

TRANSCRIPT OF PUBLIC RECORD
ZONING BOARD OF APPEALS MEETING
July 22, 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: 7:04 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. Mansour Chaya, Alternate Member
Mr. William Hanefant, Alternate Member
Mr. Matteo Zingales, Alternate Member

Also, In Attendance:

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

MEMBERS ABSENT:

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

ROLL OF APPLICANTS:

Rebecca Squires: present
Yoly Meran: present

ACCEPTANCE OF MINUTES:

1. May 28, 2026

Mansour Chaya made a motion to accept the minutes of May 28, 2026. Nicholas Boucher seconded.

DISCUSSION: NONE

VOTE: UNANIMOUS

NEW BUSINESS:

Application for Fence Ordinance Waiver:

2026-10 Rebecca Squires

A Fence Ordinance Waiver is required under Chapter 9 Section 9-89 of the Municipal Code of Methuen (Ordinance Regulating Fences) for a 6 ft. Privacy Fence within a front yard along Cochrane St. at **1 AUTUMN LN, METHUEN, MA 01844 (PARCEL ID: 712-59-39AJ)**

Rebecca Squires came to the podium requesting a waiver for a fence that is 11 feet back from road instead of the 20 ft, which is allowed. She maintained that they had a significant number of trees removed in that location, which impeded visibility on the road. The fence will not impede more than before, and is consistent with other fences in the neighborhood.

Chairman D'Agostino asked if they started the fence already. Ms. Squires stated that they had put up some of the fence and they stopped at the 20 feet mark in order to follow through with the process for the fence waiver.

Mr. Haneffant asked the applicant for confirmation that the two black posts that are in that location (with white tops) is where the fence will be located. Ms. Squire confirmed that was correct.

Chairman D'Agostino opened public participation. No one came forward in favor or opposed. The Chairman closed public participation.

Police department comments were read into the record, by Jose Frias.

"The placement of the last fence panels will not negatively affect the line of sight for traffic on Cochrane Street".
Hatem. 7/06/26

-Officer

There were no additional comments or questions from the Board.

ROLL CALL VOTE:

Matthew D'Agostino: yes

Nicholas Boucher: yes

Jose Frias: yes

William Haneffant: yes

Matteo Zingales: yes

Application for Variance:

2026-11

Yoly Meran

A Variance is required under Section VI-D for a 16' x 16' 2-story addition (already under construction without permits), that is too close to the side setback (required is 15 feet, request is for 5.02 feet) and rear setback (required is 20 feet, request is for 5.28 feet) in a CBD (Central Business District) Zone at **1 RIVER PLACE, METHUEN MA 01844 (PARCEL ID: 614-119-24)**.

Attorney Arthur Broadhurst, with offices at 45 Osgood Street in Methuen, came forward representing the petitioner Yoly Meran. They are seeking variances for setbacks in rear and side yards, for an addition that was constructed without permits. Attorney Broadhurst has a picture of the current site condition, which he provided to Board Members. (picture added to record)

Attorney Broadhurst stated that this particular house was built prior to current zoning and is set far back from the street. The rear of the house is only 5 feet off the property line and it is a very narrow lot. There was an existing deck off to the right, which was removed to put on the addition. His clients built an addition to add a room for the first floor and second floor, and each unit currently has about 580-600 square feet of space. They were trying to add another room on each floor to get up to 800 sq. ft for each unit, to give more space for the people living there. The building will remain a 2-family residence. They have done improvements to the property and can fit about 6-7 cars off-street. There will not be any additional people moving in, or additional units added. Attorney Broadhurst acknowledged that his client did not follow proper protocol by way of

obtaining a permit from the building permit. He further stated that they have no excuse except lack of knowledge. The property owner has invested over 150 thousand for this addition, and are sorry for not going through the proper process, admitting they made a mistake.

The applicant has reached out to building dept. and provided stamped plans of the work which was done. They know that walls may need to be taken down if the variance is allowed, in order to work with the building department to ensure all work is up to code.

Attorney Broadhurst stated that one of the neighbors was concerned about adding another unit, which is not the case. It will remain a 2 family. The addition does not encroach any further than the open deck that was already in that location. His client went up, to a 2nd floor with the addition, but didn't encroach further into the setbacks. He further stated that they have been cleaning up the yard, and are open to making things right by satisfying the Board with any concerns.

Matthew D'Agostino asked for confirmation that the structure was a 2-family residence. Attorney Broadhurst stated it is, and it is extremely small. The structure is set back far from the front property line. The 2-family residence is a Pre-existing non-conforming use.

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

A correspondence from an abutter dated May 5th, 2026 was read into the Record by Chairman D'Agostino.

My name is Richard Rothwell. I reside at 7 River Place, Methuen. (28 years)

I am emailing you regarding the letter I received in the mail, Board of Appeals Notice #2026-09 Juan T. Hernandez for Yoly Meran, public hearing scheduled for May 20, 2026 @ 7:00 P.M. in The Great Hall.

The letter asks to email questions/comments to you.

Below, please see my list of concerns regarding the addition at 1/3 River Place.

1. 1/3 River place was sold in 2025 stating 2 car parking. My concern here is: what is this addition for? What is the proposed occupancy for this two-family home now going to be?
2. River Place is a dead end. In the summer and especially during the winter months, parking can be challenging. How many vehicles will be allowed to be housed at 1/3 River Place? This past winter, a vehicle was towed from in front of the property during the snow parking ban.
3. Will this addition include properly paved parking for more than 2 vehicles?
4. Does the current condition of the addition (already under construction without permits) meet the appropriate building specifications? IE: foundation, walls, roof etc.
5. Does new drainage need to be looked at to accommodate the natural flow of water from the abutting woods area?

I will be attending the May 20th meeting. Hopefully, the concerns above will be reviewed before the meeting with a clear direction in which the city plans on proceeding with this.

Thank you,

Richard Rothwell

Responses to Mr. Rothwell's letter from Gene Walsh, former City of Methuen Building Inspector and Acting Commissioner, was read into record.

Hello Mr. Rothwell,

I am Gene Walsh, City of Methuen Building Inspector: 978-983-8631. I will answer your questions as best I can.

- 1) The request is for additional Bedroom for the 2nd floor apartment. The 2-family existing Occupancy will remain as is, no change.
- 2) The City of Methuen Comprehensive Zoning Ordinance, does not have a specific number of legally registered motor vehicles per residence however, they would need to be parked on the premises.
- 3) I would say minimum parking off street for 4 vehicles (2 each apartment) should be fair.
- 4) If the current under construction addition without permits is approved by the Zoning Board, we will then require all needed permits be applied for, reviewed, approved by and issued through the Inspectional Services Department. Inspections will then be performed and any necessary corrections to be Mass State code compliant, will be made by contractors.
- 5) The Storm Water Regulations for the State of MA. Have been revised as of July 2025 and are being enforced by all City Departments.

Your E-Mailed letter will be printed, read during the meeting and attached to the minutes of the meeting. I am available should you have other concerns.....Gene

Matthew D'Agostino re-opened public participation.

Richard Rothwell, 7 River Place, was invited to speak about any outstanding concerns. He was in the room, but couldn't hear well when public participation was opened earlier. Mr. Rothwell stated that the owner of property has made great strides in accomplishing his biggest fears with parking. He stated that he is happy with the parking situation, and that there has been no parking on the street. He stated he has no issues with the addition, as long as parking remains on premise. Mr. Rothwell stated he is indifferent to the Board's vote on this petition.

Chairman D'Agostino closed public participation.

The Chairman entertained questions by the Board, for the applicant.

Mansour Chaya asked Attorney Broadhurst what the setback was of the deck, prior to the enclosure. Attorney Broadhurst stated that it was the same, 5 feet, and the footprint did not change.

Nick Boucher asked what the addition was for the 2nd floor. Attorney Broadhurst responded that the intention was to have the additional 2nd floor space as a bedroom and first floor space as a living room. Attorney Broadhurst confirmed that the bedrooms are currently the same size on each floor.

Jose Frias asked if the original plan was to make this into an ADU. Attorney Broadhurst stated that it was not the plan, it would be too small. He further stated that the lot is too narrow and the space in general is too small. The plan was to provide a bit of additional space to each unit. The picture he provided shows the narrowness of the lot and 2 story addition, as well as how they made improvements to the lot to make parking off street. The picture was current, taken that day.

Jose Frias stated that he has a hard time approving petitions when the correct permits have not been obtained, and that it sends a message to the public. Mr. Frias also acknowledged that the variances are a big deviation

from what the ordinance allows. Mr. Frias stated he is basing his decision off the fact that the abutter is not opposed and that there was an effort on the petitioner's behalf to resolve parking issues.

Nicholas Boucher stated that since the structure is already built, it makes this a tough vote. He stated under similar situations the Board has denied the variance and he is voting based on consistency.

Chairman Matthew D'Agostino stated that the derogation from the zoning ordinance is greater than what they would normally approve, and this is the main reason for his vote. He further stated that they could possibly provide some relief if the setbacks were not that great of a deviation from the zoning ordinance. The Chairman also stated that he has issue with structure being built without permits. He does not want to send a precedent of approving this significant derogation, based on the fact that the structure was built without the benefit of a permit.

ROLL CALL VOTE:

Matthew D'Agostino: No

Nicholas Boucher: No

Jose Frias: yes

Mansour Chaya: yes

William Haneffant: yes

The petition is denied.

ADJOURNMENT:

There being no further business before the Board, Nicholas Boucher made a motion to adjourn, and Jose Frias seconded.

Discussion: None

Vote: Unanimous

Chairman Matthew D'Agostino adjourned the meeting at 7:34 PM.

Respectfully Submitted,
Lori Moriarty
City Clerk III HHSI