

August 2, 2018

CITY OF LOWELL (COL)
OFFICE OF THE CITY MANAGER
DEPARTMENT OF PLANNING AND DEVELOPMENT
WORKING RELOCATION PLAN,
FOR THE NEW LOWELL HIGH SCHOOL PROJECT.

PREPARED FOR:
THE CITY OF LOWELL,
OFFICE OF THE CITY MANAGER
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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AUGUST 2, 2018

CITY OF LOWELL

NEW HIGH SCHOOL PROJECT,
RELOCATION PLAN
LOWELL, MA

RELOCATION PLAN

INTRODUCTION:

In accordance with M.G.L. c. 79A, and 760 CMR §§27.02-03, the City of Lowell, MA (“City”), acting by and between the city’s Office of the City Manager (“City Manager”) and the City’s Department of Planning and Development (“DPD”), the displacing agency for the acquisition of one medical office building containing six businesses, located at 75 Arcand Drive, Lowell, MA (“75 Arcand Drive”), hereby submits the Project’s Relocation Plan (“Plan”) for review and approval to the Department of Housing and Community Development Bureau of Relocation (“DHCD”). A possible seventh tenant may be added, depending upon receipt of proper documentation to its eligibility from representatives of the ownership of 75 Arcand Drive. The Plan is defined as the relocation of the above six businesses, with a possibility of seven, displaced by the acquisition of property located at 75 Arcand Drive. This Plan is also being produced in compliance with M.G.L. c. 121B and all rules and regulations promulgated thereunder regarding property acquisitions by urban renewal agencies and subsequent residential/business displacements.

On March 16, 2018, DHCD approved the City’s request to have Peter W. Sleeper Associates (PWSA) as their Relocation Advisory Agency for the Relocation of the above seven (7) businesses. It also designated PWSA to prepare a Relocation Plan in accordance with M.G.L. c. 79A, §§4-5 and C.M.R. §§27.02-03. Accordingly, the Plan is hereby submitted to DCHD for their review and approval in accordance with M.G.L. c. 79A.

On May 1, 2018, the Lowell City Council voted 7-1 in favor of Option 3A for the renovation of the Lowell High School. This vote was taken as part of the process required by the Massachusetts School Building Authority (MSBA) in order to obtain state funding for school construction projects. The construction of Option 3A requires the City to acquire the land adjacent to the high school, located at 75 Arcand Drive.

PWSA will provide coordinated relocation assistance services and payments to all affected tenants pursuant to the provisions of M.G.L. c. 79A, §7, 760 C.M.R. §§27.01-27.08, and the Uniform Relocation and Real Property Acquisition Policies Act of 1970, (the Act). The City's Law Department, Community and Economic Development Office, and Planning and Development Department, as well as the displaced business's Relocation Consultant, Mr. Steve Mollica, also provided contributory documentation as part of this Plan.

PART A. NARRATIVE DESCRIPTION OF PROGRAM (760 C.M.R. §27.03(6)(a)):

This project is part of the City's ongoing commitment towards improving its public education system. The Lowell High School project represents a once-in-a-generation opportunity to improve the cornerstone of the Lowell Public School system, further the revitalization of the City's Downtown, and encourage the future economic growth and development of the City.

Lowell High School currently suffers from antiquated facilities and technology due to the age of the buildings. These deteriorating conditions have resulted in water leaks, heating and cooling issues, and other repair issues, resulting in increased maintenance costs. The current high school campus lacks an integrated freshman academy, which must be housed in a separate building. The current high school campus lacks the classrooms and science labs necessary to meet the needs of a projected growing and diverse student population.

The taking of 75 Arcand Drive is necessary to meet the construction, renovation, and visioning needs for the Lowell High School project. Option 3A will construct a new freshman academy that is connected to the high school's main campus. The high school will receive much needed facilities improvements with the installation of modern energy efficient HVAC, telecommunications, and electrical systems. The taking of 75 Arcand Drive will ensure that all science labs will contain

windows, will permit the integration of additional green space, and will permit the construction of a new gymnasium and secure loading dock. The City's preferred proposal enhances public safety by reducing student travel times and unifying all high school buildings into one consolidated campus. The additional classroom space and improved facilities will ensure that the City meets the future needs of a growing student population. The taking also ensures that no modular classrooms or temporary gym space will be necessary during construction, reducing the impact for current students.

SEE ATTACHMENT "A" FOR PROJECT MAP AND LOCATION.

**PART B. NAMES AND ADDRESSES OF ALL AFFECTED INDIVIDUALS BUSINESSES
SITE OCCUPANTS (760 C.M.R. §27.03(6)(b)):**

The names and addresses of all affected individuals and/or business site occupants are provided in the listing attached as "B."

SEE ATTACHMENT "B" FOR A LISTING OF AFFECTED OCCUPANTS.

**PART C. DATE ON WHICH DISPLACEMENT IS EXPECTED TO COMMENCE
(760 C.M.R. §27.03 (6)(c))**

Currently the acquisition date and scheduled time to relocate all the affected seven (7) businesses is dependent on the date of submission of the Relocation Plan to the Bureau of Relocation, as 760 C.M.R. 27.03(1) requires that the Relocation Plan must be submitted to the bureau at least 45 days before anticipated date of property acquisition. The City anticipates submitting this Relocation Plan to the Bureau of Relocation on August 3, 2018. The eminent domain taking would therefore be done by the City Council at the City Council meeting on September 25, 2018. The City then takes the property upon recording a certified copy of the Order of Taking vote with the Middlesex North Registry of Deeds, which would be done within thirty days of the City Council's vote. M.G.L. c. 79, §3.

No person in the possession of property taken by eminent domain is required to vacate the property until four months after notice of the taking has been given pursuant to M.G.L. c.79, §8B. Therefore, the City anticipates that the final vacate

date will be completed at the latest by the third quarter of 2019. While a specific vacate date cannot be provided until the acquisition process is finalized, we believe this timeline is readily achievable based upon similar based projects and the stage we are at now.

In no event will the affected businesses be displaced until at least 120 days after property acquisition has been met. If any and all displaced businesses wish to relocate during this 120-day period, they can and will be furnished appropriate relocation benefits pursuant to this Plan.

PART D. DESCRIPTION OF THE NEEDS OF THE DISPLACED TENANTS (760 C.M.R. § 27.06(6)(d)):

All of the affected tenants have been interviewed as required by M.G.L. c. 79A. The tenants all require relocation planning to be successfully relocated. As stated there are seven (7) businesses which will be described shortly in this section. Please note, however, that the seventh (7th) business is in fact a parking lot that is servicing other businesses close by with an agreement with the owners of 75 Arcand Drive. As such, the seventh (7th) business is not expected to be relocated and shall instead submit a claim for a “Payment In Lieu of Moving” not to exceed \$40,000.00.

Of the remaining affected businesses, Dr. Evan Coravos, Dr. Stephen Reichheld, Dr. Christopher Ross, Dr. Michael Szaarek, and Dr. Aaron Watman were all interviewed and each of their businesses were inspected on April 18, 2018. Dr. George Montminy was interviewed and his business was inspected on June 28, 2018. Each of the tenants’ businesses are unique and their requirements are specific to the type and size of their practice.

All of the practices are well established and rely on a patient base that is centered in Lowell. The practices benefit substantially from being located in the same building in that they refer patients among themselves for their particular specialties. The practices also share certain equipment, break rooms, and have access to common storage areas. During the interviews, the doctors all expressed a preference for relocating to the same address so that they could continue the interactive relationship. They also expressed the importance of being relocated to a site which offered the same security and parking convenience as the 75 Arcand

Drive property. All wish to remain in close proximity to the current location, noting that the majority of their patients live or work nearby and that being relocated more than a few miles from the present site would mean rebuilding their patient base.

In relocating the practices, it is possible that certain personal property will not be relocated. Certain existing furnishings, fixtures, and equipment have been custom designed for the configuration of the available space. Each of the spaces at the replacement site may have to be modified or designed specifically to accommodate operatories, specific equipment, waiting areas, and practice storage spaces. Likewise, equipment may have to be modified or replaced depending on the layout of the replacement site. A firmer accounting of what personal property will be relocated will be further worked out once the exact locations for relocation are identified, the plans of the displaced tenants are finalized, and the appropriate contractors perform their evaluations.

It is important to note that each occupant also utilizes the basement area for critical shared mechanicals related directly to the operatories, file storage, wash area, hazardous materials collection, and related functions. If each occupant moved separately, they will need additional space to accommodate these functions. Inherent in their relocations, all applicable local/state/federal building codes will be adhered to. The ADA guidelines state that if an existing dental practice moves further than a three (3) mile radius from their existing location, there will be a substantial loss of existing clientele. We will take this factor into account when finding replacement sites.

We are aware, and have taken into account when finding replacement sites, that all the affected practices need appropriate parking spaces. Every listing found in Attachment C has appropriate parking spaces.

While the tenants currently occupy a total of approximately 12,500 square feet of space (with each business requiring approximately 2,000-3,000 square feet), factors such as compliance with the Americans with Disabilities Act, the lack of common area that can be shared by the practices, the need to repartition the space at the replacement site, and the need to reconfigure mechanical equipment, will result in an increase in the amount of needed space to 15,000 square feet.

Interactions between the City, PWSA, and the tenants will be ongoing throughout the acquisition/relocation process to address any additional needs they may require.

PART E. ASSESSMENT OF AVAILABLE COMMERCIAL SITES (760 C.M.R. §27.03(6)(e)):

The listings identified in Attachment C far exceed the needs of the displaced tenants, i.e. 12,500 square feet. PWSA will continue to search for comparable commercial space throughout the duration of the relocation process. As inventory changes on a weekly basis, we will therefore update the listings and notify tenants accordingly.

SEE ATTACHMENT “C” FOR A LISTING OF CURRENTLY AVAILABLE COMMERCIAL/ RESIDENTIAL SITES

PART F. ESTIMATE OF RELOCATION COSTS (760 C.M.R. §27.03(6)(f)):

Based upon experience with similar relocation programs and these types of business, we estimate that an amount of between \$3.5 and \$4.5 million dollars will be required for relocation costs. This is only an estimate. Final amounts will not be known until the exact locations for relocation are identified, the plans of the displaced tenants are finalized, and the appropriate contractors perform their evaluations. An addendum with these relocation estimates will be transmitted to the affected tenants, the City, and DHCD.

PART G. A DESCRIPTION OF AVAILABLE RELOCATION PAYMENTS AND ASSISTANCE (760 C.M.R §27.03(6)(g)):

For a complete description of available relocation payments and assistance, please see a copy of the “Business Relocation Handbook” that will be distributed to each tenant prior to property acquisition by the City of Lowell. If relocation laws, regulations and/or guidelines change during the Project, Sleeper Associates will promptly forward all updates to tenants accordingly.

SEE ATTACHMENT “D” FOR THE BUSINESS RELOCATION HANDBOOK OF THIS PLAN.

PART H. SOURCE OF FUNDING FOR THE PROJECT:

Funding for the construction of the Lowell High School project shall be derived from funding provided by the state through the MSBA and funding derived from the City itself through local taxes, bonds, borrowing capacity, etc.

The costs associated with the City's eminent domain taking of 75 Arcand Drive, and the relocation of the affected tenants, are not compensable by the MSBA. Funding for the eminent domain taking and the Relocation Plan shall instead be derived from City funding, specifically financing through the sale of general obligation (GO) bonds, authorized with a separate loan order.

PART I. STATEMENT OF ASSURANCE:

The City of Lowell assures DHCD that all displaced tenants will receive current available relocation assistance and benefits in accordance with all state and federal relocation statutes and regulations. As stated, all tenants will receive copies of their respective Relocation Handbooks to assist them during their relocations. Relocation staff will be available daily to further assist them in relocating to another location.

SEE ATTACHMENT “F” FOR A SIGNED STATEMENT OF ASSURANCE FORM THE HEAD OF THE CITY OF LOWELL.

PART J. SIMILAR PROJECTS (760 C.M.R. §27.03(6)(i)):

PWSA and the City are unaware of other public and/or private development endeavors within the City that would result in the displacement of tenants who would subsequently compete with this project and limit the availability of suitable replacement sites.

PART K. REAL & PERSONAL PROPERTY REPORTS (760 C.M.R. §27.03 (6)(j)):

PWSA performed initial inspections of the affected tenants' personal property and conducted a more thorough inventory with Steve Mollica and the City's Real Estate Appraiser, Mr. Eric Reenstierna on July 19, 2018. Based on these inspections and inventory, these are our findings:

**PRELIMINARY INVENTORY OF BUSINESS PROPERTY
75 Arcand Drive, Lowell, Massachusetts**

Building Exterior

Building Signage

Building Entrance Lobby and Lower Lobby

Tenant Directory

Patient Seating

Wall Clock

Paintings, Portraits, and Artwork (8 framed pieces)

Drs. Montminy, Inc. Family Eye Care – Suite 1

Office Signage

Waiting Room

Seating (8 upholstered chairs)

End Tables, Table Lamps

Wall Clock

Wall Art and Hangings

Receptionist Area

Reception Counter

Reception Desk, Work Counter with File Drawers, Office Chairs (2)

Personal Computer, Printer, Fax/Phone/Copier, IBM Typewriter

Telephone Console, Credit Card Reader

Desktop Music System

Metal Drawer Patient Record Storage 7 drawer (3), 6 drawer (1)

Miscellaneous Office Supplies and Equipment

Patient Examination Lanes (2)

Automatic Reclining Examination Chairs (2)

Phoroptors with Stands (2)

Slit Lamp with Converging Stereoscope (2)
Retinal Cameras (2)
Visual Field Tester/Analyzer
Manual Lensmeters (2)
Laboratory, Fabrication, and Repair Areas
Glasses case inventory, Grinding, Polishing, Cleaning Equipment,
Eyeware Display, Refrigerator.
Patient Fitting Rooms
Eyeware display stands (2)
Eyeware wall display cases – 45 pair (2)
Laptop Computer
Composite Top Vanity with Sink/Mirror
Mirrors/Contact Lens Mirror
Storage
Attic Storage Area – Record Storage
Chairs (8), Desks, Cabinets, Shelving
Administrative Offices
Desk, File Drawers, Laptop Computer, Copy Machine, Shelving

Michael Szarek, DMD, MS, LLC – Suite 2

Office Signage
Waiting Room
Chairs (4), Coat Rack, Wall Clock, Mirror, Tables (2), Coffee Maker,
Table Lamp, Table Decorations, Wall Hangings (note: high quality).
Reception Area
Marble Top Reception Counter, Marble Top Reception Desk, Office
Chair, Telephone, Canon Copier/Printer, 6 shelf built in metal records
storage unit (2), built in records storage shelving (15 LF), cabinets (3),
Paper Shredder.
Patient Treatment
4 Operatories, each has Upholstered Powered Chair, Console
Mounted Operating Light, Console Mounted Instrument Delivery
Unit, Cuspidor.
Operatory Cabinetry (4 - two with sinks)
Wall mounted X-Ray Machines and Digital Imaging Equipment with
Monitors Mechanical Fittings and Couplings for Air and Water
Supply, Evacuation, Filtering Biohazard Waste Disposal Unit.

Laboratory Areas

Instrument Sterilizer Units

Storage

Miscellaneous Instruments, Operatory Disposables

Administrative Offices

Executive Desk and Return, Upholstered Executive Chair,
Upholstered Visitor Chairs (2) Desktop Computer, Monitor, Printer.

Wall Clock

Radiation Monitor

Christopher K. Ross, DMD, P.C. – Suite 3

Office Signage

Waiting Room

Fabric Chairs (5), Table, Hat Rack, Wall Hangings, Magazine Rack

Reception Area

Laminate Reception Counter (14 LF L-Shape)

Laminate Work Stations (2) 8 LF

Storage Cabinets 30" (7 LF), 18" (6 LF)

36" Horizontal File 6 Drawer Built In (2)

36" Under Counter Horizontal 2 File Drawer

Desktop Computers (2) with Oversized Monitors – Viewsonic 28" HD
Curved.

Patient Treatment

2 Operatories, each has Upholstered Powered Surgical Chair

Track Mounted Operatory Light (2)

ASI Endodontic Delivery Cart with Ultrasonic Control, Root ZX Canal
Measurement Unit.

Wall mounted X-Ray Machines (2) and Digital Imaging Equipment
with Monitors.

Mechanical Fittings and Couplings for Air and Water Supply,
Evacuation, Filtering.

Imaging Room

Kodak 9000 3D Extraoral Imaging System with Monitors and Software

Wood Work Table, 2 Fabric Upholstered Chairs

Kitchenette Sink, Cabinets, Counter/Stool, Stereo Amplifier,
Radiation Monitor Sterilization Center – Cabinetry, Autoclave (2),
NOx Tank.

Evan Coravos, DMD General Dentistry Suite 4

Office Signage

Waiting Room – Small Office

Fabric Upholstered Armchairs (7), Artwork, Coffee Cart, Kuerig Machine Magazine Rack, Paper Shredder, Coffee Maker, Toaster Oven, Microwave.

Reception Area

Wood Reception Counter with Marble Top 16 LF

Reception Desk, Secretarial Chairs (2), Phone

Desktop Computer, Curved Monitor, Printer/Copier, Telephone

Patient Treatment

6 Operatories, each has an Upholstered Powered Chair, Console Mounted Operating Light (2), Ceiling Hung Operatory Light (4 – track mounted), Console Mounted

Instrument Delivery Unit, Cuspidor (2), Rear Instrument Delivery Unit (4).

Operatory Cabinetry (6 - two with 2 sinks).

Wall mounted X-Ray Machines (6) with Imaging Monitors

Mechanical Fittings and Couplings for Air and Water Supply, Evacuation, Filtering Biohazard Waste Disposal Unit.

Sterilization Area –

Biosonic UC 125 Ultrasonic Cleaner, Dri-Tech Vacuum Sterilizer Cabinets and Sink

Administrative Offices/Dr. Coravos' Office

14 LF Laminated Work Surface, Executive Chair , Wooden Stool

Desktop Computer, Monitor, Drawers, 4 overhead bins

Executive Chair, Executive Desk/Retun, Standing Coat Closet/Storage Unit.

Desktop Computer, Kodak Scanmate, 6 LF Overhead Storage Units (2)

Lowell Dentistry for Children – Suite 5

Office Signage

Waiting Room

Television, Built In Fish Tank, Blackboards (2), Bench Seating

Children's Table and Chairs, Adult Chairs (7)

Wall Murals in Nautical Theme

Reception Area

3 Section - 20 LF Corian Reception Counter

U-Shaped Reception Area Laminated Work Surface With Drawer Units.

Secretarial Chairs (2)

Desktop Computers and Monitors (2), Printer/Scanner Unit, Credit Card Reader.

8 sections, 7 shelves (112 LF) Built In Patient Record Storage

Patient Treatment

5 Operatories, each with an Upholstered Powered Chair, Console Mounted Operating.

Light, Console Mounted Instrument Delivery Unit, Cuspidor

Operatoriy Cabinetry with Sinks (4)

Wall mounted X-Ray Machines (4)

Mechanical Fittings and Couplings for Air and Water Supply, Evacuation, Filtering Biohazard Waste Disposal Unit.

Laboratory Areas

Panoura SU 10 CDR Panoramic X-ray System with Software (Controller in Other Area)

Muratec 2550 Printer/Copier, Work Station, Desktop Computer with Monitor.

Phone, Credit Card Reader

Sterilization Area

Air Techniques ScanX Dental Imaging System with Eraser Unit

Ultra-Sonic Cleaning Systems

Administrative Areas

Radiation Monitoring Equipment

Reichheld Ting Orthodontics – Suite 6

Office Signage

Waiting Room

Upholstered Arm Chairs (17), 5 foot leather sofa

Wall Art, Bulletin Board, 6' Stuffed Animal (Shark)

Muticade Arcade Games (2)

Reception Area

Marble Top Welcome Area with Computer Sign In, Kuerig Machine

Marble Top Reception Counter 12 LF

Work Stations, Secretarial Chairs, Desktop Computers with Monitors
Multifunction Printer/Scanner/Copier
Patient File Storage 5 Drawer Lateral File (2), Storage Cabinets
Utility Room has Amplifier/Sound System, HP Laser Printer, Pitney
Bowes Digital Mailer.

Patient Treatment

5 Operatories, 4 in a Common Area each has a Powered Chair,
Instrument Delivery Unit with Operatory Light, Cuspidor.

Operatory Cabinetry with Sinks, two at center island, one at wall unit.
Laptops for Imaging and Patient Records, Two Flat Screen TV's for
Patients.

Patient Examination Rooms (2) with Examination Chair, Visitor Chairs,
Desks, Computers, Mechanical Fittings and Couplings for Air and
Water Supply, Evacuation, Filtering Biohazard Waste Disposal Unit.

Laboratory/Imaging Areas

Sirona Panoramic 3D X-Ray Machine, Sink, Film Storage

Sterilization Area

Autoclave, Sink, Cabinets

Administrative Offices

Desk and Work Surface (2), Desktop Computer with Monitor (2),
Phone (2), Printer, Storage Cabinets.

Lower Level Storage and Mechanical Rooms

Air Star 50 – 7 user Air Compressor with Water Delivery

Air Star 70 – 10 user Air Compressor with Water Delivery

Centralized Dental EZ Dry Vacuum System with Ramvac Bison Compressor
Unit Dentsply 4.0 Vacuum Pump.

Centralized Amalgam Separator Unit

Washer/Dryer

120 Gallon Electric Hot Water Heater

Dry Storage Area for Supplies, Excess Furnishings, Decorations

PART L. TEMPORARY MOVES (760 C.M.R. §27.03(6)(k)):

It is not anticipated nor expected that any temporary relocations will arise from the Project. The City will carry out and reimburse the affected tenants in accordance with all applicable statutes and regulations should the Project activities result in for any temporary relocations and related costs.

A plan to address the above will be submitted to the Bureau of Relocation prior to any actual temporary relocations, should the need arise. This temporary Plan will be in accordance with a bulletin issued by DHCD on January 8, 2008.

PART M. APPEALS (760 C.M.R. §27.03(6)(l)):

The appeal process will be conducted in accordance with relocation regulations as more fully described in the Business Relocation Handbook that will be furnished to all tenants. Appeals should be in writing and submitted to:

City Clerk Michael Geary
City Clerk's Office
375 Merrimack Street
1st Floor, Room 31
Lowell, MA 01852