

Lowell Zoning Board of Appeals Minutes

5/11/2026 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 McCarthy, Member Briere, Member Procope, Member Hovey, Member Shanahan

Members Absent:

Others Present: Dylan Ricker, Senior Planner

The following represents the actions taken by the Zoning Board of Appeals at the 4/27/2026 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-2026-16

Petition Type: Special Permit

Applicant: Merry Health & Spa

Property Located at: 26 Market Street, Unit B, 01852

Applicable Zoning Bylaws: Article 12.4 (k)

Petition: The Lowell Zoning Board of Appeals will hold a public hearing to hear all interested persons relative to an application by Merry Health & Spa to operate a massage business at 26 Market Street, Unit B. The subject property is located in the Downtown Mixed-Use (DMU) zoning district. The project requires Special Permit approval per Article 12.4 (K) of the Lowell Zoning Ordinance, and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

Ke Ning, Building Owner

K. Ning said the application is for the health spa to get a Special Permit for the massage use. K. Ning said the use was a painters union office which has been vacated. K. Ning said the permit is to convert the office use to a spa use. K. Ning said the primary business will be a nail salon and a health spa. K. Ning said this is a 2nd location, there is a location in Danvers. K. Ning explained the layout of the business, and said the space will be made ADA compliant.

Speaking in Opposition:

None

Speaking in Favor:

None

Discussion:

G. Procope said he does not have an issue with the application, but wanted clarity on the required affiliation with a specific use under Section 7.4. G. Procope asked for confirmation there is an affiliated use. K. Ning confirmed and said that the affiliated use will be the nail salon use in addition to the massage. K. Ning said they will have the required state licenses to practice. G. Procope said that was his only concern.

M. Briere thanked the applicant for their investment in Lowell.

D. McCarthy requested a condition that the floor plan be revised to show the nail care area. K. Ning agreed. D. McCarthy expressed support for the petition.

S. Callahan agreed with the condition for the revised site plan, and recommended the applicant note the nail care use in the signage. S. Callahan asked about the accessible restrooms in the business. K. Ning said there would be 1 bathroom. S. Callahan expressed support. K. Ning said they will confirm with the architect to ensure the bathroom is accessible and meets code requirements.

T. Hovey said he has no questions.

D. Shanahan said he has no questions.

V. Pech said he has no questions. V. Pech expressed support and noted the condition of approval, K. Ning agreed.

Motion:

D. McCarthy motioned to approve with the condition that the applicant provide a revised floor plan showing the nail care area, the motion was seconded by G. Procope. The motion passed unanimously, (5-0).

ZBA-2026-17

Petition Type: Variance

Applicant: 105 Stafford Road, LLC

Property Located at: 7 Circle 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 105 Stafford Road, LLC to construct a single-family home at 7 Circle Road. The property is located 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 (FAR) requirement, and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

David Daly, Applicant

D. Daly said the property was purchased in Fall 2025. D. Daly said the original house was purchased and was on a roughly 25,000 sq ft lot. D. Daly said the existing home was renovated, and said it increased the value of the home and nearby homes. D. Daly said the lot was subdivided and is large enough to be built on. D. Daly said the FAR includes porches, attics, basements, etc and noted that since the ranch has a large footprint the basement puts it over the FAR.

Speaking in Opposition:

Dave Glekas, 19 Cliffside Road

D. Glekas said the person submitting a letter in support is biased. D. Glekas said the home is too large for the lot. D. Glekas said he is not opposed to a home being built, but the proposed home is too big.

Sharon Hardy,

S. Hardy said the home that was renovated was neglected prior to the new ownership. S. Hardy said the proposed home is too large for the lot. S. Hardy said per the Zoning regulations the proposal is significantly over the allowed FAR. S. Hardy expressed concerns about Variances for such large changes. S. Hardy said the ranches in the area are closer to the 2,000 sq ft range. S. Hardy said the area primarily has more modest size homes. S. Hardy said the zoning requirements should be upheld.

Resident, 125 Stafford Road

Resident said the home will be huge and said it is not a ranch because it has a second floor and said it is more of an extended 2 story home. Resident said there is very little road. Resident said she is not opposed to a new home, but homes of a similar scale should be built.

Patti Shepherd, 53 Cliffside Road

P. Shepherd said she researched the FARs in the neighborhood, and said they do not come close to the proposed FAR with the exception of 1 home in the area. P. Shepherd said the home is significantly over the allowed FAR. P. Shepherd said the proposed home is not a ranch, it is a 2-story home. P. Shepherd said the proposed home is too large. P. Shepherd said the application should not be approved because the home does not meet the regulations and said the developer can build a compliant home.

Andre Descoteaux, 110 Stafford Road

A. Descoteaux commended the applicant on the renovation of the existing home. A. Descoteaux expressed concern about the proposed size of the home.

Speaking in Favor:

None

Discussion:

D. Daly noted a past project. D. Daly noted that when he proposed this home it received significant pushback but was ultimately successful. D. Daly said he is working with a prospective buyer, and explained why the home is proposed the way it is.

M. Briere said he has no questions. M. Briere said that it will improve the area.

D. McCarthy noted that if a home was built on a slab then the home would 1500 sq ft less and under the FAR allowed, and the home would appear the same from the street. D. McCarthy said the basement is what is causing the FAR to exceed the 0.35 FAR. D. McCarthy said there are likely other homes in the area with an FAR over 0.35 when the basement is included. D. McCarthy said the home could be built by-right if a slab on grade was used for the construction.

S. Callahan said the lot is oddly shaped and has strange topography, and said he believes a hardship exists as it relates to the topography. S. Callahan said adding a new home to a vacant lot provides a public good. S. Callahan said the home itself would comply with FAR except for the basement.

T. Hovey said the setbacks, height, frontage, and off-street parking are all met. T. Hovey noted the building could be larger if there was no basement. T. Hovey said the home is not oversized and the FAR makes it appear larger than it is. T. Hovey expressed support.

D. Shanahan agreed with D. McCarthy regarding the FAR concerns. D. Shanahan noted it is a single Variance required for the home. D. Shanahan said the request is reasonable and expressed support.

G. Procope noted the applicant is only requesting a Variance for FAR. G. Procope expressed support for the project. G. Procope said it is just the basement that causes the home to exceed the FAR.

V. Pech said the home meets the requirements for a Variance.

D. McCarthy thanked the neighbors for appearing and noted the ongoing zoning audit.

Motion:

D. McCarthy motioned to approve Variance for FAR, the motion was seconded by S. Callahan. The motion passed unanimously, (5-0).

ZBA-2026-18

Petition Type: Variance

Applicant: Geodon Developers, Inc.

Property Located at: 17 Suprenant Street, 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 Geodon Developers, Inc to split the existing lot at 17 Suprenant Street. Lot B1 (the newly created lot) will be the site of a new single-family home. Lot B2 contains an existing single-family home. The property is located in the Traditional Single-Family (TSF) zoning district. Lot B1 requires Variance relief per Section 5.1 for relief from the minimum lot area, minimum lot area pre dwelling unit, and maximum floor area ratio (FAR) requirements, and for any other relief required under the Lowell Zoning Ordinance. Lot B2 requires Variance relief per Section 5.1 for relief from the front garage setback, and maximum FAR requirements, and for any other relief required under the Lowell Zoning Ordinance.

On Behalf:

John Geary, Applicant's Representative

J. Geary explained the proposal to split the existing lot into 2 lots and construct a new single-family home. J. Geary noted there is an existing single-family home on the Suprenant St lot. J. Geary said Lot B1 has the proposed new single-family home, and Lot B2 has the existing home. J. Geary summarized the required relief on each lot. J. Geary said the existing home does not need a Variance for FAR.

J. Geary said the applicant is amenable to planting trees on the lot, and they are amenable to a condition of working with DPD to plant trees on the site.

J. Geary said there was a concern regarding Arnold Ave being unaccepted street. J. Geary said regardless of whether Arnold Ave is accepted, the owner of the lot has the right to pass and repass along the street along with other abutters to Arnold Ave.

Matt Hamor, Applicant's Representative

M. Hamor explained existing and proposed conditions of the site. M. Hamor said the existing deck extension will be removed to meet the 10 ft side setback for the existing home. M. Hamor said the garage is a pre-existing nonconformity and they are seeking a Variance for this. M. Hamor said a 2 inch diameter shade tree is being proposed on Suprenant Street, and noted an additional shade tree could be added to the Suprenant St lot. M. Hamor said the stormwater requirement is met for the development. M. Hamor explained the proposed dwelling, and said a shade tree is proposed on the new lot. M. Hamor said there is a leaning tree that will be removed. M. Hamor said the record plans indicate Arnold Ave is a public way although it may not be publicly accepted by the City. M. Hamor presented the elevations.

J. Geary said the proposal will add to the City's tax base and housing without substantially derogating from the intent of zoning. J. Geary said the lot is unique given that it jogs in to follow the ROW, and without that jog in it may meet the minimum requirements needed to build a home on the new lot.

Speaking in Opposition:

Jill Breen, Windsor Village Condominiums

J. Breen said there is concern about the condition of the road. J. Breen said the condos insurer expressed concern about the street. J. Breen said the City indicated it is a private street. J. Breen expressed concern about who will pay for the street maintenance. J. Breen said the home on Suprenant St is the only home on that street. J. Breen expressed concern about the infrastructure on Arnold Ave. J. Breen expressed concern about density. J. Breen said there has been rodent issues in the area.

Denise Wedge-Johnston,

D. Wedge-Johnston said the road is dangerous and asked where the parking will come out. D. Wedge-Johnston said the lot is too small. D. Wedge-Johnston said the corner is where pipes broke. D. Wedge-Johnston expressed concern about the infrastructure.

Speaking in Favor:

None

Discussion:

J. Geary said the home will not significantly add to the density of the street. J. Geary said it is a 2 car driveway for the home that should not impact safety. J. Geary said the lot abuts the streets and has rights to use the street. J. Geary said the concerns are with the City rather than the specific project.

D. McCarthy said the Engineering Dept did not issue any comments expressing concern regarding utilities. D. McCarthy said there are roughly 16 living units on Arnold Ave and said this only adds 1 additional lot that is at the start of the street. J. Breen said there are 24 homes.

D. McCarthy asked for clarification on FAR. J. Geary said B1 (proposed lot) has a 0.49 FAR, and the existing home meets the FAR requirement. D. McCarthy asked about how the lot is proposed to be subdivided. D. McCarthy said the applicant could adjust the lot lines to meet the FAR requirement, but it would be an odd shaped lot and require removing a garage. D. McCarthy said the relief makes sense. D. McCarthy said the only relief for the new lot is the FAR, and other setbacks are met, and noted the existing lot's relief is only due to the pre-existing lot. D. McCarthy said he does not believe a lot of relief is required for the proposal.

D. McCarthy said the proposal shows 1 tree per lot, and the City is requesting 3-4 trees per lot. D. McCarthy said there can be a condition that the applicant work with DPD on providing trees using the guidelines of 3-4 trees per lot.

S. Callahan said the Board has to review the project before them and as proposed he feels the project meets the requirements for a Variance. S. Callahan summarized the review of Arnold Ave by the Law Department. J. Geary said the applicant is on board with working with the City to accept the street. S. Callahan said the ZBA cannot address what is a City street. S. Callahan said he believes the proposal meets the criteria for a Variance and expressed support.

T. Hovey said the major issue is an infrastructure issue that won't be impacted by the additional home. T. Hovey noted the wastewater comment regarding the sewer connection, J. Geary agreed to the comment. T. Hovey said to a certain extent this is creating a hardship since the lots could be split to meet zoning, but said the plans make sense.

D. Shanahan said the concerns are legitimate, but not materials to the proposed project. D. Shanahan expressed support.

G. Procope said the Board can only vote on the relief requested. G. Procope said the property will be a good addition to the neighborhood, and said the relief requested is minimal. G. Procope expressed support.

M. Briere said he has no questions.

V. Pech summarized the condition of working with DPD to add trees.

Motion:

D. McCarthy motioned with the condition that the applicant work with DPD on a landscaping plan with the guideline of adding 3-4 trees per lot. The motion was seconded by G. Procope. The motion passed unanimously, (5-0).

III. Other Business

Minutes for Approval:

4/27/2026

D. McCarthy motioned to approve, the motion was seconded by S. Callahan. Motion passed unanimously, (5-0).

Adjournment

D. McCarthy motioned to adjourn. G. Procope seconded. The meeting was adjourned at 7:48 PM.