



Opinion

Lexington at Large: Collaborative zoning at work in Hartwell initiative

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At the Joint Board of Selectmen and Planning Board Community Meeting for the Hartwell North rezoning initiative, held May 30, Town Manager Carl Valente and Economic Development Officer Melisa Tintocalis re-emphasized the 12 percent shift in the tax burden from the commercial to the residential side that has been occurring for the past 30 years and persists today. In 1987, Town Meeting “down-zoned” the floor area ratio (FAR) used to measure development capacity from .25 to .15 for all commercial zoning districts, effectively freezing development for the next 20 years.

Most of Lexington’s larger commercial buildings were constructed in the 1980s. Lexington enacted its first FAR at .25 in 1984.

Town initiatives to address the 12 percent shift in 2008 were prompted by the recommendations of the Lexington 2020 Vision Committee as well as the Cecil Report commissioned by the town. In 2009, under the leadership of Planning Board Chairman Charles Hornig, Hartwell Avenue rezoning was adopted by Town Meeting, featuring as-of-right development up to a far of .35 and development exceeding .35 by special permit.

In 2015, the Planning Board approved site plan review and special permitting for new building construction at 113-115 Hartwell Ave. by King Street Properties. That building adjoins other King Street properties at 101 Hartwell Ave. and 4 Hartwell Place, all acquired in 2010-2011 to reposition the existing and new buildings for life science/laboratory use in an interrelated campus setting. Commercial real estate tax revenue from these properties in 2017 approximated \$1.648 million, according to public property tax records.

The new building at 113-115 Hartwell Ave. have been the only new major development on Hartwell Avenue since the 2009 rezoning. The Town's Hartwell North rezoning initiative, intended for special Town Meeting this fall, proposes to eliminate FAR or set it at .9, among other features. Added pressure for this commercial revenue initiative stems from recent sizeable capital projects approved by Town Meeting, along with debt exclusion votes adopted town-wide to pay for them.

An approved debt exclusion is a temporary addition in the computation of our annual tax bills until a project debt is satisfied. The joint economic development summit meeting of Board of Selectmen/Planning Board presentation on June 22, 2017 stated existing debt exclusion projects total \$71 million. At the 2017 fall special Town Meeting, additional debt exclusions were adopted and later voted town-wide for the Hastings School, Lexington Children's Place and Fire Station Headquarters. The presentation cited \$200 million in projects, including six school-related, two public safety-related and one community center.

Last fall's special Town Meeting also brought good news for residential taxpayers in approving King Street's zoning amendment for the planned commercial development located at 45-55-65 Hayden Ave., that will include new building construction at 75 Hayden Ave. Following Planning Board Site Plan and Conservation Commission approval, a building permit was recently issued.

King Street promoted the planned development as the Hayden research campus (near the juncture of Routes 2 and 95), a premier suburban destination for life science companies. The project confers considerable fiscal and other benefits to the town: \$1.8 million in additional, annual tax revenue; \$1.1 million contribution to the town stabilization fund; \$10,000 annual contribution to Lexington's Nature Trust Fund for maintenance and management of conservation land and connecting trails for public use, such as the abutting Hayden Woods, according to the plan approved by Town Meeting.

The project's success is particularly noteworthy in the impressive, collaborative efforts of King Street and the town. Working as local counsel to King Street, and as a Town Meeting member who has voted on other development proposals, I understand suburban commercial zoning is complex, time-consuming and controversial. Remarkably, the permitting process for 75 Hayden Ave., including Town Meeting, took just one year.

Perhaps the King Street/town collaboration may serve as inspiration and model for the Hartwell North zoning initiative and ultimately help ease the ever continuing revenue burden of the residential taxpayer.

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