

TOWN OF LINCOLN
MINUTES OF THE PLANNING BOARD
JANUARY 8, 2019
TOWN OFFICES

PRESENT: Margaret Olson (CHAIR) (MO), Lynn Delisi (LD), Richard Rundell (RR), Gary Taylor (GT), Stephen Gladstone (SG)

NOT PRESENT: Craig Nicholson

STAFF: Jennifer Burney

7:00 PM Planning Board BYLAW Working Session and Discussion. Five topics in consideration for development and presentation to Town Meeting, March 23, 2019: a) Solar Amendment Section 13.6, b) Story Definition Section 23; c) Lincoln Station Village Zoning (update); d) Non-Conforming Lots and Structures Sections 4.1 (c) and 4.1 (e); and, e) Parking Benefits District (update).

Solar Amendment Section 13.6

The Board discussed and reviewed the proposed Solar amendment Section 13.6. 1) Clean Copy with Comments dated 11/20/2018. 2) The Board reviewed draft amendment dated draft amendment dated 1/8/2018.

GT – Discussed differences between the two versions.

GT – Recommends refinement of proposed By-Law to allow the Planning Board flexibility in responding to individual applicant circumstances. By-Law may therefore be oriented toward general performance rather than detailed standards. The Board discussed setting capacity limits and creation of regulations? The Board discussed general goals to give the Board flexibility to make determinations.

MO - Recommends consistency throughout the final draft. Recommends inclusion of Planning Board waivers to allow flexibility in the Planning Board’s review of unique applications. For example, a height regulation could be waived in a commercial parking lot to accommodate truck or emergency vehicle heights.

The Planning Board discussed the additional Surety Bond Requirement for commercial applications that would protect the Town in case of abandonment and the need for removal and site restoration in the case the owner/operator was unwilling or unable to maintain responsibility.

An example of a situation in Puerto Rico where extensive hurricane damage was done to solar panels in Puerto Rico. The owner/operator is unable to find a disposal site for the large volume of damaged structure and PV panels. They currently remain abandoned in place. The Planning Board discussed not wanting to ever have a situation of large commercial solar installations being abandoned.

Residential requirements would differ from those for commercial and municipal properties. Solar installations for commercial/municipal properties would be allowed to sell energy to the grid without limiting it to energy usage of the site. Residential systems would be limited to 125% of the energy use for the property on which the system is located.

SG – Should applicants be required to submit electricity bills and calculations for solar panel size confirmation in Planning Board review or would they establish an average for the Town? Should submittals for residential, commercial and municipal users be the same?

MO – Should home owners have the right to install more solar PV capacity than they need? Can one applicant install both roof and ground mounted systems? Should homeowners have the right to install as many solar panels as they want? Should the By-Law define a limit?

RR – Should commercial properties be allowed to install larger systems than they need, i.e. to sell excess on all energy back to the grid?

SG – What’s wrong with homeowners selling excess capacity back to the utility?

MO – Is there a review definition dilemma when solar panels are mounted on residential carports separate from the dwelling? Should they be classified as Accessory Structures just for the purpose of supporting the panels?

MO - Would the definition of “ground mounted solar systems” include systems mounted on their own structural frame and foundation in a residential yard be different from larger scale arrays used in parking areas for either commercial, municipal or institutional properties?

RR, GT - Do systems need a separate definition and By-Law regulation just because they also shield parked vehicles?

RR - Should there be an aesthetic (design) consideration in Planning Board review?

MO – What is the impact on views either from abutters, trails or streets? What about views either from or of taller residential buildings (i.e. Oriole Landing, Commons).

The Planning Board discussed adding a provision for adding definitions for commercial parking structures and residential carports, setting height limits for each. The Planning Board voted that it would bring this revision to the March Town Meeting and seek input from the Energy Committee

Story Definition Section 23

MO – Lincoln’s height By-Law Section 13.1 does not provide adequate regulation for design treatment of elevations particularly on sloping sites affecting mostly the facade on the downhill side that would be prone to exaggerate excessive height if not articulated architecturally.

MO – Recommended height regulations in the Lexington By-Law.

RR – Consider using common practice used elsewhere based on calculation of the average finish ground plane elevation around the perimeter of the building as the basis for determining maximum height.

RR – Referenced previous practice for measuring building height using the average elevation of the proposed finish ground plane taken incrementally around the building.

The Planning Board voted to postpone this revision until a future Town Meeting.

Lincoln Station Village Zoning (update)

JB – Provided update of rezoning Lincoln Station village currently being worked on by SLIPC

GT – Gary who is on the SLIPC team stated that the zoning revision will not be ready for the March 2019 Town Meeting and most likely next year’s Town Meeting.

Non-Conforming Lots and Structures Section 4.1 (c) and Section 4.1 (e)

The Planning Board discussed bringing 4.1 (c) to this ATM and postpone Section 4.1 (e) to a future Town Meeting to allow for more study and collaboration with the Building Inspector, Zoning Board of Appeals and Town Counsel.

Planning Board BYLAW Working Session and Discussion: Parking Benefits District (update)

JB – Provided description of findings by the MAPC and Planning Department who conducted a recent parking study at the Lincoln Station commercial and commuter lots:

1. The current revenue collection is insufficient, out of date and potentially unsafe for the current paid commuter parking lot (the paved lot behind Donelan’s). Current cash handling involves a safety risk to the police employee currently collecting cash every day and delivering it to the Town Office. This income is currently applied to Lincoln’s general fund.
2. The un-paved Lincoln resident commuter parking lot on the west side of the commuter rail collects no revenue but does issue parking stickers by the Lincoln Police Department.
3. Most commuter parking lots in this region use a pay-by-phone method rather than cash. The operational costs for use are covered as a small fee on the user’s credit card bill. There is no up-front cost to the Town.
4. The income from Parking Benefit Districts generally pay for improvements in the District.
5. There is a shortage of commuter parking in the Lincoln center area.
6. The 100-car parking lot behind Donelan’s is virtually unused on weekends. There is no fee for parking on weekends. The residential unpaved lot has almost no cars parked on weekends.
7. Many of the commercial lots are underutilized. The SLIPC team is exploring shared parking in a proposed Lincoln Station Zoning By-Law revision.

RR – Fees pay for improvements in the District but are a loss to the Town’s General fund. Either all or a portion of the revenue could be used for the Parking Benefit District. It is anticipated that with a new pay-by-phone system the fees collected need to increase because we are unsure of how many parkers elect not to pay because they do not have cash on them.

8:15 PM Business

1. The Planning Director brought to the attention that it was noted that a clerical error was made on the Special Permit Decision for Sprint Spectrum, 0 Bedford Road. The Board had voted on December 11, 2018 to grant a Special Permit for 10 years. A clerical error on the decision filed with the Town Clerk under the standard conditions #4 states that the Special Permit is for 5 years. The decision will be corrected to state that the Special Permit is for 10 years. The Board is fine with the Planning Director making this correction.
2. SG moved to approve the November 27, 2018 minutes as amended. RR seconded. Passed 5-0.
3. RR moved to approve the December 11, 2018 minutes as amended. SG seconded. Passed 5-0.

8:30 PM SG moved to adjourn. RR Seconded. Passed 4-0.

Approved January 22, 2019