



**CITY OF HAVERHILL
CITY COUNCIL AGENDA**

Tuesday, March 18, 2025 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202

In-Person/Remote Meeting

This meeting of Haverhill City Council will be held in-person at the location provided on this notice as its official meeting location pursuant to the Open Meeting Law. As the meeting is held in person at a physical location that is open and accessible to the public, the City Council is not required to provide remote access to the meeting. Members of the public are welcome to attend this in-person meeting. Please note that a live stream of the meeting is being provided only as a courtesy to the public, and the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. Those attending tonight's meeting should be aware that the meeting is being audio and video recorded by HCTV, The Eagle Tribune, and WHAV. Any audience members who wish to record any part of the meeting must inform the Council President who will announce the recording. This is to comply with the MA wiretap statute. Thank you.

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

5. COMMUNICATIONS FROM THE MAYOR:

5.1. Mayor Barrett presents an Order submitted by the *Haverhill School Department* giving authorization to submit a Statement of Interest to the MSBA regarding the *Golden Hill Elementary School* project

5.1.1. Order - Authorization to Submit a Statement of Interest (SOI) to the MSBA regarding the Golden Hill Elementary School project located at 140 Boardman st

5.2. Mayor Barrett announces, in consultation with the Director of Public Works, Robert Ward, declaration of a drought emergency in the City, effective Wednesday, March 19th

Related communication from City of Haverhill Water Division



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5.3 Mayor Barrett submits the following Order:

5.3.1 Order – Prudent Investment Rule – that the City of Haverhill accepts the provisions of G.L. c.44, section 54(b), to allow City trust funds to be invested in accordance with G.L. c.203C, the so-called “Prudent Investment Rule”

6. COMMUNICATIONS FROM COUNCILLORS TO INTRODUCE AN INDIVIDUAL(S) TO ADDRESS THE COUNCIL:

6.1. Councillor Toohey requests to introduce Ray Hebert, of *Haverhill Downtown Boxing* to speak regarding their upcoming fundraiser on Saturday, March 22nd at 11 am

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

8.1. City Assessor, Christine Webb submits Abatement report for the month of February 2025

9. UTILITY HEARING(S) AND RELATED ORDER(S):

10. HEARINGS AND RELATED ORDERS:

10.1. Economic Development and Planning Director, William Pillsbury, requests **Hearings** for the following:

10.1.1. **Document 2**; Zoning Amendment – various zoning corrections/updates

10.1.1.1. **Document 2-B**; Ordinance re: Zoning – Amend Chapter 255 filed 1/9/2025

Recommendations from Planning Board & Director to approve the 4 zoning amendments as presented with the exception of the Battery Energy Storage systems (BESS proposed ordinance)



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10.2.1.2 **Document 3**; Zoning Amendment – Zone Line
Adjustment-Waterfront Zone C Parkway to Include parcel 103-
3-1A

10.2.1.2 **Document 3-B**; Ordinance re: Zoning –
Waterfront Zone C – modify zone line filed
1/9/2025

10.2.1.3 **Document 4**; Zoning Amendment – Mixed Use

10.2.1.3 **Document 4-B**; Ordinance re: Zoning – Mixed Use
filed 1/9/2025

10.2.1.4 **Document 15**; Zoning Amendment – Accessory
Dwelling Units (ADU's)

10.2.1.4 **Document 15-B**; Zoning Ordinance – Accessory
Dwelling Units (ADU's) filed 1/16/2025

10.2.1.5 **Document 5**; Zoning Amendment – Battery Energy
Storage Systems

10.2.1.5 **Document 5-B**; Ordinance re: Zoning – add a new
section 7.9 Battery Energy Storage Systems
filed 1/9/2025

*Recommendation; Open the hearing on the zoning amendment as
presented and continue the hearing to a date recommended by the
City Solicitor*

10.3 **Document 21**; **CCSP 24-11**: Application from Brian Moses
requesting to keep a permanent storage container at his home on
84 Madison st *continued from February 25th*

11.APPOINTMENTS:

11.1. **Confirming Appointments**

11.2. **Non-Confirming Appointments:**

11.2.1. *Water/Wastewater Abatement Review Board, Paul D
Abreu, expires 3/31/2025*

11.3. **Constables**

11.4. **Resignations:**



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12. PETITIONS:

- 12.1. **Applications Handicap Parking Sign:** *with Police approval*
- 12.2. **Amusement/Event Application:** *with Police approval*
- 12.3. **Auctioneer License:**

- 12.4. **Tag Days:** *with Police approval*
 - 12.4.1. *HHS Softball Boosters, May 3rd*

- 12.5. **One Day Liquor License** – *with License Commission & HPD approval*

12.6. ANNUAL LICENSE RENEWALS:

- 12.6.1. **Hawker Peddlers License- Fixed location** – *w/Police approval*
- 12.6.2. **Coin-Op License Renewals** – *with Police approval*
 - 12.6.2.1. *Academy Lanes, 725 South Main st, 12 Machines*
- 12.6.3. **Christmas Tree Vendor** – *with Police approval*
- 12.6.4. **Taxi Driver Licenses for 2024:** *with Police approval*
- 12.6.5. **Taxi/Limousine License** *with Police approval*
- 12.6.6. **Junk Dealer /Collector License** *with Police approval*
- 12.6.7. **Pool/Billiard**
- 12.6.8. **Bowling**
- 12.6.9. **Sunday Bowling**
- 12.6.10. **Buy & Sell Second Hand Articles** *with Police approval*
- 12.6.11. **Buy & Sell Second Hand Clothing**
- 12.6.12. **Pawnbroker license** - *with police approval*
- 12.6.13. **Fortune Teller** *with - Police approval*
- 12.6.14. **Buy & Sell Old Gold** – *with Police approval*
- 12.6.15. **Roller Skating Rink**
- 12.6.16. **Sunday Skating**
- 12.6.17. **Exterior Vending Machines/Redbox Automated Retail, LLC**
- 12.6.18. **Limousine/Livery License/Chair Cars** *with Police approval*

13. MOTIONS AND ORDERS:



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14.ORDINANCES (FILE 10 DAYS)

15.COMMUNICATIONS FROM COUNCILLORS:

16. UNFINISHED BUSINESS OF PRECEEDING MEETING:

- 16.1. Document 11-D: Ordinance re: Add handicap parking at
17 Hillside and 459 Washington st *filed March 6th*

17.RESOLUTIONS AND PROCLAMATIONS:

- 17.1. Mayor Barrett presents the following Proclamation:
 - 17.1.1. *Greek Independence Day, March 25, 2025*

18.COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

19.DOCUMENTS REFERRED TO COMMITTEE STUDY

20.LONG TERM MATTERS STUDY LIST

21.ADJOURN:

MELINDA E BARRETT
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

511
CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.CITYOFHAVERHILL.COM

March 14, 2025

To: City Council President Thomas J. Sullivan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

RE: Authorization to Submit a Statement of Interest (SOI) to the MSBA regarding Golden Hill Elementary School

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

Please see attached an order submitted by the Haverhill School Department, giving authorization to submit a Statement of Interest to the MSBA regarding the Golden Hill Elementary School project.

I recommend approval.

Sincerely,

Melinda E. Barrett
Mayor

MEB/em

5.1.1



Document

CITY OF HAVERHILL

In Municipal Council



Resolved: The Mayor of the City of Haverhill, the Eligible Applicant, in accordance with its charter, and ordinances submits the Massachusetts School Building Authority the Statement of Interest Form dated March 11, 2025 for the Golden Hill Elementary School located at 140 Boardman Street which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. And further having convened in an open meeting on March 18, 2025, prior to the SOI submission closing date, the City Council of Haverhill, in accordance with its charter, by-laws, and ordinances, has voted to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 11, 2025 for the Golden Hill Elementary School located at 140 Boardman Street which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. Priority 5 – Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City of Haverhill to filing an application for funding with the Massachusetts School Building Authority.

MELINDA E. BARRETT
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@HAVERHILLMA.GOV
WWW.CITYOFHAVERHILL.COM

March 14, 2025

To: City Council President Thomas J. Sullivan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

RE: City of Haverhill- Drought Emergency

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

This is to inform you, that in consultation with Director of Public Works Robert Ward, in pursuant to City Ordinance Article 6 Water Use Restriction Section 250-25.1, the City will declare a drought emergency effective Wednesday March 19th, 2025.

Attached please find the proposed declaration.

Sincerely,

Melinda E. Barrett
Mayor

MEB/em

519

The City of Haverhill Water Division Declares Drought Emergency

Haverhill, MA – March 19, 2025 – The City of Haverhill and the region are still experiencing the effects of an extended dry period and drought.

On November 7, 2024, the Commonwealth of Massachusetts Department of Environmental Protection (MassDEP) declared a level 3 critical drought condition for the northeast region. More information on MassDEP's drought declaration can be found on the web at <https://www.mass.gov/info-details/drought-status>.

On a local level, Haverhill declared a drought warning on November 15, 2024, and is now declaring a drought emergency effective March 19, 2025. The drought emergency declaration is in accordance with § 250-25.1 of Haverhill's Water Use Restriction Ordinance. Haverhill's drought emergency status is determined when Kenoza Lake, the City's primary reservoir is between 20% and 35% below the average reservoir capacity on any particular day. As of March 13, 2025, Kenoza Lake is 25.4% below average capacity. More information on Haverhill's water supply status can be found on its website at this URL, <https://bit.ly/wtr-supply-status>.

Effective March 19, 2025, **all non-essential outdoor water use is prohibited** with the following exceptions defined in § 250-26.1.

1. Irrigation with harvested and stored stormwater runoff;
2. Water use for the purposes of agriculture;
3. To meet the core functions of a business (for example, irrigation by golf courses as necessary to maintain tees and greens, and limited fairway watering, or irrigation by plant nurseries or agricultural operations as necessary to maintain stock or establish new plantings, wash equipment to prevent damage and/or maintain performance, pest management and plant cooling).

In addition, we ask that all water customers enact indoor conservation measures such as,

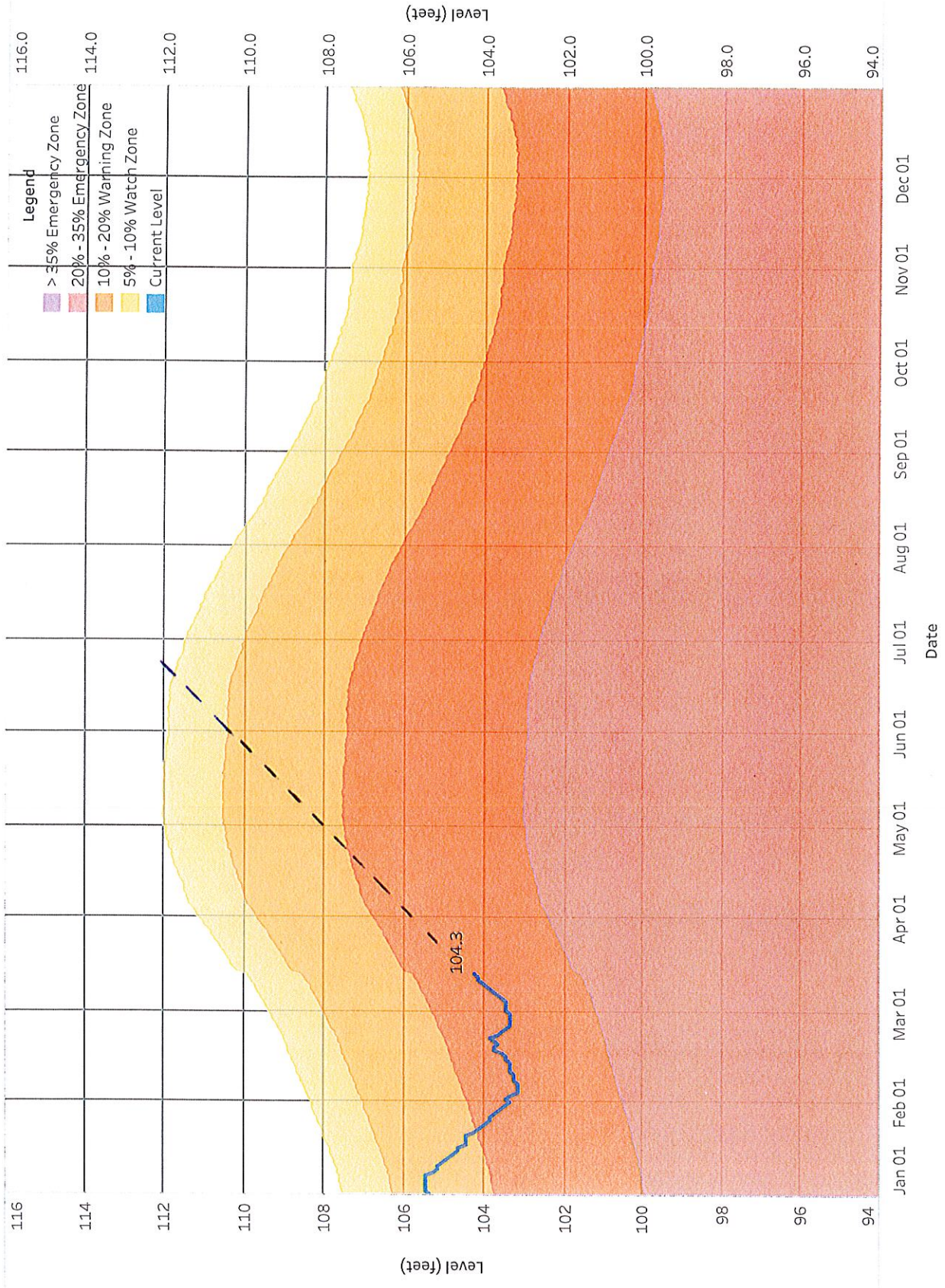
- Fix any toilet or faucet leaks immediately.
- Run dishwashers and washing machines only on a full load.
- Take shorter showers or utilize the flow control feature built into many newer showerheads.
- Using a commercial car wash where water is typically recycled.

Further information and tips for conserving water can be found on the web at the following URLs:

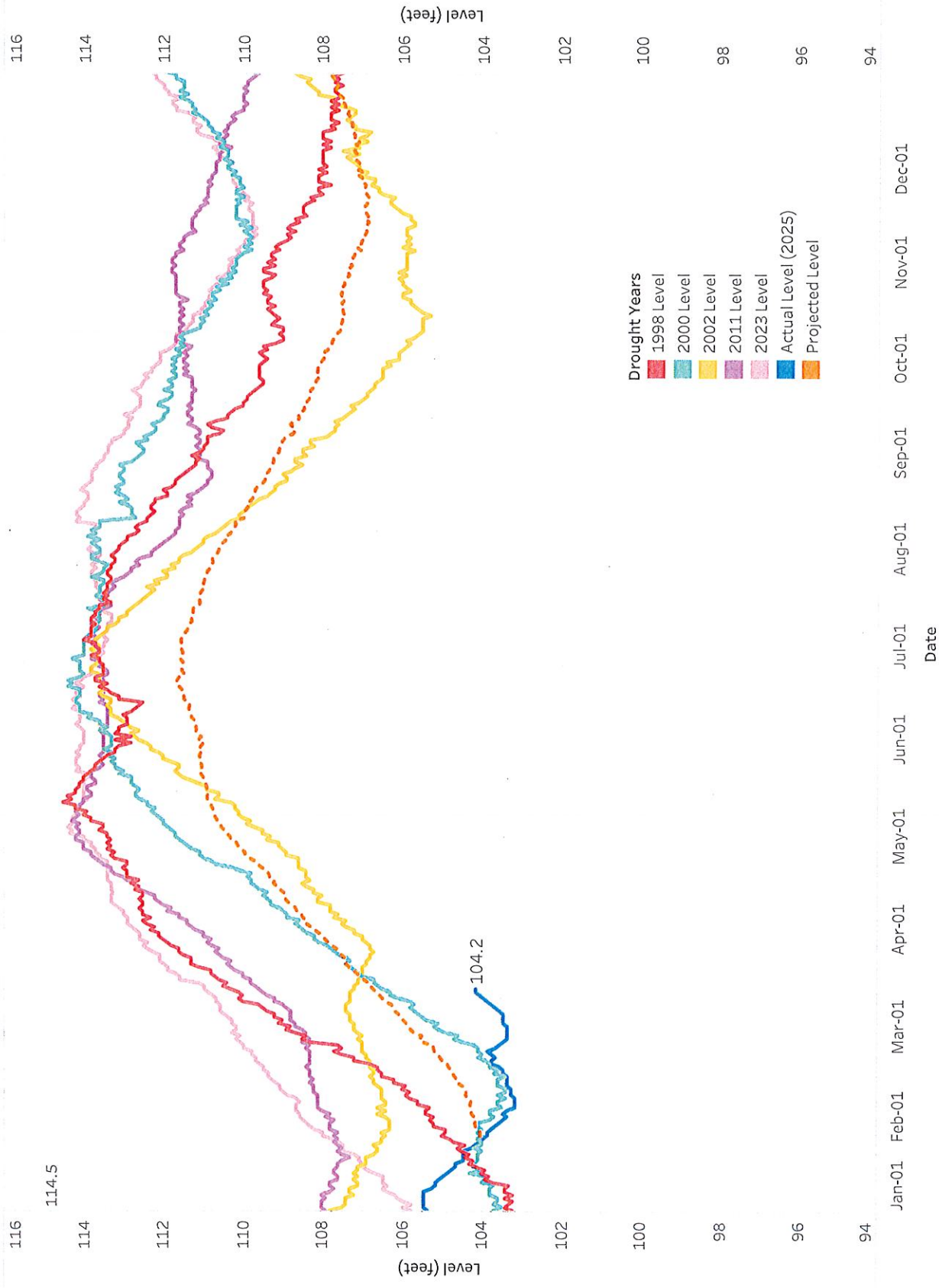
<https://bit.ly/hav-wtr-conserv>

<https://bit.ly/level-3-actions>

Kenoza Level with Drought Zones



Drought Year Trends



ARTICLE VI
Water Use Restriction

[Adopted 2-3-1998 by Doc. 31; amended in its entirety 8-23-2016 by Doc. 92-B]

§ 250-22. Authority.

This article is adopted by the City under its police powers to protect public health and welfare and its powers under MGL c. 40, § 21 et seq., and implements the City's authority to regulate water use pursuant to MGL c. 41, § 69B. This article also implements the City's authority under MGL c. 40, § 41A, conditioned upon a declaration of water supply emergency issued by the Commonwealth of Massachusetts Department of Environmental Protection (MassDEP).

§ 250-23. Purpose.

The purpose of this article is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the City or by the Department of Environmental Protection.

§ 250-24. Definitions.

As used in this article, the following terms shall have the meanings indicated:

AGRICULTURE — Farming in all its branches as defined at MGL c. 128, § 1A.

AUTOMATIC SPRINKLER SYSTEM — Any system for watering vegetation other than a hand-held hose or a bucket.

NONESSENTIAL OUTDOOR WATER USE — Those uses that are not required:

- A. For health or safety reasons;
- B. By regulation;
- C. For the production of food and fiber;
- D. For the maintenance of livestock; or
- E. To meet the core functions of a business (for example, irrigation by golf courses as necessary to maintain tees and greens, and limited fairway watering, or irrigation by plant nurseries or agricultural operations as necessary to maintain stock or establish new plantings, wash equipment to prevent damage and/or maintain performance, pest management and plant cooling).

PERSON — Any individual, corporation, trust, partnership or association, or other entity.

STATE OF WATER SUPPLY CONSERVATION — A State of Water Supply Conservation declared by the City pursuant to § 250-25 of this article.

STATE OF WATER SUPPLY EMERGENCY — A state of water supply emergency declared by the Department of Environmental Protection under MGL c. 21G, §§ 15 through 17.

SUPPLY CAPACITY — A specific relationship between a reservoir's level and storage capacity

expressed in percent.

WATER CONSUMERS — All public and private users of the City's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

§ 250-25. Declaration of State of Water Supply Conservation.

The City, through its Water Division, may declare a State of Water Supply Conservation upon a determination by the Director or Deputy Director of Public Works that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers and to ensure compliance with the City's obligation under the Water Management Act. Public notice of a State of Water Supply Conservation shall be given under § 250-27 of this article before it may be enforced.

§ 250-25.1. Method of determining a State of Water Supply Conservation.

- A. The City, through its Water Division, shall monitor the state of water supply. The City shall implement water conservation measures in stages based on trigger levels as set forth below.

Drought Status	Trigger Level	Trigger Action
Watch	5% reduction in Kenoza Lake supply capacity	Notice may be issued to all water consumers of the drought watch condition in accordance with § 250-27.
Warning	10% reduction in Kenoza Lake supply capacity	Notice shall be issued to all water consumers of the drought warning status in accordance with § 250-27. All water consumers may be requested to enact water conservation measures as described in § 250-26 on a voluntary basis.
Emergency	20% reduction in Kenoza Lake supply capacity	Notice shall be issued to all water consumers of the drought emergency status in accordance with § 250-27. All water consumers shall be required to comply with mandatory water conservation measures as described in § 250-26. All water consumers shall also be required to comply with any additional mandatory water conservation measures as may be mandated by the city through its Water Division.

Drought Status	Trigger Level	Trigger Action
Critical	35% reduction in Kenoza Lake supply capacity	Notice shall be issued to all water consumers of the critical drought status in accordance with § 250-27. All water consumers shall be required to comply with mandatory water conservation measures as described in § 250-26 in addition to those additional measures enacted to preserve the public water supply.

- B. In the event that the trend of the City's water supply is declining at a rate, as monitored and forecast by the Water Division, the City may elect to enact any one of the above drought status conditions to preserve the condition of the water supply.

§ 250-26. Restricted nonessential outdoor water uses.

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, conditions or requirements, as determined by the Director or Deputy Director of Public Works, shall be included in the public notice required under § 250-27.

- A. Nonessential outdoor water use days. Nonessential outdoor water use, by water users, is permitted only on the days per week specified in the State of Water Supply Conservation or State of Water Supply Emergency and public notice thereof.
- B. Nonessential outdoor water use ban. Nonessential outdoor water use is prohibited at all times.
- C. Nonessential outdoor water use hours. Nonessential outdoor water use is permitted only during the hourly periods specified in the declaration of a State of Water Supply Conservation and public notice thereof.
- D. Automatic sprinkler use. The irrigation of lawns via sprinklers or automatic irrigation systems is prohibited.
- E. All other nonessential outdoor water use not specifically mentioned above as specified in the State of Water Supply Conservation or State of Water Supply Emergency and public notice thereof.

§ 250-26.1. Exceptions to nonessential outdoor water use.

- A. Unless the drought status reaches emergency or critical, as certified by the Water Division and the Director of Public Works or Deputy Director of Public Works, then the following items may be exempted as nonessential outdoor water use.
 - (1) Irrigation with harvested and stored stormwater runoff;
 - (2) Water use for the purposes of agriculture;
 - (3) To meet the core functions of a business (for example, irrigation by golf courses as necessary to maintain tees and greens, and limited fairway watering, or irrigation by

plant nurseries or agricultural operations as necessary to maintain stock or establish new plantings, wash equipment to prevent damage and/or maintain performance, pest management and plant cooling).

- B. The following outdoor water uses are subject to review and approval by the City, through its Water Division:
- (1) Irrigation of public parks and recreation fields by automatic sprinkler before 7:00 a.m. and after 7:00 p.m.;
 - (2) Irrigation to establish replanted or resodded lawn or plantings during the months of May and September;
 - (3) Irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous 12 months;
 - (4) Irrigation of gardens, flowers and ornamental plants by means of hand-held hose or drip irrigation systems; and
 - (5) Irrigation of established lawns by means of a hand-held hose only.

§ 250-27. Public notification of State of Water Supply Conservation; notification of MassDEP.

- A. Notification of any provisions, restrictions, requirements or conditions imposed by the City as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the City, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Any restriction imposed under this section shall not be effective until such notification is provided, but no later than 48 hours after the declaration of a State of Water Supply Conservation. The City may also notify the public using other means determined to be appropriate. Notification may also include e-mail, websites, public service announcements on local media or other such means.
- B. Submittal of MassDEP's form "Notification of Water Use Restriction" shall be provided to the Massachusetts Department of Environmental Protection per MassDEP regulations [310 CMR 22.15(8)].

§ 250-28. Termination of State of Water Supply Conservation; notice.

A State of Water Supply Conservation may be terminated by the Director or Deputy Director of Public Works of the Water Division upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required by § 250-27 for notice of its imposition.

§ 250-29. State of Water Supply Emergency; compliance with MassDEP orders.

- A. Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department intended to bring about an end to the state of emergency.

- B. Notification of any provisions, restrictions, requirements or conditions imposed by the declaration of a State of Water Supply Emergency shall be published in a newspaper of general circulation within the City, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Emergency. Any restriction imposed under this section shall not be effective until such notification is provided, but no later than 48 hours after the declaration of a State of Water Supply Emergency. The City may also notify the public using other means determined to be appropriate. Notification may also include e-mail, websites, public service announcements on local media or other such means.

§ 250-29.1. Termination of State of Water Supply Emergency; compliance with MassDEP orders.

Upon notification to the City that the declaration of a State of Water Supply Emergency has been terminated by the Department of Environmental Protection, the public will be notified of the termination in the same manner as is required by § 250-29 for notice of its imposition.

§ 250-30. Violations and penalties.

- A. Any person violating this article shall be liable to the City in the amount listed below:
- (1) First violation: warning.
 - (2) Second violation: \$50.
 - (3) Third and subsequent violations: \$100 and may be subject to termination of water service.
- B. Fines shall inure to the City for such uses as the Director or Deputy Director of Public Works may direct. Each day of violation shall constitute a separate offense. Fines shall be recovered by indictment, or by complaint before the District Court, or by noncriminal disposition in accordance with MGL c. 40, § 21D. For purposes of noncriminal disposition, the enforcing person shall be any police officer of the City or the Director or Deputy Director of Public Works or their designee. If a State of Water Supply Emergency has been declared, the Water Division may, in accordance with MGL c. 40, § 41A, shut off the water at the meter or the curb stop.

§ 250-30.1. Severability.

The invalidity of any portion or provision of this article shall not invalidate any other portion or provision thereof.



Document

CITY OF HAVERHILL

In Municipal Council

MAR 14 4:51 PM
HAGTYCLERK

513

Ordered:

Prudent Investment Rule

That the City of Haverhill accepts the provisions of G.L. c.44, §54(b) to allow City trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule".

Approved as to form:

City Solicitor

MELINDA E. BARRETT
MAYOR



**CITY OF HAVERHILL
MASSACHUSETTS**

5.3.1
CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.CITYOFHAVERHILL.COM

March 14, 2025

To: City Council President Thomas J. Sullivan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

RE: Order to Accept Prudent Investment Rule

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

Please see attached an order that the City of Haverhill accepts the provisions G.L. c.44 54(b) to allow the City trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule".

I recommend approval.

Sincerely,

Melinda E. Barrett
Mayor

meb/em

CITY COUNCIL

Thomas J. Sullivan, *President*
Timothy J. Jordan, *Vice President*
John A. Michitson
Colin F. LePage
Melissa J. Lewandowski
Catherine P. Rogers
Shaun P. Toohey
Michael S. McGonagle
Katrina Hobbs Everett
Devan Ferreira
Ralph T. Basiliere



CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

6.1
CITY HALL, ROOM 204

4 SUMMER STREET

TELEPHONE: 978-374-2328

FACSIMILE: 978-374-2329

WWW.CITYOFHAVERHILL.COM

CITYCOUNCIL@HAVERHILLMA.GOV

March 13, 2025

To: President and Members of the City Council

Councilor Toohey wishes to introduce Ray Hebert, of Haverhill Downtown Boxing to speak regarding their upcoming fundraiser on Saturday, March 22, 2025 at 11:00AM.

Shaun P. Toohey
Councilor Shaun P. Toohey *LAR*



8.1

CITY OF HAVERHILL
ASSESSORS OFFICE – ROOM 115
Phone: 978-374-2316 Fax: 978-374-2319
Assessors@cityofhaverhill.com

March 10, 2025

HAU CITY CLERK MAR10'25 828

TO: MEMBERS OF THE HAVERHILL CITY COUNCIL:

In accordance with Municipal Ordinance, Chapter 7,
entitled "Assessor" as follows:

The Board of Assessors shall file monthly with the
City Council a copy of the report submitted to the
Auditor showing a summary of the above abated
amounts for that month.

Attached herewith is the report for the month of
February as filed in the Assessors Office.

Very truly yours,

Christine Webb, MAA
Assessor

All Entry Date range 02/01/2025 through 02/28/2025 for Abatements, Exemptions

Totals	Tax	Interest	Fees	Tax	Interest	Fee	Refunds	Refund	Abate	Exemp	Adjust	Transfers
	Paid	Paid	Paid	Reversals	Reversals	Reversals	Reversals	Reversals				
Motor Vehicle Excise Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.28	0.00	0.00	0.00
2022 Motor Vehicles	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.28	0.00	0.00	0.00
2022	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.28	0.00	0.00	0.00
Motor Vehicle Excise Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	280.80	0.00	0.00	0.00
2023 Motor Vehicles	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	280.80	0.00	0.00	0.00
2023	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	280.80	0.00	0.00	0.00
Motor Vehicle Excise Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,823.42	0.00	0.00	0.00
2024 Motor Vehicles	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,823.42	0.00	0.00	0.00
2024	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,823.42	0.00	0.00	0.00
Boat Excise Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25.00	0.00	0.00	0.00
2025 Boats	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25.00	0.00	0.00	0.00
Motor Vehicle Excise Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	37,681.83	0.00	0.00	0.00
2025 Motor Vehicles	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	37,681.83	0.00	0.00	0.00
Personal Property Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	708.40	0.00	0.00	0.00
2025 Personal Property	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	708.40	0.00	0.00	0.00
Property Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	17,886.30	24,290.00	0.00	0.00
2025 Real Estate	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	17,886.30	24,290.00	0.00	0.00
2025	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	56,301.53	24,290.00	0.00	0.00
Report	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	59,411.03	24,290.00	0.00	0.00

Total All Charges 83,701.03

Total All Charges: Add all columns except Adjustments.



Haverhill

Economic Development and Planning

Phone: 978-374-2330

wpillsbury@HaverhillMA.gov

February 20, 2025

City Council President Thomas Sullivan

& City Councilors

City of Haverhill

10.1

FEB 24 AM 10:02
HAVCITYCLERK

RE: Zoning Amendments-

Members Present: Michael Morales
Ismael Matias
Nate Robertson
Bill Evans
April DerBoghossian
Paul Howard

Members Absent: Carmen Morales
Bobby Brown

Also Present: William Pillsbury Jr. Director of Economic Development and Planning
Melanie Sloan, Head Clerk

Dear City Council President and Councilors:

Please note at the February 12, 2025, Planning Board meeting held at 7:00 pm in the City Council Chambers the board considered the recommendation of the Planning Director, William Pillsbury, Jr. to forward a favorable recommendation to the city council on the proposed amendments. Nate Robertson read the rules of the meeting on record.

Paul: Thank you, Nate. Our first hearing is Zoning.

Bill: Mr. Chairman, if I might, I want to talk about the first 5 hearings, if we could from the zoning amendments tonight except for the battery energy storage proposal ordinance each of the other 4 zoning amendments before the board tonight for recommendations, address a variety of technical zoning changes and/or corrections. Or modifications only. These are follow-ups to the major zoning changes and recodification that we approved previously, and as is true of any major set of changes several items now require minor modifications or clarifications as they are implemented on a day-to-day basis by the building inspector and by the city department. So, these are some of the things that we have caught up with over the time period since we did the major new recodification. I'll explain each of them as part of the hearing but wish to be very clear, none of the first 4 hearings create any significant change to zoning. There are no changes to density or new allowed uses. In most cases, there was a word omission or a



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Economic Development and Planning

Phone: 978-374-2330

wpillsbury@HaverhillMA.gov

scribners error which became apparent as we applied the new ordinance to actual cases of situations. We worked closely with the city solicitor's office to prepare the proper language to clarify or correct these minor deficiencies. The ADU amendment simply takes the city's current ordinance and incorporates required compliance by the city with the new state law regarding ADU'S the city solicitor incorporated the areas that need to be updated to bring the city's ordinance into compliance with the state law. Each of these items are necessary and important and at the conclusion of the hearings I will recommend that we send favorable recommendation in the city council on each one. A new with it regards to battery storage, this is

A little different. This proposal is a new zoning category in response to new technological development, and this requires a new regulatory framework to allow for a detailed review in permitting criteria, it's called potential projects that might be filed with the city. The proposed ordinance has been developed by the city solicitor with input from the city departments. That will be heard at the city council hearing, they'll be much more debate at the city council hearing, which will happen on March 18th where the other city department will present to raise some of the issues that they have. However, what is important at this time is that the city adopted an ordinance an ordinance to put something in place for a review permitting framework because without that framework in place applicant could attempt to pursue a project in the area where the city would not be protected or found acceptable. So, the ordinance goes into great details to the size, type, and location of any proposed battery storage project tiers 2 and 3 large megawatt projects can only be in the business park zone upon a minimum specified acreage, and by special permit of the city council full development review including peer review of all technical considerations in the ordinance is required prior to action by the city council on the special permit so that all detailed information for the city specialist is in the hands of the city council. Prior to there being asked to act additional information and adjustments to this ordinance will be necessary as the new and emerging technologies continue to evolve but it is of critical importance to adopting a basic regulatory framework at this time to assure a maximum, protection for a year. As such, I'll be recommending that the board sends a favorable recommendation in the city council at the conclusion with tonight's hearing.

So again, the first hearing Mr. Chairman, as you called is for a zone line adjustment waterfront C. Let's talk about this one first. Basically, what we have with the first one is the situation when we created the waterfront zone was to include all the parcels that actually were for sale as part of the city's disposition package for the downtown. The zone lines for sub zone C ended up at Parkway and it did not incorporate the parcel adjacent to the police station which now has a temporary parking lot on it. So, between the police station and Pentucket Medical there's a parcel that was in this disposition agreement but was not included in the zone lines. The zone lines need to be adjusted to incorporate that parcel, and thereby it'll be redrawn to come up Haverhill Place along the Baily boulevard frontage and go back to Parkway, so it is basically just an adjustment including this parcel which was originally intended to be included which was not included in the waterfront C map. So, it's really a change to the map.



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Phone: 978-374-2330

wpillsbury@HaverhillMA.gov

Paul: I would close the hearing first then I'll make a recommendation. Anyone from the public wishes to speak? Seeing none, I want to close that portion of the hearing and turn all the comments from the planning Director.

Bill: With that Mr. Chairman, I would recommend a favorable recommendation on the zoning amendment to change those zone lines on waterfront C

After board consideration, Member Nate Robertson motioned to forward a favorable recommendation to the City Council as recommended by the Planning Director William Pillsbury, Jr. Member Mike Morales seconded the motion.

Member Nate Robertson - Yes
Member Bobby Brown - Absent
Member Carmen Garcia - Absent
Member William Evans - Yes
Member Aril DerBoghossian - Yes
Member Michael Morales - Yes
Member Ismael Matias - Yes
Chairman Paul Howard - Yes

Motion Passed.

Paul Howard: Mixed Use

Bill: Second hearing is for mixed use. Basically, we encountered a situation as we've worked with projects that have come forward. Though we allow mixed use in certain zones, particularly the waterfront zone, we allow mixed use in the 40R district but not in any of the other commercial districts. So, as we were encountering projects, they were coming into the building inspector and they were asking to go forward, we said it's not an allowed use, because we don't have a definition of a category of use called mixed use. So, what we are doing in this amendment is adding that to the proper zones. That would be the CN zone CC zone and the CH zone the CG zone. We are adding that as a special permit by the city council for mixed use which we further defined in the ordinance and what will enable us to have projects which have the ground floor commercial, office or whatever and the residential. Above by special permit by city council and so that's really kind of a clarification. You have it in some zone, it wasn't in all. We need to clarify the table. Any questions about that one?

Paul: I see no public here we'll close the portion of the hearing and turn over the comments.



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Phone: 978-374-2330

wpillsbury@HaverhillMA.gov

Bill: And I would recommend a favorable recommendation to the council on the mixed-use amendment.

After board consideration Member Bill Evans motioned to forward favorable recommendation to the City Council as recommended by the Planning Director William Pillsbury, Jr. Member April DerBoghossian seconded the motion.

Member Nate Robertson - Yes
Member Bobby Brown - Absent
Member Carmen Garcia - Absent
Member William Evans - Yes
Member Aril DerBoghossian - Yes
Member Michael Morales - Yes
Member Ismael Matias - Yes
Chairman Paul Howard - Yes

Motion Passed.

Paul: The next hearing is for Various zoning corrections and updates.

Bill: Thank you, Mr. Chairman, again. This one is truly a package, very thick if you have it in your hands, but you have 2 copies of it, and I know it may be a little confusing because you also have a clean ordinance and then you have a red line ordinance or a yellow line in my care. So, what is happening here is the city solicitor wanted you to have, wanted everybody to look at the entire document. Though in most cases, on a particular page there's only a change in one letter or two. So, it's really, very limited to what's being changed. I'm going to quickly go through each one. There's 14 of them, and I'm going to go quickly through them. You can stop me if you have any questions about any of them. On section 6.1.11.5 We're changing the industrial to B business and we're deleting S which is the special, which is the day section 6.1.126, we are deleting the S. 6.2.4 We are adding the text to say accept as noted below to the first sentence of the section. Section 6.2.5.9, we are changing I to B. 6.232.7, we believe in past 6.2.9 signs in the I district were changing I to B again, just getting rid of industrial and changing it to business. 7.7.1 change I to B delete S for both 1 and 2. Section 8.5.1 remove PD which is planned development and add plan development district P. So PDD adding a D. In that particular case Section 8.5.2, We're removing the abbreviation, PCD and PRD portal only identifies PDD. So, all we are doing is changing is designations and heading. Section 8.5.7 change PDA special permit to PDD zoning ordinance.

Section 9.3.14 reference to 6.1 should be 6.2 is scribners error.

Appendix A, Table 1 (Uses)

A.4 Residential, Multifamily dwelling: Should be S in BG, now N in BG. Scrivener

A.7 Congregate care housing: Should be CC in CM zone. Scrivener



Haverhill

Economic Development and Planning

Phone: 978-374-2330

wpillsbury@HaverhillMA.gov

C.5 Greenhouse or stand: Should be Y in RS zone. Scrivener

D.9 Added Health/fitness club/gym in table of uses

Older table had "Health/fitness club (an indoor athletic and exercise facility) as an allowed use in CN, CH, CG, CC, CM, IG (now BG), parking code D

F.16 Body Art Establishment: add Parking Code 'C', same as Personal service establishment (F.4)

G.2 Restaurant...: Should be Y in BP, example: Fresco Beignet space on Rogers Road

G.6 Cafeteria: Should be Y in CM, example: cafeteria at the Hospital

J.20 Warehouse: add as a separate item; used same criteria as J.10 which also includes warehousing

K.12 Accessory storage: added clearer language

Paul: There so will close the public portion and of the hearing as there's no public here and turn over comments to the planning board.

Bill: Mr. Chairman, I would recommend a favorable recommendation of the city council on that particular item.

After board consideration, Member Bill Evans motioned to forward a favorable recommendation to the City Council as recommended by the Planning Director William Pillsbury, Jr. Member Mike Morales seconded the motion.

Member Nate Robertson - Yes

Member Bobby Brown - Absent

Member Carmen Garcia - Absent

Member William Evans - Yes

Member Aril Deroghossian, Esq.- Yes

Member Michael Morales - Yes

Member Ismael Matias - Yes

Chairman Paul Howard - Yes

Motion Passed.

The hearing is that still the zoning amendments of ADU'S

Bill: Mr. Chairman, this one is basically as I mentioned earlier to bring the cities ADU ordinance into alignment with recent state law revisions again, It's really the language that you have in front of you is the additions that the city solicitor has felt unnecessary to add to our ordinance



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Economic Development and Planning

Phone: 978-374-2330

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and those will bring us into compliance with the state and those will be you furthered discussed at the city council hearing.

Paul: We will close the public part of the hearing and turn over comments to the planning director.

Bill I would recommend a favorable recommendation to the city council on the ADU modifications to comply with state law.

After board consideration Member Nate Robertson motioned to forward a favorable recommendation to the City Council as recommended by the Planning Director William Pillsbury, Jr. Member Mike Morales seconded the motion.

Member Nate Robertson - Yes

Member Boby Brown - Absent

Member Carmen Garcia - Absent

Member William Evans - Yes

Member Aril DerBoghosian, Esq.- Yes

Member Michael Morales - Yes

Member Ismael Matias -Yes

Chairman Paul Howard - Yes

Motion Passed.

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.

Signed,

Paul Howard

Paul Howard

Chairman


Cc: Zoning amendment home occupation
City Clerk (original)
City Departments
Owner/applicant/Representative



Haverhill

Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
conservation@cityofhaverhill.com

MEMO TO: William Pillsbury, Director of Economic Development and Planning

FROM: Robert E. Moore, Jr., Environmental Health Technician 

DATE: February 5, 2025

RE: Rezoning/Zoning Amendment Application: City of Haverhill

I've reviewed the forwarded materials for the various zoning changes. I only have comments on Section 7.9 Battery Energy Storage Systems. They are as follows:

- **7.9.6.1.1.** The permit process relies on a Development Review "Committee" for significant project vetting. I recommend this vetting be performed under a public review process, which development review is not. As with past special permit procedures, a review referral to the Planning Board would allow for input from these same departments and the public and would allow the Board to employ outside consultants under MGL C.44, s.53G to assist with the review.
- **7.9.6.1.2.** Tier 2 & 3 Systems are only prohibited from Zones A and I. I recommend their prohibition from the entire WSPOD. In an emergency event, the BESS is comparable to any number of Prohibited Uses under 255-9.2.6.
- **7.9.6.2.E.** Vegetation. Based on a review of online resources, I recommend adding a requirement for dense perimeter plantings (beyond the specified fire safety setbacks), such as Eastern white pine and similar species to trap/knockdown contaminant particles during a fire.
- **7.9.6.2.F.** Setbacks. As with hazmat facilities under S.163-3, BESS (at least Tiers 2 & 3) should not be located within the 500-year floodplain, an area subject to the jurisdiction of the Wetlands Protection Act, the local wetlands ordinance, or the local floodplain ordinance. The Conservation Commission already conditions against residential electrical components (i.e. Tier 1s) from being located below the 100-year flood elevation.
- **7.9.6.2.H.** Lot Size. Will the 1 acre for Tier 1 prevent homeowners from installing a BESS (e.g., a Tesla Powerwall) for their roof/yard solar?
- **7.9.6.2.L.** Failure Protection. Unclear how designs will reconcile firewater containment with rainwater. Is it all to be simply held on site?
- **7.9.6.3.A.** Mentions runoff, but runoff is prohibited under 7.9.6.2.L.
- **7.9.7.G.** For Tiers 2 & 3, should there be a requirement for the installation of groundwater monitoring wells and a testing program that establishes baseline conditions and an annual testing program for metals and any other constituents of concern?
- Considering BESS are intended to improve sustainability, should a Sustainability Assessment be provided as part of the application. A common question we face is what is the environmental loss because of clearing land for "sustainable" solar energy. I would suspect a similar public question as it relates to larger BESS.

C: R. Ward, J. D'Aoust



Haverhill

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

10.1

HAU CITY CLERK MAR12'25 9:10

March 13, 2025

TO: City Council President Thomas Sullivan and members of the Haverhill City Council

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

SUBJECT: Zoning Amendments- hearings 1-5

With the exception of the Battery energy storage systems (BESS proposed ordinance), each of the other 4 zoning amendments before the City Council tonight for approval address a variety of technical zoning changes and/or corrections/modifications. These are follow ups to the major zoning change recodification approved previously and as is true with any major set of changes, several items now require minor modification or clarification.

None of these first 4 hearings create any significant change to zoning. There are no changes to density or new allowed uses. In most cases there was a word omission or a Scriveners error which became apparent as we applied the new ordinance to actual cases or situations. We have worked closely with the city solicitors office to prepare the proper language to clarify or correct the minor deficiencies.

The ADU amendment (hearing 4) simply takes the city's current ordinance and incorporates required compliance by the city with the new state law regarding ADU's. The city solicitor has incorporated the areas that need to be updated to bring the citys ordinance on to compliance with state law.

With regards to the battery storage proposal (Hearing 5) this is in fact a new zoning category in response to new technology developments this requiring a new regulatory framework to allow for a detailed review and permitting criteria for potential projects that may be filed with the city. The proposed ordinance has been developed by the city solicitor with input from the city departments.

It is important that the city eventually adopt this ordinance to put the review/permitting framework in place because without a framework in place applicants could attempt to pursue a project in areas where the city would not be protected or find acceptable.

The ordinance goes into great detail as to the size type and location of any proposed storage project. Tier 2 or 3 (large megawatt) projects can only be located in the business park (BP) zone on a minimum specified acreage and by special permit of the city council. Full development review including peer review of all technical considerations in this



Haverhill

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

ordinance is required PRIOR to action by the city council on the special permit so that all detailed information from the city's specialists is in the hands of the council prior to their being asked to act.

Additional information and adjustments to the ordinance will be necessary as these new and emerging technologies continue to evolve, but it is of critical importance to eventually adopt the basic regulatory framework to assure maximum protection for the city.

On February 12, the Planning Board held 5 public hearings on these matters and after the close of each hearing the Planning Board voted unanimously to send favorable recommendations to the city council for approval. The minutes of these hearings are in your packages. As Planning Director I concur with these actions and recommend approval of each item presented below.

Zoning Amendments- Public Hearings

1. Zoning Map Line correction/adjustment- Waterfront Zone C Parkway to include parcel 103-3-1A

This is a request is to correct the location of a zone line on the city's zoning map to incorporate a parcel at Map 103 block 3 Lot 1A into Waterfront Zone C. The zoning change corrects the map which currently ends the zone at Park way and move it out to Bailey boulevard to include a formerly city-owned parcel which had been included in waterfront C when that zone was established, as the zone was to include all city owned parcels. **The zone line on the current map was inadvertently drawn and stopped at Park Way when it should have gone up Haverhill Place and included the vacant then city owned parcel.**

This amendment corrects the previous error on the map and places the entire site into one zone as originally intended.

The proposed map zone line change is corrective in nature to bring the parcel into conformance with common zoning practice.

Recommendation: Approve the zone line correction on the zoning map.

2. Zoning Amendment-Mixed use



Haverhill

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

This Ordinance prepared by city Solicitor Mead adds mixed use as an allowed miscellaneous commercial use into those commercial zones which allow commercial uses and also allow housing.

A mixed use building is defined as follows: "A multistory building with nonresidential uses on the first floor and may contain such uses on any other floor and may contain(1) or more residential uses on any other floor".

The addition of this language in the amendment clarifies that mixed use is allowed in those zones in which mixed use currently exists and is appropriate, and allows new projects to proceed to special permit review as an allowed use where previously there was uncertainty before.

Recommendation: Approve the zoning amendment as presented.

3. Zoning Amendment- various zoning corrections/updates

Attached please find a proposed zoning ordinance amendment prepared by City Solicitor Lisa Mead. The proposed amendments correct several areas that were not properly changed when the last major zoning update was completed. These changes in text and in tables are mostly technical in nature and clarify some areas of confusion. Most of these items were scrivener's errors and text needs to be corrected.

Your packages contain the full text of each of the changes. But to simplify I have prepared a simple table which follows that shows the simple changes being made by the amendments:

Zoning Ordinance Text

1. Section 6.1.11.2 **Change I (Industrial)to B(Business), Delete S**
2. Section 6.1.12.6 **Delete S(special)**
3. Section 6.2.4 Add text 'except as noted below' to first sentence of the section
4. Section 6.2.5.9 **Change I to B**
5. Section 6.2.7 **Delete S**
6. Section 6.2.9 Signs in the I District, **Change I to B**
7. Section 6.3.3.3b **Change I to B, Delete S**
8. Section 7.7.1 **Change I to B**
9. Section 7.7.2 **Change I to B, Delete S – both 1 and 2**
10. Section 8.5.1 **Remove (PD) and add (PDD); Find & Replace PD with PDD throughout**



Haverhill

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

11. Section 8.5.2 **Remove abbreviations (PCD) and (PRD); Portal only identifies PDD**
12. Section 8.5.7 **Change PD special permit to PDD** zoning ordinance
13. Section 9.3.14 **Reference to 6.1 should be 6.2**

14. Appendix A, Table 1 (Uses)

- A.4 Residential, Multifamily dwelling: **Should be S in BG, now N in BG. Scrivener**
- A.7 Congregate care housing: **Should be CC in CM zone. Scrivener**
- C.5 Greenhouse or stand: **Should be Y in RS zone. Scrivener**
- D.9 **Added Health/fitness club/gym in table of uses**

Older table had "Health/fitness club (an indoor athletic and exercise facility) as an allowed use in CN, CH, CG, CC, CM, IG (now BG), parking code D

- F.16 Body Art Establishment: **add Parking Code 'C', same as Personal service establishment (F.4)**
- G.2 Restaurant...: **Should be Y in BP, example: Fresco Beignet space on Rogers Road**
- G.6 Cafeteria: **Should be Y in CM, example: cafeteria at the Hospital**
- J.20 Warehouse: **add as a separate item; used same criteria as J.10 which also includes warehousing**
- K.12 Accessory storage: **added clearer language**

Recommendation: Approve the zoning amendment as presented.

4. Zoning Amendment- Accessory Dwelling Units (ADU's)

Attached please find a proposed zoning ordinance amendment prepared by City Solicitor Lisa Mead. The proposed amendments bring the city's ADU ordinance into alignment with recent State Law revisions.

Recommendation: Approve the zoning amendment as presented.

5. Zoning Amendment- Battery Energy Storage Systems



Haverhill

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

Attached please find a proposed zoning ordinance amendment prepared by City Solicitor Lisa Mead. The proposed amendment creates a regulatory framework and necessary tools for detailed and thorough review of any applications filed to create Battery storage facilities.

Recommendation: Open the hearing on the zoning amendment as presented and continue the hearing to a date recommended by the City Solicitor.

City



Hearing March 18,
Haverhill 2025

Economic Development and Planning
Phone: 978-374-2330 Fax: 978-374-2315
wpillsbury@HaverhillMA.gov

2

10.1.1

JAN 2 PM 3:42
HVCITYCLERK

DATE: January 7, 2025

MEMO TO: City Council President Thomas Sullivan and members of the Haverhill City Council

FROM: William Pillsbury, Economic Development and Planning Director

RE: Zoning Amendment- various zoning corrections/updates

Attached please find a proposed zoning ordinance amendment prepared by City Solicitor Lisa Mead. The proposed amendments correct several areas that were not properly changed when the last major zoning update was completed. These changes in text and in tables are mostly technical in nature and clarify some areas of confusion.

I request that the council refer the proposed ordinance to the planning board for a hearing to be held on February 12, 2025, and also schedule a hearing before the council on the proposed amendment shortly thereafter.

Thank you for your attention to this matter.

RECOMMENDATION: Refer the proposed amendment to the Planning BOARD FOR A HEARING ON FEBRUARY 12, 2025 and schedule a hearing on the city council agenda shortly thereafter.

IN CITY COUNCIL: January 7 2025 REFER TO PLANNING BOARD AND
VOTED: that COUNCIL HEARING BE HELD MARCH 18 2025

Attest: _____ City Clerk



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950
Phone 978.463.7700

www.mtclawyers.com

December 10, 2024

Via Electronic Mail

Thomas J. Sullivan, President, City Council
4 Summer Street
Room 204
City of Haverhill
Haverhill, MA 01830

Re: Zoning Ordinance Updates

Dear President Sullivan,

Reference is made to the above captioned matter. In that connection, the City has provided us with comments and markups related to updating the City's Zoning Ordinance. Please find transmitted along with this letter a Municipal Ordinance document and the associated redlines, updating the following sections of said Zoning Ordinance:

1. Section 6.1.11.2
2. Section 6.1.12.6
3. Section 6.2.4
4. Section 6.2.5.9
5. Section 6.2.7
6. Section 6.2.9
7. Section 6.3.3.3b
8. Section 7.7.1
9. Section 7.7.2
10. Section 8.5.1
11. Section 8.5.2
12. Section 8.5.7
13. Section 9.3.14
14. Appendix A, Table 1

Sincerely,

/s/ Lisa Mead (RSC)

Lisa L. Mead and Ryan S. Clemens, City Solicitors

Encl.

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054

New Bedford Office
227 Union Street, Suite 606
New Bedford, MA 02740



2-B

Document 2-B

CITY OF HAVERHILL

In Municipal Council January 7 2025

Filed
8 Oct 1910 pages
JAN 2 PM 3:42
HVCITYCLERK

10.11.1

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 255

ZONING ORDINANCE

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255 – ZONING, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows;

§ 6.1.11. Location of Parking and Loading Spaces.

1. Required off-street parking and loading spaces shall be provided on the same lot as the principal use they are required to serve or, when practical difficulties as determined by the Board prevent their establishment upon the same lot, they shall be established no further than 300 feet from the premises to which they are appurtenant.
2. No off-street parking space for a use permitted in any C or B District shall be allowed in any R District except within 100 feet of and with driveway access from such C or B District and when screened as required herein and only when permitted by the Board.
3. For residential uses (one-, two- or three-family), parking in the front yard shall be allowed only in the driveway or in a backup strip adjacent to the driveway. Any paved areas including the driveway shall not cover more than 50% of the front yard.
4. For nonresidential uses, a fifteen-foot-wide landscaped strip shall be provided between the parking area and the street right-of-way except in a CC District and a CM District where a minimum of an eight-foot-wide landscaped strip shall be provided.

§ 6.1.12. Parking and Loading Space Standards.

All parking and loading areas containing over five spaces, including automotive and drive-in establishments of all types, shall be either contained within structures, or subject to the following:

1. The parking area and access driveways thereto shall be surfaced with bituminous or cement concrete material and shall be graded and drained so as to dispose of all surface water accumulation.
2. A substantial bumper of masonry, steel, granite or heavy timber, or a concrete curb or berm curb which is backed, shall be placed at the edge of surfaced areas except driveways in order to protect abutting structures, properties and sidewalks and screening materials.

For Hearing March 18 2025

3. Any fixture used to illuminate any area shall be so arranged as to direct the light away from the street and away from adjoining premises used for residential purposes.
4. There shall not be any vehicle repair or gasoline or oil service facilities or any repair made to any motor vehicles except on a lot occupied by a permitted automotive use. Any gasoline or oil facilities shall be at least 25 feet from any lot line.
5. There shall not be any storage of materials or equipment or display of merchandise within required parking area except as part of approved building operations or by approval of the proper authority.
6. Parking shall not be located within the required front yard area in any R District and must be set back from the front property line at least five feet in any CN District and 20 feet in any CH or BP District.
7. Parking and loading spaces other than those required for single- and two-family dwellings shall be so arranged as not to permit backing of automobiles onto any street.
8. Any portion of any entrance or exit driveway shall not be closer than 50 feet to the curbline of an intersecting street.
9. Any two driveways leading to or from a street to or from a single lot shall not be within 30 feet of each other at their intersections with the front lot line.
10. Any entrance or exit driveway shall not exceed 30 feet in width at its intersection with the front lot line.
11. Back-to-back parking spaces are not allowed for the service of multifamily dwellings.

§ 6.2.4. Temporary Signs.

The following signs shall be permitted anywhere within the City but in no circumstance for more than six months, except as noted below. The sign shall not be illuminated and shall not require a permit:

1. Construction signs which identify the architects, engineers, contractors and other individuals or firms involved with the construction, but not including any advertisement of any product, and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, to a maximum sign area of 16 square feet for each firm. The signs shall be confined to the site of the construction and shall be removed within 14 days of the beginning of the intended use of the project and/or completion of the construction project. One such sign for each firm involved with the construction may be placed facing each street frontage.
2. Real estate signs advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed, up to a total area of 12 square feet. Such signs shall be removed within 14 days of the sale, rental or lease.
3. Nonprofit or governmental signs advertising a community event may be installed 14 days in advance of the event and shall be removed within four days after the event, not to exceed a size of 12 square feet.
4. Political campaign signs announcing the candidates seeking public political office and other data pertinent thereto, up to a maximum total sign area of 64 square feet per candidate or

ballot issue for each property. These signs shall be confined within private property.

5. Show window signs in a display of merchandise when incorporated with such a display. They need not be related in content with the display. However, the total sign area shall not exceed 25% of the window area through which they are viewed.

§ 6.2.5. Exempt Signs.

The following types of signs are exempted from all the provisions of this chapter, except for construction and safety regulations and the following requirements:

1. Public signs of a noncommercial nature and in the public interest erected by, or on the order of, a public officer in the performance of his public duty, such as safety signs, danger signs, trespassing signs, traffic signs, street signs, memorial plaques, signs of historical interest, signs designating a public project, public school, or improvement program and the like.
2. Institutional signs setting forth the name or any simple announcement for any public institution located entirely within the premises of that institution, up to a maximum sign area of 24 square feet. Such signs may be illuminated in accordance with the regulations contained herein. If building-mounted, these signs shall not project above the roofline. If ground-mounted, the sign shall not exceed a height of six feet above ground level.
3. Integral signs, names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent-type construction and made an integral part of the structure.
4. Private traffic direction signs directing traffic movement onto a premises or within a premises, not exceeding a maximum sign area of five square feet for each sign. Illumination of these signs shall be as permitted herein. Horizontal direction signs on and flush with the paved surface areas are exempt from these standards.
5. Shipping and receiving space signs, provided that they do not exceed a surface area of four square feet.
6. Signs on vehicles of any kind are exempt.
7. Holiday decorations of any kind are exempt.
8. Fraternal or service organizations. Nonaccessory signs which identify fraternal societies or service organizations within the City of Haverhill, provided that such signs shall not exceed a sign surface area of eight square feet. Such a sign may be illuminated in accordance with the regulations contained herein.
9. Political campaign headquarters' signs, provided that the headquarters are located within any C or B District, and the campaign signs are located within a building housing such headquarters

§ 6.2.7. Signs Permitted in Any R District.

1. Accessory. Signs shall be limited to only the accessory type.
2. Wall, Projecting or Freestanding. One sign, either a wall, projecting or freestanding type, shall be permitted, provided that it does not project or extend beyond a point which lies 10 feet within any side or front lot line, and further provided that no freestanding sign shall be higher than six feet.
3. Professional Identification. One professional or medical building accessory sign, provided that such

a sign shall not exceed 7.5 square feet on any one face and not more than 15 square feet in total surface area and one professional nameplate for each professional practitioner, provided that it does not exceed an area of 12 square inches and is mounted flush with the wall or door.

4. **Occupancy Identification.** One accessory sign for each dwelling unit, provided that such a sign shall not exceed two square feet in surface area and shall not be used other than for identifying the occupancy.
5. **Apartment Identification.** One sign may be erected to identify a multifamily development of 10 or more units, provided that it shall not exceed 10 square feet in surface area.
6. **Community Facility Identification.** One accessory sign for each funeral establishment, hospital, church, other place of public assembly, community facility or public utility use, provided that it shall not exceed 10 square feet in surface area.

§ 6.2.9. Signs Permitted in Any B District.

Signs may include both accessory and nonaccessory types as follows.

1. **Wall Signs (Accessory).**
 - a. One wall sign for each lot frontage shall be allowed. Where frontage is on more than one street, only the sign computed with the frontage of that street shall face or be visible from that street.
 - b. A total sign area of one square foot for each linear foot of building frontage shall be permitted, not to exceed a maximum sign area of 120 square feet per building frontage in any BG or BP District.
2. **Projecting or Freestanding Signs (Accessory).** One sign per lot frontage, either projecting or freestanding, may be erected within any I District. Where frontage is on more than one street, only the sign computed with the frontage of that street shall serve that street.
3. **Projecting Signs (Accessory).** A total sign area of one square foot for each linear foot of building frontage shall be permitted, not to exceed a maximum sign area of 120 square feet per building frontage in any BG or BP District.
4. **Freestanding Signs (Accessory).**
 - a. A total sign area of one square foot for each linear foot of lot frontage shall be permitted, not to exceed a maximum sign area of 120 square feet per lot frontage in any BG or BP District.
 - b. A freestanding sign placed at the intersection of two or more public roads, or so placed as to serve two or more such roads simultaneously, shall be no larger than one square foot for each linear foot of the longest lot frontage served by the sign or a maximum sign area for the district in which the sign is located, whichever is the smaller.
 - c. No two separate freestanding signs on any one lot shall be closer together than 400 feet, measured as a direct distance between them.

§ 6.3.3. Standards.

The following standards shall apply to applications for special permits or for development review pursuant to § 10.1.4 for a multifamily, nonresidential, or mixed use:

...

3. Landscaping.

12-12-1

...

- b. Screening and buffer area in B or C Districts. A screening and buffer area shall be required in any B or C District which adjoin or abut an R District at the side or rear of the property. This screening must consist of any one of, or some combination of, the following:

- (1) A solid fence or wall not less than six feet in height.
- (2) Evergreen shrubbery placed in two rows, with at least three feet between rows. There shall be at least three feet from the center line of the row adjacent to the lot line and said lot line. There shall be at least three feet from the center line of the row furthest from the lot line and the nearest paved area or building. The plants in each row shall be no more than four feet apart, and the plants in one row shall be staggered in relation to the plants in the other row. All plant materials shall be at least three feet in height at the time of planting and shall be maintained at maturity between five and six feet in height.
- (3) Shrubby shall be selected from the species set forth in the Development Review Rules and Regulations.
- (4) Trees (or large-scale shrubs) placed in two rows, with at least 10 feet between rows. There shall be at least six feet from the center line of the row adjacent to the lot line and said lot line. There shall be at least six feet from the center line of the row furthest from the lot line and the nearest paved area or building. The plants in each row shall be no more than 20 feet apart, and the plants in one row shall be staggered in relation to the plants in the other row. At least 1/2 of the selected trees for screening purposes under this method shall be of an evergreen variety. Such trees shall be at least three feet in height if of the evergreen variety or two-inch caliper if of the deciduous variety at the time of planting. Trees (or large-scale shrubs) shall be selected from the species set forth in the Development Review Rules and Regulations.
- (5) The screening required by this section shall be set back 15 feet from each front lot line. The required screening, whether fencing or plant materials, shall be maintained in good condition.
- (6) The use of existing plant material and/or natural topography or any other method of screening entirely different from or in combination with the above may be utilized, provided that written approval of same is obtained from both the City of Haverhill's Director of Natural Resources and Director of Planning and Development.

....

§ 7.7.1. Access from R District.

Access from any R Zoning District to an existing roadway which must pass through or into any other R Zoning District or through any C or B District is permitted.

§ 7.7.2. Access from I or C District.

1. Access from any B or C Zoning District to an existing roadway which must pass through or into any other B or C Zoning District is permitted.

10-2-1

2. Access from any B or C Zoning District to an existing roadway which must pass through an R Zoning District may be permitted by a special permit issued by the Board of Appeals.

§ 8.5. PLANNED DEVELOPMENT DISTRICT (PDD).

§ 8.5.1. Purpose and Intent.

The Planned Development District (PDD) is intended to:

1. Permit an entity to propose, and for City Council vote, a development proposal that specifies a mixture of commercial, business, residential, open space or other uses and the site development requirements to be used for a specific site.
2. Permit some flexibility in the development of individual tracts of land by required and predetermined standards.
3. Permit the use of development standards tailored to a specific site and more detailed than those for the standard zoning districts.
4. Permit the City to evaluate the potential impacts of a proposed development and to authorize the Council, as the special permit granting authority (SPGA), to require that the development of the site substantially conforms to site development standards approved as part of the rezoning to PDD and intended to mitigate or compensate for the potential impacts.

§ 8.5.2. Types.

There are two types of Planned Development Districts:

1. Planned Commercial Development District. Primarily commercial, business and other nonresidential uses alone or in combination.
2. Planned Residential Development District. Primarily residential uses alone or in combination with nonresidential uses.

§ 8.5.3. Procedures.

A Planned Development District requires an amendment to this Zoning Ordinance. The PDD does not have any minimum lot size and there is no minimum lot area required to seek a rezoning to the PDD. Applicants for a PDD shall observe the following procedures in order to promote review of the proposed amendment and to facilitate public-private cooperation in the establishment of the PDD.

1. Pre-Application Review. Applicants are strongly encouraged to schedule a pre-application review with the Planning Department. Pre-application review should precede the preparation of detailed plans or specifications. For the pre-application review, an applicant will submit a project description that describes the uses to be proposed and the benefits to the City from those uses.
2. Ordinance Submission. The applicant shall submit a proposed amendment to this chapter for the PDD rezoning in consultation with the Planning Department and the City Solicitor. The proposed amendment shall contain the requirements set forth in § 8.5.5. The finalized amendment shall be presented to the City Council for approval of the proposed PDD. The Planning Department shall prepare the text of the proposed amendment and locate the new district on the Zoning Map.
3. Statutory Requirements. The zoning amendment shall thereafter be processed in accordance with

MGL c. 40A, s. 5 and § 1.6 of this chapter.

10-2-11

§ 8.5.4. Lapse.

The development and uses approved in a rezoning to PDD must be commenced within two years; and, if not commenced within two years, the development of the property shall be governed by the provisions presently in effect in the zoning district for which the land was zoned immediately prior to its inclusion in the PDD.

§ 8.5.5. Submission Requirements for a PDD Rezoning Ordinance.

The application for a PDD rezoning shall include a preliminary plan and the required submission fee.

1. Submission Fee. The SPGA shall specify submission fees for a PDD rezoning in its rules and regulations. In no case shall the fee be less than \$850. The required fee shall be submitted with the rezoning request and preliminary plan.
2. A preliminary plan which shall include the following at a level of detail sufficient to enable a peer review, if required by the SPGA:

...

g. A property rights and dimensional standards plan showing:

- (1) The location of existing easements or other property rights affecting the development;
- (2) The approximate locations of any sections of the land to which the City may be granted property rights, other easements or transfer of ownership for street, utility, conservation or other purposes;
- (3) The anticipated division of the property into parcels in private ownership, if any, if it affects zoning provisions;
- (4) The yard setback, in feet, for buildings and parking lots from lot lines and, where applicable, a zoning district boundary, a brook or a pond. The plan shall specifically show appropriate setbacks to adjacent Residential Districts, Business Districts, Business Districts, and PDDs, considering the development potential of any vacant land in such districts using the setback requirements set forth in Section 4.0;

...

- j. In addition to the submission requirements outlined in this section, the SPGA may impose additional submission requirements through the adoption of rules and regulations for a PDD rezoning.

§ 8.5.7. Criteria for Approval.

The SPGA may approve the PDD zoning ordinance if the SPGA finds that all the following conditions are met:

1. The site development and use plan is substantially in conformance with the PDD rezoning ordinance approved by the Council. The SPGA may permit insubstantial changes in view of the more detailed survey and engineering design provided that they do not conflict with the intent of the PDD rezoning ordinance.
2. The PDD rezoning ordinance approved by City Council and the site development and use plan are incorporated into the PDD zoning ordinance by reference.

10,2,1

3. Methods satisfactory to the SPGA of ensuring the performance of any special conditions included in the PDD rezoning ordinance have been submitted by the developer.
4. Any land designated as common open space on the PDD rezoning ordinance shall, at the SPGA's discretion, be either conveyed to the City or protected by an easement granted to the City.
5. The SPGA reserves the right to require that up to 20% of all new housing units be made affordable to persons of low and moderate income, according to the standards of the state and/or City, as determined by the SPG.
6. The project meets the evaluation criteria specified in this section and the SPGA's rules and regulations.
7. The SPGA in granting a PDD zoning ordinance may impose such additional conditions as the SPGA finds will serve the public interest and are consistent with the intent of the PDD rezoning ordinance.
8. The SPGA may deny an application for PDD zoning ordinance and base its denial on the finding that the development proposed in the site development and use plan did not meet one or more of these criteria for approval.
9. In the event the SPGA determines that the site development and use plan is not in substantial conformance with the PDD rezoning ordinance, the application for a PDD zoning ordinance shall be denied. The applicant shall be required to submit a new PDD rezoning ordinance and zoning amendment to the City Council in order to proceed.

§ 8.5.8. Changes in a Site Development and Use Plan.

Changes in uses or substantial changes in the site development from that shown on the site development and use plan, referenced in the PDD zoning ordinance, are not permitted without the approval by the SPGA. A new PDD rezoning ordinance must be submitted in accordance with the procedures outlined herein.

§ 8.5.A.9. Signs.

Signs associated with multifamily dwellings and commercial buildings shall respectively be consistent with the overall size of the total project in the BRPRD and reviewed by the City during development review. Signs built with landscaping and ground lighting are encouraged.

§ 8.5.B.8. Signs.

Signs associated with multifamily dwellings and commercial buildings shall respectively be consistent with the overall size of the total project in the OCPRD and reviewed by the City during development review. Signs built with landscaping and ground lighting are encouraged.

§ 9.3.14. Signs.

All signage shall follow the requirements as set forth in § 6.2 of this chapter. In addition, projects in the WD must meet the following: Any application for signage or awnings on Merrimack Street under the waterfront zoning ordinance shall require design review and approval by the Planning Director prior to the issuance of permits to ensure compliance with the ordinance. The Building Inspector shall forward permit applications and not issue permits for signage without prior approval of the Planning Director. The Planning Director may engage peer review of the signage application, if warranted, to ensure compliance with the ordinance.

....

1997

TABLE 1: TABLE OF USE AND PARKING REGULATIONS

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
A. RESIDENTIAL USES															
4. Multifamily dwelling	N	N	N	N	CC	CC	CC	N	CC	CC	N	N	S	N	K ³
7. Congregate care housing	CC	CC	CC	CC	CC	CC	N	N	N	N	CC	N	N	N	J

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
C. AGRICULTURAL USES															
5. Greenhouse or stand for wholesale and retail sale of agricultural or farm products raised primarily on the same premises, nonexempt	Y	Y	Y	N	N	N	Y	Y	Y	N	N	N	N	N	S

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
D. RECREATIONAL USES															
9. Health/Fitness club (indoor athletic and exercise facility)	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y	N	D

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
F. RETAIL AND SERVICE USES															
16. Body art establishment, subject to compliance with Board of Health Regulations	N	N	N	N	N	N	N	Y	Y	Y	N	Y	Y	Y	C

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
G. EATING, DRINKING, AND ENTERTAINMENT ESTABLISHMENTS															
2. Restaurant, coffee shop, diner, luncheonette, and sandwich shop, with drive-through	N	N	N	N	N	N	N	Y	N	N	N	N	Y	N	W
6. Cafeteria	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y	N	V

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
J. WHOLESALE, TRANSPORTATION, INDUSTRIAL USES (cont'd)															
20. Warehouse	N	N	N	N	N	N	N	BA	N	N	N	N	Y	Y	O

[illegible]

10.2.1

yards and shall not be used for dwelling or sleeping purposes															
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

APPROVED AS TO LEGALITY:

City Solicitor

PLACED ON FILE for at least 10 days

Attest:

City Clerk



3

Hearing March 18, 2025

Haverhill

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

110.2.1.2

JAN 2 PM 3:42
 HAVCITYCLERK

January 7, 2025

TO: City Council President Thomas Sullivan and members of the Haverhill City Council

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

**SUBJECT: Zoning Amendment- Zone Line adjustment- Waterfront Zone C
 Parkway to include parcel 103-3-1A**

Attached please find the following corrective zone line adjustment and request that the city council refer the item to the planning board for a hearing and to make a recommendation to the city council and that the city council schedule a hearing on the matter.

This is a request is to change the location of a zone line to incorporate a parcel at Map 103 block 3 Lot 1A into Waterfront Zone C. The zoning change would move the zone line which currently ends the zone at Park way and move it out to Baily boulevard to include a formerly city-owned parcel which should have been included in waterfront C when that zone was established, as the zone was to include all city owned parcels. The zone line was inadvertently drawn and stopped at Park Way when it should have gone up Haverhill Place and included the vacant then city owned parcel.

This amendment corrects the previous error in the map and places the entire site into one zone as originally intended.

The proposed zone line change is corrective in nature to bring the parcel into conformance with common zoning practice.

Please refer the matter to the Planning board for a recommendation hearing and schedule a hearing before the city council for action.

**Recommendation: Refer to the Planning board for a recommendation hearing and
 schedule a hearing before the city council for action.**

IN CITY COUNCIL: January 7 2025

REFER TO PLANNING BOARD and

VOTED: that COUNCIL HEARING BE HELD MARCH 18 2025

Attest:

 City Clerk



3-B

DOCUMENT 3-B

Filed
10.2.12

CITY OF HAVERHILL

In Municipal Council January 7 2025

ORDERED:

JAN 2 PM 3:42
HAVCITYCLERK

MUNICIPAL ORDINANCE

CHAPTER 255

AN ORDINANCE RELATING TO ZONING

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 255, Zoning as amended, be and is hereby amended as follows:

Amend the zoning map to modify the zone line of waterfront sub zone C, at Parkway to include parcel 103-3-1A which was inadvertently not included when zone C was created, and which is set forth on the map attached here to as exhibit A dated 12/2/24.

PLACED ON FILE for at least 10 days

Attest:

City Clerk

For Hearing March 18, 2025

*Hearing March 18, 2025*

Haverhill

Economic Development and Planning
Phone: 978-374-2330 Fax: 978-374-2315
wpillsbury@haverhillma.gov

4

10.2.1.3 (3)

JAN 2 PM 3:42
HVCITYCLERK

DATE: January 7, 2025

MEMO TO: City Council President Thomas Sullivan and members of the Haverhill City Council

FROM: William Pillsbury, Economic Development and Planning Director

RE: Zoning Amendment- Mixed Use

Attached please find a proposed zoning ordinance amendment prepared by City Solicitor Lisa Mead. The proposed amendment creates a regulatory framework and necessary tools for detailed and thorough review of any applications filed to create Mixed use projects in the city.

I request that the council refer the proposed ordinance to the planning board for a hearing to be held on February 12, 2025, and also schedule a hearing before the council on the proposed amendment shortly thereafter.

Thank you for your attention to this matter.

RECOMMENDATION: Refer the proposed amendment to the Planning BOARD FOR A HEARING ON FEBRUARY 12, 2025 and schedule a hearing on the city council agenda shortly thereafter.

IN CITY COUNCIL: January 7 2025
REFER TO PLANNING BOARD AND VOTED:
THAT COUNCIL HEARING BE HELD MARCH 18 2025
Attest;

City Clerk



4-B

Document 4-B

CITY OF HAVERHILL

In Municipal Council January 7, 2025

Filed
10.2.13

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 255

ZONING ORDINANCE

JAN 2 PM3:42
HAVCITYCLERK

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255 – ZONING, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows;

§ 11.1. Definitions.

MIXED-USE BUILDING — A multistory building with nonresidential uses on the first floor and may contain such uses on any other floor and also may contain one (1) or more residential units on any other floor.

APPENDIX A

TABLE 1: TABLE OF USE AND PARKING REGULATIONS

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
I. MISCELLANEOUS COMMERCIAL USES (cont'd)															
24. Mixed Use	N	N	N	N	N	N	CC	CC	CC	CC	N	N	N	N	N

Notes to Use Table

- I. For all Mixed Use buildings, parking shall be provided cumulatively for each use in the building.

APPENDIX B

TABLE 2: TABLE OF DIMENSIONAL AND DENSITY REGULATIONS

NOTES:

- 22 Mixed Use: for all Mixed Use buildings, the dimensional requirements shall be those which are applicable to those uses which are on the first floor of the building.

And to hereby authorize the City Clerk to make any and all adjustments or corrections to the Ordinance as necessary to maintain conformity with Orders from this City Council.

APPROVED AS TO LEGALITY:

City Solicitor

PLACED ON FILE for at least 10 days

Attest:

City Clerk

For Hearing March 18, 2025



Hearing March 18
Haverhill 2025

Economic Development and Planning
Phone: 978-374-2330
wpillsbury@HaverhillMA.gov

10.2.1.4

1211

HAV CITY CLERK JAN 10/25 2:52

DATE: January 10, 2025

MEMO TO: City Council President Thomas Sullivan and members of the Haverhill City Council

FROM: William Pillsbury, Economic Development and Planning Director

RE: Zoning Amendment- Accessory Dwelling Units (ADU's)

Attached please find a proposed zoning ordinance amendment prepared by City Solicitor Lisa Mead. The proposed amendments bring the city's ADU ordinance into alignment with recent State Law revisions.

I request that the council refer the proposed ordinance to the planning board for a hearing to be held on February 12, 2025, and also schedule a hearing before the council on the proposed amendment shortly thereafter.

Thank you for your attention to this matter.

RECOMMENDATION: Refer the proposed amendment to the Planning BOARD FOR A HEARING ON FEBRUARY 12, 2025 and schedule a hearing on the city council agenda shortly thereafter.

IN CITY COUNCIL: January 14 2025

REFER TO PLANNING BOARD AND

VOTED: THAT COUNCIL HEARING BE HELD MARCH 18 2025

Attest:

City Clerk



Mead, Talerman & Costa, LLC
Attorneys at Law

227 Union Street
Suite 606
New Bedford, MA 02740
www.mtclawyers.com

January 9, 2024

By Electronic Delivery

Thomas J. Sullivan
City Council President
Haverhill City Council
4 Summer Street,
Room 204
Haverhill, MA 01830

Re: ADU Ordinance Amendments

Dear Mr. Sullivan:

Reference is made to the above captioned matter. In that connection, the City has requested that we provide draft amendments to the City's Accessory Dwelling Unit ("ADU") ordinance, to bring it current with the recent legislative updates in §§ 7 and 8 of Chapter 150 of the Acts of 2024.

We have drafted the attached proposed ordinance amendments which reflect the legislative intent to provide for expanded ADU access in those zoning districts in which single-family residential uses are permitted and to bring certain definitions and conditions current with the legislation. Those changes are set forth in strikethroughs and bold/underlined text.

Please let me know if you have any questions or require any further information.

Sincerely,

Lisa

Lisa Mead, City Solicitor

/PCV

Enclosure(s)

cc: Melinda E. Barrett, Mayor

Newburyport Office
30 Green Street
Newburyport, MA 01950

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054
Phone/Fax 508.376.8400



Document 15-B

CITY OF HAVERHILL

In Municipal Council January 14 2025

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 255

ZONING ORDINANCE

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255 – ZONING, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows (changes in bold, strikethrough and underline);

§ 8.1.1 Definitions.

1. **"By Right" Accessory Dwelling Unit "ADU" : A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is smaller; and (iii) is subject to such additional restrictions as may be imposed by the City, including, but not limited to, additional size restrictions and restrictions or prohibitions on short-term rental, as defined in section 1 of M.G.L chapter 64G; provided, however, that the City shall not unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term rental.**
2. **Single Family Residential Zoning District: The RS, RR, RL, RM, RH, and RU zoning districts.**

§ 8.1.2. Permitting Requirements.

5. **Other than a single By Right ADU in a single-family residential zone, A**~~an~~ ADU in an existing detached building designed to be accessory to the principal structure, such as a garage, barn, or carriage house on a single-family lot, two-family lot, or multifamily lot shall require the issuance of a special permit by the Board of Appeals in compliance with the provisions of this section.
6. **Other than a single By Right ADU in a single-family residential zone, an**~~A~~ ADU constructed within a new detached accessory building shall require the issuance of a special permit by the Board of Appeals, shall not be eligible for zoning dimensional relief by variance, and shall only be constructed on a single-family lot.

§ 8.1.3. Application.

The application for a building permit and/or occupancy permit for a By Right ADU or **where**

ADU 15-B

applicable an application for a special permit for an ADU shall include a site plan, the floor plan of the principal dwelling, and a floor plan of the proposed ADU.

1. All ADU's shall be clearly subordinate in use, size, and design to the principal dwelling.

§ 8.1.4. General Conditions and Requirements for All Accessory Dwelling Units.

1. Other than for a single By Right ADU in a single-family residential zone, ~~The~~ owner of the lot on which the ADU is created must continue to occupy either the principal dwelling unit or the ADU, except for temporary absences of up to six months. For purposes of this subsection, the "owner" shall be one or more individuals who hold record title, or hold a majority of the beneficial interests in a trust holding title, to the lot and for whom either dwelling unit is the primary residence for voting and tax purposes.

§ 8.1.5. Use and Dimensional Requirements.

Other than a single By Right ADU in a single-family residential zone, ~~An~~ ADU shall not exceed 1,200 square feet or 40% of the living space (square feet) of the size of the existing building or structure, whichever is less. Other than a single By Right ADU in a single-family residential zone, ~~An~~ ADU in a new detached building shall not exceed 1,200 square feet or 50% of the living space (square feet) of the size of the existing structure, whichever is less. Other than a single By Right ADU in a single-family residential zone, ~~An~~ ADU in an existing detached building shall not exceed 1,200 square feet or 50% of the living space (square feet) of the size of the existing structure, whichever is less.

1. Other than a single By Right ADU in a single-family residential zone, ~~An~~ ADU shall not contain less than 350 square feet of habitable space.
8. One off-street parking space shall be provided for ~~the~~ the ADU in addition to the parking required for the principal dwelling unit(s), unless the By Right ADU meets the exemptions as permitted under G.L. c. 40A sec. 3 and 760 CMR 71.03(2)(b) as amended.
9. Electricity, water, oil, heat, and gas shall be provided by a single service to both the ADU and the principal dwelling and, if the By Right ADU is a rental unit, ~~is~~ included in the rent.
13. The ADU shall be clearly subordinate in use, size, and design to the principal dwelling.
14. The ADU ~~most~~ must be capable of being discontinued as a separate dwelling unit without demolition of any structural component of the principal dwelling.

APPENDIX A

TABLE 1: TABLE OF USE AND PARKING REGULATIONS

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
A. RESIDENTIAL USES															
<u>13. Accessory Dwelling Unit</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>

And to hereby authorize the City Clerk to make any and all adjustments or corrections to the Ordinance as necessary to maintain conformity with Orders from this City Council.

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APPROVED AS TO LEGALITY:

City Solicitor

PLACED ON FILE FOR AT LEAST 10 days

Attest:

City Clerk



Hearing March 18, 2025
Haverhill

Economic Development and Planning
Phone: 978-374-2330 Fax: 978-374-2315
wpillsbury@HaverhillMA.gov

DATE: January 7, 2025

MEMO TO: City Council President Thomas Sullivan and members of the Haverhill City Council

FROM: William Pillsbury, Economic Development and Planning Director

RE: Zoning Amendment- Battery Energy Storage Systems

Attached please find a proposed zoning ordinance amendment prepared by City Solicitor Lisa Mead. The proposed amendment creates a regulatory framework and necessary tools for detailed and thorough review of any applications filed to create Battery storage facilities.

I request that the council refer the proposed ordinance to the planning board for a hearing to be held on February 12, 2025, and also schedule a hearing before the council on the proposed amendment shortly thereafter.

Thank you for your attention to this matter.

RECOMMENDATION: Refer the proposed amendment to the Planning BOARD FOR A HEARING ON FEBRUARY 12, 2025 and schedule a hearing on the city council agenda shortly thereafter.

IN CITY COUNCIL: January 7 2025
REFER TO PLANNING BOARD AND VOTED THAT
COUNCIL HEARING BE HELD MARCH 18 2025
Attest:

City Clerk

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HVCITYCLERK

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MUNICIPAL ORDINANCE CHAPTER 255 Zoning

Filed
8 Octavo pages
10.2.1.5

**AN ORDINANCE RELATING TO AMENDING CHAPTER 255, ZONING BY ADDING A NEW
SECTION 7.9 BATTERY ENERGY STORAGE SYSTEMS**

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255, Zoning, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows by inserting the following new section 7.9 entitled "Battery Energy Storage Systems";

§7.9 BATTERY ENERGY STORAGE SYSTEMS

§7.9.1. Purpose.

The purpose of this Section is to advance and protect the public health, safety, welfare, and quality of life by creating regulations for the installation and use of free-standing battery energy storage systems ("BESS"), with the following objectives:

- A. To provide a regulatory scheme for the location, construction and operation of free-standing BESS consistent with best practices and safety protocols;
- B. To ensure compatible land uses in the vicinity of the areas affected by BESS and to mitigate any potential impacts on abutting and nearby properties; and
- C. To mitigate the impacts of BESS on environmental resources such as agricultural lands, forests, wildlife, wetlands and other natural resources.

This Section shall be construed to be consistent with state law, including but not limited to the provisions of General Laws chapter 40A, section 3, and state regulations, including but not limited to the provisions of the State Building Code, State Fire Code, and State Electrical Code. In the event of any conflict between the provisions of this section and the provisions of state law or regulations, the state law and regulations shall prevail.

7.9.2. Definitions.

See "battery energy storage systems" in Section 11.0

7.9.3 Applicability.

- A. The requirements of this ordinance shall apply to BESS permitted, installed, decommissioned or modified after the effective date of this ordinance, excluding general maintenance and repair. BESS subject to this ordinance are only those that exceed the following capacities:

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- Lead-acid with a capacity of greater than 70 kW
- Nickel with a capacity of greater than 70 kW
- Lithium-ion with a capacity of greater than 30 kW
- Sodium nickel chloride with a capacity of greater than 20 kW
- Flow with a capacity of greater than 20 kW
- Other battery technologies with a capacity of greater than 20 kW

B. Only BESS that meet the criteria herein shall be permitted under this ordinance. BESS permitted under and subject to this ordinance shall be classified either as a Tier 1, Tier 2 or Tier 3 BESS as set forth herein. All sizes noted in this section shall include the total capacity of the proposed facility and not refer solely as a limitation on total export. For avoidance of doubt, a proposed system which has an export capacity of 50 MW but has a total storage or redundancy capacity of 100 MW shall be treated as a 100 MW system.

1. Tier 1 BESS have an aggregate capacity less than or equal to 500 kW, derive 51% or more of their power from Solar Energy Systems as defined herein, and, if in a room or enclosed area, consist of only a single energy storage system technology.
2. Tier 2 BESS consist of those which meet one or more of the following criteria;
 - a. have an aggregate energy capacity greater than 500kW and less than 5 MW, but no greater than 5 MW;
 - b. are comprised of more than one storage battery facility in a room or enclosed area;
 - c. derive less than 51% of their power from Solar Energy Systems as defined herein.
3. Tier 3 BESS consist of those which meet one or more of the following criteria;
 - a. have an aggregate capacity greater than 5 MW, but no greater than 200MW;
 - b. are comprised of more than one storage battery facility in a room or enclosed area;
 - c. derive less than 51% of their power from Solar Energy Systems as defined herein.

§ 7.9.4. General Requirements

- A. All permits required by state codes, including but not limited to building permit, an electrical permit, and a fire department permit shall be required for installation of all BESS.
- B. All BESS, all Dedicated Use Buildings, and all other buildings or structures that (a) contain or are otherwise associated with a battery energy storage system; and (b) subject to the requirements of the State Building Code, shall be designed, erected, and installed in accordance with all applicable provisions of the State Building Code

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780 CMR, State Fire Code 527 CMR 1.00, and State Electrical Code 527 CMR 12.00. All BESS shall comply with NFPA 855, Standard for the Installation of Stationary Energy Storage Systems.

- C. Energy storage system capacities, including array capacity and separation, are limited to the thresholds contained in NFPA 855.

§ 7.9.5. Permitting Requirements for Tier 1 BESS

Tier 1 BESS are allowed by right in all zoning districts, subject to applicable provisions of the State Building Code, Electrical Code, Fire Code, and other applicable codes, and are subject to site plan review in accordance with section 10.8 hereof and such provisions of this ordinance as are applicable.

Tier 1 BESS and appurtenances shall be prohibited in the Zone A and Zone 1 public water supply protection areas.

§ 7.9.6. Permitting Requirements for Tier 1, Tier 2 and Tier 3 BESS

§ 7.9.6.1 Special Permit Required. Tier 2 and Tier 3 BESS subject to this ordinance require the issuance of a Special Permit in those zoning districts identified in Appendix A, Table 1, and are subject to Major Site Plan Review pursuant to Section 10.8. Tier 2 and Tier 3 BESS shall comply with the applicable requirements set forth in this ordinance including the General Special Permit Criteria set forth in section 10.4.2, as well as this Section 7.9, and the Haverhill General Ordinances. The City Council shall be the Special Permit Granting Authority ("SPGA"). The Applicant shall be required to submit all materials required in accordance with the SPGA Rules and Regulations, in addition to any other materials necessary or as may be required in order to support that the Application meets the Design Requirements set forth in section 7.9.6.2 herein.

§ 7.9.6.1.1 Development Review Required As Part of Hearing Process: For the purpose of a Special Permit filed hereunder, the Applicant shall be required to submit a complete application for a Special Permit in accordance with the Requirements hereunder. Following the opening of the Public Hearing by the SPGA, the Application shall be referred to the Development Review Committee as set forth in §10.1.4 hereof. The Development Review Committee shall meet with the Applicant who shall be required to provide any additional information as the Committee may reasonably request and the Development Review Committee shall provide the SPGA with its recommendations within ninety (90) days of the date upon which the application was thereto referred.

§ 7.9.6.1.2 Prohibitions: Notwithstanding the foregoing, Tier 2 and Tier 3 BESS and appurtenances shall be prohibited in the Zone A and Zone I public water supply protection areas.

§ 7.9.6.2 Design Requirements. The following requirements apply to all BESS subject to this ordinance, except where it is specifically noted to apply only to Tier 2 or Tier 3 BESS:

- A. Site Plan Drawings. The Applicant shall provide a full set of Site Drawings stamped by a Massachusetts Registered Professional Engineer inclusive of items set forth in section 7.9.7.K.1 hereof.

- B. Utility Lines and Electrical Circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles.
- C. Signage. Signage shall comply with the requirements of Section 6.2 of this Zoning Ordinance and the following additional requirements; in the event of a conflict between the provisions of Section 6.2 and this section, the requirements of this section shall control.
1. The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the BESS, any special hazards associated, the type of suppression system installed in the area of BESS, and 24-hour emergency contact information, including reach-back phone number.
 2. As required by the state electrical code, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
 3. Signage compliant with ANSI Z535 shall be provided on doors to rooms, entrances to BESS facilities, and on BESS outdoor containers.
- D. Lighting. Lighting of the BESS shall be limited to that minimally required for safety, security and operational purposes, shall be shielded from abutting properties, shall be directed downward, shall incorporate full cut-off fixtures to reduce light pollution and shall otherwise be consistent with local, state and federal law. A photometric plan shall be required.
- E. Vegetation and tree cutting. Areas within ten feet on each side of Tier 2 and Tier 3 BESS shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted provided that they do not form a means of readily transmitting fire. Removal of trees should be minimized to the extent possible. No tree or vegetation clearing shall be permitted within the Setbacks as noted below except for the purposes of the area of ingress and egress to the site. Vegetation control in the Water Supply Protection Overlay District (WSPOD) shall be by mowing or other mechanical means. The use of synthetic pesticides, herbicides, and fertilizers shall be prohibited for BESS facilities within the WSPOD.
- F. Setbacks. Tier 2 and Tier 3 BESS shall be set back a minimum of 50 yards from all side, rear, and front lot lines; except that Tier 2 and Tier 3 BESS shall be set back a minimum of 100 yards from side, rear, and front lot lines that abut or are across a street from residential zoning districts or existing single, two-family, or multi-family structures. The minimum setback areas shall include a Buffer Area at least fifty feet wide along all property lines. Access drives and parking are allowed in the setback areas, except emergency access as noted below, but shall not intrude into the required setback areas except where necessary to provide access or egress to the property. In addition, a minimum of 50 feet must be maintained between BESS components and all buildings, stored combustible materials, hazardous materials, high-piled storage, personnel means of egress, and other exposure hazards not associated with electrical grid infrastructure.
- G. Emergency Access: There shall be a 60-foot-wide paved emergency access road around the

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complete perimeter of the facility but inside the required setback area which may not exceed a 7% grade at any time. Ongoing maintenance of the access road including snow removal after 3 inches of snow shall be included as part of the Operations and Maintenance Plan required herein.

- H. Lot Size. The minimum lot size for Tier 1 BESS shall not be less than 1 acre. The minimum lot size for a Tier 2 BESS shall be not less than 10 acres and the minimum lot size for a Tier 3 BESS shall be no less than 20.
- I. Dimensional. All BESS shall comply with the dimensional limitations for principal structures of the underlying zoning district as provided in Appendix B, Table 2, of this Zoning Ordinance, unless otherwise provided in this ordinance. No BESS shall exceed 15 feet in height and there shall be no vertical stacking of BESS units.
- J. Fencing Requirements. Tier 2 and Tier 3 BESS, including all mechanical equipment, shall be enclosed by a minimum eight-foot high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building. All gates shall accommodate a knox box or other accessible means to allow access to public safety personnel. Security barriers, fences, landscaping, and other enclosures must not inhibit required air flow to or exhaust from the BESS and components. Electrical equipment greater than 1,000V require a separate and additional means to restrict access. NFPA 855 requires specialty safety systems to be provided based on the BESS chemistry and installed location.
- K. Screening and Visibility. Tier 2 and Tier 3 BESS shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area. Such features may not inhibit required air flow to or exhaust from the BESS and components and must comply with the setbacks established in paragraph G above.
- L. Failure Protection. All Tier 2 and Tier 3 BESS shall include an impenetrable layer beneath the surface and no closer than four (4) feet to the closest water table which will cause any discharge to flow into a basin located on site which will then capture and/or treat any runoff as a result of a failed battery or fire or other destruction. The Application shall include details of the proposed catchment system along with a detailed stormwater report and stamped detailed engineering plans from a Massachusetts Registered Professional Engineer depicting the stormwater system. All BESS facilities located within the WSPOD shall have full containment to capture all releases, either intentionally from maintenance or accidental in nature. Release and runoff shall not be allowed.
- M. Batteries. Failed battery cells and modules shall not be stored on the site and shall be removed no later than 30 days after deemed failed by the BESS operator or cell/module manufacturer. The operator shall notify the Haverhill Fire Chief in advance if the type of battery or batteries used onsite is to be changed. All failed battery cells and modules shall not be stored outdoors and must be protected from further damage and potential release of contaminants to the environment.
- N. Storage. No equipment or hazardous materials, in liquid, dry, or gas form, shall be stored onsite of the BESS other than those items in quantities necessary for the proper operation of the facility. Any storage for materials deemed necessary shall be properly labeled, covered and contained to protect from release to the environment.

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- O. Acoustical Impacts. No system shall cause an increase in acoustical levels over ambient at the Property line. An acoustical study prepared by a Massachusetts Registered Acoustical Engineer shall be provided.
- P. Water Source. A municipal water source shall be provided including a FDC within 100 feet before the entrance to the Hazard Area on the Property. The Applicant shall present evidence including a hydraulic analysis in accordance to the City standard to support that there is adequate volume and pressure for fire suppression on the Property and not have a detrimental impact on the surrounding neighborhood. The applicant shall be required to make any related offsite improvement to achieve the required standard to alleviate any impact on the adjacent users.
- Q. Decommissioning Plan. The applicant shall submit with its application a decommissioning plan for all BESS to be implemented upon abandonment and/or in conjunction with removal of the facility. The owner or operator of the BESS shall notify the Building Commissioner in writing at least twenty days prior to when a BESS will be decommissioned. Decommissioning of an abandoned or discontinued BESS shall be completed within six months after the facility ceases operation. The decommissioning plan shall include:
1. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all BESS components, structures, equipment, security barriers, and transmission lines from the site;
 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
 3. The anticipated life of the BESS;
 4. The estimated decommissioning costs and how said estimate was determined, including an allowance for annual cost of living increases or increases due to inflation;
 5. The method of ensuring that funds will be available for decommissioning and restoration;
 6. The method by which the decommissioning cost will be kept current;
 7. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the BESS, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
 8. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
- R. Decommissioning Fund. The owner and/or operator of the energy storage system, shall

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continuously maintain a fund or other surety acceptable to the City, in a form approved by the City Council and City Solicitor, for the removal of the BESS, in an amount to be determined by the City, and which includes the City as loss payee, for the period of the life of the facility. All costs of the financial security shall be borne by the Applicant.

- S. Proof of Liability Insurance. The applicant or property owner shall provide evidence of commercial liability insurance in an amount and type generally acceptable in the industry and approved by the Planning Board prior to the issuance of a building permit, and shall continue such insurance in effect until such facility has been decommissioned, removed, and the site restored in accordance with this ordinance.

§ 7.9.6.3 Special Permit Criteria. In addition to the general Special Permit criteria set forth in section 10.4.2 of this Ordinance, an application for Tier 2 or Tier 3 BESS shall meet the following criteria:

- A. The project protects the ground water and surrounding properties from catastrophic failure of one or more of the batteries or cells by implementing appropriate catchment and filtration systems for water run off or run off from the system.
- B. The project appropriately attenuates sound intrusion beyond the property lines onto adjacent properties so that there is no change in ambient sound after construction and during operations of the system.
- C. The project includes only dark sky compliant down lighting which does not intrude beyond the property lines onto adjacent properties.
- D. The project is secure and addresses possible trespass or other intrusion by individuals not affiliated with the project.
- E. The project meets the public safety needs of the City.
- F. The project minimizes visual impacts from utility infrastructure for interconnection.
- F. The project is minimally visible from adjacent properties.

§ 7.9.7. Site Plan application.

For all BESS the Site Plan application shall include the following information, in addition to that required by Section 10.8 of this Zoning Ordinance and the applicable Planning Board requirements governing Site Plan Applications:

- A. Utility Infrastructure information requirements:
 - 1. A one- or three-line electrical diagram detailing the BESS layout, associated components, and electrical interconnection methods, with all State Electrical Code compliant disconnects and over current devices.
 - 2. The Applicant shall provide a copy of the fully executed Interconnection Services Agreement ("ISA") with the local utility distribution company.
 - 3. If the ISA has not been issued, the Applicant shall be required to provide a full copy of the Application for Interconnection filed with the local utility distribution

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company.

- B. Preliminary equipment specification sheets that document the proposed BESS components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- C. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the BESS. Such information of the final system installer shall be submitted prior to the issuance of building permit.
- D. Large-scale fire test data, evaluation information, and calculations, and modeling data. For any of the following, UL 9540A fire test data must be made available to the Planning Board for review:
 - BESS systems with a capacity of greater than 50 kW
 - BESS systems with spacing between arrays of less than 3 feet
- E. Commissioning Plan. The system installer or commissioning agent shall prepare a commissioning plan prior to the start of commissioning. Such plan shall be compliant with NFPA 855 and document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in applicable state codes. Where commissioning is required by the Building Code, BESS commissioning shall be conducted by a Massachusetts Licensed Professional Engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required by applicable state codes shall be provided to Zoning Enforcement Officer prior to final inspection and approval and maintained at an approved on-site location.
- F. Fire Safety Compliance Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with state codes, including documentation that BESS components comply with the safety standards set forth in subsection 7.9.9. Such plan shall also include a detailed training plan for public safety personnel.
- G. Operation and Maintenance Manual. Such plan shall describe continuing BESS maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth state codes and NFPA 855. Maintenance provisions will be driven by manufacturer requirements for the specific listed system. It shall address maintenance of the access and perimeter roadways, perimeter fencing, and shall include a snow removal plan and 24 hours access requirements by public safety officials. There shall be an annual; acoustical review to assure ongoing compliance with the requirement of no change from ambient at the property line and fire department inspection.
- H. Depending on the location of the BESS in relation to and its interaction with the electrical grid, interconnection will be completed per 527 CMR 12.00. System interconnections into utility grids shall be in accordance with NFPA 855 and the local distribution company standards for interconnection of distributed energy resources. An accessible disconnect is

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required per 527 CMR 12.00.

- I. Prior to the issuance of the building permit, As Built engineering documents must be signed and sealed by a Massachusetts Licensed Professional Engineer and provided to the Building Commissioner and Planning Department .
- J. Emergency Operations Plan. An Emergency Operations Plan compliant with NFPA 855 is required. A copy of the approved Emergency Operations Plan shall be given to the system operator, the local fire department, local fire code official and police department. For so long as the BESS is operational, the operator shall provide the Fire Department, Police Department, Building Commissioner, and Mayor's office with contact information for personnel that can be reached 24 hours per day every day, and this contact information shall be updated by the operator whenever there is a change in the information. The operator shall also be required to have an official representative be present onsite not later than two hours after notification by the Fire Chief, Police Chief, or their designee. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:
 1. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
 2. Procedures for inspection and testing of associated alarms, interlocks, and controls, including time intervals for inspection and testing.
 3. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
 4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
 5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
 6. Procedures for safe disposal of BESS equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged BESS equipment from the facility.
 7. Other procedures as determined necessary by the City to provide for the safety of occupants, neighboring properties, and emergency responders.

8. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.

K. Each Application shall be accompanied by the following information:

1. A certified plot plan at a minimum scale of one inch equals 40 feet and a maximum scale of one inch equals 20 feet. The site plan shall contain:
 - a. Date of site plan with all revisions noted and dated. Title of development, North arrow, scale, map and lot number, name and address of record owner, name and address of person preparing the site plan.
 - b. The names of all owners of record of adjacent properties, and the map and lot number of the properties and all buildings.
 - c. Zoning district boundaries and flood zone boundaries shall be shown as they affect the property including limits of the WSPOD and public water supply Zone A and Zone I on the overall site plan.
 - d. Boundaries of the property and lines of existing street, lots, easements and areas dedicated to public use, including rights of way.
 - e. A locus map showing the location of the property with reference to surrounding area.
 - f. A table indicating all calculations necessary to determine conformance to Bylaw regulations including current required and proposed regulations.
 - g. Square footage of property to the nearest 10 square feet.
2. All plans must include the location of existing and proposed buildings, walls, fences, culverts, parking areas, loading areas, walkways and driveways.
 - a. Location and dimensions of utilities, gas, telephone, electrical, communications, water drainage, sewer and other waste disposal.
 - b. Location, type and dimensions of landscaping and screening.
 - c. Location of existing rock outcroppings, high points, vistas, ponds, depressions, wetlands, major trees (twelve-inch caliper and over) and any other significant existing features.
 - d. Two-foot contours where slopes are less than 15% and five-foot contours when 15% or more. Existing contours shall be indicated by dashed line. Proposed contours shall be indicated by solid line.
 - e. Dimensioned schematic drawings of all proposed buildings. Scale shall not exceed ¼ inch equals one foot nor less than 1/8 inch equals one foot.
 - f. A narrative describing the proposal and addressing the foregoing requirements.
 - g. Location of street numbers indicated on the schematic drawings and/or site plan.

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- h. Surface and water pollution. A report on the impact of Stormwater runoff on adjacent and downstream surface water bodies, subsurface groundwater and the water table.
 - i. Soils. The potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development.
 - j. General environmental impact. A report on the relationship of the proposed development of the major botanical, zoological, geological and hydrological resources of the site, and compatibility of the proposed development with adjacent or surrounding land uses and neighborhoods.
 - k. Traffic impact. A report on existing street capacities, estimated average daily traffic generation, composition, peak hour levels and directional flows resulting from the proposed development, proposed methods to mitigate the estimated traffic impact and methodology and sources used to derive existing data and estimations.
 - l. Renderings showing the proposed project in relationship to its surroundings.

§ 7.9.8. Ownership Changes.

If the owner of the BESS changes or the owner of the property changes, the Special Permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the Special Permit, Site Plan approval, and decommissioning plan. A new owner or operator of the BESS shall notify the Building Commissioner of such change in ownership or operator within 14 days of the ownership change. A new owner or operator must provide such notification to the Building Commissioner in writing.

§ 7.9.9. Safety

System Certification. BESS and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for BESS and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:

- A. UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
- B. UL 1642 (Standard for Lithium Batteries),
- C. UL 1741 or UL 62109 (Inverters and Power Converters),
- D. Certified under the applicable electrical, building, and fire prevention codes as required.
- E. Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.

Site Access. BESS shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local

fire department.

BESS, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

§ 7.9.11. Abandonment

The BESS shall be considered abandoned when it ceases to operate consistently for more than one year. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the City may, after compliance with any applicable state and federal constitutional requirements, enter the property and utilize the available bond and/or security for the removal of any BESS and restoration of the site in accordance with the decommissioning plan.

And further add the following new definition to § 11.1 of Chapter 255

§ 11.1

BATTERY ENERGY STORAGE SYSTEM (“BESS”) -- An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. For the purposes of this bylaw, BESS are comprised of three (3) types as further described in § 7.9.3.B. of this bylaw; Tier 1 BESS, Tier 2 BESS and Tier 3 BESS.

And further to amend section 3.1.3, Table of Use and Parking regulations by allowing Tier 1, Tier 2 and Tier 3 BESS in the districts as follows:

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
I. MISCELLANEOUS COMMERCIAL USES (cont'd)															
22. Kennel or veterinary hospital in which all animals, fowl or other forms of life are completely enclosed in pens or other structures	BA	BA	N	N	N	N	N	BA	N	N	N	N	N	N	D
23. Commercial communications and/or television tower, provided that it shall be at least 500 feet from any R District	BA	N	N	N	N	N	N	BA	BA	BA	N	BA	BA	BA	None
24. Battery Energy Storage Systems: Tier 1	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>None</u>
25. Battery Energy Storage Systems: Tier 2	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CC</u>	<u>None</u>

5B

10.2.1.5

<u>26. Battery Energy</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CC</u>	<u>None</u>
<u>Storage Systems: Tier</u>															
<u>3</u>															

IN CITY COUNCIL: January 7 2025

PLACED ON FILE for at least 10 days

Attest:

_____ City Clerk

City Council Special Permit · Add to a project

Expiration Date

Active

Request Changes
(/#/explore/request-changes/188070)

CCSP-24-11

10.3



Details

Submitted on Oct 30, 2024 at 7:53 pm



Attachments

14 files



Activity Feed

Latest activity on Jan 17, 2025

JAN 17 AM 11:12
HAVERHILL CLERK

Applicant

Brian moses



Location

84 MADISON ST, Haverhill, MA 01830

View By

Edit Workflow



Special Permit Filing Fee

Paid Oct 31, 2024 at 9:36 am



Legal Notice Fee

Waived Oct 31, 2024 at 9:36 am

IN CITY COUNCIL: January 28 2025
VOTED: that COUNCIL HEARING BE HELD
FEBRUARY 25 2025
Attest:

Planning Director Review

Completed Oct 31, 2024 at 10:09 am

IN CITY COUNCIL: February 25 2025
HEARING CONTINUED TO MARCH 18, 2025
Attest:

City Clerk Review - Hearing Dates Set

Completed Jan 17, 2025 at 9:31 am

MB

original

February 25, 2025

Dear President Sullivan and Members of the Haverhill City Council,

I am requesting a continuance of my special permit (CCSP-24-11) - which was scheduled to be heard tonight February 25, 2025. Due to a full Council not being present, I am requesting that my special permit hearing be continued to March 18, 2025.

Respectfully,

A handwritten signature in cursive script, appearing to read "Brian Moses".

Brian Moses
84 Madison St
Haverhill, MA 01830

FEB 25 PM1:48
HAVCITYCLERK

COMMONWEALTH OF MASSACHUSETTS

**CITY OF HAVERHILL
TENT, AWNING, CANOPY, OR
STORAGE CONTAINER
PERMIT
2024**



CITY OF HAVERHILL
BUILDING & INSPECTION DEPARTMENT
4 SUMMER STREET- ROOM 214
HAVERHILL, MA 01830
978-374-2325

Permit #122299

October 25, 2024

Fee: \$560.00

PERMISSION IS HEREBY GRANTED TO:
License:

Contractor:
Owner: MOSES BRIAN L -ETUX MOSES KELLY
Address: 84 MADISON ST, Haverhill, MA 01830
Issue Date: October 25, 2024
MBL: 420-173-1

EXPIRATION DATE: April 26, 2024

TO PERFORM THE FOLLOWING WORK: Patio Storage

IN ACCORDANCE WITH CITY ORDINANCE STORAGE CONTAINERS 3.2.4

THIS PERMIT MAY BE RENEWED ONCE, THEREAFTER CITY COUNCIL APPROVAL MUST BE OBTAINED.



THIS PERMIT MAY BE REVOKED BY THE CITY OF HAVERHILL UPON VIOLATION OF ANY OF ITS RULES AND REGULATIONS.

Thomas Bridgewater, Haverhill Building Inspector

City Council Special Permit**CCSP-24-11**

Submitted On: Oct 30, 2024

Applicant

 Brian moses
 987-407-5317
@ mosesbrian@comcast.net

Primary Location

84 MADISON ST
Haverhill, MA 01830

Important: Please Read Before Starting Your Application**Applicant Information****What is Your Role in This Process?**

Owner

Applicant Business/Firm Name

none

Applicant Business/Firm Phone

none

Applicant Business/Firm Address

none

Applicant Business/Firm City

none

Applicant Business/Firm State

none

Applicant Business/Firm Zip

none

New Field

--

Property Information**Proposed Housing Plan Name**

none

Proposed Street Name(s)

none

How Long Owned by Current Owner?

30 years

Type of Dwelling(s) Planned in Project

None

Lot Dimension(s)

none

Registry Plat Number, Block & Lot

none

Zoning District Where Property Located

RR - Residential Rural

Deed Recorded in Essex South Registry: Block Number

173

Deed Recorded in Essex South Registry: Page

213

Does the Property Have Multiple Lots?

Yes

IF YES, How Many Lots?

3

IF YES, What Is/Are the Map, Block Lot (MBL) Number(s)?

map420 block173 lot1,2,2a

IF YES, Provide Additional Addresses if Different Than "Location" (or Enter NONE)

none

Thoroughly Describe the Reason(s) for the Special Permit

Permanent storage trailer on the single family property.

Property Description

Residential, single family.

Current Property Use

Residential Housing

TOTAL Number of Units Planned

0

TOTAL Number of Parking Spaces Planned

0

Planned Lot Use**Special Circumstances****Building Coverage**

--

Dimensional Variance

--

Front Yard Setback

--

Side Yard Setback

--

Rear Yard Setback

--

Lot Frontage

--

Lot Depth

--

Lot Area

--

Building Height

--

Floor Area Ratio

--

Open Space

--

Parking

--

Sign Size

--

Use

--

Other

true

IF OTHER, Please Describe

storage trailer

Hearing Waiver**Agrees**

Yes

Agreement & Signature**Agrees**

true

PLEASE READ

Proposed:
8' x 20' storage trailer

BUILDING PERMIT PLOT PLAN #122299

Address 84 Madison St.

Map 420 Block 173 Lot 1, 2, 2A

Date 10 / 24 / 24 Scale 1-IN. = 30' FT.

Rev. 1 / 1 / 1 By A.R.

Email mosesbrian@comcast.net

This sketch is based on information on file in the City Engineer's Office.

The applicant is responsible for all applicable information hereon and to obtain the Official Permit from the Building Inspector's Office.

This is NOT the Building Permit!

Lot Dimension(s)*

none

Registry Plat Number, Block & Lot*

none

Zoning District Where Property Located*

RR - Residential Rural

Deed Recorded in Essex South Registry: Block Number*

173

Deed Recorded in Essex South Registry: Page*

213

Does the Property Have Multiple Lots?*

Yes

IF YES, How Many Lots?*

3

IF YES, What Is/Are the Map, Block Lot (MBL) Number(s)?*

map420 block173 lot1,2,2a

IF YES, Provide Additional Addresses if Different Than "Location" (or Enter NONE)*

none

Thoroughly Describe the Reason(s) for thre Special Permit*

Permanent storage trailer on the single family property.

Property Description*

Residential, single family.

Current Property Use*

Residential Housing

TOTAL Number of Units Planned*

0

Hearing Waiver

Agrees*

Yes

Agreement & Signature

Agrees*



Office Use Only

City Council Decision

—

City Council Hearing Date

—

Reason for Council's Decision

City Council Members Absent

City Council Members Present

Continuance Meeting Date

—

Also Present



Special Permit Filing Fee

Record No. CCSP-24-11

Status Completed

Became Active October 30, 2024

Assignee Brian mores

Due Date None

Invoice ID 987182

Payment History

Date	Method	Note	Paid
10/31/2024	Cash	PAID IN OFFICE	\$450.00



City Council Admin Notified
Completed Nov 20, 2024 at 8:14 am



Assessor for Abutter's List
In Progress



Conservation Department Review
Completed Oct 31, 2024 at 1:31 pm



DPW Review
In Progress



Engineering Department Review
In Progress



Fire1 Department Review
Skipped Oct 31, 2024 at 3:09 pm



Fire2 Department Review
Completed Oct 31, 2024 at 3:11 pm



Health Department Review
Completed Oct 31, 2024 at 11:24 am



Police Department Review
Completed Nov 01, 2024 at 1:17 pm



School Department Review
Completed Jan 13, 2025 at 9:36 am



Storm Water Review
In Progress



Water/Wastewater Review
In Progress



Water Supply Review
In Progress



Building Inspector Review
Completed Oct 31, 2024 at 6:12 pm



First Ad Placement
Skipped Jan 13, 2025 at 9:37 am



Placed on Agenda



City of Haverhill, MA

Jan 23, 2025

CCSP-24-11

Fire2 Department Review

City Council Special Permit

Status: Complete**Became Active:** Oct 31, 2024**Assignee:** Robert Irvine**Completed:** Oct 31, 2024

Applicant

Brian moses
mosesbrian@comcast.net
84 MADISON ST.
haverhill, MA 01830
978-407-5317

Primary Location

84 MADISON ST
Haverhill, MA 01830

Owner:

MOSES BRIAN L -ETUX MOSES KELLY
84 MADISON ST HAVERHILL, MA
01830

Comments**Robert Irvine, Oct 31, 2024**

Okay as long as zoning and setbacks are met.

Eric Tarpy, Oct 31, 2024

No hazardous storage allowed in container

**CCSP-24-11**

City Council Special
Permit

Status: Active

Submitted On: 10/30/2024

Primary Location

84 MADISON ST
Haverhill, MA 01830

Owner

MOSES BRIAN L -ETUX MOSES
KELLY
MADISON ST 84 HAVERHILL, MA
01830

Applicant

 Brian moses
 978-407-5317
 mosesbrian@comcast.net
 84 MADISON ST.
haverhill, MA 01830

Applicant Information

What is Your Role in This Process?*

Owner

Applicant Business/Firm Name*

none

Applicant Business/Firm Phone*

none

Applicant Business/Firm Address*

none

Applicant Business/Firm City*

none

Applicant Business/Firm State*

none

Applicant Business/Firm Zip*

none

New Field

Property Information

Proposed Housing Plan Name*

none

Proposed Street Name(s)*

none

How Long Owned by Current Owner?*

30 years

Type of Dwelling(s) Planned in Project*

None

Lot Dimension(s)*

none

Registry Plat Number, Block & Lot*

none

Zoning District Where Property Located*

RR - Residential Rural

Deed Recorded in Essex South Registry: Block Number*

173

Deed Recorded in Essex South Registry: Page*

213

Does the Property Have Multiple Lots?*

Yes

IF YES, How Many Lots?*

3

IF YES, What Is/Are the Map, Block Lot (MBL) Number(s)?*

map420 block173 lot1,2,2a

IF YES, Provide Additional Addresses if Different Than "Location" (or Enter NONE)*

none

Thoroughly Describe the Reason(s) for thre Special Permit*

Permanent storage trailer on the single family property.

Property Description*

Residential, single family.

Current Property Use*

Residential Housing

TOTAL Number of Units Planned*

0

TOTAL Number of Parking Spaces Planned*

0

Special Circumstances

Building Coverage

☐

Dimensional Variance

☐

Front Yard Setback

☐

Side Yard Setback

☐

Rear Yard Setback

☐

Lot Frontage

☐

Lot Depth

☐

Lot Area

☐

Building Height

☐

Floor Area Ratio

☐

Open Space

☐

Parking

☐

Sign Size

☐

Use

☐

Other

☒

IF OTHER, Please Describe*

storage trailer

Hearing Waiver

Agrees*

Yes

Agreement & Signature

Agrees*




Office Use Only

 City Council Decision

—


 City Council Hearing Date

—

 Reason for Council's Decision

 City Council Members Absent

 City Council Members Present

 Continuance Meeting Date

—

 Also Present

<div><div><div></div></div><div>City Councilor Who Seconded Motion</div></div>	<div><div><div></div></div><div>City Councilor Who Made Motion</div></div>
<div><div><div></div></div><div>City Councilors Who Voted Against</div></div>	<div><div><div></div></div><div>City Councilors Who Abstained</div></div>
<div><div><div></div></div><div>Continuance Motion Decision</div></div>	<div><div><div></div></div><div>Who Submitted Continuance Request?</div></div>
<div><div><div></div></div><div>City Councilors Who Voted in Favor</div></div>	
<div><div><div></div></div><div>Number of 12"x18" Mylar Copies</div></div>	<div><div><div></div></div><div>Appeal Expiration Date</div></div>
<div><div><div></div></div><div>Number of 24"x36" Mylar Copies</div></div>	<div><div><div></div></div><div>Number of 18"x24" Mylar Copies</div></div>

Attachments

<div><div><div></div></div><div>Written Summary of Project</div></div> <div><div>image.jpg</div><div>Uploaded by Brian mores on Oct 30, 2024 at 7:51 PM</div></div>	REQUIRED
<div><div><div></div></div><div>Copy of Proposed Site Plan</div></div> <div><div>image.jpg</div><div>Uploaded by Brian mores on Oct 30, 2024 at 7:51 PM</div></div>	REQUIRED
<div><div><div></div></div><div>Certified Plot Plan</div></div> <div><div>image.jpg</div><div>Uploaded by Brian mores on Oct 30, 2024 at 7:52 PM</div></div>	REQUIRED

**Description of Project**

image.jpg

Uploaded by Brian mores on Oct 30, 2024 at 7:52 PM

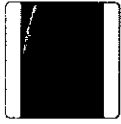
REQUIRED

**Zoning Opinion**

image.jpg

Uploaded by Brian mores on Oct 30, 2024 at 7:53 PM

REQUIRED

**IMG_8028.jpeg**

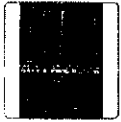
IMG_8028.jpeg

Uploaded by Brian mores on Jan 12, 2025 at 12:36 PM

**IMG_8027.jpeg**

IMG_8027.jpeg

Uploaded by Brian mores on Jan 12, 2025 at 12:37 PM

**IMG_8026.jpeg**

IMG_8026.jpeg

Uploaded by Brian mores on Jan 12, 2025 at 12:37 PM

**IMG_0793.jpeg**

IMG_0793.jpeg

Uploaded by Brian mores on Jan 12, 2025 at 12:42 PM

**IMG_0792.jpeg**

IMG_0792.jpeg

Uploaded by Brian mores on Jan 12, 2025 at 12:42 PM

**IMG_0791.jpeg**

IMG_0791.jpeg

Uploaded by Brian mores on Jan 12, 2025 at 12:42 PM

**IMG_0750.jpeg**

IMG_0750.jpeg

Uploaded by Brian mores on Jan 12, 2025 at 12:43 PM

**IMG_8052.jpeg**

IMG_8052.jpeg

Uploaded by Brian mores on Jan 15, 2025 at 7:44 PM

Kaitlin Wright approved approval step City Clerk Review - Hearing Dates Set on Record CCSP-24-11	01/17/2025 at 9:31 am
Kaitlin Wright approved approval step Placed on Agenda on Record CCSP-24-11	01/17/2025 at 9:33 am
Kaitlin Wright assigned approval step Abutter Notification to Kaitlin Wright on Record CCSP-24-11	01/17/2025 at 9:33 am
Kaitlin Wright altered approval step Abutter Notification, changed status from Inactive to Active on Record CCSP-24-11	01/17/2025 at 9:33 am

Timeline

Label	Activated	Completed	Assignee	Due Date	Status
💰 Special Permit Filing Fee	10/30/2024, 7:53:49 PM	10/31/2024, 9:36:06 AM	Brian moses	-	Completed
💰 Legal Notice Fee	10/30/2024, 7:53:49 PM	10/31/2024, 9:36:43 AM	Brian moses	-	Skipped
✓ Planning Director Review	10/31/2024, 9:36:44 AM	10/31/2024, 10:09:38 AM	William Pillsbury	-	Completed
✓ City Clerk Review - Hearing Dates Set	10/31/2024, 10:09:39 AM	1/17/2025, 9:31:58 AM	Maria Bevilacqua	-	Completed
✓ City Council Admin Notified	10/31/2024, 10:09:39 AM	11/20/2024, 8:14:25 AM	Lori Robertson	-	Completed
✓ Assessor for Abutter's List	10/31/2024, 10:09:39 AM	-	Christine Webb	-	Active
✓ Conservation Department Review	10/31/2024, 10:09:39 AM	10/31/2024, 1:31:51 PM	Robert Moore	-	Completed
✓ DPW Review	10/31/2024, 10:09:39 AM	-	Robert Ward	-	Active
✓ Engineering Department Review	10/31/2024, 10:09:39 AM	-	John Pettis	-	Active
✓ Fire1 Department Review	10/31/2024, 10:09:39 AM	10/31/2024, 3:09:46 PM	Eric Tarpy	-	Skipped

Label	Activated	Completed	Assignee	Due Date	Status
✓ Fire2 Department Review	10/31/2024, 10:09:39 AM	10/31/2024, 3:11:21 PM	Robert Irvine	-	Completed
✓ Health Department Review	10/31/2024, 10:09:39 AM	10/31/2024, 11:24:53 AM	Mark Tolman	-	Completed
✓ Police Department Review	10/31/2024, 10:09:39 AM	11/1/2024, 1:17:35 PM	Kevin Lynch	-	Completed
✓ School Department Review	10/31/2024, 10:09:39 AM	1/13/2025, 9:36:52 AM	Michael Pfifferling	-	Completed
✓ Storm Water Review	10/31/2024, 10:09:39 AM	-	John Pettis	-	Active
✓ Water/Wastewater Review	10/31/2024, 10:09:39 AM	-	Robert Ward	-	Active
✓ Water Supply Review	10/31/2024, 10:09:39 AM	-	Robert Ward	-	Active
✓ Building Inspector Review	10/31/2024, 10:09:39 AM	10/31/2024, 6:12:00 PM	Tom Bridgewater	-	Completed
✓ First Ad Placement	-	1/13/2025, 9:37:23 AM	Kaitlin Wright	-	Skipped
✓ Placed on Agenda	1/13/2025, 9:37:38 AM	1/17/2025, 9:33:16 AM	Kaitlin Wright	-	Completed
✓ Abutter Notification	1/17/2025, 9:33:34 AM	-	Kaitlin Wright	-	Active
✓ Second Ad Placement	-	1/13/2025, 9:37:32 AM	Kaitlin Wright	-	Skipped
✓ City Council Meeting	-	-	-	-	Inactive
✓ Meeting Minutes & Decision Filed w/City Clerk	-	-	-	-	Inactive

MELINDA E. BARRETT
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.CITYOFHAVERHILL.COM

RECEIVED
MAR 14 2025
10:01 AM

11.2.1

March 14, 2025

To: City Council President Thomas J. Sullivan & Members of the City Council

From: Mayor Melinda E. Barrett

RE: Appointment- Water/Wastewater Abatement Review Board- Paul D. Abreu

Dear Mr. President and Members of the City Council:

Please be advised that I hereby appoint Paul D. Abreu, 53 Blossom Street Haverhill, to the Water/Wastewater Abatement Review Board. This is a non-confirming appointment which takes effect upon confirmation and expires on 3/31/25.

I recommend approval.

Sincerely,

Melinda E. Barrett
Mayor

MEB/em

Tag Day Permit · Add to a project

Expiration Date

Active

Request Changes (/#/explore/request-changes/195647)

TAGD-25-8



Details
Submitted on Mar 4, 2025 at 12:11 pm



Attachments
0 files



Activity Feed
Latest activity on Mar 07, 2025



Applicant
Amie Moscaritolo



Location
--

MAR 7 PM3:37
HAYCITYCLERK

View By

Edit Workflow



City Clerk Review
Completed Mar 04, 2025 at 12:15 pm



Tag Day Fee Payment
Waived Mar 04, 2025 at 12:16 pm



City Clerk Approval
Completed Mar 07, 2025 at 10:33 am



Police Approval



Completed Mar 07, 2025 at 12:34 pm

City Council Approval
In ProgressTag Day Permit Issued
Document

Details

Organization Information

[Edit](#)

Organization*

Haverhill High School Softball
Boosters

Organization Phone*

617-429-0945

Organization Address*

137 Monument Street

Organization City*

Haverhill

Organization State*

MA

Organization Zip*

01832

Is the Organization Tax Exempt?*

Yes

Is the Organization Non-Profit?*

Yes

Is your organization affiliated with the
Haverhill Public School system?

Yes

Is the Applicant a Haverhill Resident* ?

Yes

Off-Street Locations Information [OFF-STREET LOCATIONS NOT PERMITTED][Edit](#)

How Many Locations Will You Cover?*

4

Location 1* 

Market Basket

Location 2*

Market Basket

Location 3*

~~Shaws~~

Location 4*

Heavenly Donuts

Date Information -MAXIMUM 3 CONSECUTIVE DAYS[Edit](#)

How Many Dates Will the Event Include?*

1

Date #1*

05/03/2025

**TAGD-25-8**

Tag Day Permit

Status: Active

Submitted On: 3/4/2025

Primary Location

No location

Owner

No owner information

Applicant

Amie Moscaritolo



617-429-0945



amiemoscaritolo@gmail.com

39 Germain Avenue
Haverhill, Massachusetts 01835

Organization Information

Organization*

Haverhill High School Softball Boosters

Organization Phone*

617-429-0945

Organization Address*

137 Monument Street

Organization City*

Haverhill

Organization State*

MA

Organization Zip*

01832

Is the Organization Tax Exempt?*

Yes

Is the Organization Non-Profit?*

Yes

Is your organization affiliated with the Haverhill Public School system?

Yes

Is the Applicant a Haverhill Resident* ?

Yes



City of Haverhill, MA

March 13, 2025

AMUS-25-2

Coin-Operated

Amusement Device

License

Status: Active

Submitted On: 3/13/2025

Primary Location725 SOUTH MAIN ST
Bradford, MA 01835**Owner**

ACADEMY INC

P.O. BOX 5068 BRADFORD, MA
01835**Applicant**

Edward DIBURRO



978-372-3102



academylanes@comcast.net



P.O. Box 5068

Haverhill, Massachusetts 01835

12.6.2.1

Applicant InformationMAR 13 PM 3:48
HAVERHILL CITY CLERK

Business Name*

ACADEMY LANES

Type of Business*

Corporation

Applicant Birthday*

12/19/1963

Type of Device*

Coin-Operated Machine

Number of Machines*

12

Are Machines Operated on Sundays?*

Yes

Vendor Information

Vendor Name*

SEACOAST AMUSEMENTS

Vendor Phone*

6039189101

Vendor Address*

45 LAFAYETTE RD

Vendor City*

HAMPTON

Vendor State*

NH

Vendor Zip*


03842

Agreement & Signature

Yes*



For Office Use Only

 Effective Date

—

Attachments

Record Activity

Maria Bevilacqua started a draft Record

03/13/2025 at 12:13 pm

Maria Bevilacqua submitted Record AMUS-25-2

03/13/2025 at 12:19 pm

OpenGov system altered payment step Coin-Operated Amusement Device Payment, changed status from Inactive to Active on Record AMUS-25-2

03/13/2025 at 12:19 pm

OpenGov system completed payment step Coin-Operated Amusement Device Payment on Record AMUS-25-2	03/13/2025 at 12:20 pm
OpenGov system altered approval step City Clerk Approval, changed status from Inactive to Active on Record AMUS-25-2	03/13/2025 at 12:20 pm
OpenGov system assigned approval step City Clerk Approval to Maria Bevilacqua on Record AMUS-25-2	03/13/2025 at 12:20 pm
Maria Bevilacqua approved approval step City Clerk Approval on Record AMUS-25-2	03/13/2025 at 12:20 pm
OpenGov system altered approval step Police Department Approval, changed status from Inactive to Active on Record AMUS-25-2	03/13/2025 at 12:20 pm
OpenGov system assigned approval step Police Department Approval to Kevin Lynch on Record AMUS-25-2	03/13/2025 at 12:20 pm
Kevin Lynch approved approval step Police Department Approval on Record AMUS-25-2	03/13/2025 at 1:11 pm
OpenGov system altered approval step City Council Approval, changed status from Inactive to Active on Record AMUS-25-2	03/13/2025 at 1:11 pm
OpenGov system assigned approval step City Council Approval to Maria Bevilacqua on Record AMUS-25-2	03/13/2025 at 1:11 pm

Timeline

Label	Activated	Completed	Assignee	Due Date	Status
 Coin-Operated Amusement Device Payment	3/13/2025, 12:19:57 PM	3/13/2025, 12:20:27 PM	Edward DIBURRO	-	Completed
 City Clerk Approval	3/13/2025, 12:20:28 PM	3/13/2025, 12:20:42 PM	Maria Bevilacqua	-	Completed
 Police Department Approval	3/13/2025, 12:20:42 PM	3/13/2025, 1:11:27 PM	Kevin Lynch	-	Completed
 City Council Approval	3/13/2025, 1:11:28 PM	-	Maria Bevilacqua	-	Active

11-D



DOCUMENT

11-D

16.1

CITY OF HAVERHILL

In Municipal Council March 4 2025

ORDERED:

FEB 26 PM 12:07
HAVERHILL CITY CLERK

AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by ADDING the following:

Hillside Street: In front of #17	No Parking (except for 1 24-hour parking space)	24 hours
Washington Street: In front of #459	No Parking (except for 1 24-hour parking space)	24 hours

APPROVED AS TO LEGALITY

City Solicitor

PLACED ON FILE for at least 10 days

Attest:

City Clerk



Haverhill

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

February 25, 2025

**MEMO TO: CITY COUNCIL PRESIDENT THOMAS J. SULLIVAN AND
MEMBERS OF THE CITY COUNCIL**

Subject: *17 Hillside Street (HPS-24-28) and 459 Washington St (HPS-25-1) - Add Handicap Parking*

As requested, see attached ordinance for adding handicap spots at the subject locations.

Please contact me if you have any questions.

Sincerely,

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

C: Mayor Barrett, Ward, Pistone, Mead

MELINDA E. BARRETT
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

MAR 19 4:08:51
HACITYCLERK

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.CITYOFHAVERHILL.COM

17.1

March 14, 2025

To: City Council President Thomas J. Sullivan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

RE: Recognition of Greek Independence Day

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

Mayor Barrett requests to present a proclamation recognizing March 25, 2025 as Greek Independence Day in the City of Haverhill.

Sincerely,

Melinda E. Barrett
Mayor

MEB/em

12, 1, 1

PROCLAMATION

WHEREAS: On March 25th, sons and daughters of Greece will celebrate the 203rd year of independence from the Ottoman Empire;

WHEREAS: On a daily basis, and especially here in the City of Haverhill, we recognize the ancient Greek influence in our government and we recognize the Greek-American heritage that continues to strengthen our City and enhance our community;

WHEREAS: Throughout its history, Greece has provided the world community with leaders in political, social, and artistic innovations by the works of Plato, Socrates, Sophocles, and Homer;

WHEREAS: Together, Greeks and Americans share a profound sense of reverence and appreciation for democracy, freedom, and individual rights;

WHEREAS: Nearly three million Greek-Americans call the United States their home, some of whom live here in Haverhill, and their immeasurable innumerable contributions to the cultural heritage;

NOW, THEREFORE I, MELINDA E. BARRETT, DO HEREBY DECLARE
March 25, 2025, as

GREEK INDEPENDENCE DAY

In the City of Haverhill and urge all citizens to join me in observing the contributions of all Greek-Americans to the City of Haverhill.

IN WITNESS WHEREOF, I hereunto
Set My Hand And Caused The Seal Of The
City Of Haverhill To Be Affixed This 18th
Day Of March In The Year Of Our Lord
Two Thousand and Twenty-Five.

MELINDA E. BARRETT, MAYOR

CITY COUNCIL

Thomas J. Sullivan, *President*
Timothy J. Jordan, *Vice President*
John A. Michitson
Colin F. LePage
Melissa J. Lewandowski
Catherine P. Rogers
Shaun P. Toohey
Michael S. McGonagle
Katrina Hobbs Everett
Devan Ferreira
Ralph T. Basiliere



CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978-374-2328
FACSIMILE: 978-374-2329

WWW.CITYOFHAVERHILL.COM
CITYCOUNCIL@HAVERHILLMA.GOV



DOCUMENTS REFERRED TO COMMITTEE STUDY

103-HH	Motion by Councilor Michitson to send the <i>Home Rule Petition – An act establishing guidelines for the installation of and use of Electric vehicle charging stations in the City of Haverhill</i> , to committee in order to coordinate with condo associations.	A&F	12/23/23
40	Motion by Councilor Lewandowski to send updated Cannabis Social Equity Best Practices for the Cannabis Control Commission to A&F for further review.	A&F	4/2/24
12-P	Motion by Councilor Jordan to send possible conditions on new development and potential changes to our zoning ordinances.	Planning & Development	5/21/24
12-S	Motion by Councilor Ferreira to send the City's Swimming Ordinance Chapter 193 Article III and related items at Lake Saltonstall, aka Plug Pond to NRPP for further discussion.	NRPP	6/18/24
33-F	Motion by Councilor Basiliere to send resident winter parking concerns and offer suggestions for improvements	Public Health Safety	3/11/25