

Lowell Zoning Board of Appeals Minutes

April 10, 2023 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: Vice Chair Callahan, Member McCarthy, Member Briere, Member Procope, Member Hovey

Members Absent: Chairman Pech, Member McCarthy

Others Present: Dylan Ricker, Associate Planner

The following represents the actions taken by the Zoning Board of Appeals at the 4/10/2023 meeting. This meeting was held in the City Council chambers. Attendees had the ability to participate via Zoom as permitted by Chapter 107 of the Acts of 2022, signed into law on July 16, 2022.

Vice Chair Callahan called the meeting to order at 6:30 PM

I. Continued Business

II. New Business

ZBA-2023-7

Petition Type: **Variances**

Applicant: **Mary Burns**

Property Located at: **209 Gibson Street, 01851**

Applicable Zoning Bylaws: **Section 5.1**

Petition: **Mary Burns has applied to the Zoning Board of Appeals to construct a single-family home at 209 Gibson Street. The subject property is located in the Traditional Single-Family (TSF) zoning district. The project requires Variance approval pursuant Section 5.1 for relief from the minimum lot area, minimum lot area per dwelling unit, minimum frontage, minimum side yard setback, maximum front yard setback, and maximum floor area ratio (FAR) requirements, and any other relief required under the Lowell Zoning Ordinance.**

On Behalf:

John Geary, Applicant's Representative

J. Geary said the applicant would like to request a continuance to the next ZBA meeting when the full board is in attendance.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

S. Callahan said the item can be continued. T. Hovey expressed concern about continuing the petition and not allowing members of the public in attendance to speak.

T. Hovey asked why there was a delay in providing the site plan. J. Geary said the applicant brought on a new engineer and it took extra time to complete the site plan.

Motion:

G. Procope motioned, and M. Briere seconded the motion to continue the petition to the April 24th Zoning Board meeting. The motion passed unanimously, (4-0).

ZBA-2023-9

Petition Type: **Special Permit**

Applicant: **RCG 45 Merrimack OZ Business, LLC**

Property Located at: **31-55 Merrimack Street, 01852**

Applicable Zoning Bylaws: **Article 12.1**

Petition: **RCG Merrimack OZ Business, LLC has applied to the Zoning Board of Appeals to convert the upper floors of the existing building at 31-55 Merrimack Street into 50 residential units. The subject property is located in the Downtown Mixed-Use (DMU) zoning district. The project requires Special Permit approval from the Zoning Board of Appeals per Article 12.1 to create 10 or more residential units, and any other relief required under the Lowell Zoning Ordinance.**

On Behalf:

Kevin Broderick, Applicant's Representative

K. Broderick said the proposal has received Historic Board approval and they have been working with the City on the plans. K. Broderick explained the proposed work to convert the Hildreth Building into 50 market rate apartments with 20,000 square feet of retail and commercial space on the first floor. K. Broderick said the proposal is consistent with other downtown buildings and will have a positive impact on the downtown Lowell while addressing key goals of the Lowell Rapid Recovery Plan by increasing foot traffic downtown.

David Steinbergh, Applicant

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

T. Hovey asked if the applicant has reviewed engineering comments. D. Steinbergh said they are working with the Engineering Department to address all of their comments.

M. Briere expressed support for the project and said it would be a valued asset to downtown Lowell. M. Briere noted staff support for the proposal.

G. Procope agreed with fellow Board members and said the proposal is a nice historic redevelopment. G. Procope said the development will have a positive impact on downtown. G. Procope asked to confirm the applicant would address all engineering comments. D. Steinbergh confirmed.

S. Callahan expressed support for the proposal and said that it would help revitalize downtown and provide much needed housing and commercial space. S. Callahan asked if there would be on-site management. D. Steinbergh confirmed this and said there will be an on-site office facing Page Street in the rear as well as a back entrance.

Motion:

G. Procope motioned, and M. Briere seconded the motion to approve the Special Permit. The motion passed unanimously, (4-0).

ZBA-2023-10

Petition Type: **Variance**

Applicant: **Kimchou Ly**

Property Located at: **59 Boston Road, 01852**

Applicable Zoning Bylaws: **Section 5.1**

Petition: **Kimchou Ly has applied to the Zoning Board of Appeals seeking Variance approval to construct an addition to an existing single-family home at 59 Boston Road. The property is located in the Traditional Single-Family (TSF) zoning district. The project requires Variance approval under Section 5.1 to exceed the maximum floor area ratio (FAR), minimum side yard setback, and any other relief required under the Lowell Zoning Ordinance.**

On Behalf:

Brandon Henriquez, Applicant's Representative

B. Henriquez explained the proposal to attach the garage to the home and grant access to the patio more easily. B. Henriquez said there would be a foundation and 2 doors and meet all building code requirements.

Speaking in Favor:

None

Speaking in Opposition:

None

Discussion:

G. Procope said the relief requested is minimal and he is supportive of the petition.

T. Hovey said he had no questions.

M. Briere said the relief is minimal and he is in favor.

Motion:

G. Procope motioned, and T. Hovey seconded the motion to approve the Variances. The motion passed unanimously, (4-0).

III. Other Business

Minutes for Approval:

G. Procope motioned, and T. Hovey seconded the motion to approve the March 27th meeting minutes. The motion passed unanimously, (4-0).

G. Procope motioned and T. Hovey seconded the motion to adjourn the meeting at 6:57pm.