

# HISTORICAL COMMISSION

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# LAWRENCE MASSACHUSETTS

**Administrative Assistant**  
Jorge O. Martinez

**Land Use Planner**  
Daniel McCarthy

*“Preserve the Past for the Future”*

## MINUTES TO THE MEETING

Held in the Office of Planning and Development, 12 Methuen Street, Lawrence, MA 01840 on Tuesday, March 9<sup>th</sup>, 2020 at 6 p.m.

Upon a Roll Call the following members were present:

### **Members Present:**

Jonas Stundza  
David Meehan  
Kate Hernandez  
Lunara Devers

### **Also Present:**

Daniel McCarthy, Land Use Planner  
Jorge O. Martinez, Minute Taker

*Upon a motion made by Mr. Meehan and seconded by Ms. Hernandez, the commission unanimously decided to open the public meeting.*

## OLD BUSINESS

### ***Proposed Policy Language for approval of and signature for Historic Tax Credits***

Mr. McCarthy stated that the proposed policy language change was the brainchild of former Office of Planning and Development Director, Theresa Park. He then asked the members of the board if they would still like to change the language, even though Ms. Park has moved on and accepted a new position.

Mr. Stundza then asked Mr. McCarthy what the Massachusetts Historical Commission's guidelines are. Mr. McCarthy stated that the Massachusetts Historical Commission allows the city to do it in any way that the city sees as being fair. Mr. Stundza then asked Mr. McCarty whether or not the letter of support is considered to be a part of the decision that the state makes before they issue the Historic Tax Credits. Mr. McCarthy stated that the Massachusetts Historic Commission only requires that the local historic commission make themselves aware of the

project itself and determine whether or not it determines getting historic tax credits. He then stated that the process that the Lawrence Historical Commission has adopted has been for every new project taking place in a historic district to come before the board and give a summary of the project. He stated that per Theresa Park, the applicants should come before the board and present every time they wish to get a Letter of Support for Historic Tax Credits. Mr. McCarthy then stated that it would be redundant for applicants to present the same presentation to the members of the board each time they are searching for Historic Tax Credits.

Mr. McCarthy then cited the Planned Unit Development (PUD) that is taking place on Merrimack Street. He stated that the applicants would have to come before the commission in search of Historic Tax Credits each time a new building goes up. Mr. Stundza then asked what a PUD was and Mr. McCarthy stated that it is a long term vision of what the future of the project will look like.

The members of the commission then asked what tax is being alleviated by the Historic Tax Credits that the commission issues the Letter of Support for. Mr. McCarthy stated that he does not know, but he would be willing to work with a developer to see how the process works.

Mr. Meehan then asked Mr. McCarthy what the criteria was for being issued with Historic Tax Credits.

Mr. McCarthy then stated that the building has to fit historical architecture standards, not necessarily have historical context. Mr. Meehan agreed with that statement.

Mr. Meehan stated that the language in the city ordinance list social significance as a reason as well. Mr. McCarthy stated that essentially anything can have social significance. He cited a “spork” making factory that was once in Lawrence to validate his claim.

Mr. Stundza suggested that the board pass a motion that would state that the letters of support are significant and help the applicants in the process.

Mr. McCarthy stated that the board could simply remove the matter from the agenda as well.

Mr. Stundza then wanted to know if the letter is a part of the process and if it is part of an applicant’s application when they attempt to secure Historic Tax Credits.

Ms. Hernandez then asked Mr. McCarthy if the letter is addressed to the Parks Service or not. Mr. McCarthy stated that it is.

Ms. Hernandez then asked what tax the tax credits go to. Mr. McCarthy reiterated that he does not know. He then stated that the credits go towards another development that the developer plans on doing.

Mr. Meehan then asked if it would be possible to find out what tax the tax credits are meant to be used on. Mr. McCarthy stated that he will ask a developer and see if they have knowledge regarding the topic.

*Upon a motion made by Ms. Hernandez and seconded by Mr. Meehan, the board unanimously decided to determine that the initial presentation for a Letter of Support is sufficient and renewals can be done without having to present again.*

*61 Merrimack Street  
Chris Fazio*

The applicant was not present before the commission.

Mr. McCarthy mentioned that the applicant was informed of the time and date of the meeting several times, but chose not to show up. He recommended that the commission discuss the case and potentially take a vote on the case because there are time limitations.

He then stated that the commission has two options:

1. Make a determination that the site is historically significant and allow the Demolition Delay Waiver, taking into account that the site is structurally unstable and therefore unsafe.
2. Advance to a public hearing.

He then explained the process that the public hearing would have to follow and the information that the applicant would have to provide.

The commission then all listed their observations from the site walk that was done Thursday, February 6<sup>th</sup>, 2020.

1. Ms. Devers:
  - a. Stated that the building looked safe and that it was under sound construction.
  - b. Stated that the building looks as if it was maintained.
  - c. Stated that rehabbing the building would be possible.
2. Ms. Hernandez:
  - a. Stated that there are no safety concerns.
  - b. Stated that the building was structurally sound.
3. Mr. Meehan:
  - a. Stated that the walk that was done was thorough and he saw nothing wrong with the structure.
  - b. No plans were discussed during the walk.
  - c. Stated that the structure was once so sturdy that it was considered to be a fallout shelter.
4. Mr. Stundza:
  - a. Stated that Lawrence does not operate in a vacuum.
  - b. Stated that “funky” buildings can be converted into other uses that are beneficial to the community.
  - c. Stated that the building can be polished, but to lose it would be detrimental to the city.

Mr. Martinez then stated that the applicant’s main argument for wanting to demolish the building was based around the fact that the building was unsafe and structurally unsound, but yet he and his employees have offices within the building itself which directly contradicts their statement that the building is so deteriorated that it is a danger to the community and is beyond repair.

Mr. Meehan then stated that the lot is also in a high-profile area in the city. He stated that allowing this car wash would send a message to the citizens of Lawrence and other towns and cities in the area that Lawrence does not care about its history.

Mr. McCarthy also added that car washes are currently not even allowed in the area. He stated that the ordinance amendment is currently going through the City Council again because it was stopped by the City Attorney.

He also stated that a wrap-around meeting had been done with city officials. The applicant failed to bring plans to that meeting as well.

Mr. Stundza then stated that it should be documented that the work for the train station was done by local builders and architects, which should also be taken into account.

Mr. Meehan then asked when the Demolition Delay would be effective. Mr. McCarthy stated that it would become effective the day that the commission finds the location historically significant and last nine months. Mr. McCarthy then stated that the applicant is now the one who has a time requirement imposed on him, not the commission.

It was mentioned that the applicant needs thorough plans and Haffners Gas Station will show.

***Upon a motion made by Ms. Devers and Ms. Hernandez, the commission unanimously voted to find 61 Merrimack Street significant, with no underlying conditions to warrant approving the Demolition Delay Waiver.***

## BOARD BUSINESS

### ***Vote on Temporary Art – Statement of the Commission and Temp art review from MHC***

Mr. Stundza stated that Chris Skelly of the Massachusetts Historical Commission suggested that the city make an ordinance for permanent art as well as temporary art. He stated that he is waiting for Lowell's Permanent Art Ordinance, as he plans on using it as a template.

### ***Historic Trees Department of Public Works***

Mr. Stundza stated that he had spoken with the Department of Public Works (DPW) regarding several historic trees that have been removed in the North Common. He cited that the trees were seemingly removed for no legitimate reason.

Ms. Devers then asked Mr. Stundza if the trees were removed in the North Common or the South Common. Mr. Stundza stated that the trees in the North Common were removed, but the trees in the South Market are also being cut down as well.

Ms. Hernandez stated that the trees may have been removed because there are electrical lines, sewer lines and gas lines located in close proximity to the trees. She then stated that perhaps the problem rests on the shoulders of the Conservation Commission (Cons Comm.) rather than the LHC. Jonas stated it would be, but only if the trees are not located within a historical district.

Mr. Stundza stated that the city should make a commitment to plant more trees when they remove trees.

Mr. Meehan then questioned whether or not we should view trees as other pieces of infrastructure such as lampposts and fences. He questioned whether or not we should view them as pieces of Lawrence History and whether or not we should consider them as part of the historical landscape.

Mr. McCarthy then stated that the only trees that were removed were trees that were sick or overgrown. He stated that there have been issues with the nutrients in the soil due to the fact that rock salt ruins the soil.

Mr. Stundza then stated that he would be willing to give DPW historical information about the common that way they can keep their history of the common in mind before performing any work. He then stated that he would like a landscape plan and would like to know which trees are being removed in historical districts.

Mr. McCarthy suggested that the commission send a letter to DPW, Groundwork Lawrence and the Conservation Commission.

***Upon a motion made by Ms. Hernandez and seconded by Ms. Devers, the commission unanimously voted to draft a letter regarding trees in historic districts and send said letter to The Department of Public Works, Groundwork Lawrence, and The Lawrence Conservation Commission.***

#### ***Robert Frost Homestead***

Nothing was discussed regarding the homestead.

#### ***Zoning question for PHHC***

Mr. McCarthy stated that the matter was examined by the Lawrence Planning Board and that they issued an unfavorable recommendation. He also stated that they would oppose the proposal to rezone Kendall Street.

He then stated that the rezoning of the area is ambiguous and he also added that the three family houses in the area would be able to jump to four or even five family houses if this ordinance were to be accepted. He then stated that it is clear that this is spot zoning.

Mr. Stundza then asked how many homes would be affected if Kendall Street were rezoned. Mr. McCarthy stated that only six would be affected if the applicant and the city council goes by his recommendations, but 36 would be affected if the applicant gets the exact dimensions of the rezoning that they want.

Mr. McCarthy then stated that the LPB was against it from a legal and ethical standpoint.

Parking is not an issue in the area.

It was then mentioned that the LHC has no authority to write any sort of letter due to the fact that none of the homes are in a historical district.

***Meeting with the Lawrence Public Library, ISD and OPD Regarding Mural***

Mr. Stundza and Mr. Meehan gave a summary of their meeting for Ms. Devers and Ms. Hernandez who were unable to attend.

***Upon a motion made by Ms. Hernandez and Ms. Devers, the commission unanimously decided to approve the minutes from the months of October and January.***

***Upon a motion made by Ms. Hernandez and Mr. Meehan, the commission unanimously voted to adjourn the public meeting.***