



# City of Lowell - Planning Board

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## Planning Board Meeting Minutes

Monday, June 7, 2021 6:30 p.m.

Conducted via Zoom

**Note:** These minutes are not completed verbatim. For a recording of the meeting, visit [www.ltc.org](http://www.ltc.org)

### Members Present

Thomas Linnehan, Chairman

Gerard Frechette, Vice Chairman

Robert Malavich, Member

Caleb Cheng, Member

Russell Pandres, Associate Member

Sinead Gallivan, Associate Member

### Members Absent

Richard Lockhart, Member

### Others Present

Fran Cigliano, Senior Planner

Peter Cutrumbes, Assistant Planner

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A quorum of the Board was present. Chairman Linnehan called the meeting to order at 6:30pm.

### I. Minutes for Approval

May 17, 2021

G. Frechette motioned and R. Malavich seconded the motion to approve the minutes as submitted. The motion passed unanimously, (5-0). G. Frechette complimented D. Ricker on the minutes.

### II. Continued Business

#### **Site Plan Review Amendment and Special Permit: 357 Pawtucket Street 01854**

Franco American Holdings LLC has applied to the Lowell Planning Board for a Site Plan Review Amendment and a Special Permit approval for 357 Pawtucket Street. The applicant is seeking to increase the total number of units at the development from 53 units to 62 units. The subject property is located in the Traditional Mixed-Use (TMU) zoning district and requires a Site Plan Review Amendment per Section 11.4, and Special Permit approval per Section 12.1(e).

#### On Behalf:

James Harrington, Applicant's Attorney

David Jordan, Applicant's Engineer

J. Harrington said that everything that is changing will be within the mansion portion. These are minor changes. The applicant is looking to keep the office space and convert the rest of the mansion to residential use. There is currently more demand in the market for residential.

#### Speaking in Favor:

None

#### Speaking in Opposition:

None

Discussion:

G. Frechette and R. Pandres recused themselves from this petition.

T. Linnehan asked about adding snow storage to the plan.

D. Jordan confirmed that that could be added to the plan. No major work is being proposed. They are providing 126 parking spaces where 125 are required.

S. Gallivan wanted to confirm that what was built was built in accordance with what was approved. She asked about proposed modifications to exterior, considering the structure is being changed from commercial to residential.

D. Jordan said yes, the project was built according to the approved plans, and no changes to exterior are proposed. Additional apartments will be built inside of the structure. The work will be confined to the interior only.

R. Malavich asked what the effect on the architecture would be to convert the interior of the units. D. Jordan said that they would try to work with what is there and preserve the architectural integrity of the building.

T. Linnehan brought up comments from the stormwater team. The applicant confirmed that they are okay with the proposed condition regarding maintenance of the existing stormwater management system.

Motion:

T. Linnehan motioned and C. Cheng seconded the motion to approve the Site Plan Review application with the following conditions:

1. The applicant shall sweep/vacuum the paved areas on this property and clean the drainage structures annually;
1. The applicant shall submit a revised site plan that designates a location for snow storage.

The motion passed unanimously, (4-0-2), with G. Frechette and R. Pandres recusing themselves.

T. Linnehan motioned and R. Malavich seconded the motion to approve the Special Permit with the same conditions as the Site Plan Review. The motion passed unanimously, (4-0-2), with G. Frechette and R. Pandres recusing themselves.

**III. New Business**

**Site Plan Review and Special Permit: 23 Cabot Street, 616-666 Merrimack Street, and 591-639 Market Street 01854**

Will Soucy and Don Garcia have applied to the Zoning Board of Appeals for Variance approval to construct a mixed-use building consisting of thirty-two (32) dwelling units and approximately 35,000 sq. ft. of commercial space, as well as a parking structure at 23 Cabot Street, 616-666 Merrimack Street, and 591-639 Market Street. The properties are located in the Urban Neighborhood Mixed Use (UMU) zoning district and require Site Plan Review approval pursuant to Section 11.4 and Special Permit approval pursuant to Section 12.1(e), Section 12.4 and Section 12.8.

On Behalf:

Bill Martin, Applicant's Attorney

Steven Chung, Applicant's Architect

Donald Blajda, Applicant's Architect

Brian Geaudreau, Applicant's Engineer  
James Emmanuel, Applicant's Landscape Architect  
Will Soucy, the Applicant

B. Martin said that the applicant is seeking a few items of relief. They were granted relief by the ZBA last week. Need SPR and SP for 7+ unit structure. They are proposing a two-tower type design: two five story buildings with a parking garage in between. One building would be for JDCU, the other for residences. The parking is unique. The first floor will serve office building and cars will enter from Merrimack Street. The second floor will serve residential and enter from Market Street.

S. Chung provided an overview of the project. He was inspired by the historic architecture in Lowell. Looked at the two proposed buildings as "relatives" not twins.

D. Blajda continued the presentation of the project.

S. Chung added that they are not trying to replicate but appreciate the historic architecture in Lowell. Incorporated a unique corner at corner of Merrimack and Cabot Streets.

B. Geaudreau said that the team has been in communication with City of Lowell regarding stormwater management and landscaping. They are fully compliant with MassDEP and City requirements. They are adding landscaping to improve the neighborhood. Completed a traffic analysis. 1200 average daily trips a day. Seeing less than 10% increase due to this project. Working hand in hand with the City. JDCU and the City submitted a one stop application for a MassWorks grant for \$1.7 million to improve intersections. As part of the overall block, they would be improving all sidewalks and incorporating street trees, lighting, and a neat little green infrastructure project. The team is trying to create LID street drainage to take uncontrolled runoff that goes into combined sewer and includes recharge elements.

J. Emmanuel presented the pocket park which would be open to the public but would serve as a permeable surface. Introduction of green infrastructure elements on the sidewalks. Planted areas will make the area look much greener.

B. Geaudreau said that they had included a draft set of architectural plans in the submission. Now, the board has much more developed architectural plans. The commercial portion of the building will have interior storage of trash, and the dumpster outside will be for the residences.

T. Linnehan asked about a maintenance agreement for the landscaping. B. Geaudreau said that there would be an easement for the public park and landscaping in the public way. This would make sure that the public would have access, but the developer would maintain the landscaping and park in perpetuity. This would be part of the management program.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

R. Malavich said that he has been wowed by a wonderful project. It has everything that we would want. He is all for this project.

G. Frechette said that they had some perspective because of the prior project proposed for this site. He credits the architect for integrating the city of Lowell's architecture into the proposal. Influence of the local people provided guidance. Compliments him on that. He doesn't remember seeing the landscape plan shown today. He likes the way it is shown on the video. Will need to be finalized with DPD. He is assuming the professionals have looked at ADA compliance. His major concern is if the application with MassWorks is not approved. He did not see a traffic analysis. F. Cigliano said she has been concerned about this as well and is not sure how traffic improvements would be included if the MassWorks grant is not awarded.

B. Martin said that they do not have an extra \$1.7 of their own for signal improvements. With respect to traffic - we are below thresholds. In the past, there had been a significant traffic problem with this site due to the drive up window at JDCU. Traffic would back out into Cabot Street. That has been improved and the team does not envision anything like that.

G. Frechette said there may be some mitigating traffic measures that do not come anywhere near that cost. WE don't know that at the moment since we do not have traffic engineer on staff. G. Frechette asked about stormwater since there had been no comments from the City's stormwater team. F. Cigliano said that the applicant had been working directly with the stormwater team and that the applicant is aware of the standard that they need to meet.

G. Frechette asked whether the units would be condos or apartments. B. Martin said that the intent is to have these units for ownership.

S. Gallivan said that this is a great proposal and wonderful improvement. She asked whether all components of the development (buildings and parking structures) would be constructed at the same time. W. Soucy confirmed yes. S. Gallivan asked where mechanical equipment would be stored. W. Soucy said on the roof.

S. Gallivan said the landscaping is very successful. The applicant has addressed the concerns about the blank wall. She is happy with the proposed materials.

C. Cheng asked about loading. Do residents have an area to move in? D. Bladja explained the area that would be used for loading. C. Cheng really enjoyed the presentation and level of detail in the architecture. He echoes G. Frechette's concerns about a traffic study. It would be great if the applicant and City can secure money through the MassWorks grant, but what if that doesn't work out?

R. Pandres thanked the applicant for the inclusion of street trees and making improvements on all three of the streets.

T. Linnehan is happy with the project. He is especially happy with the parking. The previous project proposed at this parcel did not have the parking and that was a big issue. He thinks it will look very nice.

G. Frechette considered how to mitigate traffic without traffic engineer, and without MassWorks grant. B. Martin said that he couldn't live with a condition that requires signalizations. B. Martin suggested including a condition to work with traffic and DPD. The new signalization could only happen with the MassWorks grant. G. Frechette is concerned about lack of information.

C. Cheng asked if the current intersection can handle this level of development. That is the key question. If the state isn't providing the money, no one will be able to give the entire amount. B. Martin said the need already exists now. This development adds 10% of volume. The onus to fix the intersection shouldn't be on this developer. The proposal is an improvement from previous use.

G. Frechette asked if the landscaping is contingent on the MassWorks grant. B. Geaudreau said that even if the application is not approved by the state, they will still have to repair sidewalks and institute screening. G. Frechette asked about landscape plantings. B. Geaudreau said yes, they would be looking to modify the proposal, but address critical items. G. Frechette said he thinks moderate level traffic improvements would be appropriate.

B. Martin said that, in the event that the MassWorks grant is not approved, they could commit to fund a study, then work with DPD staff to implement reasonable changes.

Motion:

G. Frechette motioned and R. Malavich seconded the motion to approve the Special Permit under Section 12.1(e) with the following conditions:

1. If the applicant cannot obtain funding for infrastructure improvements through a MassWorks grant, the applicant agrees to fund a traffic study and agrees to work with DPD to implement reasonable traffic mitigation measures/upgrades such as timing of signalization and other measures recommended in the traffic study.
2. The applicant shall work with DPD to establish an easement and maintenance/management plan for the proposed landscaping and park.
3. The applicant shall work with DPD to finalize the landscape plan;
4. The applicant shall work with DPD to finalize a lighting plan;
5. The applicant shall comply with all requirements of the City's stormwater team; and
6. The applicant shall work with DPD to finalize the architectural elements of the project.

The motion passed unanimously, (5-0).

G. Frechette motioned and T. Linnehan seconded the motion to approve the Special Permit under Section 12.4(b) with the same conditions as the previous Special Permit. The motion passed unanimously, (5-0).

G. Frechette motioned and R. Malavich seconded the motion to approve the Special Permit under Section 12.8(b) with the same conditions as the previous Special Permits. The motion passed unanimously, (5-0).

G. Frechette motioned and T. Linnehan seconded the motion to grant Site Plan Review approval under Section 11.4 with the same conditions as the Special Permits. The motion passed unanimously, (5-0).

**IV. Other Business**

**Minor Modification: 2 Prince Ave, 1 Markley Way 01852**

The applicant is seeking to modify condition of approval #5 which reads "the landscaping and fencing along the south side of the property where the site abuts all residential properties shall be completed by the month end of May 2021" by replacing the month of May with August.

On Behalf:

Theo Kindermans, Applicant's Representative

T. Kindermans explained the need for the minor modification. The team has been working diligently, and are hoping to finish the landscaping and fencing installation by the middle of August.

Discussion:

The Board discussed the progress with the other conditions of approval with the applicant. The Board found it to be a reasonable extension.

Motion:

R. Malavich motioned and T. Linnehan seconded the motion that the proposal is not substantial and material change and constitutes a minor modification. The motion passed unanimously, (5-0).

C. Cheng motioned and R. Malavich seconded the motion to approve the minor modification that would extend the deadline for fencing and landscaping to the end of August 2021. The motion passed unanimously, (5-0).

**Pre-Application Discussion: 78 Middlesex Street 01852**

The applicant proposes to redevelop the existing building into a 26 unit housing development. When the project officially applies for approvals it will require Site Plan Review from the Planning Board, Variance and Special Permit Approval from the Zoning Board of Appeals, and approval from the Historic Board.

On Behalf:

John Geary, Applicant's Attorney

Monte French, Applicant's Architect

B. Geaudreau, Applicant's Engineer

J. Geary introduced the project. The property has been vacant and run down for several years. The applicant is proposing to redevelop the property into 26 residential units. The units would be a mix of studios, 1br, and 2br. The fitness center and pool would be for residents. There is no off-street parking, but the property is in close proximity to several parking facilities and a transit terminal. They will also be implementing micro-mobility solutions such as rentable bikes and scooters. Hopefully, these efforts will limit the need for vehicles.

M. French presented the redevelopment project. Walked through the floor plans for the units.

Discussion:

C. Cheng asked if landscaping is conceptual at this point. R. Pandres asked about parking. C. Cheng asked if these units would be condos or rentals. J. Geary stated rentals. The applicant discussed bikesharing and indoor bike storage.

B. Geaudreau discussed the site plan. They are including a pocket park. They have to apply for a stormwater permit. Because they are utilizing current alleyway as green space, they are looking to put roof runoff underground.

M. French said they are more than happy to add trees. He is happy to add urban landscaping, and will replace any trees. Will be most likely adding to what is there now. S. Gallivan discussed egress with M. French. S. Gallivan said it is overall an exciting project.

T. Linnehan likes the open concept courtyard. R. Malavich recommended plantings in the courtyard and benches for residents to sit and have some shade. C. Cheng commented that the pool would be a unique offering in a downtown setting.

Motion:

None

**V. Notices**

**VI. Further Comments from Planning Board Members**

S. Gallivan said that CPC had met in the month of May. During this meeting, the Board Members completed training with the Community Preservation Coalition. They will have an additional meeting in June. The training was very

valuable. This Thursday they will be discussing the public hearing and preservation plan draft and approving the application form, eligibility form, and recommendation form. Finally, they are looking at opening the application period, and are looking to award funding to projects before Christmastime for the first year of applications. R. Malavich said that the Committee sounds exciting. G. Frechette said it turned out to be quite a committee, quite important and exciting. S. Gallivan said that the training was exciting, as it was great to see what other towns have accomplished in the past 20 years using CPA funding. The Committee has three years' worth of funds to distribute.

#### **VII. Adjournment**

R. Malavich motioned and C. Cheng seconded the motion to adjourn the meeting. The motion passed unanimously, (5-0). The time was 9:04 PM.