

NORTHERN MIDDLESEX COUNCIL OF GOVERNMENTS

Gallagher Transportation Terminal, Floor 3B

115 Thorndike Street

Lowell, MA 01852

Minutes of Meeting: April 16, 2008

The regular meeting was called to order at 7:00 p.m. with Chairman James Silva presiding. The communities of Billerica, Chelmsford, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford were represented. The attendance list is appended as Attachment #1.

I. MINUTES OF MEETING – March 19, 2008

The minutes were distributed earlier to all Councillors for review. Upon a motion made by Rita Mercier and seconded by Steve Themelis, the Council voted in the affirmative to approve the minutes of the January 16, 2008 meeting. Councillor Ellen Rawlings abstained from voting.

II. EXECUTIVE DIRECTOR’S REPORT

The Executive Director’s Report was previously mailed and distributed to the Councillors present for review. Upon a motion made by Kevin O’Connor and seconded by Ellen Rawlings, the Council voted unanimously to accept the Executive Director’s Report for filing. The Executive Director’s Report is included as Attachment #2.

III. FINANCIAL REPORT AND WARRANT

Financial Officer Linda Bendzewicz presented the Financial Report and Warrant for review and signature. Upon a motion made by Kevin O’Connor and seconded by George Zaharoolis, the Financial Report and Warrant was unanimously approved. The Financial Report is included as Attachment #3.

IV. PRESENTATION – HAMILTON CANAL DISTRICT REDEVELOPMENT PLAN

Executive Director Beverly Woods introduced Adam Baacke, Lowell Assistant City Manager and Planning Director, Abby Goldenfarb, Project Manager, Trinity Financial, and Hank Keating, Architect, Trinity Financial, and provided background information relative to the project.

Adam Baacke provided an overview of the Hamilton Canal project, stating that the project has been a priority for three consecutive city administrations, and will bring significant investment to a section of the city that has suffered from neglect and disinvestment for the past several decades. He explained that the project will be transformative for the City and the region, creating two million square feet of mixed-use development. Mr. Baacke out-

lined the partnership between the City and Trinity Financial. He added that Trinity Financial has an impressive resume of completing comparable, complex, urban development projects in Boston and other areas.

Abby Goldenfarb, project manager for Trinity, explained the public process that has ensued since August. She stated that the community feels strongly that the project must include significant commercial activity, and that there needs to be a strong physical and economic connection to downtown. The community also feels that there is a need for affordable housing, including artist housing. Ms. Goldenfarb added that Trinity has met regularly with the National Park Service and the Lowell Historic Board in order to address historic elements of the project, and will continue to do so throughout the design and development processes.

Ms. Goldenfarb outlined the project design options that have been investigated, and noted that although the site could physically accommodate 600,000 sf of commercial development, there is not enough parking available to support this level of buildout. Therefore, the design concept being advanced includes 330,000-420,000 s.f. of commercial space, 50,000 s.f. of retail, 620 to 730 housing units, and 1,900 parking spaces. The residential uses will be concentrated primarily in the so-called "Island Parcel," which is surrounded by two canals. Commercial uses will be concentrated near Dutton Street and the site of the new trial court. Given the strength of the arts community in Lowell, a theater is also being proposed. The National Park Service parking lots are being incorporated into the project, which will require a formal disposition process.

The traffic mitigation for the project was outlined by Ms. Goldenfarb. She explained the concept of extending Jackson Street to Thorndike Street, extending Revere Street, and reconfiguring the Lord Overpass. She added that Trinity is very much in favor of extending the trolley line over to Gallagher Terminal, and is interested in having the trolley route pass through the development site. Connections across the canals are also being explored. Open space will be maintained along the canals via the canal walkways, and additional open spaces will also be created, including a park at "the Point" and various pocket parks throughout the development area.

Ms. Goldenfarb explained that the Appleton Mill will comprise the first phase of the project. She noted that building is in such poor condition it is imperative to get started as soon as possible. The mill will be developed for a combination of residential uses, including 46 units of affordable artist housing, and hopefully some graduate student housing. The remnants of the mill will be maintained to the extent possible.

The Freudenberg building will be redeveloped for office use. Ms. Goldenfarb noted that there is a prospective tenant interested in using the building as its corporate headquarters. The cladding on the building will be removed and new window treatments will be installed. A new 700-space parking garage will be constructed on Parcel 14 that will contain some ground floor retail. Parcels 15-17 will be the main commercial parcels for the project, which are presently the National Park Service parking lot.

Steve Themelis asked how large the Hamilton Canal District site is. Ms. Goldenfarb stated that the site is fifteen acres, with eleven acres being developed by Trinity and the trial court utilizing the remaining four acres. Hank Keating then explained the phasing of the project. Abby Goldenfarb added that parking for the first phase of the project will be accommodated in the Early Garage completed as part of the JAM Plan.

Steve O'Neill asked whether a footbridge would be provided for pedestrians trying to access Gallagher Terminal. Hank Keating stated that the Park Service had been considering the construction of a footbridge on Thorndike Street at the end of the Hamilton Canal, but the redesigned Fletcher-Jackson Street connector will provide an at-grade pedestrian crossing instead. He added that overhead pedestrian crossings can be unworkable and aren't typically well used. Trinity's traffic engineer is also looking at possible ways to improve the pedestrian crossing on Thorndike Street at Gallagher Terminal. Adam Baacke added that the City has received a Transit Oriented Development grant from the state to improve the pedestrian connection between the development site and Gallagher Terminal.

Jim Silva asked what the National Park Service will do for parking under this development scenario. Adam Baacke replied that the Park Service feels that a parking lot isn't the best introduction for a visitor to a park that celebrates urban history. He added that the proposed parking garage will replicate the spaces that the Park Service will be losing. Hank Keating added that there are 166 replacement spaces for the National Park Service lot included in the garage design.

George Zaharoolis asked if the redesign of the Lord Overpass will include improvements to Grand Street. Hank Keating replied that improvements to Grand Street will be required and noted that the street will be used as a right turn off Westford Street. Mr. Zaharoolis asked if there are any changes proposed where Jackson meets Central Street. Adam Baacke replied that the traffic study being prepared for the project will include analysis of 37 intersections, including Central Street and Jackson Street.

Steve O'Neill asked when the project is likely to be initiated. Hank Keating replied that the proponent hopes to begin construction on Phase 1 within fourteen months.

Rita Mercier expressed her genuine enthusiasm for the project, and suggested that transporting folks by boat on the canals would be wonderful possibility to pursue in the future. Abby Goldenfarb stated that there are conversations underway with the Park Service regarding the possibility of extending some of the canal boat tours to additional canals.

V. OLD BUSINESS

1. Tyngsborough Center Master Plan

Beverly Woods stated that NMCOG staff has been working with the Town of Tyngsborough on its Town Center for two years. The *Tyngsborough Economic Development Plan*, completed by NMCOG in 2006, recommended that the Town focus on the Town Center with an eye toward creating an overlay district, making the area more condu-

cive for economic development while protecting the historic integrity of the center. In 2007, using monies provided through a Smart Growth Technical Assistance grant, NMCOG worked with the town's Economic Development Committee to develop a draft Town Center Overlay Zoning Bylaw and corresponding design guidelines. NMCOG staff presented the draft bylaw and design guidelines to Fall Town Meeting for informational purposes.

The Economic Development has since hired Concord Square Planning and Development to design a development master plan for the Town Center, and to provide some visualization and renderings to the Town. The development plan focuses principally on the adaptive reuse of three town-owned buildings: the Littlefield Library, the Old Town Hall and the Winslow School. The project consultant has recommended that the Library be redeveloped as office space and that the Old Town Hall and Winslow School be converted to residential use. The consultant has also examined the so-called Shurfine parcel recently acquired by the town, and suggested that the main building be demolished, but that the barn at the back of the site be retained and converted to a restaurant or similar use.

Opportunities for new development are also being explored as a way of adding mass to the Town Center, and enhancing the architectural character of the town center area by creating signature buildings. Additional opportunities are being explored for underdeveloped parcels, such as the site of the Washington Savings Bank.

A series of public meetings have been held to solicit input on reuse possibilities for the three town-owned properties. There are some residents who feel that the Old Town Hall should be used for meeting space and remain under the ownership of the Town. The town has studied this possibility and found that it will cost approximately \$2.8 million to renovate the building for this purpose.

Some consideration is being given to creating a new roadway between Middlesex Road and Kendall Road in order to open up access to town-owned land for development. Traffic calming is also being considered along Kendall Road, which is residential in nature.

Kevin O'Connor stated that the town is trying to create a town center, and that this need should have been addressed decades ago. He added that this is a daunting task given the developed nature of the area, but the town is trying to take the first steps necessary to establish the framework needed to move forward with the concept. He added that the Tyngsborough has benefited tremendously from its affiliation with NMCOG in addressing these issues.

Judy Larter asked whether the River and the railroad will be tied into the Town Center Plan. Kevin O'Connor stated that the MBTA and NMCOG have been working with the Town on the Lowell-Nashua-Manchester Commuter Rail extension, and that a commuter rail station is envisioned to be located in North Chelmsford as part of the extension project. Beverly Woods stated that she recently attended a meeting in Congresswoman Tsongas' office with Steve Williams, the Executive Director for the Nashua Regional Planning

Commission, and learned that the project is still being pursued and that federal funding is being sought for environmental work.

2. CEDS Update

Jay Donovan stated the Council needs to update its priority project list for the CEDS Update. A request has been distributed to all Chief Executive Officials asking that updated information be submitted to NMCOG by May 2nd. The Council will review the list of priority projects, along with the 2008 Update, at its June meeting.

Mr. Donovan added that the project listing will contain projects that are eligible for EDA monies. Currently, Lowell is the only community that meets the EDA eligibility criteria. He further stated that it is also necessary to identify projects that help attain the goals outlined in the CEDS document, such as improving transportation infrastructure, expanding workforce opportunities, and increasing the quality of life in the region.

3. Expedited Permitting Update

Jay Donovan informed the Council that NMCOG has received a contract extension from the Department of Housing and Community Development relative to the expedited permitting contract. The extension will run until December 31, 2008.

He added that NMCOG is the only regional planning agency that has set up contracts with each of its member communities. Recently, staff provided some GIS assistance to the Town of Dunstable for its Water Source Protection Bylaw. Work was also undertaken with Billerica to create a priority development site along the Middlesex Turnpike. This effort led to an important announcement by Governor Patrick today, that EMD Serono will undertake a major expansion, making a \$50 million dollar investment that will create 100 new jobs on the newly designated Chapter 43D site.

Mr. Donovan stated that the towns will be notified that the extension was granted and that NMCOG will extend the time period during which it will be providing assistance to the municipalities. He added that staff is working with Senator Panagiotakos' office regarding the possible continued funding under the technical assistance program through the FY '09 budget process.

4. Update on the Wood Street/Rourke Bridge RFP Process

Beverly Woods informed the Council that she received an inquiry from City Councillor Jim Milinazzo regarding the Wood Street/Rourke Bridge project. Mr. Milinazzo stated that the City is interested in holding a public meeting for area businesses, residents and stakeholders to discuss the project. She added that this meeting will take place prior to finalizing the scope of work for the study, in order to ensure that the concerns of all parties are addressed during the study process.

Rita Mercier stated that Councillor Rodney Elliot made a motion to this effect at the last City Council meeting, which was subsequently referred to a subcommittee. Ms. Woods stated that once this meeting has taken place, the scope of work for the project will be finalized for MassHighway approval. Given the state's contracting timeframe, it is estimated that the RFP will be issued in late summer.

Jerry Frechette spoke about some of the development projects along the corridor that the Lowell Planning Board has been reviewing. Ms. Woods stated that the study will focus on addressing the immediate traffic problems that exist in the area, and will also study the feasibility of constructing a permanent bridge to replace the temporary Rourke Bridge.

George Zaharoolis asked if the study area will extend to Drum Hill. Beverly Woods replied that the project will extend from Route 113 in Dracut to Drum Hill in Chelmsford.

5. Update on Office Space Search

Beverly Woods stated that the RFP to lease office space was issued on April 1, 2008, and to date there have been eight companies who have requested copies. In terms of the selection process going forward, Ms Woods recommended that the Executive Director and Assistant Director identify the top three most responsive proposals. She then suggested that the Council establish a subcommittee comprised of the treasurer and at least two other members, to work on the final recommendation for the consideration of the full Council. Upon a motion made by Rita Mercier and seconded by Steve O'Neill, the Council voted unanimously to appoint Kevin O'Connor, George Zaharoolis, Steve Themelis and Dave Plunkett to the office search subcommittee.

6. Report of the Personnel Committee

Steve Themelis informed the Council that the Personnel Committee met on April 15, 2008, to consider the hiring of Shaun Logue to the position of Land Use/Permitting Planner. He added that a total of 19 applications were received for the position and that 5 applicants were scheduled for initial interviews. He added that Mr. Logue will receive a Master's degree in Urban and Regional Planning in May, and has five years of professional experience. In addition, Mr. Logue has extensive GIS skills, which will be an asset to the agency. Mr. Themelis further stated that the Executive Director checked his references, which were extremely positive. He added that the Executive Director recommends Mr. Logue be hired at an annual salary of \$52,000, and the Personnel Committee concurs with her recommendation.

Upon a motion made by Judy Larter and seconded by Pat Wojtas, the Council voted unanimously to hire Mr. Logue at an annual salary of \$52,000.

7. Other Old Business

Ms. Woods introduced David Ginns, the Council's newly hired Transportation Program Manager, and welcomed him to NMCOG.

Jim Silva informed the Council the NMCOG's nonprofit organization, the Northern Middlesex Economic Development District (NMEDD), has been officially established.

NEW BUSINESS

1. Community Reports

Dave Plunkett reported that at the previous Council meeting he had requested staff assistance concerning the review of the town's adult entertainment bylaw. He added that with NMCOG's help, the town's zoning bylaw subcommittee has been able to develop proposed revisions to strengthen the bylaw in less than a month's time. He thanked NMCOG for its quick response and assistance.

Beverly Woods stated that this was Allen Nudler's last NMCOG meeting and thanked him for his service to the Council and the community. Mr. Nudler thanked the Board and staff, and stated that he has learned a great deal from his participation on the Council. Jim Silva thanked Mr. Nudler for his loyalty and commitment to NMCOG and wished him luck in the future.

Kevin O'Connor informed the Council that Tyngsborough has opted not to seek a Proposition 2 ½ override.

2. Project Referrals

Executive Director Beverly Woods presented the Council with a list of projects under MEPA review. A letter of staff comments for the Tremont Powerhouse office building in Lowell (ENF # 610) was presented and discussed. Ms. Woods stated that the Secretary of Energy and Environmental Affairs recently issued a certificate stating that no further MEPA review is required for the project.

Comments on Jefferson at Westford, a 208-unit 40B apartment complex located in both Westford and Chelmsford, are due at MEPA on May 9th. Based on a motion made by George Zaharoolis and seconded by Steve O'Neill, the Council voted unanimously to approve the letter of staff comments on ENF #610.

3. Proposed FY 2008 Transportation Improvement Program Amendment

Executive Director Beverly Woods provided a memo outlining the proposed FY 2008 TIP amendment actions. She stated that the amendment is primarily needed to deal with changes in project costs and to add two additional projects. She added that there has been a modest increase in the cost of the Route 110/Powers Road project in Westford (\$91,000), and a decrease in the cost of the Morton Street Bridge project in Lowell (approximately \$300,000). She added that MassHighway has informed the region that there is a need to make \$11.5 million dollars in improvements to the Rourke Bridge, therefore it is necessary to add the project to the TIP. The cost of the Tyngsborough Bridge project has risen to \$18 million, principally due to the rising cost of steel and the need to de-lead the bridge. She

further explained that the LRTA has received earmark monies to purchase a vehicle for the Lowell Council on Aging, and the earmark must be added to the TIP. In addition, the HPP funds for the Rourke Bridge/Wood Street study must also be programmed on the TIP.

Ms. Woods informed the Council that the NMMPO will meet on April 25th to vote to release the revisions for the required thirty-day public comment period. She stated the Council will be asked to take formal action at its May meeting.

Kevin O'Connor asked about the future of the Tyngsborough Bridge. Beverly Woods stated that the state is still committed to advertising the project as originally planned.

Dave Plunkett asked whether the Rourke Bridge is still considered a temporary bridge. Ms. Woods replied that the design and permitting of a permanent replacement structure will take several years, and that the need for repairs to the current structure is immediate.

5. Westford GIS Contract

Executive Director Beverly Woods explained that NMCOG will not be performing the Westford GIS work as originally planned, due to software limitations.

6. Other New Business

There was none.

VI. ANNOUNCEMENTS

Mr. Donovan also informed the Council that the Mass Biotech Council will lead a session on creating BioReady Communities at Millipore in Billerica on April 30th at 8:00 A.M.. NMCOG will co-sponsor the session, along with the Merrimack Valley Economic Development Council.

Jay Donovan stated that NMCOG has arranged for the Department of Housing and Community Development to provide a training session on the revised Chapter 40B regulations. The session will be held on May 15, 2008 at the Wannalancit Mill in Lowell from 7 p.m. to 9 p.m. Invitations will be sent out to the Council and the municipalities in late April.

NMCOG staff has been working with Congresswoman Niki Tsongas on organizing a Regional Housing Summit, which will be held on the morning of June 2nd at the Wannalancit Mills. The session will focus housing production and foreclosures. Invitations will be sent out from the Congresswoman's office in mid-May.

VII. ADJOURNMENT

Based on a motion made by Steve O'Neill and seconded by Kevin O'Connor, the Council voted unanimously to adjourn at 8:38 p.m.

CLERK'S CERTIFICATE

I certify that this is a true copy of the minutes of the meeting of April 16, 2008.

Attest: _____
Judith Larter, Clerk