

MINUTES OF THE PLANNING BOARD

March 23, 2021

ZOOM MEETING

PRESENT: Margaret Olson (Chair), Lynn DeLisi (Vice-Chair), Gary Taylor, Stephen Gladstone, Robert Domnitz, Craig Nicholson (Associate Member)

STAFF: Paula Vaughn-MacKenzie, Jennifer Curtin

7:00 PM SLPAC Report & Lincoln Village Survey Update.

GT gave an update on the septic study of The Community Builders (TCB) facility. TCB is almost ready to move forward and will pick up half of the cost of the engineering assessment. The Request for Proposals (RFP) is ready to send out.

PVM said that CDM will conduct an initial pre-audit of the system after which TCB will endorse the distribution of the RFP. Andy Waxman indicated that CDM will go out this week to conduct the visit.

LD asked what the cost will be. GT said that we will know once it goes out to bid. The total cost is thought to be around \$90,000 which will be split into three parts. One part is exploring other possible septic sites so TCB would not cover that part.

LD said that the Town should apply for grants now since we are currently in compliance with the Housing Choice Law.

GT said the Town has already allocated \$30,000 for the study in this year's budget and there may be more in the budget for next year.

PV-M said that the Town would apply for MassWorks grant for high-cost infrastructure including design work and engineering. The RFP is the first step, and the State is looking for Towns to be ready to go before they consider awarding grants.

LD said that we should look at which grants we may want to apply for and see what the deadlines are.

BD asked if there needs to be a housing goal to be awarded grants.

GT said that the point of the project is to expand septic capacity to ultimately expand housing.

BD said that it would be beneficial to see how much money per housing unit the grants figure out to.

PVM said that it is not calculated that way, but the State is looking to fund mixed use development and housing projects which are what is proposed in Lincoln station.

BD said that if the septic project is huge dollars, MassWorks may not provide a substantial enough contribution.

MO said that she trusts PVM and JC to figure that out through discussions with the State.

PVM said that the State is transparent and encourages communities to reach out to help them determine if their proposal will fit the parameters that the State considers for funding. She added that we will have a more definitive timeline when she hears from TCB. We will get a better idea about cost once the RFP goes out.

BD asked if they are sealed bids.

PV-M said that since it is an engineering contract it is not subject to procurement laws. It will be distributed to many different engineering companies to see if the pricing from CDM is comparable to others.

BD said his concern is that potential bidders may evaluate meeting recordings to see what kind of numbers the Town is thinking about.

PVM responded that she did not believe public meetings put the town at a disadvantage. The RFP will go out to several engineering firms that have expressed interest in receiving it. The intent was for the Town to receive a competitive price for the work from qualified engineering firms.

SG said that the Planning Board meetings are public and there is no way to keep information to ourselves.

The Board moved on to the survey discussion. The draft that was discussed can be found at:

<https://www.lincolntown.org/DocumentCenter/View/65375/DRAFT-Village-Center-Survey-032221>

PV-M said that the Board received a link to take the Google Forms survey and a PDF of the survey to edit.

LD said that she would like to make comments and changes in a Word document.

MO said that the changes should be discussed in the meeting.

Ms. Ohlsten said that a draft in Word form was in circulation within the subgroup made up of PVM, MO, LD, and herself for a few months. The last communication with the group was that she had expressed that there were changes that had been made and should be discussed before formatting. She was surprised to see this formatted piece that was not approved by the subgroup.

PVM said that this was not put in PDF form to prohibit changes but to move the process along for the Planning Board to be able to comment since they had expressed early on that they wanted to have input.

LD said that it should be made so that respondents to the survey must answer all questions and not be able to skip around.

PV-M said that the only questions that are not required are the demographic questions.

JC said that she made it so one cannot move on unless the questions are answered in order.

Andrew Glass asked that the link to the survey be circulated to SLPAC.

The Board reviewed each question of the survey. Discussion on each question was open to Board members and the public. Question 1 There was no discussion on this question.

Question 2: "Do you frequently shop at any of the following commercial areas?"

PVM said that this question was added instead of asking people where they lived. The group thought that asking people where they lived felt intrusive and the goal is to determine if people shopped elsewhere.

BD asked why "center" is included instead of just the Town name since there are places other than Town centers where people shop.

MO agreed that removing "center" makes sense and suggested adding Wayland, Sudbury, and Cambridge.

PVM said that we will take out "center" and add those three additional locations.

Question 3 "How would you characterize each of the following goals for the Village Center?"

LD asked if the "increased diversity" should be focused on Lincoln Center.

PVM said that we are talking about goals specifically for the center.

Ms. Ohlsten said that it should say economic diversity.

MO said that we cannot affect more than economic diversity, but it would be interesting to see what people want without narrowing the focus.

PVM said that housing can only be based on economics, but the impacts can be a broader discussion.

Ms. Ohlsten said that we do not want to make promises that are unrealistic and that several of the options are things that developing the village center may not be able to accomplish. For example, "support the MBTA station to maintain or increase service levels."

LD said that this is not an offer, it is just seeing what is important for people.

MO said that we cannot guarantee the MBTA's support, but their decisions are driven partly by ridership and the Town's cooperation level with the new Housing Choice Law.

PVM said that, if someone comes forward with a development, the Town can ask for certain things that people would like to see in the center.

BD said that most of these options for goals are "motherhood, apple pie" issues and are things that everyone wants.

MO disagreed and said that if you do not think business in Lincoln center is important than you would not put that as one of your goals. We need to know what people's values are and not assume that everyone holds our values.

PVM read question 4 "Please indicate your level of support for each of the following types of development/offerings to be available in the Village Center."

Mr. Nicholson recommended that "Green/Recreational Space" be split in two options for passive and active. Passive would be park space, benches, area with no programmatic use whereas active would include sports, playgrounds, outdoor venues etc.

The survey discussion was paused at 7:40 to review the Site Plan for Farrar Pond Village.

7:40 PM Determination of Minor Change, Section 17, Site Plan Review: Farrar Pond Village Condominium, Kettle Hole Drive, Parcel 174-6-0. Request for a determination of minor change to an approved site plan to add play equipment and safety mulch.

JC reported that Farrar Pond Village Condominium (applicant) intends to install new outdoor play equipment. An existing play structure is being removed from the Farrar Village Conservation Trust (FVCT) Conservation Restricted Land where it has been located for many years. The new equipment will consist of a swing set with four swings and an independent platform for a slide and climbing equipment. The slide platform will be placed 20 feet from the property line between the applicant's land and the FVCT land. The metal posts for the swing set will be placed 16 feet from the property line. The total footprint of the slide platform is 14' x 15'. The slide platform itself is 5' x 7' x 12'. The two-bay swing set is 8' high and 24' long.

The slide platform is an accessory structure as defined in Section 23 of the Lincoln Zoning Bylaw and meets the 20ft setbacks from the side lot line required in Section 13.4. The mulch for the swings will extend to the lot line for safety purposes and will be on already cleared area. The swing posts are not required to meet those setbacks as they are not accessory structures.

The Building Code defers to Manufacturer Installation Instructions for the safety requirements of the equipment. Manufacturer Installation Instructions require 16 feet of safety mulch to extend from the swing set posts to the property line. The safety mulch will be installed at grade, replacing grass that currently exists and no other vegetation will be cut or displaced by the installation of the mulch. The applicant's land is subject to a site plan which requires a ten foot no disturb zone around the perimeter of the lot.

The applicant applied to the Planning Board for a minor change to the existing site plan and requests the Planning Board waive the ten foot no disturb zone under their administrative site plan review jurisdiction to allow for the placement of the new safety mulch.

This property is zoned as R-3 Open Space Residential Development. Section 8.1.2 of the Zoning Bylaw states that approved uses are "any use permitted in an R-1 Single Family Residence District subject to the same use and development restrictions as are prescribed therein." Section 17.7.3 of the Zoning Bylaw states that "applicants may request that the Planning Board approve amendments to a site plan in which case the Planning Board shall review any such amendment in accordance with the same standards and procedures as an initial submission, unless it deems the modification to be of a minor nature, in which case, a determination may be made at a Planning Board meeting instead of at a public hearing."

There are no proposed lighting or grade changes. Farrar Village Conservation Trust has submitted an e-mail supporting this project. They are the only abutter.

Maury Eldridge said that they have an old swing set that was put on the conservation land without anyone noticing or objecting many years ago. It is no longer safe for children to play on, so new equipment is being installed in a way that does not take away any trees or moves the basketball court. The area that was chosen is wide enough to put in the safety mulch to the property line. That is why they need to waive the 10 foot no disturb.

GT said the most impact is mulch replacing grass in the 10 feet barrier of the property line and the only abutter does not object to the project.

MO added that it makes it better for the abutter since will no longer be play equipment on the Conservation land, so it appears to be a net improvement.

BD asked how the play equipment ended up on the FVCT land in the first place.

Mr. Eldridge said that he did not know as it was a long time ago.

BD asked if FVCT is part of the Lincoln Land Conservation Trust (LLCT).

Mr. Eldridge said that LLCT oversees all three trusts around Farrar Pond.

LD asked if there are children living in the community as she thought it had an age restriction.

Mr. Eldridge said that there is no age restriction, and they are looking for donations to fund equipment as they want to be family friendly.

GT moved to consider this a minor change. SG seconded. Roll call: SG aye, BD aye, LD aye, MO aye, GT aye.

LD moved to approve the project. MO seconded. Roll call: SG aye, BD aye, LD aye, MO aye, GT aye.

The survey discussion resumed at 7:50

BD asked about the use of the word affordable as it has two meanings, plain English meaning and the state law meaning, and it should be clear which meaning we intend.

PVM said we use it as it is defined by the State not the dictionary definition.

GT said that he did not see it that way. When we are talking about affordable it is in the middle range of real estate prices where people may not qualify for certain programs.

BD said that this is an example of two people reading the same word and thinking different things. He suggested rephrasing it to be "suitable for mixed income or mixed-use development" since affordable is a loaded word.

MO said that the word affordable is only loaded to those who study this issue, and most people believe it to be how GT described.

PVM said that the State definition is that it is a mix of affordable and moderate-income housing which is what GT is describing.

GT said that it needs to be clear that there is a component in development that needs to be affordable under the State definition of affordable.

MO said that we are overthinking things, it is an English word and hardly anyone who is reading it will think about State law.

LD said that she is troubled by the mixed income part and asked if there should be rental buildings with people of all different incomes in them.

MO said that that is important. Mixed income buildings are much more effective than all affordable.

BD said that the word affordable was appropriated by State legislature as a way to not use the word "subsidized". It is important to consider that word may produce a different reaction in different people.

MO said that she is not saying how you achieve affordability, and it is not necessarily subsidized.

BD said that the Board needs to be honest when there are subsidized units incorporated into a project.

PVM said that inclusionary zoning of 15% is in the bylaw.

SG said that any development will be discussed in a public meeting so it will be transparent.

PVM read question 5 "Please select one of the following statements regarding affordable/moderate housing."

Ms. Ohlsten said that the first, second, and third answer options should add the word "additional" before the word "affordable."

PVM read question 6 "Please indicate your level of support for the following types of housing in the Village Center?"

Ms. Ohlsten asked if people will know what cottage developments are.

PVM said that there has been discussion in Lincoln in the past about cottage developments like the Riverwalk in Concord.

Mr. Nicholson asked if there is a reason that affordable is only tied to rental.

GT said that affordable ownership units in Lincoln have been a persistent problem over the last 20 years.

Mr. Nicholson asked if there could be a hybrid of mixed income ownership and rental units.

PVM said that you could not do ownership and rental combination unless the developer is the condominium owner.

Mr. Nicholson said that he has lived in a development like that before.

MO said that the Muzzey condos in Lexington are ownership units. LexHAB owns some of those condos and rents them.

PVM read question 7 "If Lincoln were to allow more housing in the Village Center, what number of additional housing units would you consider appropriate."

LD said that there should be an option for less than 50 units.

PVM said that it was decided that less than 50 is an unrealistic view.

MO agreed that less than 50 is not a viable number of units.

LD said that people should be given the choice.

MO said that the survey is trying to get at people 's appetite for development and if it is less than 50 then it is a no.

GT said that developers will not find under 50 units practical.

Mr. Glass said that this is an important question and with the new Housing Choice Act it may require the Town to zone for a certain number of units for developments. He said it seems like it is important context and something that may greatly influence people's thoughts about the number of units people may find acceptable if they understood the penalties for non-compliance with the law. There should be more background information on the Housing Choice Act provided at the beginning of the survey.

PVM said that there was a lot of discussion on whether to put information about the Housing Choice Act in the introduction and ultimately it was decided to remove it and add a link to it in question 12 which asked about factors that may influence answers.

LD said that the link is enough since it is not certain how the law should be interpreted.

GT said that there was a difference of opinion and some thought that it should be in the intro.

MO said that people can go back and modify answers if they feel strongly after seeing the link.

Mr. Glass said that he understands that reacting to the requirements of the Housing Choice act may result in people answering the survey in a certain way but as a Town resident he wants to be informed when he takes a survey. You could get a lot of annoyed people who realized that there were things they did not know about who must go back and change their answers.

BD said that there should be a category between 1-50.

MO said that 50 is the minimum size and anything less than that it is not any meaningful development.

LD said that she is thinking about multifamily housing where there are many triple-deckers.

MO said that no one has contemplated more than 3-3.5 stories and it is easy to get 15 units per acre at a Somerville density.

PVM said that she will add that to housing types.

LD said to add less than 50 to the options for answers to this question.

Ms. Ohlsten agreed that it is worth adding.

GT said that it does not do any good to include an answer that makes no sense.

BD said to state in the survey that the category is omitted because it does not make sense.

LD said that some people would feel more comfortable with less than 50 additional housing and it does not give that option.

SG said there is an option to put in whatever people want.

LD said that there is no reason not to put it in.

MO said that she agrees that categories matter and they set expectations. The reason to start at 50 is because that is a number at which developers may be slightly interested and it is good to know if there is an appetite for it or not. It does not get to that if there is an option for less than 50.

Ms. Ohlsten said that if there is an option for less than 50 you would get an answer.

BD said that his understanding was that there was to be a consensus within the working group on a finished draft before it was brought forward.

MO said that it is close to finished and that he is hearing a disagreement.

LD said that she agrees that we want to see the appetite and that less than 50 should be added as a choice.

Mr. Nicolson said that this question seems reactionary to the last SLPAC process and may not be necessary. He added that it may make the process more difficult since everyone sees number differently and numbers may be scary to some and not to others depending on context.

LD said that she believes that it is an important question to be asking. The numbers are what SLPAC have been talking about and we do not know how many people are being scared until we ask the question.

Mr. Glass agreed that context is important and reiterated that people should not have to decide in a vacuum without context.

Ms. Ohlsten said that there are several issues that can be laid out in the beginning, but you cannot put everything in a preamble.

Mr. Glass said that he agrees but there should be some necessary information provided.

BD said to change “if Lincoln were to develop” to “if Lincoln were to allow the development of.”

SG said that he believes that the rest of the question should stand besides BD’s suggestion.

GT said that he sees Mr. Nicholson’s concerns but advises to leave the question as is for now.

MO said that she looked up housing in Somerville and it is 12 units per acre which is based on square milage which includes schools and office spaces.

Question 8: “SLPAC has identified four areas, located in the Village Center that have the potential for additional housing or mixed-use (commercial/residential) development. Please indicate your level of support for development in each of these areas”

PVM said that the reason this question was added was because people may have specific areas where they would and would not like to see development.

GT said that SLPAC agreed that area 4 is off the table.

LD said that there is a difference between the consensus of SLPAC and what the public may want.

GT said that it is fine to leave it on as an option.

Ms. Ohlsten asked how long before Area 2 will be able to be developed.

GT said it would be 11 years.

Ms. Ohlsten said that that is relevant background information.

GT said that nothing will be developed less than 5-7 years, so it is not a factor.

Question 9: “Prior to the pandemic, how frequently did you use the Commuter Rail” and 10: “In a post-pandemic environment, how frequently do you expect to use the Commuter Rail?”

MO said that the frequency options should be the same between the two questions.

Question 11: “Increased development in the Village Center would be accompanied by some costs and tradeoffs. Please indicate your level of support of the following “

Ms. Ohlsten said that the options seem like selling points and do not appear to be “costs and tradeoffs”.

PVM said there are tradeoffs such as residents accepting increased density for more vitality, higher tax revenue, open space. It seeks to find out the appetite for density.

Mark Levinson said that the item “some increased traffic to accommodate new development” could be interpreted as truck traffic during the development and should be worded as “some increased traffic as a result of new development”.

Mr. Glass said that some of these are just changes and not all are costs or tradeoffs.

LD said that the survey is too long, and this section is redundant.

Ms. Ohlsten agreed and said that there is overlap with question 7.

SG said that he agrees that there is some overlap but that is not an issue.

MO said that redundancy in surveys is common and can be an advantage. It allows reviewers to see nuance that otherwise may not be obvious.

BD said that it may help to delete the first sentence and just keep it as “Please indicate your level of support for the following”

MO agreed.

Ms. Ohlsten said that under there should be a related question to “Taxpayer funding of a new septic system if needed, to support development of the Village Center.” To address expanded services like water, fire, safety, road because there will be additional taxpayer funding required to accommodate further housing.

MO said that it is not obvious that additional housing would not support itself, whereas expanding the septic would be a specific investment the Town would have to make.

GT said that no one is talking about taxpayer funding of the septic at this point.

Ms. Ohlsten said to put “additional taxpayer funding of additional services”.

PVM said that it depends on the projects. Oriole Landing is giving the Town money so there is no taxpayer funding. If the town puts in a septic for other town services, it is different than a project that may be responsible for their own septic.

Ms. Ohlsten said that additional housing may not maintain the viability of MBTA service since that is out of our hands.

GT said that the MBTA will be looking at how people respond to the new Housing Choice legislation. While it does not have huge financial penalties, besides the loss of grant opportunities, if the Town wants to maintain service we will have to respond in some way.

Mr. Glass said that people might support development beyond housing to take advantage of MBTA service. Supporting some of the cultural institutions, retail, and restaurants in Town is a way of attracting people to Lincoln from the city. He agrees with Gary that MBTA will not be enthusiastic in doing things for Lincoln if the town is not cooperating with the Housing Choice Act.

LD agreed with Ms. Ohlsten that just because we develop more housing it does not mean more people will use the train.

MO said that the Town's standing with the State and ridership are two different issues.

Mr. Nicholson asked if additional parking is targeted toward commercial use or MBTA and if there should be a question in this section about the impacts of additional parking.

PVM said that the parking question was just general parking.

Mr. Nicholson said that there may be some reference in this section to see if people would support more parking at the expense of greenspace or other uses of the land.

PVM said that the Town does not have the capacity for additional parking to make much of a difference.

Mr. Nicholson said that the parking is there now could be taken for development.

PVM said that development may not necessarily include loss of parking.

GT asked if there should be an option for supporting additional parking to support MBTA service.

Mr. Nicholson said that some could consider that additional parking could help maintain viability as well.

LD said that it is worth putting that in because some people may want more parking instead of more housing.

SG said that the parking garages are very expensive and when people see the cost, they likely will not support it.

Question 12 "How do the following factors influence your responses to this survey" and 13 "How do you stay apprised of Planning efforts in Lincoln?"

Ms. Ohlsten said that the option "An increased focus on climate resiliency and sustainability." should be worded to be "environmental protection and sustainability" since people may not know what resiliency is.

MO said that they are different. Climate resiliency is more focused on energy usage and not environmentalism.

Ms. Ohlsten said that there may be an increased focus on environmental protection, but it is a different topic.

PVM said that this is not about protection of open space, it is about making the built environment more resilient to climate change like more people living in one building, using less energy, requiring solar, net zero etc.

Ms. Ohlsten said that a separate option should be "environmental protection and wetlands".

PVM said that development will not affect the wetlands since permitting and protection will apply to all developments anyway.

SG said there are established laws and bylaws to maintain the environment.

LD said that these questions are being asked to see how people are influenced and environmental protection may influence decisions to previous questions.

MO said that people know “climate change” better than “climate resiliency”.

PVM asked what the wording of the other option should be.

MO said that it should be phrased as “concerns about the environment” so it is a catch-all and people can add comments. She added that the most environmentally sensitive thing to do is live more densely and have much more open space.

Ms. Ohlsten said that the option “Lincoln’s current Subsidized Housing Inventory that meets the State requirement of 10%.” should state how long the Town will be in compliance for.

PVM said that we do not know so it cannot be included. The 2020 census and the accessory apartment bylaw will affect that estimate.

Mr. Glass said to rephrase as “currently meets.”

BD said that it should not say requirement since it is a benchmark.

MO said that it has always felt like a requirement.

GT said that the consequences are substantial if the SHI is not met since it can open up the Town to 40b development.

Ms. Ohlsten asked if the link that goes to the Housing Choice information will be updated as new information comes out.

PVM said that it will.

BD said that “preservation of town character” should be added as an influence factor.

PVM said that that was included in the goals.

MO said that it could be considered an influence since some people may not want dense housing because they want to preserve rural character.

LD asked if there were sections for comments.

PVM said that there is an opportunity to comment on every question.

PVM read the optional demographics section.

GT said it may be worth asking how long the respondent has lived in Lincoln.

Mr. Glass said that there should be an option for Non-Binary in the gender section.

BD asked why the gender section was included.

LD said that it is important when analyzing the data.

BD asked if each person in a household will fill out survey.

MO said that, in her household, only one person does surveys. She added that she agrees that non-binary should be a gender option.

BD said some people may dislike the gender question.

MO said that seeing the age distribution and the makeup of the households will be helpful.

PVM said that the survey will be run by SLPAC before being distributed. She added that it will be distributed via Lincolntalk, Lincoln Squirrel, BOS newsletter, and the Town Website. We will contact the school community, recreation department, and council on aging.

BD asked if we could do an insert into tax bills with a slip with the link attached.

SG said the bases are covered with distribution and questioned the legality of including it with a tax bill.

Ms. Ohlsten asked if there will be any paper versions for people without computer access.

PVM said that they will be available and can be mailed to people if they request one.

LD asked how to ensure people do not fill it out the survey more than once.

PVM said that it is not possible.

SG said that there is nothing that can be done about that.

9:00 PM Business

- Approval of March 9, 2021 minutes.

LD moved to approve the minutes as amended. MO seconded. Roll call: SG aye, BD aye, LD aye, MO aye, GT aye.

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

Approved as amended April 13, 2021