

MINUTES TO THE MEETING

Held in the Office of Planning and Development, 12 Methuen Street, Lawrence, MA 01840 on Tuesday, January 28th, 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 Ms. Hernandez and seconded by Mr. Meehan, the board unanimously decided to open the public meeting.

Upon a motion made by Ms. Hernandez and seconded by Mr. Meehan, the board unanimously decided to hear the matter pertaining to 232-236 Common Street first.

NEW BUSINESS

*Demolition Delay Waiver Application
Max and Jesus Trejo for TMMJ, LLC
226-232 Common Street*

Present before the board was Max Trejo who is the developer of the project.

He stated that he was before the board in order to secure a Demolition Delay Waiver so that he and his colleagues can move the garage door that is located on the right side of the building to the center of the building. He also stated that the granite that is being used around the door will

be reused. He added that the wall that is facing the parking lot, which is deteriorating, will be redone with brick. Mr. Trejo also stated that he plans on putting new windows up that will match the previous windows that were installed in the structure.

Mr. Stundza then asked Mr. Trejo if the windows were going to match the existing windows that were on the building. Mr. Trejo stated that they would, but that they will be made of aluminum.

Mr. McCarthy then stated that the applicants have a letter from the Prospect Hill Historical District Commission (PHHDC) that supports the doors and the windows.

Mr. Meehan then asked if the applicant had a photo that showed how the building currently looks. Mr. Trejo stated that he did not, but he stated that there is a door that is currently in the middle of the building which will be where the new garage door will be located. He also stated that there will be windows on both sides.

Mr. Meehan stated that it will essentially be a repetition of what is being displayed on the plans. Mr. Trejo agreed.

Mr. Meehan then wanted the applicant to elaborate more about the doorframes on the building. Mr. Trejo stated that he will be reusing the granite that will be taken out of the doorframe on other parts of the building.

Mr. McCarthy then stated that the central door will be for the commercial space, but the side door will be for the residential space.

Mr. Meehan then asked what the garage door would look like. Mr. Trejo stated that he does not know. He would like to sit down with the PHHDC to talk about potential designs for the garage door. Mr. McCarthy stated that the applicant has an open order with the PHHDC.

Mr. Stundza then asked the applicant about his reasoning for moving the garage door to the side and not the front. Mr. Trejo stated that the idea was quickly shut down. Mr. McCarthy then stated that moving the garage door to the front of the building would need approval from various departments in the city.

Mr. Stundza then asked if there would be a one level garage or a two level garage. Mr. Trejo stated that the plans were to keep the garage strictly in the center of the building. Mr. Stundza then asked how many parking spots would fit in the underground garage. Mr. Trejo stated that the applicant would be able to fit 20-25 spots. Mr. Stundza then asked if that would be a sufficient amount of parking for the number of units that are being built in the building. Mr. Trejo asked Mr. McCarthy to clarify the situation. Mr. McCarthy stated that the applicants have a contract to rent 40 additional spaces from the Buckley Garage.

Mr. Trejo stated that he wants to complete this project the right way and preserve the historical significance of the building.

Mr. McCarthy then stated that the building is very sturdy and well-built. Mr. Stundza then stated that the building was initially built in order to house the first computer systems that were built that were large and heavy. Mr. Trejo then stated that the building used to be a two-story building at one point.

Mr. McCarthy then stated that he believes that the whole building could be used as parking because it is so strong. Mr. Stundza then asked Mr. Trejo if he ever considered making the first two floors garage parking. Mr. Trejo then stated that he would like to keep the first floors as commercial space. The board agreed.

Mr. Trejo then reiterated that there would be 40 residential units upstairs and 20-25 parking spots in the basement. Mr. Stundza then wanted to know the makeup of the units as it relates to the number of bedrooms. Mr. Trejo stated that there would be 32 two-bedroom apartments and 8 one-bedroom apartments. Ms. Hernandez then stated that the side of the building has the outline of the old building that was next to it which was a church. She stated that it needed to be updated.

Mr. Stundza then asked if the window system would be the same. Mr. Trejo stated that it would.

The board then asked Mr. McCarthy for advice regarding how to rule on the situation due to the fact that Ms. Devers chose to recuse herself.

With no further discussion,

Upon a motion made by Mr. Meehan and seconded by Ms. Hernandez, the commission voted to find the building located on 226-232 Common Street historically significant. They also voted to allow the applicant to continue with his rehabilitation of the property due to the fact that he has exhibited great care in the restoration of the building, and has taken steps to preserve the historical significance of the building.

***Demolition Delay Waiver Application
225-235 Essex Street
Markerian Properties II, LLC***

Present to address the commission was Luis "Miguelin" Tejada. He stated that he would be the general contractor on the project.

He stated that there will be 16 units being built on the third and the fourth floors of the building. He also added that he was before the commission because of the windows. He stated that openings will have to be made in the walls for the windows. He added that the windows will be on the east facade of the building. He added that the windows will be made of aluminum, high in the front and they will have higher openings. He also stated that the windows that will be facing the lot will appear similar to the old windows.

It was also stated that the board cannot vote on the matter due to the fact that Ms. Devers needs to recuse herself.

Upon a motion made by Mr. Meehan and seconded by Ms. Hernandez, the commission voted to find the building located on 225-235 Essex Street historically significant. They also voted to allow the applicant to continue with his rehabilitation of the property due to the fact that he has exhibited great care in the restoration of the building, and has taken steps to preserve the historical significance of the building.

Upon a motion made by Ms. Hernandez and seconded by Mr. Meehan, the board unanimously decided to take the old business out of order.

OLD BUSINESS

Frost Home Preservation 175 Haverhill Street

Mr. Stundza stated that the home located at 175 Haverhill Street is not in bad shape. He stated that he met with qualified people regarding the structure of the building and they stated that the building may need to be worked on, but it is not as dilapidated as it seems.

Mr. Stundza also stated that four generations of the Frost family had lived in the house and many significant events had occurred in the home. He added that because of this, the home must be preserved and protected and more attention needs to be paid to the building. He added that he would like a motion that would be in favor of the restoration and preservation of the home.

Mr. Meehan then asked Mr. Stundza to clarify the situation regarding the home. Mr. Stundza stated that the project to restore the home would not be impossible, but he added that the exterior of the structure is the commission's main concern. He does not want the condition of the condition of the building to overshadow the historical significance of the building.

Mr. Meehan then made a motion to find the home historically significant and for future projects to focus mainly on restoration and preservation of the building. This motion was not seconded. Ms. Hernandez then asked if the motion that Mr. Stundza was wishing to pass would hold any weight or have any effect. Mr. Stundza stated that the motion would mean that the commission has looked at the issue beforehand and is looking to preserve the building. Mr. Meehan then asked if the commission should add a caveat in their decision that pertained to the architectural significance of the home as well, as it is the first home in the city that was built around Campagone Common.

Ms. Hernandez then wanted Mr. Stundza to further explain who the person was who looked at the home to see its condition. Mr. Stundza stated that the person is someone who has worked in the construction industry before. He then added that the person is not present before the board because he does not want to be involved in the situation in fear that his opinion would have

lasting effects, but he did state that the person stated that although the home is not in great shape, it can be rehabbed. He added that the record should reflect that the building has historical value. Ms. Hernandez then added that the home is privately owned and that there is nothing that keeps the owners from making drastic structural changes to the inside of the building and doing things that will contribute to the degradation of the building. He then stated that the use of the building cannot be speculated.

Mr. McCarthy stated that whoever owns the building has two options, the could either create a development that is barely sustainable and create apartments or Lawrence Public Schools could acquire the building and somehow use the building as an office building. He then added that the home is one of three locations that is being looked at as a location for a new school.

Ms. Hernandez then added that she wanted to ensure that the commission is making a decision that carries some weight to it and is legally binding. Mr. Stundza stated that it already has legal binding because it is on the register, but all the board is doing is being proactive regarding the situation. Mr. McCarthy then stated that he thought that there was already a determination made on the building. Mr. McCarthy then stated that the owners of the property have been before the Zoning Board of Appeals (ZBA) and the Prospect Hill Historical District Commission (PHHDC), but they still need to go before the Lawrence Planning Board (LPB). He then added that the PHHDC gave the owners of the home the authority to replace the doors and windows of the building. He stated that the design was approved, but no work has been performed. He added that the applicants cannot decide what they want to do. He then stated that the applicants cannot get a picture of what the house looks like in the past. Mr. McCarthy stated that the picture has to be located somewhere.

Mr. Stundza suggested tabling the matter. He then added that bird nests and bird dropping do not prove that a building is deteriorating. Members of the commission disagreed. Ms. Devers then stated that the commission does not know the extent of the deterioration of the building. Ms. Hernandez then stated that the building could be neglected further and collapse.

Mr. McCarthy then stated that a conversion permit can be given. He added that the area is zoned as an R-2 Secondary Residential Zoning District and only one and two unit buildings are allowed. He added that conversion was established to repurpose historical buildings that were too large to be one or two unit buildings into buildings that are suitable for multi-family housing.

Mr. Stundza wanted to table the matter.

Upon a motion made by Mr. Meehan and seconded by Ms. Devers, the board unanimously decided to table the matter until the next meeting.

CORRESPONDENCE

*Certificate of Appropriateness
Lawrence Public Library*

Mr. Stundza stated that the installation that was attached to the building is not appropriate to the building at all as stated in Chapter 40C. Mr. Stundza then quoted the ordinance in Chapter 40C Section 6 which states,

No building or structure within an historic district shall be constructed or altered in any way that affects exterior architectural features unless the commission shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship with respect to such construction or alteration.

He then stated that the Lawrence Public Library (LPL) violated this by drilling and placing something that drastically alters the facade of the building. He stated that the industrial beaming that is used was originally introduced as scaffolding. He added that what was installed in the library is not what was originally discussed. He stated that he spoke with The Massachusetts Historical Society and they advised him to write letters to the LPL and the Inspectional Services Department (ISD) asking why this was allowed to go through. He added that Chris Skelly from the Massachusetts Historical Society would like to see the letters after they are sent. He then stated that he sent a copy of the letter to us that he sent to ISD. He stated that ISD Director Mike Armano agreed wholeheartedly and stated that there has been a lack of communication from ISD to the LHC. Mr. Meehan then stated that public input should also be included as well.

Mr. Meehan then read the letter that he wishes to send to the LPL in addition to the letter that Mr. Stundza already sent.

The commission then stated that “temporary” is a very ambiguous term. Mr. Stundza then stated that he reached out to the LPL regarding the timeframe of the mural and how temporary it was and he did not receive an answer. He stated that the process regarding the mural was done improperly. He stated that a Certificate of Appropriateness should have been given first. He then added that the facade was altered in appearance, but not by structure.

Discussion ensued regarding the mural that was placed at the LPL. It was decided that the informal letter that was drafted by Mr. Stundza should be sent to ISD.

There was a discrepancy that was found in the letter regarding how much it cost to install the mural on the LPL. The letter stated the cost to install the mural was roughly \$1,300, it was suggested that this may have been a typo due to the fact that the scope of work was so much to suggest that the total may have been closer to \$13,000 rather than \$1,300. Mr. McCarthy stated that he is familiar with the contractor who installed all of the hardware necessary to hold up the mural. He stated that he would ask him what the actual figure to install the hardware was (It was later clarified that the total of \$1,300 was correct).

There were grammatical errors in both letters that were addressed.

Upon a motion made by Ms. Hernandez and seconded by Ms. Devers, the commission unanimously voted to send the informal letter drafted by Mr. Stundza to the Inspectional Services Department.

Upon a motion made by Ms. Hernandez and seconded by Ms. Devers, the commission unanimously voted to send the letter drafted by Mr. Meehan to the Lawrence Public Library along with the letter that Mr. Stundza already sent.

NEW BUSINESS

Vote on Lawrence Temporary Art Ordinance

As a result of the events that occurred with the mural at the LPL, the commission decided to vote on a Temporary Art Ordinance that would ensure that this never happens again.

Mr. Stundza then read the proposed ordinance changes which were modeled after the ordinances established by the City of Lowell. It was decided by the members of the commission that a section of the ordinance that refers to a buffer zone should be reworked. It was stated that the change should reflect the dimensions of the buffer. The commission stated that the buffer should be 300 feet rather than two blocks. It was stated that the term “block” is very general, where the term 300 feet is exact.

Upon a motion made by Ms. Hernandez and seconded by Mr. Meehan, the board unanimously decided to send the Proposed Temporary Art Ordinance to the Lawrence City Council after validation from Massachusetts Historical Commission.

BOARD BUSINESS

Upon a motion made by Ms. Hernandez and seconded by Ms. Devers, the commission unanimously decided to approve the meeting minutes for the last meeting.

Upon a motion made by Ms. Hernandez and seconded by Ms. Devers, the commission unanimously decided to take the matter pertaining to 61 Merrimack Street out of order.

Demolition Delay Waiver Application

Chris Fazio

61 Merrimack Street

The applicant was not present to address the commission. The applicant would like to construct a car wash on Merrimack Street which is a busy street.

Mr. McCarthy stated that the applicant is amending the city ordinance to allow for a car wash in the area. He also stated that the city council is attempting to expedite the amendment. He

mentioned that he is unaware of the city's opinion on the matter, but he expressed that he and Theresa Park, the Office of Planning and Development Director, are opposed to the proposal. He added that the proposed carwash must be 400 feet away from another carwash and they are not. He then stated that the applicant would have needed a super majority in the City Council meeting, but not enough city council members were present at the meeting to vote. It was also stated that the mayor maintains a neutral position on the matter.

Ms. Devers then asked if the applicant has any other idea for the property other than a carwash. Mr. McCarthy stated that a shopping center would be a good idea for the property. Ms. Hernandez and Ms. Devers agreed that something else can be done at the property.

Mr. McCarthy then reiterated that adding the carwash would make Merrimack Street less traffic friendly.

Mr. Stundza then asked Mr. McCarthy why the applicant did not show. Mr. McCarthy stated that he did not know.

Mr. McCarthy then recommended that the applicant table the matter until the next meeting.

Mr. Meehan then stated that the historical significance of the spot is obvious and he feels as that no one would disagree about it, but he added that the board has to be neutral on this issue.

It was then stated that a site walk should be done in conjunction with the ISD.

It was mentioned that the applicant has a bad track record and has had issues with other proposals in the city.

Upon a motion made by Ms. Hernandez and seconded by Mr. Meehan, the commission unanimously voted to request a site walk with a member of the Inspectional Services Department of the property located at 61 Merrimack Street and to continue the matter until the next Lawrence Historical Commission meeting.

Upon a motion made by Ms. Hernandez and seconded by Mr. Meehan, the board voted unanimously to close the public meeting.