

PRELIMINARY SITE DEVELOPMENT AND USE PLAN

for the RD Planned Residential District at 960-1010 Waltham Street, Lexington

This Preliminary Site Development and Use Plan (“PSDUP”) is prepared under the provisions Chapter 135 of The Code of the Town of Lexington Zoning By-Law Sections 7.3.1, 7.3.3, and 7.3.5 and in furtherance of Chapter 175, Planning Board Development Regulations, Article XIV. The Zoning By-Law is “Chapter 135 of the Code of the Town of Lexington Incorporates Amendments Through April 2014 Lexington Planning Board” and hereafter shall be referred to as the “Zoning By-Law.” The Development Regulations, Chapter 175, “Regulations,” are those contained in the blue booklet that “Incorporates Amendments through June 10, 2010.”

Location of Existing RD and Additional Property To Be Rezoned RD: The property owner, Symmes Life Care, Inc. d/b/a Brookhaven at Lexington, hereafter referred to as “Brookhaven”, in 1986 rezoned its twenty six acre property at 1010 Waltham Street to an RD Planned Residential District. At the 2004 Town Meeting Brookhaven amended the RD to include additional residential units. That amended RD is the existing Brookhaven facility at 1010 Waltham Street.

In 2012 Brookhaven acquired the adjoining parcels at 960 and 990 Waltham Street consisting of approximately six acres which it seeks to rezone from the RO Residential District and add it to the existing Brookhaven RD. Brookhaven also seeks to make some improvements to its existing facility which requires an amendment to the existing RD. Town Meeting approval is required for both a rezoning from RO to RD and an amendment of the existing RD. This PSDUP is a restatement of the RD to make improvements to the existing facility and to include the adjoining parcels within it as one RD composite.

The property which is included in this RD Planned Residential District has its frontage on Waltham Street. A map of the adjoining parcels to be rezoned and added to the existing RD Planned Residential District and metes and bounds description of its boundaries is included within the attached Petition for Change of Zoning District. The property included in the existing RD Planned Residential District is shown on the attached Property Rights and Dimensional Standards Plan.

Subject to Zoning By-Law: The land and development in this Planned Residential District is subject to the provisions, with exceptions as noted herein, of the Zoning By-Law. Where the PSDUP is silent with respect to any requirement of the Zoning By-Law applicable to this Planned Residential District, the Zoning Bylaw requirements shall apply. Subsequent amendments to the Zoning By-Law shall not apply to this District. In the event of inconsistency or conflict between the text of this PSDUP and the Zoning By-Law applicable to this Planned Residential District, the PSDUP shall supersede any such requirement of the Zoning By-Law.

Conditions on Transfer: Any sale or transfer of rights or interests in the property in this Planned Residential District shall include a condition that successors and assigns are bound to the terms and conditions of this PSDUP and of any Special Permit with Site Plan Review (SPS) or other Special Permit granted by the Board of Appeals for this District.

Plans, Exhibits and Documents: The following plans, exhibits and other documents are part of this PSDUP:

Regulatory:

Sheet No.	Title, Prepared by:	Most Recent Date
Sheet 1	Property Rights and Dimensional Standards Plan GPR,Inc.	12/24/15
Sheet 2	Site Construction Plan GPR,Inc.	12/28/15
Sheet 3	Landscape Plan{Site Anal, Concep Planting) Fisher Design Group, Inc.	12/23/15
Sheet 4	Visual Representation Plan(A0. Thru AN 3.0) DiMella,Shaffer,	12/29/15

In the event of conflict or inconsistency between the text of the PSDUP for this Planned Residential District and the plans, exhibits or documents attached to it, the text of the PSDUP shall control.

Non Regulatory:

Sheet No.	Title, Prepared by:	Most Recent Date
Sheet 5	Site Analysis Plan DiMella, Shaffer	12/29/15
Sheet 6	Locus-Context Plan DiMella, Shaffer	12/29/15
Sheet 7	Utilities Plan GPR, Inc.	12/28/15
Sheet 8	Lighting Plan GPR, Inc.	12/28/15
Sheet 9	Street Layout and Profile Plan GPR, Inc.	12/28/15
Sheet 10	Proof Plan GPR, Inc.	12/24/15
	Hydrologic and Drainage Analysis GPR, Inc.	12/28/15
	Soil Survey and Test Pits OHI Engineering, Inc.	12/15
	Traffic Evaluation TEPP, LLC	12/23/15
	Letter in support of PSDUP, addressing PL BD Regs Atty. Ed Grant	12/28/15

1. DESCRIPTION OF PERMITTED USES

Permitted Uses

All uses permitted shall be subject to, consistent with and not exceed the development intensity or its equivalent with respect to dimensional controls and standards for the proposed structures and site plan approved for this Planned Residential District.

- a) A life care retirement community providing the residential, personal, and health care needs of residents who are 62 years of age and over, registered with the Commonwealth of Massachusetts, including dining and food preparation rooms, conference and reading rooms, function rooms, beauty and barber shops, recreational facilities, and other social and medical support services incidental and customary to a life care retirement community facility. The community consists of three functional elements: residential living units, health care facilities, and space for support services, including independent living units, assisted care units, and a Nursing Center.
- b) Office and administration of the business operations of the life care retirement community.
- c) In addition to accessory uses normally incidental to the permitted uses of this section the following accessory uses:
 - (1) Off-Street parking for vehicles associated with the principal use.
 - (2) Off-Street loading for vehicles associated with the principal use.
 - (3) Dumpster or other refuse disposal equipment.
 - (4) Temporary building(s) or trailer(s) incidental to the construction of a building or land.
 - (5) Accessory structures for a satellite receiving antenna as set forth in Special Regulations Section 6.1.2 of the Zoning By-Law;

2. DIMENSIONAL STANDARDS

Minimum Lot Area in square feet	Not less than 125,000 square feet
Minimum Lot Frontage in feet	Not less than 100 feet
Minimum Front Yard Setback in feet	Not less than 8 feet from Waltham Street which is the frontage street.
Minimum Side Yard in feet	Not less than 30 feet;
Minimum Rear Yard in feet	Not less than 30 feet
Maximum Number of Living Units	Not to exceed 351 *
Total gross floor area	Not to exceed (see Table of Dev. Data}

Maximum Floor Area Ratio (F.A.R.)	Not to exceed (see Table of Dev. Data)
Maximum % Site Coverage	Not to exceed 25%
Maximum Height of Buildings	60 feet
Maximum Impervious Surface Ratio	0.55

*289 Independent Living units, 50 Assisted Care units, and 12 nursing beds in 10 rooms of Nursing Center.

3. OTHER ZONING PROVISIONS

Landscaping. For this Planned Residential District the following standards of the Zoning By-Law shall apply:

- a) The objectives of 5.3.1 apply.
- b) The requirements of 5.3.3 pertaining to the Landscape Plan apply.
- c) The provisions of 5.3.5 do not apply as superseded by the Section 7.3.3.2 minimum front, side and rear yard setback standards
- d) The provisions of Section 5.3.11 Maintenance, and 5.3.12, Landscaping, to be completed prior to issuance of certificate of occupancy, apply.
- e) The provisions of 5.3.13, Screening of Other Uses within the Lots, apply.

Landscaping, transition areas and screening are provided as shown on Sheet 3, Landscape Plan; and will be in conformity with the Special Permit to be approved by the Special Permit Granting Authority on the definitive site development and use plan.

Off-Street Parking and Loading: The provisions of Section 5.1 of the Zoning By-Law do not apply to this Planned Residential District with the following exceptions:

- a) The objectives of Section 5.1.1 apply.
- b) The Parking Plan requirements of Section 5.1.3 apply.
- c) The minimum number of parking spaces is established using a parking factor of 1.2 spaces per living unit; the minimum number of loading docks is established using a loading dock factor of 0.5 loading docks per 100 units; and two bicycle parking spaces shall be located as shown on Plan and the provisions of 5.1.8, Bicycle Parking Facilities, paragraphs 1,3,4 shall apply.
- d) The provisions of Section 5.1.9, Location of Off Street Parking Spaces and Section 5.1.10, Driveways, apply.
- e) The provisions of 5.1.11.3.b apply
- f) The provisions of Section 5.1.12. Screening for Parking, apply.

- g) The provisions of Section 5.1.13. Design Standards, apply.
- h) The Provisions of Section 5.1.14, Special Permit, shall apply.
- i) One carpool or vanpool parking space shall be provided in accordance with Section 5.1.7 Preferential Rides/Care Parking.

Traffic: The provisions of Section 5.5 of the Zoning By-Law Traffic, Standards, do not apply to this Planned Residential District; a traffic study is provided by TEPP,LLC , dated December 23 , 2015.

Signs: The provisions of Section 5.2 of the Zoning By-Law apply.

Illumination: The provisions of Section 5.4 of the Zoning By-Law, Outdoor Lighting apply.

Days and hours of operation: The life care retirement community shall be open for operation and accessible to family and guest 24 hours per day every day.

4. TABLE OF DEVELOPMENT DATA: The following development data set forth what is currently proposed on the site, and in the Definitive Site Development and Use Plan (“DSDUP”) shall fall within the standards established above in Sections 2 and 3..

**BROOKHAVEN AT LEXINGTON
TABLE OF DEVELOPMENT DATA**

	Existing	Proposed	Required (Article 12)
Total Land Area*	26.03 Acres	32.14 Acres	20 Acres
Developable Site Area	23.43 Acres	28.16 Acres	
Common Open Space	18.87 Acres	24.00 Acres	3.21 Acres**
Usable Open Space	7.72 Acres (1,200 sf/unit)	8.98 Acres (1,200 sf/unit)	
Impervious Surface Area	8.55 Acres	11.75 Acres	
Impervious Surface Ratio***	0.36	0.42	0.55
Site Coverage of Buildings	4.74 Acres	5.73 Acres	

Number of Parking Spaces	348	428	422****
Number of Loading Spaces	2	2	2*****
Number of Dwelling Units*****	309	351	
Equivalent Unit Density/Acre	11.87	10.92	
Maximum Building Height	58 Feet	60 Feet	60 Feet
Estimated Number of Residents	333	393	
Estimated Number of Employees on Largest Shift	84	93	
Front Yard Setback*****		96 Feet	8 Feet
Side Yard Setback*****		37 Feet	30 Feet
Rear Yard Setback*****		133 Feet	30 Feet

- * Not including 3.2 acres previously donated to the Town of Lexington
- ** Required open space is 10% of the developable Site area
- *** Impervious surface ratio does not include impervious area of main roadway and sidewalk
- **** Based on 1.2 spaces per unit for Independent Living Residences, Assisted Care and Long-term Care Facilities (see Parking Analysis).
- ***** Based on 0.5 loading docks per 100 units (rounded to nearest whole number).
- ***** Number of Units based on Independent Living Units and Assisted Living units @ 1/unit and Nursing Care Units at 1 unit per bedroom.
- ***** Setbacks to New Independent Living building.

5. SPECIAL CONDITIONS

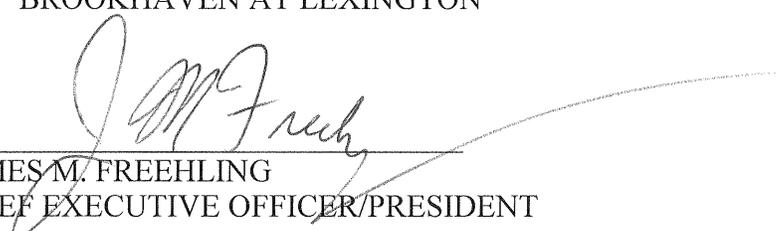
The following special conditions as outlined below shall apply to this Planned Residential District.

1. Payment in Lieu of Real Estate Taxes. Brookhaven shall continue to pay to the Town of Lexington an annual sum in lieu of real estate taxes. The annual payment shall be adjusted each year to reflect changes in the level of taxation

in the Town. Brookhaven's first such payment was made in 1987 for the sum of \$175,000 and the payment amount for CY 2016 is \$482,766.

2. Contribution for Affordable Housing. Brookhaven shall make a contribution of \$ _____ to the Town of Lexington, to either LEXHAB or the Lexington Housing Authority at the option of the Town, to be used for the acquisition or construction of affordable housing units in the Town.
3. Brookhaven shall continue to preserve and maintain the historic Old Town Road on the property, which include integration insofar as practicable of walking paths, and the markers or other display material that have been erected to explain the significance and location of the roadway. Brookhaven shall continue to preserve and maintain a series of trails and sidewalks open to the public and Brookhaven residents, including the Amyas Ames Nature Trail located on its property which connects to other trails off site. Brookhaven shall preserve and maintain an additional nature trail on its newly acquired adjoining property that is being rezoned to RD hereunder.
4. Brookhaven will continue making an annual contribution to the Town of Lexington for Lexpress operations.

BY: BROOKHAVEN AT LEXINGTON



JAMES M. FREEHLING
CHIEF EXECUTIVE OFFICER/PRESIDENT

DATE: December 29, 2015