



LEXINGTON PLANNING BOARD
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LEXINGTON MA

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DECISION OF THE LEXINGTON PLANNING BOARD
MAJOR SITE PLAN REVIEW – Tracer Lane Solar Project

0 Cambridge/Concord Turnpike (aka Tracer Lane)
Map 19 Lot1A

May 17, 2023

APPLICANT/: Tracer Lane II Realty, LLC
PROPERTY OWNER 230 C East Main Street, PO Box 701
Marlborough, MA 01752

PROPERTY LOCUS: 0 Cambridge/Concord Turnpike – Assessor’s Map 19, Lot 1A
Lexington, MA 02421

APPLICATION DATE: Application filed with the Town Clerk on November 9, 2022

PUBLIC HEARING INFORMATION: Notice of public hearing published in the Lexington Minuteman newspaper on November 17 and 24, 2022.
Notice of public hearing posted by the Town Clerk on November 9, 2022
Public hearing was held on December 7, 2022, and continued hearings held on February 15, 2023, March 15, 2023, May 3, 2023, and May 17, 2023.

PROJECT SUMMARY & DESCRIPTION

The Planning Board held a public hearing on December 7, 2022, and continued public hearings on February 15, March 15, May 3, and May 17, 2023 to review the application of Tracer Lane II Realty, LLC for Major Site Plan Review pursuant to §135-6.11 *Solar Energy Systems* and §135-9.5 *Site Plan Review* of the Zoning Bylaw. The property is zoned CM (Manufacturing).

The Applicant proposes a ±1.0 - megawatt (MW) ground-mounted solar energy system on the property identified as Assessors Map 19 Lot 1A in Lexington near the City of Waltham. The ~30-acre property is presently in a natural state consisting of hardwood forest and wetlands. The property is bounded by Route128/I-95 to the east, City of Cambridge reservoir land to the north, Town of Lexington

conservation land to the west, and a single-family residential neighborhood in Waltham to the south, and a 250-foot-wide Boston Edison Easement with overhead wires bisects the property.

The land slopes steeply from the municipal line toward the north with wetlands primarily in the eastern portion of the property. There is a Surface Water Supply Protection Zone A for the drinking water supply for the City of Cambridge along the northwestern and eastern borders immediately adjacent to the proposed project. The property directly abuts Lexington conservation land.

The solar arrays will cover ~5.5 acres of the 30-acre parcel in two sections. One section will be southwest of the powerline easement near residential properties in Waltham and the second section is northeast of the powerline easement. Access to the property is through a residential neighborhood through 119 Sherbourne Place in Waltham. A 20-foot-wide access drive running from Sherbourne Place through the southern section of solar arrays across the powerline easement to the northern section of solar arrays will provide construction and maintenance access. Connection to the electrical grid will use the existing utility pole between 118 and 119 Sherbourne Place. Four new utility poles are proposed along the western border of the 119 Sherbourne Place property. The solar panels are proposed to be located at least 50feet from the southern property line. The transformer is located in the northern array section. String inverters are proposed on each row of panels at the end near the powerline easement. The solar array will be surrounded by a seven-foot-high chain link or wood stockade fence (stockade proposed along the southern property line) with a wildlife gap underneath near ground level. The fence is situated between 7 and 29 feet from the property line abutting the residential area.

HISTORY & BACKGROUND

The project site was added to the CM (Manufacturing) zoning district in 2015 in response to a 1993 Land Court decision that the previous residential zoning was not reasonable or appropriate. The project was the subject of litigation between the Applicant and the City of Waltham. The Applicant proposes to access the manufacturing zoned property in Lexington through an abutting residentially zoned property in Waltham to build and operate a solar array in Lexington. Access from Data Drive (formerly Tracer Lane) is hampered by wetlands. Consequently, the Applicant purchased 119 Sherbourne Place in Waltham to provide access to the Applicant's property. The City of Waltham prohibited the access; reasoning that Waltham's zoning ordinance prohibits commercial activity in residentially zoned areas. Although the solar array is located on a property zoned for commercial use, the proposed access road is on property zoned for residential use. Waltham argued the applicant could not construct the access road because the road would constitute a commercial use in a residential zone. However, a Land Court judge determined that this prohibition was improper under MGL c. 40A, § 3, ¶19, which protects solar energy systems from unreasonable local regulations, this prohibition was not "necessary to protect the public health, safety or welfare". Waltham appealed the decision. The case was taken up by the Supreme Judicial Court (SJC) in 2022.

The SJC focused on MGL c. 40A, §3, stating that this law was enacted to prevent municipalities from restricting uses the Legislature has determined are valuable as a matter of public policy such as educational and religious uses of land. The Legislature expanded this statute to ensure that other land uses such as solar energy uses would be free from “local interference” except where necessary to protect the public health, safety or welfare. Because the access road will facilitate the solar energy system construction and maintenance, the Court considered the access road part of the solar energy system. In addition, because Waltham allows large-scale solar energy systems in only 1-2% of its land area, the court considered this to be restricting the legislative goal of promoting solar energy, and further that this limitation was not necessary to protect public health, safety, or welfare. The SJC therefore affirmed the Land Court’s decision.

STATEMENT OF FINDINGS

PROCEDURAL HISTORY:

1. The application was submitted by Beals & Thomas, Inc. on October 6, 2022 on behalf of Tracer Lane II Realty, LLC. On October 24, 2022 the Planning Office sent a letter to the Town Clerk outlining missing application material. On November 9, 2022, the Applicant submitted response to the planning comment letter and additional plans. On November 9, the Planning Office deemed the application complete and it was stamped in with the Town Clerk.
2. On November 7, 2022, Planning Board members, Lexington planning staff, an employee of the Cambridge Water Department, and the applicant visited the site of the proposed project.
3. The Planning Board caused notice of the public hearing to be published in the *Lexington Minuteman*, a newspaper of general circulation in Lexington, on November 17, 2022 and again on November 24, 2022. Notice of the public hearing was posted in the Lexington Town Office Building with the Town Clerk and on the official town website commencing on November 9, 2022 and continuing through the opening of the public hearing on December 7, 2022. Said notice of public hearing was mailed postage prepaid to all Parties in Interest including Lexington and Waltham abutters and the Planning Boards of abutting towns on November 10, 2023.
4. The public hearing opened on December 7, 2022. Continued public hearings were held on February 15, 2023, March 15, 2023, May 3, 2023 and May 17, 2023. The February 15 and March 15 hearings were continued without testimony at the request of the Applicant. Testimony was heard at the December 7, 2022, May 3, 2023, and May 17, 2023 hearings. The hearings were held remotely via Zoom, pursuant to MGL c. 30A §§18-25, c. 20 of the Acts of 2021, and c. 107 of the Acts of 2022, and c. 2 of the Acts of 2023 further amended extending the remote access provisions through March 31, 2025. The Planning Board accepted public comments via Zoom, mail, and e-mail.
5. Lexington Planning Board members Charles Hornig, Robert Creech, Melanie Thompson, and Michael Schanbacher participated in all the public hearings. Chair Robert Peters presided over all of the public hearings. The Board closed the public hearing on May 17, 2023.

6. Lexington Planning Board members Robert Peters, Charles Hornig, Robert Creech, Melanie Thompson, and Michael Schanbacher deliberated on the application at a meeting on May 17, 2023.

PROJECT SPECIFIC FINDINGS:

In the course of the public hearing process, the Planning Board took under advisement all information submitted by the Applicant, various municipal departments, and neighboring jurisdictions, and comments made and submitted by members of the public. After having reviewed all the plans and material filed by the Applicant and its representatives and having considered the analysis, supplemental information provided during the course of the public hearings, correspondence and testimony from staff, the public, and from all other interested parties, and based on §135-9.5 [Site Plan Review] and §135-6.11 [Solar Energy Systems] of the Zoning Bylaw and §176-11.0 [the Board's Solar Energy System Regulations], the Planning Board makes the following findings:

1. The Planning Board finds that this parcel was zoned CM (Manufacturing) in 2015. Large-scale Solar Energy System is a permitted use in the CM District requiring Site Plan Review approval.
2. MGL c. 40A, §3, ninth par., protects solar energy systems from local regulation except local regulation that is "necessary to protect the public health, safety or welfare." As determined by the SJC, this statute allows the Applicant's access to a manufacturing zone in Lexington via 119 Sherbourne Place (which runs through a residentially zoned neighborhood in Waltham).
3. The Applicant proposes a ± 1.0 - megawatt (MW) ground-mounted solar energy system on the property identified by the Assessors Map 19 Lot 1A in Lexington near the City of Waltham. The project was initially proposed on the southern side of the powerline easement and was set back 15 feet from the residential abutters. The project was revised to meet the requirements of Lexington Zoning §135-5.3.4, 5.3.5 and 4.1.1. Table 2. The revised April 14, 2023 plans set the solar panels 50 feet from the residential neighborhood. To maintain the Applicant's desired 1MW output the solar array was extended to the northeastern side of the powerlines.
4. Siting of Facilities. The Project maximizes use of the site by installing solar panels 50 feet from residential properties, within 19 feet of the Surface Water Supply Protection Zone A on a north-facing slope, and setting the limit of work for an infiltration trench and spillway within ten (10) feet of the Town-owned conservation land. The arrays and required stormwater mitigation are designed to maximize the available space with the limit of work up against the Surface Water Supply Protection Zone A of the Cambridge reservoir and conservation land, leaving little room for failure. The Board finds the condition #1a (below), requiring solar panels to be set back 100 feet from the residential properties to the south, is necessary to provide a better visual buffer. It provides the following benefits: safety separation for fire department perimeter access on a slope where the topography varies by 36 ft. from the access drive to its terminus.; slope stabilization with plantings; and room for sufficiently designed stormwater mitigation. The Board's conditions 1a-j is consistent with Massachusetts Department of Energy Resources' (DOER) model zoning bylaw discourage significant tree cutting in order to enhance stormwater management and erosion prevention, preserve the cooling and climate benefits from trees, and encourage screening vegetation along the borders of the site to minimize visual impact.
5. Sustainable, Climate-sensitive, and Environmentally-conscious Design.

While this project creates much-needed sustainable energy, the Planning Board finds that the Applicant's proposed design on its own is not environmentally conscious. With the exception of

the powerline easement, this parcel consists of what appears to be a healthy hardwood forest and wetlands adjacent to the City of Cambridge's drinking water supply. Approximately 1,040 trees over 6" diameter at breast height (DBH); are proposed to be removed; many on moderate to steep slopes. In addition, twelve (12) trees protected under §120, the Tree Bylaw, equaling a total of diameter of 147 inches are proposed to be removed. Stormwater facilities are located very close to the property lines and Surface Water Supply Protection Zone A which leaves little room for error should one of these facilities fail. Such close proximity could ultimately reduce the quality of resources and water quality protection surrounding the Cambridge Reservoir. As noted below, conditions are being imposed to address these issues; such conditions include (1) landscaping, (2) the replanting of trees to replace the 147 inches at DBH of 12 §80 Tree By-law "Protected Trees" proposed to be removed, and (3) limitations on work near sensitive water quality protection areas.

6. Open space, Natural features, and the Landscape, emphasizing the function of Natural, Aesthetic, Social and Recreational design. The proposed project as shown on the plans last revised April 14, 2023 does not preserve natural features because the project is not designed to preserve the mature trees nor fully mitigate their removal given the climate benefits of mature trees. The Massachusetts Department of Energy Resources' (DOER) model zoning bylaw discourages significant tree cutting in order to enhance stormwater management and erosion prevention, preserve the cooling and climate benefits from trees, and encourage screening vegetation along the borders of the site to minimize visual impact. DOER's model zoning notes that a greater setback for large scale solar where it abuts a conservation-recreation district may be appropriate. The Applicant has identified the mature trees within the 15-foot setback but has not provided a landscape plan to comply with §135-5.3 Landscaping, Transition and Screening of the Zoning Bylaw or §176-5.2.7 of the Board's Regulations. Those bylaws require the Applicant to mitigate the loss of ~1,040 mature trees by screening the residential abutters or providing protection to Zone A or the Conservation Land. As noted above, conditions are being imposed to address these issues (condition #1a-j).
7. Ecosystem function. All construction activity is proposed to be outside the 100-foot wetland buffer and Surface Water Supply Protection Zone A. The wetland resource area delineations (Bank, Bordering Vegetated Wetlands, 200-foot Riverfront Area, Bordering Land Subject to Flooding (100-year Base Flood Elevation by survey)), associated 100-foot buffers, and Zone A Water Protection Area currently used as noted #'s 6-8 on sheet TP-1 are outdated and are not adequate to verify that the proposed project is outside of wetland jurisdiction on the north eastern side of the property and outside Zone A. The Applicant has agreed to have these boundaries evaluated, delineated, and confirmed by the Conservation Commission under a Request for Determination of Applicability or Abbreviated Notice of Resource Area Delineation. Should the current wetland lines and edge of bank be different than what existed during the sourced surveys, and parts of the project are found to be in Conservation Commission jurisdiction or in Zone A, revision to the site design will be likely. If this is the case, the Applicant will be required to apply for a Modification to this Site Plan Review Approval. Additionally, the forest presently has very few invasive plant species. A landscape plan and replanting plan has not been provided. Planning and Conservation request new plantings be a diverse mix of native species from the Conservation Commission approved planting list.
8. Safety, Circulation and Connectivity that is Safe and Accessible for All.

The proposed project provides a 20-foot-wide gravel drive as the access road from 119 Sherbourne Place in Waltham extending easterly to the solar arrays. The project site is not open to the public and includes a wooden gate at the property line. Once the solar array is constructed and operational, the site will only be accessed for maintenance and inspections. A condition of this approval is to pave the access way and to provide a cul-de-sac turnaround, a hammerhead turnaround, or a secondary means of egress for fire department emergency vehicles. With those conditions, the Board finds that the proposed project provides sufficient safety, circulation and connectivity.

9. Effective and efficient transportation systems and the adverse impacts of motor vehicle transportation.

This project is not expected to have adverse impacts on the transportation system once completed. However, construction vehicles will impact the neighborhood during construction. There will be several truck trips over several weeks during land clearing and panel installation that will temporarily impact the residential neighborhood. The Board finds that these temporary impacts of construction vehicles are expected with any such project and therefore do not require a condition to ameliorate.

10. Protection of surface and groundwater quality. The project requires an Above Threshold Stormwater Permit from the Lexington Engineering Division pursuant to Lexington's Stormwater Management Bylaw §114. Presently, the submitted stormwater management report, revised through April 14, 2023, does not comply with the Town of Lexington Stormwater Regulations because stormwater is discharging into Zone A, requiring further treatment and documentation. The project proposes five crushed stone trenches to infiltrate stormwater runoff and an infiltration basin that will discharge to a dissipation swale within 10-feet of conservation land. An emergency spillway will provide overflow for the 100-year storm. While this is allowed per Massachusetts Stormwater Handbook, it does change natural sheet flow to a single point of discharge that could cause scouring and erosion on environmentally sensitive land. An Operation & Maintenance (O&M) Plan was submitted and is acceptable for all post-construction best management practices. The Board finds that with these revisions the project is sufficiently protective of surface and groundwater quality.

11. Social, equity, diversity, public health, or community needs and impacts.

The project helps address the Commonwealth's goal of transitioning to resilient renewable energy sources by 2050 by providing a significant source of renewable energy where it is needed in the Boston area, as well as the Town's sustainability goals. The project abuts and is upgradient from the Cambridge Reservoir and Lexington conservation land. In addition, the project immediately abuts a residential neighborhood in Waltham. Further buffering to the residential neighborhood, additional public safety measures for emergency vehicle response, and more stabilization to prevent sediment discharge are required to meet the purpose and intent of the Board's Regulations in § 176-11.0, each of which is addressed in the conditions below

12. Historic significance: There is no known historic significance to the property.

13. Impacts on public services and facilities: In March 2023, the Applicant performed tests for pressure flow and operation of the fire hydrant in front of 119 Sherbourne Place in Waltham. The results are acceptable to Lexington. Any firefighting would mainly rely on the fire hydrant

between 118 and 119 Sherbourne Place. The distance from the fire hydrant to the transformer is approximately 700 feet. Because there is no redundancy, water flow is a concern. The Planning Board requires looped water systems to establish a continuous loop with existing water mains pursuant to the Board's Subdivision Regulations § 175-7.4B (2) and fire hydrants not spaced more than 500 feet apart § 175-7.4B (3). The Waltham Fire Chief requests the water main on Sherbourne Place be looped to an existing infrastructure facility. Approval is conditioned on this improvement being pursued.

14. Signage: No signage other than site informational signage is proposed. The Board finds the informational signage sufficient.
15. Safety: The Board finds the plans revised through April 14, 2023, including the additional plan changes and conditions of approval required herein, improve protection to abutters and to, Zone A. The Board also finds that the conditional measures of increased setbacks, a paved access road, and increased turnaround or secondary means of emergency access will provide fire safety protection.
16. Potential Adverse Effects of Development: The Planning Board finds that the removal of approximately 1,040 trees on a steep slope and the installation of a 1 MW solar array has potential adverse effects. Adverse impacts include erosion which may be detrimental to the public drinking water supply. Approval is thus conditioned on the tree-related revegetation mitigation below.
17. Purpose and Intent of Solar Energy Systems: The Board finds the project as shown on the project plans dated April 14, 2023 does not fully comply with the purpose and intent of the Lexington's Solar Energy System Zoning Bylaw because it does not minimize environmental impact, does not adequately protect public safety, does not protect against undesirable impacts on residential property and neighborhoods, and does not protect scenic and natural resources or wildlife corridors. The conditions below requiring plan revisions including a greater buffer, construction related conditions and additional plantings will sufficiently meet the purpose and intent of this bylaw.
18. Solar Energy System Design Requirements: The Board finds the project plans revised through April 14, 2023 include a stockade fence but no plantings. §135-5.3 Landscaping, Transition and Screen require both fencing and vegetation to be shown in a landscape plan to provide a visual screen between commercial and residential zoning districts. A separate landscape plan was not provided. Therefore, the submitted plans do not adequately minimize the impacts on surrounding properties as required in §176-11.1 of the Board's Regulations. The Board finds that subject to the conditions below concerning submission of a landscape for residential screening the project will meet the solar energy system design requirements.

Waiver Requests

The Planning Board may waive any of its Rules and Regulations if the Board finds the waiver is in the public interest. In addition, for sites under the jurisdiction of the Planning Board, the Board may waive the application of the Tree Bylaw, in part or in full, if it deems it appropriate. On May 17, 2023, the Board granted the following waivers.

- The Board waives the requirements of §176-5.2.7 Landscape Plan (3) a and b - The Planning Board's Zoning Regulations which require a plan that identifies the specimen trees and provides the total number of trees, and caliper inches for each tree to be retained and removed. The Board finds strict compliance with this provision not to be necessary because the submitted material of aerial views, site plans, and the estimate of ~1,040 trees is sufficient to understand the extent of the project's tree removal. This waiver is conditioned upon the submission of landscape revegetation plans which include a variety of native species both during operation of the solar energy system and after decommissioning.
- The Board waives the strict requirements of §176-12 of the Board's Site Plan Review Regulations because not all of those requirements pertain to a solar array. The Applicant has completed the §12 checklist and the Board finds bicycle parking, pedestrian and bicycle connections, bicycle lanes, pocket parks/civic gathering space, irrigation, transportation demand management, sidewalks, public transportation, parking and building related requirements are not applicable to this solar energy system project.
- Pursuant to §120-4B, the Board waives the Tree Bylaw in full and no separate tree permit is required. The Board finds the site plan review process has considered the amount of tree loss, including the 147 inches protected by the Tree Bylaw, and determines that the project is best mitigated with a landscape and revegetation plan as conditioned with this approval. The landscape plan detailed in condition #1j provides a full visual landscape screen to the abutters, a variety of plantings along the perimeter of the property adjacent to Conservation Land and Zone A, and seeding in the disturbed areas with a native pollinator seed mix to re-establish 90% ground coverage vegetation. The Board finds the conditional tree planting plan exceeds the one inch per caliper of new trees for protected tree replacement with trees to be planted with a minimum of three-inch caliper and eight feet in height. Plantings shall be on the applicant's property or on abutting properties with prior approval from property owners.

CONDITIONS OF APPROVAL

The Planning Board finds that the Application, Site Plans, and supporting material submitted by the Applicant, along with the following plan revisions and conditions of approval, comply with applicable provisions of Lexington's Zoning Bylaw and applicable regulations relevant to this review, except those waived by the Planning Board during the public hearing. Accordingly, the Planning Board votes to approve the plan entitled "Tracer Lane Solar in Lexington and Waltham, Massachusetts (Middlesex County), prepared for Tracer Lane II Realty, LLC, by Beals and Thomas, Inc., dated July 21, 2022, revised through April 14, 2023 consisting of 15 sheets," subject to the following conditions:

Prior to Receiving Any Building Permit:

1. The civil plan set revised through April 14, 2023, shall be revised to show the following and shall be submitted to the Planning Office for review and approval:
 - a) The solar panels shall be 100 feet from the residential properties to the south;
 - b) The infiltration trench and swale shall be revised to be 25-feet from the western property line adjacent to conservation land or another distance to prevent runoff from damaging adjacent properties determined by the final approved stormwater permit;
 - c) The 20-foot-wide gravel access drive shall be paved with bituminous concrete;

- d) The turnaround area on the eastern portion of the site shall be revised to accommodate the Lexington Fire Department's largest truck responding to an emergency with a hammerhead turnaround designed with a full swept path analysis; or a paved cul-de-sac with an inside turning radius of 25 feet and an outside radius of 50 feet; or provide a secondary means of egress with a 14-foot-wide emergency access across the property to connect another bituminous asphalt paved way eliminating the need for a vehicle turnaround. Any emergency access way shall be gated with access available exclusively to the Waltham and Lexington Fire Department, or other emergency responders;
- e) The transformer and pad shall be at least 10 feet from any solar panel;
- f) The string inverters shall be located at the panel row ends towards the powerline easement;
- g) The Layout & Materials Sheet C3.1 shall be amended to show, labeled with slopes and cross slopes, the 12-foot-wide emergency access route around the full perimeter to accommodate Lexington's brush truck;
- h) Provided the stormwater management regulations can be met, the fence, trench, and limit of work in the southwestern corner of the project shall be relocated or rearranged to maintain the 29-ft. setback from the property line;
- i) Show erosion control details and specifications;
- j) Provide separate landscape and revegetation plan sheets with plant legend to comply with §135-5.3 of the Zoning Bylaws and §176-5.2.7 of the Regulations submitted to Planning staff for review and approval showing:

i. Residential Screening. Evergreens along the full length of the southern fence line on the residential (southern) side of the fence and along the western property line at 119 Sherbourne Place to provide a visual screen. Trees shall be eight (8) feet in height at the time of planting and shall be planted every eight (8) feet on center to provide a visual screen. Plantings shall include Thuja P. Green Giant Western Arborvitae, Eastern Red Cedar, Eastern Hemlocks, Black Spruce, Red Spruce, Balsam Fir, or other native evergreen species from Conservation Commission's approved planting list).

ii. Resource Area Protection. At least 60 trees of 3" DBH at time of planting along the western property line and Zone A boundary with a diversity of species such as oaks and maples or other trees from the Conservation Commission's approved plant list. Trees shall also be planted along the Zone A boundary. Plantings shall be between be at least 10 feet from the property line to limit disturbance to conservation land.

iii. Disturbed Areas. Native pollinator-friendly ground cover plantings with 90% ground coverage in disturbed areas suitable for certification from the UMass Pollinator-Friendly Solar PV Certification program. The Applicant shall update the Stormwater Report and stormwater design last revised April 14, 2023 to account for the plan changes outlined in Condition #1 of this approval including all impervious cover and document treatment of any runoff to Zone A.

2. The Applicant is responsible for filing the Above Threshold Stormwater Permit with Lexington Engineering. A copy of the final permit approval and final approved stormwater report shall be

submitted to the Planning Office to confirm there is no stormwater discharge to Zone A and any potential indirect runoff has been adequately treated.

3. The Applicant shall file any required applications with the Conservation Commission to verify the resource area boundaries. Should the current wetland lines and edge of bank be different than what existed during the sourced surveys and it is determined that parts of the project are in Conservation Commission jurisdiction or are now in Zone A, requiring revision to the site design, the Applicant will be required to apply for a Modification to this Site Plan Review Approval.
4. The final approved and signed Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Planning Office.
5. Applicant shall record this Decision and final approved site plan at the Middlesex South Registry of Deeds prior to the commencement of authorized site activity and shall submit proof of recording to the Planning Office.
6. The Applicant shall contact the Planning Office to schedule a pre-construction meeting with Planning, Conservation, Engineering, Building, Fire, and Zoning staff.
7. Applicant shall provide construction control affidavits and structural engineered plans to the Building Department including specification for the mounting system.

Prior to Any Site Work:

8. Applicant shall obtain all necessary building permits for the project.
9. **Emergency Response Plan.** The Applicant shall submit a final detailed emergency response plan to the Waltham and Lexington Fire Departments, Police Departments, and Planning Departments. The report shall detail shutting down instructions and contact lists for all responsible parties to be contacted in an emergency 24/7.
10. The Applicant shall notify the Lexington Planning Office and Waltham Fire and Police Departments before erosion control installation or access drive construction begins.
11. **Pre-Construction Site Visit.** Prior to any land disturbance with the exception of installing erosion controls, the limits of work (for land clearing and regrading) and fence and erosion controls shall be reviewed in the field by the Applicant, Planning, and Conservation staff. Fencing shall remain in place until the completion of the project construction. The limit of work line shall be demarcated around the entire site. The limit of work line shall be marked with orange fencing or chain link construction fencing. In some places there will be both erosion control and orange fencing. The erosion control and limit of work lines shall be surveyed in place. Additional erosion controls such as silt socks and check dams may be required by staff. Strap boards and construction fencing shall be installed around trees to be saved and protected to demarcate a root protection area to be equal to five times the trunk diameter of each identified tree within the limit-of-work and along the limit-of-work boundary.
12. Engineering may require more stabilization for the site during construction. Check dams or another row of silt sock may need to be added to steep slopes to prevent sediments from discharging into Lexington Conservation land or Zone A.

13. **Erosion Controls.** All erosion control matting, netting and tubing shall be biodegradable. Plastic is prohibited. An adequate stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and shall include materials to repair or replace silt socks filled with compost, bio-degradable natural fiber erosion control blankets, stone riprap, filter berms, or any other devices planned for use during construction. Erosion controls shall include blanket with cotton or coconut fiber without any plastic components.
14. A decommissioning financial surety with no expiration date and a noncancelable bond in the amount of \$162,100 shall be submitted to the Town Treasurer via the Planning Office.
15. **Abutter Notification.** The Applicant shall notify abutters within 300 feet at least one week prior to beginning construction but after the limit of work and all the erosion controls are installed and confirmed in the field by planning, conservation, and engineering staff.

During Construction and Site Development

16. A copy of this Decision shall be kept on the Site in a location that is highly visible and accessible during construction.
17. Land clearing including tree cutting and grubbing shall be done in phases beginning nearest 119 Sherbourne Place and working towards the reservoir. Clearing shall be done one day, then pause for a day where there is no clearing or site work before beginning again the following day to provide wildlife relocation time.
18. A certified arborist shall be on site during project grading activities along the western border adjacent to conservation land to supervise and direct cutting and saving of tree roots greater than 2-inches in diameter to minimize negative impacts from project on Conservation Land. The Conservation and Planning Office shall be notified 72 hours before such work begins.
19. Planning staff or other agents of the Planning Board shall have the right to enter the Site with notification to the Owner to gather all information, measurements, photographs, or other materials needed to ensure compliance with this approval. Agents of the Planning Board entering onto the Site for these purposes shall comply with all safety rules, regulations, and directives of the Applicant and the Applicant's contractors.
20. No equipment on-site shall be started and allowed to warm up prior the start of the allowed construction hours or hours outlined in the Noise Control General Bylaw, Chapter 80 of the Code of Lexington. Rock crushing and hammering shall only be permitted on weekdays between 9:00 am and 5:00 pm and is not permitted on Saturdays, Sundays, and legal holidays.
21. All construction parking shall be on-site.
22. Trucks shall not stand or queue on Sherbourne Place.
23. The Applicant shall perform daily cleanup of construction debris, including soil on streets within two hundred (200) yards from the entrance of the site driveways caused by construction relative to the Project.
24. The Applicant shall check all stormwater features prior to and at the end of each construction day. In the event a multiple day storm event occurs, the project manager shall check the stormwater features each day to ensure they are functioning properly and have not exceeded

their capacity. Any necessary repairs, adjustments, or deficiencies that are identified shall be commenced immediately and completed promptly.

25. The Applicant shall provide appropriate erosion control methods such as silt fences, straw wattles, compost filter sock as shown on sheet C5.1, or organic hessian fabric burlap filled with compost around the stockpiles shall be used. The use of hay bales and plastic stabilization netting is prohibited on-site.
26. At least once every week and after major storm events (events greater than 0.25 inches within 24 hours) while construction activities occur on site and for as long thereafter that the ground remains unstabilized, a report, with representative photos, shall be submitted to the Planning Office from the erosion control monitor certifying that, to the best of their knowledge and belief based on site inspections, all work is being performed in accordance with this Decision and, if not in compliance, stating the activities that are not in compliance and the steps necessary to correct the problem.
27. Dust shall be minimized, controlled, and managed on site in accordance with accepted industry standards. A plan for minimizing, controlling, and managing shall be prepared and implemented during the construction activities and available upon request. At a minimum, the plan shall include measures to limit soil disturbance and how to prevent dust from entering the air.

General Provisions.

28. All construction activities relative to this decision shall comply with the Zoning Bylaw, Planning Board Zoning Regulations, and other municipal requirements except as specifically modified or waived by this approval.
29. The Applicant or their designee shall designate a qualified professional civil engineer (PE), or Certified Professional in Erosion and Sediment Control (CPESC), who shall be approved by the Planning Office, to act as an erosion control monitor and to oversee compliance with this Decision at the site. The erosion control monitor shall be responsible for any emergency placement of erosion controls and regular inspection or replacement of erosion and sedimentation control devices. The name and phone number of the erosion control monitor must be provided to the Planning Office in the event that this person has to be contacted, due to an emergency at the site, during any 24-hour period, including weekends [and holidays]. This person shall be given authority to stop construction for noncompliance with this Decision, especially in regards to erosion control and wetland protection purposes. The erosion control monitor will be required to inspect all such erosion control devices and to oversee the cleaning and the proper disposal of waste products. Cleaning shall include removal of any entrapped silt and sediments. Weekly monitoring reports shall be submitted to the Planning Office.
30. Invasive species shall be removed from the restoration areas for at least three years following restoration activities to allow noninvasive indigenous species to become established.
31. No material corrections, additions, substitutions, alterations, or changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the prior written approval of the Planning Board or their designee. Any request for a material modification of this approval shall be made in writing to the Planning Department for review and approval by the Planning Board or their designee and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting

documentation. Upon receipt of such a request, the Planning Department may, in the first instance, decide in writing to authorize a de minimus minor change to the site plans, or the Planning Director may refer the matter to the Planning Board, which may consider and approve minor modifications at a regularly scheduled Planning Board public meeting. In the event the Planning Board determines the change is major in nature (e.g., resulting in material changes, newly identified impacts, etc.), the Planning Board shall consider the modification at a noticed public hearing pursuant to the procedures for Site Plan Review in § 135-9.5.4.

32. No trees shall be removed except as shown on the approved plan. Trees to be retained shall be protected in the field during construction. If any future change is requested, prior written approval from the Planning Office is required.
33. In the event that the site plan review is not exercised or substantial use thereof has not commenced within three (3) years of the date of recording, except for good cause as determined by the Planning Board, the permit shall be rescinded. The Applicant may request extension for the Board's consideration.
34. Applicant is responsible for filing any other permits or approvals that may be required by other town, state, or federal entities such as the application for Stormwater Permit approval from Lexington Engineering Department, the Conservation Commission, and the road access permit and water line/hydrant permits from Waltham.

Prior to Beginning Solar Operation / Prior to Occupancy Certificate:

35. The Applicant shall loop the fire hydrant in front of 119 Sherbourne Place to an existing infrastructure facility in Waltham. Applicant shall pursue improvements with the City of Waltham and any necessary property owners for any potential easements. The looped waterline shall be operational with adequate water pressure before operation and occupancy of the system. If the City of Waltham or any third-party property owners have failed to enable Applicant to complete this condition within six months from the final action date of this approval, the Applicant may seek a waiver from this requirement from the Lexington Planning Board.
36. The Applicant shall install dual Knox-boxes at the site entrance to allow access by the Lexington and Waltham Fire Departments.
37. The Applicant shall provide solar safety training to the Lexington and Waltham Fire Department.
38. An emergency power switch to facilitate remote disabling of the transformer and inverters shall be located on the property at the 119 Sherbourne Place entrance.
39. The Applicant shall install granite property bounds along the conservation land and City of Cambridge's land.
40. All slopes shall be stabilized prior to operation of the solar energy system. Where determined necessary by staff, the loam and seeding shall be held in place with biodegradable natural fiber erosion control matting.
41. The Applicant shall provide the Planning Office with an "As-Built Plan" stamped by a Professional Engineer registered in Massachusetts certifying that all improvements are completed in accordance with the approved Site Plans. The as-built plan shall be submitted in

electronic formats (PDF and AutoCAD) to the Planning Office for review. The AutoCAD file must conform to the current form of the Mass GIS Standard for Digital Plan Submission to Municipalities or other standard requested by the Lexington Engineering Division. The plan shall include, but not be limited to, site utility improvements and tie-in dimensions to all pipes and connection points, fencing, landscaping, all roads, ways, and structures. The as-built information shall be submitted to Planning Office a minimum of fourteen (14) business days in advance of the Applicant seeking a Certificate of Occupancy sign-off to allow time for the staff to review and approve the submitted information.

42. All landscaping and plantings shall be installed prior to occupancy / prior to operation of the solar energy system. At least 90% of the surface area of the restoration area must be established with indigenous native plant species within two growing seasons. If occupancy is expected in the winter months plants shall occur in first available growing season (between April 15-June 30 and September 15-November 30).
43. The Applicant shall seek silver level certification or above from the UMass Pollinator-Friendly Solar PV Certification program and submit proof of application to the Planning Office.

On-Going & Continuous:

44. The 20-foot-wide access road shall remain clear throughout the year including snow removal in the winter and free of any brush or debris to allow vehicle access. The 12-foot-wide perimeter access shall remain unobstructed to allow the Lexington brush truck access around the property.
45. Perimeter fencing shall maintain at least a six-inch wildlife gap as shown on the plan for the duration of the project. Fencing shall be maintained in good condition and replaced when necessary.
46. Electrical battery storage is prohibited.
47. The Lexington Fire Department may require guard rails on the access road.
48. The areas around the transformers and solar panels shall be kept clear of dry leaves and other combustibles.
49. Maintenance of the landscaping in accordance with the final approved landscape plan shall be perpetual, with owner responsible for replacing in kind any landscape that does not survive throughout the life of the solar energy system. Any plantings that do not survive shall be replaced in the first available growing season (between April 15-June 30 and September 15-November 30).
50. The Applicant shall monitor the landscaping for a period of three (3) years after operation begins/certificate of occupancy. Any pesticide application shall be applied by a licensed CORE Applicator. The MSDS sheets and intended concentration shall be submitted to the Conservation Commission for review **prior to application**. Records of chemical application shall be kept for two years and available to the Town of Lexington and City of Cambridge upon request. Fertilizer containing phosphorus is not permitted.
51. **Financial Security.** Every five (5) years the owner/operator shall submit a revised fully inclusive decommissioning financial surety estimate for the Planning Board's review. The

amount shall account for inflation and removal costs. The surety bond shall be updated accordingly.

- 52. In the event a fire should occur, the solar energy system shall be temporarily disabled. The Applicant shall explain to the Fire Department the cause of the fire to the Fire Department, and shall propose any amendments to modify the facility to prevent a future fire, as well as any necessary emergency response plans before restarting operation of the system.
- 53. **Decommissioning.** Pursuant to § 176-11.5.6 of the Board’s Regulations, the Applicant shall notify the Building Commissioner by certified mail of any proposed discontinuance. Applicant is responsible for decommissioning. The Applicant shall remove all solar structures, equipment, barriers, transition lines, trash and any other facility related items from the property within 150 days after operation has ceased. The Applicant shall replant the site with native tree species similar to those existing before construction.

RECORD OF VOTE

On May 17, 2023, the Planning Board voted four (4) in favor, one (1) opposed, to grant a Major Site Plan Review approval with conditions for the Tracer Lane Solar Project at 0 Cambridge Street/Concord Turnpike.

- Charles Hornig – Aye
- Robert D. Peters - Aye
- Robert Creech – Nay
- Michael Schanbacher - Aye
- Melanie Thompson – Aye

Robert D. Peters, Chair Approval:



Date: May 24, 2023

EXHIBITS

The Applicant has filed with the Planning Board various plans and reports required under the Lexington Zoning Bylaws and Planning Board Zoning Regulations. During the public hearing review process, the following materials were submitted to the Board by the Applicant and various municipal departments, and material submitted by the public. This material is hereby incorporated into this Decision by reference.

Major Site Plan Review Plan set titled “Tracer Lane Solar in Lexington and Waltham Massachusetts” prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, revised to February 17, 2023, **revised to April 14, 2023**

- a) Sheet C1.1 titled "Notes, References, and Legend" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023**
- b) Sheet TP-1 titled "Compiled Topographic Plan" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Land Surveyor, Robert Jordan Buckley, No.30326, dated February 14, 2017, **revised to February 8, 2019**
- c) Sheet TP-2 titled "Compiled Topographic Plan" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Land Surveyor, Robert Jordan Buckley, No.30326, dated February 14, 2017, **revised to February 8, 2019**
- d) Sheet TP-3 titled "Compiled Topographic Plan" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Land Surveyor, Robert Jordan Buckley, No.30326, dated February 14, 2017, **revised to February 8, 2019**
- e) Sheet TP-4 titled "Compiled Topographic Plan" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Land Surveyor, Robert Jordan Buckley, No.30326, dated February 14, 2017, **revised to February 8, 2019**
- f) Sheet TP-5 titled "Compiled Topographic Plan" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Land Surveyor, Robert Jordan Buckley, No.30326, dated February 14, 2017, **revised to February 8, 2019**
- g) Sheet TP-6 titled "Compiled Topographic Plan" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Land Surveyor, Robert Jordan Buckley, No.30326, dated February 14, 2017, **revised to February 8, 2019**
- h) Sheet C2.1 titled "Site Preparation" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023**
- i) Sheet C3.1 titled "Layout and Materials" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., Sheet C3.2 titled "Layout and Materials: Site Entry" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023**
- j) Sheet C3.2 titled "Layout and Materials: Site Entry" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., Sheet C3.2 titled "Layout and Materials: Site Entry" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023**
- k) Sheet C4.1 titled "Grading, Drainage & Utilities" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023**
- l) Sheet C4.2 titled "Grading, Drainage & Utilities: Side Entry" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023**
- m) Sheet C5.1 titled "Site Details" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023**

- n) Sheet C5.2 titled "Site Details" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated April 14, 2023

Checklist of Compliance for Site Plan Review, completed by Applicant

Checklist of Compliance for Special Permit, completed by Applicant

Project Narrative, prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, LLC, dated October 6, 2022 (94 pages) consisting of:

Cover Letter from David J. LaPointe, Beals & Thomas
Site Plan Review application dated September 26, 2022 with Checklist
Project Narrative
Abutter Information
Development Review Team (DRD) Comments & Revisions
Decommissioning Plan dated September 22, 2022
Emergency Response Plan prepared by Solect Solar
Interconnection Service Agreement signed by the Applicant and Eversource dated September 23, 2022 with attachments including connection plans
Tracer Lane II Realty, LLC vs. City of Waltham March 7, 2022-June 2, 2022
Locus Plan; Aerial Plan; & FEMA FIRM Map

Drainage Analysis and Stormwater Management Plan titled "Stormwater Management Report" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, LLC, stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023**

Letter of application incompleteness to Town Clerk from Planning Director Abigail McCabe, Subject: Incomplete Application Submission, PLAN-22-14 (Tracer Lane Solar), dated October 24, 2022

The Applicant's response to Planning Board comments, dated November 9, 2022

- a) Memo (4 pages)
- b) Sheet EX-1 titled "Site Analysis Exhibit" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed Registered Landscape Architect, by David J. LaPointe, dated October 18, 2022
- c) Sheet EX-2 titled "Turn Analysis Exhibit" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed Registered Landscape Architect, by David J. LaPointe, dated October 18, 2022
- d) Sheet EX-3 titled "Western Boundary Enlargement Exhibit" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed Registered Landscape Architect, by David J. LaPointe, dated October 18, 2022
- e) Plan titled "Abutter Cross Section Views - Index Plan" consisting of 4 sheets
- f) TerraGlide Portrait Installation Manual, dated May 2022
- g) Lexington Major Site Plan Review Checklist
- h) Form W (Application for Waivers)

The Applicant's response to Planning Board comments, dated November 29, 2022

- a) Memo (9 pages)
- b) Plan titled "3 Phase Pad Outline" dated October 17, 2018
- c) Plan titled "Ventilated Distribution Transformer" dated January 12, 2021
- d) Sheet EX-3 titled "Western Boundary Enlargement Exhibit" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed Registered Landscape Architect, by David J. LaPointe, dated October 18, 2022, **revised to November 28, 2022**
- e) Sheet EX-3 titled "Western Boundary Enlargement Exhibit" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., dated November 28, 2022

The Applicant's response to Planning Board comments, dated February 17, 2023(18 Pages)

Decommissioning Estimate, prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, LLC, stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated February 17, 2023

Stormwater Management Report, prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, LLC, stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, revised February 17, 2023

Solar Permit Plan Set "Tracer Lane Solar, July 21, 2023 revised for permitting February 17, 2023 (item incorporated in listing of revised plan set above)Sheet EX-1 titled "Site Analysis Exhibit" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed Registered Landscape Architect, by David J. LaPointe, dated October 18, 2022, **revised to February 17, 2023**

Fire Truck Turn Radius Plans

- a) Sheet EX-2 titled "Turn Analysis Exhibit" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., dated October 18, 2022, **revised to February 17, 2023**
- b) Sheet EX-3 titled "Turn Analysis Exhibit" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., dated February 17, 2023

Tree Exhibit Plans

- a) Sheet EX-4 titled "Existing Tree Exhibit Plan" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., dated February 17, 2023

The Applicant's request for a continuance of the Public Hearing, dated January 19, 2023

The Applicant's response to Planning Board Comments, dated April 14, 2023

- a) Memo to Planning Board addressing Planning Board comments (8 pages)
- b) Memo to Planning Board addressing City of Cambridge Water Department Letter from December 1, 2022 (11 pages)
- c) Site Plan Review and Special Permit Design Regulation Checklist
- d) Updated Major Site Plan Review Plan set titled "Tracer Lane Solar in Lexington and Waltham Massachusetts" prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to February 17, 2023**

- e) Updated Drainage Analysis and Stormwater Management Plan titled “Stormwater Management Report” prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, LLC, stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023** with attachments;
- a. Figure 1: Site Plan titled “Grading, Drainage, Utilities” prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., stamped and signed by Registered Engineer, Jeffrey R. Murphy, Civil No.51800, dated July 21, 2022, **revised to April 14, 2023**
 - b. Appendix A: Operation and Maintenance Log
 - c. Appendix B: List of Emergency Contacts
 - d. Attachment 6: Draft Stormwater Pollution Prevention Plan, prepared by Beals and Thomas, Inc., prepared for Tracer Lane II Realty, L.L.C., dated April 14, 2023 with appendices;
 - i. Appendix A: General Location Map
 - ii. Appendix B: Site Plans
 - iii. Appendix C: Construction General Permit
 - iv. Appendix D: NOI and Acknowledgment Letter from EPA
 - v. Appendix E: Inspection Reports (Appendices F-J)
 - vi. Appendix F: Corrective Action Log
 - vii. Appendix G: SWPPP Amendment Log
 - viii. Appendix H: Subcontractor Certifications/Agreements
 - ix. Appendix I: Grading and Stabilization Activities Log
 - x. Appendix J: Training Log
 - xi. Appendix K: Delegation of Authority
 - xii. Appendix L: Historic Preservation Documentation
 - 1. Letter to the Planning Board, dated April 14, 2023
 - 2. Exhibit A: Decommissioning Documentation
 - f) SITES v2 Scorecard

Hydrant Flow Test Results memo from Richard P. Rennick, Metro-Swift Sprinkler Corporation, Re: Hydrant Flow Test Results, dated March 29, 2023

The Applicant’s response to questions from Mr. Sullivan, from Michael McGuire PD of H2DC PLLC, (one page) dated May 11, 2023

Inverter specification detail for SOLECTRIA PVI-50TL-480/PVI-60TL-480, YASKAWA Solectria Solar

The Applicant’s request for public hearing continuation and action deadline extension, signed by Harold Nahigian, dated May 8, 2023, received by Town Clerk on March 8, 2023

Items submitted by Lexington Staff and Town Committees

Planning Staff memo to the Planning Board, dated December 2, 2022, revised to December 5, 2022

Revised Planning Staff memo from Sheila Page to the Planning Board, dated March 15, 2023
Revised Planning Staff memo from Sheila Page to the Planning Board, dated April 28, 2023
Tracer Lane II Realty, LLC v. City of Waltham, MA Supreme Judicial Court SJC-13195, June 2, 2022
March 31, 1993 MA Land Court Department of the Trail Court, Harold Nahigian vs. Lexington Planning Board
Tree Committee memo from Gerry Paul to the Planning Board, dated December 12, 2022
Tree Committee memo from Gerry Paul, to the Planning Board, re: Tracer Lane Solar Development, dated May 11, 2023
Lexington Master Restoration Native Plan List, approved plantings from the Conservation Commission, last updated in March 2021
Fire Department memo from Deputy Chief Flaherty to the Planning Board, subject: Tracer Lane, dated March 15, 2023
Conservation Office memo from Conservation Director Karen Mullins and Conservation Coordinator Amber Carr, to the Planning Board, dated April 26, 2023
Engineering Department memos from Marissa Liggiero to David LaPointe to the Planning Board, dated March 15, 2023, and April 27, 2023
Fire Department memo from Chief Sencabaugh to the Planning Board, dated April 28, 2023
2015 Planning Board report with recommendation to Town Meeting for Article 50 "Amend the Zoning Map – CM District, Waltham Line near Route 128/I-95
MA Department of Energy Resources Model As-of-Right Zoning Bylaw, dated December 2014

Items submitted by the City of Waltham

Waltham City Council Resolution submitted January 3, 2023
Letter from Deputy Fire Chief Grant dated December 7, 2022
Waltham City Solicitor memo to the Planning Board, dated April 28, 2023
Exhibit 1: - 15 Photos of Waltham's MacArthur Elementary School solar panel fire AND Waltham Fire Department Report for 494 Lincoln Street (MacArthur Elementary School), dated January 7, 2012
Exhibit 2A: City of Cambridge memo to the Planning Board, dated April 6, 2023
Exhibit 2B: Kleinfelder memorandum – Tracer Lane Solar FARM Construction Stormwater Review, dated March 16, 2023
Exhibit 3: R. Learned Report outlining substantial risks from cancer causing solar components within photovoltaic/solar electricity generating systems
Exhibit 4A: Email from Waltham Fire Deputy Chief Grant, dated March 7, 2023
Exhibit 4B: Letter from Waltham Fire Chief Mullin, dated May 3, 2023
Exhibit 5: E. Sullivan, R. Learned et al. Report, dated May 1, 2023
Appendix A: M.G.L/ Chapter 40A Section 3

Memo from Waltham City Law Department Katherine D. Laughman signed by Laughman dated May 2, 2023

Letter from Waltham City Law Department to Lexington Town Counsel Markarious dated May 10, 2023

Letter from Waltham City Solicitor John B. Cervone dated May 12, 2023 (12 pages)

Letter and exhibits from Waltham City Law Department City Solicitor John B. Cervone, to Abby McCabe and Sheila Page, RE: Lexington Planning Board Site Plan Review of filing of Lexington Planning Board, dated May 17, 2023 (23 pages).

Items submitted by the City of Cambridge

City of Cambridge Water Department memo from Jamie O'Connell, Watershed Protection Supervisor, to the Planning Board dated December 1, 2022 (4 pages) and April 6, 2023 (7 pages)

City of Cambridge Water Department memo to the Planning Board from David Kaplan, re: Major Site Plan Review Application by Tracer Lane II Realty, 6 pages, dated April 27, 2023

Reports and Exhibits from Public and Public Comments

124 public comments submitted via electronic mail and to the Planning Office throughout the course of the public hearing

Report from Rachel Learned, et al. entitled "Report: public Health Toxin Hazards From Large-Scale Solar Farm Fires, Draft Dated April 24, 2023 (118 pages).

Report from Ed Sullivan and Rachel Learned entitled "Report: Soar Fires 5/1/23" from Waltham Neighbors for Safe Solar (39 pages).

Report from Rachel Learned entitled "The IEEE Standard on EMF health and safety limits..." dated May 12, 2023 (4 pages)

Report from Rachel Learned entitled "Magnetic Radiation assessment of Proposed 1MW Lexington Solar Farm Power Transmission Line", dated May 15, 2023 (16 pages)