

TOWN OF LINCOLN
MINUTES OF THE PLANNING BOARD
NOVEMBER 10, 2020
ZOOM MEETING

PRESENT: Lynn DeLisi (Vice-Chair), Gary Taylor, Stephen Gladstone, Robert Domnitz

Margaret Olson joined the meeting at 8:02pm

STAFF: Paula Vaughn-MacKenzie

LD called the meeting to order.

7:00 PM Recommendation for Complete Streets funded path

PV-M described a Complete Streets approved multi modal path connecting Lincoln Station to Codman Road and points north. The concept for the path supports SLPIC/SLPAC's goal of creating a more vibrant and walkable village center. The new path would eliminate the need to cross Lincoln Road twice when traveling between the Mall and Codman Farm and Concord Road by roadside path. The new path will provide safe and accessible options for walking and biking for people of all ages and abilities. The state approved the project in August of last year and awarded the Town a grant of \$132,424.00 to construct the new path. Because of Covid-19, an extension for completion was granted by MassDOT until July 1, 2021.

The plan for the path has been modified as a result of engagement with stakeholders including Codman Farm and Doherty's Gas Station. The final concept is entirely within the right-of-way of the Town. The path will address safety concerns raised by Doherty's including cross walks across the two curb cuts of the gas station. In addition, the landscaping in front will be preserved. The path will not interfere with any community gardens and a small stone wall will separate the path from the gardens. In addition, a split rail fence is envisioned to maintain the rural aesthetic and form a visual barrier between the path and the gardens.

PV-M showed the Board the final sketches. She noted that the Doherty's were concerned about safety and were not supportive. The Town's Engineering Consultant, however, noted that by designating a path with cross walks, safety would be improved because people would walk along the path instead of through the gas station in the area of the gas tanks as is the current custom. The Murphy's (owners of Doherty's Gas Station), preferred that the path be located around the back of their property. After further study, the path around the back was deemed not feasible because of topography, wetlands, and the Tennessee Gas pipeline easement.

The Roadside Traffic Committee and the Bicycle and Pedestrian Advisory Committee are supportive and will be taking formal votes this week. The Codman Farm Board is reviewing the revised plan at their meeting tonight.

PV-M noted that no trees will be removed to establish the path. Phase 2 of this path would connect this path to one going north along Codman Road to the entrance of Codman Farm.

SG noted that the path looked good and is supportive. LD thought that it is important to connect to Codman, especially with the Farmers Market now located at Codman. GT noted that this is a great improvement to what exists. Connie Ohlsten noted that the Murphy's were concerned with buses exiting the gas station. GT thought that any issues with the buses exiting Doherty's exists now and people walk on the Doherty's side of Lincoln Road and cut through the gas station. This plan will make the current situation much better. BD asked if Doherty's would support this plan now that the path around the back has been ruled out as not feasible. SG thought that work in the public way for the public good should not be stopped because of a private property owner. He thought it will be much safer for people to be on a path in front rather than wandering through the gas station.

Jane Herlacher understands the big picture now but does not want a path across Codman Road on the Public Safety side. She does not know if that is feasible yet. She is supportive.

SG made a motion that the Planning Board endorse the plan for the path as presented. GT Seconded. Roll Call: SG aye, GT aye, BD aye, LD aye. Motion passed 4-0.

7:20 PM Site Plan Review, Section 17.7: Corkin, 18 Baker Bridge Road, Parcel 142-4-0.

Site Plan Review of construction of a repurposed barn structure.

Project: The applicant will be removing an existing garage, shed and chicken coop and replacing the structures with a repurposed barn 24' X 46', placed on a foundation. The area is flat and open, and no trees are being removed. The barn will be used for animals and storage.

The project is subject to site plan review because the total calculated gross floor area all the existing and proposed structures on the lot exceeds the 6500 square foot threshold of calculated gross floor area.

Zoning:

The lot is a conforming lot containing 4.12 acres.

The setback for the new barn is 60' from the nearest side lot line and 46' from another side lot line. The barn is set back over 300' from Baker Bridge Road.

The height of the Barn is 24'6" from the lowest exposed point to the ridge.

Landscape/Grading:

The barn will be located on an existing flat open lawn area. Any disturbed area will be returned to lawn.

Lighting:

There will be no exterior lighting.

Public Input:

Myra Ferguson, 14 Baker Bridge Road:

* I enthusiastically support and welcome the restoration of this barn on this site. The Corkin's property has been recently enhanced with the clean-up of the old, and historic, stone wall on the east side of the property. The repurposed barn will be an added structure that echoes that stone wall and the farming heritage of Lincoln. I will enjoy having the wall and barn in my viewscape.

* I encourage and support the mention/use of dark-sky exterior lighting.

PV-M showed the Board the site plan which designated the location of the new barn structure. She noted that the proposed structure will be a relocated old barn and will be used for animals and storage. GT asked if there were currently animals on the property. There are two goats and chickens. The applicant explained that the barn company, Antique Woods and Restoration, travels around the country finding old barns to repurpose. LD noted that this had come before the Historic Commission and the project was approved. He noted that no new grading will be necessary.

GT made a motion to approve the project and site plan as proposed. SG Seconded. Roll Call: SG aye, GT aye, BD aye, LD aye. Motion passed 4-0.

7:40 PM Site Plan Review, Section 17.7: Neidlinger, 161 Tower Road, Parcel 179-50-0.

Site Plan Review of a garage extension in a cluster subdivision.

Project: The applicant wishes to extend the existing garage 15' on existing blacktop and revise the turn-around portion of the driveway to accommodate the extension. The extension will be one story and continue the existing sloped roof of the existing garage.

The project is subject to site plan review because it is a change to the site plan of a parcel in a cluster subdivision.

Zoning: The cluster subdivision requires that the building be located within the building envelope. The building envelope takes the place of setback requirements. The proposed extension is located entirely within the building envelope. There are no other relevant conditions or requirements of the cluster subdivision.

Height:

The height of the structure does not change and is 15'.

Landscape/Grading:

The proposed extension will be located entirely on what is now flat black top. The driveway turn-around will be revised to accommodate the new extension.

Screening:

There is no change to the existing vegetated buffer between the current house and the adjacent homes.

Lighting:

The applicant has submitted cut sheets for a full cut off sconce. He proposes two lights. One over the double garage door and one over a side door into the garage. The elevation specifies either a side door or window. If it is a window rather than a door, there is no need for a light.

The lamping for the sconce is 900 lumens max and 3000K color temp max.

Public Input:

A few of the neighbors asked for the plans and once received had no further input.

PV-M showed the plans to the attendees.

The Board had no problems with the project.

SG made a motion to approve the site plan and project as submitted. GT Seconded. Roll Call: SG aye, GT aye, BD aye, LD aye. The motion passed 4-0.

7:50 PM Recommendation for an Accessory Apartment, Section 14.3: Arshad, 12 Weston Road, Parcel 143-36-0. Request for a favorable recommendation for an accessory apartment located in an existing carriage house.

The Project: The applicant wishes to construct an accessory apartment within an existing carriage house/garage built in 1992. A dormer will be added to the front and rear of the carriage house to accommodate the apartment.

14.3.2 Requirements for an Accessory Apartment

The Board of Appeals may grant a Special Permit for an Accessory Apartment, provided that the unit meets the following requirements:

(a) Floor Area: the Accessory Apartment shall not exceed 1200 square feet, and (for a unit included in a single-family dwelling) shall not exceed 35% of the floor area of the principal dwelling unit and Accessory Apartment combined.

The apartment is less than 1,000 square feet. The carriage house measure 24.3 X 36.7 = 891.81 square feet. The apartment is less than 35% of the principle dwelling 4555 plus the apartment 891 X .35 = 1900 square feet.

(b) Lot Size: the lot on which the Accessory Apartment and principal dwelling unit are located shall contain at least 40,000 square feet.

The lot is 2.98 acres

(c) Age of Structure: The residential dwelling or the accessory structure in which the Accessory Apartment is to be located shall have been constructed at least ten (10) years prior to the date of application for the Special Permit. Any addition less than ten (10) years old shall be deemed to be part of the building(s), provided that the addition does not increase the floor area or volume of the original building(s) by more than 10% and does not alter the character of the building.

The carriage house was built in 1992. The original house was built on 1942.

(d) Occupancy: either the Accessory Apartment or the principal residence is occupied by the owner of the lot on which the Accessory Apartment is to be located, except for bona fide temporary absences. If the lot on which the Accessory Apartment is to be located is owned by the Town of Lincoln, the owner-occupancy requirement of this paragraph shall not be applicable as long as the lot and the structures thereon continue to be owned by the Town of Lincoln.

The owner of the lot resides in the principal dwelling.

(e) Sewage: Adequate provision shall be made for the disposal of sewage, waste and drainage generated by the occupancy of such Accessory Apartment in accordance with the requirements of the Board of Health, as certified by a written report from the Board of Health, submitted to the Board of Appeals before or at the public hearing.

The owner will need to install a 1-bedroom septic system for the apartment. A recommendation should include a condition that the owner install a septic system for the apartment deemed adequate by the Board of Health.

(f) Access and Parking: adequate provision has been made for ingress and egress to the Accessory Apartment from the outside of the structure, and for off street parking of motor

vehicles in such a fashion as is consistent with the character of a single-family residence.

There is one exit at the bottom of the stairs (left elevation) and one exit where one would need to walk through the garage to the door at the right elevation. The front elevation has a garage door. The building inspector has indicated that there is no adequate second means of egress. Any recommendation should be conditioned on the apartment having an adequate second means of egress.

The site plan indicates that there is one indoor garage space located in the carriage house and space for two cars outside the carriage house. The principal dwelling has its own two car garage and space for two more vehicles.

(g) Number of Units: There shall be no other apartment on the lot on which the apartment is to be located except as provided under Section 14.3.5, "Multiple Accessory Apartments".

There is no other apartment on the lot.

(h) Appearance: The principal structure, after the creation of the Accessory Apartment, shall retain the appearance of a single-family structure. In general, any new external entrances shall be located on the side or rear of the building.

The appearance of the principal structure retains the appearance of a single-family structure and carriage house.

(i) Effect on Adjacent Properties and the Neighborhood: the Board of Appeals shall find that the construction and/or occupancy of the Accessory Apartment will not be detrimental to the neighborhood in which the lot is located or injurious to persons or property.

Conditions should include:

- 1. An adequate septic for the apartment as approved by the Board of Health**
- 2. An adequate second means of egress as approved by the building inspector.**

Public Comment:

Mr. and Mrs. Jacobs noted their objection to the project. They said that they are the only direct abutter and were concerned with their privacy both visual and audible. The Jacobs wanted the Board to view the situation from their property. They would like to preserve and protect their privacy of their pool area and the backyard sitting area.

Mrs. Jacobs is concerned with the dormer facing their backyard area which includes a sitting area and gardens. She explained that the windows in the dormer that faces their lot will impact their

privacy because people could look down at their backyard from the windows. She did not think that additional vegetative screening would help. Scott Grady, the architect noted that the dormers are necessary to create the apartment. The structure is 50 feet from the lot line. He thought that the addition of mature hemlocks will screen the apartment. In addition, the applicant is willing to reduce the back facing dormer's three windows to two.

PV-M noted that she had conducted a site visit to the property from Mr. Arshad's side. She explained that there is a 6' cedar fence along the property line between the two properties. In addition, there is existing mature trees that are located along the property line between the two properties and it was impossible to see beyond them. She discussed with Mr. Arshad about adding a few mature evergreens to strategically fill in any gaps in the existing screening which should mitigate the privacy concerns.

The Jacobs did not think that screening will help. Reducing the size or number of windows did not appease the neighbors either. The Jacobs do not want any windows or a dormer on their side. Mr. Arshad is willing to plant additional mature evergreens and feels that after planting, they will not even see the dormers.

MO joined the meeting at 8:02. MO asked what the Jacobs are asking their neighbors to do? The Jacobs responded that they are not asking the neighbors to do anything, rather they are objecting to the accessory apartment. MO noted that people are able to make changes to their property. The Planning Board cannot reject a proposal if it complies with zoning. When the Planning Board reviews a project under site plan review, the Board can put reasonable conditions on a project and screening is the usual tool. In this case, the Planning Board is not reviewing the project under their site plan approval authority. The ZBA is the permit granting authority. The Planning Board's role is to make a recommendation as to whether the apartment complies with the zoning.

The Planning Board noted that they do not regulate architecture of structures. LD suggested that the neighbors try to resolve the dormer/window issue themselves.

MO noted that there are open issues that the Planning Board cannot address. The correct venue is the ZBA. GT agreed and noted that screening should be addressed by the ZBA.

MO made a motion to make a favorable recommendation to the ZBA for the accessory apartment conditioned on the design and installation of an adequate septic system approved by the Board of Health, the addition of a second egress that complies with the building code and is approved by the Building Inspector and to encourage the ZBA to require vegetative screening for the abutter. GT Seconded. Roll Call: SG aye, GT aye, BD aye, LD aye, MO aye. The Motion passed 5-0.

8:20 PM Business

- Approval of October 27, 2020 minutes.

MO made a motion to approve the October 27, 2020 minutes. SG Seconded. Roll Call: SG aye, GT aye, Bd aye, LD aye, MO aye. The Motion passed 5-0.

- Discussion of SOTT presentation

The Board discussed the mechanics of the State of the Town meeting. The Board decided on one big question and answer group rather than use break out rooms. In addition, MO noted that BPAC will be discussing ways to enable residents to get to the schools and Lincoln Station safely. BPAC thinks that there is more appetite in Town for potential paths and bicycle shoulders. Since the Planning Board will be discussing a walkable village center, it may be a good idea for the Planning Board's presentation to follow BPAC. GT agreed that this might help address questions as to why we need changes in the Mall area to address pedestrian and bicycle access.

The Board also decided not to ask any polling questions at SOTT. Instead, SLPAC will work on a survey with a goal to distribute the survey in the beginning of January. PV-M reminded everyone to register to attend the SOTT meetings. PV-M will send Jennifer Glass an e-mail suggesting that the BOS send out another Lincoln Talk blast to make sure everyone knows that they must register to attend. PV-M will also send an e-mail to Lincoln Talk to enable anyone who has questions for the SOTT, to submit them prior to the meeting.

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

Approved as amended November 24, 2020