

MINUTES OF THE PLANNING BOARD

May 25, 2021

ZOOM MEETING

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

STAFF: Jennifer Curtin

7:00 PM SLPAC Report

GT gave a report. There has been a substantial response to the survey with 580 responses as of now. The typical response rate to Town surveys is 250-300 responses. The survey is open until June 30th.

The Lincoln Woods/The Community Builders septic evaluation has received 4 responses out of 5 packets distributed to different engineering firms. These responses are being given a preliminary evaluation by Packy Lawler and will be reviewed in Executive Session in a future Planning Board meeting.

The WIDE (welcoming, inclusive, diverse, and equitable) Lincoln Group Community Anti-Racist Advocate Training (CARAT) was attended by over 100 members of Town Boards, Committees, staff, residents, and other groups to educate them on how to be more proactively anti-racist and how to be more inclusive to diverse voices in town.

Rachel Drew proposed that the Planning Board include an anti-racist plank in the SLPAC charge to ensure that diverse groups of residents are included in the discussions of the South Lincoln Area. She proposed adding the following language to the charge: "SLPAC will also ensure a wide range of perspectives are considered and represented – both within its process and in any potential changes proposed to the Village Center – including those from historically marginalized populations".

GT said that since the Planning Board is the body that charged SLPAC, the Board will need to vote to approve this addition.

LD said that this addition is worded well and a good addition. She asked how this would be implemented.

GT said that we need to be sensitive to the issues and realize that many people that get excluded from housing discussions are often the people who need housing.

LD asked if those people would be from out of town and how this would reach them.

GT said that there are some representatives in Town, but we need to ensure that more people have a voice.

Ms. Drew said that it would be up to SLPAC on what specific actions to take, there are options like targeted outreach and public forums to people who will be impacted.

BD asked how renters can be engaged in the process as they may be less involved in the Town process.

Ms. Drew said that she works in housing advocacy and is familiar with reaching out to renter populations. She added that renters may want to engage in Town processes, but it is about outreach to them to let them know that their opinions are valued, as members of the community.

BD asked if she sees a direct outreach to Lincoln Woods.

Ms. Drew said that it is one option, but it would be up to SLPAC to decide. She added that there are other residents in South Lincoln area and adjacent to it that should also be included.

GT said that SLPIC had a member from Lincoln Woods, but it raised some issues of conflict of interest. There are options for forums at Lincoln Woods as they have meeting space but that is only one element of reaching out to the broader community.

GT moved that the Planning Board add the language proposed by Rachel to the SLPAC charge. BD seconded.

Jena Salon, Co-chair of Welcome, Inclusion, Diversity, Equity (WIDE) in Lincoln said that she is happy that the Planning Board is making this change to the SLPAC charge.

Andrew Glass said that one of the issues that the Historical Commission faces is the loss of smaller, more affordable housing opportunities. This is a good idea for an addition as it is more inclusive to a greater population.

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

7:20 PM PUBLIC HEARING, Section 18.5.3, Fence Permit: Goldmacher, 4 Garland Road, Parcel 121-16-0. Public Hearing to permit the construction of a privacy fence. Vote Expected.

Ms. Curtin summarized the project submitted by the applicant.

The homeowners requested a fence permit to construct a white vinyl privacy fence. The proposed fence will run north to south along the edge of their yard replacing an existing chain link fence and connecting to a white wooden fence that comes west off the corner of

their house. The fence will be set back 18 feet from Sandy Pond Road and will be 175 feet long and 6 feet tall.

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

The fence will be white vinyl and will be located behind existing arborvitaes that will partially obscure it from Sandy Pond Road. It will also connect to an existing white fence. The applicant is requesting that the fence be vinyl for easy maintenance. The finished side will face Sandy Pond Road. Although this is a corner lot, the fence will not be located within the triangular area where fences above 3 feet are not allowed, and the fence will not affect any sight lines. The driveway will not be affected. The location of the fence will have no effect on snow clearing activities of the Town. The fence allows adequate space for emergency vehicles and does not impact pedestrians. The fence will not be in any wetland resource areas.

Abutters:

Tim Oldfield of 207 Sandy Pond Road requested the plans and sent in an email dated May 25, 2021 with his comments. He raised concerns about the material of the fence being vinyl. He said that vinyl is not environmentally friendly as it is a petrochemical. He added that vinyl is not harmonious with the neighborhood as required in section 18.5.5 of the By-Law. He also said that vinyl can be shiny and reflect lights. He recommended a cedar wood fence stained with latex would be more in keeping with the neighborhood and would be easier to repair and last a long time. He also mentioned that it is easier to change the color of the cedar than PVC. He added that he believed the dimensions of the fence are reasonable, but highly suggested either a cedar fence or a matte finish vinyl.

Michelle Doyle of 3 Garland Road requested the plans and asked for confirmation that the fence be located behind the trees.

Mr. Goldmacher said that the fence will replace an existing chain link fence. There is arborvitae there but it is not fully vegetated on the bottom due to deer browsing, so it does not provide much privacy. They have a dog that is alerted to cars and people going by on the busy road. They chose vinyl since it is easy to maintain. They had not thought about cedar with latex stain, but they can easily get vinyl with matte finish. He added that cars would not be facing the fence so reflection from headlights should not be a problem. Their concern was being consistent with the white fence that is already attached to the house so the proposed fence will look like that.

BD said that he took a ride past the property and there are no other 6 feet tall stockade fences on Sandy Pond Road and thinks that this would set a bad precedent for fences in the neighborhood even though it would be screened by the arborvitaes. He added that an alternative could be dark green slats in the chain link fence that is there, which would give visual privacy from the road and not be very noticeable.

SG said that he understands BDs point of view but believes that a cedar fence would be difficult to maintain because of the arborvitaes. Leaving natural cedar towards the road and staining the inside would be an option. He said that he is more in favor of a natural-colored cedar fence but is not opposed to a matte white vinyl either.

GT said that a matte white fence would be screened somewhat by the arborvitaes so it would not be very noticeable. If is reasonably colored and is not reflective it will not bother anyone.

LD said that you can see through the arborvitaes and white vinyl is too bright. She added that there are not many white vinyl fences in Town, and it would not fit the neighborhood.

Mr. Goldmacher said that they were thinking of planting, but deer browse has been an issue.

BD said that there is a white vinyl fence on Bedford Road, but it does not look good.

LD said that the neighbor had good advice and would like the applicant to consider a cedar fence and move it further from the arborvitaes to allow for maintenance of the street facing section.

Mr. Goldmacher said that there are some large trees on the property side so moving it back would not be possible, but he is open to a cedar fence. He asked if he would need to reapply to replace the material with cedar.

BD suggested that the Board continue the hearing to next time and encouraged Board members to drive by the property and look at the entire length of Sandy Pond Road.

LD said that she agrees and said that the Board approved a fence recently that does not fit into the neighborhood it was built in. She believed that was a mistake which has led her to being more cautious with fence approvals.

SG said that it was not a mistake and that the applicant deserved privacy from the busy road.

LD asked if Mr. Goldmacher would consider coming back.

Mr. Goldmacher said that he will just do cedar and would prefer to not have to come back before the Board for that change.

SG asked if the Board could make a motion to approve the fence as a cedar fence.

BD said that we do not have a plan for a cedar fence in front of us and he is not comfortable with a 6-foot fence on Sandy Pond Road anyway. He added that he does not want the road to turn into a corridor.

Mr. Goldmacher said that the existing white fence it corners up to is a 6-foot fence and he wants enough privacy to screen the children's playset from the road, but he understands BDs perspective.

BD said that the Board should continue the matter to the next meeting and have Mr. Goldmacher bring back some alternatives.

GT said that there have been some reasonable concerns raised but the Board should not be redesigning everyone's projects.

BD said that there are rules that are supposed to be applied.

SG said that Mr. Goldmacher has complied.

BD said that there is a judgment call, and they are considering whether it fits into the neighborhood and a vinyl fence is not "consistent with the historic and rural character."

LD said that the Board is not redesigning the fence and believes that the material should blend into the surroundings.

Mr. Goldmacher said that he is open to other materials and would prefer not to delay.

LD said that the Board could approve the application since it is just the material being changed from the submitted plan, all the other dimensions will stay the same.

SG said he is not concerned with the specific design of the fence as long as it is cedar. He added that cedar lasts a long time.

LD said that there is no point in delaying any longer.

Ms. Curtin said that the applicant should provide staff with the final fence material specifications prior to the issuance of the decision.

LD said that that makes sense and Ms. Curtin and Paula Vaughn-MacKenzie can review it to make sure it matches what the Board approves.

SG moved to approve the proposed fence location and dimensions with the material to be changed from vinyl to cedar. GT seconded. Roll Call: LD aye, SG aye, GT aye, BD nay

Mr. Goldmacher will ask his fence company for catalogue photos and will send those to Ms. Curtin.

BD said that Mr. Goldmacher should speak with his designer about the reflectivity of the fence color, and he suggested he use a darker or more natural color on the road facing side.

7:50 PM Site Plan Review, Section 17: Sarah Cannon Holden, 60 Weston Road, Parcel 151-31-0. Site Plan Review for the replacement of an outbuilding.
Vote Expected.

Ms. Curtin summarized the project submitted by the applicant. The applicant will be removing an existing 16'x24' out-building and replacing it with a modular structure of the same size on the same foundation. The area is flat and open, and no trees are being removed.

The project is subject to site plan review because all the existing and proposed structures on the lot exceed the 6500 square foot threshold of calculated gross floor area.

The project will go before the Historic Commission for a demolition permit on June 1, 2021.

The lot is conforming and contains 8.522 acres. The setback for the new structure is 106' from the nearest side lot line. The structure is set back over 190' from the access road and over 900' from Weston Road. The height of the structure is 14' measured from the lowest exposed point. The structure will be located on an existing foundation on concrete blocks so there will be no additional grading and there will be no exterior lighting.

Submissions:

1. Application Cover Form dated May 7, 2021
2. Residential Site Plan Review Application
3. Post Woodworking Shed Designs
4. Modular Structure Mockups
5. Existing Structure Photographs
6. GIS Plot Plan dated May 10, 2021
7. Certified Abutter's list

Abutters:

1. Mary Spindler of 66 Weston Road requested the plans.
2. Joachim & Vida Fruebis of 58 Weston Road requested the plans.
3. Peter Schliemann of 50 Silver Hill Road requested the plans and had no objections.
4. Mark Deck of 30 Silver Hill Road requested the plans.
5. Kathleen Holland 38 Silver Hill Road requested the plans.

Ms. Cannon Holden said that it will have cedar siding.

GT said that no neighbors should be able to see this from their properties.

LD said that she has no problems with the plan as proposed.

Ms. Cannon Holden said that the original building was built in 1947.

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

GT recused himself, as he is a friend of the applicant.

7:50 PM Site Plan Review, Section 17: Thomas Darling, 7 Lincoln Road, Parcel 143-8-0. Site Plan Review for the construction of a ground-mounted solar array. Vote Expected.

Ms. Curtin summarized the project submitted by the applicant.

The applicant proposed the construction of a 48 Panel Ground Mounted solar array which will be 45' 10" long and 20' 4" wide. The array will be pitched at a 20-degree angle with a height of 11' 4" at full tilt. The array will be located 20' 5" from the side lot line and 147' 4" from the front lot line. It will be in the back yard of the property behind an existing garage with a tree line obstructing the view from the neighbors at 2 Sandy Pond Road and 8 Sandy Pond Road.

The proposed array complies with all zoning requirements and all design standards described in section 13.6.4 of the By-Law.

Ms. Curtin showed photographs taken by the applicant from the proposed array location showing the screening for the neighbors at 2 Sandy Pond Road and 8 Sandy Pond Road.

Submissions:

1. Application Cover Form dated May 3, 2021
2. Residential Site Plan Review Application
3. Site Plan Set Titled Photovoltaic Ground Mount System dated February 16, 2021 and revised May 19, 2021.
4. Photographs showing the proposed location of array and screening from neighbors.
5. Certified Abutter's list

Abutters:

1. Rob Soluri & DeAnna Mori of 15 Lincoln Road requested the plans.

LD asked if it is close to the wetlands.

Ms. Curtin said that the array will be located outside of the 100-foot buffer zone and explained that the applicant has consulted with the Conservation Department and they are aware of the project.

BD asked how the panel is put into the ground.

Thomas Janowski said that it is using helical piles with minimal impact to the ground while still providing full anchoring.

BD asked if it is possible that they may hit ledge and need to relocate the system.

Mr. Janowski said that they have a rock drill so any type of ledge can be drilled out.

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

8:05 PM Approval Not Required, Section 2.0 of the Rules And Regulations Governing The Subdivision Of Land And Laying Out Of Ways: Birchby & Salon-Birchby, 4 Twin Pond Lane, Map 180, Lots 11-0, 12-0, and 13-0. Application for endorsement of a plan believed not to require subdivision approval to reconfigure 3 lots to create a building lot and a non-buildable lot. Vote expected.

Ms. Curtin summarized the project submitted by the applicant.

Jena Salon-Birchby and Jeff Birchby are proposing to reconfigure 3 existing lots and placing two of the lots under conservation restriction while keeping one lot as their house lot. These lots are shown as Lot 1A, Lot 2A, and Parcel A on the ANR Plan entitled "Plan of Land, 4 Twin Pond Lane" dated April 22, 2021. The applicants will be granting a Conservation Restriction to the Town of Lincoln for Lots 2A and Parcel A. Parcel A is labeled as "Not a Buildable Lot". Lot 1A is the house lot and may be subdivided, but not for development purposes.

This plan is proposed as part of a Conservation Project that the Rural Land Foundation (RLF) has initiated on behalf of the Town. The land has been previously identified as Land of Conservation Interest in the Town's Open Space Plan that was approved by Town Meeting in 2017.

The plan was prepared by Snelling & Hamel Associates Inc. and is stamped and signed by John Hamel, a certified land surveyor. The plan shows that the Lots 1A and 2A will have adequate frontage (over 120 feet) on a public way (which evidences adequate access).

The plan has all the required content under section 2.2 of the Rules and Regulations Regarding the Subdivision of Land but does not include labelling the Lots 2A and Parcel A as restricted. Geoff McGean, Executive Director of the RLF, has written a letter that states that "if the project does not go forward and the land is not conserved, the RLF will submit a \$1000 fee to the Planning Board as required for each developable lot." Once the restriction is in place, an updated plan will be created and recorded with the Conservation Restriction. The applicant submitted a \$100.00 fee for Lot 2A because the restriction will not allow building.

BD asked how many lots there were originally.

Geoff McGean said there were originally three lots, but this plan shows the lots reconfigured with 1A and 2A remaining similar and Parcel A was reconfigured taking part of 1A.

BD asked if the footpath shown on Parcel A is an easement or a current feature.

Mr. McGean said that there will be an easement placed on that parcel as part of the deal which will show the new trail on the plan.

BD asked if that should be shown on the ANR plan.

Mr. McGean said that that is not necessary for an ANR plan.

BD moved to endorse the plan as presented. GT seconded.

Mr. McGean asked for the plan to be signed as soon as possible so they can close on the property.

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

8:20 PM Business

- Approval of May 11, 2021 minutes.

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

LD said that Town Meeting went well but the accessory apartment bylaw revision had a lot of debate. The 30-day rental period was changed to 7 days and the revision was passed.

Approved June 8, 2021.