

RECEIVED  
CITY CLERK'S OFFICE  
METHUEN, MA  
2025 JUL 30 AM 11:52

CITY OF METHUEN  
COMMUNITY DEVELOPMENT BOARD

**NOTICE OF DECISION- SPECIAL PERMIT APPROVAL**  
**Section XI-D (20) Historic Preservation Special Permit**

Case No. 2025-1

Date of Application: 08-16-2024

Date of Hearing: 09-11-2024, 05-14-2025, 07-29-2025

Date of Decision: 07-30-2025

**Petition of:** 47 Lowell Street, LLC  
23 Alden Street  
Stoneham, MA 02180

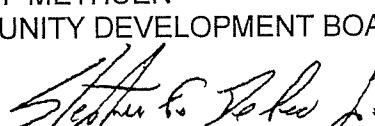
**Premises Affected:** 47 Lowell Street  
Assessors Map Parcel ID 614-133-36 and 614-133-37  
RG Zoning District

Referring to the above petition for a Special Permit to allow the creation of one new lot from the Parent Parcel located at 47 Lowell Street.

At a public hearing held on July 29, 2025, the Community Development Board voted **UNANIMOUSLY (7-0) to APPROVE WITH CONDITIONS** the special permit for the creation of one new lot from the Parent Parcel.

This is to certify that the above action was taken in compliance with the statutory requirements as set forth in Chapter 40A of the General Laws, and that a copy of this decision was filed with the City Clerk on **July 30, 2025**.

CITY OF METHUEN  
COMMUNITY DEVELOPMENT BOARD

By:   
Stephen F. DeFeo, Jr.  
Chairman, Community Development Board

Any appeal of this decision shall be made pursuant to the requirements of Massachusetts General Laws and shall be filed within twenty (20) days after the date the notice of decision was filed with the Methuen City Clerk.

I hereby certify that no appeal has been filed in the Methuen City Clerk's Office, within the twenty (20) day appeal period.

---

Anne Drouin, Methuen City Clerk

### **I Procedural History:**

47 Lowell Street, LLC filed an application for this Special Permit on August 16, 2024. The applicant submitted a complete application, which was noticed and reviewed in accordance with Section XI-C of the Methuen Zoning Ordinance and MGL Chapter 40A, Section 9.

The public hearing on the above referenced application was opened on September 11, 2024. Presentations were made by Attorney Steven Singer, Architect Mark Yanowitz, and Civil Engineer Paul Finocchio. The Board visited the site on October 3, 2024. Several abutters spoke at the hearings and attended the site visit. The Board received correspondence from Casey Dowgiert, Historic Planner and TEC, Stormwater Peer Review. The public hearing was closed on May 14, 2025, on a motion made by Mr. Comei and seconded by Ms. Plunkett. On July 29, 2025, on a motion made by Mr. Comei and seconded by Ms. Plunkett, the Community Development Board voted unanimously (7-0) to GRANT with conditions the Special Permit to create one new lot from the Parent Parcel located at 47 Lowell Street.

The following Community Development Board members were in attendance and voted: Stephen DeFeo, Micheal Comei, Neal Hunter, William Forbes, Shadi Kasis, Ron Hatem, and Heather Plunkett.

This approval is granted subject to the accuracy of the information, reports and data presented. Where the Board is of the belief that this material was inaccurate as presented or has subsequently become unreliable the board may conduct a determination hearing to consider requiring further review or mandating current and reliable data and information for subsequent approval.

The motion to approve was subject to the **FINDING OF FACTS** and **SPECIAL CONDITIONS** set forth as follows:

### **II Findings:**

#### **A. General**

The Parent Parcel (47 Lowell Street) contains a 1,165 SF single-family colonial style building built prior to 1900, with a vinyl exterior and asphalt shingle roof. At a meeting held on March 30, 2023, the Methuen Preservation Committee determined that the property is historically significant.

The Parent Parcel contains 31,978 ±SF with 99± feet of frontage on Lowell Street as shown on the Proposed Site Plan of 47 Lowell Street in Methuen, MA; prepared by P.J.F. and Associates; dated December 31, 2023, rev. through 5/29/25.

#### **B. Special Permit Criteria**

In accordance with **Section XI-B (2)** the Community Development Board shall grant a special permit upon their written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the characteristics of the site, and of the proposal in relation to that site.

In accordance with **Section XI-D (20) (4), (5), and (9)** the Community Development Board determines that:

1. The building located at 47 Lowell Street was in existence on or before one hundred years from the date of the application **AND** has been determined by a vote of the Methuen Preservation Committee to be historically or architecturally significant.
2. The creation of one new lot is necessary to maintain the historic structure on the site as the cost to renovate the structure is higher than the cost to demolish it.
3. The proposed renovation preserves to the maximum extent feasible the historical and architectural features of the building as determined by the Historic District Commission.
4. The failure to grant this special permit will result in the demolition of the historical structure.
5. The creation of one new lot will not generate negative impacts to the surrounding area or zoning district as the new building is placed in an appropriate location on the lot to fit in with the surrounding neighborhood and the required side, front, and rear setbacks are provided.
6. The historic home will remain in its original location.
7. The Parent Parcel conforms to the minimum Lot Area and Frontage requirements for the RG Zoning District. The Parent Parcel contains 31,978 SF with 99 feet of frontage. The RG Zone requires 8,000 SF and 80 feet of frontage for a single-family home.
8. The new lot to be created and the Parent Parcel to remain both contain a minimum of 50% of the required frontage and area for the RG Zoning District. Lot 1 will contain 8,029 SF with 40 feet of frontage. Lot 2 will contain 23,949 SF with 59 feet of frontage. Note that a two-family dwelling in the RG Zone requires 12,000 SF and 100 feet of frontage.
9. No waivers have been requested or granted for the front, side, and rear setbacks for the proposed new dwelling in the RG Zoning District. Note that the existing historic home is 1.6 feet from the southerly side setback, 12.1 feet

from the front setback, and 8.2 feet and 17.7 feet from the northerly side setback.

10. The dwelling unit to be constructed on the new lot is in keeping with and will enhance the overall historic and/or architecturally significant nature of the Parent Parcel and will adhere to the design guidelines of the Historic District Commission as determined by the Commission.

**III Decision:**

In view of the foregoing, the Community Development Board hereby decides that the aforesaid proposed new lot from the Parent Parcel and preservation of the historic structure on the Parent Parcel is proposed in a manner consistent with the specific requirements Section XI-B (2) and the requirements of Section XI-D (20) of the City of Methuen Comprehensive Zoning Ordinance in that it meets all requisite Special Permit criteria. It is therefore further determined that, subject to satisfaction of the conditions as set forth below, the adverse effects of the proposed use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. Therefore, the Community Development Board decides to grant a Special Permit for a new lot created from the Parent Parcel.

- 1) **Prior to the endorsement of the plans** by the Community Development Board, the Project Owner must comply with the following:
  - a) The final plans must be reviewed and approved for accuracy and conformance with the terms of this Approval by the City's Engineering Department, the City's Peer Review consultant and the Community Development Department as may be required.
    - i) Add a note to the Landscape Plan that no plantings will be allowed in the grass swale or on top of the Drainage Infiltration Field.
  - b) The Applicant shall submit a draft historic preservation restriction for the building on the Parent Parcel for review and approval by the Community Development Board.
  - c) The Applicant shall submit a final common driveway easement and plan for review and approval by the City Solicitor.
- 2) **Prior to the issuance of a building permit and/or permit to renovate/construct either the existing historic building or the new building:**
  - a) One certified copy of the **recorded decision and site plan** must be submitted to the Community Development Office.

- b) **The applicant shall post a \$5,000 bond in a form acceptable to the Board to ensure that the site is constructed in accordance with the approved plans.** The final bond shall be released by the Board based upon the review and approval of the substantial compliance letter referenced below.
  - c) As per the Preservation Committee the Applicant shall provide manufacturer cut sheets, product information, and color for siding, roofing (which shall be architectural shingles), trim, windows, doors, railings, to the Historic District Commission and/or Historic Planner for review and approval.
  - d) Note that an Administrative Land Disturbance Approval will be issued by the appropriate city department under the Methuen Stormwater regulations.
- 3) **Prior to the issuance of the Certificate of Occupancy on the newly constructed building:**
  - a) The Project Owner must submit a letter from the record engineer of the project stating that the building, landscaping, site layout, etc. substantially comply with this decision and the plans referenced herein as endorsed by the Community Development Board.
  - b) The Project Owner must submit a letter from the Historic District Commission or Historic Planner stating that the newly constructed building, landscaping, site layout, etc. substantially comply with the plans as presented to the Commission.
  - c) The restoration work on the existing historic building must be substantially complete. If the restoration of the historic building is not substantially complete at the time the newly constructed building is ready for occupancy, the Community Development Board may require the Project Owner to post an additional bond sufficient in the opinion of the Community Development Board, to cover the cost of the City of completing the restoration work.
- 4) **Prior to the Issuance of a Certificate of Occupancy for the existing historic building:**
  - a) The Project Owner must submit a letter from the record engineer of the project stating that the existing historic building, landscaping, site layout, etc. substantially comply with this decision and the plans referenced herein as endorsed by the Community Development Board.
  - b) The Project Owner must submit a letter from the Historic District Commission or Historic Planner that the existing historic building,

landscaping, site layout, etc. substantially comply with the plans as presented to the Commission.

- c) The Project Owner must submit a copy of the recorded Historic Preservation Restriction for the existing historic building.
- d) The Project Owner must preserve the granite Historic Marker on the site.

**5) Prior to final bond release:**

- a) The Project Owner must submit a letter from the record engineer of the project stating that the existing historic building, landscaping, site layout, etc. substantially comply with this decision and the plans referenced herein as endorsed by the Community Development Board.
- 6) Within five (5) days of the transfer of ownership of this site in whole or in part, the Project Owner shall notify the Community Development Department of the name and address of the new owner(s).
- 7) The Community Development Board hereby reserves the right to serve notice to the applicant and the owner of a Cease and Desist work order should a violation of the endorsement, the approval, the conditions or the restrictions be found to exist. Such Cease and Desist work order, when served in writing, directing itself to the violation occurring, shall act to prohibit any and all work on the areas as mentioned in such order;
- 8) Any provision hereof shall be enforceable as against the Owner in the same manner as against the Applicant.
- 9) **This Special Permit approval shall be deemed to have lapsed two years after the date of the grant of this special permit** if a substantial use thereof has not sooner commenced, except for good cause or, in the case of a permit for construction, if construction has not begun by such date, except for good cause. If construction or operation has not begun within six (6) months or if construction is not continuing toward completion in as continuous or expeditious manner as is reasonable during the initial six (6) months, then construction shall conform to any amendment to this ordinance.

**10) The following documents and plans shall be deemed part of the decision:**

- a) Site Plans:
  - i) Sheet 1 of 3, Existing Conditions Site Plan of 47 Lowell Street in Methuen, MA; prepared by PJF and Associates; dated December 31, 2023, rev. through April 29, 2025

- ii) Sheet 2 of 3, Proposed Site Plan of 47 Lowell Street in Methuen, MA; prepared by PJF and Associates; dated December 31, 2023, rev. through 5/29/25
- iii) Sheet 3 of 3, Detail Sheet of 47 Lowell Street in Methuen, MA; prepared by PJF and Associates; dated December 31, 2023, rev. through 5/29/25
- b) Drainage Report; prepared by Sullivan Engineering Group, LLC; dated January 23, 2025, rev. April 29, 2025
- c) Architectural Plans: 47 Lowell Street; prepared by LYFarchitects containing the following sheets:
  - i) 47 Lowell St.
    - (1) EX100 Historic House-Floor Plans 06/05/24
    - (2) EX200 Historic House-Building Elevations 06/05/24
    - (3) A100 Historic House Renovation-Basement Floor Plan 08-06-24
    - (4) A101 Historic House Renovation-First Floor Plan 08-06-24
    - (5) A102 Historic House Renovation-Second Floor Plan 08-06-24
    - (6) A103 Historic House Renovation-Roof Floor Plan
    - (7) A200 Historic House Renovation-Building Elevations 08-06-24
  - ii) 47 Lowell St. Duplex
    - (1) A100 Foundation Plan 27 Jan 2025
    - (2) A101 Ground Floor Plan 27 Jan 2025
    - (3) A102 First Floor Plan 27 Jan 2025
    - (4) A103 Second Floor Plan 27 Jan 2025
    - (5) A104 Roof Floor Plan 27 Jan 2025
    - (6) A200 Building Elevations I 27 Jan 2025
    - (7) A201 Building Elevations II 27 Jan 2025
- d) Landscape Plan, Residences, 47 Lowell Street, Methuen, MA; prepared by james k.emmanuel associates; containing Sheet L-1; dated March 5, 2025, REV. 5/15/25