

TOWN OF LINCOLN
MINUTES OF THE PLANNING BOARD
FEBRUARY 9, 2016
TOWN OFFICES

PRESENT: Margaret Olson (Chair) (MO), Bryce Wolf (Vice-Chair) (BW), Lynn DeLisi (LD), Richard Rundell (RR), Gary Taylor (GT)

STAFF: Jennifer Burney, Paula Vaughn-MacKenzie

7:00 PM PUBLIC HEARING: Deck, 30 Silver Hill Road, Parcel 151-5-0. Public Hearing for site plan review of a tear down of an existing home and construction of a new home. 2/9/2016

MO opened the Public Hearing.

Mr. and Mrs. Deck along with their architects, Charles Meyer and Alice Dunn, and the landscape architects, Jim Henderson and Nancy Striker, appeared before the Board. Ms. Dunn walked the Board through the design of the new home. She explained that the new house will be a one and one half story structure, with approximately 2540 square feet and will sit back from the wetlands on the property. The structure will be set into the topography and will be in keeping with the style of the existing barn. There will be a terrace and a hot tub as well as a small deck. A parking court will be located between the house and the barn. Part of the parking area is a portion of an old farm road that led to a property in back. The applicant has the option of keeping the existing farm road but they will only keep a portion as depicted on the plan and use it for extra parking and will let the rest of the road disappear.

There is a conservation restriction (CR) on the property held by the Lincoln Land Conservation Trust. A memorandum from Geoff McGean was submitted which states that the proposed plans for the new house and associated infrastructure on the property are compliant with the requirements of the CR. Mr. McGean also stated that he had no objections to the intrusion into the restricted area to relocate the water service, the proposed drainage outside the building envelope, and the temporary work line during construction, as long as the damaged areas are restored to existing natural vegetation following the work.

Jim Henderson explained the drainage plan. All rain water from the roofs will be recharged to the ground. The new home will use gutters around the front eaves and north end of the house. On the south end, there is a gravel bed collection feature below the deck and a drain in the front window well. On the west side, a gravel bed with a drain line will collect water from the higher rear shed and main roofs and convey it to Cultec storm recharger chambers buried in front of the house. The plan will also remove 804 square feet of paved surface from the old farm road above the house parking area and convert it to a grassed surface. Around the buildings, grading will be improved

and grassed surfaces will be made more robust to help recharge a higher amount of water from the landscaped areas.

A calculation was submitted to show that the basement does not constitute a story.

Mr. Henderson explained the locations of the stone patio and wooden deck as well as the condensers and two propane tanks. An existing utility pole will be removed and the electrical will be run from the barn underground to the house.

The Board next reviewed the lighting. Ms. Dunn explained that the lighting for the house uses lighting fixtures that are full cut off and house the bulbs completely within the shades. She submitted a lighting schedule dated 1/11/2016 which lists the fixtures and locations of all exterior lighting on the house and the barn. There are fixtures for the front door of the house and the barn side door entry, one fixture at the side door of the house, 2 fixtures at the west garage door on the barn, one at the existing entry door on the west side and one at the lower level of the garage door on the south side. There are four recessed puck lights that are located under the sunshade for the house and five downlights at the entry of the house.

Mr. Henderson reviewed the landscape lighting which consists of three different fixtures, one post lamp at the front walk, five Kichler LED path lights at the edges of the terrace and one Kichler path light at the hot tub and two Auroralight step lights at the front entry and two step lights at the hot tub. The path lights are 27" high, emit 294 lumens each, and have a 3 1/2 foot light pool. The step lights emit 266 lumens each. The post light will emit 850 lumens. All fixtures comply with the Board's lighting guidelines.

RR noted that the lighting plan seems to have many more lights than are usually approved. Ms. Dunn responded that each exterior door requires a light and that all of the lights are down lights. The Board noted that there is an existing spot light on the barn and requested that this light come down. The applicant agreed. Jim Henderson noted that the terrace is raised and feels that the lights at the edge address a safety concern.

BW made a Motion to close the public hearing. RR Seconded. Passed 5-0.

BW made a Motion to approve the project as submitted subject to the usual standard conditions required by the Board. RR Seconded. Passed 5-0.

7:35 PM PUBLIC HEARING: Briggs, 31 Morningside Lane, Parcel 113-29-0. Public Hearing for site plan review of a renovation and addition to an existing home. 2/9/2016

MO opened the public hearing.

Randal Briggs appeared before the Board and presented his project which consists of a renovation and addition to an existing house located on the corner of Morningside Lane and Sunnyside Lane. The project has received approval from the ZBA as the lot is nonconforming. The applicant submitted plans including a Site Plan by Meisner Brem Corporation dated September 23, 2015,

plans by JMA Architects, Inc. Sheets A-1 through A-5 and a set of architectural plans showing the existing house in shaded gray. Mr. Briggs stated that the driveway location will not be changed but it is currently gravel and he would like to pave it. There will be a drywell at the end of the turn-around which will handle the storm water.

The Board reviewed the lighting proposal. The applicant proposes 17 path lights around three sides of the house as well as two post lights on either side of the driveway entrance. In addition, there are four recessed lights under a covered porch at the entry, two recessed lights under a covered porch at the rear sliding glass door and two Minka Lavery wall fixtures on either side of a slider at the rear deck. There is one Kichler wall mount fixture next to an exterior door on the second floor deck. On the north elevation, there are three Kichler wall mount fixtures at the garage doors and two Minka Lavery wall fixtures on either side of the sliding door. On the south elevation there are three recessed lights under a covered porch and one Minka Lavery wall fixture at the door. The Board noted that with all of the lighting on the house and under the overhangs, they did not see the need for the path lights or the post lights. The Board requested that all of the path lights and the post lights be removed from the Site Plan and the applicant agreed.

The Board noted that the ZBA was requiring the removal of an existing metal structure that currently houses a boat. Mr. Briggs stated that he would remove the metal structure once the construction was completed in accordance with the ZBA approval. Mr. Briggs also noted that the existing driveway is gravel and that he intends to pave it.

The Board opened the hearing up to public comment. Mr. Edwin Tam stated that he lives at 2 Sunnyside and he was concerned that Mr. Briggs was planning on renting out another portion of his house with the new addition. The Board noted that only one accessory apartment is allowed under the Zoning Bylaw. Mr. Briggs also noted that he had one accessory apartment within his dwelling. Mr. Tam also stated that there were many vehicles parked on the property as well as the boat. He stated that the tenant parks a vehicle on the grass. He also stated that an RV has been parked there every summer for the duration of the summer and he can hear the air conditioning of the RV running at night. Mr. Tam noted that the last time there was construction at the home the construction truck used his lawn as a turn around. The Board noted that there are limits as to what it can control. There is no limit as to the number of properly registered vehicles being kept on a property.

Mr. Alan Asadorian stated that he lives at 36 Morningside Lane. He noted that he sees the tenant's car parked on the grass. He noted that he is happy that the metal structure that houses the boat will be taken down after construction. He stated that the existing driveway does not look finished in its present state but was concerned about such a large amount of pavement. GT noted that there is nothing in the Zoning Bylaw that restricts the amount of pavement and did not think the Board should use site plan review as a vehicle to restrict how a homeowner can use their property. BW suggested that the applicant narrow the entrance of the driveway from the existing twenty feet to twelve feet as that is the width commonly approved by the Board.

Mrs. Jane Herlacher of 7 Brooks Hill Road noted that she was not an abutter but she thought the proposed pavement area was large and she was concerned of the number of vehicles that are

parked at the residence. She stated that she liked the plans for the addition to the house but thought there were too many lights proposed although she thought lights for safety were important. The Board reiterated that there was no impervious surface rule. BW noted that site plan review does not regulate where people can park on their property. Site plan review could look at screening.

Buzz Constable stated that he was attending as President of the RLF/LLCT Trustees mainly to address the trail that runs around the Brooks Hill Road neighborhood. He noted that he normally supports screening along trails that abut houses but that this lot did not abut the trail. He noted that pavement was not necessarily a bad idea for managing storm water drainage. He thought the dry well would manage the storm water in this case because the driveway sloped down from the street and would direct water into the dry well.

BW suggested that the applicant return to the Board with the following changes to the site plan.

1. Remove the path lights and the post lights from the Site Plan.
2. Reduce the width of the driveway opening from 20 feet to 12 feet.
3. Confer with the neighbors regarding any screening concerns. Screening can be accomplished with evergreens.

Mr. Briggs noted that some of the statements by the neighbors were not accurate. He explained that his mother died in 2006 and since then, his father has not come to visit in the RV. He also noted that they normally stayed for a week and not all summer. He would remove all of the path lights and the post lights from the proposal and shrink the width of the driveway opening. He would also speak to his neighbors regarding any screening concerns that may have.

BW made a Motion to continue the public hearing until March 8, 2016. LD Seconded. Passed 5-0.

8:15PM PUBLIC HEARING: Kelleher, 91 Weston Road, Parcel 164-22-0. Public Hearing for site plan review of a tear down of an existing home and construction of a new home. Vote expected. 2/9/2016.

MO opened the public hearing.

Mr. Richard Kelleher and his architect, John Chapman appeared before the Board. Mr. Chapman presented the project which is a two story house located essentially in the same footprint as the existing house which will be torn down because of severe mold issues. The Historic Commission has approved the demolition request. There are significant wetlands on the large 13 plus acre site but all work will be done outside the 100 foot buffer zone. The Conservation Department has reviewed the plans and has confirmed that no wetland permitting is required. The Conservation Department requested that the Board add a condition to their approval which would require that the applicant install the erosion control barrier as depicted on the Site Plan C-3 dated 12/30/2015 and install a black silt fence or construction fencing upslope of the silt sock.

The Board next reviewed the site, grading and drainage. Mr. Chapman noted that the site is 13 acres and the vast majority will remain untouched. Four trees will be removed for construction and

the grades will be essentially the same as existing except for grading on the west side of the house as shown on the Site Plan. The applicant will use the existing driveway and add a turn-around which will circle an existing large maple tree at the front of the house. The driveway will be paved from the house to the 100 foot buffer line where it will change to gravel. The applicant submitted drainage details shown on page C-3 of the Plans. The applicant will reconnect the existing septic system for the new home.

The Site Plan showed a 50 foot dashed line around the perimeter of the property. A Zoning Compliance table was submitted. The new house will have a walk out basement. At the preliminary hearing, the Board granted permission to use average natural grade to measure the height of the structure. The height of the highest portion of the house will be 35.6 as measured from the average natural grade. The applicant submitted a story calculation to show that the attic does not constitute a story.

The Board next reviewed the landscaping and lighting. Mr. Chapman noted that the applicant intends to keep the landscaping in its natural state as existing. There will be a bluestone patio 36' X 24" with a retaining wall. There are two small existing structures on the property that will remain. The applicant proposes one type of light fixture which is a recessed downlight. There are 14 recessed fixtures around the house on the ground level and two fixtures under a covered exit on the walk out lower level. The fixtures comply with the lighting guidelines. Each fixture emits 900 lumens and uses a bulb with a color temperature of 3000K. No other exterior fixtures were proposed. The applicant also proposed a Generac 22KW generator. The specifications for the generator indicated that the decibel level is 61 at 23 feet in exercise mode and 70 decibels at 23 feet at normal load.

The Board noted that it had no objections to the plan and opened up discussion to members of the public. Buzz Constable stated that he was speaking on behalf of the Land Trust. He stated that the Land Trust had been in discussions with the previous owner regarding the placement of a conservation restriction on part of the land but that it had not been completed. He voiced his concern regarding the view from Beaver Pond and the view from the field across the street. Mr. Chapman responded that development of the land was unlikely because the lot was comprised mainly of wetlands. He also noted that the location of the house was set well back from the street. Mr. Constable noted that the large maple tree located at the front of the house was an important feature of the view from the field and asked the Board to protect the tree in its approval. He also requested that flood lights not be allowed. He stated that the Land Trust had no objections to the project but noted that other neighbors had given conservation restrictions to the Land Trust and only was concerned that the view from Beaver Pond be preserved. BW noted that there is a limit of work line shown on the plans beyond which work could not be done. In addition, the large amount of wetlands on the property would prevent any future development.

BW made a Motion to close the public hearing. RR Seconded. Passed 5-0.

BW made a Motion to approve the plans as submitted subject to the written decision containing the Board's general restrictions on generators and noting that no work shall be done outside the limit

of work line as shown on the plans and further that reasonable efforts shall be made to protect the maple tree during construction. RR Seconded. Passed 5-0.

8:35 PM ADMINISTRATIVE REVIEW: Herthel, 199 Concord Road, Parcel 160-9-0.
Request for a Planning Board determination that submitted plan complies with site plan approval.

Lynn DeLisi recused herself as an abutter to the property.

Mr. Charles Budnick from CABCO Consult appeared before the Board on behalf of Mr. Herthel. The applicant submitted a revised plan to comply with the comments and suggestions made at a prior meeting held on January 12, 2016. The Board requested six changes as follows:

1. The driveway width should be narrowed from the current 20 feet to approximately 12-14 feet wide. A turn-around is acceptable.

The new plan indicates that the driveway is 14 feet wide which widens into a turn-around.

2. All areas that will have a surface treatment that is non-vegetative must be shown.

No other areas of surface treatment that is non-vegetative are indicated on the plan.

3. The edge of the driveway must be ten feet from the lot line.

The distance from the lot line to the edge of the driveway is shown on the plan as ten feet.

4. The landscape plan must show a section detailing the arborvitae planting on top of the berm.

The landscape plan submitted by the applicant now shows a section with the arborvitae planted on top of the berm.

5. If the septic system is shown on the plan, the applicant must submit an approval from the Board of Health along with evidence of a recorded easement.

Mr. Herthel submitted a copy of the recorded easement and the approval of the septic system from the Board of Health. The area of the easement is also indicated on the submitted plan.

6. The Board would prefer that the long segmental block wall be redesigned to remove as much as possible and have the area regraded instead.

The revised plan shows the length of the segmental wall reduced significantly and the area where the wall has been removed is regraded.

Tim Taylor, attorney for the neighbors noted that he was concerned with the rip rap shown on the plan that straddles two lots both owned by the applicant. He stated that he was concerned that the rip rap extended into the easement area. Mr. Budnick responded that the rip rap is necessary to prevent erosion at the driveway and that it was located at grade which would not interfere with the use of the easement in any way. Mr. Taylor agreed that the easement area was very large and that

the rip rap had no consequence and would not interfere with the use. The Board noted that the driveway was gravel and that they had no objections to the rip rap as proposed.

RR made a Motion to that the plan entitled Scheme B Proposed Grading Plan 199 Concord Road Lincoln, Ma by CABCO Consult dated 10/6/13 revised through January 18, 2016 and the plan entitled Proposed Landscape Plan 199 Concord Road Lincoln, MA dated 1/2/2014 revised through 1/18/2016 comply with the stipulations contained in the Planning Board Site Plan approval dated 6/10/2014. GT Seconded. Passed 5-0.

8:45 PM PUBLIC HEARING: Proposed Zoning Amendment for Town Meeting 2016.

Proposal by the Planning Board to amend the Zoning Bylaw Sections 13.5 (exterior lighting) and 23 (definitions) by revising residential exterior lighting standards to incorporate "dark sky" principles and to update definitions to reflect current technology.

MO opened the public hearing.

MO explained that the final draft of the proposed lighting amendment deletes the section limiting the number of lumens per fixture. She noted that at the State of the Town in November, the public had voiced their concern regarding the lumens restriction.

The Board next discussed the requirement regarding color temperature. The initial proposal was to restrict color temperature to 3000 Kelvins. There has been some discussion to increase the allowed color temperature to 3300. After researching the literature on the International Dark Sky Association (IDA) webpage, it is clear that color temperature matters. Exposure to blue light at night has been shown to harm human health and endanger wildlife. IDA recommends using lighting that has a color temperature of no more than 3000 Kelvins. The Board agreed that the proposed zoning amendment should restrict LED color temperature to 3000 which is in line with the scientific literature. Mr. Frank Clark, a scientist, spoke in favor of the proposed changes to the bylaw and emphasized that the proposed changes are important in light of the scientific literature.

The Board also noted that existing light fixtures would be grandfathered under the zoning bylaw just as any change to the zoning bylaw results in regulation going forward.

BW made a Motion to close the public hearing. RR Seconded. Passed 5-0.

BW made a Motion to approve the language of the proposed zoning amendment as amended. RR Seconded. Passed 4-0. GT Abstained.

9:15 PM BW noted that the Agricultural Commission has decided to pass over their amendment for this year. They intend to concentrate on public outreach during the next year to garner support for an amendment possibly next year. BW suggested that she speak to the Commission and encourage them to move forward.

9:20 PM Director's Report: MBTA revised schedule.

Jennifer Burney reported that she has been meeting with different people to get to know the various departments in the Town. She has started an informational blog on the Town website. She

would like to see if the Board would support forming an economic development committee to reach out to the businesses and farms. She also mentioned tapping into resources at MAPC in regards to the Board's goals for Lincoln Station.

JB will schedule a land use chairs meeting in the near future. She also will look at having a Planning Department coffee similar to the monthly Conservation Department coffees. JB thought that meetings with the public focusing on relevant topics would be good outreach.

The concept of "complete streets" where streets become safe for cars, pedestrians, and bicyclists could be a good fit for Lincoln. In addition, a visual concept for South Lincoln may spur interest in the revitalization efforts of the Board for South Lincoln.

BW noted that the Campus Master Plan had submitted a final report which has been posted on the Town webpage. She encouraged the Planning staff to ask Buck Creel for a hard copy. The Board noted that it should be part of the Campus Master Plan going forward.

9:40 PM Business

GT made a Motion to approve the January 12, 2016 minutes as amended. BW Seconded. Passed 5-0.

9:45 PM LD made a Motion to Adjourn. RR Seconded. Passed 5-0.

Submitted by Paula Vaughn-MacKenzie

Approved as amended March 8, 2016