



Administrative Assistant

Jorge O. Martinez

Voting Members

Antonio Reynoso
Franklyn Veloz
Brenda Rozzi

Land Use Planner

Daniel A. McCarthy

Associate Voting Member

Betty Camilo-Correa

**PLANNING
BOARD**

**LAWRENCE
MASSACHUSETTS**

CHAIR

Tamar Kotelchuck

LAWRENCE PLANNING BOARD

April 9th, 2020

Minutes to the Meeting/Hearing

Held Remotely, using the GoToMeeting Platform

Upon a Roll Call the following members were present:

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

Also Present:

Daniel McCarthy, Land Use Planner
Jorge Martinez, Minute Taker
David Palumbo, Acting building Commissioner
Michael Armano, Acting Inspectional Services Director
Pedro Soto, Planning Director

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

Ms. Kotelchuck took a roll call to decide the order in which the cases would be heard.

The results are as follows:

1. **200, 210-220,250, 275, 280, 282, 290, 341, 350, 354,355, 360, 421-425 and 500 Merrimack Street**
Salvatore Lupoli, Lupoli Companies, 290 Merrimack Street, Lawrence, MA 01843
2. **9 Morton Street**
Nelson DeLaCruz, 9 Morton Street, Lawrence MA
3. **9-11 Dana Street**
Eric Artiles, 9-11 Dana Street, Lawrence, MA
4. **226-232 Common Street**
Max and Jesus Trejo for TMJJ, LLC, 190 Haverhill Street, Lawrence, MA 01841
5. **19 Cyr Drive**
William T. Foster, 20 Aegean Drive, Unit 15, Methuen, MA 01844
6. **0 Showell Court and 7 Showell Court**
Miguelin Contracting Inc., 289 Essex Street, Lawrence, MA 01840

**200, 210-220,250, 275, 280, 282, 290, 341, 350, 354,355, 360, 421-425 and 500
Merrimack Street
Salvatore Lupoli, Lupoli Companies, 290 Merrimack Street, Lawrence, MA
01843**

Present to address the board were Rick Frieberg and his colleagues.

Mr. Frieberg and his colleagues were before the board in order to clarify the board's previous concerns about the Planned Unit Development (PUD). He stated that he was before the board to address their concerns and provide feedback and clarification.

He then stated that the barriers for the project are 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 the borders for the PUD were established in such a way that would keep the zoning in the area constant. He stated that currently the area is an I-2 Industrial Zoning District with various different uses.

Mr. Frieberg then presented a rendering that showed the PUD from the point of view of a car traveling down Route 495.

He then presented images that showed the project from the South side of the Merrimack River which displayed all of the areas that are not currently in the PUD.

Mr. Frieberg then showed a home in the area that had been given an easement from the Lupoli Companies so the residents of the home could park their vehicles.

He also added that the PUD would preserve the current 25ft setback that is in place in the current I-2 zone. He added that the current space has no landscaping and no amenities.

He then used before and after pictures to show how the area would become more pedestrian friendly due to the implementation of green space and walkways. He added that many of the areas that look like parking lots will turn into residential streets.

Mr. Frieberg then presented a slide that showed the open space in the area. He added that the requirement for open space is 35%, but the PUD was given a variance by the Zoning Board of Appeals (ZBA). He added that the variance was sought due to the current nature of the building, but the ZBA would be happy with more open space than is required. He added that the 35% open space requirement would be fulfilled when the project is complete.

Mr. Frieberg then listed the 12 criteria that the PUD would have to fit in order to be granted the Special Permit. He listed all 12 and went over the reasons why they fit the criteria.

He added that the site will be safer for pedestrians after construction. He also added that the group is trying to invest in the green-space and activate it for the members of the public.

He then stated that the project would be public transit oriented and that it would be feasible for a tenant, worker or resident of the Riverwalk to not own a car, but still be able to travel around the complex.

He then stated that the project is consistent with the beliefs of the city.

Mr. McCarthy then presented six conditions to the applicant.

The conditions are as follows:

- 1. Create formal access easements, both pedestrian and vehicular, connecting the Riverwalk to the public road system (Merrimack Street) with at least three locations**
 - (a) From South Union Street to riverwalk access ramp near GLSD pump;**
 - (b) At Riverwalk central entrance near commercial center to riverwalk trail connecting stair/ramp;****and**
 - (c) At Riverwalk eastern entrance to the mouth of the Shawsheen River/beginning of riverwalk trail.**
- 2. Create municipal review committee to meet with applicant developers during benchmarks of development, for purposes of reviewing progress, timelines, building construction requirements and existing conditions regarding traffic, parking, environmental issues, etc.**
- 3. Conduct traffic studies at appropriate development phases to determine impact of development on Merrimack Street and appurtenant streets.**
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- 5. Require future development limitation to be within 10% of the development benchmarks stated in plan. Deviation beyond 10% will require further amendment of SP or new variances.**
- 6. Provide future access easement for boat access to the Merrimack River at or near confluence of the Shawsheen River for purposes of emergency rescue craft and possibly recreational boating.**

Mr. McCarthy then added that the city is satisfied with the conditions.

Mr. Frieberg then stated that he is pleased with every condition except for condition number five. He reiterated that plans can change and that the condition may hinder the group. He also added that the condition that regards to the river access is important to the group as well.

Ms. Kotelchuck then stated that the PUD exists as a sort of floating overlay and an agreement of shared principles. She added that she and the board would be more comfortable accepting the project with the conditions that were presented.

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

Ron Lequin of 279 Merrimack Street was present to address the board.

Mr. Lequin wanted to know if a traffic study had been done on Merrimack Street. He stated that the traffic is very bad.

Mr. Frieberg then stated that the traffic study would not be accurate due to the fact that it is under construction. He did state that the city would be the deciding authority when it comes to the project, he reiterated that the group would have to come before the board every time they need to secure some sort of relief.

Mr. Lequin stated that he was under the impression that a plan was already put into place. Ms. Kotelchuck stated that the zoning permission is for the individual buildings. She also stated that the board is essentially asking for general permission. She then stated that no studies have been done yet.

Lauren Doersam of 285 Merrimack Street then spoke.

She stated that she likes the plan that Mr. Frieberg showed, but she wants to know where the home on Dolan Court was. She stated that it was not in the rendering. She wanted to know the home would get the 25 feet that they need. Mr. Frieberg stated that the project will expand and as a result, the buffer will be granted. (TK: I believe more specifics were given on buffer – please add).

Ms. Doersam then stated that the idea of the project being oriented around public transit is a good idea, but she asked where will all the cars go that do drive into the area. She wanted to know if there was enough parking in the area to support such a big project. Mr. Frieberg then stated that an analysis of the parking was done using the current uses that are already in place. He stated that the analysis showed that the parking was at capacity. Mr. Frieberg then stated that there are four parking garages being constructed. He then added that the construction of the garages would help alleviate the parking concerns. He then stated that the project will have to go before the board for approval each time a new building gets constructed.

Mr. Frieberg then stated that during the construction the new garage, residents of Merrimack Street can utilize Riverwalk parking.

Councilor Mark Laplante then spoke regarding the project taking place at the Riverwalk. He stated that it was apparent that parking was a major issue in the area, but he stated like it sounds that the problems will be addressed. He stated that Lupoli Companies is doing all that is possible to make everything right.

Ms. Kotelchuck then stated that having a design review committee that will meet regularly is very useful and advantageous to the project.

MR. Reynoso then stated that he has some questions in regard to the parking, but he added that he is happy that the parking problem will be addressed.

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

Ms. Kotelchuck then asked what the height of the various buildings would be. Mr. Frieberg stated that the highest buildings would be 13 stories at 13 feet per floor. He stated that the smokestacks are being used as a reference point. He added that he did not want the buildings to block other historical landmarks.

Ms. Kotelchuck then stated that the conditions that are being put into place also include meeting landscaping ordinance requirements as well. She also added that the landscape requirements do apply to the residential units being built, which would require that two trees per unit be planted or that those funds be deposited into a tree fund for green space to be created elsewhere. Mr. Frieberg stated that 2/3 of the square-footage for the project is dedicated to residential uses. He then stated that adhering to the landscape requirements would be no issue at all.

With no further discussion,

The board voted and the results are as follows:

***Antonio Reynoso-Yes with the conditions
Betty Camilo-Correa-Yes with the conditions
Antonio Reynoso-Yes with the conditions
Tamar Kotelchuck, Chair-Yes with the conditions***

The applicants petition was unanimously granted.

***9 Morton Street
Nelson DeLaCruz, 9 Morton Street, Lawrence MA***

Present to address the board was Marcos Devers. He stated that he would like to continue the matter until next month. He then stated that he will be working with his client to make the home a two-family home, as he believes that his client is allowed to do so by right.

Ms. Kotelchuck was confused by Mr. Devers's comment.

Mr. McCarthy stated that the house can be a two-family home, but that the case would become one where the applicant is asking for a substantial addition instead. Mr. Devers agreed.

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

Cyndy Johnson, the daughter of the homeowner of 13 Morton Street was present to speak to the members of the board.

She stated that the home has belonged to her family. She stated that she believes that the addition that was added in 2012 is dangerous, was made poorly and violates the City of Lawrence Revised Zoning Ordinance. She added that the Lawrence Fire Department

(LFD) has no access to the property should a fire happen. She added that she has asked Mr. Devers and his company to provide documents to her, but she has yet to receive them. She stated that another addition would make the house bigger than it already is and would block the sun.

Mr. Devers stated that he was unaware that Ms. Johnson had asked for documents, but he would be happy to provide them. He stated that he would like to collaborate with all neighbors and find common ground.

The Board asked Mr. Devers to work with the neighbors to find a solution that works for both.

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

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

9-11 Dana Street

Eric Artiles, 9-11 Dana Street, Lawrence, MA

Present before the board was Marcos Devers.

He stated that he wished to continue the case.

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

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

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

226-232 Common Street

***Max and Jesus Trejo for TMJJ, LLC, 190 Haverhill Street, Lawrence, MA
01841***

Present to address the members of the board were Max and Jesus Trejo and Frank Giles. Mr. Giles began the presentation by stating that the building has been vacant for a number of years. He added that the building used to be the first operations center for a telephone company. He added that the first floor would remain commercial and floors 2-5 would be turned into residential units which would be 800-900 square feet and consist of mostly two-bedroom units and two one-bedroom units. He stated that there would be 40 units total.

He added that the Trejo brothers are currently negotiating for off-street parking. He added that the entire building is 10,500 square feet and it takes up the whole lot.

Max Trejo then stated that the first floor would remain commercial, but there would be a garage in the basement. He then stated that he and his brother are in negotiations with the Buckley Garage in order to secure more spaces. If that is done when there will be 40 spaces for 40 spots.

Mr. Giles then stated that the ZBA had granted them a variance for the parking spots.

Mr. McCarthy then stated that the picture on the plans that the board had been showed shows the parking ramp on the side of the building. He stated that the group had scrapped this idea. He also stated that the project has gone before the Lawrence Historical Commission and they approved the new windows that the Trejo brothers would be installing. He also stated that the project has gone before the Prospect Hill Historical District Commission where they also were given approval. He added that a site walk of the property had been done and that the building is in great structural shape. He added that the building used to be an old telecommunications building for Bell Telephone and Verizon. He stated that the facade will be renovated according to historical standards. He then stated that the city is in support of the project and that the city would like conditions imposed that pertain to landscaping.

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

Mr. Reynoso asked if it would be possible to landscape around the building. Mr. McCarthy stated that it would not be due to the fact that the building takes up the entire lot. He stated that it would be possible for the applicants to perform satellite landscaping to adhere to the landscape requirement. Ms. Kotelchuck suggests a condition that the building would need to meet requirements of the landscape ordinance. (JORGE: PLEASE CONFIRM – WAS THAT THE CONDITION?)

Ms. Kotelchuck then asked if the units would be affordable housing units. Mr. Trejo stated that they would be market rate and would be handicap accessible.

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

With no further discussion,

The board voted and the results are as follows:

***Betty Camilo-Correa-Yes with the condition
Antonio Reynoso-Yes with the condition
Brenda Rozzi-Yes with the condition
Tamar Kotelchuck, Chair-Yes***

The applicants commission was unanimously granted.

19 Cyr Drive

William T. Foster, 20 Aegean Drive, Unit 15, Methuen, MA 01844

Present to address the board was Ben Foster.

Mr. Foster stated that he plans on removing the garage from the home and build a family room, laundry room, bathroom and bedroom. He added that the home is in an R-1 Residential Zoning District and that the addition that he is asking for is above 35%, which is why he is before the board.

Mr. McCarthy stated that the city is in favor of the proposal.

Ms. Kotelchuck asked if any green-space will be taken down as a result of the project. Mr. Foster stated that no green-space will be taken down, but that there will be streetscape. He also added that the backyard will be very big. Mr. Foster then stated that the garage door and the renovations that they plan on putting in would make things more efficient for the resident and the family.

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 Ms. Rozzi and seconded by Mr. Reynoso, the board unanimously decided to close the public hearing.

With no further discussion,

The board voted and the results are as follows:

Antonio Reynoso-Yes

Brenda Rozzi-Yes

Betty Camilo-Correa

Tamar Kotelchuck, Chair-Yes

The applicants petition was unanimously granted.

0 and 7 Showell Court

Miguelin Contracting Inc., 289 Essex Street, Lawrence, MA 01840

Present to address the board was Frank Giles.

Mr. Giles stated that he and his colleagues plan on constructing four townhouses which would be slab on grade with garages under. He then stated that the plans would be very generic. He then added that originally the group was asking for three townhouses, but now they are asking for four.

Ms. Kotelchuck then asked if the board was approving three townhouses or four. Mr. Giles stated that he would be asking for four townhouses. He then added that the project is a large task and that no investments would be submitted without approval. He added that the plans will essentially be the same, but a fourth unit will be added in.

Mr. Giles then gave a layout of the homes. He mentioned that the second floor would contain a kitchen and living space that would be open concept and the third floor would contain the bedrooms.

Mr. Giles then stated that the project would improve the area.

Mr. McCarthy then stated that Mr. Giles has been put in a bad position. He stated that the plans that were submitted and the plans that are being viewed do not match. He recommended that the applicant continue the matter until the next meeting. Mr. Giles agreed with Mr. McCarthy and stated that the plans will be very similar to what the applicant is presenting now. Ms. Kotelchuck suggested that Mr. Giles work with his clients to improve the front façade of the building, to make the building appear more differentiated and less a single mass, using staggering and building materials to differentiate the townhomes from each other and break up the massing of the building.

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 Ms. Rozzi and seconded by Mr. Reynoso, the board unanimously decided to close the public hearing.

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

It was decided that the board will vote on two sets of minutes during the next meeting. The board also summarized the tour of two apartment complexes.

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