



## **Developers jump last hoops before Lexington Town Meeting begins**

Thu Nov 05, 2009

Lexington - The Board of Selectmen approved an agreement with Cubist and Lexington Technology Park Monday that will outline what the companies will pay to the town should their development proposal pass in Town Meeting.

The vote puts into place a Memorandum of Understanding, or MOU, on payments that will be due to Lexington if Town Meeting approves Articles 2 and 3. The articles are amendments to zoning bylaws that will allow additional development at the South Lexington office parks.

The Lexington Technology Park agreement requires a payment of \$500,000 into the Traffic Mitigation Stabilization Fund and \$100,000 into the Transportation Demand Management/Public Transportation Stabilization Fund. The latter fund helps pay for Lexpress, Lexington's public transit system.

The Cubist agreement replaces a \$4,000 annual contribution to the Lexpress transportation fund with an agreement for the company to make four lump sum payments, as follows:

- \$50,000, due and payable 30 days after the Massachusetts Attorney General approves the amended Proposed Site Development and Use Plan (PSDUP), as approved by Town Meeting
- \$25,000, due when Cubist is issued a Certificate of Occupancy for any additional square footage on the property or two years after the first payment — whichever is earliest
- \$25,000 due two years after the second payment
- \$40,000 due four years after the fourth payment

Unlike the earlier agreement, which earmarked the payments for Lexpress, the Cubist MOU gives the town discretion to use the funds to address other traffic concerns like the design and construction of additional traffic signals.

Sara Arnold, co-chair of the Transportation Advisory Committee (TAC), told selectmen that her committee was displeased with the MOU.

“Our concern is a shift away from that commitment to public transportation,” Arnold said.

“I do see a lessening of commitment to Lexpress,” said Selectman Hank Manz.  
“I’m troubled by that.”

Selectmen passed the MOUs 5-0, saying that they needed to have the documents executed before Town Meeting begins on Nov. 9. The board left open the possibility of sharing the transportation committee’s concerns before the vote is taken.

What to expect

[Town Meeting](#) is scheduled to begin Monday, Nov. 9 at 7:30 p.m.

The second session will be held Monday, Nov. 16. If needed, a third night would take place Nov. 19.

Town Meeting Moderator Deborah Brown said Cubist officials are prepared to present their proposal Nov. 9 if time permits. That depends on the length of debate for Article 2, which is the rezoning request for Lexington Technology Park.

The debate on Cubist is expected to carry over to the 16th, then the warrant articles will continue in numerical order except for Article 11, an appropriation to the Stabilization Fund. Brown said town Meeting may take that article up last “to make sure we end Town Meeting with a balanced budget.”