

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

December 16, 2011

TO: City Council President Michael J. Hart and members of the Haverhill City Council

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

SUBJECT: Zoning Amendment—Change to Affordable Housing

As a result of the significant changes in market conditions as it relates to affordable housing, and based on concerns raised by the current language of the ordinance which does not contain a waiver provision, after consultation with the city Solicitor and the Mayor, I am filing the attached proposed zoning amendment for review by the council.

Please refer the matter to the planning board for a hearing on January 11, 2012, and schedule a hearing for the city council on the matter on January 31, 2012. Thank you for your attention to this matter.

IN CITY COUNCIL: December 20 2011

REFER TO PLANNING BOARD and

VOTED: that COUNCIL HEARING BE HELD JANUARY 31 2012

Attest:

City Clerk

*See Ordinance
Dec. 17-18/11*



CITY OF HAVERHILL
MASSACHUSETTS 01830

CITY HALL, ROOM 201
FOUR SUMMER STREET
HAVERHILL, MASSACHUSETTS 01830
TELEPHONE 374-2330
FAX 374-2315

PLANNING BOARD

January 17, 2012

City Council President John A. Mitchitson
& City Councilors
City of Haverhill

RE: Zoning Ordinance Amendment for Affordable Housing—255-97

Members Present: Timothy Connors, Celeste Hynick, Roy Wright, James Cronin, Jack Everette, Joseph Sullivan, Bob Driscoll and Paul B. Howard

Members Absent: NONE

Also Present: William Pillsbury, Jr., Director of Economic Development and Planning
Lori A. Woodsum, Office Manager/Economic Development & Planning

Dear City Council President & City Councilors:

The Haverhill Planning Board at its regularly scheduled meeting held on 1/11/12, Wednesday Evening, at 7:00 p.m. in the City Council Chambers, Room 202, motioned to send a favorable recommendation to the City Council for the above-cited zoning ordinance amendment. Jack Everette read the rules for a public hearing and informed the people in the audience to leave their name and address if they wanted to be informed of any appeal filed for hearings held at this meeting. Paul Howard chaired the meeting and asked the petitioner to come forward.

Planning Director William Pillsbury spoke on this matter for the affordable housing zoning ordinance amendment. He informed the board and the people in the audience that he would be presenting this evening on behalf of the city. It was noted what the city was doing. This request was characterized as a technical amendment to the zoning ordinance which was really a stop gap measure which he guessed was the way he would explain it. He noted that the city has some issues with our affordable housing ordinance the way that it was currently written and the way that it was structured right now that really makes it ineffective. There were some initiatives underway to rewrite that and actually had a consultant that was working with us in zoning to re-write that and to come up with a very good state of the art inclusionary

**Zoning Amendment for Affordable Housing—Chapter 255 -97
1/11/12 Planning Board Meeting**

zoning ordinance. It was just not done... it is not complete but in the meantime the city solicitor wanted us to move forward with this amendment which basically does one thing. This zoning amendment would allow the City Council in their review of any multifamily project to entertain the granting of a waiver to the affordable housing requirement based on market conditions. The reason it was based on that was because of the way the ordinance in many cases right now the way the formula works out the affordable units must be sold to the higher price than the market rate unit. So that obviously is not creating affordable housing but creating a mess. So we were trying to correct that in interim basis with this minor amendment, a technical amendment and hoped that we would be back fairly soon with a full blown inclusionary ordinance that would be really the best practices that were out there right now in terms of trying to create affordable housing in the regular mainstream projects that cities and towns do. The planner noted that he would answer any questions that you have but would also ask for a favorable recommendation to the City Council on this zoning amendment for affordable housing.

Chairman Paul B. Howard asked if there were any questions from the board members. There were no questions asked from the board members. No one in the audience came forward to speak in favor or in opposition. The chairman closed the public portion of the hearing and turned it over to a vote. The chairman asked for a motion.

MOTION

Member Bob Driscoll motioned to send a favorable recommendation to the City Council on this zoning amendment to affordable housing. Member Celeste Hynick seconded the motion. Members Timothy Connors, Celeste Hynick, Roy Wright, James Cronin, Jack Everette, Joseph Sullivan, Bob Driscoll and Paul B. Howard voted to send a favorable recommendation to the City Council. No Members were absent. Motion passed.

City department reports are attached to and considered part of this decision and minutes.

Signed,


Paul B. Howard
Chairman 

Cc: Zoning Ordinance Amendment File 2012 for Affordable Housing
Mayor James Fiorentini
City Council (original)
City Clerk (copy)
City Engineer
City Solicitor William Cox

RECEIVED

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CITY CLERK'S OFFICE
HAVERHILL, MASS.
CITY OF HAVERHILL
MASSACHUSETTS 01830

CITY HALL, ROOM 201
FOUR SUMMER STREET
HAVERHILL, MASSACHUSETTS 01830
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PLANNING BOARD

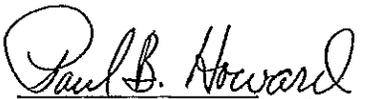
**Haverhill Planning Board
PUBLIC HEARING NOTICE
1/11/12 Planning Board Meeting**

The Haverhill Planning Board will hold its public hearing on Wednesday, January 11, 2012, Wednesday Evening at 7:00 P.M. in Room 202, Haverhill City Hall to hear the petitions listed below.

Zoning Amendment for Affordable Housing—The City of Haverhill forwards a request to the City Council to amend the existing zoning ordinance Chapter 255-97. (Advertise: 12/29/11 & 1/5/12)

River Street Special Permit—The applicant, MCL Contracting/Michael Lefevre and owner, Joseph DiPrimo, requested that the board forward a recommendation to the City Council to allow construction of 9 residential units on a vacant parcel of land in the RU Zone. See Assessors Map 534, Block 4, Lot 19. Merrimack Engineering Services prepared the plan. (Continued from 8/10/11, 10/12/11, 12/14/11)

Street Discontinuance for portion of Naples Road—The applicant/owner, Joseph DiPrimo requested that the board forward a recommendation to the City Council to discontinue a portion of Naples Road, Merrimack Engineering Services prepared the plan. (Continued from 8-10-11, 10/12/11, 12/14/11)


Paul B. Howard
Chairman 

Dated: 12/21/11
Advertise: 12/29/11 & 1/5/12

CC: File Copy
Mayor James Fiorentini
City Depts. Via e-mail
Owner/Applicants/Representatives
Surrounding Towns
E.O.C.D
Ron Tuell
Ed English
Community development—Room 309
John Pettis III, City Engineer



James J. Florentini
Mayor

Richard B. Borden
Fire Chief

Haverhill Fire Department

Fire Prevention / Investigation Unit

D/C William F. Laliberty
Lieut. Richard Beaudoin
Insp. Steven Trocki



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

RECEIVED
DEC 28 2011

Econ Devlp & Planning
& B.O.A.

December 28, 2011

William Pillsbury, Planning Director
4 Summer Street, room 201
Haverhill, MA 01830

Re: Zoning Ordinance Amendment/ 255-97/ Affordable Housing

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 in the scope of 780 CMR, 8th edition, shall be made in accordance therewith. (527 CMR 1.04(4) and 780 CMR 101.2)

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 plans for the address stated above and in the interest of public safety, have the following comments:

So as long as the waiver provisions for Affordable Housing do not include the ability to waive Public Safety Regulations as set forth in 780 CMR, MSBC, 527 CMR, Massachusetts Fire Prevention Regulations and any other state or city ordinance, the fire department does not have any other objections to the zoning ordinance amendment of 255-97.

Respectfully,

William F. Laliberty
Deputy Fire Chief



R E C E I V E D
DEC 22 2011

Econ Devlp & Planning
& B.O.A.

Haverhill

Economic Development and Planning
Conservation Department
Phone: 978-374-2334 Fax: 978-374-2337
rmoores@cityofhaverhill.com
conservation@cityofhaverhill.com

MEMO TO: William Pillsbury, Economic Development and Planning Director
FROM: Robert E. Moore, Jr., Environmental Health Technician 
DATE: December 22, 2011
RE: Zoning Ordinance Amendment – City of Haverhill
Section 255-97J, Affordable Housing

I have reviewed the forwarded information pertaining to the subject application. On behalf of the Conservation Commission, I offer no objections to this proposal.



Haverhill

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Doc # 117
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