



Town of Lexington

PLANNING BOARD

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

Richard L. Canale, Chair
Bob Creech, Vice-Chair
Robert D. Peters, Clerk
Ginna Johnson
Charles Hornig
Michael Leon, Associate

RECOMMENDATION REPORT

ARTICLE 7 – AMEND ZONING BYLAW 186 Bedford Street (Owner Petition)

SUMMARY OF THE PROPOSED DEVELOPMENT

186 Bedford Street, LLC has petitioned to amend the Town of Lexington Zoning By-Law and the Zoning Map by rezoning a parcel of land, 186 Bedford Street, from the RS One Family Dwelling District to a Planned Development district (PD). The proposed PD district will provide for the renovation and expansion of the existing building and allow mixed commercial and residential use. The applicant proposes to demolish a wing (built in 1969) of the existing main structure, build a new addition and renovate the main/historic building and barn. The 2.5 story structure will contain 13 one-bedroom apartments on the second and third floors; 8,340 square feet of retail and/or office space on the first floor and 1,500 square feet of office space in the renovated barn located in the rear.

There are 49 on-site parking spaces proposed. Vehicle access from Bedford Street is provided by two driveways; the entrance is located at the northeast corner of the property and the exit is located at the southeast corner of the property. A gated, opaque emergency egress is proposed onto Reed Street.

RECOMMENDATION

At its meeting of August 14, 2019, the Planning Board, by a vote of 5-0, recommended that the motion under Article 7 be **APPROVED BY TOWN MEETING** contingent on a few minor changes to the proposed PSDUP text which have been incorporated into the PSDUP document dated August 22, 2019.

After careful review of the impacts expected from the project, the Board believes the benefits to the Town will substantially outweigh any negative impacts, particularly in light of incorporated mitigations.

In brief, the grounds for the Board's recommendation are that the proposed project:

- Is an appropriate use of the site located close to public transportation (both MBTA and Lexpress bus routes) and the Minuteman Bikeway. The integrated, mixed-use development should be a considerable community asset and should net positive fiscal benefits to the Town.

- Furthers the goal in the 2003 Lexington Comprehensive Plan “to have a socially and economically diverse community” and “to provide housing opportunities supportive of the population diversity we seek.” The mixed-use development includes 13 one-bedroom housing units of which four (or 30%) will qualify as Affordable Housing Units under the Massachusetts Department of Housing and Community Development’s Local Initiative Program.
- Will preserve, restore and adaptively reuse two historic structures on the site, listed on the Lexington Historical Commission’s Comprehensive Cultural Resources Survey.
- Buffers the neighborhood and direct abutters from nuisances by requiring landscape transition zones.
- Will implement sustainable design goals by using air source heat pumps for the mechanical systems to the extent practicable, limiting the number of on-site parking spaces to 49 total, including only one per residential unit, retaining 72% of the existing trees as measured in caliper inches and most of the trees, providing indoor and outdoor covered bicycle parking spaces, installing electric vehicle charging stations and designing the project with a focus on sustainability and environmental air quality.
- Encourages the use of alternate modes of transportation to and through the site by implementing a transportation demand management plan. The property owners have also committed to making financial contributions to the Town to mitigate the project’s impacts to the transportation network. This funding may be used for projects, including but not limited to, sidewalk and crosswalk improvements, procurement of a bus shelter and implementation of transportation demand management (TDM) measures in the vicinity of the development.

OUTSTANDING ISSUES

- 1) During the Planning Board’s public hearings on this proposal, some Board Members and the Applicants discussed the possibility of limiting the noise level on-site below that currently allowed in the Town of Lexington per the Noise Control Bylaw (Chapter 80 of the Town’s General Bylaws). In recent planned development proposals adjacent to residential uses, those applicants voluntarily limited on-site noise levels to 5 dBA above ambient through an MOU. The proponents of this petition have not yet agreed to this limitation.

SUMMARY

This Article is an owner petition, and as such the actual motion presented at Town Meeting may differ from the proposal presented to the Planning Board.

The Planning Board's basis for its recommendation is mandated in the Planning Board Zoning Regulations. The information to base its decision are materials submitted by the Applicant prior to the closing of the public hearing and the information presented at the public hearing. To arrive at this conclusion, the Board used the documents and plans listed below, as well the public testimony presented at the public hearing and through letters and emails to the Planning Office. This report is not a substitute for the submitted materials. The documents cited below are viewable on the Town's website at <https://www.lexingtonma.gov/planning-board/pages/186-bedford-street>.

- “Application for Planned Development District PD-4, Preliminary Site Development & Use Plan, Proposed Mixed-Use Development, 186 Bedford Street,” prepared by Highpoint, dated June 6, 2019
- A plan set entitled “Proposed Mixed-Use Development, Preliminary Site Development and Use Plan (PSDUP), 186 Bedford Street, Lexington, MA, all signed and stamped by Douglas J. Hartnett, Registered Professional Engineer, and dated 06/06/2019 unless otherwise noted.
 - Sheet C2 “Property Rights & Dimensional Standards Plan,” revised 8/8/2019
 - Sheet C3 “Site Construction Plan,” revised 8/8/2019
 - Sheet L1 “Landscape Plan,” signed and stamped by Michael P. Radner, Registered Landscape Architect, dated 06/06/2019, revised 8/8/2019
 - Sheet L2 “Landscape Transitions and Setbacks,” signed and stamped by Michael P. Radner, Registered Landscape Architect, dated 06/06/2019
 - Sheet A-1.1 “Basement Floor Plan,” signed and stamped by Michael L. McKay, Registered Architect, dated 6.19.19
 - Sheet A-1.2 “First Floor Plan,” prepared by McKay Architects, dated 03/13/19, neither signed nor stamped
 - Sheet A-1.3 “Second Floor Plan,” prepared by McKay Architects, dated 03/13/19, neither signed nor stamped
 - Sheet A-1.4 “Attic Floor Plan,” prepared by McKay Architects, dated 03/13/19, not signed nor stamped
 - Sheet A-2.1 “Front Elevation,” prepared by McKay Architects, dated 03.13.19, neither signed nor stamped
 - Sheet A-2.2 “Right and Rear Elevations,” prepared by McKay Architects, dated 03.13.19, neither signed nor stamped
 - Sheet D3 “Grading, Drainage & Utility Plan,” prepared by Highpoint Engineering, Inc., dated 06/06/2019, neither signed nor stamped

- The Preliminary Site Development and Use Plan (PSDUP), dated August 22, 2019. The PSDUP provides the zoning rules and requirements for a comprehensive rezoning of a site and is comprised of both regulatory and non-regulatory material. The non-regulatory material is there to substantiate and justify the reasons for the rezoning and guide the Town's actions on site plan review and other related matters. The regulatory material includes the proposed zoning text, the zoning map amendment, and operational site plans and architectural renderings that will govern the site and project; and will guide the Board through the site plan review process should Town Meeting create the new zoning district.
- The Memorandum of Understanding (MOU) between 186 Bedford Street, LLC and the Town of Lexington, Massachusetts, executed on August 8, 2019. An MOU is a voluntary, binding contract used by the Town to refine the scope, substance, and certain special conditions of proposed developments seeking a rezoning. It is an agreement between the Town, through the Board of Selectmen, and the Applicant. The MOU contains non-zoning items related to the redevelopment of the site, memorializing community benefit items and mitigation payments.

EXISTING CONDITIONS AND SURROUNDING LAND USE

The 1.36-acre property has an existing 2.5-story structure and a one-story accessory barn with access driveways and parking. It is bounded by Bedford Street (a public way) to the east; Reed Street (a public way) to the west; and Vaille Avenue (a private way) to the north.

This location is an intersection of several zoning districts. To the north and west, the properties are zoned RS-One Family Dwelling and are developed with single-family homes. The properties immediately to the south and across Bedford Street are zoned CN - Neighborhood Business and host small businesses such as a barber shop, salon and spa, dry cleaners, mini-mart, and pizzeria. The properties diagonally across the street are zoned CLO - Local Office and host small offices such as a dentist, computer consulting, Knights of Columbus, and the temporary location of the Lexington Fire Department, a former office building.

SITE AND DEVELOPMENT

The PSDUP proposes to rezone the property from the RS One Family Dwelling District to a PD Planned Development District to allow the renovation and expansion of the existing building and to allow mixed commercial and residential use. The applicant proposes to demolish a wing (built in 1969) of the existing main structure, build a new addition and renovate the main/historic building and barn. The 2.5-story structure will contain 13 one-bedroom apartments on the second and third floors; 8,340 square feet of retail on the first floor and 1,500 square feet of office space in the renovated barn located in the rear.

The applicant has revised the submitted Plans in response to comments. The present revised site plan configures the parking and site circulation with 49 spaces, locates the addition approximately 15 feet behind the face of the original house, and provides an outdoor patio for residents.

Vehicular access from Bedford Street is provided by two one-way driveways; the entrance is located at the northeast corner of the property and the exit is located at the southeast corner of the property. A gated, opaque emergency egress is proposed onto Reed Street.

RELATION TO NATURAL FEATURES

While most of the development is located on areas already disturbed by the existing structures and impervious pavement, some grading will be needed at the northwestern portion of the property.

The proposed project increases the impervious surface by 23% from 27,740 square feet to 34,214 square feet.

Of the existing twenty-three mature trees (>6" caliper) on site, six (6) will be removed. The Applicant proposes to plant eight (8) deciduous trees; three (3) ornamental trees and five (5) shade trees. In addition, numerous coniferous trees are proposed around property perimeter to infill between existing trees and to supplement screening.

DIMENSIONAL STANDARDS

The proposed dimensional standards for the project can be found in the PSDUP.

ADEQUACY OF VEHICULAR AND PEDESTRIAN CIRCULATION

Traffic and parking considerations were reviewed and discussed by the Board, the public and the Applicant during the public hearing.

The proposed Transportation Demand Management (TDM) policies for the project are an Appendix to the PSDUP.

The Traffic Analysis dated December 17, 2018 conducted by the Applicant's consultant MDM Transportation Consultants concluded that the resulting traffic increase is incremental and is not expected to materially impact roadway operations. However, to help mitigate traffic and encourage residents to use transit the Applicant will be providing Transportation Demand Management assistance as outlined in the Appendix to the proposed PSDUP zoning. In addition, the Applicant will be providing additional monies through the MOU with the Board of Selectmen for transportation demand and management improvements.

The Applicant proposes a gated emergency egress for the rear of the property to Reed Street. Public safety officials from the Fire and Police Departments have approved this limited access.

Parking is a great concern to neighbors particularly because of the Ciampa Salon's success. There was concern that parking would overflow into the neighborhoods. The Applicant proposes one parking space per dwelling unit where current zoning would require 1.5 spaces for dwelling units with two bedrooms or less in a multi-family dwelling. Transportation professionals support this number. The Board believes that the on-site parking must be capped at 49 spaces. The Applicant has committed to provide off-site parking to all employees, if needed.

ON-SITE ENVIRONMENTAL EFFECTS

There are wetlands across Reed Street. The 100-foot wetland buffer zone may extend on to the project site resulting in that portion of the site falling under Conservation Commission

jurisdiction. An evaluation and determination of the wetland boundary and the associated wetland buffer zone will need to be conducted before the Planning Board approves the site plan should Town Meeting approve this Planned Development.

POTENTIAL EFFECTS ON NEARBY PROPERTIES

The Board's review identified the proposal's proximity to abutting residents as a significant concern. In response, the Applicant proposes a locked gate accessible for public safety. The Applicant has committed to designing this gate as a "fence gate" so that it looks like a continuation of the fence. The design and installation of the perimeter fence will block headlights from shining into the adjacent properties.

QUALITY OF THE PROPOSED DESIGN

The Planning Board believes that the restoration of the existing historic barn and house is a significant benefit of the project. The Applicants have also set back the new addition from the front façade of the existing house to better highlight the historic building.

IMPACT ON PUBLIC FACILITIES AND SERVICES

The proposed project will connect to Town water and sewer on Reed Street.

ANALYSIS OF TOWN FISCAL CONSIDERATIONS

The Applicant included an analysis of the fiscal impacts on the Town, prepared by Fougere Planning & Development, Inc. The analysis points to a net benefit of more than \$85,000 per year of additional tax revenue. In addition, the Applicant agreed in the MOU to make a voluntary, one-time financial contributions as follows:

- \$30,000 to be used for transportation improvements including, but not limited to, those for sidewalk and crosswalks and;
- \$20,000 for transportation demand management improvements including, but not limited to, a proposed bus shelter in the vicinity.

PUBLIC ACCESS AND RECREATION

The Minute Man Bikeway is less than 1000 feet from the project site. The Applicant, per the MOU, has agreed to contribute \$2500 toward public improvements at Garfield Park.

POLICY ANALYSIS

This project is consistent with Lexington's housing goals in the 2014 *Housing Production Plan*. While there are a number of needs in the community, this project will address one goal by providing additional housing options in Lexington. In terms of affordability, the Applicant has agreed to provide four (4) affordable dwelling units out of the proposed thirteen (13) dwelling units (32.5%). This is a substantial number of affordable units for this sized project and will enable the Town to count all units towards Lexington's subsidized housing inventory. The Board believes this will have a positive impact on the Town's affordable housing inventory. The Board also believes that mixed residential and commercial uses are appropriate at this site.

This project also furthers the goals of the most recently approved Lexington Comprehensive Plan with respect to land use. The 2003 Plan entitled “The Lexington We Want” includes language specifically calling for a socially and economically diverse community and the housing opportunities supportive of that diverse population.

Finally, the Applicant proposes to preserve and restore two structures on the site that are listed on the “Lexington Historical Commission’s Comprehensive Cultural Resources Survey.”

PURPOSES OF REZONING

The Applicant submitted a narrative explaining the purpose of this proposed rezoning (see the cover letter of the PSDUP). The Board believes that this project strikes an appropriate balance between land use, protection of adjoining uses, and advancement of planning and policy goals which includes expanding housing options.

COMPARISON OF EXISTING VERSUS PROPOSED ZONING

The property is currently zoned RS and the proposed uses are a departure from what is currently allowed. Three new single-family houses could be built by-right. In addition, a number of exempt uses could occur here, as they could in any district. The most recent use, a community health center, operated under a special permit in a residential zone. The proposed permitted uses for this Planned District are most similar to those of the CN District, which is the zoning district immediately adjacent to the site to the south and across Bedford Street. There are some differences: business and professional office, bank, travel agency, restaurant, radio and television studio, and caterer uses which are allowed under this proposal but are not allowed in the nearby CN District. Retail uses are limited in size in the CN District and the proposed zoning has a different limit on size.

SUMMARY OF PUBLIC HEARING

The public hearing on this application opened on July 10, 2019, and was continued to August 14, 2019. The hearings were very well attended and public comment robust. The minutes of these meetings are on file with the Planning Office and summarized below.

July 10, 2019

Chair Mr. Canale opened the public hearing at 8:30 p.m. with approximately 15 people in the audience. Present were Ed Grant, attorney, Philip Ciampa, Joe Ciampa and Tony Ciampa, applicants, Doug Hartnet, project engineer from Highpoint Engineering, Mike Radner, landscape architect from Radner Design Associates, Daniel Dumais, senior project manager from MDM Transportation Consultants, and Mike McKay, project architect from McKay Architects.

Mr. Grant gave a history of this project for the last two years and listed the changes that were done in response to Board Member concerns. Mr. Tony Ciampa said he met with the Precinct Eight Town Meeting Members at a round table discussion.

Mr. Hartnett went through the major site context plan changes that included the neighborhood and the surrounding parcels. Mr. McKay said they are not proposing any

new changes to the building except the basement plan which has not been added yet, but there will be a full basement accessed by an elevator. There will be no changes in the unit designs.

Doug Hartnett showed the context of where the building is in relation to abutter's homes and other commercial properties. He showed the proof plan if done by right, which would allow three 7,000-8,000 square foot houses and restated the project's attributes and benefits.

Board Members asked about the following issues:

- Net Zero Energy policy;
- Blasting;
- Marketing of affordable housing units;
- Trash capacity and removal logistics;
- Adequate elevator width;
- Landscape Plans;
- Mix of uses allowed on the site;
- Limiting allowed noise decibel levels;
- Handicap-accessible parking;
- Number of on-site parking spaces;
- Transformer location;
- Underground electrical service.

Members of the public offered comments on the following topics:

- Size and intensity of the project;
- FAR calculation;
- Providing electric car charging stations;
- Providing affordable housing opportunities;
- Snow storage and removal;
- Fence height;
- School enrollment.

On a motion of Ms. Johnson, seconded by Mr. Peters, it was voted, 4-0-1, (Mr. Hornig abstained), to continue the public hearing to August 14 at 7:00 p.m. in the Selectmen's Meeting Room,

August 14, 2019

Mr. Canale, opened the continued public hearing at 7:06 p.m. with approximately 15 people in the audience. Present were Ed Grant, attorney, Philip Ciampa, Joe Ciampa, and Tony Ciampa applicants, Doug Hartnett, project engineer from Highpoint Engineering, Mike Radner, landscape architect from Radner Design Associates, and Robert Michaud, senior project manager from MDM Transportation Consultants.

Mr. Grant explained the changes that were made to the revised PSDUP, revised plans, and the approved and executed MOU that were submitted to the Board. Mr. Hartnett presented the revised plans which included the basement floor plan, landscape plan, relocation of the transformer (upon approval from Eversource), adjustments to the grading plan, and the revised FAR computation. He explained that the applicant is retaining an arborist to evaluate and maintain the health of the trees during excavation.

Board Members commented on the following issues:

- Location of the transformer;
- Tree preservation;
- Clean energy and sustainability provisions;
- Location of the dumpster;
- Fencing;
- Noise levels;
- Clarifying language to limit office uses.

Members of the public offered comments on the following topics:

- Child care uses;
- Location of the transformer.


In addition to the public hearings, the Planning Office received one email and/or letter in opposition to the project.


On a motion of Mr. Hornig, seconded by Mr. Peters, it was voted, 5-0, to close the public hearing at 7:55 p.m.

On a motion of Mr. Hornig, seconded by Ms. Johnson, it was voted, 5-0, to recommend approval of this zoning change to Town Meeting.


RECORD OF VOTE

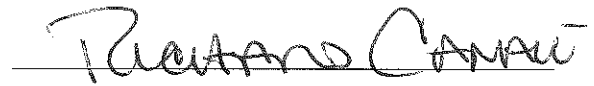
Signatures of a majority of the Board:


Charles Hornig


Robert K. Creech


V. Johnson


Robert D. Peters


Ricardo Canale