



CITY OF HAVERHILL  
CITY COUNCIL AGENDA

Tuesday, December 2, 2014 at 7:00 PM  
City Council Chambers, Room 202

*Bill Cox*

1. APPROVAL OF RECORDS OF THE PREVIOUS MEETING
2. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING
3. COMMUNICATIONS FROM THE MAYOR
4. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES

NO SCHEDULE

5. UTILITY HEARING(S) AND RELATED ORDER(S)
6. APPOINTMENTS

6.1. Confirming Appointments

NO SCHEDULE

Non-confirming Appointments

NO SCHEDULE

Resignations:

NO SCHEDULE

6.2 PETITIONS

6.2.1 Petitions:

6.2.1.1 Petition from Devon Tucker d/b/a Ideal Service Center, requesting Special Permit to sell used cars at 7-9 East Broadway  
**Hearing Jan 6th**

6.2.1.2 Petition from Brian S Minkle requesting to purchase City land abutting his property on Crystal Lake rd; Assessor's Map 566, Block 2, Lot 11; said house is at 35 Mendum rd/86 Crystal Lake rd; Map 566, Block 2, Lot 7A  
Refer to Natural Resources & Public Property Committee  
Attachment

6.3 Applications:

6.3.1 One Day Liquor Licenses

Amy Purcell for all alcohol license at Winnekenni Castle, Holiday Party, Saturday, December 13<sup>th</sup>; 5 pm to 10 pm

*Has Police and License Commission approval*

Attachment



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA**

**Tuesday, December 2, 2014 at 7:00 PM  
City Council Chambers, Room 202**

**6.3.2 Applications for Permit  
NO SCHEDULE**

**Applications for new Handicap Parking Signs:  
NO SCHEDULE**

**6.4 Tag Days**

6.4.1 *Knights of Columbus*      December 27 & 28<sup>th</sup>

Attachment

**6.5 Annual License Renewals**

**6.5.1 Coin-ops**

6.5.1.1 *American Legion Post 4*      1314 Main st      3 Coin-ops

6.5.1.2 *Academy Lanes*      725 South Main st      12 Coin-ops

**6.5.1.3 Sunday License**

*Academy Lanes*      12 Sunday Coin-ops

Attachments

**Hawker/Peddler:**

NO SCHEDULE

**Hawker or Peddler Engaged in Door to Door Sales**

Free Estimates for Windows & Roofs; *Power Home Remodeling Group*, throughout Haverhill; Monday – Friday; 12 noon to 6 pm:

1. Bob Dick
2. Brian Nicholson
3. Ryan Shlan
4. Ryan Jacobs
5. Nicholas Doyle-Elwell

Attachments

**6.5.1.1 Drainlayer 2014 License**

NO SCHEDULE



CITY OF HAVERHILL  
CITY COUNCIL AGENDA

Tuesday, December 2, 2014 at 7:00 PM  
City Council Chambers, Room 202

7 HEARINGS AND RELATED ORDERS:

7.5 Document 101; Attorney Robert Harb, representing *Continental Wingate Development Co*, requests a special permit to construct a new 2-story building for Congregate Care Housing at un-numbered North Avenue; Assessor's Map 630, Block 2, Lot 1-1A; which will house a total of 90 units; Assisted Living Units consisting of 26 one-bedroom and 20 studio units; Supportive Independent Living Units consisting of 17 one-bedroom and 3 two-bedroom units; and Memory Care Units consisting of 20 studio and 4 companion units

Reports that have been received from various City departments are included

*Postponed from November 18<sup>th</sup>*

Attachment

7.5.1 Document 108; Petition from Attorney Migliori representing Stateside Realty Group LLC, requesting a Hearing for the *modification* of the *Special Permit* granted on *June 4 2013*; at that time, allowing the building on nine (9) residential apartments and two (2) commercial spaces at the property; with *modification* currently presented requesting twelve (12) residential apartments and two (2) commercial spaces and the addition of an elevator

Attachment

8 MOTIONS AND ORDERS

8.0 Order – that Document 107 of Dec 4, 2007 (an Order relating to rates for private snow plowing and hauling) be and is hereby deleted in its entirety and NEW RATES FOR SNOW PLOWING AND HAULING be inserted in placed thereof

8.0.1 Order – Authorize payment of bill(s) of the previous years and to further authorize the payment from current year departmental appropriations as listed below:

<u>Vender</u>	<u>Amount</u>	<u>Account</u>
Edwards Wildman Palmer LLP	\$5,600.00	Treasurer Dept

8.0.2 Order – Transfer \$27,000 from Reserve for Capital Projects to the General Fund Police Department Building Maintenance

8.0.3 Order – Transfer \$14,875 from Capital Account to General Fund Highway Replacement

Attachments



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA**

**Tuesday, December 2, 2014 at 7:00 PM  
City Council Chambers, Room 202**

**8.1 Ordinances (File 10 Days)**

8.1.1 Ordinance re: Parking, 18 Jackson st – Delete Handicap Parking

**File 10 days**

**9 UNFINISHED BUSINESS OF PRECEDING MEETING**

9.1.1 Document 84-B; Order of Taking – Taking of Easement – Merrimack st; to facilitate construction of the new access roadway into the Harbor Place Project

VETOED BY MAYOR

9.1.2 Document 84-BB; Order - Award of Damages regarding Easement, Merrimack st

VETOED BY MAYOR

*Related communication from Mayor Fiorentini regarding Vetoes*

9.1.3 Document 123, Ordinance re: Vehicles and Traffic, Patient/Client Drop Off and Pickup Zones;  
56-74 Merrimack st                      *filed November 19 2014*

**Attachments**

**11. MONTHLY REPORTS**

**NO SCHEDULE**

**11.2 Communications from Councillors**

11.2.1 Communication from Council President Michitson requesting to introduce Donna Duval to speak regarding yard sales

**Attachment**

**11.3 Resolutions and Proclamations**

**NO SCHEDULE**

**12. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS**

**12.1 COUNCIL COMMITTEE REPORTS**

**NO SCHEDULE**

**12.2 DOCUMENTS REFERRED TO COMMITTEE STUDY**

**13 ADJOURN**

Hearing January 6

2015

Untitled

11/21/14

6.2.1.1

Devon Tucker  
7 East Broadway  
Haverhill, MA 01830

70. WHITTIER ST Haverhill MA 01832  
#1978-33  
To the Haverhill City Council,

My name is Devon Tucker d/b/a Ideal Service Center former address is 117 Winter Street, Haverhill, MA. We have relocated to 7 East Broadway, Haverhill, Ma. I have a 23 cars sales license, I am applying for a special permit for a 10 car license at our new location.

*I want the 65 day hearing requirement.*

Thank you,



Devon Tucker

Untitled

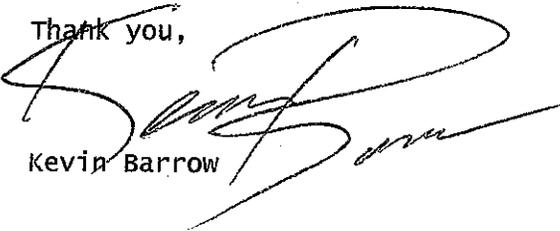
11/21/14

Kevin Barrow, Owner  
7 East Broadway  
Haverhill, Ma 01830

To the City Council of Haverhill,

My name is Kevin Barrow, I own the property at 7<sup>9</sup> East Broadway, Haverhill, Ma, currently I am leasing this to Devon Tucker. I give my permission to her apply for a special permit that allows her to have 10 spots to sell cars. After the proper licensure is granted she has my permission to commence business.

Thank you,

  
Kevin Barrow

Brian S Minkle  
86 Crystal lake Rd  
Haverhill MA 01832  
November 18, 2014

01111 08  
03 01 1977 86 111 1000  
3015 1000 10 0000  
JAN 11 11 11 11 11

6,2,1,2

Haverhill City Council

Dear Haverhill City Council:

I am interested in a parcel of land that abuts my property on Crystal Lake Rd

Map #566 Block 2 Lot #11 as a winter parking area and possibly a small garage later on in the future

My house is at 35 mendum rd / 86 crystal lake rd Map #566 Block #2 Lot 7A

Im not to sure what is involved in me purchasing the property so if someone could please contact me as to what I need to do to make this purchase happen it would greatly be appreciated

Sincerely,



Brian S Minkle (978) 382-2971 Cell (978) 374-0402 Home

86 Crystal Lake Rd



Hay

11/7/14  
8897

6.3.1

118  
830  
490  
com  
a.us

Cit  
4 Summer  
Phone: 978-3  
License

### ONE DAY LIQUOR LICENSE

#### Business/ Organization Information

Business/ Organization Name: Brewer & Co LLC  
Address: 701 EDGEWATER DR, SUITE 360  
WAKEFIELD, MA 01880

#### Individual Applicant Information

Individual's Name: Amy Purcell  
Mailing Address: 12 DAVIS LANE Georgetown MA 01833  
Telephone: 978-352-4898  
Is the Applicant a US Citizen? Yes  No   
E-Mail Address: apurcell@brewer.com \* -pro for

#### Event Information

Date of Event: 12/13/14  
Start Time: 5:00 End Time: 10:00  
Location of Event: Winnikenni Castle  
Purpose of Event: Corp. Holiday Party  
Will there be music or entertainment? Yes  No   
Is the event being catered? Yes  No   
Name of Caterer: Not known at this time.  
Approximate number of People Attending  
Adults: 90-100 Children: \_\_\_\_\_

#### Type of License (circle one)

One-Day All-Alcoholic One-Day Beer and Wine Charitable Wine Pouring Charitable Wine Auction



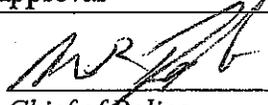
CRV113274  
NOV 8 08 11 11AM  
978-374-2312  
CITY CLERK'S OFFICE

# Haverhill

City Clerk's Office, Room 118  
4 Summer Street Haverhill, MA 01830  
Phone: 978-374-2312 Fax: 978-373-8490  
[License\\_comm@cityofhaverhill.com](mailto:License_comm@cityofhaverhill.com)  
[www.ci.haverhill.ma.us](http://www.ci.haverhill.ma.us)

**Official Use Only**

**Approval**

	<u>11/12/14</u>
Chief of Police	Date
<i>Proof of License purchase required</i>	
City Council (City Property)	Date

	<u>11/20/14</u>
License Commission	Date
Mayor (City Property)	Date

**Additional Conditions for License:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# Haverhill

City Clerk's  
Phone: 978-374-2312  
cityclerk@ci

6.4.1

Date: \_\_\_\_\_

Honorable President and Members of the Municipal Council:

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

Organization: Knights of Columbus

Applicant's Name: Thomas Anthony

Applicant's Residence: 101 Lowell 9v

Applicant's Signature: [Signature]

(3 Consecutive Days Only, **One** of which may include solicitation on a Public Way)

Date of Tag Day Request(s): Dec 27 + 28

Date-solicitation on Public Way: SAT Dec 27

Canister: \_\_\_\_\_ Tag: \_\_\_\_\_

Fee: \$ 10.00

**Street Locations (Select Below):**

Rosemont St and Main St:

Water St and Mill St:

South Main St & Salem St:   
(Bradford Common)

Main St & Kenoza Ave:   
(Monument Square)

**Off Street Locations (Specify Other):**

(All 3) Market Basket

Recommendation by Police Chief:  Approved

Denied

**Office Use Only**

[Signature]  
Police Chief

In Municipal Council: \_\_\_\_\_

Attest: \_\_\_\_\_

City Clerk

Haverhill City Clerk  
RECEIVED  
DEC 27 2007

# City of Haverhill

Date 11-1-15

Honorable President and Members of the Municipal Council:

6.5.1.1

The undersigned respectfully asks that he may receive a license for a

3 COIN-OPERATED MACHINE \_\_\_\_\_

\_\_\_\_ PINBALL MACHINE \_\_\_\_\_

\_\_\_\_ OTHER \_\_\_\_\_

Effective Date: 1-1-15

Expiration Date: 12-31-15

NEW/RENEWAL

Fee: \$ 300

Vendor's Name: 4 STAR VENDING

Vendor's Address: MIDDLETON, MASS

Business Name: AMERICAN LEGION POST 4 INC

Business Address: 1314 MAIN ST HAVERHILL, MA

Owner's Name: SAME AS BUSINESS

Applicant's Name: JOHN KAZAROSIAN

Applicant's Signature: John Kazarian

Applicant's Address: PO BOX 997 CULBERTSON NH 03811

Applicant's Date of Birth: See Back

Recommendation by Police Chief

✓  
Approved

Denied

[Signature]  
Police Chief

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

Attest:

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

# City of Haverhill

Date 11/10/14 6,5,1,2

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a license for a

COIN-OPERATED MACHINE  
 PINBALL MACHINE  
 OTHER

(12 Total)

Effective Date: JAN. 1, 2015

Expiration Date: DEC. 31, 2015

NEW/RENEWAL

Fee: \$ 1200.<sup>00</sup>

Vendor's Name: SEACOAST Tom Lyons

Vendor's Address: HAMPTON, N.H.

Business Name: SEACOAST

Business Address: HAMPTON, N.H.

Owner's Name: TOM LYONS

Applicant's Name: ACADEMY LANES Applicant's Signature: Ernest J. Di Bruno

Applicant's Address: 725 SO. MAIN ST.

Applicant's Date of Birth: See Back

Recommendation by Police Chief

Approved

Denied

\_\_\_\_\_  
Police Chief

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

Attest:

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

# City of Haverhill

6.5.13

Honorable President and Members of the Municipal Council:

## APPLICATION FOR SUNDAY LICENSE

The undersigned respectfully asks that he may receive a license for a

- COIN-OPERATED MACHINE \_\_\_\_\_  
 PINBALL MACHINE \_\_\_\_\_ (12 Total)  
 OTHER \_\_\_\_\_

Effective Date: JAN. 1, 2015 Expiration Date: DEC. 31, 2015

NEW/RENEWAL Fee: \$ 240.00

Vendor's Name: TOM LYON'S

Vendor's Address: HAMPTON, N.H.

Business Name: SEACOAST

Business Address: HAMPTON, N.H.

Owner's Name: TOM LYON'S

Applicant's Name: Academy LANES Applicant's Signature: Ernest J. DiBuro

Applicant's Address: 725 SO. MAIN ST.

Applicant's Date of Birth: See Back

Recommendation by Police Chief \_\_\_\_\_  
Approved \_\_\_\_\_ Denied \_\_\_\_\_

\_\_\_\_\_  
Police Chief

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

Attest:

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

DOOR-TO-DOOR  
Sales  
1-5

CITY OF HAVERHILL

NC  
Date \_\_\_\_\_

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

HAWKER OR PEDDLER ENGAGED IN DOOR-TO-DOOR SALES

"Power Home Remodeling Corp  
Free Estimates for Windows & Roofing  
Type of Goods/Wares/Merchandise/Services to be Sold

Throughout Haverhill  
Location/s

Monday-FRIDAY 12 noon - 6pm  
Date and Time of Operation

Additional Comments

Name Bob Dick

Signature [Handwritten Signature]

Fee 0.00

[Handwritten Signature]  
Police Chief

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

# CITY OF HAVERHILL

Date NOV 06 2014

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

**HAWKER OR PEDDLER ENGAGED IN DOOR-TO-DOOR SALES**

"Power Home Remodeling Corp Inc"  
Free Estimates for Window & Roofing  
Type of Goods/Wares/Merchandise/Services to be Sold

Throughout Haverhill  
Location/s

Monday - FRIDAY 12 noon to 6 pm  
Date and Time of Operation

Additional Comments

Name Brian Nicholson

Signature [Handwritten Signature]

Fee # 60.00

[Handwritten Signature]  
Police Chief

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

3.

CITY OF HAVERHILL

NOV 06 2014

Date \_\_\_\_\_

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

HAWKER OR PEDDLER ENGAGED IN DOOR-TO-DOOR SALES

"Power Home Remodeling"  
Free Estimates for Window & Roofing  
Type of Goods/Wares/Merchandise/Services to be Sold

Throgbon Haverhill  
Location/s

Monday-FRIDAY 12 noon to 6 pm  
Date and Time of Operation

Additional Comments

Name Ryan Shlan

Signature [Handwritten Signature]

Fee \$60.00

[Handwritten Signature]  
Police Chief

APPROVED \_\_\_\_\_  
DENIED \_\_\_\_\_

MORE INFO ON BACK

4

# CITY OF HAVERHILL

NOV 06 2014

Date \_\_\_\_\_

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

**HAWKER OR PEDDLER ENGAGED IN DOOR-TO-DOOR SALES**

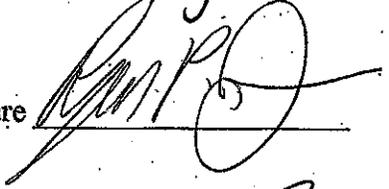
"Power Home Remodeling Group"  
Free Estimates for Windows & Roofing  
Type of Goods/Wares/Merchandise/Services to be Sold

Throughout Haverhill  
Location/s

Monday - Friday 12 noon to 6 pm  
Date and Time of Operation

Additional Comments

Name Ryan Jacobs

Signature 

Fee 60.00

  
Police Chief

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

**MORE INFO ON BACK**

5.

CITY OF HAVERHILL

Date NOV 06 2014

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

**HAWKER OR PEDDLER ENGAGED IN DOOR-TO-DOOR SALES**

" Power Home Remodeling Group  
Free Estimates for Windows & Doors  
Type of Goods/Wares/Merchandise/Services to be Sold

Throgbost Haverhill  
Location/s

Monday FRIDAY 12 Noon - 6 pm  
Date and Time of Operation

Additional Comments

Name Nicholas Doyle-Elwell

Signature Nick Doyle

Fee 60.00

[Signature]  
Police Chief

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

**MORE INFO ON BACK**

Heating November 18  
2014

107

**Robert D. Harb**  
ATTORNEY AT LAW  
17 WEST STREET  
HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611  
FAX: (978) 373-7441  
EMAIL: [bobharb@aol.com](mailto:bobharb@aol.com)

*Heurmp*  
7.5

Of Counsel  
Alfred

September 10, 2014

City Council  
City of Haverhill  
4 Summer Street  
Haverhill, MA 01830

Re: APPLICATION FOR A SPECIAL PERMIT  
FOR CONGREGATE CARE HOUSING  
UNNUMBERED NORTH AVENUE  
Continental Wingate Development Company  
Portion of Haverhill Assessor's Map 630 Block 2 Lot 1-1A  
Containing Approximately 8 acres ±

An Application is hereby made for a Special Permit on behalf of Continental Wingate Development Company under the terms and provisions of the Haverhill Zoning Ordinance Chapter 255 for a 90 Unit Congregate Care Housing as defined by the said Haverhill Zoning Ordinance for the premises described above and as shown on the Plans filed herewith, being a portion of the premises described a deed to the Trustees of The McGirr Family Trust recorded with the Essex South District Registry of Deeds in Book 17216 Page 509.

The proposed new two story building will house a total of 90 units.

The Congregate Care Housing will consist of:

Assisted Living Units consisting of 26 one bedroom and 20 studio units;  
Supportive Independent Living Units consisting of 17 one bedroom and 3 two bedroom units; and  
Memory Care Units consisting of 20 studios and 4 companion units.

This Application is accompanied by:

30 sets of the Site Plan;  
30 sets of the specs;  
30 Traffic Studies;

101

Consent of the Land Owner for filing this Application; and the filling fee.

Applicant waives the 65 day hearing requirement.

Respectfully submitted,

Continental Wingate Development Company

By: Robert D. Harb Its Attorney  
Robert D. Harb, Its Attorney

l-city-wingate

IN CITY COUNCIL: September 16 2014  
VOTED: that COUNCIL HEARING BE HELD NOVEMBER 18 2014  
Attest:

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

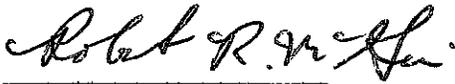
IN CITY COUNCIL: November 18 2014  
POSTPONE TO DECEMBER 2 2014  
Attest:

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

To the Haverhill City Council:

I, Robert R. McGirr the sole and present Trustee of the McGirr Family Trust under a Declaration of Trust dated April 6, 2001 and recorded with the Essex South District Registry of Deeds in Book 17216 Page 502, owner of the property located off of North Avenue in the City of Haverhill, being shown as Assessors Map 630 Block 2 Lot 1, hereby consent to the filing of a Petition for a Special Permit for Congregate-care Housing at said premises by Continental Wingate Development Company.

I certify that I have been duly authorized by all of the beneficiaries of said Trust to sign and deliver this consent.



---

Robert R. McGirr  
Trustee of McGirr Family Trust

02/11/2014  
89 01 00  
3377 373-5611  
3377 373-7441

**Robert D. Harb**  
ATTORNEY AT LAW  
17 WEST STREET  
HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611  
FAX: (978) 373-7441  
EMAIL: [bobharb@aol.com](mailto:bobharb@aol.com)

Of Counsel  
Alfred J. Cirome

November 14, 2014

City Council  
City of Haverhill  
4 Summer Street  
Haverhill, MA 01830

**REQUEST FOR CONTINUANCE**  
**Original Scheduled Hearing Date: Nov. 18, 2014**  
**Requested Continuance Date: December 2, 2014**

Re: APPLICATION FOR A SPECIAL PERMIT  
FOR CONGREGATE CARE HOUSING  
UNNUMBERED NORTH AVENUE  
Continental Wingate Development Company  
Portion of Haverhill Assessor's Map 630 Block 2 Lot 1-1A

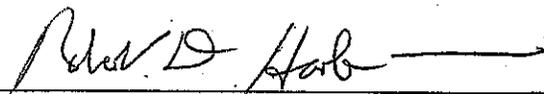
To The Haverhill City Council:

For various reasons, including but not limited to the fact that the Applicant is still waiting responses and amended responses from some of the City Departments to its Petition, Applicant respectfully requests that the hearing scheduled for Nov. 18, 2014 be continued to Dec. 2, 2014.

Applicant waives the 65 day hearing requirement.

Respectfully submitted,

Continental Wingate Development Company

By:   
Robert D. Harb, Its Attorney

**ROBERT D. HARB**  
ATTORNEY AT LAW  
17 WEST STREET  
HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611  
FAX: (978) 373-7441  
EMAIL: [bobharb@aol.com](mailto:bobharb@aol.com)

Of Counsel  
Alfred J. Cirome

**FAX INFORMATION SHEET**

DATE: 11/14/14  
RE: Request for Continuance / Continental Wingate Development  
TO: Maria  
FROM: Attorney Robert D. Harb  
NUMBER OF PAGES TO FOLLOW: 1

THIS FACSIMILE MESSAGE CONTAINS A COMMUNICATION FROM A LAW OFFICE, WHICH COMMUNICATION IS STRICTLY CONFIDENTIAL AND INTENDED SOLELY FOR THE USE OF THE ADDRESSEE. THE COMMUNICATION MAY BE PRIVILEGED UNDER THE ATTORNEY/CLIENT AND/OR WORK PRODUCT PRIVILEGES. ANY NON-ADDRESSEE IS PROHIBITED FROM READING, DISSEMINATING, DISTRIBUTING OR COPYING THE COMMUNICATION CONTAINED HEREIN. IF YOU ARE IN POSSESSION OF THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE. THANK YOU.

IF THERE IS ANY IMPERFECTION IN THE TRANSMISSION, PLEASE CALL 978-373-5611.

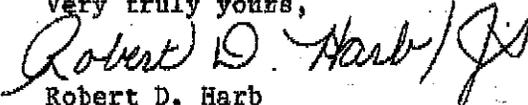
**MESSAGE**

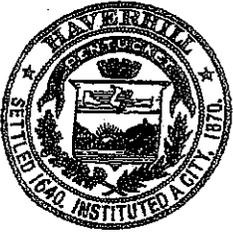
Dear Maria:

Faxed herewith please find copy of Request For Continuance regarding the above referenced matter.

I will file the original on Monday.

Very truly yours,

  
Robert D. Harb



# Haverhill

City Clerk's Office, Room 118  
Phone: 978-374-2312 Fax: 978-373-8490  
cityclerk@cityofhaverhill.com

November 14, 2014

**To:** City Councillors

**From:** City Clerk's Office

**Re:** **Application-** Special Permit to construct a new 2-story building for *Congregate Care Housing*; to house a total of 90 units; *Assisted Living Units* consisting of 26 one-bedroom and 20 studio units; *Supportive Independent Living Units* consisting of 17 one-bedroom and 3 two-bedroom units; and *Memory Care Units* consisting of 20 studio & 4 *Companion units*

**Project Reference** - Attorney Robert Harb, representing *Continental Wingate Development Company*

**Street Location** - unnumbered North Avenue;  
*Assessor's Map 630, Block 2, Lot 1-A*

**\*Public Hearing-Tuesday, November 18 2014**

Enclosed please find reports as received from the various Departments with respect to this Special Permit



# Haverhill

City Clerk's Office, Room 118  
Phone: 978-374-2312 Fax: 978-373-8490  
cityclerk@cityofhaverhill.com

## REQUEST FOR COMMENT

TO: BOARD OF HEALTH CHAIRMAN & MEMBERS  
BUILDING INSPECTOR - Richard Osborne  
CITY ENGINEER - John Pettis  
CONSERVATION COMMISSION CHAIRMAN & MEMBERS  
HIGHWAY SUPERINTENDENT - Michael Stankovich  
PLANNING DIRECTOR - William Pillsbury  
WASTEWATER/WATER ENGINEER - Robert Ward  
FIRE DEPARTMENT - Richard Borden  
POLICE DEPARTMENT - Alan DeNaro  
SCHOOL SUPERINTENDENT - James Scully

FROM: CITY CLERK: Linda L. Koutoulas  
DATE: October 6 2014

RE: **Application**-Special Permit to construct a new 2-story building for *Congregate Care Housing*; to house a total of 90 units; *Assisted Living Units* consisting of 26 one-bedroom and 20 studio units; *Supportive Independent Living Units* consisting of 17 one-bedroom and 3 two-bedroom units; and *Memory Care Units* consisting of 20 studio & 4 Companion units

**Project Reference** - Attorney Robert Harb, representing Continental Wingate Development Company

**Street Location** -unnumbered North Avenue; Assessor's Map 630, Block 2, Lot 1-1A

**\*Please send reports to the City Clerk, Room 118 by Monday, November 10 2014**

**The public hearing of the City Council is scheduled for TUESDAY, November 18 2014**



# Haverhill

Board of Health  
Inspection Services  
School Nurse Leader  
Community Health Coordinator  
Phone: 978-374-2325  
978-374-2341  
978-374-2338  
978-374-2430  
Fax: 978-374-2337  
[bdufresne@cityofhaverhill.com](mailto:bdufresne@cityofhaverhill.com)

05/11/14  
11 5 00 01 AM '14  
30/12/14 2:48:10 PM  
AM 11/08/14

## MEMORANDUM

November 7, 2014

To: Members of the City Council  
From: Les Godin- Health Department  
Re: Special Permit – Congregate Housing – North Ave

I have reviewed the submitted information and have met with the applicant's representatives regarding the project. City water and sewer services are proposed and at this time the Department has no objections.

LG/bld

00110008

02 4 01 05 00 00

00 00 00 00 00 00  
00 00 00 00 00 00

November 20, 2014

TO: City Council President & City Council Members  
FROM: Building Inspector, Richard Osborne  
RE: Special Permit for Congregate Care Housing – North Ave

I have reviewed the proposed civil plan and building elevation plans for Continental Wingate Dev. Co. for North Avenue. The proposed two story – 90 unit – assisted residential living facility appears to comply with the City of Haverhill By-Laws Chapter 255 Table of Dimensional Requirements and Density Requirements. The addition is to a pre-existing Use allowed by Special Permit.

RO



# Haverhill

RECORDED

EC 1 09 15 11 11  
301870  
OFFICE  
MA 01830  
Economic Development and Planning  
Conservation Department  
Phone: 978-374-2334 Fax: 978-373-8475  
[rmoores@cityofhaverhill.com](mailto:rmoores@cityofhaverhill.com)  
[conservation@cityofhaverhill.com](mailto:conservation@cityofhaverhill.com)

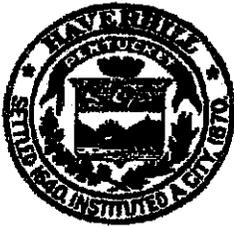
MEMO TO: Linda L. Koutoulas, City Clerk  
FROM: Robert E. Moore, Jr., Environmental Health Technician   
DATE: October 27, 2014  
RE: Special Permit for Congregate Care Housing  
Wingate Development Company for North Avenue

The Conservation Commission reviewed the subject project at its meeting on October 23, 2014. The Commission noted the following concerns with the current project design:

- The project proposes significant encroachment upon the 25'-No Disturbance Zone, which protects the site's wetland resource areas, for the installation of stormwater management areas and abutter landscape screening.
- The project proposes significant excavations immediately adjacent to the site's wetland resource areas, potentially having negative effects on the hydrology of these areas.
- The project appears to propose an area of encroachment upon the 50'-No Build Zone, which protects the site's wetland resource areas.
- The project does not propose any mitigation for these impacts.

In conclusion, the Haverhill Conservation Commission does not support this project at this time.

C (via email): Haverhill City Councilors  
Barbara Arthur, City Council Clerk  
William Pillsbury, Economic Development and Planning Director  
John Pettis, PE, City Engineer



James J. Fiorentini  
Mayor

Richard B. Borden  
Fire Chief

05/11/2014

# Haverhill Fire Department

## Fire Prevention / Investigation Unit

D/C William F. Laliberty  
Lieut. Roger E. Moses  
Insp. Steven Trocki



4 Summer St, Room 113  
Tel: (978) 373-8460  
Fax: (978) 521-4441

October 31, 2014

Linda L. Koutoulas, City Clerk  
4 Summer Street, room 118  
Haverhill, MA 01830

**Re: Wingate at Haverhill Assisted Living/ North Avenue/ 630-2-1/ Special Permit**

The planning, design and construction of new buildings, renovation of existing buildings and structures to provide egress facilities, fire protection and built-in fire protection equipment shall be in accordance with 780 CMR; and any alterations, additions or changes in buildings required by the provisions of 527 CMR which are in the scope of 780 CMR shall be made in accordance therewith. (527 CMR 1.04(4) and 780 CMR 102)

Plans approved by the fire department are approved with the intent they comply in all respects to 780 CMR, 527 CMR, MGL Chapter 148 and any City of Haverhill ordinance. Any omissions or errors on the plans do not relieve the applicant of complying with applicable requirements.

I have reviewed the submitted Special Permit Application for the address stated above and in the interest of public safety, have the following comments:

- **Applicant is seeking a Special Permit to construct a new 2-story building for Congregate Care Housing; to house a total of 90 units; Assisted Units consisting of 26 one-bedroom and 20 studio units; Supportive Independent Living Units consisting of 17 one-bedroom and 3 two-bedroom Units; and Memory Care Units consisting of 20 studio and 4 Companion Units.**
- **Fire protection systems shall conform to the requirements of the eighth edition of the Massachusetts State Building Code, 780 CMR including the Massachusetts Amendments to the IBC, 2009 edition based on the Occupancy Use group I-1 and any other Use Group found to be applicable during any additional code reviews.**
- **A fire hydrant shall be located no further than one hundred feet (100-feet) from the fire department connection (FDC) to the automatic fire sprinkler system.**
- **Access for emergency fire apparatus to the proposed facility is adequate for proper placement and operations during an emergency.**

Respectfully,

William F. Laliberty  
Deputy Fire Chief



# Haverhill

Economic Development and Planning  
Conservation Department  
Phone: 978-374-2334 Fax: 978-373-8475  
[rmoore@cityofhaverhill.com](mailto:rmoore@cityofhaverhill.com)  
[conservation@cityofhaverhill.com](mailto:conservation@cityofhaverhill.com)

MEMO TO: Linda L. Koutoulas, City Clerk  
FROM: Robert E. Moore, Jr., Environmental Health Technician   
DATE: November 14, 2014  
RE: Special Permit for Congregate Care Housing  
Wingate Development Company for North Avenue

The Conservation Commission met with Roger Alcott from Weston & Sampson, David Feldman from Wingate, and Wingate's Attorney, Robert Harb, at its meeting on November 13<sup>th</sup> to discuss this special permit application. The Commission noted the discussion to be "productive", with Mr. Alcott particularly outlining plan revisions that have been made and additional measures that will be taken to address the Commission's October 27<sup>th</sup> concerns.

The Commission noted the applicant is actively working to address those concerns and trusts it will continue to do so through the anticipated Notice of Intent review process with the Commission.

With the applicant working to address the Commission's concerns, the Conservation Commission offers no objections to the granting of this special permit for the proposed usage on this property.

C (via email): Haverhill City Councilors  
Barbara Arthur, City Council Clerk  
William Pillsbury, Economic Development and Planning Director  
John Pettis, PE, City Engineer  
Roger Alcott, Weston & Sampson  
David Feldman, Wingate  
Attorney Robert Harb

Hearing December 2 2014

108

FIORIELLO & MIGLIORI ATTORNEYS AT LAW

KAREN L. FIORELLO kfiorello@fimilaw.com

MICHAEL J. MIGLIORI mmigliori@fimilaw.com

FIREHOUSE CONDOMINIUMS 18 ESSEX STREET HAVERHILL, MASSACHUSETTS 01832 TEL 978/373-3003 FAX 978/373-3066

September 26, 2014

7.5.1

John A. Michitson, President Haverhill City Council 4 Summer Street, Room 204 Haverhill, MA 01830

Re: 2 Washington Street Stateside Realty Group, LLC Modification to Special Permit June 4, 2013

Dear Mr. Michitson:

Stateside Realty Group, LLC is requesting a modification of the Special Permit granted by the Council on June 4, 2013 regarding the property at 2 Washington Street (see attached).

The Haverhill City Council, at that time, granted a Special Permit allowing Stateside to construct nine (9) residential apartments and two (2) commercial spaces at the property.

The modification currently presented is requesting twelve (12) residential apartments and two (2) commercial spaces, and the addition of an elevator.

I have attached the appropriate plans and fees in connection with the requested modification of the Special Permit.

Please note the applicant waives the statutory requirement for the City Council to hold a hearing on the matter within sixty-five (65) days.

Should you have any questions or need any additional information, please don't hesitate to contact my office.

IN CITY COUNCIL: October 7 2014 VOTED: that COUNCIL HEARING BE HELD DECEMBER 2 2014 Attest:

City Clerk

Sincerely yours,

Michael J. Migliori

Planning Board Hearing not needed for modification

Heating June 4

2013

**STATESIDE REALTY GROUP, LLC**80 FLANDERS RD. WESTBOROUGH, MA 01581  
P-(508)898-3002 F-(508)898-3003BACKUP  
11/20/13John Michitson, President  
Haverhill City Council  
City Hall, 4 Summer Street  
Haverhill, MA 01830

April 9, 2013

2014040700336 Bk:33204 Pg:205  
04/07/2014 12:37 PM PERMIT Pg 1/18RE: 2 Washington Street Renovation  
Applicant: Stateside Realty Group, LLC  
.80 Flanders Rd. Westborough, MA 01581Special Permit to construct 9 Residential Apartments and up to 2  
commercial spaces.

Dear Mr. Michitson,

Stateside Realty Group is requesting a special permit to construct (9) residential apartment units consisting of (3) 2 bedroom units and (6) 1 bedroom units as well as (2) commercial spaces in an existing 4 story building located at 2 Washington Street and being shown as Haverhill Assessors Map 308, Block 1, Lot 2.

2 Washington Street is located in Sub Zone D of the Downtown Smart Growth Overlay District(DSGOD).

All units will be rental units for a period of (5) years minimum as per the requirements of the Mass Historical Tax Credit Program as well as the Department of the Interiors standards for the Federal Historical Tax Credit Program.

**Legal Description**

The land in Haverhill, Essex County, Massachusetts, with the buildings thereon bounded and described as follows:

Beginning at the Northwesterly corner thereof by said Washington Street and by land formerly of John P. Gilman; and thence running Easterly by said Washington

50

Street about (56 1/2) feet to private way; thence Southerly by said private way about (61) feet to another private way running nearly parallel with said Washington Street; thence Westerly by northerly line of the private way last mentioned about (50 1/2) feet to said land formerly of Gilman; and thence Northerly by the land last mentioned through the brick party wall between the block on the premises hereby conveyed and a brick block on said land formerly of Gilman in a line (10) inches Westerly of the Easterly face of said wall to a point begun at.

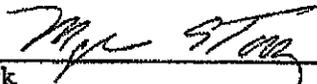
I have enclosed the appropriate plans and fees in connection with the requested Special Permit.

We hereby waive the statutory requirement for the City Council to hold a hearing on the matter within sixty-five(65) days.

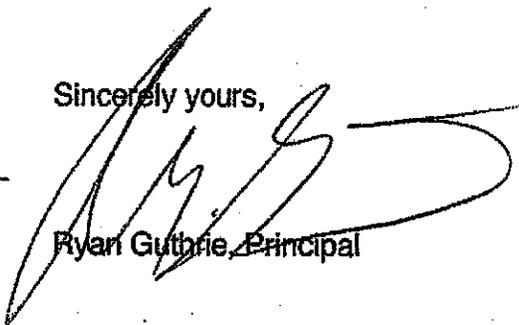
Should you have any questions, or need any additional information, please don't hesitate to contact me at (508)294-4430.

IN CITY COUNCIL: April 16 2013  
REFER: TO PLANNING BOARD and  
VOTED: that COUNCIL HEARING  
BE HELD: June 4 2013

Attest:

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

Sincerely yours,

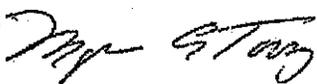
  
Ryan Guthrie, Principal

IN CITY COUNCIL: June 4 2013

On motion of Councillor Hart to grant the Special Permit and also approve the request for the waiver of the affordability requirement in our current ordinance for the project with the following conditions/stipulations as stated in the letter of recommendations dated May 31 2013 from Economic Development and Planning Director William Pillsbury Jr; also that all items in the letters from the City Departments along with all requirements for Special Permits would be made part of the Special Permit project and that the project is granted with all the proposed conditions/stipulations

MOTION PASSED and  
GRANTED WITH CONDITIONS

Attest:

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

RECEIVED  
2013 APR 11 AM 10 38  
CITY CLERKS OFFICE  
HAVERHILL, MA.

Petition from Ryan Gutherie for Stateside Realty Group LLC requesting a Special Permit to construct 9 residential apartment units consisting of 3 2-Bedroom units and 6 1-bedroom units as well as 2 commercial spaces in an existing 4-story building located at 2 Washington st; being Assessor's Map 308, Block 1, Lot 2; with location being in the Sub Zone D of the Downtown Smart Growth Overlay District (DSCGD) ALSO REQUESTS WAIVER OF AFFORDABILITY REQUIREMENT AS IN OUR CURRENT ORDINANCE

IN CITY COUNCIL: April 16 2013  
REFER TO PLANNING BOARD and  
VOTED: that COUNCIL HEARING BE HELD  
JUNE 4 2013

IN CITY COUNCIL: June 4 2013  
GRANTED WITH CONDITIONS

RETURN TO CITY CLERK'S OFFICE  
4 Summer st  
Haverhill, MA 01830  
Room 118



CITY OF HAVERHILL  
 MASSACHUSETTS  
NOTICE OF DECISION

YOU ARE HEREBY NOTIFIED OF THE DECISION OF THE CITY COUNCIL ON THE APPLICATION OF:

RYAN GUTHRIE FOR STATESIDE REALTY GROUP LLC  
 Applicant and Owner (If Different)

for property located at: 2 WASHINGTON ST. MAP 308 BL 1 LOT 2  
 Site location, Assessor's Map, Block, Parcel numbers  
 which was filed with the City Clerk on June 13, 2013 as signified by the  
 Date

City Clerk's date stamp.

The Council, as authorized by Section 15, Chapter 40A of the M.G.L. held a PUBLIC

HEARING ON: June 4, 2013  
 Date of Hearing (Continuance if applicable)

The Council voted to GRANT/~~DENY~~ said application  
 Vote On Special Permit With/~~Without~~ Conditions

- PRESIDENT SCATAMACCHIA
- COUNCILLOR HART
- COUNCILLOR MICHITSON
- COUNCILLOR RYAN
- COUNCILOR MCGONAGLE
- COUNCILLOR MACEK
- COUNCILLOR LEPAGE
- COUNCILLOR DALY O'BRIEN
- COUNCILLOR SULLIVAN

	YES	NO	ABSENT
X			
X			
X			
X			
X			
X			
X			
X			
X			

See attachments for reasons for decision of the City Council.\*

An appeal of this Decision shall be made pursuant to Section 17 of Chapter 40A and shall be filed with Superior or District Court within twenty (20) days after the date of filing of the above cited decision with the Office of the City Clerk. Procedural appeals shall be taken in accordance with Section 17 of Chapter 40A.

June 18 2013

Date

*Robert Scatamacchia*  
 City Council President MB

\*Record of evidence and detailed record of proceedings of the City Council hearing have been filed with the City Clerk and are incorporated herein by reference and considered a part hereof.





DOCUMENT

**CITY OF HAVERHILL**

In Municipal Council

8.0  
order

ORDERED:

That Document #107 of December 4, 2007 (an Order relating to rates for private snow plowing and hauling) be and is hereby deleted in its entirety and the following inserted in place thereof:

**RATES FOR SNOW PLOWING AND HAULING  
EFFECTIVE December 2, 2014**

<b>1. <u>TRUCK GROSS VEHICLE WEIGHT RATING</u></b>	<b><u>BASIC HOURLY RATE</u></b>
7,001 to 9,000 lbs.	52.00
9,001 to 11,000 lbs.	60.00
11,001 to 16,000 lbs. (Lt. 6 WH. Dump Truck)	64.00
16,001 to 36,000 lbs. (Heavy 6 WH. Dump Truck)	73.00
Over 36,001 lbs. (10 WH. Dump Truck)	85.00
Tractor/Loader	110.00

**NOTES:**

1. Owner must furnish frame, pump and ram, plow and cutting edges.
2. If ballast is supplied to contractor by the City, it shall be returned at the end of each storm.
3. Every vehicle used for plowing must be equipped with traction chains to be used when conditions warrant in the opinion of the Highway Superintendent or his agents.
4. Haverhill contractors will be given first consideration when being called.
5. Special Equipment - Equipment defined as "Special" will be determined by the Highway Superintendent or his agents. The hourly wage for said special equipment will be negotiated at the time of hire. This equipment is to be determined "Special" because it is not specified in this Order. Rates are not to exceed \$125.00 per hour for hiring of said Special Equipment unless directed by the City Council.

2.	<b><u>SPREADERS</u></b> <b><u>CAPACITY</u></b>	<b><u>HOURLY RATE</u></b>
	6 cu yd to under 10 cu yd	Rates to be determined at the time of hire
	10 cu yd to under 14 cu yd	
	14 cu yd and over	

3.	<b><u>POWER GRADERS</u></b> <b><u>TYPE</u></b>	<b><u>HOURLY RATE</u></b>
	Basic Grader	80.00
	Grader equipped with wing plow	90.00

4.	<b><u>FRONT-END LOADERS</u></b> <b><u>CAPACITY</u></b>	<b><u>HOURLY RATE</u></b>
	2 - 3 cu yds	Rates to be determined at the time of hire
	4 - 6 cu yds	

**EFFECTIVE JULY 1, 2015:**

Delete Section 1 above as to rates and insert the following:

"1.	<b><u>TRUCK GROSS</u></b> <b><u>VEHICLE WEIGHT RATING</u></b>	<b><u>BASIC HOURLY</u></b> <b><u>RATE</u></b>
	7,001 to 9,000 lbs.	55.00
	9,001 to 11,000 lbs.	63.00
	11,001 to 16,000 lbs. (Lt. 6 WH. Dump Truck)	78.00
	16,001 to 36,000 lbs. (Heavy 6 WH. Dump Truck)	80.00
	Over 36,001 lbs. (10 WH. Dump Truck)	88.00
	Tractor/Loader	110.00"

City of Haverhill  
Snow Plowing Rates

Proposed Rate Scenarios

Vehicle Weight - GVW	# of Vehicles & Equipment	Current Hourly Rate	FY 2015		FY 2016		
			Total/ 1 Hour	New Rate	Total/ 1 Hour	New Rate	
7,001 - 9,000 lbs	48	\$45.00	\$2,160.00	\$ 52.00	2,496.00	\$ 55.00	2,640.00
9,001 to 11,000 lbs	62	\$48.00	\$2,976.00	\$ 60.00	3,720.00	\$ 63.00	3,906.00
11,001 to 16,000 lbs	47	\$60.00	\$2,820.00	\$ 64.00	3,008.00	\$ 78.00	3,666.00
16,001 to 36,000 lbs	13	\$66.00	\$858.00	\$ 73.00	949.00	\$ 80.00	1,040.00
Over 36,001 lbs	1	\$80.00	\$80.00	\$ 85.00	85.00	\$ 88.00	88.00
Tractor/Loader	<u>19</u>	<u>\$110.00</u>	<u>\$2,090.00</u>	<u>\$ 110.00</u>	<u>2,090.00</u>	<u>\$ 110.00</u>	<u>2,090.00</u>
<b>Totals</b>			<b>\$10,984.00</b>	<b>\$</b>	<b>12,348.00</b>	<b>\$</b>	<b>13,430.00</b>

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  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CI.HAVERHILL.MA.US

November 26, 2014

City Council President John A. Michitson and  
Members of the Haverhill City Council

RE: Snow Plow Rates

Dear Mr. President and Members of the Haverhill City Council:

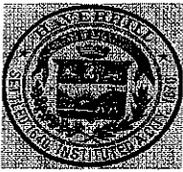
Enclosed, please find an order to increase basic hourly rates for snow plowing and hauling related to truck gross vehicle weight rating.

I recommend approval.

Very truly yours,

**James J. Fiorentini , Mayor**

JJF/ah



Document

CITY OF HAVERHILL

8.0.1

In Municipal Council

Ordered:

That in accordance with General Laws, Chapter 44, Section 64, authorize the payment of bill(s) of the previous years and to further authorize the payment from current year departmental appropriations as listed below:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Edwards Wildman Palmer LLP	\$5,600.00	Treasurer Dept



EDWARDS WILDMAN PALMER LLP  
111 HUNTINGTON AVENUE  
BOSTON, MASSACHUSETTS 02199-7613  
+1 617 239 0100 MAIN +1 617 227 4420 FAX  
edwardswildman.com

# Invoice

**Wire Instructions:**

Bank of America  
100 Westminster St., Providence, RI 02903  
Acct# 000156917009  
ABA Wire Transfer # 026009593  
ABA ACH Payment # 011500010

Swift Code: BOFAUS3N  
DUNS# 361207116

Please Note New  
Remittance Address  
P.O. Box 416395  
Boston, MA 02241-6395

Fed. Id #05-0135015

20559 NARRATIVE0

City of Haverhill, Massachusetts  
City Hall, Room 114  
4 Summer Street  
Haverhill, MA 01830

June 27, 2014

212803/0001

Invoice # 2006462

Bonds

FOR PROFESSIONAL SERVICES rendered in connection with following issues for the CITY OF HAVERHILL, MASSACHUSETTS:

\$2,000,000 GENERAL OBLIGATION STATE AID ANTICIPATION NOTES, R-1, dated as of June 27, 2014 and payable December 12, 2014, including conferences with the City and Financial Advisors, examining papers submitted from time to time, drafting various certificates, preparing the "Book Entry" Notes, examining a copy of one of the executed Notes, and furnishing to the City and to TD Securities (USA) LLC, as purchaser, our opinions dated June 27, 2014 approving the legality of the Notes, and also including related disbursements. \$3,100.00

\$781,000 GENERAL OBLIGATION BOND ANTICIPATION NOTE, R-1, dated as of June 27, 2014 and payable December 12, 2014, including conferences with the City and Financial Advisors, examining papers submitted from time to time, drafting various certificates, preparing the "Registered" Note, examining a copy of the executed Note, and furnishing to the City and to Century Subsidiary Investments Inc., III, as purchaser, our opinions dated June 27, 2014 approving the legality of the Note, and also including related disbursements. \$2,500.00

**Total Invoice: \$5,600.00**

BOSTON • CHICAGO • HARTFORD • HONG KONG • ISTANBUL • LONDON • LOS ANGELES • MIAMI • MORRISTOWN  
NEW YORK • ORANGE COUNTY • PROVIDENCE • STAMFORD • TOKYO • WASHINGTON DC • WEST PALM BEACH

This Invoice may include charges for professional services rendered by fee earners of Edwards Wildman Palmer US LLP.

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  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CI.HAVERHILL.MA.US

November 26, 2014

City Council President John A. Michitson and  
Members of the Haverhill City Council

RE: FY14 Bills – Treasurer Department

Dear Mr. President and Members of the Haverhill City Council:

Enclosed, please find an order to authorize payment for bills from the previous fiscal year.

I recommend approval.

Very truly yours,

**James J. Fiorentini , Mayor**

JJF/ah



DOCUMENT

**CITY OF HAVERHILL**

In Municipal Council

810.2

ORDERED:

That the sum of \$27,000 be transferred from the Reserve for Capital Projects to the General Fund *Police Department Building Maintenance*.

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  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CI.HAVERHILL.MA.US

November 26, 2014

City Council President John A. Michitson and  
Members of the Haverhill City Council

RE: Police Department Roof Repair

Dear Mr. President and Members of the Haverhill City Council:

Enclosed, please find an order to transfer \$27,000 from the Reserve for Capital Projects to the General Fund Police Department Building Maintenance. The insurance deductible is \$25,000 and the remaining \$2,000 will be used for mold remediation protection suits per our insurance company.

I recommend approval.

Very truly yours,

  
James J. Fiorentini, Mayor

JJF/ah



DOCUMENT

**CITY OF HAVERHILL**

In Municipal Council

8.0.3

ORDERED:

That the sum of \$14,875 be transferred from the Capital Account to the General Fund *Highway Replacement*.



Francis H. Maroney, Inc.

491 Amesbury Road  
Haverhill, MA 01831  
Telephone (978) 374-7459  
Fax (978) 521-3910

**PROPOSAL**

Monday, November 10, 2014

Haverhill Parks Dept.  
307 Kenoza  
Haverhill, MA 01830

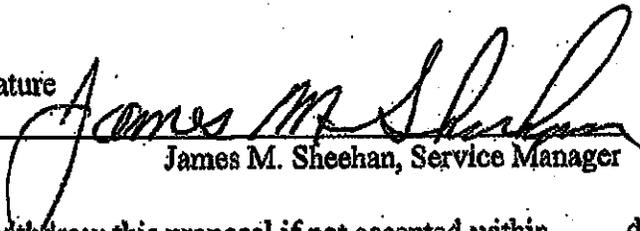
We are pleased to quote on the replacement of the steam boiler at the above location. Includes the following scope of work.

- Remove existing steam boiler from site.
- Install new Burnham boiler matching BTU.
- Includes all Rigging.
- Includes all steam and return piping.
- Provide power and control wiring.

We propose hereby to furnish labor and material in accordance with above specifications.

For the sum of: Fourteen thousand Eight hundred seventy five dollars (\$14,875.00).

Authorized Signature



James M. Sheehan, Service Manager

Note: We may withdraw this proposal if not accepted within \_\_\_ days.

Acceptance of Proposal

By \_\_\_\_\_

Date \_\_\_\_\_



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  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CI.HAVERHILL.MA.US

November 26, 2014

City Council President John A. Michtson and  
Members of the Haverhill City Council

RE: Boiler Replacement

Dear Mr. President and Members of the Haverhill City Council:

Enclosed, please find an order to authorize payment of \$14,875 for the replacement boiler in the Parks Department.

I recommend approval.

Very truly yours,

**James J. Fiorentini , Mayor**

JJF/ah



DOCUMENT

**CITY OF HAVERHILL**

In Municipal Council

8, 1, 1  
file 10  
days

~~ORDERED~~ MUNICIPAL ORDINANCE

**An Ordinance Relating to Parking  
(18 Jackson Street—Delete Handicap Parking)**

BE IT ORDAINED by the City Council of the City of Haverhill that Article XIII, Chapter 240, Section 85, Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended, by deleting the following:

<u>LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
18 Jackson Street In front of No. 18 Jackson St. except for 1-24 hour handicap parking space at No. 18	No Parking	24 Hours

APPROVED as to legality:

\_\_\_\_\_  
William D. Cox, City Solicitor

WP/lw



# Haverhill

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

November 25, 2014

Council President John A. Michitson  
& City Council Members  
City Hall—Room 204  
City of Haverhill

**RE: REQUEST TO DELETE A HANDICAP PARKING SPACE  
AT THE LOCATION OF 18 JACKSON STREET**

Dear Council President Michitson & Councilors:

As per your attached request dated 11/20/14 and the communication dated 11/7/14 from Councilor Michael McGonagle I am submitting a Municipal Ordinance to delete a handicap parking space at the location of 18 Jackson Street.

Sincerely,

William Pillsbury, Jr.  
Director of Economic  
Development & Planning

WP/lw

CITY COUNCIL

JOHN A. MICHITSON  
PRESIDENT  
ROBERT H. SCATAMACCHIA  
VICE PRESIDENT  
MELINDA E. BARRETT  
WILLIAM J. MACEK  
WILLIAM H. RYAN  
THOMAS J. SULLIVAN  
MARY ELLEN DALY O'BRIEN  
MICHAEL S. MCGONAGLE  
COLIN F. LEPAGE



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

CITY OF HAVERHILL  
HAVERHILL, MASSACHUSETTS 01830-5843

November 20, 2014

TO: Mr. William Pillsbury, Jr.  
Planning Director and Grants Coordinator

RE: **Delete Handicap Ordinance – 18 Jackson Street**

Dear Mr. Pillsbury:

At the City Council meeting held on November 18, 2014 the following item was placed on the agenda by Councillor McGonagle:

- Doc. #98-Y - Request for removal of a handicap parking space at 18 Jackson Street

The Council would appreciate it if you would prepare the necessary ordinance and place it on the next Council agenda. Thank you for your assistance.

Sincerely,

John A. Michitson, President  
Haverhill City Council

JAS/bsa

encl.

c: Mayor James J. Fiorentini  
City Councillors  
Police Officer Lance Powell

**CITY COUNCIL**

JOHN A. MICHITSON  
*PRESIDENT*  
ROBERT H. SCATAMACCHIA  
*VICE PRESIDENT*  
MELINDA E. BARRETT  
WILLIAM J. MACEK  
WILLIAM H. RYAN  
THOMAS J. SULLIVAN  
MARY ELLEN DALY O'BRIEN  
MICHAEL S. MCGONAGLE  
COLIN F. LEPAGE



11.2.1

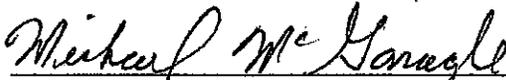
ALL, ROOM 204  
SUMMER STREET  
978 374-2328  
978 374-2329  
verhill.ma.us  
naverhill.com

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

November 7, 2014

TO: Mr. President and Members of the City Council:

Councillor Michael McGonagle requests the removal of a handicap parking space at 18 Jackson Avenue as it is no longer needed.

  
City Councillor Michael McGonagle

Name of Street Location	Regulation	Hours/Days
Entire length, east side	No parking	24 hours
Industrial Avenue [Added 1-2-1996 by Doc. 24-M]	No parking	—
Inland Street		
Entire length, north side	No parking	—
Jackson Street		
From Reed Street for 150 feet, east side	No parking	—
In front of 16 Jackson Street, except for 1 24-hour handicapped parking space at 16	No parking	24 hours
Jackson Street [Added 2-28-2012 by Doc. 21-E]		
In front of 18 Jackson Street, except for 1 24-hour handicapped parking space at	No parking	24 hours
No. 18 [Added 2-23-2010 by Doc. 16-E]		
43 Jackson Street [Added 5-10-2005 by Doc. 32-D; repealed 6-26-2007 by Doc. 14-N]		
John Street [Added 1-30-2007 by Doc. 14]		
In front of 32 John Street, except for 1 24-hour handicapped parking space at	No parking	24 hours
No. 32		
Jonathan Duston Lane [Added 7-28-1998 by Doc. 40-J]		
No parking in front of Hannah Duston Park, 1 Jonathan Duston Lane	No parking	24 hours
Katsaros Drive [Added 12-4-2007 by Doc. 29-N]		
From Groveland Street to Brown Street, both sides	No parking	24 hours
Kenoza Avenue		
From Warren Street west for 50 feet, north side	Time limited: 15 minutes	7:00 a.m. to 7:00 p.m.
From No. 78 to No. 80 (a distance of 50 feet), south side	Time limited: 15 minutes	7:00 a.m. to 7:00 p.m.
In front of 89 Kenoza Avenue, south side	Time limited: 1 hour	—
From its intersection with Main Street easterly for 140 feet, both sides [Added 4-22-1997 by Doc. 52-E]	No parking	—
From 140 feet east of its intersection with Main Street easterly for 210 feet, south side [Amended 4-22-1997 by Doc. 52-J]	Time limited: 30 minutes	7:00 a.m. to 7:00 p.m.



84-B

In Municipal Council: November 18 2014

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

CITY OF

9.1.1

ORDER OF TAKING

Vetted BY  
MAYOR

At a regularly convened meeting of the CITY COUNCIL of the CITY

held this 18<sup>th</sup> day of November, 2014, it was voted and ordered as follows:

The City Council of the CITY OF HAVERHILL, duly elected, qualified, and acting on behalf of the City, in accordance with the provisions of Massachusetts General Laws, Chapter 79, and the City's Charter, as amended, and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the City, temporary and permanent easements over, in, through, under and upon land commonly known and numbered 56-66 Merrimack Street, Haverhill, Essex County, Massachusetts and more particularly described in a deed dated May 22, 2007 from Marchand Holding Corporation to D.R. Locke LLC filed with the Land Court Division of the Essex South District Registry of Deeds noted as Document No. 479416 on Certificate of Title No. 80584, in the locations identified as the "Access & Utility Easement, A=2033 S.F.+/-" and "Piling Easement, A= 169 S.F.+/-" both of which are shown on a plan entitled: "Easement Plan Located In Haverhill, Mass. Prepared for the City of Haverhill", dated June 18, 2014, prepared by Christiansen & Sergi, Inc., a copy of which is attached hereto as EXHIBIT A and recorded herewith (hereinafter "the Plan"), as is set forth more fully herein. The land being subject to the temporary easement described herein below, the "Access & Utility Easement" and the "Piling Easement" is hereafter collectively defined as the "Easement Property".

1. Temporary easements are taken on and over the Easement Property depicted on the Plan for all purposes incidental to the construction of improvements on land adjacent to and

Veto [Signature]

temporary easement described herein below, the "Access & Utility Easement" and the "Piling Easement" is hereafter collectively defined as the "Easement Property".

1. Temporary easements are taken on and over the Easement Property depicted on the Plan for all purposes incidental to the construction of improvements on land adjacent to and on the Easement Property, such purposes to include, without limitation, surveying, constructing, inspecting, and installing, and maintaining improvements, parking and driveway areas, utilities, a boardwalk area to be developed adjacent to Wall Street and upon such other land adjacent to and upon the Easement Property including, without limitation, the portions of the Easement Property subject to the permanent easements described below, and including entry upon the Easement Property with any and all materials by foot, vehicle, and any equipment for all purposes stated herein and uses incidental thereto, the erection of temporary structures, the parking and storage of vehicles and equipment, changing the grade of the Easement Property to accommodate all permanent improvements, as described below, subject to the permanent easements, to be located within such Easement Property and land which is adjacent thereto and upon the Easement Property, and all other acts incidental thereto. The temporary easement, described herein, shall expire in **five (5) years** from the date this Order is recorded, provided that the completed grades and slopes on the Easement Property and those improvements designated herein below subject to the permanent easements shall be maintained in perpetuity. Upon completion of the City's use of said temporary easement described herein, the City shall remove all vehicles, materials and equipment and restore the surface of the Easement Property to as close to the condition that existed immediately prior to such work as is practicable, excepting the completed grades and slopes on the Easement Property and those permanent improvements designated herein below pursuant to the permanent easements.

2. A permanent, perpetual and exclusive easement is taken through, under, over and across that portion of Easement Property depicted on the Plan as an "Access & Utility Easement" as shown on the Plan, for all purposes necessary and appurtenant for the construction, installation, maintenance, repair and replacement of utilities and related improvements, such purposes to include, without limitation, surveying, constructing, reconstructing, installing, inspecting, using, maintaining, repairing, replacing, removing or abandoning in place utilities and related improvements including, without limitation, underground sewer lines, underground drain lines and catch basins, and including entry by foot, vehicle, and all equipment to be used for all purposes stated herein and uses incidental thereto, and the right to allow public use of such easements.

3. A permanent, perpetual and exclusive easement is taken through, under, over and across that portion of the Easement Property depicted on the Plan as a "Piling Easement" for all purposes necessary and appurtenant for the construction, installation, maintenance, repair and replacement of a support/piling system to support an elevated boardwalk to be constructed on and between the support/piling system and a flood protection wall located adjacent to Wall Street and shown on the plan entitled "Proposed Highway Adjacent to Flood Protection Wall Lower County Bridge Westerly, Haverhill, Mass. Prepared by Harry W. Bailey, City Engineer dated May 1940 and recorded at Essex South Registry of Deeds in Plan Book 73, Page 32 and all related and ancillary improvements, such purposes to include, without limitation, surveying, constructing, reconstructing, installing, inspecting, using, maintaining, repairing, replacing, removing or abandoning in place the support/piling system and related improvements and including entry by foot, vehicle, and any equipment used for all purposes stated herein and uses incidental thereto, and the right to allow public use of such easements.

4. All of the easement rights taken hereunder shall burden and encompass that portion of the land situated seaward of the Low Water Lines, as depicted on the Plan, and landward of Wall Street to the extent of owner's interest in any portion of the land situated seaward of said Low Water Lines.

This taking does not include structures presently situated on the easement premises, but does include the right of the City to remove such structures whenever their removal shall be required for said easement purposes. This taking does include such trees and shrubs within the easement premises whose removal is necessary to carry out the purposes of the easements taken herein. By this Order, the City takes no interest in existing easements, if any, affecting the easement premises.

The lands affected by the herein taking is owned or supposedly owned by the owner listed in Schedule A, attached hereto and incorporated within. If, in any instance, the name of any owner is not correctly stated in Schedule A, it is understood that in such instance the land referred to is owned by an owner or owners unknown to the City.

In accordance with the provision of General Laws, Chapter 79, Section 6, we hereby award to the owner, those damages sustained by such owner of its property by reason of the aforesaid takings, the amount of such award being set out herein in Schedule A, which is not recorded herewith, and which Order and acted on this day.

No betterments are to be assessed under this taking.

[Remainder of Page Left Intentionally Blank]

**EXHIBIT A**  
**Easement Plan**

FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.

DATE \_\_\_\_\_

**NOTES**

1. THE INTENT OF THIS PLAN IS TO DESCRIBE TWO EASEMENTS.  
AN ACCESS EASEMENT ACROSS #56-68 MERRIMACK STREET, PARALLEL WITH AND 30.0' NORTHERLY OF THE NORTH SIDELINE OF WALL STREET. THE EASEMENT IS CONTIGUOUS TO # 69-70 MERRIMACK STREET ON THE WEST AND #42-54 MERRIMACK STREET ON THE EAST.  
SECOND A PILING EASEMENT PARALLEL WITH AND 2.5' NORTHERLY OF THE NORTH SIDELINE OF WALL STREET. THE EASEMENT IS CONTIGUOUS TO MERRIMACK STREET ON THE WEST AND #42-54 MERRIMACK STREET ON THE EAST.
2. THE LOW WATER LINE WAS TAKEN FROM A PLAN RECORDED AT THE SOUTH ESSEX REGISTRY OF DEEDS AS PLAN NO. 1942. SAID PLAN ACCOMPANIED A PETITION TO FILL ASSOCIATED WITH LICENSE 2984-A.
3. THE LOW WATER LINE WAS TAKEN FROM A PLAN RECORDED AT THE SOUTH ESSEX REGISTRY OF DEEDS BOOK 1829 PAGE 273. SAID PLAN ACCOMPANIED A PETITION TO FILL ASSOCIATED WITH LICENSE 3094.

**EASEMENT PLAN**  
LOCATED IN  
**HAVERHILL, MASS.**  
PREPARED FOR  
**THE CITY OF  
HAVERHILL**



DATE: JUNE 10, 2014 SCALE: 1"=20'

PROFESSIONAL ENGINEERS & LAND SURVEYORS  
**CHRISTIANSEN & SERGI, INC.**  
160 SUMMER STREET, HAVERHILL, MASSACHUSETTS 01830  
WWW.CSI-ENGR.COM TEL: 978-373-9810 FAX: 978-372-9868



DWG. NO. 10067.008.018C

MERRIMACK STREET

#54 - #42

#66 - #56

#70 - #60

#74 - #72

CITY LANDING NO. 12

100-1 11

100-1 13

100-1 14

100-1 15

EXISTING BUILDING (TYPICAL)

ACCESS & UTILITY EASEMENT  
A=2033 S.F.±

PILING EASEMENT  
A=169 S.F.±

WALL STREET

I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS, AND ARE FOR THE DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN.  
CHAPTER 41 SECTION 81X

MICHAEL J. SERGI P.L.S. DATE \_\_\_\_\_  
THE CERTIFICATION SHOWN ABOVE IS INTENDED TO MEET THE REGISTRATION REQUIREMENTS AND IS NOT A CERTIFICATION OF OWNERSHIP OF PROPERTY SHOWING OWNERSHIP OF ADJOINING PROPERTIES ARE ACCORDING TO ASSESSORS RECORDS.

**LEGEND**

#66 - #56 STREET ADDRESS  
100-1 11 MAP-BLOCK/LOT  
CITY OF HAVERHILL ASSESSOR

**RECORD OWNERS**

100-1 15  
FREDERIC ROSE REVOCABLE TRUST & BARBARA ROSE REVOCABLE TRUST  
FREDERIC & BARBARA ROSE TRUSTEES  
BOOK 26347 PAGE 7

100-1 14  
VINTAGE TREASURES REALTY TRUST  
KIMBERLEY COOK TRUSTEE

100-1 13  
D.R. LOCKE LLC  
CERTIFICATE 80694  
ACCESS EASEMENT AREA=1680 S.F.±

100-1 11  
MERRIMACK STREET OWNER LLC  
BOOK 32727 PAGE 448

**SCHEDULE A**

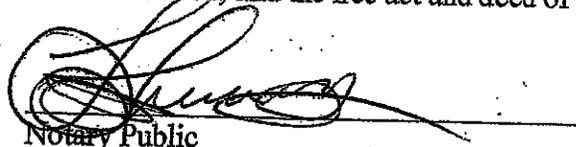
**DO NOT RECORD**

<b>Easement(s)</b>	<b>Property Address</b>	<b>Owner Name</b>	<b>Assessor Map/Lot No.</b>	<b>Title Ref.</b>	<b>Damages</b>
“Access & Utility Easement”;; “Piling Easement”; and Temporary Easement	56-66 Merrimack Street, Haverhill, Essex County, Massachusetts	D.R. Locke LLC, a Massachusetts limited liability company	100-1-13	Certificate of Title No. 80584; Document No. 479416	\$10,000.00

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this 18<sup>th</sup> day of November, 2014, then personally appeared the above-named members of the City Council for the City of Haverhill, as aforesaid, and proved to me through satisfactory evidence of identification, which were personally known, to be the person whose name is signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his/her free act and deed, and the free act and deed of the City of Haverhill, before me.



Notary Public

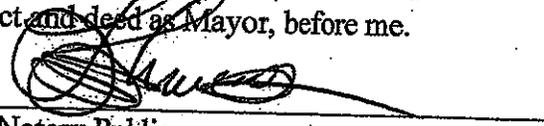
My Commission Expires:

June 19, 2019

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this 18<sup>th</sup> day of November, 2014, then personally appeared the above-named James J. Fiorentini, Mayor of the City of Haverhill, as aforesaid, and proved to me through satisfactory evidence of identification, which were personally known, to be the person whose name he signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his free act and deed as Mayor, before me.



Notary Public

My Commission Expires:

June 19, 2019

509804/HAVE/0001

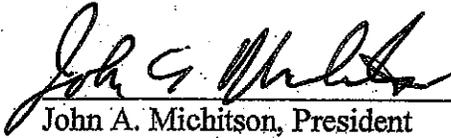


True Attest Copy  
Linda L. Koutoulas

Attc  
Linda L. Koutoulas

IN WITNESS WHEREOF, we, the duly elected and qualified City Council for the City of Haverhill have hereunto set our hands and seal this 18<sup>th</sup> day of November, 2014.

CITY OF HAVERHILL,  
By its City Council

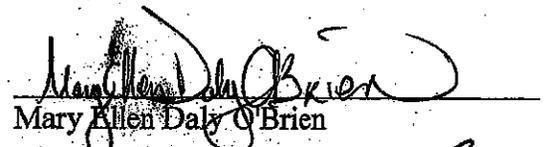
  
John A. Michitson, President

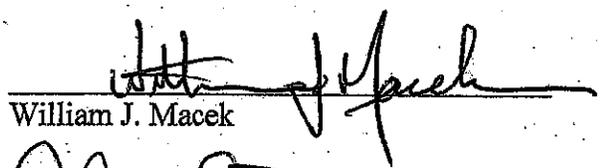
  
William H. Ryan

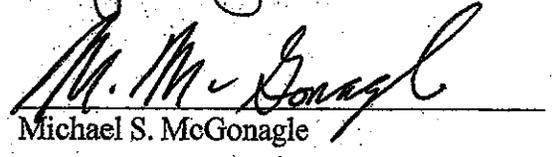
  
Robert Scatamacchia, Vice President

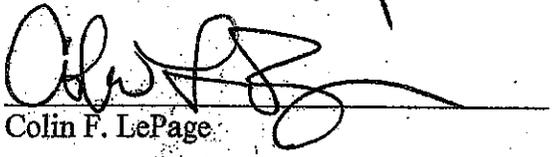
  
Thomas J. Sullivan

  
Melinda Barrett

  
Mary Allen Daly O'Brien

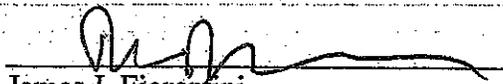
  
William J. Macek

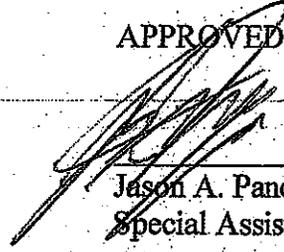
  
Michael S. McGonagle

  
Colin F. LePage

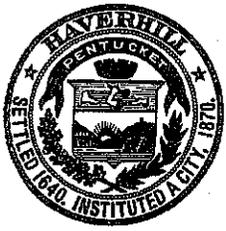
APPROVED:

APPROVED AS TO FORM:

  
James J. Fiorentini,  
Mayor

  
Jason A. Panos, Kopelman and Paige. PC.  
Special Assistant City Solicitor

  
True Attest Copy  
Linda L. Koutoulas



# Haverhill

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

November 14, 2014

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

FROM: William Pillsbury, Economic Development and Planning Director

RE: Taking of Easement—Merrimack Street

In order to facilitate the construction of the new access roadway into the Harbor Place project it is necessary to provide for action to the city council the attached order of taking. This involves a very small portion of land (2200 sq. ft.) to the rear of 56-66 Merrimack Street along the right of way of Wall Street. The easement we are taking is solely for access and utilities.

As required we have undertaken an appraisal and there is a related request for an appropriation of \$10,000 to pay for the value of the easement.

This action comes after extensive efforts to procure the access easement through negotiations but as we move aggressively forward to the beginning of Harbor Place is vital to have this easement in place at this time.

I respectfully request your approval of this matter.

84-BB



DOCUMENT 84-BB

# CITY OF HAVERHILL

In Municipal Council November 18 2014

9.1.2  
Vetoed  
BY  
MAYOR

ORDERED:

### Award of Damages

DOCUMENT # 84-BB

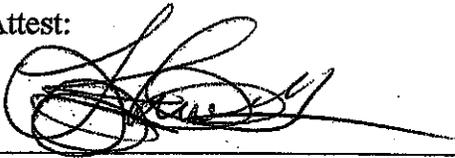
ORDERED: That the City Council of the City of Haverhill hereby:

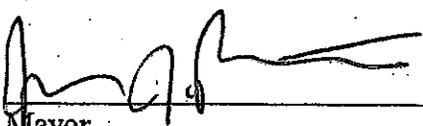
Take such action as is necessary to acquire, by eminent domain, permanent and temporary easements for access, installation and construction of utilities, pilings and other improvements in, on and under certain portions of the parcel of land known and numbered 56-66 Merrimack Street, Haverhill, Essex County, Massachusetts and more particularly described in a deed filed with the Land Court Division of the Essex South District Registry of Deeds, Document No. 479416 on Certificate of Title No. 80584, which parcel is also shown on Land Court plan numbered 8616-A, and which portions are shown as the "Access & Utility Easement, A=2033 S.F.+/-" and "Piling Easement, A= 169 S.F.+/-" on a plan entitled: "Easement Plan Located In Haverhill, Mass. Prepared for the City of Haverhill", dated June 18, 2014, prepared by Christiansen & Sergi, Inc., and to accomplish the foregoing, execute the Order of Taking presented to us this day by counsel, and further award \$10,000 as damages for such taking to the owner of the land affected by said taking.

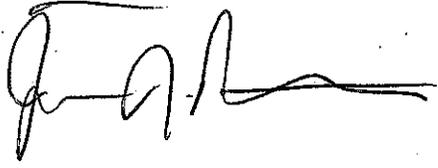
In the City Council: November 18, 2014

Passed Yeas 9, Nays 0

Attest:

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

*veto*  
Approved: November 18, 2014  
  
\_\_\_\_\_  
Mayor

*veto*  


  
True Attest Copy  
Linda L. Koutoulas

JAMES J. FIORENTINI  
MAYOR



CITY OF HAVERHILL  
MASSACHUSETTS

MA

VETO  
Letter

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ET  
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..COM  
US

November 26, 2014

City Council President John A. Michitson and  
Members of the Haverhill City Council

RE:

Dear Mr. President and Members of the Haverhill City Council:

I have vetoed the order of taking and award of damages. This is a "friendly" veto due to some technical concerns raised by the City Solicitor. He is working on corrections of these documents and we will be back before you with those concerns when the matter next comes up on the council agenda. In the meantime, if you have any questions or concerns, please call the City Solicitor.

Very truly yours,

James J. Fiorentini, Mayor

JJF/ah



**CITY OF HAVERHILL**

In Municipal Council November 18 2014

9.1.3

~~ORDER~~

331910 11/18/14  
AM 11:18 AM

**MUNICIPAL ORDINANCE**

**CHAPTER 240**

**AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC  
PATIENT/CLIENT DROP OFF AND PICKUP ZONES**

**BE IT ORDAINED** by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, is hereby further amended as follows:

By adding the following:

“§ 240-33A

**Patient/Client Drop Off and Pickup Zone.**

No person shall park a vehicle upon any street in any patient/client drop off and pick up zone for a period of time longer than 30 minutes and except while actually engaged in dropping off and/or picking up patients or clients to medical, psychological or therapeutic appointments, treatment or programs. Drop off and pick up zones are hereby established in those locations described in § 240-104, Schedule W.”

and, by adding the following at the end of § 240-10, Schedule V:

“Schedule W: Patient/Client Drop Off and Pickup Zone.

In accordance with the provisions of § 240-33A, patient/client drop off and pickup zones are established in the following locations:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Merrimack Street	South	In front of #56 - 74, Monday through Friday, 8:00 a.m. to 5:00 p.m.”

APPROVED AS TO LEGALITY

City Solicitor

PLACED ON FILE for at least 10 days

Attest:

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

# CITY OF HAVERHILL

MASSACHUSETTS

## CITY SOLICITOR'S OFFICE

145 South-Main Street

Bradford, MA 01835

(978) 373-2360

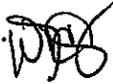
FAX: 978/372-0688

EMAIL: billcoxlaw@aol.com

**WILLIAM D. COX, JR.**  
**CITY SOLICITOR**

November 10, 2014

**TO:** John A. Michitson, President, and Members of the Haverhill City Council

**FROM:** William D. Cox, Jr., Esq.   
City Solicitor

**RE:** **Patient/Client Drop Off and Pickup Zone Parking Ordinance**

The above referenced Ordinance is being submitted to the City Council to be placed on file for 10 days. The purpose of the ordinance is to mitigate problems and difficulties with patient/client drop offs and pickups for the two businesses which will remain within the Harbor Place development area on the south side of Merrimack Street.

I will be providing additional information to you prior to the December 2<sup>nd</sup> City Council meeting when this matter will come back before you for action. If I can be of further assistance, please do not hesitate to call upon me. Thank you.

**cc:** James J. Fiorentini, Mayor

**CITY COUNCIL**

JOHN A. MICHITSON  
*PRESIDENT*  
ROBERT H. SCATAMACCHIA  
*VICE PRESIDENT*  
MELINDA E. BARRETT  
WILLIAM J. MACEK  
WILLIAM H. RYAN  
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CITY HALL, ROOM 204  
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na.us  
na.com

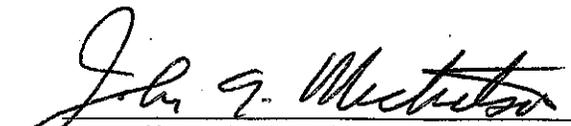
**CITY OF HAVERHILL**  
HAVERHILL, MASSACHUSETTS 01830-5843

11.2.1

November 25, 2014

TO: Members of the City Council

Council President John A. Michitson would like to introduce Donna Duval to speak about yard sales.

  
Council President John A. Michitson

## Chapter 204

### SALES, SPECIAL

§ 204-1. License required; notification of  
Police Department.

§ 204-2. Restrictions.

§ 204-3. Fees; exemption.

§ 204-4. Exceptions.

§ 204-5. Violations and penalties.

[HISTORY: Adopted by the City Council of the City of Haverhill 5-2-1978 by Doc. 97 (Ch. 204 of the 1980 Code). Amendments noted where applicable.]

#### GENERAL REFERENCES

Auctions — See Ch. 108.  
Junk dealers — See Ch. 167.  
Licensing — See Ch. 171.

Pawnbrokers; secondhand articles and old gold — See  
Ch. 187.  
Peddling and soliciting — See Ch. 191.  
Tag days — See Ch. 227.

#### § 204-1. License required; notification of Police Department.

Any person, business, association, organization, corporation or other similar institution, including nonprofit entities, may conduct a flea market, garage sale or yard sale on any premises lawfully designated by securing a license from the City Clerk, who shall notify the Police Department of the issuance of all licenses.

#### § 204-2. Restrictions.

- A. Flea markets, yard sales and garage sales shall be limited to the following: no more than two sales for two consecutive days within a twelve-month period for each address or location, with the exception of City-sponsored flea markets for the period from May 1 through September 30. [Amended 2-22-1994 by Doc. 28]
- B. One rain date shall be allowed for inclement weather. [Amended 2-24-1981 by Doc. 42]
- C. Multifamily and apartment buildings shall be considered as a single address or location.
- D. Antiques, secondhand articles, handmade articles, used household articles and the like shall be the only articles sold at a flea market, yard sale and garage sale. New merchandise shall not be allowed for sale.

#### § 204-3. Fees; exemption.

- A. The fee for a flea market license shall be \$75 per permit. [Amended 2-22-1994 by Doc. 28; 7-10-2007 by Doc. 76]
- B. The fee for a yard or garage sale shall be \$5 per day. [Amended 4-7-1981 by Doc. 62; 7-10-2007 by Doc. 76]

- C. Churches of the City of Haverhill shall be exempt from the registration fee.
- D. City-sponsored flea markets shall be exempt from registration fees. [Added 2-22-1994 by Doc. 28]

**§ 204-4. Exceptions.**

This chapter shall not pertain to flea markets held only within a business building and shall be licensed and considered the same as a business selling new or used articles and shall comply with any other applicable rules or regulations.

**§ 204-5. Violations and penalties.**

Any neglect and/or refusal to comply with any of the provisions of this chapter shall constitute a violation thereof and be punishable by a fine of \$50 for each offense. Every day or portion thereof shall constitute a separate and continuing violation.

**CITY COUNCIL**

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**DOCUMENTS REFERRED TO COMMITTEE STUDY**

4	Communication from Councillor Macek requesting a discussion regarding the proposed Monument Square traffic divider/island.	Planning & Dev.	1/3/12
102	Communication from Councillor Macek requesting to discuss the Taxicab and Buses Ordinance	Administration & Finance	10/15/13
102-H	Communication from Councillor Macek requesting to propose the establishment of an Adult and Senior Fitness Park	NRPP	10/29/13
13/13-B	Central Business District Parking Map and Ordinances	A & F	1/28/14
84 & 84A/13	Ordinance re: Zoning, Amend City Code, Ch. 255, Table of Use & Parking Regulations Page 8; to allow Medical Marijuana Dispensary/Treatment centers to be located only in our business parks	Transferred to Administration & Finance	2/11/14
56	Home Rule Petition – An Act Authorizing that the Position of Deputy Chief in the City of Haverhill be removed from Civil Service	Public Safety	5/20/14
55-E	Communication from Councillor Macek – necessary repairs on the Clement Farm Property leased to American Legion	NRPP	6/17/14
55-F	Communication from Councillor Daly O'Brien re: street noise increasing on Essex St and Washington Street area	Public Safety	6/17/14
47DD	City declare several parcels on Crescent Rd. & Boxford Rd Surplus & available for sale	NRPP	8/19/14
55-U	Communication from President Michitson requesting to address comprehensive vision, plan & process – critical information for City Council to determine needs/gaps, solutions And spending priorities for Haverhill	A & F	8/19/14
55-X	Communication from Councillor Sullivan regarding a Junior Park Ranger Summer Program	Public Safety	8/19/14
98-B	Communication from Councillor McGonagle requesting discussion re: penalties for public use of marijuana	Public Safety	9/2/14
90	Ordinance Relating to Peddling and Soliciting, Section 191-9 Licenses add at end of subsection A: permitted Locations: "Food Trucks of any size may be allowed at all permitted fixed locations with approval from City Council"	A & F	9/2/14