



CITY OF HAVERHILL

CITY CLERK

4 SUMMER STREET, ROOM 118
HAVERHILL, MASSACHUSETTS 01830

(978) 374-2312
PHONE

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HAVERHILL CITY CLERK

Special Permit #CCSP-25-9

Proposed Use: Request to rent a portion of the building to a gym

Applicant: Garden Primrose, LLC/Guylaine Beaulieu

Property Owner: Same as applicant

Location: 261 Primrose Street (Map 604, Block 474, Lot 2)

Zoning District(s): CN Zoning District

Relief Sought: Special Permit under Zoning Ordinance Section 255-10.4.2

Hearing Date(s): October 21, 2025

Members Present: Sullivan (President), Jordan (Vice President), Councilors Basiliere, Hobbs-Everett, Michitson, McGonagle, LePage, Rogers, Lewandowski, Ferreira and Toohey.

Vote: The Council voted 11-0 to approve the Special Permit

Materials submitted: (Copies of materials are available on the city's website. Video of City Council proceedings available on HC Media website)

- Written Summary of Project, (not dated)
- City Department reviews including: Conservation, Fire 2 Department, Health Department, Police Department, Stormwater Department, Building Department
- Abutters Mailing List
- Legal Ad-Public Hearing Notice, dated July 31, 2025

REQUEST: Garden Primrose, LLC, owns a 9600 s/f building. Currently Advantage Fireplace Inc. rents all of the space. 3000 s/f has become available to rent to another company. The particular type of company which the applicant proposes to rent to is a gym. A gym was believed by the Building Commissioner to be disallowed under the circumstances of this case due to a scrivener's error in the City's Zoning Ordinance. Accordingly, the Building Commissioner instructed the Applicant to request a special permit from the City Council.

SPECIAL PERMIT CRITERIA:

Under Zoning Ordinance Section 10.4.2, "[i]n addition to any specific factors that may be set forth in th[e] [zoning] chapter, such determination shall include consideration of each of the following:

1. Community needs served by the proposal;
2. Traffic and pedestrian flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impacts on the natural environment; and
6. Potential fiscal impact, including impact on City services, tax base, and employment.”

FINDINGS

The individual findings of Councilors are included in the Council’s Administrative Record and are also reflected in the minutes. The Findings of the Council, as a whole, are stated herein.

General Findings

The applicant’s plans were circulated to the various City Departments enumerated above and are thus deemed to comply with the submittal requirements of Zoning Ordinance Section 10.4.2. The Councilors found that the project meets the requirements of the local ordinance, as is specified in greater detail below.

Specific Findings Under Zoning Ordinance Section 10.4.2

- **Community needs served by the proposal:** The proposed gym will offer fitness, wellness, and health services to local residents, promoting a healthy lifestyle. It addresses increasing demand for indoor physical activity spaces.
- **Traffic and pedestrian flow and safety, including parking and loading:** The proposed gym is not expected to generate excessive vehicular traffic beyond the capacity of adjacent streets. Peak usage hours are typically early morning and evening. The gym will be located in an existing building with established sidewalks.
- **Adequacy of utilities and other public services:** The proposed gym will occupy an existing building that is already connected to all necessary public utilities, including water, sewer, electricity.
- **Neighborhood character and social structures:** the proposed gym is consistent with the existing environment and surrounding land uses.
- **Impacts on the natural environment:** The proposed gym will reuse an existing building minimizing land disturbance and avoiding new construction.
- **Potential fiscal impact, including impact on City services, tax base, and employment:** The proposed gym will occupy a previously vacant commercial space. The gym is expected to create jobs for local residents.

Specific Findings Under Zoning Ordinance Section 6.3.3

Lighting: The proposed lighting for this project will comply with the city standard 6.3.3(1): The existing lot lighting will remain largely unchanged.

Noise: The project will comply with city standard 6.3.3(2) as it pertains to noise.

Landscaping: 6.3.3(3): The lot is located in the city's urban center and has minimal lot space for landscaping. The limited landscaping will be consistent with neighboring properties.

Stormwater Management: The proposed development will comply with the city standard 6.3.3(4).

Site Development Standards: The proposed development plan complies with all site development standards outlined in section 6.3.3(5). The building is existing.

Pedestrian and Vehicular Access/Traffic Management: Careful attention has been given to traffic flow and pedestrian safety in this development plan ensuring adherence to section 6.3.3(6).

Aesthetics: The proposed design of the buildings complies with the neighborhood compatibility requirement outlined in Section 6.3.3(7).

Utilities/Security/Emergency Systems: The existing building is already connected to domestic water, fire, and city sanitary systems, so no major utility extensions are required for this project. Sewer, fire and sanitary connections have been established for the new building, all of which will be detailed on plans and will be further coordinated with the city's development team. The proposed development fully complies with Section 6.3.3(8) concerning utilities, security and emergency systems ensuring all new connections meet city standards without the need for these approvals. The city's development team has raised no concerns about utility availability at this time, and the parcel's central location within the city provides ample utility access. This favorable positioning allows for seamless integration of the expansion into existing infrastructure, minimizing disruptions and ensuring efficient service delivery.

Other general Standards: The proposed development will cause no substantive change in the current parcel's compliance with section 6.3.3(9).

DECISION

On October 21, 2025, the Haverhill City Council roll call voted 11-0 (Council consists of 11 members) to approve a Special Permit to rent a portion of the building to a gym as presented. Councilors in favor were Sullivan (President), Jordan (Vice President), Basiliere, Hobbs-Everett, Michitson, McGonagle, LePage, Lewandowski, Ferreira, Toohey and Rogers. Councilors opposed were: None. The approval is subject to the following conditions:

General Conditions:

1. No physical changes shall be made to the property or building without seeking required approvals under federal, state, and local law, regulation, and ordinance. The approval granted hereunder is for use as a gym and does not authorize any other uses.
2. In accordance with Section 10.4.6 (Special Permit) of the Haverhill Zoning Ordinance, Special Permit Approval shall lapse after two (2) years from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Approval may, for good cause, be extended in writing by the Council upon written request from the Applicant.
3. Any appeal of this decision of the Board shall be made in accordance with M.G.L. Ch. 40A, Section 17, to a court of competent jurisdiction.
4. This Approval shall not be effective until it is recorded at the Southern Essex District Registry of Deeds with evidence of such recording to be provided to the Council and Inspectional Services Department.



Thomas J. Sullivan, President
Haverhill City Council

11/25/25

Date

Failure to comply with the special permit conditions, or failure to otherwise remain in compliance with future requirements applicable to this permit are subject to penalties under Section 10.1.8 of the Haverhill Zoning Ordinance.¹ In addition, said failure shall be cause to recall the special permit and require a new public hearing which may result in the imposition of additional conditions or the rescission of this special permit.

I hereby certify that no appeal has been filed on this
Decision within the required 20-day appeal period.

City Clerk

¹ Haverhill Zoning Ordinance Section 10.1.8 provides: "Any owner or person who violates or refuses to comply with any of the provisions of this chapter may, upon conviction, be fined a sum of up to \$300 per day, for each offense. Each day, or portion of a day, that any violation is allowed to continue shall constitute a separate offense."

**APPLICATION FOR SPECIAL PERMIT
DOCUMENT 92, CCSP-25-9
FOR APPLICANT Guylaine Beaulieu
261 Primrose Street
October 21, 2025**

**DOC. 92 – SUMMARY MINUTES OF SPECIAL PERMIT IN PERSON AND HYBRID HEARING HELD ON OCTOBER 21, 2025, FOR PETITION FROM GUYLAINE BEAULIEAU FOR GARDEN PRIMROSE LLC APPLICANT – 261 PRIMROSE STREET FOR SPECIAL PERMIT CCSP-25-9 REQUESTING TO RENT HER 9,600 S/F BUILDING TO A GYM–
MAP 604, BLOCK 474, LOT 2**

SUBJECT: DOCUMENT 92 ; CCSP-25-9: Petition from Guylaine Beaulieu applicant for property located at 261 Primrose Street

Present: President Thomas Sullivan, Councilors Timothy Jordan, Ralph Basiliere, Devan Ferreira, Melissa Lewandowski Catherine Rogers, Michael McGonagle John Michitson, Katrina Hobbs Everett, Colin LePage and Shaun Toohey

Remote: None

Members Absent: None

City Clerk Wright: CCSP 25-9; Guylaine Beaulieu, for Garden Primrose, LLC requests to rent her 9,600 sq ft building at 261 Primrose st to a gym. She is requesting to allow gyms and other athletic/entertainment type companies be allowed in the space, which is not included in the current zoning **Doc. 92**

President Sullivan opened the hearing.

Guylaine Beaulieu addressed the council. My business is across from Joseph's Pasta next door to Otto's Pizza. I moved my business there 23 years ago from North Andover. At that time I rented portions out to a Limo Company. I now want to rent out about 3,000 s/f to a gym, but they have since moved on because it took four months to get this on the agenda. The bigger issue is that I somehow lost usage of my building because of rewriting of a code. In speaking with Tom Bridgewater he thinks it was an oversight, and the code was rewritten to eliminate some uses but not on purpose. He said the previous zoning code allowed gyms by right and many other businesses. I am asking for the gym and other entertainment and also asking in broader terms to be put back to how it was.

President Sullivan stated you are correct that what you are asking for tonight is for a gym. If you are looking for a wider range of usage that would require us to make zoning changes. Just to be

clear the only thing we are here for tonight is to allow you to use the 3,000 s/f for the gym. You would like to move forward with that?

Guyline Beaulieu stated sure.

President Sullivan asked if anyone would like to speak in favor? No one spoke.

President Sullivan asked if anyone would like to speak in opposition. No one spoke.

President Sullivan closed the hearing.

Motion by Councilor McGonagle for passage, Second by Councilor Toohey

Councilor Hobbs Everett stated did this impact your current business.

Guyline Beaulieu stated no.

MOTION BY COUNCILOR MCGONAGLE FOR PASSAGE, SECOND BY COUNCILOR TOOHEY

City Clerk Wright: Vice President Jordan – yes, Councilor Basiliere-yes, Councilor Hobbs Everett-yes, Councilor Michitson-yes, Councilor Ferreira-yes, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage – yes Councilor Rogers-yes, President Sullivan-yes.

YEAS 11, NAYS 0, ABSENT 0

PRESIDENT SULLIVAN STATED THAT PASSES.

Respectfully submitted,

Date: 11/26/25

Lori A. Robertson

Lori A. Robertson
Administrative Assistant