



Meeting Minutes of the Lexington Board of Appeals Conducted Virtually, Via Zoom February 26th, 2026, 7:00 p.m.

Board Members: Chair – Ralph D. Clifford, Norman P. Cohen, Nyles N. Barnert, and Associate Members Scott E. Cooper and Thomas Shiple

Alternate Member: Jeanne K. Krieger

Administrative Staff: Jim Kelly, Building Commissioner, Olivia Lawler, Zoning Administrator, and EmmaJean Anjoorian, Department Assistant

Address: 300 Shire Way (ZBA-26-3)

The petitioner is requesting a SPECIAL PERMIT MODIFICATION in accordance with the Zoning By-Law (Chapter 135 of the Code of Lexington) section(s) 135-9.4 and 135-7.3.3 (see 135-7.3.5(8) & 135-9.4 of the Zoning Bylaw in effect on 1 January 2016, and 135-42F(4) & 135-12 of the 2009 Zoning Bylaw) to allow modification of a Special Permit with Site Plan Review dated January 24th, 2008, and amended on November 22nd, 2010.

The petitioner submitted the following information with the application: Nature and Justification, Plot Plan, ZBA Special Permit dated January 24th, 2008, ZBA Special Permit dated October 14th, 2010, Noise Evaluation Report, Supplemental Information about the Penthouse Addition, Site Plans, and Definitive Site Development and Use Plan.

Prior to the meeting, the petitions and supporting data were reviewed by the Building Commissioner, the Conservation Director, the Town Engineer, the Select Board, the Planning Director, the Historic District Commission Clerk, the Historical Commission, Economic Development, and the Zoning Administrator. Comments were received from the Zoning Administrator and the Building Commissioner.

At 7:03 p.m., the Hearing opened.

Petitioner: John Hart on behalf of Takeda Pharmaceuticals

Mr. John Hart, civil engineer with SSMA, represented Takeda and began his presentation by introducing Mr. Mike Gray, site capital lead at Takeda, 300 Shire Way. Mr. Gray stated that they have requested a penthouse expansion for their facility. Mr. Gray then explained that Takeda takes their role in the community seriously and noted Lexington's sustainability efforts. Mr. Gray further explained that the Town has emphasized energy conservation, electrification, and long-term resilience, and stated that their project aligns with these priorities. Mr. Gray stated that in 2022, Takeda set a goal to reach net zero greenhouse gas emissions by 2035, and that this project will help achieve that. Mr. Gray explained that the penthouse will allow Takeda to retire two mechanical systems and replace them with modern, high efficiency, water-cooled chillers paired with heat recovery heat pumps. Mr. Gray further explained that the upgrades will reduce Takeda's CO2 emissions and that they plan to consolidate the equipment away from Shade Street to reduce visual impact, improve acoustics, and modernize critical infrastructure without increasing occupancy, traffic, or creating new impacts to their neighbors. Mr. Gray concluded by noting that the penthouse addition fully complies with the zoning requirements for the site

Mr. Hart reiterated that they have requested a penthouse expansion for equipment upgrades and some limited site improvements. Mr. Hart then introduced his team which included Dave Simon, Takeda Project Manager, Michael Bahtiarian, Acentech, Todd Kosterman, R.G. Vanderweil, Steve Mahler, Ellenzweig, Eric Mitchell, Ellenzweig, Brian Lawlor, SMMA, and Katrina Correa, SMMA. Mr. Hart then showed a rendering of the site and stated that the dark blue areas indicate the two penthouse areas that they plan to add. Regarding zoning, Mr. Hart explained that 300 Shire Way resides in the Planned Commercial District, CD-10, which has its own zoning, and stated that the development, the building, and the addition to the roof lines fall within the development envelope and within the limits of the 300 Shire Way building. Mr. Hart noted that the project will not add to the gross floor area since penthouses will have mechanical equipment. Regarding the building height, Mr. Hart stated that penthouses can reside twenty-five (25) feet over the roof line of the building and can occupy sixty percent (60%) of the roof area, which the project falls within. Mr. Hart then noted that a provision exists for three percent (3%) of the roof area to extend above the twenty-five (25) feet to thirty-five (35) feet and stated that he will explain how the project complies with that. Regarding the impervious area and limited site work, Mr. Hart explained that the project will entail a twenty (20) square foot decrease of impervious surface and the removal of three (3) parking spaces near the electric yard. Mr. Hart noted that the project will not increase traffic demand or impact, will have no new gross floor area, and will not need new employees. Mr. Hart further noted that the project will have no increase on the sound levels, as shown in the sound study. Mr. Hart then showed a depiction of the screen walls that go around the south, east, and west side of the building and stated that the larger penthouse will contain the chillers and that the smaller penthouse will contain the electrical equipment. Mr. Hart showed another depiction of the penthouse and stated that they plan to have a second project take place within the next year that will also help to reach the carbon emissions goal. Mr. Hart then showed a perspective of the new metal panel screen that will run around the south side and extend above the roof and then the penthouse and then showed some ground views of the proposed project. Mr. Hart reiterated that all the equipment would reside on the south side of the building and then showed some of the proposed project's elevations. Mr. Hart stated that the screen wall will reside twenty-one (21) feet over the roof deck, which sits below the twenty-five (25) feet allowed by zoning. Mr. Hart reiterated that sixty percent (60%) of the roof can contain penthouses and stated that the project will cover 7,200 square feet while leaving 60,980 square feet of the roof remaining. Mr. Hart then showed another rendering of the elevations and after showed the site plans. Mr. Hart noted that the limited site work serves as an essential part for the electric infrastructure. Mr. Hart then showed the existing conditions and the proposed conditions for the electric yard and reiterated that the project will remove three (3) parking spaces. Mr. Hart further stated that they plan to restore the sidewalks, repave the area, and replace trees, and concluded by stating that they will meet the parking requirements with the loss of the three (3) parking spaces.

Mr. Barnert asked Mr. Hart what three parking spaces the project will remove and why. Mr. Hart stated that they need to expand the electric yard to accommodate two transformers and that they need to remove three parking spaces near the electric yard to achieve that. Mr. Barnert then clarified that they do not plan to do any screening on the north side and stated that screen would improve any sound that would go to Shade St. Mr. Barnert then asked why they do not plan to put screening on the north side. Mr. Hart noted that the north side of the electric yard has a six (6) foot wall and that the electric yard sinks down about six (6) feet, and stated that the electric yard will not make any noise.

Mr. Cooper asked about the height of the building, after adding the penthouse and the screening, relative to the building at 400 Shire Way. Mr. Hart responded that 300 Shire Way will

stand as a shorter building to 400 Shire Way and then showed a rendering of 200 Shire Way, 300 Shire Way, and 400 Shire Way.

Mr. Clifford clarified with Mr. Hart that the project will remove three parking spots and then asked if Takeda experiences parking problems. Mr. Hart responded that Takeda does not have parking problems and noted that Takeda monitors the parking. Mr. Gray stated that the campus has no parking issues. Mr. Clifford then stated that he had reviewed the noise study and stated that as he understands it, the upgrades will produce less noise than the existing conditions. Mr. Hart confirmed that that would happen, and Mr. Michael Bahtiarian, Acentech, stated that the change from the existing conditions will range anywhere from zero, meaning no change, to minus two (2) decibels, indicating a reduction in sound. Mr. Bahtiarian noted that Takeda had committed to have zero reduction or less and stated that this project complies with that. Mr. Bahtiarian further explained that the project entails removing some big pieces of equipment and adding quieter equipment. Mr. Clifford asked if that will continue with the next phase of the project, to which Mr. Bahtiarian stated that he did not know since he does not know the specific equipment for the second phase but stated that they will consider that goal. Mr. Bahtiarian stated that Takeda purposefully places the mechanical equipment near Route 2 to keep the equipment away from the residential side and stated that the other project would likely do the same.

No further questions from the Board.

No further comments or questions from the Public.

No further questions from the Board.

Mr. Hart thanked the Board for the opportunity to present.

At 7:28 p.m. Mr. Clifford moved to close the Hearing.

At 7:28 p.m., multiple Board Members second Mr. Clifford.

At 7:28 p.m., the hearing closed (a roll call vote took place: Ralph D. Clifford – Yes, Norman P. Cohen – Yes, Nyles N. Barnert – Yes, Scott E. Cooper – Yes, and Thomas Shiple – Yes).

Mr. Barnert asked about putting a condition on the occupancy that stated that the sound must remain lower, not higher. Mr. Clifford stated that the Board could and noted that the application stated that the sound level will drop. Mr. Barnert stated that the sound study relies on estimate and that the Board does not know the effects of the project. Mr. Clifford asked Mr. Jim Kelly, Lexington Building Commissioner, if the permitting process would address that. Mr. Kelly stated that he has worked with the applicant to have a consultant on behalf of the Town review Takeda's documents, to review Takeda's as-builts, and to test the equipment. Mr. Kelly stated that he will have good control of the project and that he has good cooperation with Takeda's team. Mr. Kelly then stated that he could manage and confirm the sound reduction prior to any certificate of occupancy and final inspections. Mr. Clifford then stated that the Board can decide whether they want to put a condition on the special permit, delay the process since the Town's report has not come in yet, or stay with the current noise limitations. Mr. Barnert stated that he did not want to delay the process but stated that the certificate of occupancy should address the noise matter. Mr. Shiple asked Mr. Clifford if the original special permit would allow a higher decibel than what the application describes, to which Mr. Clifford stated that the application seems to suggest that the proposed project will have a lower decibel level. Mr. Clifford then stated that the Board needs to decide whether they want to leave that discretion to the building

permit process or whether the Board wants to take a more serious look at the sound. Mr. Clifford noted that the Town has an engineer that with work with the Town and the applicant to ensure that the project has no noise issues. Mr. Shiple expressed his content for letting the Building Department manage the noise aspect of the project. Mr. Cohen stated that he did not want to delay the project but noted that Takeda had had some noise complaints in the past. Mr. Cohen also noted that no residents had shown up to the meeting and that he does not think that the Board should lock Takeda in to having less noise than they have now. Mr. Clifford agreed with Mr. Cohen.

No further discussion from the Board.

At 7:33 p.m., Mr. Clifford moved to approve the petition.

At 7:34 p.m., Mr. Barnert second Mr. Clifford.

At 7:34 p.m., the Board of Appeals voted five (5) in favor, zero (0) opposed, and zero (0) in abstention to grant a SPECIAL PERMIT MODIFICATION in accordance with the Zoning By-Law (Chapter 135 of the Code of Lexington) section(s) 135-9.4 and 135-7.3.3 (see 135-7.3.5(8) & 135-9.4 of the Zoning Bylaw in effect on 1 January 2016, and 135-42F(4) & 135-12 of the 2009 Zoning Bylaw) to allow modification of a Special Permit with Site Plan Review dated January 24th, 2008, and amended on November 22nd, 2010 (a roll call vote took place: Ralph D. Clifford – Yes, Norman P. Cohen – Yes, Nyles N. Barnert – Yes, Scott E. Cooper – Yes, and Thomas Shiple – Yes).

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Other Business:

1. Minutes from the February 12th, 2026 Meeting

At 7:34 p.m., Mr. Clifford moved to approve the minutes.

At 7:34 p.m., Mr. Cohen second Mr. Clifford.

At 7:35 p.m., the Board of Appeals voted four (4) in favor, zero (0) opposed, and one (1) in abstention to approve the minutes from February 26th, 2026, Hearing (a roll call vote took place: Ralph D. Clifford – Yes, Norman P. Cohen – Yes, Nyles N. Barnert – Yes, Scott E. Cooper – Yes, and Thomas Shiple – Abstain).

At 7:35 p.m., Mr. Clifford moved to adjourn the meeting.

At 7:35 p.m., multiple Board Members second Mr. Clifford.

At 7:35 p.m., the Board voted to Adjourn (a roll call vote took place: Ralph D. Clifford – Yes, Norman P. Cohen – Yes, Nyles N. Barnert – Yes, Scott E. Cooper – Yes, and Thomas Shiple – Yes).