

Middlesex North Registry of Deeds - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/1/2022 1:19:07 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
28309	DECISION		18715/1	05/06/2005	
Property-Street Address and/or Description					
81-91 MILL ST					
Grantors					
DRACUT TOWN PLANNING, GORMAN FRANK J, GORMAN MANAGEMENT TRUST					
Grantees					
References-Book/Pg Description Recorded Year					
20851/105 AGR 2007					
Registered Land Certificate(s)-Cert# Book/Pg					



2005 00028309
Bk: 18715 Pg: 1 Page: 1 of 81
Recorded: 05/06/2005 03:45 PM

ST
RECEIVED
10
2005 FEB 21 AM 11:33
AM
RECEIVED
10
2005 FEB 21 AM 11:33
AM

**TOWN OF DRACUT
PLANNING BOARD
NOTICE OF SPECIAL PERMIT**

**FRANK J. GORMAN
d/b/a GORMAN MANAGEMENT TRUST
1934 LAKEVIEW AVENUE
a/k/a 81-91 MILL STREET
DRACUT, MA 01826**

Notice is hereby given that a **special permit has been granted** for the following:

To thoroughly rehabilitate the Beaver Brook Mills under the Mill Conversion Overlay District and to construct a new two-story building with 10,200 square feet of floor space.

To: Frank J. Gorman, d/b/a Gorman Management Trust
Address: 1105 Lakeview Avenue
City/Town: Dracut State: MA

Land Affected on Assessors Map 32 Lot 245-1 & 66

by the Town of Dracut Planning Board affecting the right of the owner with respect to the use of the premises on: 81-91 Mill Street

the record title standing in the name of: Sarasota Realty, Inc.

by a deed duly recorded in the Registry of Deeds in Book 12413 Pages 007 thru 012

The application is attached and the decision of the Board is on file in the Office of the Town Clerk.

Certified this 14th Day of February, 2003.

For the Board: Maurice P. Mason, Jr.

Maurice P. Mason, Jr., Chairman

Robert Donnelly
Robert Donnelly, Clerk

Appeal of the decision, if any, shall be made pursuant to G.L.c. 40A, §17, and shall be filed in the Town Clerk's Office within twenty (20) days of the date the notice of decision is so filed.

**TOWN OF DRACUT
PLANNING BOARD
SPECIAL PERMIT**

**FRANK J. GORMAN
d/b/a GORMAN MANAGEMENT TRUST
1934 LAKEVIEW AVENUE
a/k/a 81-91 MILL STREET
DRACUT, MA 01826**

Appeals of the decision must be taken under Chapter 40A, within twenty (20) days of the filing with the Town Clerk's Office, 62 Arlington Street, Town Hall, Dracut, MA.

I certify that no appeal has been received within the 20 days of the filing of this notice in my office, or that if any appeal has been filed that it has been dismissed, or denied.

Kathleen M. Graham

**Kathleen M. Graham,
Town Clerk - or
Jayne Boissoneault,
Assistant Town Clerk**

REC'D FEB 21 2011 33

Time Stamp and Seal of the Town of Dracut



Received and entered w/  of Deeds in the County of Middlesex District
having jurisdiction in Dracut

Book No. _____, Page _____
(Copy of Recording to be attached)

Note: Building Permits, or Certificates of Occupancy, shall not be issued until such time as the attestation is made and recording provided.

**RECORD OF PROCEEDINGS
TOWN OF DRACUT, MASSACHUSETTS
PLANNING BOARD**

Application #PB02-12

Copies of this Record of Proceedings with all attachments, and plans referred to in the decision, if any, must be filed with the Town Clerk.

I, R. Donnelly, Robert Donnelly, Clerk of the Board, hereby certify that the following is a detailed record of all its proceedings relative to this application submitted by: Frank J. Gorman (the applicant), 1105 Lakeview Avenue, Dracut, MA; for a special permit and site plan review under Section 4.16.00 of the Zoning Bylaws for property located at 1934 Lakeview Avenue, a/k/a 81-91 Mill Street, Dracut, MA.

The applicant desires to thoroughly rehabilitate the Beaver Brook Mills under the Mill Conversion Overlay District and to construct a new two-story building consisting of 10,200 square feet of floor space.

1. On June 12, 2002, an application of which is marked "A" is made part of this record and was presented to the Board.
2. A notice of public hearing, a true copy of which is marked "B" is made a part of this record, was published, posted and mailed to the "Parties in Interest" as indicated below;
 - a. Published in The Lowell Sun, a newspaper of general circulation in the Town on Tuesday, June 25, 2002 and again on Tuesday, July 2, 2002;
 - b. Posted in a conspicuous place in the Town Hall on Thursday, June 20, 2002;
 - c. Mailed on June 20, 2002, postpaid to the applicant, abutters and owners of land within 300 feet of the property line as named in the certificate from the Assessors office, a true copy of which is marked "C" is made a part of this record, and to the Board of Selectmen, Building Inspector and the Planning Board of every abutting municipality.
3. On July 10, 2002, September 11, 2002, October 9, 2002, November 13, 2002 and December 11, 2002, hearings were held in the Lakeview Junior High School Community Room, at which opportunity was given to all those interested to be heard in favor, or opposition, to said application. The following evidence was presented at the hearing;
 - a. A letter dated January 31, 2002, from Vincent R. LoCicero of Sarasota Realty, Inc., which grants Frank J. Gorman, Sr., authorization to appear individually or on behalf of his nominee.
 - b. A letter dated April 25, 2002 from the Town of Dracut Historical Commission, which approved the intentions for the project, as outlined in the attached narrative.
 - c. A letter from the Building Inspector, dated June 7, 2002, informing the applicant that it is necessary to obtain a special permit from the Planning Board for the Mill Conversion Overlay District.

Special Permit – PB02-12
1934 Lakeview Avenue
a/k/a 81-91 Mill Street
Page 2

- d. A letter dated June 27, 2002, from Concerned Neighbors of the proposed project, who raised various questions and concerns.
- e. A letter dated June 28, 2002 from Attorney Kenneth Wacks representing the applicant and informing the Board of the title/ownership of the premises.
- f. A letter dated July 10, 2002, from Dennis Piendak, Town Manager, with results and comments generated from a departmental review meeting.
- g. Correspondence dated July 10, 2002 from Michael Langlois, Secretary of the Dallas Park Condominium Association.
- h. A letter dated July 18, 2002 from Vincent LoCicero of Sarasota Realty, Inc., relative to the ownership of the property.
- i. A letter dated August 13, 2002 from Police Chief Louis Panas concerning his review of the plan, traffic study and a site inspection.
- j. A letter dated September 3, 2002 from Gary McCarthy, Executive Director of the Dracut Water Supply District indicating water is available
- k. A letter from Thomas Bomil, the Board of Health Director concerning future testing of the soil for determination of contamination and also indicating that there are no further issues with this project
- l. A memorandum from Glen Edwards, Town Planner concerning comments from a department review meeting held on September 5, 2002
- m. A letter dated September 5, 2002 from the Dracut Housing Authority, which supports the designation of all of the rental units as affordable units.
- n. A letter dated September 5, 2002, from Ina Hakkila, Spokesperson for the Dallas Park Condominiums, which raised various concerns.
- o. A memorandum dated September 11, 2002 from Fire Chief Leo Gaudette, which outlined a number of requests and concerns.
- p. A set of site plans showing the proposed structure, parking, landscaping, etc.
- q. A letter dated September 29, 2002, from a number of abutters of the Beaver Brook Mill, addressing the 100-foot buffer zone.
- r. A site inspection of the Beaver Brook Mill project and abutting property was conducted by several of the Board Members on September 29, 2002.
- s. Drainage Design & Analysis – Prepared by: Robert M. Gill & Associates, October 2002, to remain on file in the Town Engineer's Office.
- t. Correspondence dated October 2, 2002 from Attorney James Hall, Town Counsel regarding interpretation of the Zoning By-laws.
- u. A letter dated October 9, 2002, from Frank Polak, Building Commissioner, informing the Board that the firm of Norian-Siani would be performing a peer review of the drawings for the project.
- v. A letter dated October 29, 2002, from a number of Orchard Street residents, relative to a meeting with Frank Gorman.

Special Permit – PB02-12
1934 Lakeview Avenue
a/k/a 81-91 Mill Street
Page 3

- w. A letter dated November 13, 2002, from Ina Hakkila, abutter concerning various issues.
- x. A letter dated November 22, 2002, from the Trustees of the Dallas Park Condominium Association indicating agreement with Frank Gorman regarding the buffer zone.
- y. Correspondence dated December 20, 2002 from Police Chief Louis Panas relative to stipulations recommended for approval.
- z. A letter dated January 3, 2003 from Frank Polak, Building Commissioner and a report from Norian-Siani relative to the review of the proposed project.
- aa. A letter dated January 8, 2003 from Ina Hakkila, abutter listing a summary of requirements.
- bb. A letter dated January 21, 2003 from Lori Cahill, Conservation Agent indicating the Beaver Brook Mill Project is before the Conservation Commission and still need to address open issues.

4. The Board voted on the requested waivers as follows;

- a. The Board unanimously voted to waive the 100-foot buffer zone with the Dallas Park Condominiums, as shown on the S-1 plan dated 12/12/02 to be a 30-foot buffer from the property line to the first parking space.
- b. The Board voted by a majority vote (4-1) to waive the 100-foot buffer area on Orchard Street, as shown on the S-1 plan dated 12/12/02 to be varying from 21 to 25 feet.
- c. The Board unanimously voted to waive the use of the buffer zone for landscaping.
- d. The Board unanimously voted to waive the size of the parking spaces to be 9x20 with the exception of the handicap spaces.
- e. The Board unanimously voted to waive the number of parking spaces to a total of 347 spaces.
- f. The Board did not grant the request to waive the requirement of a Preservation Consultant.
- g. The Board unanimously voted to waive the requirement for entrance/exit centerlines to not fall within 50 feet of an intersection of street sidelines or within 150 feet of the centerline of any other parking area entrance or exit on the same side of the street, whether on the same parcel or not, if serving 20 or more spaces, as shown of the S-1 plan.
- h. The Board did not grant the request to reduce the number of residential parking spaces from 100 to 88.

5. Following the hearing the Board made the following findings regarding the land in question and the proposed use;

- a. The presented proposal is in harmony with the purpose and intent of the Mill Overlay District By-law and Special Permit By-law.

- b. The Board finds that the proposed project will not be detrimental or injurious to the neighborhood in which it is to take place based on the information presented, the public hearing and any conditions that will be entered into to ameliorate any affect on the neighborhood.
- c. The Mill Overlay District is appropriate for the site in question.
- d. The submitted application package and presentation complies with the requirements of the Mill Overlay District By-law.

6. The Board voted unanimously at their meeting on January 22, 2003 to grant the Special Permit for the renovations of the Beaver Brook Mill/Mill Conversion Overlay District, Section 4.16.00 and set forth the following conditions.

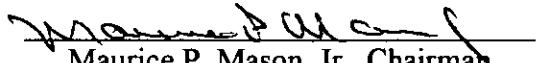
- a. The infrastructure must be complete before apartment occupancy permits are issued, including traffic signal, final paving, line painting of the entire project, completion of the recreation area/building maintenance office, all apartments ready for occupancy, all signage per Police Department letter dated December 12, 2002, fire protection systems and alarm systems per the Fire Department and Building Inspector.
- b. The fire protection system must be upgraded to comply with all requirements throughout the project as one unified system.
- c. The signalization of the pedestrian crossing light is to have a white strobe light and appropriate signage that complies with the recommendations of the Police Chief.
- d. The final conditions of the Conservation Commission shall be in place and applicable to the plan as drawn.
- e. The applicant must maintain the historic character of the exterior of the building, including all signage as directed and approved by the Building Inspector.
- f. The applicant must comply with the requirements of the Water Supply District.
- g. All Form M's and recommendations by the Department Heads are to be complied with.
- h. 15% of the apartment units at 101 Mill Street are to be affordable, as per the By-law.
- i. The apartment units are to remain as rental property and are not to be converted to condominiums.
- j. Snow storage will not be permitted in the buffer areas between 59 Mill Street and the Orchard Street residences.
- k. Chain link fencing along the buffer zone of the 59 Mill Street (a/k/a. Dallas Park) property shall be 6-feet high from the beginning point, as shown on the S-1 plan, down to the brook.
- l. The applicant and Building Inspector are to determine the location of the additional 12 residential parking spaces, as required in the By-law.

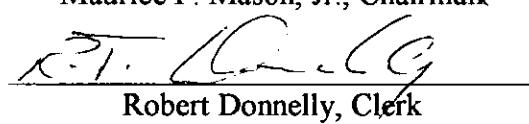
- m. The applicant must comply with the current recommendations of the Police Chief regarding signage and installation of a pedestrian light. A review of the traffic and traffic study results in 6 month intervals at each phase of construction.
- n. **Replacement of the daycare as a tenant in the new building shall be subject to review and subject to a special permit to be issued by the Planning Board.**
- o. The applicant shall complete all landscaping as set forth in the S-1 plan and landscaping plan prior to the issuance of occupancy certificates.
- p. No certificate of occupancy will be issued unless and until the applicant has completed all “infrastructure improvements” including landscaping, parking, striping, signage and the fire protection system to the satisfaction of the Building Inspector.
- q. The applicant shall complete all terms of the agreement between Dallas Park Condominium Trustees and Gorman Management Trust (as an agent of the applicant) attached at Exhibit “A”. The fencing is to be along the perimeter line of the parking area. The agreement as stated with the parties of the Dallas Park Condominium Trust and the applicant shall be complied with, except for the height of the fence, which will be 6 feet.
- r. The applicant shall comply with all requirements of the Dracut Water Supply District, the Conservation Commission, the Department of Public Works and the Engineering Department.
- s. The applicant shall comply with any issues raised by the Building Commissioner regarding the alarm system to be installed.
- t. The applicant shall include with any lease of any residential space, the covenant or rules and regulations for all tenants at Beaverbrook Village in substantially the form attached hereto as Exhibit “C”.
- u. **The one story brick building in front of the residential units at 101 Mill Street shall be used only for a recreational area/building maintenance office for 100 Mill Street.**
- v. The applicant shall arrange for signs to be placed on abutting roads, in accordance with the recommendations of the Police Chief.
- w. **The applicant shall restrict by deed 15% of the apartment units, as affordable in accordance with the By-law for at least 30 years.**
- x. **101 Mill Street will be used for residential purposes only.**
- y. The Board reserves the right to periodically review the Special Permit for compliance at intervals of 6 months from the date of issuance, one year and annually there after. The review shall be by the Board at any scheduled meeting and the applicant shall be deemed notified by registered mail, return receipt. Should the Board deem that Permit conditions are not being adhered to, modification of the permit up to, and including, revocation may be taken by the Board. By recording the Permit, the Permittee agrees to the above.

Special Permit – PB02-12
1934 Lakeview Avenue
a/k/a 81-91 Mill Street
Page 6

- z. In the event of any change in uses from the uses submitted by the applicant with his application, then the applicant or its successors must first notify the Board of the change in use and obtain the approval of the Board that that use is not in conflict with the approved special permit before allowing that use.

THE DRACUT PLANNING BOARD,


Maurice P. Mason, Jr., Chairman


Robert Donnelly, Clerk

APPLICATION FOR HEARING

Town of Dracut
Planning Board

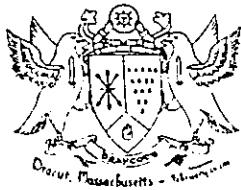
SPECIAL PERMIT

Name of Applicant FRANK J GORMAN D.B.A GORMAN MANAGEMENT TRUSTAddress 1105 LAKEVIEW AVE DRACUT MA, Tel# 978957-6666Location of Property BEAVERBROOK MILLSApplicant is: Owner, Tenant, Licensee, Prospective Purchaser,
Other (state) OPTIONEENature of Application: TO FULLY REHABILATATE THE BEAVERBROOK
MILLS UNDER THE MILL CONVERSION OVERLAY DISTRICTApplicable Section of Zoning By-Law: MILL OVERLAY CONVERSION DISTRICT

I hereby request a hearing before the Planning Board
with reference to the above noted application for Special
Permit and agree to pay all costs of mailing and advertising
the notice of the Public Hearing.

Signed: FRANK J GORMAN SRPrint: FRANK J GORMAN SRTitle: OWNERReceived from the above noted name the amount of 75.00
for the Planning Board.Date of Submission to the Board at Meeting of: 6/12/12Dracut Planning Board
Special Permit #PB02-12

Attachment "A"



Town of Dracut

DRACUT, MASSACHUSETTS 01826

RECEIVED

454-2594

PLANNING BOARD

JUL 10 2002 PM 2:46

RECEIVED
JULY 10 2002
DRACUT PLANNING BOARD



LEGAL NOTICE *TOWN OF DRACUT* *PLANNING BOARD*

Notice is hereby given that the Dracut Planning Board will conduct a public hearing on Wednesday, July 10, 2002, commencing at 7:45 PM, in the Lakeview Junior High School Community Room. Said hearing is being held on the petition of Gorman Management Trust requesting a Special Permit to fully rehabilitate the Beaver Brook Mills under the Mill Conversion Overlay District in accordance with Section 4.16.00 of the Town of Dracut Zoning Bylaws. The property is located at 1934 Lakeview Avenue, a/k/a 81-91 Mill Street.

THE DRACUT PLANNING BOARD

A handwritten signature of Maurice Mason.

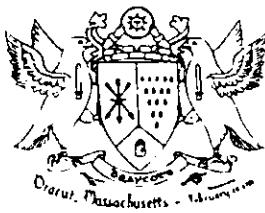
Maurice Mason,
Chairman

/lh

THE LOWELL SUN; to be advertised: Tuesday, June 25, 2002
Tuesday, July 2, 2002

Dracut Planning Board
Special Permit #PB02-12

Attachment "B"



Municipal Government Town of Dracut

TOWN HALL
62 ARLINGTON STREET
DRACUT, MASSACHUSETTS 01826

OFFICE OF THE
BOARD OF ASSESSORS
TEL. (978) 453-2451
FAX (978) 452-7924

PLANNING BOARD
MAP 32 LOT 245-1 & 66
APRIL 12, 2002

KATHLEEN M. ROARK, CHIEF ASSESSOR
THOMAS W. KEEFE, ASSESSOR
MARILYN L. PROVENCHER, ASSESSOR

ABUTTERS- FRANK GORMAN

MILL STREET

91 William Greenwood c/ Dracut Industries m/a 1934 Lakeview Avenue, Dracut
88 William Greenwood c/ Dracut Industries m/a 1934 Lakeview Avenue, Dracut
52 Robert Bump m/a 107 Kendall Road, Tewksbury, MA 01876
44 Claire Dube & Richard R. Dube m/a 147 Highland Street, Hudson, NH 03051
34 Frederick T. Higgins
33 Collinsville Condo Association UPMI m/a 1745 Middlesex Street, Lowell
45 John J. & Lorraine Gomes m/a 14 Southgate Road, Chelmsford, MA 01824
51 Jan Szymanski, Jr. m/a 1010 Mammoth Road, Dracut
59 #101 Linda Tousignant, Trustee/Tousignant Family Trust
#102 Ronald G. Lafond
#103 Charles & Lucille Kleczkowski m/a P.O. Box 70, Dracut
#104 Raymonde LeGrand & Rolande Cloutier
#105 Mary L. Long
#106 Anthony J. & Sheryl L. Everett Mosca
#107 Patricia A. Stagnone
#108 Lucille J. Trudel, Trustee c/o Debbie Filteau m/a 1019 Concord Stage Road
Weare, NH 03281
#109 Diane J. Little
#110 Gerald T. & Helen B. Foley
#201 Nathan & Mary L. Rosnox
#202 Steven J. & Cynthia Gray
#203 Robert J. & Jane M. McHugh/Brian J. McHugh
#204 Chris C. & Carole Rodis m/a 170 Royal Palm Way,
Boca Raton, FL 33432-7940
#205 Charles T. Ras & Stephanie Ras-Schoeffel
#206 Richard W. & Donna T. Murr m/a 59 Mill Street #209, Dracut
#207 Rita J. Croisetiere
#208 Floyd & Celeste Montgomery
#209 Maurice L. & Pauline M. Hamel
#210 Doris Hall
#301 Robert J. & Charlotte E. Toomey
#302 Thomas O'Connor, Trustee/Ruth C. O'Connor Living Trust

Dracut Planning Board
Special Permit #PB02-12

Attachment "C" (Pg. 1/6)

#303 Charles M. & Lucille Kleczkowski m/a P.O. Box 70, Dracut
 #304 Charles M. & Lucille Kleczkowski m/a P.O. Box 70, Dracut
 #305 Timothy J. Gallaagher m/a 20 Fox Path Drive, Newark, DE 19711
 #306 James P. Abbott & William J. Casagrande
 m/a 41 Pershing Road #1, Jamaica Plain, MA 02130-2015
 #307 Ina I. Hakkila
 #308 Walter R. & Eleanor E. Welcome
 #309 Todd R. McDuffee
 #310 Timothy Ziakas & Charles T. Ziakas

ORCHARD STREET

20 P. Gregory & Ellen T. Dillon
 26 Richard C., Jr. & Catherine Gray
 34 Matthew R. Matchett
 46 Robert & Rose M. Martineau

LAKEVIEW AVENUE

1990 Town of Dracut/Fire Department m/a 62 Arlington Street, Dracut
 1982 Paul & Irene Dumont Trust c/o Gary Dumont
 1974 Paul & Irene Dumont Trust/Dumont Realty Trust
 m/a 506 Nashua Road, Dracut
 1968 William A. Day
 1962 Robert A. & Sarah K. Burnaby
 1960 Phung D. Cao
 1949 Brian F. & Mary E. Allegresso m/a 26 Arkansas Drive, Dracut
 1951 NMC Realty Trust
 1951 Butterworth & Company
 1959 Farris Family Partnership c/o Paul Farris
 1973 Marie A. Nolin m/a 1971 Lakeview Avenue, Dracut
 1995 Sovereign Bank c/o Trammell Crow
 m/a P.O. Box 14115, Reading, Pennsylvania 19612
 1890 John J., Sr. & Carole A. Barrett
 1900 Paul A. LeClerc, Jr. m/a 77 Lowell Boulevard, Methuen 01844
 1884 Donald P. Vigeant
 1868 Roman Catholic Archbishop/St. Mary's Assumption Parish
 1856 Michael & Carol Tsitsianopoulos

DALLAS DRIVE

13 #101 Mary Jane Mullen
 #102 Ralph J. & Rita T. Jacques/Aline Noel
 #103 Thaddeus J. & Rita L. Bukala
 #104 Florence L. Cadran
 #105 Christine Waterhouse, Trustee/13 Dallas Drive Realty Trust
 #106 David & Judith Josephson
 #107 James B. Nyberg, Trustee/JJC Nominee Trust

Dracut Planning Board
 Special Permit #PB02-12

m/a 5 Ponderosa Drive, Hudson, NH 03051
#108 Maureen T. Madden-Kershaw
#109 Michelle A. St. Jean
#110 Ruth Y. Bastein, Trustee/13 Dallas Drive #110 Realty Trust
#201 Labbe Family Revocable Trust/Alberick & Rita Labbe, Trustees
#202 Angele C. Cote
#203 Manuel & Zelta Correa
#204 Michael J. & Carol J. Langlois
#205 Henrietta Zananiri
#206 Robert L. & Therese Y. Lajeunesse
#207 Mary Trombly
#208 Lillian Vinal
#209 Anita Frascatore
#210 Robert S. & Helen B. Gibson
#301 Edward B. & Doris Carboneau
#302 Doris G. Rondeau
#303 Theresa Coronella
#304 Clifford E. Pelland, Jr.
#305 Rita M. Shoemaker & Anthony J. Shoemaker
#306 John E. & Theresa A. Grygiel
#307 Mary Alice C. Burns
#308 Paul L. & Estelle Maille
#309 Hector & Normande Montminy, Trustees/Montminy Nominee Trust
#310 Harry C. & Mary A. Siddeley
14 #101 Doris J. Fontaine
#102 Conrad R. Rondeau
#103 Gertrude E. Durkee
#104 Jeannine D. Tousignant & Armand R. Tousignant
#105 Gerald T. & Judith A. Wilson
#106 Howard T. & Gail A. Trombly
#107 John F. Guilfoyle & John P. Guilfoyle
#108 Marlene E. Vezina
#109 Maureen Sheehy
#110 Clare Kennedy
#201 Joseph R. Breton
#202 Richard E. & Mary H. Pynn
#203 William Gouveia/D. Katavoulos/G. Gouveia
#204 Madeline R. Silveira
#205 Lucien R. & Pauline S. Rondeau
#206 Francis & Adeline M. Bettencourt
#207 Paul F. Caselle m/a 14 Wyncrest Circle, Andover, MA 01810
#208 George A. Kallelis
#209 James J. & Diana Davis
#210 Susan J. Pulizotto
#301 David M. Voyer
#302 Joan P. Tanguay
#303 Edmond L. Cormier, Jr.
#304 Jack B. & Rene Maib
#305 Louis & Marie Dalpe, Trustee/Dalpe Family Real Estate Trust

Dracut Planning Board
Special Permit #PB02-12

Attachment "C" (Pg. 3/6)

#306 Thomas W. & Joan M. Keefe
#307 Pravir & Panna Desai
#308 Nancy J. Chasse, Trustee/Chasse Family Trust
#309 Rita Ann Aslanian
#310 Raymond & Margaret Marcouillier
21 #101 Carleton F. & Jeannette E. McCauley
#102 Roger R. Soulard, Sr.
#103 William R. & Joan M. Shack
#104 Henry E. & Glenda J. Breault m/a 39 Hillside Road, Dracut
#105 Roger J. Brousseau
#106 John A. & Dorothy A. Flynn
#107 Raymond W. & Evelyn R. Laurencelle
#108 Lidia B. & Victor Melo
#109 Mary R. Savard
#110 Leon R. Gagne
#201 Wilmer J. & Lorraine P. Rondeau
#202 Pericles & Ourania Bologeorges
#203 William A., Sr. & Terese M. Kealy
#204 Brenda M. Allard
#205 Gloria E. Maher
#206 Charles J. Coughlin
#207 Gerard & Gloria Gagnon
#208 Patricia A. Descoteaux
#209 Claire McDermott
#210 Frederic H. & Pauline L.A. Boudries
#301 Georgia Shuster & Charles Panageotopoulos
#302 John E. MacNicholl, Trustee/Mary Slusher Trust
#303 Lucian T. & Rita J. Villandry
#304 Robert & Rose Babcock
#305 Antoinette R. Jones & Robert W. Jones
#306 Pauline R. & Gerard J. Boule
#307 George & Helen Kalogeropoulos
#308 Shirley A. Kane
#309 Carol A. Fisher
#310 Gladys L. Jenkins & Joan Helena Andrews

BARRY AVENUE

14 Robert A. & Martha B. Paquette
5 Gary G. & Paul R. Dumont/G & D Realty Trust
9 Leo E. & Deborah A. Trager
6 Brian T. & Doreen Farrell

COBURN AVENUE

40 Rudolphe W. & Murielle T. Ouellette
27 New Line Homes, Inc. m/a 107 Elm Street, Dracut
25 Mark A. Lavoie

Dracut Planning Board
Special Permit #PB02-12

WATER STREET

24 Barry & Linda A. Gougeon m/a 1037 Mammoth Road, Dracut

COTTAGE STREET

21 Randall E. & Sharon L. Burns
15 Theresa Dillon
9 Michael J. & Teresa S. Thomas
3 Paul D. & Karen E. Vergakes

PEARL STREET

31 Gerald Lussier & Douglas Dooley m/a 34 Broadway Road, Dracut
41 Gerald Lussier & Douglas Dooley m/a 34 Broadway Road, Dracut
51 Kevin M. & Michelle T. Brissette
61 Raymond G. & Doris I. Frechette
19 Gerald Lussier & Douglas Dooley m/a 34 Broadway Road, Dracut

MAMMOTH ROAD

1019 David S. & Rebecca L. Leigh
1037 Barry F. & Linda A. Gougeon
1007 Kenneth M. Leigh

TENNIS PLAZA ROAD

124 #01	Brenda M. Tonks
#02	Gregory M. White & Richard White
#03	Gerard G. & Laurie St. Armand
#04	Floriberto B. Lopes
#05	Carole A Mathews
#06	Michelle McCann
#07	Peter M. Dembitzky
#08	Rafael E. Santiago & Maragarita DaSilva m/a 10 Oak Street, Winchester, MA 01890
#09	Beverly A. Greenwood
#10	Theresa Ayotte
#11	Christine Gallagher
#12	Timothy M. Johnson & Megan E. Garnhum
#13	Andrea Zwicker
#14	Michael D. Barry
#15	Corine L. Stevenson c/o Benjamin M. Lavine
#16	Jatinder K. & Kanchan Lumb
#17	Kevin T. Barrett
#18	Narcyz B. Daszkiewicz & Małgorzata M. Daszkiewicz
#19	Carolyn D. Rochleau
#20	Charlotte L. McGlohon & Molly Dixon
#21	Donna S. Desrosiers

Dracut Planning Board
Special Permit #PB02-12

#22 John D. & Virginia A. Marshall
#23 Laurie M. Andrews & Gerard G. St. Armand
#24 Michael A. Caggiano III & Maureen M. Kiley
#25 Avelyn J. Taylor
#26 James. R. Cawthon, Jr.
#27 Jeanne A Nadeau
#28 William McNally
#29 Jennifer H. Weisz
#30 Joseph A. & Julie Ann Huntress
#31 William J. & Gale Boyce
#32 Daniel Prantl
#33 Adeline T. Mendes
#34 Giampaolo DeMari
#35 Denise M. Ford
#36 Michael D. Waden
#37 Dianne E. Long
#38 Mark A. Towne
#39 Janice L. Jaraslow
#40 Anthony C. Boucher
#41 John P. Kane m/a 3 Brookside Drive, E. Douglas, MA 01516
#42 Peter M. Dembitzky/Walter & Sheree Dembitzky
m/a 6 Bonnie Lane, Billerica, MA 01821
#43 Katherine A. Schmidt
#44 Susan M. Matthews
#45 Edmund J. Bruce & Therese Y. Bruce
#46 Peter G. Kataftos
#47 Robert A. & Annette C. Courtemanche
#48 David A. Laikos
#49 John G. Langton
#50 Deborah McGill
#51 Owen W. Welch
#52 Charles E. Blackburn
#53 Stephen G. Kirsch
#54 Russell J. Tomassian
#55 William P. Graziano
#56 John J. Gorgone m/a 21 Watson Street, Nashua, NH 03064
#57 Lorraine E. Dodge
#58 Jacquel A. Doyle
#59 Linvan C. Young
#60 Salvatore F. Valente

PROPERTY ABUTS BEAVER BROOK

Dracut Planning Board
Special Permit #PB02-12

Attachment "C" (Pg.6/6)

DRACUT BOARD OF ASSESSORS

Kathleen M. Roark

Kathleen M. Roark, Chief Assessor

Thomas W. Keefe

Thomas W. Keefe, Assessor

Marilyn L. Provencher

Marilyn L. Provencher, Assessor

Dracut Planning Board
Special Permit #PB02-12

Attachment "C"

SARASOTA REALTY, Inc

**4256 Brittany Lane
Sarasota, Florida, 34233
Tel 941 378 3802
Fax 941 377 3595**

January 31, 2002

**Planning Board
Town of Dracut
Town Hall
Dracut, MA 01826**

**Subject: Special Permit
Mill Overlay District
Beaverbrook Mills**

Gentlemen:

Authorization is hereby granted for the appearance of Frank J. German Sr, individually or on behalf of his nominee, before the Planning Board of Dracut, for the purpose of proposing and obtaining approval for subject Permit.



**Vincent R. LoCicero
President
Sarasota Realty, Inc**

Cc: F. German, Sr



TOWN OF DRACUT HISTORICAL COMMISSION

Town Hall - 62 Arlington St.
Dracut, MA 01826

April 25, 2002

Gorman Management Trust
Frank J. Gorman
1105 Lakeview Avenue
Dracut, MA 01826

Dear Mr. Gorman,

This letter is to inform you that based on your presentation to the Dracut Historical Commission and the subsequent tour you provided of the Beaver Brook Mills property on April 6, 2002, the Commission at its meeting of April 24th voted to approve your intentions for this project as outlined in the attached narrative.

Your group is to be commended for its desire to preserve much of the historical significance of Beaver Brook Mills and to restore the buildings to the character of the 1800's.

The Dracut Historical Commission stands ready to assist you in your preservation efforts of the Beaver Brook Mills property. If you should require any photographs, consultation, or documentation to help you in this restoration endeavor, please contact us and we will attempt to provide you with such information.

Regards,
David D. Paquin
David D. Paquin
Chairman

CC: Dracut Town Manager
Dracut Board of Selectmen
Dracut Planning Board
Dracut Historical Society
(Enclosure)



MANAGEMENT TRUST

Residential and Commercial
Real Estate Developers
and Property Management
1105 Lakeview Avenue, Dracut, MA 01826

Beaver Brook Realty Trust

Apartment Rentals Tel: (978) 957-6666
Fax: (978) 957-7944

Casino Motel
Salisbury Beach
Reservations: 1-888-825-2228

Ocean Gate Motel
Salisbury Beach
Reservations: 1-888-758-9928

Summary of Narrative of the Beaver Brook Mills Multi-Use Complex
as it relates to the historical significance of the property and the history surrounding it.

The purpose of the Mill Overlay District Zoning is to allow for conversion of Dracut's Historical Mills while preserving the character of the neighborhood.

Pursuant to Page 1-2 "Appropriate Renovation" the Dracut Historical Commission has the authority to approve the plans of Gorman Management Trust and Gorman Management Trust seeks the commission's approval of the following:

1. Existing windows will be replaced with the exact sized windows that are currently in the rough openings. Windows that have been boarded up and/or rebricked will be opened up if able to and replacement windows will be put in place.
2. The existing waterways, canal, and dams will be rebuilt and made workable to show the historical significance as to how the canal system generated electricity in the Mill Complex.
3. All metal siding and wood texture siding T-11 will be removed and the brick façade will be brought back to it's historical character of the 1800's.
4. The entire architectural design of the building will be brought back to its original design of the 1800's. E.I. all red brick will be exposed, repaired and repointed as necessary.
5. The two takeout bridges crossing the canal will be rebuilt in place as to be usable by the residents and the patrons of the establishments who locate at the Mill Complex.
6. The entrance and atrium area of the restaurant will display and apply significant historical memorabilia as it related to the Mill and Mr. Michael Collins who started leasing the Mills in 1876.

Frank J. Gorman

7. All high ceilings in the mill will be retained and limited use of acoustical ceiling tiles in areas of mechanical equipment will be used only.
8. An application will be submitted to the Massachusetts Historical Commission for a Grant and/or Loan to rebuild the GateHouse on the north side of Lakeview Avenue over the gate canal on the dam.
9. All buildings will be labeled with signage based on the attached plot plan showing which out buildings were used for the process of the woolen materials that were manufactured on this site.
10. Pages 5-7-D gives the Planning Board the powers of waiving the hiring of a Preservation Consultant and allowing the Dracut Historical Commission authority to determine the significance of the developers' proposal and approving the plans and line items being replicated where the applicant can demonstrate that due to the simplicity of the proposal such information is not necessary for or applicable to the Planning Board's decision pursuant to this section. Gorman Management Trust has re-developed many older 1800's series historical buildings and clearly understands that beyond brick and mortar there's a real reason why we should sustain the viability of older stately buildings.

CIVIL ENGINEERS • SURVEYORS

DEVELOPMENT IMPACT STATEMENT

BEAVER BROOK VILLAGE/MILL CONVERSION PROJECT

DRACUT, MASSACHUSETTS

The project consists of the complete renovation of the Beaver Brook Mills. The proposal calls for a conversion of 101 Mill Street, into 50 residential units (Phase I), the rehab and reconstruction of 91 Mill Street, into a restaurant and commercial space (Phase II). Commercial/industrial units are in the rear of the Mill complex. This area will be rebuilt and rehabed (Phase III). There are plans for a day care center at 81 Mill Street (Phase IV).

Construction for said projects will commence after all approvals have been obtained, hopefully in October 2002.

The existing Mill is currently 80% occupied. The only vacancy is the residential area. Therefore, the demands on the town's resources would be kept to a minimum. A traffic study has also been completed. The roads servicing the Mill are in existence. Upgrading modifications (corner radii increases - driveway access reduced and channelized - fire access lanes to rear area of complex) will be implemented as shown on the final design. The building will be completely sprinkled with fire monitoring panel stations installed throughout the complex.

There should be only a minimal impact on the school system, as the majority of the project is commercial/industrial, with the 50 residential units having only four (4), three (3) bedroom units.

Water flow tests have been taken, and show a more than adequate supply of water. Plans are made for one (1) upgraded water main on Mill Street, and complete evaluation and upgrade on the sprinkler system.

New walk systems and landscaping will revitalize the existing Mill area complex. All environmental aspects have been reviewed. Air quality will be improved. Noise pollution is a minimum, with no effect to the abutters. Parking lot lighting will be unintrusive on abutting properties.

A filing has been made with the Dracut Conservation Commission and DEP, regarding the Mill District River's Act Waiver and Determination of Applicability from the Hatch Act.



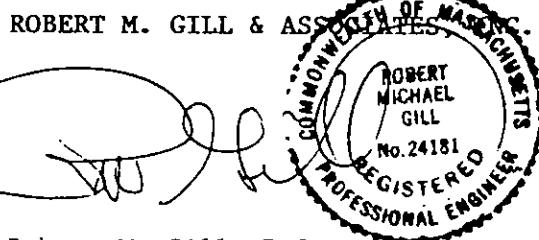
ROBERT M. GILL & ASSOCIATES, INC.
20 International Way • South Lawrence, MA 01843-1064
Telephone: 978-725-6514 • Facsimile: 978-725-6040

DEVELOPMENT IMPACT STATEMENT
Beaver Brook Village/Mill Conversion
Dracut, Massachusetts
Page 2

The entire complex is serviced by municipal sewer, with a more than adequate capacity.

There have been two (2) department head meetings with the town, and several revisions have been made, addressing certain concerns brought forward during these work sessions.

If any questions regarding this report arise, do not hesitate to contact our office.



Robert M. Gill, P.E., R.L.S.

RMG/j

31 July 2002

Beaver Brook Mill's Multi-Use Complex

LIST OF REQUESTED WAIVER'S

- A. We are requesting a waiver on the 100' buffer on the Dallas Park side of our development because; the corner of our building is 410' from theirs and 270' from our lot lines. The landscape plan will show the large crop of trees staying on our property as a buffer. This was a request by Dallas Park residence to not cut them down.

- B. We are seeking a waiver to have a 10' buffer on the Mill Street side. Agreed to by neighbors after a neighborhood meeting and walkthrough even though we do not believe this request pertains, (existing parking lot).

- C. We are seeking a waiver to use 9'x20' instead of 10'x20' parking spaces. Under current and proposed uses we would need 386 spaces. At 9'x20' we have 376 spaces and at 10'x20' we have 340. *See parking lot schematics.*

- D. PRESERVATION CONSULTANT: Applicant is looking for a waiver in hiring a preservation consultant as requested in narrative reports A-5, and use the recommendations of the Dracut Historical Commission as agreed to in their letter dated 4/25/02.

- E. A waiver is being requested on Town of Dracut – Zoning by-laws page 50-1:
 - 1. Entrance or exit center lines shall not fall within 50 feet of an intersection of street sidelines or within 150 feet of the centerline of any other parking area entrance or exit on the same side of the street, whether on the same parcel or not, if serving 20 or more spaces. Users shall arrange for shared egress if necessary to meet these requirements.

- F. 3.14.50 Use of buffer area.
3.14.51 We are asking for a waiver on 3.14.51 because we will be using buffer area for parking.

7/29/02

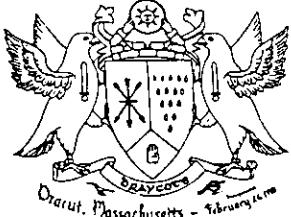
Proposed Development Schedule

Pursuant to Section 6-A

1. A proposed development schedule showing the beginning of construction, the rate of construction and development, including stages, if applicable, and the estimated date of completion.

Three Phases of Construction

The development schedule will start upon approval of the special permit granting authority (Planning Board), sometime in October 2002 with completion of Phase I (Residential Component) by July 2003. The rehab of the existing commercial section (Phase II) on Mill Street will start simultaneously with the residential component in November and be completed by June 2003. Phase III, which is the rehabilitation of all the back buildings, which are currently addressed as 1934 Lakeview Avenue will start roughly February 2003 and be completed by August 2003.



BUILDING DEPARTMENT

TOWN OF DRACUT

11 Springpark Ave.
Dracut, Massachusetts 01826

(978) 454-0603
Fax (978) 937-9885

June 7, 2002

Frank Gorman
Gorman Management Trust
1105 Lakeview Avenue
Dracut, MA 01826

RE: Special Permit – Mill Conversion Overlay District

To Whom It May Concern:

This letter is to inform you that you have to obtain, according to Section 4.16.00 of the Town of Dracut Zoning By-Laws, a Special Permit with site plan review by:

Planning Board for Mill Conversion Overlay District

Located at: 1934 Lakeview Av aka 81-91 Mill Street, Dracut, MA

the property is zoned , before you apply for a building permit.

Please be advised that I am waiting on clarification from Town Counsel regarding Permitted Uses within an Overlay District.

If this office can be of further assistance, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Frank M. Polak".

Frank M. Polak
Inspector of Buildings

/sac

JUL - 1 2002

Town of Dracut
Planning Board Chairman
Mr. Maurice Mason
11 Spring Park Ave.
Dracut, MA 01826

Town of Dracut
Beaver Brook Mills
Concerned Neighbors
Dracut, MA 01826

June 27, 2002

Dear Mr. Mason:

The local citizens in and around the area of Mr. Frank Gorman's proposed Beaver Brook Mills Project have many questions and concerns in regards to his true intentions that we would like to have addressed and placed on record before the planned meeting of July 10, 2002.

1. The plans that Mr. Gorman has submitted to the planning board do not appear to be final, there is rumored to be other renovations that have been discussed that are not on the submitted plans, i.e. the proposed train car dinner that he would like to have moved from Tyngsboro, MA onto Mill Street. When does Mr. Gorman intend to officially divulge his true final plans to the planning board and to the local citizens?
2. His submitted plan shows commercial businesses being in the new buildings, what type of commercial business does he plan on having in this area and would the local citizens have any say in the type of business that gets offered a lease to this property?
3. His present plan is for a fifty apartment complex in this renovation. Has anyone discussed that this would most likely mean an additional 100 cars automatically added to the steadily increasing traffic to this one time quiet area? There are presently numerous young children that play on these quiet side streets and this almost instantaneous increase in traffic could cause a serious injury to one of these young children.
4. In regards to the fifty apartment complex in Mr. Gorman's plans, in the past Mr. Gorman has renovated buildings, for instance the lower Bridge Street area in the 1980's, which he then turned into section eight housing, is this his intentions this time as well?
5. Mr. Gorman has been known to submit plans for one idea but his true intentions have typically turned out to be something completely different, i.e. the old Wallbrook restaurant which he purchased and turned into the Heritage restaurant. He eventually, due to a lack of profit, turned into a night club. Many people believe that he fully intended to do this all along. Now these plans show that he is intending to have a restaurant in this development. Is he eventually planning to turn this restaurant into a night club as well if or when he begins to loose money?

Mr. Gorman has had some very questionable dealings in the past and the concerned citizens of Dracut want to ensure that he is not allowed to submit any proposed plans for one idea while really having a completely different idea in mind thereby turning a very nice quiet neighborhood into a strip mall with a night club and a diner in our back yards.

DENNIS R. MARTINEAU

ROSE M. MARTINEAU

ROBERT N. MARTINEAU

Keith D. Welch

PANDALLEE BURKS

BRIAN SMITH

Teresa Thomas

Dey Job

Oma James

Lorraine M. James

John J. James

Marie A. Mazzucco

Mary Mazzucco

Virginia McNamee

Yannick McNamee

DAVID DESIMONE

27 COUBURN AVE

Deborah Gillette

DONNA DEMANG

Sarah Demang

David Dugas

Rebecca Demang

D. R. Mart

Rose M. Martineau

Robert N. Martineau

Keith D. Welch

Pandallee Burks

Brian Smith

Teresa Thomas

Dey Job

Oma James

Lorraine M. James

John J. James

Marie A. Mazzucco

Mary Mazzucco

Virginia McNamee

Yannick McNamee

David Desimone

Deborah Gillette

LAW OFFICE OF KENNETH D. WACKS
301 *Edgewater Drive, Suite #116*
Wakefield, MA 01880
Tel. (781)246-4386
Fax (781)246-5038

Kenneth D. Wacks (MA, NH & NJ Bar)
ken@wackslaw.com

Michelle A. McHale
michelle@wackslaw.com

June 28, 2002

Mr. Maurice Mason, Jr., Chairman
Town of Dracut Planning Board
62 Arlington Street
Dracut, MA 01826

RE: Beaverbrook Mills

Dear Mr. Mason:

I represent Frank Gorman and Gorman Management Trust in connection with its effort to develop the Beaverbrook Mill property. In that regard, I understand that a question has been raised concerning the title or ownership of the premises.

The property was acquired in November, 2001 in two different entities. A portion of the premises is owned by Sarasota Realty, Inc., a Massachusetts corporation and the other portion is owned by Frank Gorman, Trustee of Beaverbrook Mills Realty Trust. Each of these entitled owns an undivided interest in a portion of the Beaverbrook Mills property.

For your information, I am also Clerk of the corporation for Sarasota Realty, Inc. and counsel to its principals. Sarasota Realty, Inc., through its appropriately elected officers has authorized Frank Gorman to proceed with development of the parcel, including subdivision thereof. Mr. Gorman has received a letter from Sarasota Realty, Inc. for that purpose.

The complexity of ownership of the Beaverbrook Mills property arose from the challenges of obtaining financing on the property at the time it was acquired. It required a joint venture effort and private funding from Sarasota Realty, Inc. The terms of the funding include the express right of Frank Gorman to acquire title to the entire Beaverbrook Mills property, in its entirety, in his name alone or in the name of any nominee of his choosing, upon satisfying certain conditions to the lender.

During the past 18 months, Mr. Gorman has been working with the town to rezone the property as a mill overlay district and has submitted to the Planning Board an

Mr. Maurice Mason, Jr., Chairman

June 28, 2002

Page Two

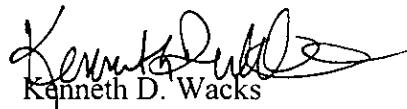
application for an ANR Subdivision (which has been recently withdrawn). At the time that he made these submissions, he included a letter to the Planning Board signed by Sarasota Realty, Inc., authorizing him to so proceed. Mr. Gorman is the sole trustee of Beaverbrook Mills Realty Trust and as trustee, holds legal title to a portion of the property. In his individual capacity, Mr. Gorman also holds a first mortgage on the portion of the Beaverbrook Mills property owned by Sarasota Realty, Inc. Since Massachusetts is a title theory state, by this mortgage, he holds title to the remaining portion as well.

At no time has Mr. Gorman misrepresented the ownership on his application and at no time did he intend to mislead any member of the Town or Planning Board. If confusion arose, it may be because of his failure to adequately describe the financing arrangements that occurred when he acquired the property along with Sarasota Realty, Inc.

As of this date, the applicant for the special permit is Frank Gorman in his capacity as the proprietor of Gorman Management Trust. He has done so with the express written approval of Sarasota Realty, Inc. Assuming that the project proceeds to a successful conclusion and funding is completed for the redevelopment of this area, title will vest in Mr. Gorman or a nominee of his choosing, under the terms of his financing with Sarasota Realty, Inc.

I hope this has sufficiently explained the circumstances and answered any questions or concerns you have regarding Mr. Gorman's interest in the property and the propriety of his applications. If you have questions or still have concerns, I would be pleased to discuss this at the public hearing scheduled for July 10, 2002 or to meet with you, at a time convenient to you, to go over, in greater detail, the interests of Mr. Gorman and his relationship to the Beaverbrook Mills property. Thank you.

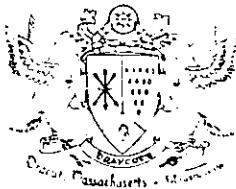
Very truly yours,



Kenneth D. Wacks

KDW:ked

cc: Mr. Frank Gorman
w/wacks02/Gorman.mason



Town of Dracut

TOWN HALL
62 ARLINGTON STREET
DRACUT, MASSACHUSETTS 01826

Office of the Town Manager
(978) 452-1227
Fax: (978) 452-7924

Dennis E. Piendak
Town Manager

July 10, 2002

To: Planning Board

Re: Beaver Brook Mill Special Permit

Please be advised that a departmental review meeting was held on the above-referenced Special Permit application on July 9, 2002.

At the outset, it was noted that the plan set submitted did not include all required sheets and submissions. Thus, the review that was able to be conducted by various departments was limited and a further departmental review meeting will be necessary when additional submittals are made and, per commitment from the applicant, such should take place no later than three weeks.

Other discussion that did take place of a preliminary nature on this project is as follows:

1. Numbering. The applicant proposed to number as follows, the Tower Building – 101 Mill street; the balance of the existing building – 91 Mill Street; the parking lot on the west side of Mill Street – 88 Mill Street; new construction to receive its own number; proposed diner – its own number; units on the lower level of the two-story structure to be numbered 1934-1 sequentially; the one-story building adjacent to Beaver Brook – its own number.
2. The absence of a completed traffic study was noted.
3. Fire lane looping to Dallas Park should be the subject of a separate written document from that entity, permitting same.
4. Planning for pedestrian access circulation throughout the site should be undertaken.
5. Lighting plans need to be submitted.

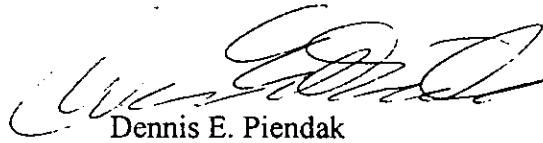
Page 2
July 10, 2002

6. The proposed diner and related construction is proposed to be located over the Town's sewer easement, which would not be permitted.
7. Fire lane access to the proposed new construction needs to be further clarified.
8. Further information is needed as to how business/residential units are to coexist in the same structure and comply with all existing codes.
9. A need for an individual design/technology review was requested as contemplated in the bylaw.
10. A site plan containing all elements called for in Section 1.16.20 needs to be submitted.
11. Unless waived by the Planning Board, all of the narrative reports set forth under the Application Section of Section 4.16.00 need to be submitted.
12. The applicant should prepare a complete list showing all waivers being sought.
13. Plans for the Storm water management system to be proposed needs to be submitted.
14. The applicant needs to demonstrate how he plans to comply with the affordable dwelling units requirements of Section 9 of the overlay including interfacing with the Dracut Housing Authority as set forth in that section.

Page 3.
July 10, 2002

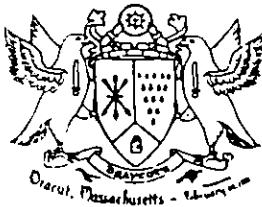
Lastly, for the Board's information, attached are communications received at the review meeting from various departments albeit incomplete at this point:

- a. Chief of Police
- b. Director of Health
- c. Assistant Town Engineer
- d. Building Inspector
- e. Environmental Strategies and Management (Conservation Commission)
- f. Director of Public Works
- g. Dracut Water Supply District.



Dennis E. Piendak
Town Manager

CC: Board of Selectmen
Department Heads



Dracut Police Department

1600 LAKEVIEW AVENUE
DRACUT, MASSACHUSETTS 01826

LOUIS PANAS
Chief of Police

TEL. (978) 957-2123
FAX (978) 957-7197

July 9, 2002

Dennis Piendak, Town Manager
Dracut Town Hall
62 Arlington Street
Dracut, MA 01826

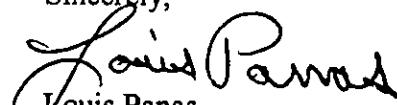
Re: Beaver Brook Mills/Planning Board Special Permit

Dear Mr. Piendak:

I have reviewed the most recent application package submitted on July 3, 2002 relative to the above referenced project, and I did not receive a traffic study as part of that material. At the meeting we had on May 31, 2002, I indicated that a traffic study would be needed in order for me to be able to make suggestions and recommendations for traffic improvements. Mr. Gorman informed me at the above meeting that a traffic study would be made available for me to review.

Again, I have not received a traffic study to this date and as a result, I am strongly recommending that a traffic study be completed as soon as possible so that the Dracut Police Department can make recommendations for improvements.

Sincerely,


Louis Panas,
Chief of Police

LP/jt

cc: Planning Board

**Town of Dracut
Board of Health**

TOWN HALL ANNEX

11 SPRINGPARK AVE.

DRACUT, MASSACHUSETTS 01826

Tel. (978) 453-8162

THOMAS F. BOMIL
Director of Public Health

EVAN N. THEMELES, Chairman
HENRY M. SZCZEPANIK, Vice Chairman
PAUL J. ENIS Clerk

July 9, 2002

Mr. Maurice Mason, Chairman
Dracut Planning Board
Town Hall Annex
Dracut, MA 01826

Re: Rehabilitation of Beaver Brook Mills

Dear Mr. Mason:

Please be advised that I have no objection to the above project going forth, as long as all issues inside and out of the entire complex pertaining to public health are addressed.

I would like any and all issues to be addressed in writing, and that any and all information is provided as soon as possible so that the public can be kept informed. More specifically, I have had inquiries regarding the former filter beds in the rear of the property.

Also, any proposed food retail, or restaurant establishments, must present proper plans to the Board of Health for review.

If you have any questions regarding this project, please do not hesitate to contact me at my office.

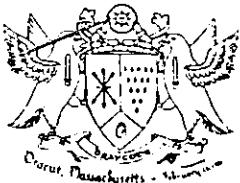
Very truly yours,



Thomas F. Bomil
Director of Public Health

c.c. Dennis Piendak
Glen Edwards
Department Heads
Frank Gorman

TFB/hr1



Engineering Department

TOWN OF DRACUT
11 SPRINGPARK AVENUE
DRACUT, MASSACHUSETTS 01826

GEORGE B. SHEEHAN, P.E.
Chief Engineer

RONALD W. CLOSE, P.E.
Assistant Engineer

Tel. 454-2594

July 9, 2002

To: Dennis Piendak, Town Manager

Re: Beaver Brook Mills Plan Review

"Proposed Beaver Brook Village Multi-Use Complex, Mill Street, Dracut, MA; Plan Prepared by: Robert M. Gill & Associates; Plan Prepared for: Gorman Management Trust" Revised and resubmitted 7/3/02.

This Department has reviewed the above referenced plan and offers the following comments:

I. Cover Sheet – Sheet 1 of 25

- A. Sheet Index should be noted on cover sheet with consecutive numbering.
- B. Is there a legend?
- C. Where is Locus Plan?
- D. Plan needs stamp of Registered Land Surveyor/Engineer/Architect.
- E. Signature of current record owner, date of acquisition, deed book and page number.
- F. Recording block for Registry.
- G. Signature block for Dracut Planning Board.
- H. Signature of Town Clerk.
- I. Note revision date on Plan.

II. Plan of Land – Sheet 2 of 25 (*Plan not included in current submittal)

- A. Block for Town Clerk signature.
- B. Number sheet 2 of 25.
- C. Set 3 stone bounds; 2 along Lakeview Ave. and 1 on Mill Street.
- D. Signature of current owner.
- E. Abutters to 88 Mill Street.
- F. Label existing conditions for clarity.

III. Parking Layout Plan S-1 – Sheet 3 of 25

- A. Will this plan be recorded? If so, set up for Registry. OK.

- B. Current owner to sign plans.
- C. Surveyor to stamp plan and sign.
- D. Number sheet 3 of 25.
- E. Snow storage appears to be minimal if at all adequate.
- F. Typical parking is noted as 9'x 20' on plan, 10'x 20' is standard. Waiver requested. Parallel parking is 9'x22' required.
- G. Where are fire lanes?
- H. Does parking at Lot 1-C begin at 15' from Water Street? OK.
- I. Entrance and exits from parking lots must conform to Page 50, Zoning Bylaws, 20 or more Spaces. Centerline alignment of entrances and exists should be considered 50'/150'. Trees and soil plots are recommended as well as curbing. Screening and landscaping are recommended for loading areas.
- J. Table of parking requirements is in order.
- K. Detail of retaining wall should be submitted.
- L. Rivers Act would be a factor of development.
- M. Some parking shown on Dallas Park Condo land. (Show Easement Plan and Deed)
- N. Note revision date.

IV. Landscape Plan S-2 – Sheet 4 of 25

- A. Trees and shrubs shown. Type, size, etc. should be noted in legend.
- B. Refer to DPW for comment.
- C. Signatures of owner, Engineer, Clerk, Registry.

V. Utility Plan S-3 – Sheet 5 of 25 (* Not included in current submittal)

- A. This plan should be labeled "Existing Conditions" as no proposed drainage, water, gas, etc., are shown.
- B. Proposed parking is not shown as to drainage.
- C. The proposed Diner is not shown with utilities.
- D. Signatures, stamps, boxes, etc.

Note: Lower Level Plan at S-3 position.

VI. Topography Plan S-4 – Sheet 6 of 25 (*Not included in current submittal)

- A. Signatures, stamps, boxes, etc.
- B. Plan is inadequate, lacks topo throughout existing and proposed.

Note: First Floor Plan at S-4 position.

VII. Sheets 7 through 25

Architectural, HVAC, Electrical, and Proposed Diner. Not an Engineering issue.
Refer to Building Department.

Beaver Brook Village

July 9, 2002

Page 3

General:

- A. Lacks drainage.
- B. What about Dye Storage Vats?
- C. Has Canal crossing at Lakeview Ave. been resolved?

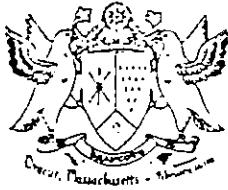
Respectfully submitted,

THE ENGINEERING DEPARTMENT



Ron Close, P.E.
Assistant Town Engineer

RWC/lh



BUILDING DEPARTMENT

TOWN OF DRACUT

11 Springpark Ave.
Dracut, Massachusetts 01826

(978) 454-0603
Fax (978) 937-9885

July 9, 2002

Frank Gorman
Sarasota Realty Corp.
1105 Lakeview Avenue
Dracut, MA 01826

RE: Beaver Brook Village
9
Departmental Review July 3, 2002

Mr. Gorman,

I would like to compliment you on accepting our recommendation to retain Specialized Architectural and Engineering Service for this project.

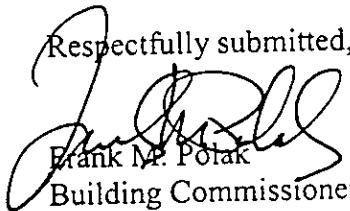
Architects: Choo & Company for Architecture
HVAC, Plumbing, Fire Protection: ZADE Company, Inc.
Civil: Robert Gill Associates
Electrical: Sam Zax Associates

In reviewing the plans you recently submitted I would recommend the following:

1. The review and submittal process should be designated and submitted with the two proposed addresses: (i.e. 81-91 Mill Street and 1734 Lakeview Avenue).
2. The drawings submitted need to be more detailed and resubmitted reflecting the proposed use to the proposed address.
3. Parking Plan as submitted is not acceptable. Example: schematic parking layout residential reflects 100 spaces needed; 82 spaces accessible, 18 spaces inaccessible.
4. Designated Handicap Parking: must show detailed access into the building lobby and to elevators (from parking space, across bridge then gazebo).
5. Is the plan going to provide any units built for handicap occupancy?

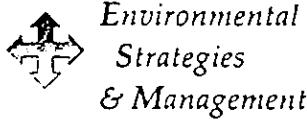
Page Two
Gorman
July 9, 2002

6. Proposed Day Care: Please designate traffic drop off and pick location on plan I also would like more detail of proposed play yard in relation to surroundings i.e. rear of kitchen of the diner etc.
7. You will need to submit a detailed parking lot lighting plan for both addresses.
8. What are you proposing for safety protection along the brook?
9. New detailed parking plan should show business location and afforded parking designated to service each business.

Respectfully submitted,

Frank M. Potak
Building Commissioner

/sac

c: Dennis Piendak, Town Manager



Environmental
Strategies
& Management

184 West Main Street, Norton, MA 02766 • Tel: (508) 285-9700 • Fax: (508) 285-9957

July 1, 2002

Town of Dracut Conservation Department
Town Hall Annex
11 Spring Park Avenue
Dracut, Massachusetts 01826

Subject: Request for Determination of Applicability
Beaver Brook Village Multi-Use Complex
Lakeview Avenue/Mill Street
Dracut, MA

Dear Commission Members:

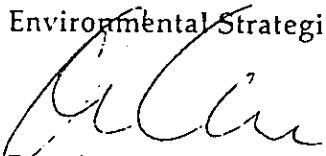
Attached please find a completed WPA Form 1 - Request for Determination of Applicability for the Beaver Brook Village project. The work that is proposed under this Request includes environmental-related work as required by the Massachusetts Contingency Plan, and site improvement/paving activities associated with the redevelopment of the property. Section C of the Request explains the work tasks that are proposed and why they are not subject to the Wetlands Protection Act.

Please note that attached to the Request are three Figures, including a Parking Layout Plan (S-1). This Plan shows proposed site improvement and paving areas for the property. A drainage plan is currently being designed, and a copy of this plan will be forwarded to the Commission as soon as it is available.

Please call me at 508-285-9700 if you have any questions.

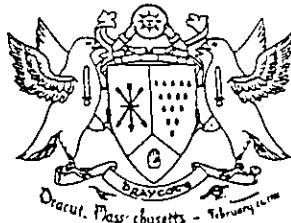
Sincerely,

Environmental Strategies & Management, Inc.



Douglas A. Heely, PG, LSP
Principal Geologist

Copy: Mr. Frank Gorman
Massachusetts DEP/NERO/Bureau of Resource Protection - Wetlands



TEL 957-0411
FAX 957-9313

Department of Public Works

833 HILDRETH STREET
DRACUT, MASSACHUSETTS 01826



MICHAEL R. BUXTON
PUBLIC WORKS DIRECTOR

July 8, 2002

Dennis Piendak
Town Manager
62 Arlington Street
Dracut, MA 01826

Re: Proposed Beaver Brook Village

I have reviewed the progress prints received July 3, 2002 prepared by Robert M. Gill & Associates of Lawrence MA presented by Gorman Management Trust of Dracut MA and have the following comments.

No utility plan, S -3 was included in my plan package for review.

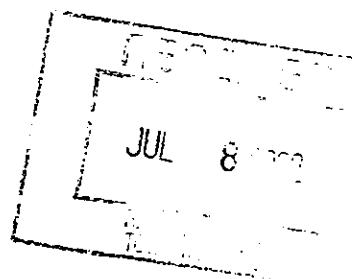
Snow storage has been identified on the plans and appears adequate.

The landscapes plan S – 2 shows some proposed plantings but does not identify the species of plants or trees.

If you have any questions please call me.

Sincerely,


Michael R. Buxton
Public Works Director



DRACUT WATER SUPPLY DISTRICT

59 HOPKINS STREET
DRACUT, MASSACHUSETTS 01826
Telephone 978-957-0441 • FAX 978-957-2073

Commissioners

William L. Morin - Chairman

George H. Rancourt Jr.

Superintendent - Director

Gary W. McCarthy

Treasurer

Debra H. Vinal

To: Departmental Review
From: Dracut Water Supply District
Date: May 31, 2002
Subj: Water Service

Re: Mill Project

Presently the Mill at Beaverbrook is supplied by the Dracut Water Supply District. The new developer has installed protection to contain the building for protection of the general water supply as requested from previous inspections prior to his taking control of the building.

Final detailed plans for water need to be reviewed. Water however is available in the area.

Final proposal plans must be submitted to the District for review regarding domestic, commercial and fire demands.

Water service is now in the building.

RECEIVED

MAY 3 2002

July 10, 2002

Dracut Planning Board
Dracut, MA 01826

Dear Sirs:

This letter is concerning the Mill Street Mill Conversion Project proposed by Mr. Frank Gorman.

The Dallas Park Condominium Trust requires that the 100 foot buffer zone abutting our property be honored and that there be a non-gated wrought-iron fence from Mill Street to the Beaver Brook plus a four foot berm constructed along the first 165.68 feet upon which the fence will be installed starting at Mill Street to the land line pivot point.

Our initial approval of the Mill reuse project was predicated on refurbishing the existing buildings under the Mill Conversion Overlay District of the Zoning-By-Laws which states that a " 'Mill Conversion Project' (MCP) shall mean the conversion of existing mill buildings and structures as specified herein to multifamily dwelling(s), assisted living facility, single-family dwelling(s), and/or nonresidential uses." In that letter we indicated that we would look forward to reviewing the plans as they related to our abutting property line.

We have not given anyone permission to connect to or use any of our property. We do not approve of the structures within the 100 foot buffer zone or any connection to or use of our property. We look forward to seeing the revised plans as they apply to our common property line.

*Michael Largess
Secretary, Dallas Park
Condominium Association.*

SARASOTA REALTY, INC
14 FILLMORE ST.
WAREHAM, MA. 02571
Tel 508 291 1702
Fax 508 291 3829

July 18 ,2002

Mr. Maurice Masson , Chairman
Town of Dracut Planning Board
62 Arlington St.
Dracut , MA 01826

RE: Petition for Special Permit
Beaverbrook Mills

REF: A: Letter of K. Wacks to Dracut Planning Board dtd 6/28/02 re clarification of
ownership of premises.

Dear Mr. Mason:

This is to acknowledge that referenced letter was submitted without the previous knowledge of the undersigned and that the following is being submitted in further clarification thereof.

I personally , and as an officer of one or more of my business entities , have done business with Mr. Gorman as an individual , and as an officer of one or more of his entities , over the past 25 years .. Because of our differences in investment objectives and management disciplines , we have never entertained a transaction which called for the sharing of either ownership or management responsibilities

In accepting assignment of the Purchase and Sale agreement then held in the name of Frank Gorman or nominee as Buyer,which he was unable to fulfill , I did so based upon my economic analysis of the then represented income and expenses ,and my ability to realize a profit based on going forward with the management of the property in essentially an " as is " condition..

The Purchase and Sale Agreement was executed by Sarasota Realty , Inc and Title to subject property rests only with Sarasota Realty ,Inc.

Whereas Mr. Gorman had sought my sponsorship of the Development Project before you over the prior two years, and I repeatedly declined to participate ; in consideration of mutual concessions made to one another, Sarasota Realty entered into a lease agreement with Frank Gorman,/Gorman Management Trust , for an annual rate and period of time , and under the terms of which he is responsible for its management , expenses , and any liabilities incurred during the period of the lease., reserving however its rights as Lessor as to approvals of sub-leases which may extend beyond the terms of the lease granted , and the right of approval as to any modifications to be made to the property or premises during the term of the lease.

It is respectfully suggested that the application for subject special permit by Frank Gorman/ Gorman Management Trust be evaluated on its own merits , and as being made by a potential Contractor for the site in question , and in this case at his own expense.

Sarasota Realty, Inc has had no participation in the plan before you.

Sarasota Realty, Inc does not plan to participate in the Development Plan before you.

Sarasota Realty , Inc does not object to Frank Gorman / Gorman Management Trust representing Beaverbrook Mills as a site for a potential Development Project.

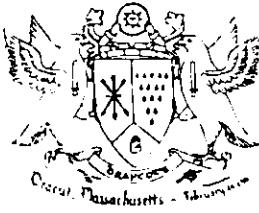
Sarasota Realty , Inc further states that Frank Gorman is not an Agent of Sarasota Realty , Inc nor does he have any signatory authority to engage in any legal transactions on behalf of Sarasota Realty, Inc.

In considering the subject Special Permit being requested by Mr. Gorman, the Board is respectfully requested to review the numerous properties whose creditable rehabilitation were the results of his efforts. Although I have declined to participate in subject development , I wish Mr Gorman well ,and were the Board to grant the permit being requested , I am confident that the end result will be a credit to the community.

very truly yours,



Vincent R. LoCicero
President
Sarasota Realty , Inc



Dracut Police Department

1600 LAKEVIEW AVENUE
DRACUT, MASSACHUSETTS 01826

LOUIS PANAS
Chief of Police

TEL. (978) 957-2123
FAX (978) 957-7197

August 13, 2002

Maurice Mason, Chairman
The Dracut Planning Board
11 Springpark Avenue
Dracut, MA 01826

Re: Beaver Brook Village Multi Use Complex

Dear Mr. Mason:

On Monday, August 12, 2002, I conducted an on site inspection of the above proposed development entitled "Beaver Brook Village Multi Use Complex". I reviewed the plan submitted including a traffic study that was conducted for the above referenced project, which included access/egress to the existing public street system and also included the following intersections:

- Lakeview Avenue at Primrose Hill Road;
- Lakeview Avenue at Mill Street;
- Lakeview Avenue at Project Driveway; and
- Mill Street at Project Driveway(s).

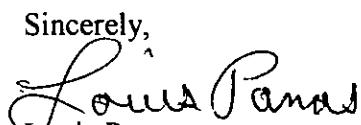
As a result, I am recommending approval of the proposed development with the following stipulations as listed below:

1. That the intersection of Mill Street and Lakeview Avenue be cleared away to improve site distance. That is, as you're approaching the intersection from Mill Street and you look to the right, there is a big chain link fence and also brush that has been growing for years blocking the site distance. The fence needs to be removed and the area needs to be cleared in order to improve the site distance. There is already a stop sign on Mill Street as it intersects with Lakeview Avenue and I am recommending that a stop bar and stop ahead sign be included on Mill Street. The site distance on the left as you approach the intersection appears to be okay.

August 13, 2002
Beaver Brook Village
Page 2

2. I am also recommending that some reconsideration be given to including some type of traffic lighting, possibly a blinking red light at this intersection, even though the traffic study indicated that traffic lights are not warranted. Also, consideration should be given to painting a crosswalk on Lakeview Avenue at the intersection of Mill Street for the safety of people walking from the new apartments across Lakeview Avenue to get to the banks and the CVS Pharmacy. Also, additional street lighting should be added to this intersection for the above pedestrian crossing.
3. That the section of Mill Street between Lakeview Ave and Dallas Park driveway be re-paved (using overlay method) and a roadway center line applied. Edge lines on both sides of Mill Street should be applied after re-paving of this section. I am also recommending that two or three crosswalks be painted along Mill Street between Lakeview Avenue and Dallas Park driveway for pedestrians crossing the roadway to get to the parking lot across the street.
4. That a stop sign, stop bar and stop ahead sign be installed on Mill Street as it intersects with Mammoth Road because of the increased traffic that will be generated by the new project.
5. I am also recommending that Mr. Gorman consider having another neighborhood meeting with the people living on Cottage Street, Water Street, Middle Street, Orchard Street and Coburn Street to inform them that additional traffic generated by the project could mean additional traffic on their streets. As part of the neighborhood meeting, some consideration and I am recommending that stop signs and stop ahead signs be installed on Middle Street, Water Street and Coburn Street as they intersect with Mammoth Road in anticipation of any additional traffic.
6. That a stop sign, stop bar and stop ahead sign be included at the project driveway as it intersects with Lakeview Avenue.
7. That a stop sign and stop bar be included at the project driveway as it intersects with Mill Street.
8. That the developer comply with the by-law for handicap parking throughout the project.

If you have any questions with regard to this matter, kindly contact this office.

Sincerely,

Louis Panas,
Chief of Police

LP/jt



Commissioners
 Chairman - George H. Rancourt, Jr.
 Robert E. Corey
 William L. Morin

Gary W. McCarthy
 Executive Director/ Superintendent

Mark R. Riopelle
 Assistant Superintendent

Debra H. Vinal
 Treasurer

To: Glen Edwards
 Town Planner/Assistant Town Manager
 From: Gary W. McCarthy
 Executive Director Superintendent
 Dracut Water Supply
 Date: September 3, 2002
 Subj: Beaver Brook Mills Village

VIA-FAX Sept 3rd at 8:40am

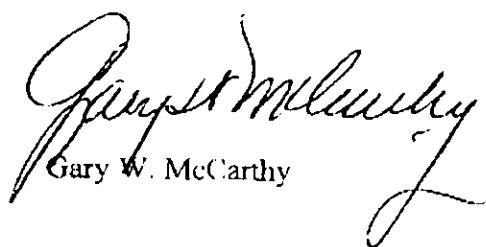
I have met on several occasions with Mr. Gorman relative to the water use at the proposed Mill project.

Water is available for use at the Mill for domestic and fire protection. Currently the Mill is using water now.

The proposal for use if changed would need to be submitted to the Board of Water Commissioners for approval

This proposal would be a separate agreement from any town issued Special Permit.

For the purposes of the Departmental review water is currently being used at this location.


 Gary W. McCarthy

**Town of Dracut
Board of Health**

TOWN HALL ANNEX

11 SPRINGPARK AVE.

DRACUT, MASSACHUSETTS 01826

Tel. (978) 453-8162

THOMAS F. BOMIL
Director of Public Health

EVAN N. THEMELES, Chairman
HENRY M. SZCZEPANIK, Vice Chairman
PAUL J. ENIS Clerk

September 4, 2002

Glen Edwards, Town Planner
Town Hall
Dracut, MA 01826

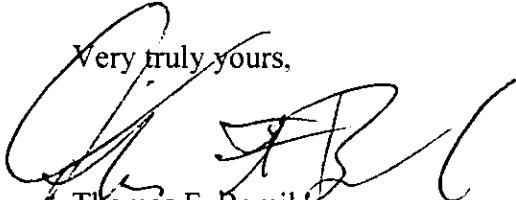
RE: Beaver Brook Mills

Dear Glen:

Please be advised that I have received the information I requested regarding the old septic lagoons in the rear of the above-mentioned proposed project. (See attached correspondence) As you will read, the soil will be tested in the future to determine if any contamination still exist.

At this time I have no further issues with this project. In the future if any other Board of Health issues occur, I will keep you informed.

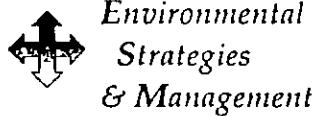
Very truly yours,


Thomas F. Bomil
Director of Public Health

Enclosure

c.c. Dennis Piendak

TFB/hrl



July 29, 2002

Mr. Thomas Bomil
Town of Dracut Board of Health
Town Hall Annex
11 Spring Park Avenue
Dracut, Massachusetts 01826

Subject: Status of Beaver Brook Island
Adjacent to Former Mill Property
Lakeview Avenue, Dracut, Massachusetts

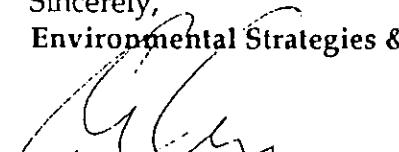
Dear Mr. Bomil:

This letter was prepared to summarize the environmental status of Beaver Brook Island. Environmental Strategies & Management, Inc. (ES&M) was initially retained by Mr. William Greenwood (former property owner) to conduct response actions as required by the Massachusetts Contingency Plan (MCP) for the former mill property. As part of this work, ES&M reviewed local and state files, and interviewed Mr. Greenwood regarding his knowledge of Beaver Brook island. This research indicated that the island formerly contained "wool waste"¹ and septic lagoons, which received sewage from the mill and nearby homes. In circa 1987, the discharge of sewage ceased and the island was re-graded to cover the surficial wool waste and septic lagoons.

Although ES&M has not conducted any laboratory testing of soil samples from the island, we have completed a detailed walk-over inspection of the island. This inspection confirmed that there are no open lagoons or areas of exposed wool sludge material. Additional testing of soil from the island will be conducted in the future to fulfill the MCP requirements for the former mill site.

Please contact me at 508-285-9700 if you have further questions.

Sincerely,
Environmental Strategies & Management, Inc.



Douglas A. Heely, PG, LSP
Principal Geologist

✓Copy: Mr. Frank Gorman

¹ The wool waste is a fibrous material, and is believed to be essentially wool fibers. It is a different material than the "wool sludge" found in the wooded area south of the mill building.



Office of the Assistant Town Manager
Dracut Town Hall
62 Arlington Street
Dracut, MA 01826
Telephone (978) 453-4557
Fax (978) 452-7924

To: Planning Board

From: Glen Edwards, Town Planner

Re: Beaver Brook Mills Plan Review- Plan Revision 7/10/02 Robert M. Gill & Assoc.

Please be advised that a department review meeting was held on the above referenced Application on September 5, 2002 at the Dracut Town Hall, Selectmen's Chambers. The following are comments from that meeting:

- Applicant should provide proof enumerated by codes & laws that firewall separators between businesses and residences.
- Driveway/Fire Lane Grades must be adequate to prevent public safety vehicles not to bottom out. (~10% grade max.)
- Radius of all turns in fire lane should accommodate a 44' fire truck
- Applicant should provide drainage calculations for review of Engineering Dept.
- Lighting plan for Lot 1C should be directed away from Orchard St. residences
- If agreeable to all parties, we would encourage plantings along Orchard St. to be on top of the retaining wall. This should maximize screening benefit.
- As there were some concerns raised, all parking space sizes should be double checked to ensure that they meet all dimensional requirements for parking spaces
- A request was made to consider the town reserving the right to have a blinking red light installed at the intersection of Mill St. with Lakeview Avenue. The applicant expressed strong reservations with this condition.
- Although unable to attend, the department head meeting the Building Inspector proposed that a technical review of the proposed plans be performed pursuant to G.L.C. 44, S. 53G.
- It is recommended that a full time "Clerk of the Works" be on site for this development project.
- The Police Department's recommendations are hereto attached.

In that many recommendations were made in letters received from various departments I attempted to outline what appeared to me to be the most significant suggestions made above. The remainder of the above bulleted comments was verbal comments made at the department head meeting. However, I am attaching the full text of written comments received to this Memo.

ROBERT J. AUDET
Chairman

THOMAS J. SALEM
Vice-Chairman

KENNETH R. MARTIN
Secretary

DR. PAUL E. DUFOUR
Treasurer

JAMES M. GOOKIN
Assistant Treasurer

JOSEPH R. TULLY
Executive Director

DRACUT HOUSING AUTHORITY

971 MAMMOTH ROAD

DRACUT, MASSACHUSETTS 01826

SEP 1 2002

TEL. (978) 957-3515

FAX (978) 957-3399

September 5, 2002

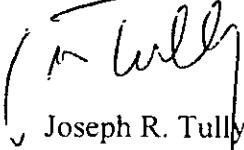
Mr. Maurice Mason, Chairman
Dracut Planning Board
Town Hall
60 Arlington Street
Dracut, MA 01826

Dear Mr. Mason:

Please be advised that on August 19, 2002, at a regular meeting of the Dracut Housing Authority, the Board of Commissioners of the Housing Authority voted unanimously to support the designation of all of the rental units relating to the Beaverbrook Mills Project as affordable units.

If you have any questions regarding this matter, please contact my office.

Sincerely,



Joseph R. Tully
Executive Director

Cc: Mr. Frank Gorman

2002
59 Mill Street, Unit 307
Dracut, MA 01826-3269
September 5, 2002

Mr. Maurice Mason, Chairman
Dracut Planning Board
Dracut, MA 01826

Dear Mr. Mason and Members of the Board:

This letter is concerning the Mill Street Mill Conversion Project proposed by Mr. Frank Gorman as defined in his plans made available to me on August 1, 2002.

I and the Dallas Park Condominium Trust, as abutters, require that the 100 foot buffer zone abutting our property be honored and that there be a non-gated wrought-iron fence from Mill Street to the Beaver Brook plus a four foot berm constructed along the first 165.68 feet upon which the fence will be installed starting at Mill Street to the land line pivot point. The fence should be shown on the plans.

We also require that the existing berms along our property driveway and Mill Street remain as is.

In addition, a 100 foot buffer is required on the island part of the mill property that abuts our property, approximately 1001.8 feet. The use of the complete property needs to be addressed and approved by the Planning Board which includes the island. Mr. Gorman has asked me what I thought of putting a gazebo on the island and allowing ATV's to ride up and down the land. We emphatically disapprove of this. Wildlife is returning to the island which was mostly stripped of vegetation about 1988. The island is in the green belt that runs from the Lowell/Dracut/Tyngsboro State Forest north along the Beaver Brook.

The S-4, Topography Plan, sheet 6 of 43, indicates grading, destroying vegetation up to our property line and constructing a retaining wall. The zoning by-laws standard says, "A buffer area of (100) feet shall be provided at the perimeter of the property where it abuts residentially zoned or occupied properties,.... No vegetation in this buffer area will be disturbed, destroyed or removed except for normal maintenance." We want this part of the by-law to be honored. The S-2, Landscape Plan, sheet 4 of 43, indicates existing trees 50-70 feet tall, 20-30 inch caliper. The S-4, Topography Plan, needs to be updated to include all of the requirements of the application, e.g. trees of more than 8 inch caliper.

The first listed objective of the Mill Conversion Overlay District of the Zoning By Laws is to "allow for conversion of Dracut's historic mills while preserving the character of nearby residential and commercial neighborhoods;" Without the 100 foot buffer zone this will not happen for Dallas Park.

The developer of the mill is requesting a new building where his parking spaces and fire lane should be and is placing them in our buffer zone. We will not accept this.

Our initial approval of the Mill reuse project was predicated on refurbishing the existing buildings under the Mill Conversion Overlay District of the Zoning By Laws which states that a “ ‘Mill Conversion Project’ (MCP) shall mean the conversion of existing mill buildings and structures as specified herein to multifamily dwelling(s), assisted living facility, single-family dwelling(s), and/or nonresidential uses.”

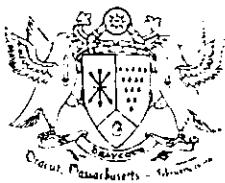
We look forward to reviewing updated plans as they relate to our abutting property line, approximately 1489.77 feet. The island buffer zone and use must be addressed on the plans since it is an integral part of the property deed for the mill buildings.

We have not given anyone permission to connect to or use any of our property.

Yours truly,



Ina I. Hakkila, Abutter
59 Mill Street, Unit 307
Spokesperson, Dallas Park
Condominiums



TOWN OF DRACUT, MASSACHUSETTS
Fire Department

M E M O R A N D U M

488 Pleasant Street

Office: (978) 454-2113
Fax: (978) 454-1443

TO: Maurice Mason
Planning Board

FROM: Leo Gaudette *L.G.*
Fire Chief

RE: Beaver Brook Mill Project

DATE: September 11, 2002

With regards to the departmental review meeting on the above referenced project, the Fire Department has the following concerns:

- 1) The existing occupancy is not compatible with the proposed residential use.
- 2) Grade of fire lane may not accommodate fire trucks.
- 3) As discussed, hydrants need to be tapped off of the 16" main on Lakeview Avenue. Hydrant locations are to be approved by the Fire Department.
- 4) Fire Department sprinkler connects needed on both sides of building.
- 5) We would like to see drafting location.
- 6) Abandoned underground storage tanks are to be removed as soon as possible.
- 7) Needs a master box.
- 8) Needs to have a flow test completed.
- 9) Submit set of fire alarm system plans for approval.
- 10) Existing sprinkler system is to be left on during construction.
- 11) Fire Department and Building Inspector need to review any new occupancies or businesses at this location.
- 12) Should consider relocation of Laundry Room, which is over main electrical room.
- 13) Fire lane radius must accommodate a 44' straight truck.

September 29, 2002

The purpose of this document is to notify the Dracut Town Planning Board that the abutting residents realize that a 100 buffer zone is an unrealistic number to allow the Mill Overlay Project to take place.

In light of this realization, and in an effort to compromise with Mr. Frank Gorman, the majority of the abutting residents of Orchard Street are in agreeance that a 36 foot buffer zone from their property line is an acceptable buffer zone.

The above mentioned figure of 36 feet was agreed upon by the residents in an effort to compromise with Mr. Frank Gorman to decrease the 100 foot buffer zone.

The figure of 36 feet was determined and agreed upon by the majority of the residents at the conclusion of the site walk through held on September 29, 2002.

The figure of 36 feet was derived by a combination of two factors.

Factor #1: The orange "X" placed by Mr. Gorman's surveyor on tree growth approx. 10 feet from the property line of the residence of Orchard Street.

Factor #2: In addition to this 10 feet, an additional 26 feet had been measured which would physically bring the buffer zone to an acceptable distance of 36 feet from the property line and would also allow Mr. Gorman to have ample parking behind each of the residences.

Not only would this 36 feet allow Mr. Gorman ample parking, it would also allow the residence of Orchard Street to maintain the individuality and privacy of their properties by utilizing the already existing fencing and tree growth that distinctly separates their properties visually and audibly.

By separating the Orchard Street properties from the property belonging to Mr. Frank Gorman would also allow all parties to live their lives as they have in the past and as they should continue to do so in the future within the safety and serenity of their neighborhood.

It is the hope of the residents of Orchard Street that our compromise of more than 2/3 of the original buffer zone not be further decreased as we feel that this is more than fair to allow Mr. Gorman to proceed with his project.

Signature	Print	Address
Matthew Mitchell	Matthew Mitchell	34 Orchard Street, Dracut, MA
Millie Johnson	Millie Johnson	27 Coburn Ave, Dracut, MA
Michael Sullivan	Michael Sullivan	27 Coburn Ave, Dracut, MA
Publodge Ouellette	Publodge Ouellette	40 Coburn Ave, Dracut, MA
Paula Ouellette	Paula Ouellette	40 Coburn Ave, Dracut, MA
Paula Ouellette	Paula Ouellette	40 Coburn Ave, Dracut, MA
David D. M. Moyer	David D. M. Moyer	416 Orchard St, Dracut, MA
Mary Rose Meloan	Mary Rose Meloan	416 Orchard St, Dracut, MA
Mr. Robert "Bob" Matheson	Mr. Robert "Bob" Matheson	416 Orchard St, Dracut, MA
Matthew Mitchell	Matthew Mitchell	34 Orchard St, Dracut, MA
Catherine Gray	Catherine Gray	210 Orchard St, Dracut, MA
Richard C. Gray	Richard C. Gray	216 Orchard St, Dracut, MA
Richard C. Gray	Richard C. Gray	216 Orchard St, Dracut, MA
Sharon Burns	Sharon Burns	21 COTTAGE ST Dracut

QUA, HALL, HARVEY & WALSH

ATTORNEYS AT LAW

25 FLETCHER STREET

CHELMSFORD, MASSACHUSETTS 01824

RICHARD B. WALSH
JAMES A. HALL
EDWARD F. FINNEGAN
PATRICK D. CONNELL
JAMES P. HALL*

(978) 250-4255
FACSIMILE (978) 244-1452

FRANCIS M. QUA (1941-1977)
JOHN HARVEY (1929-1977)
HOWARD J. HALL (1937-1966)
RICHARD T. HALL (1960-1998)

*ALSO ADMITTED TO PRACTICE IN
NEW HAMPSHIRE, MAINE AND
WASHINGTON, D.C.

October 2, 2002

Mr. Maurice Mason
Dracut Town Hall
62 Arlington Street
Dracut, Massachusetts 01826

Dear Mr. Mason:

I recently reviewed the letter that you sent requesting information for the Planning Board's next meeting. You asked:

1. Whether "a parking area would maintain a grandfather status or would the new Mill Conversion Overlay District wipe it out?"
2. Whether "an adjoining property in a different zone could be used for an accessory use, such as parking?"

Generally, an existing parking area would maintain its grandfathered status, unless it is made more nonconforming. You should also verify whether or not this parking use has been abandoned for a period of two years or more, at any time, or if there has been a use change. An abandonment or a use change would result in a withdrawal of grandfathering protection for this parking use. Under Dracut's bylaws, Mill Conversion Overlay Districts have specific requirements for parking. Below, I have detailed several instances where the Planning Board may relax the parking requirements of Dracut's Zoning By-laws.

Dracut By-law 2.11.50 specifically states that an adjoining property in a different zone may only be used as an accessory use if it is in the same lot as the principal use. The rules of the most restrictive zone should be applied to the use in this instance.

Dracut By-laws:

3.10.21 Parking Requirements: Adequate off-street parking must be provided to service all parking demand created by new structures, additions to existing structures, or change in use. *Existing buildings and uses need not comply unless expanded or otherwise*

To: Mr. Mason

Date: October 2, 2002

Page 2

changed to increase their parking needs.

2.11.50 Accessory Use Regulations- "Accessory uses shall be permitted in all districts on the same lot with the principal use."

2.16.25 Abandonment- Any structure or lot, in or on which a nonconforming use is abandoned or superseded by a permitted use, shall thereafter conform to the regulations for the district and the nonconforming use or structure, other than a single or two family dwelling, not used for a period of two years shall be deemed abandoned and shall not again be revived or such structure used, except in conformity with all applicable provisions of this By-law or any amendment hereto."

2.16.21 Existing Use- Any structure or use lawfully existing at the time of the adoption of this By-law or any amendment hereto and any use or structure lawfully begun or in respect of which a building or special permit has been issued before the first publication of notice of public hearing on this By-law or any amendment hereto *may be continued or completed, although such structure or use does not conform to the provisions hereof..."*

Mill Overlay District By-laws:

4.1600(3) Within the Mill Conversion Overlay District all regulations of the underlying district shall continue to be in full force and effect, except where these regulations supercede such underlying requirements or provide an alternative to such requirements.

4.1600(8) In order to be eligible for consideration for a special permit pursuant to this Section, the proposed development shall meet all of the following standards:

a. Buffer. A buffer area of 100 feet shall be provided at the perimeter of the property where it abuts residentially zoned or occupied properties, except for driveways necessary for access and egress to and from the site provided, however, that existing structures and existing access roadways are exempt from the requirements set forth herein. *However, existing structures and parking areas shall not be made more nonconforming except for ADA compliance.* No vegetation in this buffer area will be disturbed, destroyed or removed except for normal maintenance. The Planning Board may waive the buffer requirement: (1) *Where the Planning Board determines that a smaller buffer will suffice to accomplish the objectives set forth herein;* or (2) where the construction of a wastewater treatment plant necessitates such relief.

D. Parking. The applicant shall provide adequate parking to serve all anticipated uses on the property, with information detailing the method of computation of parking spaces. The minimum number of parking spaces shall be computed using the requirements of

To: Mr. Mason

Date: October 2, 2002

Page 3

Section (left blank in Bylaw) or other applicable provision herein. The Planning Board may increase the required parking by up to 10% to serve the needs of residents, employees, visitors and service vehicles. *The Planning Board may reduce the otherwise required number of parking spaces where the applicant demonstrates that an adequate number of spaces will be provided.*

E. Screening of Parking Areas. All parking areas shall be screened from view from adjacent residentially zoned or occupied premises located outside the site, including public ways, by a landscaped border at least ten (10) feet in width. *Parking lots shall be located to the rear or side of all buildings and shall not be located in front set backs or in buffer areas; provided, however, that the Planning Board may waive these provisions for existing parking lots and/or existing buildings.* Parking lot layout shall be planned to permit landscaping, buffers, or screening to prevent direct views of parked vehicles from adjacent streets. The use of traditional picket fencing hedges, walls, or landscape berms to define parking areas is encouraged. In parking areas of eleven or more parking stalls, at least one tree of three-inch or greater caliper shall be planted for every six parking places. Adequate tree wells and irrigation shall be provided for all parking lot landscaping. Pedestrian access is to be taken into consideration in parking lot design. The use of separate walkways is encouraged. Textured paving or grade separated (elevated) walkways are desired on all pedestrian access ways.

Case law:

Case law in regard to split zoning is fairly protective of zoning restrictions and seems to frown upon split zone accessory uses. Brookline v. Co-Ray Realty Co., 326 Mass. 206, 211-212, 93 N.E.2d 581, 583 (1950), a lot in single-family zone may not be used for walkway to apartment building on another lot; Building Inspector of Dennis v. Harney, 2 Mass.App.Ct. 584, 585-586, 317 N.E.2d 81, 82-83 (1974), roadway to commercially zoned property is not a permitted use in a residential zone; Beale v. Planning Bd. of Rockland, 423 Mass. 690, 671 N.E.2d 1233 (1996), Proposed access road to portion of landowner's property lying in zoning district in which retail use was permitted, which road lay in a zoning district in which retail use was prohibited, was considered to be in the same use as the parcel to which it gave access and thus violated use requirements.

Dracut was sued in 1996 in regard to a split lot issue in which different parts of the lot were in a Lowell multi-family zone and the accessory parking was located in a Dracut business zone. Dupont v. Town of Dracut, 41 Mass App 293 (1996). The plaintiff sought to build a fourteen-unit housing project for the elderly on a lot situated in both the city of Lowell and the town of Dracut. The Lowell segment consisted of 12,906 square feet and was located in an M-3 zoning district that allowed multifamily housing. The Dracut portion contained 7,420 square feet

To: Mr. Mason

Date: October 2, 2002

Page 4

and was located in a B-3 district that allowed business use and prohibited residential use. As proposed, the structure would be situated on the Lowell portion of the lot with access and most of the required off-street parking situated on the Dracut portion. In order to meet Lowell's M-3 frontage requirement, frontage on the Dracut portion of the land would have to be added to the Lowell frontage. A two-family dwelling which predates Dracut's zoning by-law was then located on the Lowell portion of the property. Dracut recognized the residential use as a legally nonconforming one.

Judgment in this Dracut case was entered declaring that the provisions of the Dracut zoning by-law apply to that portion of the locus located within Dracut and that Dracut may prohibit the plaintiff from using the Dracut portion of the locus for a parking lot as an accessory use to a principal use in Lowell prohibited under the Dracut by-law.

Analysis:

Difficult problems often arise where a single lot is within two or more zoning districts, particularly where the lot lies partially in a residential zone and partially in a business or industrial zone. The Appeals Court has ruled that, in the absence of a specific prohibition in the bylaw, the lot owner may use the entire lot, including the more restricted portion, to make up dimensional and density requirements, such as setback requirements. *But the use restrictions of each district will continue to apply to that portion of the lot which is within such district.* For example, the court has ruled that a factory built in the industrial zone of a split lot could not have its loading or parking facility in the residential zone on the same lot. Dracut's bylaws are even more explicit, stating that accessory uses must be on the same lot- which does not allow the Board much leeway.

Recommendation:

It does not appear that you may waive the requirement that all accessory uses be on the same lot, unless the use is grandfathered. You must also apply the restrictions for the most restrictive zone. Remember that the Planning Board may waive requirements for the number of required parking spots if it believes that parking has been adequately addressed by the applicant's proposal.

I hope this research is useful at your next meeting. Please let me know if you have any other questions.

Very truly yours,



James A. Hall



BUILDING DEPARTMENT

TOWN OF DRACUT

11 Springpark Ave.
Dracut, Massachusetts 01826

(978) 454-0603
Fax (978) 937-9885

October 9, 2002

Dracut Planning Board
11 Springpark Avenue
Dracut, MA 01826

RE: Beaver Brook Mills

Dear Mr. Chairman and Board Members,

The Building Department in conjunction with all other relevant Department Heads have retained the firm of Norian-Siani Engineering Inc. to perform a peer review of the engineered drawings for this project. Due to the size and scope of this project, it is our hope to have the concerns of all Department Heads addressed.

Our first meeting was held on Tuesday, October 8, 2002 and our schedule calls for the review to be completed on or before the end of October 2002.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank M. Polak".

Frank M. Polak
Building Commissioner

/sac

TO: Dracut Planning Board Members

FROM: Marie & Matthew Matchett
34 Orchard Street
Dracut, MA 01826

CC: Mr. Frank Gorman & Associates

DATE October 29, 2002
(Additional comments added) November 10, 2002

SUBJECT: October 15, 2002 Mtg. between Mr. Gorman & Residents of Orchard St. Dracut, MA.

Pursuant to the request of the planning board during the town meeting of October 9, 2002, regarding the buffer zone to the Mill Overlay Project, the following meeting was held between the abutting residents of Orchard Street and Mr. Frank Gorman.

Attending Residents:

Marie & Matthew Matchett
Greg Dillon
Richard Gray
Robert, Rose & Dennis Martineau

During this meeting there was an open discussion between the aforementioned individuals and from that discussion the following compromise was made...

- a. The abutting residents of Orchard Street would have a consistent 30 foot buffer zone which would run parallel from their property lines to the parking lot for the Mill Overlay Project unlike the initial jagged line proposed in the plans by Mr. Gorman.
- b. The abutting residents of Orchard Street would be able to keep the already existing growth behind their homes to be used as a natural buffer against visual and audio disturbance from the Mill Overlay Project.
- c. The abutting residents of Orchard Street would have a retaining wall built for them at the 30 foot buffer zone line on top of which would be plantings designated by the abutting residents of Orchard Street. In addition to the already existing growth, the purpose of this wall would be to also reduce the sound, light and disallow snow storage within the buffer zone.
- d. The abutting residents of Orchard Street would be considered when putting lighting in for the parking lot as we discuss putting in lights that reflected down (rather than out) and that would not exceed 14 feet in height to reduce light disturbance to each property.

Upon making this compromise, it was also determined that Mr. Gorman would draft up a letter to include all of the terms and conditions spoken about during the meeting of October 15th as well as to include a revised copy of the plans to reflect what we had discussed.

A letter was in fact drafted and sent by Mr. Gorman, however it did not include or reflect the discussion that had taken place during the meeting of October 15th. In fact I (Marie Matchett) called Mr. Gorman's office and left him a message asking him to please call me at his earliest convenience to discuss the fact that the letter was a "good cover letter" at best, that it did not reflect accurately the terms and conditions that were spoken about during our meeting. I also told him in my message that my husband had spoken to several other abutting residents and the letter would not be signed by anyone we had spoken to unless the letter had been accurately revised.

I received a return phone call from Mr. Gorman the next day and during our conversation, Mr. Gorman told me that there would be a revised set of plans sent to all of the abutting residents that would specify the terms spoken about during our meeting. He further explained that the letter had been sent out before the plans. I and the other residents would receive the plans in a day or two for our review. To conclude our phone conversation, I told him that I would review the plans and we would go from there.

Shortly thereafter, as Mr. Gorman stated, my husband and I received the plans. Upon review of these plans, it was evident that the terms of the discussion were not properly depicted in this format either. I again called Mr. Gorman (October 26th), left a message with his office and asked to please have Mr. Gorman call me back to discuss the fact that the plans were unacceptable as well. I never heard back from Mr. Gorman.

Also, after further discussions and acquired knowledge, we (Matthew, myself and those abutting residents of Orchard Street to whom we have spoken) have come to the conclusion that there will be no signature rendered on this letter drafted by Mr. Gorman even if it were written to our satisfaction, because it could possibly nullify our rights to object to any future waiver(s) Mr. Gorman may apply for regarding infringement upon our properties.

November 8, 2002

Matthew and I received a voice mail message from Mr. Gorman asking Matthew to please return his call regarding the letter that he had sent to us for signature. In his message, Mr. Gorman stated that it was necessary for him to submit the signed letter to the planning board by Monday, November 11th. (This message from Mr. Gorman to Matthew came after two phone calls from myself and a conversation between myself and Mr. Gorman stating that neither the letter nor the plans properly stated the terms of our discussion back on October 15th and therefore a signature would not be rendered by either myself or Matthew unless proper documentation was supplied).

Due to the fact that Matthew was unavailable at the time to return Mr. Gorman's call, I returned Mr. Gorman's call to his cell phone number as requested in his message. When I called, I got his voice mail, I left a message and shortly after, Mr. Gorman returned my call.

Once speaking directly with Mr. Gorman, I notified him that during the time it took for him to get back to me since the second voice mail message I left for him back on October 26th, Matthew and I asked some questions and received some interesting answers.

I then told Mr. Gorman that neither I nor Matthew felt comfortable signing anything that could possibly nullify our future rights to object to any waivers he may apply for that could further infringe upon our property. Mr. Gorman then told me that the letter he send applied strictly to the matter at hand and that no future rights would be infringed upon should we sign the letter. I told Mr. Gorman that in any case, we feel uncomfortable signing anything, to please not expect any signature from either Matthew or I.

I also made it clear to Mr. Gorman that we are still in agreeance with the terms/compromise we discussed on October 15th and that we would verbally confirm that we are in still in agreeance with the terms/compromise, but that we would not sign anything.

November 10, 2002

Matthew spoke to another abutting neighbor who had also spoken with Mr. Gorman via telephone, and this abutting neighbor also told Mr. Gorman that he would not sign anything either. This neighbor also told Matthew that Mr. Gorman stated that the buffer zone would fall between 20 – 27 feet which is NOT what we had discussed during our meeting of October 15th. What was discussed during the meeting was a consistent 30 foot buffer zone from all of the property lines belonging to the abutting residents of Orchard Street.

(for further detail regarding the terms discussed during the October 15th meeting, please see notes a-d above)

To put it simply, on October 15th, the residents of Orchard Street came to a compromise with Mr. Gorman (see terms above), and will verbally confirm such a compromise, however no signatures will be rendered as previously stated.

Thank you.

Enclosures: 1. Letter drafted by Mr. Gorman for signature by residents of Orchard Street.
2. Plans submitted to accompany letter to residents of Orchard Street.

GORMAN

MANAGEMENT TRUST

Residential and Commercial
Real Estate Developers
and Property Management
1105 Lakeview Avenue, Dracut, MA 01826

Beaver Brook Realty Trust
Apartment Rentals Tel: (978) 957-6666
Fax: (978) 957-7944

Ocean Gate Motel
Salisbury Beach
Reservations: 1-888-758-9928

Agreement

Pursuant to a neighborhood meeting held on 10/15/02 it is agreed by the abutters in attendance that a Buffer Zone depicted in the enclosed landscape plan will become part of the conditions of the special permit issued by the Town of Dracut Planning Board. A concrete retaining wall will be constructed on the West Side of the abutting property to further reduce sound and light as well as not allow snow storage to be on the property line

This Agreement is subject to the Planning Board approval.

Attending Orchard Street residents who came to the meeting agree that they will not object to any of the waivers requested by the applicant for the Special Permit at the Beaver Brook Mills if such application includes these terms

Orchard Street Residents

1. _____

Paul & Ellen Dillon

Frank J. Gorman Sr
Gorman Management Trust
1105 Lakeview Avenue
Dracut, MA 01826

2. _____

Richard & Catherine Gray

3. _____

Matthew & Marie Matchett

4. _____

Robert & Rose Martineau

Frank J. Gorman Sr.

Frank J. Gorman

59 Mill Street, Unit 307
Dracut, MA 01826-3269
November 13, 2002

Mr. Maurice Mason, Chairman
Dracut Planning Board
Dracut Town Hall
62 Arlington Street
Dracut, Massachusetts 01826

Dear Mr. Mason:

Let me again emphasize that I am for the Mill Conversion Overlay Project as long as the current character of my serene, safe and secure property is maintained.

At the October 9, 2002 Planning Board meeting you directed the Dallas Park Trustees to meet with Mr. Frank Gorman and come to a compromise concerning the Mill Conversion Overlay Project. They did on October 16, 2002 with Glen Edwards and me present. I was advised at the meeting by the Chairman, Louis Dalpe, that I was not authorized to say anything. Yesterday Mr. Edwards and Mr. Gorman confirmed this.

Since I did not agree with all the concessions that the board made, I reread the Master Deed (extract at attachment 1) and determined that it requires a 75% vote of the owners association for the Trustees to sign any documents concerning a change in the use of common land. I consulted an attorney to verify this and he told me today that the vote also includes mortgage holders therefore anything signed without this vote is invalid.

At the October planning Board meeting you did not state whether the Mill Conversion Overlay By Law supersedes the easement Sarasota Realty, Inc. has to put parking spaces on the Dallas Park Condominium property at the corner of Mill Street and the 59 Mill Street Driveway. I have lived at this address almost eight years and have never seen a car parked on that part of the property. As a matter of fact, last year I talked with the trustees about planting a geometry garden in that spot to beautify it but there has not been money allocated in the budget for it. I did get private property no trespassing signs put up and the grass on the top of the berm mowed along Mill Street because it was free. Since the parking easement has been abandoned for almost eight years that I can attest to, the grandfathering protection for this parking must be withdrawn. Additionally, the Dracut bylaws state that accessory uses must be on the same lot.

The Dallas Park Condominium Trustees agreed to the fire lane being to the north side of the sewer easement going east to west and a 30 foot buffer zone on approximately the upper half of the property with a 25 foot buffer zone on the approximately lower half of the property where we abut. This is the implementation of my suggestion for a changed location of the fire lane in my meeting with Mr. Gorman on October 4, 2002. I would like

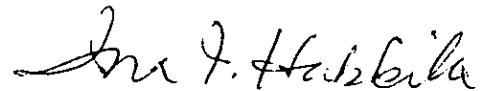
to see a 30 foot buffer zone all the way on the east to west land line from the river to the pivot point though since there is forest on our side I will concede to the 25 foot buffer on the approximately lower half. Whatever the buffer zone ends up being, the special permit must include provision for a permanent condition or restriction on what this land can be used for, e.g. conservation restriction, surveyor's stones placed strategically on all sides and a plan and or deed be registered at the Middlesex County Registry of Deeds. All distances must be measured on the Mill Property and not include abutters' property.

The Topography Plan must be updated showing compliance with the Dracut Mill Overlay By Law 4.16.8a. "...No vegetation in this buffer area will be disturbed, destroyed or removed except for normal maintenance...." There needs to be some repair done in the area where the trencher moved from the upper level to the lower level. I suggest white pines be randomly placed. This will help year round with the noise level, water run off and absorption of the gases from the automobiles.

I still require the fence along the land line and will accept the dark green chain link offered by Mr. Gorman vice the wrought-iron. The fence must be six feet high for security. A five foot fence is inadequate.

My initial approval of the Mill Conversion Overlay Project was predicated on refurbishing the existing buildings under the Mill Conversion Overlay District of the Zoning By Law which states that a " 'Mill Conversion Project' (MPC) shall mean the conversion of existing mill buildings and structures as specified herein to multifamily dwelling(s), assisted living facility, single-family dwelling(s), and/or nonresidential uses." The proposed new building is not required for a wastewater treatment plant and has caused waivers to be requested for parking slot size and buffer zone size. If the building is approved I require the parking standards of the Mill Conversion Overlay By Law be applied, "...In parking areas of eleven or more parking stalls, at least one tree of three-inch or greater caliper shall be planted for every six parking places. Adequate tree wells and irrigation shall be provided for all parking lot landscaping...."

Yours truly,



Ina I. Hakkila, abutter
59 Mill Street, Unit 307

4552-80

3 0 : 1 ; 5 ? ; 1 0 : 0

as it may be expanded pursuant to the provisions of paragraph 17 hereof to include additional phase(s), shall be of any force or effect unless it is assented to in writing by the Declarant, and this assent is recorded with such amendment at the Middlesex County North District Registry of Deeds. The requirements for the Declarant's assent contained in this subparagraph (f) shall terminate upon the completion of construction and sale by the Declarant to a third party purchaser (who shall not be a successor to the Declarant's development interest in the Condominium) of the 120th Unit of the Condominium or the expiration of seven (7) years from the date of the recording of this Declaration, whichever occurs first.

- (g) No instrument of amendment affecting any Unit in a manner which impairs the security of a mortgage of record thereon held by a bank or insurance company or of a purchase money mortgage shall be of any force or effect unless the same has been assented to by such mortgage holder.
- (h) No instrument of amendment which would, in any manner disqualify mortgages of Units in the Condominium for sale to the Federal National Mortgage Association (FNMA) or the Federal Home Loan Mortgage Corporation (FHLBC) shall be of any force or effect, and all provisions of the Master Deed and Declaration of Trust shall be construed so as to qualify any such mortgages for sale to FNMA and FHLBC.
- (i) No instrument of amendment which purports to amend or otherwise affect paragraphs (e) through (h) of this paragraph 14 shall be of any force or effect unless signed by all of the Unit Owners and all first mortgagees of record with respect to the Units.

Except for amendments to the condominium documents or termination of the Condominium made as a result of destruction, damage or condemnation, the consent of owners of Units to which at least seventy-five percent (75%) of the votes in the Condominium Trust are allocated and the approval of eligible holders of mortgages (as the term "eligible mortgage holder" is now or may at any time hereunder be defined in the FNMA Conventional Home Mortgage Selling Contract Supplement) on Units which have at least seventy-five percent (75%) of the votes of Units subject to eligible holder mortgages, shall be required to terminate the legal status of the Condominium.

The consent of owners of Units to which at least seventy-five percent of the votes in the Condominium Trust are allocated and the approval of eligible holders holding mortgages on units which have at least seventy-five percent (75%) of the votes of units subject to eligible holder mortgages, shall be required to add or amend any material provisions of the Condominium documents of the Condominium, which establish, provide for, govern or regulate any of the following:

- (i) Voting;
- (ii) Assessments, assessment liens or subordination of such liens;
- (iii) Reserves for maintenance, repair and replacement of the common areas (or units if applicable);
- (iv) Insurance or Fidelity Bonds;

4552-81

S U I : S 2 P 0 1 1

- (v) Rights to use Common Areas or Limited Common Areas;
- (vi) Responsibility for maintenance and repair of the several portions of the Condominium;
- (vii) Expansion or contraction of the Condominium or the addition, annexation or withdrawal of property to or from the project;
- (viii) Boundaries of any unit;
- (ix) The interests in the Common Areas or Limited Common Areas;
- (x) Convertibility of units into Common Areas or of Common Areas into Units;
- (xi) Leasing of unit estates;
- (xii) Imposition of any right of first refusal or similar restriction on the right of a unit owner to sell, transfer, or otherwise convey his or her unit;
- (xiii) Any provisions which are for the express benefit of mortgage holders, eligible mortgage holders or eligible insurers or guarantors of first mortgages on units.
- (xiv) A decision by the owners' association to establish self management when professional management had been required previously by an eligible mortgage holder; or
- (xv) Restoration or repair of the project (after a hazard damage or partial condemnation) in a manner other than that specified in the documents.

Any first mortgage holder that does not deliver or post to the Trustees a negative response within thirty (30) days of a written request by the Trustees for approval of any addition or amendment pursuant to this paragraph shall be deemed to have consented to the addition or change set forth in such request. An affidavit by the Trustees making reference to this section, when recorded at the Registry, shall be conclusive as to the facts therein set forth as to all parties and may be relied upon pursuant to the applicable provisions hereof.

15. Provisions for Protections of Mortgagors and FIMA/FHUC Qualification.

Notwithstanding anything in this Master Deed or in the Condominium Trust and By-Laws to the contrary, the following provisions shall apply for the protection of holders of first mortgages of record with respect to the Units and shall govern, and be applicable insofar and for as long as the same are required to qualify mortgages on Units in the Condominium for sale to the Federal National Mortgage Association (FIMA) or the Federal Home Loan Mortgage Corporation (FHUC), as applicable, under laws and regulations applicable thereto, to wit:

- (a) In the event that the Unit Owners shall amend this Master Deed or the Condominium Trust to include therein any right of first refusal in connection with the sale of a Unit, such

NOV 24 2002

Dallas Park Condominium Association
c/o Great North Property Management
100 D.W. Highway, Nashua, NH 03060
November 22, 2002

Maurice Mason, Chairman
Dracut Planning Board
Town Hall
62 Arlington Street
Dracut, MA 01826

Dear Mister Mason:

This letter is to affirm the Dallas Park Condominium Association Board of Trustees' agreement with Mr. Frank Gorman regarding the "buffer zone" between our respective properties and the specific waivers attached to that agreement.

We recognize that irrevocably insisting on the 100 foot "buffer zone" might make the entire project uneconomical, but more importantly that it might only serve to perpetuate an "eyesore" wasteland area that detracts from the appearance and security of both our properties.

Mister Gorman's concession to erect a fence the full length of the property boundary and his willingness to landscape and maintain the berm area on our side of the fence is appreciated.

The Trustees examined the pertinent Association documents and have no reason to doubt their authority to enter into this agreement.

Very truly yours,

Louis Dalpe', Chairman
Charles Coughlin, Treasurer
Michael Langlois, Secretary
Carol Fisher
Carleton McCauley

Louis A. Dalpe'
Charles Coughlin
Michael Langlois
Carol Fisher
Carleton McCauley



Dracut Police Department

1600 LAKEVIEW AVENUE
DRACUT, MASSACHUSETTS 01826

LOUIS PANAS
Chief of Police

TEL. (978) 957-2123
FAX (978) 957-7197

December 20, 2002

Maurice Mason, Chairman
Dracut Planning Board
11 Springpark Avenue
Dracut, MA 01826

Re: Beaver Brook Village Multi Use Complex

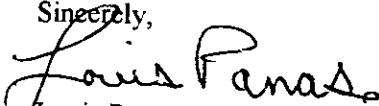
Dear Mr. Mason:

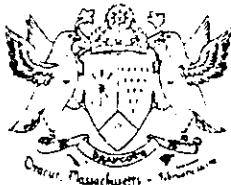
I am recommending the following stipulations in addition to the stipulations I listed in a letter I sent to you dated August 13, 2002. These stipulations are being recommended for the above referenced project.

1. Additional signage on Cottage Street as it intersects with Mill Street with the following logo. *"Not Open to Through Traffic – Open to Local Traffic Only"*
2. Additional signage on Water Street as it intersects with Mill Street with the following logo. *"Not Open to Through Traffic – Open to Local Traffic Only"*
3. Additional signage on 59 Mill Street driveway (Dallas Park driveway) as it intersects with Mill Street with the following logo. *"Not Open to Through Traffic – Open to Local Traffic Only"*
4. I am also recommending in addition to the blinking red light at the intersection of Lakeview Avenue and Mill Street, that pedestrian crossing lights be installed to allow people from the proposed apartments and development to safely cross Lakeview Avenue. Again, this is in addition to the recommendations I made in Section 2 of the letter that I sent you on August 13, 2002.

These recommendations are being made to the Dracut Planning Board after meeting with the traffic engineer hired by Mr. Frank Gorman (Hajec Associates, Inc.) on two different occasions. The traffic engineer agrees that these changes are needed and indicated that he would have a plan available for the next meeting on December 11, 2002.

If you have any questions regarding this matter do not hesitate to contact me.

Sincerely,

Louis Panas
Chief of Police



BUILDING DEPARTMENT

TOWN OF DRACUT

11 Springpark Ave.
Dracut, Massachusetts 01826

(978) 454-0603
Fax (978) 937-9885

January 8, 2003

To: Maurice Mason, Chairman
Dracut Planning Board

Re: Beaver Brook Mill Conversion

Dear Mr. Mason & Board Members,

The enclosed report brings together the review of Architectural and Engineering plans and drawings prepared by Architect: Arthur Choo Jr. for the Beaver Brook project. All plans and documents submitted received a peer review by Norian/Siani Engineering Inc, a copy of which is attached for your convience.

While it must be noted that the design as it stands, does not meet code in all respects, it is my belief that should the Board decide to approve with the conditions that final resolution of all outstanding issues be required before issuing of any building permits, the project can move forward. For the Boards convience. I have highlighted the remaining, unresolved issues, so noted on the Norian/Siani Report. I must also ask the Board to require the applicant to resolve any and all remaining issues with the Dracut Water Supply District, The Dracut Conservation Commission and the Dracut Highway/Engineering Department.

I would again like to remind the Board of the scope complexity of this project. That being said, the Gorman Team has made great strides in the efforts of achieving code compliance and safety for this project.

Sincerely,

Frank Polak
Building Commissioner

January 7, 2003
CODE REVIEW

BEAVER BROOK MILL CONVERSION

DOCUMENT REVIEW for PLANNING BOARD APPROVAL

Documents Provided

Evaluation of design and supplemental information to date includes review of

1. Design drawing set received at Norian/Siani 12/30/02, 43 drawings, various trades with various dates.
2. Letter from Choo & Company, Inc. dated 12/25/02, received at Norian/Siani 12/30/02, stating that sprinkler system will remain intact during renovation and that a fire watch will be provided when the system is disabled.
3. Chapter 34 Building Code Analysis from Choo & Company, Inc. 12/12/02, 13 pages, received at Norian/Siani 12/30/02.
4. ZADE Company, Inc. engineering drawings SP-0, SP-1, and SP-2 dated 07/30/02 (Included in No. 1 above with revisions dated 12/20/02).
5. Technical specifications section 15300 (7 pages), 15400 (22 pages), 15500 (26 pages).
6. Hydraulic calculations forwarded under separate cover.
7. Hydrant flow test completed on 26 July 2002 by Howe Survey Associates.
8. Code Analysis by Choo & Company dated 7 November 2002.
9. Site Utility Plan S-3 dated 07/30/02
10. ZADE letter 11/8 re: plumbing and gas plan review provided by building department.
11. ZADE mechanical systems narrative
12. ZADE envelope compliance
13. ZADE heat loss gain calculation

The following are our observations and comments:

I. ARCHITECTURAL

1. The Submitted Plans and Chapter 34 Report now satisfy the requirements of the code. They classify each of the building as to construction type, and evaluate the maximum allowable height requirements of Table 503. They identify the fire separation requirements, and address the firewall requirements. Finally, Compliance Alternatives have been requested. With the exception of a few typos and the issues presented below, the Chapter 34 Report is in my opinion adequate to fully understand the building complex and associated code issues.
2. The current plans and Chapter 34 Report continue to classify Building No.1 as a R-2, Multi-Family use group. The only non-residential use identified on the plans is the lower level storage space that is presumed to be tenant storage. Because this storage area appears to occupy more than 10% of the area of the floor, it should technically be characterized as mixed-uses, non-separated uses, area. This change will have no negative impact on the Height and Area calculations.

January 7, 2008
CODE REVIEW

BEAVER BROOK MILL CONVERSION

3. The issue of how the two-hour fire resistance rating requirements for utility and ventilation shafts connecting four or more levels will be achieved is still not clear.
4. It is also not clear if all of the buildings will be provided with a fire alarm system.
5. A statement was provided assuring the maintenance of the existing sprinkler system while the new sprinkler system is complete. This does not meet the previously stated requirements of the fire department.
6. The required ComCheck energy code compliance report has not been provided with the latest submission.
7. The latest submission calls for the complete removal of the attic (penthouse) level including the concrete floor.
8. The issue of the energy costs associated the new dwelling units remains an issue.
9. Information about the existing accessible elements, and proposed accessibility improvements has been provided, as has the analysis of the AAB implications for the non-residential portions of the building.

II. FIRE PROTECTION

A. BUILDING 1: FIRE PROTECTION SYSTEMS

1. Design drawings indicate that existing piping systems within the building are to be modified and reused. This is in contradiction to the Dracut Fire Departments directive to install a complete new and separate fire suppression system while the existing system remains in place and provides protection as it currently does. The current plans show renovation of existing systems to meet code. A mix of new and existing piping systems is shown. With this approach, code required modifications include:
 - a. Replacement of existing $\frac{3}{4}$ " end lines with 1" (now included in design).
 - b. Extend a new 2" main down the main corridors to provide sprinkler protection (now included in design).
 - c. New sprinkler heads (now included in design).
 - d. New standpipes, fire service entry, and floor zone control valves (floor isolation and zoning station) (now included in design).
 - e. A new 6" fire underground fire service is to be installed extending from the new 8" water main on Mill Street. A second 6" fire service is being extended in, we assume to service building 2 as shown on drawing S-3 (now included in design).
 - f. Existing piping systems should be thoroughly flushed and samples removed and inspected. Complete flushing and inspection of system to NFPA 25. Existing systems should be pressure tested prior to any new work.

January 7, 2003
CODE REVIEW

BEAVER BROOK MILL CONVERSION

- g. C factor utilized in hydraulic calculations should be downgraded to 80-90 (in lieu of 120) to reflect condition of current piping interiors. A new set of calculations should be provided with these revisions.
- h. Indicate any changes to drawings using standard bubbles with appropriate dates.
- i. The design for renovation of the existing does not conform to the Bracut Fire Departments directive to install a complete new and separate fire suppression system while the existing system remains in place and provides protection as it currently does. The current plans show renovation of existing systems to meet code. A mix of new and existing piping systems is shown. Resolve this basic design issue to the satisfaction of the Fire Department.

2. Additional Comments regarding review of design drawings as well as construction implementation is as follows:

Fire Suppression System Design/Plans / Specifications:

1. Improve clarity as to what existing components are to remain compared to new components.
2. Provide legend for drawings; indicate sprinkler head specifications, temperature ratings, etc.. Given current industry wide issues with quick and fast response glass bulb sprinkler heads, we recommend consideration of solder link quick - fast response sprinkler heads.
3. Indicate design areas on hydraulic calculations; i.e. design area for corridor calculation is approximately 470 square feet; remote apartment area, 100 square feet.
4. Revise spare sprinkler head cabinet / heads . spares for head count per NFPA 13
5. Omit all sprinklers in elevator areas pursuant to 18 June 2002 Emergency joint memorandum from Elevator Board / Building Regulation & Standards Board.
6. Fire sprinklers may be removed in existing and new electrical rooms on lower level if these rooms are 2-hour fire rated (recommended).
7. We recommend locating zone control valve for Arrow Press (first floor, drawing SP-1) in stairwell adjacent to zone control for residential floor.

Fire Suppression System Construction implementation:

In order to effect a renovation of the existing piping systems, we recommend the following sequence to ensure efficiency in construction as well as maintain proper fire safety within the building during the construction period:

1. Install new service entry and standpipes in stairwells as first phase
2. Remove existing fire sprinkler systems on a floor-by-floor basis. Provide temporary heat detection in place of sprinklers where sprinkler system is being replaced
3. Install new fire sprinkler system on a floor-by-floor basis and place individual floor in service prior to demolition of sprinkler system on next floor to be upgraded.
4. Maintain continuous fire watch during periods when the existing sprinkler system is not functional.

January 7, 2003
CODE REVIEW

BEAVER BROOK MILL CONVERSION

B. OTHER BUILDINGS 2 & 3 / SITE: FIRE PROTECTION SYSTEMS

1. SITE:

On site plan S-3 there are currently seven (7) fire feeds indicated for buildings 2 and 3. These are older services, some of which include post indicator valves (PIV's). We recommend that these services be consolidated and/or eliminated to maximize coverage by new fire services. PIV's should be eliminated unless required by the fire department. Each of the older services will require backflow preventors if retained.

2. BUILDINGS 2 & 3:

From our preliminary survey of building 2, fire sprinkler piping systems are of older vintage and predominately wet sprinkler systems. The same recommendations apply to this piping as our recommendations for building 1. Thorough flushing and testing of existing piping should be accomplished if this piping is to be retained. Note that we did not survey building 3 at this time.

III. PLUMBING SYSTEMS

Evaluation of plumbing systems is based on the drawings and specifications.

Our review comments are as follows:

1. Clear water waste from fan coil units must be drained to the storm drainage system per code unless approval for an alternate plan has been secured from the plumbing inspector. This connection and riser detail should be indicated on plumbing plans; revise.
2. No exterior hose bibs are shown; provide them as required by code.
3. Current design shows a continuous par with drain below piping at the ceiling of the electric rooms. Though this may be acceptable to the plumbing inspector, we continue to recommend revising the plans to indicate relocation of the kitchen and laundry room so that their plumbing is not above the electric rooms.
4. One clothes washer per ten apartments must be provided, there are currently only three; revise.
5. With the inclusion of a function room and kitchen available to all residents, the inclusion of a male and female bathroom is required. One toilet and lavatory for each is appropriate. Add to systems.
6. There appears to be no provision for drainage of storm water from the roof. Show on revised plans.
7. Gas piping should be indicated on all floor plans as it rises up through the building; pipe sizes for piping at the ground level should be indicated.
8. Show provisions for piping expansion where required; none currently shown.
9. The 11/8/02 letter regarding compliance, etc. should be signed.

IV. MECHANICAL SYSTEMS

Evaluation of mechanical systems is based on the drawings and specifications.

January 7, 2003
CODE REVIEW

BEAVER BROOK MILL CONVERSION

Our review comments are as follows:

1. Though a heat loss/gain block load calculation was provided all assumptions are not clear. Provide further clarification with all assumptions and calculations for each typical apartment that allow review of proper selection for fan coil units.
2. The MasCheck energy code compliance report cannot be used for this development. The commercial program ComCheck should be used. In addition, the system efficiency indicated as 88% allowed the incorrect calculation to pass but the boilers shown on the plans can not achieve this efficiency. Be sure to sign and seal the new ComCheck report.
3. Without architectural fire resistance ratings for various partitions and in particular the mechanical shafts and chases, we cannot tell if fire dampers are required and where. Coordinate with the architect concerning all required locations.
4. When public bathrooms are shown, include exhaust.
5. Show provisions for piping expansion where required: see long runs in ground level hallway and vertical risers.
6. The mechanical systems narrative provided should be dated or included in revised specifications.

V. ELECTRICAL / FIRE ALARM

Evaluation of electrical and fire alarm systems included review of drawings E-1 through E-11 dated 05/10/02. No technical specifications were included for review.

Our review comments are as follows:

A. ELECTRICAL SYSTEMS

1. Lighting fixture schedule not included on drawings.
2. Electrical site plan E-11 does not indicate exterior underground conduits, transformer location, primary service feeder locations, underground telephone, cable TV, fire alarm, etc... as well as exterior lighting fixture conduit and wiring details.
3. Existing electrical room shown on sprinkler plans SP-0 not indicated on electrical drawing E-2.
4. Lit face on exit signs not indicated.
5. See previous comments in sprinkler system review regarding removal of elevator sprinklers; revise elevator recall diagram, drawing E-10 to reflect this deletion.
6. Arc fault receptacles to be specified in apartment bedrooms.
7. Written technical specifications are recommended for the project.

B. FIRE ALARM SYSTEMS

1. We believe that the fire alarm system specified is an addressable system but it is not specifically stated; no sequence of operation or narrative is provided. We recommend that an addressable

January 7, 2003
CODE REVIEW

BEAVER BROOK MILL CONVERSION

"networked" fire alarm system be specified such that building 1, 2, and 3 can be integrated into one master system.

2. Master box shown on plan; assume this is confirmed with fire department; with a networked addressable system, a digital dialer would provide more detailed information regarding location and type of detector which has activated within the entire complex if utilized.
3. Provide horn strobe in function room drawing E-5, as well as strobes in kitchen and laundry area.
4. Specify candela ratings of strobes on horn strobes. All strobes in line of sight shall be synchronized.
5. Local smoke detectors not required in bedrooms since building is sprinklered but can be installed at designer's option.
6. Mini-horns shown within all bedrooms; given the small size of apartments, one mini-horn at apartment entry may provide necessary decibel rating within bedrooms.
7. Emergency light recommended in boiler room.
8. No switched exterior outlets shown; assume none required or desired.

-- End of Review --

59 Mill Street, Unit 307
Dracut, MA 01826-3269
January 8, 2002

Mr. Maurice Mason, Chairman
Dracut Planning Board
62 Arlington Street
Dracut, Massachusetts 01826

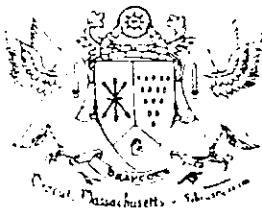
Dear Mr. Mason:

The following is an EXECUTIVE SUMMARY for the Mill Project:

1. I require the fire lane to be on the north side of the sewer easement which would place it at least 50 feet from our common land line as I agreed to with Mr. Gorman on October 4, 2002 and which is shown on the S-1, PARKING LAYOUT PLAN, third revision dated October 8, 2002.
2. The grand-fathering protection for the easement for parking on Dallas Park Condominium property must be withdrawn because it has been abandoned. Dracut zoning by laws state that accessory uses must be on the same lot.
3. I require a non-gated dark green/black vinyl clad nine (9) gauge galvanized chain link fence at least six (6) feet high along our common land line (within two feet) from Mill Street to Beaver Brook. This has been a requirement since day one for security and safety of the condominium residents at 59 Mill Street. Surveyor's stones must be placed on the land line.
4. The common perimeter buffer zone must have Surveyor's stones placed strategically on all sides showing any offset. The special permit must include provision for a permanent condition or restriction on that land use, and a plan and deed of it must be registered at the Middlesex County Registry of Deeds. No snow removal dumping shall be permitted into this buffer area which must have a physical barrier to keep vehicular traffic out. Areas of the buffer that have been disturbed must be repaired in as natural a way as possible preferably using white pines which will help year round with the noise level, air and light pollution and water run off. During renovation and construction this area must be clearly marked "off limits" with something like the orange plastic fencing used in wetlands protection.
5. All distances must be measured on the Mill Property and not include abutters' property, i.e. the 30 foot buffer zone. Plans must be corrected.
6. I require the parking standards of the Mill Conversion Overlay By Law be applied, "...In parking areas of eleven or more parking stalls, at least one tree of three-inch or greater caliper shall be planted for every six parking places. Adequate tree wells and irrigation shall be provided for all parking lot landscaping...." This abates heat, noise and air and light pollution.
7. Mr. Gorman asks for a waiver of 3.14.51 because he will be using the buffer area for parking. If approved, the board must confirm that this does not apply to the perimeter buffer zone which is governed by 4.16.8a.

Yours truly,


Ina I. Hakkila, abutter



TOWN OF DRACUT
CONSERVATION COMMISSION

TOWN OFFICE
11 SPRINGPARK AVENUE - Room No. 4
DRACUT, MA 01826
Phone: (978) 458-4478 - Fax: (978) 937-9885

JAN 2

LORI CAHILL
Conservation Agent

January 21, 2003

Dracut Planning Board
62 Springpark Ave.
Dracut, MA 01826

Dear Sirs:

This letter is to inform the board that Mr. Gorman is before the Conservation Commission regarding the Beaver Brook Mill Project. There are still some open issues to be addressed and worked out on the Riverfront Act for redeveloped property on the riverfront. The next meeting will be on February 5, 2003.

If you have any questions, please feel free to contact me at the office.

Sincerely,

Lori Cahill

Lori Cahill
Conservation Agent

END OF DOCUMENT

Rickie P. Howe Jr.

cc: File
Conservation Commission
Frank Polak, Building Inspector