

Northside News



Ricci Field, 2015

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Lincoln's Neighborhood Newsletter

October 29, 2016

Welcome to the Inaugural Edition of Northside News!

Our goal is to keep everyone here in North Lincoln informed about the issues that uniquely affect our part of town. Please visit our facebook page <https://www.facebook.com/lincolnnorthma> or tweet @lincolnnorthma to let us know how we're doing. If you'd like to add an email address (either your's or a neighbor's) to our distribution list, please send an email with subject "subscribe" to info@lincolnnorth.org. And please let us know if you'd like to contribute articles or join our editorial board.

What's Hot

McLean Project on Bypass Road - Neighbors File Appeal, Feel Abandoned by Town Government, Next Meeting on November 3rd (See *McLean* below)

Minuteman Tech District Voters Approve New School Building in District-Wide Vote, But Belmont Bails (See *Minuteman Tech* below)

Runway Repaving Project to Increase Air Traffic Over North Lincoln (See *Hanscom Field* below)

McLean



The Bypass Road neighborhood has been in turmoil since McLean Hospital announced in mid-April that they had an agreement to purchase residences at 16 and 22 Bypass Road. The announcement described their intention to establish a “transitional living program providing psychoeducational support” for young men aged 15 -21 “struggling with mood disorders, anxiety and depression.” Patients would typically stay at the facility for 90 - 120 days. Their treatment would not be covered by medical insurance, and McLean would charge each patient approximately \$1000 per day out-of-pocket.

McLean hosted an information meeting for the neighborhood on May 18th. They stated that the facility would be locked for protection of the neighborhood and patients, and that patients would be continuously supervised with staff on duty at all times. Neighbors questioned whether the project was legally allowed within the town’s residential zoning district. They also voiced concerns about personal safety and the impact on property values from the incursion of a medical facility in their neighborhood. But McLean insists that the facility will be providing education, and that it therefore qualifies under Massachusetts law for an exemption from local zoning. Residents are contesting McLean’s assertion that this facility qualifies as “educational” under state law, and they have hired legal counsel.

Residents want to preserve the integrity of residential zoning, but they feel that they are getting little support from town government. At the May 18th neighborhood meeting, Town Administrator Tim Higgins stated that the town may be able to get “payments in lieu of taxes” from McLean, leading some residents to question whether the town would have a financial incentive to approve the project. Dan Walsh, the Lincoln Building Commissioner, has followed the advice of Lincoln’s Town Counsel and issued a determination that McLean’s project does qualify as an educational activity, and that it is therefore exempt from our local zoning. Walsh’s determination was appealed by the neighborhood, and our local Zoning Board of Appeals opened a public hearing on the appeal on September 29th. After several hours of presentations and debate, the hearing was continued to October 20th. Both evenings featured extensive discussion between the Board and the attorneys, along with many comments from nearby residents who were opposed to the project and one resident who lives on the other side of town and is in favor of the project. No decision has been rendered and the hearing has been further continued to 7:30 PM on November 3rd. The decision of the ZBA will almost certainly be appealed to state court by whichever party is unhappy with the result.

Our Editorial View

This case has enormous importance to North Lincoln, our entire town, and potentially every other town in the Commonwealth. McLean is trying to place a psychiatric treatment facility in the middle of a residential neighborhood by claiming that it is an educational facility and therefore exempt from local zoning. It is likely that the courts will ultimately decide the outcome. If McLean prevails, it will encourage similar projects elsewhere in Lincoln and throughout the state. Institutions will be able to locate at will wherever they can get relatively inexpensive real estate, without regard to zoning or neighborhoods.

Residents may reasonably ask why our town government (up to this point) has sided with McLean. Perhaps it's because....

-- It Will Increase Town Revenue

At the neighborhood meeting on May 18th, Town Administrator Tim Higgins stated that the town may be able to get voluntary payments-in-lieu-of-taxes from (non-profit) McLean, and McLean's attorney stated that McLean would likely consent. The town benefits financially whenever we get revenue without adding children to our school system. But this would be, in effect, a commercial rezoning in the midst of a residential zoning district. It shortchanges residents who rely on zoning to preserve our neighborhoods.

-- Defending our Residential Zoning would be Difficult, Expensive, and Probably Unsuccessful

When a proposal conflicts with our established patterns of land use, zoning allows us to say "no." The town has an obligation to support our zoning. Although litigation is expensive, this case is virtually certain to reach state court. The town will be a party to the litigation, regardless which side it takes. So why should our taxes be spent to help McLean?

-- This Project Serves an Important Need

Zoning allows us to decide where certain types of land use are allowed. This project is attempting to use a questionable educational exemption to dodge our zoning restrictions. If Lincoln's residents believe that projects like this serve an important societal need, wouldn't it make more sense for us to decide where in town we would like to see them locate, and then propose a zoning amendment that explicitly allows them in those areas?

Minuteman Tech



Minuteman Construction Project to Begin Spring 2017

Following a vote of citizens in all Minuteman school district member towns (including Lincoln) on September 20, Minuteman Technical High School has secured the support necessary to move forward with plans to build a new, \$145 million school on land it owns in northeast Lincoln. The unusual vote was required after the Town of Belmont soundly defeated the proposed new school, forcing Minuteman to hold a district wide ballot.

The new school is expected to accommodate 628 students and the Massachusetts School Building Authority (MSBA) has promised to contribute \$46.4 million toward the cost.

Only four towns, including Sudbury (55% opposed), Carlisle (54% opposed), Wayland (52% opposed) and Belmont (72% opposed) voted against the project. All of the remaining towns including Lincoln voted in favor. Six towns, including Lincoln, are slated to withdraw from the district in 2017. And just last week, Belmont belatedly voted to withdraw. However, because they did not take advantage of the withdrawal “window” last winter, they now need unanimous approval to withdraw from the other member towns.

The September 20 vote was the culmination of months of debate about the merits of the building project. Ford Spaulding, the Dover representative to the Minuteman School Committee and chair of the School Building Committee, is an enthusiastic supporter of the new school. He was quoted after the vote “this is going to make Minuteman the number one school in the Commonwealth and the country.” He and other supporters celebrated at an event in Burlington following publication of the results.

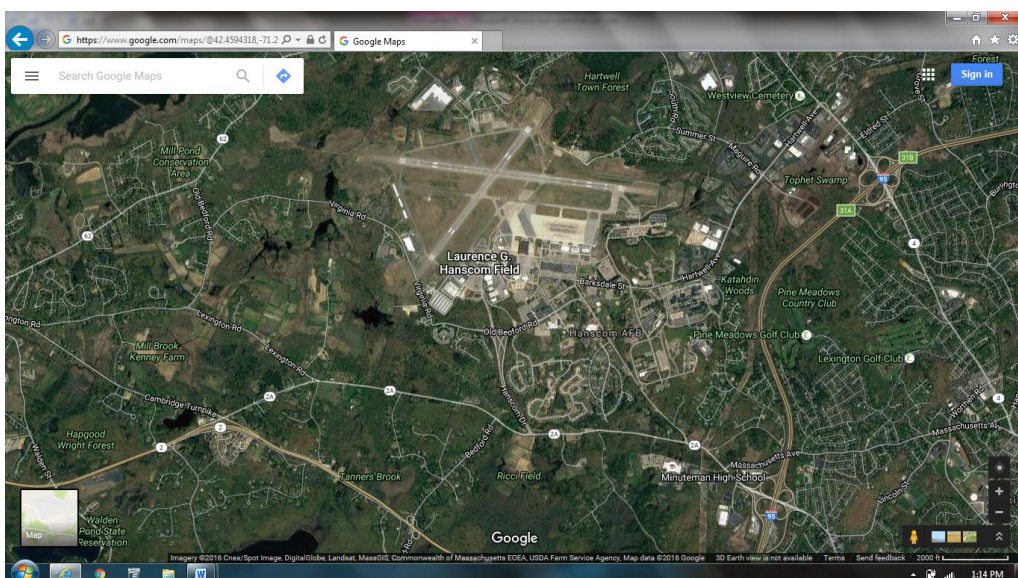
Not everyone was optimistic. Mark Paolillo, chair of the Belmont Board of Selectmen expressed considerably less enthusiasm for the outcome. “I think voters in Belmont understand this project is flawed” he asserted. Significant questions remain about the potentially negative effects on nearby Lincoln property owners, including Minuteman National Park. Although the details of the new building have not been finalized, schematic plans show a 70 foot high structure that will

loom over Mill Street and probably be visible from many vantage points in Lincoln. The school administration has stated that they won't seek driveway access to Mill Street for the new project, but they have recently backed away from other commitments so residents are uncertain about the future. For example, the administration previously stated they would abide by Lincoln zoning and would not seek zoning exemptions that are available to them under state law. But more recently School Superintendent Ed Bouquillon stated that the school would abide by Lincoln zoning when it is "reasonable." Similarly, the administration previously stated that they would lean towards recreational use of the portion of their land where the existing building now sits. But they have recently been reported to be interested in a public/private partnership involving commercial development of that area.

Lincoln residents who are interested in following the progress of the project will find information and updates on the Minuteman School's website. Of particular interest is a document entitled "The Minuteman Building Project At A Glance A New High School: Building a Competitive Advantage for Future Generations" which appears to have been authored by school superintendent Edward A. Bouquillon on August 25, 2016. The document provides information about the project in Q & A format. While the document does not provide much information about the new building itself, it does explain the mechanics of the district wide vote, the effect of the departure of six member towns, and it attempts to make the case for a new facility.

Minuteman is expected to appear before the Lincoln Planning Board sometime before ground is broken in the spring to discuss the details of the new building. No information is currently available about the date of this hearing. As Minuteman is an educational institution, Lincoln's Planning Board will have limited ability to review the project subject to the restraints imposed by the Dover Amendment (Massachusetts General Laws, c.40A, s3).

Hanscom Field



We'll be covering developments at Hanscom Field as a regular feature of our newsletter. The monthly meetings of the Hanscom Field Advisory Commission (HFAC) help inform us about any potential changes to operations and land use by Massport and the Air Force. HFAC is composed of representatives

from the towns surrounding Hanscom and the aviation community. Periodic updates will be provided by our town representative to HFAC, North Lincoln resident Chris Eliot (cre@chriseliot.com). Chris reports that the number of flights in and out of the airport is down slightly from last year, and a noise index compiled by Massport is also down slightly. However, next year may see a significant (but temporary) increase in flights over Lincoln because the main runway -- which aligns with Lexington and Concord -- will be resurfaced, causing a diversion of traffic onto the shorter secondary runway that aligns with Lincoln and Bedford. Finally, please put this phone number on your refrigerator: 781-869-8050. This is the Hanscom Field noise complaint line. Feel free to call this number whenever you'd like to register a complaint with Massport. They will attempt to correlate your report with their record of airport activities, and they will provide you with a report about the incident. They tabulate the number of complaints they receive each month and report the total to HFAC, so it's an important way for the community to let HFAC representatives know about conditions in the neighborhood.

Editorial Board

Steve Durante, Bob Domnitz, Maria Hylton, Jane Herlacher

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