

PLANNING BOARD



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LAWRENCE PLANNING BOARD

March 4th, 2020

Minutes to the Meeting

Held in the Office of Planning and Development, 12 Methuen Street, Lawrence, MA 01840

Upon a Roll Call the following members were present:

Tamar Kotelchuck, Chair
Brenda Rozzi
Antonio Reynoso
Betty Camilo- Correa

The following member(s) were absent:

David Quarrell

Also Present:

Dan McCarthy- Land Use Planner
Jorge Martinez- Minute Taker
Michael Armano- Acting Inspectional Services Director
Pedro Soto- Planning Director

Upon a motion made by Mr. Reynoso and seconded by Ms. Rozzi, the board unanimously decided to open the public meeting.

Ms. Kotelchuck then took a count of everyone that was present:

Merrimack Street Planned Unit Development- 9
136-140 Essex Street- 8
9-11 Dana Street- 0
9 Morton Street- 1

As a result of the poll, the orders of the cases are as follows:

- 1. Riverwalk Planned Unit Development*
- 2. 136-140 Essex Street*
- 3. 9 Morton Street*
- 4. 9-11 Dana Street*

*Riverwalk Planned Unit Development
Saltatore Lupoli*

Present to speak on behalf of Mr. Lupoli were Socrates De La Cruz who is the attorney on the project, Peter Ellison of TEC, Steve Prestejohn of Cube3 and Gerry Darcy of Lupoli Companies.

Mr. De La Cruz opened by stating that he and his colleagues are presenting the masterplan in order to establish a vision for the project moving forward. He added that he and his colleagues are excited with all of the development that is taking place within the city. He also stated that the tremendous developments taking place within the city are a testament to all of the hard work that city officials are doing. He also commended developers and members of the private sector for all of the tremendous work that they were doing as well.

He stated that the Riverwalk was established in 2003, he also stated that the project has been transformative to the city and establishing the Riverwalk took a collective effort amongst many parties.

He then added that he and his colleagues are before the board to present, what they believe, and the next ten years will look like.

Mr. De La Cruz then wanted to express his deepest apologies to the owners of 285 Merrimack Street for the comments he made regarding Merrimack Street during the Zoning Board of Appeals (ZBA) meeting. He elaborated that when he stated that Merrimack Street was dangerous, he meant that it was dangerous because of the abandoned buildings, not because of the homes in the area. He also added that he and his colleagues are aware that the traffic in the area is a problem, but he and his colleagues are willing to work with the board in order to alleviate the problem.

Mr. Ellison then stated that he and his colleagues are before the board in order to secure a Special Permit for the Planned Unit Development (PUD). He added that the borders of the PUD will span from the Merrimack River to the North to the MBTA Train Station to the South and South Union on the West to 495 on the East. He then stated that the PUD is a great tool to establish the goal and the overall vision of the project. He stated that there have been five PUD's used previous in the area of the Riverwalk. He stated that he and his colleagues simply want to present their vision for the next ten years and show what they believe the Riverwalk will look like.

Mr. Ellison then stated that the board will only be reviewing and hopefully accepting the master plan. He clarified that the board will not be approving any buildings or construction.

He also added that he and his colleagues had met and spoke with the city and the meeting addressed many issues and answered many questions that both the developers had for city officials and that city officials had for the developers.

He then stated again that each time a building is ready to start being constructed the project will have to go before the board again for Site Plan Review (SPR). He stated that at that point all of the specific questions will be answered.

Mr. Ellison then listed the eight variances that had been granted to the Riverwalk PUD by the ZBA.

Mr. Prestejohn then stated that he is one of the engineers on the project. He added that as a tenant of the building he has seen the complex evolve and he is excited to be able to take part in the further development of the Riverwalk.

He stated that the goal of the Riverwalk is to create a vibrant, pedestrian friendly environment that is accessible to the tenants in the property, but also to members of the public. He added that the goal of the project was to establish a strong connection between the east and west by using a main street. He stated that the area will appear to be its own neighborhood. He added that the area will feel open and have greenspace. He then stated that the Merrimack River will be activated and be made easily acceptable to members of the public and tenants via walkways.

He then stated that the diversity of the uses within the Riverwalk is a key component. He referred to the plans that were presented to the board in order to show three towers that were placed throughout the complex. He stated that the towers will house residents on the upper levels, but the lower levels will be “active uses” such as restaurants and retail. He stated that the west zone that is adjacent to the parking garage that is currently being constructed will contain large greenspace and ten floors of residential units above three floors of medical office units. He stated that these uses will keep the ground level active and vibrant. He stated that 290 Merrimack Street will have a thing retail unit along the street as well. The complex will also have an indoor pavilion as well.

Mr. Prestejohn then referred to an area in the plan that is currently a parking lot. He stated that this area will be a tower that will be 12 stories of residential and one floor of restaurant units.

He then referred to two garage towers that were listed on the plans and stated that there two garages will condense parking and make the pedestrian walkway in the Riverwalk possible.

The plaza between the two garages will consist of office space. He added that the far end adjacent to the central village green will consist of a garage building that will be capped with a retail building that will open up to seating and gathering area for the complex.

The east side of the campus will consist of a building equipped with a drive through that will still have the Merrimack Valley Federal Credit Union as a tenant. Behind that building will be a tower that will consist of ten stories of residential units. Above that will three stories of garages.

This tower will replace more of the existing surface parking. He then stated that a landscape courtyard will be placed on that building that will be accessible to the public via stairway.

He also added that a retail building will be across the street. Next to that will be a grocery store and parking garage. And next to the garage which is next to the grocery store will be a gas station.

He stated that the density and diversity of the uses will keep the area active and populate the site and balance out the intensity of the activity.

The Riverwalk will turn into a major hub for the city.

Mr. Ellison then stated that the project is very exciting. He stated that the development will make sure of the public transportation. He lastly stated that the project will help alleviate many of the problems in the area.

Upon a motion made by Ms. Reynoso and seconded by Ms. Rozzi, the board unanimously decided to open the public hearing.

Lauren Messina wanted the developers to clarify their intent as it pertains to the project. She asked if the developers could state what their plan was on the west side of Merrimack Street which is where her house is located.

Mr. Ellison then stated that the project spans from the Merrimack River to the North to the MBTA Train Station to the South and South Union on the West to 495 on the East. He reiterated that Lupoli Companies does not own Ms. Messina's home or anything west of her home, therefore there are no plans for development on that side of Merrimack Street.

Ms. Darcy then stated that the group only has plans for the properties that they own.

Ms. Messina then stated that she wanted to see the plans for 275 Merrimack Street.

Ms. Darcy then stated that the PUD is only for permission, not for actual construction. Ms. Darcy reiterated to the board that she and her colleagues would have to go before the board each time a new building is constructed; she added that the PUD and the plans that are being presented currently are only concepts and that the issues regarding architecture, engineering and landscaping will be addressed further on in the process. She added that the PUD is essentially a "blanket approval".

Spencer Buchholz from Lawrence Community Works then addressed the board.

He stated that the project appears to be very interesting and it is very clear that it will be transformative to the city, but as an advocate for affordable housing he was interested to see what the plans for the residential units are and whether or not the developers have considered making the residential units affordable or not. He added that the massive amount of homes

residential units being proposed in the master plan would help alleviate the city's need for housing.

Ms. Darcy answered Mr. Buchholz's question by stating that all of the residential units in the Riverwalk would be market rate. She stated that there have been developers who target programs that assist with affordable housing, but that she and her group did not. She also stated that during meetings and conversations with Mayor Daniel Rivera, it was established that the Mayor is more supportive of market rate housing than affordable housing. She also stated that market rate housing appeals to the projects target demographic and affordable housing does not. She then stated that there are other affordable housing complexes in the area that can cater to the needs of future residents.

Upon a motion made be Ms. Rozzi and seconded by Mr. Reynoso the board unanimously decided to close the public hearing.

Mr. McCarthy stated that the group had been before the ZBA last week and secured all of the variances they were seeking. He added that the ZBA had not imposed any conditions, which is not common. Especially for projects of this magnitude. Mr. McCarthy then stated that a committee/ task force should be established that includes city officials and members of the group that are will be developing Merrimack Street.

He also stated that a series of traffic studies will need to be done. The problem regarding the traffic studies is the fact that there is construction taking place on Merrimack Street which would defeat the purpose of traffic due to the fact that it will not give a true reading. He then mentioned that a series of traffic studies should be done once the construction on Merrimack Street is completed in the summer of 2020. He then added that the parking requirements listed in the city ordinances are more than 35 years old and as a result they are not pertinent in today's society.

All of the members present to speak in behalf of Mr. Lupoli stated that they would agree to setting up a committee/ task force with city officials and they would be willing to perform a series of traffic studies.

Ms. Kotelchuck then asked Mr. McCarthy if he could clarify what a PUD is.

Mr. McCarthy clarified what a PUD is to the members of the board and to everyone that was present.

Ms. Darcy also stated that the shifts in the economy may change the specifics of the project. She added that it would be very hard to anticipate the demands of the project this early in the process.

Mr. McCarthy then added that normally PUD's tend to be accurate, but things can change. He also stated that when the last PUD was done at the Riverwalk all of the buildings that were in the PUD were built, but their designs were changed as demands and the economy shifted.

Ms. Kotelchuck then asked Mr. McCarthy if the scope of the project could get smaller down the line if something happens. Mr. McCarthy stated that it could, but also stated that a project such

as this has a lot of barriers and steps that the developers have to go through. The PUD would protect the development from in that regard.

Mr. McCarthy then stated that “Band-Aid” solutions have been put in place as it pertains to parking and traffic, but nothing that will have a lasting affect has been introduced.

Ms. Darcy then stated that the property is unique in the sense that not many places in the country have a 50 acre stretch of contiguous land that is owned by a single entity. She then reiterated that the Riverwalk would be centered on pedestrians and foot traffic and would be extremely transformative to the city.

Mr. McCarthy then stated that the city would like to see the project at the Riverwalk advance. He then added that the city landscape requirements allow less landscaping if the quality of the landscaping exceeds normal standards.

Joel Doersam of 285 Merrimack Street addressed the board.

He wanted to know if it was possible to stop the project once it starts. To specify, he wanted to know what would happen to the project if the applicants performed all of the required studies and ended up deciding that the area simply will not be able to support the project.

Mr. Ellison stated that the buildings will go before the Planning Board every time a new phase starts. He reiterated that the board can choose to deny the petition when that time comes, but he stated that he and his colleagues are very certain that the project will work. He also stated that engineers, architects, lawyers and developers have come together to make this project happen and as a result they are confident in their work.

Ms. Darcy then stated that there have been many developments on the west side of Merrimack Street which affect the traffic on Merrimack Street which the developers have no control over.

Ms. Kotelchuck stated that the project is indeed very exciting, but the board would like to ensure that it is done right. She then asked the developers if they knew what the percentage of open space was. Mr. Ellison stated that it was under 35% that is needed. Ms. Kotelchuck then asked the developers if they knew the exact number of open space. The developers stated that they did not, but they stated that the development is boulevard style and there will be more trees and greenspace and less roadways and entrances.

Ms. Darcy then added that the project would connect Union Street and Interstate 495 and connect to the Rail Trail which would activate more space. Ms. Darcy then added that in this case the quality of the open space should be more important than the quantity of the open space. She then added that there is a security issue and the further development of Merrimack Street will help make the area secure. She also added that there will be several pocket parks scattered throughout the Riverwalk and the field and track that is being build a top of one of the parking garages will be available for city use.

Ms. Kotelchuck then asked how high the various buildings would be. She stated that there was no reference to the height in the master plan that was submitted.

Ms. Darcy then stated that she feels that she and her colleagues have provided a surplus of details in their master plan. She added that she and her colleagues have submitted more details than should be required for a project of this scale. She then added that the height was looked at compared to the height of the Ayer Mill Clock Tower and the smoke stacks that are located on Merrimack Street. She then added that as the development progresses and advances it more details will be ironed out. She stated that the current stage is merely conceptual.

Ms. Kotelchuck then stated that she agreed that the project and the plans look very professional; however she also added that all of the proposals and concepts are a lot to put on a site. She added that the board should also be very thorough and take all the details into account before they make their decision. She added that she would like more detail and also stated that the PUD is transferrable, therefore the board needs to do their due diligence.

Mr. De La Cruz stated that PUD only approves a concept. He reiterated that there are no building parameters that are being established if the board grants the PUD.

He also stated that he understand that the board does not want to be too eager with the PUD. He added that he and his colleagues are ready to change and adapt. He then stated that in order for the vision of the Riverwalk to go forward he and his colleagues would need the PUD. He then added that nothing can be done without it. He then stated that he wished that he and his colleagues could give more detail regarding the projects going on at the Riverwalk.

Ms. Kotelchuck then added that the more details that the developers were to provide the more their own interests were to be protected as well. She then asked Mr. McCarthy what she and the other members would be approving if they voted in favor of the project. Mr. McCarthy stated that they would essentially be approving the master plan and the layout of the buildings. He also added that he thought that focusing heavily on the details would defeat the purpose of the PUD. He then added that the idea is to state what the initial plans are.

Mr. Armano then added that the master plan is very helpful. He then stated that the developers had met several times with members of the city. He also stated that the city can use the master plan can be used to the city's advantage because they can use it to steer the vision in a way that the city and the developers both approve of. He then stated that the developers asked many questions during their meetings with the city and that his concern is to make sure that all of the things that pertain to the project are safe. He then stated that there were many questions that were asked and answered, but both the city and the developers are still apprehensive. He also added that the city is prepared to stop the project.

Mr. Soto then stated that when the first PUD was approved in 2003 there were some market shifts. He then added that the beauty was the fact that the market would dictate what happens with the project. He then stated that the developers have put forth a tremendous group effort to make the project possible. He then stated that the project would help connect the community and

get rid of huge barriers in the city. He then stated that there are many things that are hinging on the meeting.

Ms. Kotelchuck then stated that she agreed that the 20 year vision of the project looks amazing, but she would still like the proposal to be more specific and detailed.

Ms. Camilo-Correa then stated that she understands the developers concerns. She then added that she would like to approve the project.

Ms. Darcy then stated that she and her colleagues do not have many of the details that the board is looking for. She stated that it would be very difficult to establish those details if the board chooses to continue the project. Ms. Kotelchuck stated that it would be possible.

Mr. De La Cruz then stated that if the board were to continue the matter, a month continuance might seem insignificant to the board, but it would be extremely inconvenient for the developers. He then asked if it would be possible if the board can accept the proposal and include conditions that pertained to the inclusion of more detail as the project progresses. Ms. Kotelchuck then stated that she would feel more comfortable if the case were continued, that was the development team can have ample time to come up with more detail in their proposal.

Ms. Darcy wanted to state for the record that she believes that the detail that was included in the proposal was more than sufficient.

Mr. De La Cruz then stated that he and his colleagues would like to continue the matter until the next meeting.

Upon a motion made by Mr. Reynoso and seconded by Ms. Rozzi, the board unanimously decided to continue the matter until the next meeting.

***136-140 Essex Street
Renov8 Homes LLC***

A team of developers were present before the board on behalf of the project taking place at 136-140 Essex Street.

Meera Alanoly opened up the presentation with a brief overview of the project.

Kylie DiLiberto then spoke to the board. She gave more details regarding the structural makeup of the building.

She stated that the building will be six total stories. She then stated that all of the units will be two bedrooms and will consist of one floor which will be an underground parking garage. She then added that the units on the sixth floor will include private balconies as an amenity.

She stated that she and her colleagues would like the building to have a mill-style esthetic. She then added that the building will be made of materials that will help the building maintain the

character of the area. She then added that there will be an entrance to the parking garage off of Essex Street. She then stated that there will be a secondary entrance that will be off of Mill Street.

She also stated that she and her colleagues are starting to develop a signage package. She also stated that other pieces that will be directly related to esthetics will be decided upon in the near future.

She then stated that she and her colleagues are coming up with ideas to secure the parking garage. She stated that lighting will be installed and keycards that will allow access to the garage would possibly be implemented.

She then presented images to the board.

Ms. DiLiberto then stated that the exterior will be made of brick and limestone. She then added that the building will also have metal paneling and metal accents.

Arthur Broadhurst then spoke regarding the project. He stated that the project intends to develop in the epicenter of the city. He added that the apartments will be attractive to young professionals and small families that would want to live downtown. He then added that many amenities are within walking distance. He then stated that the apartments are anywhere from 900-1,400 square feet, respectively. He added that the parking is privately owned and that public transit is also within walking distance.

Mr. Reynoso then asked Mr. Broadhurst how many units there would be in the building. He stated that there would be 28 total units which would be anywhere from 900-1,400 Square feet.

Ms. Camilo-Correa then stated that the size of the apartments is good. She added that there are proposals for 300 square foot units popping up all over the city.

Mr. McCarthy then stated that the units are a good size. He also stated that the project being market rate also makes sense, as the apartments appeal to young professionals with disposable income. He added that the city supports the project and that the project would improve the existing condition of the land. He concluded by stating that the parking issues were addressed by the applicant and that the lights that will be used on the building will activate the downtown area.

Ms. DiLiberto then showed the board a rendering which displayed how the facade of the building would look during the night time.

Ms. Camilo-Correa then asked what the security measures for the complex were going to be. Ms. DiLiberto stated that applicants would be issued keycards that give them access to and from the building.

Mr. Soto then questioned what Ms. DiLiberto meant by “screening”. Ms. DiLiberto elaborated further.

Ken Fyle then spoke to the board. He stated that the garage was made so that air could flow through it. He then stated that the building has an urban, artistic element that is part of its design.

Mr. McCarthy then stated that the placement of materials will give continuity to the area. He then stated that the complex will have an internal refuse room and that the project as a whole will be self-contained. He added that the building would be in a crucial part of the city, which is essentially almost like our entertainment district. He stated that this would be the part of the city where young professionals would want to live.

Mr. Soto then added that there are a lot of developments in the area. He added that this building will essentially create a gateway and corridor into the city.

Mr. Armano then stated that he had many questions regarding the project, but they were answered by the applicant.

Ms. DiLiberto then stated that the refuse area will be internal and the trash will be wheeled out during trash day via a stairway that leads to the alley and then onto the street.

Mr. McCarthy suggested that the applicants work with Groundwork Lawrence in order to study where trees are needed in the city. The applicants stated that they would be willing to abide by the request.

Ms. Kotelchuck then wanted to know how the commitment would work.

Johan Lopez, the owner of Renov8 Homes LLC stated that he would love to work with Groundwork Lawrence.

Upon a motion made by Mr. Reynoso and seconded by Ms. Rozzi, the board unanimously decided to open the public hearing.

Upon a motion made by Mr. Reynoso and seconded by Ms. Camilo-Correa, the board unanimously decided to close the public hearing.

The following condition was imposed on the applicant:

1. Applicant must submit a landscape plan to the Land Use Planner and work together with Groundwork Lawrence in order to comply with satellite landscape requirements.

With no further discussion,

The board voted and the results are as follows:

Tamar Kotelchuck, Chair- Yes with the condition

Brenda Rozzi- Yes with the condition

Antonio Reynoso- Yes with the condition

Betty Camilo-Correa- Yes with the condition

The applicant's petition was unanimously approved.

***9 Morton Street
Nelson DeLaCruz***

Neither the applicant nor his representatives were present to speak to the members of the board.

Mr. McCarthy stated that the home is listed as a single-family home, but in actuality it is not. He added that the home is currently 4,000 square feet of livable space and they want 1,600 square feet more. He then stated the project is not warranted. He stated that a compromise would be possible, but the addition as it was proposed now is very close to the neighboring home.

Mr. Armano then stated that having a house behind another house is an unsafe practice. He added that radiant heat is also an issue. He then added that the applicant did not pull any permits for any of the previous additions that were made.

Upon a motion made by Ms. Camilo-Correa and seconded by Mr. Reynoso, the board unanimously decided to open the public hearing.

Cindy Johnson was present on behalf of her mother who lives directly next to 9 Morton Street.

She stated that the home has been in her family ever since she was alive. She stated that her mother and members of her extended family live in the home. She had many concerns over the applicant's proposal. She stated that she questions whether or not it is a rooming house, as there are many individuals who are not regulars to the area that are entering and exiting the building. She also stated that there have been individuals who will emerge from inside the house who will urinate on the outside of the building and go back into the building.

She also stated that mattresses have been a problem recently as they are stacked in front of the structure. She added that the homes are close together and that the foundation that was installed during one of the additions is not made of the correct material and is therefore unsafe. She stated that she does not want the home to become unstable and fall and hurt anyone.

She added that the home does not meet any of the setbacks and that the site plans that she has viewed have conflicting information. She also stated that the site plan that was given to her by the engineers on the project has the left side of the home missing, which is the side that is closest to her mother's house. She added that the home is already one of the biggest homes on the street and that fire department access to the house is already a major issue.

Ms. Kotelchuck stated that she appreciates Ms. Johnson's concerns and that she wished that she and the rest of the members of the board could vote immediately, but they were hesitant to with no one present on behalf of the applicant.

Mr. McCarthy then stated that the city is against the proposal.

Upon a motion made by Mr. Reynoso and seconded by Ms. Rozzi, the board unanimously voted to close the public hearing.

Upon a motion made by Mr. Reynoso and seconded by Ms. Rozzi, the board unanimously voted to table the matter.

Mr. McCarthy also suggested that Mr. Martinez send a letter to the applicant's authorized representative.

Upon a motion made by Mr. Reynoso and seconded by Ms. Rozzi, the board voted unanimously to approve the meeting minutes from January and February.

Upon a motion made by Ms. Rozzi and seconded by Mr. Reynoso, the board unanimously decided to adjourn the public meeting.