

TOWN OF LINCOLN
MINUTES OF THE PLANNING BOARD

APRIL 9, 2019

TOWN OFFICES

PRESENT: Richard Runell (RR), Gary Taylor (GT), Stephen Gladstone (SG)

ABSENT: Margaret Olson, Lynn DeLisi

STAFF: Paula Vaughn-MacKenzie

7:00 PM Public Hearing, Section 17, Site Plan Review: Mass Audubon, 0 Old Sudbury Road, Parcel 178-12-0. Public Hearing for site plan review of proposed hoop house.

RR opened the public hearing.

Renata Pomponi, Sanctuary Director of Drumlin Farm and Matt Celona, the Crops Manager of Drumlin Farm appeared before the Board. Mass Audubon had withdrawn a previous application due to neighbor dissatisfaction with the location. The hoop house in the original location would have been visible to the abutter at 32 Boyce Farm Road and from the Boyce Farm Road turnaround.

Ms. Pomponi hosted a neighborhood meeting for feedback relating to a preferable location for the hoop house and has proposed a new location that will be less visible to the neighbors while still providing a satisfactory location for growing.

Legal Notice was properly advertised in the newspaper and abutters notices were mailed.

Siting: Mass Audubon has chosen the proposed location because it is invisible to any neighbors except for 31 Boyce Farm Road. This neighbor will have obscured sightlines from the ground level when trees are leafed out, but they will be able to see it from the second floor of the house.

The structure cannot be seen from 32 Boyce Farm Road or from the Boyce Farm Road turnaround.

Mass Audubon has stated that it is willing to install additional evergreen screening if the Planning Board feels it is necessary but would like to wait until the hoop house is in place so that specific sight lines can be determined.

Size: The structure will measure 30X96 feet and will be 2880 square feet of floor area.

Setbacks:

The hoop house is located 161 feet from the nearest lot line. This meets the 75' requirement for non-residential structures in a residential zone.

Use: Agricultural use is allowed in a residential zone on properties with more than 5 acres. Mass Audubon owns more than five acres. The hoop house will support agricultural operations through year-round in ground growing of vegetable crops.

Height: The specification sheet shows the height of these structures as 13 feet but has a note that the Drumlin structure will have post extenders that raise the peak height by 2 feet to 15 feet in order to accommodate a tractor for tilling the soil inside the structure.

Drainage: The hoop house will be installed on temporary metal stakes with no foundation. There will be no change in topography.

Lighting: There will be no exterior lighting and no electrical service.

Water: A water line will be extended to the location via a frost-free hydrant.

SG noted that he was happy that Drumlin Farm conducted the neighborhood meeting and adjusted the location to accommodate the abutters. He felt that the new location was a reasonable one. GT agreed and noted that the new location was the best result for the neighborhood.

Ms. Pomponi noted that they have spent a year trying to find the best location that would provide the proper light and conditions required for growing as well as accommodating the neighbor's concerns. She indicated that the new location is not optimal for their agricultural uses, but believes this is the best compromise. She also noted that this model of hoop house is the same one that is used by Codman and Lindentree farms.

The Board next opened the hearing up to public comment.

Peter Von Mertens voiced his support of the project. He noted that hoop houses allow a farmer to time crops differently for a better return and extend the growing season. This is especially important in New England where the growing season can be very short.

Ellen Raja also supported the project and noted how important it will be to grow food in the changing climate. She noted that hoop houses were being used across the country to combat the changing weather.

Mr. Lenington of 31 Boyce Farm Road noted that he was afraid that this would be the first of many hoop houses and other structures to be erected in the future. He was concerned that there would be increased noise and activity associated with this and future projects.

GT noted that the location has been moved to decrease the impact to the abutters and the new location is not ideal for Mass Audubon. Ms. Pomponi stated that there are two hedgerows between

the hoop house and 31 Boyce Farm Road, and she did not think it would be visible from the first floor of the 31 Boyce Farm Road house. She asked if she and the homeowner could review the sight lines once the hoop house was up.

The Board noted that it was not reasonable to expect vegetative screening to block the view from the second floor of an abutting home, but they should require mitigation from the ground floor.

GT made a motion to close the public hearing. SG Seconded. Passed 3-0.

SG made a motion to approve the proposed hoop house as presented subject to the applicant providing a plan for adequate vegetative screening to mitigate the view from the ground floor of the abutting home at 31 Boyce Farm Road. Applicant shall submit a screening plan to be approved by the Planning Board after the erection of the hoop house that is reasonably satisfactory to the applicant and homeowner of 31 Boyce Farm Road. GT Seconded. Passed 3-0.

Business:

Minutes: SG made a motion to approve the April 2, 2019 minutes as amended. GT Seconded. Passed 3-0.

7:20 PM PUBLIC HEARING, Section 12.6, Wireless Communications Facilities Overlay District: New Cingular Wireless PCS, LLC (ATT), 131 Cambridge Turnpike, Parcel 127-13-0. Modification of a Special Permit to maintain an existing wireless facility for a new term and Eligible Facilities Request for a change in equipment.

RR opened the public hearing.

Legal Notice was properly advertised in the local newspaper and abutters notifications were mailed.

RR opened the public hearing. Since there is not a quorum to hear a special permit, the hearing will be continued with the agreement of the applicant to April 23, 2019.

GT made a motion to continue the public hearing until April 23, 2019 at 6:45pm. SG Seconded. Passed 3-0.

7:40 PM Public Hearing, Section 17, Site Plan Review: Kumler, 28 Beaver Pond Road, Parcel 152-13-0. Public Hearing for site plan review of a proposed ground mounted solar array.

RR opened the public hearing.

Kipton and Katherine Kumler, and Diane Martz, from Mass Renewables appeared before the Board.

Legal notice was properly advertised in the local newspaper and abutters notification was mailed.

The Project: The applicant proposes to install three post mounted solar arrays. These arrays are solar trackers. Panels are 41.5" high X 62.6" wide. Each array is 4 panels wide (4X 62.6" = 21') by 5 panels high (5X 41.5' = 17.3' high). The capacity of the installation is rated at 19.2kW AC. It is expected to generate 29,592 KW per year.

The applicant states that roof solar is not an option due to his complex roof.

The Site: The parcel contains 8.16 acres.

Bylaw:

Setbacks are for accessory structures: The three arrays will be located 30 feet from the side lot line. The width of all three arrays is shown as 100' and the location is shown on a submitted site plan.

Must not be placed in the front yard: The solar arrays are located in the front yard but are over 500 feet from Beaver Pond Road and not visible.

Equipment can be placed on a side or backyard: The applicant does not show any associated equipment.

Height must not exceed 12 feet: The height maximum height is 18 feet from the finished grade to the top of the array and therefore exceeds the height restriction. The trackers are at the maximum height only when the sun is at its lowest angle.

Ground Mounted and Roof arrays must not exceed 125% of residential consumption:

Annual Consumption equals 54,729 kW.

Applicant submitted a year's electricity bills to verify annual consumption.

29,592 kW = 54% of 54,729 kW.

Waivers needed: The applicant is asking for two waivers:

1. Height: The maximum height of the three arrays is 18'. The applicant states that the arrays are set against a backdrop of trees and brush in an open pasture several hundred feet from any dwelling.
2. The arrays are located in the front yard: The applicant states that arrays cannot be seen from the street which is 500 feet away nor is it near the front of the house.

SG asked why the Board should approve a height greater than the Bylaw requirement of 12 feet. Mr. Kumler responded that the arrays will only be at the maximum height of 18 feet first thing at sunrise and at sunset. The rest of the time the arrays will comply with the height of 12 feet. The pivot point of the panels is 11 feet and at night the panels will be horizontal to the ground. He also noted the arrays are not visible to either Beaver Road or any of the abutters. He stated that he has spoken to the three direct abutters, the Parks, the Gustavsons and the Vander Meulens who all support the project. He noted that he researched the options for 5 months with Diane Martz from

Mass renewables. The tracker solar arrays provide 50% more energy than stationary arrays as the trackers follow the sun. He will be using the newest generation of black panels and he hopes to make the property, including the winery that he operates there net zero.

GT noted that he walks down Beaver Pond Road every day and that the location of the solar panels make them invisible to the road. SG agreed and stated that he is very familiar with the property. Locating the array in the technical front yard will have no impact. He also noted that the height of 18 feet was mitigated by the fact that the arrays would be at the max height for a short period of time and were not visible by anyone.

GT made a motion to close the public hearing. SG Seconded. Passed 3-0.

GT made a motion to approve the project as submitted and to grant a waiver for height to allow the height of the solar arrays to be 18 feet and to grant a waiver to allow the location of the arrays to be in the front yard of the property. SG Seconded. Passed 3-0.

7:50 PM Public Hearing, Section 17, Site Plan Review: Hobson, 31 Bedford Lane, Parcel 113-56-0. Public Hearing for site plan review of a proposed ground mounted solar array.

RR opened the public hearing.

David and Elizabeth Hobson along with a representative from NV Energy appeared before the Board.

Legal notice was properly advertised in the local newspaper and abutters notification was mailed.

The Project: The applicant proposes to construct a ground mounted solar array. The array measures approximately 56' X 10'. There are 40 panels of 310 W with total capacity of 12,400 W DC.

The house already has solar panels on the roof. The applicant stated that increasing the roof installation is not an option because all efficient area for solar is already used.

The Site: The parcel contains 2.47 acres.

Bylaw:

Setbacks are for accessory structures: The array will be located at least 20 feet from the side and rear lot lines. The location is shown on the submitted site plan.

Must not be placed in the front yard: The solar array is located in the rear yard.

Equipment can be placed on a side or backyard: The associated equipment is located on the house facing the side yard.

Height must not exceed 12 feet: The height will not exceed 12 feet from the finished grade to the top of the array.

Ground Mounted and Roof arrays must not exceed 125% of residential consumption:

The current annual shortfall after roof solar is 19,095W. The annual shortfall after adding ground mounted is 6,601.9W

Applicant submitted a year's electricity bills to verify these numbers.

Waivers needed: None

Mr. Hobson noted that the exact location will be determined when they dig for the piers that will support the array. The location may need to be shifted slightly if ledge is discovered. Any final location will comply with the 20-foot setback requirement. Mr. Hobson also stated that the array will be comprised of black panels with black borders.

SG noted that the project and location looked reasonable.

The Board next opened the meeting to public comment.

Debra Orr, the direct abutter stated that many trees were removed which will make the array easily visible to her when she is in the backyard or on the back deck. She can already see the strings that are showing the location through the backyard. She does not want to be able to see the array when she is sitting on her back deck. She noted that she is willing to work with Mr. Hobson to come up with a reasonable screening plan.

Mr. Hobson responded that there is a row of Norway spruce that provides partial screening and that his intent is to plan vegetation along the mutual boundary line for a wind break but did not know when that would be completed.

GT thought that reasonable efforts to mitigate the view should be taken. SG noted that it is incumbent on the applicant to come forward with an adequate screening plan. RR also thought that the applicant should add screening and noted that the Board has routinely asked for 6-8-foot evergreen trees to provide screening for abutters.

SG suggested that the project be approved conditioned on the applicant submitting a screening plan to the Planning Board that was agreeable to the neighbor. Both the applicant and Ms. Orr agreed.

GT made a motion to close the public hearing. SG Seconded. Passed 3-0.

SG made a motion to approve the proposed ground mounted solar array conditioned on the applicant submitting a screening plan to be approved by the Planning Board which is reasonably satisfactory to Ms. Orr and includes evergreen trees with a minimum of 6-8 feet in height. GT Seconded. Passed 3-0.

8:30 PM RR made a motion to adjourn. SG Seconded. Passed 3-0.

Minutes approved as amended April 23, 2019