



TOWN OF LEXINGTON
PLANNING OFFICE

1625 Massachusetts Avenue
Lexington, Massachusetts 02420
781-698-4560
planning@lexingtonma.gov
www.lexingtonma.gov/planning

Amanda Loomis, AICP, Planning Director
Sheila Page, Assistant Planning Director
Molly Belanger, Planner
Lori Kaufman, Department Assistant

To: Development Community
From: Amanda Loomis, AICP
RE: Application Review and Permitting during COVID-19
Date: April 6, 2020

Thank you for your interest in permitting and development within the Town of Lexington. During these uncertain times the Planning Division is closely monitoring legislative action in response to COVID-19 and will adjust permitting activities accordingly. At the time of this writing, both the Planning Division and Planning Board will process permit applications remotely.

The Planning Division understands the importance of continuing permitting activities during this time. However, it should be understood by all who choose to proceed with permitting that there are risks associated with such activities, and that state orders concerning construction and limitation of other nonessential services may delay projects associated with permitting. To ensure a clear and transparent permitting process during this time of remote activity, the Planning Division provides the following procedures for project review moving forward.

Staff Meetings and Development Review Team (DRT)

To ensure that the Planning Division is accessible for providing guidance for these projects, staff can schedule time for meetings with Applicants. Please schedule with the Planning Division either a phone conference or a Zoom meeting. Such meeting can be scheduled by sending an email to the PlanningDepartment@lexingtonma.gov

Computation of Time

The Planning Division and the Planning Board will continue to proceed with application review and permitting procedures as best we can. Under the bill recently passed by the Massachusetts Legislature and signed by the Governor on April 3, 2020, all deadlines for reviewing and approving permits are suspended as of March 10, 2020, and shall resume forty-five (45) days after the termination of the state of emergency. Thus, constructive grant deadlines, as well as timing requirements for hearings, do not currently apply.

Application Submittal

Applicants who wish to submit a development application are still able to do so during this time. Procedures for delivery are modified to ensure safety of all parties. Applicants shall follow the procedures below for submitting an application to the Planning Department.

- Email or electronically deliver an electronic copy of the full application package to PlanningDepartment@lexintonma.gov
- Review fees can either be mailed to Planning Division 1625 Massachusetts Avenue, Lexington, MA 02420 or left at the Police Station at the same time as the paper copy of the application package is delivered.

Public Hearing Process

All public hearings of the Lexington Planning Board will be conducted via Zoom, which is accessible to members of the public via telephone or internet and LexMedia. Prior to the first meeting members of the Planning Department will host a test run with the project team to ensure everyone is familiar with the Zoom platform. This is not a requirement but rather a courtesy for all applicants.

Prior to the opening public hearing the Applicant shall send via email to Amanda Loomis, aloomis@lexingtonma.gov, a list of all members of the project team who will be participating in the meeting, as well as their email addresses.

The public hearing process will proceed as it would if the Planning Board were meeting live in the Town Hall. All site plans and presentations if different from the original submittal shall be emailed by the project team two (2) days prior to the public hearing so they can be displayed during the public hearing.

Decisions

If the Planning Board is able to hold a hearing and make a decision on a pending application, it will do so. Recording requirements for permits issued by the Planning Board are currently suspended, and the failure to record a permit shall not preclude a permit holder from commencing construction or obtaining other required approvals.

As noted above, there are no constructive grant of approvals permit applications during the current state of emergency; the only way to have a permit approved at this time is by action of the Planning Board. Recording requirements for permits issued by the Planning Board are currently suspended, and the failure to record a permit shall not preclude a permit holder from commencing construction or obtaining other required approvals.

The Planning Board may revoke or modify a permit for any permissible reason *other* than the permit-holder's failure to exercise their rights under the permit due to the state of emergency.

Questions and Contacting the Planning Department

Although staff is working remotely, all calls and emails will be responded to in the manner that they were received unless directed differently by the sender (calls will be returned with calls and emails will be returned with emails). For lengthy or multiple questions please utilize email so the appropriate staff member can provide a response. Since staff is not in the office and in person collaboration is not possible, email will allow all members of staff to provide a response when necessary.

Office Phone (781) 918-8937

Planning Department Email

- Amanda Loomis, aloomis@lexingtonma.gov
- Sheila Page, spage@lexingtonma.gov
- Molly Belanger, mbelanger@lexingtonma.gov
- Lori Kaufman, lkaufman@lexingtonma.gov

Again, the Planning Department would like to thank you for working with us as a team to ensure that all projects are reviewed and appropriate procedures are followed. The Planning Department is here to provide assistance and guidance for permitting and development activities in Lexington.

Please contact us if you have any questions.

Thank you,

Amanda Loomis, AICP

cc Carol Kowalski, Assistant Town Manager of Development