

## MINUTES OF THE PLANNING BOARD

February 8, 2022

### ZOOM MEETING

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

**STAFF:** Paula Vaughn-MacKenzie

**7:00**            **Approval Not Required, Section 2.0 of the Rules And Regulations Governing The Subdivision Of Land And Laying Out Of Ways:** Terrence A. Cassidy, 3 Red Maple Lane, Map 120, Lots 12-0, 13-0. Application for endorsement of a plan believed not to require subdivision approval to reflect accurate boundary lines after a taking by MassDOT.

PVM presented the project as submitted by the applicant.

The landowner is submitting a plan that accurately reflects the current boundary lines after an Order of Taking by MassDOT dated January 5, 2012. Red Maple Lane runs parallel to Route 2. No new lots will be created. These lots are shown as 120\_12\_0 and 120\_13\_0 on the ANR Plan entitled "Plan of Land, 3 Red Maple Lane" dated December 28, 2021. There will be a reduction of 7,330 square feet from 120\_12-0 and 3,821 square feet from parcel 120\_13\_0. The plan was prepared by Snelling & Hamel Associates Inc. and is stamped and signed by John Hamel, a certified land surveyor. The plan has all the required content.

MO said that the lot 120-12-0 is less than 40,000 square feet after the taking.

PVM said that if the lot was created when 40,000 square feet was considered conforming, then it was a preexisting non-conforming lot. The bylaw states that if a lot is reduced by a taking it would not lose its non-conforming status.

BD said that from the original 1949 plan to this new plan it appears the line that divides the two lots seems to have changed by 6-8 feet. He is concerned that the grandfathering of the lot is lost if the lot is altered in any other way than the taking. He added that he does not have a problem approving the plan but wished the applicant was in attendance to answer that question.

PVM said she will reach out to John Hamel to ensure the only change was from the taking.

BD moved to approve the plan as submitted. MO seconded. Roll Call: GT aye, MO aye, SG aye, LD aye, BD aye.

**7:10 PM**            **Site Plan Review, Section 17.7: Liu Yanping, 22 Lincoln Road, Parcel 152-2-0.** Site Plan Review for the construction of additions to a single-family residence with associated sitework. Vote Expected.

MO opened the hearing. Members of the Board conducted a site visit on February 3<sup>rd</sup>.

PVM presented the project as submitted by the applicant.

The project will consist of adding a total of 4,029 square feet of calculated gross floor area to the existing 6,642 square foot dwelling with additions on the north and south sides of the existing structure. A deck will also be added to the east side of the structure. The existing tennis court on the property will be rehabilitated in place. The existing driveway will be repaved with a portion of it to be replaced with porous pavement with additional space for an extended turnaround for the new attached garage. The gravel driveway leading to the detached garage will be repaired. Two new impervious walkways will be constructed from the driveway to the front porch. The staging

area will be on the proposed septic area. The Site Plan shows a limit of work and erosion control line surrounding the project area.

The project is subject to Site Plan Review because the existing and proposed structure is over 6,500 square feet of calculated gross floor area. The original house was built in 1917 and has never been subject to site plan review.

Height: The height of the structure is 33' 3" measured from the lowest exposed point and will not change with the proposed additions. The building is 3 stories according to the bylaw. The existing is 3 stories and the roofline is being matched with the two additions. This was reviewed at the ZBA hearing on January 6, 2022. PVM received an email from David Summer, chair of the ZBA, who said that they approved it under the Special Permit process as an extension of the existing condition.

Zoning: The structure after construction will be 146'-2 1/2" from the north property line, 102'-2" from the south property line, 105'-6" from the west property line, and 213'-10" from the east property line. The property is surrounded by Town owned land on three sides, with the west abutters at 2 and 10 Beaver Pond Road being the only privately owned parcels. The property has no frontage and has an easement across the Town land to the east (Town Offices) on Lincoln Road to access the property.

Calculated Gross Floor Area: The existing calculated gross floor area of the house is 6,642 square feet and after construction will be 10,671 square feet.

Wetlands: The applicant received approval from the Conservation Commission on December 1, 2021. 2'x2' fieldstones will be placed on the ground to mark the edge of the wetland buffer and areas to be left undisturbed. Stacy Carter, Conservation Planner, stated in a memo dated January 21, 2022, in part that "The Conservation Department noted that a generator and associated 3' fence enclosure have been added to the site plan dated January 7, 2022. The generator and fence are within the 100-ft Buffer Zone to a wetland resource and have not been reviewed and approved by the Conservation Commission.

The Conservation Department asks the Planning Board to add two conditions to their approval

- **The Applicant must submit a memo and final site plan to the Conservation Commission detailing the addition of the generator and fence for Conservation approval before work can begin.**
- **If the Applicant wishes to repair the portion of the driveway on Town land, they must receive permission from the Conservation Commission because of proximity to wetlands.**

Historic: Elaine Carroll, Administrative Assistant for the Historic Commission, sent an email dated January 10, 2022, stating "22 Lincoln Road is not demolishing 25% or more of the roof line or structure and therefore does not need to come before the Lincoln Historical Commission for a demolition hearing"

Board of Health: The applicant received Title 5 approval from the Board of Health.

Generator: The new Generac Guardian generator will be located close to the north of the northern addition and surrounded with a 3' fence enclosure. It will operate at 68 decibels at 23 ft. during normal load and 58 decibels at 23 ft. in low-speed exercise mode.

Lighting:

- Minka - Lavery Pineview Slope Wall Sconce. 3000K, 750 Lumens
  - o (2) Front Door. West Elevation. & (3) Back Deck, East Elevation
- WAC Balance· Path Lights. 2700K. 275 Lumens.

- (6) West Elevation, flanking front porch steps and along path from front door to garage. & (5) East Elevation, along the path from garage to the back door.
- ⊖ WAC Mod 6" Outdoor Wall Sconce. 3000K, 850 Lumens,
  - (4) Garage Doors, South Elevation, (1) 2nd Floor Door to Exterior Stair. South Elevation, (1) Pedestrian Door to Garage. East Elevation, (1) Back Door, East Elevation
- ⊖ Tech Lighting, Ash LED Wall Sconce. 2700K, 300 Lumens.
  - (3) Deck Over Garage. East Elevation.

**Section 17.7.4 Site Plan Standards and Criteria**

Preservation of Landscape: The proposed landscape will largely remain the same in terms of grading and maintaining existing lawn areas around the house. The original foundation shrubs which are now overgrown, will be removed, and replaced with a mixed planting of groundcovers, perennials, shrubs and small ornamental trees. Large White Pines growing close to the house will be removed and replaced with 3 Mitigation Plantings as approved by the Lincoln Conservation Commission. An existing mortar & stone retaining wall along the driveway approach to the garage will be replaced with a fieldstone wall 8’ north of the existing wall to improve site-lines, turning and garage access.

Relation of Buildings to Environment: Applicant states that the Dutch Revival house faces Southwest and is of modest height with the second story set under the gambrel roof. The proposed addition maintains the height of the original gambrel roofline as well the SW orientation to the sun. There will be no significant changes to grading around the house or on the property as a whole.

Building Design and Landscaping: The proposed house will continue to sit within the center of its lot, surrounded by small lawn areas, woods and wetlands, in a position that is not easily visible from any adjacent roads. In areas where large White Pines will be cut, they will be replaced by mitigation plantings of native trees and shrubs. 31 total deciduous and conifer trees will be removed from the site in a range of 10”-36” diameters. All tree removals are further than 50’ from the property lines.

Open Space: Open space around the house will remain predominately the same.

Circulation: The driveway follows the existing footprint with an expansion of the paved area adjacent to the garage for better turning and guest parking. Dry-laid paved Bluestone paths are proposed to connect the garage/guest parking area to the front door and the back door. These paths are lit by landscape lights.

Screening: Existing trees and shrubs within the wetland buffer and between neighboring lots will be left undisturbed. Three Mitigation Planting areas on 3 sides of the house will provide further screening.

PVM added that when viewing the view of neighboring properties at the site visit, it appeared that the proposed 3-5’ screening heights may not be sufficient. The Planning Board usually requires screening trees to be 8-10’ or 10-12’ in height.

Drainage: The applicant submitted a drainage report by Gala Simon Associates, Inc. dated October 8, 2021 that concludes: “As analyzed, the peak rates of runoff and volumes will be maintained for the 2, 10 and 100 year storm events.”

2,023 square feet of driveway will be replaced with porous pavement. The project will result in a net increase of 246 square feet of impervious surface area, all of which will be managed by the porous pavement and surrounding lawn, according to the drainage report.

PVM said that, since the porous pavement controls the stormwater and it can get clogged, a maintenance plan should be in place and be a condition of approval.

Abutters: All abutters were duly notified. John Hamel and Thomas Wang requested plans but did not submit comments.

BD asked what nonconformity was reviewed by the ZBA.

PVM said that the height, stories, and existing nonconformity required review.

PVM said another issue reviewed by the ZBA is the existing accessory apartment. Upon review of the plan, it was found that the secondary egress does not meet building code. The Planning Board can approve the plan as is without recommending the accessory apartment. They would have to resolve that issue and go back to the ZBA for a new permit.

Alan Yu, architect for the applicant, said that the owner already renewed the permit for the accessory apartment when they acquired the property. Upon ZBA review for this addition project, the ZBA said that they will have to update the plan. They are keeping the apartment the same size, but they cannot use the egress through the boiler room, so they need to add a different egress. He added that the land slopes, so the building follows the terrain and the basement is a walkout, so it counts as a story under the bylaw. The building appears to be 2.5 stories.

GT recused himself from the hearing. He is a neighbor, and said he is pleased to see the house being restored.

The Board discussed special conditions to attach to the permit.

LD moved to approve the site plan as submitted with the following conditions in addition to the standard conditions:

1. Any approved generator shall only be exercised Monday through Friday between 10:00am and 4:00pm.
2. The Applicant must submit a memo and final site plan to the Conservation Commission detailing the addition of the generator and fence for Conservation approval before work can begin.
3. If the Applicant wishes to repair the portion of the driveway on Town land, they must receive approval from the Conservation Commission because of proximity to wetlands.
4. Trees planted in the three screening areas must be a minimum height of 8-10'.
5. The applicant must submit a maintenance plan for the pervious pavement portion of the driveway.
6. The Planning Board does not approve the accessory apartment until changes are made to comply with the building code requirements, the applicant comes back to the Board for a favorable recommendation for a special permit, and the ZBA issues such special permit.
7. Construction Conditions:
  - a. Construction Requirements during Construction:
    - i. Applicant shall maintain all feasible and reasonable means of dust control and shall collect and secure all debris on a daily basis.
    - ii. No construction, deliveries, or any other activities any occur on Sundays or on New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas Eve or Christmas Day.
    - iii. Construction, deliveries, and any other construction activities shall be allowed Monday through Saturday from 7:00am until 5:00pm. No construction, deliveries, or construction

activities that may cause disturbance may begin before 7:00am nor continue after 5:00pm, unless approved in advance in each instance by the Building Inspector.

- iv. Trucks and other equipment may not idle or warm up until 7:00am or leave the site after 5:00pm on approved construction days.
- v. Private vehicles of contractors and employees, and construction related vehicles, must be parked on-site. There shall be no parking, queuing, or idling in the Town Hall parking lot.

MO seconded. SG aye, MO aye, LD aye, BD aye  
GT recused himself and abstained from the vote.

### **Business**

#### **Return of 53G funds**

PVM said that AT&T submitted check in the amount of \$7,500 dated November 1, 2000 to cover any review fees associated with their Special Permit application for colocation on the Omnipoint tower at 0 Bedford Road (Tracey's) in January 2001. On January 10, 2001 A MOTION was made and seconded to spend a portion of the application review fee submitted by AT & T to investigate if this type of tower coloration and lighting is required in this location. The Board then hired a consultant, Randy Murphy, to advise the board. Ultimately, it was determined later that Omnipoint was responsible for lighting and coloration, not AT&T, but the funds had already been spent. \$7,044.33 remain in account. The project has long been finalized.

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

#### **Liaison Reports**

BD said the BRSB working group that is looking at the Route 2A plans and will have their second meeting on Thursday. There are differences in opinion on crosswalks. He will recommend that the working group not take a position on this issue and differ to Lincoln, the National Park, and MassDOT.

### **Business**

SG moved to approve the January 25, 2022 minutes as amended. GT seconded. Roll Call: SG aye, MO aye, LD aye, BD aye, GT aye.

LD moved to adjourn. SG seconded. Roll Call: SG aye, MO aye, LD aye, BD aye, GT aye.

Approved February 22, 2022.