

Dear Residents of Lincoln:

A number of people have contacted the HCAWG, Planning Board, and Select Board with questions about the Housing Choice Act in general and specifics of the options in particular. Here is a list of questions from several people. Before addressing them, a reminder of the principles the HCAWG has used throughout this effort:

- The Town’s Vision Statement: *“Fostering economic, racial, ethnic, and age diversity among its citizenry through its educational, housing and other public policy.”*
- Rezone near public transportation and town amenities
- Codify work Lincoln has done to develop multi-family housing over the decades.
- Lay the groundwork for housing options to meet the needs of young adults, families, our local workforce, and those ready to downsize.
- Support and maintain our small commercial center.
- Promote decarbonization and climate change adaptation by rezoning near transportation and amenities.
- Proactively tailor zoning to fit Lincoln’s unique character.
- Keep Lincoln eligible for numerous housing, infrastructure, transportation, and sustainability related grants that will help us achieve town goals while mitigating the impact on property taxes.

Answers to the questions are below in red.

List of questions:

1. **Why are we zoning Lincoln Woods at 20 units per acre instead of 8?** The State compliance model only gives us credit for 159 units. An 8 unit per acre cap would provide us with the same number of units towards compliance. Zoning at 20 units per acre allows up to 403 units to be built. A higher number of units increases the risk of existing tenants being evicted to redevelop the parcel.

- The units/acre cap is applied prior to the exclusion of land, in other words it is 20 units per gross acreage of the parcel, regardless of what sub-area of that parcel is developable. However, in this case, the units/acre cap is not the zoning parameter that is constraining development most. When you factor in the excluded land and other zoning parameters like parking and building height, you would not be able to build more than the 159.
- You are correct that we can adjust the units/acre down to 8 from 20, (and we have done so in the revised slides), and it is important to note that this would not allow for the density that exists now if the parcel were to be subdivided to separate the wetland area from the developable area.

2. Parcels 161 27 0, 161 28 0 and 161 30 0 were not included in the Village District map presented at the SOTT and voted upon for submission to the State on 10/10. They were however included in the model submitted to the State, and they were also included in the new map and recalculated acreage presented at the 10/27 update meeting. **Why were these parcels added to the District after the Boards had approved the submission? Was there an internal meeting of the WG to decide it? If so, can you direct us to the minutes from that meeting? If not, who decided it?** (See below comparison of districts map and acreage before and after).

- This was an oversight on the map and was corrected. The presentations have consistently referred to the Village District as including the Mall, Doherty's, and the two town-owned parking lots.
- Those 3 parcels provide a rational zoning district that is contiguous with 161 26 0 (Doherty's)

3. The compliance target for Lincoln, as presented in the guidelines Appendix and the model submitted to the State is 42.8 acres and 642 units rather than 42 acres and 635 units. **Could you please update your targets or explain why you think they are correct? We worry that Option C and D1 are not actually compliant.**

- The final compliance number of 635 units were confirmed in our January 27, 2023, interim compliance letter from the Department of Housing and Community Development (DHCD), now known as the Executive Office of Housing and Livable Communities (EOHLC).
- All options exceed 42.8 acres.

4. **Why is the RLF Mall part of every single proposal?** As you know, the proposal was never included before SOTT and no opportunity for resident evaluation and feedback regarding what the RLF's potential developer is requesting for zoning changes has been provided. **Would it not be more reasonable to give residents the option to choose if they would like to include the rezoning of the mall in the HCA package?**

- Since June, all presentations at multi-board meetings and forums have presented the idea of rezoning the Mall concurrently with the HCA. This has been in response to the RLF's concerns about economic viability of the Mall, a topic that has been discussed for decades.
- The Village Center subdistrict could only be considered a Mandatory Mixed Use (MMU) district after the state changed the rules in August allowing the units in such a MMU district to count towards total unit capacity.
 - o This change allowed the town to take credit for multi-family units already being considered. The acreage does not count towards the total acreage of the HCA district.
- Throughout the South Lincoln Planning process that has been consistent since the 1990s, community feedback has indicated strong agreement that we should support our small business district. The most recent survey conducted by the SLPAC committee indicated that over 80% of residents rank keeping a village center and supporting the economic viability of businesses in the village center as important.
- See the HCAWG web page for the RLF's answers to FAQs.

5. **Shouldn't the two RLF affiliated members of the WG have excused themselves from discussion once the Mall became a possible candidate for rezoning?**

- It is typical to have major stakeholders at the table in these kinds of planning activities. The key is to ensure they do not have a majority voice. They do not have a majority on the HCAWG (2 out of 16 members), nor on the combined multi-board body of the Select Board, Planning Board, and HCAWG.

6. **Why is the town considering applying for a grant on behalf of a private landowner?** Since the town can only apply for one MassWorks grant at a time, we would be unfairly advantaging that owner over every other owner and the general interest. We would much rather see the town apply for a grant that benefits the general interest.

- We are not limited to applying for one grant at a time. Cities and towns may apply for, and may receive, more than one grant. Here is a list of the 2022 awards:

<https://www.mass.gov/info-details/massworks-2022-awards> and the 2021 awards: <https://www.mass.gov/info-details/massworks-2021-awards>

- Public-private partnerships such as this are common.
- Our shops, restaurants, and Lincoln Woods residents are all on the same waste water treatment system. It is in our general public interest to ensure there is a village center with amenities available to our residents.

7. Several private parcels adding up to eighteen acres of land and a maximum of 332 units built (see table 1), which do not contribute a single unit towards compliance and are not

Table 1. Private land with zero units towards compliance.

Address	Parcel acres	Maximum units built
136 LINCOLN RD	0.92	17
140 LINCOLN RD	7.88	142
150 LINCOLN RD	2.01	36
94 CODMAN RD	2.77	50
98 CODMAN RD	2.84	51
108 CODMAN RD	2.04	37
Total	18	332

I am including 94 and 98 Codman Rd, although strictly they are necessary for contiguity reasons for 104 Codman Rd, which has 6 modeled units. I am including them because once Lincoln Woods is recalculated with the right numbers, 104 Codman should not be necessary. Those two parcels could be removed from the list thought without handicapping the argument.

necessary to meet the guidelines, have been included in our submission. **Why are those parcels included, thus locking them at 10% affordability ratio requirements?**

- The table does not adhere to the model's parameters.
- **136 and 140 Lincoln Rd** – Utile says these are included for contiguity with Lincoln Woods and the rest of the district.
- **94 and 98 Codman Rd** - these two parcels along Codman Rd are not yielding units but are needed for contiguity to include 104 Codman Rd which is needed for capacity.
- **108 Codman Rd** - while this parcel does not yield any multifamily units (defined as 3 units or more), including it provides a unified framework for development along the entirety of Codman Rd rather than making an arbitrary cutoff.
- **150 Lincoln Rd.** – This parcel has been removed from ALL options.

8. Several public parcels have been included (see table 2), the most important of which are the DPW site and the two commuter parking lots. **What is the motivation for their inclusion? Have members of the WG discussed at any point privately or during public meetings a plan to develop the DPW site?**

Table 2. Public land with zero units towards compliance

Address	Parcel acres	Maximum units built
30 LEWIS ST	4.05	73
162 34 0	0.23	4
161 31 0	1.27	32
161 30 0	0.04	1
161 28 0	0.27	7
161 27 0	0.13	3
Total	6.01	120

- 30 Lewis St (DPW site) & 162 34 0 (Peace Park) are included for contiguity.
- Although there is a driveway into the DPW, it is identified as part of the DPW parcel, not a public or private road, therefore eliminating the DPW breaks the contiguity of the Codman Road subdistrict.
- Parcels may not be split.
- As noted, the slivers of land on either side of the railroad tracks were mistakenly left off the SOTT maps. Presentations have consistently referred to the Village District as including The Mall, Doherty's, and the two town parking lots.
- The town has talked off and on in many public meetings about redeveloping the DPW site if a suitable location could be found for a new DPW. That is a large stumbling block, and no solution has been identified.

9. The inclusion of the two parking lots (plus the parking at 160 Lincoln Rd) would eliminate all parking alternatives for commuters. We understand that the WG has stated the view that any development would replace existing parking one for one. **Is the WG thinking that a new structure would include multiple levels of underground parking? How else would that one for one be accomplished?** We do not think that an underground parking is realistic when we are talking about narrow parcels contiguous to the railroad tracks.

- Town leadership is committed to ensuring we have enough commuter parking. There are no plans, and any proposal on municipal land would have to be approved by Town Meeting after a rigorous process and debate.
- 160 Lincoln Road is private property.

10. **What was the motivation to zone Doherty's Garage as a mixed usage parcel?**

- It is currently zoned for commercial use, and it is right next to the train station, which makes it a good candidate for inclusion in the Village Center (Mandatory Mixed Use subdistrict).
- Underlying zoning still applies (B2 district).

11. **Could you please explain in detail what was the process by which the WG decided to expand the Codman Rd district below the DPW site?** We have heard that some residents approached the WG with the idea.

- During our June public forums, many residents suggested that we should look at creating an option that put more of the district near the train station.
- We looked at including parcels further north on Lincoln Rod, but the wetlands precluded them from consideration.

12. Could you please enumerate what other requests the WG has received from residents requesting their inclusion or exclusion from the proposed districts?

- As one would imagine, many individuals have strong opinions when the place they live is under consideration. We heard a range of opinions at neighborhood forums.

13. The model shows a developable area in Lincoln Woods of only 6.2 acres (271,903 sq ft), which is different from the denominator used for gross density calculations, which is 7.6 acres. The denominator used to be 7.0 acres before the meeting on the 27th. **Why are those three numbers different?** We could potentially be undercounting the number of units in Lincoln Woods. Those extra units could be reduced to remove parcels in other places like lower Codman Rd.

- The developable parcel square footage is something that is already embedded in the parcel data from the State that is used for the compliance model. The Checklist District ID tab district acreage and density denominator, however, is measured based on a separate density denominator deduction layer.
- The resulting district density denominator of 7.06 acres still does not exactly match the state-provided number in the parcel data.
- Regardless of any discrepancy between these two, it does not change the number of modeled units for Lincoln Woods, since that is constrained by the state parcel data layer (the 271,903 sq ft or 6.24 acres of developable parcel area), which cannot be changed or overridden by communities in the compliance model spreadsheet.
- The numbers have been double-checked by Utile.

14. Column L in each one of the District tabs should be the sum of columns J and K. Instead, those three numbers seem arbitrary in our submitted model. In Lincoln Woods, to give you an example, the "Non-Public excluded Land" is 686,802 sq ft, while the "Total excluded land" is only 605,342 sq ft. **How can "non-public excluded land" (which is a subset of the total) be higher than the "total excluded land"?** We have found similar inconsistencies in the Lincoln Rd district. If our excluded land numbers are wrong, our modeled unit numbers would be wrong as well.

- These numbers are embedded in the parcel layer provided by the State. The numbers don't have any impact on the model results - or affect compliance.

15. Could you please upload the models for alternatives D1-3 to the HCA website at your earliest convenience?

- After December 2nd, when residents vote to choose an option, Utile will finalize worksheets and the map and we will post them.

16. **Why did the WG set a 10 units per acre cap instead of 15 on Battle Road Farm and North Lincoln in alternatives D1-D3?** The cap was set at 15 units per acre for both parcels when the WG presented it back in June. If the cap was set at that higher number, one or more of the Districts in Lincoln Station could have been removed altogether.

- We have been exploring options that balance competing desires.

- The working group has presented a range of options that reflect the guiding principles and are responsive to public feedback.

17. **What is the change in Lincoln Rd in options D1-3 compared to option C?** The map looks exactly the same as option C. Since you removed one parcel with zero modeled units, **why did you not just remove all of them, including Ryan Estate?**

- All the options now reflect that 150 Lincoln Road was removed.
- As noted previously, Ryan Estate is there for contiguity.

18. A norm for options presented until Tuesday was that no District could be dropped without impacting compliance. Options Ds were presented as a sort of compromise, but the truth is that some of the districts in the list could be removed without any impact to compliance. **What was the reason Codman Corner or the Village Center were not dropped in option D-2?**

- Again, we've been exploring options that balance competing desires. We did not drop the Village Center because rezoning that area can lead to a project that subsidizes and supports our small retail area.

19. The proposed rezoning would cause a sharp increase in property prices, in particular for single family houses in the Codman Rd district. Assessed values will need to follow market prices. **What message do you have for property owners who would like to stay put in their houses but cannot afford higher property taxes?**

- Assessed value of the property will not change until there is sufficient sales data.

20. In WG's communications, the case has been presented that Lincoln Station residents are more likely to commute by train than the general Lincoln population. Some of us are commuters and have not found that to be the case. **Could you please indicate if you have any supporting evidence for your hypothesis?**

- What has been said is that if there is additional housing near the station, it provides multiple benefits because they it is near public transportation, amenities, and the Lincoln School.
- This aligns with the Town's climate goals.
- With the prospect of new housing options in surrounding towns, people will have an opportunity to self-select whether they would like to be in a unit near an MBTA stop or not.

21. The HCA website links to an Oriole Landing study that uses a cost per pupil of only ~\$6,300. Considering that the cost per pupil at the Lincoln School according to DESE is close to \$30,000, and the cost at LSHS is approximately \$24,000, **why do you think the study is helpful to understand property tax implications for the town? Would you consider an updated tax impact study?** Some of our members would be happy to assist you in that task.

- That is best answered by the School Committee.
- See the slides regarding school capacity on the HCAWG web page.

22. **Could you please share with us the Sasaki study of the impact of the closure of the Hanscom base on the town finances? Has the WG looked at the study? If so, are there any learnings from it you could share?**

- This is an unlikely scenario. If it came to pass, it would be a state-level conversation and solution, which is what has happened in other situations.
- When the Sasaki study was done, Hanscom was more susceptible to closure than it is now. The evolution and expansion of its mission has decreased the likelihood of a closure.

23. Could you please consider conducting an updated traffic study that considers a much higher number of cars than your previous study (we think 1,000 would be a good place to start for Option C) that also includes the Five Corners junction?

- It is unclear what the basis is for 1000 cars if the minimum requirement is 1 car per unit? There is no evidence that an HCA zone would produce this number of cars.
- The traffic study that was conducted in late 2019/early 2020 accounted for up to 271 units of housing, which is more than the zoning would allow in option D3. The only project under active consideration is far below that level.
- Any prospective developers would be required to pay for traffic studies.

24. Could you please disclose if any of the WG members have a financial interest in the parcels that you propose to rezone?

- There are no personal financial interests.
- The RLF is openly part of the discussion.

25. A cursory review indicates that none of the WG members live in the Lincoln Station area. Would you consider incorporating a resident to get a better perspective from somebody who is closer to the ground?

- The HCAWG was appointed by the Select Board and the Planning Board in the fall of 2022. Members were chosen to represent boards and commissions that bring expertise and different perspectives to the working group.
- In addition to forums hosted by the HCAWG and First Parish Church, outreach sessions were held at Lincoln Woods, Battle Road Farm, The Commons, and on Codman Road.
- The group has demonstrated its willingness to listen to town feedback and create new iterations of options.
- As noted in other answers, there is a full spectrum of opinions on how much area we should be rezoning and on how much we should be doing to actively encourage housing development. The iterations of the options presented balance multiple visions and values.
- Ultimately, it is Town Meeting that will decide how/if to comply, not the working group.

26. You must have started considering the language of the bylaws you would introduce at Town Meeting. Could you please share with us any drafts you might have at this point?

- The Planning Board began discussing bylaw language in public meetings over the summer, which some residents attended.
- Once a final draft is complete, the Planning Board will hold public hearings on the proposed bylaw language and on accompanying design guidelines prior to Town Meeting.
- All projects will be subject to Site Plan Review which assures compliance with the zoning bylaw.

27. Have you contacted the town of Weston to understand what their strategy towards HCA compliance is? Weston is the second town with the highest percentage of units zoned relative to their existing housing stock, only Lincoln being above. We believe it would be a valuable exercise to create a coalition of similar towns that can lobby on behalf of Lincoln with the Commonwealth to pursue various common goals such as the improvement of public transportation in the area as a quid pro quo to HCA compliance.

- When appropriate, we are always happy to try to partner with neighboring towns on topics of mutual interest, and transportation is certainly one of them.

- As a historical note, Weston and Lincoln have chosen different pathways when it comes to housing. Lincoln chose long ago to be proactive about housing laws such as the 40B Affordable Housing Law. This has been an intentional policy confirmed through many generations of town leadership and Town Meeting decisions.

28. Could you please revise the language in your website and the SOTT deck relating to the grant programs tied in the legislation? Only the three original programs are named in the legislation. The executive has stated that compliance will be considered for the other programs you include in that list, which you mention in the SOTT deck.

- We are going to leave the SOTT deck as it was presented.
- Subsequent slide decks show the August update to the list.

29. Could you please revise the language in your website and the SOTT deck relating to HCA compliance? AGs do no “rule” nor do they determine the rule. It would be much more precise to say there has been no judicial review on the Act.

- The HCA is a law regardless of whether there has been judicial review. The Attorney General’s letter was advisory.

30. Could you please state that the plaintiff in the lawsuit against the town of Holden is not the State? We find the ambiguity potentially misleading.

- The Central Mass Housing Alliance, a Holden resident, and a Westborough resident filed the lawsuit in the State’s Supreme Judicial Court. The suit was filed by the Lawyers for Civil Rights and Brown Rudnick, LLP.

31. Could you please revise the language that explains the rationale for exclusion of districts in the SOTT deck? Turns of phrase like the “spirit of the law” and “less defensible to the State” when speaking of the Commons are devoid of real meaning.

- We are going to leave the SOTT slide deck as it was presented.

32. Why did the WG never seriously consider Farrar Pond and Lincoln Ridge condos?

- The HCAWG considered them and rejected them because they are not near public transportation or public amenities.
- As we’ve learned, Farrar Pond is an important wildlife core area. Codman is not. Please see the FAQs on the HCAWG web page.

33. Are we submitting rezoning proposals to the State prepared by a third party without reviewing them? Is there someone in the Administration or the HCAWG who has studied the model and understands how it works? Who is driving the decisions about our district design? Utile or appointed officials?

- The Town has hired a professional consultant to help the HCAWG with modeling and submission.
- The HCAWG and the Planning Board have been using public feedback to shape our options.