



TOWN OF LEXINGTON
PLANNING OFFICE

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Sheila Page, Assistant Director
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To: Lexington Planning Board

From: Molly Belanger, Planner

Re: 75 Outlook Drive: Definitive Site Sensitive Special Permit Residential Development

Date: January 12, 2022 Revised with new information March 14, 2022

Property Information	
Project Address	75 Outlook Drive
Parcel ID	Map 41, Lot 49A
Applicant/Owner Name	Alpha Echo 75 Outlook LLC (Eduardo Alvarez)
Type of Review	Definitive Site Sensitive Special Permit Residential Development
Public Hearing Date	January 19, 2022

Important Dates/Timelines	
File with Town Clerk	December 6, 2021
Filed with Health	December 13, 2021, Response January 11, 2022
Development Review Team Meeting	January 5, 2022 & March 9, 2022
Public Hearing date deadline– within 65 days of filing	February 9, 2022, continued to March 16, 2022
Decision Deadline 90 days following date of public hearing	April 19, 2022
Appeal Period	20 days from the date the decision has been filed with the Town Clerk

Staff Comments
<p><i>New comments since January 12, 2022 are in red, underlined text.</i></p> <p><i>Building and Zoning</i></p> <ul style="list-style-type: none">• <u>Revision dates should be included on each plan that get revised not just the cover sheet.</u>• <u>Top of Wall and Bottom of Wall should be shown on each wall.</u>• <u>Set back from the houses and walls/structures should be shown on the plans.</u>

- Rock/Ledge removal will likely be needed. Removal is severely limited by the amended noise bylaw Chapter 80. The proposed plans should incorporate these limits into the design and the construction process. The Board might consider prohibiting any rock/ledge hammering.
- The Applicant has provided model elevations. The Board should consider requesting elevations for each structure.
- The Applicant should provide a draft Homeowners Association (HOA) agreement prior to the public hearing. HOA agreement should reference the special permit, clarify maintenance of stormwater facilities, open space, common landscaping, and driveway. The Applicant has since provided a draft HOA. The Applicant intends to include all 4 homes in the HOA including the house that accesses from Outlook Drive.
- The measurements of all retaining walls on lot D are missing and should be added to the plans.
- A detailed Table of Development should include:
 - proposed GFA limits, site coverage and impervious surface for each lot. Added to the plans.
 - Impervious surface of the common drive. Added to the plans.
 - proposed heights for each structure measured from natural grade.
- It is important to note that 135-6.9.4 states that “An applicant is not entitled to the maximum development, nor is the applicant entitled to approval of a special permit residential development.” The developer should be clear in its request as to how much development is requested. Similarly, the Board, in its decision should clarify the approved amount of development - i.e. whether or not the max is allowed. This will provide clarity to future owners what is permissible under the special permit. The Applicant has since added the total Gross Floor Area and total impervious area to the plans.
- The Applicant should plan to manage stormwater for the maximum amount allowed impervious surface to allow for potential future improvements to the lots. The build out and stormwater has been managed to the maximum allowed.
- In order to give future owners, the autonomy to make alterations; the applicant should consider specifying the impervious surface and stormwater mitigation to each lot. The Applicant has decided to build out to the maximum impervious surface and gross floor area. Notations on the deeds is required so that new owners are notified.
- The Planning Board should consider requiring that the approved limits be included in the deed so future owners are notified of the limits.
- Setback measurements should be included on the plans.
- The Applicant should clarify the height of retaining walls shown on the plan and ensure they comply with required setbacks. The location and height of proposed fencing should also be included on the plan. A new bylaw regarding fences and retaining walls recently passed Town Meeting.
- The Applicant should clarify the width of the driveway shown for lot B. The width of the driveway must not exceed 20'. The driveway width of lot B has been revised and no longer exceeds 20'.
- The driveway of lot D appears to encroach on the neighboring lot. An easement will be needed or the driveway meet the provisions of the zoning. The plans have since been revised to show a narrowed driveway on lot D to avoid encroachment on lot C.

- The Applicant should add a note on the plans designating construction parking directly on the site. The Applicant should also note that no on-street parking will be allowed for construction. A note has since been added to the plans.
- At the time of Building Permit, the Applicant should submit to the Building Office GFA and elevations form for all four lots. These should not exceed what is shown on the final permitted plans.
- The Site should be completely fenced to limit trespass, and all abutting property lines should be clearly marked so no trespassing takes place. Fencing should be sufficient to protect the site. The limit of work line should be carefully defined. The limit of work line is different between the landscaping plan and the site construction plan. Also, trees proposed to be retained are different between the plans. Note added to plans, although needs review. The Applicant should ensure proper fencing is used.
- The Applicant intends to build the site to the maximum allowed GFA and Impervious surface area. This detail will be listed in the deeds of each of the 4 dwellings.

Trees and Landscape

- The Applicant should provide the number of trees being removed and their size. Tree replacement according to the Tree Bylaw should be explained on the plans. The provisions of Chapter 120 – Tree Bylaw shall be met unless a waiver is granted by the Planning Board. Has since been added to the plans. Given their sizes Tree numbers 32 (24-inch dia.), 33(24-inch dia.) and 67 (11-inch dia.) should be included in the Chapter 120 tree count as they are likely to be partially in the setback.
- A tree protection detail, compliant to Chapter 120 (revised 2021 ATM) should be shown on the plan details. Has since been added to the plans.
- The applicant should show that the landscape selection meets the requirements of the Planning Board’s preferred planting list. Has since been added to the plans.

Historic

- The Applicant appeared before the Historical Commission on August 18, 2021 where the Commission imposed a one-year demolition delay set to expire on August 18, 2022.
- The Applicant should meet with the Historical Commission for a preservation easement of the existing historic dwelling and carriage house that it to remain. The Applicant went before the Historic Commission on February 16, 2022. The Historic Commission approved the plans and found the existing home to be preferably preserved and approved a partial demolition of the building. The Applicant should clarify what part of the building is intended to be demolished.
- Future changes to the façade of the existing dwelling will need to be approved by the Historic Commission. The Applicant will list this detail in the deed. The Board should consider whether a preservation easement is necessary.

Health

- During construction keep areas clean and clutter free to avoid unintentional nuisance conditions by creating harborage conditions for rodents and other pests.

Conservation

- The Board should consider requiring that the open space be delineated by bounds and the HOA documents and Deed reference the open space on designated parcels.
- The Applicant should comply with Conservation limit of work and limit of disturbance marker guidelines.
- The HOA should include details regarding the limit of disturbance area and designated open space to ensure the area stays in its natural state. The Applicant should also clarify in the HOA what is considered to be the natural state of this area.

Engineering

- Engineering Division comments are under separate cover.
- The Applicant should ensure excess water runoff does not overflow onto Outlook Drive. The Applicant has since provided a Stormwater Analysis which is being reviewed by the Engineering Department under a stormwater permit.
- The density of this project matches the density of the surrounding neighborhood.
- Proposed grading is not clearly shown - particularly around the house on lot C. Has since been added to the plans.
- Porous patios shall be built to manufacturers specifications. Documentation shall be provided during construction.
- Street Adequacy Determination
 - Engineering has recommended the Planning Board require a complete reconstruction of the portion of Outlook Drive which abuts the frontage of 75 Outlook Drive due to observed base failure and extensive alligator cracking. The Applicant has submitted plans showing only a mill and re-paving. The Applicant should adjust their plans to show details of a complete reconstruction as recommended by Engineering. The Applicant has applied for a Street Adequacy Determination with the Planning Board.

Traffic and Safety

- As part of the Board's review, the Applicant should propose house numbers and private street name to each dwelling. These shall be finalized with the Planning before the plans are recorded at the registry. Have since been added to the plans. The Applicant proposes "Effie Place" as the street name. This is okay with emergency services. The street name and house numbers should be included on the final endorsed plans.
- What is the length of the driveway? Has since been added to plans.
- Driveway slopes should be shown on the plans. Have since been added to plans.
- Areas of the driveways needed for firetruck turnaround should be delineated on the plans as no parking zones.
- The Applicant should ensure that the landscaping at the intersection of the private drive and Outlook Drive and the additional driveway will not interfere with the line of sight.

Approval Information	
Action Required at Decision Deadline	The Planning Board may vote to grant, grant with conditions, or deny a special permit.
Applicability	<p>Per Town Code §135-6.9.2 a special permit residential development is a project in which one or more lots, tracts, or parcels of land are to be improved for use as a coordinated site for housing. No special permit residential development shall be initiated without first obtaining a special permit in accordance with the provisions of this section. The purpose of the special permit is to provide detailed review of residential developments that have a substantial impact upon the character of the Town, adjacent residential areas and the provision of public facilities and services.</p> <p>Per Town Code §135-6.9.3 a site sensitive development (SSD) is the development of a parcel with configurations of lots allowing flexibility and creativity in residential development through reductions in minimum lot area and frontage requirements in order to minimize site disturbance, preserve historic and sensitive natural resources, and allow for efficient patterns of construction to lower development cost. The number of dwellings in a site sensitive development may not exceed the number of dwellings that could be constructed in the development of a conventional subdivision. [Amended 4-9-2014 ATM by Art. 32]</p>
Standards for approval	The SPGA may only grant a special permit if it makes a determination that the proposed development is consistent with the standards and criteria set forth in §135-9.4.2 and the additional criteria in §135-6.9.19 of the Town Code.
	A special permit issued by a special permit granting authority shall require a vote of at least four members of a five-member board per MGL C.40a §9.
Waivers	No Waivers Requested

Property Information	
Zoning District	RS - Single Family
Property Size	2.1 Acres or 93,597 Square Feet
Existing Conditions	The lot is currently improved by a historic dwelling and garage.
Environmental Conditions	The property is not associated with any wetlands or conservation areas.

Project Summary

All lots on the proof plan appear to have adequate frontage and area for the RS District (125 Feet of Frontage and 15,500 Square Feet of area). The proof plan shows a cul-de-sac from Outlook Drive that would provide adequate frontage to three of the four lots, with the remaining lot having frontage on Outlook Drive. In this scenario, the existing home and carriage house would be removed.

The site sensitive development plan shows the subdivision of the existing 2.1 Acre lot into 4 lots. The Applicant is proposing to preserve and renovate the existing dwelling and carriage house and construct three additional single-family dwellings. Three of the four dwellings would share a common 20-foot-wide driveway that is located on two of the proposed lots which will require an access easement for lots A, C and D. A hammer head turnaround is incorporated in to the common driveway for fire truck access. Retaining walls are shown near the abutting lots 67 Outlook Drive and 22 Fair Oaks Drive.

The Applicant has also applied for a Street Adequacy Determination per §175.7 of the Town Code as the portion of Outlook Drive in front of 75 Outlook Drive is classified as an unaccepted street. Please see attached memorandum of Engineering's recommended improvements to Outlook Drive.

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