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6 June 2019

Planning Board  
Town of Lexington  
1625 Massachusetts Avenue  
Lexington MA 02420

Select Board  
Town of Lexington  
1625 Massachusetts Avenue  
Lexington MA 02420

RE: 186 BEDFORD STREET, LEXINGTON

Dear Board Members:

This letter is submitted in support of the refile of the Preliminary Site Development and Use Plan (PSDUP) on behalf of 186 Bedford Street, LLC, Petitioner, for a rezoning of the above property to a Planned Development (PD) District.

Petitioner is the Ciampa family, including Philip, the father, and his sons, Joe and Tony. The Ciampa family business, the Philip Ciampa Salon, was established in Lexington in the 1970s and is located at 189 Bedford Street. The Ciampas also own 185 Bedford Street, adjacent to 189. The Ciampas propose to move their business across the street to 186 Bedford Street as part of a mixed use development that would preserve most of the two existing buildings.

PROPOSAL HISTORY/TOWN PROCESS/OCTOBER 2017 – APRIL 2019

A PDSUP was filed December 20, 2018 which was placed on the 2019 Spring Annual Town Meeting Warrant as Article 38. The Town process actually began in the fall of 2017 in meetings with the Planning Director and Economic Development Officer, followed by meetings in November and December with the Town Manager and “plus one” meetings with two Selectmen and one Planning Board Member.

Petitioner was encouraged by favorable comments resulting from those meetings that included opportunity for possible extension of the adjacent CN neighborhood business district to this residentially zoned property which had institutional use for 60 years; perhaps serving as a modernized, commercial upgrade of mixed use that could include apartments for downsizing senior or young people to remain in Town; and preferable to residential development of single family houses as discussed below.

Petitioner held two neighborhood meetings in February 2018 at the Knights of Columbus and Town Hall. Also in February, the Lexington Historical Commission (LHC) unanimously voted 5 - 0 to approve the Ciampas' application to preserve the main building and accessory barn, built in 1874 and listed on the Town's Cultural Resources Inventory, and to replace the 1969 addition with a new addition.

Following a third neighborhood meeting, Petitioner made significant density reductions and filed a Sketch Plan with the Planning Board (Board) that was heard November 28. The Board voted unanimously that mixed use, residential and commercial, was appropriate for the property. A majority of the Board felt density and design unacceptable.

In its December 2018 PSDUP filing for Article 38, Petitioner further reduced the number of one-bedroom apartments, ranging in size from 500 to 785 sf, from 16 to 13, of which 4 would be affordable. The fact that 30% of the apartments will qualify as Affordable Housing Units under the Massachusetts Department of Housing and Community Development Local Initiative Program makes *all* 13 units count toward Lexington's subsidized housing inventory; and helps Lexington sustain the 10% affordable to prevent C. 40B developments. The Lexington Housing Partnership has endorsed this proposal.

The Select Board unanimously voted 5 - 0 to endorse the Article 38 proposal together with approval of a Memorandum of Understanding (MOU) with the Petitioner. The Planning Board in its Recommendation Report (Report) to Town Meeting voted 3 to 1 that Article 38 be referred back to the Planning Board, stating that "the project" can be beneficial to the Town; that by "taking the additional time required to revise the Plan" the "deficiencies can be addressed and a revised PSDUP can be ready for a Fall 2019 Special Town Meeting."

The overall timing of Town process and the unusually short duration of this year's Spring Town Meeting, ending April 10, unfortunately affected deliberation of the Petitioner's proposal. The Board closed its public hearing and voted on March 20, and issued its Report dated as of March 27. Petitioner waited for the conclusion of the public hearing so it could include final changes in an amended PSDUP filing that was dated April 1. The MOU with the Select Board was dated April 3.

In accepting the Board's recommendation to refer back to the Board for additional time, Petitioner is making a good faith effort to present a further revised proposal to resolve issues with the Report, and to give Town Meeting Members more time for consideration and deliberation of its proposal.

The Ciampas have spent considerable time and money revising their proposal over the past 1½ years. Further, it is important to note that historical preservation and providing affordable housing are very expensive and that the modest commercial component of this proposal is necessary to help sustain that cost.

When considering the scale and density of the proposed commercial component, a compelling factor is the comparison with the permitted institutional use on this property for the past 60 years; and with the as of right institutional and residential use sizes that could occur on this property if it remains zoned residential, as is discussed below.

#### COMPARISON WITH DEVELOPMENT PERMITTED IN THE EXISTING RS DISTRICT

The Board's Zoning Regulations (Regs) Section 8.6.13 require a written analysis, supported by data so that the maximum development potential allowed by right in the existing zoning district can be compared to the proposed rezoning; and in 8.6.13 (a) in the case of an existing one-family RO residential district, a proof plan.

As shown on the Proof Plan and attached rendering in this refiled PSDUP, the property could be subdivided with sufficient frontage and lot size for three residential house lots, using frontage on Bedford and Reed Streets and Vaille Avenue. This subdivision would likely involve demolition of both historic structures and replacement with three houses larger than the existing structures, resulting in additional school-aged children for the already impacted Lexington schools.

If the property remains zoned RS residential, three new houses, as of right, may be built, likely 7,500 – 7,900 SF each in size *per* Section 4.4.2 of the Zoning Bylaw, with the prospect of 6 – 12 additional school-aged children. Another as of right use could be a larger exempt institutional use such as a child care center, private school, religious center or other non-profit exempt use.

The total SF of the as of right development of 3 new houses approximates 22,500 to 23,700 SF, which is the same scale of the total of the existing structure of 11,656 plus proposed addition of 11,549 = 23,205 SF.

It is important to note the uses the property has as of right in this existing RS district. In 1958, Mystic Valley was a non-profit educational and charitable organization which then received a Town zoning permit for use as its headquarters and operation of a community mental health clinic. In 1968, Mystic Valley obtained a

Town zoning permit for additional office space to be used by 38 people and for 44 parking spaces. In 1971, it obtained a zoning permit to renovate the barn for use as conference rooms for staff and group therapy sessions.

Notably, such permits for a non-profit educational corporation are no longer required. State law now exempts that and other uses from local zoning; and these exemptions have been adopted and incorporated into Lexington's Zoning Bylaw in Use Table Section B, Institutional Uses B.1.01, 02, 03 which include uses for non-profit educational corporations, childcare centers, and uses for religious purposes, and which are as of right and may not be prohibited.

Mystic Valley's occupancy of the property for 60 years as an institutional, non-profit use generated *no* tax revenue to the Town of Lexington. In contrast, the updated May 31, 2019 fiscal analysis of this proposal provided *per* Board Regs 8.6.17 projects new tax revenue of \$98,669 less municipal costs, with a net positive fiscal impact of \$86,777 *per* year.

#### REASONS FOR REZONING

The Board's Zoning Regulations (Regs) Section 8.6.12 requires reasons justifying the rezoning and why it is appropriate for the area.

As shown on the attached blue and red color overview rendering, 186 Bedford Street is uniquely located primarily in a commercial and institutional area. One adjacent side is zoned CN Neighborhood Business and across the street is CN, CLO Commercial Office and the Town's municipal use of the Liberty Mutual building. Although 186 Bedford Street is zoned RS, it has had institutional use for sixty years.

Comparison may be made to the Inn at Hastings Park which rezoned residential RS property to a planned development district that preserved, renovated and added to the institutional historic, Dana Home structures. Although the Inn property faced a residential neighborhood, it was proximate to First Parish Church, Grace Chapel, Hastings Park, Hayden Recreation Center and the Town Swimming Pool and Center Playing Fields, clearly a very mixed and varied use setting.

In general, as has been noted above, reasons for rezoning may be found in the opportunity to expand the commercial node adjacent to and across the street from the property, with a modest, modern planned, mixed-use development as compared to the existing obsolescence of CN, CRS, CS zones adopted 30 years ago; the opportunity to address Comprehensive Plan goals of increased commercial revenue, mixed-use,

providing more housing options for seniors and younger people; historic preservation of structures and setting; which are also discussed in detail below.

#### COMPLIANCE WITH THE TOWN COMPREHENSIVE PLAN POLICY AND OTHER POLICIES

Board Regs 8.6 requires compliance with the Town's comprehensive Plan.

The Lexington Housing Production Plan – “Affordable Housing: Goals and Strategies,” dated March 2014, citing the Lexington 20/20 Vision and the Comprehensive Plan, recommends housing options to promote diversity of income and age, including zoning bylaw changes and incentives for smaller scale housing that appeal to seniors and smaller households alike, with close proximity to Town services and public transportation; that “more rental units in Lexington” could provide more affordable options for young professionals as they enter the workforce, as well as older residents looking to remain in Town in more modest housing. The proposal of 13 one-bedroom apartments, including 4 affordable units, ranging in size from 500 to 780 SF, specifically addresses the above stated; as does the property's location, uniquely suited to main thoroughfare transportation services and nearby neighborhood amenities.

The proposal relates to several of the Implementing Actions of the Comprehensive Plan's HOUSING ELEMENT:

- explore allowing housing in most or all commercial districts (reconsidering the once prevailing view that residences and neighborhoods cannot make good neighbors, and that a mix of activities may benefit all parties)
- provide incentives for small scale housing serving a salient housing need that would have relatively light impact on the Town's fiscal capacity, traffic and infrastructure
- facilitate conversion of existing non-residential structures to residential as compatible re-use to the existing neighborhood fabric

The Natural and Cultural Resources Element of the Comprehensive Plan discusses “strengthening Zoning's preservation incentives” for preservation of existing structures in the Zoning Bylaw Section 6.2 which Petitioner has expressly adopted as an integral part of its proposal at considerable expense.

The Economic Development Element cites as a goal defining and bolstering local service opportunities to avoid residents having to go to other communities; and efforts should importantly include support for businesses already in Lexington since they are part of the community. The Ciampa Salon business has been in Town since the late 1970s. The Board of Selectmen/Planning Board Economic Development Summit of 2017 noted the loss of retail establishments fell from 86 to 65 during the years 2002 – 2012.

Implementing Actions for Economic Development state “mixed-use” as an old idea having new currency whether mixed within a building, within a site, within contiguous sites or within a district. There is recommendation to modernize CN District regulations for neighborhood stores which provide mix by being near the residents they serve and often near the residences of their staff; or perhaps revising the zoning map to create new CN or similar districts.

#### PARKING/TRANSPORTATION DEMAND MANAGEMENT PLAN

The Proposal includes traffic mitigation measures in accordance with the Traffic Impact Study prepared by MCM Transportation Consultants, which concluded that the increase in traffic due to this site redevelopment will be negligible. The Town Engineering Division memo of January 31, 2019 states it is in general agreement with the results of the MDM traffic analysis.

The project engineers concluded that the site plan provides for an ample number of parking spaces. It is important to note that the Mystic Valley, Elliot 1969 addition was permitted by the Town for 38 office workers for 44 parking spaces. The peak parking demand is determined to be 42 spaces, and the site includes 49 spaces. Nonetheless, at the request of the Board, the applicant has agreed to limit on-site residential parking to one space per apartment and to provide off-site parking for employees in the event additional parking is required as was referenced in the April 3 MOU.

The Petitioner also had previously proposed and provided for a parking reserve of 6 “green spaces” which a Board member requested be removed which has been done. Petitioner would like to retain the right to pursue those parking spaces provided it obtain a Special Permit from the Board as an amendment to Site Plan Review approval. Special Permit Section of the Zoning Bylaw for Parking, 5.1.14, is incorporated in Section 8.3. 2 of the PSDUP text.

MOU/OTHER PUBLIC BENEFITS

A MOU was executed April 3 with the Select Board for Article 38. The Select Board noted in its Report to Town Meeting that a refiling would require a new MOU. Since Petitioner's refiling is making no substantive changes, Petitioner is requesting the new MOU be based on the April 3 MOU.

As part of that MOU, other public benefits are a \$50,000 contribution to Town funding for transportation and transportation demand management (TDM) improvements, including but not limited to sidewalk, crosswalk, a bus shelter or other vicinity improvements; and \$2,500 toward public improvements at Garfield Park. Bicycle parking and vehicle charging stations are also included.

The MOU commitment to sustainable design measures of the proposed buildings and site improvements with respect to the U.S. Green Building Council-Leadership in Energy and Environmental Design (LEED) initiatives for new construction will be retained. In addition, as requested by the Board in its Report, the project will address Lexington's Sustainable Plan/Zero Net Energy Policy. These measures are discussed in the Environmental and Infrastructure Assessments included in the refiling.

At our meeting with the board on May 8, request was made that the Site Plan Review provisions in Section VIII A be removed from the MOU and incorporated into the PSDUP plan and text documents which Petitioner has done.

The Ciampa Salon has served a large number of neighborhood and community residents for over forty years. Philip Ciampa has mentored other salon proprietors whose businesses are in Lexington. The Ciampas will be on-site with their business operation; they are dedicated to having adequate parking as they have been for many years at 185-189 Bedford Street.

A portion of the new addition first floor commercial space will be used for the Ciampa Salon. The overall new commercial space approximates 8,400 SF. After allowing for Salon space, the remaining commercial use space to be determined is modest; and necessary to help sustain the exceptional costs of historic preservation and providing affordable housing. Business or professional office use shall not exceed 25% of the new addition commercial space.

The Ciampas will use the 1,500 SF of space in the accessory barn for their office. The barn office premises will not be used for real estate sales as a principal use; but may be used to provide leasing and management services related to the property.

For one and one half years the Ciampas have worked on refining this proposal, and made concerted, good faith efforts in collaboration with the Town process for the planned development and re-zoning; and in presenting substantial public benefits to the Town that Town Meeting Members may feel very good in supporting.

Thank you for your time and consideration.

Very truly yours,



Edmund C. Grant

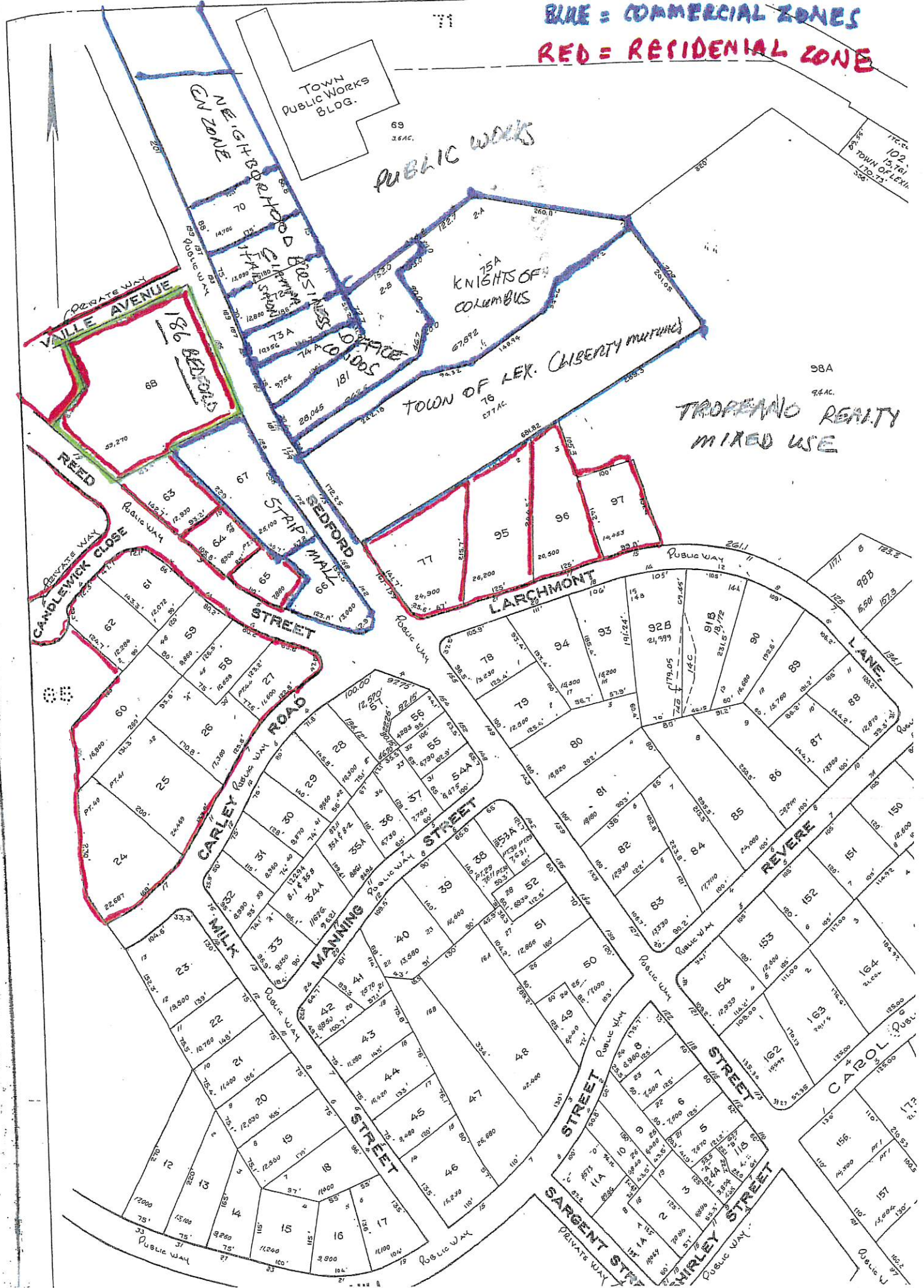
ECG/lsg

Enc.

cc: Philip Ciampa  
Joe Ciampa  
Tony Ciampa



BLUE = COMMERCIAL ZONES  
RED = RESIDENTIAL ZONE



TOWN  
PUBLIC WORKS  
BLOG.

PUBLIC WORKS

75A  
KNIGHTS OF  
COLUMBUS

TOWN OF LEX. LIBERTY MURRAYS

TROPIANO REALTY  
MIXED USE

186  
REEDS

REED

STRIP

SEDGEMOUNT

LARCHMONT

CARLEY ROAD

MANNING STREET

REVERSE

MILK

SARGENT STREET

MIRLEY STREET

CAROL