



Town of Lexington  
**PLANNING BOARD**  
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Robert Creech, Chair  
Robert D. Peters, Vice Chair  
Ginna Johnson, Clerk  
Richard L. Canale  
Charles Hornig  
Michael Leon, Associate

1 **RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD**  
2 **ARTICLE 15: AMEND ZONING BYLAW – TECHNICAL CORRECTIONS**

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3  
4 **RECOMMENDATION**

5 The Planning Board **unanimously** recommends that Town Meeting **APPROVE** the  
6 motion under Article 15: **Technical** Corrections. On Wednesday, September 23, 2020,  
7 after a series of public hearings, the Planning Board voted to recommend favorable  
8 action with a vote of [redacted] in favor, [redacted] in opposition, and [redacted] in abstention for Article  
9 15: Technical Corrections.

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10 **BACKGROUND**

11 The purpose of this Zoning Bylaw amendment is to direct users to the appropriate section for  
12 side yard setbacks in the case of a non-conforming residential structure. This proposed  
13 zoning amendment is not changing any dimension requirements nor the intent of the Zoning  
14 Bylaw.

15 **PUBLIC HEARING PROCESS**

16 Due to COVID-19, all of the zoning articles initially scheduled for the Annual Town  
17 Meeting scheduled for March of 2020 were postponed to a Fall Special Town Meeting of  
18 2020. Due to the length of time between the Annual and Fall Special Town Meetings, the  
19 Planning Board was required to hold new public hearings. To ensure all information  
20 heard during the public hearings has been communicated, this section of this report  
21 provides a review of the public hearings held for the Annual Town Meeting 2020 and  
22 Fall Special Town Meeting 2020.

23 **Annual Town Meeting Public Hearing Proceedings (January 2020)**

Deleted: February - March

24 On Wednesday, January 22, 2020, after the publication of the legal advertisement in the  
25 Lexington Minuteman Newspaper on January 2, 2020, and January 9, 2020, and  
26 notification sent to parties of interest, the Planning Board opened its public hearing for  
27 Article 41: Technical Corrections. The Planning Board voted to close the public hearing  
28 and made a favorable recommendation to the Annual Town Meeting of 2020 on  
29 Wednesday, January 22, 2020.

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30 **JANUARY 22, 2020**

31 After a brief presentation of the proposed motion, no one spoke to this article and the  
32 hearing closed. After deliberations the Planning Board unanimously voted to recommend  
33 the adoption of this article. All comments and discussions can be reviewed on the  
34 video stream capture of the public hearing and the associated meeting minutes.

41 **Fall Special Town Meeting Public Hearing Proceedings (September 2020)**

42 On Wednesday, September 9, 2020, after the publication of the legal advertisement in  
43 the Minuteman Newspaper on August 20, 2020, and August 27, 2020, and notification  
44 sent to parties of interest, the Planning Board opened its public hearing for Article 15:  
45 Amend Zoning Bylaw - Technical Corrections. A continued public hearing was held on  
46 Wednesday, September 23, 2020. At such time the Planning Board closed the public  
47 hearing and made a favorable recommendation to the Annual Town Meeting of 2020.

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48 **SEPTEMBER 9, 2020**

49 The Planning Board reviewed and discussed the proposed amendments to the  
50 Lexington Zoning Bylaw, relative to the Technical Corrections Article. All members  
51 of the Planning Board supported Article 15: Technical Corrections as presented.

52 **SEPTEMBER 23, 2020**

53 **INSERT**

54 On September 9 and 23, 2020, the Planning Board opened the floor for public  
55 comments. No public comments were provided. All comments can be reviewed on the  
56 video stream capture of the public hearing and the associated meeting minutes.

57 **ARTICLE MOTION**

58 That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as  
59 follows, where (~~struck through~~ text is to be removed and underlined text is to be added),  
60 and further that non-substantive changes to the number of this bylaw be permitted in  
61 order that it be in compliance with the numbering format of the Code of the Town of  
62 Lexington:

- 63 1. Amend Chapter 135 §4.1.1 Table 2, Schedule of Dimensional Controls, line  
64 "Minimum side yard in feet" and add an additional note (i) to read as follows:

	Zoning Districts										
	GC	RO	RS & RT	CN	CRS	CS	CB	CLO	CRO	CM	CSX
Minimum side yard in feet	NR	15(d)(i)	15(d)(i)	20	20	15	NR	30	50(f)	25(f)	15

65

66 Notes:

- 67 (i) For non-conforming one and two-family residential structures, the side yard  
68 setback may be reduced as allowed in Section 8.4.1 "No Increase in  
69 Nonconforming Nature."

70

71 **Planning Board Vote**

72  **moved that the Planning Board recommend favorable action for Article 15: Amend**  
73  **the Zoning Bylaw - Technical Corrections, as presented. seconded the motion. The**  
74  **Planning Board voted in favor of the motion . MOTION PASSED**

77  
78 Robert Creech .....  
79 Robert Peters.....  
80 Ginna Johnson.....  
81 Richard Canale .....  
82 Charles Hornig.....

83  
84 **Record of Vote**

85 On May 13, 2020, the Planning Board voted to allow the Planning Board Chair to sign  
86 documents on behalf of the Planning Board.

87 ***Charles Hornig moved that the Planning Board vote to allow the Chair of the Planning***  
88 ***Board to sign all documents for the Planning Board during the COVID-19 State of***  
89 ***Emergency. Robert Peters seconded the motion. The Planning Board voted in favor of***  
90 ***the motion 5-0-0 (Roll Call: Robert Peters – yes; Charles Hornig – yes; Richard Canale –***  
91 ***yes; Ginna Johnson – yes; and Robert Creech – yes). MOTION PASSED***

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93  
94 **Signature of the Planning Board**

95 Signatures of a majority of the Planning Board,

96  
97 \_\_\_\_\_

98 Robert Creech, Chair

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