

TOWN OF LINCOLN
MINUTES OF THE PLANNING BOARD
JUNE 9, 2020
ZOOM MEETING

Virtual Meeting Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law

PRESENT: Margaret Olson (Chair), Lynn DeLisi (Vice-Chair), Richard Rundell, Gary Taylor, Stephen Gladstone, Craig Nicholson (Assoc. member)

STAFF: Paula Vaughn-MacKenzie

7:00 PM SLPIC restructuring

In the prior meeting, the Board discussed their intent to restructure the SLPIC committee. The Board noted that the initial SLPIC committee was too large resulting in quorum problems and sporadic meetings. The Board thought that a small committee made up of Town officials would bring needed expertise to the committee. The new committee would be reduced from 11 members to 5 members which would include 2 Planning Board members, one Housing Commission or Housing Trust member, one BOS member and that the fifth member would be a Finance Committee member. This smaller committee would meet on a regular schedule and input from stakeholders and the broader community would be a priority. LD proposed to terminate the committee completely and bring all of its work to the Planning Board. Others disagreed. They commented that it would be too much work for the Planning Board, as there is a broad range of initiatives under the SLPIC umbrella including a successful wayfinding program, transportation planning, as well as the South Lincoln Village zoning proposals. The members of the Board all agreed that regular reporting to the Planning Board would be another priority.

LD then proposed that a South Lincoln resident should be added to the new committee and to enlarge the committee to 7 members rather than 5 with another member coming from Conservation or Board of Health. Others disagreed because there was concern about having only one stakeholder on the committee and they questioned how that one representative would be selected. LD argued that residents were different than "stakeholders". Another Board member also questioned the need for the other boards to be represented and could be called on if needed. If the Board tried to have all the stakeholders on the committee, they were back to having a committee that was too big to function. LD argued that 7 was only 2 more than 5 and that 5 was not a magic number known for the best group discussions. She commented that some group experts say a

maximum of 8 is an optimal group. SG, MO and GT commented that a better way is to have a small committee made up of Town officials and board members that would solicit feedback from all stakeholders and that would periodically report back to the Planning Board. This would be similar to the model of scheduled meetings and public outreach that the school building committee employed.

. Other members thought input from other committees such as Conservation and Board of Health could be solicited when necessary but that these committees were not needed for the day to day work of the committee.

MO opened the discussion to public comment. One public participant agreed with LD to expand the committee to seven members to include a representative from Conservation and a resident of South Lincoln. Connie Ohlsten and Bob Domnitz wanted the Board to wait until after the election to decide on the formation of the committee. Jessica Packineau wanted a resident seat.

Other comments included that there was not enough communication from the subcommittees to SLPIC and to the Planning Board. Any proposed zoning should not be done by a subcommittee of a subcommittee because the perception by the public is that the zoning subcommittee was a decision-making body. The word "advisory" should be added to the committee name to make it clear that SLPIC is an advisory committee to the Planning Board.

MO noted that there has been consistent feedback for the past twenty plus years that the Town wants a vibrant, walkable town center. The issue is how to meet those expectations that is acceptable to the Town. Previous efforts collapsed. The Planning Board acknowledges that it is a difficult task and that the latest zoning proposal had raised concerns among Mall area residents and others that need to be addressed. The work of the Planning Board is ongoing and restructuring the SLPIC committee is part of that ongoing work. It is reasonable and consistent with past practices to wait until after the election to name the new members of the committee.

LD made a motion to continue the committee as SLPAC, the South Lincoln Planning Advisory Committee, to take the zoning effort out of the committee, and to have a seven-member committee.

Other members disagreed with parts of the motion and the Chair asked LD to separate the motion into separate motions.

LD made a motion to rename the committee from SLPIC to SLPAC, the South Lincoln Planning Advisory Committee. RR Seconded. Roll call: SG Aye, LD Aye, RR Aye, GT Aye, MO Aye. Passed 5-0.

LD made a motion for the SLPAC committee to have seven members. SG seconded.

Members of the Board raised the difficulty of having only one resident member of a committee representing all residents. LD reminded them that a neighborhood consortium was established, as one of the public participants mentioned and they could easily select one of their members to represent them. RR thought that resident coalitions are important and useful to the planning process but choosing one resident to represent all residents is challenging. There is an appeal of accountability of having Board member as committee members. MO, GT, and SG agreed. MO

commented that it is important to remember that whatever happens in South Lincoln affects not only the residents of South Lincoln but the residents of the entire town. GT thought that a plan of regularly scheduled meetings in an effort to solicit broad feedback is a better way of getting public input. Another Board member commented that a committee of Town officials and other board members will have the accountability that people are looking for. In addition, having committee members with a vested interest in the outcome is a problem, especially when all stakeholders will not be represented. Although resident groups and coalitions are valuable, all stakeholders should have equal access to the committee.

The Board voted on the motion as follows: Roll call: SG nay, LD aye, RR nay, MO nay, GT nay. The motion failed 4-1.

MO made a motion for the newly named SLPAC committee to have five members to include 2 Planning Board, 1 Housing, 1 BOS, and 1 Finance Committee. GT Seconded. Roll call: SG aye, LD nay, RR aye, MO aye, GT aye. The motion passed 4-1.

RR made a motion to wait until after the election to name the members of the SLPAC committee. SG Seconded. Roll call: SG aye, LD aye, RR aye, MO aye, GT aye. The motion passed 5-0.

8:15 PM Determination of Minor Change, Section 17 Site Plan Review, The Birches School, 100 Bedford Road, Parcel 127-12-0. Request to add an accessory structure to house one classroom and one bathroom to comply with COVID-19 requirements for social distancing of students.

The Project: The Birches are requesting approval for a one story 600-foot accessory structure in the back of their current building that will have one classroom and one bathroom. They are requesting the extra space to be able to comply with the COVID-19 social distancing requirements.

Submitted documents:

1. Application Cover Form dated 6/2/2020
2. Memo from Cecily Wardell, Birches School dated May 29, 2020
3. Site Plan by Snelling and Hamel revised May 28, 2020.
4. Elevations by Gavin and Sullivan Architects dated June 2, 2020.
5. Disposal System Construction Permit no 17-4L dated 7/31/2017.
6. Septic Plan prepared by Stantec, sheets 1-4 dated 5/25/2017.
7. Letter of Support from Peter Cunningham, 11 Rockwood Lane dated May 31, 2020.
8. Letter of Support from Geoff McGean on behalf of LLCT and RLF dated June 3, 2020.
9. Letter of Support from Dan Pereira, Director of Parks and Recreation dated June 8, 2020.

Process: The Board is hearing this under a Determination of Minor Change. Although the Board historically has considered the addition of interior square footage a major change requiring notice to abutters, when it is a non-residential use, a major change would also require legal notice in a newspaper. This process will take approximately one-month lead time. In addition, a major change would require a 20-day appeal period. Under the current state of emergency, all appeal periods do not start to run until 45 days after the lifting of the state of emergency. This means that any major change would force the applicant to proceed at their own risk.

Abutters: I suggested that the Birches reach out to the direct abutters prior to the hearing, which they did. Both direct abutters submitted letters of support.

Zoning: The project complies with all zoning requirements. The proposal is a one-story structure with a pitched roof. The height of the structure from the lowest exposed point to the ridge of the roof is 18' 10". The footprint measures 20'X30' and the structure contains 600 square feet. It is located 108' from the nearest lot line.

Septic: The applicant states that the current septic is adequate to include the accessory space and bathroom. The applicant submitted the Board of Health Certificate that specifies that the septic is designed for 168 students and staff and a 2-bedroom apartment. The applicant expects no more than 90 students and staff. The septic is therefore more than adequate.

Lighting: There will be no exterior lighting proposed for the accessory structure. If the building inspector requires any, the fixtures will comply with lighting guidelines and zoning requirements.

RR expressed concern about setting a precedent, and particularly noted the extenuating circumstances due to the Covid-19 pandemic and also emphasized that the submitted documentation of abutter support should be recognized as a key factor in considering the change a minor change.

GT made a motion to consider the change a minor change in light of the extraordinary circumstances of the Covid-19 pandemic and because of the documented support of all abutters. MO Seconded. Roll call: SG aye, LD aye, MO aye, GT aye, RR aye. The motion passed 5-0.

LD made a motion to approve the change as submitted. GT seconded. Roll call: SG aye, LD aye, MO aye, RR aye, GT aye. The motion passed 5-0.

APPROVAL NOT REQUIRED, SECTION 2.0 OF THE RULES AND REGS GOVERNING THE SUBDIVISION OF LAND AND LAYING OUT OF WAYS: Fienberg, 185 and 191 Weston Road, Parcels 181-30-0, 181-32-0, 184-7-0, & 184-7-1. Request for endorsement of an ANR plan to change lot lines which will not create a building lot. Vote expected.

The Board reviewed the plan and noted that requirements of an ANR plan have been met:

There is adequate frontage for both Lot 1A equal to 215.10 and lot 2A equal to 481.61 and adequate access on a public road (Weston Road).

1. Identification of the plan by name of owner of record and the names of abutters.

Feinberg Residence 185 and 191 Weston Road, Middlesex County – South District Lincoln, Massachusetts. Names of abutters are specified on abutting properties.

2. The location of all structures, ways, easements, and the extent of any residue of the land divided.

The structures, ways, easements are shown on the plan.

3. The statement “Approval Under the Subdivision Not Required” and sufficient space for the date and endorsement of the Board.

Provided.

RR made a motion to endorse the ANR plan. LD Seconded. Roll call: LD aye, MO aye, RR aye, SG aye, GT aye. The motion passed 5-0.

Business

RR made a motion to approve the May 26, 2020 minutes as amended. SG Seconded. Roll call: SG aye, LD aye, RR aye, MO aye, GT aye. The motion passed 5-0.

Board members discussed administrative procedures during the COVID-19 lockdown and decided to come individually to the Town Hall to sign the ANR plan and any approvals that are voted on via zoom meetings.

RR made a motion to adjourn. LD Seconded. Roll call: SG aye, LD aye, RR aye, MO aye, GT aye. The motion passed 5-0.

Approved as amended June 23, 2020