



Town of Lexington

PLANNING BOARD

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RECOMMENDATION REPORT

ARTICLE 38 – CS DISTRICT TO CSX DISTRICT

RECOMMENDATION

This report was accepted by a vote of 4-1 by the Planning Board on March 14, 2018.

At its meeting of February 28, 2018, the Planning Board, by a vote of 4-1, recommended that Town Meeting **REFER THE ARTICLE TO THE PLANNING BOARD.**

BACKGROUND

The genesis of this article was a desire to increase commercial development opportunities in the Marrett Road-Spring Street intersection area. The original proposal included new uses and relaxed dimensional controls. A new business district was envisioned to replace the current commercial zoning on both sides of the street, simplifying and modernizing the land use controls of the area.

SUMMARY OF THE MOTION

The changes currently proposed under Article 38 will:

1. Create a new zoning district – CSX. The CSX District is based on the CS district, but with additional uses, hence the moniker CS eXpanded.
2. Move five parcels of land from the CS District to the new CSX District.
3. When contrasted to the CS District, allow the following uses by right:
 - Office uses (3 types)
 - Outpatient medical clinic
 - Real estate uses
 - Travel, insurance, or ticket agencies
 - General retail (2 classes)
 - Grocery store
 - Clothing store
 - Home goods (home appliances, furnishings)
 - Artisan work
4. When contrasted to the CS District, allow the following uses by special permit:
 - Sit down restaurants
 - Fast food restaurants
 - Package stores
 - Office uses (when one entity occupies an entire building)

PUBLIC PROCESS

As required by State law, the Planning Board opened a public hearing for this petition on January 31, 2018. Among the many comments voiced by individual Board members, a majority felt that the lack of public process was a severe inadequacy of the proposal. Many residents were concerned over the lack of communication given its broad scope. After discussion, the Board continued the matter to its meeting of February 28, 2018. At that time the scope of the motion was significantly reduced, consisting only of a handful of new uses, in response to the concerns voiced at the first session of the hearing. At the conclusion of this session, the Board determined that it had received all the necessary information to deliberate on the proposed motion and voted to close the hearing.

The proponent of the article also made a presentation to the Board of Selectmen at its meeting of January 28, 2018. The Board understands that outside of the formal public hearing process, the proponent of the Article has met with area abutters and other interested citizens, holding a question and answer session at the Aloft Hotel on January 30, 2018, as well as informal meetings and phone calls to address comments and concerns. The proponent is expected to present to the TMMA Information Meeting on March 21, 2018.

CONCLUSION

For years, the Planning Board has been aware that the small commercial districts in town (CLO, CN, CRS, and CS) are in need of a rigorous review. In 2015, it brought a multi-part article forward to adjust the zoning district lines of these properties to align with their parcel lines. This was the first step in better understanding these essential parts of the community. Mr. Minasian's petition was ambitious but lacked the outreach necessary to validate the effort. By referring this motion back to the Board, the dialogue that has now begun may continue with the hopes that the petitioner, the neighborhood, and the Board can return to Town Meeting at or before the 2019 Annual Town Meeting with a proposal that meets not just the needs of the proponents but those of the area and the Town.

One member of the Board feels that the significant outreach done by the proponent was adequate for the relatively minor change proposed.

RECORD OF VOTES

Signatures of a majority of the Board,

Richard L. Canale, Chair

Bob Creech, Clerk

Ginna Johnson, Vice-Chair

Nancy Corcoran-Ronchetti