

Northside News



Trail in Minute Man National Historical Park

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Lincoln's Neighborhood Newsletter

June 17, 2017

MONDAY, JUNE 19th - SAVE THE DATE!

6 PM - MM Tech Site Walk - Meet in Parking Lot

**8 PM - Selectmen Consider Funding for Study to Move DPW
to North Lincoln - Meet at Town Offices**

What's Hot

DPW Headquarters May Be Moving to North Lincoln (See DPW below)

Minuteman Tech Gets Approval from Town Boards, Work to Begin This Week (See Minuteman Tech below)

McLean Hospital Project on Bypass Road - Litigation Proceeds Toward October Trial (See McLean Hospital below)

Solar Project at the Landfill Site Given Green Light by Town Meeting (See Solar Project below)

Plus....Handy Link to the Lincoln School Building Project

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DPW Headquarters May Be Moving to North Lincoln



A newly formed subcommittee of the Planning Board is putting top priority on exploring options for moving the Town's DPW facility from its present location at the end of Lewis Street in South Lincoln. The South Lincoln Planning Implementation Committee ("SLPIC") is requesting \$ 9800 from the Board of Selectmen for a study to be conducted by an outside consulting firm. In the most likely scenario, the facility would be moved to the transfer station parcel in North Lincoln.

The SLPIC has more than a dozen issues it wants to deal with for improving and expanding the South Lincoln business district. These include infrastructure, parking, zoning, wayfinding and signage, transportation (MBTA), public green spaces, branding, etc. These issues have been discussed by town committees for decades, and in response the core business area was dramatically upgraded when the Mall at Lincoln Station was redeveloped about 10 years ago. However, moving the DPW is a fundamentally different and divisive step for the town; one area will benefit and stakeholders in another area -- North Lincoln, Minute Man National Historical Park, and the state-designated Battle Road Scenic Byway -- will be burdened.

As of this writing, these stakeholders have not been invited into the process, and a review of the minutes of SLPIC meetings does not indicate how the request for consultant services was generated. There was no documented discussion of the request at any SLPIC meetings. The request was drafted by staff without SLPIC input, and the request designates a specific consulting firm that has agreed to a statement of work for slightly less than \$ 10,000, just under the threshold for required competitive bidding on municipal contracts. As we head into the slow summer vacation season, it is unclear why -- and by whom -- the study is being fast-tracked.

The SLPIC request for consultant funding will be discussed at the upcoming Board of Selectmen meeting at 8 PM on Monday, June 19th. Northside News will continue to monitor developments and we encourage all readers to stay informed and voice your opinions. Up to the minute news and comments can be posted on our facebook page, [lincolnnorthMA](https://www.facebook.com/lincolnnorthMA).

Minuteman Tech's School Project Gets Final Approval



New School Building, southeast view

Site Plan Approved by the Planning Board

The Planning Board has approved Minuteman Tech's site plan for a new school building near the corner of Route 2A and Mill Street. The decision paves the way for construction to begin on the 250,000 square foot facility that will accommodate 628 students at a total cost of approximately \$ 145 million.

The Planning Board hearing spanned 5 sessions between February 28th and May 16th. The length of the process was primarily a result of Minuteman's belated efforts to fill in details that were not fully specified when the application for site plan review was first submitted.

The Planning Board did not require any modifications to the proposed building. A significant point of contention between the school and the adjacent residential neighborhood was the proposal for an 81' high performance space to house a new "technical theater" program that would train up to 8 students per year in the skills required for staging theatrical productions and concerts. Although Lincoln's Zoning Bylaw limits building height to 36 feet, a majority of the Board agreed with Town Counsel that the school qualified under state law (the "Dover Amendment") for an exemption from this requirement. Planning Board member Lynn Delisi was persistently skeptical of the school's contention that the 81' height was essential to the school's educational mission, but she was narrowly outvoted on the issue by members Margaret Olson and Steve Gladstone. Member Rick Rundell was ineligible to vote due to a previous absence at one of the earlier sessions of the hearing, and Gary Taylor was absent for the vote after missing two previous sessions.

The Planning Board approval imposed several “special conditions” to control impacts on the Mill Street neighborhood. One condition requires perpetual maintenance of the vegetative screening on Minuteman Tech’s other properties on Mill Street; this screening is essential to mitigate the view of the large school building from Mill Street. Other special conditions limit light and noise intrusion on the adjacent neighborhood and provide for evaluation of these impacts for up to one year after completion of construction.

The school will be conducting a site walk for neighborhood residents on Monday, June 19 at 6 PM. The primary focus of the site walk will be a discussion of the proposed gated emergency access driveway on Mill Street. The school administration has pledged to include neighborhood input in design of the final layout to insure that there is no direct line of sight to the new building. Perhaps more importantly, the Planning Board’s Site Plan Approval requires that the driveway layout must be approved by the Planning Board prior to construction, and must have sufficient curvature to effectively mitigate the view of the school from Mill Street. During the Site Plan Review hearing, the school’s design team stated that the width of the driveway will be 10 feet. However, a surveyor working on the layout on June 15th said he was instructed to provide a cleared width of 25’. It is important for residents to attend the site walk on June 19th. Planning Board members and the Lincoln Building Commissioner are also welcome.

The evening of June 19th will be a busy one for the residents of North Lincoln. In addition to the Minuteman Tech meeting at 6 PM, at 8 PM the Board of Selectmen will consider a proposal to spend almost \$ 10,000 to study relocation of the DPW headquarters from Lewis Street in South Lincoln to, in all likelihood, the transfer station site in North Lincoln (see related discussions in the DPW and Solar articles in this edition of Northside News).

Emergency Access to Mill Street Moved to Protect Wetlands

On Wednesday evening, May 31, the Lincoln Conservation Commission gave final approval for the Minuteman High School project to proceed. It voted unanimously in favor of a substantial Order of Conditions which focuses on water management and impact to the surrounding landscape and wetlands. A copy of the Order is available to view at the Town Offices.

The new school will be located entirely within the borders of Lincoln on land located between Mill Street and Route 2A. It will occupy approximately 250,00 square feet and include a seven story tower-like structure to support the school’s new theatre program. (The inclusion of the tower represents a significant departure from the town’s by-law which provides for building height of no more than 36 feet.) Upon completion, the school will be both the largest and tallest structure in the town, exceeding the size of both the Hanscom and Lincoln Schools.

David Kaplan and Jamie O’Connell of the Cambridge Water Department attended the hearing and pressed the Commission to include Cambridge in inspections and to provide regular updates as the massive construction project proceeds. The Cambridge representatives seemed particularly concerned about the failure of the Commission’s Order to formally provide for unscheduled inspections by the city’s water department.

Of particular interest to North Lincoln residents, item #32 of the Order provides that the “Access path to Mill Street must be stabilized and restored with native plants under the direction of the Conservation Director.” This language refers to the path directly across from Oakdale Lane that the school illegally widened several months ago. The path is located within the wetlands zone; the

school's work in the area was done without notice to or permission from the Commission.

Residents who are interested in the details of the restoration are encouraged to reach out to Tom Gumbart, Lincoln's Director of Conservation, who will oversee the school's efforts and ensure future compliance with the town's wetlands regulations. Mr. Gumbart can be reached at: 781 259-2612 or gumbartt@lincolntown.org.

The chair of the Conservation Commission, Peter Von Mertens, emphasized the Commission's commitment to keeping neighbors and abutters "in the loop" during the three years that this project will take to complete. He offered to email to interested Lincoln neighbors copies of regular monthly reports the Commission expects to receive from the school and its general contractor. If you would like to receive these email updates contact Mr. Gumbart's office directly or email Maria Hylton at mhylton@bu.edu who will add your name to the list.

McLean Hospital



Residences at 16 and 22 Bypass Road

McLean Hospital continues to press its lawsuit against Lincoln. After McLean's attempt to put a psychotherapeutic inpatient facility in two adjacent residences on Bypass Road was blocked by the Lincoln Zoning Board of Appeals (the "ZBA"), McLean sued the town in Massachusetts Land Court. The ZBA decided in November that the facility was not primarily "educational" and that it therefore did not qualify under Massachusetts law (the "Dover Amendment") for an exemption from our local residential zoning. McLean is hoping that the Land Court will reverse the ZBA's decision and rule that their proposed use of the properties can go forward.

According to the Land Court docket, discovery is almost complete. A pretrial conference is scheduled for July 14th and the trial is tentatively scheduled for the first week in October. The case hinges on whether the court finds that the proposed program is "education" within the meaning of state law. McLean's difficulties were largely a result of its poorly researched, highly unusual - some might say reckless - purchase. It spent almost \$ 3 million on two residential properties without verifying that it could obtain the local permits necessary for its program. Typically, a purchase of this type would only occur subject to a "permit contingency" that would allow the buyer to back out of the deal if permits could

not be acquired. In this case, however, McLean had already purchased the properties when it discovered, months later, that permits would not be granted.

At this point, the key issue for residents in the neighborhood is whether they will be personally responsible for any future costs of the litigation. They hired their own lawyer last summer to help them present their case to the ZBA, and their expenditures have been substantial. They feel that the town should be responsible for all costs going forward. Residents in the neighborhood have been assured, through Town Administrator Tim Higgins, that the Board of Selectmen is fully committed to defending the ZBA's decision, and that the resources to do so are available. Similar commitments were voiced by the Selectman candidates who attended the North Lincoln candidates' forum last month. Two of those candidates are now seated on the three-member Board of Selectmen.

Solar Project at the Transfer Station



Proposed Solar Site on Capped Landfill (left); Nearby conservation trail (right)

Town Meeting voters have approved the removal of the conservation restriction on the capped landfill adjacent to the transfer station on Route 2A. This marks the beginning of a process that will likely result in 7 acres of photovoltaic panels at that location.

State law requires that a municipal conservation restriction may only be released if another new parcel of equal or greater conservation value is put into conservation. In this case, the compensating parcel is a portion of the former Wang estate on the south side of Route 2 near Tracey's corner. A new town recreation field will be built in that area.

Although solar installations are relatively benign uses of land, the Mill Street neighborhood has been concerned that the solar installation might be a catalyst for creation of a driveway connecting the site to Mill Street, a town-designated Scenic Road, and that potential expansion of municipal uses on the site in the future would need access onto Mill Street. To address this concern, Mill Street resident Bob Domnitz offered an amendment on the floor of town meeting which requested that the Town avoid, if possible, using Mill Street to access the solar facility. The amendment was adopted by near-unanimous vote. The present access to the site on Route 2A crosses land within Minute Man National Historical Park and is limited by the terms of an easement for use by the transfer station. Town

Administrator Tim Higgins reported earlier this week that discussions with the Park for expansion of that easement for the solar project are going well.

Lincoln School Building Project

Although the Lincoln School Building Project is outside our usual “24/7 Coverage of All Things Lincoln Northside,” we’re happy to provide this link for current information on the project: <http://lincnet.org/Page/97>

Editorial Board

Steve Durante, Bob Domnitz, Maria Hylton, Jane Herlacher

Northside News is a community based newsletter designed to foster communication and advocacy for the residents of North Lincoln.

Our goal is to keep everyone in the neighborhood informed about issues that uniquely affect our part of Lincoln. Please let us know if you would like to contribute articles or join us on the Editorial Board.

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