



# CITY OF HAVERHILL CITY COUNCIL AGENDA

**Tuesday, June 5, 2012 at 7:00 PM**  
**City Council Chambers, Room 202**

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**1. APPROVAL OF RECORDS OF THE PREVIOUS MEETING**

**2. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING**

**3. COMMUNICATIONS FROM THE MAYOR**

NO SCHEDULE

**4. UTILITY HEARING(S) AND RELATED ORDER(S)**

NO SCHEDULE

**5. APPOINTMENTS**

**5.1. Confirming Appointments:**

NO SCHEDULE

**5.2. Non-Confirming Appointments:**

5.2.1. Haverhill Community Action, Inc Board (Exp: May 30, 2015): *Andrew K. Herlihy* Attachment

**6. PETITIONS**

6.1. Petition from William Pillsbury Jr; Economic Development and Planning Director, requesting Hearing re:  
Zoning – Waterfront Interim Planning Overlay District (WIPOD)

**Refer to Planning Board  
Council Hearing June 26<sup>th</sup>**  
Attachment

**6.2. Applications:**

6.2.1. Application for a Block Party from Peter McLaughlin, Saturday, July 14th, 12 noon to 10 pm on  
Apple st Attachment

6.2.2. Application for Tag Day: VFW Santa Parade *Oct 26 & Oct 27* Attachment

**6.3. Annual License Renewals:**

6.3.1. Roller Skating license renewal from Marc Pyche, Skateland, 19 Railroad av Attachment

6.3.2. Sunday Roller Skating license renewal from Marc Pyche, Skateland, 38 Sundays Attachment

6.3.3. Buy & Sell 2<sup>nd</sup> Hand Articles license renewal from Brittany Day, In With the Used, 10 Merrimack st  
Attachment

6.3.4. Buy & Sell 2<sup>nd</sup> Hand Clothing license renewal from Brittany Day, In With the Used Attachment

**7. HEARINGS AND RELATED ORDERS**

NO SCHEDULE

**8. MOTIONS AND ORDERS**

NO SCHEDULE



# CITY OF HAVERHILL CITY COUNCIL AGENDA

**Tuesday, June 4, 2012 at 7:00 PM**  
**City Council Chambers, Room 202**

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## **9. UNFINISHED BUSINESS OF PRECEDING MEETINGS**

NO SCHEDULE

## **10. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES**

### **10.1. Monthly Reports:**

NO SCHEDULE

### **10.2. Communications from Councillors:**

10.2.1. Communication from Councillor Hart requesting to introduce Vin Kelly to speak on the Veterans Marker Project [Attachment](#)

10.2.2. Communication from Councillor Hart requesting to discuss the posting of “no overnight parking” signs on Computer Drive and Research Drive [Attachment](#)

## **11. RESOLUTIONS AND PROCLAMATIONS**

NO SCHEDULE

## **12. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS**

### **12.1. Council Committee Reports:**

12.1.1. Councillor Hart submits Minutes and recommendations of the Public Safety Committee meeting held on May 24<sup>th</sup> 2012 [Attachment](#)

12.2. Documents referred to Committee Study [Attachment](#)

## **13. ADJOURN**



JAMES J. FIORENTINI  
MAYOR

CITY OF HAVERHILL  
MASSACHUSETTS

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
WWW.CI.HAVERHILL.MA.US

May 30, 2012

City Council President John Michitson  
& Members of the City Council

**RE: Andrew K. Herlihy**

Dear Council President & Members of the City Council:

I hereby appoint Andrew K. Herlihy, the City of Haverhill's CDBG Director, to the Haverhill Community Action Inc. Board.

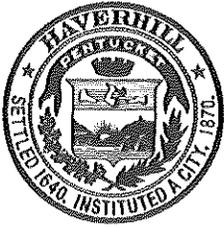
This is a non-confirming appointment. This appointment takes effect immediately and expires May 30, 2015.

Very truly yours,

  
**James J. Fiorentini**  
Mayor

JJF/lk

cc: Andrew K. Herlihy  
John Cuneo, Exec. Director, Haverhill Community Action, Inc.



Heating JUNE 26<sup>6.1</sup>  
**Haverhill**

Economic Development and Planning  
Phone: 978-374-2330 Fax: 978-374-2315  
wpillsbury@cityofhaverhill.com

June 1, 2012

TO: City Council President John A Michitson and members of the Haverhill City Council

FROM: William Pillsbury, Jr. Economic Development and Planning Director

**SUBJECT: Zoning –Waterfront Interim Planning Overlay District (WIPOD)**

The purpose of the action is to allow sufficient time to develop a waterfront zoning overlay district for the downtown area along the Merrimack River. To accomplish this the city respectfully requests the adoption of a waterfront interim planning overlay district (WIPOD) to be in place for a one year period. During this period the city will develop design standards/guidelines and design review process and procedures to be further adopted as a zoning amendment.

The proposed ordinance is limited to the area on the northern side of the Merrimack River along Water street from One Water street to the Buttonwoods Trail head.

The Planning board will hold a public hearing on this amendment on June 13, 2012, and I request the city council schedule its hearing on June 26<sup>th</sup>.

**Recommendation: Refer the matter to the planning board and schedule a hearing for June 26,**

26-B



DOCUMENT 26-B

*Plannery*

**CITY OF HAVERHILL**

*COPY  
BACKUP*

In Municipal Council February 17 2009

~~XXXXXX~~

MUNICIPAL ORDINANCE

CHAPTER

**WATERFRONT INTERIM PLANNING OVERLAY DISTRICT**

**TO SEE IF THE CITY COUNCIL WILL VOTE TO AMEND THE ZONING ORDINANCE BY MAKING THE FOLLOWING CHANGES REGARDING THE WATERFRONT INTERIM PLANNING OVERLAY DISTRICT:**

**Item 1.** At the end of Section 255-7 add the following:

Special Waterfront Interim Planning Overlay District WIPOD.

**Item 2.** Add a new Section 255-18.2, as follows:

**SECTION 255-18.2 WATERFRONT INTERIM PLANNING OVERLAY DISTRICT**

**A. PURPOSE.** The purpose of the Waterfront Interim Planning Overlay District (WIPOD) is to provide a temporary zoning and regulatory system for the development of land within the district while the City engages in comprehensive planning studies. Downtown Haverhill's waterfront along the Merrimac River has been the subject of significant commercial and residential growth. Such growth may have an adverse impact on the natural environment, the City's infrastructure and service capacity, traffic, the local economy, neighborhood character, and open space. The WIPOD provides a mechanism to allow for growth that promotes sound land use planning goals and objectives during the course of the City's comprehensive planning studies.

**B. APPLICABILITY.** The WIPOD shall be construed as an overlay district. All requirements of the underlying zoning districts shall remain in full force and effect, except where the requirements of the WIPOD are more restrictive; in such cases, the requirements of the WIPOD shall supersede and, where applicable, provide standards and requirements in addition to those set forth in the underlying zoning regulations.

**C. USE RESTRICTIONS.** The following uses shall require a special permit from the City Council pursuant to this Section 255-18.2:

- 1.the development of two (2) or more dwelling units, whether attached or detached, in a single calendar year on a property, or set of contiguous properties, in common ownership or control on the effective date of this Section 255-18.2;
- 2.the development of more than 2,000 gross square feet of nonresidential space, regardless of the use;

26-B

COPY  
BACKUP

3.alteration, expansion, or change to any existing nonresidential building, structure or use that will result in the development of more than 2,000 gross square feet of new space, regardless of the use;

4.any nonresidential development requiring the provision of five (5) or more new parking spaces.

**D. EXEMPTIONS.** The following uses are specifically exempt from this Section 255-18.2:

1. uses exempted by G.L. c. 40A, s. 3; and
- 2.dwelling units for low and/or moderate income families or individuals as set forth in G.L. c. 40B;

**E. SPECIAL PERMIT CRITERIA.** In addition to any standards, criteria and/or guidelines set forth elsewhere in this Ordinance, the City Council may consider, in assessing an application for a special permit in the WIPOD, the impact of the proposed development upon the following:

1. The promotion of physical access to or along the Merrimac River. The ordinance shall be interpreted so as to encourage physical access by the public to the river and to discourage developments which prevent or block physical access to the river.

Physical access may include but not be limited to the following:

- Public and/or private dock, marina and wharfs along the river;
- Public walkways along the river;
- Public access to boardwalks, walking and biking trails, and walkways along the river;
- Easements and licenses for the public to gain access to the river;;
- Other legal mechanisms which provide for public physical access to the river.

2. The promotion of visual access to or along the Merrimac River;
3. Downtown character, including building design, architecture, and visual aesthetics;
4. Municipal services, including water, sewer, drainage, parks, and open space;
5. Consistency with the City's Master Plan goals and objectives for the Downtown waterfront.

**F. DECISION.** The City Council may grant a special permit upon a determination, after consideration of all of the factors set forth in Section 255-18.2.E, that the proposed development will not adversely impact the WIPOD during the term of this Section 255-18.2, as set forth below.

26-B

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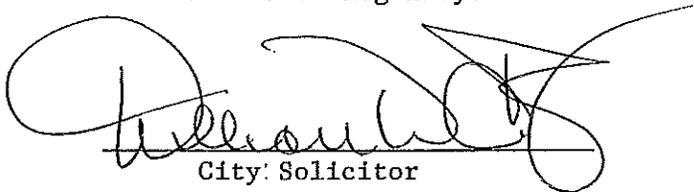
**G. CONDITIONS.** In addition to any other conditions authorized by the Ordinance, the City Council may grant a special permit in the WIPOD subject to one or more of the following conditions:

1. the provision of an easement benefitting the City to or along the Merrimac River;
2. the siting of buildings or improvements so as to promote visual access to the Merrimac River;
3. the siting of proposed construction perpendicular to the Merrimac River;
4. other measures to promote the City's Master Plan goals and objectives for the Downtown waterfront.

**H. TIME LIMITATION.** The provisions of this Section 255-18.2 shall expire six months from the date of adoption; provided, however, that by vote of the City Council before said date, the provisions of this Section 255-18.2 may be extended for an additional six months in order to continue municipal comprehensive planning studies necessary to promote orderly growth in the WIPOD. In the event such action is taken by the City Council prior to expiration, these provisions shall not be construed to have lapsed on such date.

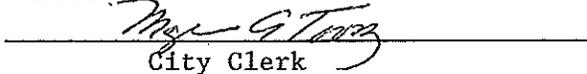
**I. SEPARABILITY.** The provisions of this Section 255-18.2 are hereby declared separable and if any provision shall be held invalid or unconstitutional, it shall not be construed to affect the validity or constitutionality of any of the remaining provisions of this Section 255-18.2.

APPROVED as to legality:

  
 \_\_\_\_\_  
 City Solicitor

PLACED ON FILE for at least 10 days

Attest:

  
 \_\_\_\_\_  
 City Clerk

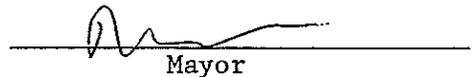
IN CITY COUNCIL: March 31 2009

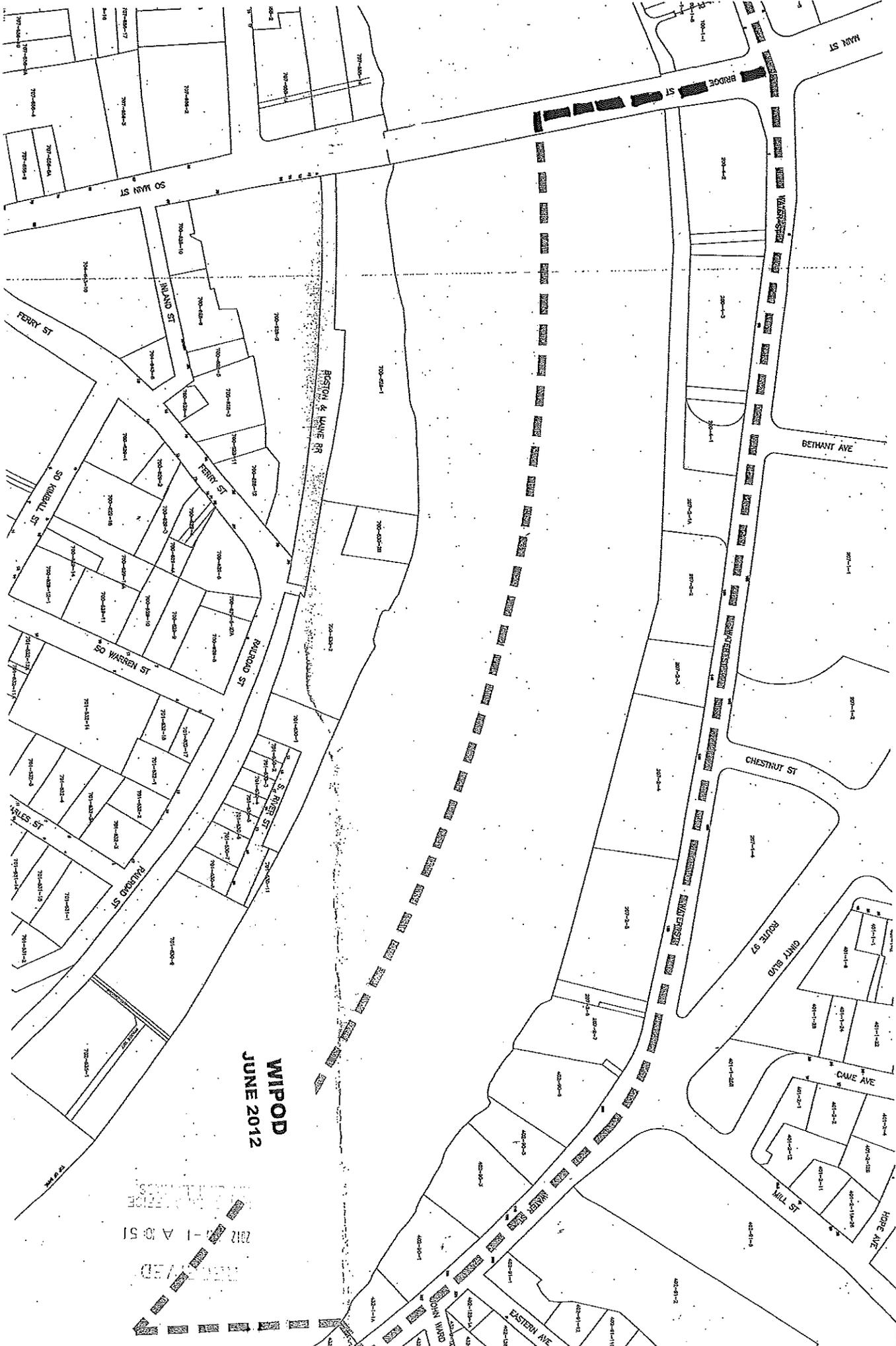
PASSED

Attest:

  
 \_\_\_\_\_  
 City Clerk

APPROVED:

  
 \_\_\_\_\_  
 Mayor



**WIPOD**  
JUNE 2012

2012 JUN 1 A 10:51

RECEIVED



City of Haverhill

Application for Permit

Name of Organization	Pete's McLaughlin		
Address of Organization	4 Apple St #1		
Requesting Permit for (List Type of event)	Block party	Date & Time	July 14, 2012 11:00 AM - 10:00 PM
Location of Event	Apple St		
Authorized or Contact Person	Pete's McLaughlin	Telephone/Cell #/Pager # (Indicate if pager)	978-590 0933

(To be completed for use of City Property/Outdoor Activity and other Special Events)

Approval of Fire Chief (Where applicable)			
Approval of the Recreational Director Required for all recreational facilities	Signature	Date	Comments/Restrictions
Approval of the Chief of Police Required for all OUTDOOR EVENTS Le.: Parades/Carnivals/Community Events	Signature	Date	

General Release & Indemnity Agreement

The Above organization in consideration of the permit granted by the City Council as above requested hereby remises, releases and forever discharges the City of Haverhill, its respectful employees, agents and attorneys from all manner of actions, causes of actions, debts, dues, claims and demands both in law and equity, more especially any and all claims as a result of the issuance of this permit and or use of any City Property, including, but not limited to, property damages and personal injuries resulting from the same.

Signature of Authorized Agent of Organization: Pete's McLaughlin Date: July 23

Signature Witnessed by: \_\_\_\_\_ Date: \_\_\_\_\_

City Council will hear request for application on: \_\_\_\_\_ (date) \_\_\_\_\_ (time)  
 Applicant must attend Yes [ ] No [ ]

Office Use

Permit

Permit approved on: \_\_\_\_\_ Proof of Insurance \_\_\_\_\_ # Detail Officers \_\_\_\_\_  
 Policy Number/Exp. Date

Attendance Limited to: \_\_\_\_\_ Other Restrictions/requirements: \_\_\_\_\_

Signed: \_\_\_\_\_ Issued on: \_\_\_\_\_ Seal

City Clerk

# CITY OF HAVERHILL

Honorable President and Members of the Municipal Council:

Date: MAY 21 2012

The undersigned respectfully asks to receive a license for TAG DAYS:

(3 Consecutive Days Only, one of which may include solicitation on a public way)

VFW Santa Parade  
Organization

Oct. 26 + 27 2012  
Date(s)

John E. Blute  
Signature

Oct. 27, 2012  
Date - Solicitation on a Public Way

64 Kenosha Ave.  
Residence

Canister

\$10,00  
Fee

Tag

Street Locations:

Off Street Locations:

Rosemont St and Main St. \_\_\_\_\_

Rte. 121 & Rte. 125 - Main St \_\_\_\_\_

Lowell Ave and River St \_\_\_\_\_

Water St and Mill St \_\_\_\_\_

South Main St & Salem St  
(Bradford Common) X

Main St & Kenosha Ave  
(Monument Square) X

Recommendation by Police Chief:

Approved   
Denied \_\_\_\_\_

[Signature]  
Police Chief

In Municipal Council, \_\_\_\_\_

Attest \_\_\_\_\_  
City Clerk

# CITY OF HAVERHILL

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

## ROLLER SKATING RINK

Place of business being:

### SKATELAND (MARC PYCHE)

19 Railroad av PO Box 5270, Haverhill, MA, 01835

*Annual  
license*

MAY 30 2012

MARC PYCHE  
PRINT APPLICANT NAME

HAVERHILL, \_\_\_\_\_

### OFFICE USE ONLY

RENEW

No. 7

FEE 100.00

IN MUNICIPAL COUNCIL, \_\_\_\_\_

ATTEST:

\_\_\_\_\_, CITY CLERK

APPROVED ✓

DENIED \_\_\_\_\_

[Signature]  
POLICE CHIEF

# CITY OF HAVERHILL

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

## SUNDAY ROLLER SKATING RINK (38)

*Sundays*

Place of business being:

### SKATELAND (MARC PYCHE)

19 Railroad av PO Box 5270, Haverhill, MA, 01835

*\$10 per Sunday*

*MARC PYCHE*

PRINT APPLICANT NAME

MAY 30 2012

HAVERHILL, \_\_\_\_\_

### OFFICE USE ONLY

RENEW

No. \_\_\_\_\_

FEE \$380.00

IN MUNICIPAL COUNCIL, \_\_\_\_\_

ATTEST:

\_\_\_\_\_, CITY CLERK

APPROVED *[Signature]*

DENIED \_\_\_\_\_

*[Signature]*  
POLICE CHIEF

# CITY OF HAVERHILL

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

## BUY & SELL 2ND HAND ARTICLES

Place of business being:

IN WITH THE USED (BRITTANY DAY)  
10 Merrimack Street, Haverhill, MA, 01830

MAY 30 2012

HAVERHILL, Massachusetts

Brittany Day  
PRINT APPLICANT NAME

### OFFICE USE ONLY

RENEW

No. \_\_\_\_\_

FEE 50.00

IN MUNICIPAL COUNCIL, \_\_\_\_\_

ATTEST:

\_\_\_\_\_, CITY CLERK

APPROVED [Signature]

DENIED \_\_\_\_\_

[Signature]  
POLICE CHIEF

# CITY OF HAVERHILL

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

## BUY & SELL 2ND HAND CLOTHING

Place of business being:

IN WITH THE USED (BRITTANY DAY)  
10 Merrimack Street, Haverhill, MA, 01830

MAY 3 0 2012

Brittany Day  
PRINT APPLICANT NAME

HAVERHILL, Massachusetts

---

### OFFICE USE ONLY

RENEW

No. \_\_\_\_\_

FEE 50.00

IN MUNICIPAL COUNCIL, \_\_\_\_\_

ATTEST:

APPROVED [Signature]

DENIED \_\_\_\_\_

\_\_\_\_\_, CITY CLERK

[Signature]  
POLICE CHIEF

MORE INFO ON BACK

CITY COUNCIL

JOHN A. MICHITSON  
*PRESIDENT*

ROBERT H. SCATAMACCHIA  
*VICE PRESIDENT*

MICHAEL J. HART  
WILLIAM H. RYAN  
SVEN A. AMIRIAN  
MICHAEL S. MCGONAGLE  
WILLIAM J. MACEK  
COLIN F. LEPAGE  
MARY ELLEN DALY O'BRIEN



**CITY OF HAVERHILL**  
HAVERHILL, MASSACHUSETTS 01830-5843

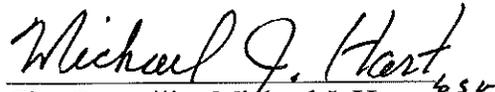
10.2.1

CITY HALL, ROOM 204  
4 SUMMER STREET  
TELEPHONE: 978-374-2328  
FACSIMILE: 978-374-2329  
www.ci.haverhill.ma.us  
citycnc1@cityofhaverhill.com

May 31, 2012

TO: Mr. President and Members of the City Council

Councillor Michael Hart would like to introduce Vin Kelly to speak on the veterans marker project.

  
City Councillor Michael J. Hart <sup>652</sup>

## CITY COUNCIL

JOHN A. MICHITSON

*PRESIDENT*

ROBERT H. SCATAMACCHIA

*VICE PRESIDENT*

MICHAEL J. HART

WILLIAM H. RYAN

SVEN A. AMIRIAN

MICHAEL S. MCGONAGLE

WILLIAM J. MACEK

COLIN F. LEPAGE

MARY ELLEN DALY O'BRIEN



## CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

CITY HALL, ROOM 204  
4 SUMMER STREET  
TELEPHONE: 978-374-2328  
FACSIMILE: 978-374-2329  
[www.ci.haverhill.ma.us](http://www.ci.haverhill.ma.us)  
[citycncl@cityofhaverhill.com](mailto:citycncl@cityofhaverhill.com)

May 31, 2012

TO: Mr. President and Members of the City Council

Councillor Michael J. Hart wishes to discuss the posting of no overnight parking signs on Computer Drive and Research Drive.

  
City Councillor Michael J. Hart

## CITY COUNCIL

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*PRESIDENT*

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citycncl@cityofhaverhill.com

May 31, 2012

TO: Mr. President and Member of the City Council

Councillor Michael Hart submits the attached Minutes and recommendations of the Public Safety Committee meeting held on May 24, 2012.

  
City Councillor Michael J. Hart

CITY COUNCIL

JOHN A. MICHITSON  
PRESIDENT

ROBERT H. SCATAMACCHIA  
VICE PRESIDENT

MICHAEL J. HART  
WILLIAM H. RYAN  
SVEN A. AMIRIAN  
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**MINUTES OF THE PUBLIC SAFETY COMMITTEE MEETING  
HELD ON MAY 24, 2012**

A City Council/Public Safety Committee meeting was held on Thurs., May 24, 2012 at 7:00P.M.in the City Council office, Room 204, City Hall.

Committee Members present: Committee Chairperson Michael Hart and Councillor McGonagle. Councillor Daly O'Brien was absent.

Attendees: Peter Carroll, MBTA, Section Chief, Transportation for Railroad Operations

The following items were discussed:

1. Document #74-W/11 – Communication from Councillor Daly O'Brien requesting a discussion about lights at Kenoza Avenue and Webster Street. *Chairman Hart stated it has been reported to the City Council that it would be too expensive to remove the lights. Instead, a camera will be installed.*
2. Document 97-T/11 – Communication from Councillor Scatamacchia requesting a discussion regarding parking on River Street. *This item was referred to the Traffic & Safety Committee for review. The Traffic & Safety Committee recommended this be referred to the Parking Commission. Councillor Scatamacchia requested to have this tabled for now.*
3. Document 12-U – Communication from Councillor McGonagle requesting a discussion regarding the issue of public safety as it relates to the railroad tracks. *Mr. Peter Carroll attended on behalf of the MBTA. He stated there are more accidents than there should be. The MBTA has a Safety Department as does AMTRAK (Downeaster), MBCR (Passenger) Pan Am (Freight). Mr. Carroll will give Councillor McGonagle contact numbers so that he can set up possible educational awareness programs for the community.*

Respectfully submitted,

*Michael J. Hart*  
Michael J. Hart, Chairperson  
Public Safety Committee

May 29, 2012

CITY COUNCIL

JOHN A. MICHITSON

PRESIDENT

ROBERT H. SCATAMACCHIA

VICE PRESIDENT

MICHAEL J. HART

WILLIAM H. RYAN

SVEN A. AMIRIAN

MICHAEL S. MCGONAGLE

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CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

12.2

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**DOCUMENTS REFERRED TO COMMITTEE STUDY**

#5-L/10	Communication from Councillor Macek requesting to propose the enactment of a Safe Building Ordinance.	NRPP	2/23/10
74-W/11	Communication from Councillor Daly O'Brien requesting a discussion about lights at Kenoza Avenue and Webster Street	Public Safety	9/27/11
74-X/11	Communication from Co. Amirian requesting a discussion about proposed pig farm at Boxford Road	Planning & Dev.	9/27/11
97-C/11	Communication from Councillor Hall requesting a discussion about the odor from the Covanta plant in Ward Hill	Public Safety	10/18/11
4	Communication from Councillor Macek requesting a discussion regarding the proposed Monument Square traffic divider/island.	Planning & Dev.	1/3/12
97-T/11	Communication from Councillor Scatamacchia requesting a discussion regarding parking on River Street	Public Safety	1/3/12
12-E	Communication from Councillor Scatamacchia requesting to introduce Vincent Kissel to speak regarding safety issues at Kenoza Avenue and Newton Road	Planning & Dev	1/17/12
12-O	Communication from Councillor LePage requesting a discussion regarding City financial obligations and deficit projections for current fiscal year & beyond	A & F	2/7/12
12-U	Communication from Councillor McGonagle requesting discussion regarding the issue of public safety as it relates to the railroad tracks	Public Safety	2/28/12
40-D	Communication from Councillor Daly O'Brien requesting a discussion re: the issue of charging an annual fee to non-profit properties in lieu of taxes with religious and government properties being exempt.	A & F	4/3/12
40-F	Communication from Councillor Daly O'Brien requesting to discuss lighting In the area of the parking garage	Public Safety	5/8/12