



CITY OF HAVERHILL

CITY CLERK

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HAVERHILL, MASSACHUSETTS 01830

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Special Permit #CCSP-25-8

Proposed Use: Requests to raze existing non-conforming auto repair, machine shop, and Contractor's yard on the property and replace with a residential condominium which will consist of four (4) townhouses within one (1) building

Applicant: Richard Early, Jr. of Early Contractors, Inc.

Property Owner: Early Contractors Inc.

Location: 47 Railroad Street (701-631-1) (the "Property")

Zoning District(s): RH Zoning District.

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

Hearing Date(s): October 28, 2025

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

Member Absent: Jordan (Vice President)

Vote: The Council voted 10-0 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)

- One-page Site Plan prepared by RAM Engineering, dated November 14, 2024
- Property owner permission, dated January 17, 2025
- Two-page floor plans and elevation drawings showing a proposed four (4)-unit townhouse residential structure, prepared by RCHitexture Residential Design, dated April 16, 2025
- Zoning Analysis (not dated)
- Addendum to application (not dated)
- Abutters mailing list
- Legal Ad-Public Hearing Notice, dated September 8, 2025
- Planning Director, William Pillsbury memorandum, dated October 28, 2025
- Department Reviews, Conservation, Engineering, Fire Dept 2, Health, Police, School, Stormwater, and Building Inspector

REQUEST:

Early Contractors, Inc. (the "Applicant") has petitioned the City Council for a special permit necessary to allow Applicant's proposed razing of a nonconforming auto repair and machine shop on the Property and replacement of the same with a residential townhouse structure that will consist

of four (4) 1,800 square foot, three (3)-bedroom residential condominium units, each having two (2) garaged parking spaces and an additional two (2) parking spaces in front of the garages (the "Project").

Importantly, the Zoning Board of Appeals has recently approved the necessary variances for the Project by decision dated April 16, 2025, and recorded with the Essex South District Registry of Deeds at Book 42733, Page 511.

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 community's acknowledged need for an increased and more diverse housing supply will be served by the replacement of a non-conforming auto repair machine shop with four units of condominium housing. The Project presents a home ownership opportunity for eventual purchasers and an improvement (aesthetic and otherwise) to owners and occupants of nearby residential properties.
- **Traffic and pedestrian flow and safety, including parking and loading:** Traffic and safety flow will not be adversely impacted by the Project, particularly where the Project calls for double the required amount of parking (i.e., 16 spaces).
- **Adequacy of utilities and other public services:** There are adequate utilities and other public services to support the project.

- **Neighborhood character and social structures:** The neighborhood character and social structures are that of a residential neighborhood located in the High Density Residential Zoning District. As such, replacement of a non-conforming auto repair and machine shop with four units of condominium housing will be consistent with the neighborhood character and social structures, as evidenced by the owner of nearby 4 South Grove Street speaking in favor of the Project and no residents speaking in opposition.

- **Impacts on the natural environment:** The proposed project will improve the property without negatively impacting the natural environment.

- **Potential fiscal impact, including impact on City services, tax base, and employment:** The proposed project will have a beneficial fiscal impact for the City, increasing its tax base, as well as homeownership opportunities for individuals employed or seeking employment within the city.

DECISION

On October 28, 2025, the Haverhill City Council roll call voted 10-0 (Council consists of 11 members) to approve a Special Permit to raze existing non-conforming auto repair, machine shop, and Contractor's yard on the property and replace with a residential condominium which will consist of four (4) townhouse units within one building. Councilors in favor were Sullivan (President), Basiliere, Hobbs-Everett, Michitson, McGonagle, Lewandowski, Ferreira, LePage, Toohey and Rogers. Councilors opposed were: None. Councilor absent: Jordan. The approval is subject to the following conditions:

General Conditions:

1. The Project shall be constructed in strict conformance with revised plans and the application materials presented during the Council's Hearing, such revised plans to be approved by Inspectional Services, Development Review, and any other City Department with jurisdiction or oversight authority in the ordinary course.
2. No work on the Project, as approved hereunder, may commence until it has received Site Plan and Development Review and approval. Any and all construction of the Project shall adhere to the City's rules and requirements, including any inspectional or code requirements.
3. The project must adhere to all department comments.
4. In the event that the Council or the City is compelled to utilize any peer review in the planning, construction or maintenance of this Project, the Applicant shall bear the expense of such peer review in accordance with G.L. c. 44, §53G.
5. 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.

6. 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.
7. 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

11/18/25

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."

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HAVERHILL, MASSACHUSETTS 01830-5843

APPLICATION FOR SPECIAL PERMIT
DOCUMENT 96, CCSP-25-8
FOR APPLICANT Attorney Gordon Glass for Richard
Early, Jr. of Early Contractors, Inc.
47 Railroad Street
October 28, 2025

**DOC. 96 – SUMMARY MINUTES OF SPECIAL PERMIT IN PERSON AND HYBRID
HEARING HELD ON October 28, 2025, FOR PETITION FROM ATTORNEY GORDON GLASS
FOR RICHARD EARLY, JR. OF EARLY CONTRACTORS, INC. APPLICANT – 47
RAILROAD STREET FOR SPECIAL PERMIT CCSP-25-8 REQUESTING TO RAZE AN
EXISTING NON-CONFORMING AUTO REPAIR, MACHINE SHOP, AND CONTRACTOR’S
YARD AND REPLACE WITH A RESIDENTIAL CONDOMINIUM, WHICH WILL CONSIST
OF FOUR TOWNHOUSES WITHIN ONE BUILDING
MAP 701, BLOCK 631 , Lot 1**

SUBJECT: DOCUMENT 96 ; CCSP-25-8: Petition from Attorney Gordon Glass for Richard Early, Jr., of Early Contractors, Inc. applicant for property located at 47 Railroad Street

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

Remote: None

Members Absent: Councilor Timothy Jordan

City Clerk Wright: Document 96 - CCSP 25-8; Attorney Gordon Glass for Richard Early, Jr., of Early Contractors, Inc. requests to raze an existing non-conforming auto repair, machine shop, and contractor’s yard and replace with a residential condominium which will consist of four townhouses within one building at 47 Railroad Street

President Sullivan opened the hearing.

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Attorney Donald Borenstein of 12 Chestnut Street, Andover, MA addressed the council. The property is located at the corner of Railroad St., South Charles Street not far from Merrimack River. The site plan in front of you has a 249 frontage has a little over 12,600 feet of lot area. The property as it exists today is a truck garage and a machine shop and a fenced paved contractors yard. That machine shop, truck garage and the fenced and paved contractor takes up the entire 12,000 ft. or most of it. The existing building dates back to around 1900. If you haven't seen it, I do have some photos that I've put into the portal. That building is in substantial disrepair. It's also built almost on top of the property line on the east side of the property. It is right up against one of our residential neighbor's property. The property is surrounded by residential homes. On that side of Railroad Street are three immediate neighbors and are all residential homes. Across the street on Railroad Street is actually now under construction nautical landing project so that's a 48-unit condominium project directly across the street from us. This is formally a warehouse. The warehouse is now down in that project is going so we have condominium across the street from us. We have residential neighbors around us. We have a worn out building that is being generous on that site. There is a 6' tall chain link fence all around the edges and pavement inside of that. We're also approximately 200 yards east of the Crescent Yacht Club and the city park playground. What we're proposing is a four-unit townhouse. These would be for sale units. You can see some of the architectural in front of you have packages on the portal. These would be four units in an attached building. They would be three-bedroom units approximately 1800 sq. ft. They would have a two-stall garage underneath. They would have an entryway and a two-stall garage underneath. They would also have an additional two parking spaces per unit in front of the garage. Each unit would have four off street parking spaces which is twice the city's requirement, which is eight spaces for these four units. We think this project will be a substantial improvement and a benefit to the neighborhood and also a benefit to the city tax rolls. We are requesting a special permit for a multifamily dwelling under the zoning ordinance. Of note we have a supporting memorandum from I'm sad to say the former Planning Director, William Pillsbury. He has wrote us a very complementary memorandum that should be in your package. Of note this project provided we have your vote tonight will still require site plan review through city staff. There is still a very detailed site plan review before we receive a building permit.

President Sullivan stated could you just correct the number of spaces. Our material says they're actually 16 total spaces.

Attorney Borenstein stated yes 16 total spaces.

President Sullivan stated you had said eight.

Attorney Borenstein stated the city requirement is eight. So, we have eight garage spaces and eight driveway spaces.

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President Sullivan asked if anyone would like to speak in favor.

James Allen, 33 Stanley Drive, addressed the council. He noted he owns property at 4 South Grove Street. I think by doing what they are doing it would be a 100% improvement to the neighborhood. I would love to see it happen just because of the blight that is there now. With what is coming along I am sure they would be pretty happy too.

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

President Sullivan closed the hearing.

President Sullivan stated Councilors what are your wishes? Do we have a motion to approve.

MOTION BY COUNCILOR MCGONAGLE TO MOVE FOR PASSAGE, SECOND BY COUNCILOR TOOHEY

President Sullivan stated is that approval with the recommendations and conditions of all the departments?

Councilor McGonagle stated yes, sir.

Councilor McGonagle stated thank you Mr. Early, thank you for the presentation. I think this is going to be a wonderful addition to that area. The removal of blight will be appreciated by the neighbors. Years ago, I used to through a non-profit, rent a warehouse from Mr. Allen and that whole area has been cleaned up a lot. This will be another piece that will make this area look fantastic. We need the housing, and I intend to support it.

Councilor Toohey stated this checks all the boxes. I agree with my colleague, Councilor McGonagle the parking, we talk to the Mayor and I many times in this chamber about what has been approved of in the last several years and what is missing is homeownership. Here is a project that is going to improve that area dramatically. The other is the positive fiscal impact on the city and most important taking a non-conforming site machine shop if you will and turning it into four based on the drawings pretty attractive building, four-unit condo. I wholeheartedly support this project.

Councilor Michitson stated what is the price range that you are looking for these units and will there be any component to help those homebuyers.

Attorney Borenstein stated are you looking to buy?

Councilor Michitson stated well you never know. I will call the wife later.

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Attorney Borenstein stated it's going to be quite nice. We don't have a set price range for the units at this point. We do still have to go through site plan review. I would expect these to be middle of the market units. They are 1,800 square feet. They are not extravagant in size. They are going to be efficient living. As you can see from the design plans, a very quality product. They are nicely located down the street from the park and across the river so I would highly encourage you and your wife to consider it.

Councilor Michitson stated I will do just that. Thank you very much.

Councilor Rogers stated I will be brief. I agree with what the councilors have said. I do appreciate the two-car garage. I love the idea of four cars. That is a narrow street to have as many cars as possible off the street, which is wonderful. I appreciate that you added the extra parking.

Councilor Hobbs Everett stated I really like this project. I just want to say thank you for considering this type of housing. I think this is what we need. I like that it is not one bedrooms and studios.

Councilor Ferreira asked a question that I am going to start asking everybody should we expect to see something very similar to what you are giving us on the drawings of a proposed building by the time it is constructed. Are we expected to see a major structural or architectural change once we go under construction.

Attorney Borenstein stated no I wouldn't expect so. There may be some modifications based on site plans because those will be detailed construction drawings but the scope and scale and type of building that you now is what we would be permitted for.

Councilor Ferreira stated great thank you very much. I think this is smart in-fill housing that we need, and I hear all the time that we need more than one and two bedrooms, I like that aspect of it as well. My other question are there sidewalks on this corner lot.

Attorney Borenstein stated there are no sidewalks on this stretch of street.

President Sullivan stated I don't see any other lights on. I will echo what my other councilors have said. We are looking for home ownership opportunities. This housing fits in this area. It has parking, green space, which is nice, and it is what we are looking for in the future. You will have my support as well. We had a motion and a second, Councilor McGonagle and Toohey.

MOTION BY COUNCILOR MCGONAGLE TO MOVE FOR PASSAGE, SECOND BY COUNCILOR TOOHEY

President Sullivan stated is that approval with the recommendations and conditions of all the departments?

Councilor McGonagle stated yes, sir.

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City Clerk Wright: 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.

PASSED

YEAS 10, NAYS 0, ABSENT 1 (JORDAN)

President Sullivan stated that passes.

Respectfully submitted,
Lori A. Robertson
Lori A. Robertson
Administrative Assistant

Date: *11/18/25*