



**LEXINGTON PLANNING BOARD**  
1625 MASSACHUSETTS AVENUE, LEXINGTON, MA

**MEMBERS OF THE PLANNING BOARD:**

CHARLES HORNIG, CHAIR – ROBERT PETERS, VICE-CHAIR – MICHAEL SCHANBACHER, CLERK  
ROBERT CREECH – MELANIE THOMPSON – MICHAEL LEON, ASSOCIATE

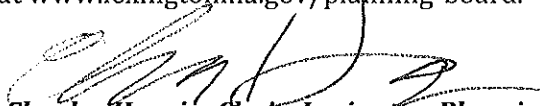
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**DECISION OF THE LEXINGTON PLANNING BOARD  
ON A MAJOR SITE PLAN REVIEW APPLICATION  
FOR THE PROPERTY LOCATED AT 440 BEDFORD STREET  
DECISION DATED OCTOBER 27, 2021**

On September 2, 2021, an application for Major Site Plan Review, submitted by the Trammell Crow Company, was filed with the Planning Office and the Town Clerk. Following the publication of the public hearing notice in "The Minuteman Newspaper" on September 23, 2021 and the mailing of a notice to parties of Interest under the MGL c. 40A, the Planning Board opened the public hearing on October 13, 2021. Continued public hearings were held on October 20, and October 27, 2021.

The project includes the construction of a six-story structure (approximately 334,971gsf) and a 6-level structured parking garage with a 31,944sf footprint and 575 parking spaces. The project will further include access drives, loading docks, surface parking, stormwater management infrastructure, landscaping, wetland replication areas, and associated site improvements.

On October 27, 2021, the Planning Board **APPROVED** the application with conditions. The **DECISION** was filed with in the office of the Town Clerk on October 28, 2021. For additional information, please see the Planning Board's web page at [www.lexingtonma.gov/planning-board](http://www.lexingtonma.gov/planning-board).

  
*Charles Hornig, Chair, Lexington Planning Board*

An appeal from the Decision shall be made pursuant to MGL Ch. 40A, Sec. 17 and must be filed within twenty (20) days after the date of filing of the Decision in the office of the Town Clerk.

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**DECISION OF THE LEXINGTON PLANNING BOARD  
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FOR THE PROPERTY LOCATED AT 440 BEDFORD STREET  
DECISION DATED OCTOBER 27, 2021**

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**General Property Information**

Property Address: 440 Bedford Street  
Assessor's Information - Parcel ID: 84-41F  
Zoning District: CM – Manufacturing

**Application Information**

Application(s): Major Site Plan Review §135-9.5 & §176-9.0  
Date application(s) were filed with the Town Clerk: September 2, 2021

**General Project Contact Information**

Owner Name and Address: Ayushi, LLC, 440 Bedford Street, Lexington, MA 02420  
Applicant Name and Address: Trammell Crow Company (contact Elisha Long), 265 Franklin Street, Suite 2002, Boston, MA 02110  
Landscape Architect: Robert Adams and Jon Oulette (Mass. Registration #1237), Halvorson – Tighe & Bond Studio, 25 Kingston Street 5R, Boston, MA 02111  
Civil Engineer: David Kelly (Mass. Registration #37942 and Garrett Horsfall), Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA, 02184  
Project Attorney: Edmund Grant, Esq., Nicholson, Streter, Gilgun, P.C.  
Land Surveyor: Steven Horsfall (Mass. Registration #41608), Kelly Engineering Group, Inc., 0 Campanelli Drive, Braintree, MA, 02184

**Public Hearing Information**

Date legal advertisement was published in the Minuteman Newspaper: September 23, 2021  
Date of opening public hearing: October 13, 2021  
Dates of continued public hearings: October 20, 2021 and October 27, 2021

**Project Site Plan Information**

Date of Plan: August 20, 2021 (Kelly Engineering Group), a revised conceptual site plan dated October 13, 2021, by Halvorson Design

**Project Description**

The project site, located at 440 Bedford Street, is approximately 6.0 acres (261,368sf). The Property is presently improved with four (4) motel and restaurant structures, totaling 88,908gsf with associated surface off-street parking. The Applicant proposes constructing a six-story structure (approximately 334,971gsf) and a 6-level structured parking garage with a 31,944sf footprint and 575 parking spaces (including 2 van and 8 regular accessible spaces). The garage is connected to the proposed six-story structure with an 835sf second-floor enclosed walkway.

The project will include access drives, loading docks, surface parking, stormwater management infrastructure, landscaping, wetland replication areas, and associated site improvements.

### **Public Hearing**

The Lexington Planning Board held its opening public hearing for the project located at 440 Bedford Street on October 13, 2021. A continued public hearing was held on October 20, 2021, and October 27, 2021. Planning Board members present throughout the public hearing were: Charles Hornig, Chair; Robert Peters, Vice-Chair; Michael Schanbacher, Clerk; Robert Creech; and Melanie Thompson. Present for the Applicant during various public hearings: Attorney Ed Grant; Elisha Long, Trammell Crow Company; Robert Adams, Halvorson Design – Tighe & Bond Studio; Garrett Horsfall, Kelly Engineering Group, Inc.; Derek Roach, Vanasse & Associates; Randy Kreie, DiMella Shaffer; Ashok Patel, Ayushi, LLC (owner); Bernie Guen, Vanasse & Associates.

### **Summary of Minutes**

On October 13, 2021, the Planning Board opened the public hearing and requested a presentation from the Applicant.

Attorney Grant provided a brief overview of the project and introduced the project team. Attorney Grant acknowledged the staff letter (Re: Major Site Plan Review, 440 Bedford Street, dated October 8, 2021) and stated that a response letter (Kelly Engineering Group, Re: Major Site Plan Review, 440 Bedford Street, Lexington, MA, dated October 12, 2021) from the project team was provided to the Planning Office. Attorney Grant further provided a brief review of the response letter dated September 29, 2021, regarding compliance with the Zoning Bylaw, Section 7.4.1.

Elisha Long provided an overview of the Property, its location and surrounding area, and the proposed Project.

Garrett Horsfall presented the existing conditions plan.

Robert Adams provided a review of the conceptual proposed site plan relative to the landscaping.

Mr. Horsfall presented the proposed site plan for the Property, which included a review of site circulation, structure positions, stormwater management infrastructure, and site access.

Randy Kreie presented the architectural renderings for the proposed structures, which included the breakdown of the structures by use. Mr. Kreie provided a detailed review of the proposed six-level garage, including long-term bicycle parking and electric vehicle charging stations. Mr. Kreie's presentation concluded with a visual presentation of the proposed life science and commercial structure exterior as seen from Bedford Street.

Mr. Hornig requested comments from members of the Planning Board. The following comments were provided.

- Bob Creech stated his appreciation for the proposed design of the structure. Mr. Creech requested clarification regarding how the project will prevent people from making U-turns on Bedford Street or Eldred Street. The Applicant will discuss further with MassDOT. Mr. Creech discussed the desire for people to utilize the off-street parking garage and suggested that moving the restaurant space to the rear of the Lab building would make the garage the best parking option for patrons,

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and it would perhaps reduce the number of surface parking spaces proposed for the front of the building. This space could perhaps be used for something else. Mr. Creech hopes that the Applicant will consider pedestrian connectivity with the adjacent property at 420 Bedford Street.

- Michael Schanbacher requested clarification regarding the composition of the proposed pathway around the parking garage. Mr. Schanbacher requested clarification about the proposed stormwater retention system and if there were any other options. Mr. Schanbacher suggested that the Applicant review the bleacher design and discuss with a code consultant about this feature, although it is an extremely cool feature.
- Melanie Thompson questioned the Applicant about the proposed height of the building compared to what is on-site now. Ms. Thompson questioned how the walking path would connect with other properties and the retail feature on-site. Ms. Thompson further requested a shadow study.
- Robert Peters questioned about the proposed mixed-use component and if residential was considered for the site. Mr. Peters stated he shares Mr. Creech's concerns about the turnaround on Bedford Street. Mr. Peters stated that the site has more off-street parking than required and questioned if the off-street parking could be reduced. Mr. Peters briefly discussed the crosswalk to Eldred Street.

The Applicant and their representatives verbally addressed comments made by members of the Planning Board. The Planning Board requested that additional information on traffic, walking paths, shadows, lighting, and sustainability be provided at the October 20, 2021 hearing.

On October 20, 2021, the Planning Board opened the continued public hearing and requested a presentation from the Applicant. Attorney Grant thanked the Planning Board for their review of the project at 440 Bedford Street and provided a brief overview of the Project Team's intentions (shade study, sustainability, pedestrian connectivity, modification of the landscape plan, response to transportation questions, review of the draft decision, etc.) for the October 20, 2021, Planning Board Public Hearing.

Randy Kreie provided a brief overview of the project's proposed sustainability features, which are still in the development phase. Mr. Kreie noted the updated landscaping and reuse of the stormwater management system, materials used for the construction of the exterior of the proposed structure, HVAC efficiency, and lighting fixtures, all of which make up the LEED Checklist that was submitted for review.

Mr. Kreie further reviewed the shadow study for the project, which includes three studies.

Elisha Long, Trammell Crow Company, provided a brief review of the potential use of solar for the project. It was noted that there is a good chance that solar will be installed over the garage.

Robert Adams provided a brief review of the updated landscaping plan, submitted with a date of October 13, 2021. Mr. Adams noted the location of the street trees along Bedford Street and the placement of such plantings. It was further presented the proposed pedestrian pathways and sidewalks throughout the site.

Bernie Guen addressed the questions of the Planning Board regarding vehicles attempting to make left turns.

Mr. Hornig requested comments from members of the Planning Board. The following comments were provided.

- Melanie Thompson requested clarification regarding the transportation aspect and whether there will be public transport from Boston/Cambridge to the Property.
- Bob Creech provided a summary of his comments provided on October 13, 2021, which remain.
- Robert Peters requested clarification regarding loading bays relative to deliveries. Mr. Peters requested further clarification regarding waste collection and the limitation of hours to not disturb the residential properties across the street during off-hours.
- Michael Schanbacher requested to review the shadow studies discussed in the presentation.

On October 27, 2021, the Planning Board opened the continued public hearing and requested a presentation from the Applicant.

Attorney Grant provided a brief update on the project and the acceptance of the draft decision. The Planning Board briefly discussed the project, which included several amendments to the draft decision, which the Applicant agreed to said amendments.

*Robert Peters moved to close the public hearing for the project at 440 Bedford Street. Michael Schanbacher seconded the motion. The Planning Board voted in favor of the motion 5-0-0 (Roll call was taken)  
MOTION Passed*

On October 13, October 20, and October 27, 2021, the Planning Board opened the floor for public comments. Public comments were received on October 13 and October 20, 2021. All comments can be reviewed on the video stream capture of the public hearing and the associated meeting minutes.

## **FINDINGS**

During the public hearing process, the Planning Board took under advisement all information received from various municipal departments, comments from the Planning Board, comments made by members of the public, and information submitted by the Applicant. The Planning Board arrived at this Decision based on provisions of the Zoning Bylaw and Regulations and made the following findings specifically for the project at 440 Bedford Street.

### A. Siting of Facilities

- a. The Property is approximately 6.0 acres (261,368sf), with a developable area of 4.9 acres (212,260sf).
- b. The Property is presently improved with four structures, 3 of which were previously utilized as a hotel (204 rooms) and the other structure as a restaurant (approximately 6,800sf). These structures were constructed from 1970-1975. The Property is further improved with approximately 267 off-street surface parking spaces.

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- c. The Applicant proposes to construct a 336,000sf± structure that would dedicate approximately 328,500sf± to research & development laboratory space and approximately 7,500sf± to ancillary commercial space. Furthermore, the site will be improved with a 6-level structured parking garage with a 31,944sf footprint and 575 parking spaces (including two van and eight regular accessible spaces).
- d. The structure meets the requirements of §135-7.4.1 and §135-7.4.3 of the Lexington Zoning Bylaw, requiring the structure to be set back 150.8' from the centerline of Bedford Street. Additionally, the off-street parking on-site is set back from the centerline of Bedford Street by 82'.

**B. Sustainable Design**

- a. As part of the application package, the Applicant submitted a preliminary LEED checklist, which shows the Project meeting a minimum of LEED Silver for the proposed structure. However, details of how the points are achieved are not provided, and these will be verified at the time of the building permit.
- b. The structure may utilize on-site combustion for HVAC system operation since the proposed structure is designed to be six stories, plus an allowed penthouse.

**C. Outdoor Amenities**

- a. The exterior of the site has been designed to include approximately 28,000sf± of pedestrian passageways, plazas, and passive recreation amenity areas. The rooftop terraces of the building will include approximately 10,000sf± of patio/deck area. The total amount of outdoor amenity area is approximately 38,000sf±, which exceeds 15 percent of the developable site area.

**D. Design and Site Development Standards**

- a. The Property is surrounded by wetlands on the sides and rear of the Property, while the rear of the Property is located in Zone AE Flood Plain.
- b. The project has been designed to significantly reduce the impacts to the nearby wetlands and associated buffer areas. Improvements include a reduction of 41,647sf± of the impervious area throughout the Property, a decrease in pollutant discharge, and improving stormwater management through the use of Best Management Practices (as recommended by the Massachusetts Stormwater Management Handbook).
- c. The stormwater management system has been designed to comply with Massachusetts Department of Environmental Protection Standards for stormwater management and the Town of Lexington Conservation Commission Rules, Section 5 Performance Standards.
- d. The stormwater management system will incorporate multiple bio-retention areas with pea stone diaphragms, deep sump catch basins, proprietary water quality devices, subsurface recharge chambers, and an operational and maintenance program designed to treat, recharge, and detain all of the runoff generated from the proposed development site.
- e. The Applicant has agreed to maintain all of the impervious pavement and sidewalks on the Property for the full life of the project. The Applicant agrees to work with MassDOT and the Town of Lexington to implement the Bedford/Hartwell Complete Streets Transportation Improvement Plan for any site improvements associated with the project within the public right-of-way.

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- f. The Applicant has prepared a Long-term Pollution Prevention and Stormwater Operation, and Maintenance Plan revised through August 20, 2021 (prepared by Kelly Engineering Group, Inc.).
- g. The project design meets the design and site developments standards of §176-9.5 and §176-9.6 in effect on the date of the application.

E. Pedestrian and Vehicular Access; Traffic Management; Off-Street Parking

- a. The Property is located on the southern side of Bedford Street, near the Interstate 95 (I-95) interchange.
- b. The Property is currently accessed by one curb cut that is approximately 300 feet west of Eldred Street.
- c. The Property will be improved with 631 off-street parking spaces, of which 56 will be surface spaces located near the proposed commercial space near Bedford Street. 575 off-street parking spaces will be located in the 6-level parking garage.
- d. The project will install electric vehicle charging stations (Level 2 or higher) at 26 off-street parking spaces and provide appropriate conduits and space for transformers and switchgear to allow for future installation of electric vehicles (E.V.) charging stations for an additional 315 parking spaces.
- e. The project is expected to generate approximately 4,540 vehicle trips on a typical weekday (2,270 enterings and 2,270 exiting), including 213 vehicle trips (145 entering and 68 exiting) during the weekday peak hour and 234 vehicle trips (69 entering and 165 exiting) during the weekday evening hour. Comparing with the future No-Build conditions, there will be no notable impact to mainline delays along the Bedford Street corridor.
- f. Bedford Street is a State Highway under the authority of MassDOT and is also part of the Town's Bedford/Hartwell complete streets initiative, cited in Section D.e, above.
- g. New entrances and an exit are proposed, which require relocating the HAWK pedestrian crossing device from its current location to accommodate the curb cuts.
- h. The Applicant has agreed to work with MassDOT to seek any necessary approvals before any movement of the HAWK pedestrian crossing relocation, all necessary permits and easements, and will bear its construction costs. Simultaneously, and in a coordinated effort, the Applicant has agreed to work with the Lexington Department of Public Works and the Planning Office to ensure that the HAWK pedestrian crossing equipment is properly placed and does not cause glare into residential structure's windows.
- i. The project design meets the standards of §176-9.7 in effect on the date of the application.
- j. The Applicant has elected under §135-7.2.3 to comply with the TMO-1 District Plan (§176-10.2) and agrees to pay the required mitigation fee of \$987,000.

F. Utilities

- 1. The water and wastewater utilities in the area have adequate capacity to meet the needs of the project.
- 2. All electrical, cable, and telecommunications services are to be installed underground.
- 3. The project design meets the standards of §176-9.8 in effect on the date of the application.

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**CONDITIONS OF APPROVAL**

The Planning Board finds that the Application and Site Plans submitted by the Applicant comply with all applicable provisions of Lexington's Zoning Bylaw and applicable regulations relevant to this review, except those waived by the Planning Board during the public review of the project. Accordingly, the Planning Board votes to approve the plan subject to the following conditions:

**A. General Provisions.**

1. The Applicant shall record this Decision with the Middlesex South Registry of Deeds before the commencement of authorized site activity and shall submit proof of recording to the Planning Board. Failure to record this Decision before the commencement of authorized site activity shall result in the rescission of this Decision.
2. The development shall conform to the approved site plan dated August 20, 2021.
3. If the permit is not exercised nor 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 deemed null and void.
4. A copy of this Decision shall be kept on the site in a highly visible and accessible location during construction.
5. All construction activities relative to this Decision shall comply with all applicable Zoning Bylaw, Planning Board Zoning Regulations, and other municipal requirements.
6. No material corrections, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved by the Planning Board without the 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 Office for review and approval by the Planning Board or their designee and shall include a description of the proposed modification, reasons for the modification, and any supporting documentation. Upon receipt of such a request, the Planning Office may, in the first instance, make a determination in writing authorizing a minor modification to the site plans. Alternatively, the Planning Director may refer the matter to the Planning Board, considering and approving minor modifications at a regularly scheduled Planning Board 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 future, noticed, public hearing.
7. Any work in a public right-of-way and utility work is subject to the Department of Public Works Rules and Regulations.
8. Members or agents of the Planning Board shall have the right, with prior notice to Applicant, to enter the site and to gather all information, measurements, photographs, or other materials needed to ensure compliance with this approval. Members or 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.
9. Construction hours shall be as outlined in Chapter 80 - Noise Bylaw of the Lexington Code. No equipment on-site shall be started and allowed to warm up before the start of the allowed construction hours or hours outlined in the Lexington Noise Bylaw. No vehicles are to arrive at the construction site before the designated construction hours, including no

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parking, standing, or idling on adjacent public streets. Oversized deliveries of construction materials shall occur before or after peak traffic hours.

10. Before a building permit is issued, the applicant shall submit a baseline noise study.

**B. Site Preparation and Pre-Construction**

11. A minimum of fourteen (14) days before the commencing construction, the Applicant or designee shall contact the Planning Office to schedule a pre-construction meeting, at which the Applicant shall submit a construction schedule.
12. At the pre-construction meeting, the project team shall provide the name, address, and emergency contact telephone number of the individual or individuals responsible for all activities on the site and who can be reached twenty-four (24) hours a day, seven days a week. In the event of project management changes, all new contact information shall be submitted to the Planning Office within (24) twenty-four hours.

**C. Construction and Site Development**

13. The limits of clearing of land or grading for installing any improvements relative to the project, including, but not limited to, the driveways, stormwater management system, and utilities, shall be the limits of the grading shown on the site plans. Before any clearing of land, the limits of such clearing and grading, as shown on the approved plan, shall be clearly marked in the field and shall remain in place until the completion of the project construction.
14. The Applicant shall perform a daily cleanup of construction debris, including soil on municipal streets within two hundred (200) yards from the entrance of the site driveways, caused by construction relative to the project.
15. Prior to the commencement of demolition, the Applicant shall submit a Pest Control Management Plan to the Health Office, the Planning Office, and the Building Department. Such a plan shall be approved by the Health Office prior to the issuance of a demolition permit.

**D. Environment & Stormwater**

16. All stormwater and erosion control management shall be checked before the start and finish of each workday.
17. The Applicant shall check all stormwater features before and at the end of each construction day. If a multiple-day storm event occurs, the project manager shall check on the stormwater features to ensure they function correctly and have not exceeded their capacity. Any repairs, adjustments, or deficiencies shall be made immediately.
18. The Applicant shall provide appropriate erosion control methods as approved in the Stormwater Permit. Silt fences and straw wattle shall be placed around the stockpiles in case of a storm event, in addition to the temporary dust control requirements.
19. The use of hay bales shall be prohibited on-site.
20. The Applicant shall provide straw wattle and other erosion control methods at the base of the driveway during off-construction hours to prevent runoff and erosion from getting onto the public way.

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21. Construction of the Project requires the issuance of an Order of Conditions by the Conservation Commission. All requirements, terms, and conditions of the Order of Conditions are incorporated herein.
22. The Applicant shall maintain all roadways, sidewalks, emergency pathways and roadways, trails, and all other pedestrian features on the Property for the full life of the project.
23. The Applicant has prepared a Long-term Pollution Prevention and Stormwater Operation and Maintenance Plan, which shall be complied with.

**E. Snow Storage**

24. Snow storage shall not be located within off-street parking spaces for a duration greater than twenty-four (24) hours post-weather event.
25. Snow storage shall not obstruct sightlines to preserve public safety or interfere with site circulation. Snow storage shall be on the Applicant's Property and not within Bedford Street or its right of way.

**F. Request for a Certificate of Occupancy**

26. A minimum of fourteen (14) days before requesting a Certificate of Occupancy, the Applicant or designee shall contact the Planning Office to schedule a conformance review meeting. Delay in such action may result in the delay of the Planning Office signing off on a Certificate of Occupancy.

**G. Departmental Comments**

27. The Applicant shall comply with all applicable State Building and Fire Codes.
28. The Applicant shall comply with DPW regulations, policies, and standards.

**I. Traffic/Transportation**

29. The Applicant has agreed to comply with §135-7.2.3 of the TMO-1 District Plan (§176-10.2) and shall pay the required mitigation fee of \$987,000.
30. The Applicant shall provide "Stop" and "No Left Turn" signs (MUTCD R1-1 & R3-2) at the exit drive intersection with Bedford Street and the Project. The signs shall be located appropriately to allow vehicles exiting the site to stop and see vehicles from all directions.
31. The one-way only entrance curb cut is intended for trucks accessing the loading bays on that side of the building and the commercial portion of the project. Said entrance is not to be used to exit the premises by any vehicles. There should be a sign to the effect "NOT AN EXIT" located at the one-way only entrance.
32. At the STOP sign at the intersection of the one-way only entrance and the commercial off-street surface parking lot between Bedford Street and the commercial building, the Applicant will install a "NO RIGHT TURN" sign to help ensure vehicles do not try to exit the one-way only entrance.
33. The Applicant shall work to ensure that no left turn from the two-way driveway curb cut takes place. The Applicant shall install a "RIGHT TURN ONLY" sign at the exit driveway curb cut (of the two-way entrance exit) to reinforce the aforementioned intent. If reports

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are made to the Town that vehicles are taking left turns out of the Property. The Applicant shall work with the MassDOT, Planning Office, and the Police Department to identify and implement a method to prevent such vehicular maneuver over two lanes of traffic.

34. The Applicant shall comply with all Parking and Transportation Demand Management Plan provisions submitted under §135-7.2.6.
35. The Applicant shall construct all off-site improvements shown on the approved plans (or as approved by MassDOT, including relocation of the Bedford Street pedestrian crossing and bus stop.
36. The Applicant shall install signage near the loading bays that provide warning of the loading vehicles' movements within the area.
37. The Applicant shall install an access path in accordance with the requirements outlined in the Fire Department's request in the staff letter, Re: Major Site Plan Review, 440 Bedford Street, dated September 30, 2021.
38. The Applicant shall hold a meeting with the abutters within 300 feet of the proposed HAWK location a minimum of two weeks prior to such submittal of an application to MassDOT.
39. Subsurface investigation and the proposed design should be submitted to the Town at the same time as the applicant applies to MassDOT.
40. The Applicant may begin demolition and construction of the parking garage but shall not commence the construction of the building foundation until the Department of Public Works signs off on the plans, the Applicant's proposal meets the requirements of the Town, and an access permit from the Massachusetts Department of Transportation (MassDOT) has been obtained. The plans, testing, and construction cost shall be at the expense of the Applicant. Furthermore, the Town may hire a peer-review professional at the expense of the Applicant to ensure such relocation is adequate and safe.
41. The Applicant shall prepare subsurface investigations associated with installing the HAWK pedestrian crossing equipment, and applicable plans will be submitted to the Planning Office and the Department of Public Works prior to installing foundations. The Applicant shall provide any easements required for the HAWK pedestrian crossing and Bus Stop relocation to the Town or MassDOT.
42. The Applicant shall locate the HAWK pedestrian crossing between residential structures located across Bedford Street.
43. Crosswalks throughout the site and within the public right of way of Bedford Street shall be installed in accordance with the Department of Public Works requirements and 521 CMR.
44. The Applicant shall install measures at the intersection of Bedford Street and the Property to prohibit vehicles exiting the site from turning left. The Applicant shall ensure that the lane separator between the entrance and exit of the two-way curb cut is tall enough and properly angled to prevent people from taking a left out of the property. In contrast, such construction allows for emergency vehicles to access the Property. Jersey barriers shall not be permitted. These measures are to be installed per MassDOT. Any

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damage to these measures shall be repaired within 48-hours during spring, fall, and summer months, and at the first chance during winter months.

**J. Off-street Parking**

45. The Applicant shall construct 26 of the off-street parking spaces with Level-2 or greater electric vehicle charging stations. Furthermore, the Applicant shall provide appropriate conduits and space for transformers and switchgear to allow for future installation of electric vehicle (E.V.) charging stations for an additional 315 off-street parking spaces.
46. The Applicant shall make the top floor of the parking garage available for recreational opportunities when such parking is not required. The installation of Solar Energy Systems on the garage roof may preempt this requirement.
47. The Applicant shall consider the inclusion of solar canopies over the top level of the parking and the roof of the proposed structure. Pole-mounted light fixtures shall be installed with light shields to prevent light from spilling over the property line.
48. Lighting associated with the commercial area of the project shall be dimmed or turned off one (1) hour after the closure of the last business, except for security lighting.
49. The accessible parking spaces shall be constructed per 521 CMR Universal Design (to prevent people from parking in the hatched area).
50. The dumpsters shall be enclosed in enclosures with doors with a latching mechanism and screened from pedestrian views.

**K. Landscaping and Streetscape**

51. All ground utility equipment shall be screened with landscaping, fencing, and other visually appealing materials. Such screening shall be made to buffer noise and decrease the visual impacts of such infrastructure.
52. Approved plant selection shall be subject to availability at the planting time; the Planning Office shall submit and approve plant substitutions before substituting a planting. Any amendments to the landscape plan shall be shown on the as-built plan.
53. The Applicant shall construct a trail outlined in the staff letter, Re: Major Site Plan Review, 440 Bedford Street, dated September 30, 2021.

**L. Special Provisions/Periodic Conformance Reporting and Review**

54. The Applicant shall provide the following performance guarantees for the project.
  - a. Upon completion of the project and before the request for a Certificate of Occupancy, the Applicant shall provide the Planning Board with an "As-Built Plan" stamped by a Professional Engineer registered in the Commonwealth of Massachusetts, certifying that all improvements are completed in accordance with the approved Site Plans in a form acceptable to the Lexington Engineering Division.
  - b. The as-built plan shall be submitted in both hard copy and 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 standards requested by the Lexington Engineering

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Division. The plan shall include, but not be limited to, site utility improvements and tie-in dimensions to all pipes and connection points. The as-built information shall be delivered to the Planning Division a minimum of five (5) business days in advance of the Applicant seeking a Certificate of Occupancy sign-off to allow the Town Engineer or designee to review and approve the submitted information. The Applicant shall also submit a statement certifying that all conditions of approval of this Decision have been met and site improvements are complete.

55. All utilities shall employ energy-efficient devices and techniques in accordance with the State Building Code, which may include but is not limited to Energy Star, LED lighting, etc.
56. All utilities will be located underground, and overhead electric and telecommunications services will be extended underground to service the project.
57. Signage associated with the project shall comply with the Zoning Bylaw. The Applicant shall submit a signed package for review and approval by the Planning Board during a public meeting before the issuance of an occupancy permit.
58. The Applicant shall develop a wayfinding signage package that complies with Town bylaws and regulations that will allow visitors to the site to easily find features on the site.
59. The Applicant shall design and construct the proposed structure to meet the LEED silver for Core and Shell in its most current format.
60. The Applicant shall limit waste removal operations to the hours of operation of the structure to limit the impacts on residential properties across Bedford Street.

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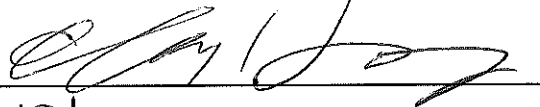
TOWN CLERK  
LEXINGTON

**VOTE**

***On October 27, 2021, the Planning Board voted 5 in favor, 0 in opposition, and 0 in abstention to approve the project at 440 Bedford Street with conditions.***

**Major Site Plan Review**

- Charles Hornig ..... yes
- Robert Peters. .... yes
- Michael Schanbacher..... yes
- Robert Creech ..... yes
- Melanie Thompson ..... yes

Signature of the Chair:   
Date: 28 October 2021

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## **EXHIBITS**

Not attached unless indicated

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 review process, the Applicant and its professional consultants also submitted revisions to plans in response to requests by the Planning Board and by the various municipal departments that reviewed the project. All of these plans, reports, and correspondence are contained in the Planning Board's files and are hereby incorporated into this Decision by reference.

1. Form B: General Application for Approval of a Plan for Development for the property located at 440 Bedford Street, dated August 23, 2021, stamped in with the Town Clerk on September 1, 2021
2. Letter from the Law Offices of Nicholson, Sreter & Gilgun, PC, Re: 440 Bedford Street, Lexington, dated August 23, 2021
3. Site Development Plans for 440 Bedford Street, Lexington, MA, prepared for TCC 440 Bedford St, prepared by Kelly Engineering Group, Inc.; DiMella Shaffer; Halvorson (Tighe & Bond Studio); and Vanasse & Associates, Inc., dated August 20, 2021 (Sheets: 1 – Cover Sheet; 2 – Existing Conditions Plan; 3 – Layout Plan; 4 – Demolition Plan; 5 – Grading Plan; 6 – Sewer & Drain Plan; 7 – Utility Plan; 8 to 11 – Detail Sheets
4. Architectural Plans for 440 Bedford Street Site Plan Review, prepared by DiMella Shaffer Associates, dated August 23, 2021
5. Lighting Plan prepared by Visual (designer Benjamin Rowe) for the property at 440 Bedford Street, Lexington, MA, dated August 18, 2021
6. Stormwater Management Report for 440 Bedford St, Lexington, MA, prepared for TCC 440 Bedford St, 265 Franklin St, STE 2002, Boston, MA 02110, prepared by David Noel Kelly, PE, Kelly Engineering Group, dated August 20, 2021
7. Transportation Impact Assessment, Proposed Research and Development Facility, 440 Bedford Street, Lexington, Massachusetts, prepared for Trammell Crow Company, Boston, Massachusetts, prepared by Vanasse & Associates Inc., dated August 2021
8. Letter from Kelly Engineering Group (Civil Engineering Group), Re: 440 Bedford Street, Zoning ByLaw Section 7.4 CM District, Lexington, MA, dated September 29, 2021
9. Letter of response from Kelly Engineering Group (Civil Engineering Consultants), Re: Major Site Plan Review, 440 Bedford Street, Lexington, MA, dated October 12, 2021
10. Conceptual Site Plan for 440 Bedford Street – Lexington, MA, prepared by Halvorson (Tighe & Bond Studio), dated October 13, 2021
11. LEED v4 for BD+C: Core and Shell Project Checklist

The Planning Board received correspondence from various municipal Departments who reviewed the project, which has been incorporated herein by reference.

1. Legal ad published in the Minuteman Newspaper for the property at 440 Bedford Street, run on September 23, 2021
2. Staff letter from Molly Belanger, Planner to Trammell Crow/Ayushi LLC, Re: Major Site Plan Review, 440 Bedford Street, dated September 30, 2021

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