

## **SLPAC Meeting Minutes April 20, 2021**

### **Zoom Meeting**

PRESENT: Gary Taylor (Chair, GT), James Craig (JC), Rachel Drew (RD), Margaret Olson (MO)

STAFF: Jennifer Curtin

### **7:30 PM**

#### **Recap by Chair, Gary Taylor**

The Community Builders (TCB) is proceeding with the Weston and Sampson pre-audit of the Lincoln Woods septic system. This preliminary evaluation is a prerequisite for moving forward with the Request for Proposals (RFP) for a full assessment of the facility.

Michelle Barnes reported that the partnership has ended between the new operators of the REAL restaurant location, Turrene, and the owner of Lincoln Station Partners so the restaurant will not be opening. The owners are looking to acquire a new tenant or sell.

GT said that finding a new tenant and restarting restaurant service adds to the difficulties in the mall area and its continued viability. He added that there have been some updates on the Housing Choice Act, but they are focused on voting thresholds for Zoning changes. There is no other guidance that has been released.

#### **Discussion and vote of whether to include Ridge Court and Ridge Road Condominiums in South Lincoln Study area**

GT noted that the committee had previously discussed taking out the Ridge Court and Ridge Road Condominiums and other residential parcels South of Lincoln Road out of the current rezoning process and removed from the survey. He added that this can be revisited later.

RD asked if the Lincoln Woods properties are the only residential parcels in the purview with this omission.

GT said that there are residential properties along Lewis Street, but it will be largely Lincoln Woods. Redevelopment at the Mall and the Town's commuter parking lot could add additional residential units.

MO said that she is comfortable starting with a smaller area but that SLPAC should be prepared to revisit the subject since we do not know what “reasonable size” means in the Housing Choice Act.

JC said that a targeted approach gives us a chance to study the impacts on the broader area.

GT said that there are questions that have been raised about the impacts of development in the area. A stepped, more narrow approach gives the opportunity to reevaluate as necessary.

MO said that it could potentially undermine the effort by not making the area big enough.

GT said that taking it off the table now does not mean taking it off the table forever. This will give options to learn if there is interest from developers and what kinds of impacts could come from that development. The idea of displacing people is another big issue for that quadrant.

MO and JC agreed.

MO moved to remove the parcels on which the Ridge Road Condominiums and Ridge Court Condominiums from the survey and the considerations for the current round of zoning.

RD seconded.

BD asked if the R2 district is the zone that is being removed.

GT said that it is. The former Quadrant 4 is being removed and the businesses across from the mall are being absorbed into Quadrant 1.

Roll Call: GT aye, RD aye, MO aye, JC aye.

**Survey, Final Draft** (the draft that was discussed can be found [here](#))

GT said that the main change to the survey was the addition of an introduction. There were other wording changes made to the questions and there was an additional question added to ask if the respondent is interested in any changes in the Village Center area.

RD asked what the distribution plan is.

GT said that every opportunity will be used to get as much participation as possible. This will include sending it to various committees and email lists.

RD suggested asking the School PTO to include it in their mailing.

JC said that he thinks the preamble was a good addition and is comfortable with the survey as it is.

BD asked if the Planning Board has voted on this version.

Ms. Curtin said that the Planning Board did look at the previous version, but it was subject to these additions.

BD said that the post office should be included in Question 2.

GT said that he supports the addition of the post office to that question.

BD said that the use of the word affordable in several questions can be ambiguous. It can be determined to be the common English meaning "something that one can afford" or can be taken to mean a specific category of subsidized housing.

GT said that we are more interested in its more general English meaning.

MO said that she agrees and that it was discussed at a Planning Board meeting and resolved that people would take it to mean that. She added that affordable is not necessarily subsidized.

Sara Mattes disagreed and said that it should be delineated to be "affordable and/or subsidized" or "affordable (not including subsidized)" because the Town has invested in meeting as the State definition of affordable. Those and "middle income housing" are different categories of affordability.

GT said that we already have an inclusionary zoning in the Bylaw that addresses State approved affordable housing. We are looking at general affordable housing which includes SHI housing but also includes middle income.

RD said that there is only one place in the survey that includes the word "affordable" by itself and everywhere else states "affordable/moderate income" and the other reference states "affordable rental units as part of a mixed income or mixed-use development."

Ms. Mattes said that she was working off an old copy of the survey and is satisfied with that change.

GT said that the Bylaw requires anyone who develops over 5 units must have 15% affordable units under the State's definition.

Connie Ohlsten agreed that broad participation is good, but that some mechanism should be in place to limit to only one response per email address. She added that the intro includes a link to the Housing Choice Act information page on the Town website and asked if that page will be updated as new information becomes available.

MO said that the content of that page will be discussed at the next Planning Board meeting. It has been updated to add clarity on the penalty which is the withholding of certain funding sources. There are many questions that we do not yet have the answer to regarding this legislation.

Ms. Curtin said that the website will be updated as necessary.

GT said that while the only direct consequence of failure to comply with the Housing Choice Act is participation in certain State grant programs, we did recently qualify to be on a preference list for most of those programs. Those funds could be an advantage to development of the septic in the Mall area. The MBTA may be keeping score on this and failure to comply may put the Town further down the queue for upgrades to the Commuter Rail facilities.

Mark Ahern commented on an option under Question 22. "Increased density as an incentive to accomplish green/sustainable development" He asked how density would accomplish that as it seems mutually exclusive.

GT said that we can currently only require what is specified in the State's building codes regarding energy efficiency. The plan is to condition increased density on the presentation of certain kinds of advantages to Lincoln by prospective developers such as amenities, open spaces, and high energy efficiency standards.

Mr. Ahern said that people may not realize that they are advocating for increased density when they say that they want more green/sustainable development. He gave additional comments on other options under Question 22: "Development to increase Lincoln's tax revenue." May be offset by the increased need for town services with the increased population; "Additional housing/commercial development to maintain the viability of MBTA service." Seems to imply that not doing this may reduce the viability of the MBTA which is not necessarily true; "Taxpayer funding of a new septic system if needed, to support development of the Village Center." He thinks something should be included that it may mean higher taxes to fund that initiative.

He then commented on Question 24: "Lincoln's current Subsidized Housing Inventory that currently meets the State requirement of 10%." He said it should say that we currently exceed the SHI requirement.

June Matthews said that she is a resident of the Lincoln Station area. She believes it should change as necessary, but it should retain its qualities. She said that the survey does not discuss scale for development, and it is hard to answer questions when she does not know what she is agreeing to. She added that she is not against more housing but would not support a large scale development. She does not see her own need for more than a few more businesses but she would support a small scale development for housing and more live/workspaces.

GT said that there is a scale question for housing but not for more commercial development because the thinking has been to maintain the viability of existing commercial space, so that could be clarified.

RD said that her interpretation of the value of the survey is determining what the Town's priorities are for that area in general. Once that information is gathered further research will be done looking at details such as scale.

MO agreed and added that every question has a comment section so people can explain their full feelings if the question does not get at what they want to say. When BPAC did a survey the comments section was very informational.

Ms. Mattes said that she is concerned about how many responses are submitted by each person and household. She believes that there should be some technological safeguard or send out paper surveys. It is important because this survey will be relied on to propose public policy initiatives which may mean large changes for the Town.

MO asked if Ms. Mattes believes that people will submit more than one response,

Ms. Mattes said that it has happened in the past.

RD said that requiring emails would reduce that possibility.

Ms. Curtin said that it could be done so that respondents would need a Google account to fill out the survey.

Ms. Mattes said that 35% of the population is over 60 and many are not tech savvy.

MO said that there will be hard copies available in Town.

Ms. Mattes asked how that will be controlled.

Ms. Curtin said that the plan is to have folks reach out if they want a paper survey and she will send them out so it will limit the number of copies.

GT said the only way to solve this would be a town wide mailer.

MO said that many people just throw out papers and we may not get the response rate we want.

GT said that there could be a link to the online survey on the paper survey but agreed that we want as large a response as possible so the method for distribution is important. Tweaks to the survey that were discussed here will be made before sending out the survey.

## **Discussion of B-2 Zoning District**

GT said that B-2 zoning is currently included in the larger area to be rezoned in the Village Center. The thought has been that the B-2 zoning language should be addressed as a separate issue as there are many problems with the current permitting process. It is confusing to permit uses and there are additional uses that should be added.

JC said that the existing zoning for the B-2 district needs to be cleaned up on its own to make the process easier.

MO agreed and added that the current zoning does a disservice to people who own property there. The length of permits should also be reconsidered because businesses need a permit that is long enough that people are not thrown into limbo after a short period of time.

GT agreed and said that special permits are limited in duration and most are 2-3 years.

MO said that 2-3 years is what it is required to get a business up and running and if people must go back before the board at that point it creates a lot of uncertainty for business owners. There have, however, been businesses in that district who have continuously ignored their permits. There needs to be enforcement mechanisms beyond the permit.

RD asked if other businesses in town that do not require a special permit from the ZBA also have restriction on the term limit of their licenses from the town.

GT said that they do not.

TRD said that it is helpful to have it as a review but asked why it is required of some businesses but not others.

MO said that it is a good point, but the thinking was that businesses on Lewis Street directly abut residences, so they require more oversight.

RD said that Lincoln Station abuts Lincoln Woods and they do not have these restrictions.

GT said that the mall was permitted under an overlay district and there is no limitation on the durations on the approvals and leases that the businesses have. He agreed that there is a big difference in the way the businesses are treated so it is important to address this.

MO said that the current method is not working since people who are ignoring the terms of their permit are also ignoring the need to renew them.

BD said that B-2 district includes heavy equipment and other noises, so they are regulated tightly. He agrees that some may not need as much regulation, but others require a term limit on their permits.

GT said that the issue is that people there have ignored their permits and the solution should be some sort of enforcement by the Building Inspector. Right now, there is no

mechanism for enforcement besides the shortness of the permit, so it is not a functioning system.

BD agreed that a long-term permit coupled with enforcement is the solution.

MO asked what the next steps are.

GT said that the permitting process needs to be rationalized, a balance must be struck between the length of the permits and enforcement mechanisms and remove the need to go before the boards several times before permits are issued.

MO said that model bylaws should be researched that may work for this.

BD asked why the Planning Board has special permit authority over restaurants and the ZBA has authority over everything else.

GT said that the Planning Board should have a joint discussion with the ZBA to come to a resolution on how to move forward with the B-2 zoning.

### **Business**

RD moved to approve the April 2, 2021 minutes. MO seconded. Roll Call: GT aye, RD aye, MO aye, JC aye.

MO moved to adjourn. RD second. Roll Call: GT aye, RD aye, MO aye, JC aye.

Approved May 18, 2021.