



City of Lowell - Planning Board

Planning Board Meeting Minutes

Monday, May 4, 2026, 6:30 p.m.

Mayor's Reception Room, 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

Chairman Linnehan

Vice Chair Frechette

Member Cheng

Member Tenczar

Associate Member Sar

Members Absent

Member Walker

Associate Member Cardoso Silva

Others Present

Mary Brundage, Associate Planner

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

I. Minutes for Approval

4/23/2026

G. Frechette motioned to approve the minutes. T. Linnehan seconded. Motion passed unanimously, (4-0).

II. Continued Business

III. New Business

Definitive Subdivision - 71 North Billerica Road, 01852

The Lowell Planning Board will hold a public hearing to hear all interested persons relative to application by FTO Realty Trust to split the existing lot into 11 lots and construct a new single family home on each lot at 71 North Billerica Road. The subject property is located in the Traditional Single-Family (TSF) zoning district. The project requires Definitive Subdivision approval from the Planning Board under Lowell's Subdivision of Land Regulations.

Site Plan Review - 71 North Billerica Road, 01852

The Lowell Planning Board will hold a public hearing to hear all interested persons relative to an application by application by FTO Realty Trust to split the existing lot into 11 lots and construct a new single-family home on each lot at 71 North Billerica Road. The subject property is located in the Traditional Single-Family (TSF) zoning district. The proposal requires Site Plan Review approval from the Planning Board per Section 11.4 for a development with greater than 3 residential units.

On Behalf:

John F. Cox, Esq.

J. Cox explained the project. Initially the owners sought a zoning change to allow for duplexes. Neighbors were concerned about the density. The current proposal has reduced the number of residences by 50% to 11 single family homes. All the lots meet the requirements of zoning for single family homes in that district. On Saturday, April 11th, the applicant held an informational meeting for the neighbors on the site with four neighbors attending. Concerns mostly water issues and traffic issues. From the comment memo, the applicant is okay with the tree planting suggested by DPD. Comments concerning porous pavement have been addressed by the engineering department. Proposed roadway intended to be accepted as a public street. Would need to be approved by City Council. There are no issues with maintaining the sight triangles recommended from transportation. The benefits would be providing 11 new homes, use an underused lot and providing tax revenue. All lots have sufficient access to city services and utilities. Will need to go to the Conservation Commission. A fence would be constructed between the existing homes and the new homes on the right side of the property at the request of the neighbors.

Matt Hamor, Landplex

M. Hamor presented the plan. Portion of the property is in Tewksbury, but no work will be done in that town. There is a wetland area in the southern portion of the property. The roadway will be 4500 feet with a cul-de-sac using porous pavement. The porous pavement would provide drainage onsite with sand beneath the pavement. All lots are conforming to zoning. All homes will have garages with porous pavement outside the garages. The street trees will be 2 inches in diameter with a total of nine shade trees. There will be a drainage easement. A solid fence along the lot line on Hollis St. will be installed. M. Hamor pointed out the culvert underneath N. Billerica Road, the zoning district line along with the grading and utility plan. A full drainage and stormwater report was provided. An operational maintenance plan will be in place post construction. The HOA that will be responsible for regular maintenance including vacuuming twice a year. Wooden posts would indicate the easement to not disturb the wetland. The HOA agreement will be recorded at the Registry of Deeds. The city will accept the right-of-way and will provide normal city services.

Speaking in Favor:

None

Speaking in Opposition:

Ed Chaisson, 98 Geddes Drive, Tewksbury

E. Chaisson stated he wasn't aware of the meeting. He would like to know more about the project. He expressed concerns about water flooding into the yards on Geddes Drive. The wetland can't hold any more water. He also stated concerns about noise. Concerned about building on a flood zone. How is it not going to get worse?

Fabio Bettencourt, 65 N. Billerica Road, Tewksbury

F. Bettencourt has lived there for 30 years. He is familiar with the flood zone. He expressed concerns with the flooding during significant rain events. He is also concerned with the increase in traffic with 11 additional homes.

Brenda Richardson, 70 N. Billerica Road

B. Richardson explained that she lives across the street on the curve of the road. The new road would come out directly near her driveway. She stated that is currently dangerous to pull out of her driveway and is concerned with increased traffic at the development. Even in the winter with no trees, it is hard to see cars coming. She also expressed concerns about the water and water table describing how that location is muddy.

Cindy Smith, 25 Hollis St.

C. Smith mentioned that she has experienced flooding with over 2 feet of water in her cellar and concerned that it will happen again.

Sharon Marren, 109 Hollis St.

S. Marren expressed serious concerns on the ramifications on her property of the proposed development. Currently she has 4 pumps at her house. She asked what precautions are going to make to minimize the flooding and drainage changes from the affecting her property. Asking for the builder for a drainage easement with a statement for liability for damage to her property and others.

Expressed concerns about the water table. She requested written confirmation from the builder about not causing more damage to the neighboring properties. She asked about what erosion control measures are being used during construction. What buffer zones and other controls are going to be used to protect property and wetlands. She requested a landscaping strip of 20 feet between the development and neighboring properties. She requested a traffic review, concerns with overflow of traffic from route 495 and the additional traffic from the proposed development.

Stacy Decker, 110 Hollis Street

S. Decker has lived in her street since 1984. She expressed concerns about overburdens on traffic, water and the electrical grid. She asked who the residents would call in the future with issues. She stated that the porous pavement would need to be maintained and concerned that the residents will keep up with maintenance with blowing and vacuuming. She asked who will be plowing.

M. Hamor explained that any drainage system require maintenance. One of the benefits of a porous pavement roadway is it is a fully draining system with the underlying soils that support the porous pavement. He gave examples of porous pavement being used at Lowell Collegiate Charter School, Newhall Street, and the Novus parking lot. When it rains, the water goes into the ground in a uniform fashion and is a desired form of drainage by the MA DEP Stormwater regulations. It avoids a point discharge if there was a regular drainage system. Little maintenance is needed. An operational maintenance plan has been reviewed by the engineering department. The residents will be responsible for the maintenance, and the plan will be recorded at the Registry of Deeds to ensure that is maintained

in perpetuity. In addition, there are roof drains on the lower end of the property to provide additional subsurface drainage for the roofs on the properties at the end of the roadway. In terms of traffic on N. Billerica Road has been looked at by the traffic engineer. There will be minimal traffic added to the current traffic situation at Hollis St. And N. Billerica Road. The sight lines will meet the city engineer's comment on the triangular additions. Project will not be increasing any water currently in the ground.

J. Cox addressed the concerns about the HOA. He explained that any buyer would have to understand the maintenance of the roadway would be the responsibility of the HOA.

M. Hamor further explained that the stormwater department requires that the HOA keep yearly records of maintenance that can be requested at any time. If not maintained, the HOA will have to answer to the city stormwater team. The current trend is to have homeowners maintain to drainage systems, so it does not burden the city.

E. Chaisson asked about what happens to the drainage for the neighboring properties. Currently water backs to Marginal Brook and he is concerned that new development will cause more flooding. He asked what the repercussions are if his property gets flooded.

T. Linnehan responded that the project would still have go through the Conservation Commission to address concerns about the wetlands.

M. Hamor explained that MA stormwater regulations are very strict regardless which town you live in. He expressed that the rain would go down at the same regular rate on this property before and after construction.

Discussion:

G. Frechette stated that he is familiar with the technology. It's been seen in projects before. He asked if the maintenance is not kept up, who would be responsible to rebuild it. J. Cox responded that it would be the homeowners' responsibility. G. Frechette was concerned about salt on the porous pavement. M. Hamor responded that it's an issue with concrete surfaces. Using the Lowell Collegiate Charter School as an example, he explained that the porous pavement holds up better than bituminous pavement. The porous pavement is not affected by salt and needs little maintenance. G. Frechette stated that regardless of the responsibility if it's not maintained, there is going to be water problems.

G. Frechette mentioned a preference for granite curbing over the Cape Cod berms on the proposed plan. G. Frechette stated that a performance guarantee is a requirement for a definitive subdivision.

M. Hamor responded that there would be a bond amount assessed the DPW Director and by the engineering department to finish whatever is necessary to finish the road to their satisfaction before they would release an occupancy permit.

G. Frechette asked for granite posts over the wooden posts to mark the wetlands. M. Hamor offered that concrete or metal signs can also be used.

G. Frechette understands the concerns at the curve at 70 N. Billerica Road. Pulling out of this property, the sight line is better. He read the communication from engineering regarding the plan and maintenance.

C. Cheng asked when the drainage easement come into play. M. Hamor said that is a MA DEP requirement to have an emergency overflow. It does not exceed the pre-development condition. C. Cheng asked that the proposed drainage matches the pre-development conditions. M. Hamor confirmed that it would match it or would be less than the current drainage.

C. Cheng asked about the winter maintenance for porous pavement. M. Hamor stated that it would be regular plowing. M. Hamor stated that compacted pavement is subject to frost whereas with the porous pavement the water will go through regardless of temperature and would be affected by frost.

C. Cheng mentioned that the plans still have private way on it. M. Hamor stated that right of way will be public. The road name will have to be accepted by the fire and engineering departments.

C. Cheng asked about how grading will be done. M. Hamor stated the homes will have crawl spaces and sit on footings. There will be access to the crawl space from inside and outside on the back of the house. C. Cheng asked if there will be both back and front doors. M. Hamor responded that the homes are not fully designed at this time.

C. Cheng asked about the scale of the excavation. M. Hamor said that the five feet in depth. Not moving a lot of dirt. Two feet of material for the roadway. Most of the grading would be toward the roadway.

C. Cheng asked about safety concerns. M. Hamor responded that it will generate little traffic. The sight line triangles will be provided.

D. Tenczar questioned why we are not looking at the regular drainage system. M. Hamor stated that the proposed porous pavement is the best method of drainage for this site given the wetland and floodplain. D. Tenczar further asked wouldn't it make sense to take the water into the city pipes and it be carried out to the river. M. Hamor stated that they are required to look at all alternatives before directly pumping water in the city's municipal drainage system. M. Hamor mentioned the sewer separation project and that the city wants drainage to be done the best way possible on the site. The proposed system will be providing uniform drainage into the groundwater. Draining into the city system is the last alternative. D. Tenczar stated concerns about the porous pavement not being maintained by the homeowners. He asked about street lighting.

M. Hamor said street lighting can be provided. M. Hamor mentioned that low impact designs are preferred including porous pavement. D. Tenczar asked about architectural plans. M. Hamor stated the homes will be constructed to conform with zoning. There will be a flow through foundation design to allow water through the bottom of the house if needed. D. Tenczar asked about the drainage easement. M. Hamor stated it was for emergency overflow.

T. Linnehan stated that it complies with the MA DEP stormwater regulations. When it comes to the roadway, he relies on the expertise of the engineer which okayed the porous pavement. He stated he understands the need for the emergency overflow and the preference for drainage on-site. He stated that the traffic engineering asked for sightline triangles will be maintained. The sightlines will still be poor at 70 N. Billerica Road regardless of the development. There will need to be a street opening permit. The proposed public roadway will need to go to City Council to be accepted. The HOA will maintain the street. The lighting plan will need to be provided and that the applicant will work with DPD on the tree planting and landscaping. He stated that all the lots meet zoning requirements.

C. Cheng asked the applicant if they were all set with SWEPT Path analysis. M. Hamor stated that there were no concerns. C. Cheng commented that that the drainage easement should also be marked by granite posts.

M. Hamor recommended the slope granite curbing.

C. Cheng asked about the sewer pump and who will be responsible. M. Hamor stated it would be a low-pressure pump and would be the homeowner responsibility.

G. Frechette added that the porous system is the preferred method for this site. M. Hamor stated that drainage maintenance is big expense for municipalities; there is a push now for homeowners and developers to maintain their own systems in a lot of communities. There are companies that can be hired to maintain these systems.

Motion:

G. Frechette motioned to approve the Definitive Subdivision with the following conditions:

- 1) Applicant will work with DPD to finalize the landscaping plan using native tree species, aiming to plant 2-3 trees per lot to offset the loss of large trees;
- 2) Applicant shall maintain sight triangles to ensure vehicles can enter and exit the project without conflict;
- 3) Applicant will provide slope granite curbing in replacement of the proposed Cape Cod berm on the sidewalk infrastructure of the subdivision;
- 4) Applicant will provide granite posts noting no plantings in the drainage area in replacement of proposed wooden signs;
- 5) Applicant will provide a performance guarantee acceptable to the engineering department that will ensure that the infrastructure work that was approved for Definitive Subdivision is complete prior to the release of any of the individual lots;
- 6) HOA will be responsible for the maintenance upkeep, repair and replacement of the roadway.
- 7) Applicant will provide revised plans to provide the appropriate streetlights where indicated by engineering;
- 8) Applicant will comply with engineering requests regarding the sewage system on the site; and
- 9) Applicant shall comply with all engineering requirements from the comment memo dated April 27, 2026.

C. Cheng seconded. Motion passed (4-1) with D. Tenczar opposing.

Site Plan

C. Cheng motioned to approve the Site Plan with the following conditions:

- 1) Applicant will work with DPD to finalize the landscaping plan using native tree species, aiming to plant 2-3 trees per lot to offset the loss of large trees;
- 2) Applicant shall maintain sight triangles to ensure vehicles can enter and exit the project without conflict;
- 3) Applicant will provide slope granite curbing in replacement of the proposed Cape Cod berm on the sidewalk infrastructure of the subdivision;
- 4) Applicant will provide granite posts noting no plantings in the drainage area in replacement of proposed wooden signs;

- 5) Applicant will provide a performance guarantee acceptable to the engineering department that will ensure that the infrastructure work that was approved for Definitive Subdivision is complete prior to the release of any of the individual lots;
- 6) HOA will be responsible for the maintenance upkeep, repair and replacement of the roadway.
- 7) Applicant will provide revised plans to provide the appropriate streetlights where indicated by engineering;
- 8) Applicant will comply with engineering requests regarding the sewage system on the site; and
- 9) Applicant shall comply with all engineering requirements from the comment memo dated April 27, 2026.

T. Linnehan seconded. Motion passed (4-1) with D. Tenczar opposing.

Site Plan Review and Special Permit – 297 University Avenue, 01854

Kazanjan Enterprise, Inc. has applied to the Lowell Planning Board and Lowell Zoning Board of Appeals for Site Plan Review, Special Permit, and Variance approval to convert an existing eight (8) bay garage into four (4) townhouse residential units. The property is located in the Traditional Two-Family (TTF) zoning district. The application requires Site Plan Review approval under Section 11.4.2(2) to construct a development with more than three (3) dwelling units and a Special Permit pursuant to Section 4.5.2(1) and Section 11.3.1 for change of non-conforming use. The project also requires Variance approval under Section 5.1 for relief from maximum number of stories, minimum usable open space per dwelling unit, and for any other relief required under the Lowell Zoning Ordinance.

This item was taken out of order and heard first on the agenda

On Behalf:

John Geary, Geary & Geary, LLP

J. Geary explained that the Planning Board date is now added to the sign posting. He requested a continuance for the May 18th meeting.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

None

Motion:

D. Tenczar motion to continue to 5/18 meeting. C. Cheng seconded. Motion passed unanimously, (4-0)

Special Permit Amendment - 165 Nelson Ave and 33-113 Adie Way, 01852

The Lowell Planning Board will hold a public hearing to hear all interested persons relative to an application by Residents First Development Corporation to amend the Special Permit for the Planned Residential Development (PRD) known as "Rivers Edge". The amendment pertains to the area of the PRD at 165 Nelson Avenue and 33-113 Adie Way. The applicant seeks approval to create sixteen (16) additional lots within the PRD, with all lots being occupied by duplexes. This would increase the approved number of units from 181

to 187. The subject property is located in the Traditional Two-Family (TTF) zoning district. The Special Permit amendment is required under Section 8.2.1 of the City of Lowell's Zoning Ordinance.

G. Frechette recused himself.

On Behalf:

John Geary, Geary & Geary, LLP

J. Geary requested a positive recommendation from the Planning Board to the City Council on amending the Special Permit. The Special Permit was issued in 2004. Units for this project were sold starting in 2006, the last unit sold was in 2016. The final phase of the project never got developed because the funding dried up. Since 2021, the applicant has been working to get the funding to complete the project. The zoning had to be amended to a Traditional Two-Family district. The amendment to the development plan had to be approved by the Executive Office of Housing and Livable Communities, City Council and the Board of Commissioners of the Lowell Housing Committee. That was done in February. The amendment will allow for 187 dwelling units including the 32 units being proposed. For funding, they will be applying to the Commonwealth Builders grant program which is a competitive program. The project will include 16 lots of two-family homes for a total of 32 units. The units will be sold to buyers who are in 70 % to 100% of the average mean income of the area. The units will be deed restricted for 30 years. The units will be 3 bedrooms, 1.5 bathrooms and approximately 1300 square feet of living area. The amendment will reconfigure the lots to allow for the 32 units. The project meets the dimensional requirements. The amendment continues to meet the criteria of the Special Permit. The project achieves two of the goals of the Lowell Forward Housing Production Plan; increasing housing units and increasing affordable housing. The duplexes are in the character with the neighborhood. No environmental impact and meets stormwater criteria. The safe traffic access and pedestrian sidewalks are provided along with sufficient off-street parking. The SWEPT path analysis shows sufficient fire access. Increase tax revenue would offset any negative fiscal impacts to the city. Staff comments are in favor of the amendment. Opportunity for homeowner to build equity. Acceptable to landscape plan subject to DPD approval.

Brian Milisci ,P.E., Haley Ward

B. Milisci pointed out the undeveloped portion of the project on the site plan. He showed the right of the way and pavement that will remain same. The lots were reconfigured to meet the zoning requirements. The driveways will support 2 parking spots for each unit and meets the total of 15 feet of curb cuts. The municipal sewer system will remain the same with a sewer pump system. Water mains will be in the right of the way. The stormwater will be handled with a subsurface recharge system. Will be going through the Conservation Commission for the wetlands. He also showed the architectural plans which are duplicate of the duplexes that are already there.

J. Geary stated that it continues to meet the criteria of the Special Permit. The next step is to have voted by City Council and approved by the Conservation Commission. After those approvals, the project will have to go back to the Planning Board for a Definitive Subdivision approval.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

T. Linnehan stated he was in favor of project and will be voting for a favorable recommendation.

C. Cheng stated that was in support of the plan and liked that the applicant was willing to work with DPD on the tree planting.

D. Tenczar asked if the units were for Lowell residents only. J. Geary responded it is for whoever applies who meets the income criteria. It will be run through the first-time home buyers' program with the Merrimack Valley Housing Partnership. It will be a lottery system. D. Tenczar mentioned that the current residents take pride in their properties.

Motion:

T. Linnehan motioned to approve the to issue a POSITIVE recommendation to the City Council regarding the proposed Special Permit amendment request. D. Tenczar seconded. Motion passed unanimously (4-0). G. Frechette recused himself from the vote.

IV. Other Business

At-Home in Greater Lowell – Northern Middlesex Council of Governments (NMCOG) Housing Strategy

G. Frechette gave a background on the At-Home in Greater Lowell Housing Strategy. It came about with a strategic planning session from a couple years ago at NMCOG. He mentioned that all the communities expressed the challenges with housing in the region and how Lowell can't be creating all the housing for the region. The idea was to come up with a regional housing plan that each community could take back and see what elements they could use. Some of the tools may work for some communities but not in others. This is the first step of the plan. The ask was for the planning boards to discuss and report back to NMCOG on what elements of the plan that the Planning Board could adopt or support. Outlined are 6 goals with 17 strategies. He mentioned that the Fair Housing training program might be a low-hanging fruit that could be adopted in the by-laws for Planning Board. He also mentioned supported transit-oriented planning concept. The zoning review will be addressed in that.

T. Linnehan mentioned the high home and rent prices causing people to move out especially young people and the rising aging population. Aging population tend to use more city services. He pointed out the rise in homelessness due to a number of reasons. He stated that lot of ideas such as the housing supply accelerator will need a lot of partnerships to implement. He questioned on how to get more lenders to step up in funding. He was not in favor of having two-family or more allowed by right, there is a need for single-family homes.

G. Frechette responded part of what is suggested is that there are multiple zones to allow for two-family or multi-family homes in Lowell, however a lot of other communities do not currently allow two-family homes to be built by right. Same with cottage style homes. In looking at inclusionary zoning on the return of investment for a builder, the formula did not work to require a certain number of affordable units. It is something to revisit as the numbers change. The city is doing a good job on reusing buildings.

D. Tenczar was happy that UMASS-Amherst participated in that and how the plan was funded by a state grant. He pointed out that report talked about the population is aging and households are shrinking. That 40% to 50% of household income is spent on housing. One of the takeaways was getting the greater Lowell area to share in the burden with the homelessness. Every community come up some sort

of permanent supportive housing. Lowell could look at different models. He said that the storytelling was an interesting approach as a way to connect people. He asked about the housing navigator.

G. Frechette explained that the accelerator was a process to connect all the resources and partnership with all the communities. Identifying what the communities have for housing that is affordable.

D. Tenczar pointed out the shrinking labor force and that potential employers could relocate if not enough housing available for the work force.

G. Frechette mentioned that the by the time people seek public services they have already exhausted other resources such as living with relatives. Agencies do not see until people seek help.

C. Cheng agreed with Fair Housing training. With the homelessness the question is how to help and need resources for permanent support housing. With the by-right zoning that we are already dealing with a dense landscape. We need to be more creative with parking, traffic, shapes and forms that met housing needs along with neighbor concerns. There are parking challenges, if parking requirements are reduced more housing can be built but how to get people out of needing a car. Need workable solutions. He questioned how we keep similar neighborhood character but offer more housing opportunities. One opportunity to relax the Special Permit requirements.

T. Linnehan mentioned educated neighbors on developments. Concerns about noise. Always going to have concerns with traffic. People are not going to listen on how to address housing until something shows up in their backyard. The Board looks at making it better project and go by the expertise of the city departments.

G. Frechette asked if the Board would be receptive to report back that to adopt into the by-laws the fair housing training. The Board agreed to do the training annually.

G. Frechette mentioned that that zoning rewrite committee will meeting May 20th.

C. Cheng stated we should keep track of who might not be supportive housing and how to address them better.

V. Further Comments from Planning Board Members

D. Tenczar expressed his frustration with the size of plans that are submitted. T. Linnehan recommended going back to planning staff on what could be done going forward to make it more readable.

VI. Adjournment

T. Linnehan motioned to adjourn. D. Tenczar seconded. The meeting was adjourned at 9:36 PM