



# City of Lowell - Planning Board

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## **Planning Board Meeting Minutes**

Monday, June 21, 2021 6:30 p.m.

City Council Chambers, 2nd Floor, City Hall

City of Lowell, 375 Merrimack St, Lowell, MA

Remote participation optional 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

Caleb Cheng, Member

Richard Lockhart, Member

Russell Pandres, Associate Member

Sinead Gallivan, Associate Member

### **Members Absent**

Robert Malavich, Member

### **Others Present**

Fran Cigliano, Senior Planner

Dylan Ricker, Assistant Planner

Peter Cutrumbes, Assistant Planner

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A quorum of the Board was present. Chairman Linnehan called the meeting to order at 6:32pm.

## **I. Minutes for Approval**

June 7, 2021

G. Frechette motioned and T. Linnehan seconded the motion to approve the minutes as submitted. The motion passed unanimously, (5-0).

## **II. Continued Business**

## **III. New Business**

### **Site Plan Review: 380 Lawrence Street**

Larkin Real Estate Group, Inc. has applied to the Planning Board for Site Plan Review approval to construct a three (3) story, thirty-five (35) unit Lodging House Building at 380 Lawrence Street. The property is located in the Neighborhood Business (NB) zoning district and requires Site Plan Review approval pursuant to Section 11.4.2 (2).

#### **On Behalf:**

K. Lania, Cornerstone Land Associates representing Larkin Real Estate Group

K. Lania introduced the project and informed the Board that the number of proposed units has been reduced from 35 to 33. He submitted new materials to the Board and the Staff, and responded to the previously circulated

comment memo by discussing the features of the Site Plan, the layout of the units, the on-site management strategy, the client's target market, walkability and transportation options, traffic impacts, and fire prevention measures.

Speaking in Favor:

T. Linnehan read a letter of support from Anthony Tierno, Abutter and President of Token Multi Services Corporation / Owner of Spin Cycle Laundromats, who was unable to attend.

Speaking in Opposition:

Mike Wright, 5 Clark's Court (in-person)

M. Wright expressed concerns about parking conditions and access for service vehicles such as garbage trucks. He does not think the relying on public transportation to alleviate the parking need will work.

Allyson Makiej, Joiners Court (via Zoom)

A. Makiej expressed concerns related to parking, snow removal, and safety. She feels that this project would put too much pressure on a working class neighborhood which already has many challenges, and feels that a drive-through business or a florist would be a more suitable use for the site. She stated that if young people are the target market, they will likely have cars. The shared kitchen arrangement would encourage the use of dangerous hot plates. She also expressed concerns that this type of co-living arrangement could contribute to the spread of disease and outbreaks in the aftermath of the COVID-19 Pandemic. She expressed skepticism toward the economic viability of the project and stated that property values would be negatively impacted in a diverse neighborhood where residents are struggling for homeownership opportunities. A. Makiej does not feel that this is an appropriate location for the proposed project. She stated that the train station is not as close as K. Lania suggested and that it is a difficult walk. She asked how this project would contribute to the City's affordable housing goals.

Dominic Wunungu, 9 Clark's Court (via Zoom)

D. Wunungu stated that he has lived in the neighborhood for 21 years and owns a multi-family home. He shared that he currently has an empty unit which he is struggling to fill, and that he has witnessed at least 6 car accidents on Lawrence Street. He emphasized concerns over parking and traffic and suggested the City instead purchase the land and build a parking facility. He also expressed concerns related to stormwater drainage and sewage, citing past issues. He stated that if this project were to be built, it would be a disaster waiting to happen.

Dave Fuller, City of Lowell Building Commissioner (via Zoom)

D. Fuller agreed that parking would be a major issue and stated that there would be no guarantee that residents would not have guests. He feels that 33 units should have 33 parking spaces and anticipate visitors. He suggested that it would make more sense to have 2 rooms dedicated to management in case one manager has to be off-site, there would be another to fill in. He stated that Lodging Houses in Lowell tend to make the neighborhood less desirable. He clarified that certain types of hot plates are not allowed. He stated that it would be very difficult to manage 33 units while maintaining residents' civil liberties. D. Fuller expressed that this proposal is far too dense and reiterated concerns regarding traffic, snow removal, and parking challenges. He encouraged the Board to have the Applicant scale back the proposal.

John Silva, 5 Joiners Court (in-person)

J. Silva expressed concerns regarding the challenges along Joiners Court in regards to parking, circulation, and service access. He stated that it is already extremely difficult for a garbage truck to get down the one-way dead-end street. He asked how the City could be sure that there aren't 2-3 people in each room and stated that even with 24/7 surveillance it would be impossible to monitor everyone who comes and goes from the building.

A. Makiej agreed with her neighbors on the difficulty of access and expressed support for Dominic's idea of building a parking facility instead.

Jim Lewis, 13 Merrill Street (in-person)

J. Lewis stated that he has lived in this neighborhood his entire life. He discussed the changes to the neighborhood that he has witnessed first-hand over time, including the challenges that arose following the construction of similar types of dense housing projects. He reiterated concerns over parking and service/emergency vehicle access. He expressed that it would make more sense to replace Whipple Café with commercial space to support local businesses and contribute to the neighborhood. He stated that there are no other large buildings like this in the area, making it an anomaly which does not fit into the existing urban fabric well.

D. Wungungu agreed with J. Lewis and emphasized the problems with parking on Clarke's Court. He stated that it is a private street and therefore not maintained or plowed by the City. He would rather see investment in rehabilitating the mill buildings for housing. He reiterated that there are many traffic accidents on Lawrence Street, to the point that he no longer feels comfortable entertaining guests because it is too difficult to arrive and park safely.

A. Makiej added to the Zoom chat "we can't just pack people on top of each other, it adds a massive burden to our neighborhood."

#### Discussion:

T. Linnehan asked for clarification on whether Special Permit approval is required from the Planning Board.

J. Wilson clarified that to be true, according to Article XII Table of Uses in the City Zoning Ordinance, the Zoning Board of Appeals is the Special Permit Granting Authority for Lodging Houses in the Neighborhood Business zoning district.\*

*\*Note: this was later corrected after the meeting. The Planning Board IS the Special Permit Granting Authority for this project per Section 11.3.1 which states, "...in cases where a proposal requires Site Plan Review, the Planning Board shall automatically become the Special Permit Granting Authority for any Special Permits the proposal also requires."*

K. Lania clarified the additional relief being requested from the Zoning Board of Appeals.

T. Linnehan stated that he and other Board Members had done their due diligence by visiting the site and walking around the neighborhood.

K. Lania clarified that the parking requirements for a Lodging House are one space per 2 units. For 33 units, the requirement is 17 parking spaces and their proposal includes 18 so they meet the parking requirement. He stated that he understands the traffic and parking concerns and emphasized that they are not proposing to change the curbing along Joiners Court, and that they are only eliminating parking for those who currently park on the lot illegally. He described the grass pavers along Joiners Court and stated that the right-of-way would be expanded to twenty (20) feet, with parking spaces set seven (7) feet back from the property line. He stated that the construction of this proposal would not further exacerbate any current access challenges.

R. Lockhart stated that micro-mobility needs to be addressed and suggested the Applicant promote bicycles and alternative transportation methods.

K. Lania highlighted that a bike rack is available and shown in the basement floor plan.

G. Frechette stated that the Planning Board does not see many applications like this one and expressed confusion as to what exactly was being applied for from the Planning Board, stemming from the combined comment memo addressed to both the Planning Board and Zoning Board of Appeals. He stated that Site Plan Review tends to be fairly straight-forward and that it is difficult to deny a project under the requirements of 40A. The Planning Board has more flexibility in approving or denying Special Permits. He stated that the issues raised in the Comment Memo extend beyond the purview of Site Plan Review, but acknowledged that they are valid points. He stated that the parking setback requirements are in place to avoid the "sea of asphalt" condition that exists now and is proposed to remain. He expressed that the submitted Site Plan does not meet the standards for upholding neighborhood character. He noted that the Applicant had the option to come to the Board for a pre-application hearing which could have ironed out some of these concerns in advance of submitting the actual application.

K. Lania stated that he would provide DPD staff with the parking area calculation to help clarify the extent of the Landscaped Open Space relief needed.

G. Frechette discussed the parking variances needed and referenced the Site Plan Review requirements that the Planning Board is obligated to address. He expressed frustration that the City does not currently have a Transportation Engineer. He stated that this proposal is a significant departure from the circulation requirements for Site Plan Review approval. He also stated that the proposed drainage is insufficient and has not yet been addressed.

K. Lania disagreed with G. Frechette's statement and said that he spoke with Mike Stuer about one month ago, but that the stormwater requirements changed just a week ago. He stated that the project meets and exceeds state DEP requirements, but that it may not yet meet the City's requirements.

G. Frechette confirmed that the requirement is to detain the first inch of rainwater. He also acknowledged the 1-mile walk to downtown and the train station is long and not a practical option.

K. Lania noted that the City is working to improve pedestrian safety in this area.

G. Frechette reiterated the challenges that are common with congregate housing. He stated that it will be up to the Zoning Board of Appeals to determine if the lack of buffers between the parking lot, the street, and the building is acceptable. He stated that the Planning Board takes safety seriously, citing the concerns raised by the Lowell Fire Department. He noted that parking has been a challenge in this neighborhood for decades and stated that the Boards have done a good job with encouraging the adaptive reuse of existing mill buildings, but when discussing new construction the proposal should meet the zoning requirements that are in place to ensure quality development. He re-stated Commissioner Fuller's concerns and suggested that at a minimum the Applicant should scale back the project. He stated that the Board is not responsible for calculating the economic viability of the project, but estimated that the Owners would need to collect at least \$1,000 per month in rent to make it work.

R. Lockhart suggested exploring design alternatives and reducing the size of the building.

C. Cheng agreed with his fellow Board Members and reiterated concerns about the impact on the neighborhood and parking. He noted that having bicycle storage in the basement without elevator access would discourage bicycle use and lead to further car-dependence for residents.

S. Gallivan agreed with her fellow Board Members and stated that the Application seems to be incomplete, noting the unanswered questions regarding the requirements for Site Plan Review. She reiterated the access concerns

raised by the Fire Department. She stated that she would be receptive to development at this location, with a more appropriately scaled proposal, and noted that the Joiners Court lot line could use a lot of improvements.

R. Pandres agreed that the Application seems incomplete and requested more information. He stated that he is generally in favor of affordable housing, but asked that the Applicant add more detail and information addressing the concerns that have been raised.

T. Linnehan noted the major concerns with the Zoning Board of Appeals relief being sought and the Building and Fire Department concerns. He stated that when it comes to health, safety, and welfare, the Planning Board has to seriously consider the comments of the Deputy Fire Chief, who strongly urged the Planning Board to reject the proposal. He noted that DPD staff also had many concerns.

K. Lania requested a continuance to allow the project team to address the concerns raised.

G. Frechette asked if the Applicant would have enough time to make changes in advance of the 6/28 Zoning Board of Appeals meeting, and emphasized that the Planning Board does not have to approve the Site Plan Review even if the ZBA approves the variances.

Motion:

R. Lockhart motioned and G. Frechette seconded the motion to continue the application to the 7/19/2021 Planning Board meeting. The motion passed unanimously, (5-0).

**IV. Other Business**

**V. Notices**

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

R. Lockhart provided an updated from the Historic Board regarding the progress made with their mural policy. He stated that Members of the Board would be attending a site walk to discuss potential mural locations and discussing a revised draft of the policy at their next meeting on July 12.

G. Frechette provided an updated from NMCOG and shared that Executive Director, Beverly Wood, announced she will be retiring, and noted that Jay Donovan is also retiring, leaving two of the top positions in the organization vacant. He stated that they are putting together a search committee of NMCOG Councilors and will have further updates in the near future.

S. Gallivan provided an update from the Community Preservation Committee and shared that they will be voting on the Community Preservation Plan on 6/24/2021.

F. Cigliano added that the Plan will be circulated to Board members once it is complete.

**VII. Adjournment**

R. Lockhart motioned and G. Frechette seconded the motion to adjourn the meeting. The motion passed unanimously, (5-0). The time was 8:06 PM.