

TOWN OF LINCOLN
MINUTES OF THE PLANNING BOARD
MARCH 12, 2019
TOWN OFFICES

Present: Margaret Olson (Chair), Lynn DeLisi (Vice-Chair), Richard Rundell, Stephen Gladstone, Gary Taylor

Staff: Paula Vaughn-MacKenzie

7:00 PM Site Plan Review, Section 17, Wheelock, Millstone Lane, Parcels 170 15-0 and 170-16-0. Site plan review of tear down of existing barn and construction of new barn, paddocks, and manure dumpster.

MO opened the public hearing.

Andronica Wheelock and the architect for the project, James McPhee appeared before the Board.

The Project: The Wheelocks own several contiguous lots on Millstone Lane including Lots 3A, 4A, 5, and 6. The applicant was previously before the Board in July of 2017 for site plan review for the construction of a new house on Lot 3A. They now wish to demolish an existing barn and construct a new barn and two paddocks on Lot 6. They would also like to also put a manure dumpster on Lot 4A. Because the original site plan review only included lot 3A, the house lot, this application will be considered a new site plan review application instead of a modification of an existing site plan. A certified abutters list was submitted to the Planning office and a public hearing notice was mailed to all abutters on 2/20/2019.

Site Plan: The applicant submitted a site plan prepared by Snelling & Hamel dated February 13, 2019 showing the contiguous lots in common ownership, Lots 3A (house lot), 4A ((lot with proposed manure dumpster), 5, and 6 (barn lot). The site plan also shows an enlarged plan of Lot 6, which includes the proposed barn, paddock fencing and setbacks. The site plan also shows the proposed location of the manure dumpster on Lot 4A.

Because this site plan shows all the lots owned by the Wheelocks, any future changes to any of the lots while retained in common ownership will be a modification of the approved site plan.

The Barn Lot

Zoning Requirements: The Board noted that since all the lots are contiguous, the proposed barn can be considered an accessory structure subject to the setbacks required for an accessory

structure. Town Counsel has concurred with this interpretation after reviewing the proposal and the Zoning Bylaw. The Zoning Bylaw defines a Lot as:

Lot: The whole area of a parcel of land or contiguous parcels of land in common ownership. Each separate and distinct parcel of land is shown on a plan recorded or registered at the Middlesex South Registry of Deeds or Registry District of the Land Court, shall be considered a lot for the purposes of this Bylaw. The term "lot" shall also include the following:

1. any such whole area which is shown as one lot on any plot plan accompanying an application for a building permit, or;
2. any such whole area which is necessary to render any structure or use conforming in accordance with this Bylaw or legal and non-conforming in accordance with Section 4.5.

Setbacks: Since the new barn will be considered an accessory structure, the setbacks for the barn are required to be 20 feet from a side lot line or the height of the barn if greater than 20 feet and 50 feet from the front lot line. The maximum height allowed under the Bylaw is 36 feet.

The closest side setback is shown on the site plan as 31.3' to the overhang of the barn. The front setback is 173.2'.

Grading: The lot is relatively flat and existing grades around the new barn will be unchanged except as necessary to create transitions at the new door openings for the horses.

Height: The proposed height of the barn is 24 feet to the ventilator and 29' - 11" to the top of the ventilator. The height has been measured from the lowest exposed point. Under the zoning bylaw, a ventilator is not included in the calculation of the height of a structure but even with the ventilator (working cupola) the height of the barn complies with the Zoning Bylaw.

Drainage: The applicant submitted a letter from Sara E. Campbell, PE stating that in her opinion, there will be no measurable change in stormwater runoff and any slight increase in storm water runoff due to the increased roof area is mitigated by its distance from any property boundary and flat slopes across the property that increase Time of Concentration and dissipating the runoff.

Lighting: The applicant proposed two lighting fixtures:

- recessed lights: five recessed lights under the overhang. These recessed lights will be 835 lumens and 3000K color temp.
- barn lights: 2 full cut off barn lights, one at the loft door and one on the opposite side. The barn lights have 800 lumens and 2700K color temp.

Fencing: The applicant proposed two paddock areas as indicated on the site plan. Materials will be traditional wood post and rail between 4 and 5 feet high. A photo of a typical post and rail fence was submitted.

Utilities: Water service for watering and washing the horses will come from a new well serving the nearby Gray Barn on Lot3A.

The existing barn has its own 100A electrical service which will be reused and extended to the new barn.

No bathrooms are planned for the new barn. A Title V residential septic system is not required for the small amount of gray water generated by the use. The current proposal is to use a drywell to manage the small amount of gray water produced by a utility sink and wash stall. Approval of the drywell plan is pending with the Board of Health.

Conservation Restriction: The entire Lot 6 is subject to a Conservation Restriction given to the LLCT. This restriction allows the replacement of the existing pony barn with a new barn “to be located within the “Building Area” shown on the Sketch Plan ... with a footprint no greater than 1,200 square feet and with a height not to exceed 30 feet. Such new structure shall be permitted only with the approval of the Grantee.”

The applicant submitted a letter dated February 14, 2019 from Geoff McGean, Executive Director of the LLCT, approving the new barn, including the size, height, and location.

Historic: The Historic Commission determined that the existing barn is not historically or architecturally significant. The applicant submitted this determination dated 12/4/2018.

Conservation: There are no wetlands on the barn lot and Tom Gumbart issued a letter stating that no permitting is required.

The Manure Dumpster

The applicant’s site plan showed a manure dumpster on Lot 4A adjacent to the existing wood storage. The applicant stated that the manure will be stored in a specially lined dumpster and will be emptied on a schedule and taken offsite. The setbacks for the proposed dumpster are all greater than 50 feet. The dumpster will be 121 feet from the new well and approximately 214’ from the nearest abutter’s lot line. The dumpster will be approximately 56’ from the nearest 100’ wetland buffer zone.

Conservation: The applicant submitted a memo from Tom Gumbart, Director of Conservation dated January 30, 2019 stating that the manure dumpster is outside the wetland and buffer zone resource areas and therefore no Conservation Commission review is necessary.

Screening: The applicant contends that no screening of the dumpster is needed as it is located out of sight from the public roadway and any neighbor’s view.

The Board had no objections to the plan but noted that the approval should be subject to the applicant receiving approval from the Board of Health regarding the drywell system for the gray water at the barn.

There was no public comment.

SG made a motion to close the public hearing. GT Seconded. Passed 5-0.

SG made a motion to approve the project as detailed in the submitted plans subject to the Board of Health approving the gray water system for the barn. RR Seconded. Passed 5-0.

7:30 PM Business

- Discussion of presentations at Town Meeting

The Board decided that GT would present the proposed amendment to the Solar Bylaw and MO would present the proposed amendment to Section 4.1(c).

The Board noted that there were other categories of lots that may have become “non-compliant” due to a taking. There may be properties on Route 2 that were previously conforming lots that became non-compliant due to the taking for Route 2. This category of lots was not considered in the current proposal. The Board noted that an amendment to address these lots would be in a different section of the Bylaw than the current proposal and can be considered at a future Town Meeting. The Board thought that more research and public discussion would be needed to bring such a proposal to Town Meeting.

- Review of Meeting Minutes, February 26, 2019

GT made a motion to approve the February 26, 2019 minutes. SG Seconded. Passed 5-0.

RR made a motion to adjourn, SG Seconded. Passed 5-0.

Approved as amended April 2, 2019