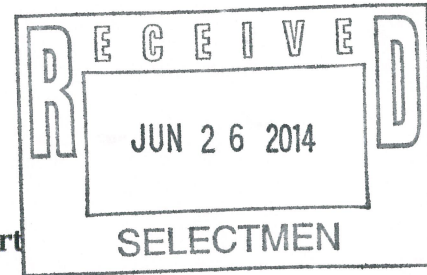


AB Holdings LLC
The Inn at Hastings Park

Memorandum of Understanding Compliance Report
July 1, 2014



The text in black sets forth the reporting requirements of the Memorandum of Understanding (MOU) as agreed to as of May 9, 2012. The text in **Italics bold** are the Applicants comments with respect to the reporting requirements.

Annual reporting will be submitted to the Board of Selectmen and the Planning Board on July 1, or the first business day thereafter, of each year as a prerequisite for annual license renewals. Reports must include the following:

- a. Data on dates that the Inn is at least 80% occupancy (18 or more rooms are occupied).

The Inn had at least 80% occupancy on the following dates:

6/10 - 95.45% occupancy

6/17 - 100% occupancy

6/18 - 100% occupancy

6/24 - 86% occupancy

6/25 - 86% occupancy

- b. Data on the dates of any meal period when the restaurant serves 54 or more outside patrons.

Note that the number of covers includes Inn guests and outside patrons.

4/5 Saturday Dinner - 91 covers

4/9 Wednesday Dinner - 67 covers

4/10 Thursday Dinner - 65 covers

4/11 Friday Dinner - 65 covers

4/12 Saturday Dinner - 101 covers

4/13 Sunday Brunch - 61 covers

4/18 Friday Dinner - 61 covers

4/19 Saturday Dinner - 88 covers

4/20 Sunday Brunch - 176 covers

4/20 Sunday Dinner - 65 covers

4/25 Friday Dinner - 71 covers

4/26 Saturday Dinner - 103 covers

4/27 Sunday Brunch - 143 covers

5/2 Friday Lunch - 58 covers

5/2 Friday Dinner - 79 covers
5/3 Saturday Dinner - 93 covers
5/4 Sunday Brunch - 116 covers
5/4 Sunday Dinner - 63 covers
5/7 Wednesday Lunch - 57 covers
5/7 Wednesday Dinner - 57 covers
5/8 Thursday Dinner - 66 covers
5/9 Friday Lunch - 66 covers
5/9 Friday Dinner - 78 covers
5/10 Saturday Dinner - 97 covers
5/11 Sunday Brunch - 179 covers
5/11 Sunday Dinner - 108 covers
5/15 Thursday Lunch - 54 covers
5/16 Friday Lunch - 74 covers
5/16 Friday Dinner - 91 covers
5/17 Saturday Lunch - 60 covers
5/17 Saturday Dinner - 102 covers
5/18 Sunday Brunch - 154 covers
5/18 Sunday Dinner - 62 covers
5/24 Saturday Dinner - 91 covers
5/25 Sunday Brunch - 122 covers
5/25 Sunday Dinner - 62 covers
5/28 Wednesday Dinner - 64 covers
5/30 Friday Lunch - 63 covers
5/31 Saturday Dinner - 81 covers
6/1 Sunday Brunch - 149 covers
6/2 Monday Lunch - 54 covers
6/5 Thursday Dinner - 67 covers
6/6 Friday Lunch - 74 covers
6/6 Friday Dinner - 74 covers
6/7 Saturday Dinner - 93 covers
6/8 Sunday Brunch - 154 covers
6/8 Sunday Dinner - 75 covers
6/11 Wednesday Dinner - 64 covers
6/13 Friday Dinner - 86 covers
6/14 Saturday Dinner - 92 covers
6/15 Sunday Brunch - 233 covers
6/15 Sunday Dinner - 79 covers
6/18 Wednesday Dinner - 70 covers
6/20 Friday Dinner - 67 covers
6/21 Saturday Dinner - 83 covers
6/22 Sunday Brunch - 133 covers
6/26 Thursday Dinner - 60 covers

- c. Description of employee training efforts made, i.e. how they are meeting the management plan on employee training regarding parking.

Our employees are trained to instruct all restaurant guests to park in the Worthen Road lot and to use Worthen Road towards Bedford Street as overflow parking. All office/staff phones have notes posted on them reminding employees that they are to inform guests of our parking policy. As part of the procedure for confirming restaurant reservations, our employees call every guest to confirm their reservation and remind them where they should park. Guests who make reservations online also receive an email confirmation with a notice of where to park. In addition, our website includes parking directions with a map

(<http://www.innathastingspark.com/index/parking-restaurant>). Our greeters are also instructed to tell guests where they should park when they arrive at the restaurant, and give them a printed reminder of our parking instructions (see attached Figure 1). We have hired parking attendants for weekend meals. During other meal periods the greeter will go outside to redirect restaurant patrons who are parking in the Massachusetts Ave lot.

- d. Copy of any written complaints received from neighbor or community members pertaining to the parking operations of the inn and written response on how the management team resolved or addressed the complaint.

Summary of the written complaints about parking and management's response:

- 1. Complaint: Contractor's truck parked on Massachusetts Ave. blocks traffic.***

Response: Management spoke with all contractors and asked them to re-park.

- 2. Complaint: Employees parking on Massachusetts Ave. violates the MOU. It is a dangerous maneuver for employees to make a U-Turn on Massachusetts Ave. in order to park.***

Response: Parking policy is reiterated to all employees. Employees are asked to re-park their cars in the proper place and are reminded that violating the parking policy is a violation of company policy. Management spent a couple of weeks of coaching and reminding employees

where to park and now none of them park on Massachusetts Ave.

3. *Complaint: Restaurant guests were parking in the Massachusetts Ave. lot that is meant for overnight guests.*

Response: In addition to instructing restaurant guests where to park via phone and email when making reservations, the management team asked staff to go out into the parking lot to ask restaurant guests to move their cars to the Worthen Road parking lot. This was not viewed as sufficient by the neighbor who issued the complaint, as he was most concerned with the dinner periods. In response, management hired parking attendants to direct traffic during busy evening meal periods.

See attached copies of correspondences.

- e. An employee and/or patron transportation mode split survey.

95% of patrons arrive by car.

- f. The results of the selected PTDM measures and goal attainment.

All elements of the PTDM Plan have been incorporated into staff training and reinforced as needed. Management has also hired parking attendants to direct traffic and to maximize compliance with parking plan during busy evening meal periods. Incidents of parking on residential streets appear to be few and occasional. Efforts continue to secure additional off-street parking for guests and employees, primarily at St. Brigid's. Management believes that substantial compliance is being achieved. However, when the Mass. Ave. lot is empty during the day or in the evening due to low room occupancy, restaurant patrons frequently gravitate to this lot because it is more visible. Management is considering adopting a more flexible and visitor friendly policy, and may recommend changes to the PTDM in the future.

- g. Update on any modifications, improvements or problems with the two Management Plans (Trash and PTDM).

PTDM Plan: When the overnight guest parking lot is not full, restaurant guests want to park there. We now give out paper notes to our guests with parking directions, in addition to telling them over the phone and via email when they make their reservation and having directions on our website. We also hired a parking attendant for busy

meal periods to direct people where to park. This mitigated the problem, however our guests find it inhospitable to be told that they cannot park in the Massachusetts Ave lot even when it is empty. Management is considering adopting a more flexible and visitor friendly policy, and may recommend changes to the PTDM in the future.

Trash Management Plan: We increased from two to three pickups per week because our trash room was getting too full.

- h. Motor vehicle accidents that have been reported to the police and have occurred within the past 12 months on site or with vehicles turning to or from the site.

There have been no reports of motor vehicle accidents within the past 12 months on site or with vehicles turning to or from the site.

Figure 1.

ARTISTRY ON THE GREEN
PARKING INFORMATION

Restaurant parking is available in our private parking lot off of Worthen Road. We ask that restaurant guests do not park in our Massachusetts Ave lot, as these spots are reserved for overnight guests.

In consideration to our neighbors, please do not park on the residential side streets off of Massachusetts Ave. If parking is unavailable in our Worthen Road lot, restaurant guests can park on Worthen Road toward Bedford Street.

Thank you for your consideration!



Susanne Pasi <spasi@artistryboston.com>

Re: RSVP and parking concerns

1 message

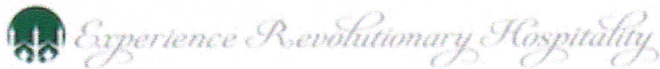
Trisha Kennealy <tpkennealy@gmail.com>
To: Pasi Susanne <spasi@innathastingspark.com>
Cc: Daniel Braun <dbraun@innathastingspark.com>

Tue, Apr 8, 2014 at 9:58 AM

Please begin a file to keep track of all of this correspondence as well need to submit it to the selectman. Make a copy of both what we receive and our response.

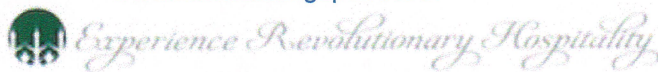
Trisha

Trisha Pérez Kennealy
The Inn at Hastings Park
2027 Massachusetts Avenue, Lexington, MA 02421
Cell: [617-733-9502](tel:617-733-9502)
Inn: [781-301-6660](tel:781-301-6660)
Web: www.innathastingspark.com



On Apr 7, 2014, at 9:53 AM, Inn Info wrote:

The Inn at Hastings Park
2027 Massachusetts Avenue, Lexington, MA 02421
Phone: [781-301-6660](tel:781-301-6660)
Web: www.innathastingspark.com



----- Forwarded message -----

From: **Jeanne Hobbs** <jeannehobbs@verizon.net>
Date: Sat, Apr 5, 2014 at 12:56 PM
Subject: RSVP and parking concerns
To: info@innathastingspark.com

Dear Trisha,

Thank you for your kind invitation to tour the Main House on Monday, April 7th, between 5:00-6:30 pm. I look forward to seeing the renovations to this building which I have always admired.

In response to your request that neighbors alert you to any parking or traffic concerns we may have regarding the Inn,

I wanted to bring to your attention that fact that it appears that some of your employees are either unaware or disregarding your request not to park Mass Ave near the Inn, due to the many traffic considerations in that area that we have discussed.

I am assuming that these are employees, in view of the fact that they are either dressed in or carrying black and whites and back packs into the Inn, and are remaining parked on Mass Ave for multiple hours. I would also respectfully request that they be reminded to consider neighborhood safety, and not make u-turns on Mass Ave to get to the Inn, (especially in front of my newly-licensed driver trying to back out of my driveway.)

I will very much appreciate your prompt attention to these concerns, as we both look forward to a smooth transition from the disruptions of the construction phase of the project.

Regards,
Jeanne Hobbs



Susanne Pasi <spasi@artistryboston.com>

thanks to you also

2 messages

Jeanne Hobbs <jeannehobbs@verizon.net>
To: Trisha Kennealy <tpkennealy@gmail.com>
Cc: Pasi Susanne <spasi@innathastingspark.com>

Tue, Apr 8, 2014 at 4:39 PM

Dear Trisha,

I appreciate this follow-up, and our conversation yesterday about some of the start up issues you have already addressed in a timely fashion, such as the timer on the lights, the glitch by open table not initially including your parking information, and your assurance that the staff is now aware that long term parking along Mass Ave is not in the best interests of either the neighborhood, or the aesthetics of the Inn, as well as the new "No Parking" signs going up in front of the Inn, and the grinding away of the remains of the old crosswalk.

In regards to the car that made the U-turn, my major concern was that it did so in order to join the cars parked all afternoon and evening on the Inn side of Mass Ave, which I do feel you have already dealt with.

Since this section of Mass Ave is not posted as No U-Turns (unlike town center) I assume it's legal if perhaps not advisable, but what I saw on Sat. noon was a little red car from NH that appeared to be coming to work at the Inn. It came down Mass Ave from the Worthen Road direction, heading towards the center, then U-turned back to the Inn, to park with the other cars near the Mullikan House.

I thought he was an employee since he carried black and white clothes and a backpack into the Inn, and it was still parked there until late at night. So it was mainly that fact that he U-turned into parking on Mass Ave that had my attention, which I am confident you have already addressed.

Regards,
Jeanne

----- Original Message -----

From: Trisha Kennealy
To: jeannehobbs@verizon.net
Cc: Pasi Susanne
Sent: Tuesday, April 08, 2014 9:56 AM
Subject: Thank you

Jeanne,
Thank you so much for stopping by yesterday afternoon.

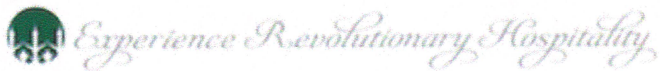
I wanted to follow-up on the u-turn. Did you see someone make a u-turn from our side of the street towards your house and proceed toward the center? If you remember what the car looked like that would be helpful. I did verify with Manny Ferro that it is legal for cars to turn left or right out of our driveway so I want to make sure I completely understand what you saw so we can stop it from happening again.

As I mentioned, please do not hesitate to call Susanne or me with any concerns that you have. We will work diligently to address what is in our control.

Again, thanks for taking the time to stop by yesterday.

Trisha

Trisha Pérez Kennealy
The Inn at Hastings Park
2027 Massachusetts Avenue, Lexington, MA 02421
Cell: [617-733-9502](tel:617-733-9502)
Inn: [781-301-6660](tel:781-301-6660)
Web: www.innathastingspark.com



Trisha Perez Kennealy <tpkennealy@gmail.com>
To: Jeanne Hobbs <jeannehobbs@verizon.net>
Cc: Pasi Susanne <spasi@innathastingspark.com>

Tue, Apr 8, 2014 at 5:01 PM

Thanks for the specific detail. Everyone has been instructed to park on Worthen. We will make sure this does not happen.

Again, do not hesitate to call. We are here to serve all of our guests and that includes all of you.

Hope to see you again soon.

Trisha

Trisha Pérez Kennealy
[617-733-9502](tel:617-733-9502)
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[Quoted text hidden]

<tagline2.jpg>



Susanne Pasi <spasi@artistryboston.com>

Thank you

Trisha Kennealy <tpkennealy@gmail.com>

Tue, Apr 8, 2014 at 9:56 AM

To: jeannehobbs@verizon.net

Cc: Pasi Susanne <spasi@innathastingspark.com>

Jeanne,

Thank you so much for stopping by yesterday afternoon.

I wanted to follow-up on the u-turn. Did you see someone make a u-turn from our side of the street towards your house and proceed toward the center? If you remember what the car looked like that would be helpful. I did verify with Manny Ferro that it is legal for cars to turn left or right out of our driveway so I want to make sure I completely understand what you saw so we can stop it from happening again.

As I mentioned, please do not hesitate to call Susanne or me with any concerns that you have. We will work diligently to address what is in our control.

Again, thanks for taking the time to stop by yesterday.

Trisha

Trisha Pérez Kennealy

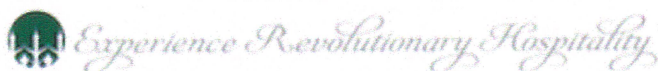
The Inn at Hastings Park

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Susanne Pasi <spasi@artistryboston.com>

employee parking on Mass Ave

2 messages

Jeanne Hobbs <jeannehobbs@verizon.net>
To: Trisha Perez Kennealy <tpkennealy@gmail.com>
Cc: Pasi Susanne <spasi@innathastingspark.com>

Sun, Apr 13, 2014 at 4:55 PM

Hello,

The same employee's red car with NH plates that was parked all day on Mass Ave last weekend, is parked there again.

I saw him walking from the car into the Inn carrying his uniform as I crossed the street shortly before 9am, and it's still there now.

I do appreciate your attention to these start-up issues.

thanks, Jeanne

----- Original Message -----

From: Trisha Perez Kennealy

To: Jeanne Hobbs

Cc: Pasi Susanne

Sent: Tuesday, April 08, 2014 5:01 PM

Subject: Re: thanks to you also

Thanks for the specific detail. Everyone has been instructed to park on Worthen. We will make sure this does not happen.

Again, do not hesitate to call. We are here to serve all of our guests and that includes all of you.

Hope to see you again soon.

Trisha

Trisha Pérez Kennealy
[617-733-9502](tel:617-733-9502)

On Apr 8, 2014, at 4:39 PM, "Jeanne Hobbs" <jeannehobbs@verizon.net> wrote:

Dear Trisha,

I appreciate this follow-up, and our conversation yesterday about some of the start up issues you have already addressed in a timely fashion, such as the timer on the lights, the glitch by open table not initially including your parking information, and your assurance that the staff is now aware that long term parking along Mass Ave is not in the best interests of either the neighborhood, or the aesthetics of the Inn, as well as the new "No Parking" signs going up in front of the Inn, and the grinding away of the remains of the old crosswalk.

In regards to the car that made the U-turn, my major concern was that it did so in order to join the cars parked all afternoon and evening on the Inn side of Mass Ave, which I do feel you have already dealt with.

Since this section of Mass Ave is not posted as No U-Turns (unlike town center) I assume it's legal if perhaps not advisable, but what I saw on Sat. noon was a little red car from NH that appeared to be coming to work at the Inn.

It came down Mass Ave from the Worthen Road direction, heading towards the center, then U-turned back to the Inn, to park with the other cars near the Mullikan House.

I thought he was an employee since he carried black and white clothes and a backpack into the Inn, and it was still parked there until late at night.
So it was mainly that fact that he U-turned into parking on Mass Ave that had my attention, which I am confident you have already addressed.

Regards,
Jeanne

----- Original Message -----

From: Trisha Kennealy

To: jeannehobbs@verizon.net

Cc: Pasi Susanne

Sent: Tuesday, April 08, 2014 9:56 AM

Subject: Thank you

Jeanne,
Thank you so much for stopping by yesterday afternoon.

I wanted to follow-up on the u-turn. Did you see someone make a u-turn from our side of the street towards your house and proceed toward the center? If you remember what the car looked like that would be helpful. I did verify with Manny Ferro that it is legal for cars to turn left or right out of our driveway so I want to make sure I completely understand what you saw so we can stop it from happening again.

As I mentioned, please do not hesitate to call Susanne or me with any concerns that you have. We will work diligently to address what is in our control.

Again, thanks for taking the time to stop by yesterday.

Trisha

Trisha Pérez Kennealy
The Inn at Hastings Park
2027 Massachusetts Avenue, Lexington, MA 02421
Cell: 617-733-9502
Inn: 781-301-6660
Web: www.innathastingspark.com

<tagline2.jpg>

Susanne Pasi <spasi@innathastingspark.com>
To: Trisha Pérez Kennealy <tpkennealy@innathastingspark.com>

Sun, Apr 13, 2014 at 5:00 PM

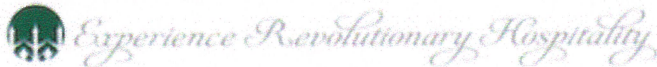
Hi Trisha

I have asked Stephen to move his car. When he arrived this morning, there was nowhere else for him to park due to service at Grace Chapel.

I have not responded to Jeanne.

Kind regards

Susanne Pasi
Rooms Division Manager
The Inn at Hastings Park
2027 Massachusetts Avenue, Lexington, MA 02421
Direct: 781-301-6657
Inn: 781-301-6660
Web: www.innathastingspark.com



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Susanne Pasi <spasi@artistryboston.com>

parking on Mass Ave

1 message

Jeanne Hobbs <jeannehobbs@verizon.net>

Tue, Apr 29, 2014 at 1:17 PM

To: Trisha Perez Kennealy <tpkennealy@gmail.com>

Cc: Pasi Susanne <spasi@innathastingspark.com>, Jeanne Hobbs <jeannehobbs@verizon.net>

Hello,

I do understand that the construction phase will hopefully be ending soon, but there is currently a Caron Electric truck parked right in front of the Inn sign, with a small black pickup truck parked directly across the street from it on Mass Ave, which significantly narrows the lanes and sight lines leading to and from the Worthen Road intersection, and the addition of the large United Liquors/Ketel One delivery truck, which parked in front of 2016 Mass Ave, across from the Inn's parking lot entrance, and diverting cars over the yellow line to get around it, did aggravate the situation.

I appreciate your continued attention to these parking issues during your start up phase.

Sincerely,
Jeanne Hobbs



Daniel Braun <dbraun@artistryboston.com>

Re: Parking for restaurant

2 messages

Trisha Perez Kennealy <tpkennealy@gmail.com>

Tue, Apr 29, 2014 at 4:41 PM

To: Phil Hurd <pjh@philhurd.com>

Cc: Trisha Kennealy <tpkennealy@aol.com>, "info@innathastingspark.com" <info@innathastingspark.com>, "selectmen@lexingtonma.gov" <selectmen@lexingtonma.gov>, Daniel Braun <dbraun@innathastingspark.com>, Susanne Pasi <spasi@innathastingspark.com>, Stephen Horaj <shoraj@innathastingspark.com>

Phil,

I apologize for not responding last week but I was away on vacation. I forwarded your email to my managers and we have been proactively managing the parking. We have been confirming parking directions with guests via phone and email and have been asking guests to move their cars. Over the next few days you will be seeing members of my team in the parking lot during lunch directing guests around the corner.

As always, please do not hesitate to call the main line at Inn if they can be of assistance.

Thank you,
Trisha

Trisha Pérez Kennealy
[617-733-9502](tel:617-733-9502)

On Apr 29, 2014, at 10:39 AM, Phil Hurd <pjh@philhurd.com> wrote:

Good morning Trisha,

Perhaps you missed my email of last week (copied below), or have been away what with school vacation week, but I would like to hear back from you about the subject of restaurant guest parking.

During all the meetings about the Inn, you stated that the restaurant guests would be restricted from parking in the big lot, on Mass Ave. However, over the past days, Jan and I have been regularly observing a steady number of what appear to be restaurant guests (going into and out of the restaurant entrance) using that very lot. As you know, its driveway is directly across the street from our front door, and now with the restaurant traffic, there are often headlights shining right into our house from the cars exiting the lot.

I'm copying the Selectmen on this email because my understanding is that is supposed to be the mechanism by which we, the neighbors, are meant to let them know what's happening. We're troubled not only by the actual inconvenience of the lights and noise from the restaurant guests parking where they're not supposed to, but also by the fact that you don't seem to be enforcing the ban on restaurant parking there that you said you would. I don't think it's fair that we have to take our time and effort to make these kinds of follow-ups on things that you said would be a certain way, and now they're not. I'm sure there are a million details you're trying to sort through in the early weeks of operation, but we would like to ask you to please make resolving this parking issue one of your priorities.

What are your thoughts, please?

Thank you,
Phil Hurd

----- Forwarded message -----

From: **Phil Hurd** <pjh@philhurd.com>
Date: Wed, Apr 23, 2014 at 7:44 PM
Subject: Parking for restaurant
To: "tpkennealy@aol.com" <tpkennealy@aol.com>

Hi Trisha,

I wanted to ask you if there are any more precautions you're taking against restaurant guests parking in the big lot across from our front door? Just in the last few minutes, I've seen 3 carloads from that lot either coming from or going to the restaurant, which as we all know, you said you would enforce not to happen.

Thanks,
Phil Hurd

Sent from my iPad

Phil Hurd <pjh@philhurd.com>

Tue, Apr 29, 2014 at 5:16 PM

To: Trisha Perez Kennealy <tpkennealy@gmail.com>

Cc: Trisha Kennealy <tpkennealy@aol.com>, "selectmen@lexingtonma.gov" <selectmen@lexingtonma.gov>, Daniel Braun <dbraun@innathastingspark.com>, Susanne Pasi <spasi@innathastingspark.com>, Stephen Horaj <shoraj@innathastingspark.com>

Hi Trisha,

Thanks for responding, and for being sensitive to the problem. I figured you were probably away. Particularly for those you've added to this email thread, and for the selectmen's benefit, I'd like to comment on what you said:

- 1) Whatever your team has been doing so far, I don't think it's working well enough. The lot is still full of restaurant cars regularly.
- 2) So far, we have not witnessed anyone actually appearing to move their car in the evenings once they've gone into the restaurant door. Perhaps they are being asked to move cars, but again, per 1), I don't think this seems to be making much of a dent, at least from the numerous times we've been observing.
- 3) Glad to hear your team will be out in the lot directing parking at lunch, but I think the bigger issue of concern is during the evening. Perhaps this can also happen in evenings?

Thank you,
Phil

[Quoted text hidden]

By Certified Mail

Ms. Trisha Perez-Kennealy
The Inn at Hastings Park
2027 Massachusetts Avenue
Lexington, MA 02421

April 2, 2014

Dear Ms. Perez-Kennealy,

I am writing to request you take action to reduce the excessive and inappropriate lighting being used at the Inn at Hastings Park in violation of your Memorandum of Understanding (MOU) with the Town of Lexington and the Special Permit granted for the property. I also ask that you ensure compliance with the MOU requirement on quiet hours.

Lighting Violations

While reasonable low-level lighting may be required to illuminate limited areas for patron entrance and egress, the following violate conditions of the MOU:

1. The entire porch area of the main building lit up in the evening (like a cruise ship!) with unshielded light trespassing well beyond your lot (in fact so bright as to penetrate through our closed shutters)
2. Bright lighting remaining on beyond 11pm
3. Lighting from parking lot lampposts trespassing beyond your lot
4. Interior light spillage from windows

So that you and the Selectmen can fully understand this problem, below is a photo of the front of the inn taken Saturday night (March 30th), at 11:20pm.



I refer you notably to section 5.4.4 of the Lexington's bylaw on Outdoor lighting which states:

All luminaires, regardless of lumen rating, shall be equipped with whatever additional shielding, lenses, or cutoff devices are required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptible to persons on any street or abutting lot or parcel.

Section 5.4.6 of this bylaw states that:

Low-level lighting sufficient for the security of persons or property on the lot may be in operation between 11:00 p.m. and 6:00 a.m., provided the average illumination on the ground or on any vertical surface is not greater than 0.5 footcandle.

I also refer you to the MOU, Ongoing Commitments, Section 6, which requires the following:

All lighting will be fully shielded, even if in excess of the requirements of the bylaw. Lighting shall be set on automatic timers to turn off exterior lighting between 11pm and dawn, except at locations where it is demonstrated lower light levels are needed for safety. Interior lighting must be shield to minimize the light spill from the windows at night.

As is clearly evident in the above photo:

- Lighting is not being automatically switched off at 11pm as required by the MOU.
- The bright and unshielded lighting currently installed in the porch area clearly trespasses beyond the bounds of your lot onto the street and opposite sidewalk, which is not allowed at any time.
- The glare of this porch lighting is clearly visible to persons on the street, from adjoining lots and houses and well beyond.
- Similarly, the glare of the lights from the parking lot lampposts (visible to the left and right of the building in the photo) also trespass well beyond your boundaries onto the street.
- This is equally true of the same type of lamppost further to the right, outside the frame of this photo.
- In fact, the lights of the parking lot and porch are visible from houses and by pedestrians more 300 feet away down Parker and Massachusetts Avenue.
- The current lighting far exceeds the low-level down lighting limits permitted by Lexington's bylaws which are intended to protect neighboring properties.
- The Inn's excessive use of lighting is incongruous with the Town's expressed desire to promote energy conservation and to limit light pollution.

Violation of Quiet Hours

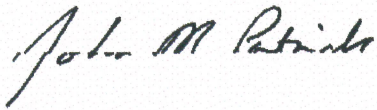
The MOU clearly specifies that "the Applicant will have quiet hours after 10:00 p.m."

I was therefore troubled when, walking back from the town center on Massachusetts Avenue at 10:30 p.m. on Thursday, March 27th, I heard the loud sound of many empty bottles shattering as they were thrown into a trash receptacle. This appeared to be occurring at the rear, near the restaurant. Although I was on the other side of Massachusetts Avenue near the corner of Parker Street, I can only imagine how much louder it was for our neighbors who live on Pine Grove Village, 26 families whose homes are closest to side where the restaurant is located. It is also important to take into consideration the school-age children living there and on two other sides of the inn who are certainly in bed by 10p.m.

During the rezoning process, neighbors made very clear their concerns about noise from the hotel and restaurant they feared would disrupt their quality of life. During the construction process (lasting well over 18 months) the neighbors have had to put up with a huge amount of disruption, including noise from construction equipment and power tools (including, but certainly not limited to, months of ear-splitting rock-cutting to face your wall), frequent deliveries, and the coming and going of construction workers parked just outside our homes.

Now that the Inn is open, we are hoping for some relief from the constant disruption which has negatively impacted our quality of life and ask that you ensure strict compliance with both the noise and lighting requirements in the MOU.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Patrick". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Patrick".

John M. Patrick
2030 Massachusetts Avenue
Lexington, MA 02421

cc:
Board of Selectmen
(Hand Delivered)

April 18, 2016

Dear Mr. Patrick,

Thank you for bringing these issues to our attention. We would like to address your concerns point by point. If you have any follow-up questions, please do not hesitate to reach out to me again.

Lighting Violations

1. At the time this picture was taken, we were in the process of moving our offices from the Isaac Mulliken House to the Main House. This night the lights were left on due to a transitional oversight that we have since corrected. There is now someone in the Main House at all times throughout the day. Turning off the porch light is a responsibility of our staff working the nighttime shift. He or she will turn off the porch lights when the last restaurant guests have left or at 11pm, whichever is earlier.
2. See above.
3. We apologize that the lamppost timers were not working correctly. Thank you for bringing this to our attention. As you can imagine, we have been doing significant amounts of testing of our various systems, and we discovered that the timers for the lamps had inadvertently been reset during our testing procedures.
4. At the time this picture was taken, not all of our window treatments had been installed. Now all of our window treatments have been installed to minimize light spill from the windows at night, as per our MOU.

Violation of Quiet Hours

Thank you for bringing this to our attention. However, as a point of clarification all of our waste receptacles are located in our trash room, which is contained inside the house in an area that does not have any windows. To support our environmental sustainability efforts, all of our bottles are recycled.

As I have often repeated, there is someone on property 24 hours a day so please call us immediately if there is a problem so we can address any issues as they are happening.

Best,

Trisha Pérez Kennealy
The Inn at Hastings Park

cc: The Board of Selectmen
(Hand Delivered)