



Commonwealth of Massachusetts  
EXECUTIVE OFFICE OF HOUSING &  
LIVABLE COMMUNITIES

Maura T. Healey, Governor ◆ Kimberley Driscoll, Lieutenant Governor ◆ Edward M. Augustus Jr., Secretary

Via Email: [higginst@lincolntown.org](mailto:higginst@lincolntown.org)

February 28, 2025

Timothy Higgins, Town Administrator  
Town of Lincoln  
16 Lincoln Road  
Lincoln, MA 01773

**Re: Lincoln – Determination of Compliance with Section 3A of the Zoning Act (Section 3A)**

Dear Town Administrator Higgins:

Congratulations! The Executive Office of Housing and Livable Communities (EOHLC) has reviewed the district compliance application for the Town of Lincoln's multi-family zoning which is comprised of four subdistricts (District). After careful review and analysis, EOHLC has determined that Lincoln is **compliant** with Section 3A and 760 CMR 72.00 (the Regulations), as it finds that Lincoln meets, or exceeds, the requirements of Section 3A and the Regulations.

Please note that this Determination of Compliance by EOHLC qualifies Lincoln for the MBTA Communities Catalyst Fund which was announced by Governor Healey in [June](#). Learn more about the program at the web page [MBTA Communities Catalyst Fund](#) which has a link to the Notice of Funding Availability (NOFA). While housing production is not required, EOHLC is eager to hear about multi-family developments in your MBTA Communities District, please share permit activity with us at [EOHLC3A@mass.gov](mailto:EOHLC3A@mass.gov).

Lincoln is designated as a Commuter Rail Community with 2,771 existing housing units per the 2020 United States Decennial Census. The Town is required to have a district with a minimum land area of 42 acres, and a minimum multi-family unit capacity of 635 units. At least twenty percent (20%) of the District's minimum requirements must be met within ½ mile of transit stations.

EOHLC conducted a thorough review of the application, and made the following determinations:

1. The District comprises **64.5 acres**.
2. As of right multi-family unit capacity for the District is estimated at **648 units**.
3. The gross density of the District is estimated at **16.8 dwelling units per acre**.
4. At least **fifty percent (50%)** of the District is one contiguous land area.
5. **At least twenty percent (20%)** of the required District land area and estimated unit capacity is within transit station areas.

6. The multi-family housing allowed as of right in the District is suitable for families with children pursuant to Section 3A and Section 72.07 of the Regulations.
7. There are no dimensional zoning requirements not captured by the compliance model that are likely to substantially affect the District’s estimated multi-family unit capacity.
8. The inclusionary zoning applicable to the District requires that new developments of six or more dwelling units must set aside at least fifteen percent (15%) of new units as deed restricted affordable. In connection with Section 72.04(1)(b) of the Regulations, Lincoln submitted an Economic Feasibility Analysis. EOHLIC determined that the analysis demonstrates that a reasonable variety of multi-family housing types can be feasibly developed at the required affordability levels.
9. Twenty-five percent (25%) or less of the minimum unit capacity requirement is satisfied by a “Mandatory Mixed Use” area pursuant to Section 72.05(1)(c) of the Regulations.
10. Taken as a whole, the District meets the land area, multi-family unit capacity, gross density, and contiguity requirements of Section 3A and the Regulations.

The following table shows the **required** District minimums, the estimates **submitted** in the District application, and estimates as **determined** by EOHLIC following its review:

	<b>Required</b>	<b>Submitted</b>	<b>Determined</b>
Land area (acres)	42	64.5	64.5
Multi-family unit capacity (units)	635	648	648
Gross density (units per acre)	15	16.8	16.8
One 50% contiguous area	Yes	Yes	Yes

EOHLIC identified the following **additional factor** that could affect as of right multi-family housing development in the District:

- Developments in the District are subject to site plan review pursuant to Section 17 of Lincoln’s zoning bylaw. The standards set forth in the site plan review lean towards discretionary criteria which may affect the “as of right” approvals for development proposals in the District. We caution the town against applying site plan review criteria in a discretionary manner that is inconsistent with G.L. c.40A Sections 1A and 3A.

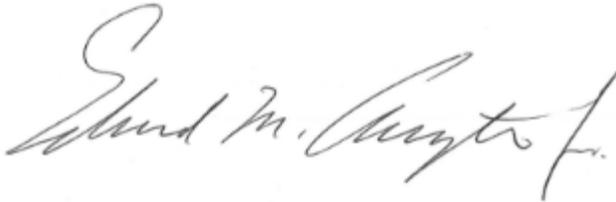
Please note that continued district compliance is **subject to** the following requirements:

- Municipalities must notify EOHLIC in writing of any proposed or active zoning amendment that affects the district, or of any other by-law, ordinance, rule, regulation, or municipal action that limits the development of multi-family housing in the District. This notification must be sent to [EOHLC3A@mass.gov](mailto:EOHLC3A@mass.gov) prior to any planning board public hearing on the proposed zoning amendment.
- EOHLIC may establish a system to monitor compliance over time to ensure that approved districts allow multi-family housing in accordance with the criteria under which they were approved.

- EOHLC may rescind a determination of district compliance or require changes to the District to remain in compliance as per Section 72.10 of the Regulations, or if it becomes aware of additional information not identified in this compliance review that would render the District noncompliant with Section 3A.
- Permitting conducted in connection with the additional factor listed above must not effectively reduce the estimated multi-family unit capacity of the District. If permitting processes such as site plan review effectively reduces the estimated multi-family unit capacity of the District, EOHLC may revisit Lincoln's compliance with Section 3A, and could require the Town to remedy any deficiency with amendments to its zoning.

If you have questions or need further assistance regarding this determination, please contact MBTA Communities Compliance Coordinator Nathan Carlucci, at [nathan.carlucci@mass.gov](mailto:nathan.carlucci@mass.gov).

Sincerely,

A handwritten signature in cursive script that reads "Edward M. Augustus, Jr." The signature is written in dark ink on a white background.

Edward M. Augustus, Jr.  
Secretary

cc: Senator Michael Barrett, [Mike.Barrett@masenate.gov](mailto:Mike.Barrett@masenate.gov)  
Representative Carmine Gentile, [Carmine.Gentile@mahouse.gov](mailto:Carmine.Gentile@mahouse.gov)  
Representative Alice Peisch, [Alice.Peisch@mahouse.gov](mailto:Alice.Peisch@mahouse.gov)  
Paula Vaughn-MacKenzie, Town of Lincoln, [vaughnp@lincolntown.org](mailto:vaughnp@lincolntown.org)