



Lowell - Planning Board

Planning Board Meeting Minutes
Thursday April 23, 2020 6:30 p.m.
Conducted via TPx Meet-Me-Conferencing

Note: These minutes are not completed verbatim. For a recording of the meeting, visit www.ltc.org

Members Present

Gerard Frechette, Vice Chairman
Richard Lockhart, Member
Caleb Cheng, Member
Russell Pandres, Associate Member
Sinead Gallivan, Associate Member

Members Absent

Thomas Linnehan, Chairman
Robert Malavich, Member

Others Present

Jared Alves, Senior Planner

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

I. Minutes for Approval

April 6, 2020

C. Cheng motioned and S. Gallivan seconded the motion to approve the minutes. The motion passed unanimously, (5-0).

II. Continued Business

III. New Business

Special Permit: 1582 Varnum Ave 01854

Joseph Silva is seeking Special Permit approval to subdivide an existing lot with a single-family home and build a single-family home on the new lot. Each lot would have reduced frontage of 75 feet, where 90 feet of frontage are otherwise required. The property is in the Suburban Neighborhood Single-Family (SSF) zoning district and requires Special Permit approval under Section 5.1.1(7) for reduced frontage and for any other relief required of the Lowell Zoning Ordinance. **The applicant has requested a continuance of this hearing until the May 18, 2020 meeting of the Planning Board.**

On behalf:

None

In Favor:

None

In Opposition:

None

Discussion:

None

Motion:

R. Lockhart motioned and S. Gallivan seconded the motion to continue the hearing to the May 18, 2020 meeting. The motion passed unanimously, (5-0).

IV. **Other Business**

Notification: 677-705 Pawtucket Boulevard 01854

The applicant would like to present changes to the traffic mitigation plan for the new Market Basket grocery store and shopping plaza. Specifically, the applicant would like to install a temporary traffic signal at the intersection of Old Ferry Road and Varnum Ave to allow the grocery store and attached retail store to open, as permitted by the Site Plan Review Amendment approved by the Planning Board on November 4, 2019. Per the Special Permit decision issued during the same hearing, the applicant will not open the drive through coffee shop until a roundabout has replaced the temporary traffic signal.

On behalf:

Jim Lamp, Principal, J and Company

Rob Nagi, Principal, VHB

Natasha Vance, City of Lowell, Transportation Engineer

Mr. Lamp said he is impressed by the effort the city has taken to keep things moving. The pandemic has changed a lot of plans. Market Basket is still building the store and moving forward with the adjacent space for the Marshalls. They need to at least see what options are if the appeal of the Conservation Commission approval for the roundabout... which in essence, the appeal was made in regards to the flood plain storage mitigation. In his opinion, it is a straight math problem. It is not a subjective issue. It is just a square foot per square foot mitigation of what is brought in and out. He is fairly confident that MassDEP will dismiss the appeal. The timing is the issue. With the emergency, they have tolled all timetables for review of items in front of MassDEP and any other state agency. There was a 45-day period, but that is no longer the case. He's hoping that they don't have to, but they would like to have the option if the store is ready to open, to have a temporary signal. They will work with the city and the Transportation Engineer to design a signal that would function as a stop gap measure to allow them to open the store. Then they would build the roundabout if the appeal is dismissed by MassDEP. If the appeal is upheld, then they will design a permanent signal. They have a contract and a proposal to build the roundabout. He has shared the budget with the Transportation Engineer and Commissioner of Public Works. If the Board is okay with a temporary signal, then they would bond for the roundabout.

Ms. Vance discussed a memo that she provided to the Board. The roundabout project is proceeding. It is essentially completely designed. The City has been working with Market Basket's design consultant VHB. They have been in conversations with National Grid to do some utility relocation. The intent to build the roundabout is certainly there. There is a concern about the schedule. The property owner at 10 Old Ferry Road has appealed the Conservation Commission's decision. It doesn't appear to be an appeal that holds water. They are waiting for MassDEP's response. The idea is that if the delay... typically the appeal is filed and MassDEP has 45 days to respond, schedule a prehearing conference, then another 45 days... If the appeal is upheld, then would go into this lengthy process that could last into February of next year. They last heard from Market Basket that they were shooting for a summer opening. With the pandemic, there is uncertainty. They are concerned that they would be ready to open the store, but they would not be able to do so because the roundabout wouldn't be constructed yet. They suggested a temporary traffic signal. VHB analyzed a stop condition, full blown traffic signal and roundabout. The level of service differs, but not by a great deal between signal and a roundabout. The signal would most likely be a flashing red or all way stop on Old Ferry. Varnum would have some queuing. It would function like a three-way stop. The City would only issue a temporary certificate of occupancy to the store. Market Basket would provide surety or bond in the amount of the construction cost of the roundabout to guarantee

future construction. The City supports this idea and she recognizes that it may not be necessary. Ideally the roundabout construction can move forward and is complete prior to the store opening.

In Favor:

None

In Opposition:

None

Discussion:

Member Lockhart said he doesn't have any questions. By allowing the temporary light, it gives the applicant and developer the flexibility to open the store on time. This is critical. It's a very large investment. It is coming along nicely. He is in favor of allowing that.

Member Pandres asked if the applicant could speak to what would happen if the temporary signal got constructed and then they moved forward with the roundabout. He asked how they would manage the change.

Mr. Nagi said the roundabout has its own traffic management plan setup, so that when they go to construction the roadways would be built in a sequential approach. The temporary signal will use the existing streets. Varnum and Old Ferry would essentially remain unchanged, with some minor strip widening possible. Sequential phasing for roundabout would happen in and around the temporary traffic signal. There will be some disruptions to normal traffic flow during construction, but it would be short in nature.

Ms. Vance agreed with Mr. Nagi. The way the roundabout would be constructed is in two phases. It would involve a three way stop in both situations. They would just transition the location of the three way stop during the phases. The plan has been reviewed by her office and the Engineering office and they have approved the construction plan and traffic management plan.

Member Gallivan appreciates the due diligence and the comprehensive nature of the traffic mitigation status report. This is a thorough and feasible solution: a temporary Certificate of Occupancy that would require the roundabout to be built within 6 months. She thanked everyone.

Member Cheng recognized the commitment to mitigating the traffic issues.

Vice Chairman Frechette said the situation is unfortunate and it has obviously delayed processes in many corners of government and private industry. The applicant's intent has been clear through the process. Certainly, in an effort to keep things moving forward, this looks like a reasonable proposal. The concern is the effects of the traffic light, and he assumes that if the signal is in place there may be some adjustments as the store opens. He expects that the applicant would work with the city.

Ms. Vance said that's correct. They would adjust the traffic signal timing as needed.

Vice Chairman Frechette said he has gone on record of not being in favor of the traffic light. It changes the character of the neighborhood and disrupts the flow of the cars on Varnum Ave, with possible effects on side streets. The applicant understands that as well. This is a reasonable proposal. The original approval was general in nature. Site plan approved a traffic light with a caveat that the applicant would work with the city toward a roundabout. The applicant's peer reviewer and the City's transportation engineer concluded that the optimal solution would be the roundabout. He asked staff whether a vote is needed.

Staff confirmed that their interpretation is that a vote is not strictly necessary based on the condition of the original approval.

Vice Chairman Frechette so it's more of a progress report. He left it to the members for their thoughts.

Members Lockhart and Gallivan said that they were comfortable without taking a vote.

Vice Chairman Frechette wished the applicant well. It's a precarious situation. There is a big focus on grocery stores and the safety of employees and customers. He hopes to see the project move forward and hopes to see the roundabout implemented to coincide with the opening of the store.

Mr. Lamp said that's their intention. In all probability, the temporary signal will not be needed. He thanked the Board.

V. **Notices**

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

Member Lockhart said they did not have a Historic Board meeting last week. It has been very quiet. Hopefully, there will be a meeting next week, but he's not confident.

Vice Chairman Frechette wished everyone in Lowell good health and to stay safe. He hopes that they can get to a sense of normalcy when it is safe for people to get out and conduct business.

VII. **Adjournment**

R. Lockhart motioned and R. Pandres seconded the motion to adjourn the meeting at 7:00 PM. The motion passed unanimously by acclamation, (5-0).