

**TOWN OF LINCOLN  
MINUTES OF THE PLANNING BOARD  
ZOOM MEETING  
JUNE 23, 2020**

**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), Gary Taylor, Stephen Gladstone, Robert Domnitz, Craig Nicholson (Assoc. member)

**STAFF:** Paula Vaughn-MacKenzie

**7:00 PM Determination of Minor Change, Section 17 Site Plan Review, CJ Doherty, 14 Reiling Pond Road, Parcel 129-18-0.** Request to add a plunge pool to the existing site plan within the building envelope of a cluster subdivision.

**The Project:** The Doherty's wish to add a modular in ground swimming pool to their backyard. The property slopes down in the back so no new grading is proposed.

**Submitted Documents:**

1. Application Cover Form dated June 11, 2020
2. Residential Site Plan Application
3. Memo from Charles Doherty describing the project.
4. Site plan by Design Consultants showing the location of the pool and the building envelope, dated June 10, 2020.
5. Specification sheets for mod pools 2020.

**Process:** The Board is hearing this application pursuant to a Determination of Minor Change to an approved site plan. Because the house is over 6500 square feet of calculated gross floor area, the new five-year sunset provision does not apply. The applicant would like to install this modular pool as soon as possible so that his children can use it this summer. If the Board determines that the addition of this pool should be considered a major change to the site plan, the applicant would need to notify abutters via a certified abutters list from the assessor's office. To cover all bases, the applicant submitted a certified abutters list to the planning department and all abutters were noticed by mail.

**Zoning:**

Setbacks: Because this lot is part of a cluster subdivision, the normal setback requirements do not apply. Under the Declaration of Easements, Covenant, Restrictions, and Homeowners' Association Governing The Hobbs Brook Farm Cluster Subdivision -Lincoln Massachusetts, every lot has a building envelope where the dwelling must be located. Outside of the building envelope there is an

area that is allowed to be disturbed, and finally there is a limit of disturbed area, where the grading plan for the Lot must not significantly encroach.

In ground pools and tennis courts are allowed in the subdivision. In this case, the pool is located entirely within the building envelope and the applicant is not changing the existing grading. The pool location is outside the 100-foot buffer zone so no Conservation permitting is required.

**Lighting:** No lighting is proposed for this project.

**Abutters:** Two abutters sent e-mail requests to review the plans. Paula Vaughn-MacKenzie noted that she sent both abutters all the submitted documents. The abutters, Sean Wirtjes of 11 Reiling Pond and James Burke of 12 Reiling Pond are the direct abutters on either side of 14 Reiling Pond and would be the only ones affected by the project. Neither Mr. Wirtjes, Mr. Burke nor any other abutter raised any objections.

Mr. Doherty noted that he has four children at home and would like to install the pool as soon as possible. He explained that the plunge pool is five feet deep at all points much like the shallow end of a regular in ground pool. It is a refurbished storage container that is installed as one unit. The pool will be approximately 12" above the existing patio and will be finished with cut masonry stone and a bluestone cap. Because the grading drops off, the low end of the pool will be approximately 12"-18" above grade. A flower bed will wrap around the pool making it look as if it was always there. The pool comes with a locking hard top and therefore a fence is not required.

GT asked if all the abutters had been notified. Paula Vaughn-MacKenzie noted that all abutters specified on the assessor's certified abutters list had received a mailed notice. She also noted that the two abutters that asked for the plan received all the documents that were submitted.

BD asked if a crane would be used to place the pool and Mr. Doherty said that he will excavate the site and would hire a crane to place the pool.

There were no other questions.

LD made a motion to determine the addition of the plunge pool a minor change to the site plan. GT Seconded.

Roll call: SG aye, BD aye, MO aye, LD aye, and GT aye. The motion passed 5-0.

LD made a motion to approve the plan as submitted. GT Seconded.

Roll call: SG aye, BD aye, MO aye, LD aye, and GT aye. The motion passed 5-0.

## **7:40 PM Business**

### Minutes:

GT made a motion to approve the June 9, 2020 minutes as amended. SG Seconded.

Roll call: SG aye, BD aye, MO aye, LD aye, and GT aye. The motion passed 5-0.

Vote for Planning Board Chair and Vice-Chair.

The Board voted on the Chair and Vice-Chair.

GT made a motion to appoint Margaret Olson Chair and Lynn DeLisi Vice Chair for the next year. SG Seconded.

Roll Call: SG aye, BD aye, MO aye, LD aye, and GT aye. The motion passed 5-0.

Liaison and Committee Appointments:

The Board next discussed the liaison and Committee member slots for the year and nominated The following:

Battle Road Byway Committee: Paula Vaughn-MacKenzie

Hanscom Area Towns Committee: Steve Gladstone and Bob Domnitz as the alternate

Historic District Commission: Lynn DeLisi and Bob Domnitz

Library Landscape Committee: Gary Taylor

Housing Options Working Group: Gary Taylor and Jennifer Burney as the alternate

Roadway & Traffic Committee: Margaret Olson

Bicycle & Pedestrian Advisory Committee: Margaret Olson

MAPC: Jennifer Burney

MAJIC: Jennifer Burney

MO made a motion to appoint the people listed above to the corresponding liaison and committee member positions. SG Seconded.

Roll call: SG aye, BD aye, MO aye, LD aye, and GT aye. The motion passed 5-0.

SLPAC Charge: The Board next discussed the new charge for the SLPAC committee. BD wanted to have one or two Planning Board members work with the Town Planner and draft any proposed zoning and then bring it to the Planning Board. This process would not have open meeting law issues because there would be no quorum of the Planning Board. In addition, there would not be the requirement to keep minutes for these working sessions. MO noted that she prefers having a committee that works on this that is required to post meetings and keep minutes. The other way may not violate the letter of the Open Meeting Law but thought it would violate the spirit. One of the complaints over the past year was that some residents thought the process was not transparent enough.

LD noted that the Board voted to establish the SLPAC committee at the last meeting but suggested that the Board could put the zoning back into the hands of the Planning Board and have SLPAC work on everything else.

MO noted that the initial zoning proposal did not reach consensus but that there were several options that could be explored. The zoning could be restricted to the mall side of Lincoln Road or a project could go through the overlay and Town Meeting. MO suggested that the zoning needed a fresh approach. There are issues facing the Town and the region. The current model related to denser housing results in luxury housing and subsidized housing. Middle housing is completely lost. This certainly was not a goal of the previous SLPAC committee's work but an unintended

consequence. An alternative to explore might be form based zoning where the zoning focuses on the dimensions of the building rather than the number of units.

MO also noted that the SLPAC committee should take a different approach and should be open to suggestions. The committee should also hear the concerns of the RLF and their issues with keeping the commercial space viable.

SG added that he did not think the Planning Board should take on the zoning by itself. A small committee would be more efficient in drilling down on the issues and taking the time to hear from the public. The committee should report back to the Planning Board routinely.

GT noted that there are many interests to be weighed and balanced. He agreed with SG that a small committee will be more efficient to put it all together and noted that the input from RLF, Housing, Green Energy, the residents and the businesses should all be heard and taken into account. MO agreed and noted that to address the concern that the Planning Board be in communication, SLPAC should report back to the Board routinely. This project will require an enormous amount of time and many meetings as well a great deal of technical work. LD noted that SLPAC communication to the Planning Board had not been good and must be improved.

GT noted that the Town's vision statement needs to be reflected in any zoning proposal. MO agreed and noted that discussion of zoning should include how it will accomplish the goals set forth in the vision statement. She noted that there is strong support for the concepts but that the implementation is difficult.

BD stated that his role is to represent the voters that elected him to the Planning Board. He noted that Lincoln is very small and anything that is done in the Village Center will have negligible effect on the need for more diverse housing in the region. Many people who already live in Lincoln are not in the upper strata of income and we should be aware that every time we try to help people who do not already live in Lincoln, we may create hardship for those already living here.

GT noted that those residents living here in 1970 were already thinking of the difficulty of making sure housing in Lincoln was not out of reach for seniors, children of residents, and Lincoln employees. It was this goal that paved the way for Lincoln Woods.

MO asked the Board to think about how to get away from subsidized units. All members agreed that it would be a difficult task.

The Board agreed to work on the charge for the next meeting.

LD made a motion to adjourn. SG Seconded.

Roll call: SG aye, BD aye, MO aye, LD aye, and GT aye. The motion passed 5-0.

Minutes approved July 14, 2020