

TRANSCRIPT OF PUBLIC RECORD
ZONING BOARD OF APPEALS MEETING
March 25, 2026

This Regular Meeting of the Zoning Board of Appeals, was held in The Great Hall, 41 Pleasant Street, Methuen MA. The meeting was called to order at: 7:00 PM.

Chairman Matthew D'Agostino asked for a moment of silence in memory for all those who have died for our country, and led the pledge of allegiance.

MEMBERS IN ATTENDANCE:

Mr. Matthew D'Agostino, Chairman
Mr. Nicholas Boucher, Vice Chairman
Mr. Jose Frias, Clerk
Mr. Matteo Zingales, Alternate Member
Mr. Mansour Chaya, Alternate Member
Mr. William Hanefant, Alternate Member

Also, In Attendance:

Joseph Salamone, Building Commissioner
Gene Walsh, Building Inspector
Lori Moriarty HHSI Clerk III
Petitioners and Representatives

MEMBERS ABSENT:

Mr. Vincenzo Pesce, Member
Mr. Philip Cultrera, Member

ROLL OF APPLICANTS:

Maximiliano Rizzo- present
Dana Kilroy- present

ACCEPTANCE OF MINUTES:

1. February 25, 2026

Nicholas Boucher made a motion to accept the minutes of February 25, 2026. Jose Frias seconded.

DISCUSSION: NONE

VOTE: UNANIMOUS

NEW BUSINESS:

Application for Variance:

2026-06 Maximiliano Rizzo

A Variance is required under Section V-D in a RC (Residential C) Zoning District of the City of Methuen Comprehensive Zoning Ordinance, for an addition (10.25' x 25.67') to the left side that will be too close to the side setback (required is 15 ft., request is for 8.9 ft.) at **595 PROSPECT STREET, METHUEN MA 01844 (PARCEL ID: 814-80-5).**

Max Rizzo and his wife Yaritza Rizzo came forward for 595 Prospect Street, seeking a variance for an addition in their home. He cited 2 main reasons, the first being accessibility for their 20-year autistic son and mother in law. This addition would create a bathroom with a walk-in shower on the main level instead of a step-in tub on the 2nd floor. It will also provide greater access to their kitchen as well as a living space on the main floor for Mr. Rizzo's mother in law, who is 80 years old and has mobility issues. The second reason cited is cost. They have budgeted based on the plan the Board has in front of them, and Mr. Rizzo states any other plan would be cost prohibitive. They have a colonial style home, and want to keep the traditional look, as well as, have a flow that makes sense. Currently, there is only a ½ bath only on first floor. Board members inquired about the application, which states the addition is 2 ½ stories. The applicant stated the existing house is 2 ½ stories, not the addition. The addition would be one story only. Chairman Matt D'Agostino stated that they are limited to 35 feet for height. Mr. Rizzo confirmed for the Board that the addition size is 10.25 ft x 25.67 ft.

The Chairman opened Public participation. No one came forward in favor. No one came forward in opposition

The Chairman closed public participation.

Mansour Chaya inquired about abutters notifications. Zoning Board Secretary, Lori Moriarty, confirmed abutters notifications were sent out by the building/zoning office at City Hall.

The Chairman called for a roll call vote of the requested Variance:

ROLL CALL:

Mr. Matteo Zingales:	yes
Mr. Jose Frias:	yes
Mr. Nick Boucher:	yes
Chairman Matthew D'Agostino:	yes
Mr. William Hanefant:	yes

Request for Specific and Material change in previous unfavorable Action:

Dana Kilroy (VP) Center Street

Previous petitions with unfavorable actions within past 2 years: 2025-05 Variance with decision date of 5/5/2025; and 2026-01 Special Permit with decision date of 2/10/2026 (**PARCEL ID: 716-113-4**).

Arthur Broadhurst came forward representing Mr. Kilroy. He stated he was before the Board last month for a Special permit of a contractor yard, which was denied. Attorney Broadhurst further stated that he did not represent the applicant the first time around for a variance, requesting a 3-family residential unit. (a little over a year ago) They are requesting the approval of the Board for a material change to a mixed-use structure. They are proposing a first-floor office and having a single residential unit above.

Mansour Chaya asked the applicant why there are 3 floors and if this is a two-story unit. Attorney Broadhurst stated that on the first floor there would be an office and garage. The 2nd and 3rd floors would be a single residential unit with 4-bedrooms. Attorney Broadhurst further stated that a single-

family home is not allowed in this district. They would need to do a mixed use building to conform to zoning in BH.

The applicant would need to go to Community Development for a public meeting if this gets passed tonight by the Zoning Board. If the Community Development Board agrees during a public hearing that there is a significant and material change, the petitioner would be back before the Zoning Board for any necessary variances.

Nick Boucher asked if the applicant has made any efforts to clean up the site. Attorney Broadhurst stated that they are in the process of securing a lease and close to having another site to move everything to. Attorney Broadhurst also said that he applicant has paid all the fines to the City.

Mansour Chaya stated that he saw on the previous variance petition that parking was an issue before, and he asked if this would still be an issue with the new plan. Mr. Chaya asked how many bedrooms were in the previous plans. Attorney Broadhurst informed the Board that he doesn't have the previous plans, but they would have enough parking for what is on the plan he provided. Arthur Broadhurst said that he would provide a plan for the next petition, if the Board deems a significant and material change.

Nicholas Boucher advised the applicant that it would be helpful to have a stamped plot plan of their proposal. Attorney Broadhurst advised the Board that he was coming here first, so not to spend additional money on a plot plan, to see how the Board felt about the plan.

Jose Frias stated that when he read back on the previous application, he didn't recall it being for a 3 family. He thought the first floor was unfinished with a garage, and the 2nd and 3rd floors each had a residential unit with 3 bedrooms. Attorney Broadhurst stated the he was under the impression it was a 3 family.

William Haneffant stated that according to the new plan, he counts 5 bedrooms.

Arthur Broadhurst apologized for the misinformation, and stated that the plan is preliminary and the number of bedrooms can be reduced.

Mansour Chaya again asked for clarification after looking at the previous meeting minute notes from 2025. He said according to the previous plan, there will be 5 parking spaces with 2 inside the garage and 3 outside. Arthur Broadhurst stated that there will be more than 3 spaces outside, and the building will be smaller than the previous application. A plot plan with that information has not been provided.

Jose Frias mentioned he had concerns about the 3rd floor, and the potential for adding a kitchen for an additional unit. Mr. Frias said that the plan shows access on the outside of the unit from the 2nd and 3rd floors and no internal access. Gene Walsh responded to Mr. Frias stating that once the Board votes, the decision gets recorded at registry of deeds, and any changes would need to come back to ZBA for approval.

Jose Frias stated that he didn't see a substantial change, and there is only 1 less kitchen from the previous petition.

Attorney Broadhurst said that they are looking for feedback from the Board tonight. The plans were already done and they didn't want to spend more money making up a new one. Attorney Broadhurst further stated that he thinks that a single floor residential unit with an office on the main floor, may be their best option moving forward, as a two-story building.

Jose Frias stated that the zoning requirements for BH allow for mixed use, not straight residential. Nick Boucher questioned if they could come back and asked for a single or two family. Mansour Chaya also questioned what is allowed by right or special permit.

Gene Walsh informed the Board that the petitioner has to put a business in this location as a mixed use, since straight residential is not allowed. Mr. Walsh stated that the City rezoned the area in the 2009 as BH to bring more business, not residential, to this area.

Arthur Broadhurst stated that they can reduce size of the unit if the Board would allow that.

Bill Haneffant asked why the kitchen was on the 3rd floor, and Attorney Broadhurst responded that they can change it, and if they eliminated the 3rd floor the kitchen would be on the 2nd floor.

The Chairman opened Public participation. No one came forward in favor. No one came forward in opposition. The Chairman closed public participation.

Attorney Broadhurst stated that if allowed, he will come back with a different plan.

Jose Frias asked the Chairman if they can suggest edits on the plans or if they need to be provided a plan in order to vote on the matter. Jose Frias stated that he would consider a two-story building with an office on the first floor and a residential unit on the 2nd floor a substantial change. Chairman D'Agostino stated that they can't give approvals on promises and suppositions for a substantial and material change and the Board would need a plan to vote on.

Attorney Broadhurst asked the Board for extending a continuance to the next meeting, to come back with another plan.

ROLL CALL:

Mr. Mansour Chaya:	yes
Mr. Jose Frias:	yes
Mr. Nick Boucher:	yes
Chairman Matthew D'Agostino:	yes
Mr. William Haneffant:	yes

ADJOURNMENT:

There being no further business before the Board, Chairman Matt D'Agostino made a motion to adjourn, and Mansour Chaya seconded.

Discussion: None

Vote: Unanimous

Chairman Matthew D'Agostino adjourned the meeting 7:31 PM.

Respectfully Submitted,
Lori Moriarty
City Clerk III HHSI