

MINUTES OF THE PLANNING BOARD & SLPAC

January 11, 2022

ZOOM MEETING

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

PRESENT SLPAC: Gary Taylor (Chair) Rachel Drew, James Craig

STAFF: Paula Vaughn-MacKenzie, Jennifer Curtin

The Planning Board meeting was opened.

7:00 PM Site Plan Review, Section 17.7: Sajal Swaroop, 6 Reiling Pond Road, Parcel 129-11-0. Site Plan Review for the construction of a fence in a cluster subdivision. Vote Expected.

LD opened the public hearing.

Jennifer Curtin presented the project as submitted by the applicant.

The homeowner is requesting approval to construct a privacy/dog fence for the backyard. The proposed fence is a 6-foot tall, 525 feet long, white vinyl privacy fence running along the rear and side property lines and a 6-foot black aluminum fence separating the backyard from the front yard connected to the house. The fence will be set back more than 30 feet from Reiling Pond Road in the front, 30 feet back from the rear property line, 10 feet from the east, and 5 feet from the west. There will be no grading or vegetation removal associated with the work. All portions of the fence will be on existing cleared area.

The applicant submitted a plot plan and site photos showing the location of the fence, and images of the fence designs.

Section 18.5.3 of the Zoning Bylaw states that "All fences proposed in a cluster development, pursuant to Section 6.6, are subject to site plan review pursuant to Section 17."

The only restriction on fences in the cluster documents is as follows:

"3.6.5 No wall, screen or fence erected at a boundary shall be constructed with a height of more than six (6) feet above ground, except within thirty feet of the property line abutting Route 2."

No section of fencing will measure over 6 feet high, including that which borders Route 2.

Section 17.7.4 Site Plan Design Standards and Criteria

Preservation of Landscape: There will be no grading or vegetation removal associated with the work. All portions of the fence will be on existing cleared area.

Relation of Buildings to Environment: The white vinyl portion of the fence will match the existing back deck and will not be obviously visible from the road. The black aluminum fence will be see-through and will keep visibility open from the road.

Building Design and Landscaping: No building or landscaping proposed.

Open Space: Fence will be on an existing cleared area of yard and will not be obviously visible to people driving by.

Circulation: No effect on circulation on the site.

Screening: Fencing will be screened from neighbors by existing vegetation.

18.5.5 Criteria For Approval of Fences

1. Fences must be constructed of materials which blend harmoniously with the surrounding landscape and the immediate neighborhood. **The vinyl fence will be screened from neighbors and the road to not visually disturb the surrounding neighborhood. The black aluminum fence in the front is proposed so that the vinyl fence will not be visible from Reiling Pond Road.**
2. Fences shall be placed so that the finished side faces the street or other property open to use by the general public. **The finished side will face the road and neighboring properties.**
3. On a corner lot, in order to ensure visibility, no fence higher than three (3) feet shall be erected, placed or maintained within the triangular area formed by the intersecting streets (measured at the edge of paving) and a straight line adjoining said streets measured at points which are twenty-five (25) feet back from the point of intersection of said street lines. **The fence is not located on a corner lot.**
4. Fences shall be located so as not to restrict sight distances at driveway entrances and exits. **The driveway will not be affected by the fence.**
5. The location of a fence shall allow adequate space for snow clearing and storage consistent with the Town's normal snow removal operations. The Building Inspector or Planning Board shall consult with the Lincoln Department of Public Works to review a proposed fence location. **The location of the fence will not impact snow removal operations as it is over 30 feet from the road.**
6. The location of a fence shall be set back at least ten (10) feet from the edge of the public way where there is no bicycle path or sidewalk, and at least five (5) feet from a bicycle path or sidewalk. **The proposed fence will not be within 10 feet of any public way or path.**
7. The location of a fence shall allow adequate space for safety of pedestrians and for access by emergency vehicles. The Building Inspector or Planning Board shall consult with the Public Safety Officer to review a proposed fence location. **The fence allows adequate space for emergency vehicles and does not impact pedestrians.**
8. Conservation. The Building Inspector shall consult with the Conservation Commission to review the proposed fence location with regard to the Town's natural resource protection goals. These goals include wildlife, plants and wetlands. **The fence will not be in any wetland resource areas.**

Abutters:

Sean Wirtjes of 11 Reiling Pond Road requested the plans on January 4, 2022.

Jim Burke of 12 Reiling Pond Road requested the plans on December 30, 2021.

Vivek Sable of 274 Cambridge Turnpike, direct abutter to the east of the subject property, expressed via email on January 6, 2022, that they are in favor of the vinyl fence.

Inderneel Sahai of 9 Reiling Pond Road requested the plans on January 10, 2022 and stated that the fence is not a problem for them as it would not affect the front appearance of the house.

At the meeting, Vivek Sable commented that she is okay with the fence as long as it is approved with the Homeowners Association.

Mr. Swaroop said that they are new to Lincoln and are concerned about coyote and deer coming into the yard which is why they chose the height. They also want privacy and sound reduction from Route 2. They are not looking for privacy from people, more for safety in the backyard.

Inderneel Sahai asked for confirmation that the fence will only be in the back.

Mr. Swaroop said that is correct and the only fence attached to the house near the front will be see through aluminum rail fence to allow for view from the front to the backyard.

BD asked if the berm along route 2 extends to the subject property.

Mr. Swaroop said that there is a berm, but it does not extend all the way across the backyard.

BD said that the fence will not likely be visible from Route 2.

Mr. Swaroop said that is correct, and they plan to do additional plantings.

GT and SG said that they are fine with the proposal.

BD asked if a height of less than 6 feet was considered.

Mr. Swaroop said that his wife is concerned about animals jumping over the fence, so they went with the tallest fence.

Christina Breiter of 10 Reiling Pond Road, who was the original developer, said that she understands the reasoning but that a privacy fence is not the intention of the development as it is supposed to be open. She believes that the applicant should consider shorter than 6 feet. She added that the architectural guidelines of the cluster documents specify that vinyl is an unacceptable material.

Mr. Swaroop added that the height helps with sound dampening from, Route 2.

Ms. Breiter said that the Declaration of Covenants of the subdivision allows fences taller than 6 feet along route 2, The issue is with the other fencing being visible from Reiling Pond Road.

LD asked if this has been approved by the Neighborhood Association.

Mr. Swaroop said that they have looked at it and the fence follows the cluster documents' requirements.

Mr. Breiter said that the materials are an issue.

LD asked if vinyl would reduce noise more than wood.

BD said that vinyl is less effective, and the berm will help with noise attenuation.

Ms. Curtin showed the architectural guidelines.

Ms. Brieter said that the spirit of the guidelines was to keep to Lincoln's rural character.

SG asked if the proposal would still need to go through the homeowner's association if the Planning Board approves it.

Ms. Breiter said that they have not had the issue of fencing before.

PVM said that the guidelines are more about the house design and not fences. She asked if there is an association that needs to approve things.

Ms. Breiter said that there is not.

Ms. Curtin said that the only mention of vinyl in the guidelines is that vinyl siding and windows are not allowed but nothing about fences.

LD said that white vinyl is not usual for Lincoln.

BD said that he would prefer shorter than 6 feet, but it would not change the character much either way.

LD said that there does not appear to be a requirement that the association has to give final approval.

Ms. Breiter said that is correct. She added that she does not like fencing as it is not the intention of the development as it is not a suburban area. Her preference would be more tree planting for privacy instead of a fence and that animals are part of living in Lincoln and she would like a compromise.

LD asked if Ms. Breiter has communicated her concerns to the applicant.

Ms. Breiter said that she has not, but she has spoken with other neighbors who have voiced concerns with her. She added that she respects the homeowners' rights to do what he would like on his property.

Ms. Sahai suggested a darker colored fence in the back with additional plantings to block it.

Mr. Swaroop said that part of the plan is tree planting. He said that he can add bushes in the front to hide the backyard.

Ms. Breiter suggested a more natural looking fence like cedar.

Mr. Swaroop said that he is open to a wood or cedar fence but added that he does not think that the aluminum, fence in the front should be in cedar so it does not block the view from the front.

SG moved to approve the plan as submitted with the change that the vinyl material be changed to cedar and keeping the black aluminum in the front. GT seconded.

PVM added that the applicant should not have to plant in the front to block the view if the material is changed to cedar.

GT agreed because the open fence in the front is to allow the view from the front from the back so with the material change is not necessary.

Roll Call: SG aye, LD aye, GT aye, BD aye.

Mr. Swaroop asked if the fence color should be kept natural.

LD said that it should be natural.

The Joint Planning Board & SLPAC meeting was opened at this time.

7:15 PM Wright-Pierce Presentation – Wastewater Treatment Plant Evaluation Task 2

Kevin Olson and Adam Higgins of Wright-Pierce presented the Task 2 report.

Mr. Olson summarized the project scope of Phase 2 which was expansion of the current system, alternative treatment options, alternative analysis, comparison of costs, and recommendations.

BD asked if the analysis of excess capacity included whether the apartments have garbage disposals and if they are taken into account.

GT said the current usage is 40 gpd so it is well below the 110 gpd requirement.

Mr. Higgins said that there are over 200 bedrooms, and the unused capacity equates to 72 bedrooms using the 110 gpd per bedroom that DEP requires.

David Aiken, project manager from TCB, will ask site staff if the units have garbage disposals.

Mr. Higgins recapped Phase 1. Most of the recommendations from Phase 1 to be completed in the 0-5 year term for the existing facility would still apply for increasing capacity to 40,000 gpd. One of the focuses of Phase 2 was to determine what the costs of increasing capacity to 40,000 gpd could be accomplished within the existing facility. This option would cost \$1,450,000 including bidding, construction, and engineering and legal services. He then reviewed three alternative treatment technologies. Membrane Bioreactor (MBR) have highest quality effluent, low sludge disposal, similar electrical consumption to the existing system, highest chemical cost, complex operation, and easiest to expand. The Amphidrome system is hardest to operate, high chemical cost, low sludge disposal cost, similar electrical requirements as MBR, and hardest to expand. Finally, a Sequencing Batch Reactor system (SBR) is able to handle changing influent loads, easy to operate, no chemical costs, highest sludge disposal, hard to expand, already redundant, and tall/deep tanks needed. Wright-Pierce analyzed and ranked the alternatives with the MBR being the recommended option since it has the best effluent quality and would be the easiest to expand within the current parcel limits. They presented site layouts with project costs and project duration estimates. The estimated duration for design, bidding, and construction would be 3-4 years. The estimate for a 50,000 gpd system is \$5,750,000. At 60,000 gpd the estimate would be \$6,853,000 due to redundancy requirements. Adding onto the 50,000 gpd system to reach 60,000 later would be around the same cost as doing it upfront. Additional considerations are effluent disposal, land and WWTP ownership, annual operating costs for the WWTP, and permitting.

BD asked if the calculations are based off the 110 gpd number.

Mr. Higgins said that DEP requires 110 gpd per bedroom. The existing system was designed for those requirements. DEP acknowledges this is a conservation estimate, and if you can prove through historical data that it is an inaccurate number there is a method in place for DEP to accept the historical data as usage. Maximum day each month for two years is averaged to get a more accurate number. Based on the historical date, there is 7,900 gallons per day additional capacity within the current system. He then summarized 4 potential scenarios, with scenario 2 being the most favorable on a cost basis since it would upsize the existing facility to 40,000 gpd for an expansion potential of 199 bedrooms and at a cost of \$1.5 million.

BD asked if the final report could incorporate discussion of expansion potential based on historical data and how garbage disposal units may affect the capacity calculations in the future if there was further development.

Mr. Lawler said there should be more clarifications on the issues raised by BD and added that he appreciated the work done on the presentation by Wright-Pierce.

Mr. Olson said that garbage disposals are not usually factors used in WWTP calculations, but they will review it.

GT asked how the potential buildout of the area impacts the permitting process as opposed to the performance parameters of the plant.

Mr. Olson said that DEP just wants to know the design flow calculations.

Mr. Higgins added that permitting is required every 5 years. That does not take into account new bedrooms. It is just making sure it is permitted every five years and that there are no changes to the existing facilities.

GT asked how DEP becomes aware of additional bedrooms.

Mr. Higgins said DEP needs to be approached when new units are added which would trigger a permit modification process.

Ms. Barnes said that her aunt lives at Lincoln Woods and said that they do have garbage disposals.

GT said that they have garbage disposals and are still under 40 gpd.

Mr. Higgins said that garbage disposals impact the quality of the flow but is not a part of the capacity calculations.

Ms. Barnes asked if there is the potential of predicting if the sand beds meet current requirements based on hydrology or physical characteristics now and what that means for investigating other sites.

Mr. Higgins said that there are monitoring wells that see the impact of wastewater on groundwater. They require monthly water level readings. Wright-Pierce reviewed historical records and the groundwater levels are well below surface so there is not a significant impact. Nitrogen levels were high at some points but overall acceptable. The capacity of the sand beds is difficult to determine because the original soil evaluation was not located so hydrogeological conditions would still need evaluation.

Mr. Olson said that separation to groundwater is required be over 4 feet and the historical data has shown that is around 10 feet. Deep hole boring would be necessary to determine exact capacity.

Business

Approve December 14, 2021 Planning Board minutes

BD moved to approve the minutes. LD seconded. Roll Call: LD aye, BD aye, SG aye, GT aye.

Joseph Maillet – Forest Lake/Garland Road release of funds

Ms. Curtin explained that this money has been held by the Town since 1987, currently in the amount of \$10,471.32. These funds were requested by the Planning Board in relation to the Forest Lake Subdivision, now named Garland Road. This remaining surety was being held up for the remainder of the road completion. Jennifer Curtin conducted a site visit on January 10, 2022 and found the sidewalk and road complete.

SG moved to release the funds. LD seconded. Roll Call: LD aye, BD aye, SG aye, GT aye.

BD moved to adjourn the Planning Board meeting. SG seconded. Roll Call: BD aye, SG aye, GT aye.

RD moved to approve the October 29, November 5, and December 3, 2021, SLPAC minutes. GT seconded. JC aye, RD aye, GT aye.

RD moved to adjourn the SLPAC meeting. JC seconded. JC aye, RD aye, GT aye.

Approved February 4, 2022