

Lowell Zoning Board of Appeals Minutes

3/23/2026 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: Mary Brundage, Associate Planner

The following represents the actions taken by the Zoning Board of Appeals at the 3/23/2026 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

II. New Business

ZBA-2026-6

Petition Type: Variance

Applicant: Gualter Almeida

Property Located at: 14 Carly Way, 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 Gualter Almeida to raise the roof over their garage at 14 Carly Way. The property is in the Suburban Single-Family (SSF) zoning district. The proposal requires Variance approval per Section 5.1 for relief from the maximum Floor-Area-Ratio requirement, and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

Gualter Almeida, 14 Carly Way

G. Almeida explained the project. The roof over the garage would be raised so a bedroom and bathroom could be added, and the laundry room would be moved from the basement to the second floor.

Speaking in Opposition:

None

Speaking in Favor:

None

Discussion:

T. Hovey asked if the owner reviewed the fire department comments. G. Almeida said he did and had no issues with incorporating into the plans. T. Hovey asked if the roof over the garage would be higher than the peak of the existing house. G. Almeida responded that it would not and confirmed that the roofs would be at one level. T. Hovey commented that it makes sense to keep the footprint as is and will be voting in favor of the project.

M. Briere commented that staff comments indicated that the FAR is in line with the rest of neighborhood and the request for relief was minimal. M. Briere stated that he'd be voting in favor.

G. Procope echoed the same sentiments as fellow board members that it is in line with the neighborhood and will be voting in favor.

S. Callahan confirmed that the roof was not going to be raised up and over the primary residence. He agreed that the request was minimal.

D. Shanahan stated that it seems like it is a straightforward project and would be voting in favor.

V. Pech did not have any further comments.

Motion:

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

ZBA-2026-7

Petition Type: Variance

Applicant: Daniel Farrell

Property Located at: 35 Westwind Road, 01852

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 Daniel Farrell to construct an addition to their home at 35 Westwind Road. The property is in the Suburban Single-Family (SSF) zoning district. The proposal requires Variance approval per Section 5.1 for relief from the minimum front yard setback requirement, and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

John Geary, Geary and Geary, LLP.

J. Geary stated that the request was to allow construction of an 18' x 20' addition to their existing single-family, split-level home. The property consists of approximately 10,289 square feet of land. The addition will consist of a large family room on the first floor and a storage space and possibly a bedroom on the lower level. He explained that the family is getting older and they need a bit more room. By allowing this addition, it will allow the Farrell's to remain at their property. The variance they are seeking is for relief of the front yard setback. The required setback is 25 feet. The standard is met on Westwind Road but

because it is a corner lot, the standard would also apply to Sharon Circle. It is short of the 25 feet on the Sharon Circle side. The impact to neighbors on that side would be minimal.

J. Geary stated that the engineering department and stormwater team had concerns related to the rear door because it is below grade in terms of drainage. It was decided it was best to move the door from the rear elevation to the side elevation and that is reflected in the updated plans.

Speaking in Opposition:

None

Speaking in Favor:

None

Discussion:

M. Briere stated that the request is reasonable and the relief is minimal and will be voting in favor.

G. Procope agreed. He asked if there would be updated plans showing the revised elevations. J. Geary stated that it will be in the submitted plans when the applicant applies for their building permit. G. Procope stated he will be voting in favor.

S. Callahan stated he had no issues with this request and would be voting in favor.

D. Shanahan stated he was satisfied that J. Geary addressed the concerns and comments and will be voting in favor.

T. Hovey stated that these corner lots have a disadvantage when it comes to variances and setbacks. He said that it fits and does not have any issues. Will be voting in favor.

V. Pech stated that he no concerns and that would be a great addition for the family.

Motion:

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

ZBA-2026-8

Petition Type: Variance

Applicant: Lanikai, LLC

Property Located at: 159 Ludlam Street, 01850

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 Lanikai, LLC to split the existing lot at 159 Ludlam Street into two (2) lots. Lot 1 will be the site of the existing single-family home. Lot 2 will be the site of a proposed single-family home. The subject property is located in the Traditional Two Family (TTF) zoning district. Lot 1 will require Variances under Section 5.1 for lot area, lot area per dwelling unit (LA/DU), and for any other relief under the Lowell Zoning Ordinance. Lot 2 will require Variances under Section 5.1 for lot area, lot area per dwelling unit (LA/DU), minimum frontage, minimum front yard setback, and for any other relief under the Lowell Zoning Ordinance.

On Behalf:

John Geary, Geary and Geary, LLP.

J. Geary explained the project. The corner lot on Ludlam St. And Jacques Street would be split into two lots (Lot 1 and Lot 2). Lot 1 has an existing single-family home with 3 bedrooms and 2 baths. There is a small garage shed in the rear of the property. The lot is 6400 square feet. The neighborhood is densely populated with many single-family homes and multifamily homes as well.

The lot would be divided into two 3200 square foot lots with 40 feet of frontage each. The proposed home on Lot 2 will have 3 bedrooms, 2 baths with about 1300 square feet of living space. Relief needed for Lot 1 would be for minimum lot area and land area per dwelling unit (LA/DU). Lot 2 will need relief for lot area, lot area per dwelling unit (LA/DU), minimum frontage, minimum front yard setback.

J. Geary pointed out the neighborhood exhibit that shows many lots of 3200 square feet and 40 feet of frontage which is exactly what they are proposing. It is in character of the neighborhood. At one point, the property was two lots. The vast majority of the lots on the neighborhood exhibit have less than required 7000 square feet and less than 70 feet of frontage.

J. Geary mentioned Building Commissioner David Fuller's comments concerning work being done on the current home that may require pulling permits. Commissioner Fuller did meet with the homeowner to walk through the property. As a result of that walkthrough, Commissioner Fuller issued a memo confirming that permits were not required and endorsed the additional housing unit for the City. J. Geary stated that there will be no issues complying with the engineering comments and that when the property will be sold, the fire department will do their inspection.

Matt Hamor, Landplex, LLC

M. Hamor showed site plan. He showed where the parking spaces, drainage mitigation, and shade trees would be located. M. Hamor showed the renderings for the new home.

J. Geary stated that proposal meets the criteria for relief. That there will be no detriment to public. It will add housing. The relief can be granted without nullifying or substantially derogating the neighborhood. In terms of hardship, the lot was separated at one point and now it's an L- shaped lot. The proposal is to reconstitute the lots as originally subdivided which meets the character of the neighborhood.

Speaking in Opposition:

None

Speaking in Favor:

None

Discussion:

G. Procope stated on behalf of Member McCarthy a thank you for the shade trees. G. Procope stated he has some hesitation with the variances but felt more comfortable after Commissioner Fuller had visited. He stated that there is some hardship based on how the lot is proportioned but it looks like it is in line with the neighborhood and would be voting in favor.

S. Callahan appreciated the neighborhood GIS exhibit and historical deed research. He noted going back to plan from 1905, all the lots were 3200 square feet. It seemed clear that this lot should remain at 3200 square feet. He stated that adding another property to the tax rolls would be beneficial for the public good and would be voting in favor.

D. Shanahan commented on the height of the proposed structure understanding that's it a narrow building. Most of the buildings in the neighborhood are two stories but this is three stories. Still fits with character of the neighborhood and still a modest size dwelling.

T. Hovey stated that at one point the zoning was 3200 square feet for that district but it's not now. He said he was having a hard time saying that this follows the intent of zoning when the zoning was changed specifically to 7000 square feet. He stated that lot as is meets compliance and it's not really a hardship because of the shape of the lot. The hardship is that it's a small lot that you want to split into 2 lots. He felt that it doesn't meet two of the three jurisdictional conditions that needs to be met. He can't support the project.

M. Briere stated that the project review comments mention that many of the lots are non-conforming. He stated that in every instance that these petitions on these smaller lots have come before the Board, he has consistently voted in favor of the new construction and will do so again.

Paul McCarthy, 80 Aberdeen Street.

P. McCarthy stated that his parents grew up on Ludlam Street across the street from the existing home and has some family still living there. He asked if there was guaranteed off street parking and that the proposed three-story building would remain a single-family home.

J. Geary confirmed that there will be two off street parking spaces for each lot as required by the ordinance and that is only going to be a single-family home given that the home will only be 18-20 feet wide. He offered that the Board could condition that it will remain a single-family home.

V. Pech also had concerns but were addressed with Commissioner Fuller's memo. He was comfortable with the project.

S. Callahan suggested that Lot 2 would be conditioned to remain a single-family home

Motion

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

- (1) Lot 2 remains a single-family home.

The motion was seconded by S. Callahan. The motion passed, (4-1), with T. Hovey opposing.

III. Other Business

Variance Extension – 326 Cumberland Road, 01850

Request from Marc Poirier to extend a Variance for 6 months. The Variance was granted for relief in order to construct a single-family home. The decision (ZBA-2025-9) was filed with the City Clerk on 3/27/2025.

On Behalf:

John Geary, Geary and Geary, LLP.

J. Geary stated that a favorable decision was received from the ZBA on March 24, 2025, to construct a single-family home on that lot. He stated that they have running into title issues and anticipates they will close soon. The extension will allow the time necessary to work through those issues.

Discussion:

S. Callahan stated he had no concerns. V. Pech did not have any concerns either.

Motion

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

Minutes for Approval:

3/9/2026

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

Executive Session:

119 Foster Street Proposed Settlement

G. Procope motioned to go into executive session, 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 7:21 PM.