



# CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, October 3, 2017 at 7:00 PM  
City Council Chambers, 4 Summer St, Room 202

1. OPENING PRAYER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES OF PREVIOUS MEETING
4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING
5. COMMUNICATIONS FROM THE MAYOR
  - 5.1. Communication from Mayor Fiorentini requesting to address the Council regarding the *Amazon Proposal*
  - 5.2. Communication from Mayor Fiorentini requesting to have Police Chief Alan DeNaro address the Council regarding the \$45,000.00 Order for Parking Enforcement Services that was presented at the last City Council meeting Attachments
6. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES
  - 6.1. Communication from Building Inspector submitting the following Orders to demolish the buildings at:
    - a. Order- 20 Arlington st (Hearing Nov 14<sup>th</sup>)
    - b. Order- 21 Dustin av (Hearing Nov 14<sup>th</sup>)Attachments
7. UTILITY HEARING(S) AND RELATED ORDER(S)
8. HEARINGS AND RELATED ORDER
  - 8.1. Document 96; Application for Special Permit from Attorney William Faraci representing Richard P Early Sr; Trustee of D & D Realty Trust; Aida and Carl Khalil owners; requesting to build 4 buildings with 4 townhouse style units (16 units total) at unnumbered Orchard st; Assessor's Map 303, Block 62, Lots 4-8  
*Favorable Conditional recommendation from Planning Board & Planning Director*  
Attachment
9. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28  
NO SCHEDULE
10. APPOINTMENTS:
  - 10.1. Confirming Appointments :
    - 10.1.1.1. *Cultural Council*—Katrina Gomez, 30 Morningside dr To be Confirmed  
*Expires July 31 2018* Attachment
  - 10.2. Non-Confirming Appointments:
  - 10.3. Resignations
11. PETITIONS:  
NO SCHEDULE
  - 11.1. Applications:
  - 11.2. Applications/Handicap Parking Signs:
  - 11.3. Tag Days:  
NO SCHEDULE



## CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, October 3, 2017 at 7:00 PM  
City Council Chambers, 4 Summer St, Room 202

### 11.4. Annual License Renewals:

- 11.4.1. Hawker Peddlers License Renewals 2017
- 11.4.2. Coin-Op License Renewals 2017
- 11.4.3. Sunday Coin-Op License Renewals 2017
- 11.4.4. Drainlayer License 2017:
- 11.4.5. Taxi Driver License
- 11.4.6. Taxi License
- 11.4.7. Junk Dealer License
- 11.4.8. Pool Tables:
  - 11.4.8.1. Sunday Pool:
- 11.4.9. Bowling:
- 11.4.10. Buy & Sell Second Hand Clothing
- 11.4.11. Pawnbroker license:
- 11.4.12. Buy & Sell Old Gold:
- 11.4.13. Hawker/Peddler:
- 11.4.14. Exterior Vending Machines
- 11.4.15. Limousine/Livery License:
  - 11.4.15.1. *Bon Voyage Limo, 695 Main st, Raif Wakim 1 Vehicle*  
*Has Police approval*

Attachment

### 12. MOTIONS AND ORDERS

- 12.1. Order – Authorize payment of bills of previous/current year departmental appropriations as listed:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Bruce Fraser, Arbitrator/Mediator	\$3,540.00	Law Department
Blatman, Bobrowski & Harvey LLC	\$100.00	Law Department
Blatman, Bobrowski & Haverty LLC	\$925.00	Law Department
WB Mason	\$609.50	Purchasing
BWC Salemon Brook LLC	\$2,915.29	Wastewater
Spencer Meadow Solar LLC	\$46,584.35	Wastewater

Attachment

### 13. ORDINANCES (FILE 10 DAYS)

- 13.1. Ordinance re: Parking, 5 Dustin st-DELETE Handicap Parking File 10 days

- 13.2. MONTHLY REPORTS  
NO SCHEDULE



## CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, October 3, 2017 at 7:00 PM  
City Council Chambers, 4 Summer St, Room 202

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### 14. COMMUNICATIONS FROM COUNCILLORS

- 14.1. Communication from Council President Michitson and Councillor Vargas requesting to introduce MBA students from the Heller School for Social Policy & Management at Brandeis University to present the results of their study, "*A Prospect for Haverhill: Performance-Based Budgeting for a Better Tomorrow*". The Team researched an alternative budget process which is based on performance data, strategic goals and measurable objectives
- 14.2. Communication from Councillors Barrett, LePage and Vargas requesting to introduce Chris Bullock of *ClearGov* for a presentation on updated features to budget-data program
- 14.3. Communication from Councillors Bevilacqua and Sullivan requesting to recognize the *Gale Park* Volunteers
- 14.4. Communication from Councillor Joseph Bevilacqua requesting a discussion regarding *Mass Development Site Readiness Program* Attachment

### 15. UNFINISHED BUSINESS OF PRECEDING MEETINGS

- 15.1. Document 29-Z; Order – transfer \$45,000 from accounts stated to the General Fund Account, Municipal Parking to pay for Parking Enforcement Services:  
*Budget Reserve \$4,000.00 and Police Salaries \$41,000.00*  
*Postponed from September 26<sup>th</sup> meeting* Attachment

### 16. RESOLUTIONS AND PROCLAMATIONS NO SCHEDULE

### 17. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS NO SCHEDULE

### 18. DOCUMENTS REFERRED TO COMMITTEE STUDY NO SCHEDULE

### 19. ADJOURN

JAMES J. FIORENTINI  
MAYOR



**CITY OF HAVERHILL**  
**MASSACHUSETTS**

3.1  
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

September 29, 2017

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

RE: Communication from Mayor James J. Fiorentini regarding Amazon Proposal

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

Mayor James J. Fiorentini will be at the October 3<sup>rd</sup> City Council meeting to discuss the Amazon Proposal.

Very truly yours,

**James J. Fiorentini, Mayor**

JJF/lyf

JAMES J. FIORENTINI  
MAYOR



**CITY OF HAVERHILL  
MASSACHUSETTS**

5.2  
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

September 29, 2017

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

RE: Communication from Mayor James J. Fiorentini regarding the \$45,000.00 order for Parking Enforcement Services

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

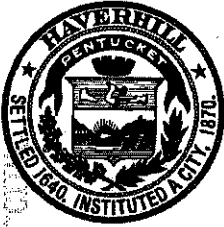
Haverhill Police Chief Alan DeNaro will be at the October 3<sup>rd</sup> City Council meeting to answer any questions you may have regarding the \$45,000.00 order for Parking Enforcement Services that was on the agenda at the last City Council meeting.

I recommend approval.

Very truly yours,

**James J. Fiorentini, Mayor**

JJF/lyf



2017SEP28PM10:49:00-0000

Hearing November 14  
2017  
**Haverhill**

611

Board of Health  
Inspection Services  
Building/Zoning  
Phone: 978-374-2325  
978-374-2341  
978-374-2338  
978-374-2430  
Fax: 978-374-2337

September 29, 2017

**TO: City Council**

**FROM: Richard Osborne, Building Inspector**

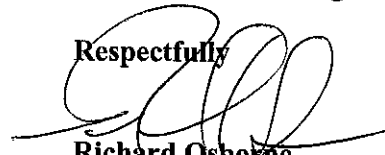
**RE: 20 Arlington Street**

**Dear Members:**

In pursuant to Massachusetts General Law Chapter 143, Section 7 and Massachusetts General Law Chapter 139, Section 1. As Building Inspector for the City of Haverhill, I respectfully request that the Haverhill City Council approve the demolition of the fire damaged structure (parcel ID Map 204, Block 47, Lot 32-2) address of 20 Arlington Street. The fire damage occurred on April 8, 2017 and now has been deemed a nuisance and threat to the public. A structural survey has been ordered in accordance to M.G.L. 143 Section 7 and the recommendation is to demolish this structure in the interest of public safety.

In the event that the owner fails to take steps to demolish this structure within 30 days the Mayor or agent is authorized to proceed with the demolition of said building. The City can place a lien, suit and or attachment on the owner's property to the extent of damages occurred.

Respectfully



Richard Osborne  
Building Inspector

RO/ds



DOCUMENT

(6,1) a

## CITY OF HAVERHILL IN MUNICIPAL COUNCIL:

September 29, 2017

ORDERED:

Pursuant to Massachusetts General Law, Chapter 139, Section 1, after hearing, it is hereby adjudged that the building (s) at 20 Arlington Street, Assessor's Map 204, Block 47, Lot 32-2 in Haverhill MA, is a nuisance to the neighborhood and is dangerous, in accordance with the authority bestowed upon us by said Chapter, it is hereby ordered that said Building (s) be demolished or repaired.

In the event the owner fails to take steps to rehabilitate or remove said building (s) within 30 days, the Mayor or his agent is authorized to proceed with demolition of said building (s) and may place a lien, suit and/or attachment on the owner or properties you own to the extent of damage incurred.

For Hearing November 14 2017

96

Hearing October 3  
2017

Attorney at Law  
114 Kenoza Avenue  
Haverhill, MA 01830  
Tel. (978) 373-5520  
Fax (978) 373-5262  
e-mail: faracilaw@aol.com

#250.00

8.1

July 20, 2017

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

Re: Special Permit for Orchard Street

Dear President Michitson:

Please be advised that I represent Richard P. Early, Sr, Trustee of D & D Realty Trust, Aida Khalil and Carl Khalil, Collectively these parties are the owners of Lots 4-8 on Orchard Street as described in the attached petition. We are requesting a Special Permit for multi-family housing on these lots which are located in a CC zone.

The owners seek to build 4 buildings with 4 townhouse styled units in each building, totaling 16 units.

The factors to be considered and the material relative to these factors are set forth in the Memorandum filed with this application.

I am also filing the required copies of the site plan and the floor plans as set forth in the Zoning Ordinance.

The land is the subject of a purchase and sale agreement with CBC Realty Investments, LLC of Newburyport which will do the actual construction. It is anticipated that these units will be sold as condominium units.

The plan sets forth the requirements of the Zoning Ordinance for this use. All required dimensional variances have been obtained and the decision was recorded. Of particular note is that each unit will have a two berth garage as part of its ground floor. The units will contain sprinklers. All conditions suggested by city departments will be reviewed in advance of the hearing, and, if they are the usual conditions, they will be followed.

A Special Permit for these 16 units was approved by the council in 2010. As part of that process, dimensional variances were obtained and a site plan had been approved by the Planning Board. However, financing for this project became unavailable due to economic conditions. The current purchaser has financing available.



**William S. Faraci  
Attorney at Law  
114 Kenoza Avenue  
Haverhill, MA 01830  
Tel. (978) 373-5520  
Fax (978) 373-5262  
e-mail: faracilaw@aol.com**

July 25, 2017

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

Re: Special Permit for Orchard Street

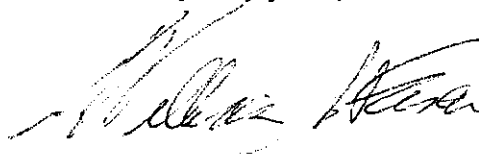
Dear President Michitson:

In reviewing the material submitted for a special permit for Orchard Street, the Assessor's Office noted that the incorrect block was listed on the documents. The correct reference is to Map 303, Block 62 Lots 4-8. Any reference to Block 64 is in error and I would amend by documentation with the substitution of Block 62 for Block 64.

In addition, because the scheduled council hearing date of October 3, 2017 is more than 65 days from the date of filing of the petition, the applicants waive the 65 day requirement up to and including October 16, 2017 in order to have your decision recorded with the Clerk,

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'William S. Faraci', written in a cursive style.

William S. Faraci

## MEMORANDUM FOR SPECIAL PERMIT APPLICATION

### LOTS 4-8 ORCHARD STREET

#### BACKGROUND

A Petition for a Special Permit for construction of 16 residential units in 4 buildings containing 4 units each located on Orchard Street is being presented to the city council. The following information in support of that application is presented.

Zoning District is CC

Multifamily housing is allowed by special permit by the Table of Uses in the Zoning Code.

The owners of the lots are Richard P. Early, Sr, Trustee of D & D Realty Trust (Lot 7), Aida Khalil (Lot 8 ) and Carl Khalil (Lot 4, 5, and 6 )

Purchaser CBC Realty Investments, LLC of 76 State Street, Newburyport, MA. The principals are experienced developers and financing is available to them.

Use of the units is expected to be a three-story residential condominium units.

#### SPECIAL PERMIT GENERAL CONDITIONS

The Zoning Ordinance at Chapter 255, Section 77E sets for the following General Conditions for a Special Permit,

1. The use requested is listed in the Table of Use and Parking Regulations as a special permit for which the application is made. Multifamily housing in a CC District is a use allowed by special permit.
2. Where pertinent, the use requested also meets special permit conditions listed in Article XI. These conditions are set forth below.
3. The requested use is essential or desirable to public convenience or welfare. The requested use is for construction of new townhouse units likely to be marketed as condominium units.

This use will provide new housing in the core city area. Such housing has been being developed in this area over the past several years. The basic difference between this application and the other projects in the area is that this is not the renovation of an existing vacant building but rather the development of a now vacant lot. Also, the other projects are generally single floor units and this project has three-story townhouse units. This adds a different type of unit to the housing mix. To the extent that it has been considered desirable to have residential units in the core city, this project should also be considered desirable and the difference in the mix of residential property that this project brings adds to the opportunity for the general public to procure a town house residence rather than a single floor apartment.

Also, the vacant lot is overgrown and has been subject to dumping. Improving this lot also improves the quality of the neighborhood.

The existing buildings in the area are small commercial buildings and older multi-unit housing.

4. The requested use will not impair the integrity of character of the district or adjoining zones, nor be detrimental to the health, morals or welfare and will be in conformity with the goals and policies of the Master Plan.

To the contrary, this project will promote these factors and remedy and existing neighborhood problem. The is other new multifamily housing in the area, most of which projects are larger than the requested projects.

5. Traffic. It is unlikely that an additional 16 units of housing will contribute to traffic or safety
6. The plans for water and sewer are adequate because of public availability. Actual location of pipes, drainage and other matters will be part of site plan review.
7. There is adequate space in the areas in front of garages for off-street loading and unloading of service vehicles.
8. This is vacant land so the requirement of preservation of historical buildings does not apply. As to historical site, the history of the area suggests multi-family uses.

#### SPECIAL PERMIT CONDITIONS FOR MULTIFAMILY HOUSING IN CC DISTRICT

The Zoning Ordinance at Chapter 255, Section 96 sets forth the following Special Conditions for multifamily housing in a CC District.

A. The proposed development must conform to the respective requirements of Article VI, Table of Dimensional and Density Regulations. The plan sets forth each of these requirements as follows:

Compliant:

Area Requirements: Required- 17,000 square feet. Provided – 22,894 square feet  
Frontage: Required – 100.00 feet. Provided – 207.99 feet  
Lot Depth: Required – 100.00 feet. Provided – 100.00 feet  
Building Coverage: Required – 60% cap. Provided – 50.4%  
Parking: Required – 24 spaces. Provided – 32 spaces

Obtained Variance Approval:

Front Setback: Required – 10 feet. Variance obtained for 5 feet.  
Side Setback: Required – 20 feet. Variance obtained for 5 feet  
Rear Setback: Required – 20 feet. Variance obtained for 9 feet  
Distance between Buildings: Required – 50 feet. Variance obtained for 30 feet, 16 feet and 30 feet as shown on plan.

B. The development shall be and is served by public water and sewer.

C. Maximum continuous length of any building façade shall not exceed 200 feet and the number of units shall be at least 3 but not more than 10. There shall be a minimum of 40 feet between buildings.

Each building contains 4 units with a façade of 96 feet. A variance was obtained to allow a closer distance between buildings as set forth above.

D. Roadway and utilities must be approved through the Planning Board. A site plan with these matters will be presented to the Planning Board.

E. In the event that the City Engineer requires a Clerk of the Works one will be retained.

F. Street Signs are not applicable as no new street is being constructed.

G. Any required lighting requested by the Planning Board site plan review will be provided.

- H. The style of building and screening and building materials will be as requested during site plan review.
- I. Integration and site plans will be as approved by the Planning Board during its site plan review,

~~PETITION FOR VARIANCE under the ZONING ORDINANCE~~

APPLICATION FOR SPECIAL PERMIT under the ZONING ORDINANCE

Notice: This application must be typewritten; filed in duplicate and accompanied by a plan of the affected premises; a copy of the refusal by the Building Inspector or other authority.

The undersigned, petitions the Board of Appeals to vary, in the manner and for the reasons hereinafter set forth, the application of the provisions of the zoning ordinance to the following described premises.

APPLICANT: D+D Realty Trust, Carl & Aida Khalil  
Full Name Address

OWNER: Same 77 Route 125, KINGSTON, N.H. 03858  
Full Name Address

LESSEE: \_\_\_\_\_  
Full Name Address

1. LOCATION OF PREMISES: UNNUMBERED ORCHARD STREET

2. ASSESSORS PLAT: 303 62 4-8  
Plat No. Block No. Lot No.

2A. DEED OF PROPERTY RECORDED IN: ESSEX SOUTH DISTRICT REGISTRY  
BOOK: 16397 PAGE: 284, BOOK 14634, PAGE 246 and BOOK 21696 PAGE 47

3. DIMENSIONS OF LOT: 110' X 207.99' X 95' X 206.98'

4. ZONING DISTRICTS IN WHICH PREMISES ARE LOCATED? CC

5. HOW LONG HAVE YOU OWNED THE ABOVE PREMISES? 1st lot 16 yrs, 2nd lot 19 yrs, third lot 14 years

6. HOW MANY BUILDINGS ARE ON THE LOT? NONE

7. GIVE SIZE OF EXISTING BUILDINGS: NONE

PROPOSED BUILDINGS: 4 Bldgs each with 4 UNITS TOTAL 16 UNITS  
EACH 30' X 46'

8. STATE PRESENT USE OF PREMISES: VACANT LAND

9. STATE PROPOSED USE OF PREMISES: MULTI-FAMILY RESIDENTIAL HOUSING

10. GIVE EXTENT OF PROPOSED ALTERATIONS: CONSTRUCT 4 Bldgs each with  
4 UNITS TOTAL 16 UNITS

11. HAS THERE BEEN A PREVIOUS APPEAL UNDER ZONING ON THESE PREMISES? Yes

IF SO WHEN? 9/15/10

12. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED: 16

NOTE: IF THE APPLICANT IS NOT THE OWNER, A STATEMENT MUST BE WRITTEN BY THE OWNER AUTHORIZING THE APPLICANT TO APPLY TO THE BOARD OF APPEALS



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

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

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

CITY OF HAVERHILL  
BOARD OF APPEALS  
CITY HALL - 4 SUMMER ST.

~~APPLICATION FOR VARIANCE under the ZONING ORDINANCE~~

**APPLICATION FOR SPECIAL PERMIT under the ZONING ORDINANCE**

**Notice:** This application must be typewritten; filed in duplicate and accompanied by a plan of the affected premises, a copy of the refusal by the Building Inspector or other authority.

To: ~~the Board of Appeals~~ CITY COUNCIL

DATE July 14, 2017

The undersigned, petitions the **Board of Appeals** to vary, in the manner and for the reasons hereinafter set forth, the application of the provisions of the zoning ordinance to the following described premises.

APPLICANT: D & D Realty Trust, Carl & Aida Khalil  
Full Name Address

OWNER: Same 77 Route 125, Kingston, NH 03858  
Full Name Address

LESSEE: \_\_\_\_\_  
Full Name Address

1. LOCATION OF PREMISES: Unnumbered, Lots 4-8 Orchard Street  
Street Number Name of Street

2. ASSESSORS PLAT: 303 64 62 4-8  
Plat No. Block No. Lot No.

2A. DEED OF PROPERTY RECORDED IN: Southern Essex REGISTRY  
BOOK: 16397 PAGES: 284; B 14634, P. 266; B21696, P. 47

3. DIMENSIONS OF LOT: 207.99, 110.00, 22,864  
Frontage Depth Square Feet

4. ZONING DISTRICTS IN WHICH PREMISES ARE LOCATED: CC

5. HOW LONG HAVE YOU OWNED ABOVE PREMISES? 1st deed 16yrs, 2nd deed 19 yrs;  
3rd deed, 14 yrs

6. HOW MANY BUILDINGS ARE NOW ON THE LOT? NONE

7. GIVE SIZE OF EXISTING BUILDINGS NONE

PROPOSED BUILDINGS: 4 buildings each with 4 units total 16 30'x96' 24' 3 story units

8. STATE PRESENT USE OF PREMISES: Vacant Land

9. STATE PROPOSED USE OF PREMISES: multi-family residential housing

10. GIVE EXTENT OF PROPOSED ALTERATIONS: Construct 4 buildings each with 4 units  
Total of 16 3 story 30'x96' units

11. HAS THERE BEEN A PREVIOUS APPEAL UNDER ZONING ON THESE PREMISES? YES

12. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED? 9/15/05 granted SP same  
16 as current request

NOTE: IF THE APPLICANT IS NOT THE OWNER, A WRITTEN STATEMENT MUST BE SUBMITTED FROM THE OWNER INDICATING THAT IT IS PERMISSIBLE TO SEEK A VARIANCE FOR SPECIAL PERMIT FOR THE PROPERTY.

NOTE: IF YOUR HOUSE IS NOT CLEARLY NUMBERED, THE BOARD OF APPEALS MAY NOT BE ABLE TO LOCATE YOUR PROPERTY, AND THIS COULD CAUSE YOU UNNECESSARY DELAY.

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13. PROVISIONS OF THE ZONING ORDINANCE UNDER WHICH PETITION FOR VARIANCE IS MADE:

In making its decision, the Board shall specifically find that all of the following conditions have been met: (Findings must be made on all three to have a valid decision). (1) That there are unique circumstances relate to the soil conditions, soil shape, or topography which specifically affect the land of structure in question, but not affecting generally the Zoning District in which the land or structure is located; (2) That the literal enforcement of the ordinance would involve substantial hardship, financial or otherwise; (3) That desirable relief may be granted without substantially derogating from the intent and purpose of the zoning ordinance or by-law. (See zoning ordinance for additional requirements for the granting of a variance).

13A. STATE REASONS FOR VARIANCE: Table of Uses

14. PROVISION OF ZONING ORDINANCE UNDER WHICH APPLICATION FOR SPECIAL PERMIT MADE:  
Table of Uses

14A. STATE REASONS FOR SPECIAL PERMIT: Applicant seeks a Special Permit for multifamily housing in a CC zone. All dimensional variances have been granted with no appeal and recorded

No application will be acted upon unless the application has been reviewed and signed by the Building Inspector; Filing Fee has been paid to the City Treasurer; is accompanied by a list of "parties in interest" for the property as certified by the City Assessor; time stamped by the City Clerk; and all other requirements completed.

I hereby agree to pay to the City of Haverhill, any additional necessary fee connected with this application.

I hereby authorize the Clerk of the Board of Appeals to file this application upon its completion.

Signature

William S. Faraci  
William S. Faraci, Atty for App.  
Address 114 Kenoza Ave., Haverhill, MA

William Pillsbury, Jr. Planning Director

Phone No. 978-373-5520

I have reviewed this application  
With respect to the responses to  
Questions 4, 13-14A

Building Inspector

Filing Fee: \$180.00

Filing Fee \$           

City Treasurer

FOR QUESTIONS 13A & 14A, ATTACH ADDITIONAL SHEET IF NECESSARY

**BUILDING INSPECTOR'S CHECK LIST FOR**  
**BOARD OF APPEALS ACTION NEEDED ON:**

LOCATION LOTS 4-8, Block 64, Plat 303 - Unnumbered Orchard St.

ZONE CC

APPLICANT D + D Realty Trust, Carl + Aida Khalil

**ACTION REQUIRED**

☐ DIMENSIONAL VARIANCE

☐ LOT AREA

☐ LOT FRONTAGE

☐ LOT DEPTH

☐ SIDE YARD

☐ HEIGHT

☐ FLOOR AREA RATIO

☐ SIGN SIZE

☐ USE VARIANCE

☐ PARKING

☒ SPECIAL PERMIT

☐ FRONT YARD

☐ REAR YARD

☐ BUILDING COVERAGE

☐ OPEN SPACE

☐ OTHER \_\_\_\_\_

**DATA TO BE INCLUDED ON APPLICATION:**

**3. PROVISION OF ZONING ORDINANCE UNDER WHICH PETITION FOR VARIANCE IS MADE:**

IN MAKING ITS DECISION, THE BOARD SHALL SPECIFICALLY FIND THAT ALL OF THE FOLLOWING CONDITIONS HAVE BEEN MET. (FINDINGS MUST BE MADE ON ALL THREE TO HAVE A VALID DECISION.) (1) THAT THERE ARE UNIQUE CIRCUMSTANCES RELATIVE TO THE SOIL CONDITIONS, SOIL SHAPE, OR TOPOGRAPHY WHICH SPECIFICALLY AFFECT THE LAND OR STRUCTURE IN QUESTION, BUT NOT AFFECTING GENERALLY THE ZONING DISTRICT IN WHICH THE LAND OR STRUCTURE IS LOCATED; (2) THAT THE LITERAL ENFORCEMENT OF THE ORDINANCE WOULD INVOLVE SUBSTANTIAL HARDSHIP, FINANCIAL OR OTHERWISE; (3) THAT DESIRABLE RELIEF MAY BE GRANTED WITHOUT SUBSTANTIALLY DEROGATING FROM THE INTENT AND PURPOSE OF THE ZONING ORDINANCE OR BY LAW. (SEE ZONING ORDINANCE FOR ADDITIONAL REQUIREMENTS FOR GRANTING OF VARIANCE.)

3A. STATE REASON FOR VARIANCE: \_\_\_\_\_

**4. PROVISION OF ZONING ORDINANCE UNDER WHICH APPLICATION FOR SPECIAL PERMIT IS MADE**

TABLE OF USE

4A. REASON FOR SPECIAL PERMIT:

Applicant seeks a Special Permit  
for multi-family in CC zone

Dimensional Variance Granted  
No appeal of B.O.A. decision  
Dec. 11.82



## PURCHASE AND SALE AGREEMENT

This 23<sup>rd</sup> day June 2017

1. PARTIES AND MAILING ADDRESSES:

**Aida Khalil, Carl Khalil, and Richard P. Early, Sr, Trustee of D & D Realty Trust** hereinafter called the **SELLER**, agrees to SELL, and **CBC Realty Investments LLC of 76 State Street, Newburyport, MA 01950** hereinafter called the **BUYER or PURCHASER**, agrees to BUY, upon the terms hereinafter set forth, the following described premises:

2. DESCRIPTION:

The land and known and numbered as 0 and 25 and 35 Orchard Street, Haverhill, Massachusetts 01830, being lots 4, 5, 6, 7 and 8, Haverhill Assessor's Map 303, Block 62 as shown on plan recorded with said Deeds in Plan Book 433 as Plan 23. Title Reference Essex County Southern Registry District, Book 13697, Page 284, Book 14634, Page 266 and Book 21696, Page 47.

3. TITLE DEED:

Said premises are to be conveyed by a good and sufficient quitclaim Deed running to the BUYER, or to the nominee designated by the BUYER by written notice to the SELLER at least three (3) days before the Deed is to be delivered as herein provided, and said Deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except:

- (a) Provisions of existing building and zoning laws;
- (b) Existing rights and obligations in party walls which are not the subject of written agreement;
- (c) Such taxes for the then current year as are not due and payable on the date of the delivery of such Deed;
- (d) Any liens for municipal betterments assessed after the date of this agreement;
- (e) Easements, restrictions and reservations of record.

4. PURCHASE PRICE:

The agreed Purchase Price for said premises Five Hundred Thousand Dollars (\$500,000.00) of which

CL

RPE.  
A-K  
CK.

\$10,000.00	have been paid as a deposit simultaneously with the execution of this Agreement; and
<u>\$490,000.00</u>	is to be paid at the time of delivery and recording of the Deed via wire transfer or attorney IOLTA check
<b>\$500,000.00</b>	<b>TOTAL</b>

5. TIME FOR PERFORMANCE; DELIVERY OF DEED:

Such Deed is to be delivered at 12:00 o'clock P.M. on or before the 28<sup>th</sup> day of **September 2017 or within 30 days of receipt of final approvals with all appeals period having expired, whichever is later**, at the Essex South Registry of Deeds or at the office of buyer's counsel, unless otherwise agreed upon in writing. It is agreed that time is of the essence of this agreement.

6. POSSESSION AND CONDITION OF PREMISES:

Full possession of said premises, free of all tenants and occupants and debris, is to be delivered at the time of the delivery of the Deed, said premises to be then in the same condition as they now as of this date.

7. EXTENSION TO PERFECT TITLE OR MAKE PREMISES CONFORM:

If the SELLER shall be unable to give title or to make conveyance, or to deliver possession of the premises, all as herein stipulated, or if at the time of the delivery of the Deed the premises do not conform with the provisions hereof, the SELLER shall use reasonable efforts to remove any defects in title, or to deliver possession as provided herein, or to make the said premises conform to the provisions hereof, as the case may be, in which event the SELLER shall give written notice thereof to the BUYER at or before the time for performance hereunder, and thereupon the time for performance hereof shall be extended for a period of thirty (30) days. The SELLER shall not be required to expend more than \$2,500.00 to rectify matters under this paragraph excluding the payment of voluntary liens and encumbrances.

8. FAILURE TO PERFECT TITLE OR MAKE PREMISES CONFORM, etc.:

If at the expiration of the extended time the SELLER shall have failed so to remove any defects in title, deliver possession, or make the premises conform, as the case may be, all as herein agreed, or if at any time during the period of this agreement or any extension thereof, the holder of a mortgage on said premises shall refuse to permit the insurance proceeds, if any, to be used for such purposes, then any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.

CL  
RPE  
AK  
CK

9. BUYER'S ELECTION TO ACCEPT TITLE:

The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefore the Purchase Price without deduction, in which case the SELLER shall convey such title, except that in the event of such conveyance in accord with the provisions of this clause, if the said premises shall have been damaged by fire or casualty insured against by the SELLER, then the SELLER shall, on delivery of the Deed, unless said premises have previously been restored to their former condition, pay over or assign to the BUYER all amounts recovered or recoverable by the SELLER on account of such insurance, and give the BUYER a credit against the Purchase Price equal to any amounts otherwise so recoverable which are retained by the holder of a mortgage less any amounts reasonably expended by the SELLER for any partial restoration.

10. ACCEPTANCE OF DEED:

The acceptance and recording of a Deed by the BUYER or his nominee as the case may be, shall be deemed to be a full performance and discharge of every agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said Deed.

11. USE OF PURCHASE MONEY TO CLEAR TITLE:

To enable the SELLER to make conveyance as herein provided, the SELLER may, at the time of delivery of the Deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances of interests, provided that all instruments so procured are recorded simultaneously with the delivery of said Deed or within a reasonable time thereafter in conformance with conveyancing standards or in the case of private or non-institutional mortgages such discharges shall be provided at closing.

12. INSURANCE:

The SELLER represents that at the time of execution of this agreement, Seller maintains liability insurance under an "umbrella" policy. Seller shall keep the same insurance in place until the deed has been recorded. The risk of loss shall remain with the Seller until the deed has been accepted and recorded in the Essex South Registry of Deeds.

13. ADJUSTMENTS:

Taxes for the then current fiscal year shall be apportioned, as of the day of performance of this agreement and the net amount thereof shall be added to or deducted from, as the case may be, the Purchase Price payable by the BUYER at the time of delivery of the Deed.

RP.C.  
AK  
CK

14. ADJUSTMENT OF UNASSESSED AND ABATED TAXES:

If the amount of said taxes is not known at the time of the delivery of the Deed, they shall be apportioned on the basis of the taxes assessed for the preceding fiscal year, with a reapportionment as soon as the new tax rate and valuation can be ascertained; and, if the taxes which are to be apportioned shall thereafter be reduced by abatement, the amount of such abatement, less the reasonable cost of obtaining the same, shall be apportioned between the parties, provided that neither party shall be obligated to institute or prosecute proceedings for an abatement unless herein otherwise agreed.

15. BROKER'S FEE:

A fee of four (4) percent of the sales price for professional services is due from the SELLERS to PB Brooks Realty LLC, the Broker(s) herein if, as and when the SELLERS receives the full purchase price pursuant to this Agreement and the BUYERS accepts and records the Deed from the SELLERS and not otherwise. SELLER and BUYER acknowledge that Richard Brown and J. Bradford Brooks are acting as dual agents in this transaction.

16. BROKER(S') WARRANTY

The Broker(s) named herein warrant that he/she/they is/are duly licensed as such by the Commonwealth of Massachusetts.

17. DEPOSIT:

All deposits made hereunder shall be held in escrow, by a Law Offices of William Faraci, Esq., as agent for the SELLERS, subject to the terms of this Agreement and shall be duly accounted for at the time for performance hereof. In the event of any disagreement between the Parties, the escrow agent shall retain all deposits made under this Agreement pending written instructions mutually given by the SELLER and the BUYER or a final order from a court with competent jurisdiction or by final decision of mutually entered-into arbitration. All deposits shall be held by the escrow agent name din the Agreement in a non-interest bearing escrow account in a federally insured bank doing business in Massachusetts.

18. BROKER(S) AS PARTY:

The Broker(s) named herein join(s) in this Agreement and become(s) a party hereto insofar as any provision of this Agreement and any amendments or modifications of such provisions expressly apply to him/her/them.

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CK

19. BUYER's DEFAULT; DAMAGES:

If the BUYER shall fail to fulfill the BUYER's agreements herein, all deposits made hereunder by the BUYER shall be retained by the SELLER as liquidated damages and that shall be SELLER's sole remedy at law and in equity. Both parties agree to the amount of the deposit as a reasonable measure of damages despite any subsequent purchase received by Seller.

20. LIABILITY OF TRUSTEE, SHAREHOLDER, BENEFICIARY, ETC.:

If the SELLER or BUYER executes this Agreement in a representative or fiduciary capacity, only the principal or the estate represented shall be bound, and neither the SELLER or BUYER so executing, nor any shareholder, shall be personally liable for any obligation, express or implied, hereunder.

21. WARRANTIES AND REPRESENTATIONS:

The BUYER acknowledges that the BUYER has not been influenced to enter into this transaction nor has he relied upon any warranties or representations not set forth or incorporated in this Agreement or previously made in writing, except for the following additional warranties and representations, if any, made by either the SELLER: NONE

22. NO MORTGAGE CONTINGENCY:

This agreement is not subject to financing or any approval for financing.

23. VACANT LAND:

The parties acknowledge that this agreement provides for the conveyance of a vacant lot of land. There are no representations regarding lead paint, smoke and/or carbon monoxide detectors, compliance with zoning bylaws or building codes other than as provided for in the Agreement.

24. CONSTRUCTION OF AGREEMENT:

This instrument, executed in multiple counterparts, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and enures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both the SELLER and the BUYER. If two or more persons are named herein as BUYER, their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this Agreement or to be used in determining the intent of the parties to it.

cc

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31. The submission of a draft of this Agreement or summary of some or all of its provisions does not constitute an offer to sell or acceptance of an offer to buy the within Premises. It is understood and agreed that neither the BUYER nor the SELLER shall be legally obligated with respect to the purchase and sale of the within Premises unless or until this Agreement has been executed by both the BUYER and the SELLER and a fully executed copy thereof has been delivered to both Parties.
32. All offers and agreements made prior to this Agreement are hereby superseded, rendered null and void and shall have no further force and effect, it being the intent of the Parties that all obligations of the Parties are contained only in this Agreement.
35. AUTHORITY OF PARTIES' ATTORNEYS:

Notwithstanding anything in this Agreement to the contrary, the parties' attorneys named hereafter shall have the authority to sign any extension or amendment to this Agreement. Further, any notice required hereunder shall be deemed given when and if delivered in hand, by facsimile or sent postage prepaid by certified mail, return receipt requested or email with verified receipt, to the BUYER or SELLER, if to SELLER, to SELLER'S attorney:

D. Brian Downey, Esq.  
Downey Law Group LLC  
462 Boston Street  
Topsfield, MA 01983  
(978) 887-1000 (telephone)  
(978) 887-1021 (facsimile)  
[bdowney@downeyg.com](mailto:bdowney@downeyg.com) (e-mail)

and if to BUYER, to BUYER'S attorney:

William S. Faraci, Attorney at Law  
114 Kenoza Avenue  
Haverhill, MA 01830  
(978) 373-5520 / Fx (978) 373-5262  
[faracilaw@aol.com](mailto:faracilaw@aol.com)

36. From and after the date of this Agreement, SELLER agrees to permit BUYER and its designees, access the said Premises for the purposes of conducting an appraisal of the market value of the PREMISES and taking measurements, performing tests, inspecting the premises and such other activities what are required for the BUYER to obtain costs, estimates and or approvals for the construction of the 16 unit condominium association.
37. This contract is contingent on each and every one of the following conditions being satisfied. In the event any of the following are not satisfied by October 23, 2017, then the BUYER may provide written notice to the SELLER if their intent to terminate, and in that

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25. REAL ESTATE BAR ASSOCIATION:

Any matter relating to the performance of this Agreement which is the subject to a title, practice or ethical standard of the Real Estate Bar Association of Massachusetts shall be governed by the provisions of said standard to the extent applicable.

26. AS IS CLAUSE

BUYERS has/have inspected the PREMISES and/or has/have had the opportunity to have the PREMISES inspected by a commercial inspection firm or firms selected by BUYERS. BUYERS and accepts condition of the PREMISES as of the time of the BUYERS review of the property, subject to the terms of this Agreement.

27. The parties represent and warrant to each other that no party has contacted any real estate broker in connection with this transaction other than the real estate broker(s) named in the Agreement, and BUYERS was/were not introduced to SELLERS or to the PREMISES by any other real estate broker. The parties agree to indemnify each other against and to hold each other harmless from any claim, loss, damage, cost or liability for any brokerage commission or fee which may asserted by any real estate broker other than the real estate broker(s) named in the Agreement with whom a party has dealt in connection with this transaction. The provisions of this paragraph shall survive the delivery and recording of the Deed.
28. The Parties acknowledge and agree that this Agreement may be signed in counterparts, and for purposes of this Agreement, facsimile or electronically scanned signatures shall be construed as original, except as to the Deed and the Closing documents and except as to documents intended to be recorded. Email transmissions and/or facsimile signatures on such written instruments shall be binding, provided however that no party shall avoid any obligation hereunder by failing to provide such original signature.
29. In the event that any deadline or date for performance or providing notice contained herein (including, without limitation, any contingencies or extensions of the time for performance under this Agreement), falls on a Saturday, Sunday or legal holiday, as the case may be, such deadline or other date shall be automatically extended to the immediately following business day.
30. All of SELLER's representations under this Agreement are to the SELLER's actual knowledge, and without conducting any independent investigation or inquiry and are not intended to imply or create any obligation for the SELLER to take additional actions or more further inquiry with regard to any topics contained within this Agreement or elsewhere, including but not limited to, documents to be executed in conjunction with the Closing; furthermore, it is acknowledged and agreed by the Parties that any such representations shall not constitute a representation or warranty against the existence of such conditions about which SELLER has no knowledge, nor a representation or warranty against the discovery or occurrence of such conditions. The provisions of this paragraph shall survive the Closing and delivery of the Deed hereunder.

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AK  
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instance all deposits will be returned forthwith and the parties would have no further recourse under the terms of this Agreement:

- a. SELLER to provide BUYER all preliminary plans regarding the 16 unit project for the Premises within 15 days of this Agreement being executed.
- b. SELLER shall obtain all approvals need to construct a 16 unit project consisting of four buildings with four units in each building each 96' x 30' and 4 stories tall, with each unit containing approximately 1,400 sq/ft of living area. The approved plan shall ensure all units shall have three bedrooms and each unit shall have an attached two car garage, with none of the units being affordable housing units.
- c. Building permits to be obtained for construction of project. The SELLER shall cooperate with the BUYER in obtaining said building permits.

**NOTICE:** This is a legal document that creates binding obligations. The parties hereto acknowledge that they have retained legal counsel to represent them.

**SELLER:**

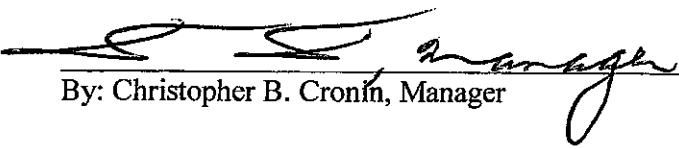
  
Aida Khalil

  
Carl Khalil

  
Richard P. Early, Sr., Trustee, D&D Realty Trust

**BUYER:**

**CBC Realty Investments LLC**

  
By: Christopher B. Cronin, Manager





**CITY OF HAVERHILL  
BOARD OF APPEALS FOR ZONES  
CITY HALL - 4 SUMMER STREET**



SO. ESSEX #12 Bk:36016 Pg:596  
07/14/2017 08:23 AM DCSN Pg 1/2  
eRecorded

**NOTICE OF DECISION**

YOU ARE HEREBY NOTIFIED OF THE DECISION OF THE BOARD OF APPEALS ON THE APPLICATION OF:

**D&D REALTY TRUST & CARL AND AIDA KHALIL**

APPLICANT AND (OWNER IF DIFFERENT)

<b>ORCHARD AVENUE - LOTS 4-8</b>	<b>303</b>	<b>62</b>	<b>4-8</b>
<b>SITE LOCATION</b>	<b>ASSESSOR'S MAP</b>	<b>BLOCK</b>	<b>PARCEL NUMBER</b>

DEED OF PROPERTY RECORDED IN: SOUTHERN ESSEX BOOK: 16397, 14634, 21696 PAGE: 284,266,47

This was filed with the Board on April 21, 2017 as signified by the City Clerk's date stamp.

The BOARD, as authorized by §15, Chapter 40A of the M.G.L. held a PUBLIC HEARING on:

May 17, 2017

DATE OF HEARING (CONTINUANCE IF APPLICABLE)

The BOARD'S DECISION by vote to GRANT/DENY said application is as follows: SORAGHAN  
RECORD OF PROCEEDINGS: SEE BELOW MOTION\*:

STIPULATION (S):

SECOND: VATHALLY

VOTE ON MOTION WITH/WITHOUT STIPULATIONS:

BOARD	YES	NO	ABSTAIN	ABSENT	NOT SITTING
CHAIRPERSON MORIARTY	✓				
MEMBER SORAGHAN	✓				
MEMBER SULLIVAN				✓	
MEMBER VATHALLY	✓			✓	
MEMBER LePLUME				✓	
ASSOC. MEMBER BEVILACQUA	✓	JB			
ASSOC. MEMBER LeBLANC				✓	

THE BOARD CITES THE FOLLOWING AS REASON (S) FOR ITS DECISION:

Applicant seeks Dimensional Variance for front setback of 5' where 10' required, side setback of 5' where 20' required, rear setback of 9' where 20' required; building separation of 20', 15' where 50' required. The garage is now a two-car garage. The off street parking is a plus for this type of development. The lot has become a dumping ground. The petition had been previously approved by the City Council, the Planning Board, and the Board of Appeals. Unfortunately, the financing wasn't available to act on the petition. The new construction may be apartments or condos. The applicant must go before the City Council for a Special Permit. Construction would start in the fall. The Board granted the Dimensional Variance on a vote of 5-0.

An Appeal of this Decision shall be made pursuant to §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 §17 of Chapter 40A.

May 17, 2017

DATE

Laurie Bevilacqua  
Theresa Vathally

CHAIRPERSON

Michael Soraghan

\*See record of evidence, findings of fact and detailed record of proceedings of the Board of Appeals presented at the hearing and filed with the City Clerk and Planning Board, which is being incorporated herein by reference and considered a part thereof.

Notice of Decision

#8

I, the City Clerk of the City of Haverhill, hereby certify that the Board of Appeals DECISION AND NOTICE OF DECISION on the application of:

**D&D REALTY TRUST & CARL AND AIDA KHALIL**

**APPLICANT AND (OWNER IF DIFFERENT)**

For a Special Permit and/or Variance for the location at:

**ORCHARD STREET - LOTS 4-8**

**STREET NAME AND NUMBER**

Has been filed with this Office on:

5-31-17

And that:

- (1) Twenty (20) days from the date the decision was filed have elapsed and this Office within the 20-day appeal has received no appeal notice to the District or Superior Court.
- (2) If an appeal has been taken, notice has been received that said appeal has been dismissed or denied.
- (3) The application was denied.

The Board Clerk will file in this office, evidence that the DECISION, NOTICE OF DECISION, and CERTIFICATION OF DECISION of the Board has been duly recorded and indexed in the Grantor Index under the name of the owner of record (registered land to be noted on the Owner's Certificate of Title) and the Essex County South District Registry of Deeds.

A fee of ten dollars (\$10.00) has been paid by the applicant and a copy of this Certification will be transmitted to the Board of Appeals.

DATE

DATE



CITY CLERK

True Attest Copy  
Linda L. Koutoujian

I hereby agree to record this DECISION, NOTICE OF DECISION, and CERTIFICATION OF DECISION at the Registry of Deeds as required and in compliance with Chapter 40A of the M.G.L.

I agree to file evidence with the City Clerk attesting that said DECISION, NOTICE OF DECISION and CERTIFICATION OF DECISION has been duly recorded as cited above.

5-31-17

DATE



BOARD OF APPEALS CLERK

NOTE: IF THE RIGHTS AUTHORIZED BY VARIANCE, CERTAIN SPECIAL PERMITS, AND FINDINGS OF THE BOARD OF APPEALS ARE NOT EXERCISED WITHIN ONE YEAR OF THE GRANT OF SUCH BOARDS ACTIONS, SAID RIGHTS SHALL LAPSE.



RECEIVED

2011 JUL 14 A 8:42

CITY OF HAVERHILL

MASSACHUSETTS 01830

PLANNING BOARD

PLANNING BOARD OFFICE  
HAVERHILL, MASS.

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

**CITY OF HAVERHILL  
MASSACHUSETTS PLANNING BOARD  
NOTICE OF DECISION**

YOU ARE HEREBY NOTIFIED OF THE DECISION OF THE PLANNING BOARD ON THE APPLICATION OF (see below) called Orchard Street Definitive Plan

D&D Realty Trust, Carl Khalil & Aida Khalil Request to approve the definitive plan  
Applicant and Owner (if different)

to construct 4, four unit buildings (16 total units).

For property located off: Orchard Street 303 62 Lots 4-8

Site location, Assessor's Map, Block, Parcel Numbers

This application was filed with the City Clerk on 5/19/11 as signified by the Date/time stamp of the City Clerk on application. The Planning Board, as authorized by Chapter 40-41 Section 81 M.G.L. held a PUBLIC HEARING on 6/8/2011

Date of Hearing (Continued if applicable)

The Planning Board voted to GRANT Orchard Street Definitive Plan at its 6/8/11 mtg.  
The board voted on the Definitive Plan WITH/WITHOUT conditions, waivers, or stipulations that are incorporated where applicable (see attached).

YES NO ABSENT ABSTAINED

ROY WRIGHT  
KAREN BUCKLEY  
JAMES CRONIN

JACK EVERETT

JOSEPH SULLIVAN

BOB DRISCOLL

PAUL HOWARD -Chairman

YES			
		ABSENT	
YES			
YES			
YES			
YES			
YES			

Also Present:

William Pillsbury, Economic Devlp. & Planning Director  
Lori Woodsum, Planning Dept., Office Mgr./Board Clerk

City department reports are attached to and considered part of this board's decision and notice of decision. Any appeal of this board's decision and notice of decision shall be taken in accordance with M.G.L. Chapters 40A and 41 within twenty (20) days of the board's filing of this decision/notice of decision with the city clerk. See attached motion.

7/13/11  
DATE

Paul B. Howard  
Paul B. Howard, Chairman

## NOTICE OF DECISION

YOU ARE HEREBY NOTIFIED OF THE DECISION OF THE BOARD OF APPEALS ON THE APPLICATION OF:

D&D REALTY TRUST, CARLAND AIDA KHALIL

APPLICANT AND (OWNER IF DIFFERENT)

UNNUMBERED ORCHARD STREET 303 62 4-8

SITE LOCATION ASSESSOR'S MAP, BLOCK, PARCEL NUMBER (S)

DEED OF PROPERTY RECORDED IN: SOUTHERN ESSEX REGISTRY BOOK: 16397, 14636, 21696 PAGE: 284, 266, 47

This was filed with the Board on: JUNE 25, 2010 as signified by the City Clerk's date stamp.

The BOARD, as authorized by §15, Chapter 40A of the M.G.L. held a PUBLIC HEARING on:

July 21, 2010; August 18, 2010; September 15, 2010

DATE OF HEARING (CONTINUANCE IF APPLICABLE)

The BOARD'S DECISION by vote to GRANT/DENY said application is as follows:

RECORD OF PROCEEDINGS: SEE BELOW MOTION\*: KISSEL

STIPULATION (S): LETTER SUBMITTED BY FIRE DEPT. WILL BE REFERENCED  
TO IN BUILDING PERMIT & WILL BE MADE A PART OF THE RECORD

SECOND: SABLICH

VOTE ON MOTION WITH/WITHOUT STIPULATIONS:

BOARD	YES	NO	ABSTAIN	ABSENT	NOT SITTING
CHAIRPERSON MORIARTY	✓				
MEMBER SORAGHAN	✓				
MEMBER PISTONE, SR.	✓				
MEMBER KISSEL	✓				
MEMBER SABLICH	✓				
ASSOC. MEMBER RIZZOTTI				✓	
ASSOC. MEMBER SIMPSON				✓	

THE BOARD CITES THE FOLLOWING AS REASON (S) FOR ITS DECISION:

Applicant seeks a Dimensional Variance for building separation of 30', 16' and 36' where 50' required. The applicant provided a letter in the Board's packet in support of the variance. Each unit would have its own dumpster/trash receptacle, with no shared public dumpster. On street parking is available for approximately 12 cars. No timeline for starting the project. The Board granted the variance on a vote of 5-0.

An Appeal of this Decision shall be made pursuant to §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 §17 of Chapter 40A.

September 15, 2010

DATE

[Signature]

CHAIRPERSON

[Signature]  
Vincent Kissel

#8

CITY OF HAVERHILL  
BOARD OF APPEALS FOR ZONES  
CITY HALL - 4 SUMMER STREET

**NOTICE OF DECISION**

YOU ARE HEREBY NOTIFIED OF THE DECISION OF THE BOARD OF APPEALS ON THE APPLICATION OF:  
**D & D REALTY TRUST, CARL KHALIL & AIDA KHALIL**

APPLICANT AND (OWNER IF DIFFERENT)  
**ORCHARD STREET 303 62 4-8**  
SITE LOCATION ASSESSOR'S MAP, BLOCK, PARCEL NUMBER (S)  
DEED OF PROPERTY RECORDED IN: SOUTHERN ESSEX REGISTRY BOOK: 16397 PAGE: 284

This was filed with the Board on: **January 20, 2010** As signified by the City Clerk's date stamp.

The BOARD, as authorized by §15, Chapter 40A of the M.G.L. held a PUBLIC HEARING on:  
**February 17, 2010**

DATE OF HEARING (CONTINUANCE IF APPLICABLE)

The BOARD'S DECISION by vote to **GRANT/DENY** said application is as follows:  
RECORD OF PROCEEDINGS: SEE BELOW MOTION\*:

STIPULATION (S): **KISSEL**

SECOND: **SIMPSON**

VOTE ON MOTION WITH/WITHOUT STIPULATIONS:

BOARD	YES	NO	ABSTAIN	ABSENT	NOT SITTING
CHAIRPERSON MORIARTY	✓				
MEMBER SMITH	✓				
MEMBER PISTONE, SR.				✓	
MEMBER KISSEL	✓				
MEMBER SABLICH	✓				
ASSOC. MEMBER RIZZOTTI				✓	
ASSOC. SIMPSON	✓				

THE BOARD CITES THE FOLLOWING AS REASON (S) FOR ITS DECISION:

The applicant seeks a dimensional variance, where there is more than adequate square footage and depth. The proposed multifamily dwelling would require 24 parking spaces; the applicant will be providing 32 spaces. The applicant is seeking a building design variance, because the building won't be facing the street, but rather be positioned sideways. Each unit would have approximately 1,700 square feet and be priced at under \$200,000. The dwelling fits the character of the neighborhood. One neighbor noted that the current area has a lot that has become a dumping ground for trash, so the proposed dwelling will be a great improvement. The application was passed on a vote of 5-0.

An Appeal of this Decision shall be made pursuant to §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 §17 of Chapter 40A.

February 17, 2010

**Emmett B. Simpson**  
DATE  
**Vincent Kissel**

**Chairperson**  
**W. B. Kissel**

\*See record of evidence, findings of fact and detailed record of proceedings of the Board of Appeals presented at the hearing and filed with the City Clerk and Planning Board, which is being incorporated herein by reference and considered a part thereof.

125  
PREPARED BY:  
DAY LAW OFFICES  
P.O. Box 1330  
Haverhill, MA 01831

William S. Faraci  
211 South Main Street  
Bradford, MA 01835

2003090500084 Bk:21696 Pg:47  
09/05/2003 08:53:00 DEED Pg 1/1

QUITCLAIM DEED

The City of Haverhill, a municipality of the Commonwealth of Massachusetts, with a mailing address of 4 Summer Street, Haverhill, Massachusetts, 01830,

for consideration paid in the amount of One Hundred Fifty-five Thousand One Hundred Dollars (\$155,100.00), grants to

Carl Khalil, presently of 201 Morgan Drive, Haverhill, MA 01832,

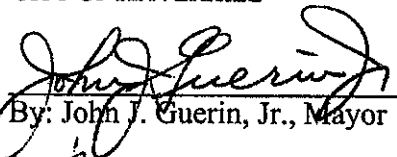
*with quitclaim covenants,*

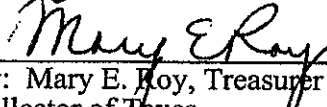
all of its right, title and interest in and to the property situated at 25 Orchard Street, being Assessor's Map 303, Block 62, Lot 6, in the Assessor's Office for the City of Haverhill, acquired by the City of Haverhill by the deed given by the Collector of Taxes for the City of Haverhill, in the County of Essex and said Commonwealth, dated October 1, 1993, and duly recorded in Book 12152, Page 547.

For title see Final Judgment In Tax Lien Case of the Land Court entitled City of Haverhill vs. Garside Brothers Realty, Inc., Case No. 116318 T.L., and recorded in the Essex South District Registry of Deeds at Book 16570, Page 118.

Executed as a sealed instrument this 3rd day of September, 2003.

CITY OF HAVERHILL

  
By: John J. Guerin, Jr., Mayor


  
By: Mary E. Roy, Treasurer and  
Collector of Taxes

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

September 3, 2003

THEN personally appeared the above named John J. Guerin, Jr., Mayor of the City of Haverhill and Mary E. Roy, Treasurer and Collector of Taxes for the City of Haverhill, duly authorized, and acknowledged the foregoing instrument to be their free act and deed, before me,

  
Timothy C. Day, Esq., Notary Public  
My commission expires: 10-4-2007

75  
WILLIAM S. FARACI, ESQUIRE  
211 SOUTH MAIN STREET  
BRADFORD, MA 01835

06/15/00 10:01 inst. 150  
BK 16397 PG 284

I, RICHARD P. EARLY, SR., TRUSTEE OF D & D REALTY TRUST, under a declaration of trust dated September 29, 1993 and recorded in Essex South District Registry of Deeds on Book 12235, Page 8

for consideration of One and 00/100 (\$1.00) Dollar

grant to AIDA E. KHALIL, P.O. Box 543, Kingston, NH 03848

**WITH QUITCLAIM COVENANTS**

\_\_\_\_\_ A certain parcel of land with the buildings thereon situated on the Northerly side Orchard Street in Haverhill, Essex County, Massachusetts, bounded and described as follows:

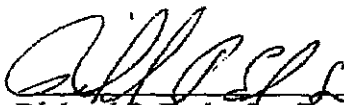
Beginning at the Southeasterly corner thereof by said Orchard Street and land now or formerly of G. Frank Chase, et al, thence running

Northerly by said Chase land 110 feet to land now or formerly of Corliss; thence Westerly by said Corliss land 44 feet to land now or formerly of Munroe; thence Southerly by said Munroe land 15 feet to an angle; thence Westerly by said Munroe land 1 foot to an angle; thence Southerly by said Munroe land and by land formerly of Emerson 95 feet to said Orchard Street; thence Easterly by said Orchard Street 45 feet to said Chase land and the point of beginning.

Being the same premises conveyed by deed of Pentucket Five Cents Savings Bank recorded in Essex South District Registry of Deeds in Book 16364, Page 29.

PROPERTY ADDRESS: 35 Orchard Street, Haverhill, MA 01832

Executed as a sealed instrument this fourteenth day of June, 2000.


  
Richard P. Early, Sr., Trustee  
D & D Realty Trust

**COMMONWEALTH OF MASSACHUSETTS**

Essex, ss.

June 14, 2000

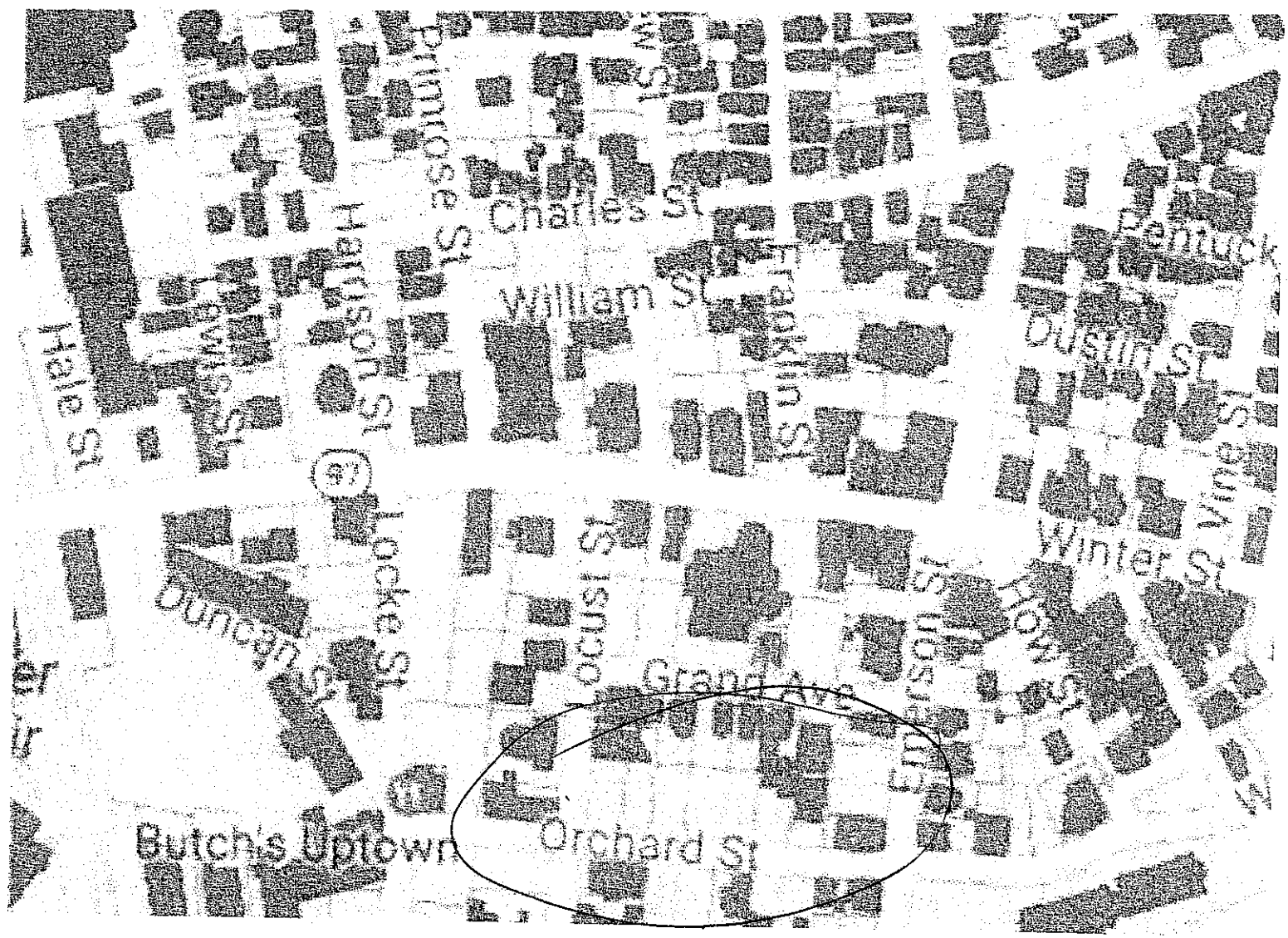
Then personally appeared the above named Richard P. Early, Sr., Trustee and acknowledged the foregoing to be his free act and deed,

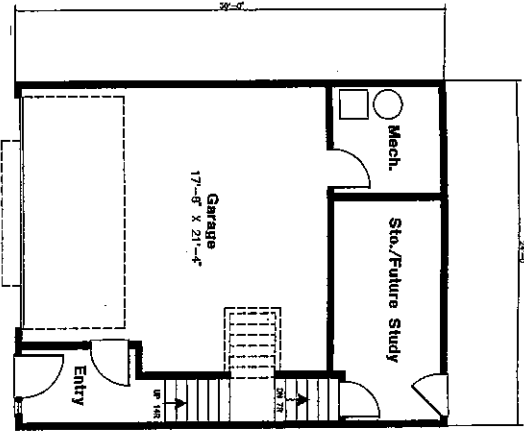
  
William S. Faraci, Notary Public  
My commission expires January 19, 2001.

CHAPTER 193 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

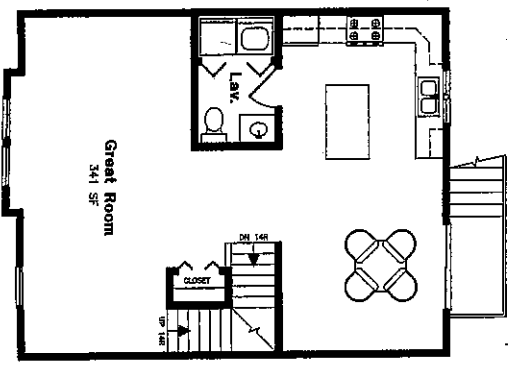
Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars and the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.



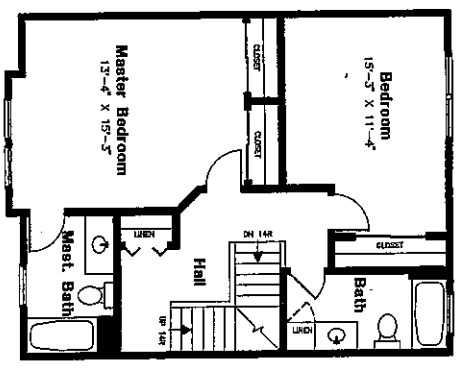




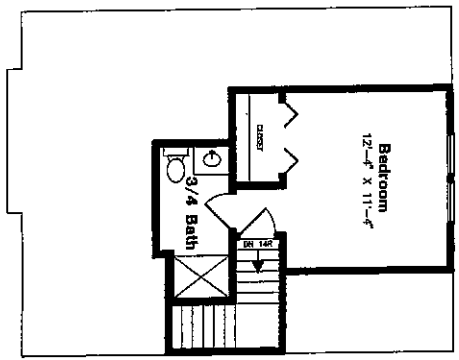
**Ground Level Plan**  
SCALE: 1/4"=1'-0"  
2000 TYPICAL PLAN



**Main Floor Plan**  
SCALE: 1/4"=1'-0"  
2000 TYPICAL PLAN



**Second Floor Plan**  
SCALE: 1/4"=1'-0"  
2000 TYPICAL PLAN



**Third Floor Plan**  
SCALE: 1/4"=1'-0"  
2000 TYPICAL PLAN

Preliminary Plans: 1/5/09

**A-1**  
Sheet 1 of 2

Seal

Drawn:	SD
Checked:	JDB
Approved:	RE
Scale:	XXX
Scale:	1/4"=1'-0"
Date:	12/12/08
Project No.:	0A-05-08

Project Name:	Orchard Street Residences
Prepared For:	D & D Realty Trust
Project Address:	Lot 1-3 Orchard Street Haverhill, Massachusetts
Sheet Title:	Floor Plans

**SILVERWATCH ARCHITECTS, LLC**  
 Architecture \* Engineering \* Design \* Land Planning  
 224 Main Street Unit 3B Salem, NH 03079  
 603.894.4450 WWW.SILVERWATCH.COM

→  
2 CAR  
GARAGE



FRONT ELEVATION

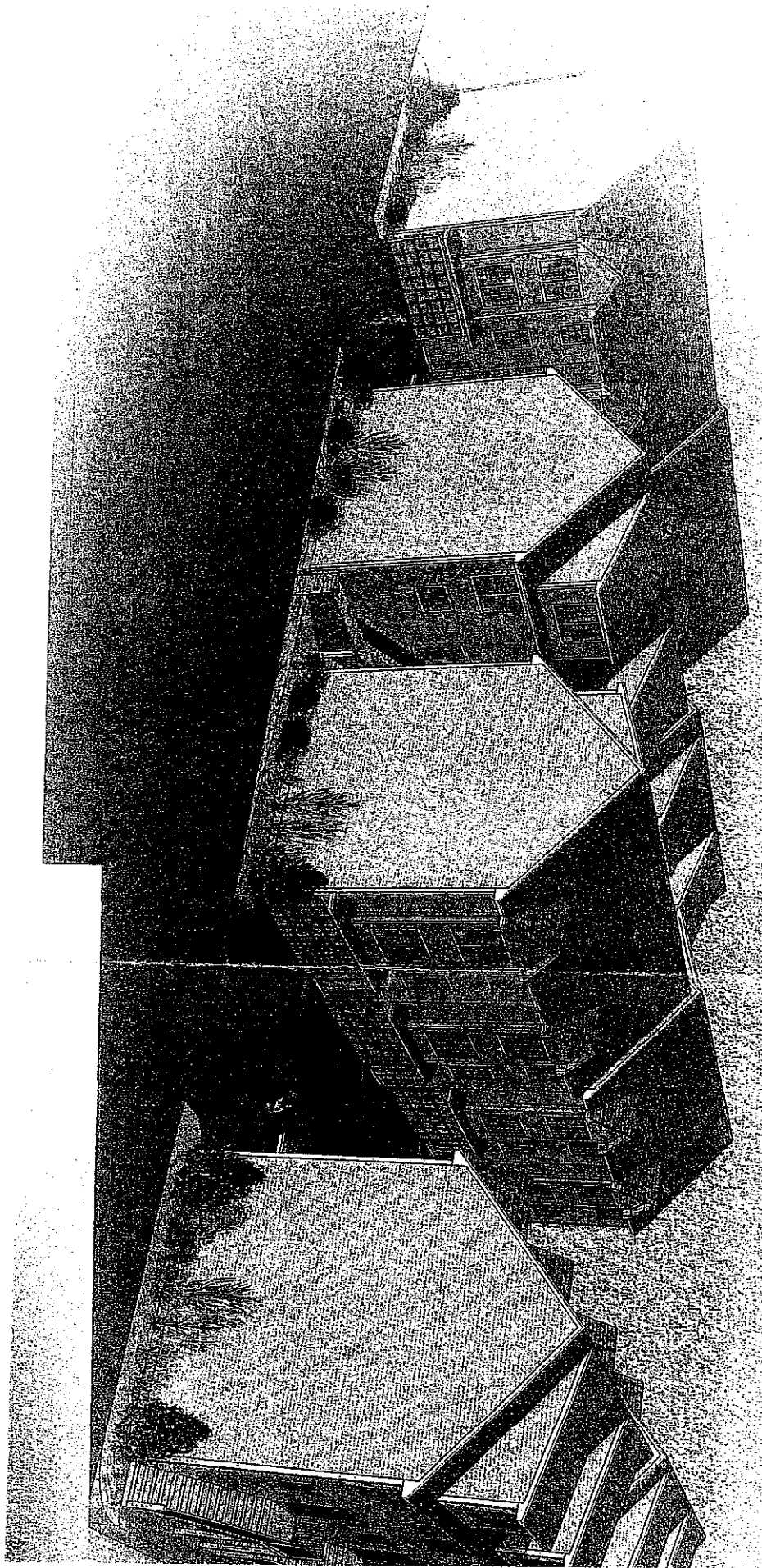
3/16" = 1'-0"

FOR ELEVATION ONLY

D & D REALTY  
66 EMERSON STREET  
HAVERHILL, MA.

ORCHARD STREET  
LOTS 4 THROUGH 8  
HAVERHILL, MA.

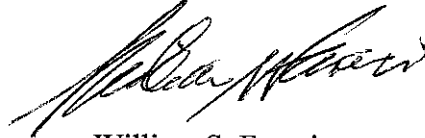
1



96  
This land is currently vacant and overgrown. It is subject to dumping and is a general nuisance to the area. This project will make this vacant land usable in a desirable way. It will provide an expansion of the area of new residential development in the core city.

Thank you for your attention to this matter.

Very truly yours,



William S. Faraci

IN CITY COUNCIL: August 8 2017  
REFER TO PLANNING BOARD and  
VOTED: that COUNCIL HEARING BE HELD  
OCTOBER 3 2017

Attest:

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

Hearing Khalil-unnunbered Orchard St



# Haverhill

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

October 3, 2017

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

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

**SUBJECT: Special permit for Orchard Street- 16 units**

At its meeting of September 13, 2017 the Haverhill Planning Board voted a conditional favorable recommendation to the City Council for the proposed special permit. The minutes of the public hearing are attached for your review.

The role of the Board was to conduct a public hearing to make a recommendation to the city council relative to the special permit to locate a project proposed to be 16 units of infill housing on a vacant lot on Orchard Street.

The proposed project represents a significant investment in an area of the city that will be greatly benefited by it. The opportunity to have infill housing will serve to bring additional stability to the area by improving conditions and property values.

The applicant has received all necessary variances from the Board of Appeals and no appeals have been taken on those requests.

Reports were received from city departments and are in your packages for your review. No major objections were received and any requirements from all of the city departments particularly fire and city engineer should be contained in the approval as conditions to the special permit to be implemented in the definitive plan.

Specifically, pursuant to zoning ordinance Ch. 255-76 (as applicable) the following findings must be made relative to the project:

the request meets all pertinent conditions listed in article XI of the ordinance;  
the request is desirable to the public convenience or welfare;

the request will not impair the integrity or character of the district or adjoining zones nor be detrimental to the health, morals or welfare and will be in conformity with the goals and policies of the master plan;

The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets;

The requested use provides for adequate methods of disposal for sewage refuse and other wastes and adequate methods for storm water and drainage;

The requested use provides for adequate off street loading and unloading of service vehicles;

The requested use preserves historical buildings and uses.

**Proposed conditions and stipulations:**

I offer the following recommended conditions be made part of the special permit approval:

Require that the developer comply with all of the additional requirements of the City's subdivision regulations for water and sewer and drainage improvements as contained within those regulations and further detailed in the attached letters from the departments. These items shall be reflected in the definitive plan to be filed with the Planning board.

**Recommendation**

As Planning Director, I concur with the favorable recommendation based on an assumption 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 for the project.

This project with the incorporation of the recommended conditions is generally in conformity with the City's master plan as well as providing sufficiently for traffic, public safety and other utility considerations. The project as proposed appears to conform to all other special permit requirements. On the basis of adopting the proposed conditions/stipulations, I recommend that the council act favorably on this project.



8.1

**CITY OF HAVERHILL**  
MASSACHUSETTS 01830

PLANNING BOARD

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

September 14, 2017

City Council President John Michitson  
& City Councilors  
City of Haverhill

**RE: Special Permit – Unnumbered Orchard Street**

Members Present: Kenneth Cram, Jack Everette, Bill Evans, Alison Colby Campbell, Bob Driscoll, and April DerBoghossian

Members Absent: Karen Buckley, Paul Howard and Karen Peugh

Also Present: William Pillsbury, Jr., Director of Economic Development and Planning

Dear City Council President and Councilors:

Please note at the September 13, 2017 Planning Board meeting the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable conditional recommendation for a special permit to allow 16 units on Orchard Street.

Attorney William Faraci of 211 South Main Street, Bradford, MA addressed the board on behalf of the applicant. He stated this special permit is for four buildings with four townhouse buildings in each, it's in an area of the City that could be improved. This is a vacant lot which I have been told is home to many of Haverhill's homeless. This lot has been a cause for some concern in the neighborhood. It's a dumping ground and we propose to make it something that will be a useful role for the City of Haverhill. Other types of housing that have come into this area have been mostly factory or buildings with storefronts on the bottom floor. This is different from those. It is individual housing units with parking underneath which will enhance the marketability. The area is coming back and there are a number of restaurants and shops in this area. We believe that this will be a very good addition to that area. We now have a builder and he has the money to move forward.

Acting Chairman Bob Driscoll asked if there were anyone who wished to speak in opposition or in favor of this petition? Any questions from the board? Hearing none, I will turn the hearing over to the Planning Director for his comments.

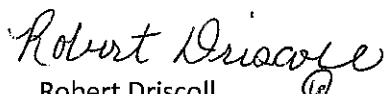
Planning Director William Pillsbury stated that he suggests a favorable conditional recommendation to the City Council. He noted that this project had been previously approved by the City Council and they



did not proceed to construction. The project has been reviewed by the City Departments and their comments are in your packets. Several departments have included conditions and I recommend that these conditions be made part of the recommendation to the City Council. In particular the comments of the Fire Department, Water/Wastewater Department and the City Engineer should be included. I think this is an excellent project. I think it's a project that is needed in this area and is an important stabilizing influence in that neighborhood. It is adjacent to what many have never thought of being a part of downtown. There is quite an investment that has gone on there and it is now moving into this area. I recommend a conditional favorable recommendation to the City Council. Those conditions being the letters and comments from the City Departments.

After board consideration, Member Bill Evans motioned to forward a favorable conditional recommendation to the City Council as recommended by the Planning Director William Pillsbury, Jr. Member Alison Colby Campbell seconded the motion. Members that voted in favor were: April DerBoghosian, Esq., Bill Evans, Kenneth Cram, Alison Colby Campbell, Jack Everette, Bob Driscoll  
Members Absent: Karen Peugh, Paul Howard and Karen Buckley. Motion Passed.

Signed:

A handwritten signature in cursive script, reading "Robert Driscoll".

Robert Driscoll  
Acting Chairman

Attachments: City Department Letters

Cc: Orchard Street Special Permit file  
Applicant-c/o William Faraci  
City Engineer-John Pettis-email  
City Departments-Email



# Haverhill

Engineering Department, Room 300  
Tel: 978-374-2335 Fax: 978-373-8475  
John H. Pettis III, P.E. - City Engineer  
[JPettis@CityOfHaverhill.com](mailto:JPettis@CityOfHaverhill.com)

September 13, 2017

## MEMO TO: HAVERHILL PLANNING BOARD

Subject: *Orchard Street Special permit, M 303 B 62 L 4-8*

My only comment regarding the subject plan is that the applicant should commit to replace the sidewalk along the frontage with cement concrete sidewalk and granite curb. I will look to have additional items addressed during the Definitive Plan or Site Plan stages, including stormwater and sewer.

Please contact me if you have any questions.

Sincerely,

John H. Pettis III, P.E.  
City Engineer

C: Stankovich, Ward



James J. Fiorentini  
Mayor

William F. Laliberty  
Fire Chief

# Haverhill Fire Department

## Fire Prevention / Investigation Unit

D/C Eric M. Tarpy  
Lieut. Roger E. Moses  
Insp. Johnathan W. Pramas  
Insp. James Graham



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

July 31, 2017

*Emailed  
Faraci  
7-31*

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

Re: Orchard Street

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, 8<sup>th</sup> 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 1.00, 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:

- Fire Department has access concerns due to parking plan/overflow parking outside of garages
- No information given for snow storage or removal- between buildings

Respectfully,

Eric M. Tarpy  
Deputy Fire Chief  
Haverhill Fire Prevention Division



AUG 07 2017

Econ Devlp & Planning  
& B.O.A.

# Haverhill

Economic Development and Planning  
Conservation Department

Phone: 978-374-2334 Fax: 978-374-2366

[rmoore@cityofhaverhill.com](mailto:rmoore@cityofhaverhill.com)

[conservation@cityofhaverhill.com](mailto:conservation@cityofhaverhill.com)

MEMO TO: William Pillsbury, Economic Development & Planning Director  
FROM: Robert E. Moore, Jr., Environmental Health Technician  
DATE: August 8, 2017  
RE: Special Permit – Parcel IDs: 303-62-4 through 8  
Richard Early, Sr. and Aida & Carl Khalil for Orchard Street

The Commission reviewed the forwarded information relative to the subject application at its August 3<sup>rd</sup> meeting. There do not appear to be any wetland issues associated with the applicant's proposal. Therefore, the Conservation Commission offers no objections to the proposed special permit.

8/9 - Emailed  
Faraci



# Haverhill

Paul J. Jessel, Collection System Supervisor  
Water/Wastewater Division  
Phone: 978-374-2382 Fax: 978-521-4083  
pjessel@haverhillwater.com

September 13, 2017

To: William Pillsbury  
Planning Director

RE: Special Permit Orchard Street  
Map 303, Block 62, Lot 4-8

#3  
Emailed  
Farou  
9-13-17

The Water and Wastewater Divisions have reviewed the plans and have the following general comments.

## Wastewater Division

1. The plans submitted do not show connection into the City's infrastructure for this development. The developer must submit a revised plan
2. The developer is proposing to construct 16-unites within a combine sewer CSO area. The developer shall be required to remove all the Catch basins within his area of development and connect into an existing drain. The developer's Engineer shall submit these plans to be accepted by Wastewater Division.

## Water Division

See attached Letter from Glen Smith, Water Maintenance

Water and Wastewater Divisions do not approve this plan at this time, until the plan is revised to address all comments.

If you have any questions call me at extension 2382.

Sincerely,

Paul J. Jessel  
Collection System Supervisor

File: 170207  
cc: Bob Ward, W/WWTP  
John Pettis, City Engineer  
Glen Smith, Water Maintenance



# Haverhill

Glenn F. Smith, Water Maintenance Supervisor  
Water/Wastewater Division  
Phone: 978-374-2368 Fax: 978-374-2441  
gsmith@haverhillwater.com

September 12, 2017

To: William Pillsbury, Planning Director  
City Hall, Room 201  
4 Summer Street  
Haverhill MA 01830

Phone: (978) 374-2330  
Fax : (978) 374-2315

#3  
Emale &  
Farol  
9-13-17

Re: ORCHARD STREET - Map 303, Block 62, Lots 408  
WWTP File# 170207

Dear Mr. Pillsbury;

This parcel is proposed for (4) TOWN HOUSE style buildings with (4) UNITS EACH requiring LIFE SUPPORT FIRE SPRINKLER SYSTEM. . If these lot is approved, the Water Department will require the owner of the property, at their own expense:

- 1) A water service application must be filed with the Haverhill Water Department for EACH UNIT to determine service size requirements
- 2) We need to have written confirmation from the Sprinkler Engineer, that the water service size is adequate to meet the needs of BOTH the DOMESTIC and LIFE SUPPORT systems.
- 3) Schedule with the Haverhill Water Department for the installation of the water services.
- 4) Locate the Domestic and Life Support water supplies in an inside utility room near the front door, mounted with adequate space for proper servicing.
- 5) These units are proposed for Garage Under Units on slabs.
- 6) The service shall be run inside a 4" Diameter electrical conduit sweep bend sleeve from outside the foundation into the heated space.
- 7) The Water meters, inside shutoffs and backflow prevention devices shall be in a manner to allow for regular service, testing and to prevent freezing or damage, above grade and accessible in accordance with Mass Plumbing Code.
- 8) Water services shall be installed in accordance with the latest Water Department Regulations.

Sincerely

Glenn F. Smith  
Water Maintenance Supervisor

JAMES J. FIORENTINI  
MAYOR



**CITY OF HAVERHILL  
MASSACHUSETTS**

10.1.1.1

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

September 29, 2017

City Council President John Michitson & Members of the City Council

**RE: Cultural Council Appointment**

Dear Mr. President and City Council Members:

I hereby am appointing Katrina Gomes, 30 Morningside Drive, Haverhill. This is a confirming appointment and I recommend your approval. This appointment takes effect upon confirmation and expires July 31, 2018.

Very truly yours,

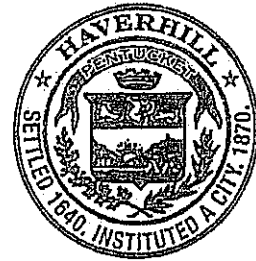
**James J. Fiorentini**  
**Mayor**

JJF/lyf

cc: Ruby Lyons, Chair, Haverhill Cultural Council  
Letriah Masters

# City of Haverhill

## Massachusetts



City Hall • 4 Summer Street • Room 100 • Haverhill, MA 01830 • (978) 374-2300 • Fax (978) 373-7544

### APPLICATION FOR APPOINTMENT TO CITY BOARD, COMMITTEE OR COMMISSION

The city appreciates your interest in serving on one of its Boards, Committees or Commissions. Please complete this form and return it to the Mayor's Office in city hall.

Name Katrina K. Gomes

Home address 30 Morningside Drive, Haverhill MA 01832

Phone number 978-994-9829

Business number 617-626-1121

Email katrina.k.gomes@outlook.com

Please indicate which Board, Commission or Committee you are applying to be appointed to:

☐ Bike Haverhill

☐ Council on Aging

☐ Board of Assessors

☐ Council on youth Needs

☐ Board of Health

☒ Cultural Council

☐ Board of Registrars

☐ Development and Industrial Commission

☐ Bradford Common Historic Dist. Commission

☐ Downtown Parking Commission

☐ Brightside Committee

☐ Energy Taskforce

☐ Brownfields Committee

☐ Forestry Management Committee

☐ Community Affairs Adv. Board (CAAB)

☐ Friends of the Bradford Rail Trail

☐ Commission on Disability

☐ Harbor Commission

☐ Community Action Commission

☐ Haverhill Historic Commission

☐ Conservation Commission

☐ Haverhill Housing Authority



☐ Park and Recreation Commission

☐ Planning board

☐ Public Private Partnerships Committee

☐ Recycling Adv. Committee

☐ Rte. 110 Park Advisory Committee

☐ Rock's Village Historic Dist. Comm.

☐ Storm Water Adv. Committee

☐ Technology Adv. Task Force

☐ Veterans Memorial Ice Rink Adv. Comm.

☐ Vision Committee

☐ Washington St. Historic Dist. Comm.

☐ Water/ Wastewater Rating Board

☐ Zoning Board of Appeals

1. Please explain why you would like to serve on a particular Board, Committee or Commission. If necessary attach additional sheets.

As a long time Haverhill resident (17 years) and volunteer. I would like to serve on either the Cultural Council or the Cable TV Advisory Committee.

As a member of previous cultural, diversity and art councils, I have found it both rewarding and enriching to assist in the development of programs that educate, enrich, promote diversity and demonstrate the spirit of the arts/sciences. Haverhill has a rich and beautiful community that deserves to be celebrated.

2. Please briefly describe your education, any relevant work or life experiences or other activities which, in your opinion, would be beneficial in carrying out the responsibilities of this office. If necessary, attach additional sheets or you resume.

As stated previously, I have served on various cultural and diversity councils along with roles that provided me the forum to assist with the performing arts and music. As an advisor to the Caribbean Student Network at Suffolk University, I was directly involved with their events both social and formal. One major event was the annual fashion show that highlighted both music and clothing from Caribbean designers and artists. I served on the Suffolk University's AHANA (African-American, Hispanic, Asian and Native American Council) to assist with programs and events to promote education and celebration of diversity. As a Deaconess at First Baptist Church, I was the Events Coordinator that hosted varied artists both musical and stage production. I have also acted and performed in multiple musical and theatre events in my lifetime.

- resume also attached for your convenience.

3. Please list any city offices you have held in Haverhill or elsewhere.

Date appointed/elected

Office

Term Expired

---

---

---

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4. Public service on a Board, Committee or Commission can be demanding. Please indicate the realistic time commitment you are willing and able to make.

       1 hour/ week   X   2-4 hours/week   X   4-6 hours/week                      other; specify

Additionally, please indicate your availability        AM        AFTERNOON   X   PM

[illegible]

5. How did you hear about the vacancy on this City Board, Committee or Commission?

City Hall Information Board

           Council, Board, Committee or Commission Meeting

\_\_\_\_ Newspaper

  X   City Website

## Word of Mouth

Other; specify \_\_\_\_\_

6. **APPLICANTS STATEMENT AND SIGNATURE:** I hereby submit this as my application for the position I have indicated on the front of this form. I understand that my completion of this form in no way assures appointment. All Board, Committee, Commission vacancies will be filled by citizens deemed most qualified to serve in a particular capacity. I also understand that in the event that I am appointed to a position, my activities will be governed by the Massachusetts Conflict of Interest Law (M.G.L.c.268A), the Massachusetts Open Meeting Law (M.G.L.c.39), the Massachusetts Public Records Law (M.G.L.c.66), the Massachusetts Campaign Finance Law (M.G.L.c.55), the Haverhill City Charter and ordinances, and all other applicable federal, state, and local laws or regulations.

Signature X.

Stephen J. Lyons

Date 9/5/17

# KATRINA K. GOMES, MBA, CSM

30 Morningside Drive

• Haverhill, MA 01832

• 978-994-9829

• [katrina.gomes@comcast.net](mailto:katrina.gomes@comcast.net)

---

## SUMMARY OF QUALIFICATIONS

- Proven record of achievement in reducing costs, streamlining operations, stakeholder satisfaction, creating business strategies and how best to leverage technology.
- Results-oriented leader offering a solid background in business administration, with over fifteen years extensive hands-on experience in quality business operations, finance and information technology.

## CORE COMPETENCIES

- Business Solutions / IT Operations
- HR/Finance/Operations Management/Procurement
- Program & Project Leadership
- Vendor Relations
- Strategic Planning
- Team Leadership

## EXPERIENCE

10/2015 – PRESENT

COMMONWEALTH OF MA, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS *Boston, MA*

### Director, IT Operations and Technology, CSM, SCPO

Overview: Promoted to manage 4 supervisors and 20 support staff that deliver technical and business services to six agencies comprised of over 3500 users across the Commonwealth of MA.

- Conduct in-depth analysis of IT Technology and Operations resulting in organization realignment, system refinement and significant cost savings.
- Streamline the IT functions by separating support tasks, creating new leadership.
- Reduction of FTEs by 27% (\$1.2MM savings), realized reduction in Average Response Time by 21%, increase in submitted Tickets by 74%.
- Decrease inventory, application pricing, and licensing expenses by establishing standardization for applications, infrastructure, PC desktops/laptops and networking systems.
- Consolidated multiple data centers into two active-active data centers with VNX, VMware, VxRail, NSX and Data Domain technology to further streamline IT operations, staff's capacity and better SLAs.
- Oversaw more than 58 projects of various sizes resulting in an on time, on budget completion rate of 95%.
- Manage annual budget valued at \$10.5MM to support IT requirements of the six agencies
- Acts as Secretariat Chief Procurement Officer

07/2015 – 10/2015

### Director, IT Operations, CSM

Overview: Dir. IT Administration promoted to include management of IT Service Desk.

- Streamlined the IT functions by separating support tasks, creating new leadership.
- Established higher standards, new job profiles and cross training programs.

12/2013 – 07/2015

### Director, IT Administration

- Prepare and monitor annual budget valued at over \$10MM to support IT requirements of the six agencies and Secretariat in conjunction with input from Secretariat and Agency Chief Financial Officers and SCIO.
- Monitor expenses and conducts daily review and approval of MMARS transactions.
- Prepares, executes and manage all service, leasing, contractor and vendor agreements for the IT Department.
- Serve as Department Security Officer for all statewide enterprise systems including bi-annual audits and reports to Controller.

03/2013 – PRESENT

CERTIFIED SOLUTIONS CORP., *Haverhill, MA*

### Founder

- Founder of IT and Business Operations consulting corporation targeted to sole proprietorships and small-medium businesses.

12/2012 – 12/2013

TIMELINX SOFTWARE, INC., *Andover, MA*

### Business Operations Manager

- Responsible for management and administration of Human Resources, Business Operations, Payroll and Accounting for employees, contractors, partners, vendors and customers.

- Applications Administrator on Rackspace, Exchange, Nextiva, SalesLogix,
- Data and Web administration, Marketing and Sales administrator.

11/2010 – 05/2012

DR. DENTAL, *Merrimack Valley Area, MA*

**Regional Manager**

- Achieved business goals, revenue and profitability objectives through a respectful, 'outside the box' thinking and motivational style for three offices.
- Tracked operational and financial vitals on a monthly, quarterly, and annual basis, to show trends, to recognize successful performance by staff members, and to improve the financial health of the practice.
- Responsible for management of human resources, payroll administration, financial, marketing, patient management and clinical/non-clinical operations for all offices.

06/2010 – 11/2010

WGBH EDUCATIONAL FOUNDATION, *Boston, MA*

**IT Business Operations and Client Services Manager**

- Management of payroll, financial, vendor, client management operations, training coordination and communications activities for the department.
- Developed and managed IT Operating and Capital budgets, prepared reports within various financial and administrative systems.
- Tracked and managed all software and hardware maintenance contracts for IT Operations.
- Oversaw inventory/asset management, purchasing/procurement, IT Chargebacks, \$25K savings in first three months.
- Served as liaison to WGBH departments to assist in understanding and utilizing IT services including IT chargeback rates and rate calculation methodology.

04/2007 – 05/2010

SUFFOLK UNIVERSITY, *Boston, MA*

**Director, Program Office**

- Successfully consolidated and re-organized IT Department with CIO to better align and maximize resources to achieve strategic vision.
- Assisted with the design, analysis and reporting of institutional information from multiple data sources.
- Provided management and oversight of various projects of an analytical and/or operational nature.
- Liaison to Human Resources, Business Office and Purchasing on technical and non-technical needs.
- Developed and maintained IT Operating \$4.5MM and Capital budget, financial records, reviewed and evaluated all technology purchases for Institution.
- Served as Interim Director of Customer Support and Infrastructure; implemented procedures and protocols during that time to improve SLAs.
- Responsible for management and administration of Human Resources, Business Operations, Payroll and Accounting for employees, contractors, partners, vendors and customers.
- Conducted in class and online training using SCORM content and Blackboard.

2003 – 2007

HARVARD MANAGEMENT COMPANY, INC., *Boston, MA*

**Compliance Analyst**

- Monitored personnel trading activities to ensure adherence to corporate limits and regulations.
- Created and generated reports that facilitated auditing and tracking of personal trade compliance for the Compliance Committee in accordance with Sarbanes-Oxley.
- Managed Restricted and Universal Tobacco Lists via Bloomberg and IRRC for internal and external managers.
- Researched and responded to all counterparty inquiries for compliance, legal and tax documentation.
- Administrator of in-house contract database (Contract Management System).
- Monitored foreign and domestic holdings for specific country reporting triggers; coordinated the development of database to track, maintain and update holding rules from various countries.
- Generated, analyzed and updated all SEC filing reports; worked with outside counsel on SEC filings.
- Managed external audits of company's holdings and counterparty account activity in compliance with Sarbanes-Oxley.
- Developed notification database to facilitate confirmation of counterparty account holdings.

2001 – 2003

FIRST ESSEX BANK, *Lawrence, MA*

**Reporting and Post-Closing Analyst**

- Designed and developed database to house current and historical loan data.

- Developed SQL/VBA based macros to generate daily calculation reports on commercial loan portfolios.
- Verified and resolved loan closures in accordance to bank policies and regulations (BSA, FCRA, HMDA, CRA, KYC, USA Patriot Act etc).
- Utilized ONEPOINT information system to generate reports detailing future actions required for current loans.
- Produced and provided ONEPOINT and BISYS reports to the upper level executives and the Board of Directors, and presented them at the weekly senior management meeting of the Bank.
- Assisted and coordinated internal and external audit of Commercial Credit Department

2000 – 2001

RIVERDELTA NETWORKS, INC., *Tewksbury, MA*

**Office Manager**

- Managed team of six: comprised of administrative assistants and support staff.
- Administrator of intraoffice repository database.
- Balanced and reviewed corporate cash flow statements.
- Generated monthly actual, budget and forecasting reports.

1997 – 2000

BANKBOSTON, *Waltham, MA*

**Head Service Associate, Head of Operations**

- Managed team of ten; controlled over \$450,000 in cash daily, and settled according to bank's requirements.
- Proficient in completing CTR's (Currency Transaction Reports), SAR (Suspicious Activity Reports) and knowledgeable in the BSA (Bank Secrecy Act).
- Trained prior Baybank employees within Waltham area onto BankBoston's Operations Systems.

**EDUCATION**

**MBA, Information Technology; National Society of Leadership and Success: Sigma Alpha Pi**  
Southern New Hampshire University, Manchester, NH

**BSBA, Management; International Honor Society: Beta Gamma Sigma**  
Suffolk University, Boston, MA

**Associates Degree in Liberal Arts; Magna Cum Laude (2002)**  
Northern Essex Community College, Haverhill, MA

**SPEAKING  
ENGAGEMENTS**

Seminar on Career Planning/Interview Techniques, Everest Institute, Graduating Class, 2011  
IT Trends in the Commonwealth, Bentley University, CIS Sandbox, November 2016

**COMPUTER SKILLS**

Proficient with various Microsoft operating systems, Microsoft Office Suite applications, Active Directory, Lotus SmartSuite, GroupWise, LexisNexis, Track-It, OnePoint, BISYS, Datawarehouse, CTI Examiner, Bloomberg, IntraDoc, SQL, Sybase, VBA, Crystal Reporting, FSC/HARSMAC, MMARS, CommBuys, Datatel, ImageNow, Blackboard, Campus Cruiser, FRX, Paychex, Quickbooks, Rackspace, Exact Target, Contao, Saleslogix, Adobe Acrobat.

**CERTIFICATES**

Customer Center Administrator, CTC-021609-E-03, Absolute Software 02/16/2009  
Certified ScrumMaster (CSM), ScrumAlliance, 06/05/2015

**ACTIVITIES**

Floor Warden, Energy and Environmental Affairs	2013-Present
Soroptimist Member, Merrimack Valley	2013-Present
Somebody Cares New England	2010-Present
Deaconess, First Baptist Church	2012-2013
Open Hearts Ministry	2009-2013
Member, President's Commission: AHANA	2009-2010
Advisor, Student Organization: Caribbean Student Network, Suffolk University	2008-2010
Member, Suffolk Sustainability Committee, Suffolk University	2008-2010
Floor Warden, Office of Health and Safety, Suffolk University	2007-2010
Floor Warden, Harvard Management Company, Inc	2004-2007
Starfish Reporter (FISH Philosophy), First Essex Bank	2001-2003

City of Haverhill

Limousine/Livery License

11.4.15

Honorable President and Members of the Haverhill City Council:

The undersigned respectfully asks that he/she may receive a Limousine/Livery License -

Place of business being:

695 South Main St

(1 vehicle)

Name of Business:

Bon Voyage Limo

Address:

695 S. Main St., Haverhill MA 01835

Applicant:

Raf Wakin

Applicant phone number:

978 758 8833

Zoning Approval Letter received (must have approval from building department):

Business Certificate # and expiration date:

Haverhill,

5/15

2017

Office use only

New/Renew (circle one)

Fee: \$100 per vehicle - annual fee

No. of Vehicles:

Reg# LV 49147

Registration # of vehicles (photocopies of actual registrations must be provided to Clerk's office):

LV 49147

In Municipal Council,

20

Attest:

City Clerk

Approve

Denied

Police Chief

Haverhill City Code: Chapter 230 Sec. 26, 27, 33

Please complete back side of this application



# CERTIFICATE OF REGISTRATION

M.G.L. Chapter 90 Section 24B makes it a crime to alter this Certificate

**RMV Division**

PLATE TYPE LVN	REGISTRATION NUMBER LV49147	REGISTRATION TYPE LIVERY	EFFECTIVE DATE 08/01/15	EXPIRES LAST DAY OF 07 17	TRANSACTION NUMBER 02517501294546
MFRS MODEL YEAR 2010	MAKE CHEV	MODEL K15BLA	BODY STYLE/TYPE SUV	COLOR WHITE	Not valid without official signature of Registrar
VEHICLE IDENTIFICATION NUMBER 1GNUKKE39AR281357		INSURANCE COMPANY SAFETY INSURANCE		TITLE NUMBER BN434493	REGISTRAR <i>Chen C. Denny</i>
RESIDENTIAL ADDRESS (IF DIFFERENT)					IF VEHICLE CARRYING PASSENGERS FOR HIRE: MAXIMUM NUMBER OF PASSENGERS THAT CAN BE SEATED. 07
NAME(S) OF OWNER(S) AND MAILING ADDRESS  *****AUTO**5-DIGIT 01844 WAKIM, RAIF T 2 BRAMBLE HILL RD METHUEN MA 01844-2690					TOTAL REGISTERED WEIGHT FOR A COMMERCIAL VEHICLE OR TRAILER
FEEES REGISTRATION 90.00 TITLE 0.00 SPECIAL PLATES 0.00 SALES TAX 0.00 TOTAL 90.00					
<b>MASSACHUSETTS DEPARTMENT OF TRANSPORTATION REGISTRY OF MOTOR VEHICLES DIVISION</b> The records of the RMV database constitute the official status of the vehicle registration.					

SPECIAL MESSAGE IF THIS VEHICLE IS NEWLY ACQUIRED, IT MUST BE INSPECTED WITHIN SEVEN (7) DAYS OF REGISTRATION.	CHANGE OF ADDRESS STREET ADDRESS CITY, STATE, ZIP CODE
---	--

## Important Information for Vehicle Owners

- Every person operating a motor vehicle shall have the Certificate of Registration for the motor vehicle and for the trailer, if any, and his/her license to operate, upon his/her person or in the vehicle, in some easily accessible place.
- By law, you must report any change of address to the RMV within 30 days in writing. Address changes can be made on the RMV website: [www.massrmv.com](http://www.massrmv.com) or by mail to: RMV, P.O. Box 55889, Boston, MA 02205-5889. Once you have reported the address change to the RMV, please write corrected address in box provided above.

- Return the registration plates to the RMV immediately if:
  - The vehicle has been sold or junked and the registration is not going to be transferred to another vehicle. Keep a copy of the **Bill of Sale**, **Title**, and completed **Reassignment of Title** for your records to document the transfer.
  - You move to another state and you register the vehicle in that state.
  - The insurance policy is not renewed or is cancelled and there is no plan to obtain a new policy.



**Transferring Your Plates:** Massachusetts law (M.G.L. Chapter 90, Section 2) allows you to transfer **valid registration plates** from this vehicle to a newly acquired new or used motor vehicle or trailer while you obtain insurance and a new registration. **All** the following must be met: 1. You are at least 18 years of age and you own the motor vehicle or trailer identified on this **Registration Certificate**. 2. You transfer ownership of this vehicle to another person or permanently lose possession of it (such as through repossession, etc.); 3. The newly acquired vehicle is of the **same vehicle type** (passenger vehicle to passenger vehicle, trailer to trailer etc.); the **same registration type** (passenger to passenger, commercial to commercial); and has the **same number of wheels**; and, 4. The **seller and buyer** properly complete the Assignment of the Certificate of Title (for the newly acquired "used" vehicle) or Certificate of Origin (if a "new" vehicle). If **all** the above are met, you may operate the newly acquired vehicle with the transferred plates **up to 5:00 pm of the 7th calendar day** following the date of transfer (or loss of possession). The day of transfer or loss is day #1. During that 7 days, you **must** carry the **Bill of Sale** (or the dealer's **Purchase Contract**) for the newly acquired vehicle **and** this **Registration Certificate** when operating the vehicle. See **FAQs About the Seven-Day Registration Transfer Law** on the RMV's website at [www.massrmv.com](http://www.massrmv.com).

**No Insurance Card Required:** Massachusetts's law does **not** require an Insurance card. The law, M.G.L. Chapter 90, Section 34A and Chapter 175, Section 113A requires the vehicle's owner to maintain a compulsory motor vehicle insurance policy or bond for bodily injury coverage and property damage insurance. If an insurer is identified on the face of this **Registration Certificate**, it is required by law to electronically notify the RMV (Registry of Motor Vehicles) if coverage lapses. The vehicle owner is then notified by the RMV to obtain new insurance within 10 days or the registration will be revoked. Bonds are filed with the State Treasurer's Office.

## BE FIRST IN LINE BY GOING ONLINE AT [WWW.MASSRMV.COM](http://WWW.MASSRMV.COM)

- |                                 |                                  |
|---------------------------------|----------------------------------|
| Schedule a Road Test            | Request a Duplicate Title        |
| Renew Your Driver's License     | Request a Duplicate Registration |
| Renew Your Registration         | Change Your Address              |
| Pay Citations/Court Hearing Fee | Cancel My Plate/Registration     |
| Replace Your Driver's License   | Order a Special Plate            |

## NEED TO VISIT AN RMV OFFICE?

**SAVE TIME**  
**Complete Your**  
**Application Online!**

**VISIT OUR WEBSITE FOR A FULL LIST OF AVAILABLE TRANSACTIONS**





Document  
CITY OF HAVERHILL  
In Municipal Council

12.1

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>
Bruce Fraser, Arbitrator/Mediator	\$3,540.00	Law Department
Blatman, Bobrowski & Haverty LLC	\$100.00	Law Department
Blatman, Bobrowski & Haverty LLC	\$925.00	Law Department
WB Mason	\$609.50	Purchasing
BWC Salmon Brook LLC	\$2,915.29	Wastewater
Spencer Meadow Solar LLC	\$46,584.35	Wastewater

BRUCE FRASER  
ARBITRATOR / MEDIATOR  
730 CUSHING HIGHWAY  
SCITUATE, MASSACHUSETTS 02066  
Phone (781) 545-3598 Fax (781) 545-5127  
bfraser@bu.edu

**BILL FOR INTEREST ARBITRATION SERVICES**

UNION: Haverhill Police Patrolmen's Assn.

EMPLOYER: City of Haverhill, MA

CASE: JLMC Case No. 15-4626

**SERVICES**

Number of hearing days.....2.0 @\$1,400 = \$2,800

Preparation days.....3.0 @\$1,400 = \$4,200

Travel Time ..... @\$. . \$.

FEE TOTAL..... \$7,000

**EXPENSES**

Transportation..... \$140

2 x 130mi. x \$54 =

Parking (Panel Meeting) \$ 40

Lodging..... \$---

Taxi ..... \$---

Meals..... \$---

Other: ..... \$---

TOTAL EXPENSES..... \$---80

TOTAL..... \$7,080

Payable by Employer..... \$3,540

Payable by Union..... \$3,540

Date June 30, 2017

Signature: \_\_\_\_\_

Bruce Fraser, Arbitrator  
SS No. 084-30-5532

**BLATMAN, BOBROWSKI & HAVERTY, LLC**  
ATTORNEYS AT LAW

9 DAMONMILL SQUARE, SUITE 4A  
CONCORD, MA 01742  
PHONE 978.371.2226  
FAX 978.371.2296

# INVOICE

**BILL TO**

City of Haverhill  
William Pillsbury, Jr.  
Director, Community Development  
4 Summer Street  
Haverhill, MA 01830

INVOICE # 411

DATE 06/30/2017

TERMS Due on receipt

**MATTER**

Lupoli

SERVI CED	PROFESSIONAL SERVICES	HRS	RATE	ATTY	AMOUNT
06/06/ 2017	Receipt and review: Email of W. Pillsbury; Reply	0.20	250.00	Bobrowski	50.00
06/07/ 2017	Receipt and review: Email of Atty. Lampert; Reply and Forward	0.20	250.00	Bobrowski	50.00

Make checks payable to: Blatman, Bobrowski &  
Haverty, LLC

BALANCE DUE

**\$100.00**

**BLATMAN, BOBROWSKI & HAVERTY, LLC**  
ATTORNEYS AT LAW

9 DAMONMILL SQUARE, SUITE 444  
CONCORD, MA 01742  
PHONE 978.371.2226  
FAX 978.371.2296

# INVOICE

**BILL TO**

City of Haverhill  
William Pillsbury, Jr.  
Director, Community Development  
4 Summer Street  
Haverhill, MA 01830

**INVOICE # 412**

**DATE 06/30/2017**

**TERMS Due on receipt**

**MATTER**

Zoning Ordinance

SERVI CED	PROFESSIONAL SERVICES	HRS	RATE	ATTY	AMOUNT
06/13/ 2017	Meeting: City Hall	3.70	250.00	Bobrowski	925.00

Make checks payable to: Blatman, Bobrowski &  
Haverty, LLC

**BALANCE DUE**

**\$925.00**



W.B. MASON CO., INC.  
59 Centre St - Brockton, MA 02301  
Address Service Requested

888-WB-MASON www.wbmason.com

\*04B306401\*H0\*\*\*\*\*ALL\*FOR\*AADC\*021  
HAVERHILL PURCHASING DEPT  
ATTN: ROOM 105- ORLANDO PACHECO  
4 SUMMER ST, RM 105  
HAVERHILL, MA 01830

PO# 181458

(Page 1)  
PM

<b>Delivery Address</b>	<b>Invoice Number:</b>	<b>I45388668</b>
Haverhill Purchasing Dept	Customer Number:	C1016545
ATTN.: ROOM 105-	Reference Number:	I45388668
ORLANDO PACHECO	Invoice Date:	06/27/2017
4 Summer St, Rm 105	Due Date:	07/27/2017
Haverhill, MA 01830	Order Date:	06/23/2017
	Order Number:	S049752711
	Order Method:	PHONE

W.B. Mason Federal ID #: 04-2456641

## Important Messages

Please send all remittance coupons with your payment to our REMITTANCE ADDRESS:

W.B. Mason Co., Inc.  
PO BOX 981101  
Boston, MA 02298-1101

ITEM NUMBER	DESCRIPTION	QTY	U/M	UNIT PRICE	EXT PRICE
WBM21200	PAPER,XERO/DUP,WE,LTR,20#	25	CT	24.38	609.50

SUBTOTAL: 609.50  
TAX & BOTTLE DEPOSITS TOTAL: 0.00  
ORDER TOTAL: 609.50  
Total Due: 609.50



**PAST DUE**

To ensure proper credit, please detach and return below portion with your payment



W.B. MASON CO., INC.  
59 Centre St - Brockton, MA 02301  
Address Service Requested  
888-WB-MASON

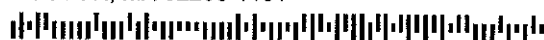
HAVERHILL PURCHASING DEPT  
ATTN: ROOM 105- ORLANDO PACHECO  
4 SUMMER ST, RM 105  
HAVERHILL, MA 01830

### Remittance Section

Customer Number:	C1016545
Invoice Number:	I45388668
Reference Number:	I45388668
Invoice Date:	06/27/2017
Terms:	Net 30
Total Due:	\$609.50

Amount Enclosed \$ \_\_\_\_\_

W.B. MASON CO., INC.  
PO BOX 981101  
BOSTON, MA 02298-1101



C1016545I45388668I453886680000000609507

# BLUEWAVE

**Seller:**

**BWC SALMON BROOK, LLC**  
c/o BlueWave Capital, LLC  
137 Newbury Street, 4<sup>th</sup> Floor  
Boston, Massachusetts 02116

*Wastewater*

January 2017

INVOICE NUMBER: 010

Invoice Date: 8/25/2017

Payment Due Date: 9/25/2017

**Buyer:**

**CITY OF HAVERHILL**  
Attn: Office of the Mayor  
4 Summer St.  
Haverhill, MA 01830

Billing Period 12-20-16 to 01-22-17

NGRID Account #	Schedule Z %	NMC Value (\$)	NMCPA Rate (\$/kWh)	NGRID Rate (\$/kWh)	Net Metering Credits (kWh)	Invoice Amount (\$)	Savings (\$)
13561-20007	17.54860%	\$4,543.69	\$0.10500	0.16365	27764.68	\$2,915.29	\$1,628.40
TOTAL DUE:						\$2,915.29	

Please send electronic wire transfer payments to:

Bank Name: ZB, N.A. dba National Bank of Arizona  
ABA: 122105320

Account Name: BWC Salmon Brook, LLC

Account Number: 5793138362

Beneficiary Address: 137 Newbury Street, Boston, MA 02116

*P2*  
*9/14/17*  
*Pow*

Spencer Meadow Solar LLC

222 South 9th Street, #1600  
Minneapolis, MN 55402

Wastawater

# Invoice

Date	Invoice #
9/8/2017	2017 - 01

<b>Bill To</b>
City of Haverhill City Solicitor 4 Summer Street Haverhill, MA 01830

<b>Ship To</b>
Make checks payable to: Spencer Meadow Solar LLC 222 South 9th Street, #1600 Minneapolis, MN 55402
ACH payment information available upon request

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Net 15		9/8/2017			
Quantity	Item Code	Description	Price Each	Amount		
20,777	Energy Credits	March 6 - March 14, 2017 Net Metering Credits: 20,777 @ (\$0.16800 x 0.70)	0.1176	2,443.37		
57,124	Energy Credits	March 14 - April 12, 2017 Net Metering Credits: 57,124 @ (\$0.16805 x 0.70)	0.11764	6,719.97		
97,513	Energy Credits	April 12 - May 15, 2017 Net Metering Credits: 97,513 @ (\$0.16663 x 0.70)	0.11664	11,373.66		
112,313	Energy Credits	May 15 - June 14, 2017 Net Metering Credits: 112,313 @ (\$0.16482 x 0.70)	0.11537	12,957.97		
113,466	Energy Credits	June 14 - July 16, 2017 Net Metering Credits: 113,466 @ (\$0.16480 x 0.70)	0.11536	13,089.38		
Questions- Please call (612) 326-3665, or e-mail reed.reynolds@ecosrenewable.com			<b>Total</b>	\$46,584.35		

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

September 29, 2017

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

RE: FY2017 Bills

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

Attached, please find an order to pay bills from the previous fiscal year:

Vendor	Amount	Account
Bruce Fraser, Arbitrator/Mediator	\$3,540.00	Law Department
Blatman, Bobrowski, & Haverty LLC	\$100.00	Law Department
Blatman, Bobrowski, & Haverty LLC	\$925.00	Law Department
WB Mason	\$609.50	Purchasing Department
BWC Salmon Brook LLC	\$2,915.29	Wastewater
Spencer Meadow Solar LLC	\$46,584.35	Wastewater
<b>TOTAL</b>	<b>\$54,674.14</b>	

I recommend approval.

Very truly yours,

**James J. Fiorentini, Mayor**

JJF/lyf





DOCUMENT

# CITY OF HAVERHILL

In Municipal Council

13.1  
File today

~~ORDERED~~

## An Ordinance Relating to Parking (5 Dustin Street-DELETE Handicapped 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 DELETING the following:

LOCATION	REGULATION	HOURS/DAYS
Dustin Street	No Parking	24 Hours
In front of No. 5 Dustin Street		

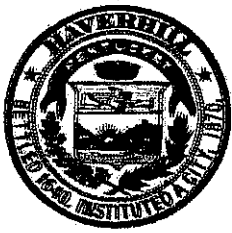
APPROVED as to legality:

---

City Solicitor



Name of Street Location	Regulation	Hours/Days
In front of 5 Dustin Street, except for 1 24-hour handicapped parking space at No. 5, north side Eighth Avenue [Repealed 10-11-2011 by Doc. 7-X] Eleventh Avenue [Added 9-13-1983 by Doc. 26-N] In front of 1 Eleventh Avenue, except for 1 24-hour handicapped parking space [Repealed 1-31-1989 by Doc. 9-D] In front of 6 Eleventh Avenue, except for 1 24-hour handicapped parking space [Amended 1-3-1984 by Doc. 26-R]	No parking	—
Elliott Place Entire length, east side [Amended 8-23-1983 by Doc. 26-M] From Merrimack Street to Wall Street, west side	No parking	—
Elm Street [Added 1-26-2010 by Doc. 11] In front of 75 Elm Street, south side of Elm Street, starting 300 feet west of Lawrence Street for a distance of 75 feet	No parking; bus drop off/pick up only	Monday through Friday, 6:30 a.m. to 6:00 p.m.
Emerson Street [Amended 8-27-1985 by Doc. 29-H; 5-5-1998 by Doc. 40-F; 7-13-1999 by Doc. 24-J; 5-14-2002 by Doc. 44-E; 5-14-2002 by Doc. 44-F; 5-14-2002 by Doc. 44-N; 5-14-2002 by Doc. 44-O; 6-24-2003 by Doc. 34-H; 6-24-2003 by Doc. 34-I; 3-24-2009 by Doc. 39-J] From Welcome Street north to 60 feet south of Winter Street, both sides	Time limited: 1 hour	9:00 a.m. to 6:00 p.m., except 9:00 a.m. to 9:00 p.m. Fridays and days prior to legal holidays
From Winter Street south for 60 feet, both sides	No parking	—
Otherwise, all as shown on the Central Business District Parking Map dated 12/04/2012, as last revised on 01/07/2014, filed in the office of the City Engineer, Plan 2B/3418, a copy of which is also on file with the City Clerk [Amended 9-6-2011 by Doc. 23-F; 8-7-2012 by Doc. 22-C; 2-26-2013 by Doc. 30; 5-21-2013 by Doc. 30-B; 1-28-2014 by Doc. 13-B]		
Essex Street [Amended 10-5-1982 by Doc. 43-I; 11-23-1982 by Doc. 43-M; 2-28-1984 by Doc. 38; 5-1-1984 by Doc. 38-E; 5-1-1984 by Doc. 38-G; 4-22-1986 by Doc. 75-B; 9-15-1986 by Doc. 75-I; 1-17-1989 by Doc. 9-B; 7-27-1993 by Doc. 26-M; 5-14-2002 by Doc. 44-G; 7-23-2002 by Doc. 44-T; 8-10-2004 by Doc. 12-HH; 8-22-2006 by Doc. 27-F; 8-22-2006 by Doc. 29-N; 8-22-2006 by Doc. 29-O; 3-24-2009 by Doc. 39-J]		



# Haverhill

Economic Development and Planning  
Phone: 978-374-2330  
Fax: 978-374-2315

September 27, 2017

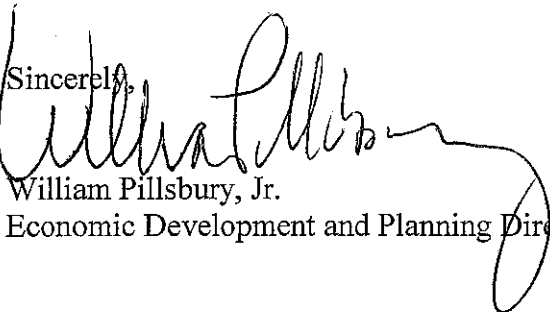
Mr. John A. Michitson, Council President  
City Council Members  
City Hall-Room #204  
City of Haverhill

**RE: Handicap Parking – Delete Handicapped Parking located at 5 Dustin Street**

Dear Council President:

As per your request dated, September 27, 2017; I am submitting a Municipal Ordinance that will delete handicap parking at **5 Dustin Street**.

Sincerely,



William Pillsbury, Jr.

Economic Development and Planning Director

**CITY COUNCIL**

**JOHN A. MICHITSON**  
*PRESIDENT*  
**MELINDA E. BARRETT**  
*VICE PRESIDENT*  
**ANDRES X. VARGAS**  
**MICHAEL S. MCGONAGLE**  
**JOSEPH J. BEVILACQUA**  
**COLIN F. LEPAGE**  
**MARY ELLEN DALY O'BRIEN**  
**WILLIAM J. MACEK**  
**THOMAS J. SULLIVAN**



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

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

September 27, 2017

**TO:** Mr. William Pillsbury, Jr.  
Planning & Economic Development Director

**RE:** Delete Handicap Ordinance – 5 Dustin Street

Dear Mr. Pillsbury:

At the City Council meeting held on September 26, 2017 the following item was placed on the agenda by Councillor McGonagle:

- Request for removal of a handicap parking space at 5 Dustin 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

JAM/bsa

encl.

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

**CITY COUNCIL**

**JOHN A. MICHITSON**  
*PRESIDENT*  
**MELINDA E. BARRETT**  
*VICE PRESIDENT*  
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**THOMAS J. SULLIVAN**



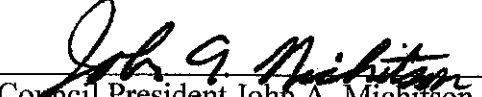
**CITY OF HAVERHILL**  
HAVERHILL, MASSACHUSETTS 01830-5843

14,1  
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[citycncl@cityofhaverhill.com](mailto:citycncl@cityofhaverhill.com)

September 27, 2017

TO: Members of the City Council:

Council President Michitson and Councillor Vargas wish to introduce MBA students from the Heller School for Social Policy and Management at Brandeis University to present the results of their study, "A Prospect for Haverhill: Performance-Based Budgeting for a Better Tomorrow". The team researched an alternative budget process which is based on performance data, strategic goals, and measurable objectives.

  
Council President John A. Michitson

  
Councillor Andres Vargas

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**CITY OF HAVERHILL**  
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14.2

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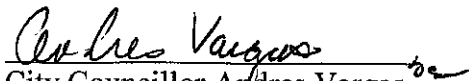
September 27, 2017

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

Councillors Barrett, LePage and Vargas request to introduce Chris Bullock of ClearGov for a presentation on updated features to budget-data program.

  
City Councillor Melinda Barrett

  
City Councillor Colin LePage

  
City Councillor Andres Vargas

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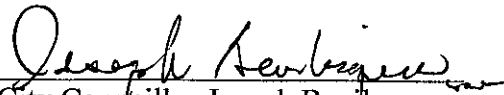
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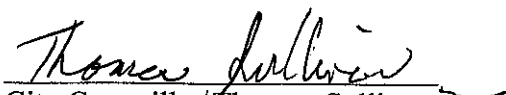
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September 29, 2017

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

Councillors Bevilacqua and Sullivan would like to recognize the Gale Park Volunteers.

  
City Councillor Joseph Bevilacqua

  
City Councillor Thomas Sullivan

**CITY COUNCIL**

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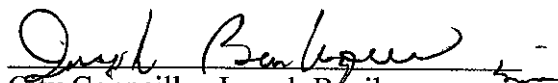
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September 29, 2017

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

Councillor Joseph Bevilacqua would like to request a discussion regarding Mass Development Site Readiness Program.

  
City Councillor Joseph Bevilacqua



29.2



DOCUMENT 29-Z

**CITY OF HAVERHILL**

In Municipal Council September 26 2017

**ORDERED:**

That the sum of **\$45,000** be transferred from the following accounts in the amounts stated to the General Fund Account, *Municipal Parking* to pay for Parking Enforcement Services:

<i>Budget Reserve</i>	<b>\$ 4,000.00</b>
<i>Police Salaries</i>	<b>\$41,000.00</b>

POSTPONED TO OCTOBER 3 2017

Attest:

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

**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

September 22, 2017

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

RE: Order to transfer to the General Fund Account from Budget Reserve and Police Salaries Accounts.

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

Please find attached an order to transfer \$45,000 to the General Fund Account - \$4,000 from Budget Reserve and \$41,000 from Police Salaries - to pay for Municipal Parking Enforcement Services. I recommend approval.

Very truly yours,

**James J. Fiorentini**  
Mayor

JJF/lyf

## CITY COUNCIL

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## CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

### DOCUMENTS REFERRED TO COMMITTEE STUDY

38-F	Communication from Councillors Barrett and LePage requesting to discuss double poles in the City	A & F 9/6/16, 11/31/16, 1/17/17, 5/11/17	3/15/16
38-W	Communication from Councillor Barrett requesting to give an update on response from MBTA/Keolis & US EPA about idling trains in Bradford	Citizen Outreach	4/5/16 1/31/17
26E	City of Haverhill – Mayor’s Recommendations, Capital Improvement Program – 2016-2020	A & F 11/3/16, 5/11/2017, 7/25/17	5/31/16
108-N	Communication from Councillors Bevilacqua and LePage requesting discussion regarding appropriate safe regulation of marijuana shop access and locations	A & F	12/6/16
10-B	Communication from President Michitson asking to request from Mayor status of facility improvements to public buildings and parks to comply with American w/ Disabilities Act (ADA)	Citizen Outreach	1/3/17 1/31/17, 8/15/17
10-U	Communication from President Michitson requesting discussion on next steps to provide comprehensive long range plan for Haverhill	Citizen Outreach	1/31/17 8/15/17
10-X	Communication from Councillor Bevilacqua requesting to discuss ways to address senior citizen needs in Haverhill	Citizen Outreach	1/31/17
31-K	Communication from Councillor Macek requesting to discuss proposal to create bike lanes throughout the City	Planning & Dev.	2/14/17
58-D	Communication from Councillors Sullivan, Macek and Bevilacqua requesting to discuss ongoing tree problem on City property abutting & impacting Holland’s Flowers at 577 S. Main St	NRPP	4/25/17
58-G	Communication from President Michitson requesting to present an update on the meeting with group homes stakeholders to address severe problems in Haverhill	Public Safety	5/2/17
58-I	Communication from Councillor Bevilacqua requesting discussion regarding assistance to new businesses	Planning & Dev.	5/2/17
103-C	Communication from Councillors Daly O’Brien & Macek re: street openings, sunken roadway repair and replacing pavement	Planning & Dev.	8/22/17
103-D	Communication from Councillor Daly O’Brien requesting to discuss smoking near outdoor dining	Planning & Dev.	8/22/17
103-E	Communication from President Michitson and Councillor McGonagle introducing Chief DeNaro to address City Council on recent shootings in Haverhill and action taken by HPD (specifically graffiti)	A & F	9/5/17
103-I	Communication from Councillor Bevilacqua requesting discussion regarding residential project signs	Planning & Dev.	9/5/17
36-F	Public Participation Gary Ortiz – suggestion that city review purchase of cameras by homeowners in Acre area and offering incentive for State Police and Haverhill Police, first homebuyers program	Citizen Outreach	9/12/17
104-B	Communication from Councillor Sullivan submitting request from Pamela Carr to purchase unbuildable city land abutting property at 58 Atlanta St., Map 528, Bl 11, Lot 178	NRPP	9/19/17
103-Q	Communication from Co. Bevilacqua requesting discussion - receipt of City Council meeting minutes	A&F	9/19/17