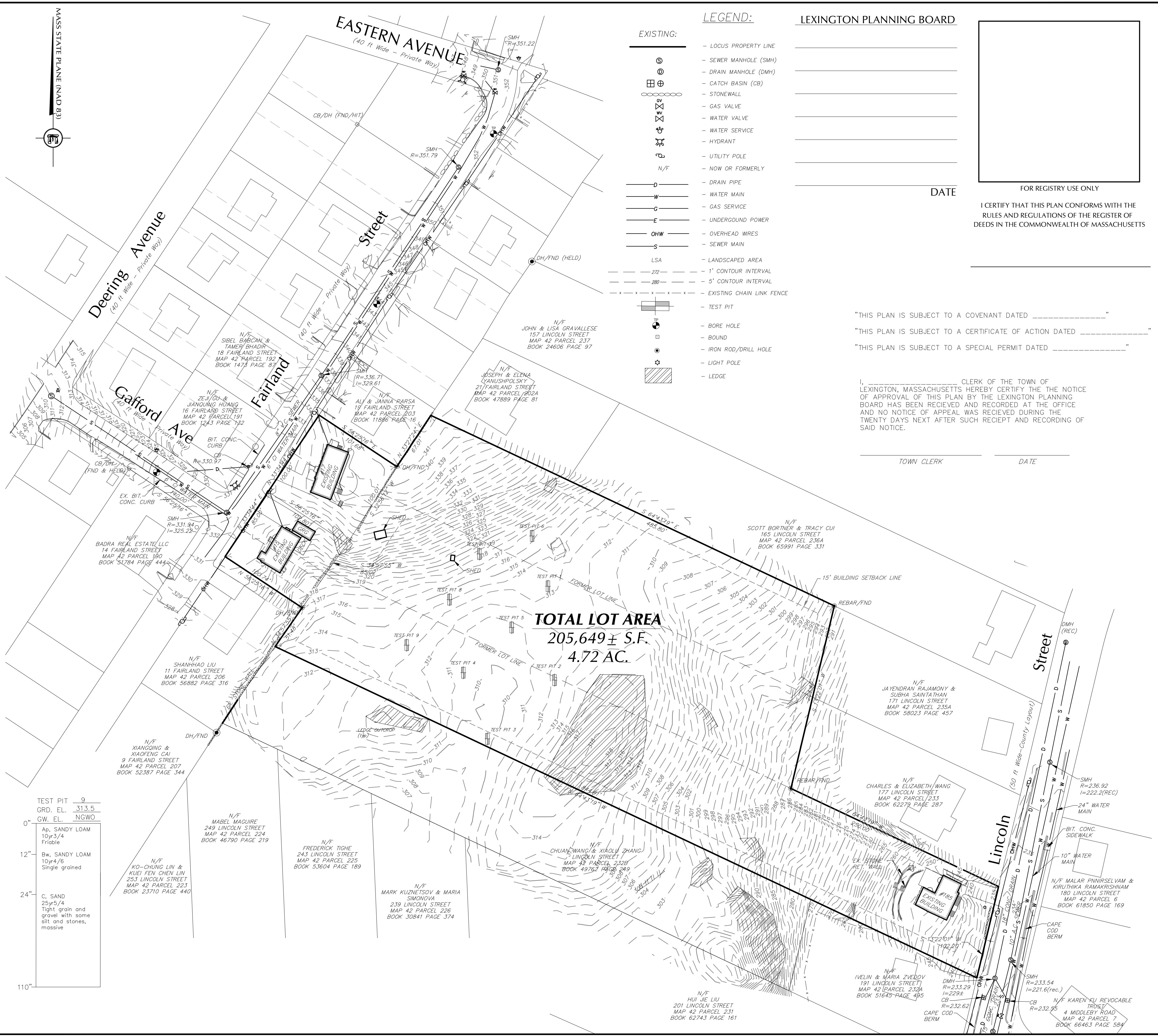
TEST PIT	2
GRD. EL.	312.2
GW. EL.	NGWO
0"	Ap. SANDY LOAM 10yr3/4 Friable
10"	Bw. SANDY LOAM 10yr4/6 Single grained
28"	C. SAND 25yr5/4 Tight grain and gravel with some silt and stones, massive
56"	LEDGE

TEST PIT	4
GRD. EL.	310.5
GW. EL.	NGWO
0"	Ap. SANDY LOAM 10yr3/4 Friable
12"	Bw. SANDY LOAM 10yr4/6 Single grained
24"	C. SAND 25yr5/4 Tight grain and gravel with some silt and stones, massive
130"	

TEST PIT	6
GRD. EL.	316.3
GW. EL.	NGWO
0"	Ap. SANDY LOAM 10yr3/4 Friable
12"	Bw. SANDY LOAM 10yr4/6 Single grained
28"	C. SAND 25yr5/4 Tight grain and gravel with some silt and stones, massive
98"	

TEST PIT	8
GRD. EL.	314.0
GW. EL.	NGWO
0"	Ap. SANDY LOAM 10yr3/4 Friable
10"	Bw. SANDY LOAM 10yr4/6 Single grained
28"	C. SAND 25yr5/4 Tight grain and gravel with some silt and stones, massive
122"	

TEST PIT	9
GRD. EL.	313.5
GW. EL.	NGWO
0"	Ap. SANDY LOAM 10yr3/4 Friable
12"	Bw. SANDY LOAM 10yr4/6 Single grained
24"	C. SAND 25yr5/4 Tight grain and gravel with some silt and stones, massive
110"	



- LEGEND:
- EXISTING:
- LOCUS PROPERTY LINE
 - SEWER MANHOLE (SMH)
 - DRAIN MANHOLE (DMH)
 - CATCH BASIN (CB)
 - STONEWALL
 - GAS VALVE
 - WATER VALVE
 - WATER SERVICE
 - HYDRANT
 - UTILITY POLE
 - NOW OR FORMERLY
 - DRAIN PIPE
 - WATER MAIN
 - GAS SERVICE
 - UNDERGROUND POWER
 - OVERHEAD WIRES
 - SEWER MAIN
 - LANDSCAPED AREA
 - 1' CONTOUR INTERVAL
 - 5' CONTOUR INTERVAL
 - EXISTING CHAIN LINK FENCE
 - TEST PIT
 - BORE HOLE
 - BOUND
 - IRON ROD/DRILL HOLE
 - LIGHT POLE
 - LEDGE

LEXINGTON PLANNING BOARD

DATE

FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS

"THIS PLAN IS SUBJECT TO A COVENANT DATED _____"

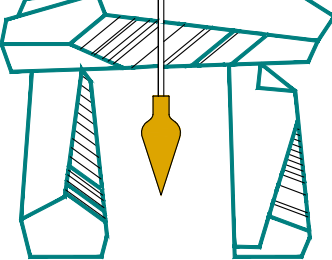
"THIS PLAN IS SUBJECT TO A CERTIFICATE OF ACTION DATED _____"

"THIS PLAN IS SUBJECT TO A SPECIAL PERMIT DATED _____"

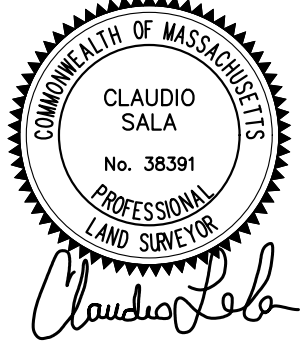
I, _____ CLERK OF THE TOWN OF LEXINGTON, MASSACHUSETTS HEREBY CERTIFY THE NOTICE OF APPROVAL OF THIS PLAN BY THE LEXINGTON PLANNING BOARD HAS BEEN RECIEVED AND RECORDED AT THE OFFICE AND NO NOTICE OF APPEAL WAS RECIEVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECIEPT AND RECORDING OF SAID NOTICE.

TOWN CLERK DATE

DeCELLE-BURKE-SALA



& Associates, Inc.
1266 Furnace Brook Parkway, Suite 401 Quincy, MA 02169
(617) 405-5100 (O) (617) 405-5101 (F)



Claudio Sala, PLS #38391

GENERAL NOTES:

- LOCUS: ASSESSORS MAP 42 LOT 205 (15 FAIRLAND ST.) MAP 42 LOT 204C (17 FAIRLAND ST.) MAP 42 LOT 233 (185 LINCOLN ST.)
RECORD OWNER: 15 FAIRLAND STREET 15 FAIRLAND STREET
DEED REFERENCE: BOOK 70488 - PAGE 431
PLAN REFERENCE: PLAN BOOK 143 No. 29
RECORD OWNER: PHILIP AND JOY TERRY 17 FAIRLAND STREET
DEED REFERENCE: BOOK 41474 PAGE 304
BOOK 34182 PAGE 201
PLAN REFERENCE: PLAN No. 1201 OF 2003
RECORD OWNER: 185 LINCOLN LLC
DEED REFERENCE: BOOK 70941 PAGE 229
PLAN REFERENCE: PLAN No. 540 OF 1946
- THIS PLAN IS THE RESULT OF AN ON THE GROUND SURVEY PERFORMED BY THIS OFFICE IN OCTOBER 2017-APRIL 2018. ELEVATIONS SHOWN REFER TO NAVD 88.
- EXISTING UTILITIES WHERE SHOWN IN THE DRAWINGS ARE FROM SURFACE OBSERVATION AND RECORD INFORMATION AND SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPERLY LOCATING AND COORDINATING THE PROPOSED CONSTRUCTION ACTIVITY WITH DIG-SAFE AND THE APPLICABLE UTILITY COMPANIES AND MAINTAINING THE EXISTING UTILITY SYSTEM IN SERVICE.
DIG-SAFE SHALL BE NOTIFIED PER THE STATE OF MASSACHUSETTS STATUTE CHAPTER 82, SECTION 40B AT TEL 1-888-344-7233. THE ENGINEER DOES NOT GUARANTEE THEIR ACCURACY OR THAT ALL UTILITIES AND SUBSURFACE STRUCTURES ARE SHOWN. LOCATIONS AND ELEVATIONS OF UNDERGROUND UTILITIES WERE TAKEN FROM RECORD PLANS. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION, AND INVERTS OF UTILITIES AND STRUCTURES AS REQUIRED PRIOR TO THE START OF CONSTRUCTION.
- THE LOT SHOWN LIES WITHIN ZONE X (NOT A SPECIAL FLOOD HAZARD ZONE) AS DELINEATED ON FIRM 25017C-0403E, DATED JUNE 4, 2010.
- PARCEL IS ZONED R5-SINGLE FAMILY.
MIN. LOT AREA = 15,500 S.F.
MIN. FRONTAGE = 125 FT.
MIN. FRONT YARD = 30 FT.
MIN. SIDE YARD = 15 FT.
MIN. REAR YARD = 15 FT.
- A 10' MINIMUM SEPARATION SHALL BE MAINTAINED FOR ALL TOWN OF LEXINGTON OWNED FACILITIES.

PROJECT TITLE & LOCATION:

Proposed Residential Development
in
Lexington, MA

PLAN TITLE:

EXISTING CONDITIONS

PREPARED FOR:

BARONS CUSTOM HOMES
1 GARFIELD CIRCLE
BURLINGTON, MA 01803

DATE: MARCH 20, 2019

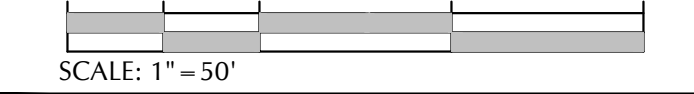
REVISED: JUNE 12, 2019 REVIEW COMMENTS

REVISED: MARCH 5, 2020 ACCESS EASEMENT

REVISED: APRIL 22, 2020 ACCESS EASEMENT/PB COMMENTS

REVISED: JUNE 19, 2020 WATER QUALITY TREATMENT

JOB NUMBER: 124.034 SHEET 2 OF 18



SOIL TEST PIT DATA:

DATE PERFORMED:
12/29/17
TEST BY:
James W. Burke, SE #273

INDICATES
ESTIMATED
SEASONAL HIGH
GROUND WATER
INDICATES
OBSERVED
GROUND WATER

INDICATES
PERC.
TEST

TEST PIT 1
GRD. EL. 311.0
GW. EL. NGWO
0" Ap. SANDY LOAM
10yr3/4
Friable
12" Bw. SANDY LOAM
10yr4/6
Single grained
30" C. SAND
25yr5/4
Tight grain and
gravel with some
silt and stones,
massive
54" LEDGE

TEST PIT 2
GRD. EL. 312.5
GW. EL. NGWO
0" Ap. SANDY LOAM
10yr3/4
Friable
10" Bw. SANDY LOAM
10yr4/6
Single grained
28" C. SAND
25yr5/4
Tight grain and
gravel with some
silt and stones,
massive
56" LEDGE

TEST PIT 3
GRD. EL. 310.5
GW. EL. NGWO
0" Ap. SANDY LOAM
10yr3/4
Friable
10" Bw. SANDY LOAM
10yr4/6
Single grained
28" C. SAND
25yr5/4
Tight grain and
gravel with some
silt and stones,
massive
48" LEDGE

TEST PIT 4
GRD. EL. 310.5
GW. EL. NGWO
0" Ap. SANDY LOAM
10yr3/4
Friable
12" Bw. SANDY LOAM
10yr4/6
Single grained
24" C. SAND
25yr5/4
Tight grain and
gravel with some
silt and stones,
massive
130" LEDGE

TEST PIT 5
GRD. EL. 310.7
GW. EL. NGWO
0" Ap. SANDY LOAM
10yr3/4
Friable
10" Bw. SANDY LOAM
10yr4/6
Single grained
28" C. SAND
25yr5/4
Tight grain and
gravel with some
silt and stones,
massive
98" LARGE BOULDER

TEST PIT 6
GRD. EL. 316.3
GW. EL. NGWO
0" Ap. SANDY LOAM
10yr3/4
Friable
12" Bw. SANDY LOAM
10yr4/6
Single grained
28" C. SAND
25yr5/4
Tight grain and
gravel with some
silt and stones,
massive
98" LEDGE

TEST PIT 7
GRD. EL. 318.4
GW. EL. NGWO
0" Ap. SANDY LOAM
10yr3/4
Friable
8" Bw. SANDY LOAM
10yr4/6
Single grained
20" C. SAND
25yr5/4
Tight grain and
gravel with some
silt and stones,
massive
48" LEDGE

TEST PIT 8
GRD. EL. 318.0
GW. EL. NGWO
0" Ap. SANDY LOAM
10yr3/4
Friable
10" Bw. SANDY LOAM
10yr4/6
Single grained
28" C. SAND
25yr5/4
Tight grain and
gravel with some
silt and stones,
massive
122" LEDGE

TEST PIT 9
GRD. EL. 313.5
GW. EL. NGWO
0" Ap. SANDY LOAM
10yr3/4
Friable
12" Bw. SANDY LOAM
10yr4/6
Single grained
24" C. SAND
25yr5/4
Tight grain and
gravel with some
silt and stones,
massive
110" LEDGE



RESPONSES TO CRITERIA FROM LEXINGTON PLANNING BOARD ZONING REGULATIONS, SITE ANALYSIS MAP SUBMISSION MATERIALS (SECTION 176-5.2.2):

- A. CONTOURS: SHOWN ON PLAN
B. STEEP SLOPES: SHOWN ON PLAN, LEGEND BELOW
C-D. MATURE TREES: SHOWN ON PLAN, LEGEND BELOW

SLOPE ANALYSIS:

- 0% - 15%
15% - 25%
25% - 40%
> 40%
ROCK OUTCROPPINGS

- EXISTING TREES (QTY):
DECIDUOUS 6"-12" DBH (485)
EVERGREEN 6"-12" DBH (5)
DECIDUOUS 12"-18" DBH (179)
EVERGREEN 12"-18" DBH (3)
DECIDUOUS 18"-24" DBH (16)
EVERGREEN 18"-24" DBH (1)
DECIDUOUS 24"+ DBH (5)
EVERGREEN 24"+ DBH (0)

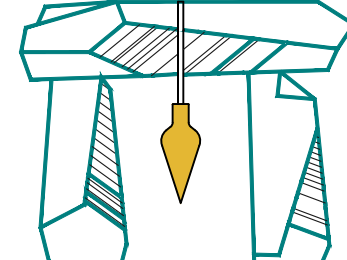
- E. SOIL TESTS: RESULTS SHOWN ON LEFT, TEST PIT LOCATIONS SHOWN ON PLAN
F. RIGHT-OF-WAYS OR EASEMENTS: SHOWN ON PLAN, NONE ON SITE
G. WETLANDS DELINEATION AND BOUNDARIES: THE SITE DOES NOT INCLUDE ANY WETLANDS OR AREAS WITHIN WETLAND BUFFERS AS IDENTIFIED BY MASS DEP OR OBSERVED IN THE FIELD.
H. HABITATS OF RARE OR ENDANGERED SPECIES: THE SITE DOES NOT INCLUDE HABITATS OF RARE OR ENDANGERED SPECIES AS IDENTIFIED BY THE NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM.
I. FENCES, STONE WALLS, TRAILS, OR ROCK OUTCROPPINGS: SHOWN ON PLAN AS APPLICABLE
J. EXISTING VEGETATION: SITE IS COVERED BY DECIDUOUS FOREST. MATURE TREES SHOWN ON PLAN.
K. AREAS OF VISUAL IMPACT: FOREST COVER ON AND AROUND THE SITE LIMITS VIEWS, ESPECIALLY IN THE SUMMER. PORTIONS OF THE EXISTING SITE ARE VISIBLE FROM THE STREET AND FROM SURROUNDING HOMES ON FAIRLAND AVE, TO VARYING EXTENTS DEPENDING ON TOPOGRAPHY AND VEGETATION. A 15' BUFFER AROUND THE SITE WILL BE MAINTAINED FOR SCREENING, AND THE EASTERN PART OF THE SITE WILL REMAIN UNDEVELOPED.
L. THE SITE IS SURROUNDED BY RESIDENTIAL DEVELOPMENT WHICH DOES NOT INCLUDE SOURCES OF SIGNIFICANT NOISE.
M. HISTORIC OR ARCHITECTURALLY SIGNIFICANT STRUCTURES OR SITES: THE SITE AND THE ADJACENT PROPERTIES DO NOT INCLUDE HISTORICALLY OR ARCHITECTURALLY SIGNIFICANT STRUCTURES AS IDENTIFIED BY THE MASSACHUSETTS CULTURAL RESOURCE INFORMATION SYSTEM.

EXISTING:

- LOCUS PROPERTY LINE
SEWER MANHOLE (SMH)
DRAIN MANHOLE (DMH)
CATCH BASIN (CB)
STONEWALL
GAS VALVE
WATER VALVE
WATER SERVICE
HYDRANT
UTILITY POLE
NOW OR FORMERLY
DRAIN PIPE
WATER MAIN
GAS SERVICE
UNDERGROUND POWER
OVERHEAD WIRES
SEWER MAIN
LANDSCAPED AREA
2' CONTOUR INTERVAL
10' CONTOUR INTERVAL
EXISTING CHAIN LINK FENCE
TEST PIT
TRANSFORMER
BORE HOLE LOCATION
BOUND
IRON ROD/DRILL HOLE (DH)
LIGHT POLE

LEGEND:

DeCELLE-BURKE-SALA



& Associates, Inc.
1266 Furnace Brook Parkway, Suite 401 Quincy, MA 02169
(617) 405-5100 (O) (617) 405-5101 (F)

DODSON & FLINKER

Landscape Architecture and Planning



GENERAL NOTES:
1. LOCUS: ASSESSORS MAP 42 LOT 205 (15 FAIRLAND ST.) MAP 42 LOT 204C (17 FAIRLAND ST.) MAP 42 LOT 233 (185 LINCOLN ST.)
RECORD OWNER: 15 FAIRLAND LLC 15 FAIRLAND STREET
DEED REFERENCE: BOOK 70488 PAGE 431
PLAN REFERENCE: PLAN BOOK 143 NO. 29
RECORD OWNER: PHILIP AND JOY TERRY 17 FAIRLAND STREET
DEED REFERENCE: BOOK 41474 PAGE 304
PLAN REFERENCE: BOOK 34182 PAGE 201
PLAN REFERENCE: PLAN No. 1201 OF 2003
RECORD OWNER: 185 LINCOLN LLC
DEED REFERENCE: BOOK 70541 PAGE 229
PLAN REFERENCE: PLAN No. 540 OF 1946

2. THIS PLAN IS THE RESULT OF AN ON THE GROUND SURVEY PERFORMED BY THIS OFFICE IN OCTOBER 2017-APRIL 2018. ELEVATIONS SHOWN REFER TO NAVD 88.
3. EXISTING UTILITIES WHERE SHOWN IN THE DRAWINGS ARE FROM SURFACE OBSERVATION AND RECORD INFORMATION AND SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPERLY LOCATING AND COORDINATING THE PROPOSED CONSTRUCTION ACTIVITY WITH DIG-SAFE AND THE APPLICABLE UTILITY COMPANIES AND MAINTAINING THE EXISTING UTILITY SYSTEM IN SERVICE.
DIG-SAFE SHALL BE NOTIFIED PER THE STATE OF MASSACHUSETTS STATUTE CHAPTER 82, SECTION 409 AT TEL 1-888-344-7233. THE ENGINEER DOES NOT GUARANTEE THEIR ACCURACY OR THAT ALL UTILITIES AND SUBSURFACE STRUCTURES ARE SHOWN. LOCATIONS AND ELEVATIONS OF UNDERGROUND UTILITIES WERE TAKEN FROM RECORD PLANS. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION, AND INVERTS OF UTILITIES AND STRUCTURES AS REQUIRED PRIOR TO THE START OF CONSTRUCTION.
4. THE LOT SHOWN LIES WITHIN ZONE X (NOT A SPECIAL FLOOD HAZARD ZONE) AS DELINEATED ON FIRM 25017C-0403E, DATED JUNE 4, 2010.
5. PARCEL IS ZONED RS-SINGLE FAMILY.
MIN. LOT AREA = 15,500 S.F.
MIN. FRONTAGE = 125 FT.
MIN. FRONT YARD = 30 FT.
MIN. SIDE YARD = 15 FT.
MIN. REAR YARD = 15 FT.

PROJECT TITLE & LOCATION:

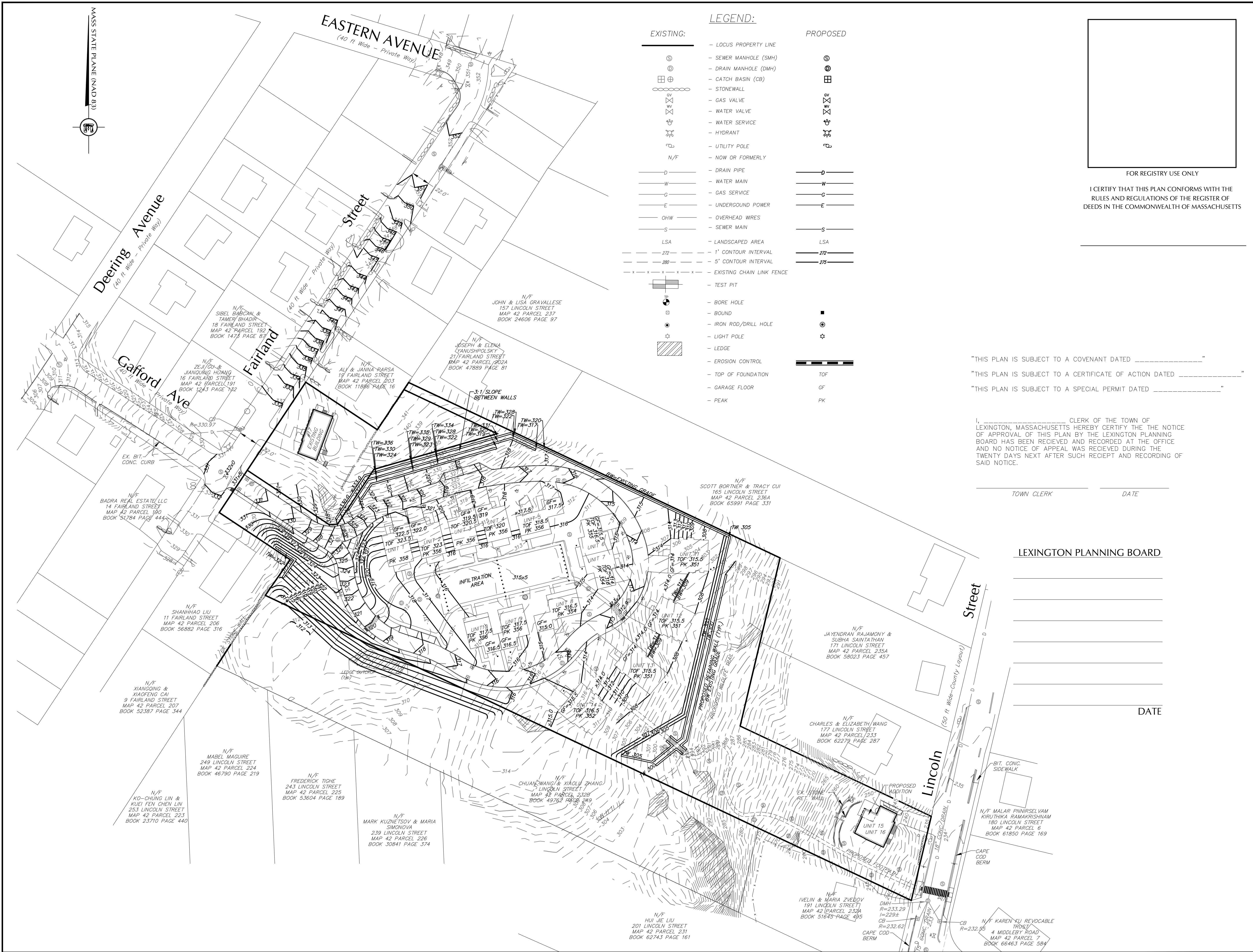
Proposed Residential Development in Lexington, MA

Site Analysis Map

PREPARED FOR:
Barons Custom Homes
1 Garfield Circle
Burlington, MA 01803

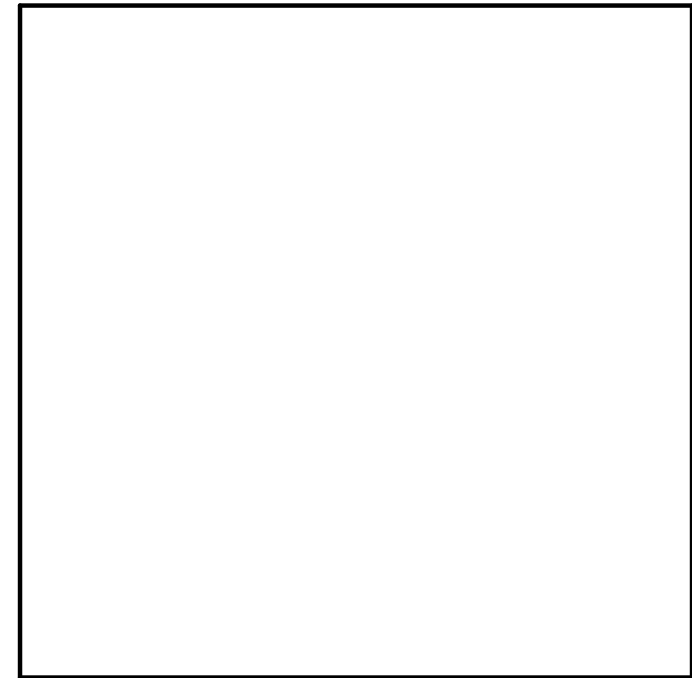
DATE: JUNE 24, 2019
REVISED:

JOB NUMBER: 124.034 SHEET 3 OF 18
SCALE: 1"=50'



LEGEND:

EXISTING:		PROPOSED
	- LOCUS PROPERTY LINE	
	- SEWER MANHOLE (SMH)	
	- DRAIN MANHOLE (DMH)	
	- CATCH BASIN (CB)	
	- STONEWALL	
	- GAS VALVE	
	- WATER VALVE	
	- WATER SERVICE	
	- HYDRANT	
	- UTILITY POLE	
	- NOW OR FORMERLY	
	- DRAIN PIPE	
	- WATER MAIN	
	- GAS SERVICE	
	- UNDERGROUND POWER	
	- OVERHEAD WIRES	
	- SEWER MAIN	
	- LANDSCAPED AREA	
	- 1' CONTOUR INTERVAL	
	- 5' CONTOUR INTERVAL	
	- EXISTING CHAIN LINK FENCE	
	- TEST PIT	
	- BORE HOLE	
	- BOUND	
	- IRON ROD/DRILL HOLE	
	- LIGHT POLE	
	- LEDGE	
	- EROSION CONTROL	
	- TOP OF FOUNDATION	
	- GARAGE FLOOR	
	- PEAK	



FOR REGISTRY USE ONLY
I CERTIFY THAT THIS PLAN CONFORMS WITH THE
RULES AND REGULATIONS OF THE REGISTER OF
DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS

"THIS PLAN IS SUBJECT TO A COVENANT DATED _____"
"THIS PLAN IS SUBJECT TO A CERTIFICATE OF ACTION DATED _____"
"THIS PLAN IS SUBJECT TO A SPECIAL PERMIT DATED _____"

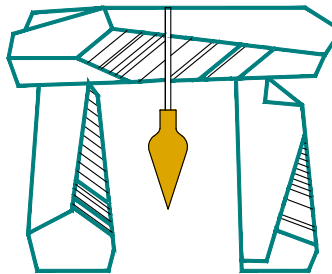
I, _____ CLERK OF THE TOWN OF
LEXINGTON, MASSACHUSETTS HEREBY CERTIFY THE THE NOTICE
OF APPROVAL OF THIS PLAN BY THE LEXINGTON PLANNING
BOARD HAS BEEN RECIEVED AND RECORDED AT THE OFFICE
AND NO NOTICE OF APPEAL WAS RECIEVED DURING THE
TWENTY DAYS NEXT AFTER SUCH RECIEPT AND RECORDING OF
SAID NOTICE.

TOWN CLERK DATE

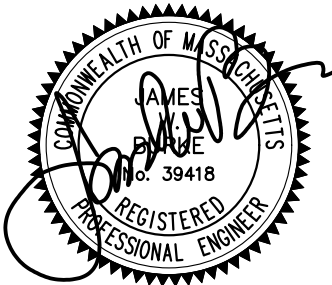
LEXINGTON PLANNING BOARD

DATE

DeCELLE-BURKE-SALA



& Associates, Inc.
1266 Furnace Brook Parkway, Suite 401 Quincy, MA 02169
(617) 405-5100 (O) (617) 405-5101 (F)



James W Burke, PE #39418

GENERAL NOTES:

- LOCUS: ASSESSORS MAP 42 LOT 205 (15 FAIRLAND ST.)
MAP 42 LOT 204C (17 FAIRLAND ST.)
MAP 42 LOT 233 (185 LINCOLN ST.)
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15 FAIRLAND STREET
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RECORD OWNER: PHILIP AND JOY TERRY
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PERFORMED BY THIS OFFICE IN OCTOBER 2017-APRIL 2018.
ELEVATIONS SHOWN REFER TO NAVD 88.
- EXISTING UTILITIES WHERE SHOWN IN THE DRAWINGS ARE FROM
SURFACE OBSERVATION AND RECORD INFORMATION AND SHOULD BE
CONSIDERED APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE
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MIN. LOT AREA = 15,500 S.F.
MIN. FRONTAGE = 125 FT.
MIN. FRONT YARD = 30 FT.
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- A 10' MINIMUM SEPARATION SHALL BE MAINTAINED FOR ALL TOWN OF
LEXINGTON OWNED FACILITIES.

PROJECT TITLE & LOCATION:

Proposed Residential
Development
in
Lexington, MA

PLAN TITLE:

PROPOSED GRADING

PREPARED FOR: BARONS CUSTOM HOMES
1 GARFIELD CIRCLE
BURLINGTON, MA 01803

DATE: MARCH 20, 2019

REVISED: JUNE 12, 2019 REVIEW COMMENTS

REVISED: MARCH 5, 2020 ACCESS EASEMENT

REVISED: APRIL 22, 2020 ACCESS EASEMENT/PB COMMENTS

REVISED: JUNE 19, 2020 WATER QUALITY TREATMENT

REVISED: SEPT 25, 2022 SETTLEMENT EASEMENTS

JOB NUMBER: 124.034 SHEET 6 OF 18

50 25 0 50 100
SCALE: 1" = 50'

UTILITY NOTES:

1. ALL PROPOSED WATER SERVICES TO BE 1" TYPE K COPPER AND TO HAVE A CURB STOP BROUGHT TO GRADE.
2. ALL WATER LINES TO HAVE A MINIMUM OF 4'-6" OF COVER.
3. PROPOSED WATER MAIN TO BE 6" CLASS 56 ZINC COATED DUCTILE IRON PIPE.
4. ALL HYDRANTS, WATER VALVES, AND VALVE BOXES TO BE AMERICAN MADE ONLY AND ALL WATER VALVES TO OPEN RIGHT (CLOCKWISE).
5. ALL BENDS AND DROPS IN THE PROPOSED WATER MAIN TO BE SUPPORTED BY A CONCRETE THRUST RESTRAINT.
6. ALL PROPOSED SEWER SERVICES TO BE 6" SDR35 PVC WITH A MIN. SLOPE OF 2% AND A MAX. SLOPE OF 8%.
7. ALL SEWER LINES TO HAVE A MINIMUM OF 4 FEET OF COVER.
8. A MINIMUM OF 5 FEET OF SEPARATION IS REQUIRED BETWEEN THE PROPOSED SEWER LINES AND THE PROPOSED INFILTRATION SYSTEM.
9. A MINIMUM OF 10 FOOT SEPARATION IS REQUIRED BETWEEN ALL PROPOSED WATER AND SEWER SERVICES.
10. ALL PROPOSED SEWER SERVICES TO BE CONNECTED TO THE SEWER MAIN USING A WYE CONNECTION AND A SEWER CLEANOUT SHALL BE BROUGHT TO GRADE WITHIN 10 FEET OF THE BUILDING.
11. WHERE PROPOSED UTILITIES ARE TO BE CONSTRUCTED IN FILL, THE FILL SHALL UNDERGO TESTING TO CONFIRM THAT THE FILL MEETS THE REQUIREMENT OF 95% COMPACTION. THE COMPACTION TEST RESULTS SHALL BE SENT TO THE TOWN OF LEXINGTON ENGINEERING DEPARTMENT.
12. WHERE A WATER LINE CROSSES ABOVE A SEWER LINE THERE MUST BE A MINIMUM OF 18 INCHES OF SEPARATION.

PROPOSED SEWER MANHOLE SCHEDULE

NUMBER	RIM ELEVATION (FEET)	INVERT OUT (FEET) (PIPE SIZE & MATERIAL)
P-SMH 1	317.4	8" PVC INV.=311.0
P-SMH 2	315.9	8" PVC INV.=307.2
P-SMH 3	313.7	8" PVC INV.=305.3
P-SMH 4	316.0	8" PVC INV.=306.8
P-SMH 5	314.0	8" PVC INV.=304.0
P-SMH 6	305.0	8" PVC INV.=300.0, 298.5 INV. OUT=290.0
P-SMH 7	291.0	8" PVC INV. IN=285.9 8" PVC INV. OUT=282.0
P-SMH 8	283.5	8" PVC INV. IN=278.5 8" PVC INV. OUT=274.5
P-SMH 9	277.0	8" PVC INV. IN=271.4 8" PVC INV. OUT=268.0
P-SMH 10	270.0	8" PVC INV. IN=265.0 8" PVC INV. OUT=255.0
P-SMH 11	257.0	8" PVC INV. IN=252.0 8" PVC INV. OUT=246.8
P-SMH 12	249.5	8" PVC INV. IN=244.5 8" PVC INV. OUT=240.5
P-SMH 13	240.0	8" PVC INV. IN=234.7 8" PVC INV. OUT=231.0

LEXINGTON PLANNING BOARD

DATE



LEGEND:

- EXISTING:

 - LOCUS PROPERTY LINE
 - SEWER MANHOLE (SMH)
 - DRAIN MANHOLE (DMH)
 - CATCH BASIN (CB)
 - STONEWALL
 - GAS VALVE
 - WATER VALVE
 - WATER SERVICE
 - HYDRANT
 - UTILITY POLE
 - NOW OR FORMERLY
 - DRAIN PIPE
 - WATER MAIN
 - GAS SERVICE
 - UNDERGROUND POWER
 - OVERHEAD WIRES
 - SEWER MAIN
 - LANDSCAPED AREA
 - 1' CONTOUR INTERVAL
 - 5' CONTOUR INTERVAL
 - EXISTING CHAIN LINK FENCE
 - TEST PIT
 - BORE HOLE
 - BOUND
 - IRON ROD/DRILL HOLE
 - LIGHT POLE
 - LEDGE
 - EROSION CONTROL
 - TOP OF FOUNDATION
 - GARAGE FLOOR
 - PEAK
- PROPOSED

 - LOCUS PROPERTY LINE
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 - TOP OF FOUNDATION
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 - PEAK

FOR REGISTRY USE ONLY

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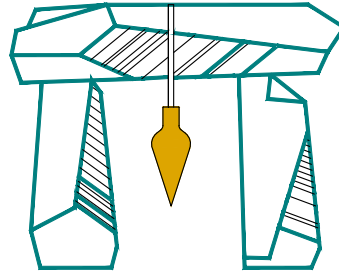
"THIS PLAN IS SUBJECT TO A SPECIAL PERMIT DATED _____"

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TOWN CLERK

DATE

DeCELLE-BURKE-SALA



& Associates, Inc.
1266 Furnace Brook Parkway, Suite 401 Quincy, MA 02169
(617) 405-5100 (O) (617) 405-5101 (F)



James W Burke, PE #39418

GENERAL NOTES:

1. LOCUS: ASSESSORS MAP 42 LOT 205 (15 FAIRLAND ST.) MAP 42 LOT 204C (17 FAIRLAND ST.) MAP 42 LOT 233 (185 LINCOLN ST.)
RECORD OWNER: 15 FAIRLAND LLC
DEED REFERENCE: BOOK 70488 PAGE 431
PLAN REFERENCE: PLAN BOOK 143 No. 29
RECORD OWNER: PHILIP AND JOY TERRY
DEED REFERENCE: BOOK 41474 PAGE 304
BOOK 34182 PAGE 201
PLAN REFERENCE: PLAN No. 1201 OF 2003
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Proposed Residential Development
in
Lexington, MA

PLAN TITLE:

PROPOSED UTILITIES

PREPARED FOR: BARONS CUSTOM HOMES
1 GARFIELD CIRCLE
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DATE: MARCH 20, 2019

REVISED: JUNE 12, 2019 REVIEW COMMENTS

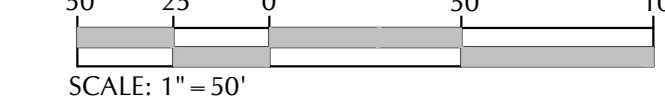
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REVISED: SEPT 25, 2022 SETTLEMENT EASEMENTS

JOB NUMBER: 124.034 SHEET 7 OF 18



PROPOSED CATCH BASINS SCHEDULE

NUMBER	RIM ELEVATION (FEET)	INVERT OUT (FEET) (PIPE SIZE & MATERIAL)
P-CB 1	331.7	12" HDPE INV.=326.7
P-CB 2	331.7	12" HDPE INV.=326.7
P-CB 3	326.0	8" HDPE INV.=320.5
P-CB 4	325.9	8" HDPE INV.=320.5
P-CB 5	316.2	12" HDPE INVERT=311.5
P-CB 6	316.2	12" HDPE INVERT=311.5
P-CB 7	312.7	15" HDPE INV.=309.7
P-CB 8	312.7	12" HDPE INV.=309.7
P-CB 9	316.5	8" HDPE INV.=312.3
P-CB 10	316.5	8" HDPE INVERT=312.3

PROPOSED DRAINAGE MANHOLES SCHEDULE

NUMBER	RIM ELEVATION (FEET)	INVERT OUT (FEET) (PIPE SIZE & MATERIAL)
P-DMH 1	331.6	12" HDPE INV.=326.6 INV. OUT.=326.4
P-DMH 2	326.5	12" HDPE INV.=320.4 INV. OUT.=317.0
P-DMH 3	318.7	10" 12" HDPE INV.=311.0 INV. OUT.=310.7
P-DMH 4	317.0	12" HDPE INV.=312.2 INV. OUT.=312.0
P-DMH 5	316.0	12" HDPE INV.=311.4 INV. OUT.=311.3
P-DMH 6	315.0	12" HDPE INV.=310.5 INV. OUT.=310.4
P-DMH 7	312.9	15" HDPE INV.=309.5 INV. OUT.=309.4
P-DMH 8	314.6	10" HDPE INV.=304.6 INV. OUT.=304.6
P-DMH 9	314.1	10" HDPE INV.=303.4 INV. OUT.=303.4
P-DMH 10	305.0	10" HDPE INV.=295.0 INV. OUT.=293.7
P-DMH 11 (DROP)	294.0	10" HDPE INV.=291.3 INV. OUT.=285.0
P-DMH 12 (DROP)	286.0	10" HDPE INV.=282.0 INV. OUT.=277.0
P-DMH 13 (DROP)	277.5	10" HDPE INV.=273.4 INV. OUT.=268.5
P-DMH 14 (DROP)	269.0	10" HDPE INV.=265.2 INV. OUT.=255.6
P-DMH 15 (DROP)	256.0	10" HDPE INV.=252.0 INV. OUT.=246.0
P-DMH 16 (DROP)	245.0	10" HDPE INV.=241.0 INV. OUT.=233.0

PROPOSED DRAINAGE MANIFOLD SCHEDULE

NUMBER	RIM ELEVATION (FEET)	INVERT OUT (FEET) (PIPE SIZE & MATERIAL)
P-MANIFOLD 1	316.5	12" HDPE INV.=309.2 INV. OUT.=308.7
P-MANIFOLD 2	315.1	18" HDPE INV.=308.8 INV. OUT.=308.7

PROPOSED OCS SCHEDULE

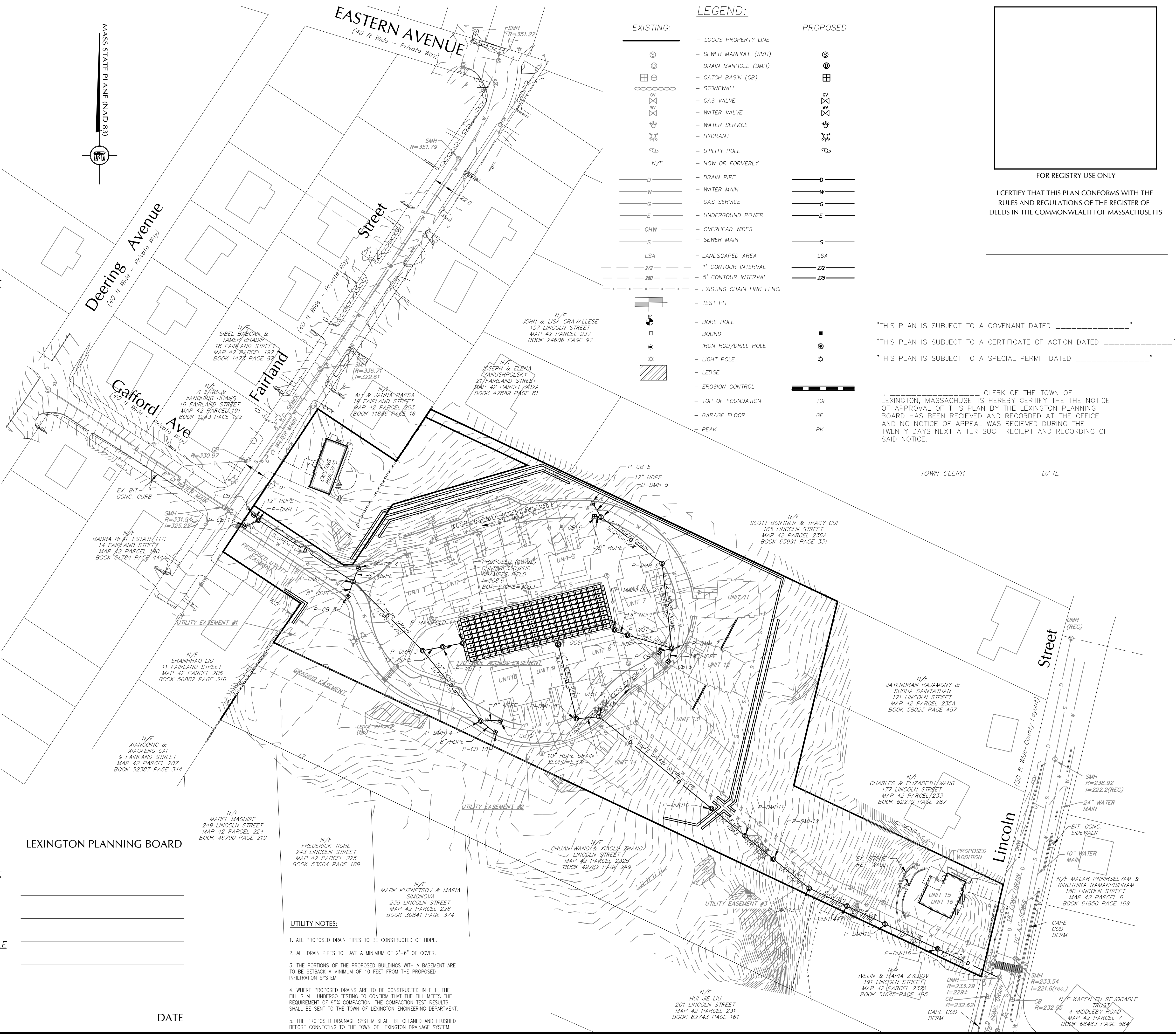
NUMBER	RIM ELEVATION (FEET)	INVERT OUT (FEET) (PIPE SIZE & MATERIAL)
P-OCS 1	315.5	6" ORIFICE INV.=307.3 10" ORIFICE INV.=308.0 V. TRAP WEIR INV.=307.5 10" HDPE INV. OUT.=307.3

PROPOSED INFILTRATION SYSTEM SCHEDULE

CHAMBER	INVERT IN (FEET) (PIPE SIZE & MATERIAL)	INVERT OUT (FEET) (PIPE SIZE & MATERIAL)
CULTREC 330 XLHD RECHARGER	8" PVC INV.=308.6	24" ADS N-12 INV.=307.3

PROPOSED WATER QUALITY TANKS SCHEDULE

NUMBER	RIM ELEVATION (FEET)	INVERT OUT (FEET) (PIPE SIZE & MATERIAL)
P-WOT 1 (4' DIAMETER)	317.5	12" HDPE INV.=309.0 INV. OUT.=310.0
P-WOT 2 (6' DIAMETER)	314.8	18" HDPE INV.=307.4 INV. OUT.=308.9



LEGEND:

EXISTING:	PROPOSED

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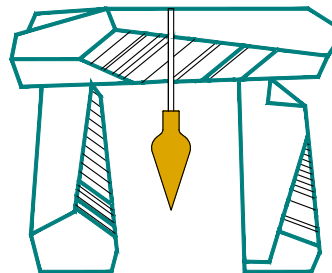
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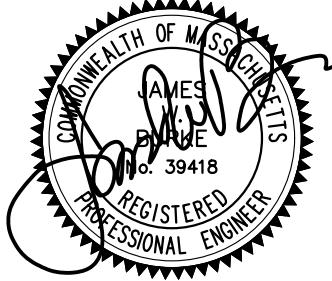
LEXINGTON PLANNING BOARD

DATE

DeCELLE-BURKE-SALA



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(617) 405-5100 (O) (617) 405-5101 (F)



James W Burke, PE #39418

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PROJECT TITLE & LOCATION:

Proposed Residential Development
in
Lexington, MA

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PREPARED FOR: BARONS CUSTOM HOMES
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JOB NUMBER: 124.034 SHEET 8 OF 18

50 25 0 50 100
SCALE: 1" = 50'

LEGEND:

EXISTING:

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- STONEWALL
- GAS VALVE
- WATER VALVE
- WATER SERVICE
- HYDRANT
- UTILITY POLE
- NOW OR FORMERLY

- DRAIN PIPE
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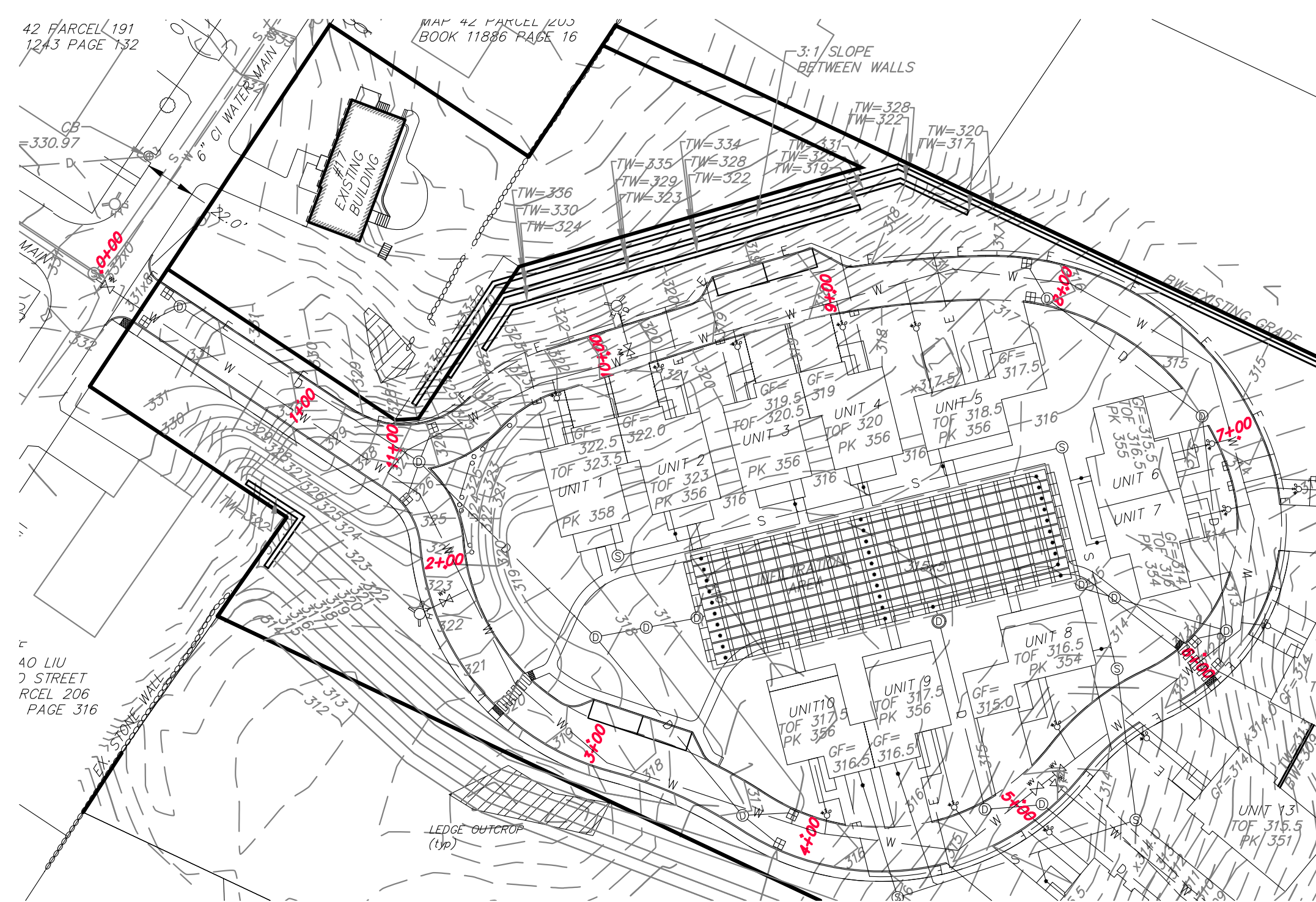
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- PEAK

- TOF
- GF
- PK



MASS STATE PLANE (NAD 83)



LEXINGTON PLANNING BOARD

DATE

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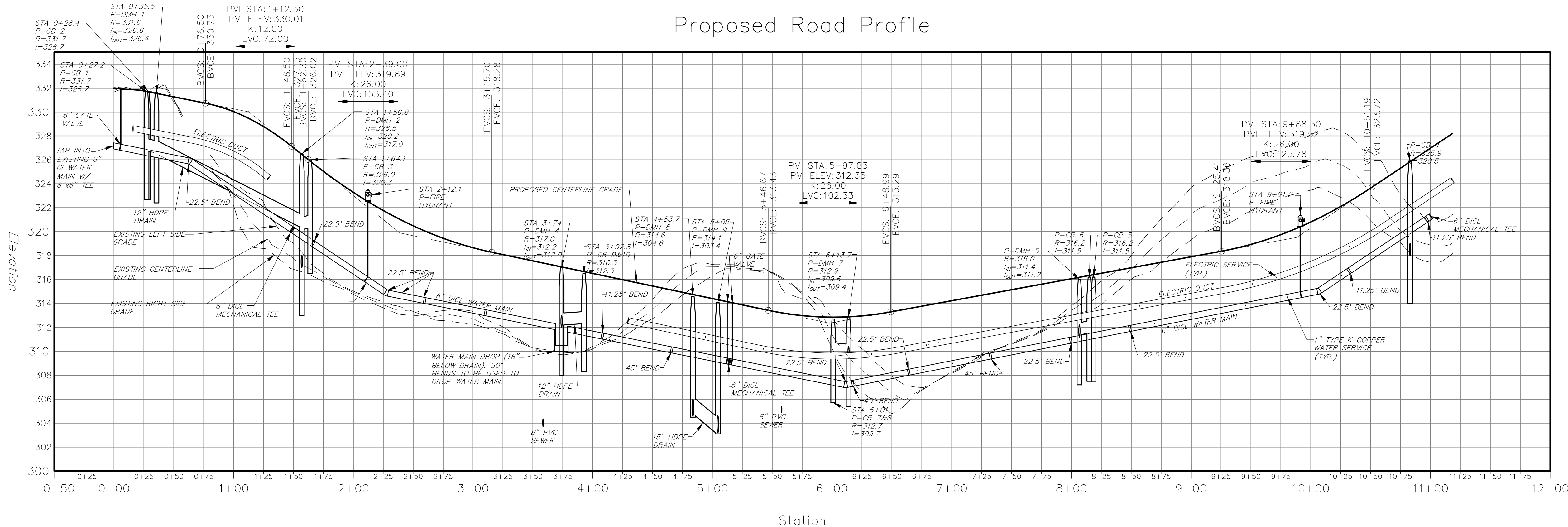
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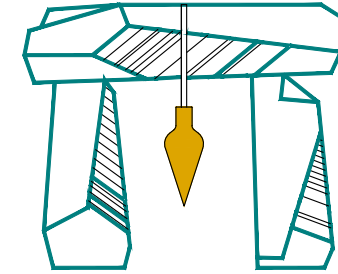
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Proposed Road Profile

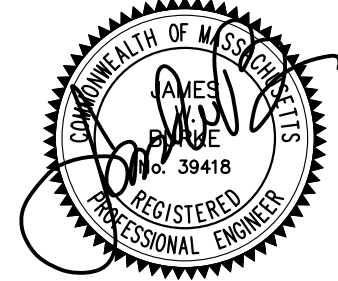


HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'

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Development
in
Lexington, MA

PLAN TITLE:

PROPOSED ROAD PROFILE

PREPARED FOR:

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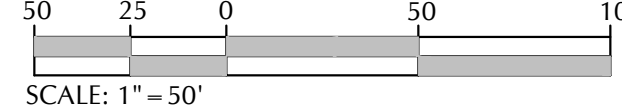
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REVISED: MARCH 5, 2020 ACCESS EASEMENT

REVISED: APRIL 22, 2020 ACCESS EASEMENT/PB COMMENTS

REVISED: JUNE 19, 2020 WATER QUALITY TREATMENT

JOB NUMBER: 124.034 SHEET 9 OF 18





DeCELLE-BURKE-SALA

& Associates, Inc.

1266 Furnace Brook Parkway, Suite 401 Quincy, MA 02169
(617) 405-5100 (O) (617) 405-5101 (F)

James W Burke, PE #39418

GENERAL NOTES:

1. LOCUS: ASSESSORS MAP 42 LOT 205 (15 FAIRLAND ST.) MAP 42 LOT 204C (17 FAIRLAND ST.) MAP 42 LOT 233 (185 LINCOLN ST.)

RECORD OWNER: 15 FAIRLAND STREET
DEED REFERENCE: BOOK 70488 - PAGE 431
PLAN REFERENCE: PLAN BOOK 143 No. 29

RECORD OWNER: PHILIP AND JOY TERRY
DEED REFERENCE: BOOK 41474 PAGE 304
BOOK 34182 PAGE 201
PLAN REFERENCE: PLAN No. 1201 OF 2003

RECORD OWNER: 185 LINCOLN LLC
DEED REFERENCE: BOOK 70541 PAGE 229
PLAN REFERENCE: PLAN No. 540 OF 1946

2. THIS PLAN IS THE RESULT OF AN ON THE GROUND SURVEY PERFORMED BY THIS OFFICE IN OCTOBER 2017-APRIL 2018. ELEVATIONS SHOWN REFER TO NAVD 88.

3. EXISTING UTILITIES WHERE SHOWN IN THE DRAWINGS ARE FROM SURFACE OBSERVATION AND RECORD INFORMATION AND SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPERLY LOCATING AND COORDINATING THE PROPOSED CONSTRUCTION ACTIVITY WITH DIG-SAFE AND THE APPLICABLE UTILITY COMPANIES AND MAINTAINING THE EXISTING UTILITY SYSTEM IN SERVICE.

DIG-SAFE SHALL BE NOTIFIED PER THE STATE OF MASSACHUSETTS STATUTE CHAPTER 82, SECTION 40B AT TEL. 1-888-344-7233. THE ENGINEER DOES NOT GUARANTEE THEIR ACCURACY OR THAT ALL UTILITIES AND SUBSURFACE STRUCTURES ARE SHOWN. LOCATIONS AND ELEVATIONS OF UNDERGROUND UTILITIES WERE TAKEN FROM RECORD PLANS. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION, AND INVERTS OF UTILITIES AND STRUCTURES AS REQUIRED PRIOR TO THE START OF CONSTRUCTION.

4. THE LOT SHOWN LIES WITHIN ZONE X (NOT A SPECIAL FLOOD HAZARD ZONE) AS DELINEATED ON FIRM 25017C-0403E, DATED JUNE 4, 2010.

5. PARCEL IS ZONED RS-5 SINGLE FAMILY.

MIN. LOT AREA = 15,500 S.F.
MIN. FRONTAGE = 125 FT.
MIN. FRONT YARD = 30 FT.
MIN. SIDE YARD = 15 FT.
MIN. REAR YARD = 15 FT.

6. A 10' MINIMUM SEPARATION SHALL BE MAINTAINED FOR ALL TOWN OF LEXINGTON OWNED FACILITIES.

PROJECT TITLE & LOCATION:

Proposed Residential Development in Lexington, MA

PLAN TITLE:

PROPOSED SEWER PROFILE

PREPARED FOR: BARONS CUSTOM HOMES
1 GARFIELD CIRCLE
BURLINGTON, MA 01803

DATE: MARCH 20, 2019

REVISED: JUNE 12, 2019 REVIEW COMMENTS

REVISED: MARCH 5, 2020 ACCESS EASEMENT

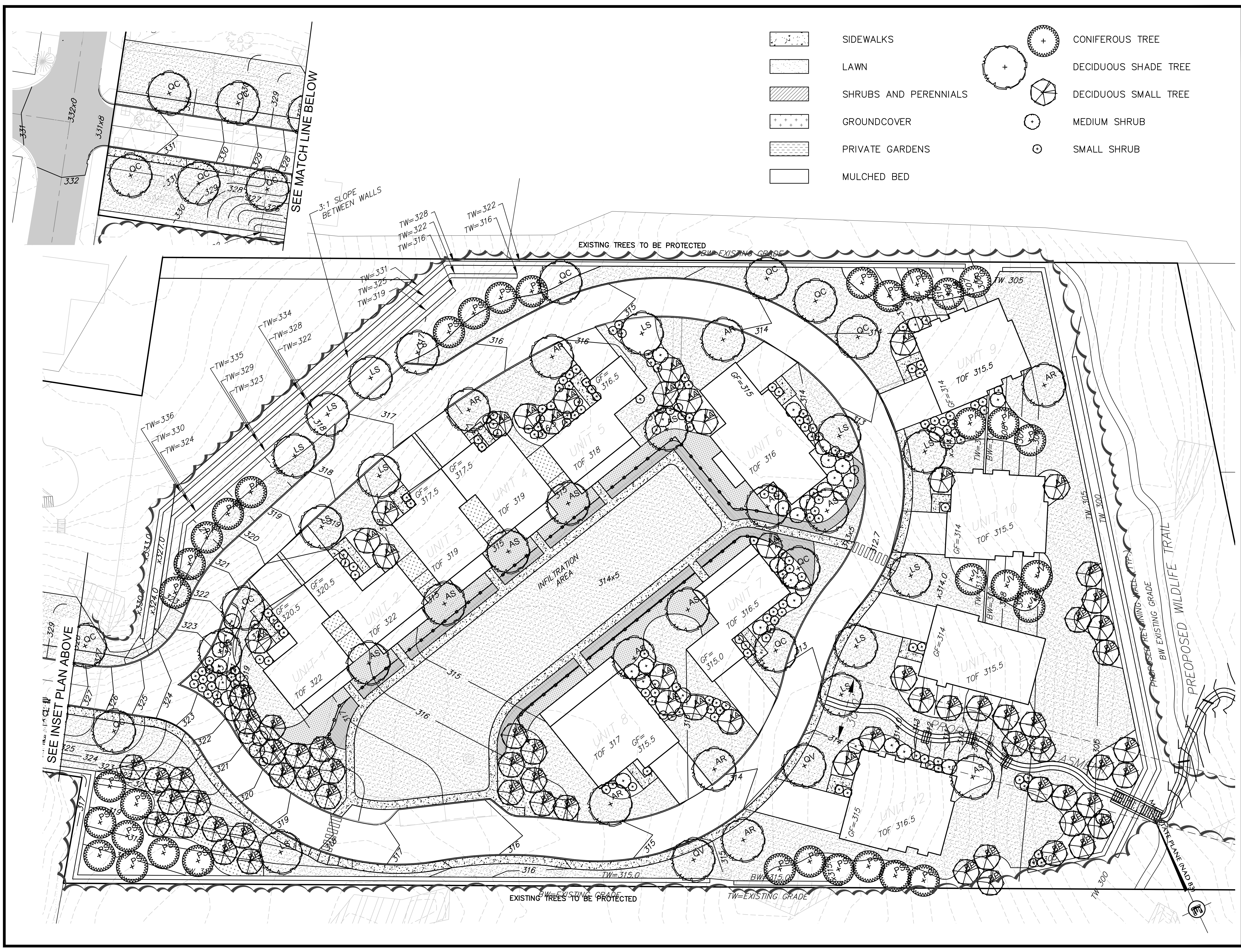
REVISED: APRIL 22, 2020 ACCESS EASEMENT/PB COMMENTS

REVISED: JUNE 19, 2020 WATER QUALITY TREATMENT

REVISED: SEPT 25, 2022 SETTLEMENT EASEMENTS

JOB NUMBER: 124.034 SHEET 11 OF 18

SCALE: 1" = 50'



- SIDEWALKS
- LAWN
- SHRUBS AND PERENNIALS
- GROUNDCOVER
- PRIVATE GARDENS
- MULCHED BED
- CONIFEROUS TREE
- DECIDUOUS SHADE TREE
- DECIDUOUS SMALL TREE
- MEDIUM SHRUB
- SMALL SHRUB



GENERAL NOTES:

- LOCUS: ASSESSORS MAP 42 LOT 205 (15 FAIRLAND ST.) MAP 42 LOT 204C (17 FAIRLAND ST.) MAP 42 LOT 233 (185 LINCOLN ST.)
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PROJECT TITLE & LOCATION:

Proposed Residential Development in Lexington, MA

PLAN TITLE:

LANDSCAPE PLAN

PREPARED FOR:

Barons Custom Homes
 1 Garfield Circle
 Burlington, MA 01803

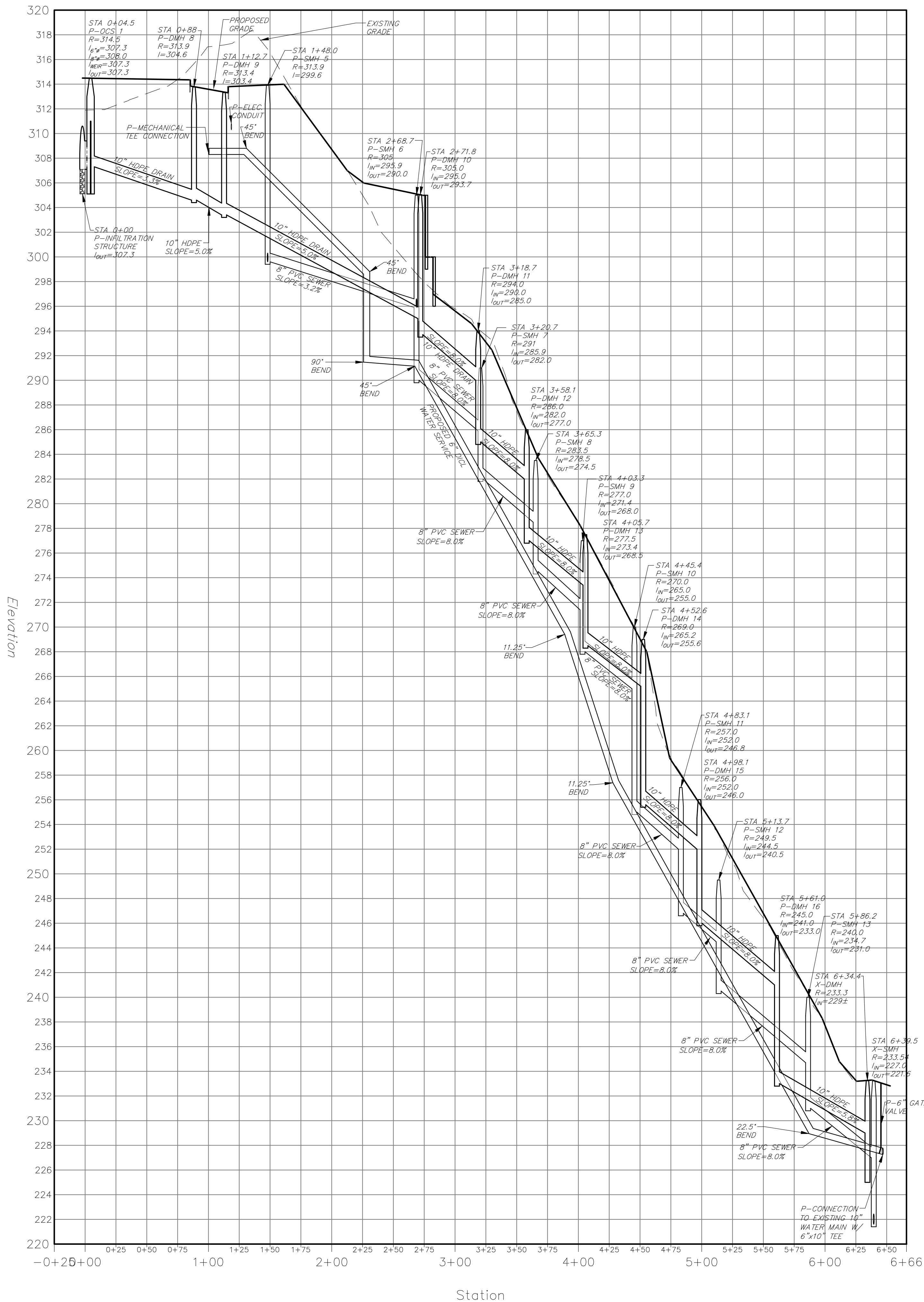
DATE: JUNE 17, 2019

REVISED:

















































JOB NUMBER: 124.034 SHEET 13 OF 18

SCALE: 1" = 20'

PROPOSED UTILITY PROFILE SECTION A



LEGEND:

EXISTING:		PROPOSED	
	- LOCUS PROPERTY LINE		- SEWER MANHOLE (SMH)
	- DRAIN MANHOLE (DMH)		- CATCH BASIN (CB)
	- STONEWALL		- GAS VALVE
	- WATER VALVE		- WATER SERVICE
	- HYDRANT		- UTILITY POLE
	- NOW OR FORMERLY		- DRAIN PIPE
	- WATER MAIN		- WATER MAIN
	- GAS SERVICE		- GAS SERVICE
	- UNDERGROUND POWER		- UNDERGROUND POWER
	- OVERHEAD WIRES		- OVERHEAD WIRES
	- SEWER MAIN		- SEWER MAIN
	- LANDSCAPED AREA		- LANDSCAPED AREA
	- 1' CONTOUR INTERVAL		- 1' CONTOUR INTERVAL
	- 5' CONTOUR INTERVAL		- 5' CONTOUR INTERVAL
	- EXISTING CHAIN LINK FENCE		- EXISTING CHAIN LINK FENCE
	- TEST PIT		- TEST PIT
	- BORE HOLE		- BORE HOLE
	- BOUND		- BOUND
	- IRON ROD/DRILL HOLE		- IRON ROD/DRILL HOLE
	- LIGHT POLE		- LIGHT POLE
	- EROSION CONTROL		- EROSION CONTROL
	- TOP OF FOUNDATION		- TOP OF FOUNDATION
	- GARAGE FLOOR		- GARAGE FLOOR
	- PEAK		- PEAK

"THIS PLAN IS SUBJECT TO A COVENANT DATED _____"

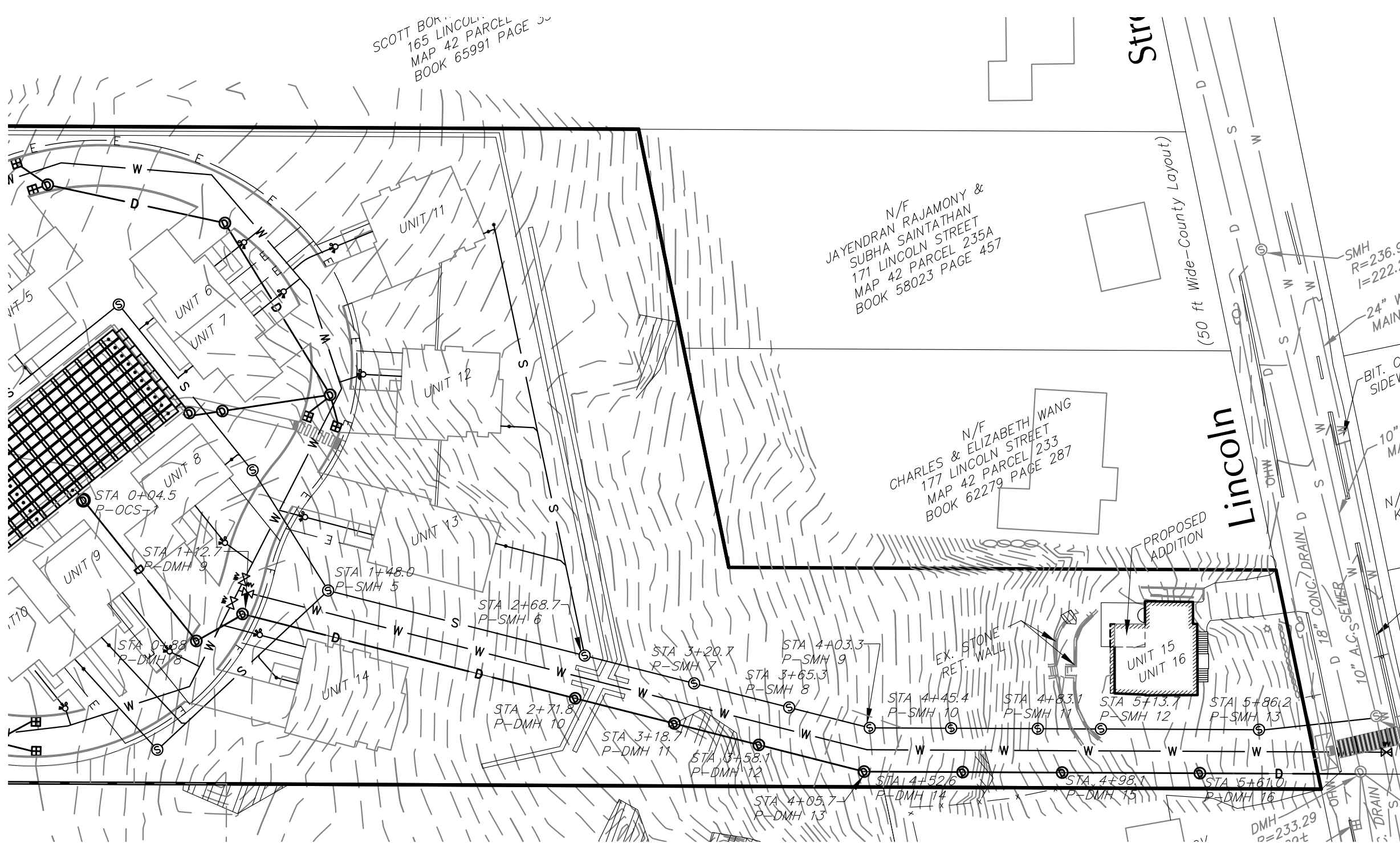
"THIS PLAN IS SUBJECT TO A CERTIFICATE OF ACTION DATED _____"

"THIS PLAN IS SUBJECT TO A SPECIAL PERMIT DATED _____"

I, _____ CLERK OF THE TOWN OF LEXINGTON, MASSACHUSETTS HEREBY CERTIFY THE THE NOTICE OF APPROVAL OF THIS PLAN BY THE LEXINGTON PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THE OFFICE AND NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

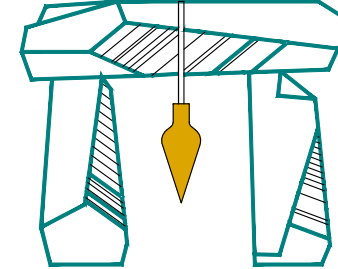
TOWN CLERK

DATE

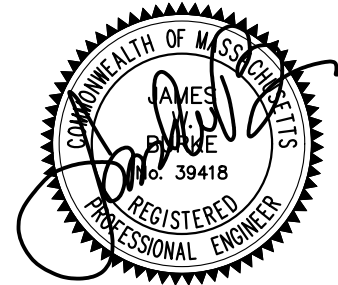


HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'

DeCELLE-BURKE-SALA



& Associates, Inc.
1266 Furnace Brook Parkway, Suite 401 Quincy, MA 02169
(617) 405-5100 (O) (617) 405-5101 (F)



James W Burke, PE #39418

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Proposed Residential Development
in
Lexington, MA

PLAN TITLE:

PROPOSED UTILITY PROFILE

PREPARED FOR: BARONS CUSTOM HOMES
1 GARFIELD CIRCLE
BURLINGTON, MA 01803

DATE: MARCH 20, 2019

REVISED: JUNE 12, 2019 REVIEW COMMENTS

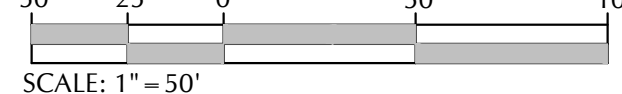
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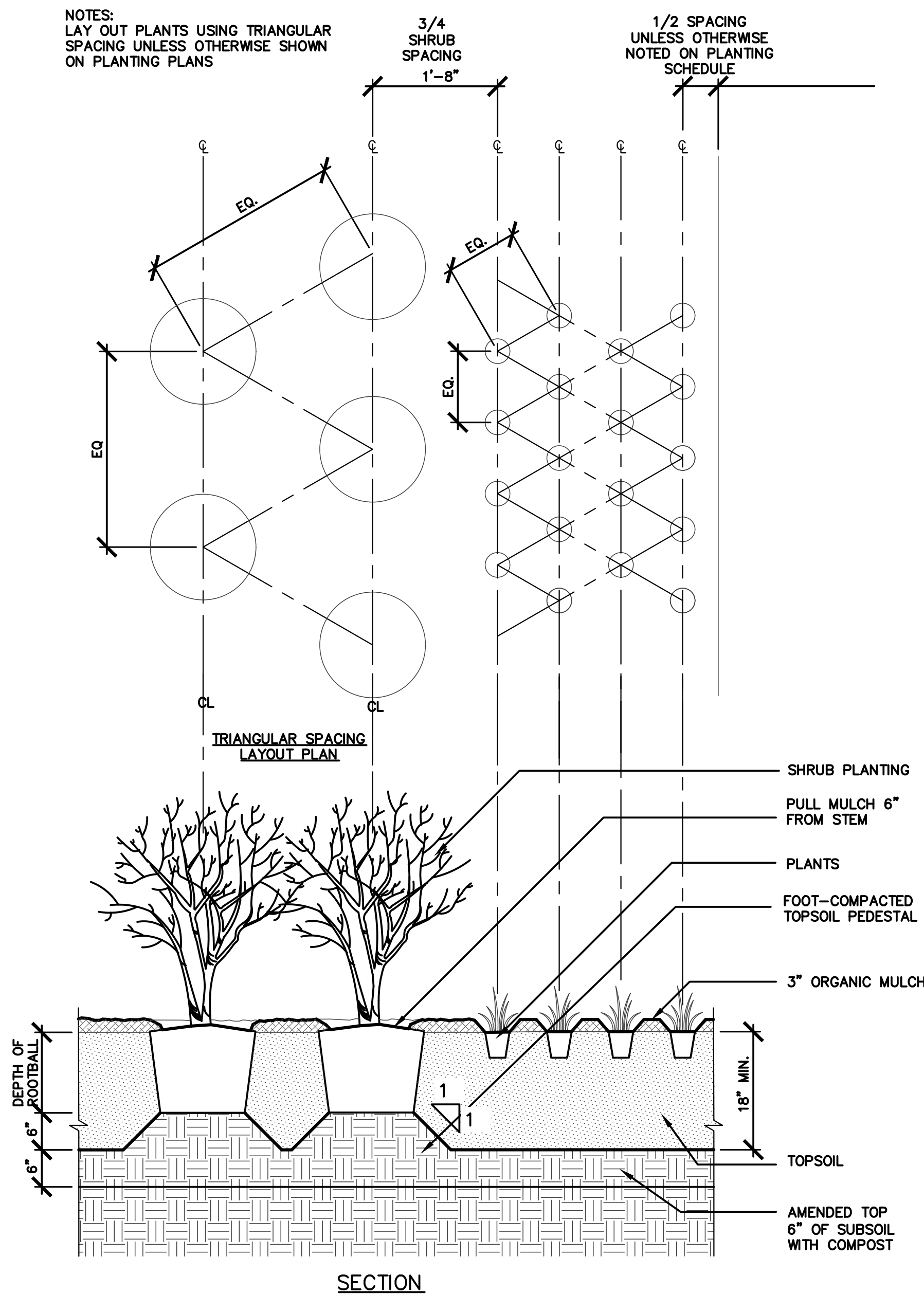
REVISED: APRIL 22, 2020 ACCESS EASEMENT/PB COMMENTS

REVISED: JUNE 19, 2020 WATER QUALITY TREATMENT

REVISED: SEPT 25, 2022 SETTLEMENT EASEMENTS

JOB NUMBER: 124.034 SHEET 12 OF 18

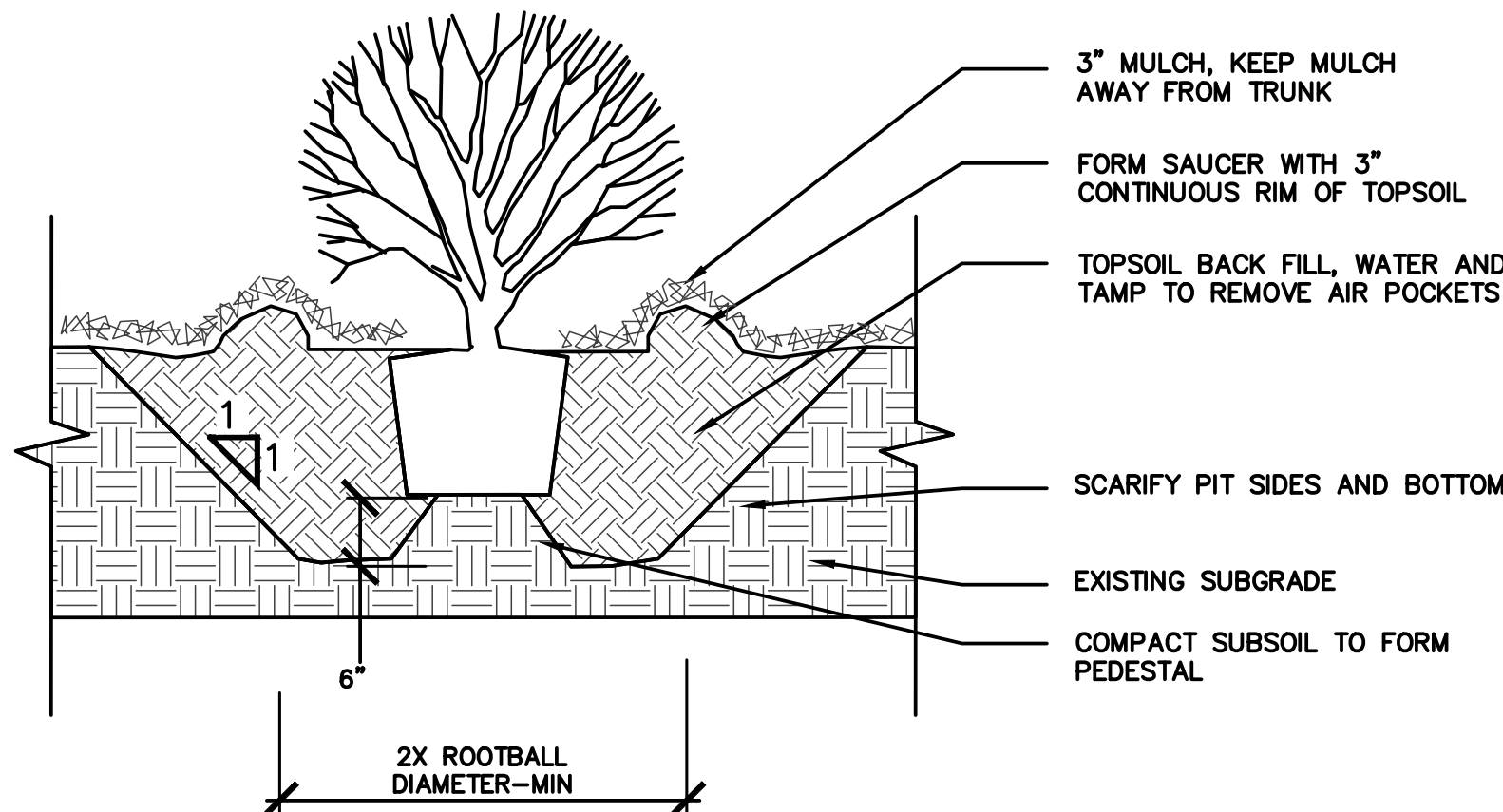




1 SHRUB AND GROUNDCOVER MASS PLANTING

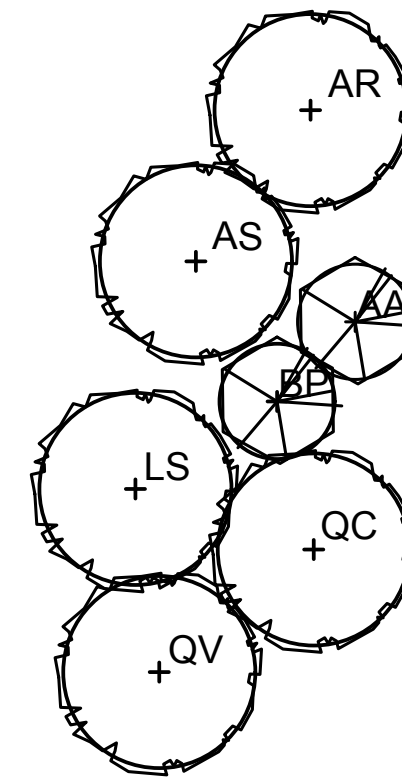
SCALE: N.T.S.

- NOTES:
1. WATER THOROUGHLY AFTER PLANTING
 2. PRUNE ALL DAMAGED, DISEASED, OR WEAK LIMBS
 3. PLANT SO THAT TOP OF ROOT BALL IS SLIGHTLY ABOVE EXISTING GRADE
 4. LOOSEN ROOTBALL, STRAIGHTEN OR PRUNE ENCIRCLING ROOTS ON ALL CONTAINER PLANTS



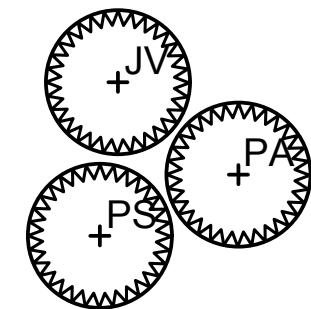
2 SHRUB PLANTING

SCALE: N.T.S.



TREES: DECIDUOUS

QUANTITY	SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	CONDITION	NOTES
X	AR	ACER RUBRUM	RED MAPLE	2" CAL	B & B	
X	AS	ACER SACCHARUM	SUGAR MAPLE	2" CAL	B & B	
X	AA	AMELANCHIER ARBOREA	COMMON SERVICEBERRY	1" CAL	B & B	SINGLE STEM
X	BP	BETULA POPULIFOLIA 'WHITESPIRE SENIOR'	WHITESPIRE SENIOR GRAY BIRCH	1" CAL	B & B	
X	LS	LIQUIDAMBAR STYRACIFLUA	SWEETGUM			
X	QC	QUERCUS COCCINEA	SCARLET OAK	2" CAL	B & B	
X	QV	QUERCUS VELUTINA	BLACK OAK	2" CAL	B & B	

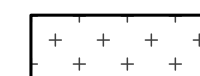


TREES: EVERGREEN

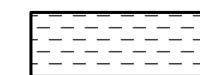
QUANTITY	SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	CONDITION
X	JV	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	4' HEIGHT	B & B
X	PA	PICEA ABIES	NORWAY SPRUCE	6'-8' HEIGHT	B & B
X	PS	PINUS STROBUS	EASTERN WHITE PINE	6'-8' HEIGHT	B & B



SHRUBS AND PERENNIALS



GROUNDCOVER



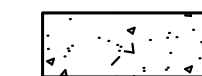
PRIVATE GARDENS



MEDIUM SHRUB



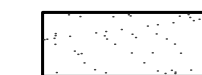
SMALL SHRUB



CONCRETE PAVING



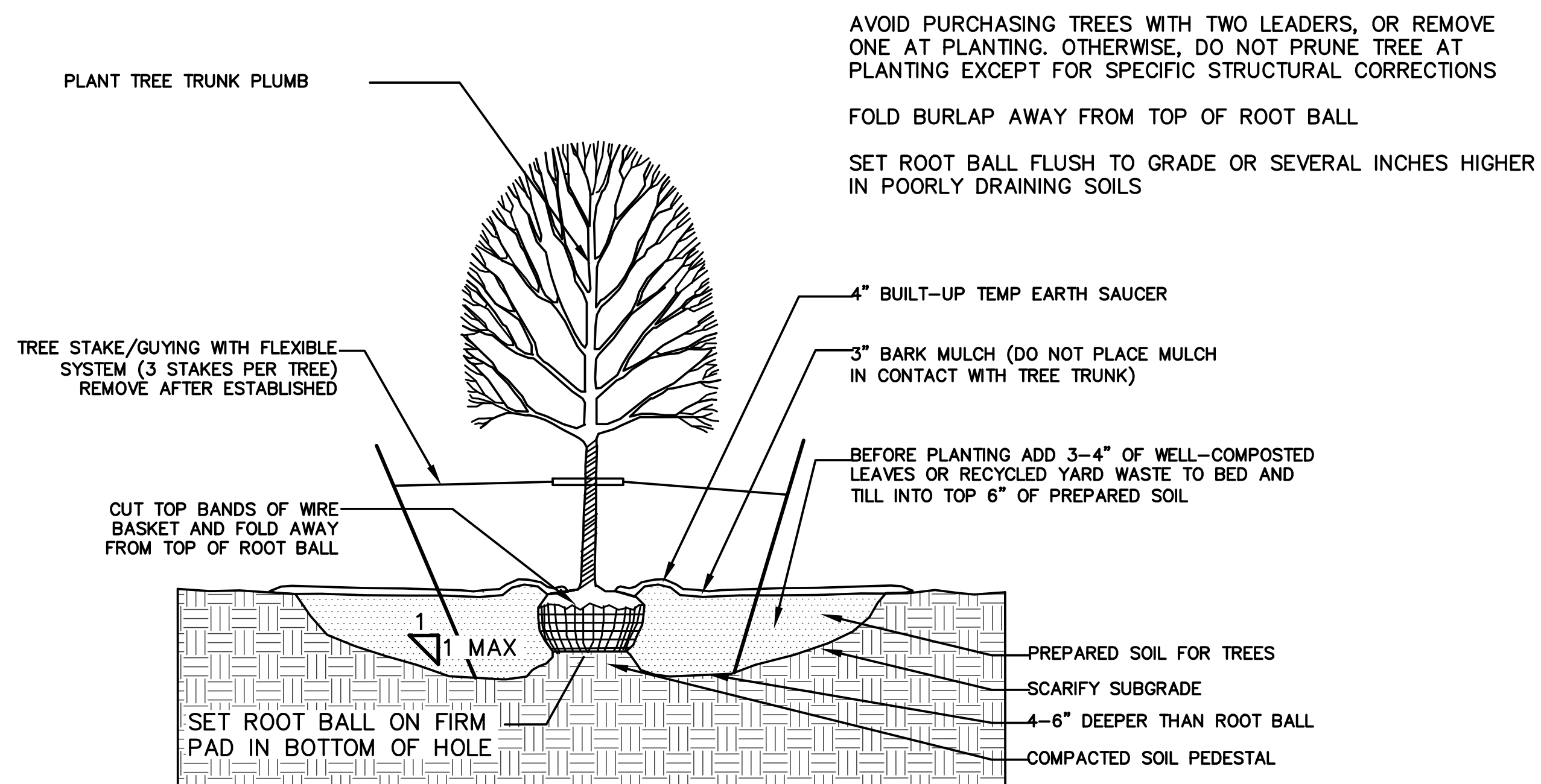
ASPHALT PAVING



LAWN



MULCHED BED



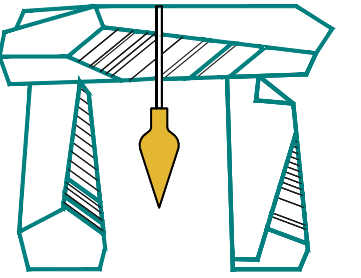
NOTES:

1. For container grown trees, use fingers or small hand tools to pull the roots out of the outer layer of potting soil; then cut or pull apart any roots circling the perimeter of the container.
2. Incorporate commercially prepared mycorrhiza spores in the soil immediately around the root ball at rates specified by the manufacturer
3. During the design phase, confirm that water drains out of the soil; design alternative drainage systems as required.
4. Thoroughly soak the tree root ball and adjacent prepared soil several times during the first month after planting and regularly throughout the following two summers.
5. The planting process is similar for deciduous and evergreen trees.

3 TREE PLANTING

SCALE: N.T.S.

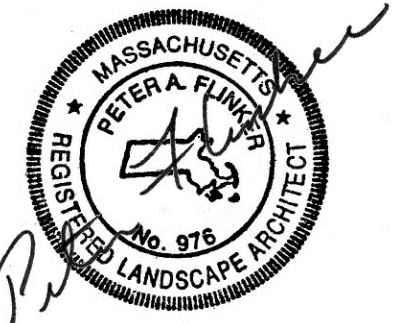
DeCELLE-BURKE-SALA



& Associates, Inc.

1266 Furnace Brook Parkway, Suite 401 Quincy, MA 02169
(617) 405-5100 (O) (617) 405-5101 (F)

DODSON & FLINKER
Landscape Architecture and Planning



GENERAL NOTES:

PROJECT TITLE & LOCATION:

Proposed Residential
Development
in
Lexington, MA

PLAN TITLE:

PLANT SCHEDULE

PREPARED FOR:

Barons Custom Homes
1 Garfield Circle
Burlington, MA 01803

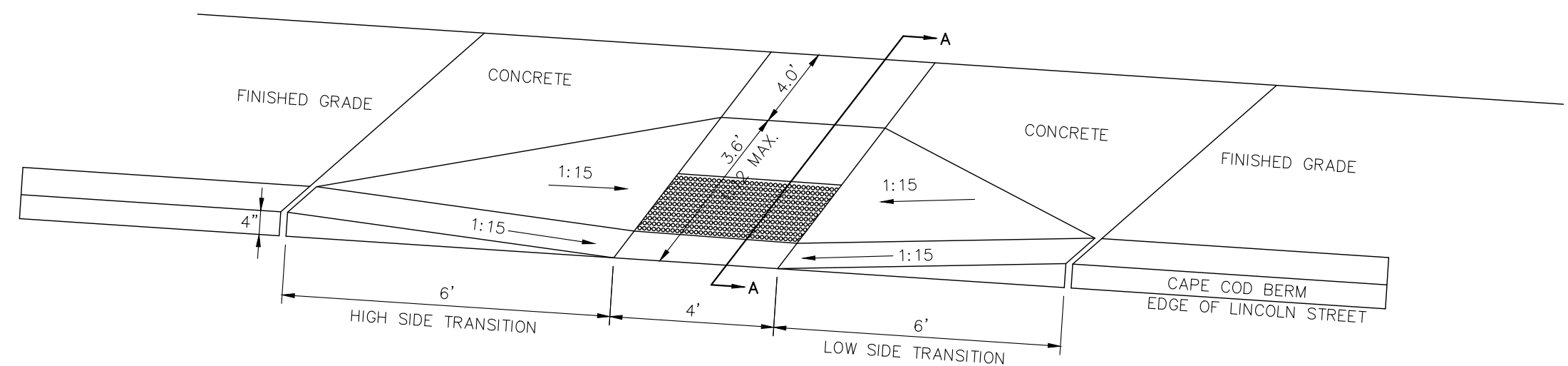
DATE: JUNE 17, 2019

REVISED:

JOB NUMBER: 124.034

SHEET 14 OF 18

SCALE: N/A

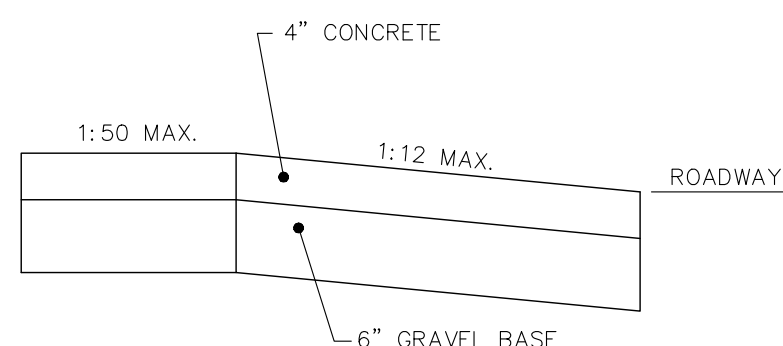


LEGEND:
Lfh = HIGH SIDE FRONT TRANSITION LENGTH
(SEE EQUATION)

EQUATION:
$$Lfh = (FT) = \frac{R}{TS-12G}$$

MIN. Lfh = 6'
MAX. Lfh = 15'

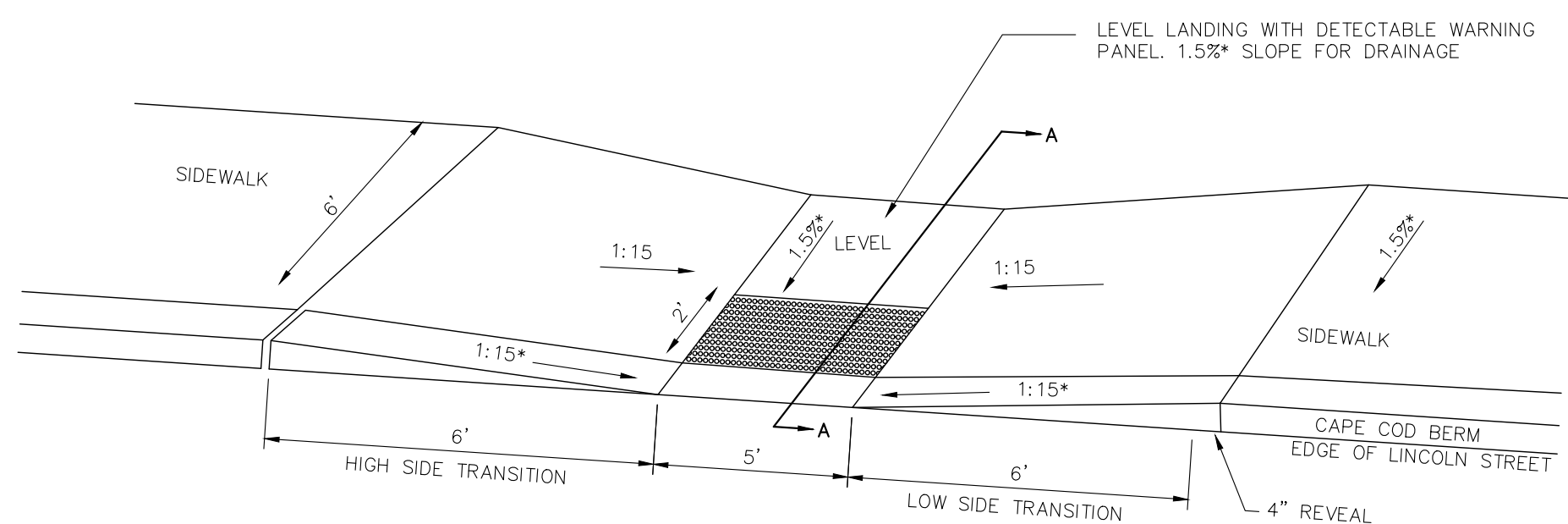
WHERE:
R = CURB REVEAL (INCHES)
TS = TRANSITION SLOPE (INCHES/FEET)
G = ROAD PROFILE (FEET/FEET)



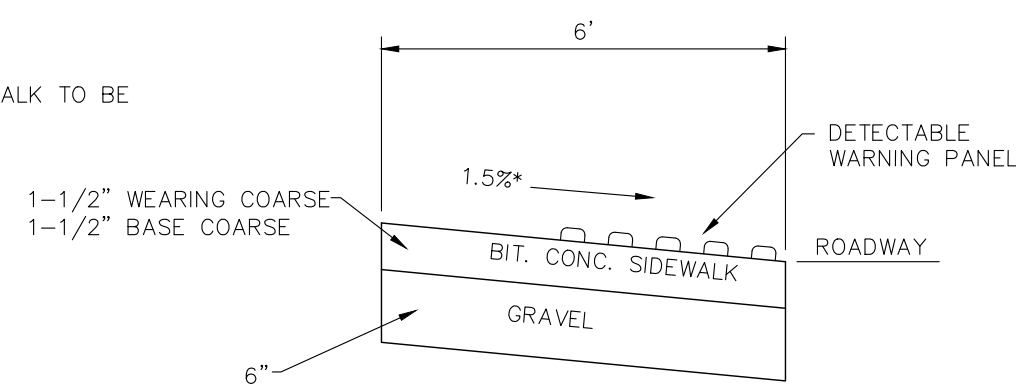
SECTION A-A

CONCRETE WHEELCHAIR RAMP @ LINCOLN STREET

NOT TO SCALE



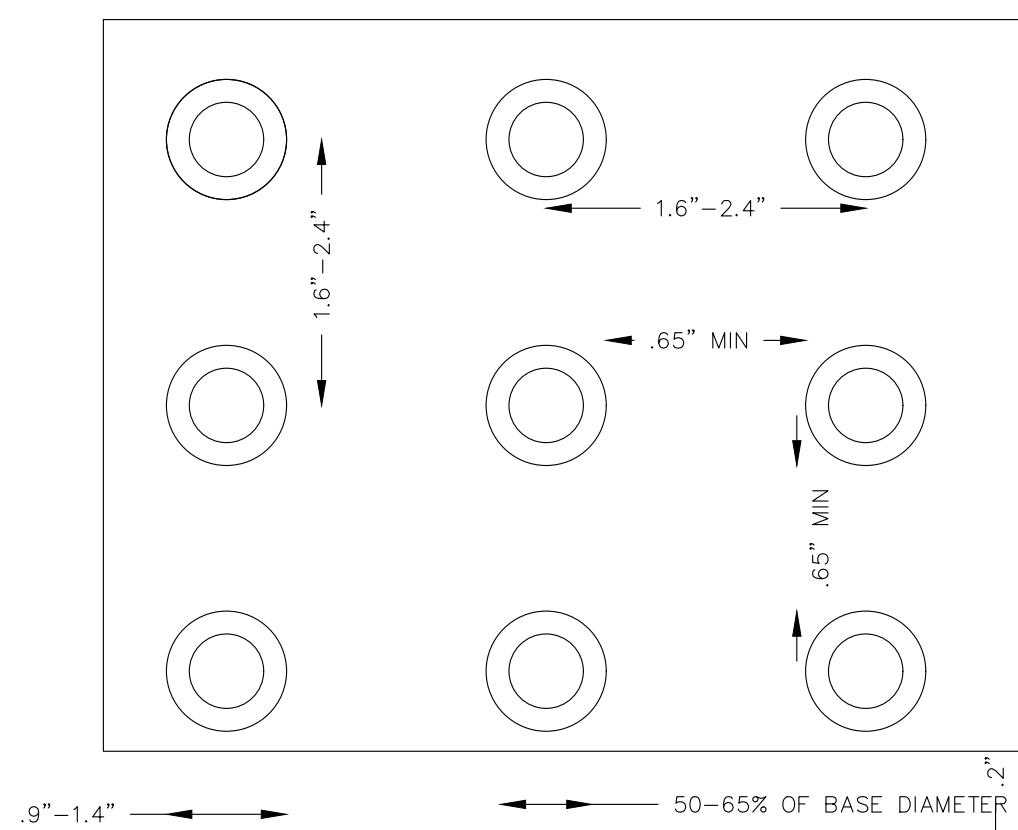
LEGEND:
HSL = HIGH SIDE TRANSITION LENGTH
* = TOLERANCE FOR CONSTRUCTION ±0.5%
USABLE SIDEWALK WIDTH PER AAB IS NOT TO BE LESS THAN 4'
NOTE:
ROADWAY, GUTTER, AND FIRST 6" OF SIDEWALK TO BE ADJUSTED FOR FIELD CONDITIONS.



SECTION A-A

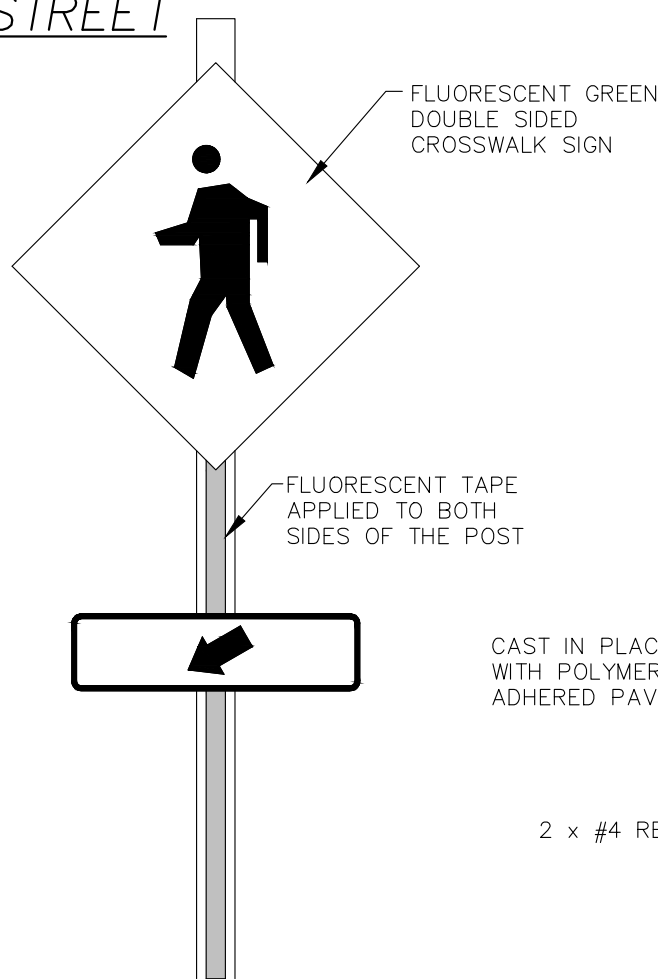
NARROW SIDEWALK WHEELCHAIR RAMP @ LINCOLN STREET

NOT TO SCALE



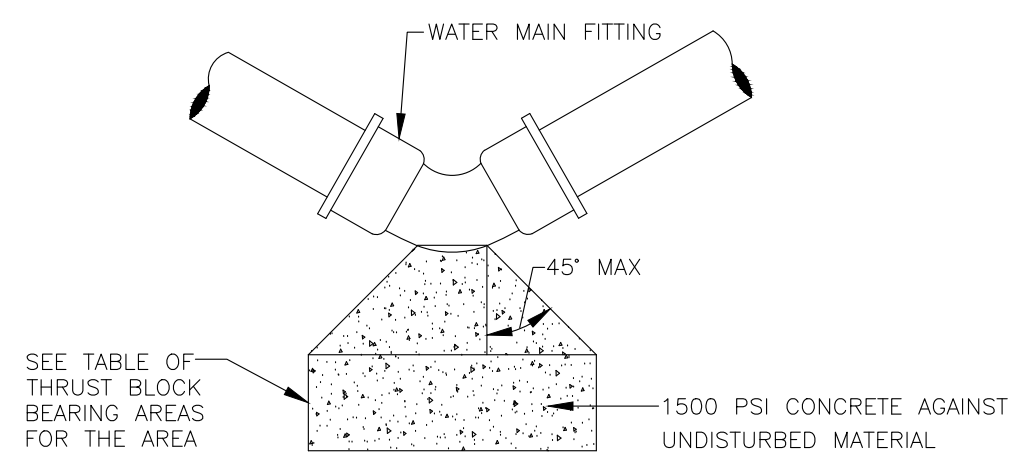
DETECTABLE WARNING PANEL SEE MassDOT (E107.6.5R)

NOT TO SCALE

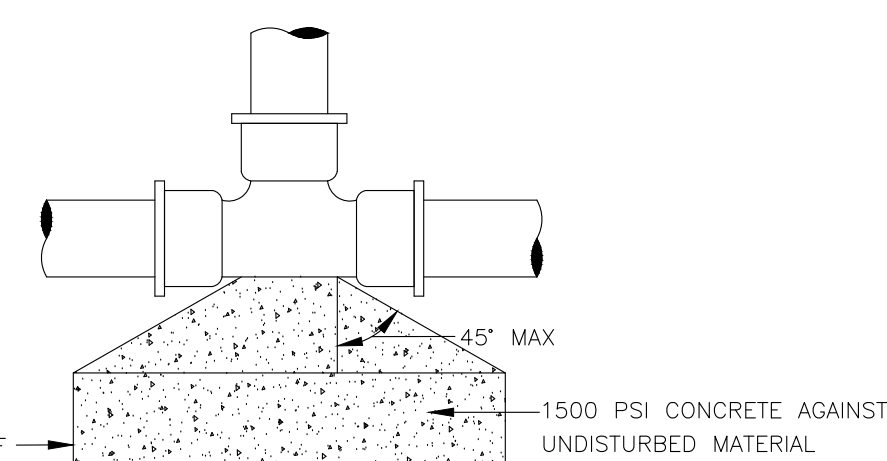


DOUBLE SIDED FLUORESCENT GREEN CROSSWALK SIGN

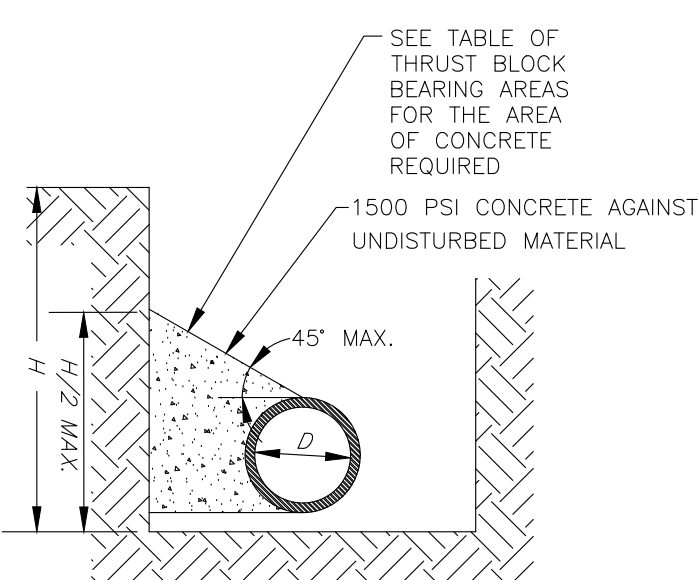
N.T.S.



PLAN - BEND



PLAN - TEE



TYPICAL SECTION
(FOR TEES, BENDS & DEAD ENDS)

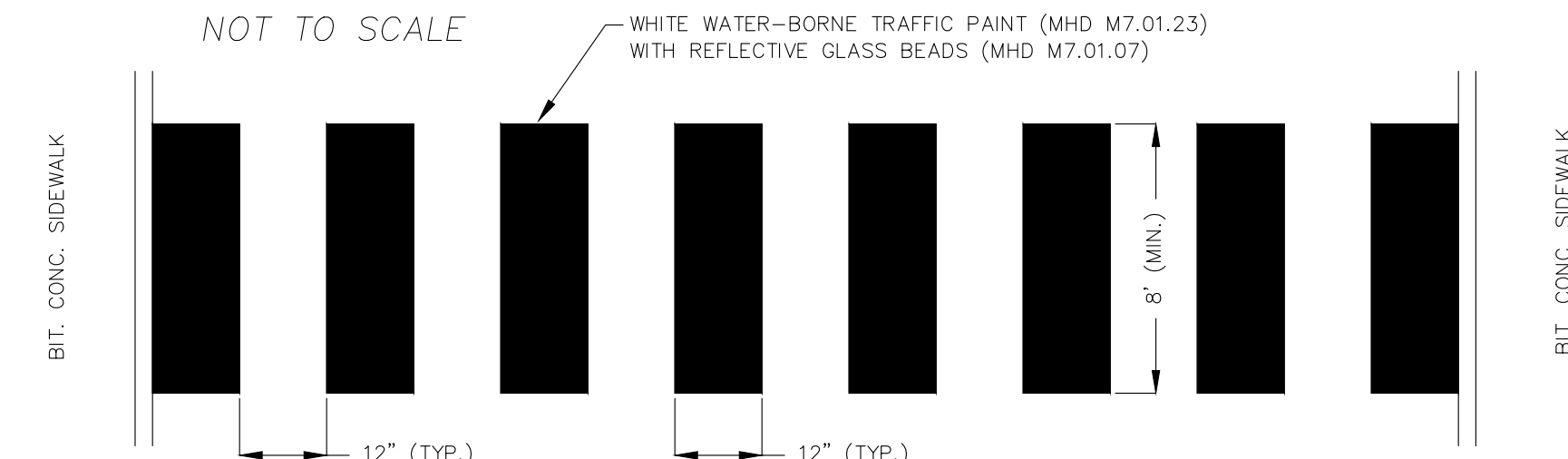
BEARING AREA

FITTING	6" (PIPE DIAMETER)
11.25' BEND	2 S.F.
22.5' BEND	2 S.F.
45' BEND	2 S.F.
90' BEND	3 S.F.
TEE/PLUG	3 S.F.

- NOTES:
1. ALL ELBOWS, BENDS AND CAPS SHALL BE BRACED WITH CONCRETE THRUST BLOCKS. JOINTS SHALL NOT BE ENCASED.
 2. BEARING AREA IS AREA OF CONCRETE IN CONTACT WITH THE WALL OF THE TRENCH (HxL).
 3. HEIGHT AND LENGTH AS REQUIRED TO OBTAIN BEARING AREA SHOWN IN THE TABLE W/H APPROX. 1/2 L.
 4. THRUST BLOCK SIZING BASED ON 150 PSI WATER PRESSURE AND 2000 PSI SOIL BEARING CAPACITY.

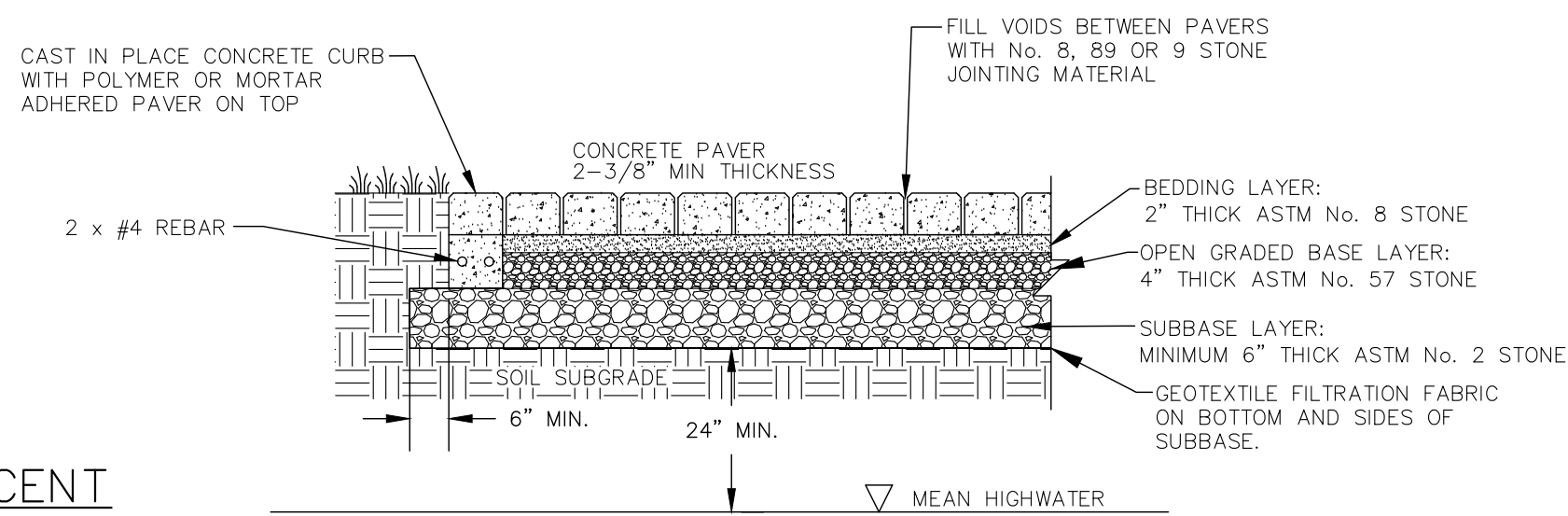
THRUST RESTRAINT DETAIL

NOT TO SCALE



CROSSWALK DETAIL

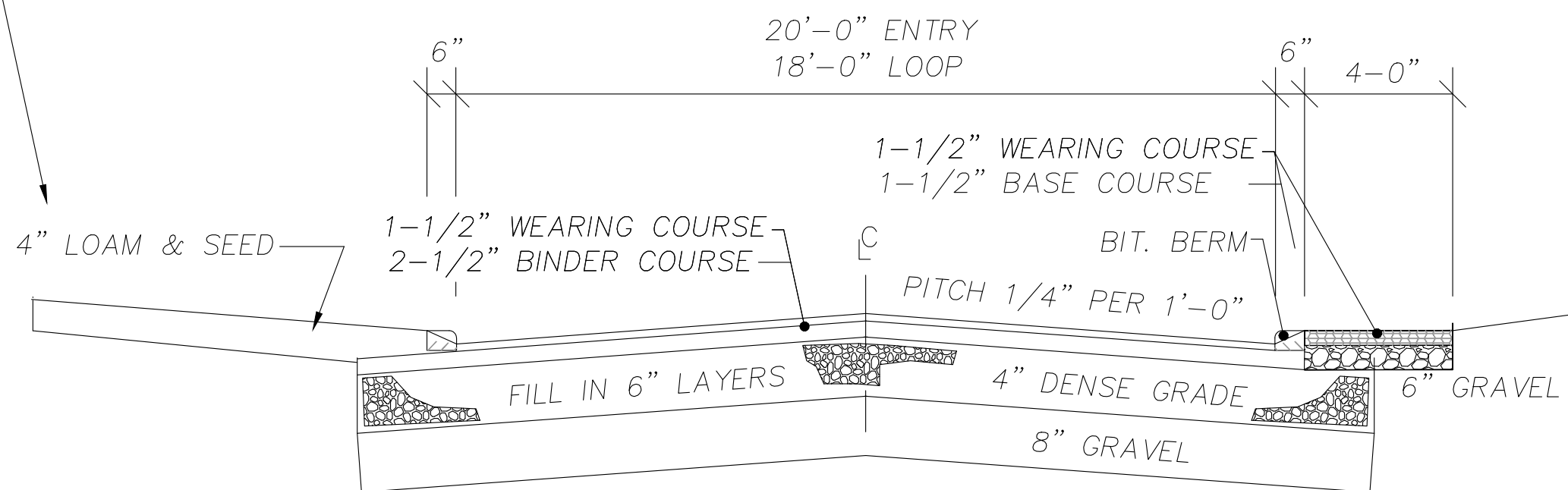
NOT TO SCALE



PERMEABLE PAVER DETAIL

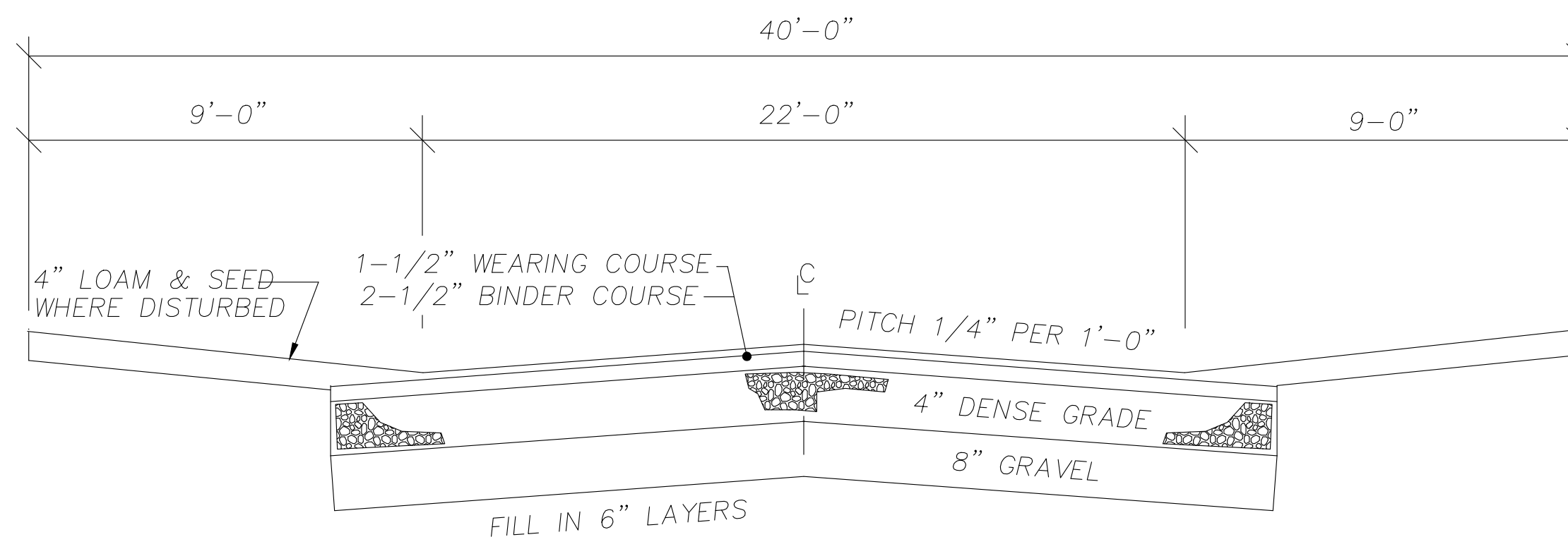
NOT TO SCALE

SIDE SLOPE VARIES
2 HOR. : 1 VERT. MAX.
(SEE GRADING & DRAINAGE PLANS)



ASSOCIATION DRIVEWAY

NOT TO SCALE



FAIRLAND STREET RECONSTRUCTION

NOT TO SCALE

"THIS PLAN IS SUBJECT TO A COVENANT DATED _____"

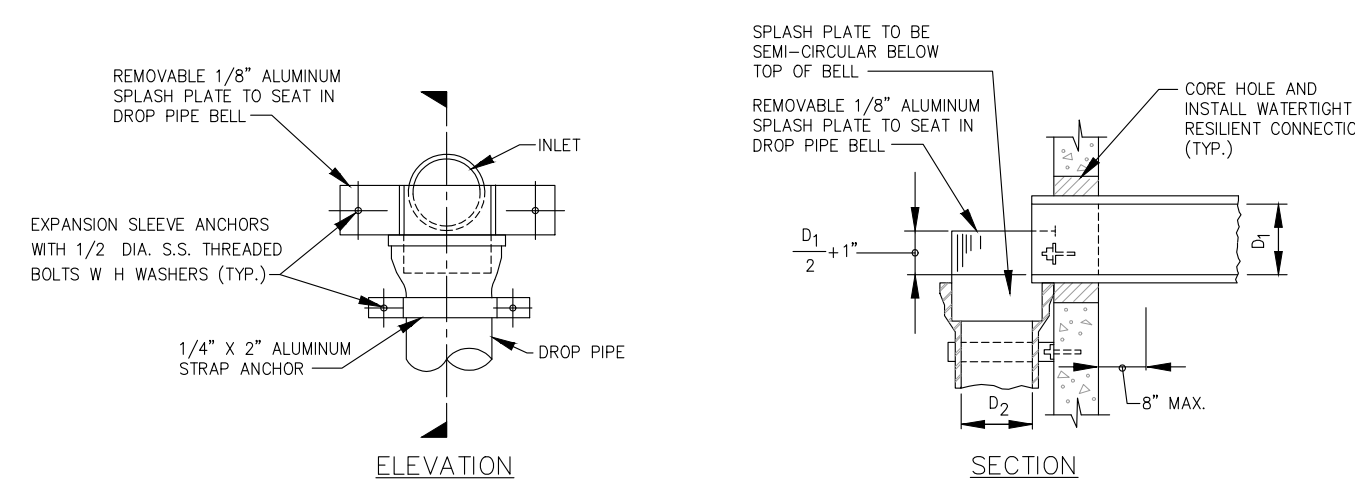
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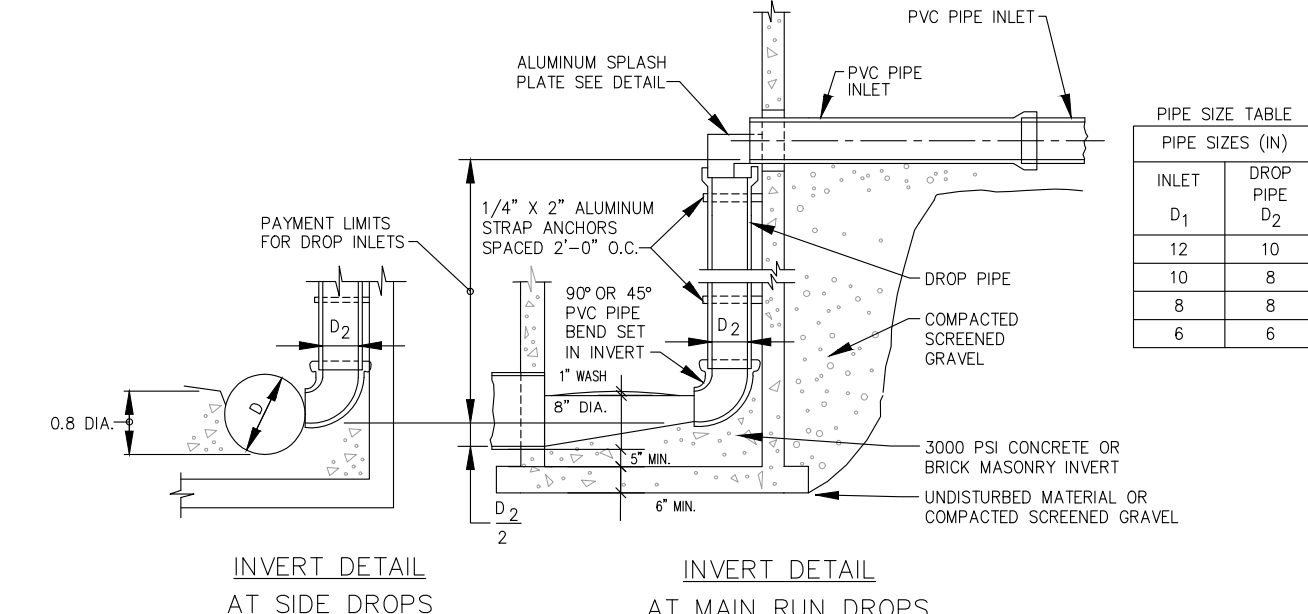
I, _____ CLERK OF THE TOWN OF LEXINGTON, MASSACHUSETTS HEREBY CERTIFY THE THE NOTICE OF APPROVAL OF THIS PLAN BY THE LEXINGTON PLANNING BOARD HAS BEEN RECIEVED AND RECORDED AT THE OFFICE AND NO NOTICE OF APPEAL WAS RECIEVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECIEPT AND RECORDING OF SAID NOTICE.

TOWN CLERK

DATE



ALUMINUM SPLASH PLATE DETAIL

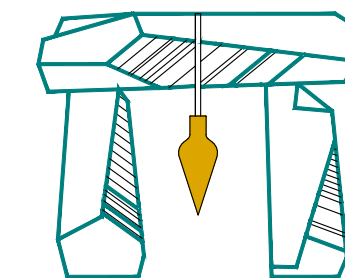


INSIDE DROP INLETS FOR PVC PIPE

12 INCH DIAMETER AND SMALLER

NOT TO SCALE

DeCELLE-BURKE-SALA



& Associates, Inc.

1266 Furnace Brook Parkway, Suite 401 Quincy, MA 02169
(617) 405-5100 (O) (617) 405-5101 (F)



James W Burke, PE #39418

FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS

LEXINGTON PLANNING BOARD

DATE

PROJECT TITLE & LOCATION:

Proposed Residential
Development
in
Lexington, MA

PLAN TITLE:
DETAILS

PREPARED FOR:
BARONS CUSTOM HOMES
1 GARFIELD CIRCLE
BURLINGTON, MA 01803

DATE: MARCH 20, 2019

REVISED: JUNE 12, 2019 REVIEW COMMENTS

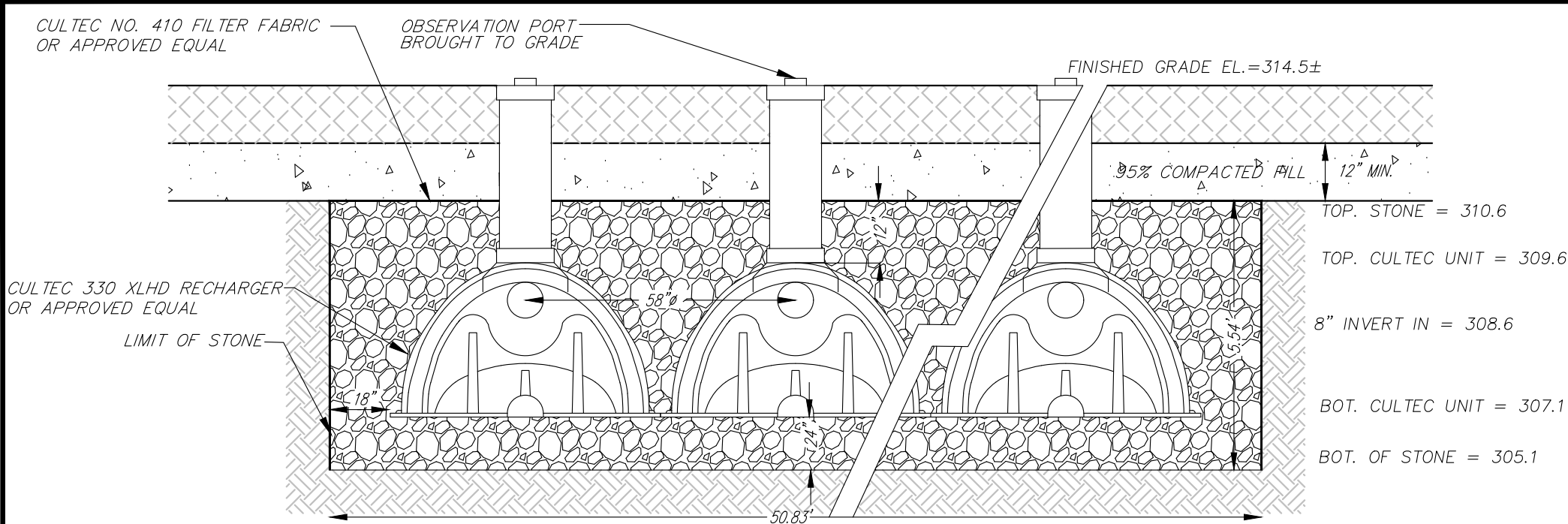
REVISED: MARCH 5, 2020 ACCESS EASEMENT

REVISED: APRIL 22, 2020 ACCESS EASEMENT/PB COMMENTS

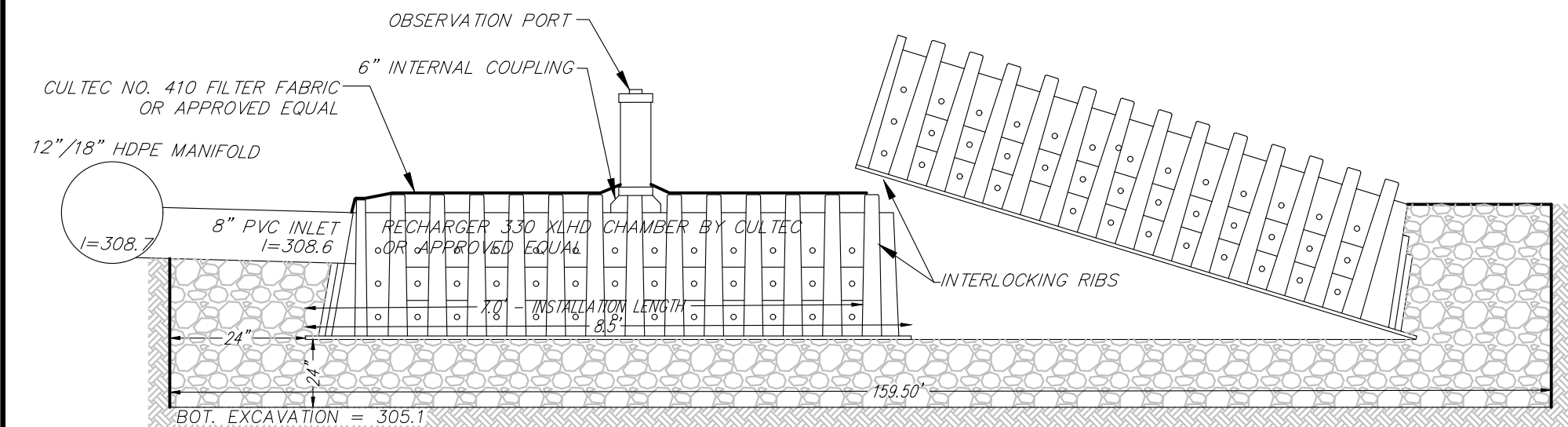
REVISED: JUNE 19, 2020 WATER QUALITY TREATMENT

REVISED: JUNE 29, 2020 PERMEABLE PAVER DETAIL

JOB NUMBER: 124.034 SHEET 16 OF 18



CULTEC CHAMBER TYPICAL SECTION
NOT TO SCALE



OBSERVATION PORT INSTALLATION NOTES:

CONTRACTOR TO CUT 6" HOLE AT TOP OF CHAMBER IN THE CENTER OF THE UNIT.

INSERT A 6" INTERNAL COUPLING INTO INSPECTION PORT OPENING.

USE A 6" SCH.40 PVC PIPE TO BRING INSPECTION PORT TO WITHIN 6" OF FINISHED GRADE.

INSTALL A 6" SCH.40 END CAP OR PLUG.

BACKFILL IN ACCORDANCE WITH SPECIFICATIONS.

CULTEC CHAMBER INSTALLATION NOTES:

CONTRACTOR TO INSTALL CULTEC CHAMBERS IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.

CULTEC NO. 410 FILTER FABRIC OR APPROVED EQUAL TO BE PLACED OVER THE TOP OF THE DRAINAGE SYSTEM PRIOR TO BACKFILL.

CONTRACTOR TO REMOVE ALL LOAM, SUBSOIL AND ALL DELETERIOUS MATERIAL FROM EXCAVATION PRIOR TO PLACEMENT OF THE STONE BED.

CULTEC CHAMBER TYPICAL PROFILE
NOT TO SCALE

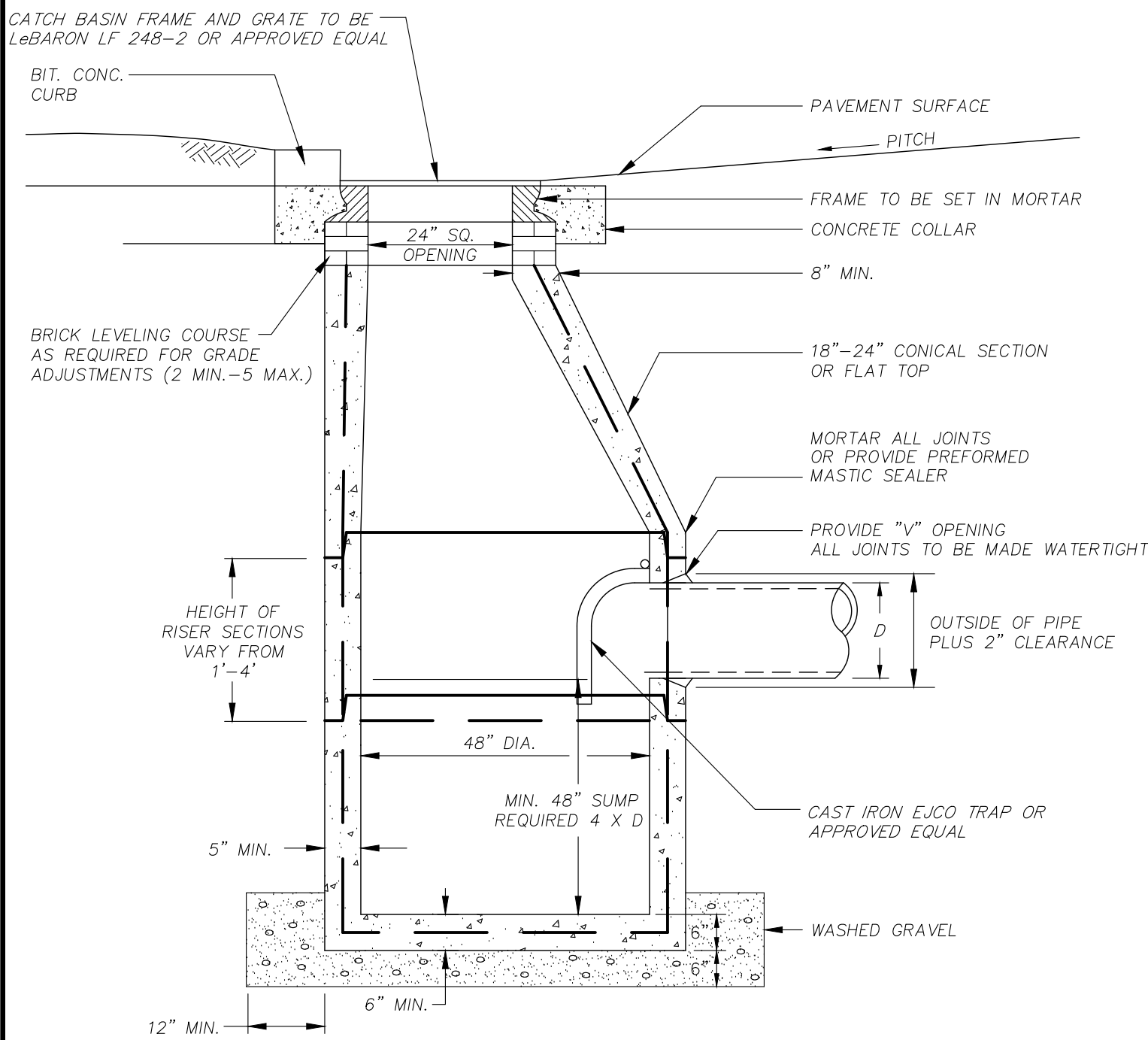
"THIS PLAN IS SUBJECT TO A COVENANT DATED _____"

"THIS PLAN IS SUBJECT TO A CERTIFICATE OF ACTION DATED _____"

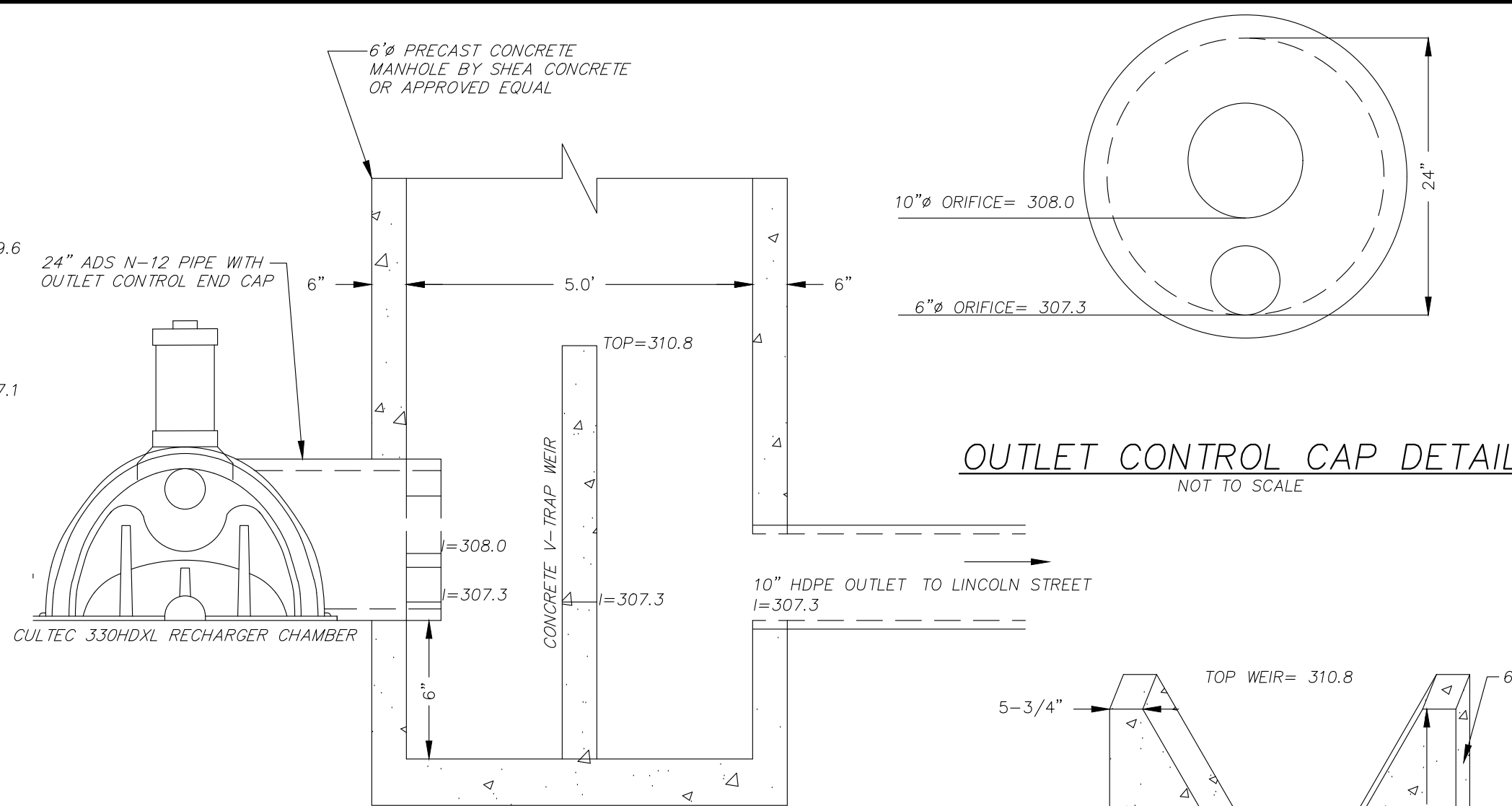
"THIS PLAN IS SUBJECT TO A SPECIAL PERMIT DATED _____"

I, _____, CLERK OF THE TOWN OF LEXINGTON, MASSACHUSETTS HEREBY CERTIFY THE NOTICE OF APPROVAL OF THIS PLAN BY THE LEXINGTON PLANNING BOARD HAS BEEN RECIEVED AND RECORDED AT THE OFFICE AND NO NOTICE OF APPEAL WAS RECIEVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECIEPT AND RECORDING OF SAID NOTICE.

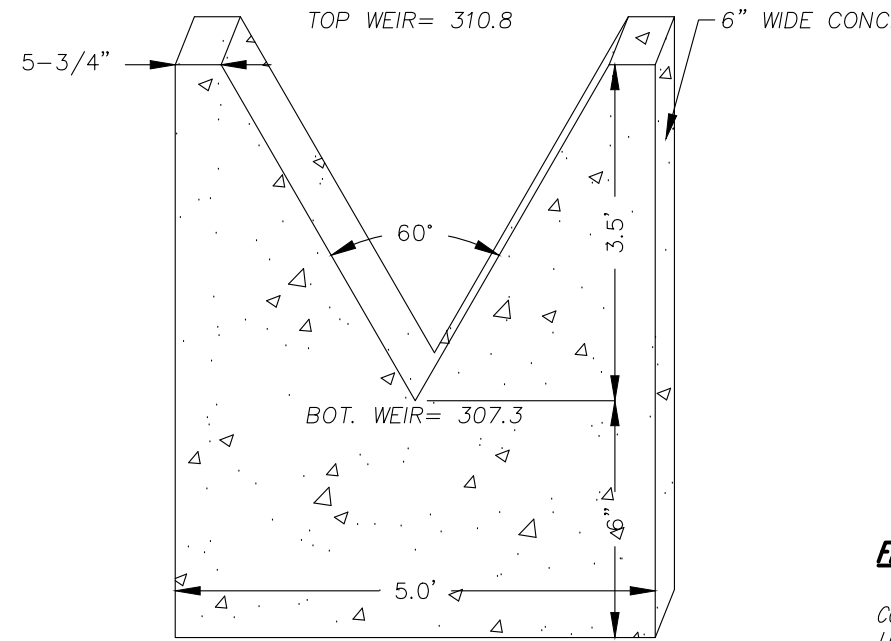
TOWN CLERK _____ DATE _____



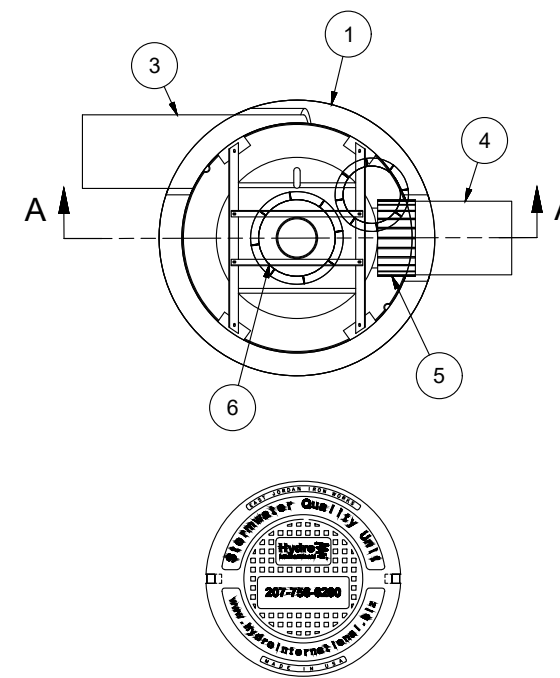
PRECAST CONCRETE CATCH BASIN
NOT TO SCALE



OUTLET CONTROL STRUCTURE DETAIL
NOT TO SCALE



V-TRAP WEIR DETAIL
NOT TO SCALE



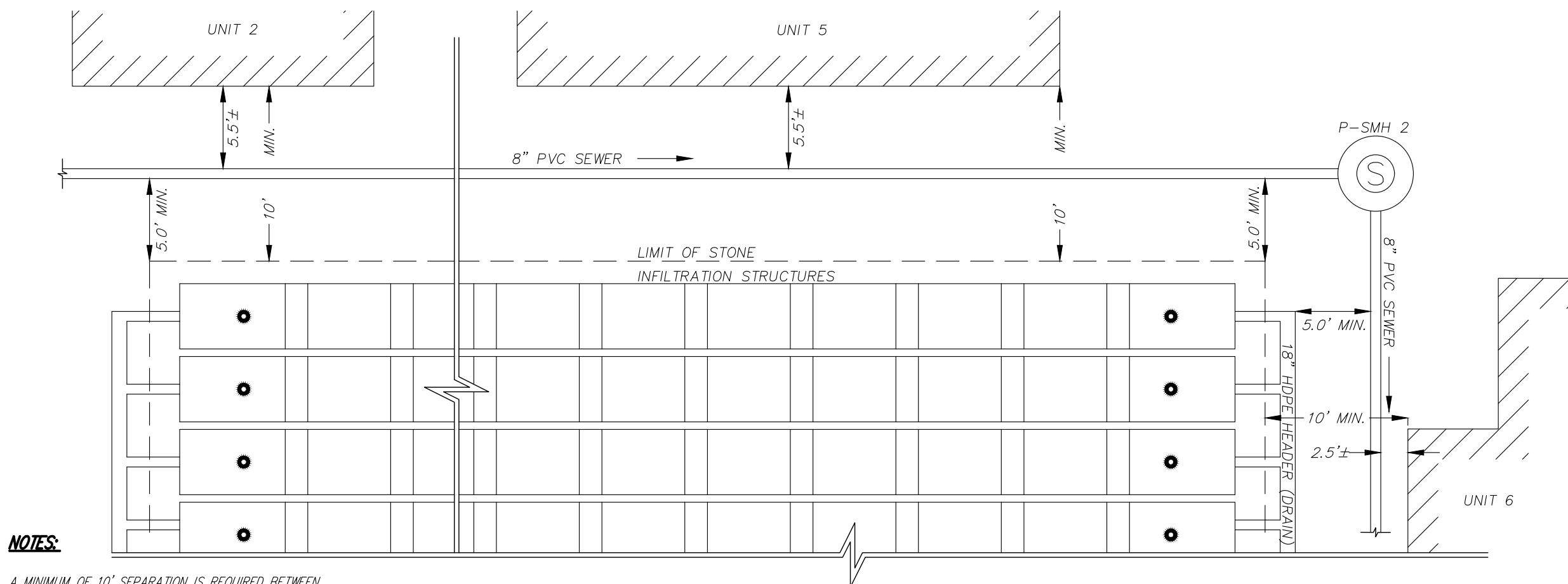
HYDRO FRAME AND COVER (INCLUDED)
GRADE RINGS BY OTHERS AS REQUIRED

EQUIPMENT PERFORMANCE

The stormwater treatment unit shall adhere to the hydraulic parameters given in the chart below and provide the removal efficiencies and storage capacities as follows:

- The treatment system shall use an induced vortex to separate pollutants from stormwater runoff.
- Peak Hydraulic Capacity: 8.0 cfs (227 l/s)
- Sediment Storage Capacity: 2.10 cu. yd. (1.59 cu. m)
- Continuous Oil Storage Capacity: 216 gal. (818 liters)
- Sediment shall be stored in a zone that is isolated from the main flow path and protected from reentrainment by a benching skirt.
- For more product information including regulatory acceptances, please visit <https://hydro-int.com/en/products/downstream-defender>

**WATER QUALITY TANKS
DOWNSTREAM DEFENDER BY HYDRO INTERNATIONAL**
NOT TO SCALE



NOTES:

A MINIMUM OF 10' SEPARATION IS REQUIRED BETWEEN THE INFILTRATION STRUCTURES AND THE PORTION OF THE FOUNDATION WITH A BASEMENT.

A MINIMUM OF 5' OF SEPARATION IS REQUIRED BETWEEN THE SEWER SERVICE PIPES AND THE DRAIN PIPES OR INFILTRATION FIELD.

SEWER SERVICE HORIZONTAL SEPARATION DETAIL
NOT TO SCALE

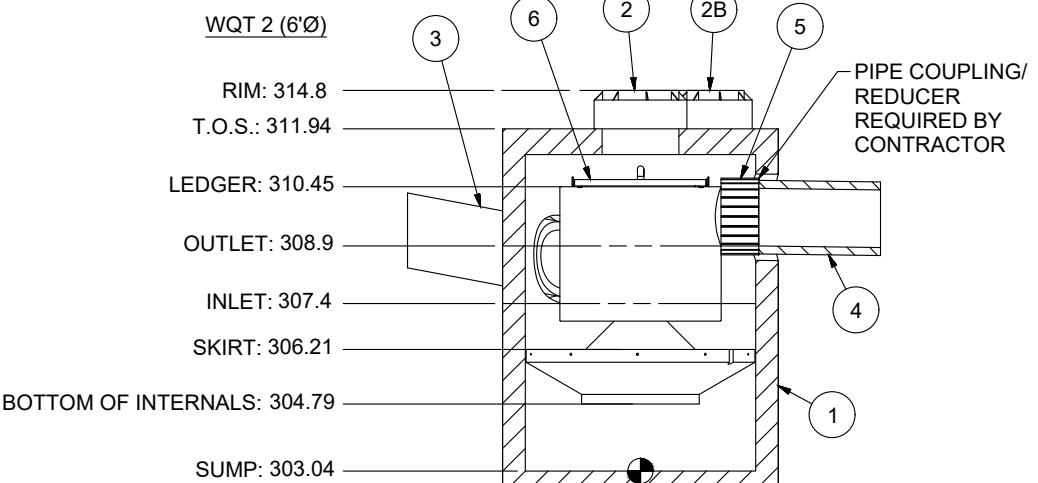
FEED PIPE INSTALLATION NOTES:

CONTRACTOR TO SET THE 12" HDPE MANIFOLD PIPE LEVEL.

8" PVC FEED PIPES TO BE CORE CUT INTO THE 12" HDPE MANIFOLD AT THE MID POINT OF THE PIPE AND CONNECTION TO BE MADE WATER TIGHT.

FILTER FABRIC TO BE PLACED BELOW INLET PIPE TO PREVENT SCOURING

CULTEC CONNECTION DETAIL
NOT TO SCALE

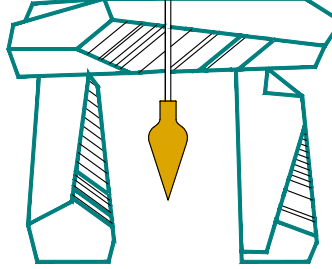


SECTION A-A
STONE BASE PER PROJECT SPECIFICATIONS

NOTE: NOT FOR CONSTRUCTION. CONTACT HYDRO FOR SITE SPECIFIC DETAIL

PARTS LIST				
ITEM	QTY	SIZE (in)	SIZE (in)	DESCRIPTION
1	1	48	72	PRECAST MANHOLE (BY HYDRO VIA PRECASTER)
2	3	30	24	FRAME AND COVER
2B	1		18	FRAME AND COVER
3	1	12 (MAX)	18 (MAX)	MAX INLET PIPE (BY OTHERS)
4	1	12 (MAX)	18 (MAX)	MAX OUTLET PIPE (BY OTHERS)
5	1			PIPE COUPLING (BY OTHERS)
6	1			INTERNAL COMPONENTS (PRE-INSTALLED)

DeCELLE-BURKE-SALA



& Associates, Inc.

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James W Burke, PE #39418

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LEXINGTON PLANNING BOARD

DATE

PROJECT TITLE & LOCATION:

Proposed Residential Development
in
Lexington, MA

PLAN TITLE:
DRAINAGE DETAILS

PREPARED FOR:
BARONS CUSTOM HOMES
1 GARFIELD CIRCLE
BURLINGTON, MA 01803

DATE: MARCH 20, 2019

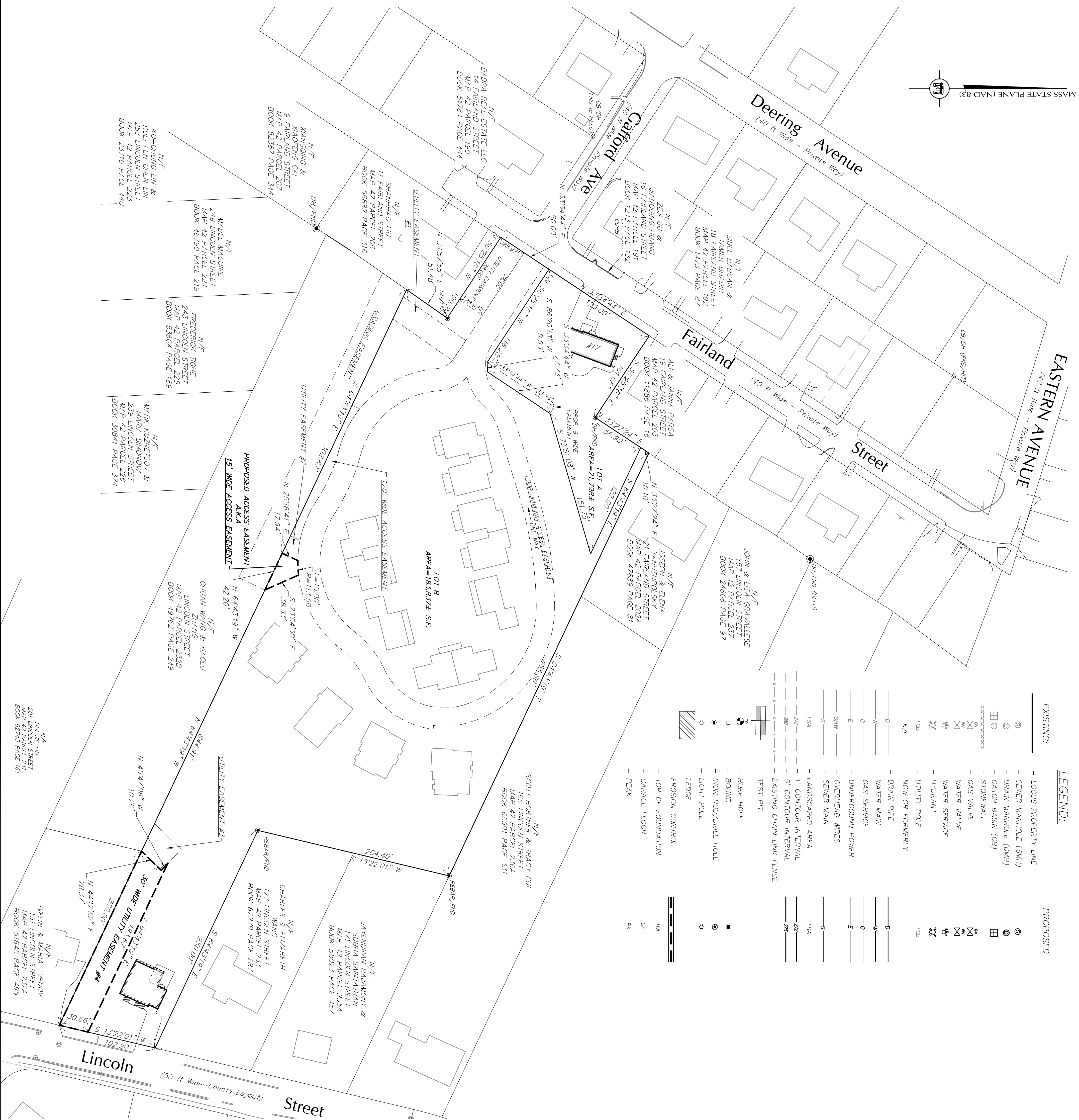
REVISED: JUNE 12, 2019 REVIEW COMMENTS

REVISED: MARCH 5, 2020 ACCESS EASEMENT

REVISED: APRIL 22, 2020 ACCESS EASEMENT/PB COMMENTS

REVISED: JUNE 19, 2020 WATER QUALITY TREATMENT

JOB NUMBER: 124.034 SHEET 17 OF 18



EXISTING:	
⑤	- LOCUS PROPERTY LINE
⑥	- SEWER MANHOLE (SHH)
⑦	- DRAIN MANHOLE (DHH)
⑧	- CATCH BASIN (CB)
⑨	- STONEWALL
⑩	- GAS VALVE
⑪	- WATER VALVE
⑫	- WATER SERVICE
⑬	- HYDRANT
⑭	- UTILITY POLE
N/F	- NOW OR FORMERLY
— D —	- DRAIN PIPE
— W —	- WATER MAIN
— G —	- GAS SERVICE
— E —	- UNDERGROUND POWER
— OHW —	- OVERHEAD WIRES
— S —	- SEWER MAIN
L&A	- LANDSCAPED AREA
— 27' —	- 1' CONTOUR INTERVAL
— 20' —	- 5' CONTOUR INTERVAL
— X —	- EXISTING CHAIN LINK FENCE

PROPOSED

- BORE HOLE
- BOUND
- IRON ROD/DRILL HOLE
- LIGHT POLE
- LEDGE
- EROSION CONTROL

- TOP OF FOUNDATION
- GARAGE FLOOR
- PEAK

TOF
GF
PK

FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

REGISTERED LAND SURVEYOR DATE

THE ABOVE CERTIFICATION IS DEPENDENT ON THE ENDORSEMENT, BY THE PLANNING BOARD, AND RECORDING OF THE SUBDIVISION PLAN DATED SEPTEMBER 27, 2022, PROPERTY RIGHTS, DIMENSIONAL STANDARDS AND EASEMENTS PLAN DATED SEPTEMBER 25, 2022, PROPOSED LOT PLAN DATED SEPTEMBER 25, 2022 AND THE PROJECT, KNOWN AS FAIRLAND COMMONS, BALANCED HOUSING DEVELOPMENT DATED SEPTEMBER 25, 2022.

1. THIS PLAN IS THE RESULT OF AN ON THE GROUND SURVEY PERFORMED BY THIS OFFICE IN OCTOBER 2017. THE EXISTING UTILITIES SHOWN REPLY TO MA90 86.

2. EXISTING UTILITIES WHERE SHOWN IN THE DRAWINGS ARE FROM SURFACE OBSERVATION AND RECORD INFORMATION AND SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECT, LOCATING AND CORRECTING THE UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR APPLYING UTILITY COMPANIES AND MAINTAINING THE EXISTING UTILITY SYSTEM IN SERVICE.

3. THE SITE SHALL BE NOTED PER THE STATE OF MASSACHUSETTS STATE CHAPTER 268A, SECTION 40A. AT THE ADDRESS 25707 MAZDA DRIVE, THE ENGINEER DOES NOT GUARANTEE THEIR ACCURACY OR THAT ALL UTILITIES AND SURFACE STRUCTURES ARE SHOWN.

4. ALL UTILITIES AND SURFACE STRUCTURES ARE SHOWN. LOCATIONS AND ELEVATIONS OF UNDERGROUND UTILITIES WERE OBTAINED FROM RECORD DRAWINGS OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTHS OF ALL UTILITIES PRIOR TO THE START OF CONSTRUCTION.

5. THE LOT SHOWN LIES WITHIN ZONE X (X) AND A SPECIAL FLOOD HAZARD ZONE(E) AS Delineated ON MAP 25070-1-040E. DATED JUNE 4, 2010.

6. PARCEL IS ZONED RS-SINGLE FAMILY.

7. LOT AREA = 15,500 S.F.

8. LOT FRONT WID = 30 FT.

9. LOT SIDE WID = 15 FT.

10. LOT REAR WID = 15 FT.

11. SEE PERMISSING PLANS BY THIS OFFICE APPROVED BY THE MAZDA DRIVE PLANNING BOARD AND TO BE RECORDED AT THE MAZDA DRIVE PLANNING BOARD FOR PROPERTY LINE AND OTHER EXISTENT DETAIL.

PROJECT TITLE & LOCATION

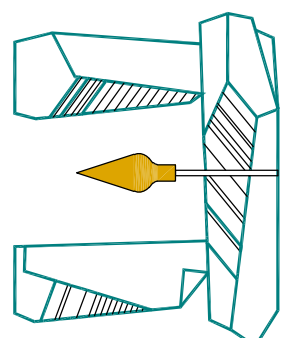
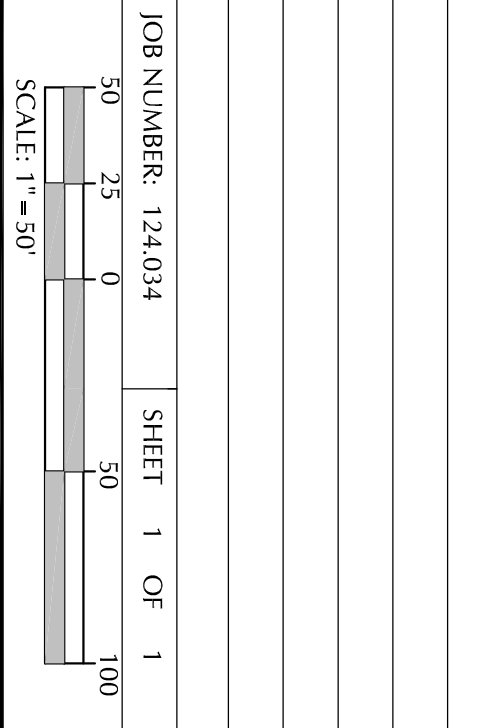
Additional Easements Plan
Fairland Commons
in
Lexington, MA

PLAN TITLE:
Proposed 15' Access Easement
and Utility Easement #4

PREPARED FOR:

BARONS CUSTOM HOMES
1 GARFIELD CIRCLE
BURLINGTON, MA 01803

DATE: JANUARY 5, 2023



& Associates, Inc

1266 Furnace Brook Parkway, Suite 401 Quincy, MA 02169
(617) 405-5100 (O) (617) 405-5101 (F)

COVENANT

Let it be known that Barons Custom Homes, 1 Garfield Circle, Burlington, MA 01803, Middlesex County, Massachusetts, and 15 Fairland LLC, owner in fee simple of Lot 42-205 (15 Fairland Street) and 185 Lincoln LLC, Owner in fee simple of Lot 42-233 (185 Lincoln Street) and Philip and Joy Terry of 17 Fairland Street, Owner in fee simple of Lot 42-204C, Lexington, Middlesex County, Massachusetts, (the “Applicants” or “Covenanter”) submitted an application to the Lexington Planning Board on November 9, 2022, for approval of a plan entitled, “Minor Modification To The Special Permit Residential Development Balanced Housing Development 15-17 Fairland Street & 185 Lincoln Street” consisting of 18 sheets prepared by Decelle-Burke-Sala & Associates, Inc., prepared for Barons Custom Homes, dated March 20, 2019, revised through September 25, 2022 (herein referred to as “Minor Modification Plan”)

In consideration of the Lexington Planning Board approving said Minor Modification Plan without requiring a performance bond or other surety, and in consideration of one dollar in hand paid, receipt and sufficiency whereof are hereby acknowledged, the Applicant covenants and agrees with the Town as follows:

1. That no lot/dwelling unit may be built upon or conveyed until the layout and grading of The Fairland Commons Interior Driveway and the installation of water, drainage and sewage (herein referred to as the “Improvements”) have been provided to serve 14 of the 16 dwelling units approved by the July 10, 2019 Special Permit Balanced Housing Development approval and the Minor Modification, in accordance with any covenants, conditions, agreements, terms, and conditions specified in the following:
 - a. The Applications for Approval, dated July 10, 2019 and modified on November 9, 2022, as qualified by the definitive plan as approved and Special Permit.
 - b. The Planning Board’s Development Regulations governing this development.
 - c. The Special Permit Decisions and Minor Modifications to such Decision and any conditions of approval specified therein, issued by the Board on July 10, 2019 and November 9, 2022.
 - d. The definitive plan as approved and as qualified by the Special Permit for Balanced Housing Residential Development.
 - e. Other document(s) specifying construction to be completed, namely:

N/A

It is understood and agreed that lots/dwelling units within the development shall, respectively, be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Board specifically enumerating the lots/dwelling units to be released. Upon completion of the portion of the improvements necessary to serve a given lot or lots, the Covenanter shall send a written statement of such fact to the Planning Board and to the Lexington Town Clerk. If the Planning Board determines that such Improvements have been completed in accordance with the requirements of this Covenant, it shall execute and deliver said certificate within forty (45) days of receipt of the said statement. If the Board determines that such Improvements have not been completed in accordance with such requirements, it shall send a written notice to the Covenanter and to the Lexington Town Clerk specifying the details wherein the Improvements fail to comply. Unless the Covenanter agrees to an extension, if the Board fails to either execute and deliver such instrument or send such written notice prior to the expiration of the aforesaid forty-five (45) days, then, as provided in Massachusetts General Laws Chapter 41, Section 81U, this Covenant shall become void as to the lot or lots identified in the Covenanter's statement, and the Covenanter may obtain a certificate in recordable form to such effect from the Lexington Town Clerk. If the Board gives written notice of noncompliance and the Covenanter thereafter corrects the deficiencies specified in the notice, the Board shall then execute and deliver an instrument releasing the lot or lots in question as aforesaid.

2. This covenant shall refer to the construction of the roadways and in the installation of the Improvements and shall be binding upon and inure to the benefit of the executors, administrators, devisees, heirs, successors and assigns of the Applicant. This contract shall constitute a covenant running with the land included in the aforesaid development and shall operate as a restriction upon said land.
3. Nothing herein shall be deemed to prohibit conveyance by a single deed of either the entire parcel shown on the plan or of all lots not previously released by the Board. Notwithstanding any provision herein to the contrary, a mortgagee who acquires title to the mortgaged premises, or any part thereof, by foreclosure or otherwise and any such owner taking title through such mortgagee may convey or sell any lot subject to the terms and conditions of this covenant.
4. The undersigned warrant(s) and represent(s) that they are the owners in fee simple of all the land included in the development, and there are no mortgages or liens of record or otherwise on any of said land, except those described below and subordinated to this Covenant, and the present holders of said mortgages or liens have assented to this Covenant prior to its execution by the Applicant.

The description of current mortgage(s) and lien(s) is as follows: 15 Fairland:
1/18/2018 Book 70488 Pg 433 to Village Bank
185 Lincoln 1/22/2018 Book 70541 Pg 232 to Village Bank
17 Fairland mortgage free

The mortgagee agrees to hold the mortgage subject to the covenants set forth herein and agrees that the covenants shall have the same status, force and effect as though

executed and recorded before the taking of the mortgage and further agrees that the mortgage shall be subordinate to this covenant.

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

5. This covenant shall take effect upon the endorsement of said plan and shall promptly be recorded with the Middlesex South Registry of Deeds by the Applicant with the appropriate marginal reference to this covenant placed on the plan.
6. Upon final completion of the construction of roadways and installation of improvements as specified herein, on or before March 1, 2026, unless otherwise extended by the Planning Board, the Board shall vote release this covenant by an appropriate instrument duly recorded.
7. Lots within the special permit subdivision may be released from the foregoing conditions only upon recording a written release executed by a majority of the Planning Board and specifically enumerating the lots to be released thereunder.
8. The undersigned is duly authorized on behalf of the Applicant to execute this document recorded herewith.
9. This covenant can be executed in counterparts which when taken together shall constitute one instrument.

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

Signature of Applicant

Applicant's Name Printed

Signature of Authorized Lender's Representative

Lender's Representative's Name Printed

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

_____, Notary Public

COMMONWEALTH OF
MASSACHUSETTS

MIDDLESEX COUNTY, ss

On this _____ day of
_____, 20____, before me, the

My Commission Expires _____

|

Signature of Planning Board Member

Board Member's Name Printed

Signature of Planning Board Member

Board Member's Name Printed

Signature of Planning Board Member

Board Member's Name Printed

Signature of Planning Board Member

Board Member's Name Printed

Signature of Planning Board Member

Board Member's Name Printed

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

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY, ss

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

_____, Notary Public
My Commission Expires _____

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY, ss

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

_____, Notary Public
My Commission Expires _____

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY, ss

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

_____, Notary Public
My Commission Expires _____

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY, ss

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

_____, Notary Public
My Commission Expires _____

COMMONWEALTH OF MASSACHUSETTS

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personally appeared Lexington Planning Board member,
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identification, which were _____, to be the persons whose names
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_____, Notary Public
My Commission Expires _____

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX COUNTY, ss

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

_____, Notary Public
My Commission Expires _____

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

21 Tower Road - Street Adequacy Determination (SAD) release of surety

PRESENTER:

Staff

ITEM NUMBER:

SUMMARY:

A Street Adequacy Determination for 21 Tower Road was approved by the Planning Board on June 29, 2022. The Applicant has fulfilled their road improvements, and Engineering has confirmed their presents on the site at the time of the improvements. The Applicant is requesting the release of their surety payment of \$14,285.96.

SUGGESTED MOTION:

Move to find the work as required in the 2022 SAD determination has been completed and the funds in the amount of \$14,285.96 may be returned to the Applicant.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

ATTACHMENTS:

Description	Type
□ Staff Memo - Request of Surety Release	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
Kiruthika Ramakrishnan, Planning Coordinator

To: Planning Board

From: Molly Belanger, Planner

Re: Escrow for 21 Tower Road Improvements -Street Adequacy Determination

Date: February 22, 2023

The Planning Board voted at its June 29, 2022 meeting to require the Applicant, Frederick Gilgun, to repair the roadway running parallel to the property frontage line at 21 Tower Road, as described in a road improvement plan dated June 2, 2022. The Applicant submitted a surety for this improvement, in the amount of \$14,285.96, to be released by the vote of the Planning Board upon completion of the roadway improvement. Both the Applicant and Lexington Engineering have confirmed the required improvement has been completed to the Town's satisfaction, and the Applicant is requesting a release of the surety amount.

Suggested Motion:

The Planning Board acknowledges Lexington Engineering's confirmation of the completed roadway improvement at 21 Tower Road and requests that the Town Treasurer releases the surety amount of \$14,285.96 back to the Applicant, Frederick Gilgun.

Molly Belanger

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:

3/1/2023

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:

3/1/2023

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Upcoming Meetings: 3/15, Before Town Meeting: 4/5, 4/26

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Review of Meeting Minutes: 2/1

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

Meeting will continue until all items are finished. Estimated adjournment 8:30 pm

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/1/2023