

Lowell Zoning Board of Appeals Minutes

3/9/2026 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 Briere, Member Procope, Member Hovey, Member Shanahan

Members Absent: Member McCarthy

Others Present: Dylan Ricker, Senior Planner

The following represents the actions taken by the Zoning Board of Appeals at the 3/9/2026 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-2026-1

Petition Type: Variance

Applicant: Jack Le

Property Located at: 150 East Meadow Rd, 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 Jack Le to legalize an existing addition at 150 East Meadow Road. The subject property is located in the Traditional Single-Family (TSF) zoning district. The addition requires Variance approval per Section 5.1 for relief from the maximum floor area ratio (FAR), minimum lot size, minimum lot area per dwelling unit, minimum frontage, and front yard setback requirements, and for any other relief required under the Lowell Zoning Ordinance.

This item was taken out of order at the end of the meeting.

On Behalf:

Jack Le, Applicant

J. Le said he built the addition because the home was too tight for the family. J. Le explained the dimensions of the addition. J. Le said he did not know he needed a permit. J. Le said the construction was built during Covid. J. Le said electric and plumbing was added too.

Speaking in Opposition:

None

Speaking in Favor:

None

Discussion:

D. Shanahan said some of the questions were answered.

T. Hovey said he would like a condition requiring a revised site plan showing the extent of the addition subject to DPD approval. T. Hovey noted there is no opposition to the project. T. Hovey expressed support.

M. Briere noted many nearby homes share the same setbacks, and expressed support with the condition of approval.

G. Procope expressed support.

S. Callahan noted it is only 178 sf total and is 1 level. J. Le confirmed. S. Callahan asked if the existing FAR includes the addition, J. Le confirmed.

V. Pech said he has no concerns, and confirmed the condition.

Motion

G. Procope motioned to approve with the following condition:

- (1) The applicant shall provide an updated site plan indicating the size of the home prior to the addition.

The motion was seconded by T. Hovey. The motion passed unanimously, (5-0).

ZBA-2026-2

Petition Type: Variance

Applicant: Robbie Nguyen

Property Located at: 26 Marriner Street, 01852

Applicable Zoning Bylaws: Section 6.1.10

Petition: The Lowell Zoning Board of Appeals will hold a public hearing to hear all interested persons relative to an application by Robbie Nguyen to create an additional curb cut and add another driveway at 26 Marriner Street. The subject property is located in the Traditional Single-Family (TSF) zoning district. The proposal requires Variance relief per Section 6.1.10 of the Lowell Zoning Ordinance for relief from the maximum curb cut requirement, and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

Robert Nguyen, Applicant

R. Nguyen said he added the permit sign to the site. R. Nguyen said he is trying to add a parking spot and extend paving to the left of the home. R. Nguyen said he was not aware when he purchased the home he

would need a Variance to add a driveway. R. Nguyen said the propane tanks are also on that side of the property.

Speaking in Opposition:

None

Speaking in Favor:

None

Discussion:

T. Hovey said the project was originally approved with a condition that the parking space to the left of the home to be removed. T. Hovey noted that the applicant was not the builder and was not the one responsible for removing the 2nd driveway. T. Hovey noted the parking space is not compliant and would overhang the right of way, and needs relief from the setback requirements. T. Hovey said he is concerned that the original project required the 2nd driveway be removed.

M. Briere expressed support.

G. Procope expressed support and said it does not derogate from zoning.

S. Callahan noted the driveway was supposed to remove on the previous application and said the current applicant was not responsible for the removal of this driveway.

D. Shanahan expressed support.

V. Pech expressed support

Motion

G. Procope motioned to approve the Variance, the motion was seconded by S. Callahan. The motion passed unanimously, (5-0).

II. New Business

ZBA-2026-3

Petition Type: Variance and Special Permit

Applicant: Bienvenido Chalas

Property Located at: 1570 Middlesex Street, 01851

Applicable Zoning Bylaws: Section 6.1.10 and Section 12.6

Petition: The Lowell Zoning Board of Appeals will hold a public hearing to hear all interested persons relative to an application by Bienvenido Chalas to operate an outdoor car dealership at 1570 Middlesex Street. The subject property is located in the Regional Retail (RR) zoning district. The project requires Variance approval per Section 6.1.10 of the Lowell Zoning Ordinance for relief from the minimum access drive requirement, a Special Permit under Article 12.6 to operate a car dealership in the RR zoning district, and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

Bienvenido Chalas, 1570 Middlesex Street

B. Chalas said his business has been primarily in Lawrence, and currently consists of mainly sending vehicles to the Dominican Republic. B. Chalas said he purchased the lot to own their own retail car sales lot.

Speaking in Opposition:

None

Speaking in Favor:

None

Discussion:

M. Briere noted staff comments state that the use fits the neighborhood. M. Briere expressed support. M. Briere said the applicant should address the Traffic Engineer concerns, number of vehicles, lining of the parking area. B. Chalas said there is a line that shows the difference between the sidewalk and property. B. Chalas said no cars will be on the sidewalk. B. Chalas said they will be keeping the building. M. Briere asked how many vehicles will be stored on the site. BC said they are looking for 8 cars on the site.

G. Procope said a request for permit sign must be put up at the site for ZBA applications.

S. Callahan noted the front three spots are for customers, B. Chalas confirmed. S. Callahan asked how many employees. B. Chalas said 2 and said he would be parking in one of the 8 spots that the for-sale cars are in. S. Callahan asked how cars will be maneuvered on the site. B. Chalas said he can maneuver the cars that are parked in the rear spots to the front. S. Callahan asked the plans clarify how cars will be maneuvered. S. Callahan recommended this item be continued because the sign was not posted. S. Callahan said the sign is required to be posted to notify neighbors.

D. Shanahan noted that the previous applicant had the same sign issue. D. Shanahan said the sign will need to be posted prior to voting.

T. Hovey said he would like a condition stating the 8 spaces are for cars for sale, and the 3 spots are for customers and employees. T. Hovey noted the sign needs to be posted. T. Hovey recommended going beyond just striping the parking spaces and recommended delineating the sidewalk and parking lot.

V. Pech said the petition would be continued to 4/13 to give time to put up the request for permit sign.

Motion:

G. Procope motioned to continue the application to the 4/13 ZBA meeting, the motion was seconded by M. Briere. The motion passed unanimously, (5-0).

ZBA-2026-4

Petition Type: Variance and Special Permit

Applicant: Sunshine Sign Company, Inc.

Property Located at: 10 Technology Drive, 01851

Applicable Zoning Bylaws: Section 6.3

Petition: The Lowell Zoning Board of Appeals will hold a public hearing to hear all interested persons relative to an application by Sunshine Sign Company Inc. to erect signage at 10 Technology Drive. The subject property is located in the Office Park (OP) zoning district. The proposal requires Special Permit approval per Section 6.3 for internally illuminated signage, Variance approval per Section 6.3 for relief from the maximum size of a wall sign, additional freestanding sign, and any other relief required under the Lowell Zoning Ordinance.

On Behalf:

Diane, Applicant's Representative

Diane said the sign is being installed for the Spectrum Health facility. Diane said it requires illumination because they have 24 hour service and wayfinding is important due to the location of the entrances.

Frank Hight, Applicant's Representative

Speaking in Opposition:

None

Speaking in Favor:

None

Discussion:

G. Procope said he has no concerns and expressed support.

S. Callahan asked to confirm the business is open 24 hrs. F. Hight confirmed. S. Callahan expressed support.

V. Pech expressed support and said the signage makes sense.

Motion:

G. Procope motioned to approve the Variance, the motion was seconded by T. Hovey. The motion passed unanimously, (5-0).

G. Procope motioned to approve the Special Permit, the motion was seconded by M. Briere. The motion passed unanimously (5-0).

ZBA-2026-5

Petition Type: Variance

Applicant: Michael Rosholt

Property Located at: 55 Harvard Street, 01851

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 Michael Rosholt to legalize an addition at 55 Harvard Street. The subject property is located in the Traditional Single-Family (TSF) zoning district. The addition requires Variance approval per Section 5.1 for relief from the minimum side yard setback, and maximum floor area ratio (FAR) requirement, and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

Michael Rosholt, Applicant's Representative

M. Rosholt said the builder that did the addition did not get a building permit or research the setbacks. M. Rosholt said the addition is 4 ft from the property line and they are seeking relief from the setback requirement.

Speaking in Opposition:

None

Speaking in Favor:

None

Discussion:

S. Callahan said he does not have concerns with the petition. S. Callahan noted that nearby properties have non-conforming side yard setbacks.

D. Shanahan asked when the addition was completed. M. Rosholt said he is unsure. D. Shanahan said the addition has been there for some time without objection from neighbors. D. Shanahan said he has no concerns.

T. Hovey asked for clarity on what is being approved. T. Hovey said there is no site plan prior to the addition so he does not know the previous setback. T. Hovey said he would like to know what was there prior to the addition. T. Hovey said he is not necessarily opposed, and wants to know what was there before. M. Rosholt said it is a 3-season porch with a handicap ramp.

M. Briere expressed support for the petition.

G. Procope said he has the same questions as T. Hovey, and said he does not see a negative impact on the neighborhood. G. Procope expressed support.

V. Pech said he has no concerns.

S. Callahan said he would like a condition requiring a site plan indicating the extent of the addition that was added on the property. S. Callahan said the current application shows current conditions not what was added on. S. Callahan asked if the addition is 1 level, M. Rosholt confirmed. S. Callahan recommended a condition that a revised site plan showing the addition be submitted to DPD subject to DPD approval.

Motion

G. Procope motioned to approve the Variances with the following condition:

- (1) The applicant shall submit a revised Site Plan identifying the extent of the addition subject to DPD approval.

The motion was seconded by T. Hovey. The motion passed unanimously, (5-0).

III. Other Business

Minutes for Approval:

2/9/2026

G. Procope motioned to approve, the motion was seconded by S. Callahan. The motion passed unanimously, (5-0).

Adjournment

G. Procope motioned to adjourn. Seconded by S. Callahan. The vote was unanimous (5-0). The time was 7:35PM.