



City of Lowell - Planning Board

Planning Board Meeting Minutes

Monday, May 16, 2022 6:30 p.m.
City Council Chambers, 2nd Floor, City Hall
City of Lowell, 375 Merrimack Street, Lowell, MA
Remote Participation Optional via Zoom

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

Members Present

Thomas Linnehan, Chairman
Gerard Frechette, Vice Chairman
Caleb Cheng, Member
Sinead Gallivan, Associate Member

Members Absent

Richard Lockhart, Member
Robert Malavich, Member

Others Present

Dylan Ricker, Associate Planner

A quorum of the Board was present. Chairman Linnehan called the meeting to order at 6:31 pm.

I. Minutes for Approval

May 2, 2022 Minutes

S. Gallivan stated she was not at the 5/2 Planning Board meeting.

G. Frechette motioned, and C. Cheng seconded the motion to approve the meeting minutes. The motion passed unanimously (3-0), with S. Gallivan abstaining.

II. Continued Business

III. New Business

Special Permit: 637-639 Chelmsford Street 01851

Eric Chim has applied to the Lowell Planning Board for Special Permit approval to convert the existing two-family building at 637 Chelmsford Street into a three-family building. The subject property is

located in the Traditional Neighborhood Mixed-Use (TMU) zoning district. The application requires Special Permit approval per Article 12.1(c) for the use from the Lowell Planning Board.

On Behalf:

Hooshmand Afshar, Applicant's Engineer

H. Afshar said he is representing the applicant, Eric Chim. H. Afshar explained the proposal and said the building had been operating as a three-family previously, and the applicant is now seeking to legalize the unit per conversations with the Building Department. H. Afshar said there has never been an issue with parking for the building and it has been working as a three-family. H. Afshar said a parking garage is within 900 feet of the property. H. Afshar added that 4 cars can be parked in the property. H. Afshar said that the usable open space is pre-existing non-conforming, and the applicant does not intend to reduce the existing usable open space.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

G. Frechette asked how long the property has been operating as a three-family. H. Afshar said it has been operating as a three-family for roughly 15 years. G. Frechette noted there is no opposition and the Building Commissioner expressed support for the petition. G. Frechette said making the apartment legal has the benefit of bringing the unit up to code, and expressed his support.

S. Gallivan expressed support. C. Cheng expressed support for the petition.

Motion:

G. Frechette motioned, and S. Gallivan seconded the motion to approve the Special Permit. The motion passed unanimously, (4-0).

Special Permit: 22 Bellevue Street 01851

Magdi Mikhael has applied to the Lowell Planning Board to convert the existing two-family structure at 22 Bellevue Street into a three-family structure. The subject property is located in the Traditional Neighborhood Mixed-Use (TMU) zoning district. The application requires Special Permit approval per Article 12.1(c) to expand a residential structure to 3 units.

On Behalf:

Magdi Mikhael, Applicant

M. Mikhael said he intends to convert the existing two-family to a three-family property. M. Mikhael noted there is a space on site for parking and the new unit will be on the third floor. M. Mikhael said there will be 4 spaces in the back and 1 in the front of the property.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

T. Linnehan noted staff concerns about reversing out of the parking area and limited drive aisle should there be snow stored on site. M. Mikhael noted there are small areas to store snow and said they can remove snow from the site if there is too much snow for the site to handle. T. Linnehan expressed concern about how snow removal vehicles access the site.

G. Frechette said the site may be able to accommodate more parking if the parking area goes the width of the rear lot line. M. Mikhael said the parking plan on the site plan differs from what is typically used.

C. Cheng said the vehicles may be parking on adjacent lots or within setbacks.

G. Frechette noted staff comments regarding removing 3 feet of paving on the property line. M. Mikhael agreed. G. Frechette noted that parking is challenging in this neighborhood.

S. Gallivan shared concerns about the parking and lack of space in the parking area. S. Gallivan expressed concern about the size of bedrooms from the floor plans and would like additional information.

G. Frechette agreed and requested clarification on the floor plans and updated parking plan.

C. Cheng said the surveyor can mark out the site so the applicant can determine the best way to layout the parking area.

T. Linnehan asked about parking space #2 and asked whether a large vehicle may block the driveway, especially if there is snow on the site. M. Mikhael said a small car would be parked there.

G. Frechette noted that if there is a 3 foot buffer between the parking area and property line tenants would likely park on this area anyway and the landscaping would be unlikely to succeed. G. Frechette said there may be more benefit to keep the paving and have a larger parking area.

G. Frechette said he would like to see an updated parking plan and floor plans, as well as a landscaping concept in front of the property.

C. Cheng noted that shifting the front parking toward the house could provide space for additional landscaped buffer in front of the property.

Motion:

G. Frechette motioned, and C. Cheng seconded the motion to continue the petition to the June 23, 2022 Planning Board meeting. The motion passed unanimously, (4-0).

Special Permit: 50 Wentworth Avenue 01852

Thanh Pham has applied to the Lowell Planning Board for Special Permit approval to subdivide the existing lot at 50 Wentworth Avenue and construct a new single-family home on the newly created lot. The subject property is located in the Suburban Single-Family (SSF) zoning district and requires Special Permit approval from the Lowell Planning Board pursuant Section 5.1.1(7) to reduce the minimum frontage by twelve (12) feet.

On Behalf:

Thanh Pham, Applicant

T. Pham said the application received approval from the Zoning Board of Appeals last year. T. Pham noted that previously ANRs were approved with only Variances, however due to lack of frontage they also require a Planning Board approval. T. Pham noted the lot sizes and dimensions in comparison with nearby properties.

Speaking in Favor:

David Fieldsend, 25 Wentworth Avenue

D. Fieldsend expressed support for the petition noting the City and region are in need of additional housing. D. Fieldsend said that the project is a good infill development which aligns with the neighborhood.

Victoria Hatem, 43 Wentworth Avenue

V. Hatem said she shares a property line with the applicant. V. Hatem expressed support for the petition and said it aligns with the neighborhood. V. Hatem noted that more significant Variances have been granted in the area. V. Hatem shared a story about the applicant purchasing the property and wishing to construct a home for his family on the site. She noted the property would be similar to other properties nearby and in the City.

Speaking in Opposition:

Jim Pollard, 63 Wentworth Avenue

J. Pollard said the lot has 3 substantially sized structures including an existing home, carriage house, and garage, and the addition of the home would include too many structures in too small of a site. J. Pollard said in a previous meeting the applicant agreed to demolish the carriage house, but that is not reflected in the plans. J. Pollard expressed concern about the carriage house being used as an additional unit. J. Pollard said the application was inconsistent with planning for the area. J. Pollard asked about the conditions of approval from the Zoning Board decision.

T. Linnehan explained the conditions of approval from the Zoning Board decision and explained the approval the applicant is now seeking from the Planning Board.

Nancy Canney, 64 Wentworth Avenue

N. Canney said that at the Zoning Board meeting the applicant said the building was for his family. N. Canney said the applicant has not maintained the property well and the tenant is fixing cars on the site. N. Canney expressed concern about trash on the site.

Neighboring Resident

The neighboring resident stated the rear and side yard setbacks are not enough and would like the proposal to align with zoning. The neighboring resident said that she does not believe the proposal would enhance the neighborhood.

Rebecca Caswell, 74 Wentworth Avenue

R. Caswell said the condition of the property is deteriorating. R. Caswell expressed concern about work being done to vehicles on site. R. Caswell expressed concern about adding an additional structure to the site.

Discussion:

T. Pham clarified that the carriage house will be demolished, and he said that it will be filled in with green space. T. Pham said when the new home is built it will have roughly the same size foundation as the carriage house. T. Pham said the garage will be the garage for the new home. T. Pham added that per the Zoning Board conditions of approval the garage will never be a living space. T. Pham noted the proposal largely aligns with the neighborhood.

T. Linnehan asked if the applicant intends to demolish the carriage house. T. Pham said as soon as he can get approved for his permits he will demolish the carriage house. T. Pham said once he receives approval he will apply for a demolition permit.

G. Frechette said the reduced frontage on the lot is the only question at hand in this meeting. G. Frechette explained the approval criteria for the requested Special Permit. G. Frechette requested the design of the home shown as it will sit on the lot. G. Frechette added he wants to see the architectural plans. G. Frechette said the applicant has demonstrated the proposed frontage aligns with existing lots in the neighborhood. G. Frechette added that he would like to see plans which show the carriage house will be demolished.

T. Linnehan noted the alternative to the Special Permit was obtaining Definitive Subdivision approval from the Planning Board.

C. Cheng agreed with the need to review the design of the home per the Special Permit granting criteria. S. Gallivan said the site plan is dated 9/15/2020 and asked the plan be updated to show the carriage house will be demolished.

T. Pham agreed to submit the architectural plans and an updated plot plan showing the carriage house will be demolished and the new home on the site.

Motion:

G. Frechette motioned, and C. Cheng seconded the motion to continue the petition to the 6/23 Planning Board meeting. The motion passed unanimously, (4-0).

Zoning Amendment: 89 Agawam Street 01852

The Lowell Planning Board will hold a public hearing to hear all interested persons relative to an ordinance to amend "The Code of Ordinances City of Lowell Massachusetts", with respect to Chapter 290, thereof entitled "Lowell Zoning Code". The proposed amendment would extend the existing TTF (Traditional Neighborhood Two-Family) zoning district to an area at 89 Agawam Street that is presently zoned TSF (Traditional Neighborhood Single-Family).

On Behalf:

John Geary, Applicant's Representative

J. Geary explained the proposal to rezone the property from Traditional Single-Family (TSF) to Traditional Two-Family (TTF). J. Geary said the property was previously a group home which is classified as a single-family which does not allow the property to be converted to a two-family in the TSF zone. J. Geary said the applicant's intention is to convert the property to a two-family which he will live in, along with family.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

G. Frechette said the property epitomizes a well-kept property in a dense neighborhood. G. Frechette said the proposal appears to be a natural extension of the TTF zone and is likely less invasive to the neighborhood than a group home.

S. Gallivan expressed support and agreed with G. Frechette and staff comments on the petition.

C. Cheng said he had no additional comments.

T. Linnehan expressed support and said there would not be a detrimental impact.

Motion:

T. Linnehan motioned, and G. Frechette seconded the motion to issue a positive recommendation. The motion passed unanimously, (4-0).

III. Other Business

V. Notices

VI. Further Comments from Planning Board Members

G. Frechette said that at a prior meeting the traffic study for the Market Basket on Pawtucket Blvd was reviewed. G. Frechette noted that this was to review traffic impacts on the nearby residential neighborhoods. G. Frechette said that traffic counts were completed between 4pm-6pm when Townsend Ave has a do not enter restriction. G. Frechette expressed concern about the traffic impacts not accurately being counted on Townsend Ave and expressed concern about waiting an additional year for updated traffic counts. G. Frechette said a weekday count on Townsend Ave would be beneficial.

D. Ricker said staff will discuss what can be done to address these concerns.

G. Frechette announced that NMCOG has hired a new Executive Director, and they will be starting in July.

VII. Adjournment

C. Cheng motioned, and S. Gallivan seconded the motion to adjourn. The motion passed unanimously, (4-0). The time was 8:05pm.