

PETITION FOR CHANGE OF ZONING DISTRICT
AND APPROVAL OF PRELIMINARY SITE DEVELOPMENT AND USE PLAN

The undersigned, on behalf of the owners of the properties, 95 Hayden LLC and 99 Hayden LLC (affiliates of Hobbs Brook Real Estate LLC), that are the subject of this rezoning petition, hereby requests that the Town of Lexington (the "Town") Select Board place the following Article on the Warrant for the March Annual Town Meeting of 2022:

ARTICLE #38

To see if the Town will vote to amend the Zoning Map and Bylaw of the Town to create the Planned Development District PD-6, based on the information provided in the applicant's Preliminary Site Development and Use Plan ("PSDUP") for Lot 22 on Town Assessors Map 17 and Lot 2B on Town Assessors Map 18, addressed, respectively, as 95 Hayden Avenue and 128 Spring Street (99 Hayden Avenue) (in sum the "Site"), or act in any other manner in relation thereto.

Description: The article requests rezoning and approval of a Preliminary Site Development and Use Plan for the 95 Hayden Avenue and 99 Hayden Avenue properties identified in the article. The general location of the property is identified on a plan entitled "PD-6 District, Hayden Avenue, Lexington, Massachusetts (Middlesex County)" dated December 15, 2021, prepared by Environmental Partners Group, LLC, which plan is attached as Exhibit-1 hereto, with the metes and bounds description shown on Exhibit-2 hereto.

For title see that certain Quitclaim Deed dated July 27, 2012 recorded in the Middlesex South Registry of Deeds at Book 59615, Page 289 (95 Hayden Avenue), and that certain Quitclaim Deed dated February 05, 2020 recorded in the Middlesex South Registry of Deeds at Book 74091, Page 218 (99 Hayden Avenue).


By: 
Peter L. Tamm,
Attorney for and on behalf of
HOBBS BROOK REAL ESTATE LLC

EXHIBIT-2

LEGAL DESCRIPTION

95 HAYDEN AVENUE

The land with the buildings and improvements thereon in Lexington, Middlesex County, Massachusetts shown as Parcel B on that certain plan entitled "Subdivision Plan of Land in Lexington, MA (Middlesex County)", Scale: 1" = 60', dated August 14, 1985, prepared by Miller & Nylander, recorded in the Middlesex South District Registry of Deeds (the "Registry") as Plan No. 1455 of 1986 and more particularly bounded and described as follows:

- SOUTHWESTERLY: by Hayden Avenue, one thousand seventy-three and $75/100$ (1,073.75) feet;
- SOUTHEASTERLY: by land of W. R. Grace and Co., one thousand forty and $no/100$ (1,040.00) feet;
- NORTHEASTERLY: by land of the Town of Lexington, five hundred two and $5/100$ (502.05) feet; and by land now or formerly of Stern, Rawle and Canova, Bowyer, Waldron, Roden and Munroe Road, six hundred eighty five and $73/100$ (585.73) feet;
- NORTHWESTERLY: by land now or formerly of Davis, two hundred forty seven and $64/100$ (247.64) feet;
- NORTHWESTERLY: by Spring Street, four hundred ten and $13/100$ (410.13) feet;
- SOUTHWESTERLY: ninety-one and $25/100$ (91.25) feet;
- SOUTHERLY: three hundred eighty-nine and $71/100$ (389.71) feet;
- SOUTHWESTERLY: two hundred ninety-six and $59/100$ (296.59) feet;
- NORTHWESTERLY: by four lines measuring together four hundred sixty and $21/100$ (460.21) feet;
- SOUTHWESTERLY: ten (10.00) feet;
- NORTHWESTERLY: one hundred three and $86/100$ (103.86) feet;
- NORTHERLY: one hundred forty-eight and $46/100$ (148.46) feet;
- NORTHWESTERLY: fifty-nine and $9/100$ (59.09) feet, all by Parcel A on said plan.

Parcel B contains 24.894 ± acres more or less according to said plan.

There is included within the above described parcel a parcel of registered land, bounded and described as follows:

NORTHWESTERLY: by Spring Street, fourteen and 17/100 (14.17) feet;
NORTHEASTERLY: by Lot 2 as shown on the plan hereinafter mentioned, six and 80/100 (6.80) feet;
SOUTHEASTERLY: by the middle line of former Old Spring Street as shown on said plan, fifteen and 75/100 (15.75) feet.

Said registered parcel is shown as Lot 3 on said plan. All of said boundaries are determined by the Land Court to be located as shown on a subdivision plan, as approved by the Land Court, filed in the Land Registration Office, a copy of which is filed with the Middlesex South Registry District of the Land Court in Registration Book 699, Page 26 with Certificate of Title No. 113776 (Plan No. 6998C).

128 SPRING STREET (99 HAYDEN AVENUE)

The land in Lexington, Middlesex County, Massachusetts shown as Parcel A on "Subdivision Plan of Land in Lexington, MA. (Middlesex County)" dated August 14, 1985 by Miller and Nylander, recorded with Middlesex South District Registry of Deeds (the "Registry") as Plan No. 1455 of 1986 in Book 17502, Page 18, bounded and described as follows:

SOUTHWESTERLY	by Hayden Avenue, four hundred ninety-seven and 47/100 (497.47) feet;
WESTERLY	by the intersection of Hayden Avenue and Spring Street, two hundred forty-two and 25/100 (242.25) feet;
NORTHWESTERLY	by Spring Street, five hundred three and 98/100 (503.98) feet;
NORTHEASTERLY	ninety-one and 25/100 (91.25) feet;
NORTHERLY	three hundred eighty-nine and 71/100 (389.71) feet;
NORTHEASTERLY	two hundred ninety-six and 59/100 (296.59) feet;
SOUTHEASTERLY	by four lines measuring together four hundred sixty and 21/100 (460.21) feet;
NORTHEASTERLY	ten (10.00) feet;
SOUTHEASTERLY	one hundred three and 86/100 (103.86) feet;
SOUTHERLY	one hundred forty-eight and 46/100 (148.46) feet;
SOUTHEASTERLY	fifty-nine and 9/100 (59.09) feet, all by Parcel B on said plan.

Said Parcel A contains 11.337 acres more or less according to said plan.

Said premises are conveyed with the benefit of the (i) rights and easements reserved in a deed dated May 10, 1984, recorded with said Registry in Book 15923, Page 390, and (ii) rights and easements set forth and referred to in an Agreement dated September 23, 1986, recorded with said Registry in Book 17502, Page 18.