



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA**

LINDA

**Tuesday, September 23, 2014 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:**

**Conservation Commission**

1. Madeline H Morrissey expires September 23 2015

**Non-confirming Appointments**

**Route 110 Park Advisory Committee:**

2. Judi Poirier
3. Donna Kelly both to expire September 23 2015

**5.2. Resignations:**

NO SCHEDULE

6. PETITIONS

**6.1. Petitions:**

NO SCHEDULE

**6.2. Applications:**

**6.2.1 One Day Liquor Licenses**

NO SCHEDULE

**6.2.3 Applications for Permit**

NO SCHEDULE

**6.3. Tag Days**

NO SCHEDULE



# CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, September 23, 2014 at 7:00 PM  
City Council Chambers, Room 202

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## **6.4. Annual License Renewals**

6.4.1. New license from Priscilla Miller as a *Fortune Teller* at 14 Emerson st Attachment

## **6.5. Hawker/Peddler:**

6.5.1. License renewal from Charles Hibbert to sell Christmas trees, kissing balls, wreaths, decorations, and baskets at 297 Lincoln av; Sunday – Saturday, 9:00 am to 9:00 pm; November 28<sup>th</sup> thru December 24<sup>th</sup>

## **6.5.2. Hawker or Peddler Engaged in Door to Door Sales**

6.5.2.1. New license from McKenzie Watts with “Vivant Solar” to sell solar service throughout Haverhill, Monday – Friday, 9:00 am to 6:00 pm  
*pending police approval*

Attachments

## **6.5.2.2. Drainlayer 2014 License**

NO SCHEDULE

## **7. HEARINGS AND RELATED ORDERS:**

**7.1. Document 43**, Petition from John H Pearson Jr for Magnum Partners LLC requesting City accept Perspective dr and Magnavista dr; part of Magnavista subdivision; as *public ways*

7.1.1. Document 43-B, Order accept Perspective dr as a public way

7.1.2. Document 43-BB, Order accept Magnavista dr as a public way

Favorable recommendation from Planning Board and Planning Director  
Related communication from Robert Moore Jr, Environmental Health Technician  
*Postponed from September 2 2014*

*Related communication from Stephen Doherty, Member Magnum Partners, LLC requesting to **postpone** the Hearing until **September 30 2014**; to ensure all outstanding items required by Conservation have been completed*

**7.2 Document 92**, Petition for a Special Permit for property which is in the *Watershed Protection District*; from Attorney Michael Migliori, for owner/applicant Kayrouz Petroleum Inc, a Hearing regarding Zoning – concerning land on *401 Amesbury rd*; Route 110, to modify an existing Gas Station and Convenience Store; Assessor’s Map 459, Block 1, Lot 1A

*Comments sheets are included from various City Departments*



**CITY OF HAVERHILL  
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**8. MOTIONS AND ORDERS**

**8.1. Order - Transfer \$298,50 from Capital Projects Reserve Account for the items listed below:**

\$65,000	DPW Dump Truck
\$5,000	Facade Repairs at 16 <sup>th</sup> av Fire Station
\$30,000	High Street Fire Station Rewiring and Repairs
\$5,000	Heating Repairs Ayers Village Fire Station
\$46,000	Bucket Truck Fire Dept and School Dept
\$32,500	New Vehicle for Police Dept
\$40,000	Two Security Cameras for Police Dept
\$60,000	Citizen Center Bathroom -- 6 Bathrooms at \$10,000 each
\$15,000	One Truck for Recreation Dept

Attachment

8.1.1 Order - Transfer \$69,617.23 from the following capital accounts as stated below to the Capital Projects Reserve Account:

3408220	Fire Dept Ladder Truck FY08	\$ 828.00
3412210	Police Dept Transport Van	\$ 1,469.43
3412220	Ladder Truck Repairs FY12	\$21,705.87
3414220	FY14 Water st Boiler	\$ 1,050.00
3412155	IT Core & Data Switch FY12	\$ 643.00
3440812	Alarm System Upgrade Treas FY08	\$ 685.28
2202541	Cricket Foundation Grant	\$ 1,500.00
2502566	AT & T Settlement	\$ 98.64
2572401	Downtown Master Pln Prk Study	\$ 112.01
2302100	Insurance Reimbursement	<u>\$41,525.00</u>

Total: \$69,617.23

Attachment

**8.2. Ordinances (File 10 Days)**

8.2.1. Ordinance re: Parking, 46 Oak ter – Add Handicap space

**File 10 days**

**9. UNFINISHED BUSINESS OF PRECEDING MEETING**

NO SCHEDULE

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

NO SCHEDULE

**10.1. MONTHLY REPORTS**

NO SCHEDULE



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA**

**Tuesday, September 23, 2014 at 7:00 PM  
City Council Chambers, Room 202**

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**10.2      Communications from Councillors**

10.2.1 Communication from Councillor Daly O'Brien requesting a discussion about paid parking enforcement hours and paid parking signage Attachment

10.2.2 Communication from Councillor Macek requesting a discussion regarding an alternative plan for voluntary waste reduction and curbside pickup of trash and recycling Attachment

10.2.3 Communication from Councillor Barrett requesting to give an update on the idling trains in Bradford Attachment

**11.      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**

NO SCHEDULE

**13 ADJOURN**



JAMES J. FIORENTINI  
MAYOR

CITY OF HAVERHILL  
MASSACHUSETTS

CITY HALL ROOM 100  
FOUR SUMMER STREET  
HAVERHILL  
PHONE  
FAX 9  
MAYOR@CITY  
WWW.CITY

5.1

September 19, 2014

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

**RE: Conservation Commission**

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

I hereby appoint Madeleine Howard Morrissey, 12 Fuller Road, Haverhill, to the Conservation Commission. She will be replacing Shannon Hewey whose term has expired. This is a confirming appointment and expires on September 23, 2015. I recommend your approval.

Very truly yours,

**James J. Fiorentini**  
Mayor

cc: Cheryl Accardi  
Bill Pillsbury

# Meet Madeleine Howard Morrissey

## Assistant Clerk-Secretary of the CAI Board of Directors

**Q** Tell us about your family

**A** My husband Jeff and I are still on a honeymoon that we intend will last for the rest of our lives. There are advantages to finding the love of your life later in life. It is like the "wedding at Cana"; the best wine has been saved for last. Our family is rounded out by Gino, our Australian Cattle Dog mix, and Gracie, the feline queen of the domain.

**Q** What are your hobbies and interests?

**A** I am a movie buff, particularly attracted to the movies that recreate the 40's era, such as Woody Allen's Radio Days. My favorites of all time are Dr. Strangelove, Moonstruck and Fargo. So I guess that says I am a fan of any good satire. I am keenly interested in English history. I write poetry, although not recently (too happy I guess?). I am passionate about environmental issues. I served on the Amesbury Conservation Commission, which afforded me the opportunity to use my legal education and my passion for protecting and preserving the environment. I love being out in nature so my new home on Crystal Lake is paradise to me. I love animals and most of all dogs!

**Q** Are you involved in other community activities in addition to the CAI Board?

**A** Yes. Jeff and I are members of the Saint Vincent de Paul Society, All Saint's conference. We also serve as Eucharistic Ministers. Additionally, last March we re-opened the Tuesday afternoon food pantry at the church, which had been closed for some time. We both are strongly motivated by a desire to give back to our community. I am very inspired by the work and writings of Dorothy Day, who was such an effective advocate for people in need. She is one of my heroes.

**Q** Who do you represent on the CAI Board and why did you want to serve on the board?

**A** I represent the private sector as a lawyer. I was appointed by the President of the Haverhill

Bar Association. However, I have represented each sector of the board. I came on as a low income representative for Amesbury in 2009. Later I became the representative for Michael Costello, as part of the public sector. When I moved to Haverhill, I entered the position I currently hold.

I like serving on the board because I believe that Community Action Inc. is a great agency, with a superb track record. We all actually make a substantial difference in peoples' lives. I know this from personal experience. I received help from Community Action when I most needed it. Back not so many years ago, I was unable to practice law due to the fact that my elderly parents were in crisis and needed me to be there. Trying to achieve that balancing act, I got stuck in a low wage job that did not pay a living wage, and had it not been for CAI, I would have had no heat some of those winters. However the best part of the experience was that I was never made to feel guilty of being poor. At every juncture, I was respected which helped me to believe in myself again. And that is why I want to serve on the board; I have personal knowledge of the value of what we do.

**Q** How long have you been a board member and what committee do you serve on?

**A** I have been a member since 2009 I have served on the Executive Committee of the board, first as Clerk-Secretary, now as Assistant Clerk-Secretary. I am currently Chair of the Governance Committee, which allows me to contribute to board development and continuing advancement of our expertise. Recently we had ten members, (which constitutes approximately half of the entire board), attend an all-day training, on a Saturday. I think that attests to a vibrant level of commitment that we can all take pride in.

**Q** What goals do you have for CAI programs and services?

**A** I would like to see us be able to expand services to the homeless population. I can en-



*CAI Board Member and Assistant Clerk-Secretary; Madeleine Howard Morrissey with her dog, Gino.*

vision a shelter which provides comprehensive services to help people achieve the stability necessary to finding and keeping homes.

Also, as a member of the Saint Vincent's team, knowing that we serve basically the same population, I would like to see the two organizations, CAI and Saint Vincent's, develop some collaborative efforts. I believe that both groups and the population served would benefit from such co-operation.

Finally, it would be great if we could find consistent funding sources independent of those sources that change with the prevailing, often capricious, political climate

**Q** Where would you like to see CAI in 5 years?

**A** I would like to see the goals delineated above achieved.

## First Time Home Buyer Training Offered

The CAI First Time Homebuyer Education Program will offer first time homebuyer education classes for area residents beginning Thursday, July 31 from 6 to 9 pm in the Presidential Gardens Community Room, 140 Evergreen Drive, Bradford. The class runs for 3 evenings.

A Massachusetts Homeownership Collaborative approved certificate is awarded after completion of the three-night course. The program is also approved by MassHousing. The dates for the course are Thursday, July 31; Tuesday, August 5 and Thursday, August 7. The cost is \$60 per household. There are no income requirements to take the training.

**For more information contact:**

Richard Lynch  
978-373-1971

or Susan Collins  
978-317-8998

## VOLUNTEER RESUME

**MADELEINE R. HOWARD-MORRISSEY**

12 Fuller Road

(978) 914-7141

Haverhill, MA. 01832

[maddyh1@comcast.net](mailto:maddyh1@comcast.net)

### COMMUNITY SERVICE AND ACTIVITIES

**Board of Directors**, Community Action Inc. in Haverhill, MA. June 2009 to the present:

Community Action, Inc. has provided caring and respectful assistance to the low income population of our local communities for nearly 50 years. I am proud to have served as a Board member for the past five year.

**Court Mediator** for Community Action Inc. September 2010 to the present:

CAI provides training to individuals interested in volunteering to mediate court cases that are amenable to mediation. As a lawyer, I am convinced that mediation is often the right course of action. This saves time and money for all, including potential litigants and the courts. I enjoy serving in this volunteer role.

**Commissioner, Amesbury Conservation Commission** April 2010 to September 2013:

Being a member of the Amesbury Conservation Commission was interesting and immensely rewarding for me. It provided me with an opportunity to give something back to my community in a most meaningful manner. I was able to combine my education and interests, in a way that resulted in a beneficial outcome for all. I had to resign the commission when I moved to Haverhill.

**Member St. Vincent de Paul Society**, October 2013 to present:

The mission of St. Vincent de Paul Society is to raise charitable donation so that we can help the poor. We help with a variety of needs including food, rent, utility payment, car repair, and the like. I am very proud of this work as well. I honestly believe that no one is immune from misfortune.

**Food Pantry, at All Saints' Church**, March 2014 to the present:

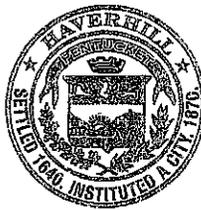
When my husband and I joined St. Vincent de Paul Society at All Saints' church, we learned that the church had previously had two days for food pantry: Saturdays and Tuesdays. The Tuesday pantry had been closed for lack of volunteers. We volunteered to re- open it, which we did and it has been up and running since March.

**Eucharistic Ministers, All Saints' Church**, June 2014 to present:

My husband and I have been honored to assist with the service of Holy Communion since June of this year.

## EDUCATION

- 2002 Juris Doctor, Massachusetts School of Law
- 1982 Master of Arts Degree in English, University of California at Santa Barbara
- 1979 Bachelor of Arts Degree in English, University of California at Santa Barbara



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.CITYOFHAVERHILL.MA.US

5.1

September 19, 2014

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

2

**RE: Route 110 Park Advisory Committee**

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

I hereby appoint Judi Poirier, 6 Scotland Heights Road, Haverhill, to the Route 110 Park Advisory Committee. This is a non-confirming appointment and expires on September 23, 2015. I recommend your approval.

Very truly yours,

  
**James J. Fiorentini**  
Mayor

3



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

5.1

September 19, 2014

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

3

**RE: Route 110 Park Advisory Committee**

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

I hereby appoint Donna Kelley, 88 Bradley Ave, Haverhill, to the Route 110 Park  
Advisory Committee. This is a non-confirming appointment and expires on September  
23, 2015. I recommend your approval.

Very truly yours,

**James J. Fiorentini**  
Mayor

CITY OF HAVERHILL

6.4.1

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a License:

Fortune Teller (TYPE OF L

Place of business being:

Psychic World (NAME OF PLACE)

14 Emerson st (Address)

Priscilla Miller

PRINT APPLICANT NAME

Priscilla Miller

SEP - 8 2014

HAVERHILL, \_\_\_\_\_, 2014

OFFICE USE ONLY

RENEW

NO. \_\_\_\_\_  
FEE 50.00

IN MUNICIPAL COUNCIL, \_\_\_\_\_, 2012

ATTEST:

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

APPROVED

DENIED \_\_\_\_\_

[Signature]

POLICE CHIEF

# CITY OF HAVERHILL

Honorable President and Members of the Municipal Council:

6.5.1

The undersigned respectfully asks that he may receive a License:

Hawker + Pedaler (Christmas trees) (TYPE OF LI

Place of business being: knitting balls, wreaths, decorations + baskets

297 Lincoln av (at Citeo Gas) Station (NAME OF PLACE)

Sun - Saturday (same) (Address)

9AM - 9PM

Charles Hibbert

PRINT APPLICANT NAME

C Hibbert

NOV 28 thru DEC 24th 2014

SEP 8 2014

HAVERHILL, \_\_\_\_\_, 2012

## OFFICE USE ONLY

RENEW

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

FEE 200.00

IN MUNICIPAL COUNCIL, \_\_\_\_\_ 2014

ATTEST:

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

APPROVED ✓

DENIED \_\_\_\_\_

Alan R. [Signature]

POLICE CHIEF

MORE INFO ON BACK

# CITY OF HAVERHILL

Date AUG 1

6.5.2.1  
pending  
police  
approval

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

" Vivint Solar " Solar Service  
Type of Goods/Wares/Merchandise/Services to be Sold

all of Haverhill  
Location/s

9:00 AM - 6:00 PM Mon-Fri  
Date and Time of Operation

### Additional Comments

Name McKenzie Watts

Signature McKenzie Watts

Fee 60.00

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

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

MORE INFO ON BACK

43

Heating June 17 2014

MAGNUM PARTNERS, LLC  
10 GEORGE STREET, SUITE 210  
LOWELL, MASSACHUSETTS 01852  
(978) 452-5732  
Facsimile: (978) 453-8887

March 31, 2014

John J. Michitson, President  
Haverhill City Council  
4 Summer Street - Room 118  
Haverhill, Massachusetts 01831

RE: Magnum Partners, LLC  
Street Acceptance

Dear Mr. Michitson,

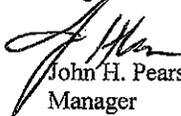
We hereby request the City of Haverhill to accept the following streets and roadways located at our Magnavista subdivision:

Perspective Drive  
Magnavista Drive

We waive the sixty-five (65) day hearing requirement.

Thank you.

Very truly yours,  
Magnum Partners, LLC

  
John H. Pearson, Jr.  
Manager

JHP, Jr if  
Cc: Stephen J. Doherty  
Nels A. Palm  
William Pillsbury, Planning & Development  
John Pettis, Engineering

IN CITY COUNCIL: April 8 2014  
REFER TO PLANNING BOARD and  
VOTED: that COUNCIL HEARING BE HELD JUNE 17 2014  
Attest:

\_\_\_\_\_  
City Clerk  
IN CITY COUNCIL: June 24 2014  
HEARING POSTPONED TO JULY 22 2014

c:\data\MAGNUM\street acceptance request to Haverhill city council  
Attest: \_\_\_\_\_ City Clerk

IN CITY COUNCIL: May 20 2014  
HEARING POSTPONED TO JUNE 24 2014  
Attest:

\_\_\_\_\_  
City Clerk  
IN CITY COUNCIL: July 22 2014  
POSTPONED TO AUGUST 19 2014  
\_\_\_\_\_  
City Clerk

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

IN CITY COUNCIL: August 19 2014  
POSTPONED TO SEPTEMBER 2 2014  
Attest:

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

IN CITY COUNCIL: September 2 2014  
POSTPONED TO SEPTEMBER 23 2014  
Attest:

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

Magnum Partners, LLC  
10 George Street  
Lowell, MA 01852  
978-452-5732

September 19, 2014

Haverhill City Council  
4 Summer St.  
Room 118  
Haverhill, MA 01830

Re: Magnum Partners, LLC  
Street Acceptance

Dear Mr. Michitson,

We are scheduled for a hearing with the city council on September 23, 2014 in reference to street acceptance for Magnavista and Perspective Drive. We would like to request postponement of our hearing until September 30, 2014 to ensure that all outstanding items required by conservation have been completed.

Sincerely,

  
MEMBER  
Stephen J. Doherty, Sr., Member  
Magnum Partners, LLC

Cc: William Pillsbury  
Lori Woodsum  
Rob Moore  
Nels Palm

MAGNUM PARTNERS, LLC  
10 GEORGE STREET  
LOWELL, MA 01852  
978-372-9809 FAX

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FACSIMILE TRANSMITTAL SHEET

---

TO:

Maria

Stephen J. Doherty, Sr.

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9/19/14

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FAX NUMBER:

978-373-8490

TOTAL NO. OF PAGES INCLUDING COVER:

2

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SENDER'S REFERENCE NUMBER:

---

RE:

YOUR REFERENCE NUMBER:

Street Acceptance hearing – Magnum  
Partners

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URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

---

43-B



**CITY OF HAVERHILL**

In Municipal Council June 24 2014

7.1.1

**IT APPEARING** that the common convenience and necessiti  
require it,

It is hereby

**Ordered:** That the following street herein described be accepted as a  
**Public Way**

Perspective Drive

Beginning at a stone bound, on the southwesterly sideline of Magnavista Drive at it's intersection with the southeasterly sideline of Perspective Drive and Lot 23 as shown on a plan entitled, Street Acceptance Plan of Magnavista Drive & Perspective Drive located in Haverhill, Ma. dated March 17,2014, by Christiansen & Sergi, Inc., Haverhill, Ma.;

Thence with a curve turning to the left an arc length of 36.41 feet, a radius of 25.00 feet, with a delta angle of 83°26'15", to a stone bound;

Thence S 36°14'44" W a distance of 150.76 feet to a stone bound;

Thence with a curve turning to the right an arc length of 105.03 feet, a radius of 295.00 feet, with a delta angle of 20°23'56", to a stone bound;

Thence S 56°38'41" W a distance of 75.80 feet to a stone bound;

Thence with a curve turning to the left an arc length of 23.55 feet, a radius of 25.00 feet, with a delta angle of 53°58'05", to a stone bound;

Thence with a reverse curve turning to the right an arc length of 301.53 feet, a radius of 60.00 feet, with a delta angle of 287°56'10", to a stone bound;

Thence with a reverse curve turning to the left an arc length of 23.55 feet, a radius of 25.00 feet, with a delta angle of 53°58'05", to a stone bound;

Thence N 56°38'41" E a distance of 75.80 feet to a stone bound;

Thence with a curve turning to the left an arc length of 87.23 feet, a radius of 245.00 feet, with a delta angle of 20°23'56", to a stone bound;

Thence N 36°14'44" E a distance of 153.65 feet to a stone bound;

Thence with a curve turning to the left an arc length of 34.96 feet, a radius of 25.00 feet, with a delta angle of 80°07'45", to a stone bound;

Thence with a compound curve turning to the left an arc length of 93.22 feet, a radius of 325.00 feet, with a delta angle of 16°26'00", to a stone bound and the point of beginning;

Meaning and intending to describe Perspective Drive as shown on a plan entitled, Street Acceptance Plan of Magnavista Drive & Perspective Drive located in Haverhill, Ma. dated March 17, 2014, by Christiansen & Sergi, Inc., Haverhill, Ma.

POSTPONED TO JULY 22 2014

Attest:

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

IN CITY COUNCIL: July 22 2014

POSTPONED TO AUGUST 19 2014

Attest:

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

IN CITY COUNCIL: August 19 2014

POSTPONED TO SEPTEMBER 2 2014

Attest:

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

IN CITY COUNCIL: September 2 2014

POSTPONED TO SEPTEMBER 23 2014

Attest:

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

Perspective Drive



**CITY OF HAVERHILL**  
In Municipal Council 43-BB

7.1.2

**IT APPEARING** that the common convenience and necessity require it,

It is hereby

**Ordered:** That the following street herein described be accepted as  
**Public Way**

**Magnavista Drive**

Beginning at a stone bound, on the southwesterly sideline of Gile Street at its intersection with the southeasterly sideline of Magnavista Drive and Lot 31 as shown on a plan entitled, Street Acceptance Plan of Magnavista Drive & Perspective Drive located in Haverhill, Ma. dated March 17, 2014, by Christiansen & Sergi, Inc., Haverhill, Ma.;

Thence S 50°09'27" W a distance of 314.57 feet to a stone bound;

Thence with a curve turning to the right an arc length of 260.31 feet, a radius of 536.72 feet, with a delta angle of 27°47'19", to a stone bound;

Thence with a reverse curve turning to the left an arc length of 68.72 feet, a radius of 550.00 feet, with a delta angle of 07°09'33", to a stone bound;

Thence with a reverse curve turning to the right an arc length of 138.98 feet, a radius of 295.00 feet, with a delta angle of 26°59'34", to a stone bound;

Thence with a reverse curve turning to the left an arc length of 36.36 feet, a radius of 245.00 feet, with a delta angle of 08°30'11", to a stone bound;

Thence with a reverse curve turning to the right an arc length of 466.27 feet, a radius of 325.00 feet, with a delta angle of 82°12'03", to a railroad spike;

Thence N 08°31'21" W a distance of 68.69 feet to a stone bound;

Thence S 83°44'18" E a distance of 51.71 feet to a stone bound;

Thence S 08°31'21" E a distance of 55.50 feet to a railroad spike;

Thence with a curve turning to the left an arc length of 394.54 feet, a radius of 275.00 feet, with a delta angle of 82°12'03", to a stone bound;

Thence with a reverse curve turning to the right an arc length of 43.78 feet, a radius of 295.00 feet, with a delta angle of 08°30'11", to a stone bound;

Thence with a reverse curve turning to the left an arc length of 115.42 feet, a radius of 245.00 feet, with a delta angle of 26°59'34", to a point;

Thence with a reverse curve turning to the right an arc length of 74.97 feet, a radius of 600.00 feet, with a delta angle of 07°09'33", to a point;

Thence with a reverse curve turning to the left an arc length of 194.00 feet, a radius of 400.00 feet, with a delta angle of 27°47'19", to a stone bound;

Thence N 50°09'27" E a distance of 331.46 feet to a stone bound;

Thence with a curve turning to the left an arc length of 38.84 feet, a radius of 25.00 feet, with a delta angle of 89°00'45", to a stone bound;

Thence S 38°51'18" E a distance of 84.58 feet to a stone bound and the point of beginning;

Meaning and intending to describe Magnavista Drive as shown on a plan entitled, Street Acceptance Plan of Magnavista Drive & Perspective Drive located in Haverhill, Ma. dated March 17, 2014, by Christiansen & Sergi, Inc., Haverhill, Ma.

POSTPONED TO JULY 22 2014

Attest:

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

IN CITY COUNCIL: July 22 2014

POSTPONE TO AUGUST 19 2014

Attest:

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

IN CITY COUNCIL: August 19 2014

POSTPONED TO SEPTEMBER 2 2014

Attest:

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

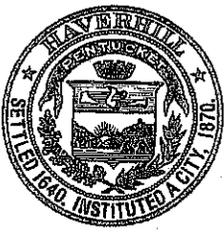
IN CITY COUNCIL: September 2 2014

POSTPONED TO SEPTEMBER 23 2014

Attest:

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

43-BB  
MAGNAVISIA



# Haverhill

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

June 20, 2014

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

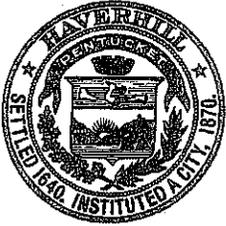
FROM: William Pillsbury, Jr. Economic Development and Planning Director

**SUBJECT: Street Acceptance –Magnavista Drive and Perspective Drive**

On June 11, 2014, the Haverhill Planning board voted to send a favorable recommendation to the city council on the acceptance of the above referenced street as a public way. This roadway was part of a new subdivision approved by the Haverhill Planning Board and was constructed in accordance with an approved definitive plan. A bond was posted as surety that the improvements were constructed in accordance with the approved plan. By virtue of the fact that the bond has been reduced to a zero balance as recommended by the city engineer, and that all as-built plans have been reviewed and approved by the city engineer, and that the legal description of the roadway to be accepted has been approved by the City engineer. Then as required by the state subdivision control law the city council has been requested to accept Magnavista Drive and Perspective Drive Way as a public way.

As Planning director, I concur with the planning boards action and recommend that the city council formally accept the above referenced streets as proposed.

**Recommendation: Accept the streets as a public way.**



# 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: President John A. Michitson and Haverhill City Councilors  
FROM: Robert E. Moore, Jr., Environmental Health Technician  
DATE: June 20, 2014  
RE: Street Acceptance -- Steve Doherty for Magnavista and Perspective Drives

**I support the applicant's June 19<sup>th</sup> request for this item to be continued until the July 22, 2014, meeting.** This continuance allows the applicant the time necessary to obtain a Certificate of Compliance from the Conservation Commission, certifying the satisfactory completion of this project. This will also allow the applicant the time necessary to address the following outstanding items from my November 20, 2013, punchlist (new comments in italics):

1. Only the first 3 sheets of the Definitive Plan were recorded at Plan Book 403, Plan 13. Sheet 4 should be recorded, as it shows Lot 20 and the southerly end of Open Space Parcel B.
2. A final report from the Environmental Monitor should be submitted at this time in preparation for the Complete Certificate of Compliance. (Conditions VII.9.h-j & VIII.2.b)
3. Documents: (These comments must be addressed and discussed prior to recording, particularly the CR&E.)
  - Homeowners Association Agreement - obtain the necessary signatures, then submit a copy of the final recorded document to my office. *Materials have been forwarded to the City Solicitor for review.*
  - Conservation Restriction & Easement (Condition #III.2)-
    - i. Add the Assessor's identification of the parcels Map 674, Block 601, Lot 18A (2.36 acres) and Map 674, Block 601, Lot 18B (7.71 acres)
    - ii. Under condition #7, it is unclear whether public access to the open space is allowed. It also references a river. What river?
    - iii. We previously discussed the idea of deeding the open space to the Conservation Commission. What is the current plan?
    - iv. Submit a final recorded document to my office.
4. Submit a final as-built plan and calculations for the Gile St basin. (Condition #VI.5) *The March 24, 2014 as-built does not meet this requirement. The as-built does not provide the necessary calculations. Graphically, this as-built appears to be the same as that which was provided for this basin in an October 7, 2008, as-built. The 2008 as-built was not approved, as its supporting calculations confirmed the basin was smaller than designed.*
5. Lot 19 downspouts are not tied into recharge system. *A letter from the applicant's attorney will be submitted to certify the completion of this work by the homeowner.*

C: William Pillsbury, Economic Development and Planning Director (email)  
John H. Pettis, III, PE, City Engineer (email)  
Steve Doherty (email)  
File #33-1271/C

Hearing September 23  
2014

**FIORIELLO & MIGLIORI**  
ATTORNEYS AT LAW

MICHAEL I. MIGLIORI  
aw.com

92  
KAREN L. FIORELLO  
kfiorello@fimilaw.com

FIREHOUSE CONDOMINIUMS  
18 ESSEX STREET  
HAVERHILL, MASSACHUSETTS 01832  
TEL 978/373-3003 FAX 978/373-3066  
August 19, 2014

7.2 ?

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

Re: 401 Amesbury Road  
Owner: Kayrouz Petroleum, LLC  
Applicant: Kayrouz Petroleum, LLC

Land on 401 Amesbury Road  
Special Permit to Modify Existing Gas Station and Convenience Store

Dear President Scatamacchia:

Please be advised this office represents Kayrouz Petroleum, LLC, the Owner and Applicant regarding property located at 401 Amesbury Road (Route 110). See Assessor's Map No. 459, Block 1, Lot 1A for this site.

Kayrouz Petroleum, LLC is requesting a Special Permit from the City of Haverhill to modify and existing gas station on the above-referenced site pursuant to the provisions set forth in Haverhill Zoning Ordinance Chapter 255 Section 19.

Kindly refer this matter in accordance with provisions of the Haverhill Zoning Ordinance Chapter 255 Section 80 Subsection J, (this Special Permit **does not** require a hearing before the Planning Board).

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

Please be advised that with respect to the above-captioned matter, my client has agreed to waive the statutory time period as set forth in Massachusetts General Laws pertaining to a hearing and decision on this matter.

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

Sincerely yours,

Michael J. Migliori

MJM/dma  
Enc.

c.c.: Mayor James Fiorentini  
William Pillsbury, Community Development Director  
Johnny Kayrouz  
CEG Group P.C.

IN CITY COUNCIL: September 2 2014

VOTED: that COUNCIL HEARING BE HELD SEPTEMBER 23 2014

Attest:

City

MS. FIORELLO IS ALSO ADMITTED IN FLORIDA.

City

**SUPPORTING DOCUMENTS**  
**IN COMPLIANCE WITH CITY OF HAVERHILL**  
**ZONING BYLAWS**  
**SECTION 255-19 "WATERSHED PROTECTION DISTRICT"**  
**FOR**  
**EXISTING FILLING STATION**  
**&**  
**CONVINIENCE STORE**  
**AT**  
**401 AMESBURY ROAD**  
**HAVERHILL, MASSACHUSETTS**

**PREPARED FOR:**

***KAYROUZ PETROLEUM, LLC***  
***16 EAST MAIN STREET***  
***WESTBOROUGH, MA 01561***

**PREPARED BY:**



*HALIM A. CHOUBAH*



***CHOUBAH ENGINEERING GROUP, P.C.***  
***CONSULTING PROFESSIONAL ENGINEERS***  
***112 STATE ROAD (RTE.6)***  
***N. DARTMOUTH, MA 02747***

**CEG # 13-385**  
**August 7, 2014**

**RECEIVED**  
**2014 AUG 18 AM 10 30**  
**CITY CLERKS OFFICE**  
**HAVERHILL, MA.**

## **Introduction**

The site is currently an existing gasoline filling station with four multiple dispensing pumps (total of eight fueling positions) with a 1,600 square foot convenience store. There are four single-walled fiberglass underground storage fuel tanks on site with a total capacity of 36,000 gallons. The site is located in Zone CH (Commercial Highway) where gasoline filling stations and retail uses are allowed by right. However the site is also located within the Watershed Protection Overlay District where the storage of petroleum products is prohibited (Section 255-19D(2)(a) which renders the gasoline filling station an existing non-conforming use. Access to the site is via two existing driveways from Amesbury Road. The existing driveway openings on Amesbury road are to remain unchanged.

The Applicant is proposing site modifications to include the demolition of the existing 1,600 square foot building and replace it with a 3,500 square foot convenience store. The new building would be in compliance with all required setbacks. In addition, the Applicant is proposing to remove exiting paved surfaces and replace it with landscape cover in order to comply with current lot coverage requirements. Existing non-conforming lot coverage is at 22% (25% open space is required) and new coverage would be at 28%. Parking spaces are in compliance with Zoning Bylaws (19 parking spaces are proposed where 18 parking spaces are required).

In addition to the layout improvements, the Applicant is proposing drainage improvements to collect 1" of roof runoff and direct it to an infiltration system on site in compliance with the Watershed Protection Overlay District.

Existing water, gas and electric services would be extended to accommodate the new building layout (refer to attached plans). Existing septic system on site would be upgraded and replaced with a new system in compliance with the local board of health and MASS DEP requirements. A Septic System Design Plan was submitted to the local Board of Health for review and approval. With the proposed site modifications, site layout and traffic circulation are greatly improved. Runoff from site is reduced by increasing landscape coverage and infiltrating roof runoff. The new building is aesthetically and architecturally more attractive than the existing one. All proposed modifications are in compliance with the Zoning bylaws requirements and no variances are required. No proposed expansion to the existing gasoline filling station use or increase in capacity to the exiting Underground Storage Tanks are proposed with these modifications.

### **Permits needed for this project are:**

Special Permit from City Council for alterations of an existing non-conforming use (gasoline filling station in Wterwashed-protection District) and construction of the new convenience store.

Building Permit from local Building Department for the demolition of the existing convenience store and the construction of new convenience store.

Local Board of Health Permit for replacement of existing septic system.

Local water, electric and gas companies for the extension of the existing services to the new building.

## **Fuel and stormwater Management Operation & Maintenance Plan**

The following Operations and maintenance plan has been prepared for Lease Lot "F" in addition to the requirements of the Norwood Memorial Airport Stormwater Pollution Prevention Plan (included and made part of this Fuel and Stormwater Management & Maintenance Plan). The purpose is to provide guidance and procedures for proper stormwater management for the project during and post construction. During construction an erosion barrier consisting of staked straw bales with siltation fence will be placed along the proposed limits of construction as shown on the site plan prior to construction. The contractor will be responsible for maintaining the erosion barriers and pads during the entire construction period. Erosion control devices will be removed after construction is completed and all disturbed areas have been restored and accepted.

### **Routine Site Maintenance**

Parking lot maintenance in the form of sweeping with a high efficiency vacuum sweeper shall be conducted on a monthly average with sweeping scheduled primarily in spring and fall. Sweeping provides important non-point source pollution control. When practical and as weather permits, accumulated sediments should be swept and removed on an as needed basis during the month of January through March.

### **Snow and Ice Removal**

Snow and ice removal shall be primarily performed by mechanical removal and stored on site within paved areas for proper melting and drainage. Accumulated sand and debris within the snow storage areas will then be removed and properly disposed in the spring time.

### **Spill Prevention and Response Plan**

The Owner shall train all maintenance personnel in the proper handling and cleanup of spilled Hazardous Substances or Oil. No spilled Hazardous Substances or Oil shall be allowed to come in contact with stormwater discharges. If such contact occurs, the stormwater discharge shall be contained on site until appropriate measures in compliance with state and federal regulations are taken to dispose such contaminated stormwater. It shall be the responsibilities of the Owner to be properly trained, and to train all personnel in spill prevention and cleanup procedures.

In order to prevent or minimize the potential for a spill of Hazardous Substances or Oil to come into contact with stormwater, the following steps shall be implemented:

A spill control and containment kit (containing for example, absorbent materials, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles and eye wear protection, plastic and metal trash containers, etc.) shall be readily available.

Manufacturer's recommended for spill cleanup shall be known and maintenance personnel shall be trained regarding these procedures and the location of the information and cleanup supplies.

It is the responsibility of the Owner to insure that any Hazardous waste discovered or generated at the site is disposed by a licensed hazardous materials disposal company.

In the event of a spill of hazardous substances the responsible parties shall take all necessary measures to contain and abate the spill and to prevent the discharge of the hazardous substance or oil to stormwater system or off-site.

Any spill that occurs shall be documented on a spill report form that is enclosed in this document.

Fueling System and Underground Fuel Storage Tanks: fills are equipped with overfill spill protection containers equipped with a spill monitoring system. Existing underground fuel tanks are single walled fiberglass tanks in compliance with 527 CMR (Board of Fire Prevention Regulations) and are being tested yearly for leakage in compliance with 527 CMR. In addition all products line are to be replaced with double walled lines.

Fire Suppression System: with the proposed improvements the existing fire suppression system over the fueling pad would be upgraded in compliance with 527 CMR.

Fueling Area: concrete containment pad around the fueling island is almost flat and sloped toward the outer perimeter to deep V groves along all sides designed to collect and hold any fuel spillage in compliance with 527 CMR.

Convenience Store: there will be no storage of hazardous materials within the store.

The proposed filling gasoline station is under ownership of Kayrouz Petroleum, LLC who will be responsible for compliance with all Environmental Permits.

### **Ownership and Responsibility**

During construction of the facility and the stormwater management system the Contractor will be responsible for all day to day operation and maintenance of all stormwater control systems. After construction is completed, Kayrouz Petroleum, LLC will take over all maintenance requirements for the stormwater control system in compliance with this Operation & Maintenance Plan.

### **Responsible Party Contact Information**

Mr. Johnny Kayrouz  
Kayrouz Petroleum, LLC  
16. E. Main Street  
Westborough, Massachusetts 01581  
Phone 508-366-1529  
Fax 508-366-5369  
E-mail:johnnykayrouz@aol.com



# Haverhill

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

September 19, 2014

To: City Councillors

From: City Clerk's Office

Re: **Application**-Special Permit to modify an *Existing Gas Station and Convenience Store*; which is in the **Watershed Protection District**

**Project Reference** - Attorney Michael Migliori for owner/applicant Kayrouz Petroleum Inc

**Street Location** - 401 Amesbury rd; Assessor's Map 4359, Block 1, Lot 1A

**Public Hearing -Tuesday, September 23 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: **September 5 2014**

RE: **Application**-Special Permit to modify an *Existing Gas Station and Convenience Store*; which is in the **Watershed Protection District**

**Project Reference** - Attorney Michael Migliori for owner/applicant Kayrouz Petroleum Inc

**Street Location** - 401 Amesbury rd; Assessor's Map 4359, Block 1, Lot 1A

**Please send reports to the City Clerk by Monday, September 15 2014**

**The public hearing of the City Council is scheduled for TUESDAY, September 23 2014**



# Haverhill

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

September 5 2014

Hearing will be held on a Petition for Special Permit from Attorney Michael Migliori for owner/applicant Kayrouz Petroleum Inc, requesting Hearing regarding Zoning; for land on 401 Amesbury rd, Route 110; to modify an Existing Gas Station and Convenience Store; Assessor's Map 4359, Block 1, Lot 1 A; which is in the *Watershed Protection District*; on September 23<sup>rd</sup> 2014

Description of area, maps and plans are on file in the City Clerk's Office.

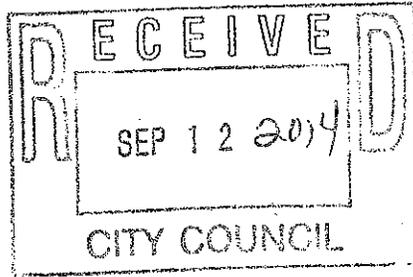
Linda L Koutoulas  
City Clerk

Advertise: September 5th & September 12<sup>th</sup> 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



## MEMORANDUM

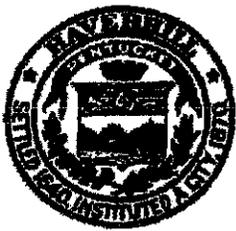
September 12, 2014

To: Members of the City Council  
From: Les Godin – Health Department  
Re: Watershed Special Permit for 401 Amesbury Rd.

I have reviewed the submitted information and offer the following comments:

1. A complete design for a replacement septic system has been submitted by the applicant to the Health Department. The submitted design demonstrates compliance with the State Environmental Code Title V as well as the requirements of the City of Haverhill Board of Health. It is my understanding that the proposed septic system is proposed as a temporary alternative to the future sewer to be constructed for the proposed adjacent hotel.
2. The proposed sewage loading of 475 gallons per day per 30,000 square feet of lot area falls within the maximum allowed under Zoning 255-19. D. (2) (m) which is 1,000 gallons per day per 40,000 square feet of lot area.
3. Given the proposed sewer extension to be constructed for the future adjacent hotel project, I suggest a stipulation that the proposed building be connected to the new sewer within 60 days of its availability, or to a date as determined by the City Council.

LG/bld



**Haverhill Fire Department**  
Fire Prevention / Investigation Unit



James J. Florentini  
Mayor

Richard B. Borden  
Fire Chief

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

4 Summer St, Room 113  
Tel: (978) 373-8480  
Fax: (978) 521-4441

September 8, 2014

Linda Koutoulas, City Clerk  
4 Summer Street, Room 118  
Haverhill, MA 01830

**Re: 401 Amesbury Road/ 459-1-1A/ Special Permit Application to Modify an Existing Self-Service Fuel Dispensing and Convenience Store Facility in the Watershed Protection District**

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 the current edition of MSBC 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 documentation for the address stated above and in the interest of public safety, have the following comments:

- Attached to this letter is a document provided by the State Fire Marshal's Office which provides guidance for self-service motor fuel facility applications.
- These guidelines will be necessary during this proposed project due to the demolition of the existing 1,600 square foot building, the plans to rebuild an approximate 3,500 square foot convenience store and the utilization of the existing motor fuel dispensing area, shall include all applicable Massachusetts Fire Protection Regulations, Massachusetts General Laws and City Ordinance requirements.
- The Special Permit approval shall include the requirements set forth in 527 CMR 5.0 using the guidance document provided by the Massachusetts Fire Marshal's Office for self-service motor fuel facilities, including the number of on duty attendants on facilities that have greater than 1,000 square feet of retail space, 527 CMR 5.08(5a-5g).

Respectfully,

William F. Laliberty  
Deputy Fire Chief



*The Commonwealth of Massachusetts  
Executive Office of Public Safety & Security  
Department of Fire Services*

*P.O. Box 1025 - State Road*

*Stow, Massachusetts 01775*

*(978) 567-3700 Fax: (978) 567-3199*



STEPHEN D. COAN  
STATE FIRE MARSHAL

Revised: October 1, 2004  
Effective November 1, 2004

**GUIDELINES FOR SELF-SERVICE MOTOR FUEL FACILITY APPLICATIONS**

In accordance with the provisions of 527 CMR 5.08:(5), the dispensing of motor fuel by means of self-service mode automated fuel dispensing systems shall be permitted provided that the applicant for such system has submitted complete plans and specifications of the proposed installation to the Marshal and has received approval of same.

In accordance with the provisions of Massachusetts General Law Chapter 7 § 3B a fee of two hundred dollars in the form of a check made payable to the "Commonwealth of Massachusetts" must accompany each application. Applications shall be addressed to: Massachusetts Department of Fire Services, Office of the State Fire Marshal, PO Box 1025-State Road, Stow, MA 01775 ATTN: SELF-SERVE PLAN REVIEW.

**General Requirements**

1. All dispensing areas shall be equipped with a UL 1254 compliant pre-engineered dry chemical extinguishing system, including end of island protection. The system shall be designed and installed to protect the entire spill and hazard area. If unusual conditions, procedures or obstacles are present which may adversely affect the performance of the overhead system, special application ground nozzles may be installed in addition to the overhead system. If the head of the fire department requires by local rule special application ground nozzles, this shall be noted on the plans.
2. All fire suppression systems shall be installed, and maintained by companies and persons holding the required certificates of competency and registration issued by the Marshal.
3. All fire suppression systems shall be maintained in accordance with the provisions of NFPA 17, and the manufacturers specifications.
4. CCTV coverage is required on all fueling positions. CCTV monitors shall display all camera angles simultaneously on the screen with a minimum picture frame of 5 inches by 6.5 inches per camera.
5. An intercom system is required between the control console and dispensing island.
6. On partial self-serve facilities an additional switch, which will disconnect power to the self-serve island and activate the suppression system shall be installed on the full serve island.

7. Warning signs shall be conspicuously posted on the front and back of the dispenser and shall incorporate the following language:

**WARNING**

**NO SMOKING – STOP MOTOR**

It is unlawful and dangerous to dispense gasoline into unapproved containers.

No filling of portable containers in or on a motor vehicle or trailer.

Place container on ground before filling.

The words "Warning" and "No Smoking – Stop Motor" shall consist of block letters not less than one inch in height, white letters on a red background. The remaining sentences shall consist of block letters not less than ½ inch in height, red letters on a white background.

8. The concrete pad surrounding the dispensing island shall be installed as level as possible. The positive limit barrier shall be installed in this pad with the outer groove located no further than the protected hazard area as defined by each suppression system design.
9. A means to instantly disconnect the power to all dispensers and activate the suppression system shall be conspicuously marked and located at the control console.
10. The use of automatic credit reading devices are permitted provided that they are indicated on the plans and comply with the requirements of 527 CMR 5.08(5)(1).
11. 190°F (maximum) electric thermostat detectors shall be installed on 15-foot (maximum) centers in a single line over the center of the island, for islands up to 6 feet wide. For wider islands two rows of detectors shall be located one foot in from each curb. If a canopy is provided, detectors shall be located on the underside (15 foot maximum height) of the canopy. If there is no canopy, the detector(s) shall be mounted to the underside of a 18" by 18" by 2" heat collector, which shall be located no higher than the nozzles.

Plans, specifications, and documentation shall consist of the following.

**Documentation**

1. Copy of the LICENSE to store flammables (Form FP-2) issued under MGL Chapter 148 § 13. Or a letter from the city or town clerk bearing their seal indicating that the land is licensed and listing storage capacity and restrictions if any.
2. Copy of a current Registration (Form FP-5) issued by the city or town clerk showing that the license is being exercised.
3. Copy of the current Notification of Storage Tank (Form FP-290).
4. Copy of the current Permit to Maintain New/Existing Storage Facility.
5. A letter containing the following information
  - a. Exact name and address where facility will operate
  - b. Type of work to be performed. (New, upgrade, conversion etc.)
  - c. Type of facility. (Complete self-serve, partial self-serve)
  - d. Description of any unrelated business (car wash, convenience store etc.)

**Plans**

1. Plans (4 copies) shall be 24" x 36" non-reproducible blueprints. Copies shall be marked in bold type in the lower right hand corner with the following. STATE FIRE MARSHAL COPY, FIRE DEPARTMENT COPY, SUPPRESSION SYSTEM INSTALLER COPY, PETROLEUM MARKETING COMPANY COPY.

- 4
2. Plans shall contain the name and address of the proposed facility, the name and address of the person or firm preparing the plans and the name and address of the licensed company installing the suppression system (if known).
  3. Plans shall contain as a minimum the following details, views and notes.
    - a. Site Plan: Showing all buildings, lot lines, designated parking areas, fueling islands, entrances, exits, windows, pavement makings, visibility obstructions, dimensions, fences, signs, tanks and pavement slope.
    - b. Extinguishing System Plan View: System name and type, nozzle placement, spacing, piping & cylinder count and configuration, lighting, island width and length and location of heat actuation devices (maximum 190° F).
    - c. Elevation and End Views: Nozzle placement, spacing, piping configuration, aiming points, lighting, island width and length and height (minimum 6") location of heat actuation devices (maximum 190° F), potential spill area for each pump, positive limit barrier, dispensers and length of dispenser hoses. A detail shall be provided showing the design of the positive limit barrier. (See Appendix A for specifications)
    - d. Legend: The legend shall provide a key to include but not limited to all proposed and or required systems, system components, lights, signs, dispensers, intercoms, CCTV cameras, control points, extinguishers.
    - e. Notes: Plans shall contain a section for the signature and notes of the head of the local fire department or designee and shall bear said signature. Plans shall also contain a space with minimum dimensions of 7" long by 3" high for use by this office.

Plans shall also contain the following statements:

Self-Serve extinguishing systems shall be installed from and in accordance with State Fire Marshal approved plans.

All extinguishing systems, dispensing systems and control equipment shall be Underwriters Laboratory (UL) listed.

Plans containing credit card reading devices shall include a note and include the language from 527 CMR 5.08: (5)(1).

Failure to construct install or maintain any equipment, devices, system or procedure indicated on these plans shall be cause for the revocation of this approval.

Plans approved by the head of the fire department are approved with the intent they comply in all respects to 527 CMR. Any omissions or errors on the plans do not relieve the applicant of complying with all applicable requirements of 527 CMR.

**STATE FIRE MARSHAL APPROVAL OF PLANS TO CONSTRUCT/RENOVATE A SELF-SERVICE FACILITY BECOME NULL AND VOID ONE YEAR FROM THE DATE OF APPROVAL IF CONSTRUCTION HAS NOT STARTED.**



DOCUMENT

**CITY OF HAVERHILL**

RECEIVED  
2014 SEP 19 AM 10 33  
In Municipal Council

8.1

ORDERED:

CITY CLERKS OFFICE  
HAVERHILL, MA.

That the sum of \$298,50 be transferred from Capital Projects Reserve Account for the following items listed below:

- |          |  |
|----------|--|
| \$65,000 | DPW Dump Truck   |
| \$5,000  | Façade Repairs at 16 <sup>th</sup> Ave Fire Station    |
| \$30,000 | High Street Fire Station Rewiring and Repairs          |
| \$5,000  | Heating Repairs Ayers Village Fire Station             |
| \$46,000 | Bucket Truck Fire Department and School Department     |
| \$32,500 | New Vehicle for Police Department                      |
| \$40,000 | Two Security Cameras for Police Department             |
| \$60,000 | Citizen Center Bathroom – 6 Bathrooms at \$10,000/each |
| \$15,000 | One Truck for Recreation Department                    |



DOCUMENT

**CITY OF HAVERHILL**

RECEIVED

In Municipal Council

2014 SEP 19 AM 10 33

8.1.1

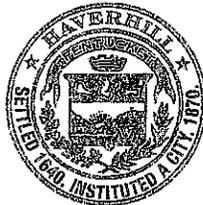
CITY CLERKS OFFICE  
HAVERHILL, MA.

ORDERED:

That the sum **\$69,617.23** be transferred from the following capital accounts as stated below to the Capital Projects Reserve Account:

3408220	Fire Dept Ladder Truck FY08	\$ 828.00
3412210	Police Dept Transport Van	\$ 1,469.43
3412220	Ladder Truck Repairs FY12	\$21,705.87
3414220	FY14 Water St Boiler	\$ 1,050.00
3412155	IT Core & Data Switch FY12	\$ 643.00
3440812	Alarm System Upgrade Treas FY08	\$ 685.28
2202541	Cricket Foundation Grant	\$ 1,500.00
2502566	AT&T Settlement	\$ 98.64
2572401	Downtown Master Pln Prk Study	\$ 112.01
2302100	Insurance Reimbursement	\$41,525.00
	Total	\$69,617.23

JAMES J. FIORENTINI  
MAYOR



CITY OF HAVERHILL  
MASSACHUSETTS

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September 19, 2014

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

**RE: Capital Requests FY15**

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

Enclosed please find transfer orders concerning capital requests for FY 15. I will be before the City Council to answer any questions but let me give you a broad outline now.

The Council will recall that in our Operating Budget we set aside \$570,000 for Capital Reserve. I indicated to you that I would come before you at a later date with the capital requests.

About a month ago I came before you with a request to spend out of that Capital Reserve Account \$190,000 to finish the repaving of the parking lot at the Consentino School. This left a total of \$380,000 in the Capital Reserve Account.

I then asked our new Finance Director, Andrew Vanni, to review all of our Fund Balances to see if there were any "stale accounts" where we could transfer some money into Capital Reserve in order to be able to do a few more things.

### **First Transfer Order**

The first transfer order reflects that. We were able to find \$69,617.23 that was appropriated but not used in prior years. This transfer order, to transfer money into capital, is from old accounts where the task has been completed and we did not need as much money as was appropriated for the task.

This leaves us with a total of \$449,617.23 in Capital Reserve and available to meet capital projects.

I then asked each of our department heads to itemize for me their absolutely critical capital needs. No department had come in with needs which I felt was unnecessary and, as always, our needs outstripped our ability to pay.

### **Second Transfer Order**

The second transfer order is to transfer the money out of Capital Reserve for various projects. Most of these are part of our five-year capital plan submitted to you a year ago.

**DPW:**

One Ten Ton Dump truck valued at \$65,000, which is the first year of a three year lease. As mentioned below, for smaller vehicles we will be purchasing them outright in a change of policy.

**Fire department:**

Façade repairs at the 16<sup>th</sup> Avenue station, \$5,000  
Repairs and rewiring of the High Street Fire Station, \$30,000  
Minor heating repairs to the Ayers Village Fire Station, \$5,000  
Our share of the purchase of a new bucket truck to be shared with the School department, \$46,000

**Police department**

New command vehicle, \$32,500  
Two new security cameras, one for the Portland Street Park and one for the Route 110 Park, \$40,000

**Miscellaneous**

Remodel the bathrooms at the Citizen's center, \$60,000  
New truck for the Recreation Department, \$15,000

**Totals**

This transfer order is for a total of \$298,500. This leaves us with \$151,025 remaining in Capital Reserve.

**Remaining projects and our plan to meet them.**

Here are some remaining projects and how we intend to meet them:

The Inspectional Services Department and the Assessor's Offices are in dire need of new vehicles. Our plan is to have them take the cruisers phased out by the Police Department. If there are no cruisers, then we plan to purchase new vehicles for them. We will know around Thanksgiving.

The DPW needs a new one ton dump truck, a new compressor, sidewalk roller and cement mixer. We are asking the State DOT for permission to use Chapter 90 money to fund these items. In the event that permission is not granted, we will fund them either out of the remaining capital funding or out of free cash in January.

The Water Street Fire Station needs a new boiler. I am asking our Purchasing and Energy Director, Orlando Pacheco, to make getting our esco program off the ground a top priority. If that can be done, we will roll that cost, approximately \$15,000, into the esco project. If it cannot be done, I will ask for an additional transfer.

The wall in back of city hall is in need of repair. We will ask engineers to price that out and either bond it or ask for a transfer out of free cash. We do not have a price on that.

We may need an additional fire truck. If that is required we will bond it.

Several years ago, we instituted a policy to have structural engineers inspect all of the small bridges and dams in the city. Many of them had not been inspected since the 1980s. We anticipate having to make over \$1 million in repairs to some of those smaller bridges.

## Change in Policy

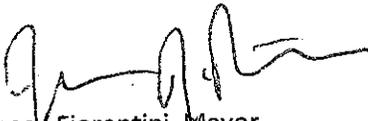
We are now in a position to be able to tackle some of our longer term projects and we are in a position to change some of our policies.

In the past, we have either not purchased vehicles at all or we have leased them. Leasing is necessary when you are cash strapped, but it does add to the cost. I believe that we should now purchase as many vehicles as we can outright rather than leasing. This will not always be possible, but should be our goal for the immediate future. Obviously, things could change.

I also recommend that, in the future, we fund those capital projects that we are not bonding with free cash. I have asked our auditors to have free cash certified earlier so that we are able to do that in January.

The two transfer orders are attached. I recommend approval.

Very truly yours,



James J. Fiorentini, Mayor  
JJF/ah



DOCUMENT

**CITY OF HAVERHILL**

In Municipal Council

8.2.1

~~ORDERED~~ Municipal Ordinance

**An Ordinance Relating to Parking  
(46 Oak Terrace—Add Handicap Parking)**

BE IT ORDAINED by the City Council of the City of Haverhill that Article XIII, Section 240-1302 Schedule B: Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by adding the following:

LOCATION	REGULATION	HOURS/DAYS
46 Oak Terrace		
In front of No. 46 Oak Terrace except for 1-24 hour handicapped parking space at No. 46	No Parking	24 Hours

APPROVED as to legality:

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



# Haverhill

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

September 18, 2014

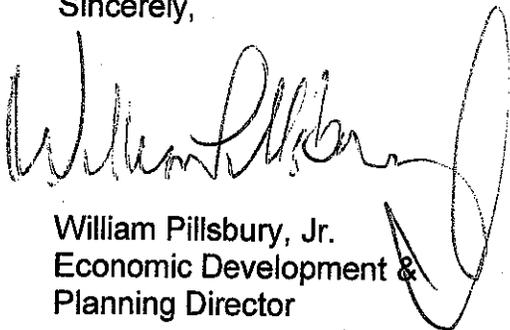
John A. Michitson, Council President  
& City Council Members  
City Hall—Room 204  
City of Haverhill

**RE: REQUEST TO ADD A HANDICAP PARKING SPACE AT 46 OAK  
TERRACE**

Dear Council President Michitson & Councilors:

As per your request dated 8/21/14 and as recommended by Chief Alan DeNaro in communication dated 7/31/14, and also including communication dated 8/7/14 from Officer Powell #8, I am submitting a Municipal Ordinance that will allow for HANDICAP PARKING at #46 Oak Terrace.

Sincerely,



William Pillsbury, Jr.  
Economic Development &  
Planning Director

CITY COUNCIL

JOHN A. MICHITSON  
PRESIDENT  
ROBERT H. SCATAMACCHIA  
VICE PRESIDENT  
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CITY OF HAVERHILL  
HAVERHILL, MASSACHUSETTS 01830-5843

August 21, 2014

TO: Mr. William Pillsbury  
Planning and Development Director

RE: Document to Establish Handicap Parking Ordinance - 46 Oak Terrace

Dear Mr. Pillsbury:

At the City Council meeting held on August 19, 2014, the following request for a handicap parking space was approved and submitted by Chief DeNaro:

- Doc. 5-L - 46 Oak Terrace

The City Council concurred with this request and asks that the proper document be prepared and placed on the next council agenda for action.

Thank you for your continued cooperation, consideration and assistance. It is appreciated.

Sincerely yours,

John A. Michitson, President  
Haverhill City Council

JAM/bsa  
encl.

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

CITY OF HAVERHILL  
APPLICATION FOR HANDICAP PARKING SIGN

\*NEW   
\*RENEWAL

*Copy  
Back of*

DATE OF REQUEST 7/30/14 DATE OF APPROVAL \_\_\_\_\_

NAME: David A Mattola

*6.2.4*

ADDRESS: 46 Oak terrace

TELEPHONE #: (978) 476-9972

VEHICLE TYPE: 2002 Lincoln LS

PLATE #: 1Y6235

Do you currently have off street parking at your residence? Yes  No   
If yes, why is there a need for a handicap parking sign? \_\_\_\_\_

Did you have a handicap parking sign at a previous address? Yes  No   
If yes, location? Previous Apartment had a drive way

*D. A. Mattola*  
Applicant Signature

Please include a copy of your current handicap placard or handicap registration, along with this application.

Approve  Denied

*Ala R. J. Flaw*  
Reason for denial

Chief of Police Signature

Approve  Denied

Reason for denial

City Council Approval

Please allow for a minimum of thirty (30) days for sign placement upon approval of City Council.

\*ORDINANCE WILL EXPIRE 24 MONTHS FROM DATE OF APPROVAL.

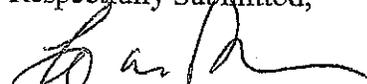
MAIL OR DELIVER COMPLETED APPLICATION TO CHIEF OF POLICE, 40 BAILEY HILL

To: Chief Denaro  
From: Officer Powell  
Date: August 7, 2014  
Re: Handicap sign request, 46 Oak Terrace

Sir,

I have reviewed the application for a handicap sign request from Mr. David A. Mottola of 46 Oak Terrace. I have inspected the location and discussed the matter with the applicant. At this time the applicant and location fit the criteria for a handicap space. I recommend that the application be approved and that a sign be placed in front of 46 Oak Terrace.

Respectfully Submitted,

  
Officer Powell #8

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CITY OF HAVERHILL  
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com

10.2.1

September 18, 2014

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

Councillor Mary Ellen Daly O'Brien would like to request a discussion about paid parking enforcement hours and paid parking signage.

*Mary Ellen Daly O'Brien*  
City Councillor Mary Ellen Daly O'Brien *ssu*

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74-2329  
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hill.com

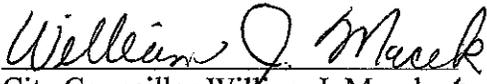
10.2.2

CITY OF HAVERHILL  
HAVERHILL, MASSACHUSETTS 01830-5843

September 18, 2014

Mr. President and Members of the City Council:

Councillor Macek wishes to discuss an alternative plan for voluntary waste reduction and curbside pickup of trash and recycling.

  
City Councillor William J. Macek

## Voluntary Waste Reduction Proposal

- Implement a voluntary plan whereby trash may be put out in either a toter or a bag(s)
- Reduce weekly trash maximum from 3 to 2 – 35 gal. bags, with the goal of reducing to 1 bag in the future
- Contract for rear feed trash trucks that have “Toter Tippers” rather than the huge automatic collection trucks. Rear feed trucks will accommodate the disposal of trash in both toters and bags
- Choice of disposal method, toter or bags, will be a user expense up to weekly maximum weekly. Disposal of trash in excess of the maximum amount will require usage of a special pre-pay disposal bag(s) that will be available for sale in the City at various outlets
- Bulk items will continue to be picked-up at curbside at no extra cost, limit one item per week. Additional bulk items can be picked-up at curbside so long as a prior pre-paid arrangement has been made with the City’s trash contractor
- Recycling will not be limited in quantity, and will remain on an every other week schedule with the intention of moving it to a weekly service through education and enforcement.

## Program Features

- Program is flexible and allows for individuals to decide which type of disposal container works best for their personal situation
- By using rear loading traditional size trucks with Toter Tippers there will not be any problem with street width or other issue such as snow bank obstruction or tight on street parking
- The City will save a million plus dollars by not having to purchase toters, maintain them, and insure or replace them. This savings will be applied to truck attendants and an ongoing education and enforcement program that will additionally save the City money through creation of a higher percentage of recycling and reduction in trash.

This proposal is presented as a template to work from. I am confident that it can be refined and implemented at a similar or even lesser cost than implementation of a City wide automatic pick-up system that will require additional ongoing City costs due to the need for creating exemptions, enforcement, and other problem inherent in the inflexible auto-pickup system.

This Voluntary plan will not require the waste contractor to purchase 7 new oversized automatic trash trucks, and by using smaller traditional rear loading trucks a cost savings will again be derived and go toward a reduction in the annual bid cost to the City.

I believe this is a valid starting point in providing a plan that will fairly address the need of all of our City’s residents.

CITY COUNCIL

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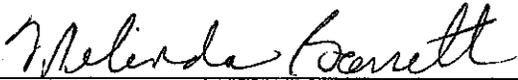
ROOM 204  
ER STREET  
374-2328  
374-2329  
hill.ma.us  
rhill.com

10.2.3

September 18, 2014

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

Councillor Melinda Barrett requests to give an update on the idling trains in Bradford.

  
City Councillor Melinda Barrett

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