

# Northside News



"I'm bullish on Lincoln Northside."

A resident of the Noah Brooks Tavern, Minute Man National Historical Park ©Linda Genovese

## *Lincoln's Neighborhood Newsletter*

*March 21, 2017*

### What's Hot

**SAVE THE DATES! - SAVE THE DATES!**

**Town Meeting, Saturday, 9:30 AM, Donaldson Auditorium**

**Town Election, Monday, 7:30 AM - 8 PM, Smith Gym**

**Selectman Candidates Brave Snow, Cross Route 2 for Candidates' Forum in North Lincoln** *(See Candidates' Forum below)*

**Minuteman Tech Begins Quest for Site Plan Approval from Planning Board, Hosts Site Walk, Alters Wetland** *(See Minuteman Tech below)*

**McLean Hospital Project on Bypass Road - Litigation Enters Discovery Phase** *(See McLean Hospital below)*

**Solar Project at the Landfill Site up for Debate Under Article 36 at Saturday's Town Meeting** *(See Solar Project below)*

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## **Northside News Hosts Selectman Candidates' Forum**



Selectman Candidates Jonathan Dwyer, Jennifer Glass, and Allen Vander Meulen

On Sunday, February 12, 2017 the three candidates for Selectmen—Jonathan Dwyer, Jennifer Glass and Allen Vander Meulen—gathered at the Lincoln North office building to introduce themselves to voters and to answer questions about their vision for Lincoln.

Snow did not deter the crowd of about 30 North Lincoln residents. They peppered the candidates with questions about the ongoing litigation between McLean Hospital and the Town over the proposed use of two properties on Bypass Road for psychotherapeutic treatment of adolescent males (See McLean Hospital below for background on the litigation). The candidates were asked about a perceived lack of support from town officials for the neighborhood surrounding the McLean site and about who should bear the costs of the litigation going forward. All three candidates expressed a desire to see situations like the McLean project handled differently in the future. In addition, the candidates agreed that the town should cover the costs of defending the Zoning Board of Appeals decision going forward.

Several attendees asked about the new Minuteman Tech High School that will be built on land the school owns in Lincoln near the intersection of Route 2A and Mill Street. Several residents of the Mill Street neighborhood pressed the candidates about the height of the new school—the proposed project includes an 81 foot high section for training students in a new “Multimedia Arts” program. With approximately 250,000 square feet, the structure will be by far the largest and tallest building in Lincoln.

None of the three candidates offered an opinion about the new high school given that its approval is pending before the town’s Planning Board. Lincoln is no longer a member of the high school’s regional district which has also complicated its relationship with the school.

Northside News is grateful to Larry Smith, owner of the Lincoln North office building, for graciously allowing us to use the cafeteria for this important community event.

## Minuteman Tech



Left panel: Site Plan for new high school. Mill Street is at the lower left.

Right Panel: Some of the participants who met for the site walk on March 4<sup>th</sup>.

On Tuesday, February 28, 2017 the Lincoln Planning Board opened the public hearing for Site Plan Review of Minuteman Tech’s proposal to build a new 250,000 square foot school in North Lincoln. The proposed building will accommodate 628 students and will be sited at the western edge of Minuteman’s property, near the corner of Route 2A and Mill Street. The cost of the project is estimated at approximately \$ 145 million, with \$ 45 million coming from the Massachusetts School Building Authority, and the balance of \$ 100 million coming from member towns and a per-pupil capital cost assessed against non-member towns that send students to Minuteman.

With two Planning Board members - Gary Taylor and chair Margaret Olson - absent from the meeting, the Board listened to a presentation by the school’s project manager, Skanska USA, and members of the design and construction team. The Board and neighbors posed questions about lighting, night time activities at the school, parking, wetlands protection, noise levels and screening. A particular concern was the height of the “fly loft,” an 81’ high section of the building which the school says it needs for a new academic program in Multimedia Arts. The height of this part of the building far exceeds what is allowable under Lincoln’s zoning bylaw, and the school is seeking an exemption from our local zoning under a Massachusetts statute that limits local regulatory authority over public schools (the “Dover Amendment”). When completed, the building will be the largest and tallest building in Lincoln.

Following the Planning Board meeting, Board members and neighbors met at the proposed site with Minuteman’s project team on the morning of Saturday, March 4<sup>th</sup>. Frigid temperature limited the length of the visit, but most participants were hardy enough to walk the entire perimeter of the proposed building. The site will require blasting and clearing of approximately 10 acres of forest. The visual impact on Mill Street, which was designated by the Town in 1986 as a “Scenic Road,” will be significant. At its closest approach to Mill Street, the proposed building will be approximately 400’ from the pavement, but screened by only approximately 100’ of mature forest with relatively little foliage below the tree canopy which begins 40’ - 50’ above ground level. In addition, several of the houses on Mill Street are likely to have unobstructed views of the new building unless additional mature screening is provided.



The Planning Board hearing has been continued to March 28<sup>th</sup>, after inclement weather forced cancellation of the March 14<sup>th</sup> session. Please consult the town website for schedule details.

Meanwhile, the Conservation Commission met on March 8<sup>th</sup> to consider the project's wetlands constraints, along with the school's recent wetlands incursion that involved widening of the footpath that connects the school campus with Mill Street. Although the police chief has advised that the path ought to be improved for emergency vehicles, there was no need - and no permit - for the work to be done now. Mill Street resident Paul Lewis is concerned that his property, adjacent to the wetlands, will likely experience flooding if Minuteman acts without proper permits and precautions.

The Conservation Commission will continue its discussion on March 29<sup>th</sup>. Please consult the town website for schedule details.

## **McLean Hospital**



Residences at 16 and 22 Bypass Road

It's now in the hands of the lawyers. After McLean Hospital'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 property can go forward.

The litigation is now entering the pre-trial discovery phase in which each side can ask written questions, request documents, and take depositions. It is likely that experts will be brought in for opinions about whether the proposed program should be considered educational. The discovery process will consume several months and is scheduled to conclude on May 31<sup>st</sup>. This will be followed by a telephone status conference with the attorneys scheduled for June 15<sup>th</sup>.

Residents in the Bypass Road/Brooks Road/Smith Hill Road neighborhood banded together last May to learn about, and ultimately oppose, the project. They hired an attorney to represent them as McLean attempted to get permits from the Town. Now that the ZBA has determined that the project does not qualify for a zoning exemption, much of the burden of the litigation will shift from the neighborhood's attorney to the Town's attorney. 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 will be filling slots on the Board of Selectmen after the Town election on March 27<sup>th</sup>.

## **Solar Project at the Transfer Station**



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

The capped landfill adjacent to the town Transfer Station may soon be covered with acres of solar panels. This year's annual Town Meeting will be asked under Article 36 to approve the project and release the conservation restriction that currently restricts re-use of the land. The Town Meeting vote will be a milestone in the multi-year effort to enhance Lincoln's status as a "Green Community" by offsetting with a renewable source approximately 50% of the Town's municipal demand for electricity.

Although it's not clear from the Town Meeting warrant that we've received in the mail, the solar project is indirectly dependent on passage of Article 11. The conservation restriction on the landfill site can only be released if the town can offset the loss of conserved land with newly conserved land of equal value. Purchase under Article 11 of the Wang family land on the south side of Route 2 near Tracey's corner, and placement of a portion of that land under conservation restriction, will offset the loss of the conservation restriction on the landfill parcel. Town meeting is being asked to fund the purchase with an appropriation of \$1.8 million, of which \$1.3 million will be bonded.

According to John Snell, a member of the Town's Solar Photovoltaic Working Group, the present plan is to enter into an agreement with a solar company that will install, operate, and maintain the system at no cost to the Town. The Town will benefit by purchasing electricity from the provider under a power purchase agreement at a contract price that will likely be at or less expensive than the price charged by our present supplier, Eversource. Tax credits and incentives are claimed by the solar company and do not directly benefit the Town but do figure into the pricing of the power purchase agreement. Massachusetts is currently formulating new incentives to replace older programs that have expired, so it is not known at this time how large the Town's savings, if any, will be.

If Town Meeting approves the project, there are additional approvals that must be obtained. The Massachusetts legislature must approve removal of the

conservation restriction and Eversource must approve connection of the system to the electric grid. In addition, the Town will coordinate neighborhood-specific details with Minute Man National Historical Park and other landfill abutters through the Planning Board's site plan review process.

More detail about this project can be found on the town website at [www.lincolntown.org](http://www.lincolntown.org). The Annual Town Meeting is scheduled for Saturday, March 25<sup>th</sup>, in the auditorium at the Lincoln School campus.

## **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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