

TOWN OF LINCOLN
MINUTES OF THE PLANNING BOARD
MARCH 10, 2020
TOWN OFFICES

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

STAFF: Paula Vaughn-MacKenzie

7:00 PM Public Hearing, Section 12.6, Wireless Communications Facilities Overlay District: T-Mobile Northeast, LLC, 30 Lewis Street, Parcel 171-25-0. Special Permit to maintain an existing wireless facility for a new term and Eligible Facilities Request to add a generator. Vote expected.

The application is for a new Special Permit for T-Mobile, a current tenant with antennas and equipment at 30 Lewis Street. The application is for a new special permit as the special permit issued 10/16/2012 expired 10/16/2017. The current application does not include any work for adding antennas or equipment or upgrades to the site. However, T-Mobile is the anchor tenant on a future backup power generator which is being proposed by American Tower Corp., under a separate Eligible Facilities Request.

The proper notice was published in the newspaper and abutters were notified by mail.

The applicant requested waivers of the following provisions as not relevant on the basis that the cell tower already exists and no changes are proposed with this application: 12.6.4(b)(1) & (2), 12.6.4(c), (d), (e), (f), (g), (h), (i), and 12.6.4.1 and 12.6.4.2.

The applicant submitted a notarized statement saying the information is materially accurate, true and verifiable. Per 12.6.4.1(a) and copies of the lapsed special permit and lease. In addition, the applicant has submitted a site plan layout plan Site -1, dated 10/3/2018 and a Tower Elevation & Coax Layout A-1 dated 6/4/2015.

The Planning Board agreed that since there are no proposed changes to the facility, the antennas or equipment so that the only issue is the term of the new special permit.

The Planning Board noted that the carrier was not concerned with operating under a valid special permit and the only reason that they are before the Board is the request for a new generator. RR said that he would give a new special permit only equal to the remainder of the term that the Planning Board would have given had the applicant requested a timely extension prior to its expiration. The other members of the Board agreed. The special permit expired 10/16/2017. If

the Planning Board had issued a five-year extension, the new term would expire 10/16/2022. The Board agreed to grant a special permit to expire on 10/16/2022 and cautioned the applicant's agent to explain that the Board takes the special permit process seriously and expects T-Mobile to make a timely application for a new extension at the expiration of this special permit.

RR made a motion to grant a new special permit for a term equal to the duration of the remainder of a five-year term as if the applicant had made a timely application for extension of the existing special permit and the Board had granted a 5-year extension conditioned on general and special conditions contained in the special permit approval and the requirements of the zoning bylaw. SG Seconded. Passed 5-0.

Eligible Facilities Request

The applicant, American Tower, as manager of the Tower for Verizon, has submitted an Eligible Facilities Request to add a back-up generator to this property.

Submittals:

1. Cover Letter dated January 21, 2020.
2. Planning Board Application Cover Form.
3. Eligible Facilities Request Submittal list annotated.
4. Eligible Facilities Request Certification dated January 20, 2020.
5. Notarized statement that submittal is materially accurate, true and verifiable dated January 17, 2020.
6. Lease Agreement between Town of Lincoln and Verizon.
7. GIS photos of site.
8. Example of Generac generator.
9. Specifications for Generac Industrial Diesel Generator.
10. Shared Generator plans, including sheets G-001, G-002, C-101, C-501, and E-601 dated 10/16/2018.
11. Email from John Clausen dated March 9, 2020 which included spec sheet for the sound level of the proposed generator with standard enclosure.

The Board noted that the generator as proposed did not meet the requirement of the Zoning Bylaw. The Bylaw requires no sound at neighboring parcels. Section 12.6.6(q) requires that acoustic emissions shall be inaudible on neighboring parcels in residential zoning districts. The submitted specifications showed that the generator with the standard enclosure would emit a decibel level of 61 at the nearest residence. The Applicant also submitted a spec sheet which showed two alternative sound enclosures for the generator.

The Board noted that since the DPW parcel (30 Lewis Street) is adjacent to residential properties, the requirement of the Zoning Bylaw, Section 12.6.6 (q) must be met. It is up to the applicant to comply with the requirement.

MO made a motion to approve the Eligible Facilities Request subject to the applicant complying with the requirement of the zoning bylaw Section 12.6.6(q). SG Seconded. Passed 5-0.

GT suggested that the Board work on a policy to address the problem of carriers not making timely applications for renewal of their special permits.

7:20 PM Citizen's Petition: Presentation to the Planning Board and request of support of the following Citizens petition.

To see if the Town will vote to support:

- 1) The continuing participation of the United States in the Paris Climate Accord; and
- 2) The enactment by the state legislature and implementation by the executive branch of these statewide climate-related policies:
 - a) Promote environmental justice, by including those most impacted by climate change and fossil fuel pollution as participants in crafting new, equitable policies;
 - b) Accelerate the growth of clean energy, to achieve 100% renewable electricity by 2035 and 100% renewable energy for heating and transportation by 2045; and
 - c) Use mechanisms such as equitable carbon pricing or the transportation climate initiative to speed the transition away from fossil fuels and to invest in our future.
- 3) Conveying such vote to our elected officials at the federal and state level; and
- 4) Directing Town departments, boards, and committees to collaborate on and otherwise take expeditious action to adopt and implement appropriate measures to reduce the carbon footprint in Lincoln to the extent reasonably possible, following Town Meeting approval if necessary or desirable.

Chris and Sue Klem appeared before the Board and requested feedback and endorsement of a Citizen's petition. Committee members proposing this petition are Alex Chatfield, Emily Haslett, Chris Klem, Sue Klem, Paul Shorb, and Tom Walker. The initial petition was revised to include the following language.

- 4) The Town's development of a long-range climate action roadmap and recommendations to assist the Board of Selectmen (BOS), town departments, boards, and committees in the identification, design and implementation of cost-effective and practical measures to promote

climate change mitigation, adaptation and resiliency in Lincoln, and help the Town achieve the climate change goals outlined above. The roadmap shall take account of and further promote the many actions in response to climate change that the Town has taken and will take, and shall be based upon such resources as the Green Energy Committee's 2020 Town of Lincoln Community Greenhouse Gas Report. The BOS shall assign responsibility for the roadmap to an existing or newly created volunteer committee, which shall report on its activities and recommendations at future Town Meetings.

Chris Klem made a short power point presentation and asked for feedback. GT asked if there was any pending legislation that is consistent with the goals of the petition particularly the goals for renewable electricity by 2035 and renewable heating and cooling by 2045. Mr. Klem responded that the bill by Senator Barrett was more of an umbrella bill. Governor Baker has set a goal of net zero by 2050. Mr. Klem is trying to figure out how to get there.

GT noted that number four was the most complex as it applies proactively to Town actions. Mr Klem wants to do a high-level planning process to figure out how to achieve this timeline. He believes the effort will interconnect with other Boards.

The Board asked why the Green Energy Committee is not involved in this process. Mr. Klem responded that the Green Energy Committee has been consumer focused. He is talking about regulating and mandating requirements for the built environment.

MO noted that the greatest energy efficiency can be achieved in the built environment by building boxes with party walls. This is dense housing with a great deal more conserved land. This reality, however, conflicts with most people's view of what Lincoln should be. These views were strongly expressed in the South Lincoln Village Zoning discussion. There needs to be broad support for the changes that are being proposed. It is imperative that people drive less rather than just buy electric cars and more energy saving things.

Sue Klem said that a new committee would think about these options and help prioritize what would get the Town to net zero.

GT noted that the Town is not able to implement requirements on building that are more stringent than the State Building Code.

Chris suggested that the Town can look at plans from other Towns and identify things that Lincoln can do. MO suggested that the committee should focus on education and building support before it tries to implement these kinds of changes.

Chris noted that earlier climate plans were more general but now there is a sense of urgency and the plans are becoming more specific. He cited the Town of Lexington's plan completed in 2018. Chris also noted that initiatives such as wetland replication should be in addition to the Town's current efforts in Municipal Vulnerabilities and MS4 permitting which is on the agenda for the spring Town Meeting.

LD asked if Chris was proposing a new committee. Chris responded that he is, and the new committee would be a Board of Selectman construct. GT thought that planning for specific objectives should be within the traditional exercise of planning and asked why the Planning Board would not be leading this effort. MO agreed with Gary and suggested that any such committee could be a subcommittee of the Planning Board.

Chris noted that the BOS was concerned that this effort overlaps with the work of the Green Energy Committee. MO thought that such an effort would involve multiple groups. She would be in favor of trying to figure out what would be the first step in such an effort. Others would need to be involved such as Conservation and Green Energy.

LD made a motion to support the Citizen's Petition to the Town at Town Meeting. GT Seconded. Passed 5-0.

8:00 PM Discussion of Proposed General Bylaw entitled "Illicit Discharge Control and Stormwater Management Bylaw" and accompanying Rules and Regulations.

Nick Cristofori, the Town's engineering consultant gave a power point presentation on the proposed General Bylaw.

Mr. Cristofori explained that the Town has until June 30, 2020 to pass the general bylaw. The passage of the Bylaw is mandated by the State. Lincoln is one of over 200 communities which must pass such a bylaw because of water going into the Cambridge Watershed.

The Bylaw is in two sections. The first is Illicit Discharge Control which is under the jurisdiction of the Board of Selectmen. This section gives the Town the ability to not only regulate illicit discharge but to enforce it. Nick noted that there is probably very little illicit discharge going on in the Town, but this Bylaw will allow the DPW to report any that they may find.

The second section is Stormwater Management and is under the jurisdiction of the Planning Board. This section of the bylaw requires a certain process of submittal and review for a Disturbance of Land of 1 acre or more. Accordingly, the Bylaw would apply to only large projects.

The Planning Board noted that they have been requiring most of the proposed regulations for large projects already. The Board routinely requires that the Town hire a consulting engineer at the applicant's expense to review plans regarding stormwater management and monitor construction. The proposed Bylaw seems to codify a practice that already exists in Lincoln. Mr. Cristofori agreed.

The Planning Board will need to pass rules and regulations governing the details of the Stormwater Management Bylaw. The rules and regulations will set out the submittal requirements and the process for such projects. Theses rules and regulations will be finalized after the Bylaw is passed and will be accepted at a Planning Board public hearing.

8:30 PM Business:

Working session for Board update to Town Meeting of South Lincoln Zoning.

GT showed a draft of a power point presentation for comment from the Board. GT will continue to work on the slide deck and will incorporate the comments from the Board. PV-M will send around the slide deck so Board members can edit.

Review of February 25, 2020 minutes.

RR made a motion to approve the February 25, 2020 minutes as amended. MO Seconded. Passed 5-0.

RR made a motion to adjourn. SG Seconded. Passed 5-0.

Approved April 28, 2020