



# TOWN OF LINCOLN

## MIDDLESEX COUNTY MASSACHUSETTS

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Timothy S. Higgins  
Town Administrator

LINCOLN TOWN OFFICES  
16 Lincoln Road,  
Lincoln, MA 01773  
Phone: 781-259-2601  
E-mail: [higginst@lincolntown.org](mailto:higginst@lincolntown.org)  
[www.lincolntown.org](http://www.lincolntown.org)

July 13, 2023

Emily Webb  
Chief of Staff & Administrative Officer  
Massachusetts Department of Energy Resources  
100 Cambridge Street – Suite 1120  
Boston, MA 02114

**Re: Municipal Fossil Fuel Free Building Demonstration Program.**

Dear Ms. Webb:

In August of last year, we wrote to you confirming the Town of Lincoln's interest in participating in the demonstration program authorized by Section 84 of Chapter 179 of the Acts of 2022. We are writing now to submit our application for participation. We are pleased to inform you that on March 25, 2023, Town Meeting voted to adopt both the Specialized Energy Code pursuant to the Massachusetts State Building Code, and 780 CMR, and a new general bylaw entitled "Fossil Fuel-Free Demonstration" for the purpose of restricting and prohibiting new building construction and major renovation projects that are not fossil fuel-free, pursuant to the entirety of 225 CMR 24.

In support of our application for participation in the demonstration project and in accordance with the requirements set forth in 225 CMR 24, we enclose the following:


1. Home Rule Petition (Attachment 1) – A certified copy of the Home Rule Petition titled, "An Act Authorizing the Town of Lincoln to Adopt and Enforce Local Regulations Restricting New Fossil Fuel Infrastructure in Certain Construction" approved by Town Meeting on March 26, 2022, and submitted to the legislature on April 12, 2022.
2. General Bylaw (Attachment 2) – A certified copy of Article XI, Section 17.2 of the General Bylaws titled "Fossil Fuel Free Demonstration" adopted by Town Meeting vote March 25, 2023.
3. General Bylaw (Attachment 3) – A certified copy of Article XI, Section 17.1 of the General Bylaws titled "Specialized Energy code" adopted by Town Meeting vote March 25, 2023.
4. Town Meeting Warrant (Attachment 4) – A certified copy of the Town Meeting Warrant evidencing that the meeting was properly called.

5. Implementation Plan (Attachment 5) – Lincoln’s Implementation Plan including:
  - a. Effective Dates of the Bylaw.
  - b. Commitment to collaborate with DOER on data collection, reporting, and outreach training.
  - c. Description of current process for storing building permit data and certificates of occupancy.
  - d. Description of how the local bylaw will affect the use of fossil fuels for commercial and industrial Process Load in buildings.
  - e. Description of exemption or waiver process, if any.
6. Chapter 40B compliance (Attachment 6) – A copy of the Department of Housing and Community Development, Chapter 40B Subsidized Housing Inventory (SHI) as of December 21, 2020, showing the Town of Lincoln’s SHI at 14%, confirming compliance with the demonstration program eligibility criteria set forth in 24.05(1)(c).

We are grateful for the opportunity to participate in the demonstration project which we believe will result in a model for other communities across the Commonwealth, and increased resolve for meeting the Commonwealth’s greenhouse gas emission reduction targets. We eagerly await your review and comments in response to our new bylaw, and confirmation of next steps.

Sincerely,

For the Select Board

  
Timothy S. Higgins  
Town Administrator

Encls (3)

CC: Lincoln Select Board  
Lincoln Green Energy Committee  
Lincoln Planning Board  
Paula Vaughn MacKenzie, Director of Planning & Land Use  
State Senator Michael Barrett  
State Representative Carmine Gentile  
State Representation Alice Peisch

Attachment 1

**TOWN OF LINCOLN**  
MIDDLESEX COUNTY MASSACHUSETTS

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Timothy S. Higgins  
Town Administrator

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16 Lincoln Road,  
Lincoln, MA 01773  
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[www.lincolntown.org](http://www.lincolntown.org)

April 12, 2022

Senator Mike Barrett  
State House  
Room 416  
Boston, MA 02133-1054

**Re: Home Rule Petition  
Authority to Regulate Fossil Fuel Infrastructure**

Dear Senator Barrett:

Pursuant to the March 26, 2022, vote of our Town Meeting under Article 31, we respectfully request that you file the enclosed home rule petition, titled "Home Rule Petition – To Regulate Fossil Fuel Infrastructure," with the General Court.

Modeled after similar votes that have been taken by the Towns of Concord, Acton, Arlington, and Brookline, our petition seeks legislative authorization to craft a local bylaw that would, subject to approval by a future Town Meeting and by the Attorney General, restrict construction projects that do not qualify as fossil fuel-free.

As you know, Lincoln is committed to doing its part to meet the State's carbon reduction targets for 2030 and 2050 and recognizes that it will be impossible to do so absent a significant change in the codes and regulations that govern the built environment. We urge continued work on creating a state-wide code that will be in alignment with our shared goals. In the meantime, our community seeks the authority to develop the tools required to take significant action now.

In support of our petition, enclosed you will find certified copies of the Town Meeting Warrant, the actual vote of Town Meeting, the Select Board's vote to submit our home rule petition, and the original petition signed by registered voters. We will of course provide whatever additional documentation the Legislature may require.

We are grateful for the leadership role you played to help ensure the passage of last year's landmark climate legislation, and for your continued advocacy for so many issues that are important to our community.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Timothy S. Higgins", with a stylized flourish at the end.

Timothy S. Higgins  
Town Administrator

CC:

Representative Thomas Stanley  
Lincoln Green Energy Committee  
Lincoln Director of Planning & Land Use

Encls:

1. Annual Town Meeting Warrant
2. Certified Town Meeting Vote
3. Certified Vote of the Select Board
4. Certified Citizen Petition

# TOWN OF LINCOLN

LINCOLN TOWN OFFICES  
16 Lincoln Road  
LINCOLN, MA 01773  
Phone (781) 259-2601  
Selectmen@lincolntown.org



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## SELECT BOARD

Jennifer Glass, Chair  
Jonathan Dwyer  
Jim Hutchinson

### Vote of the Lincoln Select Board

In the matter of: the March 26, 2022 vote of Lincoln's Annual Town Meeting under Article # 31, directing the Select Board to submit special legislation to provide the authority for the Town to craft a local bylaw to restrict construction projects that do not qualify as fossil fuel-free.

At a duly called meeting of the Lincoln Select Board convened on April 11, 2022, and conducted remotely in accordance with the Governor Baker's March 12, 2020, Order and other subsequent orders Suspending Certain Provisions of the Open Meeting Law (G.L. c.30A, s. 18), with the full Board in attendance and voting, the matter of submitting the above referenced petition to the General court was discussed and acted upon in the following manner:

Moved by Select Board member Hutchinson:


That the Board call upon Senator Barrett to submit to the General Court on the Town's behalf, the petition adopted under Article #31 of the 2022 Annual Town Meeting Warrant and Motion, seeking legislative authority to develop a local bylaw that would restrict construction projects that do not qualify as fossil fuel-free.

The motion was seconded by Select Board member Dwyer.

Following brief discussion confirming the Board and Town's strong support for the petition, as evidenced by the overwhelming Town Meeting vote in support of Article #31, the motion before the Board was approved by unanimous roll call vote.

The Special Act associated with Article #31 will take the precise form of the motion approved by Town Meeting, a certified copy of which is attached hereto – subject to any editorial changes of form that may be suggested by the Legislature.

A true copy, Attest:

  
Valerie Fox  
Town Clerk



**TOWN OF LINCOLN**

LINCOLN TOWN HALL  
16 LINCOLN ROAD  
LINCOLN, MA 01773  
Office: 781-259-2607  
Fax: 781-259-8735  
Email: [foxv@lincolntown.org](mailto:foxv@lincolntown.org)



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**TOWN CLERK**  
Valerie Fox

**Town Clerk's Certificate**

**March 31, 2022**

I, Valerie Fox, Clerk of the Town of Lincoln, Massachusetts, hereby certify that at the Annual Town Meeting held on March 26, 2022, the following motion was adopted under **Article 31**.

**ARTICLE 31 Proposed by Citizens' Petition**  
**Voted: Majority**

That the Town vote to authorize the Select Board to petition the Massachusetts General court to enact legislation substantially in the form below, and further to authorize the Select Board to approve amendments to said legislation before its enactment by the General Court that are within the scope of this motion:

**HOME RULE PETITION**  
**TO REGULATE FOSSIL FUEL INFRASTRUCTURE**

To determine whether the Town will vote to authorize the Select Board to file a home rule petition asking the Massachusetts General court to enact legislation substantially in the form below, and further to authorize the Select Board to approve amendments to said legislation before its enactment by the General Court that are within the scope of this motion, to allow the Town of Lincoln to enact and amend through Town Meeting processes new by-laws regulating fossil fuel construction in new construction and/or major renovation and rehabilitation projects in Lincoln, for the purposes of reducing greenhouse gas emissions and encouraging renewable energy production and use.

**AN ACT AUTHORIZING THE TOWN OF LINCOLN**  
**TO ADOPT AND ENFORCE LOCAL REGULATIONS RESTRICTING**  
**NEW FOSSIL FUEL INFRASTRUCTURE IN CERTAIN CONSTRUCTION**

**SECTION 1.** Notwithstanding chapter 40A, section 3 of the General Laws, section 13 of chapter 142 of the General Laws, the State Building Code, the Fuel and Gas Code, or any other general or special law or regulation to the contrary, the town of

Lincoln is hereby authorized to adopt and further amend general or zoning by-laws that restrict construction projects that do not qualify as fossil-fuel-free, as defined in section 3 of this act.

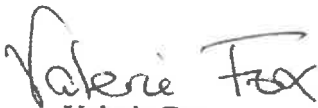
**SECTION 2.** Notwithstanding section 7 of chapter 40A of the General Laws, or any other general or special law or regulation to the contrary, the Building Inspector of the town of Lincoln, or any designee thereof, shall be authorized to enforce the general or zoning by-laws referenced in Section 1 of this act, including through the withholding of building permits.

**SECTION 3.** As used in this act, the term "fossil-fuel-free" shall mean new building construction or major renovation that results in an entire building or an entire condominium unit that does not utilize coal, oil, natural gas, other fuel hydrocarbons (including synthetic equivalents), or other fossil fuels in support of its operation (including for heating or cooking) after construction, except to fuel backup electrical generators and other exceptions that the town may choose to include in its by-laws.

**SECTION 4.** This act shall take effect upon its passage. Any bylaw previously approved by the Lincoln Town Meeting consistent with Sections 1 through 3 of this act is hereby ratified.

**SECTION 5.** If any provision or section of this act is invalidated, the remainder shall survive in full force and effect.

A true copy, Attest:

  
Valerie Fox  
Town Clerk



Donaldson Auditorium  
TOWN OF LINCOLN, MASSACHUSETTS

**ANNUAL TOWN MEETING**  
**Saturday, March 26, 2022, at 9:30 a.m.**  
**2022 WARRANT**



TOWN OF LINCOLN

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

To either of the Constables of the Town of Lincoln in said County:

GREETINGS:

In the name of the Commonwealth you are hereby required to notify the legal voters of said Town of Lincoln qualified to vote at Town Meeting for the transaction of Town Affairs to meet for the **Annual Election (Article 1) at the Reed Gymnasium on Monday, the twenty eighth day of March, 2022 next, starting at 7:30 a.m.**, then and there to act on the following Article 1, and also to meet for the **Annual Town Meeting in the Donaldson Auditorium in said Lincoln on Saturday, the twenty sixth day of March, 2022 at 9:30 a.m.**, then and there to act on the following articles, except Article 1, by posting a copy of this Warrant, by you attested, in said Town, seven days at least before the 26th day of March next.

The polls for voting the ballot on Monday, March 28, 2022, will be opened at 7:30 a.m. and will be closed at 8:00 p.m.

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**Public Health Note:** In recognition of ongoing public health concerns, protective measures are being implemented to enable town meeting to proceed in the safest possible manner. Said measures include following all local Board of Health mandates and recommendations, encouraging the use of masks if not mandated, asking all participants to allow for 2 empty seats between parties while inside the auditorium, broadcasting the meeting in the Reed Gymnasium to allow participants maximum opportunity to socially distance, making full use of the so-called "consent calendar" to expedite the voting process, and virtual presentations in advance of town meeting to minimize discussion time during town meeting. Our mitigation plans were developed in consultation with the Lincoln Board of Health and our public health nurse.

A TRUE COPY ATTEST  
*Valerie Fox*  
Town Clerk, Lincoln, MA



**Additional Dates:** In the event meeting business cannot be completed within the time allotted for the meeting, per the discretion of the moderator, town meeting will be continued on Tuesday, March 29th at 7:00 p.m.

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**Accommodations:** Any person requiring this warrant in a larger print format, or in need of other meeting accommodations is urged to contact the Select Board's Office at 781-259-2601 prior to Wednesday, March 16, 2022. Every reasonable attempt will be made to provide the necessary assistance.

**ARTICLE 1 – (Annual Town Election)**

To bring in their votes for one or more members of each of the following offices:

Board of Assessors — one seat for three years  
Board of Health — one seat for three years  
Cemetery Commission — one seat for three years  
Commissioners of Trust Funds — one seat for three years  
Housing Commission — one seat for three years  
Lincoln-Sudbury Regional District School Committee — two seats for three years each  
Parks and Recreation Committee — one seat for three years  
Planning Board — two seats for three years  
K-8 School Committee — one seat for three years  
Select Board — one seat for three years  
Town Clerk — one seat for three years  
Bemis Trustee — one seat for three years  
Trustees of Lincoln Library — one seat for three years  
Water Commissioner — one seat for three years  
Water Commissioner — one seat for two years

**ARTICLE 2**

To bring in their votes for any Committees, Commissioners, Trustees, and other officers required by law to be elected by ballot or otherwise.

Select Board

**ARTICLE 3**

To receive and act upon the reports of the Town Officers, Committees, Commissioners and Trustees.

Select Board

A TRUE COPY ATTEST  
*Valerie Fox*  
Town Clerk, Lincoln, MA

**ARTICLE 4**

To see if the Town will vote to fix the salaries and compensation of the several elective officers of the Town and to determine whether any Department, Board or Committee shall be authorized to employ for additional compensation any of its members and to fix additional compensation of such members; or take any other action relative thereto.

Select Board

**ARTICLE 5**

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, or otherwise, to fund the Town's Senior Tax Work-off Program, as established pursuant to Massachusetts General Laws, Chapter 59, Section 5K, as it may be amended from time to time; or take any other action relative thereto.

Select Board

**ARTICLE 6**

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, or otherwise, to fund the Town's Veteran Tax Work-off Program, as established pursuant to Massachusetts General Laws, Chapter 59, Section 5N, as it may be amended from time to time; or take any other action relative thereto.

Select Board

**ARTICLE 7**

To see if the Town will vote to hear a report from the Select Board's American Rescue Plan Act (ARPA) Working Group, appointed by the Board to develop a recommended spending plan for the funds received under ARPA; or take any other action relative thereto.

Select Board

**ARTICLE 8**

To see if the Town will vote to raise and appropriate a sum of money for the necessary and expedient purposes of the Town; or take any other action relative thereto.

Finance Committee

**A TRUE COPY ATTEST**  
*Valerie Fox*  
Town Clerk, Lincoln, MA

#### ARTICLE 9

To see if the Town will vote to hear a report from the Green Energy Committee's Climate Action subcommittee, and to support two specific climate initiatives: 1) the development of a comprehensive Climate Action Plan (CAP) to provide a framework for the Town to achieve its carbon reduction goals, and 2) amending the Town and Water Department's electricity contracts to take advantage of tax incentives that encourage increased investment in local renewable energy sources; and further, in support of the foregoing, to raise and appropriate by taxation, by transfer from available funds or otherwise fund a sum of money to apply to the relevant budget line-items to cover the anticipated cost of "greening-up" the Town's electricity contracts, and to authorize the Town Accountant to allocate such funds accordingly; or take any other action relative thereto.

Select Board / Green Energy Committee

#### ARTICLE 10

To receive and act upon a report of the Capital Planning Committee on the Fiscal Year 2023 Capital Budget, and to see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, including stabilization funds, by borrowing or any combination thereof, to purchase various capital items, or to fund capital projects as recommended by the Capital Planning Committee, including all costs incidental and related thereto; or take any other action relative thereto.

Capital Planning Committee

#### ARTICLE 11

To see if the Town will vote to raise and appropriate by taxation, by transfer from available funds, including stabilization funds, by borrowing or any combination thereof, a sum of money to remove the modular classrooms at the Lincoln School, located at Ballfield Road, and restore the ballfield surface, including demolition, breakdown, site preparation, design and engineering and all other costs incidental and related thereto; or take any other action relative thereto.

Capital Planning Committee

#### ARTICLE 12

To see if the Town will vote to provide the Select Board with a sense of the meeting as to restarting the Community Center planning and design process, and, if such sense of the meeting is in the affirmative, to request that the Board appoint a building committee, by whatever title, to review the results of previous planning efforts and to present its findings in an expedited manner so that a request for funds for planning and design services could appear on the warrant for a fall, 2022 Special Town Meeting; or take any other action relative thereto.

Select Board

ARTICLE 13

To receive and act upon a report from the Community Preservation Committee on the Fiscal Year 2023 Community Preservation Budget, and to appropriate or reserve for later appropriation monies for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of Community Preservation projects and all other necessary and proper expenses for the year, and to determine whether such sums shall be raised from the Community Preservation Fund, transferred from available funds, borrowed, or any combination thereof; or take any other action relative thereto.

Community Preservation Committee

ARTICLE 14

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to be used for the repair and maintenance of certain Lincoln School Campus classrooms and buildings, including all costs incidental and related thereto; or take any other action relative thereto.

Lincoln School Committee

ARTICLE 15

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to be used for the repair and maintenance of certain Town buildings, including all costs incidental and related thereto; or take any other action relative thereto.

Select Board

ARTICLE 16

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to be used for the repair and maintenance of the Lincoln Library, including all costs incidental and related thereto; or take any other action relative thereto.

Library Trustees

ARTICLE 17

To receive and act on a recommendation from the Select Board with regard to the presentation of the annual Bright Light Award, and to appropriate and transfer from Free Cash a sum of money to support this award; or take any other action relative thereto.

Select Board

A TRUE COPY ATTEST

*Valerie Fox*  
Town Clerk, Lincoln, MA

#### ARTICLE 18

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds (including any amount appropriated under Article 8) that exceeds the final Lincoln assessment voted no later than July 31<sup>st</sup>, by the Lincoln Sudbury Regional High School Committee for the fiscal year 2023, in accordance with law), by borrowing or any combination thereof, to add funds to the Debt Stabilization Fund, so called, previously established in accordance with Massachusetts General Laws, Chapter 40, Section 5B at the March 26, 2011 Annual Town Meeting, Article 19, for the purpose of funding future debt service obligations; or take any other action relative thereto.

Finance Committee

#### ARTICLE 19

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to add funds to the Group Insurance Liability Fund established by Chapter 474 of the Acts of 2008, which Fund will help offset the Town's so-called "Other Post-employment Benefits (OPEB)" liability established by Statements 74 and 75 of the Governmental Accounting Standards Board; or take any other action relative thereto.

Finance Committee

#### ARTICLE 20

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to add funds, representing Lincoln's proportionate share of the contribution recommended by the LSRHS School Committee, to the Lincoln Sudbury Regional School District Retirees Health Insurance Trust Fund, established by the acceptance of Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 68, section 57 of the Acts of 2011, for Lincoln Sudbury Regional High School, which Fund will help offset the High School's so-called "Other Post-employment Benefits (OPEB)" liability established by Statements 74 and 75 of the Governmental Accounting Standards Board; or take any other action relative thereto.

Finance Committee

#### ARTICLE 21

To see if the Town will vote to accept and expend such sum or sums of money that may be available under the provisions of Massachusetts General Laws, Chapter 90 or any other state roadway reimbursement programs and to authorize the Select Board to enter into a contract with the Massachusetts Department of Transportation Highway Division and to authorize the Treasurer, with the approval of the Select Board, to borrow in anticipation of 100% reimbursement of said amounts; or take any other action relative thereto.

Select Board

A TRUE COPY ATTEST  
*Valerie Fox*  
Town Clerk, Lincoln, MA

ARTICLE 22

To see if the Town will vote to transfer from Free Cash a sum of money equal to the state reimbursement amount for Special Education Medicaid expenses to supplement the FY23 Lincoln School operating budget; or take any other action relative thereto.

School Committee

ARTICLE 23

To see if the Town will vote to appropriate a sum of money from the PEG Access and Cable Revolving Fund, previously established at the March 19, 2016 Town Meeting, Article 32, to support cable related purposes consistent with the franchise agreement between cable operators and the Town of Lincoln, including, but not limited to: (i) support of public, educational or governmental access cable television services; (ii) monitor compliance of the cable operator with the franchise agreement; and/or (iii) prepare for renewal of the franchise license; or take any other action relative thereto.

Select Board

ARTICLE 24

To see if the Town vote to transfer a sum of money from the Town's Cable Revolving Fund to supplement the funds appropriated under Article 1 of the December 1, 2018 Special Town Meeting, Article 8 of the June 13, 2020, and Article 20 of the May 15, 2021 Annual Town Meeting, to design, renovate, rebuild, equip and furnish the Lincoln School, located on Ballfield Road, Lincoln, MA, including the payment of all costs incidental or related thereto; provided, however, that the funds appropriated hereunder from the cable revolving fund shall be used for cable television infrastructure improvements, and associated costs, primarily in the Donaldson Auditorium; or take any other action relative thereto.

Select Board

ARTICLE 25

To see if the Town will vote to appropriate and transfer a sum of money from the Conservation Receipts Reserved for Appropriation account to support maintenance and improvements to agricultural conservation land; or take any other action relative thereto.

Conservation Commission

ARTICLE 26

To see if the Town will vote to appropriate and transfer from Cemetery Sale of Lots Receipts Reserved for Appropriation account and/or Cemetery Perpetual Care Trust Fund a sum of money to support expansion and improvements at the Lincoln Road Cemetery, including all incidental or related expenses; or take any other action relative thereto.

Cemetery Commission

A TRUE COPY ATTEST

*Valerie Fox*

Town Clerk, Lincoln, MA

#### ARTICLE 27

To see if the Town will vote to appropriate and transfer from Free Cash or any other source of funds a sum of money to reduce the total amount to be raised by taxation pursuant to the votes previously taken under Article 8 of this Warrant, or any other article of this Warrant authorizing the appropriation of funds; or take any other action relative thereto.

Finance Committee

#### ARTICLE 28

To see if the Town will vote to ratify and confirm the action taken under Article 33 of the May 15, 2021 Annual Town Meeting, and as may have been subsequently approved by the Legislature, approving the filing of a home rule petition for a so-called Property Tax Circuit-breaker program, the purpose of which is to provide a property tax discount to homeowners meeting certain income and asset tests and who have resided in Lincoln for at least five years; and further, to authorize all actions necessary for successful implementation of the program; or take any action relative thereto.

Select Board

#### ARTICLE 29

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or appropriate any remaining bond proceed balances from previously authorized projects in accordance with the provisions of G.L. c.44, s. 20, and/or borrow a sum of money or any combination thereof, to purchase various capital items, and/or to fund capital projects of the Water Department, as recommended by the Water Commissioners, including all costs incidental or related thereto, and to authorize the Treasurer, with the approval of the Select Board, to borrow all or a portion of said funds under the provisions of G.L. c.44 or any other enabling authority and to issue bonds or notes of the Town therefor; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Select Board determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as amended, it being the intent of the Town, however, in either such case that the entire principal of and interest on such bonds or notes shall be paid from water rates and/or surplus; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as amended and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Select Board, Board of Water Commissioners or other appropriate local body or officials is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the projects; and that any premium received upon the sale of any bonds or notes approved by this vote, and any prior vote authorizing debt, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any other action relative thereto.

Water Commissioners

A TRUE COPY ATTEST

*Valerie Fox*  
Town Clerk, Lincoln, MA

#### ARTICLE 30

To see if the Town will vote to appropriate and transfer a sum of money from Water Enterprise Retained Earnings for the purpose of supporting the FY2022 Water Department operating budget, including all costs incidental and related thereto; or take any other action relative thereto.

Water Commissioners

#### ARTICLE 31

To see if the Town will vote to request home rule legislation to establish the authority to restrict the installation of fossil fuel infrastructure in major new construction; or take any other action relative thereto.

Citizens' Petition

#### ARTICLE 32

To see if the Town will vote to amend Article XXVI of the Town of Lincoln General By-laws, the Right to Farm Bylaw, Section 26.4, Disclosure Notification, by deleting the ~~striktthrough~~ text and inserting the underline text as follows:

Within 30 days after this By law becomes effective, in order to promote harmony between farmers and their neighbors, residents shall be notified by the Town as set forth below, and buyers and occupants shall be notified by land owners and/or their agents or assigns, prior to the sale or exchange of real property, or prior to the acquisition of a leasehold or other possessory interest in real property, through written notification in the following form, as follows:

It is the policy of the Town of Lincoln to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food and agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers and occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust, and odors. Buyers or occupants are also informed that the location of property within The Town may be impacted by commercial agricultural operations including the ability to access water services for agricultural use under certain circumstances.

The Select Board shall post the ~~following~~ above disclosure at Town Hall on the official bulletin board and on the official website of the Town, as well as at any other location at its sole discretion, and such disclosure shall be available for distribution upon request in the offices of the Select Board, Board of Assessors, and the Town Clerk. A copy of the notification shall be included in the Town's Annual Report.

; or take any other action relative thereto.

Agricultural Commission



### ARTICLE 33

To see if the Town will vote in accordance with G.L. c.40C, §3, to enlarge the Historic District by adding parcel No. 150-48-0 - 26 Old Winter Street to the Historic District created under Section 1.1 of Article XXV (Historic District) of the Town of Lincoln General By-Laws, the location and boundary of which proposed addition are shown on plans to be filed with the Lincoln Town Clerk and the Massachusetts Historical Commission and to be recorded with the Middlesex South Registry of Deeds; or take any other action relative thereto.

Historic District Commission

### ARTICLE 34

To see if the Town will vote to create a new historic district, to be known as the Twin Pond Lane Historic District, to include Parcel No. 180-17-0 – 7 Twin Pond Lane and Parcel No. 180-14-0 - 10 Twin Pond Lane, and, further, by adding and replacing language in the Town of Lincoln General Bylaws under Article XXV (Historic District) and changing the title of said Article XXV to "Historic Districts", with the language, location, and boundaries of the new historic district to be shown on plans to be placed on file with the Town Clerk and recorded with the Middlesex South Registry of Deeds; or take any other action relative thereto.

Historic District Commission

### ARTICLE 35

To see if the Town will vote to amend Section 19.3 of the Town of Lincoln Zoning By-law, to change the fine for Zoning By-law violations to \$300 per offense each day as follows (underline text to be inserted and ~~strikethrough~~ text to be deleted):

Whoever violates any provisions of this By-law shall be punished by a fine ~~not exceeding one hundred (\$100)~~ of three hundred dollars (\$300.00) for each offense. Each day or portion thereof that such violation continues shall constitute a separate offense.

; or take any other action relative thereto.

Zoning Board of Appeals

A TRUE COPY ATTEST

*Valerie Fox*  
Town Clerk, Lincoln, MA

### ARTICLE 36

To see if the Town will vote to transfer the care, custody and control of a portion or portions of the property located at 169 Lincoln Road from the Select Board for police and fire station purposes to the Select Board for general municipal purposes and also for the purposes of leasing for telecommunication purposes, and, further, to authorize the Select Board to lease said property or portions thereof for telecommunications purposes for terms of up to 30 years and to grant such access, utility and/or related easements as may be necessary and/or appropriate to serve the telecommunications facilities located thereon; or take any other action relative thereto.

Select Board

### ARTICLE 37

To see if the Town will vote in accordance with the provisions of G.L. c.44, §53E ½ to set annual expenditure limits for the revolving funds created in Section 1 of Article XXVIII of the Lincoln General Bylaws, as set forth below, with such limits to be applicable for FY2023 and, thereafter, from year to year unless revised by a Town Meeting held prior to the start of the fiscal year, or take any other action relative thereto.

<b>REVOLVING FUND</b>	<b>SPENDING LIMIT for FY2023 and until otherwise altered by vote of Town Meeting</b>
Student Transportation	\$125,000
Preschool Program	\$140,000
Fire Alarm	\$25,000
Affordable Housing	\$100,000
Firearms Licenses	\$10,000
Ambulance	\$100,000
Parks & Recreation	\$35,000
Transfer Station/Recycling	\$30,000
Codman Farmhouse	\$25,000

Finance Committee

### ARTICLE 38

To see if the Town will vote to amend Article XXXIII, Polystyrene Reduction Bylaw, Article XXXIV, Prohibition of Disposable Plastics, and Article XXIX, Plastic Bag Ban, by deleting, the words "Article VI" in Section 5 of each such bylaw and inserting in place thereof the words, "Article XVI"; or take any other action relative thereto.

Town Clerk

A TRUE COPY ATTEST

*Valerie Fox*

Town Clerk, Lincoln, MA

**ARTICLE 39**

To see if the Town will vote to amend the General Bylaws by inserting a new bylaw authorizing the Town Clerk to make ministerial clerical corrections to the Bylaws:

The Town Clerk shall be authorized to assign to by-laws adopted or amended by Town Meeting appropriate numbers or letters to by-law sections, subsections, paragraphs and subparagraphs where none are approved by Town Meeting; and if such numbering or lettering is approved by Town Meeting, to make non-substantive editorial revisions to the same to ensure consistent and appropriate sequencing and numbering; and to make non-substantive editorial revisions to references regarding such numbering or lettering as contained within the by-laws to ensure accuracy and conformity, where all such editorial revisions shall be identified with a footnote which describes the revision and the reason therefore.

; or take any other action relative thereto.

Town Clerk

**ARTICLE 40**

To see if the Town will vote to hear a report from the Select Board's Inclusion, Diversity, Equity and Anti-racism committee (IDEA), formed by the Board in 2021 for the purpose of celebrating and supporting diversity among Lincoln's residents, work force, students, and visitors, and to establish a long-term action plan to identify and eliminate unconscious bias, to ensure just and equitable policies and practices, and to actively promote a diverse and anti-racist community; or take any other action relative thereto.

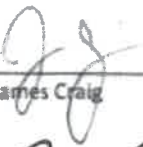
Select Board

A TRUE COPY ATTEST

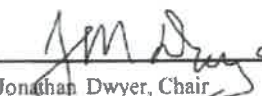
*Valerie Fox*

Town Clerk, Lincoln, MA

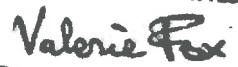
Hereof fail not and make return of this Warrant with your doings, thereon to the Town Clerk, at or before the time for the meeting aforesaid. Given under our hands this the 28th day of February, 2022.

  
James Craig

  
Jennifer Glass

  
Jonathan Dwyer, Chair  
Select Board



A TRUE COPY ATTEST  
  
Valerie Fox  
Town Clerk, Lincoln, MA

## Attachment 2

### TOWN OF LINCOLN

LINCOLN TOWN HALL  
16 LINCOLN ROAD  
LINCOLN, MA 01773  
Office: 781-259-2607  
Fax: 781-259-8735  
Email: [foxy@lincolntown.org](mailto:foxy@lincolntown.org)



TOWN CLERK  
Valerie Fox

### Town Clerk's Certificate

**April 5, 2023**

I, Valerie Fox, Clerk of the Town of Lincoln, Massachusetts, hereby certify that at the Annual Town Meeting held on March 25, 2023, the following motion was adopted under **Article 30**.

**ARTICLE 30**  
**VOTED**

**Select Board / Green Energy Committee**  
**Majority**

That the Town vote to enact Article XI, Section 17.2 of the Town of Lincoln General Bylaws, entitled "Fossil Fuel-Free Demonstration" for the purpose of restricting and prohibiting new building construction and major renovation projects that are not fossil fuel-free, pursuant to the entirety of 225 CMR 24., with the Town of Lincoln as a Participating Community pursuant to 225 CMR 24.

## **17.2 Participation in Department of Energy Resources Fossil Fuel-Free Demonstration**

### **17.2.1 Definitions**

**Fossil Fuel-Free Demonstration** – Codified by the entirety of 225 CMR 24.00, the Fossil Fuel- Free Demonstration

**Specialized Energy Code** – Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, the Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC) to incorporate the energy efficiency of the Stretch energy code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

### **17.2.2 Purpose**

The purpose of 225 CMR 24, also referred to as the Fossil Fuel-Free Demonstration is to restrict and prohibit new building construction and major renovation projects that are not fossil fuel-free.

### **17.2.3 Applicability**

This restriction applies to residential and commercial buildings that qualify as new construction or major renovation, as defined in 225 CMR 24. This restriction shall not apply to research laboratories for scientific or medical research, hospitals and medical offices regulated by the department of public health as a health care facility as defined in 225 CMR 24.

### **17.2.4 Fossil Fuel-Free Demonstration**

The Fossil Fuel-Free Demonstration, as codified by the entirety of 225 CMR 24, is herein incorporated by reference into the Town of Lincoln General Bylaws, Article XI, Section 17 with an effective date of six months following the approval by the Department of Energy Resources of Lincoln as a Participating Community pursuant to 225 CMR 24.

### **17.2.5 Amendments to the Specialized Energy Code**

With adoption of the Fossil Fuel-Free Demonstration, and upon approval by DOER, the following amendments to the Specialized Energy Code are adopted. These changes are enforceable by the Building Inspector and will go into effect for any project seeking a permit after the effective date.

a. Low-rise Residential Code (225 CMR 22 Appendix RC)

1. Sections RC102 and RC101 “Zero Energy Pathway” and “Mixed Fuel Pathway” shall not be permitted for use for new construction or major renovations.

b. Commercial and All Other (225 CMR 23 Appendix CC)

- i. Sections CC103 and CC105 “Zero Energy Pathway” and “Mixed-Fuel Pathway” shall not be permitted for new construction or major renovations, with the following exceptions:
  1. Research laboratories for scientific or medical research,
  2. Hospitals regulated by the department of public health as a health care facility,
  3. Medical offices regulated by the department of public health as a health care facility,
  4. Buildings heated with Clean Biomass Heating Systems as defined in 225 CMR 23 as the only combustion equipment,
  5. Multi-family buildings over 12,000 square feet with permit application filed prior to January 1, 2027, may utilize gas or propane for domestic water heating as the only combustion equipment.

#### 17.2.6 Effective Date

This bylaw shall take effect six months after approval by the Massachusetts Department of Energy Resources.

A true copy Attest:

*Valerie Fox*

Valerie Fox  
Town Clerk



## Attachment 3

### TOWN OF LINCOLN

LINCOLN TOWN HALL  
16 LINCOLN ROAD  
LINCOLN, MA 01773  
Office: 781-259-2607  
Fax: 781-259-8735  
Email: [foxv@lincolntown.org](mailto:foxv@lincolntown.org)



TOWN CLERK  
Valerie Fox

## Town Clerk's Certificate

**April 5, 2023**

I, Valerie Fox, Clerk of the Town of Lincoln, Massachusetts, hereby certify that at the Annual Town Meeting held on March 25, 2023, the following motion was adopted under **Article 29**.

<b>Article 29</b>	<b>Select Board / Green Energy Committee</b>
<b>Voted</b>	<b>Majority</b>

That the Town vote to enact Article XI, Chapter 17.1 of the Town of Lincoln General Bylaws, entitled "Specialized Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy and reduction of greenhouse gas emissions, pursuant to the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including future editions, amendments, or modifications thereto.

### **Article XI, Section 17.1**

#### **SPECIALIZED ENERGY CODE**

##### **17.1.1 Definitions**

**International Energy Conservation Code (IECC)** – The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The



baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards and published in state regulations as part of 780 CMR.

**Specialized Energy Code** – Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, the Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC) to incorporate the energy efficiency of the Stretch energy code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

**Stretch Energy Code** - Codified by the combination of 225 CMR 22 and 23, not including Appendices RC and CC, the Stretch Energy Code is a comprehensive set of amendments to the International Energy Conservation Code (IECC) seeking to achieve all lifecycle cost-effective energy efficiency in accordance with the Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code.

#### **17.1.2 Purpose**

The purpose of 225 CMR 22 and 23 including Appendices RC and CC, also referred to as the Specialized Energy Code, is to provide a more energy efficient and low greenhouse gas emissions alternative to the Stretch Energy Code or the baseline Massachusetts Energy Code, applicable to the relevant sections of the building code for both new construction and existing buildings.

#### **17.1.3 Applicability**

This energy code applies to residential and commercial buildings.

#### **17.1.4 Specialized Energy Code**

The Specialized Code, as codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including any future editions, amendments, or modifications, is herein incorporated by reference into the Town of Lincoln General Bylaws, Article XI, Section 17.1

### **17.1.5 Effective Date**

This bylaw shall take effect on January 1, 2024.

The Specialized Energy Code is enforceable by the Town of Lincoln Building Inspector.

A true copy Attest:

*Valerie Fox*

Valerie Fox  
Town Clerk



Attachment 4

## TOWN OF LINCOLN



### RETURN OF SERVICE NOTICE

**I HEREBY CERTIFY THAT I HAVE PLACED COPIES OF THE WARRANT FOR THE 2023 ANNUAL TOWN MEETING FOR THE TOWN OF LINCOLN, MASSACHUSETTS IN THE FOLLOWING LOCATIONS:**

**TOWN OFFICES, 16 LINCOLN ROAD  
BEMIS HALL, 15 BEDFORD ROAD  
LINCOLN LIBRARY, 3 BEDFORD ROAD  
U.S. POST OFFICE, 25 LINCOLN ROAD, LINCOLN CENTER  
U.S. POST OFFICE 145 LINCOLN ROAD, LINCOLN CENTER**

**This notice is given at least seven (7) days before the meeting on March 25, 2023**



3/7/2023  
Date

[Signature]  
A. Kevin Kennedy, Police Chief  
Constable

**A TRUE COPY ATTEST**

Valerie Fox  
Town Clerk, Lincoln, MA

Donaldson Auditorium  
TOWN OF LINCOLN, MASSACHUSETTS

**ANNUAL TOWN MEETING**  
**Saturday, March 25, 2023, at 9:30 a.m.**  
**2023 WARRANT**



TOWN OF LINCOLN

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

To either of the Constables of the Town of Lincoln in said County:

GREETINGS:

In the name of the Commonwealth you are hereby required to notify the legal voters of said Town of Lincoln qualified to vote at Town Meeting for the transaction of Town Affairs to meet for the **Annual Election (Article 1) at the Reed Gymnasium at the Lincoln School at 6 Ballfield Road in said Lincoln on Monday, the twenty seventh day of March, 2023 next, with the polls to be open at 7:30 a.m. and closed at 8:00 p.m.,** then and there to act on the following Article 1, and also to meet for the **Annual Town Meeting in the Donaldson Auditorium at the Lincoln School at 6 Ballfield Road in said Lincoln on Saturday, the twenty fifth day of March, 2023 at 9:30 a.m.,** then and there to act on the following articles, except Article 1, by posting a copy of this Warrant, by you attested, in said Town, seven days at least before the 25th day of March next.

---

**Public Health Note:** In recognition of ongoing public health concerns, protective measures are being implemented to enable town meeting to proceed in the safest possible manner. Said measures include following all local Board of Health mandates and recommendations, encouraging the use of masks if not mandated, broadcasting the meeting in the Reed Gymnasium to allow participants maximum opportunity to socially distance, making full use of the so-called "consent calendar" to expedite the voting process, and virtual presentations in advance of town meeting to minimize discussion time during town meeting. Our mitigation plans were developed in consultation with the Lincoln Board of Health and our public health nurse.

*[Handwritten signature]*  
101-101-101-101

**A TRUE COPY ATTEST**  
*Valerie Fox*  
Town Clerk, Lincoln, MA

**Additional Dates:** In the event meeting business cannot be completed within the time allotted for the meeting, per the discretion of the moderator, town meeting will be continued on Tuesday, March 28th at 7:00 p.m.

---

**Accommodations:** Any person requiring this warrant in a larger print format, or in need of other meeting accommodations is urged to contact the Select Board's Office at 781-259-2601 prior to Wednesday, March 15, 2023. Every reasonable attempt will be made to provide the necessary assistance.

**ARTICLE 1**

To bring in their votes for one or more members of each of the following offices:

Board of Assessors - one seat for three years  
Board of Health - one seat for three years  
Cemetery Commission - one seat for three years  
Commissioners of Trust Funds - one seat for three years  
Housing Commission - one seat for three years  
Housing Commission – one seat for two years  
Lincoln-Sudbury Regional District School Committee - two seats for three years each  
Moderator – one seat for three years  
Parks and Recreation Committee - one seat for three years  
Planning Board - two seats for three years  
K-8 School Committee - two seats for three years  
Select Board - one seat for three years  
Bemis Trustee - one seat for three years  
Water Commissioner - one seat for three years  
Water Commissioner - one seat for two years  
Water Commissioner – one seat for one year

**ARTICLE 2**

To bring in their votes for any Committees, Commissioners, Trustees, and other officers required by law to be elected by ballot or otherwise.

Select Board

**ARTICLE 3**

To receive and act upon the reports of the Town Officers, Committees, Commissioners and Trustees.

Select Board

**A TRUE COPY ATTEST**  
*Valerie Fox*  
Town Clerk, Lincoln, MA

2023 MAR 15 PM 4:10  
LINCOLN, MA  
TOWN CLERK'S OFFICE

ARTICLE 4

To see if the Town will vote to fix the salaries and compensation of the several elective officers of the Town and to determine whether any Department, Board or Committee shall be authorized to employ for additional compensation any of its members and to fix additional compensation of such members; or take any other action relative thereto.

Select Board

ARTICLE 5

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, or otherwise, to fund the Town's Senior Tax Work-off Program, as established pursuant to Massachusetts General Laws, Chapter 59, Section 5K, as it may be amended from time to time; or take any other action relative thereto.

Select Board

ARTICLE 6

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, or otherwise, to fund the Town's Veteran Tax Work-off Program, as established pursuant to Massachusetts General Laws, Chapter 59, Section 5N, as it may be amended from time to time; or take any other action relative thereto.

Select Board

ARTICLE 7

To see if the Town will vote to raise and appropriate a sum of money for the necessary and expedient purposes of the Town for Fiscal Year 2024; or take any other action relative thereto.

Finance Committee

ARTICLE 8

To receive and act upon a report of the Capital Planning Committee on the Fiscal Year 2024 Capital Budget, and to see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, including stabilization funds, by borrowing or any combination thereof, to purchase and equip various capital items, or to fund capital projects all as recommended by the Capital Planning Committee, including all costs incidental and related thereto; or take any other action relative thereto.

Capital Planning Committee

A TRUE COPY ATTEST  
*Valerie Fox*  
Town Clerk, Lincoln, MA

ARTICLE 9

To see if the Town will vote, in accordance with the provisions of MGL, c. 44, s. 53E ½ and Section 1. of Article XXVIII of the Lincoln General By-laws, to increase the annual expenditure limit for the Ambulance Revolving Fund; or take any other action relative thereto.

Select Board

ARTICLE 10

To receive and act upon a report from the Community Preservation Committee on the Fiscal Year 2024 Community Preservation Budget, and to appropriate or reserve for later appropriation monies for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of Community Preservation projects and all other necessary and proper expenses for the year, and to determine whether such sums shall be raised from the Community Preservation Fund, transferred from available funds, borrowed, or any combination thereof; or take any other action relative thereto.

Community Preservation Committee

ARTICLE 11

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to be used for the repair and maintenance of certain Town buildings, including all costs incidental and related thereto; or take any other action relative thereto.

Select Board

ARTICLE 12

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to be used for the repair and maintenance of the Lincoln Library, including all costs incidental and related thereto; or take any other action relative thereto.

Library Trustees

ARTICLE 13

To receive and act on a recommendation from the Select Board with regard to the presentation of the annual Bright Light Award, and to appropriate and transfer from Free Cash a sum of money to support this award; or take any other action relative thereto.

Select Board

A TRUE COPY ATTEST

*Valerie Fox*

Town Clerk, Lincoln, MA

#### ARTICLE 14

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds (including any amount appropriated under Article 7) that exceeds the final Lincoln assessment voted no later than July 31<sup>st</sup>, by the Lincoln Sudbury Regional High School Committee for the fiscal year 2024, in accordance with law, by borrowing or any combination thereof, to add funds to the Debt Stabilization Fund, so called, previously established in accordance with Massachusetts General Laws, Chapter 40, Section 5B at the March 26, 2011 Annual Town Meeting, Article 19, for the purpose of funding future debt service obligations; or take any other action relative thereto.

Finance Committee

#### ARTICLE 15

To see if the Town will vote to amend the vote taken under Article 11 of the March 2022 Annual Town Meeting warrant which stated: *"That the Town vote to appropriate from Free Cash \$350,000 to remove the modular classrooms at the Lincoln School, located at Ballfield Road, and restore the ballfield surface, including demolition, breakdown, site preparation, design and engineering, including all other costs incidental thereto."* by expanding the scope of the original vote to allow the funds appropriated thereunder to be used to complete the school building project authorized under Article 1 of the December 1, 2018 Special Town Meeting; or take any other action relative thereto.

School Committee

#### ARTICLE 16

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to add funds to the Group Insurance Liability Fund established by Chapter 474 of the Acts of 2008, which Fund will help offset the Town's so-called "Other Post-employment Benefits (OPEB)" liability established by Statements 74 and 75 of the Governmental Accounting Standards Board; or take any other action relative thereto.

Finance Committee

#### ARTICLE 17

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to add funds, representing Lincoln's proportionate share of the contribution recommended by the LSRHS School Committee, to the Lincoln Sudbury Regional School District Retirees Health Insurance Trust Fund, established by the acceptance of Chapter 32B, Section 20 of the Massachusetts General Laws, for Lincoln Sudbury Regional High School, which Fund will help offset the High School's so-called "Other Post-employment Benefits (OPEB)" liability established by Statements 74 and 75 of the Governmental Accounting Standards Board; or take any other action relative thereto.

Finance Committee

**A TRUE COPY ATTEST**

*Valerie Fox*

Town Clerk, Lincoln, MA



#### ARTICLE 18

To see if the Town will vote to accept and expend such sum or sums of money that may be available under the provisions of Massachusetts General Laws, Chapter 90 or any other state roadway reimbursement programs and to authorize the Select Board to enter into a contract with the Massachusetts Department of Transportation Highway Division for such purposes and further to authorize the Treasurer, with the approval of the Select Board, to borrow in anticipation of 100% reimbursement of said amounts; or take any other action relative thereto.

Select Board

#### ARTICLE 19

To see if the Town will vote to transfer from Free Cash a sum of money equal to the state reimbursement amount for Special Education Medicaid expenses to supplement the Fiscal Year 24 Lincoln School operating budget; or take any other action relative thereto.

School Committee

#### ARTICLE 20

To see if the Town will vote to appropriate a sum of money from the PEG Access and Cable Revolving Fund, established under Article 32 of the March 19, 2016 Town Meeting, to support cable related purposes consistent with the franchise agreement between cable operators and the Town of Lincoln, including, but not limited to: (i) support of public, educational or governmental access cable television services; (ii) monitor compliance of the cable operator with the franchise agreement; and/or (iii) prepare for renewal of the franchise license; or take any other action relative thereto.

Select Board

#### ARTICLE 21

To see if the Town will vote to appropriate and transfer from Free Cash or any other source of funds a sum of money to reduce the total amount to be raised by taxation pursuant to the votes previously taken under Article 7 of this Warrant, or any other article of this Warrant authorizing the appropriation of funds from taxation; or take any other action relative thereto.

Finance Committee

#### ARTICLE 22

To see if the Town will vote to raise and appropriate, transfer from available funds, including bond proceed balances from previously authorized projects in accordance with the provisions of G.L. c.44, s. 20, and/or borrow a sum of money or any combination thereof, to purchase and equip various capital items, and/or to fund capital projects of the Water Department, as recommended by the Water Commissioners, including all costs incidental or related thereto, and to authorize the Treasurer, with the approval of the Select Board, to borrow all or a portion of said funds under the provisions of G.L. c.44 or any other enabling authority and to issue bonds or notes of the Town therefor; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Select Board determines that they should be issued as limited

obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as amended, it being the intent of the Town, however, in either such case that the entire principal of and interest on such bonds or notes shall be paid from water rates and/or surplus; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as amended and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Select Board, Board of Water Commissioners or other appropriate local body or officials be authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the projects; or take any other action relative thereto.

Water Commission

#### ARTICLE 23

To see if the Town will vote to rescind the vote under Article 22 of the May, 2021 Annual Town Meeting which authorized borrowing for the purpose of replacing the Tower Road well; or take any other action relative thereto.

Water Commission

#### ARTICLE 24

To see if the Town will vote to add a property to the existing Town of Lincoln Historic District under Section 1.1 of Article XXV (Historic District) of the Town of Lincoln General By-Laws, the location and boundary of which proposed addition are shown on plans to be filed with the Lincoln Town Clerk and the Massachusetts Historical Commission and to be recorded with the Middlesex South Registry of Deeds; or take any other action relative thereto.

Historic District Commission

#### Article 25

To see if the Town will vote to amend its Zoning By-Law by amending Section 6.6, Cluster Developments, to make it consistent with MGL, c. 40A the Zoning Act, such as to remove the specific mandates requiring that a proponent of a cluster development give the Town and /or the Lincoln Land Conservation Trust interests in land as part of the approval process; or take any other action relative thereto.

Planning Board

#### Article 26

To see if the Town will vote to amend its Zoning By-Law by amending Section 14.3 Accessory Apartments in an R-1 District to allow accessory apartments by right within the principal dwelling unit and to streamline the permitting process for an accessory apartment in an accessory structure by deleting the requirement of a Planning Board recommendation to the Board of Appeals; or take any other action relative thereto.  
This is Final

Planning Board



A TRUE COPY ATTEST  
*Valerie Fox*  
Town Clerk, Lincoln, MA

## ARTICLE 27

To see if the Town will vote to amend its Zoning By-Law by amending Section 10 B-2 Business District in order to allow certain residential, business and mixed uses by right, and to be known as the Mixed-Use Village District with associated development requirements, design criteria, and permitting process as substantially on file with the Town Clerk; or take any other action relative thereto.

Planning Board

## Article 28

To see if the Town will vote to amend its Zoning By-Law by amending Section 12.6, Wireless Communications Facilities District, to carve out an exception to the requirement of a special permit for modifications or addition of equipment that qualify as "Eligible Facilities Requests" pursuant to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Publ. L. 112-96 (also known as the "Spectrum Act"); or take any other action relative thereto.

Planning Board

## ARTICLE 29

To see if the Town will vote to adopt the 2023 Opt-in Stretch Energy Code available for adoption after December 22, 2022, as set forth in 225 CRM 22.00 and Appendix RC (residential construction) and 225 CMR 23.00 and Appendix CC (commercial and all other construction, including most multi-family construction) to ensure that new construction is consistent with a 2050 net-zero Massachusetts economy, primarily through deep energy efficiency, reduced heating loads, and efficient electrification; and, further, to amend Article XI, Section 17 of the General Bylaws, a copy of which is on file with the Town Clerk; or take any other action thereto.

Select Board / Green Energy Committee

## ARTICLE 30

To see if the Town will vote to amend the General Bylaw by inserting a new Section, Article XI, Section 17.1, entitled "Fossil Fuel-Free Demonstration" for the purpose of restricting and prohibiting new building construction and major renovation projects that are not fossil fuel-free, pursuant to the entirety of 225 CMR 24, to take effect six months after approval by the Massachusetts Department of Energy Resources (DOER), a copy of which is on file with the Town Clerk; provided, however, that this bylaw shall take effect only upon approval by the Massachusetts Department of Energy Resources as a Participating Community pursuant to 225 CMR 24; or take any other action relative thereto.

Select Board / Green Energy Committee

## ARTICLE 31

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation, as on file with the Town Clerk, for the purpose of increasing the size of the Housing Commission, created by the provisions of Chapter 359 of the Acts of 1979 to not more than seven members, with all members to be appointed by the Select Board for alternating three-year terms, and further defining the

A TRUE COPY ATTEST

*Valerie Fox*

Town Clerk, Lincoln, MA

Commission's membership; provided, however, that the General Court may make changes of form only to such bill without approval of the Select Board, and to authorize the Select Board to approve such revisions as are consistent with the public purposes of the petition; or take any other action relative thereto.

Housing Commission

ARTICLE 32

To see if the Town will vote to ratify and confirm the action taken under Article 33 of the May 15, 2021 Annual Town Meeting, and as may have been subsequently approved by the Legislature, approving the filing of a home rule petition for a so-called Property Tax Circuit-breaker program, the purpose of which is to provide a property tax discount to homeowners meeting certain income and asset tests and who have resided in Lincoln for at least five years; and further, to authorize all actions necessary for successful implementation of the program; or take any action relative thereto.

Select Board

ARTICLE 33

To see if the Town will vote to transfer the care, custody and control of a portion or portions of the property located at 30 Lewis Street from the Select Board for Department of Public Works purposes to the Select Board for general municipal purposes and also for the purposes of leasing for telecommunication purposes, and, further, to authorize the Select Board to lease said property or portions thereof for telecommunications purposes for terms of up to 30 years and on such other terms and conditions as it shall deem appropriate, and to grant such access, utility and/or related easements as may be necessary and/or appropriate to serve the telecommunications facilities located thereon; or take any other action relative thereto.

Select Board

Valerie Fox

A TRUE COPY ATTEST  
*Valerie Fox*  
Town Clerk, Lincoln, MA

Hereof fail not and make return of this Warrant with your doings, thereon to the Town Clerk, at or before the time for the meeting aforesaid. Given under our hands this the 27th day of February, 2023.


  
Jennifer Glass, Chair

  
Jonathan Dwyer

  
Jim Hutchinson

**Lincoln Select Board**

RECEIVED  
FEB 28 2023  
TOWN CLERK  
LINCOLN, MASSACHUSETTS

A TRUE COPY ATTEST  
  
Valerie Fox  
Town Clerk, Lincoln, MA

## **Attachment 5**

### **Implementation Plan**

**At Town Meeting 2023, the Town of Lincoln approved a General Bylaw, Article XI, Section 17.2 entitled Fossil Fuel Free Demonstration for participation in the Municipal Fossil Fuel Free Demonstration Project that is the same as the model bylaw provided by DOER.**

**The effective date of the new bylaw is six months after the approval by the Massachusetts Department of Energy Resources of Lincoln as a Participating Community pursuant to 225 CMR 24.**

**The Town is committed to collaborate with DOER on data collection, reporting, and outreach/training in order to participate in this program. To that end, the Building Inspector is responsible for implementing the program and has attended and will continue to attend meetings and webinars providing training on this program. In addition, the Director of Planning and Land Use also attends trainings and educational programs provided by planning agencies and webinars provided by DOER. The Building Inspector, Director of Planning and Land Use and members of the Town's Green Energy Committee work together to educate residents, contractors, and other building professionals working in Lincoln on the requirements of the new Specialized Energy Code and the Fossil Fuel Free Demonstration Project.**

**The Building Permit application system uses an online permitting platform as well as a paper back up file. The online permitting software requires the input of the following data along with a requirement of uploading plans, specifications, and energy efficiency reports:**

- 1. Applicant's name**
- 2. Street address**
- 3. Project street address**
- 4. Building usage type**

- 5. Square footage**
- 6. Estimated construction cost**
- 7. Copies of third-party energy reporting on new construction and major renovations including Home Energy Reporting System (HERS) rating reports, passive house certification reports, building energy modeling reports to demonstrate commercial energy code compliance through ASHRAE 90.1 or Thermal Energy Demand Intensity (TEDI) building code compliance pathway.**

**The Building Permit software will create, and the Town will be able to provide DOER a spreadsheet with all of the relevant information on a yearly basis as required and include copies of the third-party energy reports as required.**

**The Town of Lincoln is a rural residential community of approximately 6000 residents. It has no industrial uses and commercial activity, besides office use, is restricted to the Village Center where there is one restaurant, one coffee shop and a small grocery store. The Town is struggling to maintain commercial activity. The potential energy demand of any process load is therefore minimal. The Town adopted the Specialized Energy Code and DOER's model bylaw in its entirety. Since process load is not covered by the Massachusetts building energy code, we consider the bylaw inapplicable to process load.**

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Lincoln

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
1616	Battle Road Farms	Old Bedford Road	Ownership	48	Perp	No	DHCD
1617	Lincoln Woods	Lincoln Rd/ 50 Wells Rd	Rental	125	2060	No	DHCD
1618	Old Concord Turnpike Units	Old Concord Turnpike	Ownership	2	Perp	No	DHCD
4339	DDS Group Homes	Confidential	Rental	15	N/A	No	DDS
6404	Tower Road Units	Tower Road	Rental	2	perp	No	DHCD
6405	Codman Farm Farmhouse	Codman Road	Rental	2	perp	No	DHCD
6406	Pierce House Unit	Weston Road	Rental	1	perp	No	DHCD
6407	Sunnyside Lane	Sunnyside Lane	Rental	1	perp	No	DHCD
7934	Greenridge	Greenridge	Ownership	1	perp	NO	DHCD
8697	Minuteman Commons	82 Virginia Road	Ownership	8	perp	NO	DHCD
8957	The Commons	17-19 Cambridge Turnpike	Rental	30	perp	NO	DHCD
9069	Sunnyside Lane	Sunnyside Lane	Rental	3	Perp	NO	DHCD
10282	Oriole Landing	1 Mary's Way	Rental	60	Perp	NO	DHCD

Lincoln Totals				Census 2010 Year Round Housing Units	Percent Subsidized
				298	2,130 13.99%