

SLPAC Meeting Minutes May 18, 2021

Zoom Meeting

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

STAFF: Jennifer Curtin, Paula Vaughn-MacKenzie

PVM said that the governor is lifting the State of Emergency on June 15th after which we may be required to go back to in-person meetings. There has been legislation filed to continue the use of virtual meetings so she will keep the Board updated.

GT asked if hybrid format would be possible.

MO said that you can train the camera on the meeting room to capture the people at the table and have everyone else on the screen. She has run that kind of meeting pre-COVID.

GT said that the advantage of Zoom has allowed people to participate who otherwise could not.

Recap by Chair, Gary Taylor

GT said that the RFP on the septic evaluation and survey have gone out.

Update on RFP responses

PVM said that the Scope of Work was created by SLPAC with the help of Packy Lawler and was sent out to five engineering firms who had expressed interest. Four responses were received. CDM, who did the initial work at the septic plant, said that they were too busy to take part. Mr. Lawler will review the submissions give a recommendation to bring back to SLPAC and the Planning Board.

GT asked if there was a deadline for a decision to be made.

PVM said that there is no deadline, but Mr. Lawler will get comments back by the first week in June.

Update on Survey and Postcard

PVM said that postcards were sent to each resident in Town with information on how to take the survey online and how to request a paper survey. The links were also posted to the Town Website and sent to as many email lists as possible. The survey will be open until June 30th. We have received excellent participation.

Update on Revised Timeline for MAPC/EEE Grants

PVM said that we were rewarded over \$37,000 for the technical aspects of any Zoning writing. COVID and the reorganization of the SLPIC effort delayed the process. PVM asked them to push the timeline to May 2022. Both parties agreed to this change. Public outreach will begin in September 2021 with the goal of bringing something to Town Meeting in 2022. A highlight will be a developer panel to look at the feasibility of development and allow residents to ask questions. She added that she is in touch with MAPC about the Housing Choice Legislation. A committee has been formed and they expect DHCD to issue guidance in September.

Bob Domnitz asked if MAPC is reporting to the Planning Board or SLPAC.

PVM said that it is informal, so they are not reporting directly to neither group.

JC asked if there are restrictions in terms of the zoning work that they will look at, such as the B-2 zoning.

PVM said that the scope is broad so it could be considered.

Discussion of B-2 Zoning District

PVM said that the B-2 district was originally part of the Village Business District. There are problems with it as it is written as it is burdensome and confusing. The discussion is whether to keep it in with the business district or modify it separately.

GT said that one complication is that certain kinds of uses are subject to special permits by the ZBA and other uses go before the Planning Board, such as restaurants. Almost all require both Boards to be involved to acquire a permit. This is not a decision that SLPAC can make, it will require the Planning Board to do something in conjunction with the ZBA as they are the decision-making Board on many of these issues.

PVM added that, although it is called a business district, you cannot operate a business without a special permit. The mixed-use provision is that more than one use can be in one building, but it is open to interpretation by the ZBA and requires a special permit, not allowed by right.

MO said that the process is difficult for no reason. She added that this needs to go back to the Planning Board. The question is whether B-2 is a predominantly residential district in which a certain type of business can be permitted or is it a business district in which some residences are present. In either case it should be a simplified process.

GT added that the special permit enforcement process is that there is a short time limit of around three years which requires businesses to reapply. This leads to a business risk and discourages businesses.

MO said that it speaks to the question of whether it is a residential or business district. If it is residential, things that discourage businesses makes sense.

PVM added that changing a tenant also requires a new special permit even if the use is the same.

RD asked if it must be one or the other.

MO said that it can be mixed-used but it needs to be framed in a certain way to determine what is allowed. If it is fundamentally a residential district, we would not permit noisy businesses like restaurants and the like. It is more about the character of the area.

JC asked if the suggestion is to tie the B-2 district into the other zoning reconfiguration. He sees this as running parallel to the zoning changes in the Lincoln Station area instead of being lumped together.

PVM said that the SLPIC committee had the B-2 and B-1 district together as the Village Business District but with SLPAC the thinking has change to promote less density in the Lewis Street area.

RD asked what the distinction is between the B-2 and B-1.

PVM said that the B-2 is a Service Business District and B-1 is a Retail Business District.

MO said that there used to be dry cleaners on both sides, so it is a slightly arbitrary line. She added that there is a lot of benefit to separating issues that can be separated. Lewis Street and the Mall side of Lincoln Road do not need to be put together in one warrant article.

RD asked if any business district can have residential.

PVM said that in the B-2 district residential is allowed by right, but businesses need special permits.

MO said that something must be by-right in the zoning and residential has been the standard.

PVM said that the committee can think about if they want to change what is allowed by-right.

RD asked if there is a way to have a business in a residential district.

PVM said that if you are operating a business out of your home, like an in-home office, it is allowed but you cannot just operate any business in a residential district.

MO said you can do something that does not involve having employees come to your house.

PVM said that you can have a few employees.

GT said that dentist offices are allowed.

PVM said that the businesses that are in the B-2 district now would be grandfathered in but, if zoning changes, a new one could not necessarily move in of the same use.

GT said that the sense of the committee is that we should consider it separately from the Village Center rezoning effort. SLPAC will suggest the Planning Board review the B-2 district with the ZBA.

MO moved that SLPAC propose to the Planning Board to reconsider the B-2 zoning, either in conjunction with the Village Center rezoning or as a separate effort, with a focus on simplifying the application and approval process.

JC seconded.

Bayhas Kana is the owner of several properties in the B-2 district. He said that the B-2 district is mostly a residential area and there are only two parcels that are being used for businesses. The mixed zoning is used to prevent businesses from operating between residential properties that currently exist. When evaluating this area, it cannot be converted entirely to a business district as there are already residences there. It should be considered as either mixed-use or just residential. Businesses often disturb the peace of residences there and the complicated permitting process helps to protect residents.

MO said that one thing to think about is making the zoning simpler but stricter to make it primarily residential with constraints on the businesses.

GT said that the original proposal was to make this a residential area.

Michelle Barnes said that proposing both zoning changes at one Town Meeting may be difficult due to the complexities. She asked what the urgency is to do it at once.

GT said that it does not necessarily need to happen at the same time. There are reasons to rethink the B-2 zone as distinct from the Village Center effort. It can go in parallel or follow a year after, but it does need to be reevaluated.

JC said that it needs to be presented to the Town if it is going to be considered along with the Village Center but agreed that it may be too much for Town Meeting to take on at once.

RD said that it depends on how complicated the change will be. If it is just trying to zone for what exists and streamline it, it may be straightforward.

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

Mr. Domnitz asked how things got the way they are in the B-2 district. The default was to have the area be residential.

PVM said that there were also existing residences when it was established.

Mr. Domnitz said that the Town had a process to make things discretionary that in other Towns would be allowed by right. The way B-2 was created was to not make it easy for businesses and it makes sense to make the approval process more rational at this point.

Approval of April 20, 2021 minutes.

RD said that there was a comment made in the meeting that 35% of the Town is age 60 and over. Subsequent conversation in the chat revealed it to be only residents of 01773 zip code which excludes Hanscom. She asked if that should be clarified in the minutes and asked if the residents of Hanscom were included in the survey mailing.

PVM said that she did not know but will look. They are not counted as part of the population and are not counted towards SHI.

MO said that they vote in federal elections.

Mr. Glass said that they also vote in Town elections and they should be included as Town residents.

RD said that the US census considers them Town residents and their school is part of the Lincoln Public Schools district.

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

Other business not reasonably expected by the Chair prior to the meeting.

RD asked that SLPAC consider adding an anti-racist commitment to its mission. This is in response to the WIDE (welcoming, inclusive, diverse, and equitable) Lincoln Groups anti-racism training.

GT said that SLPAC will need to recommend to the Planning Board that they add this plank to SLPAC's charge. The training was attended by over 100 residents, board members, and staff. He agreed with RD's suggestion.

RD moved that SLPAC ask the Planning Board to add an anti-racist commitment to the mission of SLPAC and work towards ensuring greater inclusion of voices and perspectives of people who are not already represented in the meetings. GT seconded. Roll Call: RD aye, GT aye, MO aye, JC aye.

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

Approved June 4, 2021.