

Lowell Zoning Board of Appeals Minutes

12/8/2025 at 6:30 P.M.

Note: These minutes are not completed verbatim. For further detail, contact the Division of Development Services, 375 Merrimack Street, Lowell, MA or refer to video recordings available online at www.LTC.org.

Members Present: Chairman Pech, Vice Chair Callahan, Member McCarthy, Member Briere, Member Procope, Member Hovey, Member Shanahan

Members Absent:

Others Present: Dylan Ricker (Senior Planner), Mary Brundage (Associate Planner)

The following represents the actions taken by the Zoning Board of Appeals at the 12/8/2025 meeting. This meeting was held in the City Council chambers. Attendees had the ability to participate via Zoom as permitted by Chapter 2 of the Acts of 2025, signed into law on March 28, 2025.

Chairman Pech called the meeting to order at 6:30 PM

I. Continued Business

ZBA-2025-37

Petition Type: Variances

Applicant: Edner Delice

Property Located at: 239 E Merrimack Street, 01852

Applicable Zoning Bylaws: Section 5.1; Section 6.1

Petition: Edner Delice has applied to the Lowell Zoning Board of Appeals seeking Variance approval to convert the existing two-unit residential building to a four-unit residential building. The subject property is located in the Urban Multi-Family (UMF) zoning district. The proposal requires Variance approval from the Zoning Board of Appeal per Section 5.1 for relief from the minimum lot area per dwelling unit requirement, per Section 6.1 for relief from the minimum off-street parking requirement, and for any other relief required under the Lowell Zoning Ordinance

On Behalf:

None

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

V. Pech read the request from the applicant to withdraw the application without prejudice.

Motion:

D. McCarthy moved that the request for the variances for 239 E. Merrimack Street to be withdrawn without prejudice. S. Callahan seconded the motion. The vote was unanimous (5-0).

ZBA-2025-41

Petition Type: Special Permit; Variance

Applicant: Tuan Pham

Property Located at: 12 Wood Street, 01851

Applicable Zoning Bylaws: Article 12.4; Section 7.3.1

Petition: The Lowell Zoning Board of Appeals will hold a public hearing to hear all interested persons relative to an application by Tuan Pham to operate a microblading business with associated cosmetic work in the existing salon at 12 Wood Street. The subject property is located in the Regional Retail (RR) zoning district. The proposal requires Special Permit approval per Article 12.4 to operate a body art establishment, Variance relief per Section 7.3.1 for the distance from a school and an existing microblading facility, and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

Tuan Pham, applicant.

T. Pham explained that she is seeking to operate a microblading business with the existing salon at that location. The business would be run by appointment only.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

G. Procope stated that he has no issues with the plan however he did not see a sign for the public notice at the property when he drove by. M. Briere questioned how to proceed and stated there seems to be a misunderstanding on what the public notice is. M. Briere felt that without the appropriate public notice, the Board cannot proceed with this application. D. McCarthy agreed that the Board will need to continue the case until the public notice sign is in place. S. Callahan also agreed and suggested that the applicant reach out to staff on fulfilling those requirements. T. Hovey asked for clarification on what the variance was for and also agree that the sign needs to be placed. D. Shanahan agreed that the case needs to be continued.

Motion

D. McCarthy motioned to continue to 1/12/2026 ZBA meeting. M. Briere seconded the motion. The vote was unanimous (5-0).

II. New Business

ZB-2025-49

Petition Type: Variance

Applicant: 394 Woburn Street, LLC

Property Located at: 394 Woburn Street, 01854

Applicable Zoning Bylaws: Section 5.1

Petition: The Lowell Zoning Board of Appeals will hold a public hearing to hear all interested persons relative to an application by 394 Woburn Street, LLC to split the existing lot at 394 Woburn Street and construct a single-family home on the newly created lot. The subject property is located in the Traditional Single-Family (TSF) zoning district. The existing lot will require Variance approval per Section 5.1 of the Lowell Zoning Ordinance for relief from the minimum lot area requirement, and for any other relief required under the Lowell Zoning Ordinance. The home on the newly created lot will require a Variance under Section 5.1 for minimum front setback, and for any other relief under the Lowell Zoning Ordinance.

On Behalf:

David Daly, Owner, 394 Woburn Street, LLC.

D. Daly explained that he acquired the property in early October and has had a history of issues. The property has been cleaned up. D. Daly explained that he is looking to raze the single car garage that is on the property to create parking, add a three-bedroom home to the existing two-car garage and add a small addition within the footprint of the existing home. He stated that this project would provide an additional market rate home.

Matthew Hamor, Landplex, LLC.

M. Hamor gave more details on the plan. He indicated that given the configuration of the lot, it made sense to square off the two lots which would make Lot 1A 5000 sq. feet where the existing home is. The existing garage on Lot 1A would be removed and create two parking spaces. A variance would be required since the minimum lot size is 7000 sq. ft. In that zone. The newly created lot, Lot 1B, would be 9000 sq. Ft. The two-car garage would remain on the property and a dwelling attached is proposed. With that, it will be necessary to have 23 feet front yard setback and would require a variance since the maximum front yard setback is 20 feet. M. Hamor mentioned that there will be an easement to bring those utilities out to Woburn St. Without going to the roadway which is actually in Tewksbury. M. Hamor also pointed out that other lots in the area have non-conforming lot sizes.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

M. Briere stated that this is an appropriate project for the area and will be voting in favor. D. McCarthy asked for clarification of where the town line is. M. Hamor responded that the lot is completely in Lowell and that the roadway is in Tewksbury. D. McCarthy said that the project makes sense and that there a lot of other lots of 5000 sq. ft in that area. D. McCarthy thanked the owner for cleaning up the property.

S. Callahan agreed that project makes sense and is favor in of it. T. Hovey had no objections. D. Shanahan stated that it was a good rehab of property and that the addition to garage was in character with the neighborhood. G. Prcocope agreed and stated that the requirements from the Wastewater Department appear to be fulfilled. V. Pech agreed with that it was a good project for the area and thanked Mr. Daly for his continued investment in the city.

Motion:

D. McCarthy motioned to approve. S. Callahan seconded the motion. The vote was unanimous (5-0).

ZB-2025-52

Petition Type: Variance

Applicant: Alfredo Nunez

Property Located at: 100 Gilmore Street, 01854

Applicable Zoning Bylaws: Section 5.1

Petition: The Lowell Zoning Board of Appeals will hold a public hearing to hear all interested persons relative to an application by Alfredo Nunez to construct a second-floor addition to their property at 100 Gilmore Street. The subject property is located in the Suburban Single-Family (SSF) zoning district. The addition will require a Variance under Section 5.1 for maximum Floor-Area-Ratio (FAR) and for any other relief under the Lowell Zoning Ordinance.

On Behalf:

Darguin Fortuna, Flow Design Architects.

D. Fortuna explained the need to increase the floor space for the growing needs of the applicant's family. The proposed plan would exceed the Floor-Area-Ratio (FAR) requirements and therefore requires a variance. D. Fortuna that the property is already undersized along with many of the other properties in the area.

Alfredo Nunez, owner. A. Nunez stated that his family does not have enough bedrooms to accommodate everyone and this addition would help greatly.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

D. McCarthy stated that he was glad not to see an increase in footprint, did not see a detrimental effect of this project and would support this project. S. Callahan agreed and is support of this project. T. Hovey asked for clarification if there were no changes to the plans. D. Fortuna confirmed there were no changes. D. Shanahan stated that the project looks straightforward and will be voting in favor. G. Procope stated that this is a small ask and will be voting in favor. T. Hovey asked if the applicant saw the fire department comments regarding hard wiring the alarms. D. Fortuna stated that the alarms have been hard wired. V. Pech did not have any further comments.

Motion:

D. McCarthy motioned to approve. S. Callahan seconded the motion. The vote was unanimous (5-0).

III. Other Business

Minutes for Approval:

11/24/2025

D. McCarthy motioned to approve the 11/24 meeting minutes. S. Callahan seconded the motion. The motion passed unanimously, (5-0).

S. Callahan extended his sympathies to family of Edna Panagiotakos, mother of State Senator, Steven Panagiotakos.

D. McCarthy wished everyone happy holidays.

I. Adjournment

D. McCarthy motioned to adjourn. S. Callahan seconded. The motion passed unanimously, (5-0). The meeting was adjourned at 7:09 PM.