

## **MINUTES OF SLPAC**

**February 4, 2022**

### **ZOOM MEETING**

**SLPAC Members Present:** Gary Taylor (chair), Margaret Olson, James Craig, Rachel Drew

**Staff Present:** Paula Vaughn-MacKenzie, Jennifer Curtin

#### **7:30 AM Chair's update + Next Steps on WWTP engineering and design**

GT gave an update on the Wright-Pierce Phase 2 report presentation.

JC said that the report said we could get 40,000 gallons per day (gpd) for a much lower cost than the other options.

GT said the 40,000 gpd design seems to be the most

PVM said \$1,500,000 million will increase the existing system capacity to 40,000 gpd and 50,000 gpd would cost \$5,750,000. The Community Builders (TCB) will have internal discussions to determine what they want. We will need to get feedback and then put together a scope of work. It does not need to go through the procurement process since it is engineering work. We have to put together a scope of work and seek out some price quotes for hydrogeological testing and design of the preferred system option. She added that the 40,000 gpd seems to be the most reasonable option.

#### **Chair's Update**

GT said that the Select Board hosted a briefing and discussion on the Housing Choice Act (HCA). The Town is working toward developing a written response to the state. There are inconsistencies in the guidance and the Town is improperly categorized as a Bus Community rather than a Commuter Rail community, which shortens the timeframe in that we have to comply with the legislation.

PVM said the Town will be contesting the categorization and capacity issues along with other inconsistencies in the unified letter. She has emailed with Chris Kluchman from the Department of Housing and Community Development (DHCD) about this. While the category does not affect the minimum capacity requirements, it does impact the timeline for compliance by a year. The state has said the legislation is not one size fits all, however 42% of communities fall into this category of a 750-unit capacity increase. It would be a 30% increase of residential units to zone for. March 31st is the response deadline.

#### **Meet and Greet with MAPC technical assistance staff and Discussion of Next Steps.**

Chris Kuschel and Emma Battaglia attended from the Metropolitan Area Planning Council (MAPC) who will be assisting with drafting the new zoning.

Mr. Kuschel introduced himself. His work has centered around zoning projects and working on design standards to accompany those with different kinds of communities.

Ms. Battaglia introduced herself. She has worked as a municipal planner and a land use planner for MAPC. Currently she is on the housing team focusing on zoning and graphic communications.

PVM said that the process of revising the zoning started with SLPIC in 2017 to draft zoning that is transit oriented with denser housing. The Town has expressed more interest in doing good projects than in changing zoning. We have been trying to rationalize zoning in the area since many zones overlaps and it is confusing for applicants. She added that the RLF has said that they plan to go through the overlay district for a future project in order to get support from the Town. SLPAC and the Planning Board need to think about how they want to go about zoning changes if the RLF plans to go through the overlay. She said we will deal with the HCA separate from the zoning changes in the mall area.

MO said there has been some confusion between zoning and housing production. The reason to separate the two is because SLPAC has been focused on housing production to help the town get a good project. A project would be substantially smaller than the unit numbers in the HCA.

Mr. Kuschel said that is the strategy being done by other small towns since the unit numbers proposed by the Act are seen as unreasonable.

GT said that he understands the housing issues that the State has, but the guidelines appear to be drafted in a way that effectively cuts off small towns from grant funding. If we can get a project off the ground that the Town supports, it should be done regardless of the HCA.

Mr. Kuschel asked if there have been any initial thoughts from RLF on plans for what they want to do.

Michele Barnes said that the RLF is looking into a mixed-use project which would include housing. They will go through a visioning and goal setting process first. There are different opinions on the RLF board on parking, housing density, and commercial space.

JC asked if the visioning would include the Town owned parking lot since it seems disjointed without considering it.

Ms. Barnes said they will try to do it with and without because ultimately it is up to the Town what happens on that land.

GT said that a project through the overlay would need a 50% vote at Town Meeting vs a 2/3 requirement for zoning changes.

Mr. Kuschel said that having a willing developer like the RLF would help with the zoning process. Since the development would be one piece of a broader area, new zoning could be crafted in line with a potential project. Even if the parking lot is not part of the RLF development, it could be included in future zoning to be more cohesive.

PVM said we need to review the draft zoning considering the base zoning issues to ensure it still satisfies those goals. The mall, Lincoln Woods, across the street from the mall and Lewis Street will be included, excluding the Flying Nuns.

GT said that the decision on the Flying Nuns may need to be revisited with the requirements of the HCA.

MO said that keeping the issues separate is important. The focus should be on straightening out the zoning without the Flying Nuns since SLPAC decided to leave those properties out of the rezoning. They can be reconsidered later if necessary due to the HCA.

GT agreed that it should be addressed at a later date. Rationalizing zoning to make permitting easier should be the first focus.

Ms. Barnes said that the RLF's mission is to do things in the Town's best interest. The fiduciary benefit of rezoning is that developers do not have risk of Town Meeting but others on the RLF board would like to keep the Town's authority to sanction the process through the Town Meeting process. Ultimately, if the Town votes in zoning that is also the Town's will, and RLF will respect that.

Connie Ohlsten asked if SLPAC has been in contact with the Flying Nuns on any future plans they may have.

PVM said she has and they have no plans to redevelop currently. The owner has many properties around the state. She added that the property could be redeveloped by the property owner whether or not zoning is changed.

MO said that right now the owner could put in single family by right.

PVM said they could also come in under the overlay for a complete redevelopment.

Ms. Ohlsten asked if he were to redevelop would those units go towards the HCA requirements.

MO said that if the Flying Nuns were zoned for 15 units per acre, that goes towards the HCA, whether or not the landowner actually develops it. If the owner comes in under the overlay with hundreds more units but we do not change the zoning, it does not go towards the HCA. The HCA is all about zoning and not housing production, that is why we need to keep the two separate.

PVM said that the HCA has no parameters on what must be built just what must be zoned.

GT said that it also means that a 15 unit per acre development would be able to be done by right under the HCA zoning. The only leverage that the town has to shape development would be in design guidelines, but they cannot be prohibitive, and the project could not be denied if it meets the standards.

PVM said it could not be a special permit process, but we could regulate architecture and design through guidelines.

MO said we need to take a close look at design guidelines to help people visualize what a development could look like. We could require density to preserve open space within developments.

PVM said that open space would need to be designed as part of the project, not just left as a grass area. The design guidelines could require attractive and functional open space.

MO said it is important to get the aesthetics into the zoning and communicate that to the town. The fear is that we would get buildings that look boxes that can be seen in other towns like Waltham

Ms. Barnes said it is important to focus on both the open space and architecture. If you ignore the open space aspect of the design, it will not feel like Lincoln.

JC asked if we have a timeline on when we expect final guidelines from DHCD. We need to plan in case they come back with maintaining the 750 units.

GT said that it may turn out that the HCA zoning may not be worth pursuing.

MO said that we should address the zoning to make south Lincoln better regardless of the HCA, which is why they should be separate issues.

PVM said that the town has done a lot with promoting affordable housing at 14% SHI, and the HCA has essentially said that we still need capacity for 30% growth. It is just the beginning of that discussion, but she agrees that we should focus these efforts on what is best for Lincoln and keep the HCA separate. The

final guidelines are expected to be out in the summer and the Town can decide at that point if it is worthwhile.

RD said that a lot of the area that would be rezoned is already developed so the net difference in actual housing production could be substantially less. It is not a net gain of 750 units.

PVM said can always apply for more technical help with zoning for the HCA if we go down that route.

GT said we should proceed on our own to rationalize zoning at the mall regardless of if the RLF goes forward with overlay approach.

Mr. Kuschel said it would be helpful for the committee members to review the current draft zoning and design guidelines and provide feedback. He also asked that the committee members look into developments in other communities that look good to them, and we could craft zoning and design standards around something that is already built to communicate what the vision is. He clarified that standards are obligatory and black and white whereas guidelines are advisory and subjective. He asked if all of that should be in the bylaw itself or separate.

MO said that everything should be in the bylaw to keep everything in compliance.

PVM said that a lot of it can be in the bylaw which would be clearer for applicant and the Board. Architecture can be more subjective especially since there is not an architectural review board. She asked how that can be dealt with.

Mr. Kuschel said they have seen design guidelines being included in the bylaw itself and just differentiate between those and the standards. This has been allowed by the attorney general and it helps with clarity and legitimacy of the guidelines.

GT asked Mr. Kuschel to provide some examples.

### **Business**

RD moved to approve the January 11, 2022 Minutes. GT seconded. Roll Call: GT aye, RD aye, KJC aye, MO aye.

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

Approved on March 4, 2022.