

## PLANNING BOARD MINUTES

January 10, 2023

**Virtual meeting pursuant to Governor Baker's signing of S. 2985 extending remote meeting authorization to March 31, 2023, this meeting of the Planning Board will be conducted via remote participation to the greatest extent possible.**

Board Members Present: Bob Domnitz (Chair), Lynn DeLisi (Vice-Chair), Ephraim Flint, Gary Taylor  
Staff Present: Paula Vaughn MacKenzie, Jennifer Curtin

**Discussion:** B2 Zoning

PVM said that a rough draft of language was worked on by BD, GT and Jennifer Glass. We should have time to get an amendment before Town Meeting.

GT suggested that we review the EFR before the zoning discussion.

**7:15 PM ELIGIBLE FACILITIES REQUEST, AT&T, 0 Mary's Way (f.k.a. 23 Cambridge Turnpike) Parcel 111-10-0.** Eligible Facilities Request to collocate on an existing Tower owned by Verizon Wireless, including a tower extension, antennas, and associated equipment.

Ed Pare is present for the applicant. PVM gave an overview of the issues.

Verizon owns the tower at this property and are having difficulties getting the cooperation of the lease owner to sign an authorization form in order to renew their expired special permit. After discussing with Town Counsel, the Board can choose to issue the special permit without that form, so Verizon will come before the Board in February. AT&T's tower on the adjacent property at 1 Mary's Way is being decommissioned, so they are anxious to move their service over to the Verizon tower. AT&T does not have a special permit to operate on that tower, but their application complies with the Eligible Facilities Request requirements. Historically, the Board has required both the tower owners and the individual carriers on the tower to have their own special permits. In the cases of an Eligible Facilities Request, federal law overrules the zoning bylaw. This a first case the Board has reviewed of an Eligible Facilities request for a new carrier on an existing tower. There is a 60 day shot clock from submission of the application to final approval that will end on February 7<sup>th</sup>. The Board can either approve the Eligible Facilities Request without a special permit or can hold a special meeting on the 7<sup>th</sup> to allow time for proper notice to approve special permit and Eligible Facilities Request at that meeting.

Mr. Pare said that AT&T needs to move services over by May 2023. He added that under federal law AT&T does not need a special permit for this modification. Town procedure requires special permits, but it has to be approved regardless under the law.

GT said that the work will result in an extension of the height of the tower by 6' 10".

BD said the addition of the carrier without a special permit is the issue, but they are entitled to the Eligible Facilities Request for the work. He asked if the law allows continued height extensions.

ED said you can only increase a total of 20 feet over the initial tower height under the federal law.

BD said there are federal radiation limits and there are apartments close by so it is incumbent on the board to look into safety as well.

Mr. Pare said that emissions report was provided to the board, they have to comply with all emissions requirements.

BD asked what the height of the measurement is.

Mr. Pare said it is measured at 6 feet. BD said that would not show emission levels at the height of the neighboring apartments where people may be impacted.

Mr. Pare said he can ask the emissions engineer to provide whatever calculations must be done.

BD said we want to see the emissions at an elevation of the dwellings at The Commons.

PVM asked Mr. Pare if February 7<sup>th</sup> would be acceptable for review and if they would accept an extension of the shot clock until February 20<sup>th</sup>. Mr. Pare said that will be acceptable.

BD asked if AT&T has been in contact with the FAA.

Mr. Pare said that Verizon has been in contact and they will provide copies of that communication.

GT moved to continue to the February 7<sup>th</sup>. EF seconded. Roll Call: EF aye, BD aye, LD aye, GT aye

**Discussion Continued:** B2 Zoning

PVM said she discussed two warrant articles for zoning amendments with Town Counsel. One is to add a section in the bylaw Eligible Facilities Requests and the other is to change the cluster development bylaw which has a provision that requires a developer give the Town land for conservation which is illegal. Town Counsel will draft language for both amendments.

BD asked if we should try to accommodate the HCA in the B2 district.

GT said that he did some calculations to show that if we have a 4,000 square foot lot size requirement and a 100% lot coverage requirement you could easily do 15 units per acre.

BD said we may lose out on making B2 a commercial district if we do that. Allowing 15 units per acre by right without strings attached, like requirements for mixed use, means developers may just build housing which is not what people said they wanted in the survey.

EF asked if we can encourage mixed use by allowing 15 units per acre by right and then exchange higher densities for a commercial component to the development.

BD said it may not be enough to incentivize developers to go for the additional density.

LD said we do not have to put all of the HCA requirements in this district and she would not want the density to be any higher than 15 per acre even if units have mixed-use.

PVM said we need to have 20% within .5 miles of the station. If Lewis Street and Lincoln Woods areas are rezoned, for instance, we could comply.

BD said we are asking the town to make an Housing Choice Act decision before compliance is necessary.

LD said that the work group appointed by the Selects will be recommending things and that we should not come forth with a zoning change before this, but rather coordinate our proposals with theirs.

EF agreed that the timing is awkward.

BD said he would be in favor of holding off on the B2 rezoning until next year.

EF said it is a complex issue and we do not want to freeze the town out of using this area for Housing Choice Act compliance.

GT said he and BD have both looked at this and changing lot coverage it is not difficult to achieve 15 units per acre in the south Lincoln area. He does not see the downside of doing something that complies.

BD asked if GT would be okay with Lewis Street becoming purely residential and giving up on including it in the commercial center.

GT said that is the discussion the Board needs to have; whether to require mixed use or provide sufficient incentives to motivate mixed use with 15 units per acre minimum.

BD said we can always rezone or create a permissive overlay, but the B2 decision is not independent of the Housing Choice Act.

EF said there is a section in the draft language to allow increased height as a mixed use incentive. That would allow for more space around the building for grass and driveways and the possibility of putting business on the first floor and then 2 or 3 levels of dwellings above.

PVM said that incentive for over 15 units per acre is to have mixed use on the first floor and go up to 40 feet and 3 stories. In order to comply with Housing Choice Act, the higher density tier would have to be a more than 15 units per acre. She added that there are a lot of technical requirements for compliance with the Housing Choice Act so the Town is getting technical assistance for modelling the potential compliance areas.

BD said to get 4,000 square foot lots, you would have to subdivide the lots around Lewis Street.

GT said that is something that could be done so the lots are 80 feet deep with 50 feet of frontage to get 4000 sq feet. When he looked at this initially there are a few lots that have plenty of frontage but are not as deep. He will send out his calculations.

BD said the draft language stated requiring special permits for the higher densities/mixed use which may disincentivize mixed use.

GT said he doesn't know how it could be done without a special permit hearing. You are trading off density for a return and it could just be the additional units but also amenities that could be part of the consideration of a special permit hearing before the Planning Board

BD asked if there should be a special permit required for any mixed use commercial business regardless of density.

PVM said that you could still require a special permit for a restaurant but not for smaller-scale businesses that serve some food.

BD said the less discretion the Planning Board has over a project, the more precise the regulations have to be.

LD said there are different kinds of businesses that could be in a mixed use area and some could cause problems of noise and smells for residents above so we should not eliminate special permits.

PVM said that we hope we can get a few more commercial options like another restaurant but we need to get more people living in the village center that want to walk over to these places.

BD said we could disallow certain types of businesses outright.

BD asked if we should impose parking requirements that discourage cars. To make the development viable we need to provide normal parking. PVM said we do not need to over-prescribe parking though. BD agreed and added that we could require 1.5 spaces per unit plus unallocated space for guests. People renting an apartment in Lincoln would want an assigned space like at Lincoln Woods.

PVM said in Lincoln Woods not all parking is assigned. One assigned space per residence and a few extra spaces should be enough.

EF said one space per unit should be the minimum and a developer may want more so they can figure it out themselves.

LD said the timing on this is wrong. She had been against 15 units per acre, but she wants to see if we can comply with the Housing Choice Act. She added that the Board is not ready for a proposal for this year's Town Meeting but asked if anything can be done in the meantime to encourage mixed use.

BD agreed that we are not losing much if the B2 change is delayed until next year.

PVM said the Village Center area is all built out and you cannot get much density there with the 25% lot coverage. GT added that the lots are all developed, people would need the opportunity to make money by redeveloping them. Given the calculations, he added he does not see why we would not allow 15 units per acre on Lewis Street because it can be done.

BD said we could have some sort of 3-decker with a gable end facing the street with a porch in front similar to designs elsewhere in Massachusetts. He added that may be supported in town architecturally. EF agreed that could work.

GT said 1,600 feet is enough for a 2-bedroom unit. BD agreed.

LD asked how many lots could be created on Lewis Street of this type.

GT said you could potentially fit 2 houses with shared parking and 6 units on a 4,000 square foot parcel. You could subdivide other lots as well.

## **Liaison Reports**

### **Community Center Building Committee**

LD asked what the Planning Board thinks about having a portion of the Community Center closer to the Village Center where we are considering more housing.

GT said there are good arguments for it, but the decision was made after a lot of discussion in Town that the school campus was the way to go and this was voted on by the Town. The feasibility of moving it to the mall is also difficult, as the Town does not own any land there.

LD said an aspect of the Community Center could be located by the schools and still with a portion of activities located in the Town center. GT said the committee was charged with exploring those options and that it would be a waste of their time not to give this as one of the choices to the Town, as per the warrant voted upon in the special Town meeting. LD said she felt that the committee thought it would be a waste of time to look at these other possibilities.

BD said there is not much else to do beyond the process to figure out what works for most people. The Planning Board cannot stop the momentum that the town is moving in. People seem more concerned about the money than the location.

EF said it is a complicated issue, and a lot is being discussed to be added to the village center besides the community center.

BD added that there has not been any concrete proposal about functions being divided between different locations.

LD moved to adjourn. GT seconded. Roll Call: EF aye, BD aye, LD aye, GT aye.

Approved on January 24, 2023