

TOWN OF LINCOLN
MINUTES OF THE PLANNING BOARD
FEBRUARY 11, 2020
TOTWN OFFICES

PRESENT: Margaret Olson (Chair), Lynn DeLisi (Vice-Chair), Gary Taylor, Stephen Gladstone

STAFF: Paula Vaughn-MacKenzie

7:00 PM Business

Jim Hutchinson representing the school building committee requested that the Board review and approve the assurance provisions of the solar contract between the Town and SunPower. The assurance provisions in the contract provide that in the last four years of the contract, the Town has the right to require the provider to post decommissioning assurance at the Town's expense. Mr. Hutchinson noted that the school will be all electric, using the PV system as its primary source of electricity behind the meter. He thought that the scenarios where the Town would want SunPower to decommission the system are remote. Mr. Hutchinson thought it much more likely that the Town will buy out the system from them as there are buyout options at years 7, 15, and 25 at end of term and the Town would operate, rather than decommission it.

Board agreed that it the contract requires the Town to pay for its own insurance for decommissioning the solar array. Since the Town will likely buyout the array, the decommissioning assurance is best left to the Town to decide and no bond will be required. The Board noted that Section 13.6.3(b) allows the Planning Board to require a bond or other surety to assure the proper decommissioning of any solar installation under site plan review.

SG made a motion to accept the assurance provision as submitted to satisfy Section 13.6.3(b). GT Seconded. Passed 4-0.

7:05 PM Site Plan Review, Section 17.7: Peck, 77 Weston Road, Parcel 164-25-0.

Application to construct a new home on a vacant lot in an established cluster subdivision.

MO opened the hearing.

John and Donna Peck are the owners of 77 Weston Road. The parcel is part of a cluster subdivision created in 1994 by Special Permit granted to George Hibben. There are three buildable lots in the cluster with building envelopes. There is one house that has been built and the owners of that home also own the buildable lot to the rear of their property shown on the Lot Layout Plan by BSC as lot 86-4.04.

John and Donna Peck and their architect Howard Raley from Flavin Architects presented the project.

Zoning:

Setbacks: This is a cluster subdivision so normal setbacks do not apply. However, the building envelope shows 50' setbacks to the closest lot lines and to the right of way.

Proposed setbacks: Even though this was approved as a cluster subdivision, the setbacks to the building envelope are at least 50' and comply with current zoning.

Front yard: 312' to Weston Road, 50.1' to the Right of Way.

Side yard: 51.1' to LLCT, 63.5' to Avi-Yonah.

Rear yard: 97.4'

Height: The applicant requests that average natural grade be allowed as the grade slopes down away from the house in the back. The height above average natural grade is 34' 11". The height from the lowest point is 37' 11".

Story: The applicant submitted calculations that show the house is a 2 ½ story house. The basement is not considered a story. The upper surface of the floor above the basement is:

1. 2' - 21/2" above the grade plane of 192.1 (There is a 4' max)
2. > 4' above average natural grade for 22.44% of the total building perimeter. (50% max).
3. 7' 6" above natural grade at any point (10' max).

Calculated Gross Floor Area: 4,729

Cluster Documents: The Certificate of Approval of a Definitive Plan dated 11.15.94, condition 6 states that "The applicant shall be limited to one principal dwelling on Lot 86-4-2 which dwelling shall have a "footprint" which will not exceed 3000 square feet, and such other accessory buildings, structures, and improvements as the Planning Board deems appropriate under the site plan review process."

The applicant is requesting an approval for a de minimus change to the Cluster Subdivision approval as the footprint exceeds 3000 square feet by 94 square feet. The applicant notes that the footprint of the dwelling and garage is 2810 square feet with an attached screened porch of 284 square feet. There are no other accessory buildings.

Site Plan Standards and Criteria, Section 17.7.4.

1. Preservation of Landscape: There is minimal cut and fill. The applicant has attempted to use the existing natural grades to both locate the building and to establish the first-floor

height. Only the trees compromised by the construction will be removed. There are five trees of 12" in diameter or greater that will be removed because of the construction. Four of the trees are near the screened porch and one tree is in the middle of the septic system.

2. Relation of Buildings to Environment: The home design works with the sloping site in order to minimize the heights of the north elevation, the side that is visible from the shared driveway.
3. Building Design and Landscaping: The building is a simple gable form with a modern farmhouse style. It is smaller in scale than the adjacent barn structure. Minimal Landscaping is planned outside of 2 additional apple trees at the entry and the relocation of six apple trees that are on site. There is no lawn planned, only maintaining the current meadow grasses.
4. Circulation: The garage is located on the west side of the building to conceal it from the approach when turning off Weston Road.
5. Screening: The applicant feels that no additional privacy screening is required. The new home is abutted by Conservation Land and adjacent structures are currently heavily screened by existing trees and natural topography.

Drainage: The applicant has submitted a letter from Gala Simon Associates that states in part "the proposed design will maintain the peak flow rates and volumes to pre-development conditions for the 2, 10, and 100-year storm events. There will be no adverse impacts to adjacent properties."

The drainage structure is shown on the Drainage /Grading Plan submitted by GSA Associates. There is a proposed 32 culvert chamber system on the west side of the property.

Septic: A septic design has been submitted to the Board of Health which will require a deed restriction because there are 10 rooms which require a 5-bedroom system. The deed restriction will allow the installation of a 4-bedroom system for this 3-bedroom home.

The cluster documents allowed the septic system to be located within the CR lot, but the applicant has located it within the building envelope.

Lighting:

F1: Excelsior Path Light 203 lumens, 2700K. (7 along front path)

F2: Halo recessed down light, 900 lumens, 2700K. (3 along front of house underneath soffit)

F3: Dominion goose neck barn light, 850 lumens, 2700K. (2 over garage doors)

F4: Westwood down light only wall sconce, 550 lumens, 2850K. (1 at side door into garage, west elevation and 4 along south elevation).

Generator: Generac 20 kW, 55dBa at test mode and 67 dBa at full load.

The Board then asked if there was any public comment.

Mr. Reuven Avi-Yonah had submitted a letter expressing his concerns about the construction period. The Board agreed that the general conditions that they have approved in the past addressing construction vehicle parking, hours of operation, dust and debris control, and damage to the common driveway should be included as conditions for this approval. His other concerns regarding screening and light were deemed mitigated by the siting of the house and the existing vegetation between the two lots. His concerns about saving the apple trees were alleviated as the applicant plans to use the existing apple trees and add two more to create a mini orchard. The concern regarding the deer fence is mitigated by the applicant's plan to move the fence rather than remove it.

The Board noted that the abutter most impacted by the project is George and Marina Reiser at 81 Weston Road. The applicant noted that they attempted to site the house by nestling it in the trees and it was their intent to plant some evergreens. The Board asked that the applicant and the Reisers get together and discuss a reasonable mitigation plan. If the two parties cannot come to a consensus, the applicant should return to the Planning Board.

It was noted that the drainage structure, although below grade was sited along the property line.

Buzz Constable, speaking as a representative of the Lincoln Land Conservation Trust noted that the design was a great blend of contemporary and farmhouse style. He thought it was well sited and stated that if the applicant and neighbor decided that planting on the Conservation Easement was the best solution, he would ask the LLCT Board for permission.

The Board asked the applicant to put a limit of work line on the site plan. The Board also stated that cutting diseased trees was fine but that the limit of work line would make sure that contractors are mindful of keeping the trees that are indicated on the plan as being saved.

The Board noted that the applicant's request to use average natural grade was reasonable as the land sloped down in the back and the attached screened porch was built on piers. The Board also agreed that the addition of 94 square feet to the footprint of the home was a minimal change and did not impact any of the abutters.

SG made a motion to close the public hearing. LD Seconded. Passed 4-0.

GT made a motion to approve the use of average natural grade to measure the height of the structure. LD Seconded. Passed 4-0.

SG made a motion to determine the additional square feet as a de-minimus change that would not affect any of the abutters. LD Seconded. Passed 4-0.

SG made a motion to approve the project as submitted subject to conditions of construction as discussed being included in the approval, a limit of work line added to the site plan, and that the applicant and neighbor must either agree to a reasonable mitigation plan for screening or come back to the Planning Board. LD Seconded. Passed 4-0.

7:55 PM Determination of Minor Change, Section 17, Site Plan Review: Civico Development, Oriole Landing, 1 Mary's Way, Parcel 111-11-0. Application to add two permanent signs and one temporary sign.

David Oliveira presented three proposed signs for Oriole Landing.

Sign Type A:

The applicant is proposing a painted wall mural on the side of the building which will incorporate the project logo. The mural will be 10' high and 25' long. The applicant has submitted representation of a similar type artwork and states that the final artwork is to be approved by the Board. The Board noted that if this was to be an art piece then they would approve it conditioned on review of the final design. The Board stated that if the design looked more like a billboard advertising Oriole Landing, then they would not approve it. The Board also stated that their approval would be conditioned on there being no lights illuminating the mural.

Sign Type B:

The applicant is proposing a post sign at the entrance. The sign will measure 4.5' wide by 6' tall and will be hung from a 10' post. This sign will require a lighting fixture. The Board noted that it would be impossible to see the entrance to the complex without the sign being lit. The Board requested that the applicant come back with the specifications for the light for the Board to approve.

Sign Type C:

The applicant requests a temporary leasing sign measuring 5' X 5' attached to the construction fencing in the front of the property.

The Zoning Bylaw allows sale or leasing signs for a period of six months by right, but the signs are restricted to 8 square feet. This sign exceeds the size threshold and therefore requires Planning Board approval.

The Board reviewed the design of the sign and had no objections except that approval would be conditioned on there being no lighting for this sign and that the leasing sign would be removed once the applicant received a temporary CO for the leasing office or when the construction fencing is removed, whichever happens sooner.

GT made a motion to approve the mural (sign A), the post sign (sign B), the leasing sign (sign C) subject to the following conditions:

1. The final design of the mural must be reviewed and approved by the Board.
2. The mural shall have no lighting.
3. The lighting fixture for the post sign must be reviewed and approved by the Board.
4. The leasing sign shall be removed when the applicant receives a temporary CO for the leasing office or when the construction fencing is removed, whichever happens sooner.

SG Seconded. Passed 4-0.

7:30 PM Business

Minutes: Review of January 28, 2020 and February 5, 2020 minutes.

MO made a motion to approve the 1/28 minutes as amended. SG Seconded. Passed 4-0.

MO made a motion to approve the 2/5 minutes as amended. SG Seconded. Passed 3-0.

Determination by Appointing Authority as required by G.L. c 268A, Section 19 for Andrew Guild, The Community Builder's rep to SLPIC.

GT noted that Mr. Guild was a member of the management of Lincoln Woods and that in response to feedback received from the public forums and meetings it would be more relevant to have residential representation on SLPIC. The Board asked if it would be possible to appoint a Lincoln Woods resident as the Lincoln Woods representative to SLPIC. Staff will reach out to Town Counsel to see what the proper procedure would be. Can the Planning Board replace the management seat with a resident or not? If the seat must remain a representative from management, can the Board appoint an additional seat for a resident.

The Board noted that they need to be mindful that the SLPIC committee does not get too large as they are already having problems achieving quorums. The Board's preference would be to have the Lincoln Woods representative be a resident and not expand the committee.

The Board agreed that they would not go forward with Andrew Guild as a member of SLPIC and will wait for Town Counsel's direction.

Approved February 25, 2020