

MEMORANDUM

TO: Town of Lexington Planning Office

FROM: Peter Tamm and Chase Johnson

CC: Bradley Cardoso and Joshua Hill

DATE: February 2, 2022

SUBJECT: Preliminary Site Development and Use Plan PD-6 – Response to Staff Comments dated January 28, 2022

In response to comments received from the Town of Lexington Planning Office on January 28, 2022 related to the Preliminary Site Development and Use Plan: PD-6, we offer the following responses for your consideration. Please find below each excerpted comment followed by a response.

- 1) *Comment: Section 5.1 Regulatory Material - Since the petitioner has included Parking and Transportation Demand Management Plan in the “regulatory plan” please add note “as revised during site plan review” after the date.*

Response: Comment acknowledged. The Petitioner agrees and will update the PSDUP Zoning text accordingly.

- 2) *Comment: Section 6.1 Principal Uses - f(ii) - Consider adding the word “concealed” as in “Concealed wireless communication facility...”*

Response: Comment acknowledged. The Petitioner agrees and will update the PSDUP Zoning text accordingly.

- 3) *Comment: Section 6.2 Accessory Uses - “Parking, surface or garage” should be included as an allowed accessory use.*

Response: Comment acknowledged. The Petitioner agrees and will update the PSDUP Zoning text accordingly.

- 4) *Comment: Section 7 Dimensional Standards - The petitioner proposes a total height of 120 feet with a maximum of 80 feet for building height and an additional 40 feet for*

rooftop structures. The elevation drawings should be revised to show the height including all roof top structures for clarity of compliance to proposed zoning.

Response: The Petitioner agrees that further clarity is appropriate and is prepared to update the PSDUP Zoning text. The PSDUP Zoning text can first be updated to clarify that the maximum rooftop structure height applies in excess of the maximum building height. Additionally, the total height of rooftop structures must factor in the ventilation stacks. These stacks are typically 10' in height above the enclosed penthouse for ventilation purposes. Accordingly, the top of the enclosed mechanical penthouse is anticipated to be 36' from the top of the building. The proposed zoning can be revised to either (i) increase the total maximum height of building and mechanicals from 120' to 126' to accommodate the stacks or, alternatively, (ii) the stacks could be exempted from the definition of rooftop structures, depending on the preference of the Planning Office and Planning Board.

- 5) *Comment: Section 9.2 Traffic Standards - Similar to projects in the TMO-1 Overlay District, the petitioner has proposed to opt out of compliance with the traffic standards outlined in the zoning and has instead proposed a Traffic Impact and Assessment Study and a Parking and Transportation Demand Management Plan. This acceptable as we rely on similar plans for traffic management in the TMO-1 District. The zoning language should specifically allow these two plans to be amended at site plan review as conditions/technologies may change.*

Response: Comment acknowledged. Petitioner agrees and will update the PSDUP Zoning text accordingly.

- 6) *Comment: Section 9.3 Off- Street Parking and Loading - The petitioner has not included Section 5.1.13 Design standards in the zoning. The Planning Board and Petitioner may want to include the following standards: (1) Dimensions (aisle width and parking space sizes); (6) Snow Storage; (11) Electric Vehicle Charging (requirements at parking lots).*

Response: Comment acknowledged. Section 9.3 is similar to the parking/loading sections adopted for other recent PD zoning districts. Any such parking and operational requirements need to factor in the parking and operations associated with the existing buildings to remain unchanged on the overall property. The Petitioner suggests that, like other PD zoning districts, these items be addressed in the course of site plan approval for the Project. To the extent necessary, the language of the PSDUP Zoning can be modified to contemplate such a review process for these parking design elements.

- 7) *Comment: Section 9.4e Additional Parking Provisions - This proposed section may not be necessary as it is more relevant during site plan review. If this section is to remain, consider revising to clarify that temporary off-site construction parking is not allowed on*

public and unaccepted streets and that explicit permission must be provided to park in private drives and parking lots.

Response: Comment acknowledged. The Petitioner agrees and will update the PSDUP Zoning text accordingly.

- 8) *Comment: Section 9.5 Signs (e) - The proposed zoning suggests that new signs be subject to minor site plan review administered by the planning director. It is preferred that the review be conducted by the Design Advisory Committee and administered by the Zoning Administrator.*

Response: Comment acknowledged. At the preference of the Planning Office and Planning Board, Petitioner will update the PSDUP Zoning text accordingly.

- 9) *Comment: Section 9.5 Signs (e) The proposed zoning allows one large sign and one secondary sign on each building which also includes the parking garage. Given the number of buildings on site, the Board may want to consider whether this is an appropriate amount.*

Response: Comment acknowledged. The signage allowances are similar to those adopted in other recent PD zoning districts. The intent is to provide appropriate signage upon the proposed new buildings which may help identify significant tenants, considering the site's significant variation in elevation, the presence of ledge features, and existing landscaping which screens portions of the site from public ways.

- 10) *Comment: The Petitioner has committed to sustainable design that meets LEED Gold standards. However, the proposed zoning does not include the Zoning Amendment adopted at 2021 STM Article - Sustainable Requirements.*

Response: Comment acknowledged. While the 2021 STM Article does not apply to the Project, the Petitioner intends to memorialize design commitments for new buildings (i) to achieve LEED Gold certification and (ii) to implement first stage heating system(s) that does not use on site fossil fuel combustion, in the Memorandum of Understanding currently being negotiated with the Town of Lexington.

- 11) *Comment: The Planning Board and Petitioner may consider including murals as part of the allowed signs, and parking lot canopy signs with logos as allowed signs.*

Response: Comment acknowledged. While the Petitioner does not have any present plans for such murals or signs, Petitioner can, if directed, incorporate these sign types within the PSDUP Zoning text.

12) Comment: The Planning Board and Petitioner may want to consider broadening the allowed uses and consider adding the following uses: Instruction in music or the arts; Museum, art gallery, private library; Brewery Pub.

Response: Comment acknowledged. While the Petitioner does not have any present plans for such uses, the Petitioner can, if directed, incorporate these uses within the PSDUP Zoning text.

13) Comment: Please note that the Massachusetts Department of Transportation limits signs visible to Route 2: see 700 CMR 3.00. Certain signs may not be allowed.

Response: Comment acknowledged. Any building signs visible from Route 2 would be “on premises” signs associated with building tenants, which do not require permitting from the Massachusetts Department of Transportation, and not outdoor advertising (billboard) signs.

14) Comment: Please note that the provisions of 6.4 Wireless Communications facilities will apply

Response: Comment acknowledged. No wireless communications facilities are contemplated as part of the redevelopment project.

15) Comment: Is work proposed at the entrance drive off Spring Street?

Response: Minor modifications at the site driveway along Spring Street that are anticipated to be reviewed in the course of Site Plan Review include wall reconstruction, relocation of the speed advisory sign and regrading so as to enhance and maximize sight lines to/from approaching vehicles. In addition, as part of the Memorandum of Understanding with the Town, the Proponent is planning to install a new crosswalk and pedestrian signal to the north of this site driveway. This crossing is intended to provide a formal connection (combined with a trail extension, new sidewalk section and dedicated public parking area) between the existing trail system on 95 Hayden Avenue that links to Hayden Woods and the existing sidewalk on the west side of Spring Street.

16) Comment: – The items listed below should be addressed during site plan review.

- *The Petitioner should provide information regarding size, species and number of trees being removed and being replaced in accordance to Lexington’s Tree Bylaw.*
- *As mentioned above limits or prohibit temporary off-site construction parking on public on the public, and unaccepted streets should be a condition of site plan approval. Explicit permission must be provided to park in private drives and parking lots.*

- *A noise construction plan should be reviewed during the site plan review phase. Equipment such as generators and heaters running at night will need noise control.*
- *The location, size and general design of the proposed signs should be provided on the site plans submitted for site plan review.*
- *Traffic and drainage and stormwater will be further reviewed during site plan review and conservation permitting with the Planning Board, the Conservation Commission, and the Engineering Division.*

Response: Comments acknowledged. If the rezoning is adopted, the Petitioner is prepared to address these comments during Site Plan Review.