

AGENDA

Lexington Planning Board

Wednesday, January 24, 2024

Held virtually through Zoom link available here:

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

6:00 PM

Development Administration

1. **69 Pleasant St./Linc Cole Lane – Minor Modification request to modify the 2022 site sensitive special permit residential development's site coverage and impervious surface**

Town Meeting Related

1. **Affordable Housing Trust - Request for support for Town Meeting article seeking authorization to pursue affordable housing at Town-owned Parcel 68-44 at Lowell & North St.**
2. **Tree Committee – Request for support for Town Meeting articles related to Tree Bylaw amendments (Tree Protection Plan, Mitigation Plantings, Exemptions)**

Work Session for Town Meeting

1. **Planning Board will discuss their sponsored zoning amendment articles submitted for Town Meeting relative to the following sections of the Zoning Bylaw:**
 - 6.10 Short Term Rentals**
 - 3.4 Table 1 Permitted Uses and Development Standards and 10.0 Definitions**
 - 5.2 Signs & Definitions (updated 1.23.24)**
 - 7.5.5.10.a Maximum Building Height in Village Overlay**
 - 7.5.12 Inclusionary Housing in Village & Multi-Family Overlay Districts**
 - Technical Corrections**

Board Administration

1. **Board Member Updates**
2. **Review of Meeting Minutes: 1/10/24**
3. **Upcoming Meetings: 2/7, 2/28, 3/13**

Adjourn

1. **The meeting will continue until all items are finished. The estimated adjournment time is 9:30 pm**



Meeting broadcast by LexMedia

AGENDA ITEM SUMMARY

LEXINGTON PLANNING BOARD

AGENDA ITEM TITLE:

69 Pleasant St./Linc Cole Lane – Minor Modification request to modify the 2022 site sensitive special permit residential development's site coverage and impervious surface

PRESENTER:

Applicant: Sheldon Corporation

ITEM NUMBER:

SUMMARY:

Applicant request minor modification of 2022 special permit decision to increase the site coverage and impervious surface as the plans for the individual houses have developed. Project narrative, drainage calculations, and modified plans are attached.

The plans and decision from the September 2022 approval can be found here: <https://www.lexingtonma.gov/1820/69-Pleasant-St-Special-Permit-Residentia> The 2022 special permit approval granted waivers to allow an increase in the maximum impervious area (waiver #3) and the maximum site coverage (waiver #4).

Staff has reviewed the request including the drainage information and agrees with the Applicant that the additional stone storage allows for the system to contain any stormwater runoff on the lot with the modification.

The amended section 6.9 in the new zoning bylaw does not limit site coverage or impervious surface. Staff recommends approval.

SUGGESTED MOTION:

Board should vote to determine the request is a minor.

Board should then vote on the requested modification and vote to allow Chair to sign the decision.

Suggested Motions for approval:

Move to find the Applicant's request to increase the site coverage and impervious area to be a minor change to the plan approved in 2022 and does not materially change the project.

Move to approve the Applicant's request as described in narrative dated January 8, 2024 and submitted site construction plan revised through January 4, 2024.


Move to allow Chair to sign the decision.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

1/24/2024

ATTACHMENTS:

Description	Type
 Linc Cole Amendment-narrative_Rev	Cover Memo
 Linc Cole-Amendment Plan 01-04-24	Cover Memo
 2022 Approval Decision	Exhibit



PO BOX 362
Lexington, MA 02420

VIA: VIEWPOINT

January 4, 2024
Revised January 8, 2024

Robert Peters-Chair
Town of Lexington Planning Board
1625 Massachusetts Avenue
Lexington, Massachusetts 02420

**Re: Linc Cole Lane (69 Pleasant Street) Decision Amendment Request
Lexington, Massachusetts**

Dear Chair Peters:

Patriot Engineering LLC (Patriot) is pleased to submit this amendment request for the Special Permit Site Sensitive Residential Development and Definitive Subdivision decision on behalf of the applicant Sheldon Corporation. The waiver request is to amend the allowed Site Coverage and Impervious Surface limits as set forth in items 3 and 4 of the Waivers and Zoning Relief section of the Planning Board decision for 69 Pleasant Street signed on September 13, 2022.

The amendment request is to allow an increase in both the total maximum allowed Site Coverage from the approved 31,246 square feet to a total of 35,646 square feet and the approved Impervious Surface from 61,350 square feet to a total of 63,350 square feet. The reasoning for these requests is to accommodate the architectural features of the existing house, construction of the moderate housing unit and the transitional styles of houses that Sheldon Corp committed to build which include extended overhangs and covered porches. An increase in the allowed GFA is not being requested and the total GFA will remain as approved.

As part of the stormwater approval, individual roof infiltration systems were proposed for each dwelling/lot to capture the stormwater runoff from the newly constructed roof area. The roof infiltration systems designed for the existing dwelling and addition (Lot H) has been adjusted to accommodate the final addition design and proposed roof overhangs. The roof area contributing to the existing dwelling's system (PSIS-ER) increased by 428 SF (including overhangs) which results in the need for six (6) inches of additional stone within the footprint of the infiltration system. The updated garage footprint and attached MIU unit roof area decreased 155 SF (including overhangs) therefore no changes to the previously approved roof system (PSIS-MIU) are necessary. HydroCAD calculations have been provided with this letter for the 100-year storm event to show each system's capacity to accept the revised roof area runoff.

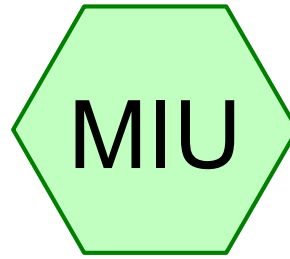
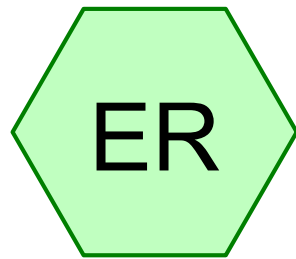
For the remaining new lots, a roof infiltration system will be incorporated into each lot individually. This system will capture all roof runoff including any increase in roof area (site coverage and impervious area) from the requested amendment. Should you have any questions or require any further details, please feel welcome to email at mnovak@patriot-eng.com

Sincerely,

PATRIOT Engineering LLC,

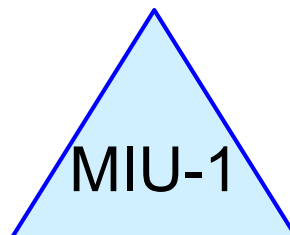
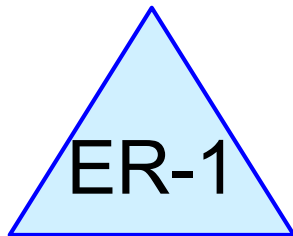
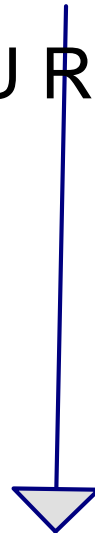
A handwritten signature in blue ink, appearing to read "MJ Novak", with a stylized flourish at the end.

Michael J Novak, P.E.



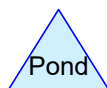
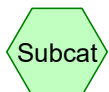
EX WITH ADD

MIU ROOF



PSIS-ER

PSIS-MIU



69 PLEASANT_POST_DEF_REV-6

Prepared by Patriot Engineering

HydroCAD® 10.10-4b s/n 11576 © 2020 HydroCAD Software Solutions LLC

Printed 1/8/2024

Page 2

Rainfall Events Listing (selected events)

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (inches)	AMC
1	100-Yr 24 Hr	Type III 24-hr		Default	24.00	1	8.80	2

Summary for Subcatchment ER: EX WITH ADD

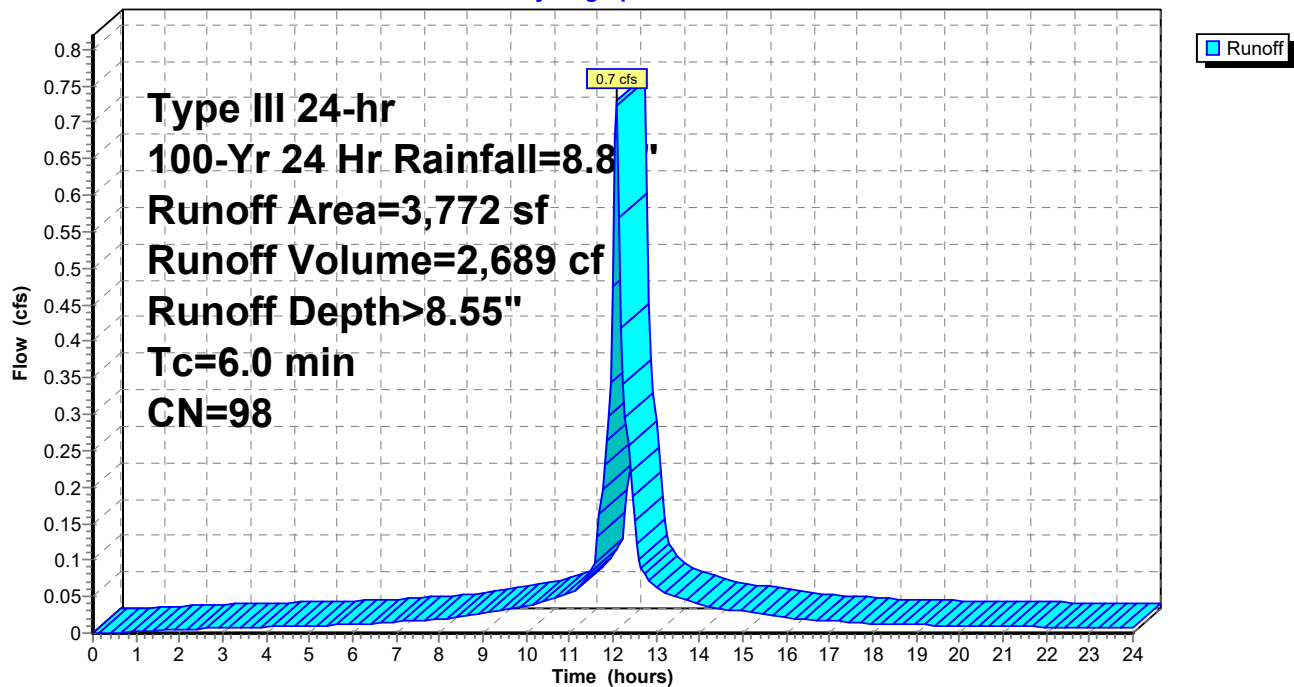
Runoff = 0.7 cfs @ 12.09 hrs, Volume= 2,689 cf, Depth> 8.55"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs

Type III 24-hr 100-Yr 24 Hr Rainfall=8.80"

Area (sf)	CN	Description
3,408	98	Roofs, HSG A
* 364	98	Parking area
3,772	98	Weighted Average
3,772		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment ER: EX WITH ADD**Hydrograph**

Summary for Subcatchment MIU: MIU ROOF

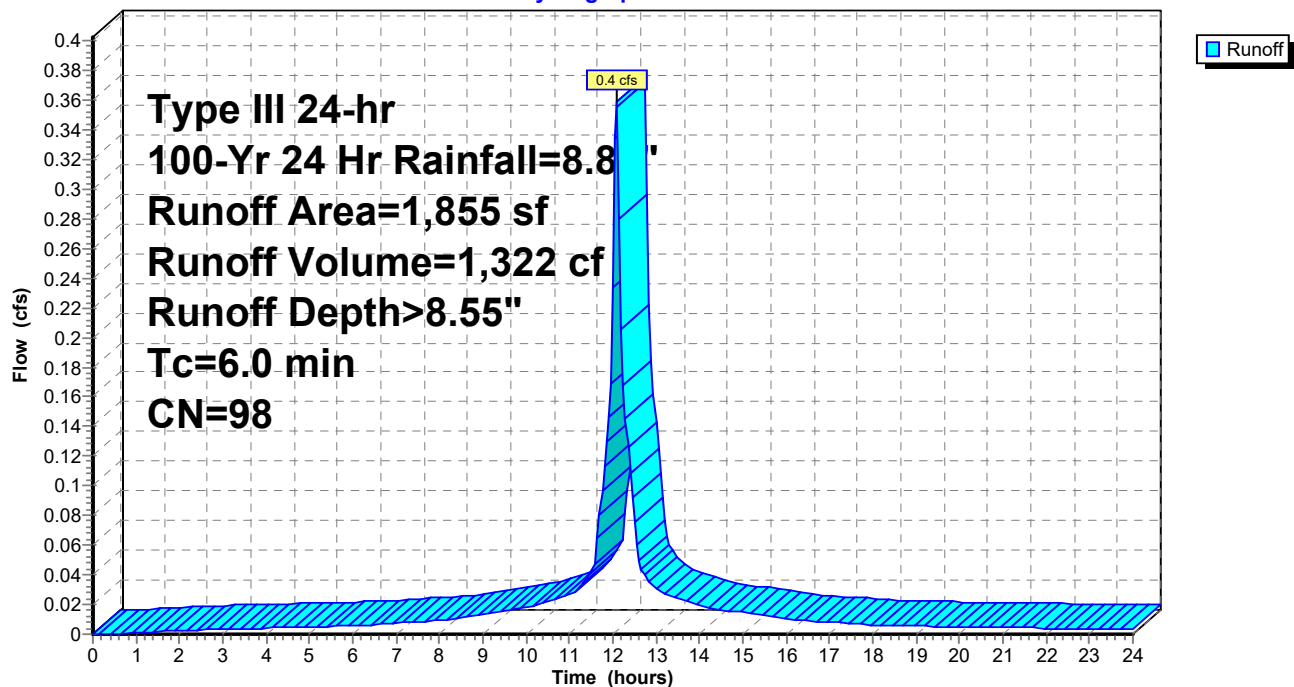
Runoff = 0.4 cfs @ 12.09 hrs, Volume= 1,322 cf, Depth> 8.55"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs

Type III 24-hr 100-Yr 24 Hr Rainfall=8.80"

Area (sf)	CN	Description
1,855	98	Roofs, HSG A
1,855		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry,

Subcatchment MIU: MIU ROOF**Hydrograph**

Summary for Pond ER-1: PSIS-ER

Inflow Area = 3,772 sf, 100.00% Impervious, Inflow Depth > 8.55" for 100-Yr 24 Hr event
 Inflow = 0.7 cfs @ 12.09 hrs, Volume= 2,689 cf
 Outflow = 0.0 cfs @ 8.10 hrs, Volume= 1,312 cf, Atten= 97%, Lag= 0.0 min
 Discarded = 0.0 cfs @ 8.10 hrs, Volume= 1,312 cf

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
 Peak Elev= 264.47' @ 16.42 hrs Surf.Area= 793 sf Storage= 1,598 cf

Plug-Flow detention time= 244.6 min calculated for 1,310 cf (49% of inflow)
 Center-of-Mass det. time= 108.3 min (847.9 - 739.6)

Volume	Invert	Avail.Storage	Storage Description
#1A	261.00'	777 cf	16.75'W x 47.34'L x 3.50'H Field A 2,775 cf Overall - 832 cf Embedded = 1,943 cf x 40.0% Voids
#2A	261.50'	832 cf	ADS_StormTech RC-750 +Cap x 18 Inside #1 Effective Size= 45.4"W x 30.0"H => 6.49 sf x 7.12'L = 46.2 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap 18 Chambers in 3 Rows
		1,609 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	261.00'	1.020 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.0 cfs @ 8.10 hrs HW=261.04' (Free Discharge)

↑ **1=Exfiltration** (Exfiltration Controls 0.0 cfs)

Pond ER-1: PSIS-ER - Chamber Wizard Field A**Chamber Model = ADS_StormTech RC-750 +Cap (ADS StormTech® RC-750 with cap length)**

Effective Size= 45.4"W x 30.0"H => 6.49 sf x 7.12'L = 46.2 cf

Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap

51.0" Wide + 6.0" Spacing = 57.0" C-C Row Spacing

6 Chambers/Row x 7.12' Long +0.81' Cap Length x 2 = 44.34' Row Length +18.0" End Stone x 2 = 47.34' Base Length

3 Rows x 51.0" Wide + 6.0" Spacing x 2 + 18.0" Side Stone x 2 = 16.75' Base Width

6.0" Stone Base + 30.0" Chamber Height + 6.0" Stone Cover = 3.50' Field Height

18 Chambers x 46.2 cf = 832.3 cf Chamber Storage

2,775.1 cf Field - 832.3 cf Chambers = 1,942.8 cf Stone x 40.0% Voids = 777.1 cf Stone Storage

Chamber Storage + Stone Storage = 1,609.4 cf = 0.04 af

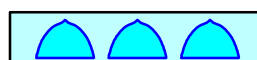
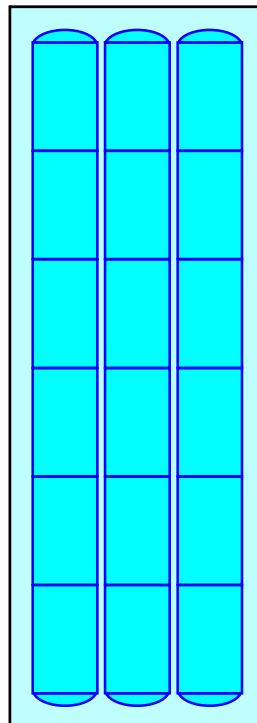
Overall Storage Efficiency = 58.0%

Overall System Size = 47.34' x 16.75' x 3.50'

18 Chambers

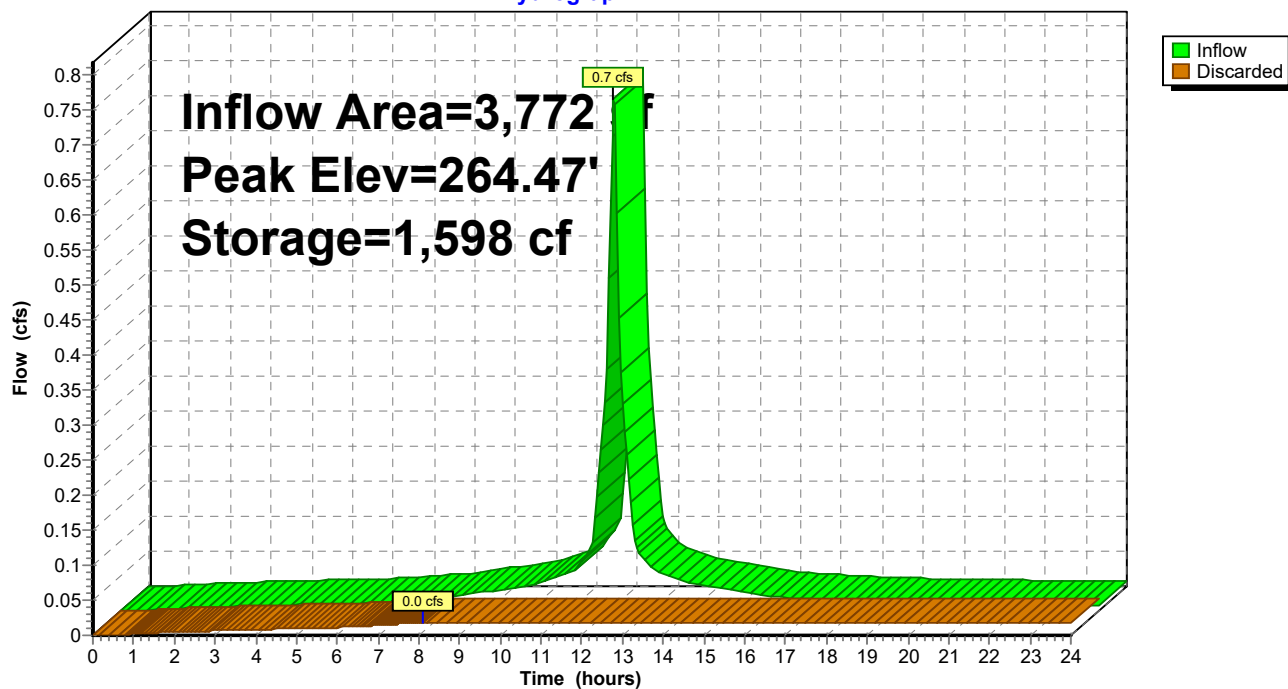
102.8 cy Field

72.0 cy Stone



Pond ER-1: PSIS-ER

Hydrograph



Summary for Pond MIU-1: PSIS-MIU

Inflow Area = 1,855 sf, 100.00% Impervious, Inflow Depth > 8.55" for 100-Yr 24 Hr event
 Inflow = 0.4 cfs @ 12.09 hrs, Volume= 1,322 cf
 Outflow = 0.0 cfs @ 8.45 hrs, Volume= 706 cf, Atten= 97%, Lag= 0.0 min
 Discarded = 0.0 cfs @ 8.45 hrs, Volume= 706 cf

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
 Peak Elev= 258.91' @ 15.99 hrs Surf.Area= 435 sf Storage= 756 cf

Plug-Flow detention time= 244.2 min calculated for 704 cf (53% of inflow)
 Center-of-Mass det. time= 118.6 min (858.3 - 739.6)

Volume	Invert	Avail.Storage	Storage Description
#1A	256.00'	443 cf	16.75'W x 25.98'L x 3.50'H Field A 1,523 cf Overall - 416 cf Embedded = 1,107 cf x 40.0% Voids
#2A	256.50'	416 cf	ADS_StormTech RC-750 +Cap x 9 Inside #1 Effective Size= 45.4"W x 30.0"H => 6.49 sf x 7.12'L = 46.2 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap 9 Chambers in 3 Rows
		859 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	256.00'	1.020 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.0 cfs @ 8.45 hrs HW=256.04' (Free Discharge)

↑ **1=Exfiltration** (Exfiltration Controls 0.0 cfs)

Pond MIU-1: PSIS-MIU - Chamber Wizard Field A**Chamber Model = ADS_StormTech RC-750 +Cap (ADS StormTech® RC-750 with cap length)**

Effective Size= 45.4"W x 30.0"H => 6.49 sf x 7.12'L = 46.2 cf

Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap

51.0" Wide + 6.0" Spacing = 57.0" C-C Row Spacing

3 Chambers/Row x 7.12' Long +0.81' Cap Length x 2 = 22.98' Row Length +18.0" End Stone x 2 = 25.98' Base Length

3 Rows x 51.0" Wide + 6.0" Spacing x 2 + 18.0" Side Stone x 2 = 16.75' Base Width

6.0" Stone Base + 30.0" Chamber Height + 6.0" Stone Cover = 3.50' Field Height

9 Chambers x 46.2 cf = 416.2 cf Chamber Storage

1,522.9 cf Field - 416.2 cf Chambers = 1,106.7 cf Stone x 40.0% Voids = 442.7 cf Stone Storage

Chamber Storage + Stone Storage = 858.8 cf = 0.02 af

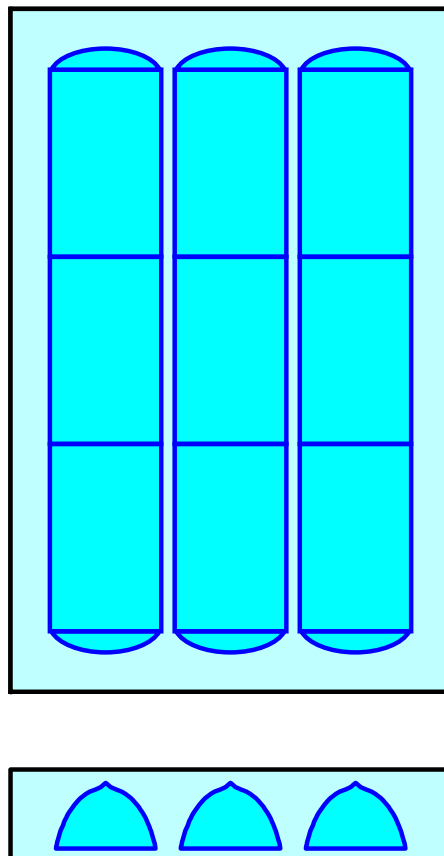
Overall Storage Efficiency = 56.4%

Overall System Size = 25.98' x 16.75' x 3.50'

9 Chambers

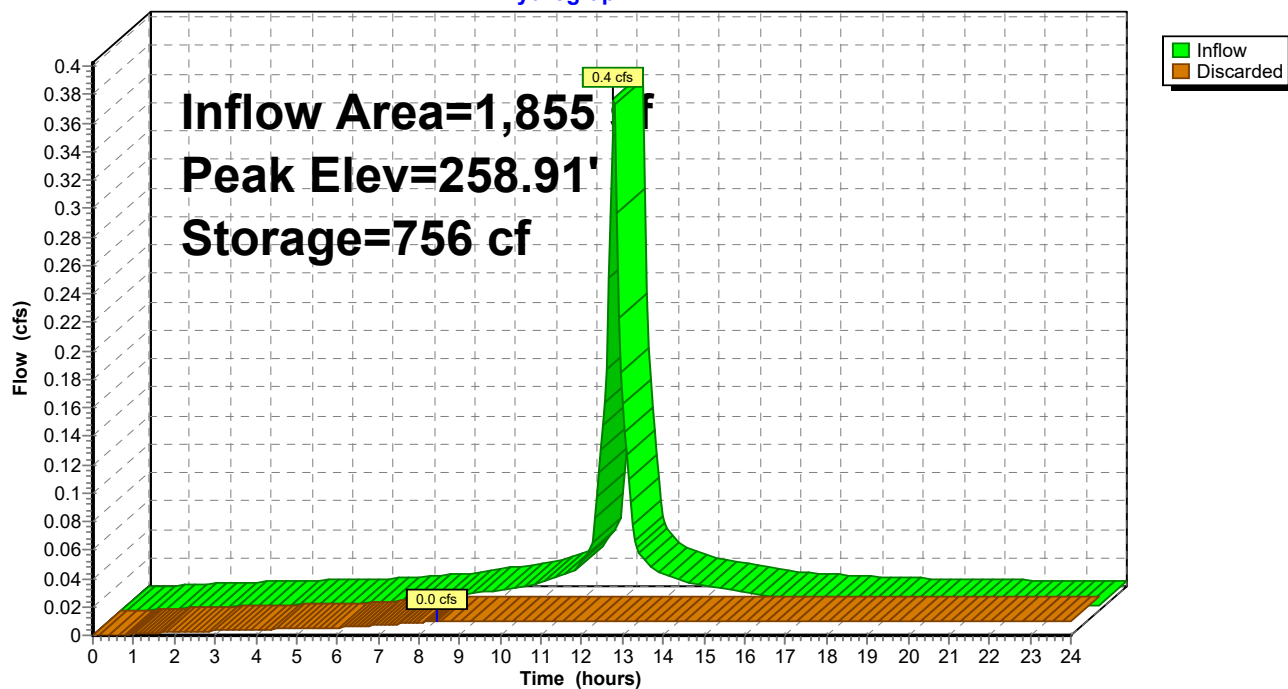
56.4 cy Field

41.0 cy Stone



Pond MIU-1: PSIS-MIU

Hydrograph



FOR REGISTRY OF DEEDS USE ONLY

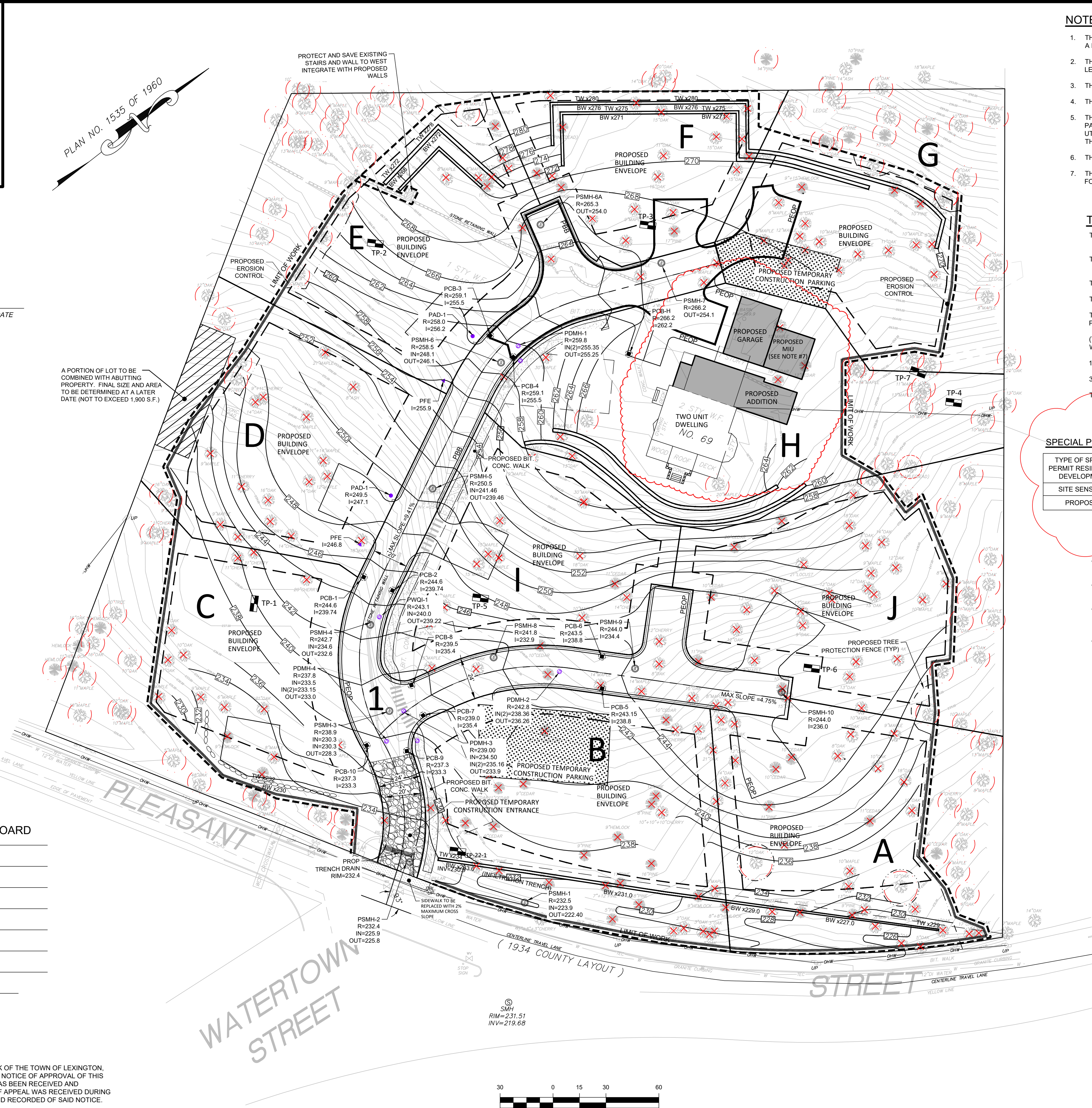
I DECLARE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

FOR PATRIOT ENGINEERING DATE

LEXINGTON PLANNING BOARD

I, _____ CLERK OF THE TOWN OF LEXINGTON, MASSACHUSETTS HEREBY CERTIFY THAT 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 TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDED OF SAID NOTICE.

TOWN CLERK DATE



NOTES:

- THE TOPOGRAPHY, SITE DETAIL & SURFACE IMPROVEMENTS DEPICTED HEREON WERE OBTAINED FROM A PLAN PREPARED BY KEENAN SURVEY.
- THE SOLE PURPOSE OF THIS PLAN SET IS TO COMPLY WITH SECTION 135-6.9.3 OF THE TOWN OF LEXINGTON ZONING BYLAW.
- THE SUBJECT PROPERTY DEPICTED IS LOCATED WITHIN THE RS ZONING DISTRICT.
- THE SUBJECT PROPERTY IS DEPICTED AS LOT 57 ON THE TOWN OF LEXINGTON ASSESSOR'S MAP 14
- THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE AND ARE BASED UPON A PARTIAL FIELD SURVEY AND PLANS OF RECORD. THIS PLAN DOES NOT GUARANTEE THE LOCATION OF UTILITIES DEPICTED. THE CONTRACTOR, PRIOR TO COMMENCEMENT OF CONSTRUCTION, SHALL VERIFY THE LOCATION OF ALL UTILITIES AND CONTACT DIG SAFE AT 1-888-344-7233.
- THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST.
- THIS UNIT WILL BE DESIGNATED AS A MODERATE INCOME UNIT (150% AMI) EXACT FINISHED SQUARE FOOTAGE TO BE DETERMINED

TABLE OF DEVELOPMENTAL DATA

TOTAL ASSESSED LAND AREA OF DEVELOPMENT	5.04 ±AC (MAP 14, LOT 57)
TOTAL CALCULATED LAND AREA OF DEVELOPMENT	219,349 ±SF (MAP 14, LOT 57)
TOTAL ONSITE DEVELOPABLE SITE AREA	219,349 ±SF
TOTAL AREA WITH PROPOSED ROW	25,492 ±SF
TOTAL AREA OF IMPERVIOUS SURFACES WITHIN PROPOSED ROW	17,951 ± SF
(TOTAL AREA OF LOTS IN PROOF PLAN = TOTAL CALCULATED LAND AREA OF DEVELOPMENT - TOTAL AREA WITHIN PROPOSED ROW = (219,349 - 25,492) = 193,857 ±SF	
193,857 SF * 0.20 = 38,771 SF	
38,771 SF + (TOTAL IMPERVIOUS AREA WITHIN ROW PROOF PLAN) = (38,771 + 17,951) = 56,722 SF	
TOTAL IMPERVIOUS SURFACE AREA ALLOWABLE IN A SITE SENSITIVE DEVELOPMENT (SSD) = 56,722 SF	

SPECIAL PERMIT SUBDIVISION CALCULATIONS (FROM PROOF PLAN)

TYPE OF SPECIAL PERMIT RESIDENTIAL DEVELOPMENT	MAXIMUM GROSS FLOOR AREA (SF)	NO. OF DWELLINGS	MAXIMUM AMOUNT OF IMPERVIOUS SURFACES (SF)	MAXIMUM SITE COVERAGE (SF)	MINIMUM COMMON OPEN SPACE REQUIRED (SF)
SITE SENSITIVE	76,511	10	56,722	29,078	NOT REQUIRED
PROPOSED	< 76,511	10	63,350*	35,646*	NOT REQUIRED

*WAIVER REQUESTED TO EXCEED IMPERVIOUS SURFACE LIMIT
*WAIVER REQUESTED TO EXCEED SITE COVERAGE LIMIT

ADDITIONAL NOTES:

- ALL PATIOS AND WALKWAYS WILL BE POROUS.
- ALL STONES FROM EXISTING STONE WALLS TO BE REUSED ON SITE
- CONSTRUCTION FENCING TO BE INSTALLED AROUND PERIMETER OF PROPERTY
- PROPOSED FOUNDATIONS WILL BE USED FOR GRADING PURPOSES TO MINIMIZE RETAINING WALLS WHERE FEASIBLE

TABLE OF DIMENSIONAL REQUIREMENTS

ITEM	REQUIREMENT
MIN LOT AREA	15,500 SF
MIN FRONTAGE	125'
BUILDING SETBACKS	
FRONT YARD	30'
SIDE/REAR YARD	15'

LEGEND	DESCRIPTION
PEOP	PROPOSED EDGE OF PAVEMENT
PBB	PROPOSED BIT. BERM
●	PROPOSED AREA DRAIN (PAD)
■	PROPOSED CATCH BASIN (PCB)
—244—	PROPOSED CONTOUR
○	PROPOSED DRAIN MANHOLE (PDMH)
●	PROPOSED FIRE HYDRANT
~~~~~	PROPOSED FILTERMITT
- - - - -	PROPOSED LIMIT OF WORK LINE
—	RETAINING WALL
⊙	PROPOSED SEWER MANHOLE (PSMH)
x271	PROPOSED SPOT GRADE
✱	TREES TO BE REMOVED
✱	TREES TO BE PROTECTED
D	PROPOSED LOT
▨	PROPOSED TEMPORARY CONSTRUCTION PARKING

ALL UNDERGROUND UTILITY DATA REPRESENTS RECORD INFORMATION RECOVERED THROUGH RESEARCH WITHOUT SURFACE DEMARCATON NOR SUBSURFACE VERIFICATION.

LINC COLE LANE

69 PLEASANT STREET  
LEXINGTON, MA

DATE: 3-30-2022  
PROJECT No: 21-12

REVISIONS

DATE	BY	DESCRIPTION
5-23-2022	M/JN	REVISIONS PER TOWN COMMENTS
7-21-2022	M/JN	REVISIONS PER TOWN COMMENTS
8-1-2022	M/JN	REVISIONS PER TOWN COMMENTS
8-24-2022	M/JN	EXISTING HOUSE AND DRAINAGE
1-4-2024	M/JN	REVISION TO ADDITION

**PATRIOT Engineering**  
35 BEDFORD STREET, SUITE 4  
LEXINGTON, MASSACHUSETTS 02420  
T: (978) 726-2654  
www.patriot-eng.com

SITE CONSTRUCTION PLAN

LOCATED IN  
LEXINGTON, MA  
(MIDDLESEX COUNTY)  
PREPARED FOR  
SHELDON CORP.

SHEET  
5 OF 17





RECEIVED

LEXINGTON PLANNING BOARD  
1625 MASSACHUSETTS AVENUE, LEXINGTON, MA

2022 13 Sep, 4:55 pm

TOWN CLERK  
LEXINGTON MA

**MEMBERS OF THE PLANNING BOARD:**

ROBERT PETERS, CHAIR, MICHAEL SCHANBACHER, VICE CHAIR  
MELANIE THOMPSON, CLERK, ROBERT CREECH, CHARLES HORNIG,  
MICHAEL LEON, ASSOCIATE MEMBER

**DECISION OF THE PLANNING BOARD  
SPECIAL PERMIT SITE SENSITIVE RESIDENTIAL DEVELOPMENT  
AND DEFINITIVE SUBDIVISION  
69 PLEASANT STREET  
LINC COLE LANE**

**September 7, 2022**

**APPLICANT:** Sheldon Corporation  
121 Marrett Road  
Lexington, MA 02420

**PROPERTY OWNER:** Storer Lexington LLC  
16 Chesterford Road  
Winchester, MA 01890

**PROPERTY LOCUS:** 69 Pleasant Street  
Map 14, Lot 57  
Zoning District: One-Family Dwelling (RS)

**PROJECT SUMMARY**

The proposed development will subdivide the 5-acre lot into ten lots accessible from a common drive. The existing two-story dwelling will remain and be converted to three residential dwelling units with a new garage. The third dwelling unit will be a moderate-income dwelling unit. Nine additional single-family homes are proposed. The lots are accessed by a common driveway entering the property in the same general location as the existing driveway from Pleasant Street.

**STATEMENT OF FINDINGS**

**PROCEDURAL FINDINGS:**

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

Site Sensitive Development Special Permit Definitive Subdivision  
Linc Cole Lane – September 7, 2022

RECEIVED

2022 13 Sep, 4:55 pm

TOWN CLERK  
LEXINGTON MA

1. On April 25, 2022, an application requesting a Site Sensitive Development Special Permit, pursuant to § 135-6.9 and § 135-9.4 of the Zoning Bylaw, and Definitive Subdivision, pursuant to § 175 Planning Board Subdivision Regulations, was filed with the Planning Board by Project Engineer Michael Novak of Patriot Engineering on behalf of Sheldon Corporation and was determined to be complete and submitted to the Town Clerk on May 24, 2022.
2. Pursuant to M.G.L. Chapter 40A, Section 9 and 11 and M.G.L. Chapter 41, Section 81T and the applicable provisions of the Lexington Zoning Bylaw and Planning Board Zoning Regulations, the Planning Board caused notice of the public hearing to be published in the *Lexington Minuteman*, a newspaper of general circulation in Lexington, on June 9, 2022 and again on June 16, 2022. Notice of the public hearing was posted in the Lexington Town Office Building with the Town Clerk and on the official town website commencing on May 31, 2022 and continuing through the opening of the public hearing on June 29, 2022. Said notice of public hearing was mailed postage prepaid to all Parties in Interest as defined in M.G.L. Chapter 40A, Section 11 on May 31, 2022.
3. The public hearing on the Application commenced on June 29, 2022 held remotely via Zoom, pursuant to M.G.L. c. 30A §§18-25, c. 20 of the Acts of 2021, and c. 22 of the Acts of 2022 further extending the remote access provisions through July 15, 2022. The public hearing was continued to the Select Board Meeting Room in the Town Office Building, 1625 Massachusetts Avenue, in Lexington on August 3, 2022, and was further continued to September 7, 2022 held remotely via Zoom, pursuant to c. 107 of the Acts of 2022 further extending the remote access provisions through March 31, 2023. The Planning Board accepted public comments via Zoom, mail, and e-mail.
4. At the start of the public hearings the Chair called on Associate Member Michael Leon to act as a voting Board member due to an absence of Robert Creech. Lexington Planning Board members Robert Peters, Charles Hornig, Michael Leon, Melanie Thompson, and Michael Schanbacher were present for all of the public hearings. The Board closed the public hearing on September 7, 2022.
5. Lexington Planning Board members Robert Peters, Charles Hornig, Michael Leon, Melanie Thompson, and Michael Schanbacher deliberated on the Application at a meeting on September 7, 2022.

#### PROJECT SPECIFIC FINDINGS:

In the course of the public hearing process, the Planning Board took under advisement all information received from various municipal departments; comments made by members of the public; and information submitted by the Applicant. The Planning Board arrived at this Decision based on §135-6.9 of the Zoning Bylaw and makes the following findings specifically for the project at 69 Pleasant Street.

1. Property, Historic Preservation and Neighborhood Characteristics: The proposed Site Sensitive Development includes nine new lots each to be improved with one one-family dwelling. This is consistent with the surrounding residential uses on similar-sized lots. The existing two-story

Site Sensitive Development Special Permit Definitive Subdivision

Linc Cole Lane – September 7, 2022

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1850s Greek Revival house will be converted to a three-family dwelling with an ~1,152 sq. ft. addition on the north side, a new garage, and the third dwelling unit proposed to be a moderate-income unit attached to the garage. The existing barn is proposed to be razed. On August 30, 2022, the Historical Commission held a public meeting to review the Planning Board application, including the plan set revised through August 24, 2022, and recommended the proposed exterior changes to the existing house be subject to review and approval by the Historical Commission.

2. Building Disposition. The proposed new dwellings are generally sited in a manner similar to the abutting neighborhood. The Applicant submitted Model Home Examples 1 and 2 prepared by Space Craft Architecture dated August 22, 2022. The Applicant has agreed to contemporary style dwellings with low pitched roofs for Lots A, B, C, and J as shown on the two model samples. Dwellings on Lots D, E, and I will be transitional style or contemporary as shown in the two model samples. Dwellings on Lots F and G may be contemporary or traditional styles.
3. Traffic and Parking: The Planning Board reviewed the existing conditions as part of this special permit and subdivision application. The proposed development utilizes a common drive to be known as Linc Cole Lane to access all ten lots in the development. The Board found Linc Cole Lane to provide adequate access to the proposed building lots. There is no minimum frontage required on a shared drive pursuant to § 6.9.5 (2). The common drive will be on its own parcel, shown as Parcel 1, but will remain private and is not considered a way within the meaning of the MA Subdivision Control Law M.G.L. c. 41, § 81L. The proposed drive is in the same general location as the existing driveway entrance. An intersection redesign for Pleasant and Watertown Streets is currently in the design stages; the proposed development is set back off the road leaving room for future expansion of the intersection if necessary. The Lexington Engineering, Police, and Fire departments prefer one entrance to the development in this location rather than the submitted proof plan that would add four new driveways and a new road in a different location. The Applicant has proposed access and utility easements to facilitate the use of the common drive by all of the residents of the development. The Project proposes a sidewalk on the east side of the common drive from the site entrance to Lot H. The Project proposes that each of the houses have a garage.
4. Dwelling Unit Count and Limitations on Unit Size: The proposed development complies with the provisions of § 135-6.9.3.1. The submitted proof plan depicts six (6) fully-compliant building lots on a new cul-de-sac and four (4) fully compliant lots fronting on Pleasant Street. The proposed development includes ten (10) distinct lots, nine (9) with one one-family dwellings, and lot H with a three-family dwelling pursuant to § 6.9.17. Applicant's project is allowed a maximum total gross floor area for all buildings of 76,207 sf under § 135.6.9.6.1.
5. Stormwater and Environmental Impact: The proposed development met the Town's stormwater management standards and requirements at the time the application was submitted to the Town Clerk in May 2022. The stormwater management system includes isolator rows within subsurface infiltration systems along with deep sump catch basins for treatment and mitigation. A trench drain is provided at the front of the property near the Pleasant Street entrance.
6. Utilities: Utilities will be provided to all lots through proposed access and utility easements along the common drive. The Applicant has agreed to establish a Homeowners Association that will be responsible for the maintenance of the common drive and its infrastructure such as drainage and snow management. Trash and recycling removal shall be provided by the town's environmental services department with specific collection point locations.

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7. Visual Impacts: The existing mature trees around the boundary of the property behind lots A, J, H, G, F, E, D, and C remain outside of the limit of work. New plantings are proposed along Pleasant Street on lots A and B consisting of Canadian Hemlocks and Dogwoods (*Cornus Florida*).
8. Dwellings: The existing house on Lot H will remain largely intact with an addition proposed behind the building to allow a conversion to two dwelling units. An attached garage is proposed on the north side with an additional attached dwelling unit to be a moderate-income restricted dwelling unit. The conversion of the existing house property into a three-family dwelling is consistent with Lexington's housing goals, specifically Goal 2 of the draft Comprehensive Plan for a mix of housing types. The three-family dwelling is not visible from Pleasant Street and the additions are proposed behind the existing building.
9. Moderate Housing Unit: The Applicant has designed the project to provide one (1) deed restricted moderate-income dwelling unit in an addition behind the existing house. The moderate-income dwelling unit shall be in protected in perpetuity by a deed rider that ensures the unit will be kept as a moderate-income housing unit, sold or rented to a household with income at or below 150 percent of the area median income (AMI) for the Boston-Cambridge area.

#### WAIVERS AND ZONING RELIEF

The Planning Board may waive any of its Rules and Regulations if the Board finds the waiver and zoning relief is in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law.

1. The Board considered the site sensitive development in relation to the submitted proof plan sheet 17 of approved plan set revised through August 24, 2022 and supported waivers from strict requirements of the Board's Subdivision Rules and Regulations § 175-7.0 for Required Improvements and Design Standards for streets and rights-of-ways, sidewalks and paths, street classification, bicycle accommodations, dead-end street turnaround design standards, vertical granite curbing, and street lighting. The Board finds the proposed site sensitive development provides less site disturbance than the submitted proof plan, creates one entrance common drive on Pleasant Street compared to five curb cuts on Pleasant Street as shown on the submitted proof plan. The proposal provides adequate access to all the building lots.
2. The Board allowed the retaining wall to be within four (4) feet of the property line and waived strict compliance with § 135-4.3.1 (1) and (2), which is permitted pursuant to § 6.9.5 (3) of the Zoning Bylaw. The Board finds as proposed there is less earth work and earth movement disturbance associated with the proposal that does not involve blasting or regrading of the full property.
3. The Board considered a waiver of 4,628 sq. ft. to allow project to exceed the maximum allowed impervious area permitted by § 135-6.9.8 (1) by proposing 61,350 sq. ft. where 56,722 sq. ft. is allowed. During the course of the public hearings, the project was altered from the original submission to include sidewalk on one side of the private way, a garage addition to the existing house, and a moderate-income unit that exceeds the maximum impervious area. The Applicant's project complies with the stormwater management regulations in place at the time of the Application submission and has been designed to off-set the additional impervious areas. A

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trench drain is proposed at the front of property near the drive's entrance to Pleasant Street and the project has been designed to the 100-year storm event.

4. The Board considered a waiver of 2,168 sq. ft. to allow the project to exceed the maximum allowed site coverage by proposing 31,246 sq. ft. where 29,078 sq. ft. is permitted by § 6.9.9 (1). During the course of the public hearings, the project was altered from the original submission to include more housing diversity with the moderate-income unit and expansion of existing house that will exceed the maximum site coverage. The Applicant's project complies with the stormwater management regulations at the time of the application submission and accounts for the additional impervious surface. A trench drain is proposed at the front of property near the drive's entrance to Pleasant Street and the project has been designed to the 100-year storm event.
5. The Board considered a waiver from strict requirements of § 175-8.4 to allow occupancy of dwellings prior to completion of all common elements. The Board approved this waiver request subject to planning, engineering, building commissioner, and public safety sign off prior to occupancy. Public safety and the Building Commissioner shall determine the area is safe for occupancy.

#### CONDITIONS OF APPROVAL

The Planning Board finds that the Application and Site Plans submitted by the Applicant comply with all applicable provisions of Lexington's Zoning Bylaw and applicable regulations, relevant to this review, except those waived by the Planning Board during the public review of the project. Accordingly, the Planning Board votes to approve the plan set entitled "Linc Cole Lane (69 Pleasant Street – Assessors Map 14 Lot 57) Site Sensitive Development Definitive Plan Set, located in Lexington, MA" dated March 30, 2022, revised through August 24, 2022, prepared by Patriot Engineering, prepared for Sheldon Corporation, consisting of 17 sheets, subject to the following conditions:

##### **A. General Provisions.**

1. This approval is limited to the ten (10) dwellings as shown on the site plan entitled "Linc Cole Lane 69 Pleasant Street (Assessors Map 14 Lot 57) Site Sensitive Development Plan Set" prepared by Patriot Engineering, Lexington, Massachusetts, prepared for Sheldon Corporation, dated March 30, 2021, revised to August 24, 2022.
2. No material corrections, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the prior written approval of the Planning Board, or their designee. Any request for a material modification of this approval shall be made in writing to the Planning Department for review and approval by the Planning Board, or their designee and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation. Upon receipt of such a request, the Planning Department may, in the first instance, decide in writing authorizing a minor modification to the site plans, or the Planning Director may refer the matter to the Planning Board, which may consider and approve minor modifications at a regularly scheduled Planning Board public meeting. In the event the Planning Board determines the change is major in nature (e.g., resulting in material changes, newly identified impacts, etc.), the Planning Board shall consider the modification at a noticed public hearing.

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3. In the event that the permit is not exercised or substantial use thereof has not commenced within three (3) years of the date of recording, except for good cause as determined by the Planning Board, the permit shall be deemed null and void.
4. Applicant is responsible for filing any other permits or approvals that may be required by other town, state, or federal entities such as the application for Stormwater Permit approval from Lexington Engineering Department.

**B. Before the start of any site work:**

5. The Applicant shall record this Decision with any exhibits at the Middlesex South Registry of Deeds prior to the commencement of authorized site activity and shall submit proof of recording to the Planning Office. Failure to record this Decision prior to the commencement of authorized site activity may result in rescission of this Decision.
6. The Applicant is responsible for coordinating address assignments for the properties on Linc Cole Lane. Before endorsement, the Property Rights and Dimensional Standards Plan shall be updated with house numbers approved by the Engineering Division.
7. The approved site plan shall be updated to include the location of the shared mailboxes and the house numbers.
8. The Property Rights and Dimensional Standards Plan (Sheet 4 of the approved plan set) shall be endorsed by the Planning Board and recorded at the South Middlesex Registry of Deeds.
9. Before endorsement of the Property Rights and Dimensional Standards Plan, the Planning Board must receive a performance guarantee, in accordance with the provisions of §135-9.4.5 of the Zoning Bylaw, to secure the construction of the common drive and the installation of utilities and services. Said form of guarantee may be varied from time to time by the Applicant subject to agreement on the adequacy and the amount of said guarantee by the Board.
10. The provisions of Chapter 120 (Tree Bylaw) apply to this project as no waivers were requested. The Applicant is responsible for filing a tree removal permit with the Tree Warden. The existing trees and vegetation to remain shall be protected in the field from damage during construction. The limits of work and trees to be removed and trees to be preserved shall be clearly identified in the field.

**C. Prior to issuance of the first Building Permit:**

11. A mylar copy of the recorded plans bearing the date of recording and the book and page number shall be delivered to the Planning Department before any building permits are issued.
12. The Applicant shall submit the architectural plans for the proposed exterior modifications (for the addition for the second dwelling unit, the garage, and the third dwelling unit attached to the garage) to the existing house to the Historical Commission for review prior to the issuance of a building permit for lot H. The Historical Commission's review is advisory to provide the Applicant guidance as to if the proposed exterior is consistent with the architectural elements and materials are consistent with the exterior design of the existing dwelling.

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**D. During Construction and Site Development**

13. A copy of this Decision shall be kept on the Site in a location that is highly visible and accessible during construction.
14. All construction activities relative to this decision shall comply in all respects to all applicable Zoning Bylaw, Planning Board Zoning Regulations, and other municipal requirements unless specifically waived by a vote of the Planning Board and recorded in writing.
15. Any work in the roadway and utility work is subject to the Department of Public Works Rules and Regulations. Agents of the Planning Board shall have the right to enter the site and to gather all information, measurements, photographs, or other materials needed to ensure compliance with this approval. Agents of the Planning Board entering onto the site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
16. No equipment on-site shall be started and allowed to warm up prior the start of the allowed construction hours or hours outlined in the Lexington Noise Control Bylaw. No vehicles are to arrive at the construction site before the designated construction hours, with no vehicle parking, standing or idling on adjacent public or private streets. Oversized deliveries of construction materials shall occur before or after peak traffic hours.
17. The limits of clearing of land or grading for the installation of any improvements relative to the project, including, but not limited to the driveways, stormwater management system, and utilities, shall be the limits of the grading shown on the site plans. Prior to any clearing of the land, the limits of such clearing and grading as shown on the approved plan shall be clearly marked in the field and shall remain in place until the completion of the project construction. This limit of work line shall be reviewed in the field by the Applicant and Planning staff prior to the issuance of a building.
18. The Applicant shall perform daily cleanup of construction debris, including soil on streets within two hundred (200) yards from the entrance of the site driveways caused by construction relative to the project.
19. The Applicant shall check all stormwater features prior to and at the end of each construction day. In the event a multiple day storm event occurs, the project manager shall check on the stormwater features to ensure they are functioning properly and have not exceeded their capacity. Any repairs, adjustments, or deficiencies shall be made immediately.
20. The Applicant shall provide appropriate erosion control methods such as silt fences, straw wattles, or organic hessian fabric burlap filled with compost around the stockpiles in case of a storm event, in addition to the temporary dust control requirements.
21. The use of hay bales shall be prohibited on-site.
22. The use of plastic stabilization netting shall be prohibited.
23. The Applicant shall be responsible for ensuring that runoff and eroded material does not run onto Pleasant Street.
24. The Applicant shall comply with the Stormwater Management Plan, prepared for Sheldon Corporation, 121 Marrett Road, Lexington, Massachusetts, Prepared by Patriot Engineering, Lexington Massachusetts, dated March 30, 2022, last revised August 24, 2022 or any further revisions that may be required with the stormwater permit approval.
25. All on-site utilities will be located underground.

Site Sensitive Development Special Permit Definitive Subdivision  
Linc Cole Lane – September 7, 2022



**E. Before the issuance of the Occupancy Permits within the development:**

26. The Moderate-Income dwelling unit shall have an Affirmative Fair Housing Marketing Plan including a lottery for income eligible individuals. Applicant is responsible for obtaining an experienced lottery agent. The Fair Housing Marketing Plan shall be submitted to Planning Staff for review and approval prior to issuance of the sixth certificate of occupancy.
27. The moderate-income dwelling unit shall be in protected in perpetuity by a deed rider that ensures the unit will be kept as a moderate-income housing unit, sold or rented to a household with income at or below 150 percent of the area median income (AMI) for the Boston-Cambridge area. The exterior of the Moderate Housing Unit shall match the existing residence. The Applicant shall reference the deed rider in the deed for the unit. Such deed shall be submitted to the Planning Department for review and approval prior to the sixth certificate of occupancy for the development.
28. Marketing of the moderate-income dwelling unit shall begin prior to occupancy of the sixth certificate of occupancy.
29. The Applicant is responsible for seeking approval from the U.S. Post Office for the mailboxes at the site entrance near Pleasant Street.
30. The Applicant shall draft a final Homeowner's Association Operations and Maintenance (O&M) Plan and submit such to the Planning Office for preliminary review as to form and content. The O&M Plan shall at a minimum include the Association's responsibilities, in perpetuity, with respect to:
- a. Maintenance of all stormwater management facilities, snow removal, preservation of the existing trees, and other infrastructure improvements;
  - b. Trash waste and recycling removal shall be provided by the Lexington environmental services department with specific collection point locations provided and to be determined by public works for Lots B, A, J, I and Lots E, F, G, and H.
  - c. Maintenance of the landscaping in accordance with the landscape plan, with owners responsible for replacing in kind any landscape that does not survive the first available growing season.

**F. Prior to the request for each Certificate of Occupancy:**

31. Each deed shall reference this special permit and enumerate remaining GFA, site coverage, and impervious surface coverage allotted to the house lot and be submitted to the Planning Office.

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

32. All deeds and easements shall be prepared for review and approval by the Town. The deeds must include a specific reference to this special permit as well as a narrative to explain any preservation restrictions or limit of work areas. Upon approval by the Town, the applicant shall file the appropriate deeds and easements with Middlesex South District Registry of Deeds or Middlesex South Registry District of the Land Court. Proof of such recording shall be provided to the Planning Department, which includes the date of recording, along with the book and page number of executed legal documents.
33. The Applicant shall establish a Homeowners Association or Trust, recorded with the Middlesex South District Registry of Deeds, which shall be approved as to form and content by both the Planning Board and Town Counsel, for the purposes of the operation and maintenance in perpetuity of the roadway, stormwater and drainage infiltration system, infrastructure and streetlights, and

Site Sensitive Development Special Permit Definitive Subdivision

Linc Cole Lane – September 7, 2022

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snowplowing, in addition to associated improvements. Trash waste and recycling removal will be provided by the Lexington environmental services department with specific collection point locations to be determined by public works for Lots B, A, J, I and Lots E, F, G, and H.

34. Prior to release of the surety, the Applicant shall provide the Planning Board with an "As Built Plan" stamped by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all improvements are completed in accordance with the approved Site Plans. The as-built plan shall be submitted in electronic formats (PDF and AutoCAD) to the Lexington Planning and Engineering Division. The AutoCAD file must conform to the current form of the Mass GIS Standard for Digital Plan Submission to Municipalities or other standard requested by the Lexington Engineering Division. The plan shall include, but not be limited to, site utility improvements and tie-in dimensions to all pipes and connection points, walkways, sidewalks, plantings, and retaining walls.

**H. On-Going:**

35. The exterior character of the existing house shall remain in perpetuity. The proposed exterior changes for the addition, the garage, and the third dwelling shall be submitted to the Historical Commission for an advisory review. The Historical Commission's review shall be to provide guidance to the Applicant relative to the proposed exterior changes and if they are similar and match the existing structure.
36. Any future requests for demolition of the existing house on Lot H shall return to the Planning Board for an Amendment of this approval to be considered at a public hearing, pursuant to M.G.L. c. 40A, Section 9 and 11, and shall be submitted to the Historical Commission for review and comment. The Historical Commission shall be given at least 60 days notification for an opportunity to document the property prior to any demolition.

**RECORD OF VOTE**

On September 7, 2022, the Planning Board voted number (5) in favor, none (0) opposed, and none (0) in abstention to grant an approval with conditions for the Definitive Residential, Site Sensitive Special Permit Residential Development and Definitive Subdivision Application for the property at 69 Pleasant Street.

**Special Permit – Site Sensitive Development**

Charles Hornig – yes

Robert Peters - yes

Michael Leon - yes

Michael Schanbacher - yes

Melanie Thompson – yes

Board Chair Approval:  Date: September 13, 2022

**EXHIBITS**

The Applicant has filed with the Planning Board various plans and reports required under the Lexington Zoning Bylaws and Planning Board Zoning Regulations. During the public hearing review process, the following materials were submitted to the Board by the Applicant and various municipal departments, and material submitted by the public. This material is hereby incorporated into this Decision by reference.

1. Plan set entitled Linc Cole Lane (69 Pleasant Street – Assessors Map 14 Lot 57) Site Sensitive Development Definitive Plan Set, located in Lexington, MA, prepared by Patriot Engineering, dated March 30, 2022, revised through August 24, 2022, consisting of 11 sheets.
2. Stormwater Analysis and Calculations for 69 Pleasant Street Site Sensitive Definitive Subdivision Lexington, Massachusetts, prepared for Sheldon Corporation, prepared by Patriot Engineering, dated March 30, 2022, revised through August 24, 2022.
3. Waiver request form from Sheldon Corp. revised on August 29, 2022.
4. Draft Covenant for Sheldon Corp.
5. Draft Homeowners Association Declaration of Easements, Restrictions, and Maintenance Requirements.
6. Application (PLAN-22-4) form B submitted to the Planning Board on April 22, 2022, stamped in as complete by the town Clerk on May 24, 2022 and project narrative submitted by Patriot Engineering, dated April 7, 2022.
7. Sample elevations prepared by Space Craft, dated April 20, 2022.
8. Sketch plan approval from Acting Planning Board Administrator Eve Tapper, dated January 24, 2022.
9. Memorandum from Marissa Liggiero, Lexington Engineering to Abigail McCabe, Subject: 69 Pleasant Street Comments, dated June 22, 2022, revised June 24, 2022.
10. Findings of Fact prepared by Sheldon Corp.
11. Memorandum from Planning Staff to Lexington Planning Board, re: Project Review for 69 Pleasant Street: Definitive Site Sensitive Special Permit Residential Development, dated June 24, 2022, and August 3, 2022.
12. Letter from Carpenter/Shenston dated June 27, 2022 to the Lexington Planning Board, re: 69 Pleasant Street SSD Development plan Set Rev May 23, 2022.
13. Pre Sub Catchment Plan located in Lexington, MA prepared by Patriot Engineering two sheets dated August 1, 2022.
14. Sample House Style, submitted August 3, 2022.
15. Comments to the Planning Board, from Barbara Katzenberg, President Six Moon Hill, Inc., Memo from Marissa Liggiero Lexington Engineering, to Abigail McCabe, dated August 18, 2022.
16. Photos of existing house.
17. Model Home Example 1 and 2, prepared by Space Craft, dated August 22, 2022.

18. Memorandum from Historical Commission Chair Susan Bennett to Planning Board members, dated September 1, 2022.

19. Memo from Marissa Liggiero to Abigail McCabe, dated September 7, 2022.

20. Memo from Ross Morrow, P.E. Assistant Town Engineer to Planning Board members, dated September 7, 2022.

21. Letter with exhibits from Jeffrey Howry, Ryan Day and Sarah Reynolds, Jonathan and Andrea Gruber, to the Lexington Planning Board, dated September 2, 2022.

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**2022 13 Sep, 4:57 pm**

**TOWN CLERK**

**LEXINGTON MA**

## **AGENDA ITEM SUMMARY**

### **LEXINGTON PLANNING BOARD**

#### **AGENDA ITEM TITLE:**

Affordable Housing Trust - Request for support for Town Meeting article seeking authorization to pursue affordable housing at Town-owned Parcel 68-44 at Lowell & North St.

#### **PRESENTER:**

Elaine Tung, Chair of the Affordable  
Housing Trust Board of Trustees

#### **ITEM NUMBER:**

#### **SUMMARY:**

The purpose of the Affordable Housing Trust is to provide for the preservation and creation of affordable housing for the benefit of low and moderate income households and for the funding of community housing.

The Affordable Housing Trust is proposing a Town Meeting warrant article seeking authorization to pursue affordable housing opportunities on a Town-owned parcel at the corner of Lowell St. and North St. (Map 68, Lot 44). The Affordable Housing Trust would like to discuss the article with the Planning Board and is seeking support of this article.

In 1978, the Select Board was authorized by Annual Town Meeting to accept land, including a parcel containing approximately 3.12 acres, as a gift of Route 3 surplus land from the Commonwealth of Massachusetts “for conservation, recreation and housing purposes” (Article 50, April 26, 1978 Annual Town Meeting. “Parcel 101” in Article 50 is parcel 68-44.) The Select Board unanimously voted on September 18, 2023 to support the AHT proceeding with investigating development of affordable housing on this parcel. This article would authorize the Board or its designee to offer the parcel for development by a private affordable housing entity subject to a land disposition agreement to be negotiated by the Board or its designee.

#### **SUGGESTED MOTION:**

#### **FOLLOW-UP:**

**DATE AND APPROXIMATE TIME ON AGENDA:**

1/24/2024

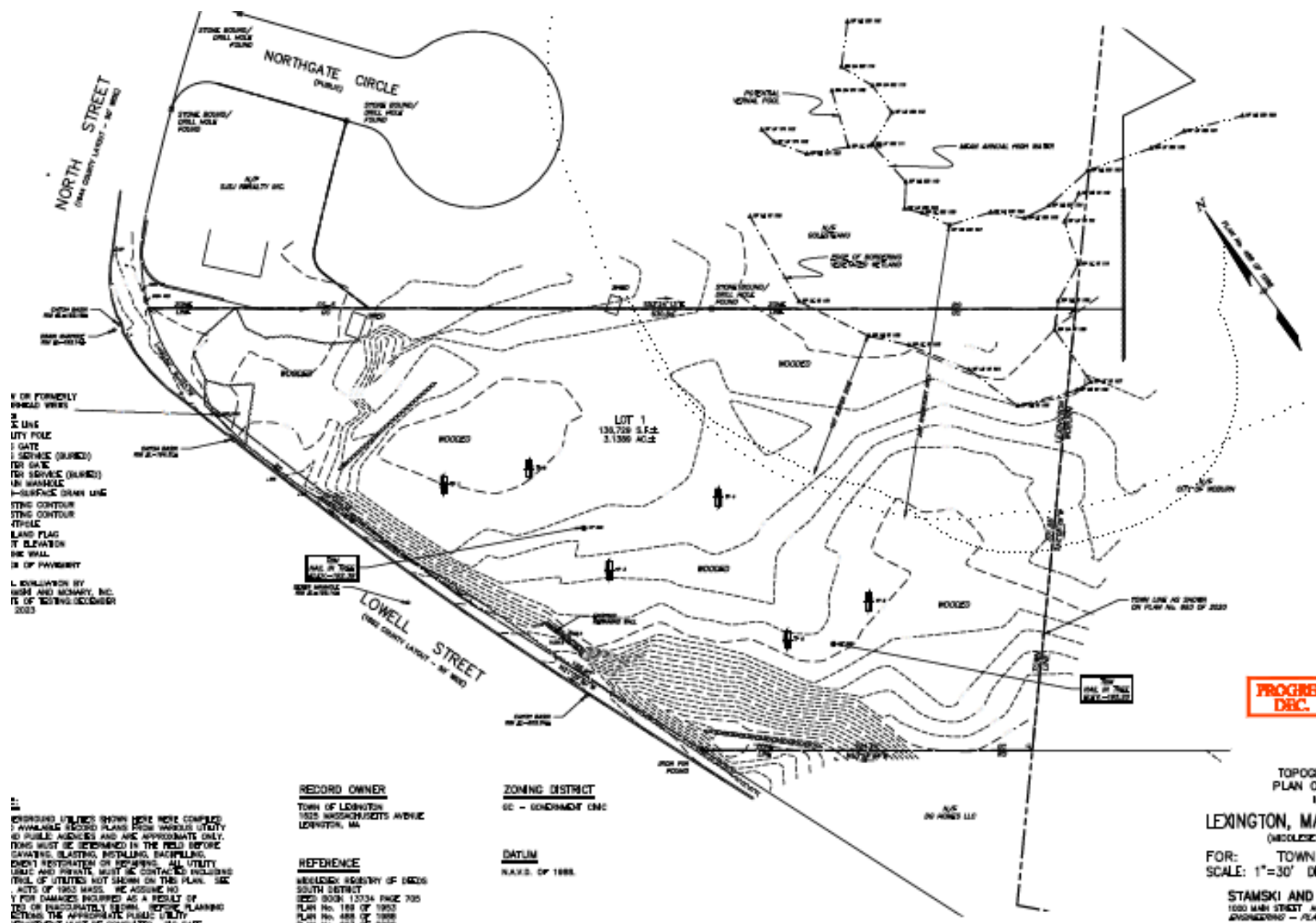
**ATTACHMENTS:**

Description		Type
	Property Visual	Exhibit
	Presentation Slides	Presentation









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 5. ERECTING RESTORATION OR OTHERWISE, ALL UTILITY  
 6. LOCATIONS AND DEPTHS MUST BE CONTACTED INCLUDING  
 7. FIELD OF UTILITIES NOT SHOWN ON THIS PLAN. SEE  
 8. ACTS OF 1963 MASS. REG. ASSUME NO  
 9. LIABILITY FOR DAMAGES INCURRED AS A RESULT OF  
 10. THIS OR INADEQUATELY DESIGN. BEFORE PLANNING  
 11. DETERMINE THE APPROPRIATE PUBLIC UTILITY  
 12. DEPARTMENT MUST BE CONSULTED. SEE PAGE

**RECORD OWNER**  
 TOWN OF LEXINGTON  
 1000 WASHINGTON AVENUE  
 LEXINGTON, MA

**REFERENCE**  
 MASSACHUSETTS DEPT. OF LANDS  
 SOUTH DISTRICT  
 1000 WASHINGTON AVENUE  
 LEXINGTON, MA  
 PLAN No. 1000 OF 1000  
 PLAN No. 1000 OF 1000  
 PLAN No. 1000 OF 1000

**ZONING DISTRICT**  
 GC - COMMERCIAL ONE

**DATUM**  
 NAD 83 OF 1983

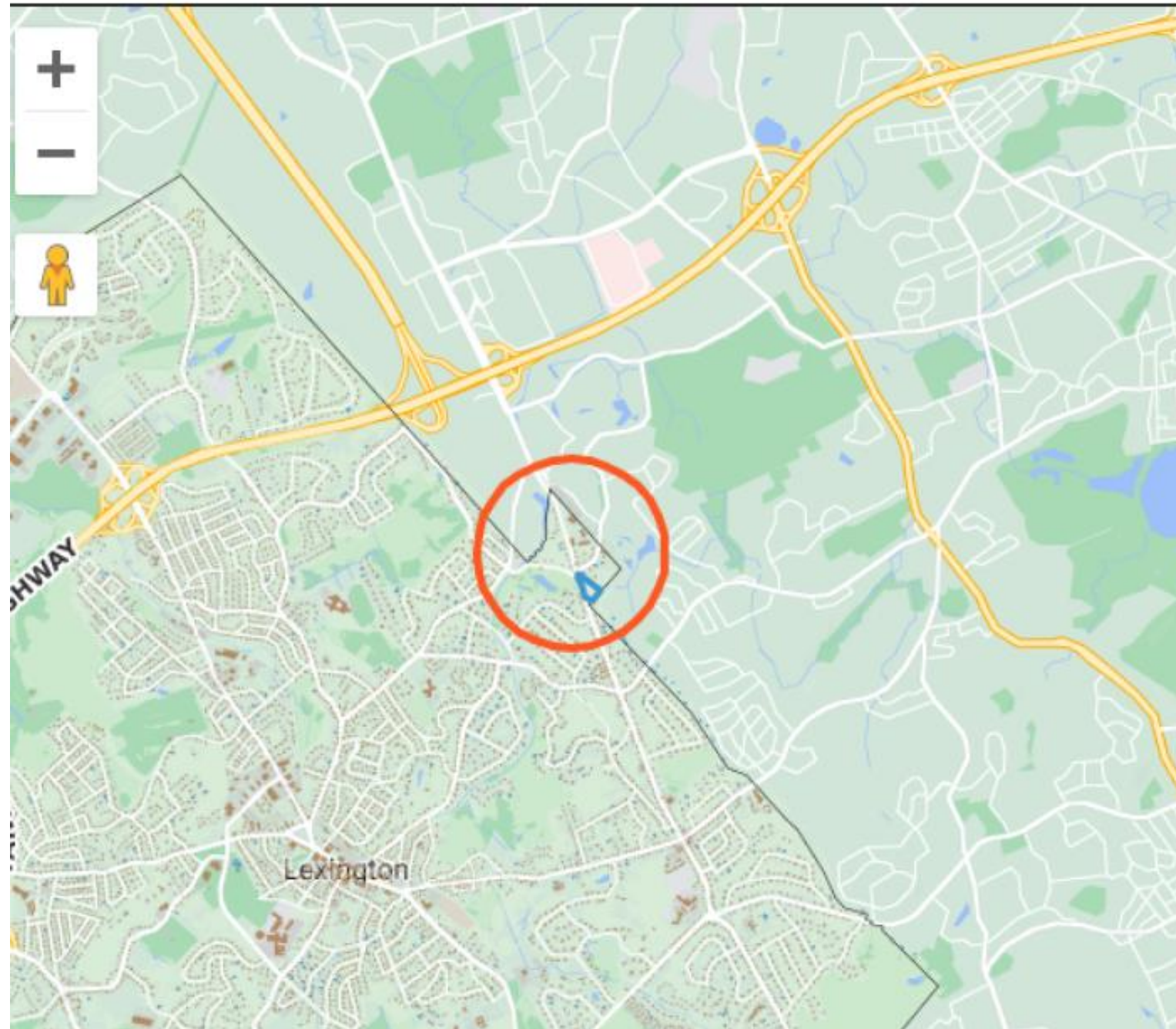
**PROGRESS PRINT**  
**DEC. 22, 2023**

TOPOGRAPHIC  
 PLAN OF LAND  
 IN  
 LEXINGTON, MASSACHUSETTS  
 (MIDDLESEX COUNTY)

FOR: TOWN OF LEXINGTON  
 SCALE: 1"=30' DECEMBER 21,

STAMSKI AND MCNARY, INC.  
 1000 MAIN STREET, ACTON, MASSACHUSETTS  
 ENGINEERING - PLANNING - SURVEYING



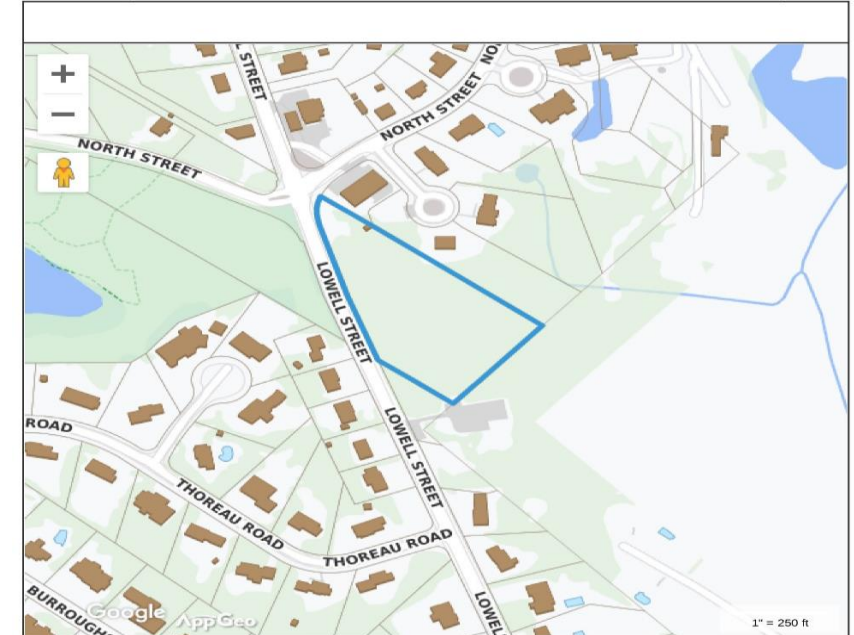
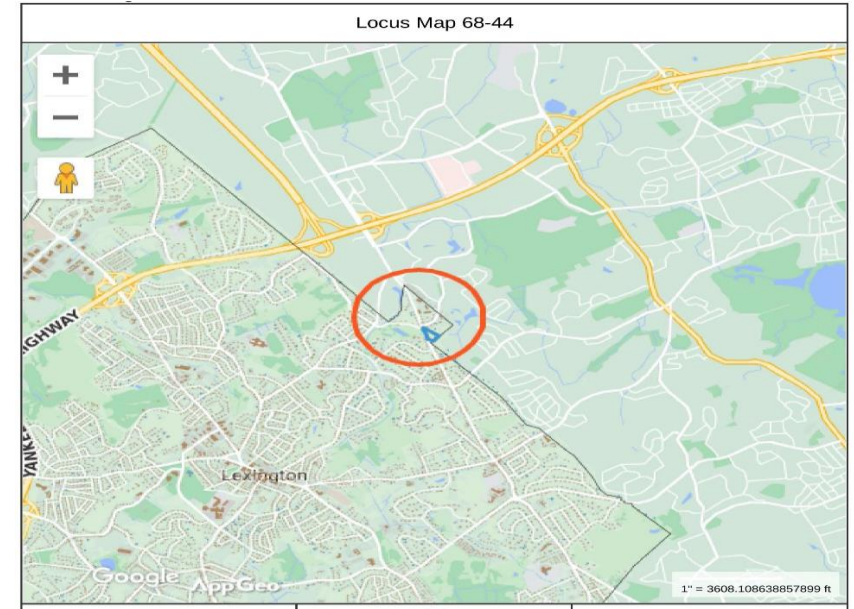


# Presentation to Planning Board

Affordable Housing Trust 1.24.2024

# Article 33

*To see if the Town will vote to authorize the Select Board to sell, lease or otherwise dispose of Town-owned land described as Parcel 68-44 located on Lowell Street near the northeast corner of North Street and Lowell Street for the purposes of developing affordable housing thereon, and to authorize the Select Board or its designee to enter into a Land Disposition Agreement and associated agreements in connection therewith; or to act in any other manner thereto.*



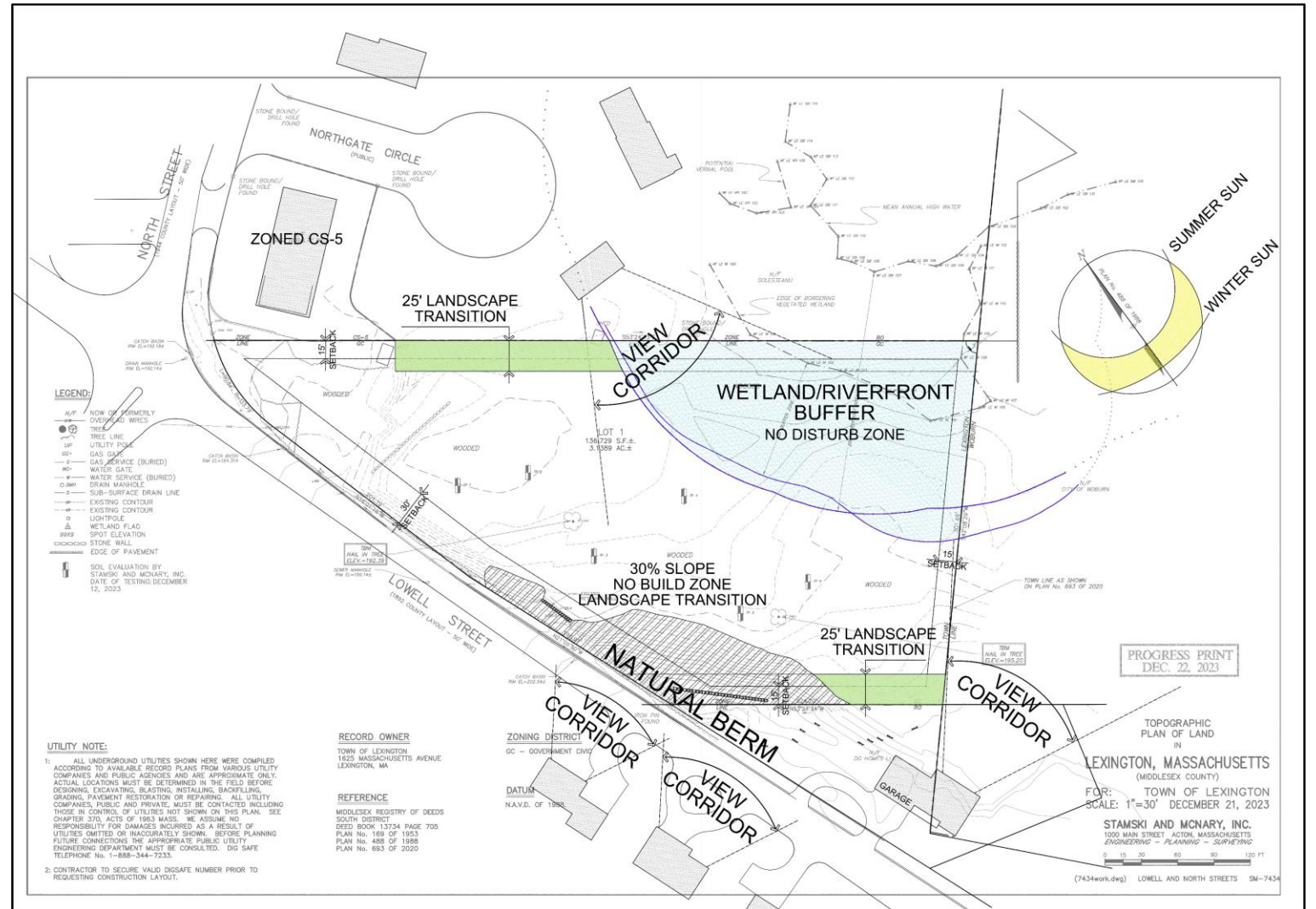




VIEW SOUTH ON LOWELL STREET

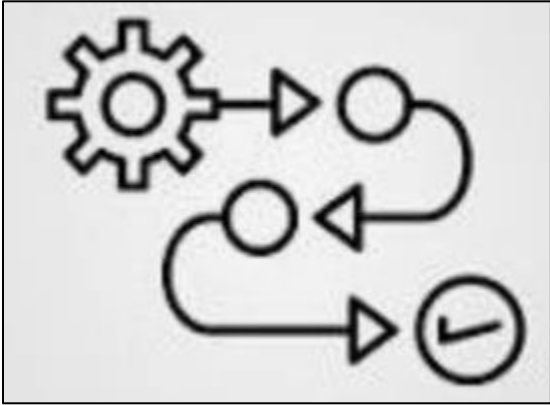


VIEW OF BERM



- Parcel given to the Town in 1978 by the Commonwealth - one purpose was for housing
- Unique opportunity
- Mixed use area
- Lexpress Public Transportation
- Walking distance to grocery stores, shopping and restaurants

# The Process



- Issue Request for Proposals
- Select an Affordable Housing developer
- Enter into a Land Disposition Agreement
- Obtain Zoning Permit: Local Initiative Program, Zoning Board of Appeals
- Developer obtains financing
- Commence Construction
- Occupancy

# Leveraging State, Federal, & Private Sources:

The local commitment will attract financing and other contributions from other sources typical for affordable housing developments.

## Lexington

Land

Affordable Housing Trust (CPA/payments in lieu)

West Metro HOME Consortium

## Other Potential Public Sources (State and Federal)

Federal Low Income Housing Tax Credit

State Tax Credit

State EOHLC (Executive Office of Housing and Livable Communities)

Subsidies (HIF, HOME, Housing Stabilization, CBH)

State Affordable Housing Trust

Federal Home Loan Bank

Energy Rebates

## Private Sources

Private Bank Financing

Private Grants



# **AGENDA ITEM SUMMARY**

## **LEXINGTON PLANNING BOARD**

### **AGENDA ITEM TITLE:**

Tree Committee – Request for support for Town Meeting articles related to Tree Bylaw amendments (Tree Protection Plan, Mitigation Plantings, Exemptions)

### **PRESENTER:**

Nancy Sofen, Tree Committee  
Member

### **ITEM NUMBER:**

### **SUMMARY:**

The Tree Committee has submitted three warrant articles to amend the Tree Bylaw (General Bylaw) for Annual Town Meeting. One requires a tree protection plan for retained protected trees, another adds a planting mandate to existing mitigation requirements, and the third creates administrative procedures around trees that are exempt from the bylaw. The Committee would like to discuss their proposal with the Planning Board and is seeking the Planning Board's support.

A narrative summary and proposed warrant article motions are attached.

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

### **DATE AND APPROXIMATE TIME ON AGENDA:**

1/24/2024

### **ATTACHMENTS:**

Description	Type
❏ Tree Bylaw-Articles 34, 35, 36 with Draft Motions 2024.1.17	Cover Memo
❏ Overview of Proposed Tree Bylaw Amendments.docx	Cover Memo

### ***Tree Committee Articles and Draft Motions***

*Articles were approved by unanimous vote of the Lexington Tree Committee.*

*In the motions, bylaw language deletions are struck through and additions are noted in red.*

*Any bylaw text not included in these motions is to be left unchanged.*

## **Article 34 – AMEND GENERAL BYLAWS – Tree Protection Plan**

To see if the Town will vote to amend Chapter 120 of the Code of the Town of Lexington, Trees, to require the participation of a certified arborist in the preparation of tree protection plans required under the bylaw, to set a minimum standard for the survival of retained trees, and to provide additional enforcement methods; or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Tree Committee)

**Description:** This amendment requires that a certified arborist provide a tree protection plan for protected trees that are not removed and for Public Trees in the right-of-way of a property under construction. It further requires that the certified arborist affirm that protections are correctly installed before site work begins, that trees survive for one year after construction, and adds stricter enforcement measures.

—

### **Draft Motion for Article 34:**

**Motion:** That the Town's Tree Bylaw, Chapter 120 Sections 3A, 8B, 8D and 8E of the Code of the Town of Lexington, be amended as follows:

Amend § 120-3 **Definitions** as follows:

#### **A.**

Add

#### **CERTIFIED ARBORIST**

An arborist who is certified by the International Society of Arboriculture or through the Massachusetts Certified Arborist Program of the Massachusetts Arborists Association.

Amend § 120-8 **Protected trees** as follows:

#### **§ 120-8 Protected trees**

#### **B.**

Procedures. When major construction or demolition is planned, the owner of the property



shall submit to the Building Commissioner as part of the application for a building or demolition permit a site plan drawn and stamped by a registered land surveyor, showing all existing trees on the property of six-inch DBH or greater. The owner shall also submit the tree species, if known, location, DBH for all trees on the property of six-inch DBH or greater, whether or not they are proposed to be removed, and for any trees six inches DBH or greater that are proposed to be removed, the reason for removal and alternatives to removal considered. **The owner shall also submit to the Town a tree protection plan prepared by a certified arborist for any Protected Trees that are to be retained on the site and for any trees in the Town right of way.**

[Amended 4-4-2007 ATM by Art. 13; 3-19-2008 ATM by Art. 37; 3-27-2019 ATM by Art. 34; 4-14-2021 ATM by Art. 33]

(2)

The Building Commissioner shall refer the tree proposal to the Tree Warden. The Tree Warden shall conduct a site visit. If the applicant's proposal is consistent with the mitigation **and tree protection** requirements herein and the rules, regulations or manuals issued by the Select Board, the Tree Warden will issue a permit within 10 business days of receipt by the Tree Warden of the proposal to authorize the tree work. If the proposal does not meet or satisfy these requirements, the Tree Warden shall so notify the applicant and deny the permit.

**D.**

Trees not removed. Trees that are to be left on the site and trees in the Town right-of-way must be protected as specified in Section VIIIB in the Tree Management Manual. **These protection measures shall be delineated within a Tree Protection Plan prepared by a Certified Arborist and submitted to the Town, shall be installed prior to commencement of any site work, and shall remain in place until the site is ready for final landscaping. The applicant shall submit to the Town written documentation, prepared, dated and signed by a Certified Arborist, certifying that the required tree protections identified in the Tree Protection Plan have been installed. The plan (or any amendment) may allow for temporary encroachment within the critical root zone and/or drip-line of a Protected Tree, as necessary, provided it specifies mitigating measures the applicant shall take, including a maintenance plan for the tree.**

(1)

**Each Protected Tree or Town Tree retained shall be maintained in good health for a period of no less than twelve (12) months from the date of issuance of the Certificate of Occupancy.**

Should the tree die within this twelve (12) month period, the owner of the property shall be required to provide mitigation consistent with the requirements for the removal of a Protected Tree or Town Tree as contained herein within nine (9) months from the death of the original tree.

[Added 4-4-2007 ATM by Art. 13; amended 4-5-2017 ATM by Art. 37]

E.

Failure to protect trees not removed.

(5)

Upon notice from the Tree Warden that work on any property on which a Protected Tree is located is being performed contrary to any applicable Tree Protection Plan or any provision of this Chapter, such work shall be immediately stopped by the Building Inspector or a designee of the Building Inspector. The stop work order shall be in writing, and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work, and shall state the conditions under which work will be permitted to resume.

---

**Article 35 – Require mitigation planting in certain instances (our preference is to consider this last)**

To see if the Town will vote to amend Chapter 120 of the Code of the Town of Lexington, Trees to require planting of trees as part of mitigation for removal of trees and to set a minimum standard for the survival of newly planted trees; or act in any other manner in relation thereto.

**Description:** This amendment would mandate tree planting when protected trees have been removed, with no option to pay a fee in lieu of replanting in certain circumstances. There is also a requirement that trees planted as mitigation survive for at least one year.

---

**Draft Motion for Article 35**

Motion: That the Town's Tree Bylaw, Chapter 120 section 8C of the Code of the Town of Lexington, be amended as follows:

Amend § 120-8 C Mitigation as follows

Add

(5)

It is required that a minimum number of trees shall be replanted in the front setback and/or the Town right-of-way and cannot otherwise be mitigated by paying into the tree fund. This required number of replanted trees shall be the lesser of

- i. that needed to satisfy the mitigation requirements for protected trees removed, and

- ii. that needed to achieve the desired minimum street-frontage tree spacing, as described below, subject to the availability of planting sites.

The desired minimum street-frontage tree spacing is achieved when there is no greater than a 35' gap in between trees located in the combined area of the Town right of way and the front setback of a property, as measured along the street frontage. An available planting site shall conform to Tree Planting Guidelines established by the Tree Committee and approved by the Select Board and be deemed appropriate by the Tree Warden. Planting may occur in the Town right-of-way with permission of the Tree Warden. Replanted trees shall be selected from the Large Shade Tree list, unless there are mitigating circumstances as delineated in the Tree Planting Guidelines.

(6)

All new trees planted to mitigate the removal of Protected Tree(s) shall be maintained in good health for a period of no less than 12 months from the date of issuance of the Certificate of Occupancy. If a replacement tree dies within this 12 months period, the owner of the property shall be responsible for replacing the tree with a tree equal to or greater than the size of the original replacement tree at the time of planting; such tree shall be planted within nine (9) months of the death of the original replacement tree.

—

## **Article 36 - GENERAL BYLAWS - Exemptions**

To see if the Town will vote to amend Chapter 120 of the Code of the Town of Lexington, Trees to specify the requirements under which town boards, committees or officials may grant an exemption under the Tree Bylaw; or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Tree Committee)

**Description:** This amendment would further specify the requirements for exemption from the bylaw for hazardous trees and certain invasive tree species.

—

## **Draft Motion for Article 36**

Motion: That the Town's Tree Bylaw, Chapter 120 sections 3A, 9B and 9C of the Code of the Town of Lexington, be amended as follows:

~~Amend § 120-3 Definitions as follows:~~

**A.**

**CERTIFIED ARBORIST**

An arborist who is certified by the International Society of Arboriculture or through the Massachusetts Certified Arborist Program of the Massachusetts Arborists Association.

Amend § 120-9 **Emergencies and exemptions** as follows:

Provisions of this bylaw shall not apply to:

**B.**

~~Trees that are hazardous as determined in writing by the Tree Warden;~~  
Trees that in accordance with a Level 2 ISA, BMP Tree Risk Assessment submitted to the Town, have a high or extreme overall tree risk rating for which no alternative reasonable mitigation of the risk exists other than by the removal of the tree as determined in writing by a certified arborist.

**C.**

Ailanthus altissima (Tree of Heaven). ~~(Reserved)~~^[1]

^[1]

*Editor's Note: Former Subsection C, which excluded invasive tree species, was repealed 3-22-2010 ATM by Art. 27.*

## **Overview of Lexington Tree Committee's Articles to Amend the Tree Bylaw**

*The Tree Committee has submitted 3 articles amending the Tree Bylaw to the warrant for spring 2024 Town Meeting. One requires a tree protection plan for retained protected trees, another adds a planting mandate to existing mitigation requirements, and the third creates administrative procedures around trees that are exempt from the bylaw.*

### **Article 34 - Tree Protection Plan**

Article 34 requires that as part of the building permit process the property owner must submit a tree protection plan, prepared by a certified arborist, for any protected trees that will remain and for any trees in the Town right-of-way. The arborist must certify that the protections are in place before site work may begin, and the protections must remain in place until landscaping begins. If a retained tree does not survive for 1 year after the Certificate of Occupancy is issued, it must be mitigated as if it was removed. Violations that are not promptly corrected may result in a stop work order.

---

### **Article 35 - Some mitigation planting required**

Article 35 mandates some replanting in the front setback or Town right-of-way in certain cases where mitigation is required under the bylaw, without the option of paying into the Tree Fund. This applies when there are available planting sites along the street frontage, either in the front setback or the Town right-of-way, that are consistent with the Town's street tree planting guidelines and are deemed appropriate by the Tree Warden. Large shade tree species will be required if space allows. Also, any tree planted as mitigation that does not survive for 1 year after the Certificate of Occupancy is issued must be replaced.

---

### **Article 36 - Exemptions**

Article 36 specifies the requirements for exemptions from the bylaw for hazardous or invasive trees.

For a hazardous tree to be exempt from permit fees or mitigation requirements, it must be declared hazardous in writing by a certified arborist. The tree must be at high or extreme risk according to a Tree Risk Assessment Form of the International Society of Arborists, with no alternative reasonable mitigation of the risk other than by the removal of the tree.

The invasive tree *Ailanthus altissima* (Tree of Heaven) would be exempt from the bylaw.

# **AGENDA ITEM SUMMARY**

## **LEXINGTON PLANNING BOARD**

### **AGENDA ITEM TITLE:**

Planning Board will discuss their sponsored zoning amendment articles submitted for Town Meeting relative to the following sections of the Zoning Bylaw:

### **PRESENTER:**

Staff and Board Discussion

### **ITEM NUMBER:**

### **SUMMARY:**

Work session for the Board to review and discuss their draft zoning amendment motions.

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

### **DATE AND APPROXIMATE TIME ON AGENDA:**

1/24/2024

### **ATTACHMENTS:**

Description	Type
☐ Summary of Changes	Cover Memo
☐ Short Term Rentals Draft Motion	Exhibit
☐ Permitted Uses Definitions Draft Motion 1.23.24	Exhibit
☐ Sign Bylaw Draft Motion 1.23.24	Exhibit
☐ Inclusionary Housing Draft Motion	Exhibit
☐ Technical Corrections Draft Motion	Exhibit
☐ Max Building Height VO Draft Motion 1.24.24	Exhibit

**Summary of Changes since Jan. 10 Planning Board meeting:**

**Short Term Rentals:**

- Minor edits incorporating Town Counsel's edits. Town Counsel does not recommend Certification of Registration enforcement and revocation be in zoning. Zoning is about what is allowed and under what conditions. For example, we allow restaurants in zoning but we don't talk about what happens if there are health code violations in the zoning bylaw.

**Sign Bylaw:**

- Kept internal illumination to be allowable by Special Permit in section 5.2.4
- Added a definition for a banner sign (still kept them as prohibited)
- In section 5.2.6 Residential signs, only allow 2 standing signs on a residential property at a time from last draft's proposal for 4
- In wall signs sections 5.2.7 (1) – changed size of wall sign to be based on 1 x the square footage of the façade that the sign is to be placed. For example, the Theater Pharmacy has 40 ft. along Mass. Ave. and would be allowed one 40 sq. ft. wall sign on the front, and the back wall facing the municipal lot is 28-ft. and would be allowed a 28 sq. ft. wall sign on the back.
- Changed max. sign area from 150 sq. ft. down to 100 sq. ft.
- Removed section 5.2.7 limiting the max. height of a wall sign to be 3 ft.
- In section 5.2.11 expanded on nonconfining sign section to allow repair and maintenance without coming into full compliance
- In section 5.2.7 (4) for Standing signs, added in provision to allow standing signs for businesses in the CB zone setback 10 ft.

**Permitted Uses & Definitions:**

- In the definition for Craft Beverage Establishment removed word "beer" and added in the word "on-site" for production. This will now allow production for the small-scale wineries, cideries, breweries, and distilleries because MGL Chapter 138 refers to all alcohol licensing.
- Removed the 7,500 sq. ft. size limitation for restaurants in the CSX district
- Removed the 7,500 sq. ft. size limitation for Craft Beverage Establishments from 1/10 draft
- Added removal of "fast-food" reference elsewhere in the zoning bylaw since we are removing the definition and category for fast food
- Change the prohibition for private postal service in the CB to allow. Private postal service as:  
A retail use which includes private postal box rentals and mailing services. Such facility shall not be used as a distribution center, parcel delivery or commercial mail delivery center but shall remain as a retail convenience store for consumers.

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[illegible]

**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:

1. Amend § 135-6.10 as follows:

## 6.10 SHORT TERM RENTALS.

### 6.10.1 PURPOSE.

The purposes of this section are to:

1. Provide a process through which certain ~~residential~~ dwelling units and bedrooms within dwelling units may be registered with the Town of Lexington for use as “short-term rentals”;
2. Provide health and safety standards for short-term rentals; and
3. Provide for the orderly operation of short-term rentals within the Town’s residential neighborhoods.

### 6.10.2 DEFINITIONS.

Operator-adjacent short-term rental: The short-term rental of a dwelling unit, that is not the ~~primary residence of the~~ operator's primary residence, but is located ~~within a dwelling with~~ on a lot containing a total of four or fewer dwelling units where one of the dwelling units ~~in the building~~ is the primary residence of the operator.

Operator-occupied short-term rental: The short-term rental of a dwelling unit, or of an individual bedrooms within a dwelling unit, that is the primary residence of its operator.

Short-term rental: Any rental of a ~~residential~~ dwelling unit, or of a bedroom within a dwelling unit, in exchange for payment, as residential accommodations for a duration of less than thirty (30) consecutive days, but not a bed-and-breakfast home, hotel, or motel.

Short-term renter: Any person or persons occupying a dwelling unit, or a bedroom within a dwelling unit, **as for** a short-term rental.

**Short-term rental operator:** The person or persons offering a dwelling unit or bedroom within a dwelling unit, for short-term rental, with the written permission of the owner,



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condominium association, and homeowners association where applicable.

6.10.3 REQUIREMENTS. Operator-occupied, and operator-adjacent short-term rentals are permitted as an accessory use to a permitted principal residential use, subject to the following requirements:

1. No dwelling unit, or bedroom within a dwelling unit, may be used as a short-term rental except in compliance with this bylaw.
2. The following kinds of dwelling units, and bedrooms within the following kinds of dwelling units, may not be used as short-term rentals:
  - i. Dwelling units designated as affordable or otherwise income-restricted, which are subject to affordability covenants or are otherwise subject to housing or rental assistance under local, state, or federal programs or law;
  - ii. Accessory Apartments as defined in Section 6.7; and
  - iii. Any dwelling unit in violation of the State Sanitary Code, 105 CMR 410.3.
3. All short-term rental operators shall register with the Building and Zoning Office prior to short-term rental use and occupancy in conformance with Section 6.10.5 below.
4. ~~A short-term rental operator may make available no more than one (1) dwelling unit for operator-occupied short-term rentals, which may include the separate short-term rental of no more than three (3) individual bedrooms, and one (1) dwelling unit for operator-adjacent short-term rentals, which may be rented only as a whole unit to one (1) party of short-term renters at any one (1) time and may not be rented as separate bedrooms to separate parties.~~

A short-term rental operator may make no more than one (1) dwelling unit or two (2) bedrooms available for rent by one (1) party at a time for operator occupied short-term rentals.

A short-term rental operator may make no more than one (1) entire dwelling unit available for operator-adjacent short term rentals, which dwelling unit may be rented only as a whole unit to one (1) party at a time. Separate bedrooms may not be rented to separate parties in operator-adjacent short term rentals.
5. A short-term rental shall be limited to parking of one (1) vehicle per lawful bedroom in the short-term rental and no more than 4 vehicles on a lot.
6. ~~The short-term rental operator or their agent shall maintain an up-to-date log of all occupants that occupy the short-term rental, which shall contain the occupants'~~

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~~names, ages, and dates of commencement and expiration of each short-term rental period. The log shall be available for inspection by the Town's Board of Health and Department of Public Safety in case of emergency. The purpose of this requirement is to ensure that the Town shall have basic identifying information of all occupants of the short-term rental at all times.~~

7. ~~6.~~ The short-term rental operator must ensure that the property is ~~be~~ current with all town taxes, water, and sewage charges.
8. ~~7.~~ All short-term rental operators shall maintain liability insurance appropriate to cover the short-term rental use.
9. ~~8.~~ During any period of seven (7) or more consecutive days when during which the short-term rental operator is not sleeping overnight at away from the dwelling unit, an operator-occupied short-term rental may be rented only as a whole unit ~~and not rented as separate bedrooms to separate parties.~~
- ~~10.~~ ~~9.~~ The number of bedrooms made available for operator-occupied short-term rentals within a dwelling unit shall not be greater than one less than the number of lawful bedrooms in the dwelling unit.
- ~~11.~~ ~~10.~~ Renting for an hourly rate, or for rental durations of less than ten (10) consecutive hours, shall not be permitted.
- ~~12.~~ ~~11.~~ Short-term rentals shall not exceed in the aggregate, one-hundred-twenty (120) consecutive or nonconsecutive ~~calendar~~ days per calendar year when the short-term rental operator is not occupying the dwelling unit during the entire term of the short-term rental.
12. Short-term rentals may not be located in the same building as rooming units.

6.10.4 REGULATIONS. The Building Commissioner shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section 6.10 "Short-Term Rentals."

6.10.5 REGISTRATION, INSPECTION AND FEES.

1. The short-term rental operator or the short-term rental operator's agent shall register with the Town. All dwelling units, or bedrooms within a dwelling unit, offered for short-term rentals shall register with the Town, secure a Certificate of Registration according to standards set forth by the Building Commissioner, and pay all associated fees for all dwelling units, or bedrooms within a dwelling unit, offered for short-term rental. The Certificate of Registration shall require the short-term rental operator to agree to abide by the requirements of this Section 6.10.

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2. ~~It is the responsibility of t~~ The short-term rental operator must ~~to~~ renew its Certificate of Registration on an annual basis and ~~or~~ upon change of operator or owner.

3. Prior to issuing or renewing a ~~e~~Certificate of ~~r~~Registration, the Building and Zoning Office shall conduct an inspection to verify that each dwelling unit, or bedroom within a dwelling unit, to be rented to short-term renters meets the requirements of this Section 6.10.

4. Units shall be annually recorded in the Short-Term Rental Registry for a fee set by the Select Board.

5. Any violations of this bylaw found by the Building Commissioner or Zoning Administrator shall be subject to enforcement under Section 9. In addition, after three violations, a short-term rental operator may be subject to a revocation of the owner's Certificate of Registration may also be imposed. **[Staff Note: This enforcement section needs further review & Board discussion. Staff recommends this be removed in put in the Building Commissioner's Regulations]**

(1/23/2024)

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**ARTICLE**

**AMEND ZONING BYLAW – PERMITTED USES AND  
DEFINITIONS**

**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 definitions in § 135-10.0 as follows:

**RESTAURANT**

~~An establishment primarily for serving by a waiter or waitress and consumption of meals at tables or a counter, on the premises. A brewpub serving at least 25% of the establishment's brewing production capacity on-site shall be classified as a restaurant.~~

An establishment whose principal business is the sale of prepared foods or beverages for consumption on premises, including cafés, cafeterias, or brewpubs.

**~~FAST-FOOD SERVICE~~**

~~An establishment primarily for self service or purchase of food or beverage at a counter for consumption on the premises.~~

2. Add new definitions in § 135-10.0 as follows (new text not underlined):

**CRAFT BEVERAGE ESTABLISHMENT**

An establishment licensed to manufacture under M.G.L. Chapter 138 that produces less than 465,000 gallons (or 15,000 barrels) on-site per year for consumption on or off premises, including craft breweries and microbreweries.

3. Amend Section J of Table 1, Permitted Uses and Development Standards for Eating and Drinking Establishments, as follows:

		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM	CSX
<b>J.</b>	<b>EATING AND DRINKING; TRANSIENT ACCOMODATIONS</b>												
<b>J.1.0</b>	<b>AS A PRINCIPAL USE</b>												
J.1.01	Restaurant (*Maximum 7,500-square feet gross floor area per one establishment and SP for	N	N	N	N	<del>N</del> <u>SP</u>	Y	<del>N</del> <u>SP</u>	Y	<del>N</del> <u>SP</u>	Y	Y	SP [※]

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	E.1.01 ad-SP for E.1.02 with regard to equipment and N for Products)												
J.1.02	Fast-food service (*Maximum 7,500—square feet—gross floor area per one establishment and—SP—for E.1.01 and SP for—E.1.02 with regard to equipment and—N—for products)	N	N	N	N	SP	SP	N	SP	N	SP	Y	SP*
J.1.03	Takeout food service (*Requires a special permit for service between the hours of 11:00 p.m. and 7:00 a.m.)	N	N	N	N	Y*	Y*	<u>SP</u> <u>Y*</u>	Y*	<del>N</del> <u>Y*</u>	Y*	Y*	<u>SP</u> <u>Y*</u>

4. Amend Section N.1.05 in Table 1 Permitted Uses and Development Standards for Manufacturing, Research and Development, Life Science, and Technology Uses, as follows:

[illegible]

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<u>N.1.05</u>	<u>Craft Beverage Establishment</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>Y</u>	<u>Y</u>	<u>SP</u>
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5. Amend Section Q of Table 1, Permitted Uses and Development Standards for Accessory Uses for Commercial Uses as follows:

		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM	CSX
Q.	ACCESSORY USES FOR COMMERCIAL USES												
Q.1.04.	Cafeteria, dining room, conference rooms, function rooms, recreational facilities; the use shall be conducted primarily for the employees or clientele of the principal use <del>and not for the general public and shall be conducted entirely within the principal building with no evidence of the existence of the use from the street or from any lot line</del>	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y	Y	Y

6. Amend Section I of Table 1, Permitted Uses and Development Standards Section I.1.03 as follows:

[illegible]

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I.1.03	Food, not intended for consumption on the premises; includes grocery store, but not a take out <del>or fast-food</del> service (*Maximum 7,500 square feet gross floor area per one establishment and SP for E.1.01 and N for E.1.02)	N	N	N	N	Y	Y	N	Y	N	SP	SP	Y*
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7. Amend Section 5.1.4 in the Table of Parking Requirements as follows:

Type or Use	Parking Factor
<b>Eating Establishments</b>	
Restaurant, <del>fast-food</del> , and other eating establishments not otherwise classified	1 per 3 seats, or 1 per 150 SF, whichever is greater;  1 per 5 seats, or 1 per 200 SF, whichever is greater in CB

8. Amend Section H.I.020 of Table 1, Permitted Uses and Development Standards as follows:

		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM	CSX
<b>H.</b>	<b>PERSONAL, BUSINESS, OR GENERAL SERVICE USES</b>												
H.1.020	Private postal service	N	N	N	N	N	Y	Y	<del>N</del> <u>Y</u>	N	Y	Y	Y

(1/23/2023)

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**ARTICLE**

**AMEND ZONING BYLAW – SIGNS**

**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:

1. Amend § 135-5.2 as follows:

5.2.1 Purpose. This section is intended to:

1. Allow for effective communication through signage by regulating and restricting size, location, lighting, and placement of signs in order to protect and enhance the visual environment; ~~Preserve and enhance the historical ambience and aesthetic character of the Town;~~ and
2. Discourage excessive visual competition by regulating the size, number, and placement of signs.;
3. Maintain public safety; ~~and, consistent with constitutional requirements protecting freedom of speech.~~
4. Preserve constitutional requirements protecting freedom of speech.

5.2.2 Applicability. All outdoor signs and window signs are subject to the regulations of this section unless specifically excluded herein.

5.2.3 Exemptions. The following signs are not subject to this section:

1. Any sign owned and installed by a governmental agency, or required by any law, governmental order or regulation.
2. Government flags and insignia, except when displayed in connection with commercial promotion.
3. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
4. Signs mounted on registered motor vehicles or carried by hand.
5. Removable signs on the inside of windows or transparent doors; and
6. Signs directing traffic flow within a development.

5.2.4 General Regulations.

1. Illumination. No sign shall be illuminated between the hours of 11:00 p.m. and 6:00 a.m.,



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except signs on premises open for business, ~~and then only upon issuance of a special permit by the SPGA.~~ Exterior illumination of signs shall be shielded and full cutoff, directed downward solely at the sign, and be steady and stationary. No internal illumination of a sign is permitted except upon issuance of a special permit by the SPGA. The illumination of any sign shall not exceed 150 foot-lamberts.

2. ~~Signs cannot interfere with t~~ Traffic. No sign, including window displays, or its illuminators shall by reason of its location, shape, size or color interfere with pedestrian or vehicular traffic or be confused with or obstruct the view or the effectiveness of any official traffic sign, traffic signal or traffic marking. No red or green lights shall be used on any sign if, in the opinion of the Building Commissioner with the advice of the Chief of Police, such lights would create a driving hazard.

3. Construction. No sign shall be painted or posted directly on the exterior surface of any wall. All exterior, attached signs, except awning signs, shall be painted, posted or otherwise securely affixed to a substantial intermediary removable surface and such surface shall be securely affixed to the wall of the building. The foregoing, however, shall not prevent installation of a sign by individual letters or devices cut into or securely affixed to the exterior wall of a building, provided that such letters or devices have a minimum depth of projection of 1/4 of an inch. ~~The construction of the sign shall comply with the State Building Code.~~

4. Maintenance. Every sign shall be maintained in good condition. If a sign shows corrosion or deteriorated paint over 25% of the area of one side or if damage to the sign causes the loss of 10% of its substance or if the sign suffers damage or deterioration, which creates a risk of harm to the person or property of another, it shall be repaired or removed.

5. ~~Removal of t~~ Temporary signs. Signs that advertise or otherwise relate to a particular business or commercial event (for example, a real estate sign or a yard sale sign) shall be removed promptly, and in no event more than seven days, after the conclusion of the event.

6. ~~Window signs. Removable signs on the inside of windows or transparent doors are permitted.~~

5.2.5 Prohibited Signs. The following types of signs are prohibited:

1. Signs that incorporate in any manner flashing, moving or intermittent lighting, excluding public traffic control service signs, ~~showing time and temperature.~~

2. ~~String lights used in connection with commercial premises with the exception of temporary lighting for holiday decoration.~~

~~3-2.~~ Signs erected so as to obstruct any path of egress in or on a building.

~~4-3.~~ Billboards, off-premises, banners and other non-accessory signs.

~~5.2.6 Signs in Residential Districts. The provisions of this section shall apply to signs in~~

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~~residential districts. The following accessory signs are permitted:~~

- ~~1. Resident identification signs. Two signs, up to one square foot in area each, per residential building indicating the name and address of the residents therein.~~
- ~~2. Multifamily dwelling development sign. One sign, not exceeding 12 square feet in area, identifying a multifamily development.~~
- ~~3. Real estate sign. One sign advertising the sale or rental of the premises on which it is located, and containing no other advertising matter.~~
- ~~4. Subdivision signs. Real estate signs, not more than 20 square feet in area and not more than 10 feet in any dimension, on subdivisions of land as defined in MGL c. 41, § 81L, solely to advertise the selling of land or buildings in said subdivision, provided that not more than one such sign shall face the same street.~~
- ~~5. Yard or garage sale sign. One sign advertising a yard or garage sale on the premises on which it is located, provided that a yard sale permit has been duly obtained.~~
- ~~6. Construction, painting or remodeling sign. One sign indicating the name, address and telephone number of a contractor currently providing construction, painting or remodeling services on the premises, and containing no other advertising matter, provided that permission to display such sign has first been obtained from the homeowner.~~
- ~~7. Noncommercial message signs. Accessory signs containing a noncommercial message and no other advertising matter.~~
- ~~8. Commercial signs. Except to the extent permitted in § 5.2.6, commercial signs, whether or not accessory to a permitted activity engaged in on the premises, are prohibited in Residence Districts.~~

~~5.2.6.7 Residence Districts; Residential Signs. Size, Number and Location of Accessory Residential Signs. Unless otherwise provided herein:~~

- ~~1. No one residential sign in a residential district shall exceed four square feet in area. No standing sign shall exceed ~~four~~ five feet in height. The total sign area for all residential signs on a lot shall not exceed 20 square feet.~~
- ~~2. No more than two standing signs shall be located on a residential property at one time.~~
- ~~3. No part of any standing sign shall be located within 10 feet of the edge of the road's pavement of any street, obstruct a sidewalk, or otherwise create a safety hazard to pedestrian or vehicular traffic.~~
- ~~4. No sign shall be located on, or project above, the roof of any building.~~

~~5.2.7.8 Commercial Districts Nonresidential signs. The provisions of this section shall apply to~~

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signs ~~in commercial districts~~ for commercial, industrial, and institutional uses. Accessory signs on business establishments or institutions in commercial districts that comply with the following provisions are permitted:

1. Wall signs.

a. ~~One p~~ Principal wall signs are is-permitted on the front each façade of the an establishment to which it they relates facing each street, municipal parking lot, the Minuteman Bikeway, or other trail or path available for public use. The width of such a sign above the first floor of a building shall not exceed three feet. The total sign area for establishments on the first floor shall be one square foot for each linear foot of the façade for which the sign is attached, not to exceed 100 square feet per sign. The total sign area for each establishment above the ground floor shall not exceed nine (9) square feet.

b. ~~A s~~ Secondary wall signs may be installed marking a direct entrances on a parking lot or another street in addition to the front wall sign or parking areas. There shall be not more than two such secondary wall signs per entrance. Said sign shall have a width an area no greater than six square feet for each sign. 50% of the maximum permissible width for the principal wall sign.

c. ~~No wall sign shall be more than three (3) feet in overall height.~~

~~c. d. In buildings where the first story is substantially above grade and the basement is only partially below street grade, For establishments with multiple stories, one sign for each story level is allowed if each sign has only 1/2 of the area that the total area of all signs shall not exceed the area allowed for the principal sign in 5.2.7.1.a. would be permitted for a single sign.~~

~~d. e. In addition to the above signs, each building with multiple occupants may have one directory sign affixed to the exterior wall, window or door of the building at each entrance. Such directory sign shall provide not more than one square foot for each occupant of the building.~~

~~e. f. Wall signs shall either be affixed to a wall and parallel to it or affixed to the roof above a wall and be parallel to the wall. They shall not project more than 12 inches from the face of such wall.~~

~~f. g. No wall sign shall project above the highest line of the main roof or parapet on the wall to which it is attached, whichever is higher.~~

2. Awning Signs.

a. In addition to wall signs, an establishment on the ground floor is permitted to have an awning sign.

b. The letters and graphics of an awning sign shall be limited to 16 inches in height

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and the sign area shall not exceed 30 square feet.

c. Awnings shall not be internally illuminated.

3. Projecting signs.

~~a. In particular instances the SPGA may issue special permits for projecting signs in accordance with §5.2.10, if it is determined that the architecture of the building, the location of the building with reference to the street or the nature of the establishment is such that the sign should be permitted in the public interest. No establishment shall be permitted more than one projecting sign.~~

~~b a. Notwithstanding § 5.2.8.2.a, in the CB District, o~~ One projecting sign per establishment per façade meeting the standards below is permitted. shall be permitted by right, provided it meets the standards set out below. Projecting signs exceeding these dimensions shall be subject to the special permit provisions of § 5.2.10.

i. The sign may not exceed six square feet in area (not including the area of the supporting bracket or hanger);

ii. For single-story buildings structures, the sign shall not project above the roofline or 18 feet above ground level, whichever is lower; for multistory structures, projecting signs may not extend vertically above the window sill of the second story;

iii. The sign must clear sidewalks by at least eight feet from the bottom of the sign and may project no more than four feet from a building or one-third the width of the sidewalk, whichever is less;

iv. The sign must clear the wall by at least six inches and must project from the wall at an angle of 90°. Angular projection from the corner of a building is prohibited.

3-4. Standing signs. In particular instances the SPGA may issue special permits for standing signs in accordance with §5.2.10, if it is determined that the architecture of the building, the location of the building with reference to the street or the nature of the establishment is such that the sign should be permitted in the public interest. Where a façade is more than 50 feet from the nearest abutting street, one standing sign, not to exceed 100 square feet per property and six feet in height is permitted in the CM and CRO zoning districts. Where a façade is more than 10 feet from the front lot line, one standing sign, not to exceed four square feet per property and five feet in height is permitted in the CB zoning district. No establishment shall be permitted more than one standing sign other than signs directing traffic flow. In the CM and CRO Districts one standing sign, not to exceed 50 square feet in area and five feet in height, shall be permitted by right on each lot. Where an institutional use protected by M.G.L. 40A §3 is located in a residential district, one standing sign is permitted if the facade is more than 50 feet from the nearest abutting street, not to exceed

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100 square feet per establishment and six feet in height.

5. ~~Signs at gasoline f~~ Motor vehicle fuel filling stations and garages. ~~Gasoline-filling stations and garages may divide the one wall signs affixed to the front wall of the building to which they are entitled as hereinabove provided into separate wall signs indicating the separate operations or departments of the business, provided however that the total of the widths of the separate signs shall not exceed the maximum width permitted under this bylaw for a single wall sign on such wall. In addition to other permitted signs, one wall or standing sign not exceeding 50 square feet in area and 10 feet in height is permitted. indicating the brand of gasoline being sold may be erected of such type, in such location, and in such manner as the SPGA may allow by special permit. The standard type of gasoline fuel pump or charging station bearing thereon, in usual size and form, the name or type of fuel gasoline and the price thereof shall not be deemed to be a sign within the meaning of this bylaw.~~

6. Temporary construction signs. A maximum of two temporary construction signs shall be permitted during construction of non-residential or mixed-use developments. Signage is permitted on the property undergoing construction during site work construction and for no more than 30 days after completion of construction. The total sign area of all signs shall not exceed 32 square feet and signs shall not exceed eight feet in height.

7. Portable signs. Portable signs are permitted, provided such signs:

- a. are located on private property;
- b. are removed at the close of each business day;
- c. do not obstruct a walkway and be located to provide at least four feet of clearance for pedestrians;
- d. not exceed six square feet and a maximum height of four feet above the ground; and
- e. constructed to not blow over.

~~5.2.9 Building Permit. All persons desiring to erect an outdoor sign in a commercial district shall apply to the Building Commissioner for a building permit. The Building Commissioner shall issue a building permit provided the proposed sign complies with this bylaw, the State Building Code, requirements of the Historic Districts Commission (where applicable) and any other applicable laws, bylaws or regulations. All applications for permits shall comply with the permitting authority's rules and regulations.~~

~~5.2.8 10 Special Permit. In particular instances t~~ The SPGA may issue special permits for more or larger signs than are provided herein or for signs of types or for purposes not provided herein and not specifically prohibited herein, including temporary signs, if it is determined that the architecture of the building, the location of the building with reference to the street or the nature of the establishment is such that the sign should be permitted in the public interest. In granting such permission, the SPGA shall specify the size and location of the sign or signs and impose such other terms and restrictions as it may be deemed to be in the public interest. In considering applications for special permits for signs located on land owned or leased by a religious sect or denomination or by a nonprofit educational corporation, and used for religious or educational

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~~purposes, the SPGA shall not treat the applicant on terms less favorable than those applied to a non-religious institution, nor in a manner that unreasonably restricts the religious or educational activities of the applicant.~~

5.2.9 Site Plan Review. For projects requiring site plan review, the Planning Board may waive any provisions of this §5.2.

5.2.11 Pre-existing nonconforming signs. Any sign existing at the date of the amendment of this section but which does not conform to these regulations by reason of size, location, lighting, or illumination shall become subject to the requirements of this section if the sign is reconstructed, remodeled, or altered. Nonconforming signs may be repaired including repainting and replacement of deteriorated materials without coming into full compliance, provided the sign is not being enlarged, relocated, or becoming more nonconforming. There shall be no increase in any nonconformity.

2. Amend § 135-10.0 Definitions as follows:

**SIGN, AWNING**

A sign consisting of letters or graphics affixed to an awning or canopy that extends over a walkways, courtyard, drive, or other open area.

**SIGN, BANNER**

A sign constructed of fabric or other flexible material typically displayed on a pole or attached a structure, and temporary in nature.

**SIGN, COMMERCIAL**

~~Any sign, regardless of size, which advertises, calls attention to, or indicates any commercial product, service or activity, whether or not manufactured, sold or engaged in on the premises at which the sign is displayed.~~

**SIGN, PORTABLE**

A sign not attached to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character.

**SIGN SIZE AREA**

~~The size of a sign shall include any intermediary removable surface to which it is affixed. The area contained entirely within a signboard or if no signboard is present, the area contained within the smallest rectangle that encloses all of the wording or graphics of a sign. The area of a flat two-faced projecting or standing sign is the area of one face. The width of a sign is its horizontal dimensions even when this is the smaller dimension.~~

**SIGN, STANDING**

Any sign that is erected on and attached to the land. If a sign support holds more than one sign, each such sign is considered a separate standing sign.

(1/23/2024)

**ARTICLE                      AMEND ZONING BYLAW – INCLUSIONARY HOUSING  
FOR VILLAGE AND MULTI-FAMILY OVERLAY  
DISTRICTS**

(1/12/2024)

Town of Lexington  
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**ARTICLE                      AMEND ZONING BYLAW – TECHNICAL CORRECTIONS**

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:

1. In §135-10.0, amend definitions as follows:

~~DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD)~~

~~The Massachusetts Department of Housing and Community Development.~~

## INCLUSIONARY DWELLING UNIT

A dwelling unit, the sale, lease, or rental of which is permanently restricted with limits on the household income of occupants, sale price, and rent through a deed rider or other restriction acceptable to the Town in conformance to the Lexington Moderate Unit Income Guidelines or as regulated as a Local Action Unit under the ~~DHCD~~ EOHLC Local Initiative Program.

2. In §135-10.0, add definition as follows:

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES (EOHLC)

The Massachusetts Executive Office of Housing and Livable Communities.

3. Amend §135-6.12.6 as follows:

3. Subsidized housing inventory. At least 10% of the dwelling units in an OSRD shall be eligible for inclusion on the ~~DHCD~~ EOHLC Subsidized Housing Inventory.

4. Amend §135-7.5.3 as follows:

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~~ EOHLC's current *Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act* as amended.

5. Amend §135-7.5.12 as follows:

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-EOHLC's~~ Subsidized Housing Inventory. Where a fraction of a dwelling unit is required for this



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calculation, the amount of required dwelling units shall be rounded down. If ~~DHCD~~ EOHLC 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.

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~~ EOHLC'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.

6. Amend §135-7.5.14 as follows:

Conditions. The Planning Board may impose reasonable terms and conditions, consistent with the parameters established by ~~DHCD~~ EOHLC'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.

(1/16/2024)

Town of Lexington  
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2024 Annual Town Meeting

**ARTICLE    AMEND ZONING BYLAW – MAXIMUM HEIGHT FOR VILLAGE  
OVERLAY DISTRICT**

**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:

1. Amend § 135-7.5.5.10.a as follows:

**a.** *In the VO District, where at least 30% of the ~~total net~~ gross floor area of ~~the street floor of the development is occupied by a nonresidential principal uses,~~ the street floor or buildings' footprint, whichever is greater, of the development is occupied by commercial principal uses, the maximum height is 60 feet if ~~the nonresidential uses are permitted in the underlying district~~ is a commercial district or 52 feet if the underlying district is a residential district. ~~nonresidential uses are not permitted in the underlying district.~~ The commercial uses, exclusive of parking, shall occupy 30% of the street floor or first floor. If there is uncertainty with respect to how to calculate the gross floor area of the first floor or building footprint, the Building Commissioner shall make a determination.

(1/24/2024)

## **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:**

1/24/2024

## **AGENDA ITEM SUMMARY**

### **LEXINGTON PLANNING BOARD**

**AGENDA ITEM TITLE:**

Review of Meeting Minutes: 1/10/24

**PRESENTER:**

**ITEM  
NUMBER:**

**SUMMARY:**

**SUGGESTED MOTION:**

**FOLLOW-UP:**

**DATE AND APPROXIMATE TIME ON AGENDA:**

1/24/2024

## **AGENDA ITEM SUMMARY**

### **LEXINGTON PLANNING BOARD**

**AGENDA ITEM TITLE:**

Upcoming Meetings: 2/7, 2/28, 3/13

**PRESENTER:**

**ITEM  
NUMBER:**

**SUMMARY:**

**SUGGESTED MOTION:**

**FOLLOW-UP:**

**DATE AND APPROXIMATE TIME ON AGENDA:**

1/24/2024

## **AGENDA ITEM SUMMARY**

### **LEXINGTON PLANNING BOARD**

**AGENDA ITEM TITLE:**

The meeting will continue until all items are finished. The estimated adjournment time is 9:30 pm

**PRESENTER:**

**ITEM  
NUMBER:**

**SUMMARY:**

**SUGGESTED MOTION:**

**FOLLOW-UP:**

**DATE AND APPROXIMATE TIME ON AGENDA:**

1/24/2024