



*Town of Lexington*

## **PLANNING BOARD**

1625 Massachusetts Avenue  
Lexington, MA 02420  
Tel (781) 698-4560

[planning@lexingtonma.gov](mailto:planning@lexingtonma.gov)  
[www.lexingtonma.gov/planning](http://www.lexingtonma.gov/planning)

Richard L. Canale, Chair  
Ginna Johnson, Vice-Chair  
Bob Creech, Clerk  
Nancy Corcoran-Ronchetti  
Charles Hornig  
Michael Leon, Associate

---

## **RECOMMENDATION REPORT**

### **ARTICLE 42 – SPECIAL PERMIT RESIDENTIAL DEVELOPMENT**

#### **RECOMMENDATION**

This report was accepted by a unanimous vote of the Planning Board on March 14, 2018.

At its meeting of February 28, 2018, the Planning Board, by a vote of 4-1, recommended the **APPROVAL** of Article 42.

#### **BACKGROUND**

For the last few years, the Planning Board has been discussing changes to Section 6.9 of the Zoning Bylaw, entitled Special Permit Residential Development (SPRD). Section 6.9 is the portion of the Bylaw that allows for cluster-like development options. Other than pursuing a rezoning, SPRDs represent the only alternative to conventional subdivisions. Similar provisions have been in the bylaw in various forms since the late 1960's.

The bylaw generated significant discussion during the Planning Board's Residential Policy Committee work in 2015. This led to both a Planning Board proposal and a citizens petition in 2017 – both of which were indefinitely postponed by Town Meeting.

Since the 1950 zoning amendment that established them, Lexington's major residential zoning districts, the RO and RS, have remained mostly unchanged. The result of this has been a relatively predictable pattern of development based on the geometric standards laid out in Lexington's Zoning Bylaw (and the Planning Board's *Subdivision Regulations*). By the late 1960s, the public expressed concerns over the loss of large tracts of open land to conventional residential development, which led the Town to adopt the precursor to a cluster zoning bylaw in 1968. Since that time, the bylaw has evolved to address other concerns, most notably a diversification of the housing stock away from conventional subdivision design. The current bylaw has been in place since 2008.

The proponent's critique of the current bylaw focuses on projects requesting more housing units than otherwise allowed, what are termed Balanced Housing Developments (BHDs). In those cases, the proponent wants a maximum cap on the number of units within the projects, smaller units, more affordable units, and more open space.

## **SUMMARY OF THE MOTION**

Although the Planning Board supports this article, it did so before the motion was completed and is relying on the material and discussion submitted during the public hearing to make its recommendation to Town Meeting.

The proposal:

- Eliminates Balanced Housing Developments and Public Benefit Developments.
- Replaces the above with Shared Benefit Developments (SBDs) that permit either 1.5 times the conventional housing unit yield of the site's proof plan or 2 times the proof plan.
- Depending on the multiplier, SBDs are subject to the following requirements:
  - Either 15% or 20% of the units must be deed-restricted affordable units.
  - Either 20% or 30% of the units must be accessible units. Accessible affordable units only count towards the affordable unit requirement.
  - Either 35% or 40% of the site's upland area must be open space.
  - Total Gross Floor Area (GFA) is capped at either 90% or 80% of the amount allowed on the conventional subdivision plan for the same site.
  - Half of the units in the development must be smaller than 2,700 gross square feet.
  - 25% of the units must contain less than 2,100 gross square feet.

## **PUBLIC PROCESS**

The Board opened the public hearing required by MGL Chapter 40A, on January 31, 2018. This matter was continued to and discussed on February 14, and February 28, 2018. Determining it had enough information to make a recommendation to Town Meeting, the Board closed the hearing on February 28, 2018.

The proponent is expected to present at a TMMA Information Session on March 21, 2018.

## **CONCLUSION**

The Planning Board supports this Article as the proposed revisions build on Town housing goals identified by the Planning Board and the community during the Residential Policy Committee process and during public hearing discussions last year. These goals include construction of smaller units, construction of Commonwealth-listed affordable units, accessible units geared toward aging in place, as well as significant public open space.

One member believes that the public outreach was inadequate, including outreach to the real estate development community.

The Article was accompanied by a conservative financial analysis that indicates that the proposed changes will enable economically viable developments.

The minority had a concern that the new restrictions in this proposal will make these developments less profitable than conventional subdivisions. The minority feels the new requirements for open space and affordable, accessible, and smaller units will not serve their purpose if the end result is none ever get built.

However, the Board is confident that the proposed revisions will enable profitable developments, and more importantly, that Shared Benefit Developments will realize significant public benefit – affordable and accessible units and more open space.

**RECORD OF VOTES**

Signatures of a majority of the Board,

---

Richard L. Canale, Chair

---

Nancy Corcoran-Ronchetti

---

Ginna Johnson, Vice-Chair

---

Charles Hornig

---

Bob Creech, Clerk