

At Risk Properties Committee

Report to the Planning Board

July 22, 2008

Re: Arshad Property – Winter Street

Ken Hurd, Planning Board

Bryce Wolf, Planning Board

Gary Taylor, Board of Selectmen

Buffer Morgan, Board of Assessors

Paul Giese, Finance Committee

Peter vonMertens, Conservation Commission

Dan England, Rural Land Foundation

Tim Higgins, Town Administrator

Mark Whitehead, Town Planner

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I. Background

At the Selectmen's regular weekly meeting of June 5, 2007, Leggat McCall Properties (LPI) advised the Town that they had signed an option agreement with the Arshad family, owners of an 8.6 acre parcel located at 160 Old County Road (at the intersection with Winter Street). LPI was considering whether to seek town votes and approvals needed to construct a commercial office building. Commercial use would require rezoning which in turn would require a two-thirds vote of approval by Town Meeting.

Parenthetically, the Town was somewhat familiar with the issues attendant to development on this site, as an adjacent property (i.e., former Kennedy property – now owned by the Mayo Group, a commercial real estate developer) had been studied by the original At Risk Properties Committee in 2005 as part of that Committee's analysis and public dialogue intended to give the town a say in development decisions pertinent to six specific properties – including the Kennedy parcel.

Through the 2005 At Risk Properties Committee process, the Town boards came to understand that they could control certain development possibilities but not others (i.e., a hostile 40 B proposal or a large not-for-profit institutional development). In response to LPI's intention to acquire the Arshad property, the Board of Selectmen reconvened the At Risk Properties Committee in August, 2007, to ensure that the policy boards and the community would gain a full understanding of the various developments that could occur, their advantages and disadvantages and to confirm the scope of the town's legal authority to regulate.

At the time the Committee was reconvened, the Selectmen and Planning Board were aware that the adjacent parcel (i.e., Kennedy) was owned by the Mayo Group, a 40B developer; that the Town could potentially be vulnerable to a hostile 40B development in 2010 when the 40B target is recalculated; and that a number of religious and educational institutions had expressed recent interest in finding a campus environment in Lincoln or our general area. Rather than limit the Town's focus and concerns to the pros and cons of an office park, the Selectmen thought it prudent to ask the At Risk Properties Committee to study all possibilities.

II. Selectmen's Charge to the 2007-2008 At Risk Properties Committee

The Board of Selectmen reconvened the At Risk Properties Committee in August of 2007 to study the various property redevelopments that might conceivably occur at 160 Old County Road.

The ARPC was requested to undertake the following tasks:

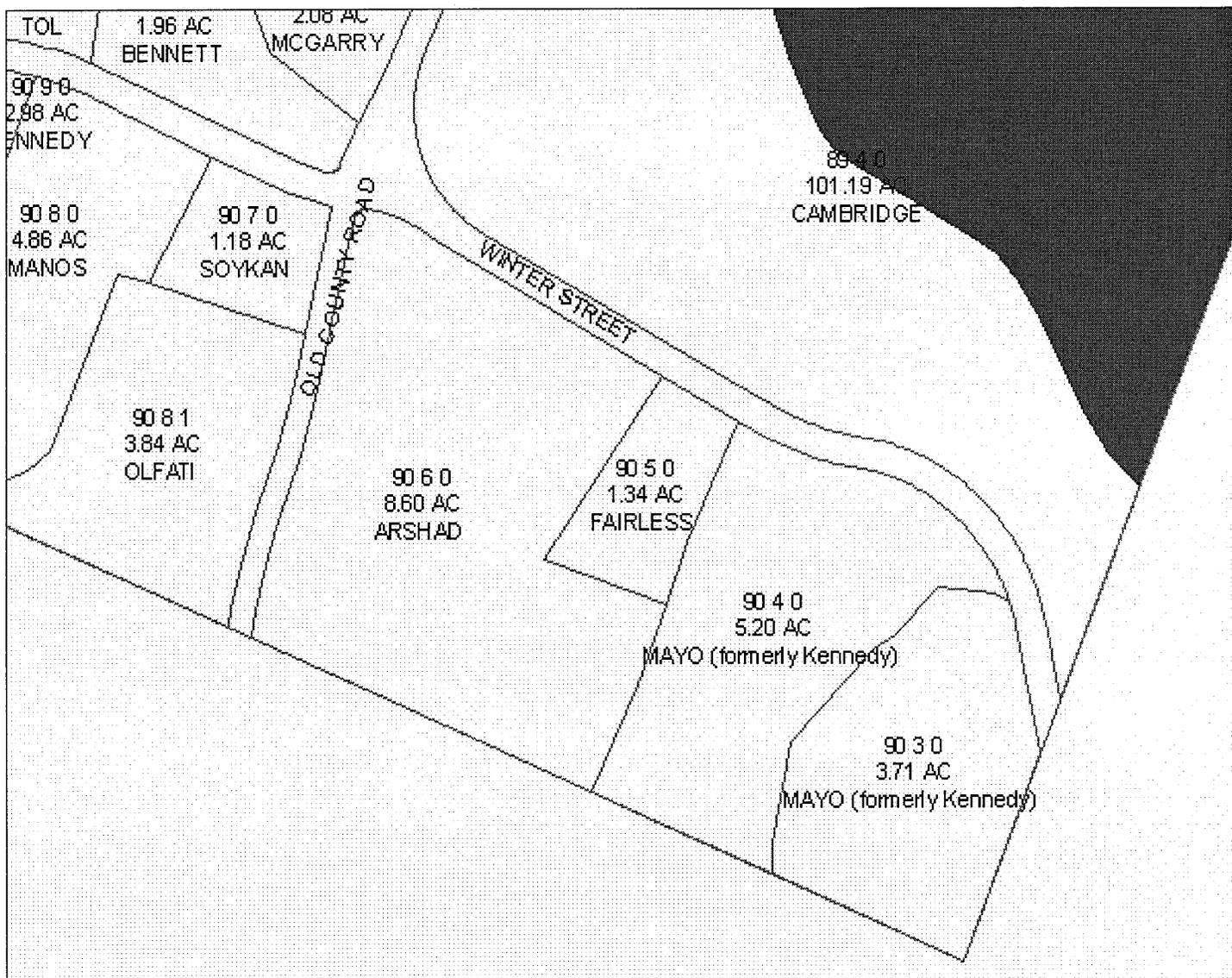
- assess the impacts and opportunities associated with various development scenarios;
- involve relevant boards in the analysis;
- develop a public process, modeled after the 2005 ARPC process (endorsed by the fall 2005 State of the Town Meeting) that would involve abutters, neighbors and other potentially interested citizens; and
- issue a report that would inform the deliberations of the town permitting boards and the town meeting, in the event a specific rezoning proposal was filed by the owner.

III. Chronology

- LPI attended the Selectmen's June 5, 2007 meeting to inform the Town of their interest in developing a commercial office building at 160 Old County Road.
- The Selectmen reconvened the At Risk Properties Committee in August, 2007 (see Selectmen's memo/charge dated August 2, 2007).
- The Committee's initial meeting took place October 10, 2007.
- The At Risk Properties Committee contracted with Community Opportunities Group and the engineering firm of Vanasse Hangen Brusslin (VHB) to help assess traffic and financial impacts.
- BOS Journal Article (date – authored by Gary)
- The Committee met several times before the initial impact report was presented and reviewed during its March 12, 2008 meeting:
 - October 10th: initial committee meeting
 - October 24th: list of questions for developer created
 - November 14th: LPI presentation to ARPC
- Consultant's impact analysis presented March 12th
 - June 11th: 1st Report Drafting Session
 - June 25th: 2nd Drafting Session
 - July 2nd: 3rd Drafting Session
 - July 22nd: 4th & final Drafting Session
- The Committee plans to circulate any final comments via e-mail and to post the report to the Town's web site pending presentation to the Planning Board and Selectmen in September (date TBD).

IV. Development Scenarios

The Arshad property, under option to Leggat McCall, consists of 8.6 acres at the intersection of Winter St. and Old County Rd. The adjacent Kennedy land, owned by the Mayo Group, on the one-way section of Winter Street includes 8.9 acres in Lincoln, with an additional 3+ acres in Waltham. Superficially, the Arshad property appears to have no significant development constraints, such as wetlands, however the Kennedy property has some areas of steep slopes. A 1.3 acre parcel owned by the Fairless family is surrounded by the Arshad and Kennedy parcels. This report assumes that the town would intervene on behalf of the owners (i.e., Fairless family) under any development scenario to ensure that their interests are fairly addressed. The sites are bounded on the north and east by the Cambridge Reservoir (within the watershed for the reservoir and on the south by the Waltham office parks.



Following the model used in the 2005 At Risk Properties Analysis, COG and VHB developed several alternative land use scenarios. These were applied to the Arshad property only, and to a combined development totaling 20.5 acres of both the Arshad and the Kennedy lands. (Scenarios for the Kennedy property alone were included in the 2005 Analysis.) These include:

- Single-family residential (as currently zoned).
- Multi-family/40B units, including both multi-family condominiums and/or multi-family rental apartment units.
- Office development – both a standard office project, and a larger, deck parking option for the combined property.
- Religious use – Arshad property only.
- Educational use – combined Arshad/Kennedy

Conceptual site plans for each of these scenarios were prepared to illustrate land use challenges and opportunities associated with each type of development.

A conservation/open space option was also considered but not evaluated in depth because such use would represent little change from current status. These properties are not currently connected to significant Town conservation land and are not included in the Conservation Commission's Open Space Plan as properties of acquisition interest. However, they do abut the City of Cambridge reservoir property. Preliminary investigation by the Rural Land Foundation determined that significant fundraising would be required to purchase either or both of these properties.

Development as single family residences would require little Town action other than that required under current subdivision approval requirements. Religious and educational uses are subject to only limited Town review and control. These uses can receive exemptions from most zoning dimensional controls under the so-called "Dover Amendment" Chapter 40A Section 3 provisions.

Multi-family or commercial development would require Town meeting approval to rezone. These can be lengthy proceedings, with multiple public hearings, before a proposal reaches the floor of town meeting. However, if a developer were to pursue a 40B multi-family project (in which 25% of the units were designated "affordable"), AND the town were determined by the State not to have met its standard of 10% affordability, the developer could proceed by right with such a project up to a maximum of 150 units. Lincoln currently meets the 10% threshold, but will need approximately 15-20 additional affordable units to comply with the Commonwealth's 10% mandate after the 2010 census results are evaluated.

V. Financial Impacts

1. General Financial Considerations

For many years the Town of Lincoln has had to contend with a trend of rising costs and diminishing State Aid, which combined have put pressure on municipal finances throughout the Commonwealth and have resulted in a steady succession of overrides in Lincoln. Efforts have been made to find sources of revenues other than the Residential Property Taxes, which historically have borne 96% of the Tax Levy burden. Fees and services (e.g. parking and cell towers) were increased and maximized. Additional State funding was secured where possible (e.g. Community Preservation Act/CPA). One remaining option for easing the rising property tax burden is to explore commercial uses for land coming available that could make a meaningful contribution to town revenues.

Most forms of development place a net burden on Lincoln's tax payers. Single family residential development, the overwhelmingly dominant form in Lincoln, often does not pay for itself, primarily because the cost to educate a single child in our local schools exceeds the tax revenues from a typical home. Multi-family developments are even more problematic, as the property tax per living unit is even lower than for single family homes. Development by non-profit institutions, although attractive for the missions they promote, also has negative fiscal impacts. Non-profits are exempt from property taxes, but nevertheless require municipal services. For these reasons Lincoln has sought to manage development by preserving land for conservation and through aggressive oversight policies. The Town has also been successful thus far in meeting the affordable housing mandates of the Commonwealth, thus limiting the potential for large-scale multi-family development under Chapter 40B that could override local control.

2. Fiscal Impact Comparison of various Arshad/Kennedy property uses

The following discussion compares the relative financial impacts of the studied land use options for the development of the Arshad property, and, since the adjoining Kennedy property might logically be combined in the future, for the combination of the Arshad and Kennedy properties together. The ARP Committee's consultant, COG, prepared a fiscal impact estimate for the six alternative land uses for the Arshad and Kennedy properties. COG used a spreadsheet model, based on one developed in 2005 for use by the Town of Lincoln in the ARP study of that year. The various alternatives used for comparison are mentioned in the following paragraphs. Figure 1 below summarizes their estimated fiscal impacts.

2.1 Single Family Homes

Further residential development (the currently allowed use) of the Arshad and Kennedy properties for single family homes would have minimal fiscal impact. The number is slightly negative because, as noted earlier, newly constructed homes tend to bring school age children. A million dollar home in Lincoln does not generate the tax revenues necessary to cover the cost of a single child in Lincoln's primary and secondary schools.

2.1.1 Multi-Family Rental

For the Arshad property alone, the construction of apartment buildings under the Commonwealth's affordable housing statute, Chapter 40B, would have a large negative fiscal impact on the town, approximately \$164,000 per year. Up to 150 housing units could be constructed on the property. Rental units would probably be developed if the Arshad property were considered alone, to achieve the density needed to make development profitable. On the larger, combined, properties, condos would likely be considered more appealing.

Figure 1
Comparative Fiscal Impact Analysis
Net (Revenues – Costs) per year

	Single Family Homes	Multi Family Condos	Multi Family Rental	Institutional Religious / Educational	Offices
Arshad Property	(\$6,000)	(\$71,000)	(\$164,000)	(\$11,000) <i>Religious</i>	\$191,000
Arshad/Kennedy	(\$6,000)	(\$165,000)	N/A	(\$152,000) <i>Educational</i>	\$254,000

2.1.2 Multi-Family Condos

For the combined Arshad/Kennedy property, a large-scale condo development under 40B would appear more probable. The negative fiscal impact of the 40B condos on the combined properties is estimated at \$165,000, similar to the impact of the 40B rental units on the Arshad property alone. The additional municipal service burden is offset

to a large degree by the higher valuation of the property with larger, more attractive units and the amenities found in condo developments.

2.2 Institutional and Educational Uses.

Development of the properties for institutional purposes could happen without town approval or zoning oversight and would provide no tax revenues. The use of the Arshad property for religious purposes would have a small negative fiscal impact on the town because it would require little in terms of municipal services. However the combined parcels could support a sizable educational institution, and this could have a substantial negative impact estimated at more than \$150,000 per year.

2.3 Office Building

The only fiscally positive alternative explored by the ARPC was the use of the property for commercial office space. The COG model estimated the commercial office space on the Arshad property alone might provide the Town \$191,000 per year in tax revenues net of costs. The calculations are shown in Figure 2 below. The bottom line, \$191,000, is generally supported by a spot check of additional, available numbers (shaded area in Figure 2). The second column is derived from the existing office building in Lincoln North and scaled accordingly. These figures suggest the ratio of tax revenues per square foot of office space is 2.39, versus a ratio of 1.59 for the COG estimate. The third column uses property tax data for adjoining office space in Waltham. The column multiplies the total value of the 3 properties (\$121,762,400) by Lincoln's commercial tax rate (.01355) divided by the total usable office building area on the properties (1,047,789 Sq.Ft.) to produce a ratio of tax revenue per square foot of 1.57. The last column, an estimate of tax revenue for the Arshad property from the developer, uses an estimate of building costs per square foot (\$300) multiplied by the Lincoln mil rate for commercial property (.01355) to derive a ratio of tax revenue per square foot of 4.07. As the comparison shows, the adjoining office space figures are very close to the COG estimates and the Lincoln North (which may reflect the value of its proximity to Hanscom) figures are in the ball park. The developer's estimate is derived in a different way and suggests a substantially higher revenue potential. The revenue figures derived from closely comparable properties and appear to provide a very objective assessment of the ongoing revenue potential for the similar developments on the Arshad and Kennedy properties. Given that the estimates from the Waltham comparables corroborate those developed in the COG model, the consultants' figures, those in the left-hand column of Figure 2, are used in the remainder of this summary.

To continue with COG estimates for fiscal impact, if one adds the Kennedy property to the Arshad analysis, the fiscal impact of the combined office complex climbs to a positive \$254,000 (for 350,000 Sq.Ft. of office space) according to the COG estimates. Figure 1 above, compares the fiscal impacts of all 6 of the alternative uses, for both the Arshad and the Arshad/Kennedy property.

Figure 2
Estimated Net Fiscal Impacts of
Office Space on Arshad Property
(\$Taxes per year)

	COG Model 3/10/08	Lincoln North Figures	Adjoining Office Space Waltham	Developer's Estimate (Letter 5/08/08)
		\$306K/128K sq.ft. = 2.39	\$121,762,400(.01355)/1,047,789Sq.Ft. = 1.57	\$300perSq.Ft. (.01355) = 4.065
Ratio: Taxes per Square Feet	1.59	2.39	1.57	4.07
Arshad Property Commercial Square	198,000	198,000	198,000	198,000
Estimated Tax Revenue	\$315,000	\$473,220	\$310,860	\$805,860
Estimated Costs	\$124,000	\$125,000	\$126,000	\$125,000
Net (Revenue-Cost)	\$191,000	\$348,220	\$184,860	\$680,860

Note: The calculations and numbers in the shaded area are shown for comparison purposes only and are not used in the summaries and comparisons in the following pages.

Of course, the total fiscal impact on the Town implied by the different land uses in Figure 2, is greater than the individual numbers for any one alternative. The total fiscal impact is the *difference* between the office developments, the most positive, and any of the others. The maximum impact, then, is the difference between the Office development and the Multi-Family condos (40B), the most negative. Thus the range of the impact on the Town of not developing office parks on the properties, comparing office space versus any of the other reasonable alternative, is from \$197,000 (\$191,000 - [-6,000], considering the Arshad property alone) to \$419,000 (\$254,000-[-\$165,000], considering both parcels together). This is summarized in Figure 3 below.

Figure 3
Range of Total Fiscal Impact
Paring different alternatives vs an Office Park

Arshad	\$191K+\$6K to \$191K+\$164 K	\$197,000 to \$355,000
Arshad/Kennedy	\$254K+6K to \$254K+165K	\$260,000 to \$419,000

3. Summary of the maximum Fiscal Impacts on the Arshad and Arshad/Kennedy Properties

Figure 4 below summarizes the fiscal impacts of office development (maximum positive) versus Multi-Family 40B development (maximum negative) on the properties.

Figure 4.
Summary of Fiscal Impacts per Year
(COG estimates)

	Arshad Property	Arshad/Kennedy Property
Net tax levy contribution from office development	\$191,000	\$254,000
Typical Override in Lincoln	\$300,000	
Average tax payer reduction per year (re office development)	(\$101)	(\$134)
Average % tax bill reduction per payer (re office development)	(.9%)	(1.2%)
Maximum tax impact (increase) Multi-Family 40B	\$164,000	\$165,000
Average \$ tax payer increase Multi-Family 40B	\$86	\$86
Average % tax payer increase Multi-Family 40B	0.8%	0.8%

In the Figure 4, the tax levy contributions of \$191,000 and \$254,000 would reduce the Residential Property Tax by that amount. Assuming approx. 1900 residential property tax payers in Lincoln, these numbers would reduce the average tax bill by \$101 and \$134 respectively. Taking Lincoln's average tax bill of \$10,870 for 2008, this is a percentage reduction of 0.9% and 1.2% respectively. Conversely, the increase in the tax levy from Multi-Family condos or rentals on the property is estimated to be a \$165,000 increase in taxes for either property combination, and implies an \$86 increase in the average tax bill and a percentage increase of 0.8%. The total "swing" between the best and worst revenue impacts from the development options considered would be roughly 2% of the tax bill each year.

In considering these numbers it is sometimes helpful to compare a typical proposition 2½ override. In order to maintain a stable level of service, the town has frequently passed overrides on the order of \$300,000. A development with a net fiscal impact of \$300,000 would mean the town could skip one override. The year an office development or a 40B development came on line would add or subtract from the override amount accordingly (but just for the first year ... after that the override increase would revert back to approx. its average).

VI. Traffic Impacts

Although located on the periphery of Lincoln, these two parcels present an extremely thorny traffic problem. Winter St. and Old County Road are scenic, narrow, and proportioned to serve lightly trafficked residential neighborhoods. The Town overall, and Winter Street and Old County Road residents in particular, benefit from a short one-way section of Winter Street running from the Waltham border to the intersection with Old County Road. This restriction substantially limits morning traffic along Winter Street and Old County Road that would otherwise seek to avoid congestion on Rte. 128 to reach the heavily developed office parks on Winter Street in Waltham. Maintaining this traffic control measure is a critical objective in considering development alternatives.

Many years ago Lincoln petitioned to have the Middlesex County Commissioners close Winter Street at the Waltham border. The Commissioners struck a compromise by deciding to make Winter Street one way. Because this restriction serves to push additional morning traffic through the very congested Winter St./Rte. 128 intersection, Waltham has no interest in limiting traffic through Lincoln in this fashion. The City of Cambridge Water Department has also expressed structural concerns about increased traffic over the Cambridge Reservoir dam on the segment of Winter Street between the office parks and Rte. 128. Any suggestion to alter the one-way section may give Waltham and Cambridge the opportunity to make the case to abrogate it

Using the development scenarios for the Arshad and Kennedy properties prepared by COG, VHB prepared a traffic study dated March 10, 2008. VHB's report appears as Appendix E to this report.

The report has three sections:

- 1) a summary of on-going development in and mostly around the Town of Lincoln;
- 2) the impacts associated with the various development options being considered for the Arshad and Kennedy parcels; and
- 3) a look at the cumulative impacts of the various development scenarios on the Lincoln roadways.

The first section indicates that there are currently eight projects comprising approximately 4 million square feet of permitted development under way within Weston and Waltham. The amount of anticipated daily traffic that will be generated as a result of this development is nearly 59,000 new car trips per day, with peak rush hour traffic at nearly 4,000 car trips in the morning and nearly 6,500 car trips in the afternoon. There is also more development occurring in adjacent communities along the 128 corridor, including a 3.24 million square foot mixed use development in Burlington. Although not so stated, the implication is that a significant number of new car trips per day through Lincoln and can reasonably be expected, and some of these will pass along Winter Street and Old County Road. This general increase in traffic alone may create pressure to alter the one-way status of Winter Street.

The second section addresses traffic generation from various development scenarios for the Arshad and Kennedy parcels. An office use would generate the most traffic, followed by multi-family housing of any kind. While the 2,300 anticipated daily car trips generated by an office use would be a small contribution in comparison to the 59,000 anticipated from other developments regionally, they would add significantly to traffic on Lincoln's roads.

The third section deals with the cumulative impacts of all this development, and the overriding consideration is the ability of Lincoln to preserve the section of one-way Winter Street at the town line. The overall traffic impact, which will be regional in nature, will invade local roadway networks and become localized, and Lincoln can expect to suffer noticeable increases in traffic volume. The problem will compound if the State does not act to address what many project to be massive congestion on 128 and commuters seek alternate routes through Lincoln. This makes it even more important to preserve current traffic control measures such as the one-way.

It should be noted that the impacts of traffic are not a simple linear function of traffic volumes. Congestion rapidly mounts on roads and intersections as they approach their carrying capacity; this can lead to increased driver frustration and attendant risky driving behaviors. Residents along Winter Street and Old County Road indicate that major congestion and delays already occur during peak commuting hours, particularly

where Old County Road crosses Trapelo Road, but also increasingly at the Winter Street/Trapelo Road intersection. Thus increases in traffic levels can be expected to have large impacts on these intersections which are regulated only by stop signs. Furthermore, the steep slope of Trapelo Road (at the intersection of Old County Road) makes a four-way stop or traffic light infeasible given the increased risk of sliding, particularly in winter conditions, and rear-end collisions.

Because the Arshad property fronts on both Winter St. and Old County Road, it would allow a developer to effectively circumvent the one-way, and local roads would be open to both morning and afternoon traffic accessing this development. Furthermore, Legatt-McCall indicated its intent to petition to allow two-way traffic on a portion of the current one-way segment of Winter Street to facilitate access through a new entrance to the property on Winter Street. This would leave only a small remaining segment of Winter Street as one-way. Such a proposal would not only raise questions about the value of the one-way (the entrance would have to be within sight of the intersection of Winter Street and Old County), but it would also invite abrogation of the one-way entirely.

Combining the Arshad and Kennedy properties could potentially reduce the threat to the one-way restriction. Since a portion of the Kennedy land is in Waltham, merging the two properties would allow an access point on the current two-way portion of Winter St. beyond the Lincoln border. Even with the one-way, however, traffic impacts of a commercial development on the combined parcels would be quite substantial, an increase of two to three cars per minute during evening peak hours. This would, of course, be in addition to current traffic loads and the increased volumes that will likely come with the intense development of the Rte. 128 corridor discussed above. The Lincoln Police Department is in the process of collecting traffic volume data for Winter Street and Old County Road which, when provided, will enable us to put the impact of two to three cars per minute into better context.

VII. Neighborhood Impacts/Quality of Life

Construction of an office park or a 40B apartment or condo development would have significant and largely negative impacts on the neighborhood. A number of different factors including: aesthetics, light, noise, traffic, increased roadside litter, air pollution, property values and safety are considered. Large scale development would have two distinct levels of impact on households in the area. First, are impacts upon households in close proximity which are immediately and continuously affected by the development. There are less than 15 houses in Lincoln that are in this close proximity group. A larger group of up to 50 homes forming a semi circle around the proposed project would be less severely impacted.

A change from the present residence with its mature trees and tasteful plantings, its narrow winding driveway and its dark exterior to three story office building or large residential complex would obviously alter the site substantially. Although effective site

design and screening would mitigate visual impacts, the aesthetics of the site would be forever changed for people driving or walking by the property. The site by nature of its old wooded grounds is a habitat for a number of animals and birds. This habitat would be almost entirely eliminated by the proposed building. It should be noted, however, that a single family residential development on the property could similarly result in cutting down trees and understory but presumably residences would be more in keeping with the present character of the neighborhood (although certain recent developments might call this presumption into question).

Nearby houses would also be affected by light and noise during construction and generated thereafter by the building and associated activities. Air conditioners, emergency generators and heat pumps create a constant background noise. Necessary lighting - even if the Lincoln side of an office building is used for parking as one concept drawing showed - could be evident and intrusive to nearby homes. Lighting to permit safe nighttime use of the building becomes a considerable nuisance to abutters. Unless very special attention was given to this project lighting would have an adverse impact on the night time sky.

Questions have been raised about potential impacts upon property values of homes in the immediate neighborhood. It is possible that some would suffer, but there is no empirical data on this one way or the other. There has been no recent development like this in Lincoln, and it is very difficult to measure what that impact would be. The office park in North Lincoln was built at the same time as the surrounding residences and so is not comparable to development of the Arshad property near existing residences.

Safety would be another concern. Intensive development could produce higher crime rates nearby. Given the massive office development just over the border in Waltham it is difficult to believe that commercial development of the Arshad and Kennedy properties would have any major differential impact on crimes. A large residential complex, however, could raise crime incidence rates. The issue of traffic and pedestrian safety is a major concern not only because of increased traffic flow, but also the higher frustration levels for drivers resulting from congestion and delays at intersections not designed for high traffic volumes. The larger issue of traffic has been addressed elsewhere in this report and it is clear that neighbors all the way out to Trapelo Road along Winter Street and Old County Road would be negatively impacted. During peak traffic, the increased volume and congestion attributable to development of the Arshad/Kennedy properties would also hinder the ability of Lincoln's public safety departments respond in a timely manner to an emergency in the Winter Street/Old County Road neighborhood. And, as previously cited, increased traffic volume will bring with it an increase in roadside litter and air pollution.

A final comment is that the neighborhood appears to feel a sense of injustice that it might bear the brunt of the impacts from large-scale development, particularly an office complex allowed so that taxes may be slightly lower for the Town as a whole. As an office park, it would only be by random chance that nearby residents would work in the

building, and such a development would offer few amenities that would be of use to people living nearby. Thus the burdens would, from their perspective, outweigh the benefits. It must be recognized, however, that this is true of many projects that may have financial benefits..

VIII. Key Challenges & Opportunities

An At Risk property by definition poses a threat to the Town because due to its size and/or location development can have particularly dramatic impacts. On the other hand, large properties can present opportunities if developed in a manner that meets Lincoln's needs and yet minimizes damage to important town interests or values. The purpose of the At Risk analysis is to assess and weigh pros and cons regarding development options in order to inform both developers and the town's permitting agencies.

As the foregoing sections indicate, the core issues presented considering development options for the Arshad and Kennedy properties are traffic and taxes. A related element is control, the Town's ability to manage land use and its finances to best assure Lincoln's future. Few projects are positive on all dimensions. Development options that would help lower property tax burdens, for instance, bring significantly more traffic on narrow roads that meander like the ancient cow paths that preceded them. Some projects pose double-barreled threats. A large 40 B project would not only affect taxes negatively, but it could also proceed with little oversight from local land use boards with regard to important features such as size, site design and water usage. Because of the threat of developments with detrimental financial and neighborhood impacts that can proceed outside the town's control, it is very important that opportunities to take At Risk Properties "off the table" be considered carefully.

The primary benefit to Lincoln of developing the property in any fashion other than small scale residential would be the potential property tax revenues from commercial development. Large-scale residential development, while providing an increase in tax revenues would significantly increase water use, demand for municipal services and traffic. Its net fiscal impact on the Town would be quite negative. Religious or educational uses would reduce revenues and create traffic and some need for services, again net negative for Lincoln. Conservation of the land is an option, but the properties are not on the Town's Open Space plan, do not offer any substantial trail improvements and do not seem to hold much conservation value. Given their costs and the potential to acquire higher priority conservation targets, expenditure of Town funds on the Arshad and Kennedy properties would not make sense without very significant private contributions. If such private support emerges, this option might be further explored.

The net positive contribution from commercial development is significant, but the analysis suggests that it would be lower than one might have expected, in the range of \$200,000 to \$250,000 per year. This is roughly one third of the contribution the Town realized through the development of the Groves by the New England Deaconess. On

the other hand, this amount approximates the overrides Lincoln frequently finds necessary to finance the municipal services expected by its residents. The benefit to the town becomes even more substantial when viewed in conjunction with the negative impacts that might be avoided by foreclosing development options over which the town would have little control. Institutional or multi-family developments exempt from local oversight might cost the town \$150,000 to \$165,000 annually. Thus the swing in impacts on the town would be on the order of \$350,000 to \$415,000.

On the other side of the balance, the two properties addressed in the analysis present a very difficult traffic problem. Not only would development of the properties raise traffic levels on roads inappropriate for high traffic volumes, but it would threaten the one-way status of Winter Street at the Waltham border. This configuration has provided Lincoln with a significant buffer against commuters seeking to reach the large office developments just over the town boundary in Waltham. Maintaining this traffic control measure should remain a key element in considering development alternatives.

As discussed previously, development of the Arshad property would provide access on Old County Road) and thus open the local roads to morning traffic and to additional evening traffic to and from the site. Furthermore, any large scale development would likely seek access to Winter Street. The remaining one-way remnant would leave two-way traffic within sight of the Winter Street-Old County Road intersection reducing its effectiveness. More important, however, is the likelihood that any request to the Commonwealth for a change in status on Winter Street would create an opportunity to eliminate the one way entirely. Waltham has no interest in limiting traffic into Lincoln on Winter Street, and current development along the Rte. 128 corridor will only magnify the impact of forcing morning traffic to the area through the very congested intersection at Winter Street and Rte 128. The City of Cambridge Water Department is also concerned about increasing traffic over the segment of Winter Street between the office parks and Rte. 128 that runs over the Cambridge Reservoir dam. Obviously, the one way forces more traffic over the dam, increasing the challenge of maintaining it. Waltham and Cambridge would, no doubt, welcome the opportunity to make the case to open Winter Street to two-way traffic.

The threat to the one-way section of Winter Street would be reduced by combining the Arshad and Kennedy properties because this would provide an access point on the current two-way segment of Winter Street. Combined development would at the same time open the possibility of an as-of-right connection to Waltham water and sewer services thus eliminating potential impacts upon Lincoln's water supply. A recent letter from the Mayo Group (copy provided in the Appendix), the owner of the Kennedy parcel, indicates the prospect of joint development of the Arshad and Kennedy properties is being actively considered and is the option preferred by both Legatt-McCall and the Mayo Group. However, this would not foreclose the threat to the one-way, since any large-scale development on the properties would invite reconsideration of the current configuration. Furthermore, the larger development on the combined properties would create the most Lincoln-bound traffic.

Thus it appears that none of the options evaluated by the ARPC could provide a significant benefit to Lincoln without substantial traffic impacts on streets ill suited as commuter routes and without putting the one-way buffer on Winter Street at risk. Most options cost the Town more than they would contribute in tax revenue. Commercial development that could provide annual net revenue contributions of \$200,000 to \$400,000 would generate additional traffic and congestion on Lincoln roads generally, but particularly on poorly suited byways, and even under the most favorable assumptions threaten the beneficial one way designation of Winter Street near the Lincoln/Waltham border

A note of caution is in order here. A choice not to support development does not necessarily mean preservation of the status quo. Until taken off the table in one way or another, the Arshad and Kennedy properties remain very much at risk. The Kennedy property, as indicated earlier, is now held by the Mayo Group, a developer of high-density housing. Although they have expressed interest in joint commercial development with Legatt-McCall, they are likely waiting to see if Lincoln can meet the Commonwealth's 10% affordable housing mandate following the 2010 census. Should Lincoln fail to put in place the 15 to 20 additional units required to meet this target, Mayo would almost assuredly propose a 40B project. While the town might have some negotiating leverage on project design because of the attractiveness of a "friendly" 40B (where the town, through its Zoning Board of Appeals, actually approves a 40B development) a large developer like Mayo would hold all the trump cards. While Lincoln has in the past been successful in avoiding such projects, and, hence, retaining control of development, virtually every surrounding town has had one or more 40Bs. With a well heeled, experienced housing developer waiting in the wings, the threat of such a project must not be underestimated. This threat obviously raises the stakes increases the urgency to act proactively to take these properties off the table.

In addition, maintenance of the one way segment of Winter Street is not a foregone conclusion even if these properties are not intensively developed. As the VHB report and recent news accounts indicate, massive commercial development along Winter Street and Rte 128 will greatly increase traffic in the vicinity. Pressure to undo a constraint on traffic flow that exacerbates area congestion and benefits only Lincoln will surely mount. This argues for proactive efforts to preserve the status of Winter Street. In addition to the one-way treatment of Winter Street, past efforts to prevent conversion of Old County Road and Winter Street into commuter thoroughways included designation of the affected roads as Scenic Byways. There was also an effort, apparently abandoned, to put land along Old County Road into conservation. This sort of attention and activity seems merited once again given current development activities. To this end, the Board of Selectmen has recently joined together with Lexington, Weston and Waltham to form the Route 128 Central Corridor Coalition. The Coalition's member towns have signed a formal Memorandum of Understanding to create a framework for collaboration to address concerns for mobility along the 128 corridor. Regional traffic management is also being pursued. At the local level, the Town must

continue proactively to seek solutions that minimize risks of increased congestion or to develop responses to new circumstances as they may arise.

Appendix A

Excerpt from Selectmen Minutes June 5, 2007

Printer-Friendly Version

BOARD OF SELECTMEN'S MEETING -final

June 5, 2007, 7:30 pm

PRESENT: Gary Taylor (Chairman), Sara Mattes, Sarah Cannon Holden

STAFF: Tim Higgins (Town Administrator), Debra Parkhurst (Administrative Assistant)

Welcome & Introductions: The meeting opened at timeHour19Minute307:30 PM. The Chairman welcomed the public, reviewed the agenda and action items for the meeting.

Announcements:

•□□□□□□□ The Lincoln Flag will be inducted into the Hall of Flags on Wednesday, June 13. the original date was June 14. More information is available on Cable.

•□□□□□□□ The Recreation/ Celebration committee is seeking participants (floats) for the Fourth of July parade. This year's theme will be Flags and Fifes.

Appointments:

Bill Gause, Leggatt McCall

Mr. Gause explained that Leggatt McCall is interested in a potential development on eight acres in placeCityLincoln on the corner of Winter Street and addressStreetOld County Road (two more acres are located in placeCityWaltham). Leggatt McCall has developed properties on Winter Street in placeCityWaltham, as well as Lovelane on addressStreetBaker Bridge Road. The land to be developed in placeCityLincoln is zoned residential and is adjacent to the commercial developments of Bay Colony and Waltham Woods. Leggatt McCall currently has an option on the parcel and would like to create a 200,000 square foot office building, similar to Lincoln North. Mr. Gause noted that placeCityLincoln currently gets traffic from the developments in placeCityWaltham without the tax revenue. He said there is a total of three million square feet of development now, and this project would add only 200,000 square feet, and a modest increase in cars. Rizzo Associates has been retained for a traffic study, and their analysis indicates a 9% increase in volume at the end of the day that could reach the addressStreetOld County Road/ Winter street intersection. Leggatt McCall has an option on the Arshad property and they are in discussion with the adjacent property owners. One homeowner wishes to sell his property, and they are in discussion with the others. Discussion turned to outstanding issues. Mr. Gause was advised that placeCityLincoln's Water Department is currently under a Consent Order from the DEP. He said they would engineer on-site sewage and a "gray water" treatment system (water is re-used appropriately). Mr. Higgins also told Mr. Gause that both the DEP and the Town work to protect the Cambridge Watershed. He further suggested that perhaps an inter-municipal agreement could be worked out between placeCityWaltham and placeCityLincoln for utilities. Mr. Taylor, noting that he cannot speak for the Water Board, said that based on past experience, the

new project may have to fund conservation measures. The Lincoln Water Board would be concerned with drawing too much from the existing watershed areas. Mr. Gause said they have worked closely with the Cambridge Watershed in the past. He added that the taxes on the property now total \$27,000 per year. Development could yield around \$750,000 per year with no impact on the schools. The Board reminded Mr. Gause that placeCityLincoln is protective of its values and a major concern would be traffic. Mr. Gause said that currently there is a 50-50 split of cars heading in either direction out of the office complexes. Of that 50% split, some 65% head north to addressStreetOld County Road and Trapelo. Ms. Mattes said that placeCityLincoln is frustrated that the Route 2 project is stalled and they anticipate approximately 32,000 additional cars from future placeCityWaltham developments. She requested that the developer consider creative ways to manage traffic, including public transportation, the use of police detail at the end of the day to direct traffic w/ a "Right -Turn -Only" directive, and other alternatives. Mr. Taylor suggested that an interdisciplinary group be created to inform the project developers. Ms. Mattes suggested that a first step should be to have a more detailed analysis be done, using the "At Risk" model. Discussion followed on items to be included in these discussions including timetables, neighborhood inclusion, addressing concerns such as traffic, etc. Due to the difficulty of beginning this in the summer, the committee will be formed and begin working in the fall.

Appendix B

TOWN OF LINCOLN

LINCOLN TOWN HALL
PO BOX 6353
LINCOLN, MA 01773
Office No. 781/259-2600
FAX No 781/259-1677
EMAIL higginst@lincolntown.org

TOWN ADMINISTRATOR
Timothy S. Higgins

TO: Bob Domnitz, Chair, Planning Board
Robert Steinbrook, Chair, Finance Committee
Peter von Mertens/Jim Meadors, Co-Chairs, Conservation Commission
Andy Hall, Chair, Water Board
Geoff McGean, Executive Director, Rural Land Foundation
Fred Mansfield, Chair, Board of Health
Buffer Morgan, Chairman, Board of Assessors

CC: Mark Whitehead, Town Planner
Tom Gumbart, Conservation Director

FR: Timothy S. Higgins, Town Administrator
On behalf of the Board of Selectmen

RE: **Leggat/McCall Proposed Office Building
160 Old County Road**

DT: August 2, 2007

The Board of Selectmen intends to reconvene the At Risk Properties Committee (ARPC) to undertake an impact analysis of the commercial office building Leggat/McCall Properties proposes to construct on property currently owned by the Arshad family at 160 Old County Road. The Selectmen invite you to designate a member of your board/committee to serve on the ARPC.

The Selectmen will ask the ARPC to make a full report of its findings this fall. The relevant town boards will then determine whether the proposal has sufficient merit to be put before the voters during a fall or spring town meeting for zoning approval (i.e., two-thirds vote required for zoning change).

The Arshad property is an 8.6 acre parcel located adjacent to the Kennedy parcel – one of the six properties previously studied by the ARPC. The Selectmen would like the ARPC to use the methodology that was developed during the 2005 exercise and complete a similar impact analysis for the Leggat/McCall proposal. As occurred during the 2005 exercise, it is critical that the immediate abutters and surrounding neighborhood/s be invited to participate.

Judi Barrett, planning consultant to the original ARPC, has been retained to update the ARPC model and to develop the initial quantitative evaluation. Judi has completed her initial assessment.

ARPC – Arshad Property
August 2, 2007
Page 2.

In the unlikely event that we can find an August date for a very brief morning meeting to get the process started, we'd like to do so. Would you please e-mail the name of the person who will be representing your committee and ask that individual to identify any August dates that would work for a morning meeting.

You will recall that the original ARPC was comprised of the following individuals:

Gary Taylor, Selectmen
Eph Flint/Ken Hurd, Planning Board
Paul Giese, Finance Committee
Peter von Mertens, Conservation Commission
BJ Scheff, Housing Commission (substituting Water Board for this effort)
Geoff McGean RLF
John Valpey, Community Preservation Commission (substituting Board of Health)
Buffer Morgan, Board of Assessors

Tim Higgins, Town Administrator
Tom Gumbart, Conservation Director
Mark Whitehead, Town Planner

I've attached copies of the following:

1. the charge to the original ARPC
2. the power point presentation that was delivered to the 2005 State of the Town Meeting,
and
3. consultant Judi Barrett's initial financial impact analysis for the subject property

Thank you for your assistance.

Appendix C

At Risk Properties Committee Analysis – Arshad Property Questions for Leggat/McCall

Note: The Town of Lincoln has a long history of making few zoning changes and does so thoughtfully and on a fully informed basis. Changes are made by a 2/3 vote of Town Meeting and are only approved when citizens feel that they are in the long-run best interest of the Town and the adjoining neighborhoods. The questions below are designed to inform the assessment of whether commercial development of the Arshad property is in the best interests of the town.

1. Option to Purchase the Arshad Property (160 Old County Rd.)
 - What are the material terms of your option to purchase the Arshad Property?
Including,
 - i. What is the term of your option period with the owner?
 - ii. What are the closing conditions?
 - iii. What termination rights, if any, does the land owner have?

2. Development of Arshad Property
 - Do you have financing in place to develop this property?
 - i. If so, identify the sources of your financing and the material terms of your financing agreements
 - ii. Indicate the percentage of the office building, if any, that is required to be under contract prior to obtaining financing
 - Do you have prospective tenants to occupy the proposed office building?
 - i. If so, disclose the status and material terms of any agreements
 - ii. Indicate the types of businesses you are targeting to fill vacancies
 - Have you identified use restrictions for the building? If so, please explain.

3. Mayo Parcel (formerly known as the “Kennedy Property”) / 115 Winter St.
 - Have you explored the acquisition of the Mayo parcel and/or 115 Winter St (owned by Bruce Fairless & Carol Ryan)?
 - If so, disclose the status and material terms of any agreements
 - If you were to acquire these properties, how would your current development concept for 160 Old County Rd. change?
 - If you have not explored the acquisition of these adjacent properties, what are your assumptions about what development will occur on these properties and how this development would interrelate with your proposal?

4. Traffic
 - Have you done a traffic analysis? If so, indicate the material assumptions and findings of the analysis

- For example, traffic studies done when the Winter St. one-way was established showed that as a commercial development got closer to Lincoln's border, a higher percentage of exiting traffic turned toward Lincoln (i.e. more of Bay Colony's than Polaroid's). Did you assume your traffic would follow the patterns of developments closer to the Rt. 128 interchange or was this data taken into account?
- How would you ensure preservation of the Winter Street one-way?
 - Since legal authority over the Winter Street one-way rests with the Massachusetts Highway Department, have you discussed – or do you have plans to discuss – your development project with them?
 - If you have had discussions with the Mass Highway Department, provide relevant details
- Have you assessed the traffic volume expected to be generated by other previously permitted developments in the Waltham/128 area?
- How many additional car trips would your development generate through Lincoln – above the volume expected from the above Waltham developments?
- Have you contemplated mitigation strategies? If so, please identify.
 - Does your project proposal include plans for shuttle services, rideshare programs, bicycle paths, or MBTA bus routes?
- Do you contemplate the possibility of opening the Old County Road extension to connect it to Old Conant Road?
- What would be the impact of the proposed development on the Five Corners intersection in the center of Lincoln, the intersection of Old County Road with Trapelo Road (high accident rate due to poor sight lines and hill), the intersection of Winter Street with Trapelo Road (poor sight lines), and the town center, taking into account the increased volume expected from new Waltham developments?
- What traffic impact is projected for the Cambridge Reservoir dam?
 - Have you discussed – or do you have plans to discuss – your development project with the Cambridge Water Department?
 - If you have had discussions with the CWD, provide relevant details
- Where do you propose to locate the driveway?
- Would you propose a secondary access? If so, where?
- What changes, if any, would the proposed driveway(s) require of Lincoln's streets? (e.g. Would Winter St. need to be widened?)
- Would the driveway(s) be private drives or public roads?
- What is your emergency evacuation plan for the building?
- If you were to construct an office building at 160 Old County Rd., how would you route construction vehicles?
- How many parking spaces does your current project design include?
- Would parking facilities include a multi-floor garage?

5. Water & Sewer

- How would you meet the proposed development's water and sewer needs?
- Have you explored potential connections to Waltham's infrastructure? If so, provide relevant details regarding discussions with Waltham officials

- It is our understanding that Waltham is not in compliance with its water treatment regulations. How would your proposed development affect Waltham's water treatment?
- If you plan to apply for access to Lincoln's public water system, how do you propose to structure an agreement with the Lincoln Water Board to enable it to meet its obligations under the Consent Order with the Massachusetts Department of Environmental Protection relative to the limit on total consumption?
- What would you do to limit the need for water usage throughout the site? What do you project as your total annual consumption?

6. Open Space

- How much area would be left undeveloped?
- How would the development be screened from the adjacent residential neighborhood?

7. Storm Water

- What is your plan for storm water management?
- How would you prevent impacts on the Cambridge Reservoir?

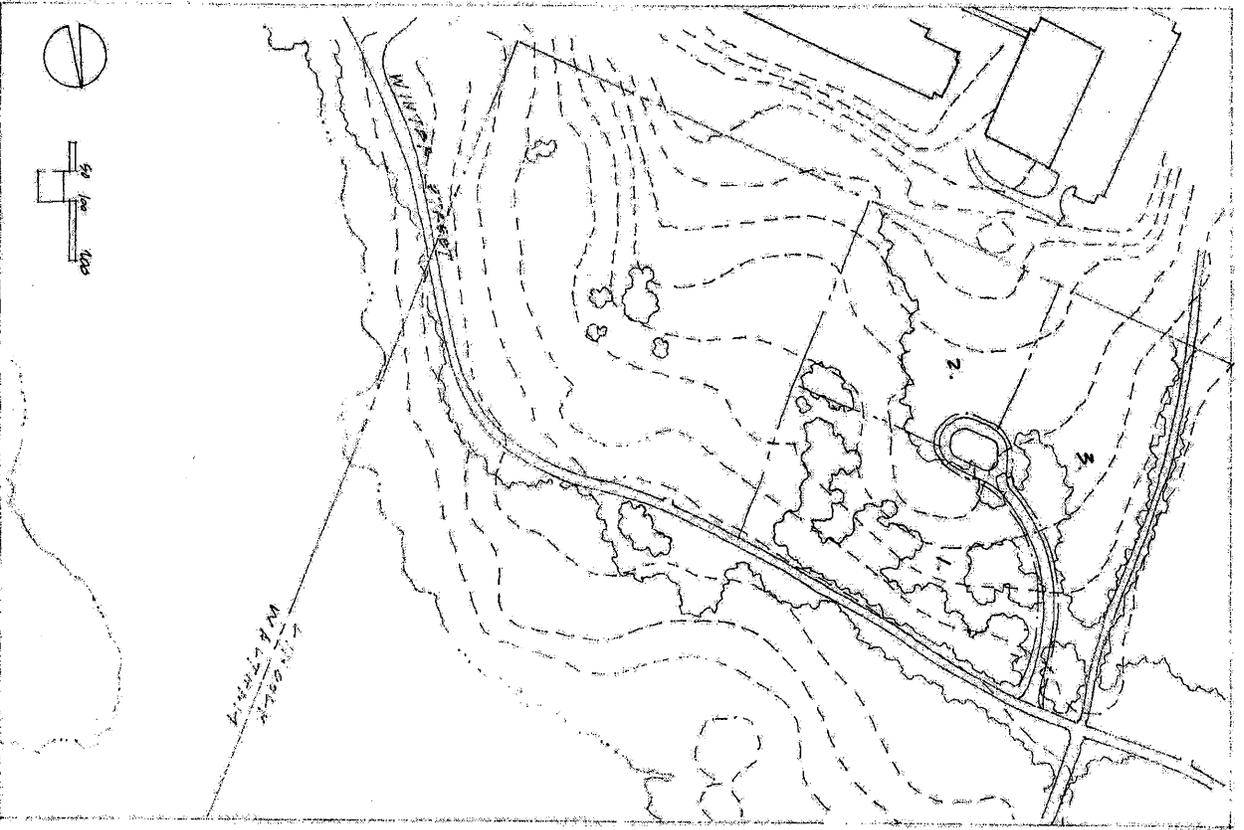
8. Project Schedule

- When would you seek to place your petition before the Town Meeting for a vote?
- When would construction commence and be completed?

9. Other

- **Green Technology/Environmental Sustainability:** Have you employed sustainability techniques in other LM developments? Do you intend to do so if development of this site proceeds? If so, in what manner?
- When site plan is more fully developed: Lighting plan? Dark Skies compliance?
- Willingness to participate and contribute to traffic mitigation and potential pedestrian enhancements?
- Reminder to ARPC – We already have the economic impact analysis; both initial estimates from LM and Judi Barrett's initial report.

Appendix D

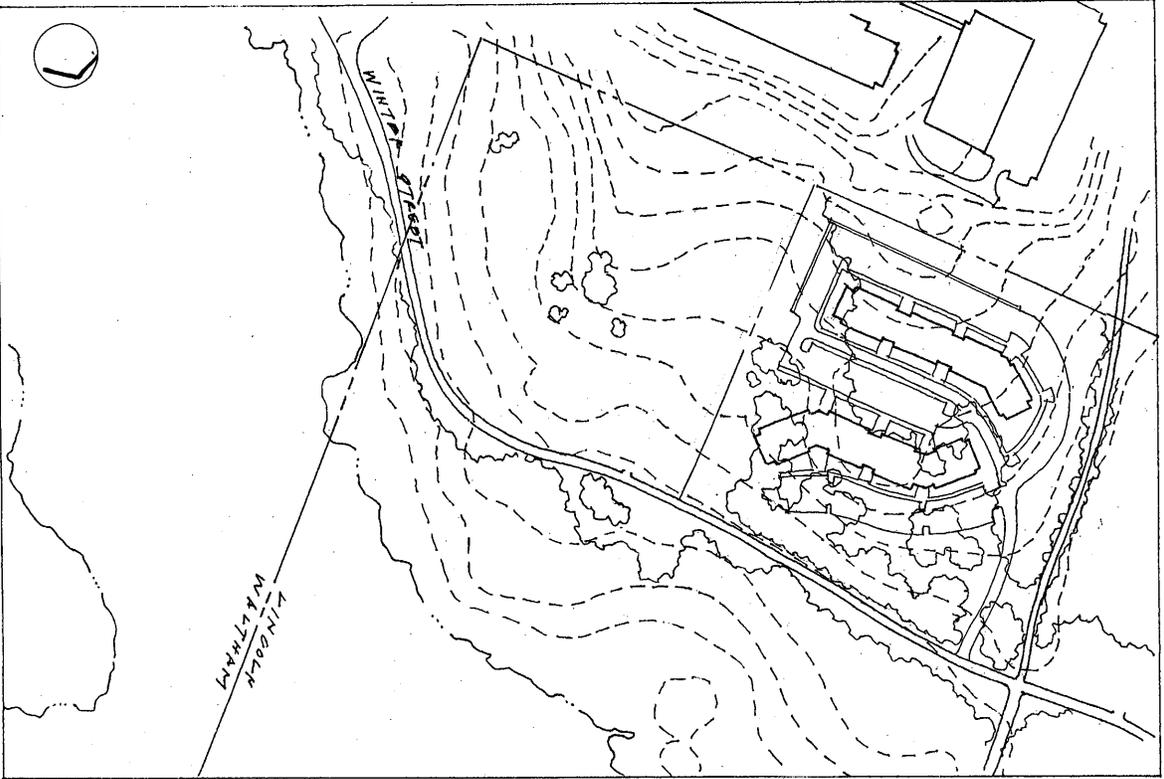


ARSHAD PARCEL STUDY
OPTION: Existing R1 Zoning

Development Summary

Minimum Lot Size..... 80,000 SF
 Total..... 3 Single Family Lots

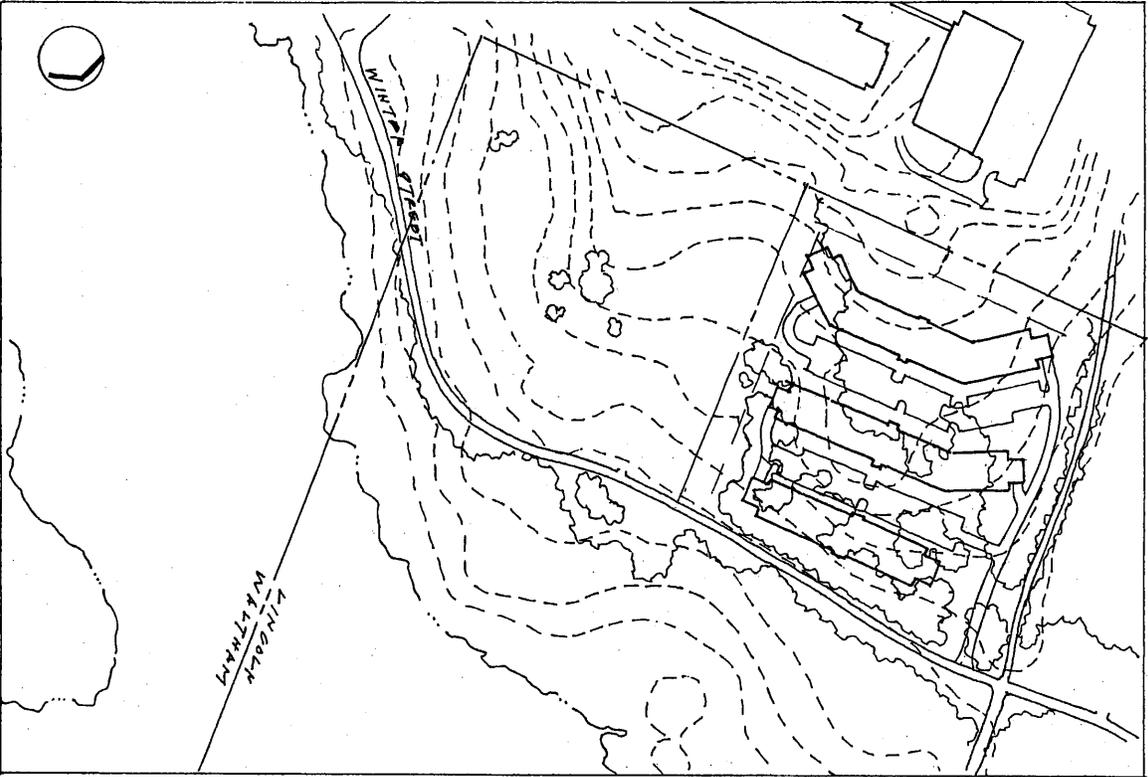
VHB
 January 08



ARSHAD PARCEL STUDY
OPTION: 40 B Residential

Development Summary

3 Story Buildings (2)
Average Unit Size... 800 SF
Total..... 150 Units
Parking @ 1.5 Sp/Unit



ARSHAD PARCEL STUDY
OPTION: Condominiums

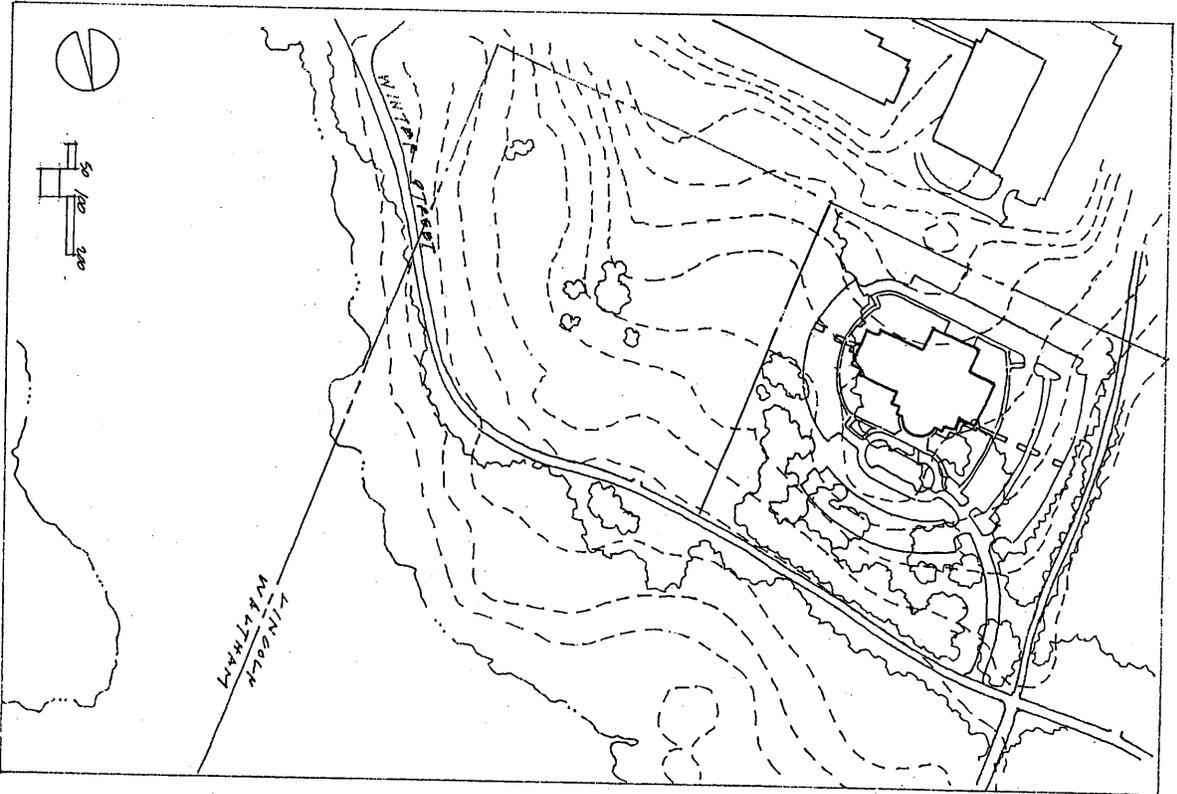
Development Summary

3 Story Buildings
Average Unit Size... 1200SF
Total..... 108 DU
Parking... 2 Sp/Unit

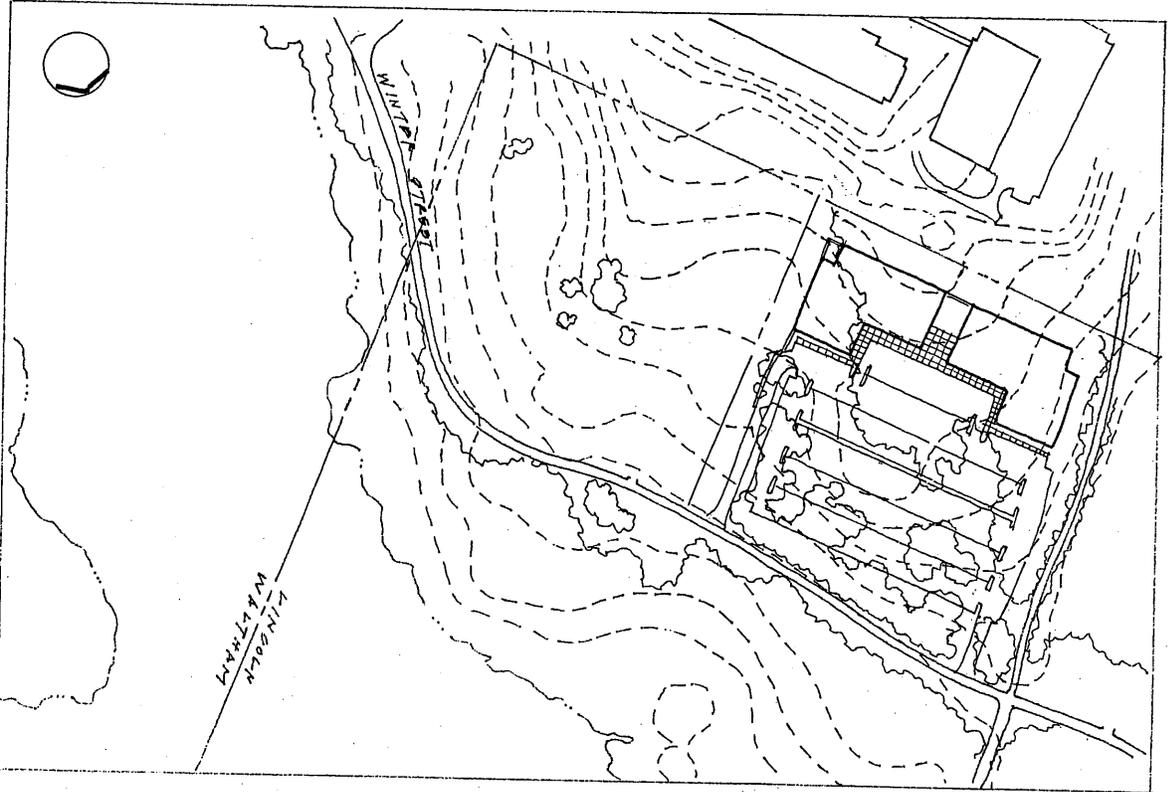
VHB
January 08

ARSHAD PARCEL STUDY
OPTION: Institutional: Church

Development Summary
Total.....37,500 SF (Includes Office, Classroom
and Kitchen Space)
Parking.....275 Spaces



VHB
January 08



ARSHAD PARCEL STUDY
OPTION: Office w/Surface Parking

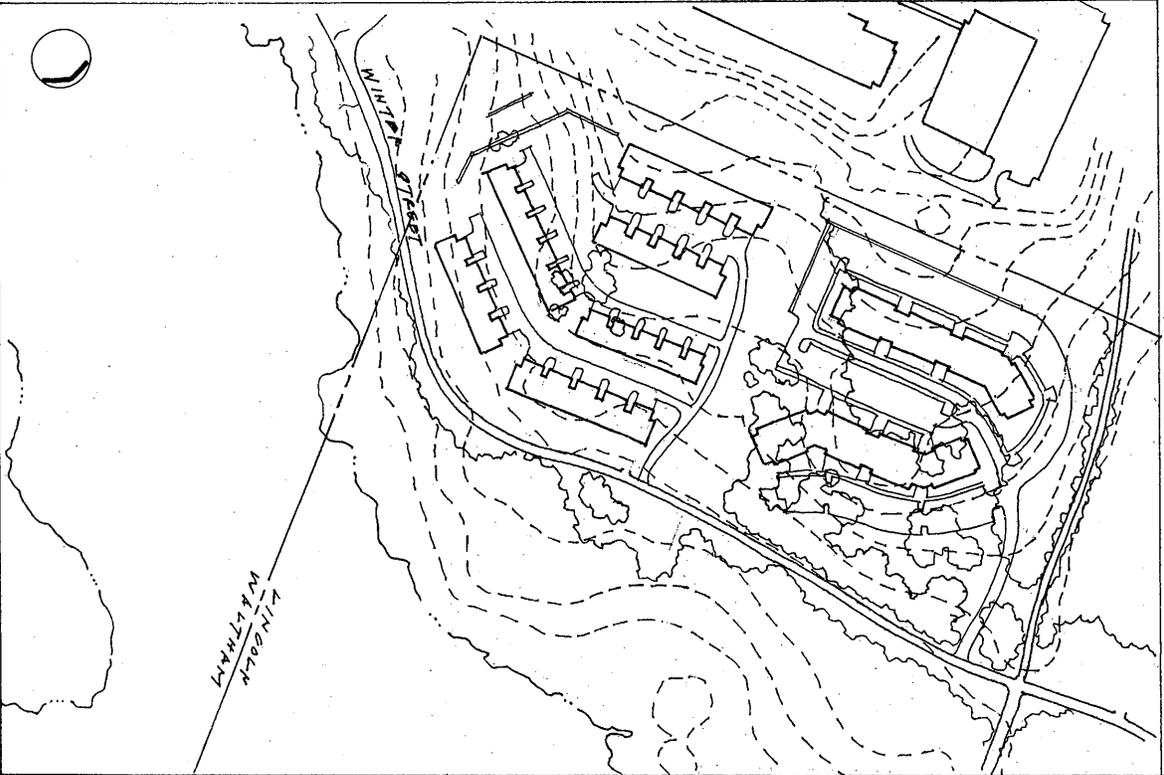
Development Summary

3 Story Buildings

198,000 SF

Parking @ 3 Sp/1000 SF

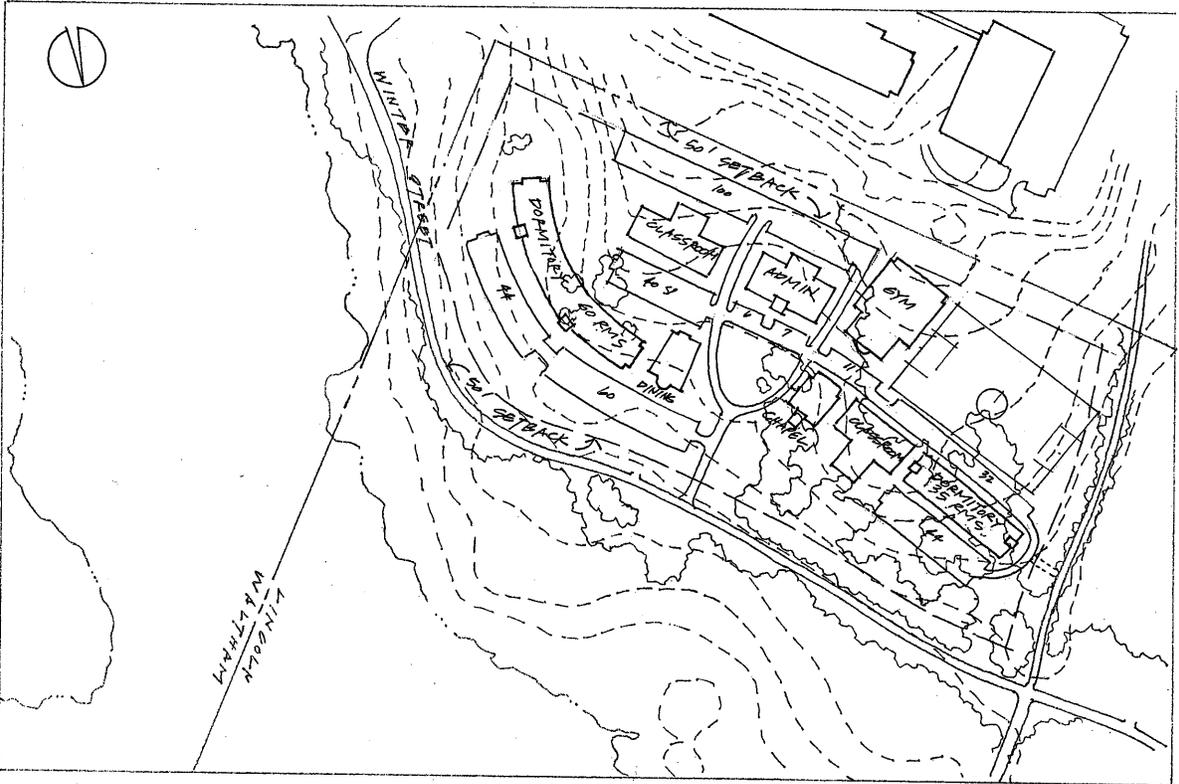
VHB
January 08



KENNEDY - ARSHAD PARCEL STUDY
OPTION: 40 B Apartments + For Sale
Townhouses

Development Summary

Total Apartments... 150 Units... Avg. 800 SF/Unit
Total Townhouses... 58 Units... Avg. 1200 SF/Unit
Parking... 2 Sp/Unit

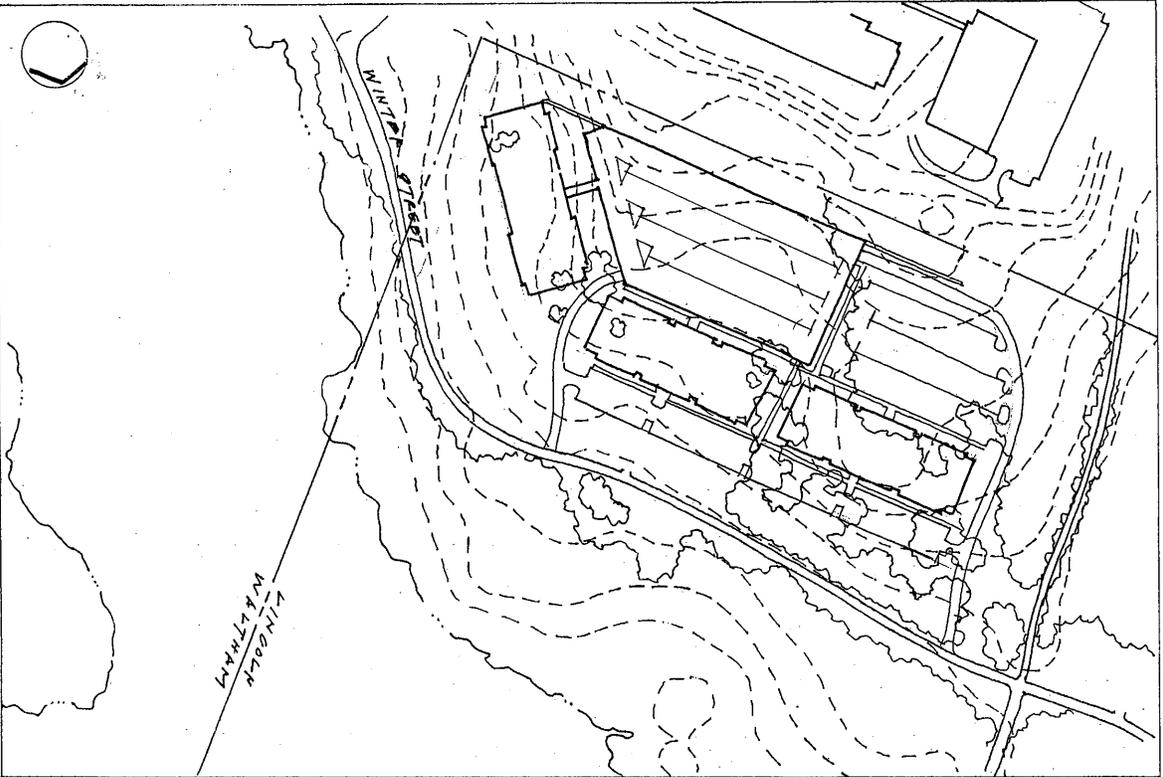


KENNEDY/ARSHAD PARCEL STUDY
OPTION: Institutional: Private School: K-8

Development Summary

Total Students... 300 (200 Boarding + 100 Day Students)

Classroom Space.....	70,000 SF
Dormitory (2 Buildings).....	105 Rooms
Gymnasium.....	20,000 SF
Administration/Office.....	20,000 SF
Chapel.....	4000 SF
Dining Hall.....	10,000 SF
Parking.....	325 Spaces

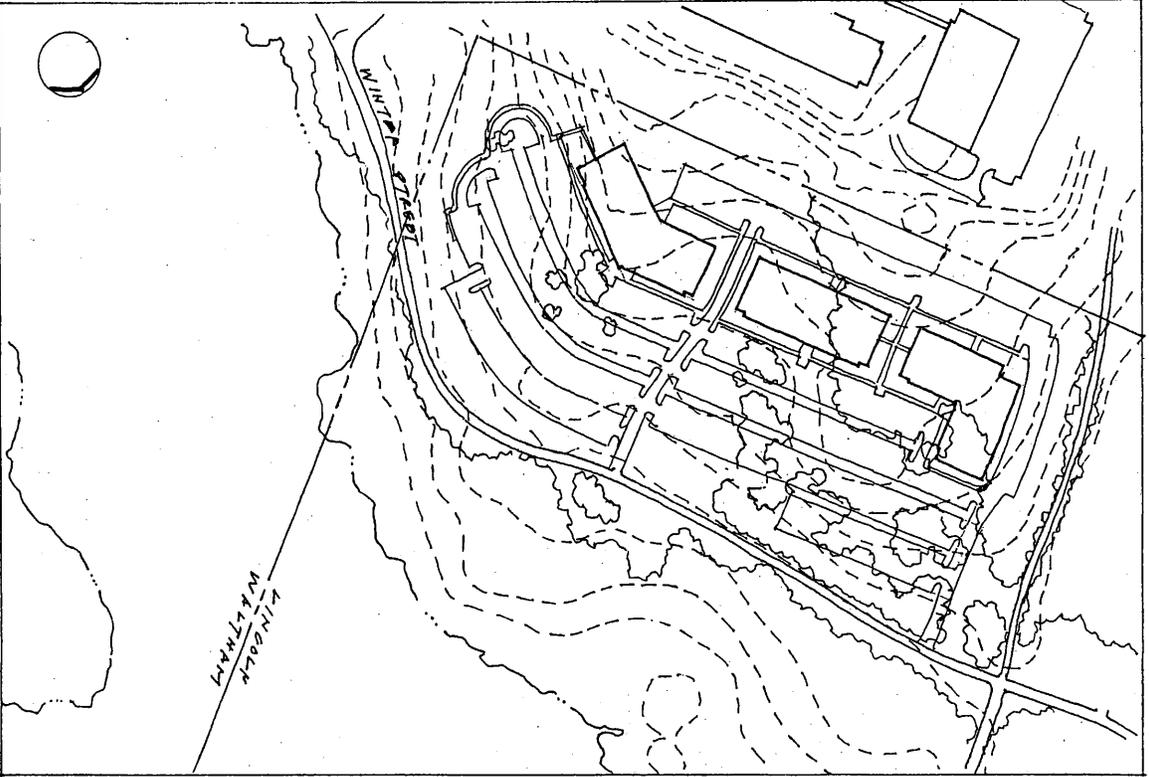


KENNEDY- ARSHAD PARCEL STUDY
OPTION: Office w/Deck Parking

Development Summary

3 Story Buildings
350,000 SF
Parking @ 3 Sp/1000 SF

VHB
January 08



KENNEDY-ARSHAD PARCEL STUDY
OPTION: Office w/Surface Parking

Development Summary

3 Story Buildings
Total 282,500 SF
Parking @3 Sp/1000 SF

Appendix E

Transportation
and Development
Environmental
Services



Vanasse Hangen Brustlin, Inc.

101 Walnut Street
Post Office Box 100
Watertown, MA 02459
Massachusetts 02459
617 924 1000

Memorandum

To: Timothy Higgins
Town Administrator
Town of Lincoln

Date: March 10, 2008

Project No.: 10361.00

From: Robert L. Nagi, P.E., P.T.O.E.
Nicolette Wilke

Re: At Risk Property Study –
Transportation
Lincoln, Massachusetts

As requested, Vanasse Hangen Brustlin, Inc./VHB has prepared the following transportation memorandum which focuses on issues surrounding development occurring in and around the Town of Lincoln as well as the development of the two properties in question in the area of Lincoln. This memorandum is divided into three sections. First, a summary of the on-going development in and around the Town of Lincoln. Second, the impacts associated with the various development options being considered for the Arshad and Kennedy parcels. Finally, the third section discusses the cumulative impacts of the various development scenarios on the Lincoln area roadways.

Summary of Regional Development

Currently, there is a significant amount of development being considered in the general vicinity of the Town of Lincoln. Currently, there are eight projects on-going in the adjacent City of Waltham that have the potential to directly impact the Town of Lincoln.

- **Related Development – Polaroid Redevelopment.** Route 117 near Route 128. 1.24 million square feet of retail development along with 450,000 square feet of office space.
- **Boston Properties – Waltham Office Center.** Totten Pond Road at Winter Street and Third Avenue. 355,000 square feet of office space and 74,000 square feet of retail space.
- **Equity Office – 175 Wyman Street Redevelopment.** Wyman Street at the Route 128 northbound ramps. 335,000 square feet of office space.

- ***Opus Development – Green Street Development.*** Between Route 117 and Route 20 along Green Street. 360,000 square feet of office space, 30,000 square feet of ancillary storage, and 180,000 square feet of retail space.
- ***Boston Properties - Fourth Avenue Redevelopment.*** Fourth Avenue and Third Avenue. 199,500 square feet of office space.
- ***Northland Investments – Main and Moody on the Common Redevelopment.*** 267 apartment units and 42,000 square feet of retail space.
- ***Massachusetts Broken Stone Office Development.*** Route 20 and Route 117 in Weston. 350,000 square feet of office space.
- ***Boston Properties – Jones Road Office Development.*** Route 117 and Jones Road in Waltham. 114,000 square feet of office space.

In addition to these projects, there is a significant additional amount of development occurring in and around the region that will undoubtedly impact traffic conditions in the vicinity of Lincoln and surrounding regional roadway systems.

**Table 1
Summary of Traffic Generation Potential**

Option	Development Summary	Daily Traffic	Peak Hour Traffic (AM and PM)	Possible Lincoln Impacts
Related Development ¹	450 ksf office & 1.24 MSF retail	25,780	1,040 & 2,605	Route 117 & Winter Street
Boston Properties (Waltham Office Center) ²	355 ksf office & 74 ksf retail	10,615	690 & 1,185	Winter Street & Trapelo Road
Equity Office – 175 Wyman Street	335 ksf office	3,380	495 & 455	Winter Street, Trapelo Road & Route 2
Opus Development – 40 Green Street	360 ksf office, 30 ksf storage, & 180 ksf retail	8,655	621 & 911	Route 117 & Winter Street
Boston Properties – Fourth Avenue	199,500 sf office	2,270	325 & 300	Winter Street, Trapelo Road, & Route 2
Northland Investments – Main and Moody on the Common	267 apartments & 42 ksf retail	3,085	80 & 280	Route 117
Mass Broken Stone	350 ksf office	3,500	510 & 470	Route 117
Boston Properties – Jones Road Office Development	114 ksf office	1,470	210 & 205	Route 117
Totals	2,163.5 ksf office, 1,536 ksf retail, 267 apartments, & 30 ksf storage	58,755	3,971 & 6,411	n/a

As Table 1 indicates, there is approximately 4 million square feet of various development in various stages of activity on-going in the vicinity of Lincoln within the Town of Weston and the City of Waltham. Not specifically noted in the above is a significant volume of additional development occurring in other adjacent communities. These developments range in size from smaller developments such as supermarkets and restaurants to larger and more complex projects – such as the 3.24 million square foot mixed use development known as Northwest Park in Burlington. Ultimately, these developments will have a continued impact on many of the regional roadways serving the Lincoln area. Specifically, the majority of these projects will impact the following regional roadway systems in Lincoln:

- Route 117,

¹ From the Transportation chapter of the Draft Environmental Impact Report for the Related Development dated January 2008.

² From Traffic Impact and Access Study “Waltham Office Center” prepared by VHB, Inc. dated November 2007

- Route 2,
- Route 2A, and
- Winter Street.

By way of comparison, Winter Street carries approximately 36,000 vehicles per day over Route 128 and approximately 2,500 vehicles per day near the Lincoln/Waltham municipal boundry.

Summary of Development Options for the At-Risk Effort

It is within the context of these other developments, the traffic impacts associated with the "At Risk" properties should be considered. As will be made clear below, several of the development scenarios have the potential to generate a reasonably significant volume of traffic based on the development options under consideration. However, these larger traffic generation options pale in comparison to the cumulative impacts of the over 4 million square feet of development on-going outside of the Lincoln municipal boundary.

Development potential for only the Arshad parcel and for the Kennedy & Arshad parcels combined have been evaluated and nine options have been developed. The tenth option – a passive recreational use – would have no tangible traffic impacts on area traffic patterns. Table 2 summarizes the potential land uses and required parking for these nine options.

Table 2
Summary of Development Options

Option	Parcel	Size/Land Use	Parking
Option A-1	Arshad	198 ksf office	595 parking spaces
Option A-2	Arshad	3 single family housing units	n/a
Option A-3a	Arshad	150 apartment units	225 surface parking spaces
Option A-3b	Arshad	108 condo units	216 parking spaces
Option A-4	Arshad	37.5 ksf church	275 surface parking spaces
Option B-1	Kennedy/Arshad	282 ksf office	846 parking spaces
Option B-2	Kennedy/Arshad	350 ksf office	446 surface and 604 deck
Option B-3	Kennedy/Arshad	7 single family housing units	n/a
Option B-4	Kennedy/Arshad	150 apartment units & 58 Townhomes	341 parking spaces
Option B-5	Kennedy/Arshad	300 student private school	325 surface parking spaces

Trip Generation & Trip Distribution

To evaluate the impact of the nine development options on the area roadways, the amount of site-generated traffic needs to be estimated and quantified. The critical time

periods for the analysis of office, residential, and institutional uses are the weekday morning and weekday evening peak hours of the adjacent street system. Trip generation rates available in the Institute of Transportation Engineers: Trip Generation [ITE] publication³ for an office use [ITE land-use code 710], single-family detached housing [ITE land-use code 210], apartment [ITE land-use code 220], residential condominium/townhouse [ITE land-use code 230], and church [ITE land-use code 560] were reviewed. ITE does not provide trip generation estimates for a Private School with dormitories. For this reason, the land-use code associated with a general private school for kindergarten through twelfth grade was used in an attempt to identify the traffic impacts associated with this option. While not a perfect match, it is similar in its operation to a private school with dormitories development and can provide a reasonable consideration of the traffic impacts.

A summary of the trip generation estimates for the four Arshad parcel options and the five Kennedy/Arshad parcel options are presented in Tables 3 and 4, respectively.

Table 3
Trip Generation Summary – Arshad Parcel

Scenario	Option A-1	Option A-2	Option A-3a	Option A-3b	Option A-4
	Office - Surface Parking ^a	Single Family Housing ^b	Apartment ^c	Condo ^d	Church ^e
Weekday Daily ^f	2,260	40	1,050	690	340
Weekday AM ^g					
Enter	285	5	15	10	15
<u>Exit</u>	<u>40</u>	<u>10</u>	<u>60</u>	<u>45</u>	<u>10</u>
Total	325	15	75	55	25
Weekday PM ^g					
Enter	50	5	65	45	15
<u>Exit</u>	<u>250</u>	<u>0</u>	<u>35</u>	<u>20</u>	<u>10</u>
Total	300	5	100	65	25

Based on ITE LUC 710 (General Office – regression equations) for 198 ksf of gross floor area
 Based on ITE LUC 210 (Single Family Housing – regression equations) for 3 units
 Based on ITE LUC 220 (Apartments – regression equations) for 150 units
 Based on ITE LUC 230 (Residential Condominium/Townhouse – regression equations) for 108 units
 Based on ITE LUC 560 (Church – average rates) for 37.5 ksf of gross floor area
 expressed in vehicles per day
 expressed in vehicles per hour

³ Trip Generation; Seventh Edition; Institute of Transportation Engineers; Washington, D.C. [2003].

**Table 4
Trip Generation Summary – Kennedy/Arshad Parcels**

Scenario	Option B-1	Option B-2	Option B-3	Option B-4	Option B-5
	Office - Surface Parking ^a	Office - Deck Parking ^b	Single Family Housing ^c	Apartment/Townhouse ^d	Private School ^e
Weekday Daily ^f	2,960	3,500	90	1,690	740
Weekday AM ^g					
Enter	380	450	5	25	145
Exit	<u>50</u>	<u>60</u>	<u>10</u>	<u>105</u>	<u>90</u>
Total	430	510	15	130	235
Weekday PM ^g					
Enter	65	80	5	105	20
Exit	<u>330</u>	<u>390</u>	<u>5</u>	<u>55</u>	<u>30</u>
Total	395	470	10	160	50

Based on ITE LUC 710 (General Office – regression equations) for 282 ksf of gross floor area
 Based on ITE LUC 710 (General Office – regression equations) for 350 ksf of gross floor area
 Based on ITE LUC 210 (Single Family Housing – regression equations) for 7 units
 Based on ITE LUC 220 (Apartments – regression equations) for 150 units and
 ITE LUC 230 (Residential Condominium/Townhouse – regression equations) for 58 units
 Based on ITE LUC 536 (Private School (K-12), average rates) for 300 students
 expressed in vehicles per day
 expressed in vehicles per hour

As shown in Tables 2 and 3 above, the office uses on the Arshad and Kennedy/Arshad parcels are projected to generate the most weekday morning and evening peak hour trips while the single family housing uses are projected to generate the fewest peak hour trips.

To further quantify the potential impact of each development option, likely trip distribution patterns were reviewed for each land use. This issue is somewhat compounded by the one-way designation that runs from the Waltham municipal boundary into the Town of Lincoln for some distance. If this one-way designation was to remain, then – in theory – all the traffic exiting the parcels would be forced to turn left into the Town of Lincoln and would then have to find their way to the regional highway system. On the other hand, traffic arriving to the site would have to arrive from the Waltham side of Winter Street. Therefore, the directional distribution of traffic would mimic the “enter” and “exit” columns noted above with traffic volumes listed as entering arriving from Waltham and traffic volumes listed as exiting traveling through the Town of Lincoln.

Notwithstanding the above distribution – if one considers that the one-way designation could be modified to some degree through discussions with the various authorities, the directional distribution of the vehicular traffic approaching and departing the site would be more of a function of population densities, the location of employment, existing travel patterns, competing uses, and the efficiency of the existing roadway system. Since the potential development could be one of three different types of uses (office, residential, or institutional), the directional distributions for each use were considered separately. Table 5 below summarizes trip distribution patterns established

for the other office developments located within the City of Waltham. The two development parcels under consideration would most likely reflect travel patterns seen in Waltham as this area would be somewhat of an extension of the commercial uses in that community. Trips made to and from the proposed office uses during the peak hours are expected to be predominantly home-to-work and work-to-home trips in the morning and evening peak hours, respectively. Accordingly, the trip distribution presented in Table 5 was based on 2000 U.S. Census Journey-to-Work data for the City of Waltham.

**Table 5
Trip Distribution Summary – Office Development**

Route	Direction	Percent of Total
Route 128	North	32%
	South	32%
Route 20	East	9%
	West	2%
Route 117	West	3%
Winter Street	West	0%
Local Roads within Waltham	North	9%
	South	13%
		100%

As noted, assuming the one-way designation was modified to some degree, and based on the distribution presented in Table 5, it can be expected that approximately one-third to one-half of the commercial development-related traffic would likely utilize Winter Street into Lincoln to exit the site (this would represent the volume of traffic seeking to travel north of the site using roadways such as Route 128 and Route 2 as well as locally based trips. The remaining two-thirds to one-half percent can be expected to utilize Winter Street from the east. This skewed distribution of office trips to the east is a result of the proximity of the site to Route 128/I-95 to the east and the limited access Winter Street provides to regional roadways to the west.

Impact to Lincoln

Based on the evaluation presented above, the direct impacts to the roadway systems within the Town of Lincoln can be summarized. While the majority of the impacts will be along Winter Street, the nature of the various developments will dictate if the impacts will be “regional” in nature or “localized” in nature. For example, residential users will have a more localized impact as drivers will be more likely to use the neighborhood street network to reach their destinations. On the other hand, a commercial development will be more likely to use the roadway networks to connect with regional traffic networks and will be less likely to use neighborhood roadways if they do not provide any advantage to reaching the regional highway system.

Based on the above trip generation and distribution networks, the following impacts could be realized on local roadways within Lincoln (assuming that the one-way designation was modified):

**Table 6
Trip Assignment Summary – Arshad Parcel Only**

Scenario	Option A-1	Option A-2	Option A-3a	Option A-3b	Option A-4
	Office - Surface Parking	Single Family Housing	Apartment	Condominium	Church
Weekday AM ^a Winter Street into Lincoln	10-15	5	20-30	15-25	5
Weekday PM ^a Winter Street into Lincoln	80-125	Neg	10-20	5-10	5

expressed in vehicles per hour
Negligible

**Table 7
Trip Assignment Summary – Combined Kennedy/Arshad Parcels**

Scenario	Option B-1	Option B-2	Option B-3	Option B-4	Option B-5
	Office -Surface Parking	Office -Deck Parking	Single Family Housing	Apartment	Private School
Weekday AM ^a Winter Street into Lincoln	15 - 25	20 - 30	5	35 - 50	30 - 45
Weekday PM ^a Winter Street into Lincoln	110 - 165	130 - 195	Neg	15 - 25	10 - 15

expressed in vehicles per hour
Negligible

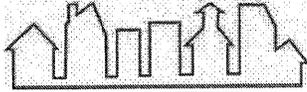
As the tables show, the impact to the streets of Lincoln (Winter Street into Lincoln) will range from negligible impacts with some of the lower intensity developments to as much as 130-195 new vehicle trips on an hourly basis with the more intensive developments considered. Clearly, the two developments on the combined Arshad-Kennedy properties create the most traffic generation – and therefore the most traffic impacts to the community.

The volume of traffic associated with the more intensive developments could – theoretically – be accommodated along the roadway systems serving this area within the Town of Lincoln. However, the volumes (as much as 3 additional vehicles per minute more) would present a noticeable change in traffic volumes along the local roadways (most notably Winter Street and Old County Road) as drivers sought to travel

to the regional highway system. Furthermore, delays as drivers wait to turn onto Trapelo Road will increase to some degree as demand increases.

Should, as some are projecting, the Route 128 corridor become much more congested and drivers begin to find the local roadways as more preferable than the regional highway system to travel in and around the area, there could very well be an influx of additional traffic both related to the At Risk properties as well as other area developments in the area that could use roadways such as Winter Street.

Appendix F



Community Opportunities Group, Inc.

129 Kingston Street, Third Floor
Boston, Massachusetts 02111
(617) 542-3300

March 10, 2008

TO: Timothy Higgins, Town Administrator
Town of Lincoln

FROM: Judi Barrett, Director of Planning
Community Opportunities Group, Inc.

RE: At-Risk Properties Study II

Per your request, Community Opportunities Group, Inc. (COG) has prepared fiscal impact estimates for several alternative land uses for the Arshad and Kennedy parcels. We generated the estimates from a spreadsheet model that we developed for the Town and VHB, Inc., during the first At-Risk Properties Study in 2005. In July 2007, we updated the model in an effort to make all of its assessed value, expenditure and revenue data current through FY 2007.

Table 1 identifies the land use alternatives that we evaluated for the Arshad property and the Arshad/Kennedy parcels combined. The number of dwelling units and square feet of nonresidential space are based on conceptual layouts prepared by VHB, Inc. We acknowledge that Lincoln may be interested in acquiring one or both parcels for open space uses. However, we have not included these possibilities in our report. If the Town would like us to consider them in the context of a fiscal impact analysis, we will provide a supplemental memorandum for your review.

Table 1: Land Use Alternatives

Parcel	Land Use	Units/Sq. Ft.
Arshad	Single-family dwellings	3 units
	Multi-family condominiums	108 units
	Multi-family rental	150 units
	Office building	198,000 sq. ft.
	Religious use	37,500 sq. ft.
Arshad/Kennedy	Single-family dwellings	7 units
	Multi-family/townhouse mix	150 rental units 58 townhouse units
	Office building	282,500
	Office building w/ deck parking	350,000
	Educational use	192,400

A. Background

An at-risk property study is a vehicle for exploring land use changes that could occur on parcels of interest to a community. The results of this type of analysis may help residents and local officials decide whether the town should take active steps to guide the disposition of an important parcel of land through means other than zoning, e.g., by acquiring it for open space or municipal uses, by purchasing a conservation restriction, or by working with the property owner on a development plan that would meet both the community's and owner's needs. An at-risk analysis is also a useful planning tool because it sheds light on potential development impacts that a community can prepare for in advance. In the spirit of activist planning, Lincoln initiated the first At-Risk Properties Study about three years ago. The study included six parcels and examined as many as six land use options for each site. The Kennedy property was one of these parcels.

Last year, Lincoln was approached by parties interested in rezoning the Arshad parcel to accommodate a 200,000 sq. ft. office building. Since the Arshad parcel abuts the Kennedy property, the Town decided to consider two possibilities: land uses for the Arshad parcel on its own, and for the Arshad and Kennedy parcels assembled. The scenarios that COG and VHB evaluated are very similar to the scenarios considered in the original At-Risk Properties Study. It is important to note that none of the scenarios in this report exists in the form of a detailed plan submission to the Town. As a result, a fiscal impact analysis at this stage is really a prototype land use study.

B. Methodology & Assumptions

A fiscal impact analysis explores the relationship between the amount of local government revenue generated by a development and its associated community service costs. The purpose is to determine whether a particular land use is likely to be beneficial or detrimental to a community's fiscal condition. Fiscal impact studies measure the *direct* impacts of a project. While off-site and indirect impacts may be very important, they exceed the scope of a fiscal impact study and are more appropriately addressed in a comprehensive development impacts review. In addition, fiscal impact studies focus on recurring revenue and expenditures, and in most cases they provide future cost and revenue estimates based on historic trends and current conditions. When a proposed development involves a use or project scale that has no existing counterpart in the community, a fiscal impact analyst has to look at the experience of other communities and establish some working assumptions.

That said, all fiscal impact studies have to rely on assumptions in order to estimate the kinds of costs that a development is likely to generate as well as its potential future

revenue stream. Not surprisingly, the assumptions embedded in a particular methodology are the most contested aspect of any fiscal impact study. Many people think that housing is the only source of demand for local government services, but communities also provides services to non-residential land uses. If an analyst ignores nonresidential service costs, a fiscal impact study can significantly overstate the costs associated with new residential development. In fact, the first step in any fiscal impact analysis involves estimating the share of local expenditures that should be attributed to *nonresidential* land uses: mainly commercial and industrial development. After deducting non-residential expenditures from total expenditures, the remaining amount is generally assigned to residential land uses. The process of allocating current spending to nonresidential and residential development establishes the existing condition, or baseline, for virtually all fiscal impact models.

Not all residential and nonresidential land uses generate service costs to the same degree. For example, elderly housing does not have a direct impact on public schools, so the service costs associated with age-restricted housing are quite different from the costs associated with single-family homes. Even housing that is not age-restricted can vary tremendously in terms of the relationship between service costs and revenue. High-end townhouses usually generate *net* revenue, meaning revenue that exceeds the cost of community services used by residents of a townhouse development. In contrast, apartments tend to generate a revenue deficit mainly because the assessed value per rental unit is much less than the assessed value of a multi-family condominium. These generalizations have to be treated cautiously, however, because unique local conditions can affect the fiscal position of any given land use.

C. Lincoln Impacts Model

The fiscal impact model used in this study integrates two "average cost" methodologies, the so-called *proportional valuation* approach to estimating nonresidential service costs and *per capita multipliers* for estimating residential service costs. In both cases, these methods have been used to establish baseline expenditures for each primary class of land use and for sub-classes within them. The actual cost forecasting for new development involves some adjustment factors because the *marginal cost* of increasing service delivery is not always equal to a community's existing expenditures per capita or per square foot. Sometimes a community has ample capacity to absorb growth and in other cases its existing capacity would be hard-pressed to accommodate additional demands for service.

Proportional valuation has been used in fiscal impact studies for more than forty years. It has some limitations, but the model is quite good at simulating differences in municipal service demands for different types of nonresidential development. Proportional

valuation relies on two key assumptions. First, it assumes that the ratio of the assessed value of commercial and industrial real property to the assessed value of all real property can be used to infer the nonresidential share of a community's existing municipal service costs. Second, it assumes that the ratio of a new project's assessed value to the average assessed value of existing nonresidential property can be used to estimate the cost of services used by the new project. Both formulas include a set of coefficients to control for extremes. For example, a new, high-end project could appear to require a very large outlay for municipal services simply because its value significantly exceeds the established local average. However, the project's high value alone may not cause a town to spend substantially more on additional services, so the ratio of new to existing property values has to be modified with a refinement coefficient.

Per capita multipliers are the most common tool for estimating the cost of residential services. Like proportional valuation, the per capita multiplier model has limitations; it is not the best choice for studies of very small projects or for large-scale developments that will be built in phases over a period of several years. The per capita multiplier approach hinges on several assumptions:

- ◆ A community's existing levels of service are reasonably indicative of levels of service in the future;
- ◆ A community's existing population and a proposed new development's population are demographically similar; and
- ◆ When current municipal spending per person is allocated to various sectors, such as general government, public safety, public works and so forth, the existing distribution is reasonably indicative of the way that additional expenditures will be allocated in the future.

Arguably, a straightforward, unrefined use of per capital multipliers would not be suitable for some of the scenarios in the At-Risk Properties II study. Accordingly, the model includes a series of coefficients that allow costs to be adjusted for factors such as project scale. This feature of the spreadsheet essentially functions as a "crosswalk" from average cost to marginal cost analysis, that is, an analysis of the change in cost that occurs with an increase in service delivery.

All of the financial data in the model are based on Lincoln's actual expenditure and revenue history and property values for various classes of land use. Still, the model is a fairly blunt instrument because it is not designed to measure subtle differences between developments of the same land use class – differences that could be attributable to

location, phasing, or proximity to other land uses which may affect the assessed value of the new development. Further, some new cost and revenue multipliers have been added to the model and applied on a case-by-case basis, e.g., to estimate the impacts of land uses that do not exist in Lincoln today. These multipliers are based on our experience in other affluent suburbs in the Boston area. Finally, it is important to note that some land uses tend to defy conventional fiscal impact assumptions regardless of the community in which they are located. A few examples include colleges and boarding schools, religious uses, assisted living facilities and hospitals.

D. Development Impacts vs. Fiscal Impacts

Fiscal impact studies need to be used judiciously. They reveal relationships between various classes of land use, local government revenue and service costs, but they are not designed or intended to evaluate other kinds of quality-of-life impacts on neighborhoods or entire communities. In addition, studies that focus on a single project do not capture its contribution to the cumulative impacts of growth and change. Rather, they intend to show whether the project can "stand on its own," or generate enough revenue to cover its own direct costs. Sometimes land uses with a favorable fiscal impact can have unwanted outcomes, such as the demolition of a historic building to make way for a new, modern building, or excessive water use, traffic or noise. Moreover, sometimes land uses with a negative fiscal impact provide important benefits that compensate for the public cost to serve them. Charitable, cultural, educational and religious uses are good examples of land uses that provide public benefits, and many towns that need rental housing would consider apartments advantageous from a housing perspective even though the use is unlikely to pay its own way. One of the advantages of an at-risk property study is that the results can encourage a conversation about public and private costs and benefits, and a community's aspirations for its future.

Prototype Land Use Fiscal Impact Analysis: Arshad Parcel

Summary Statistics	Single-Family Homes	Multi-Family Condominiums	Multi-Family Rental Housing	Offices	Religious Use
Total Acres	8.6	8.6	8.6	8.6	8.6
Total Dwelling Units	3	108	150	0	0
Total Commercial Square Feet	0	0	0	198,000	0
Total Institutional Square Feet	0	0	0	0	37,500
Population	10.4	219.5	263.9	0.0	0.0
School-Age Children	4.2	29.7	16.5	0.0	0.0
Estimated General Fund Revenue	\$74,000	\$461,000	\$315,000	\$315,000	\$0
Municipal Service Costs	\$17,000	\$130,000	\$255,000	\$124,000	\$11,000
Education Costs	\$63,000	\$403,000	\$224,000	\$0	\$0
Estimated General Fund Service Costs	\$80,000	\$532,000	\$479,000	\$124,000	\$11,000
Cost-Revenue Ratio	1.08	1.15	1.52	0.40	N/A
Revenue Gain/(Loss)	(\$6,000)	(\$71,000)	(\$164,000)	\$190,000	(\$12,000)
FY0Y Assessed Valuation	\$1,971,632,000	\$1,971,632,000	\$1,971,632,000	\$1,971,632,000	\$1,971,632,000
Tax Rate Impact	\$0.0000	\$0.0000	\$0.0001	(\$0.0001)	\$0.0000
Additional/Reduced Cost to Taxpayers	\$0	\$40	\$90	(\$110)	\$10

Note: numbers may not total due to rounding.

Prototype Land Use Fiscal Impact Analysis: Arshad/Kennedy Parcels Combined

Summary Statistics	Single-Family Homes	Multi-Family Housing	Offices	Offices w/ Deck Parking	Educational Use
Total Acres	17.5	17.5	17.5	17.5	17.5
Total Dwelling Units	7	208	0	0	0
Total Commercial Square Feet	0	0	282,500	350,000	0
Total Institutional Square Feet	0	0	0	0	192,400
Population	24.4	396.7	0.0	0.0	0.0
School-Age Children	9.8	30.9	0.0	0.0	0.0
Estimated General Fund Revenue	\$173,000	\$637,000	\$457,000	\$566,000	\$0
Municipal Service Costs	\$31,000	\$383,000	\$212,000	\$312,000	\$152,000
Education Costs	\$148,000	\$419,000	\$0	\$0	\$0
Estimated General Fund Service Costs	\$179,000	\$802,000	\$212,000	\$312,000	\$152,000
Cost-Revenue Ratio	1.03	1.26	0.46	0.55	N/A
Revenue Gain/(Loss)	(\$6,000)	(\$165,000)	\$245,000	\$254,000	(\$152,000)
FY0Y Assessed Valuation	\$1,971,632,000	\$1,971,632,000	\$1,971,632,000	\$1,971,632,000	\$1,971,632,000
Tax Rate Impact	\$0.0000	\$0.0001	(\$0.0001)	(\$0.0001)	\$0.0001
Additional/(Reduced) Cost to Taxpayers	\$0	\$90	(\$140)	(\$140)	\$80

Note: numbers may not total due to rounding.

Appendix G



May 8, 2008

Mr. Timothy Higgins
Town of Lincoln
16 Lincoln Road
Lincoln, MA 01773

Re: At Risk Property Committee
Old County Road/ Winter Street Study Findings

Dear Tim:

As you are aware, we have proposed to the Town of Lincoln that a section of east Lincoln bordered by Old County Road, Winter Street and the City of Waltham, be rezoned to allow for the development of commercial space. At the request of the Board of Selectmen, the At-Risk Property Committee was convened to study the potential impacts of development on this property. The Committee in turn commissioned VHB to conduct an analysis of the traffic impacts associated with various development scenarios on the parcels and commissioned Community Opportunities Group ("COG") to study the financial impacts various development scenarios would have on the Town. The purpose of this letter is to address some of the findings outlined in those reports and to reiterate why we believe this project makes sense for Lincoln.

While the studies were comprehensive, there are a few important clarifications to be made. First and foremost is the economic impact of the proposed project.

1) The COG report has dramatically underestimated the potential real estate tax revenue associated with a first-class commercial development. It estimates the revenue as \$1.62 per square foot of building area (\$566,000 per year for a 350,000 square foot building). We estimate the actual taxes will be closer to \$4.00 per square foot. The cost basis of the project will be in excess of \$300 per square foot. At Lincoln's FY08 mill rate of \$13.55 per \$1,000 of value, this would result in taxes of \$4.07 per square foot or \$1,425,000 for a 350,000 square foot building. By way of example, the FY08 taxes for Lincoln North (a 128,000 square foot, 20-year old office building in Lincoln adjacent to Hanscom Field) is \$2.40 per square foot and current real estate taxes for Waltham Woods Corporate Center and Bay Colony Corporate Center (both in Waltham) are approximately \$4.00 per square foot. The commercial mill rate is higher in Waltham (\$23.21 per \$1,000 of value) than Lincoln, however, the assessment for Waltham Woods and Bay Colony is substantially below the actual market value. To reiterate, a 350,000 square foot building on the subject site would generate approximately \$1,425,000 of incremental revenue for the Town of Lincoln (representing approximately 7.5% of the annual revenue for the town) and would not put one more student in the schools.

Mr. Timothy Higgins

May 8, 2008

Page 2

2) The COG report has substantially overstated the cost to the Town of Lincoln associated with the project. The COG report describes a formula for determining the annual economic cost of a project based on a formula for allocating a portion of a town's expenses over the non-residential land parcels in a town. As admitted in the report, the methodology is far from exact and requires the application of factors to adjust the formulaic predictions. The models are also not necessarily relevant for Lincoln. As admitted by Judi Barrett (author of the report) in her comments to the At-Risk Property Committee hearing on April 16th, the models tend to be conservative and often overstate the actual expenses. For a 350,000 square foot building, the COG report predicts the annual cost to Lincoln to be \$312,000; however, it doesn't suggest what those costs might be. The only town services consumed by the project will be occasional emergency calls to the premises and it is unlikely that the Town will add any police or fire staff to deal with one additional building. Additionally, any water expense used by the building will be offset by water charges. We believe incremental expense associated with the project will be negligible and at a minimum deserves additional scrutiny.

The second aspect of the reports that merits clarification is traffic. In June, 2007, we provided a traffic report to the Town of Lincoln detailing the projected traffic impacts associated with development of the subject site. The VHB report is consistent with our report with one important distinction. Our report (prepared by Tetra Tech/ Rizzo) used two sources to estimate potential traffic generated from the project: 1) the Institute of Transportation Engineers ("ITE") trip counts generated for a generic office building, and 2) actual trip counts from Bay Colony Corporate Center. The actual trip counts generated from Bay Colony are lower than ITE and are more reflective of the actual trip counts associated with a commercial development on the subject site. We have consistently found ITE to be overly conservative and see no reason why the actual performance of a comparable project is not an appropriate measure of the probable future traffic impacts.

The other point to be made about the VHB report is that it discusses many other developments occurring in Waltham and surrounding communities along Rt. 128 and makes the inference that many of these other developments will impact the traffic in Lincoln and in particular on Winter Street. While there are other developments occurring in Waltham along Winter Street that may affect the traffic along Winter Street into Lincoln, it is preposterous to suggest that projects at other exits along Rt. 128 and as far away as Burlington will have a direct impact on Winter Street traffic into Lincoln.

As you know, and as we have stated in several public meetings, we feel the subject site is worthy of being rezoned to allow limited commercial development for several important reasons.

- 1) The site is segregated from most of Lincoln and borders the office parks of Waltham located along Winter Street. While there are some residences in proximity to the project, the architecture of the project would be of a low profile, first-class nature to minimize the impact on the surrounding neighborhood, similar to Waltham Woods Corporate Center (which we developed).

Mr. Timothy Higgins

May 8, 2008

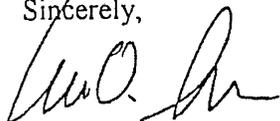
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- 2) A condition of the rezoning of the subject site would be maintaining the one-way section of Winter Street and providing access to the subject site near the entrance to Bay Colony Corporate Center (where the road is already two-way traffic). Lincoln is already getting traffic from the Waltham office parks at the end of day via the one-way section of Winter Street. Waltham is continuing to increase the density of the office parks along Winter Street and Lincoln will continue to receive increased traffic from these parks. The incremental traffic associated with a commercial development on the subject site is relatively small (one to two additional vehicles per minute during the evening peak hour heading west on Winter Street) in the context of the existing traffic and given the potential economic benefit to the Town of Lincoln.

- 3) The economic benefit to Lincoln for rezoning the subject site would be substantial. Based on our projections, the incremental revenue to the Town of Lincoln will be in excess of \$1,400,000 per year, representing a substantial portion of the Town's budget.

This rezoning will require a two-thirds majority vote at Town Meeting. In our minds, this can only be achieved with the support of the Town boards. Accordingly, we are asking for the support of the Board of Selectmen and the Planning Board in this effort. While not everyone will be in favor of the project, we believe the economic benefits to the Town significantly outweigh the potential costs. We hope these clarifications are helpful in establishing the facts for the Town officials to consider when discussing next steps. We look forward to discussing this with the Town boards and are available at your convenience to answer any questions.

Sincerely,



William. D. Gause
Senior Vice President

Appendix H

To: Lincoln At-Risk Properties Committee
From: Beth Ries and John Hammond
Subject: Suggested changes to July version of the ARPC report on the Arshad land
Date: July 22, 2008

The two of us have served many years in the past on the Town's Route 128 Area Committee. (Beth was chair for over a decade.) As a result, we are intimately familiar with the traffic patterns through Lincoln as a result of commercial development in Waltham, particularly due to the development on Winter Street west of Route 128.

We served during the time that Lincoln achieved the one-way on Winter Street. (It was not a negotiated compromise, but a ruling by the Middlesex County Commissioners after Lincoln petitioned for road closure at the town line.) We also served when Boston Properties attempted to develop the Polaroid land with Old County Road in Lincoln as its access.

Because of our experience, we read your June draft report with great interest.

Attached are some suggestions that we feel would improve the report from a traffic standpoint.

We hope this is helpful to you. We'd be happy to meet with your committee or with one or more of its members to discuss the report and/or our suggestions.

At Risk Properties Committee

Report to the Planning Board
July ____, 2008

Re: Arshad Property – Winter Street

Ken Hurd, Planning Board
Bryce Wolf, Planning Board
Gary Taylor, Board of Selectmen
Buffer Morgan, Board of Assessors
Paul Giese, Finance Committee
Peter vonMertens, Conservation Commission
Dan England, Rural Land Foundation
Tim Higgins, Town Administrator
Mark Whitehead, Town Planner

I. Impetus

on an 8-b-
an option
~~At the Selectmen's regular weekly meeting of June 5, 2007, Leggat McCall Properties (LPI) advised the Town that they had signed a purchase and sale agreement with the Arshad family, owners of a 9 acre parcel located at 160 Old County Road (at the intersection with Winter Street), with the intention of seeking town votes and approvals needed to construct a commercial office building.~~
Commercial use would require rezoning which in town would require 2/3 vote of Town Meeting
LPI was considering whether to seek
Parenthetically, the Town was somewhat familiar with the issues attendant to development on this site, as the adjacent property (i.e., former Kennedy property - now owned by the Mayo Group, a commercial real estate developer) had been studied by the original At Risk Properties in 2005 as part of that Committee's analysis and public dialogue intended to give the town a say in development decisions pertinent to six specific properties - including the Kennedy parcel.

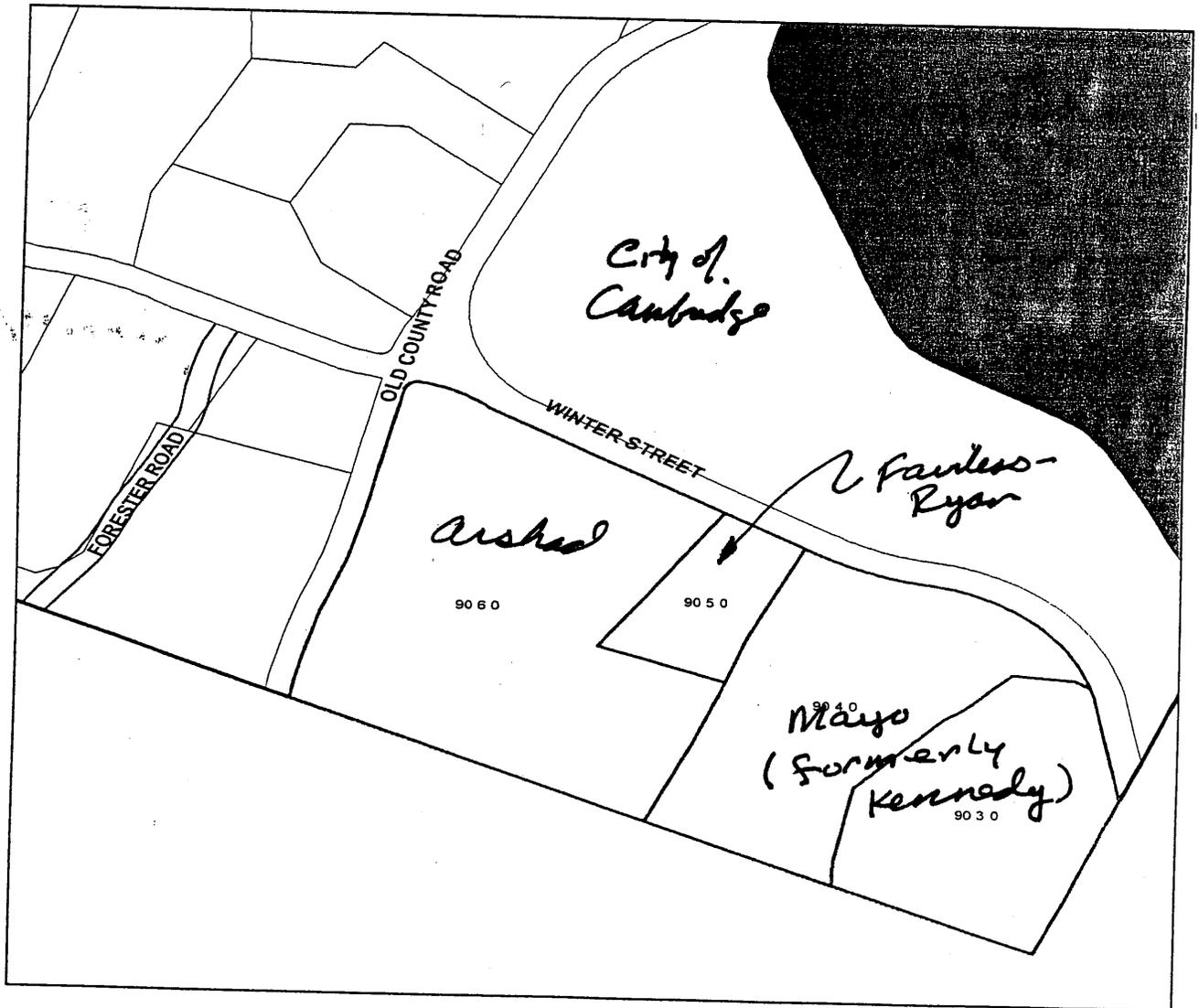
Through the 2005 At Risk Properties Committee process, the town boards came to understand that they could control certain development possibilities but not others (i.e., a hostile 40 B proposal or a large not-for-profit institutional development). In response to LPI's intention to acquire the Arshad property, the Board of Selectmen reconvened the At Risk Properties Committee in August, 2007, to ensure that the policy boards and the community would gain a full understanding of the various developments that could occur, their advantages and disadvantages and to confirm the scope of the town's legal authority to regulate.

At the time the Committee was reconvened, the Selectmen and Planning Board were aware that the adjacent parcel (i.e., Kennedy) was owned by the Mayo Group, a 40B developer; that the Town would be vulnerable to a hostile 40B development in 2010 when the 40B target is recalculated; and that a number of religious and educational institutions had expressed recent interest in finding a campus environment in Lincoln or our general area. Rather than limit the Town's focus and concerns to the pros and cons of an office park, the Selectmen thought it prudent to ask the At Risk Properties Committee to study all possibilities.

According to the Lincoln Journal report of this meeting, "The developer stated that his office was considering other projects and didn't want to commit time to this one if it was a non-starter."

IV. Development Scenarios (Ken & Bryce) – Edits per Mark’s 6/19 e-mail

The Arshad property, under option to Leggat McCall, consists of 8.6 acres at the intersection of Winter St. and Old County Rd. The adjacent Kennedy land, owned by the Mayo Group, on Winter Street includes 8.9 acres in Lincoln, with an additional 3+ acres in Waltham. A 1.3 acre privately owned parcel between these two properties was included in these analyses, although it is not specifically spelled out by name in this report. Superficially, the land appears to have no significant development constraints, such as wetlands, however the Kennedy property has some areas of steep slopes. The sites are bounded on the north and east by the Cambridge Reservoir and on the south by the Waltham office parks.



AT RISK PROPERTY STUDY
Arshad-Kennedy Property
June 19, 2008

Town of Lincoln
16 Lincoln Road
Lincoln, MA 01773

V. Financial Impacts

Provided by Paul Giese week of 6/17; replaces draft discussed during previous ARPC meeting.

1. Background

For many years the Town of Lincoln has sought to alleviate rising costs, diminishing State Aid and the inevitable Town Overrides by finding sources of revenues outside of Residential Property Taxes, which historically bore 96% of the Tax Levy burden. Fees and services (e.g. parking and cell towers) were increased and maximized. Additional State funding was implemented where possible (e.g. CPA/CPC). One alternative remaining is to explore other land uses that might generate net revenues rather than addition tax burdens. In the analysis below, the fiscal impact of various land uses for the Arshad property are compared, and the most financially attractive one, commercial office space, summarized.

SUGGESTION: DEFINE EACH ABBREVIATION (e.g. CPA/CPC) AS FIRST INTRODUCED

2. Fiscal Impact Comparison of various Arshad/Kennedy property uses

The ARP Committee's consultant, COG, prepared fiscal impact estimates for several alternative land uses for the Arshad and (adjoining) Kennedy properties. COG used a spreadsheet model, which had been developed in 2005 for use by the town of Lincoln in the ARP study of that year. After discussing all the options, the land use alternatives agreed upon for comparison were: 1) Single Family Residential; 2) Multi-Family Condos (e.g. 40B possibilities); 3) Multi-Family Rental ; 4) Institutional (Religious or Educational) ; and 5) Commercial Office Space. Figure I summarizes the financial comparison of these alternatives.

Figure I
Summary Comparative Fiscal Impact Analysis
Net (Revenues - Costs) per year

	Single Family Homes	Multi Family Condos	Multi Family Rental	Institutional Religious / Educational	Offices
Arshad Property	(\$6,000)	(\$71,000)	(\$164,000)	(\$11,000) <i>Religious</i>	\$191,000
Arshad/Kennedy Combined	(\$6,000)	(\$165,000)		(\$152,000) <i>Educational</i>	\$254,000

Wouldn't this be more negative w/ more lots?

The Lincoln North figures are from the current office park in Lincoln near Hanscom Field. The COG letter of 7/26/07 was sent to the Town Administrator a year ago estimating the impact of office space on the Arshad Property (before reverting to their older model). The Leggat McCall letter of 5/08/08 was sent to the Town Administrator to state their estimate of revenue potential for office space on the Arshad property (based on the near-by office parks in Waltham and on figures from Lincoln North). Nevertheless, these additional figures have not yet been vetted and are only shown to provide support for the statement that the COG figures from the model could be conservative. None of these additional figures are ~~not~~ included in the summary table below. However, should a proposal for an office park on the Arshad property be seriously considered in the future, further analysis of the expected revenue potential to the Town would seem warranted.

The Summary Table below considers only the results obtained from the COG model 3/10/08, which for comparative purposes at this stage of reviewing impacts are sufficient and suitably objective.

← TYPE SIZE PROB

Summary Table of Fiscal Impacts

Net annual contribution to Lincoln's tax levy	\$191,000
Range of total impact between alternatives	\$197,000 – \$355,000
Typical override in Lincoln (for size comparison)	\$300,000
Average tax payer impact (reduction) per year	(\$100)
Average % reduction of tax bill per year (per payer)	(1%)

Average tax payer impact (reduction) per day (RTF)

would
the most
traffic generation from

The second section addresses the various development scenarios for the Arshad and Kennedy parcels ~~outlined above and their associated anticipated traffic generation.~~

Although the office use ~~will generate a significant amount of traffic by Lincoln's standards, followed by multi-family housing of any kind, it is clear that the nearly 2,300 anticipated daily car trips generated by an office use pales in comparison to the 59,000 expected by other development in the area.~~ *While the 2,300 daily car trips generated by office use would be a small contribution to the 59,000 anticipated from other developments regionally, they would add significantly to*

The third section deals with the cumulative impacts of all this development, ~~and the overriding consideration is the ability of Lincoln to preserve the section of one-way Winter Street at the town line. If the overall traffic impact, which should be regional in nature, is allowed to invade local roadway networks and become localized, then Lincoln can expect to suffer noticeable increases in traffic volume. The problem will compound if the State does not act to address what many project to be massive congestion on 128 and commuters seek alternate routes through Lincoln.~~ *traffic on Lincoln roads.*
of this development
substantial

Because the Arshad property fronts on both Winter St. and Old County Road, local roads would be open to both morning and afternoon traffic accessing this development. Combining the Arshad and Kennedy properties could potentially reduce the threat to the one-way restriction. Since a portion of the Kennedy land is in Waltham, merging the two properties would allow an access point on the current two-way portion of Winter St. beyond the Lincoln border. Even with the one-way, however, traffic impacts of a commercial development on the combined parcels would be quite substantial, an increase of two to three cars per minute during evening peak hours. *Furthermore, the impact of the increased traffic during peak hours on the intersection of Winter St and Forest Rd and on the already congested intersections of Old County Rd and Trapelo Rd and on Forest Rd at the Five-Corner in the Town Center could be substantial.*

VII. Neighborhood Impacts/Quality of Life

Buffer accepted assignment to draft new section (June 11th meeting)

↓
Draft add

current one way section of Winter Street to two-way traffic. This would leave only a very short one-way remnant with two-way traffic within sight of the Winter Street-Old County Road intersection. ~~This would not only raise the temptation to violate the one way limitation, but would create an opening to eliminate the one way entirely.~~

The designation of the one way segment was a fragile compromise ~~struck~~ ^{granted} as an alternative to Lincoln's desire to close off Winter Street at the Waltham border. Waltham had no interest in limiting traffic into Lincoln in this fashion, and development along Winter Street since one-way traffic was implemented can only have magnified the impact of forcing morning traffic to the area through the very congested intersection at Winter Street and Rte 128. The City of Cambridge Water Department is also concerned about increasing traffic over the segment of Winter Street between the office parks and Rte. 128 that runs over the Cambridge Reservoir dam. Obviously, the one way forces more traffic over the dam, increasing the challenge of maintaining it. Any application to alter the one way would give Waltham and Cambridge the opportunity to make the case to abrogate it completely.

Combining the Arshad and Kennedy properties could reduce the threat to the one-way section of Winter Street. Since a portion of the Kennedy land is in Waltham, merging the two properties would permit development relying upon an access point on the current two-way segment of Winter Street beyond the Lincoln border. This would at the same time open the possibility of an as-of-right connection to Waltham water and sewer services that could limit impacts on Lincoln and would increase the positive contribution to Lincoln's tax revenues to levels that should not be discounted. Even with the one way, however, traffic impacts of a commercial development on the combined parcels would be quite substantial, an *increase* of two to three cars per minute during evening peak hours. The prospect of joint development of the Arshad and Kennedy properties, however, appears remote. Legatt-McCall and the Mayo Group (the potential developers of the two properties) discussed the matter and there is no indication that a transaction is in the offing. Furthermore, even without an application from a developer to alter the one way, the potential for a challenge to the one way status of Winter Street would obviously be increased by a large-scale development that provided tax revenue to Lincoln and placed a disproportionate traffic burden on Waltham (and on the Cambridge Reservoir dam).

Thus it appears that none of the options evaluated by the ARPC and likely at this time could provide a significant benefit to Lincoln without risking very significant traffic impacts on streets ill suited as commuter routes. Most options cost the Town more than they would contribute in tax revenue. Commercial development that could provide significant net revenue contributions would not only generate traffic, but it would also threaten the beneficial one way designation of Winter Street near the Lincoln/Waltham border.

A note of caution is in order here. A choice not to support development does not necessarily mean preservation of the status quo. Until taken off the table in one way or

Higgins, Timothy S.

From: Higgins, Timothy S.
Sent: Wednesday, April 02, 2008 11:13 AM
To: 'Taylor, Gary'
Subject: FW: Questions re: next ARPC meeting

Gary:

FYI

-----Original Message-----

From: Higgins, Timothy S.
Sent: Wednesday, April 02, 2008 11:12 AM
To: 'Sarah Guerrero'
Subject: RE: Questions re: next ARPC meeting

Sarah:

Ultimately, I believe the ARPC will issue findings (i.e., pros, cons, risks, challenges of the various development options) rather than coming to a conclusion. The findings will be issued to the Planning Board and Selectmen. Leggat/McCall would then need to determine whether, in light of the Committee's findings, it is in its interests to proceed with a formal application to rezone the property. If LM does proceed, the Planning Board and Selectmen would vote whether to support or oppose.

Although I can't predict the outcome of the next ARPC meeting, I suspect the Committee will be ready to issue its findings (which will be a summary of the consultants' findings with any new or corrected thinking) shortly after the meeting.

Tim

-----Original Message-----

From: Sarah Guerrero [mailto:s3guerrero@gmail.com]
Sent: Tuesday, April 01, 2008 7:07 PM
To: Higgins, Timothy S.
Subject: Questions re: next ARPC meeting

Hi Tim -

Some residents were asking me whether the ARPC will be "coming to a final conclusion" regarding the Arshad property on the 16th (e.g., they vote to advise the Selectmen to not/sponsor commercial re-zoning). If they're going to make a final decision, will there, in fact, be a vote? Also, they're wondering if the Selectmen will definitely follow the advice of the ARPC (which I imagine they will, but is this formalized somehow?). Finally, will the Selectmen independently vote on this issue at their Monday meeting following the ARPC meeting?

Thanks!
Sarah

Higgins, Timothy S.

From: Eleanor Fitzgerald [efitzg2@verizon.net]
Sent: Wednesday, March 19, 2008 12:45 PM
To: Mattes50@aol.com
Cc: Gary.Taylor@brattle.com; sarahselect2004@yahoo.com; Higgins, Timothy S.
Subject: Re: National Park traffic solution mtg and Ashad Property

Admittedly, I have not fully looked into the ramifications of a 40B or smaller scale condo type development there, but have not decided in favor of either possibilities. I know they could add to school enrollment. I know some who support more commercial development in town see it as a way to get more money for the schools. However, if there are about 2500 plus or minus residential properties in town, how much more would each have to pay on average instead of this particular 200,000 square foot commercial building scenario? Eleanor

----- Original Message -----

From: Mattes50@aol.com
To: efitzg2@verizon.net
Cc: Gary.Taylor@brattle.com ; sarahselect2004@yahoo.com ; higginst@lincolntown.org
Sent: Wednesday, March 19, 2008 11:18 AM
Subject: Re: National Park traffic solution mtg and Ashad Property

Eleanor,
 Thank you for your email.

I am the liaison the MMNHP, and HATS and thus, am familiar w/ the MMNHP proposal. We have indicated, and did so at our televised meeting this past Mon. PM that we are concerned w/ any proposals (roadway treatments or other) that would pull traffic off the Battle Road and onto other Lincoln Roads. This is of special concern given the most recent delays around the Rt.2/Crosby's Corner upgrade.

Regarding the Arshad property, you must careful review the entire report. There are scenarios other than commercial that are not unlikely that also would have very serious visual impacts, in addition to financial impacts on the town. If you would like to talk further or receive the full report, please contact wither Tim or me or Gary Taylor and we would be happy to here more from you.

Regards,
 Sara

In a message dated 3/19/08 5:14:34 AM, efitzg2@verizon.net writes:

Dear Gary, Sara and Sarah

Derek and I went to a meeting at M.M. National Park headquarters on Sunday afternoon regarding, among other things, possible traffic and safety solutions along 2A. In looking at the preliminary solution offered for improving traffic safety at the Brooks /Bypass/ Lexington intersection, it appeared, as designed, to create a possible incentive for traffic (including trucks) coming from Hanscom heading either south or west to use Bedford Road instead of trying to turn left on to Bypass Road. This could bring more traffic through Lincoln Center. At the very least, this design needs tweaking. Also discussed was the need for safe pedestrian crossings at several spots including the Bedford Road and Bypass/Brooks area. (We support this effort and the idea of reducing truck traffic on 2A, particularly during the hours when the park is most likely to have visitors.) This effort is in its beginning stages and some of the boards may want to pay attention. Nancy Nelson seemed eager for input.

Regarding the Ashad property on Winter Street: I noticed the favorable report of the consultants on the financial benefits to the town of building a 200,000 square foot commercial building there as the best solution in terms of money. Limiting the study to a financial "highest and best use" is in inconflct with Lincoln's long tradition of conservation, preservation and attention to retaining the rural character of the town and its

neighborhoods. Not only would the visual character of the area be changed, but more traffic would be added than from single family homes (of any size). There are aboutt forty homes in the Winter Street/Old County neighborhood that would be adversely impacted especially if the state ever decided that Winter Street should not continue as a one-way road. Pressure to rezone other properties to commercial use would increase. I would not vote for such a plan. Eleanor Fitzgerald efitzg2@verizon.net.

Create a Home Theater Like the Pros. Watch the video on AOL Home.
(<http://home.aol.com/diy/home-improvement-eric-stromer?video=15?ncid=aolhom00030000000001>)

MEMORANDUM

TO: At-Risk Properties Committee and Board of Selectmen
FROM: Peter Braun
DATE: March 4, 2008
SUBJECT: Commercial Development On Winter Street

I have benefited from discussing this matter with some of you individually, and I appreciate hearing your perspectives. Unfortunately, I cannot attend the ARPC's March 12, 2008 meeting due to an unavoidable professional commitment, but I want to share my current thoughts.

1. Please give serious consideration to eliminating the office building scenario for the Arshad and Kennedy properties. I applaud your efforts to model a possible subdivision or multi-unit housing project on these properties, as well as your efforts in 2005 to model possible commercial development in non-residential areas, especially those with an existing institutional use. In contrast, for reasons I have summarized below I believe that continued public or private discussion of commercial development in an existing residential neighborhood is unnecessary, divisive, and potentially harmful to the Town's long-term interests. Through my review of Selectmen and Planning Board minutes going back to 2005, the 2005 VHB report, and the STOT presentations, as well as my discussions with some of you, I have developed a sense of the evolution and application of the ARPC concept, as well as the gestation of the Arshad/Leggatt proposal. With the benefit of 20/20 hindsight, I wish events had unfolded less contentiously than they have. Nevertheless, I believe it's not too late for the controversial proposal to be taken off the table so that all of our creative minds can be freed to build a consensus on a workable solution for these properties that will not set a troubling substantive or procedural precedent for the Town's handling of commercial development.

2. I believe that we lack Town-wide consensus as to whether and under what conditions, if any, new commercial development should be permitted anywhere in Town. The Master Plan needs to be fully vetted by the Town at the March 2009 Annual Meeting. If there is consensus at that juncture in favor of new commercial development in general, then specific criteria should be developed and presented to the Town, as a matter of policy, at a later juncture. The stakes are too high for any unprincipled, expedient rush to development generated by landowner opportunism.

3. Lincoln looks and feels different from other suburbs because it dared to be different and resisted succumbing to commercial expediency. We have tempered our idealism with principled practicality, realizing the fiscal benefits of commercial development without harming residential neighborhoods. Why shouldn't our benchmark continue to be the principled practicality demonstrated by the 1958 Braun-Eliot Report? It recommended new commercial development in only two non-residential areas: (a) where the Lincoln North office park and the Minuteman Commons and Battle Farm developments now sit; and (b) Rt. 2A near Mill Street, which remains an unfulfilled option.

3. It seems highly predictable that opening the door to commercial development in existing residential neighborhoods such as Winter St./Old County Rd. will invite opportunists. Indeed, mere conjuring attracts opportunism – it appears that public speculation about commercializing the Kennedy land in 2005 begot the Arshad-Leggatt proposal to commercialize the adjacent property in 2007. If we permit one part of a neighborhood to be commercialized, on what principled basis will current or future Town decision-makers be able to say “no” to opportunistic abutters. Do we really want to enable serial development along Old County Rd. and/or Winter St.? On what principled basis would we say “no” to opportunists in other neighborhoods – i.e. any one or more of our neighborhoods? Unprincipled commercialization in even one instance seems like a steep slippery slope toward forever changing the look and feel of our Town.

5. Lincoln’s social fabric and essential community trust require that we treat all neighborhoods equally. I admit it’s only an impression, but I am concerned that there may be some in Town who are unfamiliar with the Winter St./Old County Rd. area and who may therefore be operating under the misimpression that the area is “peripheral” and thus relatively expendable. I hope it is needless to say that no neighborhood, whether geographically peripheral or not, should be treated as “peripheral” to the community or its principles. To believe or imply otherwise would needlessly tear our social fabric, and thus I believe it’s important to make sure we all examine our mindsets on this issue. It seems ironic that this Winter St./Old County Rd. area has become the focal point for this debate, since it continues to have as rural a look and feel as any part of Town despite its proximity to Waltham’s office park. The municipal boundary and the municipalities’ polar-opposite land-use philosophies are sharply delineated; whether on foot or in a car, you know when you are in Lincoln or not.

6. The fact that new resident families with children may constitute a net loss to the Town in their early years of residency, viewed in purely economic terms, is neither a sufficient nor necessary reason to commercialize residential neighborhoods. The Town is fiscally healthy because we are fortunate that the “losses” from such new families are offset by the “profit” from the many “empty nesters” who remain for many decades – people such as me, most of my neighbors, and many others. People stay because it looks and feels different from other suburbs and because we have a unique social and intellectual environment where residents can continue to thrive from the sense of community and lead socially and intellectually active lives. Therefore, we should focus on investing in longevity and aim our best thoughts and energy toward enhancing people’s desire and capacity to stay here for many decades, thus realizing the economic and social “profit”. Specifically, we should: more aggressively recruit and promote newer residents’ participation in Town affairs, thus cultivating their long-term ties to the Town and sense of community; continue to grow social, cultural, and intellectual connectivity within the Town, thus leveraging our diverse institutions and individual talents; and look at supplementing our existing tax relief/deferral programs by tapping the good fortunes of many of us to endow a fund to assist the payment of real estate taxes by those who have financial need, have lived here a long time, and have participated in Town affairs.

7. I hope that the commercial development proposal and concept will be taken off the table now, which I believe will go a long way toward enhancing a creative, cooperative dialogue about the future uses of these properties. My attention to this matter has been rooted in empathy for the Winter St./Old County Rd. neighborhood. I keep asking myself: Would any of us want to live under the cloud they have had to endure? Would any of us want to have to organize a large-scale petition drive and leaflet the Town to save our neighborhood from commercialization? Haven't each of us invested not only our money but our entire pursuit-of-happiness in our homes and neighborhoods, as well as relied on the sanctity of Lincoln's land-use principles? I am optimistic that our collective conscience will lead us in the right long-term direction.

I appreciate all of your efforts on behalf of the Town, especially your grappling with these difficult issues. Thank you for considering my perspectives, and I look forward to hearing yours.

Higgins, Timothy S.

From: Jim Moore [jamesfrederickmoore@gmail.com]
Sent: Monday, March 03, 2008 2:13 PM
To: Parkhurst, Debra; Higgins, Timothy S.; taylor@lincolntown.org; mattess@lincolntown.org; cannonholdens@lincolntown.org
Subject: Letter to the Selectmen (typo misspelling of "Sara" corrected)

----- Forwarded message -----

From: **Jim Moore** <jamesfrederickmoore@gmail.com>
Date: Mon, Mar 3, 2008 at 1:08 PM
Subject: Letter to the Selectmen
To: parkhurst@lincolntown.org, higginst@lincolntown.org, taylor@lincolntown.org, mattess@lincolntown.org, cannonholdens@lincolntown.org

Monday, March 3, 2008

Members of the Board of Selectmen, Lincoln, Massachusetts
Sarah Cannon-Holden- Chair, Sara A. Mattes, Gary A. Taylor
Timothy Higgins, Town Administrator

Dr. James F. Moore
Box 284, 78 Winter Street
Lincoln, Massachusetts 01773

Dear Gary, Sarah, and Sara,

I am writing to ask for compassion for the citizens affected by the Arshad proposal to build an office complex in our residential area. For the sake of the town, please bring your process to a close in the next few weeks. On March 12 you will have in hand the consultant's report extending the At Risk Property Committee analysis to include the Arshad property. You have held extensive public discussions of the proposal, including hosting a presentation by a representative of Leggat McCall. You have received formal citizen input through letters to the Selectmen that are part of the public record, letters published in the Lincoln Journal, attendance of more than 90 people at the Leggat McCall presentation, and signatures of 290 people who have pledged to vote against the proposal and associated zoning change at town meeting--more than enough to assure its defeat.

My point is not to argue the merits of the development. But please do not further extend the process. For many of us our lives have been overturned by this issue. Without arguing the merits of the At Risk Property Committee process, many months have elapsed, much volunteer effort has been required, and much conflict generated. People should feel secure in their homes. The insecurity began for many of us nine full months ago, in June 2007. Most of us learned about the proposal from a Lincoln Journal article, after a Selectmen's meeting that none of us were notified to attend. This sequence of events did not reassure us.

The negative effect on our families is real, even if difficult to quantify. Many of us have spent untold

hours agonizing about this issue, and finding ways to become politically organized. We struggle daily with how much time to put into this project versus our other family and work commitments.

Property values are threatened by the office park, and this threat has a powerful ripple effect on people's lives. A family I know has put on hold a needed addition to their small house. Others of modest income wait in fear, wondering how their main stock of savings, their homes, will be affected. Home sales require discussion of the office park with prospective buyers. Because traffic is the core issue, the area affected is quite large. It includes (at least) homes on Trapello road east of the Five Corners, as well as homes on Old Country Road and Winter Street. If the development causes the one-way restriction to be opened, thus encouraging morning commuter traffic, all of Lincoln will be affected.

My point is not to argue the merits of the development. What I am asking is that you bring the process to an efficient close in the next few weeks. The disruption is tangible in our community, and increasing. People are struggling, some are fighting. Please don't prolong this divisive process.

A member of the government recently said to me that government "owes it to the town" to bring the Arshad proposal to a town meeting next Fall or in the Spring of 2009. I was stunned that the Selectmen might decide to prolong the disruption for up to another year. Why is that? Does the proposal seem to have merit? Does the proposal promise an amenity to the town that outweighs its social and environmental costs? Does the proposal seem politically viable?

I ask you to please vote in public session on these questions of substance. If you truly believe that the answer is "yes" to these questions, than by all means go on record as believing so, and pass the proposal forward. But if you cannot answer yes, please don't pass a hot potato on to the town. In our small and close-knit town the social cost your doing so will likely be high. A hot potato passed to town meeting will result in a major public campaign to defeat it. I respectfully suggest that volunteer time and citizen-to-citizen goodwill and trust are precious in Lincoln. Please factor these costs into whatever post-report process you decide upon.

Finally, the possible merits of bringing the Arshad proposal to a town meeting should be balanced by the duty of Selectmen to assure support for, and enforce, the current zoning laws. Zoning laws are intended to help people feel secure in their homes. Zoning laws protect people from the (rare but real) noxious and opportunistic land use schemes of their neighbors. We need to send signals to all citizens that stable residential zoning is respected in Lincoln, and that overturning residential zoning is discouraged except under extraordinary conditions.

Consider the following: One of the most respected land use thinkers in Lincoln has suggested that the current problem with Arshad was set in motion when the owners of property sold into the Deaconess project were allowed to make opportunistic profits on the bargain. It is considered good policy that when property owners request zoning changes that may generate windfall profits, a town insists that the windfall be recouped by the town as part of any agreement. Why is this considered good town management practice? Simple: To deter financial opportunists from seeking zoning changes for profit. This, unfortunately, is exactly what Arshad has done, and we see the social costs of his actions. Perhaps he would not have pursued a self-enriching zoning change if the town been consistent in communicating its unwillingness to condone such proposals.

Sincerely,

Dr. James F. Moore

--

Dr. James F. Moore
66 Church Street, Harvard Square
Cambridge, Massachusetts, 02138

Direct phone 617 510 7306

--

Dr. James F. Moore
66 Church Street, Harvard Square
Cambridge, Massachusetts, 02138

Direct phone 617 510 7306

Higgins, Timothy S.

From: Taylor, Gary [Gary.Taylor@brattle.com]
Sent: Monday, March 03, 2008 6:59 PM
To: Sarah Guerrero; JRCLINCOLN@aol.com
Cc: jamesfrederickmoore@gmail.com; Whitehead, Mark; wconstable@awperry.com; bethries@comcast.net; Ken.Bassett@outpost-international.com; ken@keha.com; anna.hardman@tufts.edu; jshammond@earthlink.net; pzbraun@comcast.net; apeery@apeery.com; baaronso@cnc.com; tom@tomcurrenpainting.com; scurren@earthlink.net; elisaf@comcast.net; rstowe@comcast.net; Mattes50@aol.com; Higgins, Timothy S.; sarahselect2004@yahoo.com; Judi Barrett
Subject: RE: Letter to the Selectmen

All,

It seems a bit odd to be reading correspondence regarding a letter to the Selectmen that I have not yet seen, but I hope you will excuse my weighing in to the conversation with a few points. Jim is right, 40B is not an issue now, and won't become one until 2010 or 2011 when the Census figures come out. At that time we shall be at risk unless we develop 15 or so more affordable units. People are working on this, and I hope there will soon again be funding (it lapsed in February), but as anyone who has worked at creating affordable housing will tell you, it is a lot harder than it looks. When I went on to the Housing commission eight years ago, our affordable housing count had fallen to the 8% range. It literally has taken eight years to make up that 2%. So getting the needed units is no slam dunk. It should also be noted that we are at risk for losing some of the units we already have. With regard to the size of the exposure we face if we are not at 10%, a 40B in Lincoln would be limited to 150 units, but that is still a pretty good sized project for a town with only about 2,000 housing units. Given the restriction on the Kennedy property, a 40B seems the logical play for Mayo, and we know that they are talking with the L-M folks about Arshad.

Sarah raises development of a group home on the Arshad property. I don't know what town official mentioned this, but whoever it was failed to note that we are already working on a group home, likely with TILL in the vicinity of the Mall. The Arshad property would not be a good candidate for this because of its remote location and because its purchase cost would make the economics of a group home impossible - that is, unless someone stepped in to help defray the costs. We are working to make the economics pencil out with a purchase price of around \$1 million.

With regard to the church, I am not aware that any religious organization is currently interested in the Arshad property. However, the former owner/developer of the adjoining Kennedy property told us that one of the parties most interested was a very large church with a dispersed congregation that could take advantage of Rtes 2 and 128. Of course, he appears to have gotten a better offer from Mayo. Since that time, another church congregation purchased a property in Lincoln (for the same locational reasons) but decided not to proceed when it became clear that the neighborhood (again, residential) was quite opposed to their plan which would have occupied almost the entire space of a residential lot with building and parking space.

As to the conservation option, that would be good solution. It wouldn't generate any tax revenue, but it would help preserve the one-way road and get the property off the table and, hence, off the At-Risk Properties list. If you can put your heads together with the RLF and get this done, it would be one less thing for everyone to worry about.

Regards,
 Gary Taylor

From: Sarah Guerrero [mailto:s3guerrero@gmail.com]
Sent: Monday, March 03, 2008 6:15 PM
To: JRCLINCOLN@aol.com
Cc: jamesfrederickmoore@gmail.com; whiteheadm@lincolntown.org; wconstable@awperry.com;

3/4/2008

bethries@comcast.net; Ken.Bassett@outpost-international.com; ken@keha.com; anna.hardman@tufts.edu; jshammond@earthlink.net; pzbraun@comcast.net; apeery@apeery.com; baaronso@cnc.com; tom@tomcurrenpainting.com; scurren@earthlink.net; elisaf@comcast.net; rstowe@comcast.net; Mattes50@aol.com; HigginsT@lincolntown.org; Taylor, Gary; sarahselect2004@yahoo.com; Judi Barrett
Subject: Re: Letter to the Selectmen

Jim -

Thanks for your letter. I especially appreciate you pointing out that this process has already created costs for the town and your call for the Selectmen to be public about the reasons why they think its worth bearing these costs. One of the major cries coming from residents at the CLRP forum a few weeks ago was for better communication, and I think this is the kind of communication we so desperately need.

A specific desire I have with respect to the Selectmen's communication about the Arshad issue - and this goes to John Caswell's concerns - is that they speak to residents' intellect and wisdom, rather than play to our fears:

- If there is a church prepared to buy the Arshad property, please tell us specifically which church, and tell us specifically why the costs of this church coming to our town would outweigh the benefits. I have found it unfortunate (as someone who has spent the last three years at Harvard Divinity School, an institution that values and promotes religious diversity and tolerance) how religious institutions have been discussed by government officials thus far. At the Leggat McCall presentation, Sara Mattes made Peace Palaces sound like the Devil's lair, insinuating that a 200,000 sq-ft office complex would be a welcomed gift compared to what the Global Country of World Peace might create. Really? If this is our concern, let's speak with the GCWP and get the facts. If it's another church that town officials are afraid of, let's speak to that church and, again, get some real data. Without facts, our officials come across as fear-mongers (and, at best, religiously insensitive).

- Similarly, let's talk about the 40B issue with facts and creative, workable solutions rather than "worst-case scenarios" that have little grounding in reality. The Housing and Built Environment subcommittee of the CLRP has been working to achieve affordable housing goals. Ken Hurd is the chair of HOBE and the CLRP steering committee, and I'd be interested in hearing his views on this issue. Does he feel that his committee and the town will not succeed in its affordable housing efforts?

I'd also be interested in hearing more from the Mayo Group, who already owns the Kennedy Parcel and had thought of creating affordable housing there. Given their problems in North Lincoln, are they still interested in another affordable housing project? The Mayo Group's lawyer came up to me after Leggat McCall's presentation and repeatedly said they'd be interested in hearing about any conservation proposals for the area, and I got the feeling they were hoping to be bought out. (Though, I'm sure they'd prefer the windfall generated by a rezoning of their residential piece of property to commercial over a conservation buyout!)

Finally, one government official came to me with the suggestion that the Arshad home be used for mentally or physically disabled persons (see the website for a group called, "Toward Independent Living and Learning" <http://www.tillinc.org/> as an example). He said that each room of a home like this counts as an affordable-housing unit for the town. He also said that a second home could easily be placed on the Arshad property, getting us to around 8-10 units of affordable housing from the property (since our projected affordable housing shortfall in 2010 is around 13-15 units, this is obviously significant). He also said that the town has funds to create affordable housing, and that the state provides funds if the homes are used for mentally disabled persons. Since the Arshad's own daughter lives in one of these assisted-living homes, I found this solution to have a certain poetry to it.

In short, there's an opportunity for creative, fact-based dialogue about the Arshad property. I welcome being part of this conversation, and I look forward to what we'll achieve.

Sarah

Sarah 3 Guerrero

On Mon, Mar 3, 2008 at 2:23 PM, <JRCLINCOLN@aol.com> wrote:

Jim,

Your letter is good.

One item that you do not address is that of 40B.

I have heard that if the rezoning does not happen, then the property would be developed as large, multiple, affordable housing under chapter 40B. Also I have heard there is interest from a church with a large congregation, i.e. traffic. In either of these cases, the Town would have no say, and in the case of the church, would reap no tax benefit either.

Please make sure that these things are part of the Selectmen's discussion, as it would not be complete without them.

Sincerely

John

John R. Caswell

It's Tax Time! [Get tips, forms and advice on AOL Money & Finance.](#)

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Higgins, Timothy S.

From: Higgins, Timothy S.**Sent:** Wednesday, December 12, 2007 8:05 AM**To:** 'Sarah Guerrero'**Cc:** 'Beth Ries'

Sarah:

The At Risk Properties Committee will schedule its next meeting to coincide with the completion of the Judi Barrett/VHB analysis. I expect to have a target date from Judi later this week.

With regard to the timetable, the At Risk Properties Committee is unanimous in its view that the Town boards will not have sufficient time to fully vet the proposal for consideration during the March Annual Town Meeting. We have so informed Leggat/McCall.

Thank you for helping the Committee keep the neighborhood apprised.

Tim

Timothy S. Higgins
Town Administrator
16 Lincoln Road
Lincoln MA, 01773
781 259-2600 office
781 259-1677 fax
higginst@lincolntown.org

- ✓ (1) VHB contract
- ✓ (2) COB contract
- (3) Est completion date Judi
- (4) schedule next APRC
- ✓ (5) will not come forward for
ATM - confirm

Higgins, Timothy S.

From: Sarah Guerrero [s3guerrero@gmail.com]
Sent: Sunday, December 09, 2007 6:32 PM
To: Higgins, Timothy S.
Subject: ARPC Agenda - Wednesday 12/12

Hi Tim -

There is a strong request from Lincoln residents that the ARPC decide on Wednesday whether the Leggat proposal will be on the March 2007 TM agenda. As I understand it, all items for TM vote must be received by town officials by around the third week of January. In order for residents to have sufficient time to prepare for a March vote - both in placing their own items on the March agenda and in helping townspeople to get informed & be present for the vote - it is important to not wait until January to make this decision.

Thanks, and if you could confirm the rest of Wednesday's agenda (e.g. if Judi will be presenting her at-risk analysis) that'd be very helpful.

Thanks again,
Sarah

Higgins, Timothy S.

From: Higgins, Timothy S.
Sent: Monday, October 15, 2007 1:54 PM
To: 'Sarah Guerrero'
Subject: RE: At Risk Properties Committee Meeting

Sarah:

I would refer you to the Finance Committee's annual reports as the best source for strategic level discussion. The town web site makes the current budget and last year's reports available.

Timothy S. Higgins

Town Administrator
16 Lincoln Road
Lincoln MA, 01773
781 259-2600 office
781 259-1677 fax
higginst@lincolntown.org

-----Original Message-----

From: Sarah Guerrero [mailto:s3guerrero@gmail.com]
Sent: Monday, October 15, 2007 12:00 PM
To: Higgins, Timothy S.
Cc: Beth Ries; Whitehead, Mark
Subject: Re: At Risk Properties Committee Meeting

Thanks, Tim. I'd be happy to help with communications to the town. I'll get the word out about the next At-Risk meeting.

Thanks again,
Sarah

p.s. John Caswell mentioned to me that the Capital Planning Committee was reviewing the capital requirements of the town. Are there materials I could read from this committee (or others) that would help me understand the town's budget better? I'd also, of course, like to meet with you and others about the budget, but I'm sure I'll advance our conversations if I've done some homework prior to our meetings.

On 10/11/07, **Higgins, Timothy S.** <higginst@lincolntown.org> wrote:

Sarah:

I asked Beth Ries to help identify people who might be willing to help the At Risk Properties Committee in its communications with the Winter Street/Old County/Trapelo Road neighborhood. Beth suggested you might be willing.

10/15/2007

Meeting Notice

The next meeting of the At Risk Properties Committee is scheduled for Wednesday morning, October 24th at 7:30 a.m. here at Town Offices. The main task will be to develop a list of questions to submit to the developer.

Feel free to call if you have questions.

For the At Risk Properties Committee,

Timothy S. Higgins

Town Administrator

16 Lincoln Road

Lincoln MA, 01773

781 259-2600 office

781 259-1677 fax

higginst@lincolntown.org

Higgins, Timothy S.

From: Parkhurst, Debra
Sent: Wednesday, October 31, 2007 9:22 AM
To: Higgins, Timothy S.
Subject: FW: Greener Lincoln

Hi Tim,
Jim Moore has asked me to pass this on to the Selectmen. I am passing it on to you first.

Debra Parkhurst
Administrative Assistant
Board of Selectmen
Town of Lincoln
781-259-2601

-----Original Message-----

From: Jim Moore [mailto:jamesfrederickmoore@gmail.com]
Sent: Wednesday, October 31, 2007 12:07 AM
To: Parkhurst, Debra
Subject: Greener Lincoln

[Dear Debra, Thanks for passing this letter along! Best, Jim Moore]

James F. Moore, Box 284, 78 Winter Street, Lincoln, Massachusetts 01773

Selectman Sarah Cannon-Holden

Selectman Sara Mattes

Selectman Gary Taylor

Town Administrator Timothy Higgins

Dear Friends,

First, my sincere thanks for all you do for the town. I deeply respect the years of commitment each of you has made to the town and to our collective well-being. Without you and others like you, we would not have this wonderful community.

Town administration and public services are especially good. Police and fireman are exemplary. Last spring I took an unexpected ride in the new town ambulance. I am deeply grateful to the firemen who

11/2/2007

attended to me. Thanks.

I am writing to respectfully suggest that the Lincoln Selectmen take action immediately to rule out sponsoring a change in the residential zoning status of 160 Old Country road and adjacent properties.

As we all know, a developer, Leggat McCall, has proposed to build a 200,000 sq.ft . commercial office complex generating more than 2000 commuter trips per day at this rural and residential location. These commuter trips, and a domino effect that will be explained later, will result in a massive increase in traffic through the town center and on key town roads.

The land in question is a beautiful forest with a lovely house built by boatbuilders idled by the hurricane of 1938. The only advantage to the town of destroying this forest and historic home is increased tax revenues. It would seem that in a town as thoughtful as Lincoln, we can envision many other less destructive and more creative ways to raise money.

This proposal can be stopped cold by a one-third vote in town meeting next winter. Most long-time observers of Lincoln politics expect Leggat McCall and the zoning change to be stopped, but advise extensive political mobilization to make sure that it is.

Perhaps there is no need for the Leggat McCall proposal to go all the way to town meeting to be rejected.

Action now on the part of the Selectmen could save the town and citizens hundreds of hours of precious volunteer time and goodwill.

Volunteers could refocus on the traffic problem facing the town. Lincoln residents might even reach out to coordinate with initiatives in other towns and at the state level. Those who have studied the overall transportation problem emphasize that it is massive, regional, and requires immediate action to stave off long-term disaster to Lincoln and neighboring towns.

Volunteers could also explore new long-term solutions to Lincoln's fiscal challeng. Selling off corners of the town to developers seems a short-sighted fix. Good for Leggat McCall perhaps, but bad for the future of the town. We need to believe there are creative opportunities available to us, waiting to be found or invented. We need to find ways to mobilize around these opportunities, and make them happen.

1. What would be a basis for the Selectmen to reject the Leggat McCall proposal? Traffic.

A delicate political balance presently shelters Lincoln from tens of thousands of east-west commuters per day. If this balance fails, the project will trigger a domino effect of traffic and development that will be nearly unstoppable. The traffic study currently being pursued by the At-Risk Property Committee is too narrow, and ignores this wide and dramatic effect.

That is why Selectman Sara Mattes has wisely called for a comprehensive town-wide traffic study. For example, Waltham tolerates the one-way limitation on Winter Street that blocks morning commuters inbound to its office towers. The Leggat McCall proposal threatens to bring additional traffic to Waltham, while avoiding taking it through Lincoln. This will not be acceptable to Waltham. Waltham will ask the state to open the traffic limiter, and no agreement between Lincoln and any party will be legally able to stop them. Leggat McCall says that the traffic limitation will not be affected by their project, but the legal fact is that there is no way Leggat McCall can know that. The matter is entirely in

Massachusetts Transportation Department hands. The developer has no standing in a dispute among the towns involved—Waltham, Lincoln, and Cambridge.

Cambridge has long been a key ally in keeping traffic from clogging the heart of Lincoln. Unfortunately, the proposed project threatens the relationship with Cambridge. Consider this: Public water supply is a seething political issue in Cambridge, because lower-income-residents of Cambridge depend disproportionately on public drinking water rather than bottled water. The Leggat McCall project would position a massive complex just yards from Cambridge's public water, directly in the immediate watershed. No project could be more insulting to Cambridge, other than the millions of square feet of office projects in Waltham that Cambridge has already been powerless to stop.

Cambridge has a tense relationship with Waltham. Lincoln currently has a good relationship. This project will certainly change things for the worse.

There is a second and longer-term threat to the Cambridge water supply: Traffic from the proposed project would load thousands of new cars onto the 100-year-old earthen dam under Winter Street that contains the reservoir. Cambridge's level of concern is very high. One Cambridge official has already called the project disastrous and hypocritical. Cambridge officials have become regular and vocal attendees at the At-Risk-Properties Committee meetings led by Selectman Gary Taylor.

And this brings us back to traffic and the center of Lincoln. It is becoming increasingly obvious that the only solution to Cambridge's concerns is to route all of the east-west traffic from the proposed Leggat McCall complex through the center of Lincoln, by way of Winter Street to Trapelo Road, through the five corners and across to connect with 126. Moreover, Cambridge has signaled that they will not continue to support the one-way limiter on Winter Street if Lincoln approves the commercial rezoning and Leggat McCall project. As a result, a large portion of all of the traffic in and out of the total Waltham complex in the area, more than 42,000 trips per day, could begin to flow across Lincoln morning as well as night. This would result in total gridlock and meltdown in Lincoln.

In light of our vulnerability to traffic, the Leggat McCall project is an obvious non-starter with most people in Lincoln. The anticipated net tax revenues from the project amount to less than 1.7% of the Lincoln budget. Other than money, the project brings no other benefits to the town, and many unacceptable costs. Essentially, it offers us a cynical tradeoff of traffic for money. Selectman Gary Taylor confirmed this in the most recent public meeting of the At-Risk Properties Committee. He was asked by Sara Guerrero, a Lincoln resident: "Are there any positive externalities [benefits] to the citizens of Lincoln other than money?" Gary answered, "No."

The plan would be a disaster for all of Lincoln, opening the town to volumes of traffic originating in the booming suburbs up and down I 495 and commuting to jobs in the wildly overbuilt industrial zones along Rt. 128. Lincoln, meanwhile, would enter the new century with our development ethics questioned by neighboring towns, alliances frayed, and traffic clogging our streets.

2. There is a second reason for Selectmen to reject the Leggat McCall proposal: The office complex is not consistent with the green vision of our community. The Deaconess project, in contrast, provides a very special local amenity for our residents, as well as for our region. It fits into a sustainable future. Office buildings provide no special value, and bring many environmental costs.

Perhaps this is at heart a moral issue. Moral judgments are difficult to quantify, but very important to many citizens of Lincoln. Walden Pond was saved not for economic or traffic reasons, but because it was the right thing to do.

The Leggat McCall project will mean the destruction of a beautiful forest of mature trees and historic terraced-gardens. This forest is a park-like public amenity that benefits the entire town. This forest has been a valued part of Lincoln since the founding of the town. The forest provides a vital buffer between rural, residential Lincoln and increasingly industrial Waltham. The forest is central to the public watershed that feeds Hobbs Brook Reservoir and provides drinking water for the citizens of Cambridge.

If we allow Leggat McCall to destroy this forest, our moral commitment to a greener world will be seriously undermined.

Global warming is real in our world and our nation and our region. We should strive not to contribute to the problem. The Harvard Forest and other regional ecological research organizations now model the near-term impact of global warming on our immediate area. We face substantial environmental stress here in Lincoln. Our white pines will decline. Ticks and mosquitoes will gain. Invasive species may gain. Our green land and open space provide essential flexibility as we enter the new century. At a deeper level they are our only sustainable resources. Now is not the moment to cut down any of Lincoln's forests. Now is not the moment to trade forest glades for office complexes and traffic-congested asphalt parking lots.

Lincoln citizens will not allow this to happen. The only unknown is how far the fight will go, and what human and financial resources it will consume. The immediate threat generated by Leggat McCall has stimulated intense, passionate opposition. No amount of "green building" will make this traffic-attracting nightmare acceptable. So-called "green buildings" that replace forests and bring in commuter traffic without green transportation plans are not worthy of their name. Opposition is not to the details, it is to the principles involved.

3. There is a third reason to reject the proposal now: Lack of political viability.

Bill Grouse of Leggat McCall has sensibly stated that he does not wish to continue if the project faces defeat or heavy controversy. His track record with the town is as a constructive person. His reputation is no doubt more valuable to him than the fate of any single project. He said to the Selectmen that he would prefer to be told earlier rather than later if this project faces strong opposition, before he loses time and money.

Full disclosure, I'm proud to be one of the opponents. The good news for me personally is that I have gotten to know many of my fellow citizens. They are wonderful, intelligent, and ethical people. In addition, I am learning about the legacy of leadership and citizen action in Lincoln, and the long history in town of successful battles to preserve our rural and residential character, and to enhance our thoughtful and green heritage.

I urge the Selectmen not to underestimate the opposition among people in Lincoln to this and similar anti-green, pro-industrialization proposals. Lincoln is a very green town, and we are entering a green century. I am a fairly ordinary guy who has lived in town since 2003. My views are not the point. I have been listening carefully to long-time residents and subject-matter-experts, including former Selectmen. Most of them strongly reject the Leggat McCall idea and the proposed zoning change. I am sure you are also checking around. Are you hearing similar views?

Please ask yourself this question:

How much citizen volunteer time and effort will Lincoln citizens expend fighting about the Leggat McCall proposal, if the Selectman sponsor a warrant to town meeting?

Is this a good use of town volunteers?

Said another way, if you had a choice, and could mobilize people to work together on anything in town, what would you choose?

Would you suggest that people divide up into opposing teams and fight each other over the Leggat McCall office complex and proposed zoning change?

If not, what would you choose?

If you take the Leggat McCall proposal and zoning change off the table now, you obviously can choose.

We citizens will be freed up to work on the root challenges of the town: fiscal, traffic, environment, schools, and so on. The good news is that many good-hearted people have been mobilized by the Leggat McCall threat, including myself. Better news would be that we can refocus our energy in positive, collaborative directions and work with you on longer-term, truly sustainable solutions.

Thanks for giving this letter consideration.

If you wish to contact me personally at any time, feel free. My phone number is 259 9120.

Best regards,

Jim Moore

--

Dr. James F. Moore
66 Church Street, Harvard Square
Cambridge, Massachusetts, 02138

Direct phone 617 510 7306

Higgins, Timothy S.

From: JRITZ@aol.com
Sent: Monday, October 15, 2007 4:55 PM
To: jamesfrederickmoore@gmail.com
Cc: gary.taylor@brattle.com; sarahselect2004@yahoo.com; Higgins, Timothy S.
Subject: Re: FYI: News regarding City of Cambridge position on breaching the Lincoln/Waltham commercial development and traffic boundary

Jim,
 Thank you for sharing this important information.
 As you can see, I am also sharing this with my colleagues.

Do you think that this might mean that Cambridge, through these channels, would fight a large 40B on the Arshad and/or Kennedy properties? Do they have the legal authority to do so?
 Cambridge has and will continue to be an important partner.

The Kennedy parcel is currently held by a 40B developer.
 It is my understanding that they began the process, but pulled back as we were moving on acquiring affordable units in the mall area. In addition, the Deaconess project was in motion.
 While the mall area units did not come through, the Deaconess project puts us over the top until 2010.
 Then, we are gain at risk and Kennedy would come into play. I suspect this is why the current owner was willing to accept a deed restriction on any sort of commercial development.
 They are prepared to sit tight and wait us out.

The Arshad property is at risk for the same outcome.
 We will be in a difficult position in 2010 as we currently have no good alternatives for additional affordable units, and those are very attractive properties for high end housing to serve those who work in the area.
 40B would allow them to go forward, as "by-right" developments with a minimum of 8 units per acre.
 Given the proximity to office development, they may be perceived as "Smart Growth."
 As a By-Right, they would have direct access to Winter Street and we would have little say in developing the project.
 In your experience w/ Cambridge Watershed, do you think that they would have the authority to side with us to push back such a development?
 As you can see, I have copied Tim and perhaps he can pursue the legal question ASAP.

With regard to the State supporting commercial rezoning, they are pushing this as hard and fast as they can to grow whenever, wherever, however.
 I was at a conference on Sat. AM and engaged the Lt.Gov. in a dialog around this matter.
 After he reasserted that economic development was their #1 agenda item, I questioned whether they were planning for transportation infrastructure or congestion mitigation in tandem w/development.

The answer was that there would be a regional study, and that there would have to be a reorg of several agencies and "efficiencies found first," etc., etc.

And to your point about the state not supporting additional traffic congestion on an already stressed intersection -- the state is thrilled with the ongoing development along 128. They see jobs and revenues and not congestion. I fear that we have seen all too frequently that Governors tout job creation and development, not solutions to the traffic congestion and environmental degradation that often comes hand in hand with said development.

While there are those in town who continue to assert that 40B is a toothless threat used by those who have "an affordable housing agenda" I deal in the real world and the real world realities that my colleagues in Lexington, Bedford, Carlisle and Concord have and continue to experience tell me that 40B is real and is not what we want for Lincoln.
 We have stayed one step ahead through proactive planning and innovation, but the future after 2010, right now, doesn't make me comfortable.

10/15/2007

So, per your request, I've let you know what I think.
Sara

In a message dated 10/15/07 2:10:48 PM, jamesfrederickmoore@gmail.com writes:

Dear Sara,

Thanks for briefing me on the overall systems problem with regard to traffic. It's clear that the town streets and roads are alternative east-west and north-south commuter runs, and that the town is severely threatened. We are the alternative to congested arteries in the region. Our roads connect the new bedroom developments along 495 with the rising office towers and sprawling complexes up and down 128. If we don't focus on control of traffic, our little town is in big trouble. I look forward to being of help in any way I can. Thanks for asking.

In this light, I am concerned that proposed commercial rezoning at Winter Street and Old Country Road will damage our ability to control traffic at the strategic Lincoln/Waltham boundary. Lincoln and Waltham have pursued opposed land use approaches. Our current legal and moral ability to exclude the traffic from Waltham's massed office complexes comes from our careful adherence to our traditional rural and residential pattern of land use. Our town boundaries have been valuable.

Here is news you may not be aware of. The Cambridge Water Department weighed in at the last At-Risk Property meeting. The deputy watershed manager spoke in person for Cambridge. He expressed shock that Lincoln is considering commercial development of a sensitive and strategic parcel, and said that the idea was at odds with the long history of cooperation between Cambridge and Lincoln to protect the Hobbs Brook reservoir and watershed.

He emphasized that Cambridge objects to any attempt to tie Lincoln commercial buildings into the Waltham water and sewage system, especially given that Waltham is under court order to clean up its system, and is non-compliant. Thus Lincoln would need to supply a water and sewage system to the project.

Most important, he emphasized that Cambridge is quite concerned about existing traffic flows over the 100-year-old dam that lies under Winter Street between the Waltham Woods area and 128 in Waltham. Cambridge must strongly oppose any further traffic moving in and out of the area across the dam. Commercial development across the line in Lincoln must put additional demands on the dam UNLESS THE ONE-WAY on Winter Street is breached.

In a separate direct conversation between Sarah Guerrero and the senior watershed manager of Cambridge, he asserted that it is hypocritical for Lincoln to propose to take tax revenues from commercial development and not also accept the resulting traffic. He stated more strongly than his representative that if Lincoln goes ahead with a commercial rezoning proposal, Cambridge would lobby hard for opening the one-way on Winter Street. From Cambridge's standpoint, this would at least move new traffic away from the watershed and the dam. Commercial traffic would be routed up Winter Street to Trapelo Road and deeper into Lincoln. This is the only way Cambridge can protect its water supply.

Obviously this news adds a key element as we consider commercial rezoning in this strategic part of Lincoln. Currently we have a strong buffer to traffic in the one-way, as well as in the limited size of the local roads. But we do not in any way control the destiny of the one-way limiter on Winter Street. It is in the hands of the State of Massachusetts. With Cambridge lobbying to open the one-way, combined with the inevitable lobbying by Waltham and by the owners and tenants in the proposed commercial buildings, it is hard to see how Lincoln can prevail. Commercial rezoning in Lincoln is unlikely to be encouraged by the state to put more traffic into an already congested intersection on already-backed-up rush hour 128, and do so over a threatened dam. Finally, and most obviously, Lincoln will appear hypocritical for trying to do so.

Let me know what you think.

10/15/2007

Best,

Jim Moore
781 259 9120

--

Dr. James F. Moore
66 Church Street, Harvard Square
Cambridge, Massachusetts, 02138

Direct phone 617 510 7306

See what's new at <http://www.aol.com>

Higgins, Timothy S.

From: Beth Ries [bethries@comcast.net]
Sent: Thursday, October 11, 2007 8:33 AM
To: Higgins, Timothy S.
Subject: Arshad proposal

Sarah Guerrero has agreed to be the point person for the proposal, although I would like to be cc'ed on messages. We will probably have a number of "captains" as well, but no names at the moment. Her e-mail is s3guerrero@gmail.com.

I have to admit that I am very opposed to the proposal, as I see potential for disastrous consequences. As I look at the make up of the ARPC committee, I see primarily people who were not around when we fought all the battles to keep traffic out of Lincoln.

Must run.

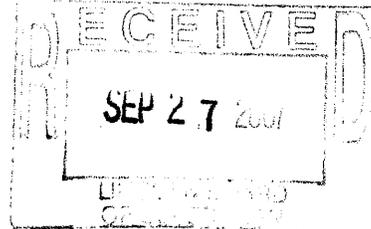
Beth

10/11/2007

21 Twin Pond Lane
Lincoln, MA 01773

September 25, 2007

Town of Lincoln Board of Selectmen
Ms. Sarah Cannon-Holden
Ms. Sara A. Mattes
Mr. Gary A. Taylor



Re: Opposition to Commercial Development

Dear Selectmen of Lincoln:

We understand that a new 200,000 square foot commercial development (the Arshad property) is being presented for approval to one or more Town boards. We oppose approval of this development.

During the past several years, we have been observers of the significantly increased traffic congestion in the Town Center. Much of this congestion is due to traffic passing through Lincoln in order to access Routes 2, 20, 126 or 128. Actions to approve concentrated development will certainly make matters much worse.

There have been many credible, in-depth traffic studies performed by Town committees and professional firms in the past concerning Winter Street, Trapelo Road and the Town Center. All of these concluded that traffic overload would result from highly concentrated commercial development in Lincoln along the Waltham line. Why are we revisiting this matter? If anything, since these studies were performed, traffic has become much more difficult in Town. It seems to us that it is not acceptable to invite additional overload onto our road systems by our own actions of approving commercial development along the Lincoln-Waltham line.

Traffic congestion is not only burden on our town residents from clogging up the roadways, and wasting our time and energy. Congestion is a public eyesore. It also creates pollution and is a real safety hazard, particularly for children, pedestrians and cyclists. As congestion increases, so will accidents.

We have lived in Lincoln since 1970, so we have considerable experience with the Town's increased traffic congestion. We will be very disappointed if the Town trades potential town revenue for even more traffic congestion. The Town leadership should protect the Town from further detrimental traffic overload.

Thank you for your consideration of our views.

Sincerely,

Clark L. Bernard *Susana R. Bernard*
Clark L. Bernard Susana R. Bernard

Higgins, Timothy S.

From: Higgins, Timothy S.
Sent: Wednesday, July 18, 2007 12:04 PM
To: 'als1reg@comcast.net'
Subject: RE: Winter Street Commercial Dewvelopment

Al:

I will certainly share your thoughts with the Selectmen. The Board is going to reconvene the At Risk Properties Committee (likely in September) to look at all of the opportunities and challenges associated with the LM proposal. Traffic, water and sewer will be a key focus. In the end, if the Boards conclude that these issues and others cannot be reasonably mitigated, I'm sure they will withhold support. LM has said publicly, they will not pursue without the support of town leadership.

I'm sure we will require a detailed traffic analysis. I will recommend that LM pay for us to commission the study.

Feel free to call or stop by if you'd like to discuss further.

Tim

-----Original Message-----

From: als1reg@comcast.net [mailto:als1reg@comcast.net]
Sent: Wednesday, July 18, 2007 11:09 AM
To: Higgins, Timothy S.
Subject: Winter Street Commercial Dewvelopment

Tim

The following comments are based on a minimum of real information and a limited number of anecdotal observations. Please share them with the Selects if you feel they have any value. I'm sure you folks have thought of all of this but I promised a few neighbors I would share my thoughts with you because they seem to believe I am such an eminently powerful figure in Town affairs.

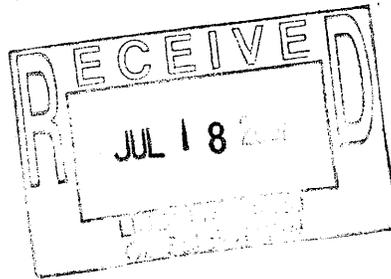
1. Obviously I would love the Town to have the extra revenue if the traffic issue could be mitigated.
2. It would appear from the few observations I have made that about 15 to 25% of the current employees in the area leave via the one way section of Winter Street. A traffic study would readily verify that number I am sure. A traffic study should also determine the number of new daily trips in both directions. The total number might be worth comparing with the traffic counts at commuting hours on Lincoln, Bedford and Trapelo Roads.
3. Would it be possible to have a legally binding document from the new potential developers that they would NOT EVER request a widening of the one way section beyond their driveway and obtain a similar guarantee from the state - or whoever has a say about that issue? Without that, I must admit that the commuting hours would be extremely unpleasant for the abutters on both Old County and Winter roads.

On the other hand, the folks on Lincoln, Bedford and Trapelo Roads are already living with the traffic.

Al Schmertzler

July 17, 2007

Board of Selectmen
&
Planning Board
Town Offices
Lincoln Road
Lincoln, MA
01773



Re: Old County Road

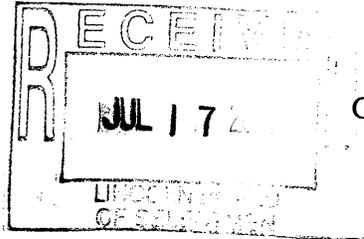
Dear Town Leaders,

You may recall when the Waltham development off of Winter Street was being planned, the City of Waltham proposed making Old County Road a thoroughfare in order to reduce traffic congestion through their streets. If they had succeeded, most of the traffic arriving at that development from Route 117 would have been directed onto Old County Road. Likewise, traffic coming from Route 2 would have also fed through Lincoln. Fortunately, with the consent of the neighborhood, Lincoln was successful in blocking Waltham's strategy.

Now with a preliminary proposal in the works for a development of the former Kennedy pig farm on Winter Street, please maintain a consistent policy to protect the residential neighborhood.

Cordially,

Crawley Cooper
Short Hill Road
Lincoln, MA



Charles & Mary Ann Hales
32 Huckleberry Hill
Lincoln, MA 01773
mahales@gmail.com
July 16, 2007

Dear Selectmen of the Town of Lincoln,

We read with concern about the proposed commercial development at the intersection of Winter Street and Old County Road.

We urge you to ignore the temptation of promised tax income which would come at the cost of irreversible damage that such a project would bring, especially to East Lincoln but to all of our town over the long run.

The first obvious impact will be increased traffic which is surely going to happen based on our experience with Bay Colony. The second very sad event would be to see a trend to convert our residential land into commercial property.

We could never undo these effects on Lincoln. One could foresee that we might soon become tiny green Jonah slowly swallowed by the whale of commercial development.

Just say "no." This proposed development is not in the best interest of the people or the town of Lincoln.

Sincerely,

Mary Ann Hales
Charles Hales

Mary Ann and Charles Hales

Higgins, Timothy S.

From: Parkhurst, Debra
Sent: Wednesday, July 11, 2007 11:24 AM
To: 'gary_taylor@brattle.com'; 'sarahselect2004@yahoo.com'; 'JRITZ@aol.com'; Higgins, Timothy S.
Subject: FW: Arshad Property

Debra Parkhurst
Administrative Assistant
Lincoln Board of Selectmen

-----Original Message-----

From: Afkluge@aol.com [mailto:Afkluge@aol.com]
Sent: Tuesday, July 10, 2007 8:22 PM
To: Parkhurst, Debra
Cc: Sarahselect2004@yahoo.com; Mattes50@aol.com; taylorgsmr@comcast.net; BethRies@comcast.net
Subject: Arshad Property

To:

Sarah Cannon-Holden, Chair, Board of Selectmen
Sara Mattes, Selectman
Gary Taylor, Selectman
Timothy Higgins, Town Administrator

From:

Susan and Arthur Kluge
111 Old County Road
781-259-0596

Re: Arshad Property

We have been residents of Old County Road for over eleven years and we wish to express our opposition to the proposed commercial development of the Arshad property. Many of our concerns about the proposed development have been expressed previously by John Hammond and need not be repeated. However, we would like to address two of the points that were advanced to "sell" the proposal, namely the use of gray water and the estimate of a 9% increase in traffic.

First let's examine the water issue. We understand that the developer has stated that the complex would use 'gray' water. No building can function purely with 'gray' water and it is folly to think otherwise. Water faucets, food service, and bathrooms require enormous amounts of fresh water when used by dozens/hundreds of employees. Year after year we read and hear the state's warnings about water usage and cutbacks, yet we, the residents of Lincoln, would be the ones asked to conserve, while commercial use would be encouraged. Let's save our water for residential use.

Next, let's look at the traffic volume. Traffic is already approaching the saturation point on Old County Road during the evening commute hours. Every evening between 3 and 7 p.m. hundreds of cars go past our home at 111 Old County. Traffic volume has increased considerably over the past year as office development has expanded on Winter Street in Waltham. We understand that the remodeled (Polaroid) building is fully rented and major new construction continues nearby. Beginning about four months ago we noted a regular back-up that extended from Trapelo Road to- and beyond -our home (0.3mi.+). It is obvious to us that our traffic is

7/16/2007

already increasing, and the proposed development in Lincoln would increase it by "9%". The volume of traffic is already far in excess of what the road was meant to handle, so why should we be expected to look the other way when someone says it will only go up by another 9%? We invite you to join us on a walk along Old County Road during the evening commute hours so that you can experience firsthand the volume of traffic and the frustration of the drivers at the Trapelo/Old County intersection.

Ask yourself if you want to make a bad situation worse. The proposed commercial development of the Arshad property is a bad idea. We request that this proposed development be denied without further discussion. John Hammond was right on the mark when he characterized the proposal as a "non-starter."

Would you please be so kind as to acknowledge receipt of this message? Thank you.

Art and Susan Kluge

See what's free at AOL.com.

Higgins, Timothy S.

From: Beth Ries [bethries@comcast.net]
Sent: Sunday, July 01, 2007 9:24 PM
To: Higgins, Timothy S.
Subject: Re: Winter Street One-Way

We started trying to get the one-way around 1984, but it took quite a while and a lot of legal work. The ballgame has completely changed, however, as we petitioned the Middlesex County Commissioners for their approval of the change. We had sought a complete closing, but, fortunately, got half a loaf, so to speak. I think the Commissioners were responsive to us because there were quite a few contributors to their campaigns among the Lincoln citizens. They were also responsive to our cause when Boston Properties tried to get the Commissioners to approve the widening of Winter St. and Old County to 50 feet to allow traffic in and out of a parcel on Old County that they had an option on. Hundreds of Lincoln people and entities such as Cambridge Water Board showed up at hearings to oppose the petition. It was denied in 1988.

The Commissioners no longer exist, as you know, and the right of way or lay-out that governs Winter Street (and many of our other roads) now belongs to the state (as a result of the abolition). I have a suspicion that the town could undo the one-way on its own, since it would be returning the road to a previous state, but Joel Bard would be a better source for the answer. If we have to petition the state, any interested party, such as all commuters and owners of commercial property on Winter Street in Waltham, could lobby the state to undo the entire stretch. They could be very persuasive, given how awful the traffic jams on 128 are on a daily basis.

I have told Gary Taylor and intend to buttonhole the other selectmen (probably by e-mail that undoing even a portion of the one-way would be opening Pandora's box. I paced off what I believe is the Arshad frontage on Winter Street and came up with about 100 feet. Assuming that the entrance to a commercial development would be at the southern edge of the property (the northerly part is quite steep), that leaves a very short strip to remain one-way. I suspect that if the town undid part of the one-way, it could be an opening for demanding that the rest be made two-way for the convenience of the public.

I can fill in more details if needed. I think the whole idea should be shot down now. Traffic in Lincoln is bad enough. It would get much worse with commercial development on the Arshad parcel, and really awful if we lost the one-way.

Beth

----- Original Message -----

From: Higgins, Timothy S.
To: BethRies
Sent: Friday, June 29, 2007 4:05 PM
Subject: Winter Street One-Way

Do you recall when the Town was involved in creating the one-way?

The BOS want to make sure we understand the process for establishing the one-way and any criteria that were imposed so that nothing is done with respect to the Arshad property that would compromise our ability to preserve the one-way.

Any additional light you can shed would be appreciated.

Tim

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.476 / Virus Database: 269.9.12/878 - Release Date: 6/28/2007 5:57 PM