Kaitlin

# CITY OF HAVERHILL
# CITY COUNCIL AGENDA
## Tuesday, May 19, 2026, at 7:00 PM
## Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St, Room 202
## In-Person/Remote Meeting: https://meet.google.com/dmw-ccfw-vsm

*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:**

MAY 15 PM12:36
HAVCITYCLERK

5.1. Mayor Barrett wishes to introduce Julianne Piraino and present a proclamation recognizing *IBS Awareness Day* in the City of Haverhill

5.1.1. Proclamation – Recognizing *IBS Awareness Day*

5.2. Mayor Barrett submits a Loan Order for 14-16 Stevens Street Property Remediation Bonds

5.2.1. Order- That the Council votes to declare that the Property presents an imminent risk to public safety, requiring emergency action to remedy the unsafe condition, and determines that immediate action is required to make the Property safe in the form of demolishing the Property

5.2.2. Order- That $5,000,000 is appropriated based on the City Council's declaration of emergency at the Emergency City Council Meeting held on May 8, 2026 (Document 1-Z) for the purpose of financing the remediation, demolition, disposal and securing of the buildings located at 14-16 Stevens St, including the payment of all costs incidental and related thereto and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount pursuant to Chapter 44, Section 7 and/or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor

5.3. Mayor Barrett submits the following gift order:

5.3.1. Order-Authorizing Mayor Barrett to accept a gift of $200.00 dollars for the Volunteer Luncheon at the Citizen's Center from *Wingate Residences at Haverhill* to the *Council on Aging Department*

5.4. Mayor Barrett submits a Loan Order for $900,000.00 for the Acquisition of Property at 309 East Broadway

5.4.1. Order- That the City is hereby authorized to acquire, either by purchase or eminent domain, the parcel of land located at 309 East Broadway identified as Assessor's Parcel ID 469-188-6, for the purpose of providing a new water supply well for City's water supply, and to take any other action incidental and related thereto

**File 10 Days**

5.5. Mayor Barrett submits an Order to enter into a Dam Transfer Agreement for the acquisition of the Little River Dam

5.5.1. Order-That the City Council, duly elected, qualified, and acting as such, on behalf of the City votes to authorize the Mayor to enter into a Dam Transfer Agreement (the "Agreement"), and purchase the rights of the Little River Dam including (i) certain water rights in and to the Little River and (ii) the spillway portion of the dam known as the Little River Dam having the National Dam ID No. MA00739 and recorded in the Essex Country Registry of Deeds Book 39564 Page 281

***THIS VOTE REQUIRES A TWO-THIRDS MAJORITY***

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

6.1. Council Vice President Michitson wishes to introduce Katie Cook, President and CEO of the *Greater Haverhill Chamber of Commerce*, to introduce the Haverhill AI Summit to take place on June 18th at Pinnacle

**7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28:**

**8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:**

8.1. 8.1 Hailey Pearson, *Downtown Events Coordinator*, wishes to address the City Council to announce upcoming events; Haverhill Art Walk, Global Kickoff, Juneteenth, July 3rd/4th and other 250th events

8.2. Kaitlin M. Wright, *City Clerk*, requests approval of an Order regarding a change from Haverhill Public Library – Johnson Auditorium, 99 Main St, to City Hall – Early Voting Room, 4 Summer St, as a designated polling place in Haverhill

8.2.1. Order – that the following location is hereby established as a Polling Place for all elections this year, in accordance with Chapter 54, Section 24 of the Massachusetts General Laws - Ward 3, Precinct 2 – City Hall, Early Voting Room – 4 Summer St

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

**10. PUBLIC HEARINGS AND RELATED ORDERS:**

10.1. **Doc 21-A - CCSP-26-1;** Jony Perez of *Davinci Mini Apartments, LLC* and *Davinci Child Center, LLC* requesting to convert a currently unoccupied building to a daycare program on first floor (allowed by right in Zoning Code) and 12 apartments units (six two-bedrooms and six one-bedrooms) on the top three floors at 121 Merrimack St in the Waterfront (WD-C) District

*Related communication from Planning Director, Jacki Byerley, stating applicant has submitted an application with the Planning Board to be reviewed at their July 8th meeting, if Council is inclined to continue this public hearing a suggested date would be July 14th*

**Continued from March 24, 2026**

10.2. **Doc 21-B;** Jacki Byerley, *Planning Director*, requests a hearing for the following Zoning Amendment – Battery Energy Storage Systems

10.2.1. **Ordinance: re: Amend Chapter 255 Zoning Ordinance and Zoning Map –** Battery Energy Storage Systems Overlay District (BESS)– by inserting a new section 7.9 Battery Energy Storage Systems, amending section 3.1.3 Table of Use and Parking regulations by allowing a Tier 1, Tier 2 and Tier 3 BESS and amending the Zoning Map to include the BESS Overlay District. The overlay district will be creating regulations for the installation and use of free-standing battery energy storage systems ("BESS"), adding to the table the overlay district with the allowed Tiers and updating the zoning map to include the BESS Overlay District, or take any other action related to

10.3. **Doc 5-B of 2025-** Bill Pillsbury, Economic Development and Planning Director, requests Zoning Amendment- Battery Energy Storage System

**Continued from April 7, 2026**

**11. APPOINTMENTS:**

11.1. **Confirming Appointments:**

11.2. **Non-Confirming Appointments:**

11.2.1. *Haverhill License Commission*, Linda Koutoulas – 358 Gile St expires May 31, 2029

11.3. **Constables**

11.4. **Resignations**

**12. PETITIONS:**

12.1. **Applications Handicap Parking Sign:** *with Police approval*

12.2. **Amusement/Event Application:** *with Police approval*

12.2.1. **EVNT-26-14** – Linda Koutoulas for *Duston Dustin Garrison House Association* requesting to hold Annual Muster event from 10:00 AM to 3:00 PM on Saturday June 20th at the *Duston Dustin Garrison House* at 665 Hilldale Ave and requests any additional fees be waived

12.2.2. **EVNT-26-12 –** Hailey Pearson for *Creative Haverhill* requesting to hold *Haverhill Art Walk* – June event from 2:00 to 6:00 PM on Saturday June 6th at the *Riverfront Cultural District*. Applicant is requesting to close small parking area by the Wingate St parking lot (the entrance area from Washington St) directly outside of the Her Voice Carries mural by 43 Washington St to host music performances in that lot and requests any additional fees be waived

12.2.3. **EVNT-26-13 –** Hailey Pearson for *Creative Haverhill* requesting to hold *Haverhill Art Walk* – September event from 2:00 to 6:00 PM on Saturday September 26th at the *Riverfront Cultural District*. Applicant is requesting to close small parking area by the Wingate St parking lot (the entrance area from Washington St) directly outside of the Her Voice Carries mural by 43 Washington St to host music performances in that lot and requests any additional fees be waived

12.2.4. **EVNT-26-16** – Paul Safy for *Golden Hill Community Playground* requesting to hold Fundraiser for the *Haverhill Community Playground Project at Golden Hill* event from 6:00 to 9:00 PM on Saturday May 28th at *Pinnacle at Harbor Place* and requests any additional fees be waived

12.3. **Auctioneer License**:

12.4. **Tag Days**: *with Police approval*

12.5. **One Day Liquor License –with 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*

12.6.3. **Christmas Tree Vendor** – *with Police approval*

12.6.4. **Taxi Driver Licenses:** *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 Secondhand Articles** *with Police approval*

12.6.11. **Buy & Sell Secondhand Clothing** *with Police approval*
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:**

13.1. Order – that $175,749.86 will be transferred from fiscal 2025 certified free cash to fund the implementation costs of new Tax Collector software

13.2. Order- Pay bills of the previous years and authorize payment from the current year departmental appropriations as listed:

| Vendor | Amount | Account |
|---|---|---|
| City Hall System | $0.25 | Treasure/ Collector |
| City Hall System | $0.50 | Treasure/ Collector |
| City Hall System | $0.50 | Treasure/ Collector |
| City Hall System | $7.25 | Treasure/ Collector |
| City Hall System | $4.50 | Treasure/ Collector |

**Total = $13.00**

**14. ORDINANCES (FILE 10 DAYS):**
**15. COMMUNICATIONS FROM COUNCILORS:**
**16. UNFINISHED BUSINESS OF PRECEDING MEETING:**

16.1. **Doc 26-B**; -Mayor Barrett submits a Loan Order for the River Dam Removal and River Restoration Project

16.1.1. Order- That $9,500,000 is appropriated for the purpose of financing the engineering and construction of the Little River Dam Removal and River Restoration project, including the removal of the Little River Dam and the restoration of the channel and floodplain through the Little River Dam impoundment

**Filed on May 6, 2026**
***THIS VOTE REQUIRES A TWO-THIRDS MAJORITY***

**17. RESOLUTIONS AND PROCLAMATIONS:**
**18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:**
**19. DOCUMENTS REFERRED TO COMMITTEE STUDY:**
**20. LONG TERM MATTERS STUDY LIST:**
**21. ADJOURN:**

5.1

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.HAVERHILLMA.GOV

MAY 15 AM8:24
HAVCITYCLERK

May 14, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

**RE: IBS Awareness Day Proclamation**

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

I, Mayor Barrett, wish to introduce Julianne Piraino and present a proclamation recognizing IBS Awareness Day in the City of Haverhill.

Sincerely,

**Melinda E. Barrett**
Mayor

MEB/em

## *CITY OF HAVERHILL*

# PROCLAMATION

WHEREAS, Inflammatory Bowel Disease (IBD), including Crohn's disease and Ulcerative colitis, affects millions of people worldwide, causing chronic inflammation of the gastrointestinal tract and significantly impacting quality of life; and

WHEREAS, individuals living with IBD often endure unpredictable symptoms, including pain, fatigue, and digestive complications, while facing emotional, social, and financial challenges; and

WHEREAS, the exact causes of IBD remain unknown, and there is currently no cure, highlighting the need for continued research, improved treatments, and increased public awareness; and

WHEREAS, raising awareness helps reduce stigma, promotes early diagnosis, and supports those affected in seeking appropriate care and community support; and

WHEREAS, Crohn's & Colitis Foundation and other organizations work tirelessly to fund research, provide education, and advocate for patients and families affected by IBD; and

WHEREAS, World IBD Day, observed annually on May 19, unites people across the globe to shine a light on IBD and show solidarity with those affected;

NOW, THEREFORE, I, Mayor Barrett, Mayor of the City of Haverhill, do hereby proclaim May 19th, 2026, as,

# World IBD Day

in the City of Haverhill and encourage all citizens to increase their understanding of IBD, support those living with these conditions, and participate in efforts to advance research and awareness.

*IN WITNESS WHEREOF I have hereunto set my hand and caused the Seal of the City of Haverhill to be affixed this 19th day of May in the Year of Our Lord Two Thousand and Twenty-Six.*

_____

***MAYOR MELINDA E. BARRETT***

MELINDA E BARRETT
MAYOR

CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
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May 15, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

**RE: Loan Order – 14-16 Stevens Street Property Remediation Bonds**

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

Please find attached a proposed loan order in the amount of $5,000,000.00 for the purpose of financing the remediation, demolition, disposal and securing of buildings located at 14-16 Stevens Street. Due to the nature of the emergency, the City Council must first vote to establish an emergency measure, followed by a vote on the borrowing authorization. Both items require a two-thirds majority vote.

I recommend approval.

Sincerely,

**Melinda E. Barrett**
Mayor

MEB/em

DOCUMENT

# CITY OF HAVERHILL

In Municipal Council

**ORDERED:**

MAY 15 AM10:56
HAVCITYCLERK

## HAVERHILL CITY COUNCIL

At an emergency meeting of the City Council of the City of Haverhill, held on the 8th day of May, 2026, it was voted as follows:

WHEREAS, a vacant factory with a mill building is located at 14 Stevens Street in Haverhill (the "Property") owned by Shain Realty Trust;

WHEREAS, the Property is 154,163.70 square feet and is close in proximity to other businesses in the City and located next to Little River;

WHEREAS, a fire broke out and spread throughout the entirety of the Property on April 28, 2026;

WHEREAS, Stevens Street and the businesses located thereon have been closed due to the risk of the Property's collapse and there exists an environmental threat given the proximity to Little River; and

WHEREAS, the Fire Chief, Building Inspector, and an independent structural engineer have declared that the Property is a danger to public safety;

NOW, THEREFORE, the Council votes to declare that the Property presents an imminent risk to public safety, requiring emergency action to remedy the unsafe condition, and determines that immediate action is required to make the Property safe in the form of demolishing the Property.

At the same emergency meeting on the 8th day of May, 2026, City Council took a vote to appropriate the sum of $5,000,000.00 (Five Million Dollars) for the purpose of remediating, demolishing, disposing and securing the building(s) located at 14-16 Stevens Street including public safety, engineering, consulting, and legal costs associated with same and further voted to authorize the Mayor to enter into a Loan Order and take any and all other actions, necessary or convenient to effectuate the intent and purpose of the Loan Order.

In consideration of the declared emergency and for the purposes of effectuating the previously approved appropriation and Loan Order, City Council votes as follows:

Ordered: That Five Million Dollars ($5,000,000) is hereby appropriated based on the City Council's declaration of emergency at the Emergency City Council Meeting held on May 8, 2026 (Document 1-Z) for the purpose of financing the remediation, demolition, disposal and securing of the buildings located at 14-16 Stevens Street, including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is

authorized to borrow said amount pursuant to Chapter 44, Section 7 and/or 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

Further Ordered: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

5.3

MELINDA E. BARRETT
MAYOR

CITY OF HAVERHILL
MASSACHUSETTS

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FOUR SUMMER STREET
HAVERHILL, MA 01830
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FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.HAVERHILLMA.GOV

May 14, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

**RE: Order Authorizing City Council to Accept a Gift of $200.00 Dollars from Wingate Residences at Haverhill for the Volunteer Luncheon at the Citizens Center**

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

Please see attached an order authorizing City Council to accept a gift of $200.00 dollars for the Volunteer Luncheon at the Citizen's Center from Wingate Residences at Haverhill to Council on Aging Department.

I recommend approval.

Sincerely,

Melinda E. Barrett

**Melinda E. Barrett**
Mayor

MEB/em

Document

CITY OF HAVERHILL

In Municipal Council

MAY 15 AM8:23
HAVCITYCLERK

Ordered:

GIFT ACCEPTANCE

At a regularly convened meeting of the City Council of the City of Haverhill, held on the 14th day of May 2026, it was voted as follows:

That the City Council of the City of Haverhill, duly elected, qualified, and acting as such, on behalf of the City votes to accept a gift of two hundred dollars ($200.00) for the Volunteer Luncheon at the Citizens Center. Consistent with the purpose of the donation, as stated in the letter from Wingate Residences at Haverhill addressed to the City of Haverhill dated March 2026, the Gift shall be used by the Council on Aging Department.

YEAS: _____

NAYS: _____

ABSENT: _____

PASSED IN COUNCIL: _____

A True Record, Attest:

_____
Date Approved

_____ _____
Kaitlin M. Wright, City Clerk Melinda E. Barrett, Mayor

3-27-26

To Whom it May Concern:

Wingate Residences at Haverhill has donated $200 to the Haverhill Council on Aging for the sponsorship of the Volunteer Luncheon. We enjoy being included in your programming and look forward to more opportunities to work together.

Kind Regards,

Stacey Blakeslee

Director of Community Relations

Wingate Residences at Haverhill

TRUE WATERMARK PAPER · HOLD TO LIGHT TO VIEW · HEAT SENSITIVE PINK IMAGE DISAPPEARS WITH HEAT

5342

**WSL Haverhill AL LLC**
10 Residences Way
Haverhill, MA 01830

Needham Bank
1063 Great Plain Ave
Needham, MA 02492

53-7353/2113

05/01/2026

Pay **** TWO HUNDRED AND 00/100 DOLLARS $200.00

Pay to the Order of
HAVERHILL COUNCIL ON AGING
10 WELCOME ST
HAVERHILL , MA 01830

(AUTHORIZED SIGNATURE)

5.4

MELINDA E BARRETT
MAYOR

CITY OF HAVERHILL
MASSACHUSETTS

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May 14, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

**RE: Loan Order - $ 900,000.00 for the Acquisition of Property of 309 East Broadway**

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

Please see attached a proposed loan order for $900,000.00 for the acquisition of property of 309 East Broadway. This item must be placed on file for 10 days.

I recommend approval.

Sincerely,

Melinda E. Barrett

**Melinda E. Barrett**
Mayor

MEB/em

# Haverhill

Robert E. Ward, DPW Director
Phone: 978-374-2382 Fax: 978-521-4083
rward@haverhillma.gov


Date: May 14, 2026

To: The Honorable Melinda E. Barrett
Mayor of Haverhill

From: Robert E. Ward REW.
DPW Director

Subject: Loan Order for the Acquisition of Property at 309 East Broadway

Attached for your review and consideration is a proposed loan order authorizing the borrowing of S900,000 for the acquisition of the house and property located at 309 East Broadway. The agreed compensation amount of $1.8 million will be funded by this loan order, plus $900,000 from a capital fund in the Water Enterprise Fund.

The purpose of this acquisition is to provide the City with a suitable location to site and construct a municipal well to augment the City's public water supply, strengthen long-term water system reliability, improve resiliency during periods of drought and seasonal supply constraints, and support the City's long-term water supply planning efforts.

This property was identified as a suitable location for the proposed well through numerous geological studies, including a geological survey of the entire Merrimack River within the Haverhill boundaries, soil sampling, and test well installations.

As you are aware, some members of the City Council did not support proceeding with an eminent domain taking of a portion of the parcel necessary for the well construction for $937,000 as originally proposed at the City Council meeting on February 10, 2026. Instead, those Councilors expressed a preference to pursue acquisition of the parcel through a negotiated agreement with the property owner, even if it meant purchasing the entire parcel, including the house.

Several Councilors indicated a willingness to support borrowing $900,000 toward acquiring the parcel and house at the appraised value of $1.8 million, contingent upon reaching an agreement with the property owner.

The proposed approach represents a negotiated or "friendly" taking, whereby the City would exercise its eminent domain authority with the cooperation and agreement of the property owner. Under this approach, the City and property owner have agreed to a mutually agreed-upon Taking Agreement that establishes the compensation, terms, and conditions of the acquisition, thereby avoiding contested eminent domain proceedings while still achieving the City's water supply objectives. The City Council will need to approve an Order Authorizing the Taking of the property.

The debt service on the loan will be paid from the Water Budget with an annual estimated payment of S70,000 over 20 years. This equates to approximately $0.04 per hundred cubic feet on the user rate.

If acceptable, I respectfully request that you submit the attached loan order to the City Council. The loan order must be placed on file for the required ten days prior to consideration and voting. At the same meeting on June 2nd as the Council's consideration of the loan order, the proposed Order to Authorize the Taking of 309 East Broadway is anticipated to be presented for city council approval.

Please let me know if you need any additional information.

Attachment - Proposed Loan Order

Cc: Christine Lindberg, Chief of Staff, clindberg@haverhillma.gov
Lisa Mead, Mead, Talerman & Costa LLC, lisa@mtclawyers.com
Joseph Ruotolo, Mead, Talerman & Costa, LLC, joe@mtclawyers.com
John D'Aoust, Water Treatment Plant Manager, jdaoust@HaverhillMa.gov
Mathew Snell, Nutter, McClennen & Fish, LLP, MSnell@nutter.com
Angel Perkins, City Auditor, aperkins@haverhillma.gov

5.4.1

DOCUMENT

# CITY OF HAVERHILL

In Municipal Council

MAY 15 AM 8:23
HAVCITYCLERK

ORDERED:

**$900,000 Land Acquisition Bonds**

ORDERED: That the City is hereby authorized to acquire, either by purchase or eminent domain, the parcel of land located at 309 East Broadway in Haverhill, Massachusetts, identified as Assessor's Parcel ID 469-188-6, for the purpose of providing a new water supply well for the City's water supply, and to take any other action incidental and related thereto; that Nine Hundred Thousand Dollars ($900,000) is appropriated to pay the costs of said land acquisition project, including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 8(3) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor is authorized to take any other action necessary to carry out this project.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

5.5

MELINDA E. BARRETT
MAYOR

CITY OF HAVERHILL
MASSACHUSETTS

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May 14, 2026

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

From: Mayor Melinda E. Barrett

**RE: Authorization of Little River Dam Transfer Agreement and Acceptance of Temporary and Permanent Easements**

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

Please see attached an order authorizing the Mayor to enter into a Dam Transfer Agreement for the acquisition of the Little River Dam and for the acceptance of temporary and permanent easements for the construction of a retaining wall. This order requires a two-thirds majority vote.

I recommend approval.

Sincerely,

Melinda E. Barrett

**Melinda E. Barrett**
Mayor

MEB/em

5.5.1

| | | |
|---|---|---|
| | **Document**<br><br>**CITY OF HAVERHILL**<br><br>**In Municipal Council** | MAY 15 AM 8:24<br>HAVCITYCLERK |

ORDERED:

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS. CITY OF HAVERHILL

**HAVERHILL CITY COUNCIL**

At a regularly convened meeting of the City Council of the City of Haverhill, held on the 19th day of May, 2026, it was voted as follows:

That the City Council of the City of Haverhill, duly elected, qualified, and acting as such, on behalf of the City votes to authorize the Mayor to enter into a Dam Transfer Agreement (the "Agreement"), and purchase the rights of the Little River Dam including (i) certain water rights in and to the Little River and (ii) the spillway portion of the dam known as the Little River Dam having the National Dam ID No. MA00739 and recorded in the Essex County Registry of Deeds Book 39564 Page 281 all as set forth on that certain Agreement attached hereto and execute any and all documents, including, but not limited to a so called Temporary Easement and Permanent Easement in order to construct a certain retaining wall and thereafter maintain and accessing same all as shown on the exhibits attached to the Agreement and further to transfer from Free Cash sum of $1.00 for the purpose of purchasing the water rights, spill way, dam, temporary easement and permanent easement and any other rights described in the Agreement and to further authorize the Mayor take any and all other actions, necessary or convenient to effectuate the intent and purpose of the Agreement.

YEAS: _____

NAYS: _____

ABSENT: _____

PASSED IN COUNCIL: _____

A True Record, Attest:

_____
Date Approved

_____
Kaitlin M. Wright, City Clerk

_____
Melinda E. Barrett, Mayor

Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950

978.463.7700
www.mtclawyers.com

May 8, 2026

Tim Jordan, Pres.
City Council
City of Haverhill
4 Summer Street,
Room 204
Haverhill, MA 01830

Re: Transfer of Little River Dam and Spillway / Acceptance of Temporary and Permanent Easements

Dear Pres. Jordan and Members of the City Council;

Reference is made to the above captioned matter. In that connection, after almost 36 months or negotiating a Dam Transfer Agreement, redesigning the spill way and finalizing the related engineering, I am please to present to you this evening a Dam Transfer Agreement by and between the City of Haverhill and Steven Shain and Carol Shain, Trustees of the Shain Realty Trust the owners of the property located at 14 -16 Stevens Street which is adjacent to the Little River Dam which is owned by Little River Dam Owner, LLC including the related spillway and water rights. This transfer and easement are related to the larger Little River project being undertaken by the Department of Public Works to remove the dam and allow the water to flow freely in the channel. Given the recent fire at 14-16 Stevens Street, the acquisition of the Dam and spillway are even that much more important to how the engineers approach the work in the Little River.

I have attached a copy of the Agreement. You will note that the City is not paying anything for the Dam and is paying nominal consideration for the easement. Given the recent events at the mill, the acquisition we renegotiated and no funds are transferring hands.

Importantly as well, there was a redesign of the project over the past year which substituted using the wall of the existing structure that is in very poor condition as brace for the embankment on the new channel. Instead, the engineers have created a retaining wall which will now act as the brace for the new channel and the City will gain a permanent easement in order to keep the wall in place an maintain it moving forward. This situation may of course change in the near future depending on what happens at the mill site. However, having these documents in place will allow the City to move forward with a plan for bidding purposes.

**New Bedford Office**
227 Union Street
New Bedford, MA 02740
Phone 774.206.6857

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

In order to undertake the transfer of the Dam, the owners/Sellers needed to provide notice to the Office of Dam Safety. This notice has been provided. Thereafter the Office will issue a new Dam Registration Certificate, which will thereafter be recorded at the Registry of Deeds by the City. Once the closing occurs, the City will be required to remove the Dam over the next three years. In order to accommodate that time frame and the various limitations on work on the Little River, the Department of Public Works has already bid out the work to accomplish this project. It is anticipated that by mid to end of June that contract will be signed.

I will be at the Council's meeting of May 19, 2026 and available to answer any questions you might have at that time.

Sincerely,

Atty. Lisa Mead, City Solicitor

Enclosure(s)

cc: Mayor Barrett
Robert Ward, DPW Director

# DAM TRANSFER AGREEMENT

This Dam Transfer Agreement is entered into on this 7th day of May, 2026 by and between the **CITY OF HAVERHILL** (the "City"), a Massachusetts municipal corporation, having an address of City Hall, 4 Summer Street, Haverhill, MA 01830, Steven Shain and Carol Shain, Trustees of **SHAIN REALTY TRUST** (the "Trust"), u/d/t dated December 12, 1986 and recorded with the Essex South District Registry of Deeds (the "Registry") in Book 8688, Page 441, as amended, having an address of 2506 Fairway Drive North, Jupiter, Florida 33477, and **LITTLE RIVER DAM OWNER LLC**, a Massachusetts limited liability company, having an address of c/o Barry Weiner Strategies, 3A Curlew Court, Gloucester, MA 01930 (the "Dam Owner");.

## RECITALS

WHEREAS, the Dam Owner is the owner of (i) certain water rights in and to the Little River (the "Water Rights") and (ii) the spillway portion of the dam known as the Little River Dam (the "Dam") having the National Dam ID No. MA00739 and also being described in a Dam Registration Certificate issued by the Massachusetts Department of Conservation and Recreation Office of Dam Safety (the "Office of Dam Safety") under 302 CMR 10.05 naming the Dam Owner as the owner of the Dam, and recorded in the Registry in Book 39564, Page 281, and which the Dam Owner came into possession of by instrument dated November 19, 2020 and recorded in the South Essex Registry of Deeds Book 39728, Page 35 (collectively the "Dam");

WHEREAS, the Trust is the owner of the land adjacent to the Dam, including improvements thereon, described in a deed recorded in the Essex South Registry of Deeds in Book 8688, Page 448 , (the "Trust Property"); and

WHEREAS, the City is desirous of acquiring and removing the Dam having identified key benefits to the City in doing so, including:

- Allowing the free flow of water in compliance with the Commonwealth of Massachusetts policy;
- Reduction of flooding risk in an environmental justice neighborhood;
- Addition of a Little River access point and beautification of the river banks including a public green space amenity from land recovered from the Dam's impoundment;
- Increased tree cover in the downtown area;
- Facilitating the development of the Trust property for mixed use and needed affordable housing; and
- Environmental benefits associated with the removal of a barrier to fish passage along the Little River and sediment upstream;

WHEREAS, the Dam Owner is in arrears of certain real estate taxes and related penalties and interest due for the Dam; and

WHEREAS, the Trust is in arrears of certain real estate taxes and related penalties and interest due for the Trust Property; and

WHEREAS, the City is in the process of planning on removing the Dam, cleaning up and disposing of hazardous sediment in the River and constructing banks and retaining walls to create a new channel to allow the free flow of water in the Little River in compliance with the policy adopted by City under their municipal vulnerability planning process as supported by Commonwealth of Massachusetts and to aid the Trust in redeveloping the Trust Property; and

WHEREAS, the Dam Owner is desirous of selling and transferring the Dam to the City and the City is desirous of acquiring and removing the Dam; and

WHEREAS, the City's work on the River and removal of the Dam will ~~greatly~~ increase the values of the Trust Property and remove a long term liability impediment to future development of the Trust Property; and

WHEREAS, the City's work on the removal of the Dam and work on the River in the area of the Trust Property has a cost to the City approximately $1,549,076.00 which will be reimbursed by a $5,000,000 grant awarded to the City contingent upon the sale of the Dam to the City; and

WHEREAS, the parties are desirous of resolving the outstanding tax issues on the Dam and the "Trust Property" to facilitate the sale and transfer of the Dam and Water Rights to the City, the Dam's removal and the sale and development of the Trust Property and providing an opportunity for the City to comply with the municipal vulnerability plan.

NOW, THEREFORE, for consideration of One Dollar ($1.00) and other good and valuable consideration the receipt of which is hereby acknowledged, and for the mutual promises set forth below, the parties agree as follows:

1. Transfer Notice. Promptly following the effectiveness of this Agreement, the Dam Owner shall deliver proper notice to the Office of Dam Safety (with a copy to the City) of the proposed transfer of title to the Dam to the City in accordance with 302 CMR 10.05(6) and other applicable law and regulations (the "Transfer Notice").

2. Closing.

a. The Dam Owner agrees to convey and transfer to the City, and the City agrees to acquire from the Dam Owner, all of the Dam Owner's right, title and interest in and to the Dam and the Water Rights. Such conveyance to the City (the "Closing") shall occur on the date that is thirty (30) days after the delivery of the Transfer Notice to the Office of Dam Safety which shall occur no later than June 12, 2026 (the "Closing Date"). At the Closing, the Dam Owner shall deliver to the City a Deed and Bill of Sale conveying its interests in the Dam and the Water Rights (the "Deed"). In addition, the Dam Owner shall cause the delivery to the City from the Trust a temporary easement to enter the property located at 14 Stevens Road, Haverhill and

any buildings and/or structures thereon by foot and motor vehicles and with heavy equipment and using the same for accessing, maintaining, repairing and/or demolishing the Dam, including, without limitation, for construction staging purposes in the form attached hereto as Exhibit A (the "Temporary Easement"; the Water Rights and the Temporary Easement are referred to, collectively, as the "Dam Rights").

b. Contingency: The City's obligations hereunder are strictly contingent upon the approval of the City Council to authorize the appropriation and purchase of the Dam Rights on or before May 22, 2026.

c. Purchase Price. The Dam Owner and the Trust will gift to the City the Dam Rights.

d. Grant of Temporary and Permanent Easement and Purchase Price:

(i) The Trust agrees to enter into the attached Temporary Easement to allow the City access to the area adjacent to the building on the Trust Property as more fully set forth in Exhibit A during the term of the removal of the dam and construction of the retaining wall and embankments all as set forth on the plan attached to Exhibit A. The compensation for the Temporary Easement shall be ONE DOLLAR ($1.00) which City shall pay to the Trust as consideration for the grant of the Easement.

(ii) The Trust agrees to enter into the attached Permanent Easement to allow the long term placement of the retaining wall and access and maintenance thereof as more fully set forth in the easement document attached hereto as Exhibit B.

3. Post-Closing Obligations.

(a) Promptly following the Closing, the City shall cause the Deed to be recorded in the Registry and shall register as the owner of the Dam with the Office of Dam Safety and make application for the issuance of a Dam Registration Certificate in its name pursuant to 302 CMR 10.05(6), and, upon receipt thereof, promptly cause the same to be recorded in the Registry.

(b) The City agrees that, within thirty six (36) months following the Closing, the City shall cause the Dam to be demolished and removed from the Little River in accordance with all applicable laws and regulations, and shall use good faith efforts to complete each phase of such demolition and removal in accordance with the schedule of project deadlines attached hereto as Exhibit C. This time frame may be extended by the City, due to financing issues or regulatory controls outside the City's control, with prior written consent of the Trust and Dam Owner, which shall not be unreasonably withheld or conditioned.

(c) The City shall use good faith and diligent efforts to conduct activities relating to the demolition and/or removal of the Dam shall be conducted in a manner so as to

minimize contact with, and prevent damage to, existing improvements on the Trust Property.

(d) The City agrees that it shall provide to the Trust and the Dam Owner copies of all applications for permits, licenses, and any other approvals submitted in connection with the demolition and removal associated with the Dam (collectively, the "Permits") prior to, or contemporaneously with, submission thereof. Promptly upon receipt of any Permit (or any written denial thereof), the City shall provide a copy thereof to each of the Trust and the Dam Owner. The Dam Owner agrees to promptly execute any and all applications for Permits following the City's written request therefor to be filed by the City related to the maintenance, repair, and/or removal of the Dam, at no material cost to the Dam Owner.

(e) The City agrees to use good faith efforts to provide the Trust with written status reports detailing its activities with respect to the demolition and removal of the Dam. Such status reports are to be delivered no less frequently than semi-annually on or before June 30, and December 31 of each year until all activities relating to the demolition and removal of the Dam have been completed in accordance with applicable law.

4. Indemnification and Insurance.

i. *Indemnification.* Except as otherwise provided in Section 5 below, and except in the case of gross negligence or intentional misconduct by the Dam Owner, the Trust and/or any their agents, employees, representatives, contractors and/or invitees (, the "Dam Owner Parties"), the City shall be responsible for any and all injuries liabilities and damages to persons or to the Trust Property arising from or caused by the Dam and/or Water Rights or as result of the ownership, operation, demolition, removal or maintenance of the Dam. The City agrees, to the extent permitted by law, to indemnify the Trust and the Dam Owner against, and hold the Dam Owner and Trust harmless from, any damage, injury or claim which arises from, or is incident to, the exercise of the City's rights and obligations (or failure to observe its obligations, as applicable) hereunder, and/or any of the liabilities and damages described in the preceding sentence, except in each case to the extent the same is caused by the gross negligence or intentional misconduct of the Trust, or the Dam Owner or as otherwise provided in Section 5 below. This provision hereof shall survive the expiration or earlier termination of this Agreement.

ii. *Insurance.* From the Closing until such time as the Dam has been fully demolished and removed in accordance with applicable law and all work in connection therewith has been completed, the City shall maintain, and shall cause its agents, contractors, consultants and other

invitees (collectively, the "Permittees") entering onto the Dam and/or the Trust Property, to maintain a policy of comprehensive general liability insurance in such amounts, on such forms as set forth on Exhibit D attached hereto in each case naming the Trust as an additional insured. The City shall deliver to the Trust a copy of the insurance policy required to be maintained under this Section 4(b) on the Closing Date and deliver certificates of insurance from the other Permittees before they enter the Trust Property for any reason, and thereafter not less than ten (10) days prior to the expiration or other termination of any such policy.

5. Release. The Dam Owner and Trust (collectively, the "Releasing Parties") covenant and agree that, provided that the City maintains and removes the Dam in compliance with applicable laws and regulations and removes the Dam in a good and workmanlike manner and substantially in compliance with the Approved Plans and Specs, the Releasing Parties shall forever release, discharge, and waive any rights, claims, actions, proceedings, damages, demands, cost, expenses and/or liabilities of any kind or nature for any injury, harm or damage to the Trust Property and/or any buildings and/or improvements thereon that arises, following the removal of the Dam and final inspection of the Trust Property. The provisions hereof shall survive the expiration or earlier termination of this Agreement.

6. City Representations. The City's represents as follows:

*i. Due Authority.* The City, and the signatory executing this Agreement on behalf of the City, has all necessary power and authority to enter into this Agreement and to consummate the transactions contemplated hereby, and this Agreement and the transactions contemplated hereby have been duly authorized by all necessary action on the part of the City (including without limitation, all necessary approvals from its City Council); other than delivery of the Transfer Notice to the Office of Dam Safety, no authorization, approval or consent of, and no filing or registration with, any governmental or regulatory authority or agency is required on the part of the City in connection with the City's execution and delivery of this Agreement or for the City to acquire the Dam and the Water Rights pursuant to the terms hereof.

*ii. Documentation.* The City acknowledges that prior to the date hereof, it has received an Operations and Maintenance Manual with respect to the Dam.

*iii. Responsibility for Dam.* The City acknowledges that under applicable Massachusetts statutes and regulations, the owner of a dam has certain maintenance and other obligations, and that the City shall assume such obligations with respect to the Dam from and after the Closing.

7. Dam Owner Representations. The Dam Owner represents to the City as follows: Each of the Trust, the Dam Owner and the signatories executing this Agreement on their respective behalf, has all necessary power and authority to enter into this Agreement and to consummate the transactions contemplated hereby, and this Agreement and the transactions contemplated hereby have been duly authorized by all necessary action on the part of the Dam Owner (including without limitation, all necessary approvals from the beneficiaries of the Trust and the managers and/or members of the Dam Owner); the Dam Rights shall be conveyed to the City free and clear of any and all liens and other encumbrances; other than receipt and recording of the Owner's Dam Registration Certificate and delivery of the Transfer Notice to the Office of Dam Safety, no authorization, approval or consent of, and no filing or registration with, any governmental or regulatory authority or agency (other than the City, as contemplated hereby) is required on the part of the Dam Owner in connection with its execution and delivery of this Agreement or for the Dam Owner to convey the Dam and the Dam Rights pursuant to the terms hereof.

8. City Conditions. The parties acknowledge that the City's obligation to remove the Dam under this Agreement is predicated on the following:

(a) The City shall make any repairs and/or improvements to the Trust Property and/or the building or buildings thereon to protect the same from damage reasonably likely to be caused by or arising out of the removal of the Dam (the "Stabilization") and the cost of the said Stabilization shall be paid by the City. And further that the Trust and Dam Owner City shall have no obligation with regard to the stabilization of the Trust Property and/or buildings located thereon. Notwithstanding the foregoing, given the change of construction process and the employment of the easements as noted above, the City will not be undertaking construction at the building and therefore, is an independent structure and will not be in contact with the building or the foundation thereof.

9. Notices. Any notices and communications required or permitted to be given under this Agreement (each a "Notice") shall be deemed duly served if mailed by registered or certified mail, return receipt requested, postage prepaid, or by recognized overnight delivery, or by confirmed facsimile or email transmission, addressed to the parties at the addresses set forth above with copies to the parties set forth below. Any such notice address or party to be copied may be changed with like notice.

i. Any notice to the City shall also be given simultaneously to Lisa L. Mead, Esq., Mead, Talerman & Costa, LLC, 30 Green Street, Newburyport, MA 01950.

ii. Any notice to the Dam Owner shall also be given to Barry Weiner, Esq., Barry Weiner Strategies, 3A Curlew Court, Gloucester, MA 01930.

iii. All notices shall be deemed given two (2) Business Days following deposit in the United State mail with respect to certified or registered letters, one (1)

business day following deposit if delivered to an overnight currier guaranteeing next Business Day delivery and on the same day if sent by personal delivery, by facsimile or by electronic mail as set forth above. Attorneys for each party shall be authorized to give notice for each such party.

10. Time of the Essence. Time is of the essence for the performance of the parties' respective obligations under this Agreement.

11. Force Majeure. Notwithstanding the foregoing, if any party shall be delayed or prevented from the performance of any act required hereunder by reason of acts of God, strikes, lockouts, labor troubles, inability to procure materials, restrictive governmental laws, delays or regulations, delays caused by the other party, or other cause without fault and beyond the control of the party obligated, including, without limitation, a delay relating to the COVID-19 pandemic or other pandemics (a "Force Majeure Delay"), performance of such act shall be excused for the period of delay and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay; provided, however, that in no event shall the time for performance of the City's obligation to complete demolition and removal of the Dam be extended beyond thirty-four (34) months after the date of this Agreement.

12. Satisfaction. Except for the provisions stated in Section 13, this Agreement shall expire and be of no further force and effect upon the removal of the Dam in compliance with the terms of this Agreement.

13. Survival. For avoidance of doubt, the provisions of Sections 4(i) and 5 hereof shall survive the Closing and the expiration of this Agreement.

14. Construction. This Agreement contains the entire agreement of the parties and there are no other agreements or understandings between the parties regarding the subject matter of this Agreement. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts without regard to its principles relative to conflicts of laws, and any and all legal actions brought in connection with this Agreement shall be brought in courts within the Commonwealth of Massachusetts. This Agreement may not be modified except in writing, duly executed by the parties hereto. The captions and headings throughout this Agreement are for convenience of reference only and the words contained therein shall in no way be held or deemed to define, limit, explain, modify, amplify or add to the interpretation or meaning of any provisions of, or the scope or intent of this Agreement, nor in any way affect this Agreement, and shall have no legal effect.

15. Successors. This Agreement shall be binding upon, and inure to the benefit of, parties hereto and their respective successors and assigns.

16. Electronic Execution; Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original agreement and all of which shall constitute one and the same agreement. The counterparts of this Agreement may be executed and delivered by facsimile or other electronic signature (including portable document format) by the

parties and the receiving party may rely on the receipt of such document so executed and delivered electronically or by facsimile as if the original had been received.

EXHIBITS

TRANSFER AGREEMENT EXHIBIT A – Temporary Easement Agreement
Temporary Easement Exhibit 1 – Plan for Improvements
TRANSFER AGREEMENT EXHIBIT B - Permanent Easement Agreement
Permanent Easement Exhibit 1 – Plan for Improvements
TRANSFER AGREEMENT EXHIBIT C – Project Deadlines
TRANSFER AGREEMENT EXHIBIT D - Insurance Limitation and Requirements

*[Remainder of Page Intentionally Blank]*

Executed as a sealed instrument as of the date first hereinabove written.

The City:

**CITY OF HAVERHILL,**
By its Mayor,

Melinda Barrett

The Trust:

Carol Shain, as Trustee of
**SHAIN REALTY TRUST**
u/d/t dated December 12, 1986

Steven Shain as Trustee of
**SHAIN REALTY TRUST**
u/d/t dated December 12, 1986

The Dam Owner:

**LITTLE RIVER DAM OWNER LLC**

By:_____
Steven Shain, Manager
Duly Authorized

WITNESS our hands and seals this _____ day of _____, 2026.

The City:

**CITY OF HAVERHILL,**
By its Mayor,

_____

Melinda Barrett

The Trust:

Carol Shain

Carol Shain, as Trustee of
**SHAIN REALTY TRUST**
u/d/t dated December 12, 1986

Steven Shain

Steven Shain as Trustee of
**SHAIN REALTY TRUST**
u/d/t dated December 12, 1986

The Dam Owner:

**LITTLE RIVER DAM OWNER LLC**

By: Steven Shain

Steven Shain, Manager
Duly Authorized

**TRANSFER AGREEMENT EXHIBIT A**

**Temporary Easement**

**GRANT OF TEMPORARY EASEMENT**

We, Steven Shain and Carol Shain, Trustees of the Shain Realty Trust, u/d/t dated December 12, 1986, as evidenced by a Trust recorded in the Essex South Registry of Deeds in Book 8688, Page 441 and Little River Dam Owner, LLC, a Massachusetts limited liability company, having an address of c/o Barry Weiner Strategies, 3A Curlew Court, Gloucester, MA 01930 (collectively,the "Grantor") being the owner in fee simple of property located at 14 Stevens Street Haverhill, Massachusetts, and described in a deed recorded with the said Deeds in Book 8688, Page 448 (the "Property"), for consideration paid of ONE DOLLAR ($1.00) grants to the City of Haverhill, a Massachusetts municipal corporation with a place of business at 40 South Porter Street, Haverhill, Massachusetts (the "City") a temporary easement as shown on the plan entitled "Anticipated Easement Plan", February 19, 2026 Prepared by Fuss and O'Neill and attached hereto as Temporary Easement Exhibit 1 recorded herewith (the "Easement Plan") for the purposes of temporary construction related to removing the dam and restoring the Little River (the "Project") and further described as:

A temporary easement in, on, over, under and along the parcels of land shown on the Easement Plan as "Shain Realty Trust Temporary Easement Area " for the purposes of undertaking the Project and purposes incidental thereto, including, the right to access, travel, pass and repass over the easement areas described herein by foot, motor vehicles, including heavy equipment for the foregoing purposes which shall include, but are not limited to, excavating land, grading land, constructing, reconstructing, removing and restoring existing walls, and using and temporarily storing, as needed, construction equipment, vehicles, materials and other incidental items in, on, and upon the easement area as described herein and other activities incidental and related thereto as needed and as reasonably necessary for such purposes. The temporary use of the easements shall expire upon the completion of the Project, but in any event no later than _____, 202____.

The City and/or its designee(s) shall have the right to remove any vegetation (including trees and shrubs) now or hereafter located within the easement areas as may be necessary or convenient to exercise the easements granted hereunder. Following a pre-construction meeting among the parties, the City and/or its designee(s) shall have the right to remove any structures or objects now or hereafter located within the easement areas as agreed upon by the parties which agreement by Grantor shall not be unreasonably conditioned or withheld and which approval shall be provided within five (5) business days following the request by the City.

The Grantor agrees not to interfere with, nor grant any other easements, leases, or licenses that will interfere with the easements granted herein. Except for the rights, privileges, benefits and easements granted herein, Grantor reserves unto itself all rights of ownership and use of the Temporary Easement Area not inconsistent herewith.

The City acknowledges and agrees that it accepts the Temporary Easement Area in "AS IS" condition, and that Grantor has made no representation or warranty regarding the fitness of the Temporary Easement Area for a particular purpose or use. The City agrees that it shall exercise its rights under this grant at its own risk, and Grantor shall not be liable to the City for any injury or death to persons entering the Temporary Easement Area pursuant to this grant, or loss or damage to equipment or other personal property of any nature whatsoever of the City, or of anyone claiming by or through the City, that are brought upon the Temporary Easement Area pursuant to this grant. The City further agrees that it shall be responsible for obtaining any and all governmental permits and/or approvals prior to exercising its rights under this grant.

The City covenants and agrees to indemnify, to the extent not prohibited by law, release, defend and keep harmless Grantor, its agents, contractors, employees, representatives, invitees, successors or assigns (the "Grantor Indemnified Parties") from all liability, liens, judgments, costs, damages and expenses of any kind, including attorneys' fees, which may be imposed upon, incurred by or asserted against any of Grantor Indemnified Parties, by reason of, (a) any failure on the part of the City to fully comply with any provision or term required to be performed or complied with by the City under this grant, (b) any injury or death to persons entering the Temporary Easement Area pursuant to this grant, or loss or damage to equipment or other personal property of any nature whatsoever of the City, or of anyone claiming by or through the City that are brought upon the Temporary Easement Areas pursuant to the this grant, or (c) in consequence of the use of the Temporary Easement Area or for, or on account of anything done, or omitted to be done, under this grant of the Temporary Easement to the City. The City shall also carry insurance and require any third-party contractors to carry insurance, including workers compensation insurance, in amounts sufficient to cover its obligations under this grant of the Temporary Easement, which insurance shall name Grantor (or any fee owner of the Temporary Easement Area) as an additional insured party.

This Temporary Easement is subject to easements and restrictions of record, if any, insofar as the same are in force and applicable.

The City, by acceptance hereof, that within thirty days following completion of the Project, the City will remove debris, surplus material, and construction equipment, and restore the easement area to a presentable condition as closely resembling the original condition existing before such work as is reasonably possible.

In the event of any violation of the terms of this grant contained herein by either party the other party shall be deemed to have suffered irreparable harm and shall be entitled to

equitable relief in the form of a mandatory injunction to require the violating party to bring the property into compliance with this grant. A violation shall not be deemed to have occurred unless the violating party shall have failed to cure the same within thirty (30) days of receipt of written notice of such violation(s).

For the Grantor's title see deed recorded on in the Essex South Registry of Deeds in Book 8688, Page 448.

Executed as a sealed instrument this _____ day of _____, 2026.

_____

Steven Shain, Trustee of the Shain Realty Trust

STATE OF FLORIDA

PALM BEACH COUNTY, ss

On this _____ day of _____, 2026, before me, the undersigned notary public, personally appeared Steven Shain, Trustee of the Shain Realty Trust, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Trustee of the aforesaid Trust.

_____

Notary Public

My Commission Expires:

Executed as a sealed instrument this _____ day of _____, 2026.

_____

Carol Shain, Trustee of the Shain Realty Trust

STATE OF FLORIDA

PALM BEACH COUNTY, ss

On this _____ day of _____, 2026, before me, the undersigned notary public, personally appeared Carol Shain, Trustee of the Shain Realty Trust, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Trustee of the aforesaid Trust.

_____

Notary Public

My Commission Expires:

Executed as a sealed instrument this _____ day of _____, 2026.

**LITTLE RIVER DAM OWNER LLC**

By:_____

Steven Shain, Manager
Duly Authorized

STATE OF FLORIDA

PALM BEACH COUNTY, ss

On this _____ day of _____, 2026, before me, the undersigned notary public, personally appeared Steven Shain, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Manager of the aforesaid Little River Dam Owner, LLC.

_____

Notary Public
My Commission Expires:

Acceptance of Easement

**CITY OF HAVERHILL**,
By its Mayor,

_____

Melinda Barrett

COMMONWEALTH OF MASSACHUSETTS

_____, ss

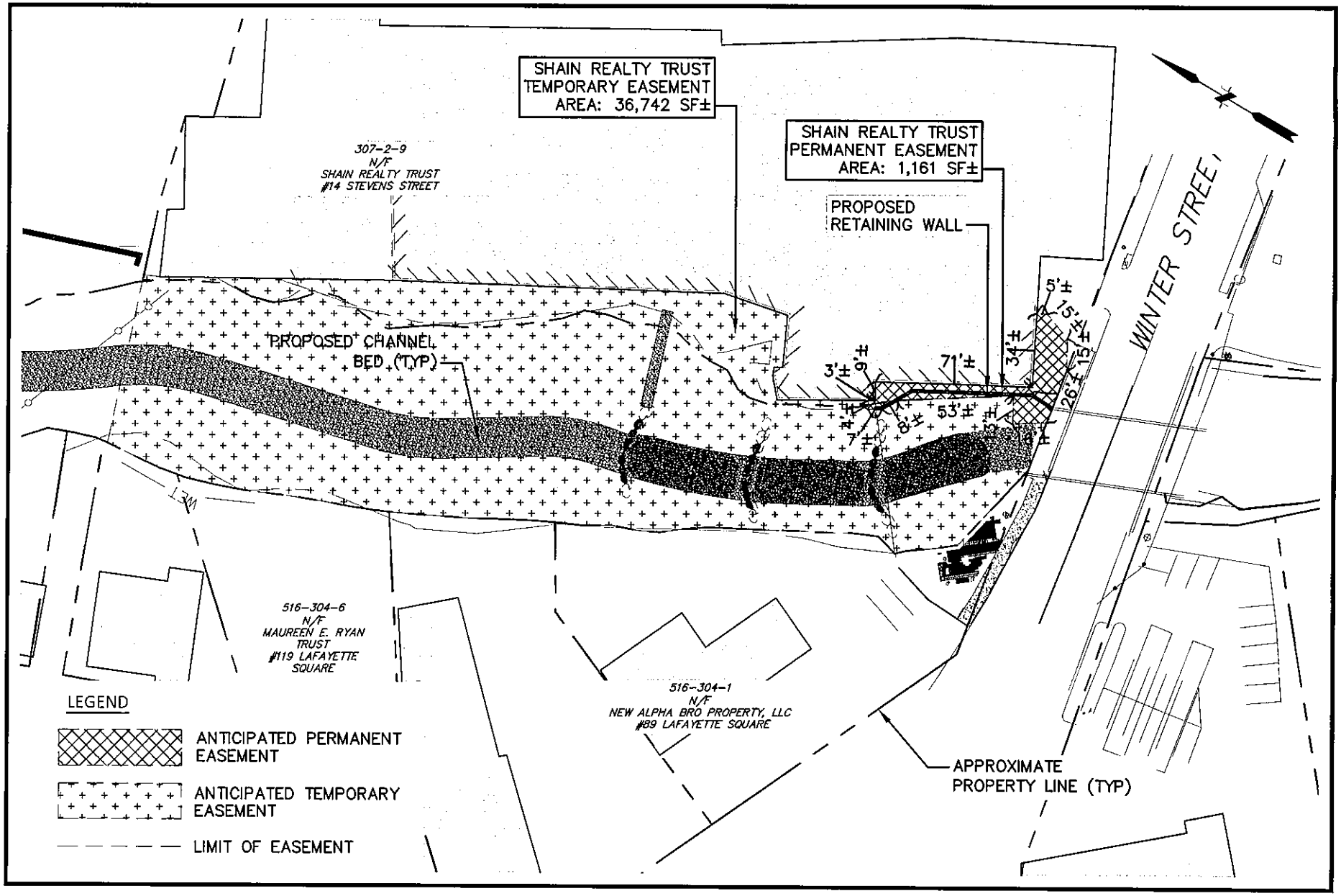
On this _____ day of _____, 2026, before me, the undersigned notary public, personally appeared Melinda Barrett, Mayor, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Haverhill.

_____

Notary Public
My Commission Expires:

**Temporary Easement Exhibit 1**

**Plan for Improvements**




| | |
|---|---|
| SCALE: | |
| HORZ.: 1" = 60' | |
| VERT.: - | |
| DATUM: | |
| HORZ.: - | |
| VERT.: - | |
| 0 30' 60' | |
| GRAPHIC SCALE | |

**FUSS & O'NEILL**

1550 MAIN STREET, SUITE 400
SPRINGFIELD, MA 01103
413.452.0445
www.fando.com

CITY OF HAVERHILL

# ANTICIPATED EASEMENTS PLAN

LITTLE RIVER DAM REMOVAL AND RIVER RESTORATION

HAVERHILL MASSACHUSETTS

PROJ. No.: 20170390.U40
DATE: FEBRUARY 19, 2026

VE-104

File: J:\DWG\P2017\0390\U30\Civil\Figures\Haverhill_Easement_Sketch.dwg Layout: VE-104 Plotted: 2026-02-19 11:46 AM Saved: 2026-02-19 11:45 AM User: claire.nauman
PC3: AUTOCAD PDF (GENERAL DOCUMENTATION).PC3 STB/CTB: FO.STB
LAYER STATE:
MS VIEW:

**TRANSFER AGREEMENT EXHIBIT B**

**Permanent Easement**

**GRANT OF PERMANENT EASEMENT**

The undersigned, Steven Shain and Carol Shain, Trustees of **SHAIN REALTY TRUST** (the "Trust"), u/d/t dated December 12, 1986 and recorded with the Essex South District Registry of Deeds (the "Registry") in Book 8688, Page 441, as amended, having an address of 2506 Fairway Drive North, Jupiter, Florida 33477, and **LITTLE RIVER DAM OWNER LLC**, a Massachusetts limited liability company, having an address of c/o Barry Weiner Strategies, 3A Curlew Court, Gloucester, MA 01930 (the "Dam Owner") (collectively "Grantor") for nominal consideration and City of Haverhill, a municipal corporation having a usual place of business at 4 Summer Street, Haverhill, MA 01830 (hereinafter "Grantee") hereby enter into this Permanent Grant of Easement as of this _____ day of _____, 2026.

WHEREAS, Dam Owner is the owner of (i) certain water rights in and to the Little River (the "Water Rights") and (ii) the spillway portion of the dam known as the Little River Dam (the "Dam") having the National Dam ID No. MA00739 and also being described in a Dam Registration Certificate issued by the Massachusetts Department of Conservation and Recreation Office of Dam Safety (the "Office of Dam Safety") under 302 CMR 10.05 naming the Dam Owner as the owner of the Dam, and recorded in the Registry in Book 39564, Page 281, and which the Dam Owner came into possession of by instrument dated November 19, 2020 and recorded in the South Essex Registry of Deeds Book 39728, Page 35 (collectively the "Dam");

WHEREAS, the Trust is the owner of the land adjacent to the Dam, including improvements thereon, described in a deed recorded in the Essex South Registry of Deeds in Book 8688, Page 448 , (the "Trust Property"); and

WHEREAS, Grantee is in the process of removing the Dam and restoring the flow of the adjacent Little River and related improvements which require access to the Dam and Trust Property;

WHEREAS, Grantee has requested a Permanent Easement for the permanent location of a retaining wall and access thereto to allow for maintenance, repair and monitoring thereof on and over the Trust Property, as shown on the plan entitled "Anticipated Easement Plan", February

19, 2026, Prepared by Fuss and O'Neill attached hereto and incorporated herein as Permanent Easement Exhibit 1 ("Plan"); and

WHEREAS, the Haverhill City Councilor and Mayor have voted to authorize acceptance of this Permanent Easement Agreement; and

WHEREAS, the parties hereto desire to make certain agreements regarding the Permanent Easement.

**NOW THEREFORE,** for good and valuable consideration, the respective receipts of which are hereby acknowledged, the parties agree as follows:

1. The parties acknowledge that the Permanent non-exclusive access and easement area shown as "Shain Realty Trust Permanent Easement Area" on the Plan (the "Permanent Easements Area") on the Trust's Property is reasonably necessary for the permanent placement of a retaining wall shown on "Proposed Retaining Wall" on the Plan (the "Improvements") and the Permanent Easement Area shall be used for the purpose of maintaining, repairing and monitoring same including all things incidental thereto, as the Grantee may deem proper.

2. The Permanent Easement granted hereby is for the placement, maintenance, repair and monitoring by the Grantee, its agents, employee and/or contractors; to allow the Grantee to cross and recross the Permanent Easement Area by foot or by vehicle, or with equipment; and for the Grantee to carry out such work that may be necessary or desirable in connection with the maintenance, repair and monitoring of the Improvements. The rights granted in this paragraph may be exercised by the Grantee at its reasonable convenience pursuant to the terms hereof, provided that the Grantee shall deliver written notice to the Grantor no less than ten (10) days prior to commencement of work that will materially disrupt Grantor's use and quiet enjoyment of the Trust Property.

3. The Grantee agrees, by the acceptance and recording of this Permanent Easement, that it will pay for the maintenance, repair and monitoring of the Improvements within the Permanent Easement Area, complying with all laws, statutes, ordinances, orders and regulations applicable thereto, or other governing or controlling documents on the site.

4. Use of the Permanent Easement shall be carried out by the Grantee in a manner that will not be unreasonably injurious, disruptive or detrimental in any material respect to the use of the Trust Property. Except for the rights, privileges, benefits and easements granted herein, Grantor reserves unto itself all rights of ownership and use of the Permanent Easement Area not inconsistent herewith.

5. The Grantee, at its sole expense, shall obtain and maintain in force and effect all necessary permits and licenses required to exercise rights under this Permanent Easement.

6, The Permanent Easement and conditions provided above shall be Permanent and shall be deemed to run with the land of the Grantor.

7. The Grantee shall be responsible for full payment to any contractors, subcontractors and other parties performing work for Grantee. In the event that any such contractor, subcontractor or other party files a lien against the property of Grantor, then Grantee shall, within thirty (30) days of receipt of notice of such lien, discharge such lien.

8. The Grantor, by acceptance hereof, agrees that within thirty (30) days following completion of the Improvements and completion of any future maintenance, repair or replacement of the Improvements, the Grantor will remove debris, surplus material, and construction equipment, and restore the Permanent Easement Area to a presentable condition as closely resembling the original condition existing before such work as is reasonably possible.

9. Prior to beginning any work in the Permanent Easement Area, the Grantee shall provide to the Grantor evidence of insurance for the Grantee and its contractors in commercially reasonable amounts and types for such work and shall name the Grantor (or any fee owner of the Permanent Easement Area) as additional insured.

10. The Grantee acknowledges and agrees that it accepts the Permanent Easement Area in "AS IS" condition, and that Grantor has made no representation or warranty regarding the fitness of the Permanent Easement Area for a particular purpose or use. The Grantee agrees that it shall exercise its rights under this grant at its own risk, and Grantor shall not be liable to the Grantee for any injury or death to persons entering the Permanent Easement Area pursuant to this grant, or loss or damage to equipment or other personal property of any nature whatsoever of the

Grantee, or of anyone claiming by or through the Grantee, that are brought upon the Permanent Easement Area pursuant to this grant. The Grantee further agrees that it shall be responsible for obtaining any and all governmental permits and/or approvals prior to exercising its rights under this grant.

11. To the extent permitted by law, the Grantee shall indemnify and release, defend and hold harmless the Grantor its agents, contractors, employees, representatives, invitees, successors or assigns (the "Grantor Indemnified Parties") from and against any and all actions, causes of actions, suits, demands, claims, damages, injuries, losses, expenses, fees or costs (including reasonable attorneys' fees) arising out of or in connection with (i) any injury to persons or property occurring on the Permanent Easement Area, (ii) the use of the Permanent Easement, and/or (iii) any breach by the Grantee of its obligations under this Grant of Permanent Easement.

12. In the event of any violation of the terms of this Permanent Easement Agreement contained herein by either party the other party shall be deemed to have suffered irreparable harm and shall be entitled to equitable relief in the form of a mandatory injunction to require the violating party to bring the Dam and/or the Trust Property into compliance with this Permanent Easement. A violation shall not be deemed to have occurred unless the violating party shall have failed to cure the same within thirty (30) days of receipt of written notice of such violation(s).

13. This Grant of Permanent Easement may be executed and acknowledged in multiple counterparts, which when assembled shall constitute a single fully executed document.

*[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]*

WITNESS our hands and seals this _____ day of _____, 2026.

The City:

**CITY OF HAVERHILL,**
By its Mayor,

_____

Melinda Barrett

The Trust:

_____

Carol Shain, as Trustee of
**SHAIN REALTY TRUST**
u/d/t dated December 12, 1986

_____

Steven Shain as Trustee of
**SHAIN REALTY TRUST**
u/d/t dated December 12, 1986

The Dam Owner:

**LITTLE RIVER DAM OWNER LLC**

By:_____
Steven Shain, Manager
Duly Authorized

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this_____day of _____, 2026, before me, the undersigned Notary Public, personally appeared **Melinda Barrett**, Mayor City of Haverhill, proved to me through satisfactory evidence of identification, which was a _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

_____

Notary Public

My Commission Expires:

STATE OF FLORIDA

PALM BEACH COUNTY, ss.

On this_____day of _____, 2026, before me, the undersigned Notary Public, personally appeared Carol Shain , Trustee Shain Realty Trust, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

_____

Notary Public

My Commission Expires:

STATE OF FLORIDA

PALM BEACH COUNTY, ss.

On this_____day of _____, 2026, before me, the undersigned Notary Public, personally appeared Steven Shain , Trustee, Shain Realty Trust, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

_____

Notary Public
My Commission Expires:

STATE OF FLORIDA

PALM BEACH COUNTY, ss.

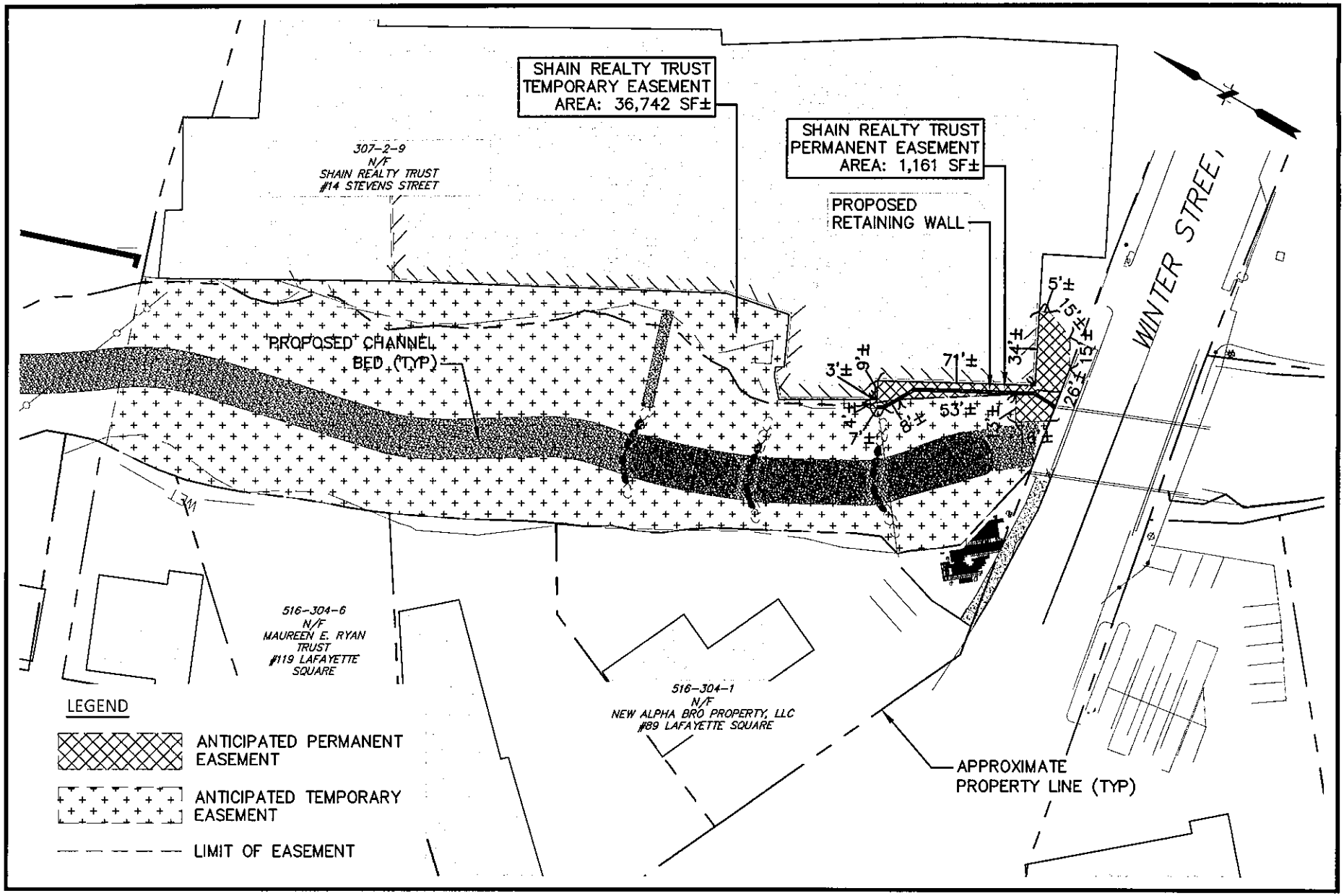
On this_____day of _____, 2026, before me, the undersigned Notary Public, personally appeared Steven Shain , Manager, Little River Dam Owner, LLC, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

_____

Notary Public
My Commission Expires:

**Permanent Easement Exhibit 1**

**Plan for Improvements**




File: J:\DWG\P2017\0390\U30\Civil\Figures\Haverhill_Easement_Sketch.dwg Layout: VE-104 Plotted: 2026-02-19 11:46 AM Saved: 2026-02-19 11:45 AM User: claire.nauman
PC3: AUTOCAD PDF (GENERAL DOCUMENTATION).PC3 STB/CTB: FO.STB
LAYER STATE:
MS VIEW:

| | |
|---|---|
| SCALE: | |
| HORZ.: 1" = 60' | |
| VERT.: - | |
| DATUM: | |
| HORZ.: - | |
| VERT.: - | |
| 0 30' 60' | |
| GRAPHIC SCALE | |


FUSS & O'NEILL
1550 MAIN STREET, SUITE 400
SPRINGFIELD, MA 01103
413.452.0445
www.fando.com


CITY OF HAVERHILL

# ANTICIPATED EASEMENTS PLAN

LITTLE RIVER DAM REMOVAL AND RIVER RESTORATION

HAVERHILL MASSACHUSETTS

PROJ. No.: 20170390.U40
DATE: FEBRUARY 19, 2026

VE-104

# TRANSFER AGREEMENT EXHIBIT C

## Project Deadlines

### Preliminary Schedule

- Demolition/removal of the dam
  - Start: Month 2 (July 2026)
  - Complete: Month 17 (Oct 2027)
- Construction of the retaining wall
  - Start: Month 16 (Sept 2027)
  - Complete: Month 17 (Oct 2027)
- Restoration of the river in the area of the building
  - Start: Month 17 (Oct 2027)
  - Complete: Month 17 (Oct 2027)

### Final Schedule

The Parties agree that a Final Schedule will be provided and this exhibit updated upon execution of the construction contract and after receipt of the proposed schedule from the chosen contractor.

**EXHIBIT D**
**Insurance Limitation and Requirements**

**Permanent Easement Exhibit 1**

**Plan for Improvements**

ACORD

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 04/24/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | |
|---|---|
| PRODUCER<br>James Page Insurance Agency, Inc.<br>191 Merrimack St, Suite 306<br>Haverhill, MA 01830<br>License #: 1780398 | CONTACT NAME: Samantha Wahlgren<br>PHONE (A/C, No, Ext): (978)373-3893 FAX (A/C, No): 9789127902<br>E-MAIL ADDRESS: swahlgren@jamespageins.com |
| INSURED<br>City of Haverhill<br>City of Haverhill<br>Mayors Office Haverhill City Hall<br>4 Summer St. Room 100<br>Haverhill, MA 01830 | INSURER(S) AFFORDING COVERAGE — NAIC #<br>INSURER A : Ascot Insurance Company<br>INSURER B :<br>INSURER C :<br>INSURER D :<br>INSURER E :<br>INSURER F : |

COVERAGES CERTIFICATE NUMBER: 00066359-260416160301 REVISION NUMBER: 3

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. *LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. LIMITS SHOWN ARE INCLUSIVE OF AMOUNTS REQUESTED BY THE CERTIFICATE HOLDER AND MAY NOT REFLECT POLICY LIMIT AMOUNTS IN EXCESS OF THOSE REQUESTED. *Not Applicable in WY

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | X COMMERCIAL GENERAL LIABILITY | Y | | TRPK-4001212-01 | 07/01/2025 | 07/01/2026 | EACH OCCURRENCE | $ 1,000,000 |
| | CLAIMS-MADE X OCCUR | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | $ 500,000 |
| | | | | | | | MED EXP (Any one person) | $ 10,000 |
| | | | | | | | PERSONAL & ADV INJURY | $ 1,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERAL AGGREGATE | $ 3,000,000 |
| | X POLICY PRO-JECT LOC | | | | | | PRODUCTS - COMP/OP AGG | $ 1,000,000 |
| | OTHER: | | | | | | | $ |
| | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) | $ |
| | ANY AUTO | | | | | | BODILY INJURY (Per person) | $ |
| | OWNED AUTOS ONLY / SCHEDULED AUTOS | | | | | | BODILY INJURY (Per accident) | $ |
| | HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY | | | | | | PROPERTY DAMAGE (Per accident) | $ |
| | | | | | | | | $ |
| | UMBRELLA LIAB OCCUR | | | | | | EACH OCCURRENCE | $ |
| | EXCESS LIAB CLAIMS-MADE | | | | | | AGGREGATE | $ |
| | DED RETENTION $ | | | | | | | $ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | | | PER STATUTE / OTH-ER | |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N N/A (Mandatory in NH) | | | | | | E.L. EACH ACCIDENT | $ |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. DISEASE - EA EMPLOYEE | $ |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | $ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Shain Realty Trust is added as an additional insured per endorsement TRI-GL-E0042 08 23 (attached).

Little River Dam Owner LLC is also listed as an additional insured per endorsement TRI-GL-E0042 08 23 (attached).

| CERTIFICATE HOLDER | CANCELLATION |
|---|---|
| Shain Realty Trust | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.<br>AUTHORIZED REPRESENTATIVE<br>(SMW) |


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**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

# 360 ENHANCEMENT
# ADDITIONAL COVERAGE MODIFICATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**DAMAGE TO PREMISES RENTED TO YOU LIABILITY**

A. **SECTION I – COVERAGES, COVERAGE A – BODILY INJURY AND PROPERTY DAMAGE LIABILITY, 2. Exclusions**, the last paragraph is deleted and replaced with the following:

Exclusions **c.** through **n.** do not apply to damage by fire, lightning, explosion, smoke, water or leakage or discharge from an automatic fire protection or extinguishing system to premises while rented to you or temporarily occupied by you with permission of the owner. A separate limit of insurance applies to this coverage as described in **SECTION III-LIMITS OF INSURANCE**.

**SECTION III – LIMITS OF INSURANCE**, paragraph **6.** is deleted and replaced by the following:

**6.** Subject to **5.** above, the Damage To Premises Rented To You Limit is the most we will pay for damages because of "property damage" to premises while rented to you or temporarily occupied by you with permission of the owner, arising out of any one "occurrence" and caused by fire, lightning, explosion, smoke, water, or leakage or discharge from an automatic fire protection or extinguishing system or any combination thereof. Subject to the Damage to Premises Rented To You Limit, the most we will pay to refill or recharge an automatic fire protection or extinguishing system is $2,500.

**SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**, paragraph 4.b.(1)(a)(iii) is deleted and replaced by the following:

(iii) That is insurance for fire, lightning, explosion, smoke, water, or leakage or discharge from an automatic fire protection or extinguishing system for premises while rented to you or temporarily occupied by you with permission of the owner.

**SUPPLEMENTARY PAYMENTS**

B. **SECTION I – COVERAGES, SUPPLEMENTARY PAYMENTS – COVERAGES A AND B**, paragraphs **1.b.** and **1.d.** are deleted and replaced by the following:

**b.** Up to $2,500 for cost of bail bonds required because of accidents or traffic law violations arising out of the use of any vehicle to which the Bodily Injury Liability Coverage applies. We do not have to furnish these bonds.

**d.** All reasonable expenses incurred by the insured at our request to assist us in the investigation or defense of the claim or "suit", including actual loss of earnings up to $1,000 a day because of time off from work.

**ADDITIONAL INSUREDS BY WRITTEN CONTRACT, WRITTEN AGREEMENT OR PERMIT**

C. **SECTION II – WHO IS AN INSURED**, the following is added:

Subject to all the terms, conditions and exclusions contained within this policy, an insured also includes any person or organization with whom you have agreed in a written contract, written agreement, or permit, to add as an additional insured to this policy, provided:

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**a.** Such coverage applies only with respect to "your work," "your product" or premises owned or used by you.

**b.** Coverage for such additional insureds will not apply unless the written contract or written agreement has been executed or permit issued prior to the "bodily injury", "property damage", or "personal and advertising injury".

**c.** The Limits of Insurance applicable to the additional insured are the lesser of those specified in the written contract, written agreement, or permit or in the Declarations for this policy. The Limits of Insurance are inclusive of and not in addition to the Limits of Insurance shown in the Declarations.

**NON AUDIT PROVISION**

D. **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**, paragraph **5. Premium Audit** is deleted in its entirety, unless required by law.

ALL OTHER TERMS AND CONDITIONS OF THE POLICY REMAIN UNCHANGED.


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6.1

**CITY COUNCIL**
**Timthoy J. Jordan,** *President*
**John A. Michitson,** *Vice President*
**Thomas J. Sullivan**
**Colin F. LePage**
**Melissa J. Lewandowski**
**Catherine P. Rogers**
**Shaun P. Toohey**
**Michael S. McGonagle**
**Daniel R. Diodati**
**Devan Ferreira**
**Ralph T. Basiliere**

CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978-374-2328
FACSIMILE: 978-374-2329
WWW.CITYOFHAVERHILL.GOV
CITYCOUNCIL@HAVERHILLMA.GOV

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

May 14, 2026

To: President and Members of the City Council

MAY 14 PM2:54
HAVCITYCLERK

Council Vice President Michitson wishes to introduce Katie Cook, President and CEO of the Greater Haverhill Chamber of Commerce, to introduce the Haverhill AI Summit to take place on June 18th at Pinnacle.

John A. Michitson

Vice President John A. Michitson

(Meeting: 5.19.26)

8.1

**Kaitlin Wright**

**From:** Hailey Pearson
**Sent:** Friday, May 15, 2026 12:58 PM
**To:** Kaitlin Wright
**Subject:** Re: Ice Cream Truck Vendor Inquiry

Oh my of course, totally missed that!

MAY 15 PM1:24
HAVCITYCLERK

May 15, 2026

To: President Jordan and Members of the Haverhill City Council,

Downtown Events Coordinator, Hailey Pearson, wishes to address the City Council to announce upcoming events; Haverhill Art Walk, Global Kickoff, Juneteenth, July 3rd / 4th and other 250th events.

Thank you for your consideration.

Respectfully,

*Hailey Pearson*
**Downtown Events Coordinator**

Get Outlook for iOS

**From:** Kaitlin Wright <kwright@haverhillma.gov>
**Sent:** Friday, May 15, 2026 9:24:22 AM
**To:** Hailey Pearson <HPearson@HaverhillMa.gov>
**Subject:** RE: Ice Cream Truck Vendor Inquiry

Sorry Hailey, my letter was a little outdated. Tim is the president now. Can you replace and write President Jordan rather than Sullivan? Otherwise, all looks good!

All my best,

Kaitlin

**Kaitlin M. Wright, CMC**

8.2

**CITY OF HAVERHILL**
**MASSACHUSETTS**
*Office of the City Clerk*

*4 Summer St*
*Room 118*
*Haverhill, MA 01830*
*Phone: 978-374-2312*
*Fax: 978-973-8490*
*haverhillma.gov*

Kaitlin M. Wright
*City Clerk*

Rose Leonard-Flynn
*Assistant City Clerk*

MAY 6 PM12:42
HAVCITYCLERK

May 6, 2026

Dear President Jordan and Members of the Haverhill City Council,

I am requesting the Council approve the following polling location change for all elections this year - Ward 3, Precinct 2 from Haverhill Public Library – Johnson Auditorium, 99 Main St, to Haverhill City Hall – Early Voting Room, 4 Summer St.

We have been informed by Library Director, Sarah Moser, that due to the upcoming building project at the library, the auditorium will be under renovation and inaccessible during the latter half of the year. To avoid confusion and be consistent for voters, I am requesting the City Council approve this request to change the polling location and designate the Early Voting Room at City Hall as the designated polling location for Ward 3, Precinct 2 for the remainder of the 2026 calendar year.

Thank you for your consideration.

Respectfully,

Kaitlin M. Wright

*Kaitlin M. Wright, CMC*
**City Clerk**

**CITY OF HAVERHILL**
**MASSACHUSETTS**
*Office of the City Clerk*

*4 Summer St*
*Room 118*
*Haverhill, MA 01830*
*Phone: 978-374-2312*
*Fax: 978-973-8490*
*haverhillma.gov*

Kaitlin M. Wright
*City Clerk*

Rose Leonard-Flynn
*Assistant City Clerk*

May 6, 2026

MAY 6 PM12:42
HAVCITYCLERK

To: President Jordan and Members of the City Council

City Clerk, Kaitlin M. Wright, requests approval of the following item:

1. Proposed location listed be designated as a polling place in Haverhill for all elections this year requesting to change Ward 3, Precinct 2 from Haverhill Public Library – Johnson Auditorium, 99 Main St, to Haverhill City Hall – Early Voting Room, 4 Summer St – with change only for all elections this year

Ward 3, Precinct 2 - Haverhill City Hall, Early Voting Room
4 Summer St

DOCUMENT

# CITY OF HAVERHILL

In Municipal Council

MAY 6 PM12:42
HAVCITYCLERK

ORDERED:

Order – That the following location is hereby established as a Polling Place for all elections this year, in accordance with Chapter 54, Section 24 of the Massachusetts General Laws:

Ward 3, Precinct 2 Early Voting Room at Haverhill City Hall – 4 Summer St

10.1

# Document # 21-A

CCSP-26-1: Jony Perez of Davinci Mini Apartments, LLC and Davinci Child Center, LLC requesting to convert a currently unoccupied building to a daycare program on first floor (allowed by right in Zoning Code) and 12 apartments units (six two-bedrooms and six one-bedrooms) on the top three floors at 121 Merrimack St in the Waterfront (WD-C) District

**IN CITY COUNCIL:** February 10, 2026

**Hearing scheduled for March 24, 2026**

**9 YEAS, 0 NAYS, 2 ABSENT**

Attest: Kaitlin M. Wright

Kaitlin M. Wright, CMC
City Clerk

IN CITY COUNCIL: MARCH 24, 2026
CONT'D TO MAY 19, 2026

ATTEST: Kaitlin M. Wright
KAITLIN M. WRIGHT, CMC
CITY CLERK

**City Council Special Permit**

# CCSP-26-1

Submitted On: Jan 9, 2026

**Applicant**

Jony Perez
9783750639
@ jony_perez@hotmail.com

**Primary Location**

121 MERRIMACK ST
Haverhill, MA 01830

12.1

## Important: Please Read Before Starting Your Application

FEB 2 PM12:30
HAVCITYCLERK

## Applicant Information

**What is Your Role in This Process?**
Owner

**Applicant Business/Firm Name**
Davinci Mini Apts

**Applicant Business/Firm Phone**
9783750639

**Applicant Business/Firm Address**
55 Avon Street

**Applicant Business/Firm City**
Lawrence

**Applicant Business/Firm State**
MA

**Applicant Business/Firm Zip**
01841

**New Field**
Att: Jony Perez

## Property Information

**Proposed Housing Plan Name**
125 Merrimack Street

**Proposed Street Name(s)**
Merrimack Street

**How Long Owned by Current Owner?**
1 Year

**Type of Dwelling(s) Planned in Project**
Apartments

**Lot Dimension(s)**
140'x49'

**Registry Plat Number, Block & Lot**
106-9-24

**Zoning District Where Property Located**
WD - Waterfront District

**IF WATERFRONT, Which Sub-Zone?**
C - North Side of Merrimack Street

**Deed Recorded in Essex South Registry: Block Number**
42754

**Deed Recorded in Essex South Registry: Page**
499

**Does the Property Have Multiple Lots?**
No

**Thoroughly Describe the Reason(s) for thre Special Permit**
Redeveloping existing building site to include a daycare program on first floor and 12 apartment units on top 3 floors.

**Property Description**
Currently building is unoccupied.

**Current Property Use**
Vacant

**TOTAL Number of Units Planned**
12

**TOTAL Number of Parking Spaces Planned**
10

## Planned Lot Use

## Special Circumstances

**Building Coverage**

true

**Dimensional Variance**

--

**Front Yard Setback**

true

**Side Yard Setback**

true

**Rear Yard Setback**

true

**Lot Frontage**

true

**Lot Depth**

true

**Lot Area**

true

**Building Height**

true

**Floor Area Ratio**

true

**Open Space**

--

**Parking**

true

**Sign Size**

true

**Use**

--

**Other**

--

## Hearing Waiver

**Agrees**

Yes

## Agreement & Signature

**Agrees**

true

## PLEASE READ

101-1-1
MERRIMACK REALTY TRUST
76 MERRIMACK ST SUITE 19
HAVERHILL, MA 01830

101-1-11
WALCOTT CORP
1050 COMMONWEALTH AVE
BOSTON, MA 02215

101-1-12
ELA LLC
126 MERRIMACK ST
HAVERHILL, MA 01830

101-1-17
BRIGHAM CIRCLE TRUST
75 OAK STREET
NEWTON, MA 02464

101-1-17A
118 MERRIMACK STREET IRREVOCAB
38 SHERWOOD DR
HAVERHILL, MA 01835

101-1-4
L'ARCHE BOSTON NORTH, INC
53 WINGATE ST
HAVERHILL, MA 01832
duplicate

101-1-5
L'ARCHE BOSTON NORTH, INC
53 WINGATE ST
HAVERHILL, MA 01832

101-1-6
ERIC AND KATHLEEN DARBY IRREVOCABLE TRUST
24 WELLINGTON AVE
HAVERHILL, MA 01830

101-1-6A-1
DOUGLAS R LOCKE REV TRUST
PO BOX 220
BOXFORD, MA 01921

101-1-6A-2
DOUGLAS R LOCKE REV TRUST
PO BOX 220
BOXFORD, MA 01921
duplicate

101-1-6A-3
DOUGLAS R LOCKE REV TRUST
PO BOX 220
BOXFORD, MA 01921
duplicate

101-1-6A-4
DOUGLAS R LOCKE REV TRUST
PO BOX 220
BOXFORD, MA 01921
duplicate

101-1-6A-5
LOCKE DOUGLAS R
PO BOX 220
BOXFORD, MA 01921
duplicate

101-1-6A-6
DOUGLAS R LOCKE REV TRUST
PO BOX 220
BOXFORD, MA 01921

101-1-6A-7
PACE WILLIAM V
6 MERRIMACK PLACE
HAVERHILL, MA 01830

102-7-11
AG PALMDALE REAL OWNERS,LLC
2211 MICHELSON DR, Unit 200
IRVINE, CA 92612

102-7-12
150 MERRIMACK STREET REALTY LLC
150 MERRIMACK ST
HAVERHILL, MA 01830

102-7-18
HAVERHILL CO-OPERATIVE
180 MERRIMACK ST
HAVERHILL, MA 01830

102-7-20
CITY OF HAVERHILL
4 SUMMER ST
HAVERHILL, MA 01830

103-2-1
FREEMASONS HALL ASSOCIATES
P O BOX 603
HAVERHILL, MA 01831

103-2-2-1
MERRIMACK STREET PROPERTY 1, LLC
290 MERRIMACK ST, 2ND FLOOR
LAWRENCE, MA 01843

103-2-3
LENY, LLC
326 HAVEN ST
READING, MA 01867

103-2-4
LENY, LLC
326 HAVEN ST
READING, MA 01867
duplicate

103-2-5
99-103 MERRIMACK STREET HAVERH REALTY TRUST
7 PARTRIDGE HILL RD
ANDOVER, MA 01810

103-3-1
CITY OF HAVERHILL
4 SUMMER ST
HAVERHILL, MA 01830
duplicate

103-3-1B
CITY OF HAVERHILL
4 SUMMER ST
HAVERHILL, MA 01830
duplicate

106-8-4A
BIG BLUE NOMINEE TRUST
163 MERRIMACK ST
HAVERHILL, MA 01830

106-8-9
TD BANKNORTH, N.A.
4140 CHURCH RD
MOUNT LAUREL, NJ 08054

106-8-9A
THE FAMILY MUTUAL SAVINGS BANK
380 WELLINGTON ST
LONDON, ON N6A4S4

106-9-11
ATLANTIS VENTURES, LLC
P.O. BOX 31
HAVERHILL, MA 01831

106-9-14
SEVENTY BAILEY PARTNERS, LLC
70 BAILEY BOULEVARD
HAVERHILL, MA 01830

106-9-15
BAILEY BLVD REALTY TR
60 BAILEY BLVD
HAVERHILL, MA 01830

106-9-20
LUING GROWTH, LLC
109 HIGHLAND AV
NEEDHAM, MA 02492

106-9-24
DAVINCI MINI APARTMENTS, LLC
55 AVON ST
LAWRENCE, MA 01843

106-9-3
AG PALMDALE REAL OWNERS, LLC
2211 MICHELSON DR, Unit 200
IRVINE, CA 92612
duplicate

106-9-5
TD BANKNORTH, N.A.
600 ATRIUM WAY
MOUNT LAUREL, NJ 08054

| | A | B | C | D | E | F | G | H | I | J | K |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | ParcelID | StreetNum | AltStreetNu | StreetName | LocCity | CondoUnit | Owner1 | BillingAddress | City | State | Zip |
| 2 | 101-1-1 | 76 | | MERRIMACK ST | HAVERHILL | | MERRIMACK REALTY TRUST | 76 MERRIMACK ST SUITE 19 | HAVERHILL | MA | 01830 |
| 3 | 101-1-11 | 120 | | MERRIMACK ST | HAVERHILL | | WALCOTT CORP | 1050 COMMONWEALTH AVE | BOSTON | MA | 02215 |
| 4 | 101-1-12 | 124 | | MERRIMACK ST | HAVERHILL | | ELA LLC | 126 MERRIMACK ST | HAVERHILL | MA | 01830 |
| 5 | 101-1-17 | 108 | | MERRIMACK ST | HAVERHILL | | BRIGHAM CIRCLE TRUST | 75 OAK STREET | NEWTON | MA | 02464 |
| 6 | 101-1-17A | 118 | | MERRIMACK ST | HAVERHILL | | 118 MERRIMACK STREET IRREVOCAB | 38 SHERWOOD DR | HAVERHILL | MA | 01835 |
| 7 | 101-1-4 | 88 | | MERRIMACK ST | HAVERHILL | | L'ARCHE BOSTON NORTH, INC | 53 WINGATE ST | HAVERHILL | MA | 01832 |
| 8 | 101-1-5 | 92 | | MERRIMACK ST | HAVERHILL | | L'ARCHE BOSTON NORTH, INC | 53 WINGATE ST | HAVERHILL | MA | 01832 |
| 9 | 101-1-6 | 100 | | MERRIMACK ST | HAVERHILL | | ERIC AND KATHLEEN DARBY IRREVOCABLE TRUST | 24 WELLINGTON AVE | HAVERHILL | MA | 01830 |
| 10 | 101-1-6A-1 | 6 | | MERRIMACK PL | HAVERHILL | 1 | DOUGLAS R LOCKE REV TRUST | PO BOX 220 | BOXFORD | MA | 01921 |
| 11 | 101-1-6A-2 | 6 | | MERRIMACK PL | HAVERHILL | 2 | DOUGLAS R LOCKE REV TRUST | PO BOX 220 | BOXFORD | MA | 01921 |
| 12 | 101-1-6A-3 | 6 | | MERRIMACK PL | HAVERHILL | 3 | DOUGLAS R LOCKE REV TRUST | PO BOX 220 | BOXFORD | MA | 01921 |
| 13 | 101-1-6A-4 | 6 | | MERRIMACK PL | HAVERHILL | 4 | DOUGLAS R LOCKE REV TRUST | PO BOX 220 | BOXFORD | MA | 01921 |
| 14 | 101-1-6A-5 | 6 | | MERRIMACK PL | HAVERHILL | 5 | LOCKE DOUGLAS R | PO BOX 220 | BOXFORD | MA | 01921 |
| 15 | 101-1-6A-6 | 6 | | MERRIMACK PL | HAVERHILL | 6 | DOUGLAS R LOCKE REV TRUST | PO BOX 220 | BOXFORD | MA | 01921 |
| 16 | 101-1-6A-7 | 6 | | MERRIMACK PL | HAVERHILL | 7 | PACE WILLIAM V | 6 MERRIMACK PLACE | HAVERHILL | MA | 01830 |
| 17 | 102-7-11 | 160 | | MERRIMACK ST | HAVERHILL | | AG PALMDALE REAL OWNERS,LLC | 2211 MICHELSON DR, Unit 200 | IRVINE | CA | 92612 |
| 18 | 102-7-12 | 150 | | MERRIMACK ST | HAVERHILL | | 150 MERRIMACK STREET REALTY LLC | 150 MERRIMACK ST | HAVERHILL | MA | 01830 |
| 19 | 102-7-18 | 180 | | MERRIMACK ST | HAVERHILL | | HAVERHILL CO-OPERATIVE | 180 MERRIMACK ST | HAVERHILL | MA | 01830 |
| 20 | 102-7-20 | | | MERRIMACK ST | HAVERHILL | | CITY OF HAVERHILL | 4 SUMMER ST | HAVERHILL | MA | 01830 |
| 21 | 103-2-1 | 111 | | MERRIMACK ST | HAVERHILL | | FREEMASONS HALL ASSOCIATES | P O BOX 603 | HAVERHILL | MA | 01831 |
| 22 | 103-2-2-1 | 4 | | PARK WAY | HAVERHILL | | MERRIMACK STREET PROPERTY 1, LLC | 290 MERRIMACK ST, 2ND FLOOR | LAWRENCE | MA | 01843 |
| 23 | 103-2-3 | 109 | | MERRIMACK ST | HAVERHILL | | LENY, LLC | 326 HAVEN ST | READING | MA | 01867 |
| 24 | 103-2-4 | 107 | | MERRIMACK ST | HAVERHILL | | LENY, LLC | 326 HAVEN ST | READING | MA | 01867 |
| 25 | 103-2-5 | 99 | | MERRIMACK ST | HAVERHILL | | 99-103 MERRIMACK STREET HAVERH.REALTY TRUST | 7 PARTRIDGE HILL RD | ANDOVER | MA | 01810 |
| 26 | 103-3-1 | 40 | | BAILEY B BLVD | HAVERHILL | | CITY OF HAVERHILL | 4 SUMMER ST | HAVERHILL | MA | 01830 |
| 27 | 103-3-1B | | | PARK WAY | HAVERHILL | | CITY OF HAVERHILL | 4 SUMMER ST | HAVERHILL | MA | 01830 |
| 28 | 106-8-4A | 161 | | MERRIMACK ST | HAVERHILL | | BIG BLUE NOMINEE TRUST | 163 MERRIMACK ST | HAVERHILL | MA | 01830 |
| 29 | 106-8-9 | | | BAILEY B BLVD | HAVERHILL | | TD BANKNORTH, N.A. | 4140 CHURCH RD | MOUNT LAUREL | NJ | 08054 |
| 30 | 106-8-9A | | | WEST ST | HAVERHILL | | THE FAMILY MUTUAL SAVINGS BANK | 380 WELLINGTON ST | LONDON | ON | N6A4S4 |
| 31 | 106-9-11 | 17 | 21 | WEST ST | HAVERHILL | | ATLANTIS VENTURES, LLC | P.O. BOX 31 | HAVERHILL | MA | 01831 |
| 32 | 106-9-14 | 70 | | BAILEY B BLVD | HAVERHILL | | SEVENTY BAILEY PARTNERS, LLC | 70 BAILEY BOULEVARD | HAVERHILL | MA | 01830 |
| 33 | 106-9-15 | 60 | | BAILEY B BLVD | HAVERHILL | | BAILEY BLVD REALTY TR | 60 BAILEY BLVD | HAVERHILL | MA | 01830 |
| 34 | 106-9-20 | 30 | | HOW ST | HAVERHILL | | LUING GROWTH, LLC | 109 HIGHLAND AV | NEEDHAM | MA | 02492 |
| 35 | 106-9-24 | 119 | | MERRIMACK ST | HAVERHILL | | DAVINCI MINI APARTMENTS, LLC | 55 AVON ST | LAWRENCE | MA | 01843 |
| 36 | 106-9-3 | 127 | | MERRIMACK ST | HAVERHILL | | AG PALMDALE REAL OWNERS, LLC | 2211 MICHELSON DR, Unit 200 | IRVINE | CA | 92612 |
| 37 | 106-9-5 | 153 | | MERRIMACK ST | HAVERHILL | | TD BANKNORTH, N.A. | 600 ATRIUM WAY | MOUNT LAUREL | NJ | 08054 |

## Kaitlin Wright

**From:** North of Boston <noreply@wave2adportal.com>
**Sent:** Wednesday, February 4, 2026 10:09 AM
**To:** CityClerk
**Cc:** cmacdonald@northofboston.com; Kaitlin Wright
**Subject:** Thank you for placing your order with us.

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

# THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

## Job Details

Order Number:
**W0141470**
Business Type:
All Other Public Notices
Notice Size:
Public Notices
Notice Estimate:
$161.54
Referral Code:
**CCSP-26 121 Merrimack St.**

## Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA □ 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

## Schedule for notice number W01414700

**Thu Mar 5, 2026**
**Haverhill Gazette Public Notices**
*All Zones*

**Thu Mar 12, 2026**
**Haverhill Gazette Public Notices**
*All Zones*

**February 2, 2026**
**PUBLIC HEARING**
**City Council Chambers, City Hall, Room 202, 4 Summer St**

Notice is hereby given that a hearing will be held for all parties interested, in a hybrid meeting (in person/virtual), on Tuesday March 24, 2026 at 7:00 PM on a request (CCSP-26-1) from Jony Perez of Davinci Mini Apartments, LLC and Davinci Child Center, LLC requesting to convert a currently unoccupied building to a daycare program on first floor (allowed by right in Zoning Code) and 12 apartments units (six two-bedrooms and six one-bedrooms) on the top three floors at 121 Merrimack St in the Waterfront (WD-C) District.

***(Residents who are interested in commenting on this item can either (1) Attend in person (Council. Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website.)***

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

Kaitlin M. Wright, CMC
City Clerk
HG - Publication Dates

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# Planning Director Review

Record No.CCSP-26-1

**Status** Completed

**Type** Approval

**Assignee** Jacki Byerley

**Became Active** January 9, 2026

**Due Date** None

## Record No: CCSP-26-1

City Council Special Permit

Status: Stopped

Submitted On: 1/9/2026

## Messages

**Jacki Byerley** January 14, 2026 at 3:13 pm

Please call me to set up time to meet to review.

**Alicia McCracken** 🔒 **Internal** January 15, 2026 at 12:51 pm

Meeting scheduled 1/27/26 at 10:00am. Applicant has confirmed.

**Jacki Byerley** January 27, 2026 at 12:54 pm

When the application is deemed complete and a public hearing is schedule the applicant needs to provide a site plan with parking, child drop off and pick up areas, staff parking, lighting and landscaping. Follow Section 9.3 for district and plan requirements.

**Jacki Byerley** February 3, 2026 at 7:53 am

Can be placed on Council agenda for hearing. Submission of site plan and supplemental information as requested at meeting and in this workflow will be necessary as this moves through the hearing process.

**Jacki Byerley** February 13, 2026 at 11:37 am

In accordance with the Zoning Ordinance Section 10.8 a Site Plan approval from the Planning Board for a child-care is required. Please apply online at https://haverhillma.portal.opengov.com/categories/1081

**Jacki Byerley** April 17, 2026 at 3:05 pm

Because the deadline to appear on the May 13 Planning Board agenda for Site Plan Review of the proposed child-care use has passed, that portion of the application cannot be reviewed in time for City Council action on May 19. As a result, the City Council cannot act on the special permit at its May 19 public hearing if it includes the child-care component. However, if the child-care request is removed from the application, the Council may proceed with consideration of the remaining special permit on that date; otherwise, a continuance to a June meeting will be recommended.

**Jacki Byerley** May 14, 2026 at 1:54 pm

Applicant has submitted an application with the Planning Board to be reviewed at their July 8th meeting, if Council is inclined to continue this public hearing a suggested date would be July 14th.

City of Haverhill, MA March 19, 2026

# Confirmation of Complete Application

Record No.CCSP-26-1

**Status** Completed **Became Active** February 2, 2026

**Type** Approval **Due Date** None

**Assignee** Kaitlin Wright

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

No comments yet.

# City Clerk Review - Hearing Dates Set

Record No.CCSP-26-1

**Status** Completed
**Became Active** February 2, 2026
**Type** Approval
**Due Date** None
**Assignee** Kaitlin Wright

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Kaitlin Wright** January 12, 2026 at 12:28 pm

Please provide a written summary of your project that details the work for this project as well as file documentation demostration how the project complies with the City Council rules and regulations for special permits (see doc 92-B attached) by providing all information necessary for Council to make the required findings detailed in the rules. The City Council retains the right to reject as incomplete any application which does not address the applicable review criteria. Detailed narratives shall be filed with the application to accomplish this requirement.

**Jony Perez** January 12, 2026 at 3:08 pm

We will address this documents immediately. Thank you!

**Kaitlin Wright** January 22, 2026 at 2:57 pm

Jony, I see you have uploaded a written summary - thank you. Please note, this application is not deemed complete at this time as you have not provided a narrative that addresses the rules and regulations for special permits as outlined in City Council doc 92-B of 2024 (attached). Please review the attachment and provide documentation relative to doc 92-B. We cannot move forward with a hearing date until this is addressed.

**Jony Perez** January 22, 2026 at 3:14 pm

Our team has a scheduled meeting for the 27th of January in the morning. We need guidance as regards to the rules and regulations for special permits as outlined in City Council doc 92-B of 2024, and we are hoping we can get more information at the meeting.

**Kaitlin Wright** January 22, 2026 at 3:59 pm

I will be in attendance at the meeting. However, in the meantime, I ask that you review the document I have attached to gain an understanding of what is required under doc 92-B of 2024.

**Kaitlin Wright** January 27, 2026 at 11:58 am

Good morning, please see most recent attachment for an electronic copy of a properly executed description of project outlined in doc 92-B of 2024 as part of the City Council's rules and regulations. A hard copy of the same document, as well as a hard copy of doc 92-b was provided to applicant in

meeting this morning. Please note, your application is not deemed "filed" until this is provided and we will not move forward with a hearing date until this is submitted to our office.

**Kaitlin Wright** February 2, 2026 at 12:21 pm

Hearing will be announced at February 10th meeting for a March 24th hearing date.

# Conservation Department Review

Record No.CCSP-26-1

**Status** Completed **Became Active** February 2, 2026

**Type** Approval **Due Date** None

**Assignee** Robert Moore

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Robert Moore** February 2, 2026 at 3:31 pm

n/a

# Engineering Department Review

Record No.**CCSP-26-1**

**Status** Completed **Became Active** February 2, 2026

**Type** Approval **Due Date** None

**Assignee** Tara Lynch

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Tara Lynch** February 2, 2026 at 2:35 pm

The attached certified plot plan shows existing utilities where the addition is proposed, including a catch basin and associated drain line that would need to be removed.

Should the Special Permit be granted Engineering looks forward to the Development Review stage to ensure all applicable codes and standards are met.

City of Haverhill, MA March 19, 2026

# Fire2 Department Review

Record No.**CCSP-26-1**

**Status** Completed **Became Active** February 2, 2026

**Type** Approval **Due Date** None

**Assignee** Robert Irvine

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

# Messages

**Robert Irvine** February 2, 2026 at 12:46 pm

Snow storage will be an issue with the lot. Access in and out of the lot with a single entrance and exit will be a safety issue between parking, the play area for the children and dumpster storage and emptying. If the dumpster storage is within 10' of the building a sprinkler system shall need to be designed into the buildings sprinkler system. The children's play area shall require crash protection separating the play are from vehicle traffic in the parking lot.

**Jony Perez** February 20, 2026 at 12:06 pm

Hi Robert, We are updating the site plan to address these concerns. New site plan should be uploaded next week. Thank you!

City of Haverhill, MA

March 19, 2026

# Health Department Review

Record No.**CCSP-26-1**

**Status** Completed

**Became Active** February 2, 2026

**Type** Approval

**Due Date** None

**Assignee** Mark Tolman

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant


Jony Perez
978-375-0639
jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Mark Tolman** February 13, 2026 at 9:32 am

Dumpster area located in rear corner of the building.

Dumpster must be kept away from the building and meet all other health, fire and building codes.

State will be licensing and inspecting the day care program.

**Jony Perez** February 20, 2026 at 12:03 pm

Hi Mark, we are updating the site plan to comply with the request of keeping dumpster away from building. New site plan will be updated next week. Thank you.

Also, the childcare program will be licensed and inspected by Massachusetts EEC.

# School Department Review

Record No.CCSP-26-1

**Status** Completed

**Type** Approval

**Assignee** HPS Superintendent

**Became Active** February 2, 2026

**Due Date** None

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

No comments yet.

City of Haverhill, MA March 19, 2026

# Water Supply Review

Record No.CCSP-26-1

**Status** Completed **Became Active** February 2, 2026

**Type** Approval **Due Date** None

**Assignee** Robert Ward

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

No comments yet.

# First Ad Placement

Record No.**CCSP-26-1**

**Status** Completed

**Type** Approval

**Assignee** Kaitlin Wright

**Became Active** February 2, 2026

**Due Date** None

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Kaitlin Wright** February 2, 2026 at 12:24 pm

@Natalia Hernandez Advertise for March 5th and 12th in the Gazette, with abutter notification going out in the mail on March 5th.

# Placed on Agenda

Record No.CCSP-26-1

**Status** Completed

**Type** Approval

**Assignee** Kaitlin Wright

**Became Active** Unknown

**Due Date** None

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Kaitlin Wright** March 18, 2026 at 10:31 am

Hearing announced at February 10th meeting for a March 24th hearing date.

# Abutter Notification

Record No.CCSP-26-1

**Status** Completed

**Became Active** March 18, 2026

**Type** Approval

**Due Date** None

**Assignee** Kaitlin Wright

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Kaitlin Wright** February 2, 2026 at 12:24 pm

Advertise for March 5th and 12th in the Gazette, with abutter notification going out in the mail on March 5th.

City of Haverhill, MA March 19, 2026

# Second Ad Placement

Record No.CCSP-26-1

**Status** Completed **Became Active** February 2, 2026

**Type** Approval **Due Date** None

**Assignee** Kaitlin Wright

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

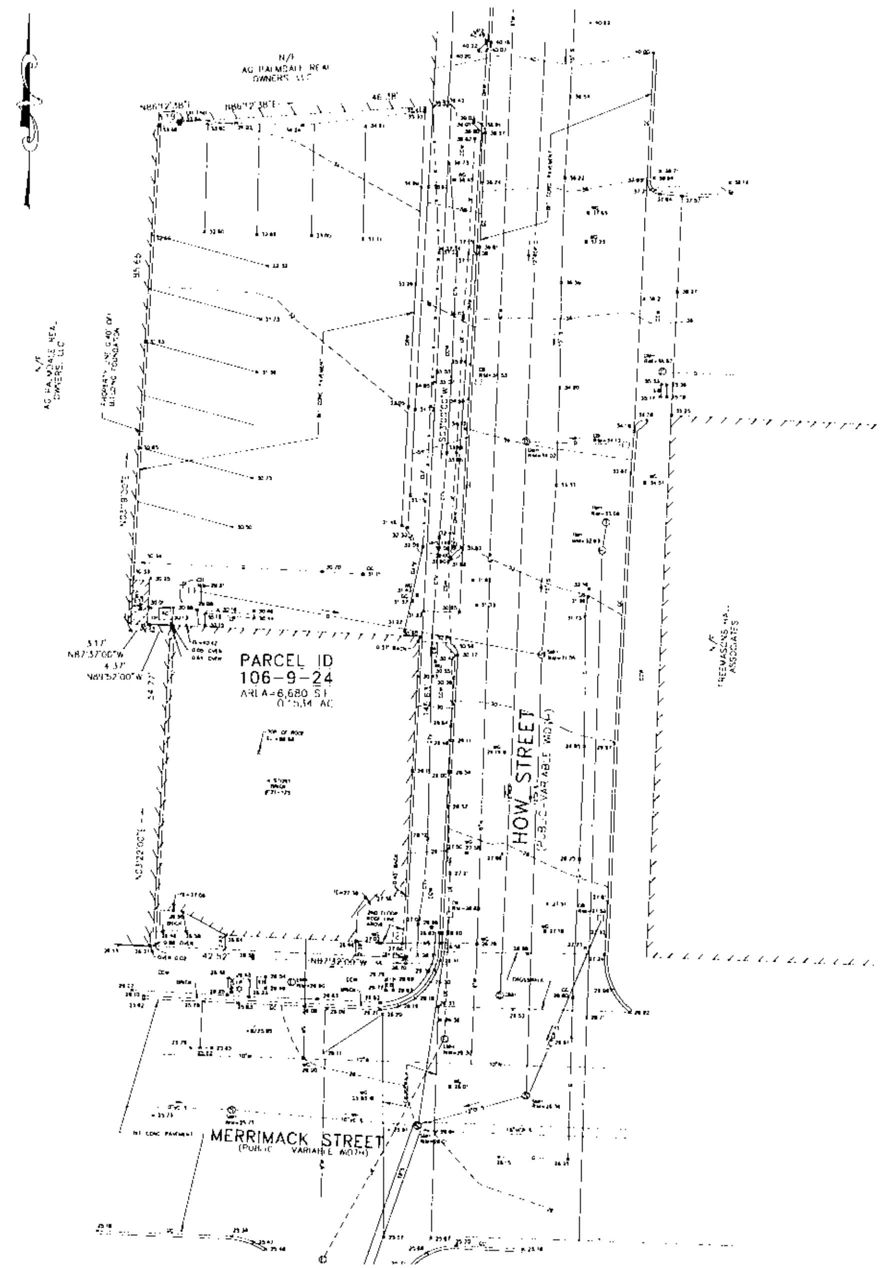
### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Kaitlin Wright** February 2, 2026 at 12:24 pm

Advertise for March 5th and 12th in the Gazette, with abutter notification going out in the mail on March 5th.




### NOTES

1. SEE CITY OF HAVERHILL PARCEL ID #106-9-24, DEED BOOK #11123 PAGE #454 AND PLAN #293 OF 1977 ESCRD FOR S.F., NORTH BASED ON THAT PLAN.
2. TOPOGRAPHIC DATUM NAVD88 ESTABLISHED BY RTK GPS
3. UTILITIES FROM FIELD SURVEY AND RECORD PLANS

### LEGEND

| | |
|---|---|
| DH | DRILL HOLE |
| DMH | DRAIN MANHOLE |
| SMH | SEWER MANHOLE |
| TMH | TELEPHONE MANHOLE |
| CB | CATCH BASIN |
| EB | ELECTRIC BOX |
| GM | GAS METER |
| WG | WATER GATE |
| | SIGN |
| LP | LIGHT POLE |
| UP | UTILITY POLE |
| | HYDRANT |
| x 32.12 | SPOT ELEVATION |
| --32-- | ELEVATION CONTOUR |
| S | SEWER PIPELINE |
| D | DRAIN PIPELINE |
| W | WATER PIPELINE |
| G | GAS PIPELINE |
| T | TELEPHONE CONDUIT |
| CTV | CABLE TELEVISION CONDUIT |
| UE | UNDERGROUND ELECTRIC CONDUIT |
| OHW | OVERHEAD WIRES |
| x x CLF | CHAIN LINK FENCE |
| RCP | REINFORCED CONCRETE |
| VC | VITRIFIED CLAY |
| DI | DUCTILE IRON |
| GC | GRANITE CURB |
| TE | THRESHOLD ELEVATION |
| N/F | NOW OR FORMERLY |
| FND | FOUND |
| CRW | CONCRETE RETAINING WALL |
| BIT. CONC. | BITUMINOUS CONCRETE |
| CCW | CEMENT CONCRETE WALK |
| BCW | BITUMINOUS CONCRETE WALK |

# PLAN OF LAND

119-125 MERRIMACK STREET
IN

## HAVERHILL, MASSACHUSETTS

PREPARED FOR

## DAVINCI MINI APARTMENTS C/O JONEY PEREZ

55 AVON STREET
LAWRENCE, MASSACHUSETTS 01841

DATE: SEPTEMBER 15, 2025

SCALE: 1" 10'   0' 5' 10' 20' 30'

MERRIMACK ENGINEERING SERVICES
66 PARK STREET
ANDOVER, MASSACHUSETTS 01810
PHONE (978) 475-3555 FAX (978) 475-1448
EMAIL MERRENG@AOL.COM

STEPHEN J. STAPINSKI #?9876

DWGS/15762/TE/15762TPC.DWG 9/15/25

**Zoning Solutions, Inc.**
836 Washington Street, P.O. Box 850270, Braintree, MA 02185
781-848-0040 ~ FAX 781-380-4136

# ZONING CERTIFICATE

**Date: May 28, 2025**

This certificate was compiled from public records obtained and reviewed by Zoning Solutions, Inc. regarding the zoning requirements and limitations for this property.

**Subject Property:**

**119 – 125 Merrimack Street, Haverhill, MA**

**Zoning District:**

**Waterfront District C (WD-C) District**

**See attached zoning map & index**

**Permitted Uses:**

**Multi-Family dwelling is permitted**
**Mixed-use development is permitted with residential above first floor commercial**
**Accessory parking is permitted**
**Office, Retail and Barber/Beauty shop is a permitted use**
**Restaurant and coffee shop is permitted**

**See attached Use Table for additional permitted uses**

**See attached assessor records confirming the property is a mixed-use building built in 1880. The existing use is permitted.**

**Dimensional/ Open Space Requirements: See Table 2**

**Other relevant records attached:**

1. **Use Table;**
2. **Dimensional table;**
3. **Zoning map and map index**
4. **Parking Table**
5. **Assessor record**

This Zoning Certificate is not a title insurance product or a legal zoning opinion, but a limited representation to the zoning district and permitted uses therein for the property according to the provisions of the City of Haverhill public records as amended through May 28, 2025. Zoning Solutions, Inc. has relied upon the authenticity and accuracy of the representations and documentation provided to Zoning Solutions, Inc. by representatives at Haverhill City Hall in making this certification.

If this certificate raises zoning issues not clearly explained by the enclosed documentation, please contact the undersigned immediately.

Zoning Solutions, Inc.
By:

David B. Lane, Attorney at Law

Enclosures

| 106 | 9 | 3 | | 106-9-3 |
|---|---|---|---|---|
| Map | Block | Lot | Lot | Parcel ID |

Building Location 127 MERRIMACK ST

# City of Haverhill

| | Card: 1 of 1 | Total Card | Total Parcel |
|---|---|---|---|
| APPR | | 431,000 / | 431,000 |
| USE + IMP | | 431,000 / | 431,000 |
| USE LAND | | 0 / | 0 |
| ASSESSED | | 431,000 / | 431,000 |

CATALIS
ADVANCING GOVERNMENT. ENGAGING CITIZENS.

**PROPERTY LOCATION**

127 MERRIMACK ST
HAVERHILL, MA 01830

**OWNERSHIP**

AG PALMDALE REAL OWNERS, LLC
C/O GREENLAW PARTNERS
18301 VON KARMAN AVE, STE 250
IRVINE, CA 92612-0000

| Occ | N | Type | |
|---|---|---|---|

**PREVIOUS OWNER**

133 MERRIMACK, LLC
290 MERRIMACK ST, 2ND FLOOR
LAWRENCE, MA 01840-0000

**IN PROCESS APPRAISAL SUMMARY**

| Use Code | Building Val | Yard Items | Land Size | Land Val | Total Val |
|---|---|---|---|---|---|
| 325 | 89,900 | 0 | 0.16 | 341,100 | 431,000 |
| Building Total | 89,900 | 0 | 0.16 | 341,100 | 431,000 |
| Parcel Total | 89,900 | 0 | 0.16 | 341,100 | 431,000 |
| Source | 0 - Mkt Adj Cost | Tot Val SF/Bld | 20.43 | Tot Val SF/Prc | 20.43 |

**LEGAL DESCRIPTION**

| Lot Size | |
|---|---|
| Total Land | |
| Land Unit Type | |

**PREVIOUS ASSESSMENTS**

Property ID: 76

| Tx Yr | Cat | Use | Bld Value | Yard Items | Land Size | Land Val | Total Appr | Assessed | Notes | Date |
|---|---|---|---|---|---|---|---|---|---|---|
| 2025 | FV | 325 | 89,900 | 0 | 0.16185 | 341,100 | 431,000 | 431,000 | Final Value | 12/16/2024 |
| 2024 | FV | 325 | 86,200 | 0 | 0.16185 | 324,800 | 411,000 | 411,000 | yr end fy24 | 12/13/2023 |
| 2023 | FV | 325 | 81,300 | 0 | 0.16185 | 308,600 | 389,900 | 389,900 | Year end roll | 12/13/2022 |
| 2022 | FV | 325 | 66,800 | 0 | 0.16185 | 270,700 | 337,500 | 337,500 | Year End Roll | 12/08/2021 |
| 2021 | FV | 325 | 66,800 | 0 | 0.16185 | 259,800 | 326,600 | 326,600 | CPro billing | 12/14/2020 |
| 2020 | FV | 325 | 66,800 | 0 | 0.16185 | 259,800 | 326,600 | 326,600 | CPRO BILLING | 12/12/2019 |
| 2019 | FV | 325 | 66,800 | 0 | 0.16185 | 259,800 | 326,600 | 326,600 | CPro Billing | 12/11/2018 |
| 2017 | FV | 325 | 138,200 | 0 | 0.16185 | 216,500 | 354,700 | 354,700 | Year End Roll | 12/14/2016 |
| 2016 | FV | 325 | 138,200 | 0 | 0.16185 | 216,500 | 354,700 | 354,700 | YEAR END | 12/16/2015 |
| 2015 | FV | 325 | 138,200 | 0 | 0.16185 | 216,500 | 354,700 | 354,700 | Year End Roll | 12/15/2014 |

| User Account |
|---|
| 106-9-3 |
| GIS Coord 1 |
| -71.0801 |
| GIS Coord 2 |
| 42.7745 |
| Insp Date |
| 10/30/2019 |
| Print Date / Time |
| 4/25/2025 4:35 pm |
| Last Date / Time |
| 10/22/19 3:44 pm |
| Calculator |

**NARRATIVE DESCRIPTION**

This parcel contains 7,050 SF of land mainly classified as STORE with a COMM BLOCK building built about 1880, having primarily BRICK Exterior and 21,100 Square Feet, with 2 Commercial Units, 2 Half Baths.

**SALES INFORMATION**

| Grantor | Legal Ref | Type | Date | Sale Price | TSF | Verif. | NAL | Notes |
|---|---|---|---|---|---|---|---|---|
| 133 MERRIMACK, LLC | 40829-13 | | 03/30/2022 | 25,700,000 | No | | V | 2022 SALE INC 102-7-11 & 102-7-21 |
| MERRYMAKE, LLC | 36888-473 | | 07/26/2018 | 304,500 | No | | N | SALE 7/18 CASH-SOLD AS-IS |
| NEWMAN NORMAN N | 35581-560 | | 12/30/2016 | 225,000 | No | | C | |
| | 5598 660 | | 02/06/1963 | 0 | No | | | |

**USER DEFINED**

| PriorID1a |
|---|
| |
| PriorID2a |
| |
| PriorID3a |
| |
| PriorID1b |
| |
| PriorID2b |
| |
| PriorID3b |
| |
| PriorID1c |
| |
| PriorID2c |
| |
| PriorID3c |
| |
| Assessor Map |
| |

**OTHER ASSESSMENTS**

| Code | Desc | Amt | Comm Int Amt |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

**BUILDING PERMITS**

| Date | Number | Desc | Amount | Closed | Status | Type | Notes | Last Visit |
|---|---|---|---|---|---|---|---|---|
| 12/12/1995 | 2011 | ADD SIGN | | | C | | | 01/24/1996 |
| 07/12/1994 | 35 | MANUAL | | 01/19/1995 | C | | 1/2 BTH | |
| 03/01/1993 | 897 | MANUAL | | | | | | 06/01/1994 |
| 06/01/1992 | 1185 | MANUAL | | | | | ADD BATHRM | |
| 05/01/1992 | 1150 | MANUAL | | | | | FR/ENTRANC | |

**ACTIVITIES**

| Date | Result | By |
|---|---|---|
| 04/16/2024 | 100 | CHRIS WEBB |
| 04/12/2023 | 100 | CHRIS WEBB |
| 10/30/2019 | 16 | PETER KRAJES |
| 02/20/2018 | 23 | ASSESSORS |
| 07/17/2012 | 100 | STEVE GULLO |
| 02/25/2009 | 23 | ASSESSORS |
| 07/23/2008 | 3 | TYSON DION |
| 03/30/2005 | 14 | ASSESSORS |
| 03/30/2005 | 23 | ASSESSORS |
| 04/04/2001 | 4 | MICHAEL CASS |
| 01/24/1996 | 15 | MIKE TUMULTY |

**PROPERTY FACTORS**

| Item | Code | Item | Code | % |
|---|---|---|---|---|
| Util 1 | I1 - TYPCL | Dis 1 | | |
| Util 2 | | Dis 2 | | |
| Util 3 | | Dis 3 | | |
| Census | | Zone 1 | | |
| F. Haz | | Zone 2 | | |
| Topo | | Zone 3 | | |
| Street | | HX | | |
| Traffic | | | | |
| Exempt | | | | |

**LAND SECTION (325)**

| LUC | LUC Desc | Alt % | Ft. | # Units | Depth | U. Type | L. Type | Ft. | Base V. | Unit Prc | Adj Prc | NBC | Ft. | Mod. | Inf 1 | % | Inf 2 | % | Inf 3 | % | Appr | Alt 2 LUC | % | Spec L.V. | Juris | L. Ft. | Assessed | Notes |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 325 | STORE | | 1 | 7,050 | | SF | SITE | 1 | | 015.75 | 15.75 | 11 | 1 | | | | | | | | 341,051 | | 0 | 0.00000 | | 1 | 341,100 | |

| Total AC/HA | 0.16 | Total SF/SM | 7,050.19 | Parcel LUC | 325 - STORE | P. NBC Desc | C-I | Tot | 341,051 | Spl Credit | 0.00 | Tot | 341,100 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

Disclaimer: This Information is believed to be correct but is subject to change and is not guaranteed

Parcel ID 106-9-3

## Exterior Information

| | | | |
|---|---|---|---|
| Type | 62 - COMM BLOCK | | |
| Stry Hght | 4 | | |
| (Liv) Units | 0 | Tot | 2 |
| Found | 3 - BRICKSTONE | | |
| Frame | 1 - WOOD | | |
| P. Wall | 7 - BRICK | | |
| Sec Wall | 18 - CORREG ST | | 25 |
| Roof Str | 4 - FLAT | | |
| Roof Cvr | 4 - TAR+GRAVEL | | |
| Color | GREEN | | |
| View | | | |
| Shape | | | |
| Bld Name | | | |

## General Information

| | | | |
|---|---|---|---|
| Grade | C - AVERAGE | | |
| Year Blt | 1880 | Eff Yr | |
| Alt LUC | | | |
| Juris | | | |
| Con Mod | | | |

## Interior Information

| | | | |
|---|---|---|---|
| Avg Ht / Fl | | | |
| P. Int Wall | 2 - PLASTER | | |
| Sec Int Wall | | | |
| Partition | L - TYPICAL | | |
| P. Floor | 2 - SOFTWOOD | | |
| Sec Floor | 4 - CARPET | | 25% |
| Bmt Floors | | | |
| Sub Floors | | | |
| Bmt Garage | 0 | | |
| Electric | 4 - BELOW AVG | | |
| Insulation | 5 - MINIMAL | | |
| Int Vs Ext | S | | |
| Heat Fuel | 2 - GAS | | |
| Heat | 3 - FORCED H/W | | |
| # Heat Sys | 2 | | |
| Heated % | 50 | AC % | |
| Sol HW % | | Ctrl Vac % | |
| Com Wall % | 25 | Sprink % | |

## Condo Information

| | |
|---|---|
| Location | |
| Tot Units | |
| Floor | 1 - 1ST FLOOR |
| % Own | |
| Name | |

## Bath Features

| | | | |
|---|---|---|---|
| Full Bath | 0 | Rtng | |
| Add Full | 0 | Rtng | |
| 3/4 Bath | 0 | Rtng | |
| Add. 3/4 | 0 | Rtng | |
| 1/2 Bath | 2 | Rtng | P - POOR |
| Add. 1/2 | 0 | Rtng | |
| Other Fix | 3 | Rtng | P - POOR |

## Other Features

| | | | |
|---|---|---|---|
| Kitchens | 0 | Rtng | |
| Add Kit. | 0 | Rtng | |
| Fireplaces | 0 | Rtng | |
| WS Flues | 0 | Rtng | |

## Depreciation

| | | |
|---|---|---|
| Phys Con | PR - Poor | 66 |
| Functional | N - NO ELV | 25 |
| Economic | H - HI VAC | 25 |
| Special | NC - NEWCON | 0 |
| Override | | |
| | Total | 80.88% |

## Comments

WL 4,23,23A,24A,26A . MAIN ACCESS LOCKED- "HEIGHTS OF HAVERHILL" NEW CONDO/APTS. EXT. V. WORN, BOTH UNITS INT WIP. RECK 7/21

## Res Breakdown

| Floor | No. Unit | Rooms | Bdrms |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| Bld Total | | | |
| Prcl Total | | | |

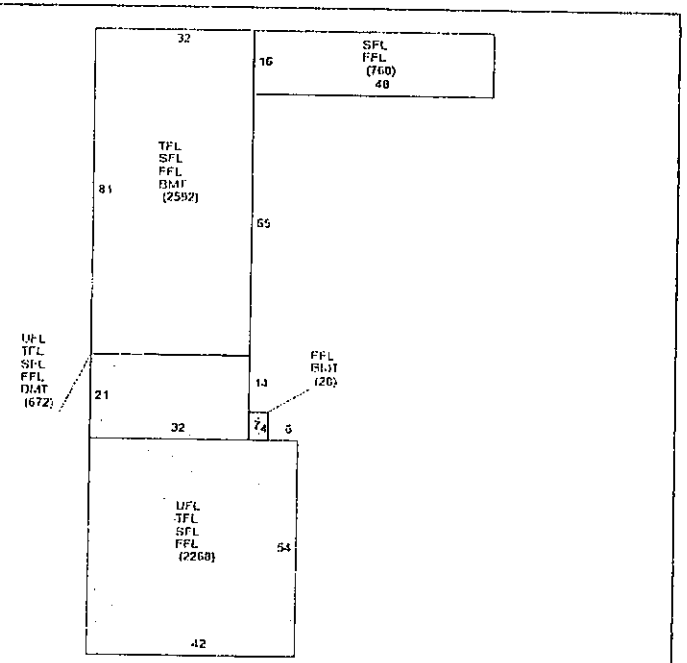
## Remodeling

| | |
|---|---|
| Exterior | |
| Interior | |
| Adj. | |
| Kitchen | |
| Bath | |
| Plumb | |
| Electric | |
| Heating | |
| General | |

## Calc Ladder

| | | | |
|---|---|---|---|
| Base Rate | 75.00 | Depr | 380,271 |
| Size Adj | 0.88555 | Depr'd Total | 89,896 |
| Con Adj | 0.85026 | Juris Fl. | 1.0000 |
| Adj Prc | $56.47 | Spec. Features | 30 |
| Grade Ft. | 1.00000 | Lump Sum | |
| Other Feat | -$8,811 | Final Total | $89,900 |
| NBH Mod | 1.0000 | Override Val | |
| NBC Infl | 1.0000 | Assmnt Ft. | |
| LUC Ft. | 1.0000 | Assessed Val | $89,900 |
| Adj Tot /SQ/ | 470,167 | Total $/SF | $4.26 |
| Depr % | 80.88% | Undepr $/SF | 56.47000 |

## Sketch




## Mobile Home

| Make | | Model | | Serial | | Year | | Color | |
|---|---|---|---|---|---|---|---|---|---|

## Comparable Sales

| Rtng | Parcel ID | Type | Sale Date | Price |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Avg Rtng | | Ind Val | | |

## Sub Areas

| Code | Desc | Net Area | Gross A. | F. Area | Sz Adj A. | Rate AV | Undepr Val |
|---|---|---|---|---|---|---|---|
| FFL | 1ST FLOOR | 6,328 | 6,328 | 6,328 | 6,328 | 28.80 | 182,246 |
| SFL | 2ND FLOOR | 6,300 | 6,300 | 6,300 | 6,300 | 16.94 | 106,722 |
| TFL | 3RD FLOOR | 5,532 | 5,532 | 5,532 | 5,532 | 16.94 | 93,712 |
| UFL | UPPR FLOOR | 2,940 | 2,940 | 2,940 | 2,940 | 16.94 | 49,804 |
| BMT | BASEMENT | 3,292 | 3,292 | 0 | 0 | 14.12 | 46,483 |
| | | | | | | | |
| | | | | | | | |
| | Building Totals | 24,392 | 24,392 | 21,100 | 21,100 | | 478,967 |
| | Parcel Totals | 24,392 | 24,392 | 21,100 | 21,100 | | 478,967 |

## Alt Areas

| S. Area | Alt Type | % Alt | Tenants | Qual | % U |
|---|---|---|---|---|---|
| FFL | RTL | 50 | 2 | D | 100 |
| FFL | WHS | 50 | 0 | D | 100 |
| SFL | PUF | 100 | 0 | D | 100 |
| TFL | PUF | 100 | 0 | D | 100 |
| UFL | PUF | 100 | 0 | D | 100 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

## Special Features / Yard Items

| Code | Desc | A | Y/S | Qty | Size | Qual | Con | Year | Unit Prc | D/S | Depr % | LUC | Fl. | NBC | Fl. | Juris | Fl. | Appr Val | Assessed |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| Building Totals | | | | | Yard Item Appr | | | | | Special Feature Appr | | | | | | | | | |
| Parcel Totals | | | | | Yard Item Appr | | | | | Special Feature Appr | | | | | | | | | |

## Image



Disclaimer: This Information is believed to be correct but is subject to change and is not guaranteed

# Parcel 106-9-24




**Property Information**

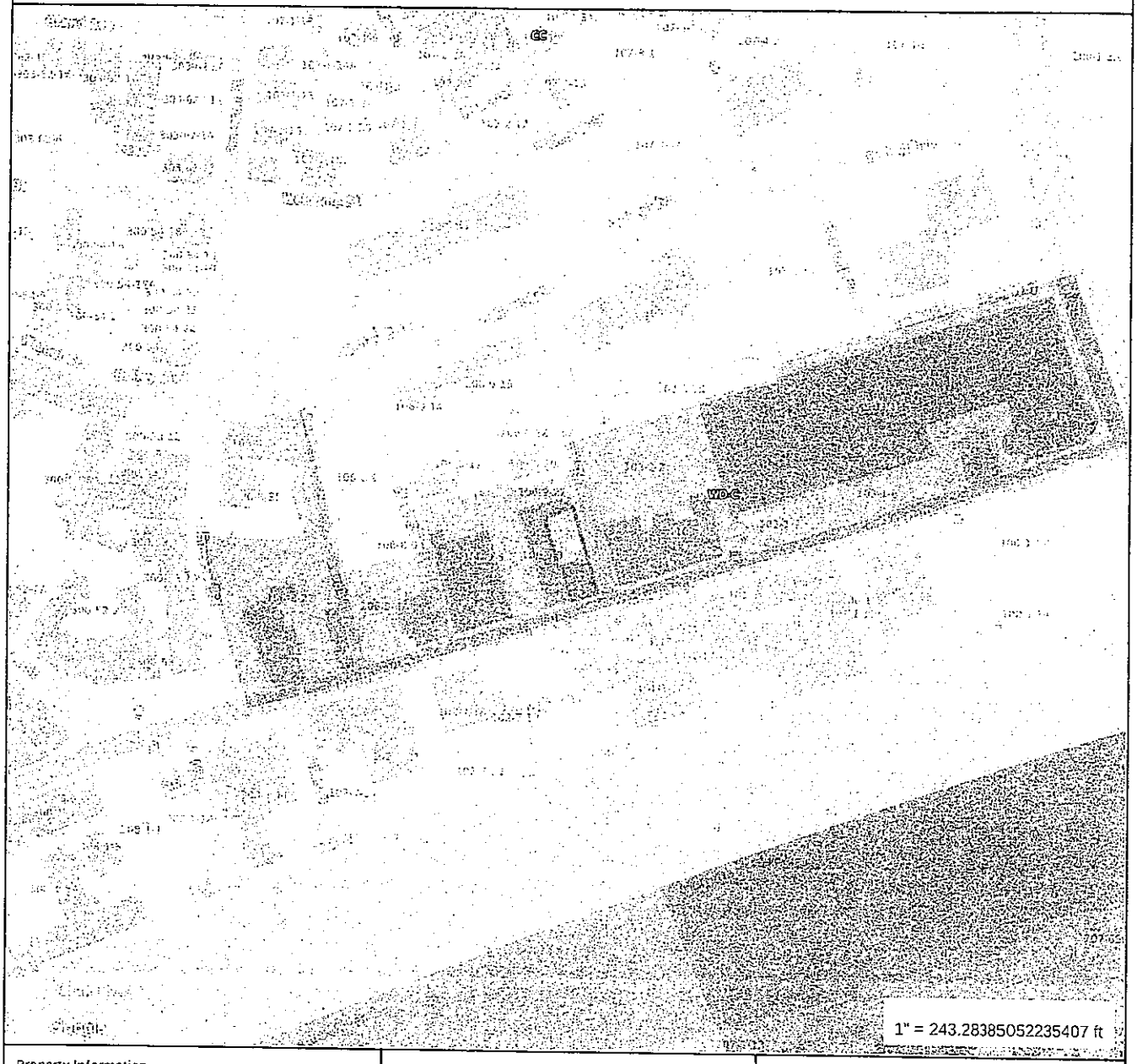
| | |
|---|---|
| **Property ID** | 106-9-24 |
| **Location** | 119 MERRIMACK ST |
| **Owner** | TEHRANI ABOLGHASSEM M ETUX |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Haverhill, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated February 5, 2019
Data updated February 4, 2019

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.




**Property Information**

| | |
|---|---|
| **Property ID** | 106-9-24 |
| **Location** | 119 MERRIMACK ST |
| **Owner** | TEHRANI ABOLGHASSEM M ETUX |

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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Geometry updated February 5, 2019
Data updated February 4, 2019

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# Map Theme Legends

## Zoning

- WD-C - NORTH SIDE OF MERRIMACK STREET
- WD-D - SOUTH SIDE OF WATER STREET
- WD-E - OLD PAPERBOARD SITE AREA
- WD-F - INDUSTRIAL AREA, SOUTH SIDE OF MERRIMACK RIVER
- WD-G - RESIDENTIAL AREA, SOUTH SIDE OF MERRIMACK RIVER
- WD-H - NORTH SIDE OF RAILROAD AVENUE

- SC - CONSERVATION

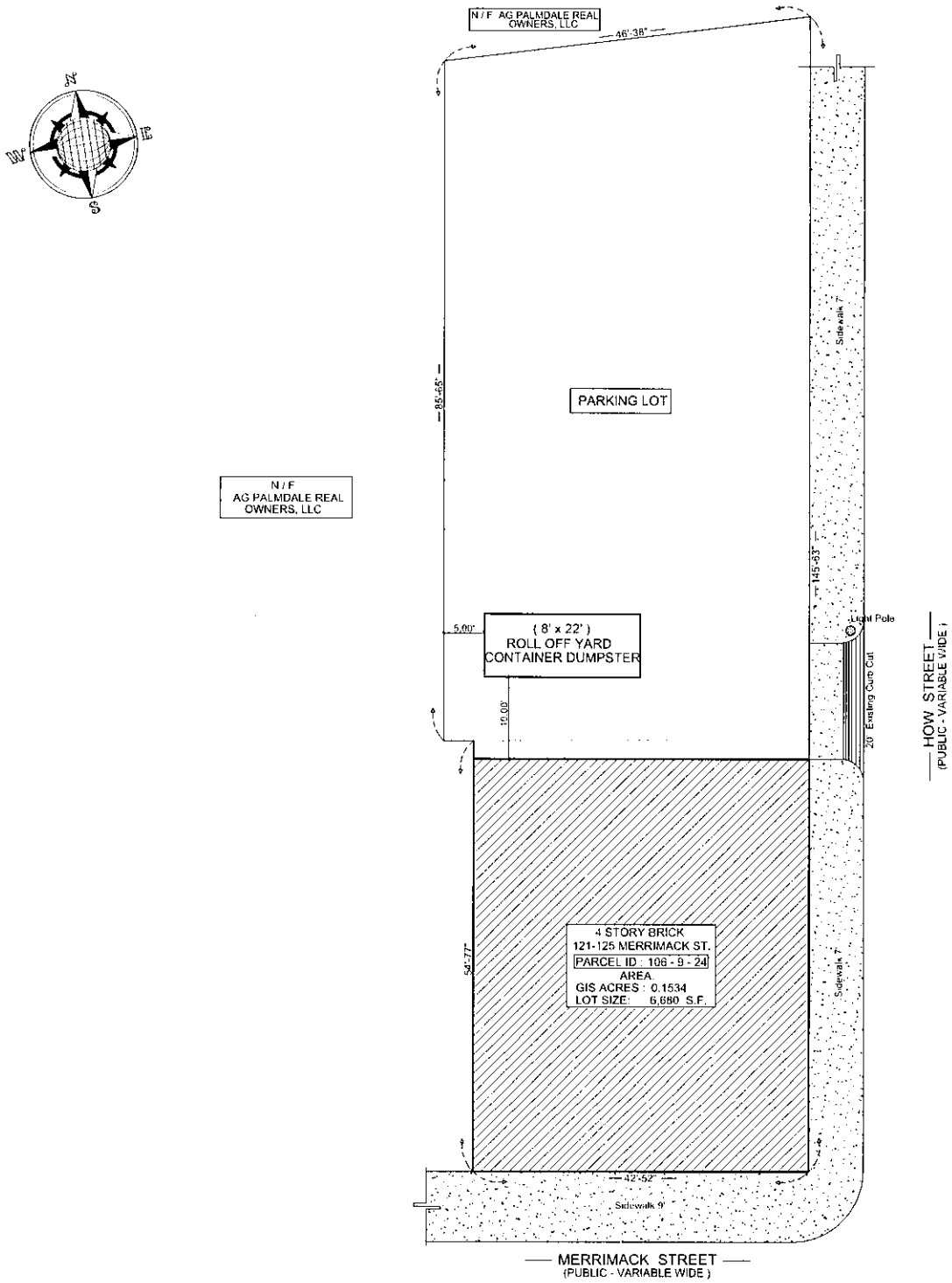
- CC - CENTRAL
- CG - GENERAL
- CH - HIGHWAY
- CM - MEDICAL SERVICES
- CN - NEIGHBORHOOD

- BP - BUSINESS PARK
- IG - GENERAL
- OP - OFFICE PARK

RESIDENTIAL

- RH - HIGH DENSITY
- RL - LOW DENSITY
- RM - MEDIUM DENSITY
- RR - RURAL DENSITY
- RU - URBAN DENSITY
- RC-AC - CAMPUS - ACADEMIC CENTER
- RC-CV - CAMPUS - CAMPUS VILLAGE

City of Haverhill




**NOTE:**

THE PURPOSE OF THIS PLAN IS TO LAYOUT EXISTING STRUCTURES, PROPOSED ADDITION AND IMPROVEMENT WORKS WITHIN THE PROPERTY BOUNDARIES AS SHOWN IN THE REFERENCE MAPS AND DEED.

IT IS NOT INTENDED AS SURVEY TO SET AND/OR UPDATE PROPERTY LINES

CONTRACTOR SHALL PERFORM ALL WORKS IN COMPLIANCE WITH THE COMMONWEALTH OF MASSACHUSETTS LATEST EDITION OF THE BUILDING CODE, THE BUILDING BOARD OF STANDARDS AND REGULATIONS AND THE CITY OF HAVERHILL ORDINANCES.

CURB GRANITE PIECES MUST BE RECYCLED BY CITY'S DPW. CONTRACTOR MUST CALL CITY'S DPW FOR RECYCLING ARRANGEMENTS.

SIDEWALK MUST BE RESURFACED WITH MATERIAL TO MATCH EXISTING, IF REQUIRED.

## REFERENCE DOCS & PLANS

GIS PARCEL INFORMATION

| | |
|---|---|
| PARCEL ID : | 106 - 9 - 24 |
| GIS ACRES : | 0.1534 |

PROPERTY INFORMATION

| | |
|---|---|
| PROPERTY ID : | 106 - 9 - 24 |
| OWNER : | DAVINCI MINI APTS / CO JONY PEREZ |
| ADDRESS : | 125 MERRIMACK ST. |
| LOT SIZE: | 6,680 S.F. |
| LAND USE CODE : | 1110 |
| LEGAL REFERENCE : | 11123-454 |
| ZONING: | NA |
| BLDG STYLE: | COMM BLOCK |
| STORIES: | 4 |
| YEAR BUILT: | 1875 |

ASSESOR MAP:HaverhillAssesorMap194

**LEGEND**

- PAVED
- CONCRETE
- BUILDING

0 5 10 20 30
GRAFIC SCALE

## DIMENSIONAL SITE PLAN
SCALE: 1=10

DIMENSIONAL SITE PLAN
SHEET 1 / 1

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 9/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ


118 WOODLAND ST LAWRENCE MA 01841
978-601-2844 FAX 978-208-1335
E. MAIL lach.o7812@gmail.com
GJ DESIGN GROUP LLC
Assoc. AIA
Professional Designer

# PROJECT

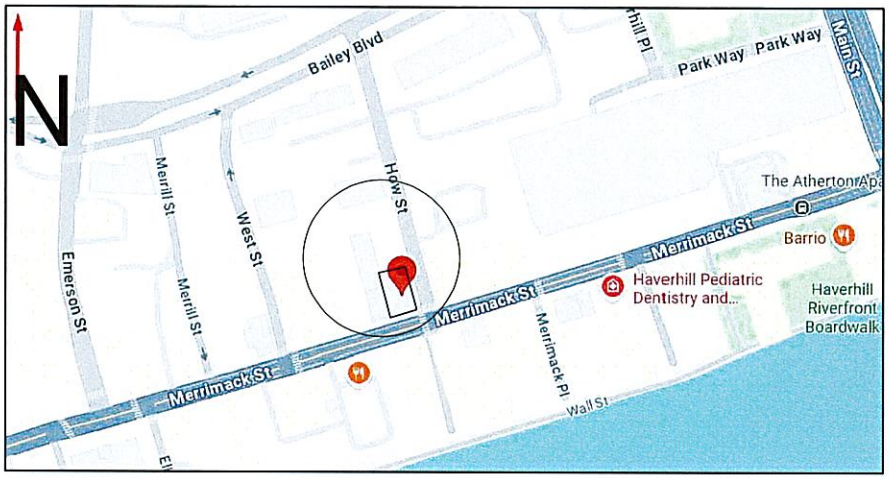
## ~~PROPOSED COMMERCIAL RESIDENTIAL BUILDING~~

119-125 MERRIMACK STREET, HAVERHILL MA 01830

OWNER: DAVINCI MINI APTS-JONY PEREZ

DRAWN BY: GILBERTO JIMENEZ

GJ DESIGN GROUP LLC
Assoc. AIA
Professional Designer
118 WOODLAND ST LAWRENCE MA 01841
TEL 978-601-2844 E.M. lach.o7812@gmail.com Fax. 978-208-1335




LOCUS MAP



119-125 MERRIMACK ST.

### APARTMENS SCHEDULED:

| SECOND FLOOR : 4 APARTMENTS | THIRD FLOOR : 4 APARTMENTS | FOURTH FLOOR : 4 APARTMENTS | OPTION A<br>FOURTH FLOOR : 4 APARTMENTS |
|---|---|---|---|
| APARTMENT 201<br>1 BEDROOM 1 BATH 415.00 S.F. | APARTMENT 301<br>1 BEDROOM 1 BATH 415.00 S.F. | APARTMENT 401<br>1 BEDROOM 1 BATH 460.00 S.F. | APARTMENT 401<br>1 BEDROOM 1 BATH 460.00 S.F. |
| APARTMENT 202<br>1 BEDROOM 1 BATH 574.00 S.F. | APARTMENT 302<br>1 BEDROOM 1 BATH 574.00 S.F. | APARTMENT 402<br>1 BEDROOM 1 BATH 403.00 S.F. | APARTMENT 402<br>1 BEDROOM 1 BATH 403.00 S.F. |
| APARTMENT 203<br>2 BEDROOM 1 BATH 532.00 S.F. | APARTMENT 303<br>2 BEDROOM 1 BATH 532.00 S.F. | APARTMENT 403<br>2 BEDROOM 1 BATH 520.00 S.F. | APARTMENT 403<br>2 BEDROOM 1 BATH 520.00 S.F. |
| APARTMENT 204<br>1 BEDROOM 2 BATH 550.00 S.F. | APARTMENT 304<br>1 BEDROOM 2 BATH 550.00 S.F. | APARTMENT 404<br>1 BEDROOM 2 BATH 524.00 S.F. | APARTMENT 404<br>2 BEDROOM 2 BATH 524.00 S.F. |
| AREA: 2,071.00 S.F. | AREA: 2,071.00 S.F. | AREA: 1,907.00 S.F. | AREA: 1,907.00 S.F. |

### GENERAL NOTES :

1- ALL WORK SHALL COMPLY WITH STATE AND LOCAL BUILDING CODES AND REGULATIONS.
2- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, AND PROCEDURES.
3- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASPECTS DURING BUILDING CONSTRUCTION AND SHALL PROVIDE ADEQUATE SHORING AND BRACING TO ENSURE SUCH SAFETY.
4- ALL DIMENSIONS AND SITE CONDITIONS SHALL BE FIELD VERIFIED AND SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. NOTIFY THE OWNER OR DESIGNER OF ANY DISCREPANCY PRIOR TO COMMENCEMENT OF WORK.
5- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, AND TO PROTECT THEM FROM DAMAGE.
6- ALL DETAILS, SECTIONS, NOTES, OR REFERENCE TO OTHER DRAWINGS ARE INTENDED TO BE TYPICAL.
7- DURING CONSTRUCTION, AND PRIOR TO THE INCORPORATION OF ANY CHANGES, REVISIONS, MODIFICATIONS OR DEVIATION FROM THE CONSTRUCTION DOCUMENT, CONTRACTOR SHALL BRING TO THE ATTENTION OF THE OWNER OR DESIGNER AND OBTAIN APPROVAL FROM THE BUILDING INSPECTOR BEFORE PROCEEDING WITH THE WORK.
8- SPECIFIC NOTES AND DETAILS ON THE DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS. WHERE NO DETAILS ARE SHOWN, CONSTRUCTION SHALL CONFORM TO SIMILAR WORK ON THE PROJECT.
9- CONTRACTOR SHALL PERFORM ALL WORKS IN COMPLIANCE WITH THE COMMONWEALTH OF MASSACHUSETTS 10TH EDITION OF THE MRSC,780 CMR ) (2021 IRC AND THE COMMONWEALTH OF MASSACHUSETTS AMENDMENT TO THE INTERNATIONAL COMMERCIAL CODE 2021) AND THE CITY OF HAVERHILL ORDINANCES.

### SCHEDULED GROSS AREA:

| | |
|---|---|
| FIRST FLOOR PLAN COMMERCIAL | 2,773.00 S.F. |
| SECOND FLOOR PLAN APARTMENTS | 2,859.00 S.F. |
| THIRD FLOOR PLAN APARTMENTS | 2,859.00 S.F. |
| FOURT FLOOR PLAN APARTMENTS | 2,653.00 S.F. |
| BASEMENT FLOOR PLAN | 2,176.00 S.F. |
| TOTAL AREA: | 13,320.00 S.F. |

### GENERAL SYMBOLS

ROOM NAME ROOM TAG BREAK LINE DOOR
WINDOW OBJECT ABOVE OR BELOW

COVER SHEET
SHEET 1 / 41

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ

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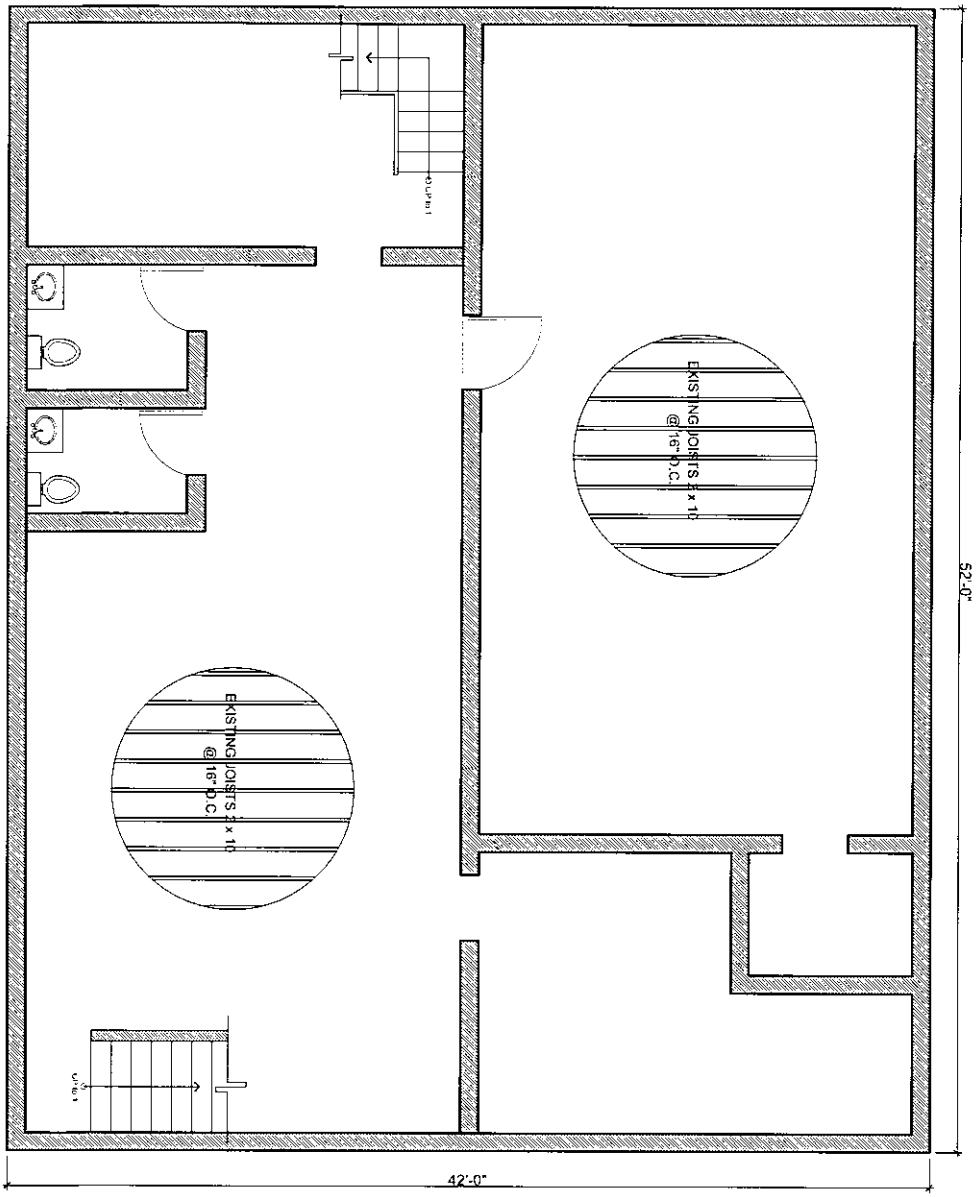
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GJ DESIGN GROUP LLC
Assoc. AIA
Professional Designer

# EXISTING BASEMENT FLOOR PLAN

SCALE: 1/4"=1'-0"

GROSS AREA= 2,180 S.F.





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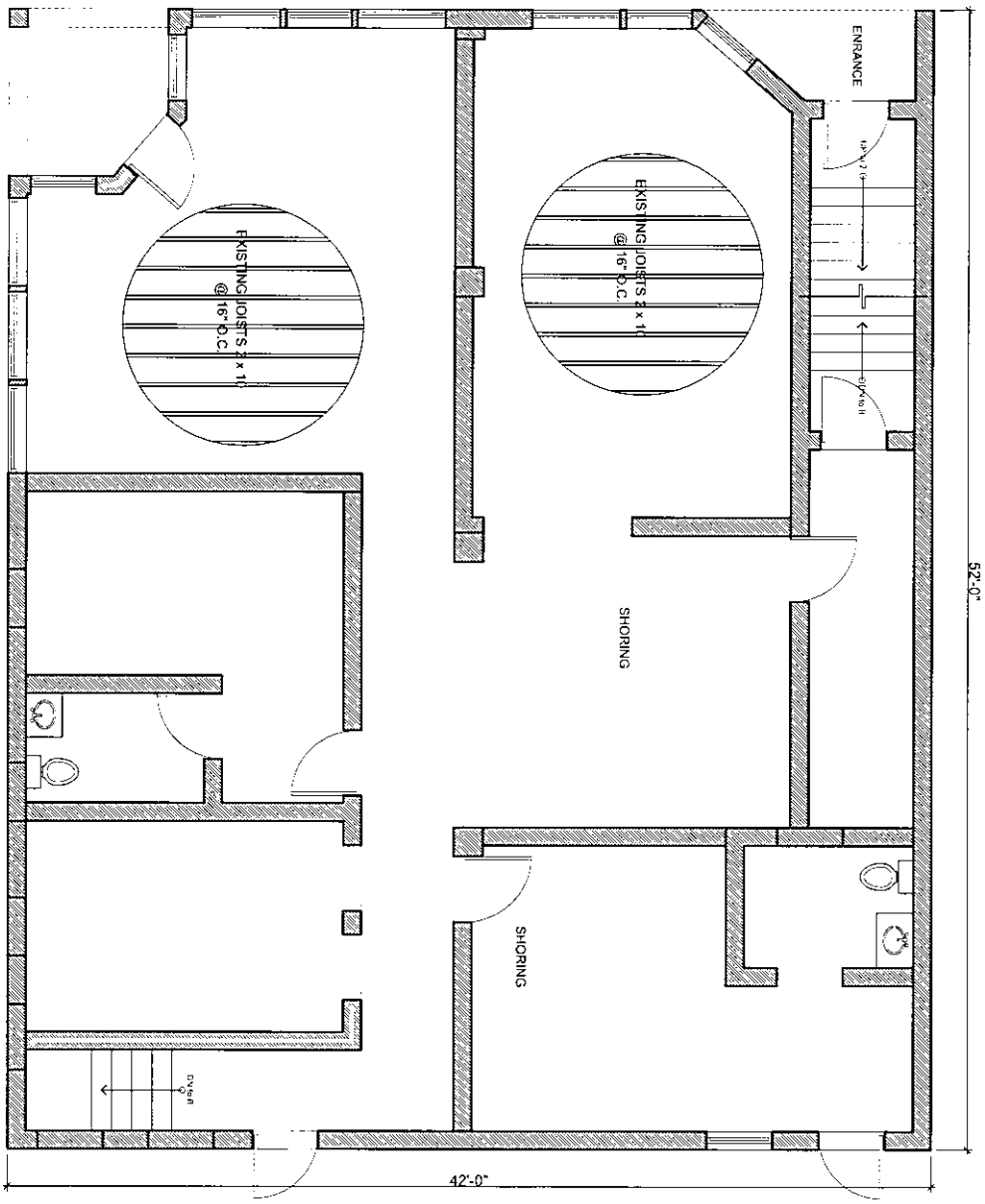


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| ADDRESS: | 125 MERRIMACK ST. HAVERHILL MA 01830 |
| OWNER: | DAVINCI MINI APTS-JONY PEREZ |
| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

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APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

FLOOR PLAN




# EXISTING FIRST FLOOR PLAN

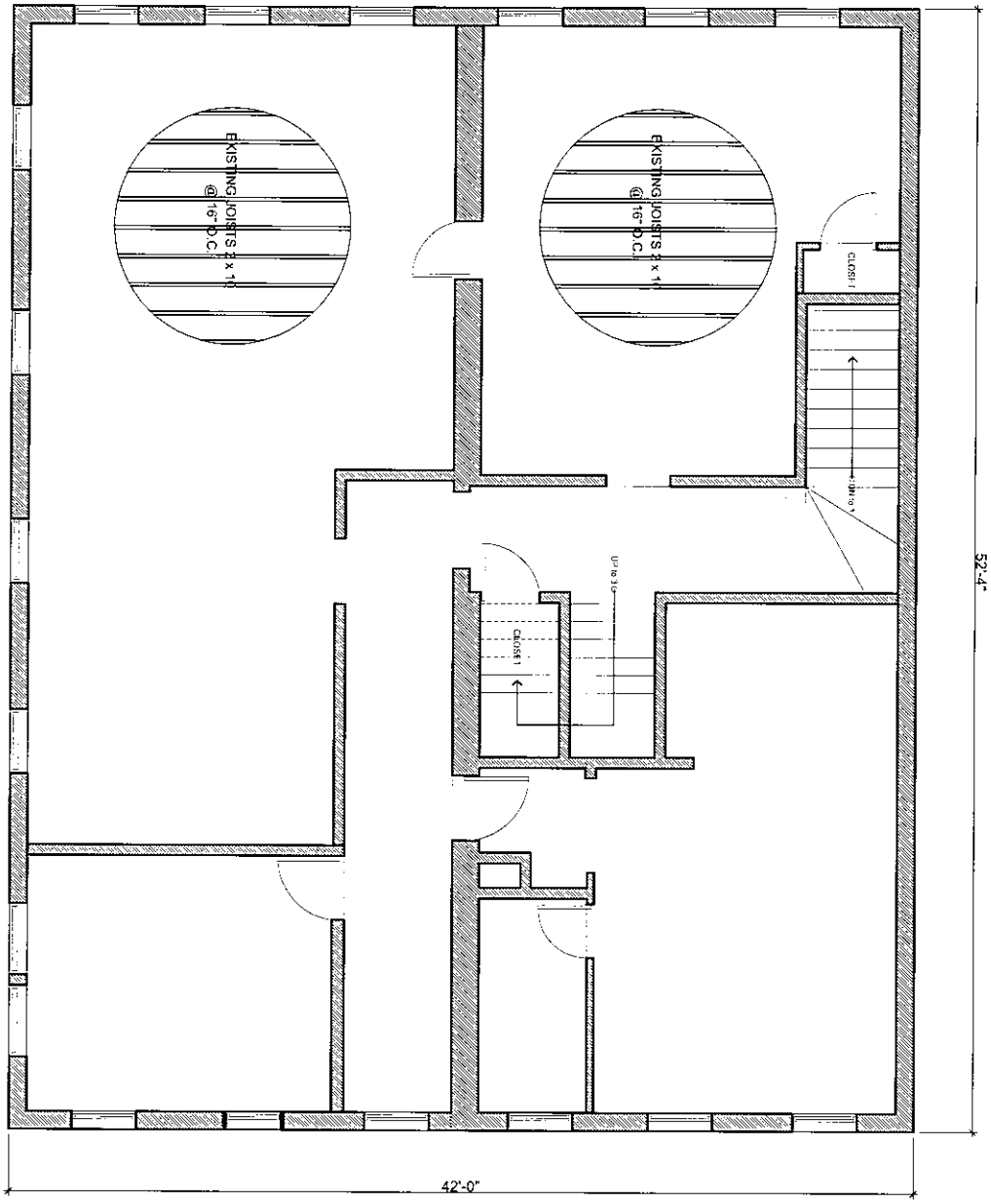
SCALE: 1/4"=1'-0"

GROSS AREA= 2,180 S.F.

| | | | | |
|---|---|---|---|---|
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# EXISTING SECOND FLOOR PLAN

GROSS AREA= 2,180 S.F.





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| OWNER: | DAVINCI MINI APTS-JONY PEREZ |
| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

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APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

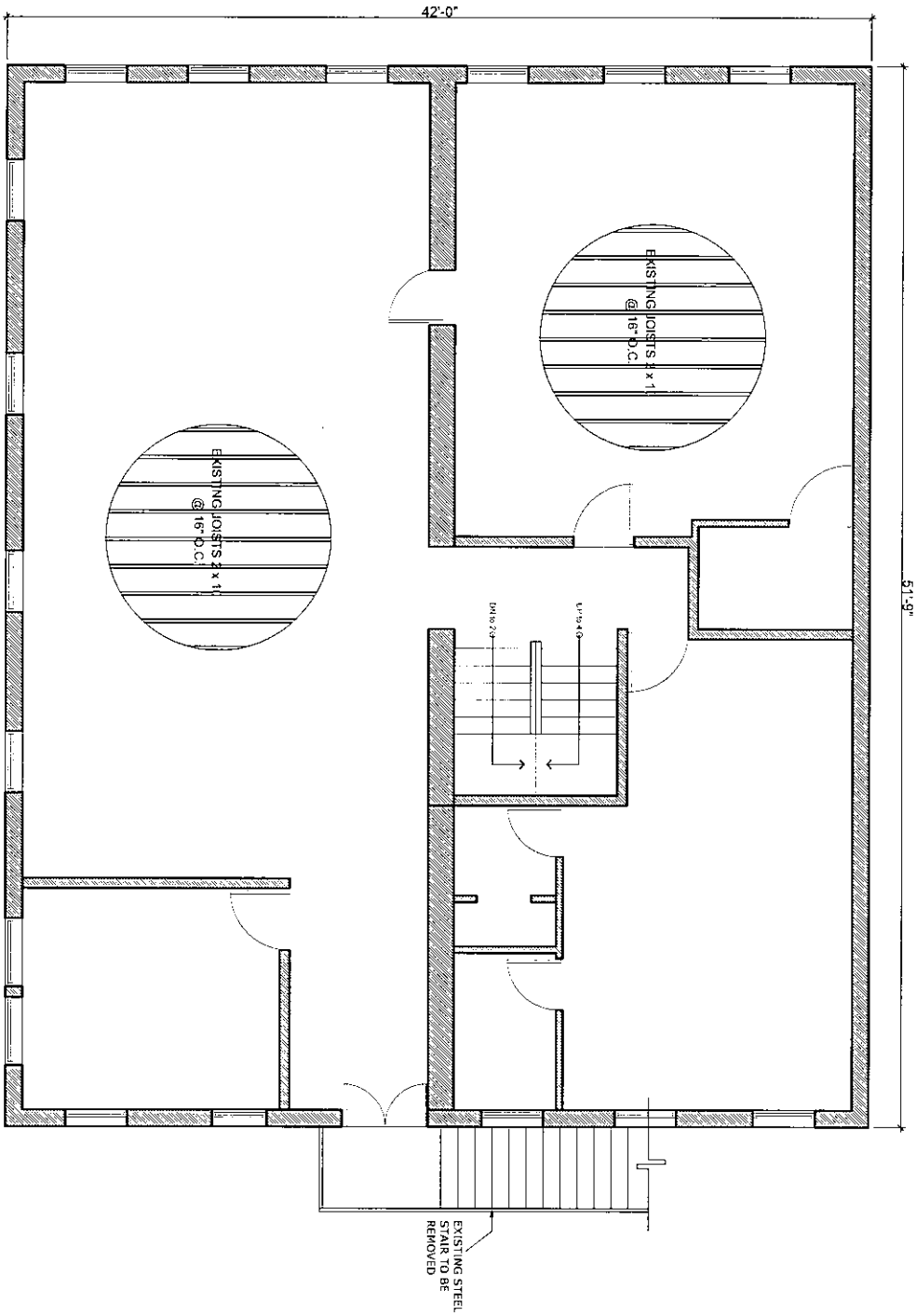
FLOOR PLAN

SHEET 1 4/41

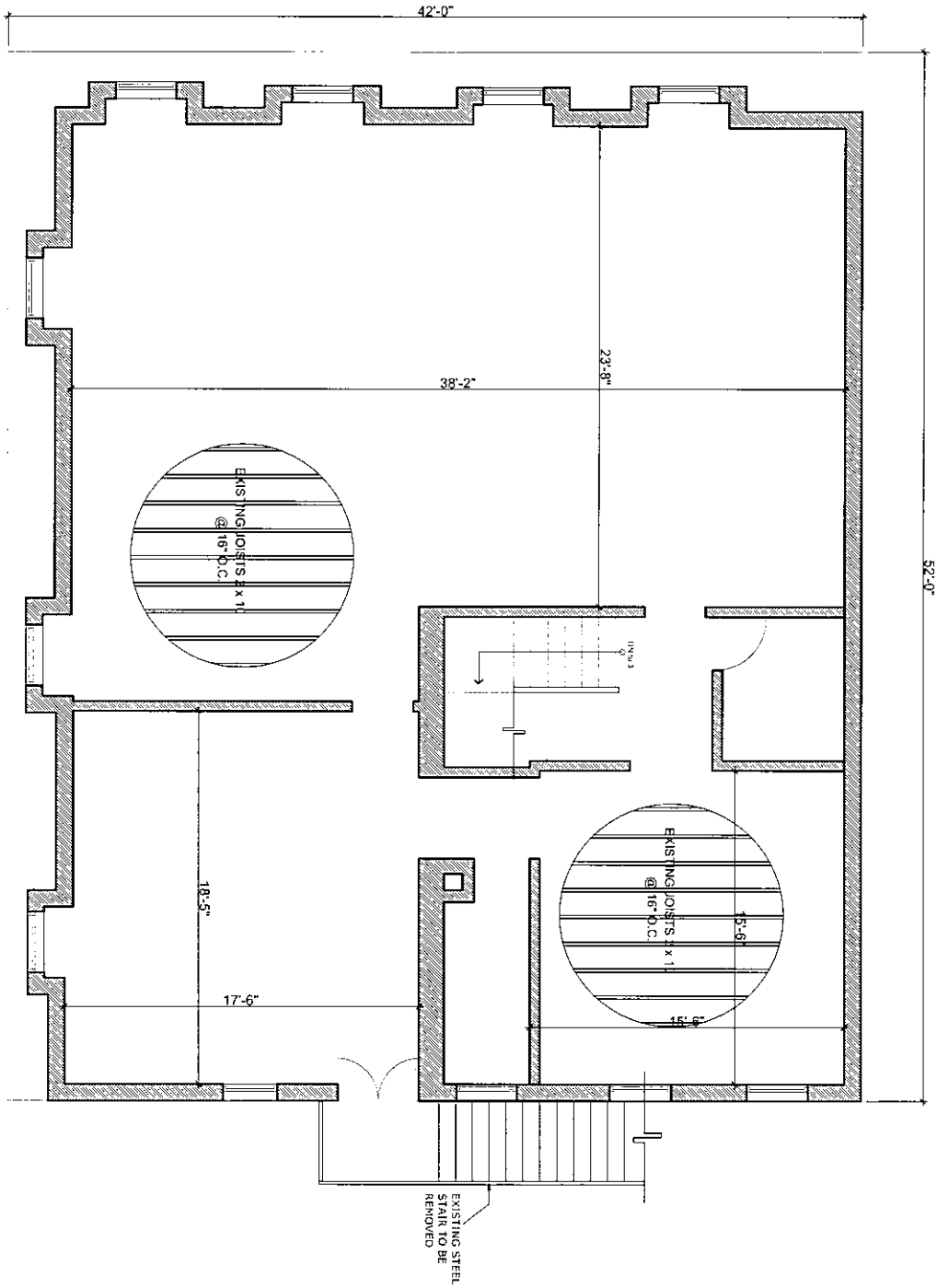
# EXISTING THIRD FLOOR PLAN

SCALE: 1/4"=1'-0"

GROSS AREA= 2,180 S.F.




| | | | |
|---|---|---|---|
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EXISTING FOURTH FLOOR PLAN

SCALE: 1/4"=1'-0"

GROSS AREA= 2,000 S.F

| | | | |
|---|---|---|---|
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EXISTING RIGHT SIDE ELEVATION

SCALE: 1/4"=1'-0"

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Professional Designer

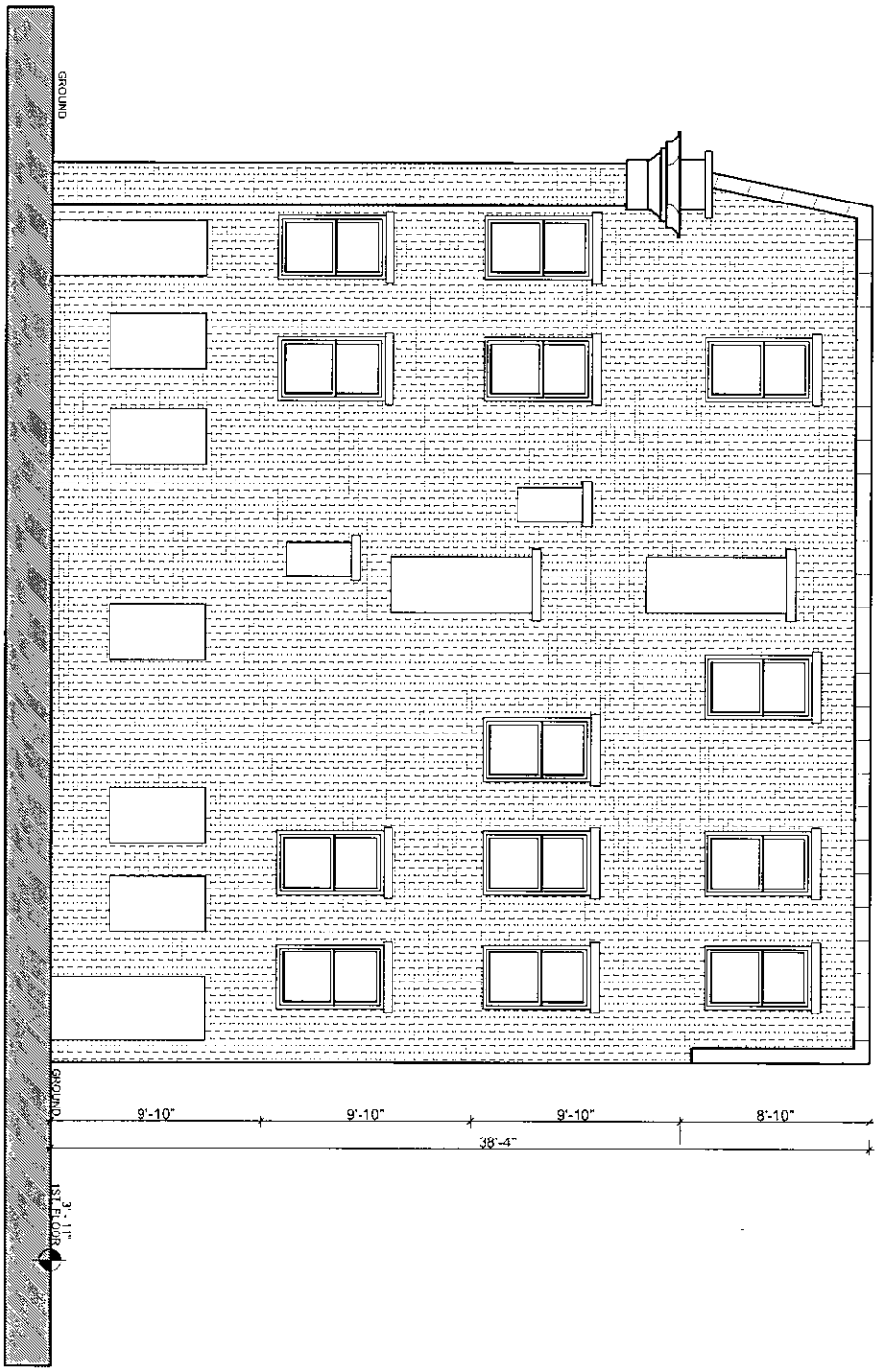
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| OWNER: | DAVINCI MINI APTS-JONY PEREZ |
| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

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APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

ELEVATION




EXISTING REAR ELEVATION
SCALE: 1/4"=1'-0"

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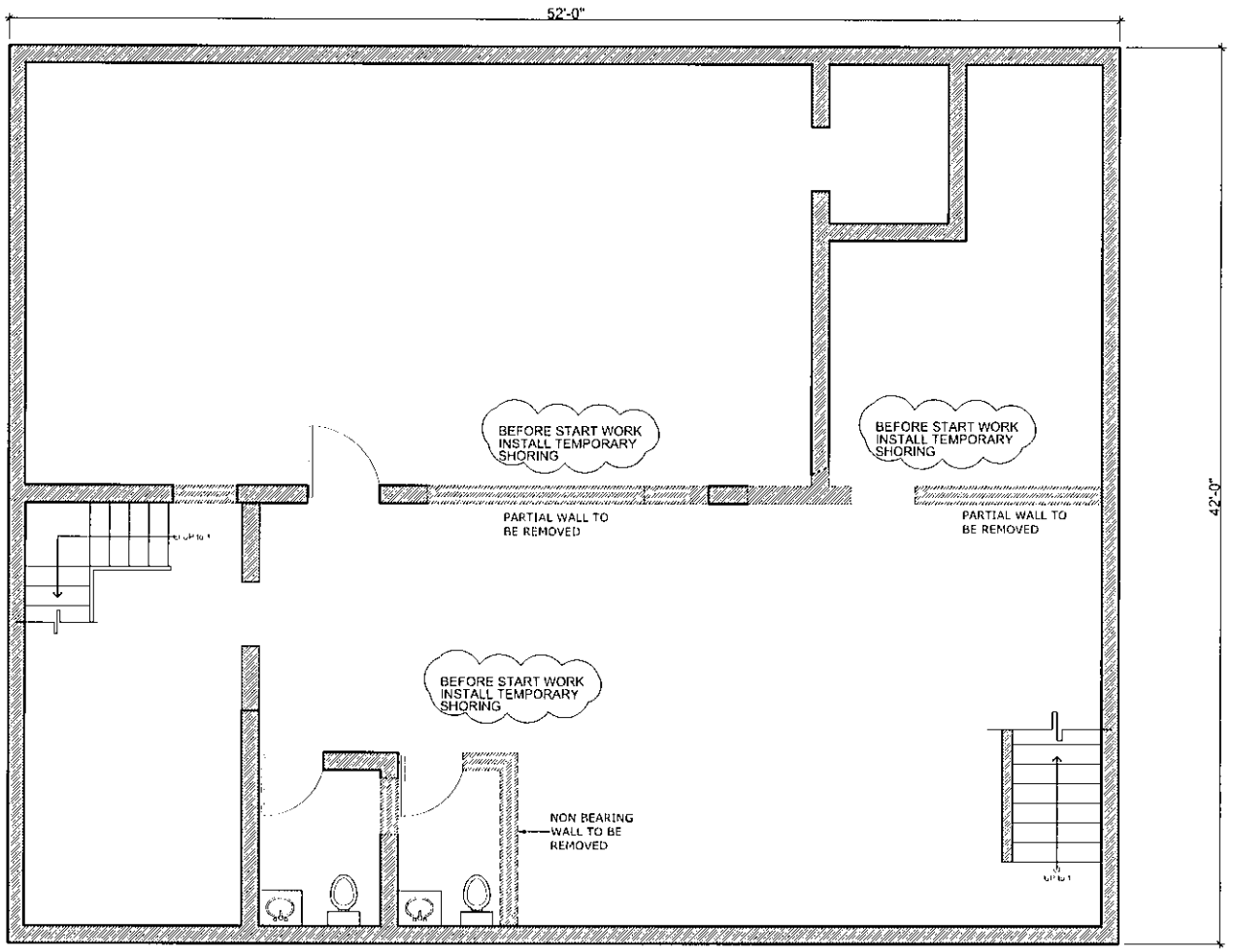
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DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

ELEVATION
SHEET 1 8/41

| LEGEND | |
|---|---|
| | EXISTING WALL TO REMAIN |
| | PROPOSED NEW WALL |
| | DEMOL. WALL |



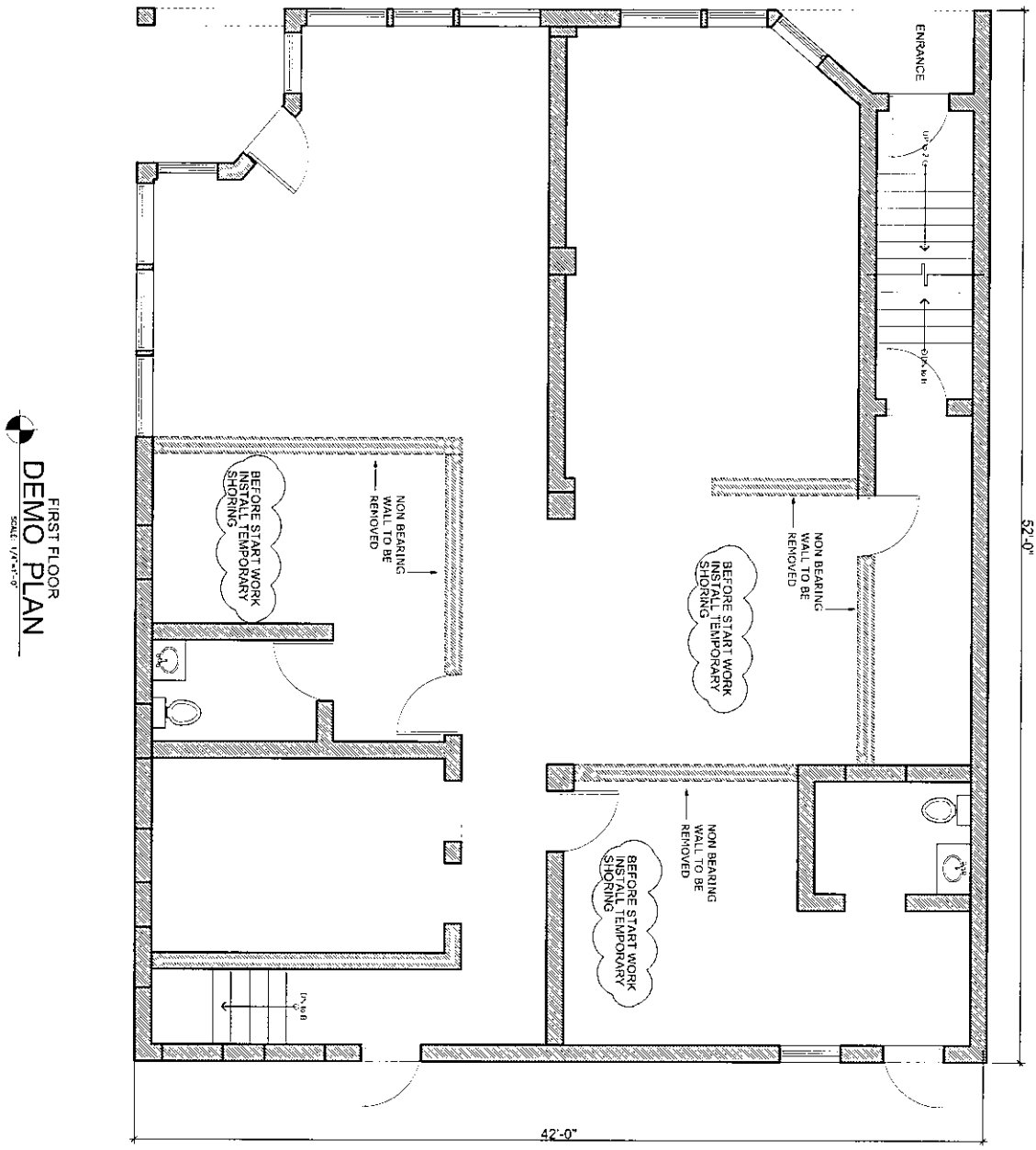

BASEMENT
DEMO PLAN
SCALE: 1/4"=1'-0"


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PETITIONER: DAVINCI MINI APTS-JONY PEREZ

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DATE: 7/28/2025

FLOOR PLAN
SHEET 1 9/41




FIRST FLOOR
# DEMO PLAN
SCALE: 1/4"=1'-0"

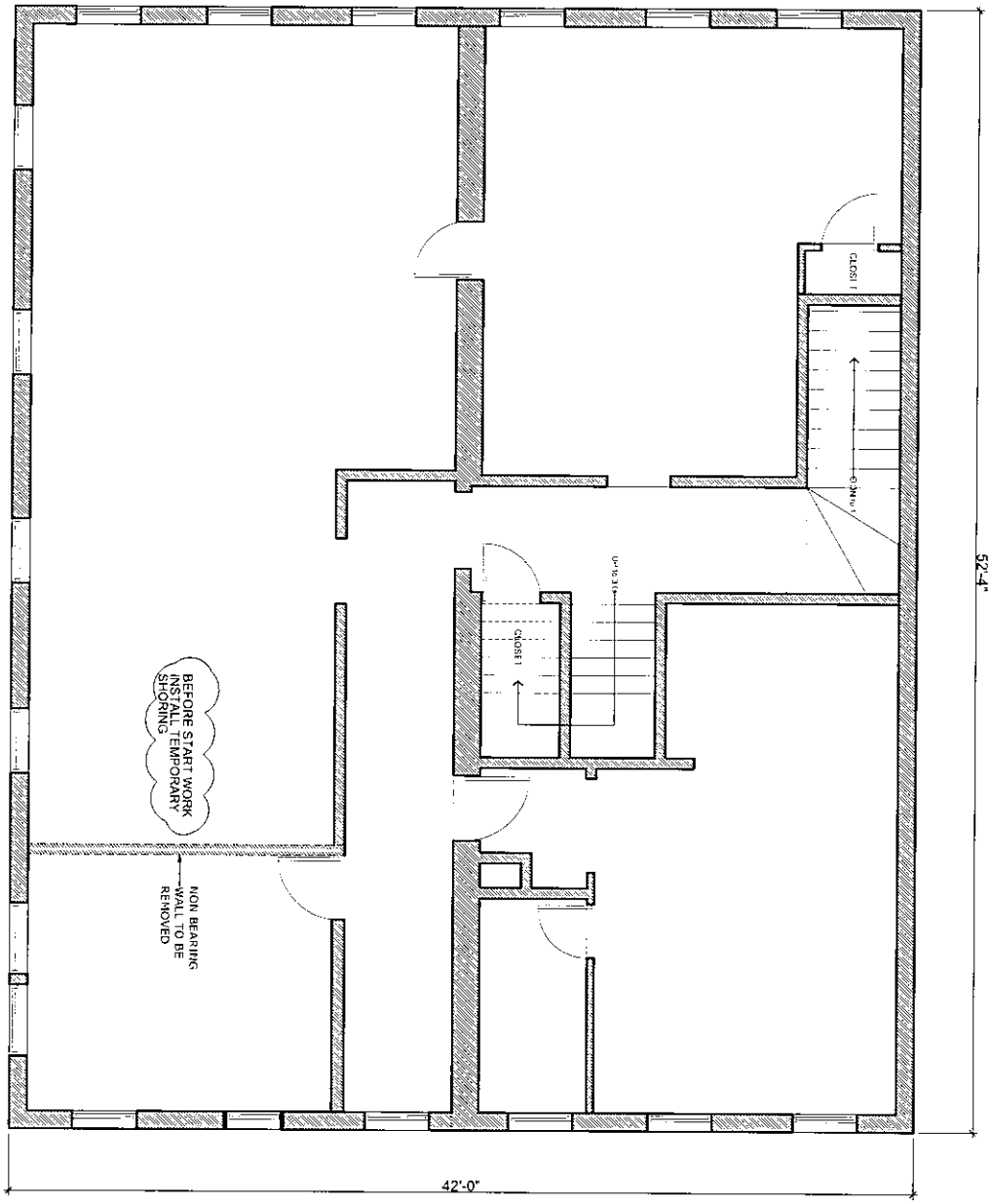
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DATE: 7/28/2025

FLOOR PLAN




SECOND FLOOR
DEMO PLAN
SCALE: 1/4"=1'-0"

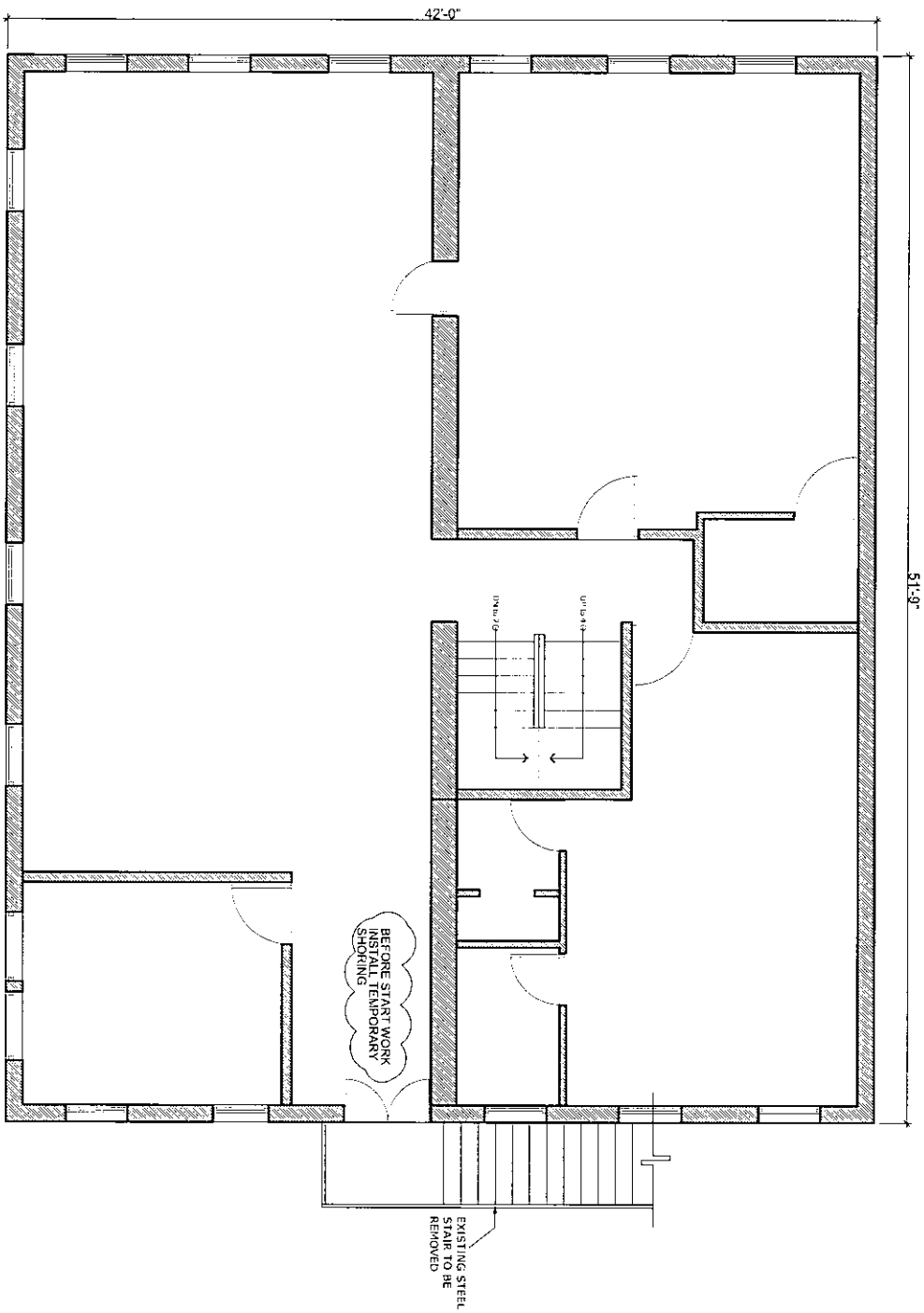
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APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

FLOOR PLAN




THIRD FLOOR
DEMO PLAN
SCALE 1/4"=1'-0"

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Assoc. AIA
Professional Designer

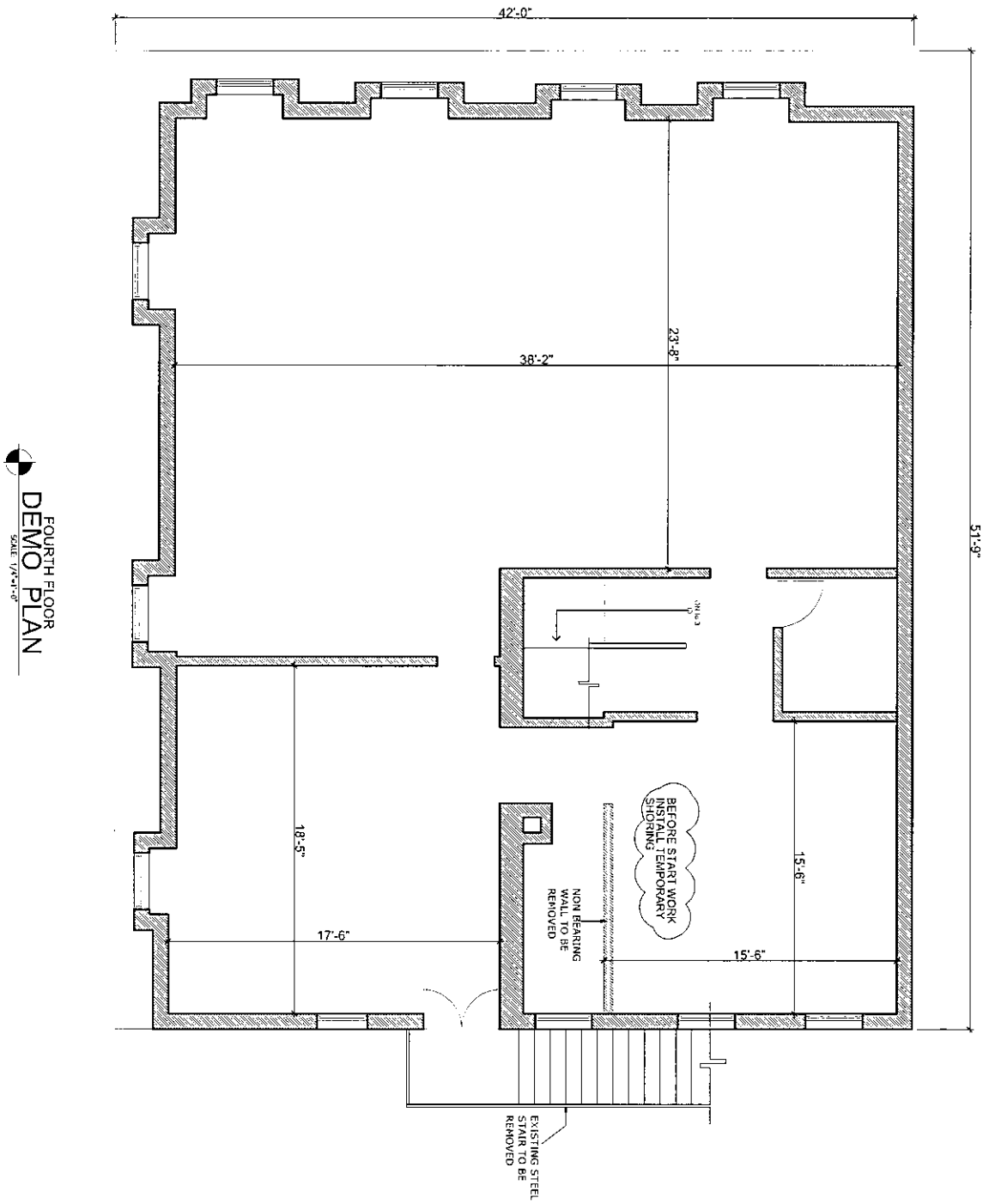
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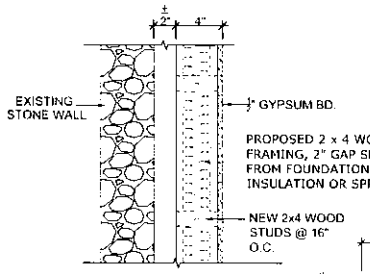
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FLOOR PLAN



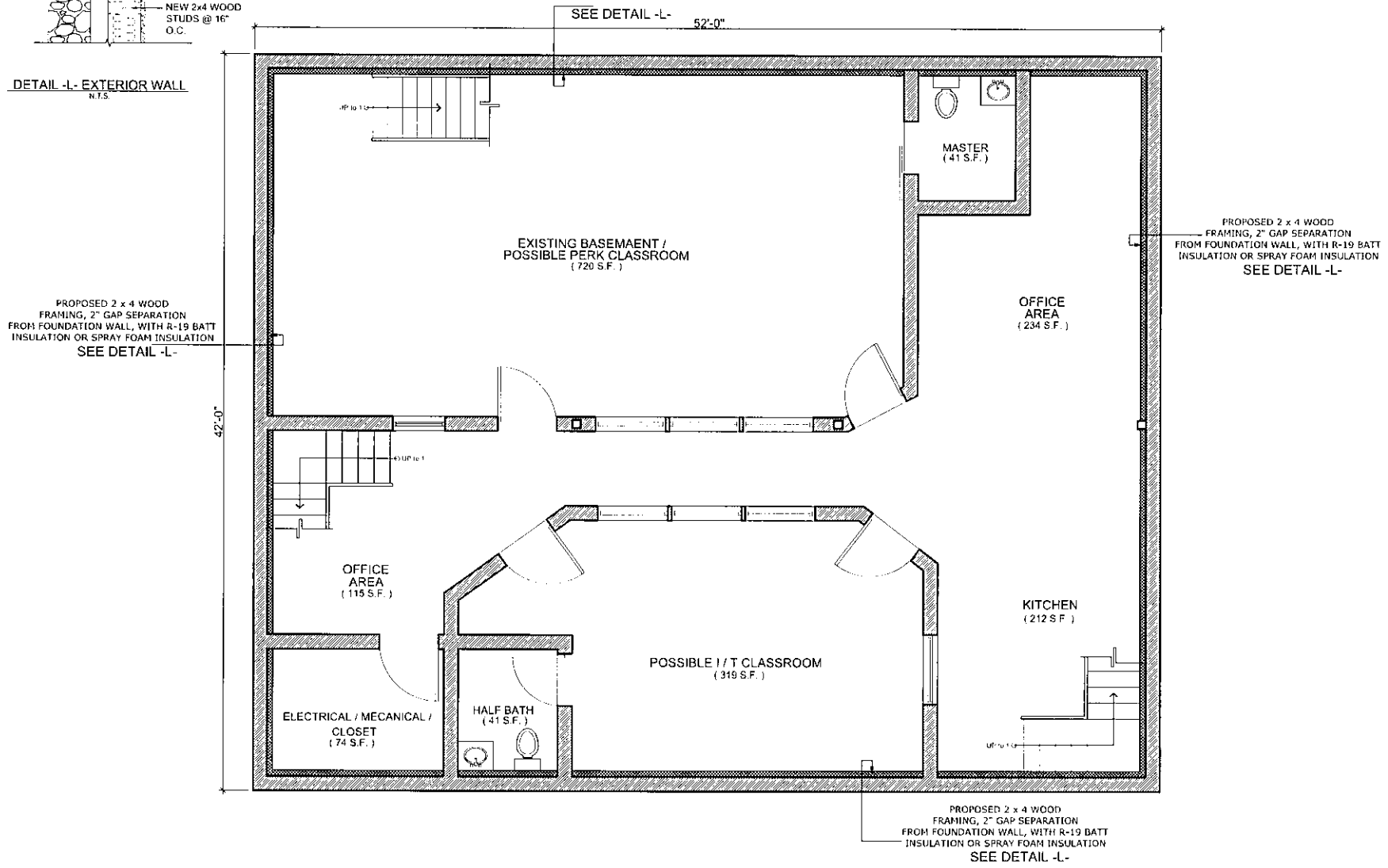

FOURTH FLOOR
DEMO PLAN
SCALE: 1/4"=1'-0"

| | | | | |
|---|---|---|---|---|
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DETAIL -L- EXTERIOR WALL
N.T.S.

NOTE:
CONTRACTOR SHALL PERFORM ALL WORKS IN COMPLIANCE WITH THE COMMONWEALTH OF MASSACHUSETTS ( 10TH EDITION OF THE MBSC,780 CMR ) (2021 IBC AND THE COMMONWEALTH OF MASSACHUSETTS AMENDMENT TO THE INTERNATIONAL COMMERCIAL CODE 2021) AND THE CITY OF HAVERHILL ORDINANCES.




## PROPOSED BASEMENT FLOOR PLAN

SCALE: 1/4"=1'-0"

INTERIOR AREA= 2,027 S.F.

FLOOR PLAN

SHEET 1 | 14 / 41

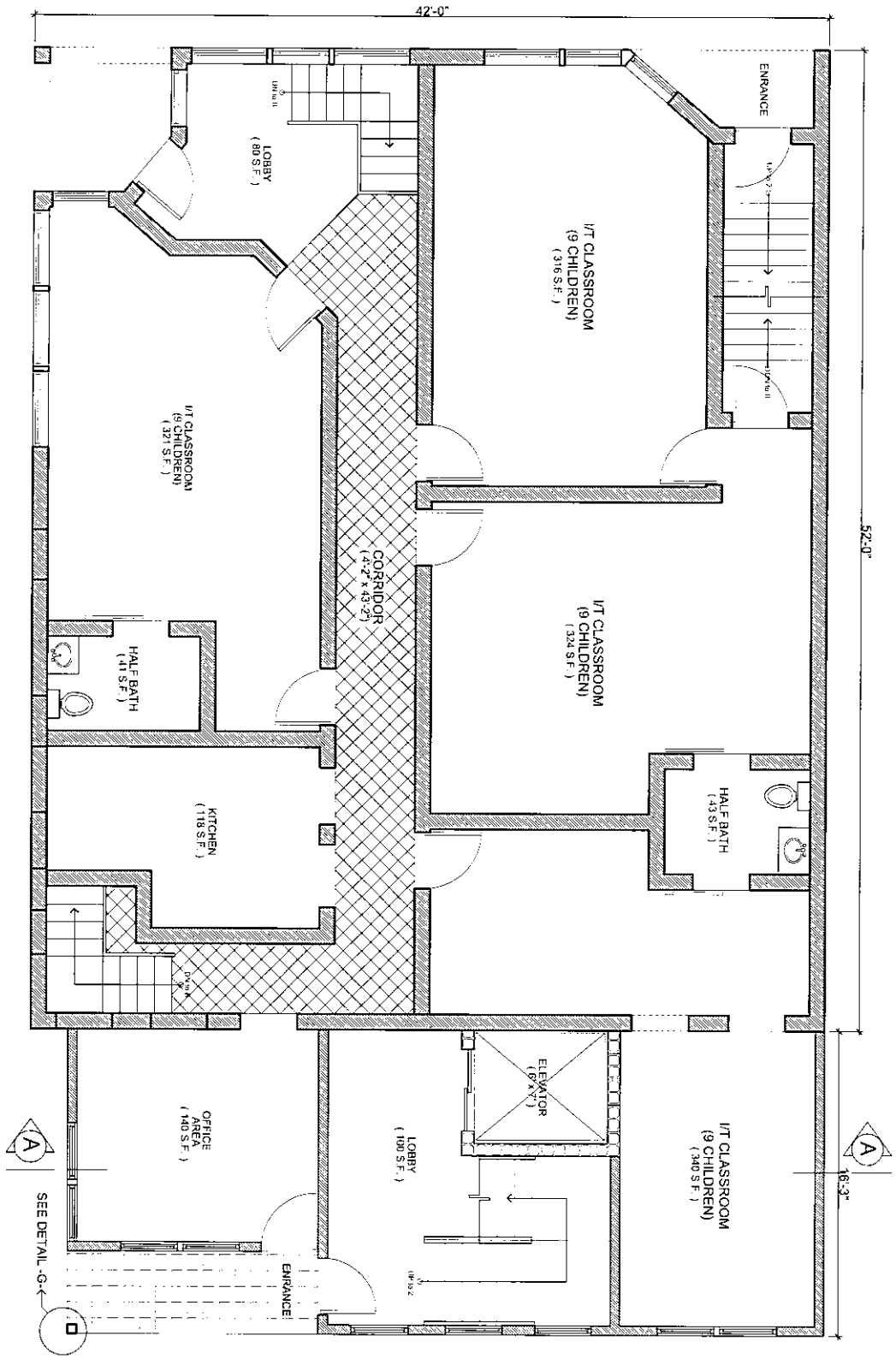
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DATE: 7/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
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GJ DESIGN GROUP LLC
Assoc. AIA
Professional Designer




# PROPOSED FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

INTERIOR AREA= 2,500 S.F.


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APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

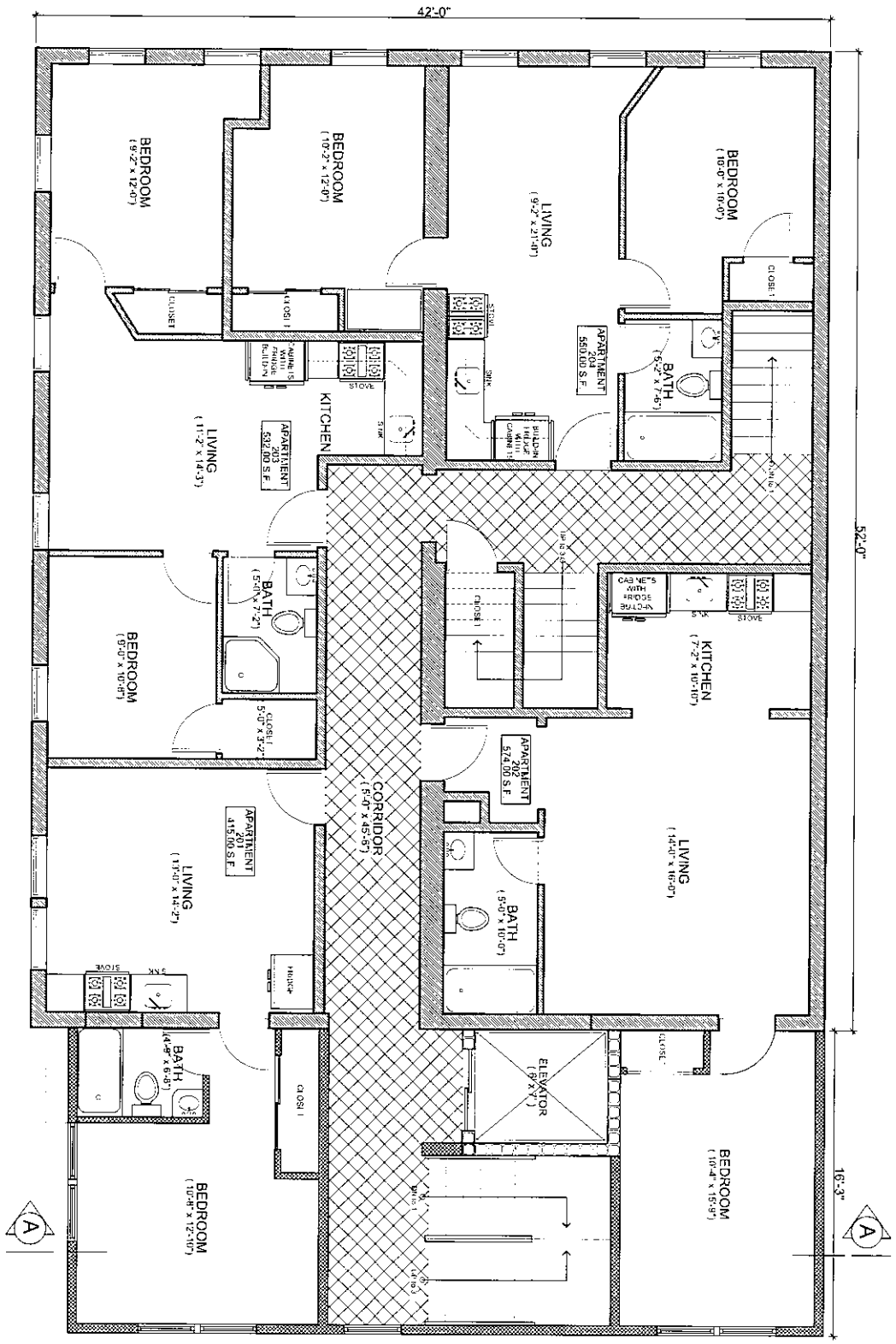
FLOOR PLAN

SHEET 1 / 15 / 41

# PROPOSED SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"

INTERIOR AREA= 2,500 S.F.





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Professional Designer

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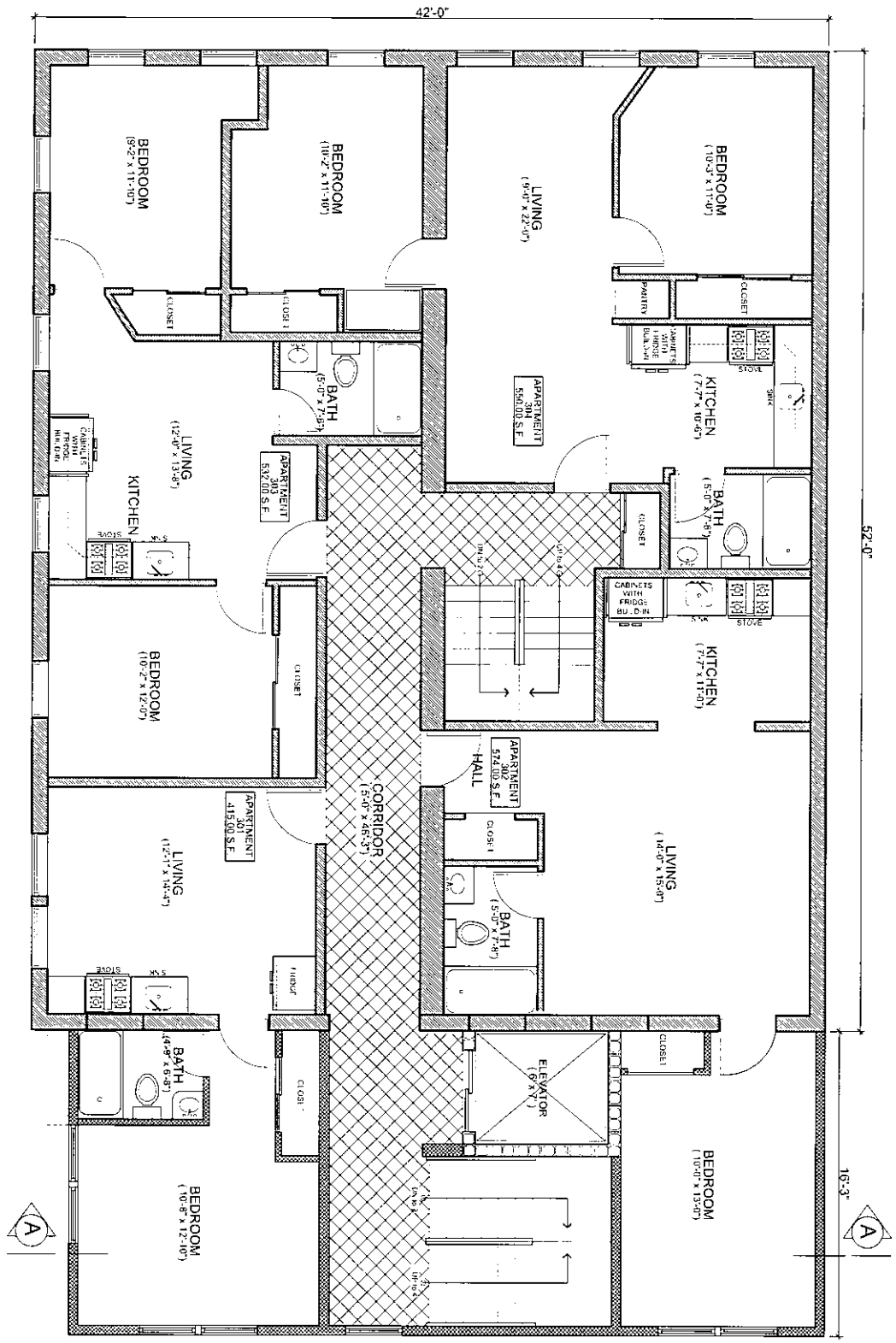
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| OWNER: | DAVINCI MINI APTS-JONY PEREZ |
| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

FLOOR PLAN

SHEET 16 / 41

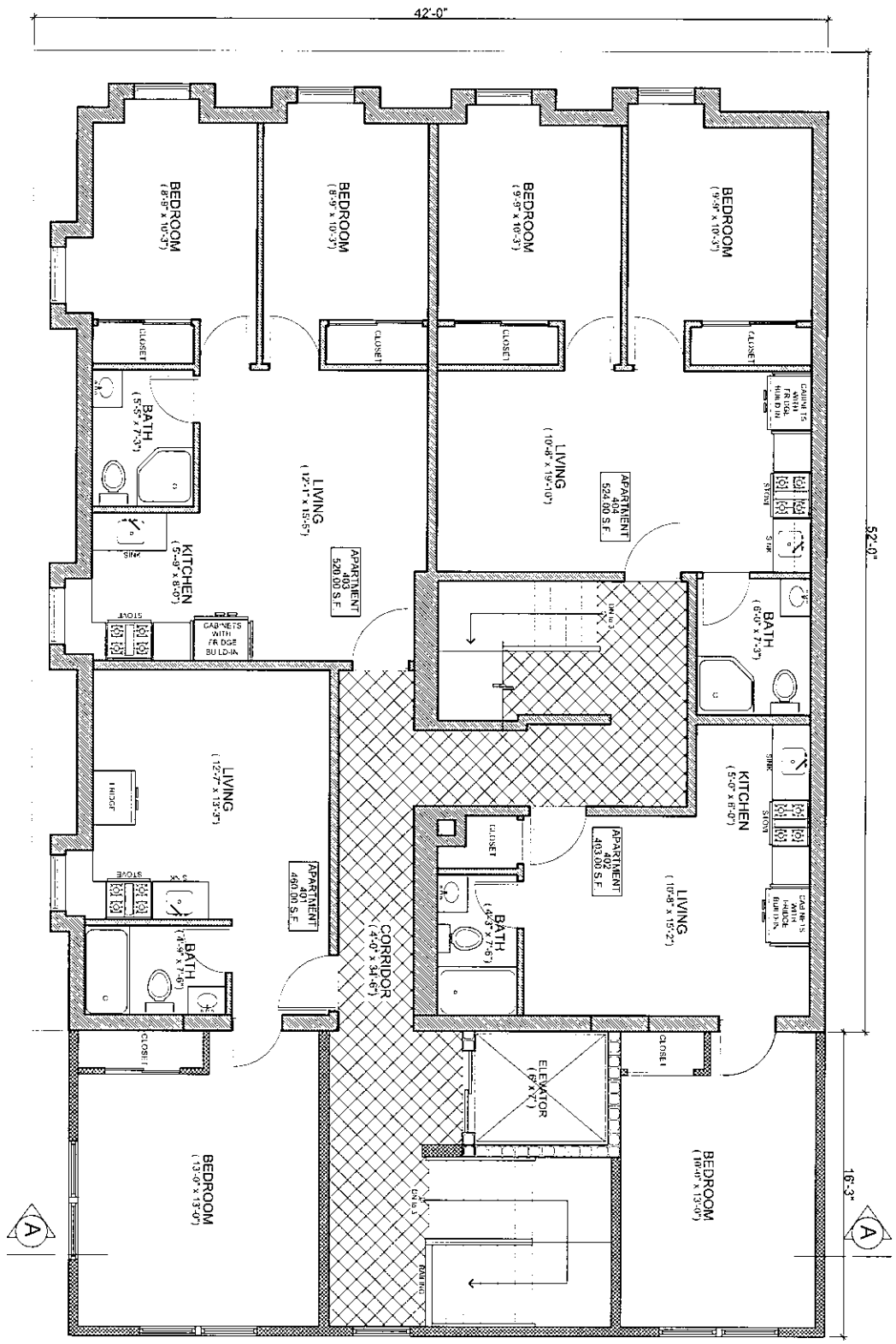



# PROPOSED THIRD FLOOR PLAN

SCALE: 1/4"=1'-0"

INTERIOR AREA= 2,500 S.F.

| | | | |
|---|---|---|---|
| GJ DESIGN GROUP LLC<br>Assoc. AIA<br>Professional Designer | 118 WOODLAND ST LAWRENCE MA 01841<br>978-601-2844 FAX 978-208-1335<br>E. MAIL lach.o7812@gmail.com<br>NOTE: THIS DESIGN IS THE INTELLECTUAL PROPERTY OF GILBERTO JIMENEZ GROUP. THEREFORE IT IS PROHIBITED COPY PARTIALLY OR COMPLETELY THIS DESIGN WITHOUT THE AUTHORIZATION OF THE AUTHOR | PROJECT: COMMERCIAL RESIDENTIAL BUILDING<br>ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830<br>OWNER: DAVINCI MINI APTS-JONY PEREZ<br>PETITIONER: DAVINCI MINI APTS-JONY PEREZ | REVISED BY:<br>APPROVED BY:<br>DRAWN BY: GILBERTO JIMENEZ<br>DATE: 7/28/2025 | FLOOR PLAN<br>SHEET 1 / 17 / 41 |




## PROPOSED FOURTH FLOOR PLAN

SCALE 1/4"=1'-0"

INTERIOR AREA= 2,500 S.F.

| | | | | |
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PROPOSED RIGHT SIDE ELEVATION

SCALE: 1/4"=1'-0"

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Professional Designer

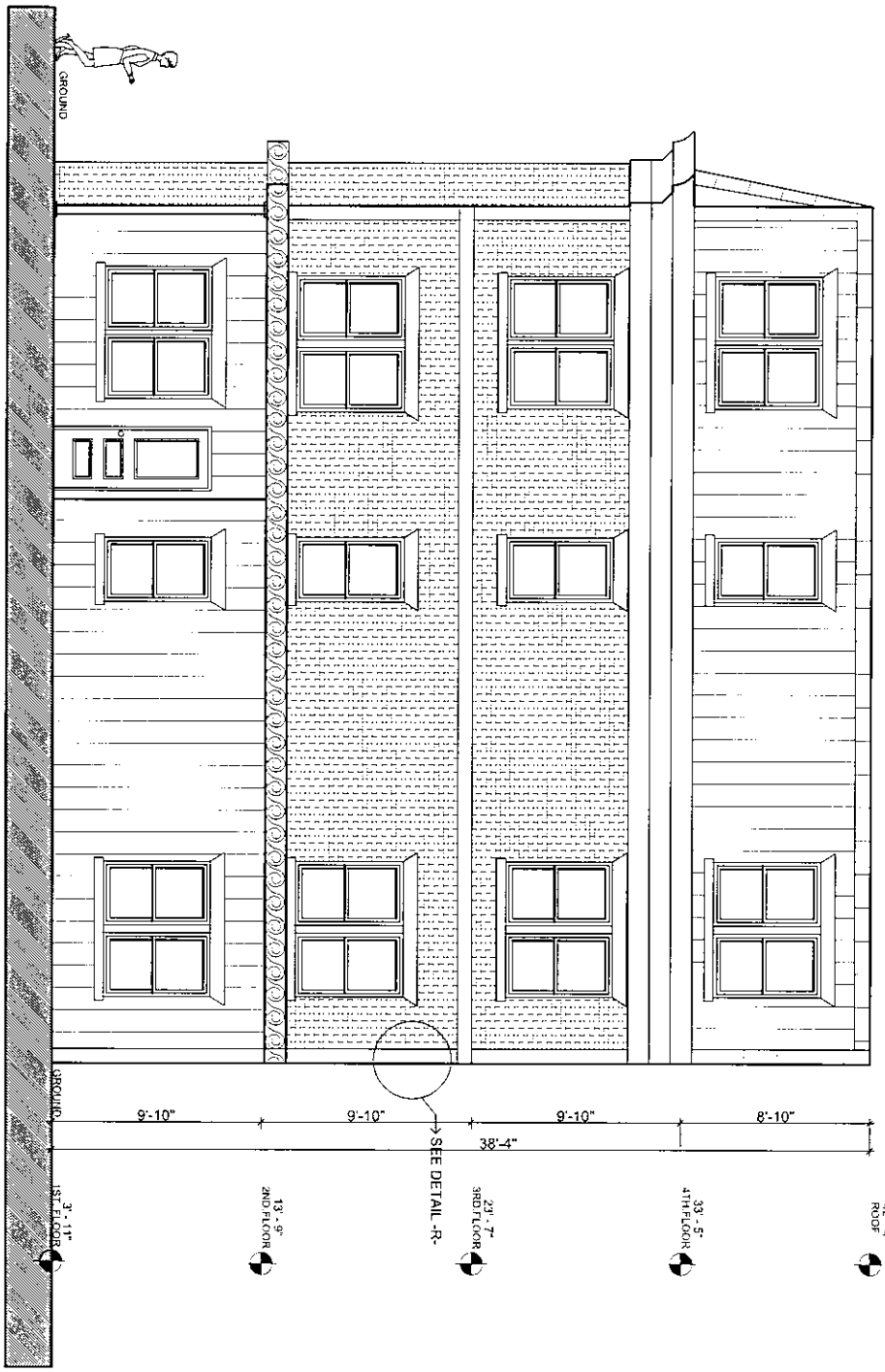
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| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

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DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

ELEVATION




REAR ELEVATION

SCALE 1/4"=1'-0"


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| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

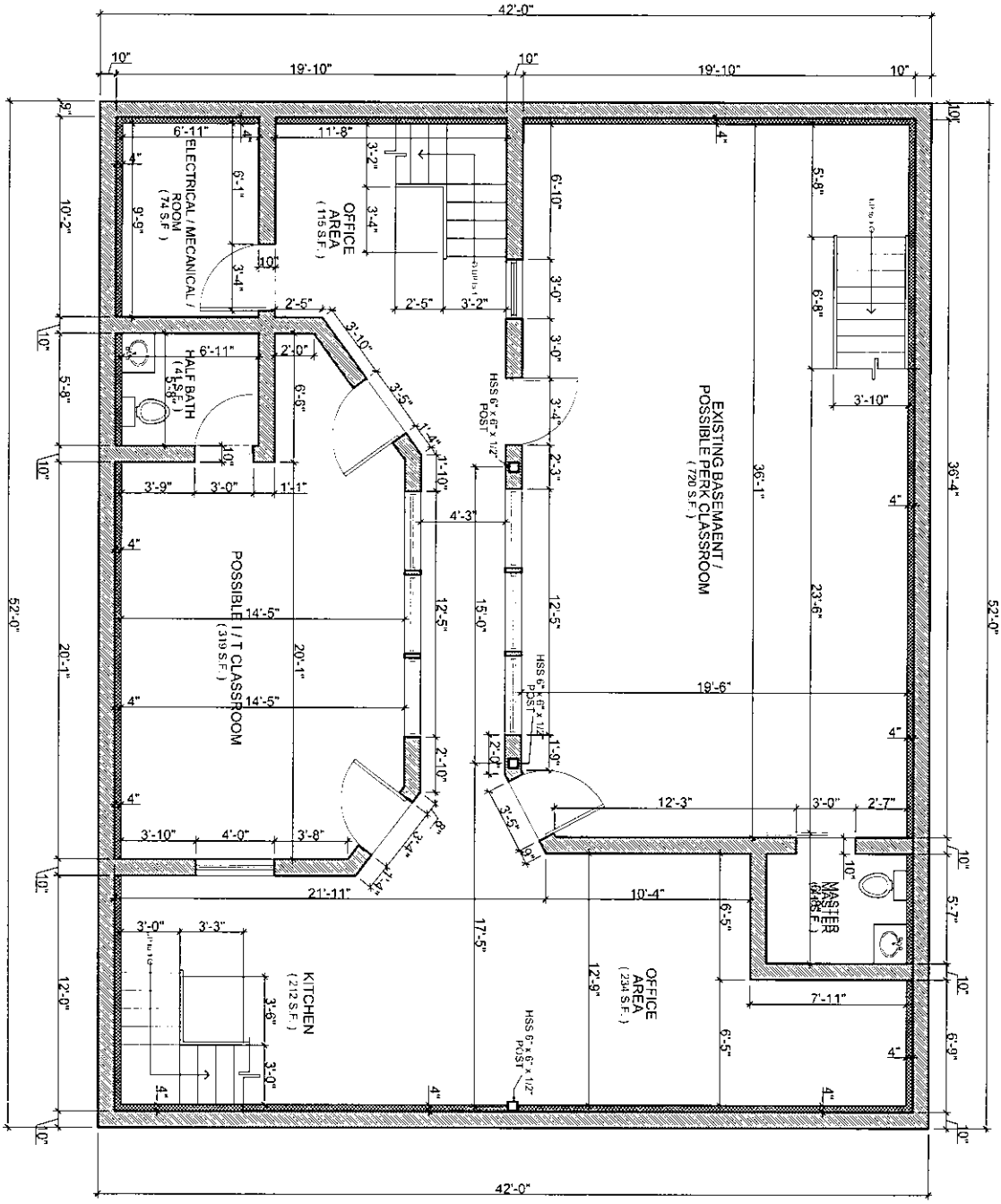
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| REVISED BY: | |
| APPROVED BY: | |
| DRAWN BY: | GILBERTO JIMENEZ |
| DATE: | 7/28/2025 |

ELEVATION

# PROPOSED (DIMENSIONED) BASEMENT FLOOR PLAN

SCALE: 1/4"=1'-0"

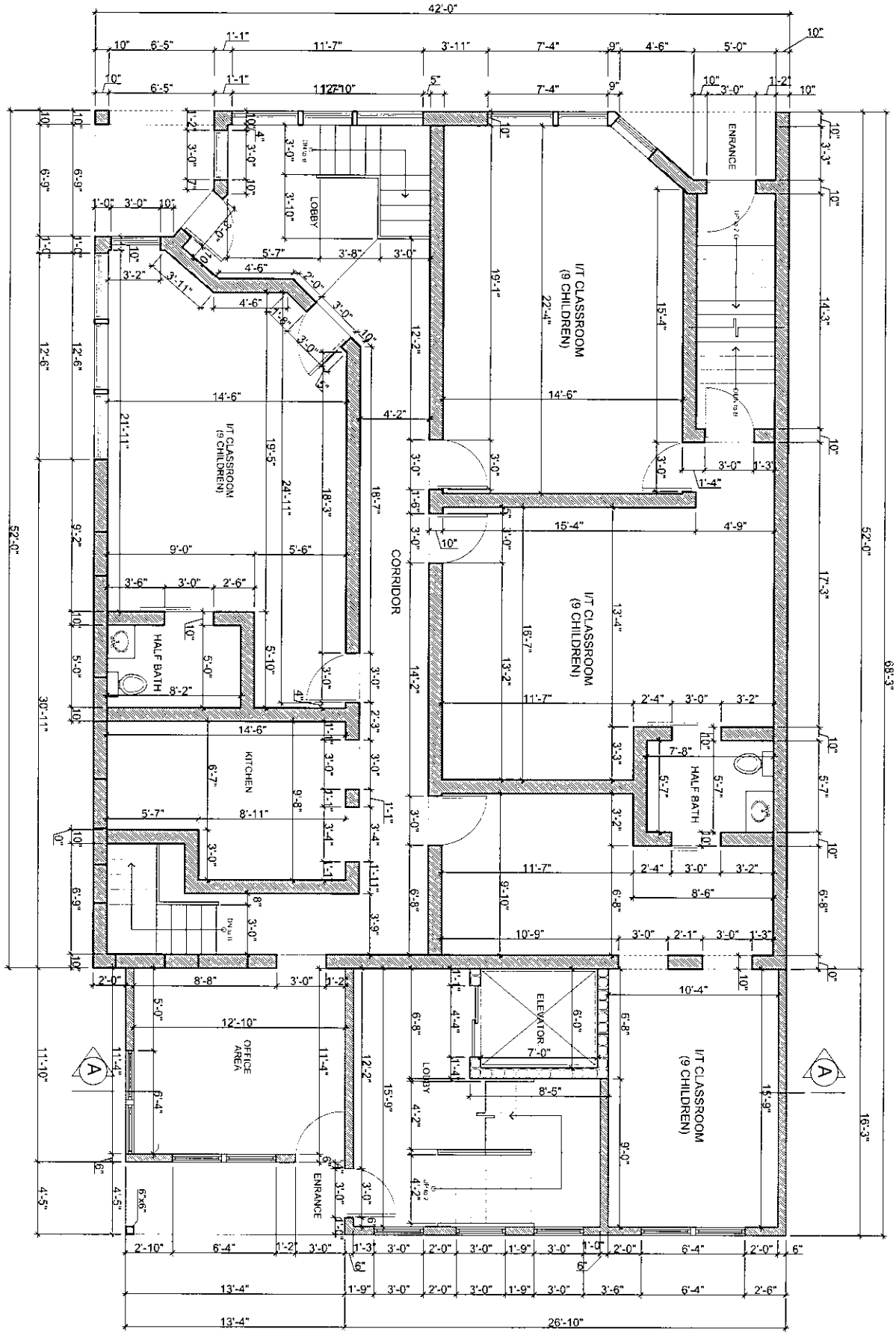
INTERIOR AREA= 2,027 S.F.




| | | | |
|---|---|---|---|
| G J DESIGN GROUP LLC Assoc. AIA Professional Designer | 118 WOODLAND ST LAWRENCE MA 01841<br>978-601-2844 FAX 978-208-1335<br>E. MAIL lach.o7812@gmail.com | PROJECT: COMMERCIAL RESIDENTIAL BUILDING<br>ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830<br>OWNER: DAVINCI MINI APTS-JONY PEREZ<br>PETITIONER: DAVINCI MINI APTS-JONY PEREZ | REVISED BY:<br>APPROVED BY:<br>DRAWN BY: GILBERTO JIMENEZ<br>DATE: 7/28/2025 |

FLOOR PLAN

SHEET 1 / 21 / 41




# (DIMENSIONED) PROPOSED FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

INTERIOR AREA= 2,500 S.F.


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Professional Designer

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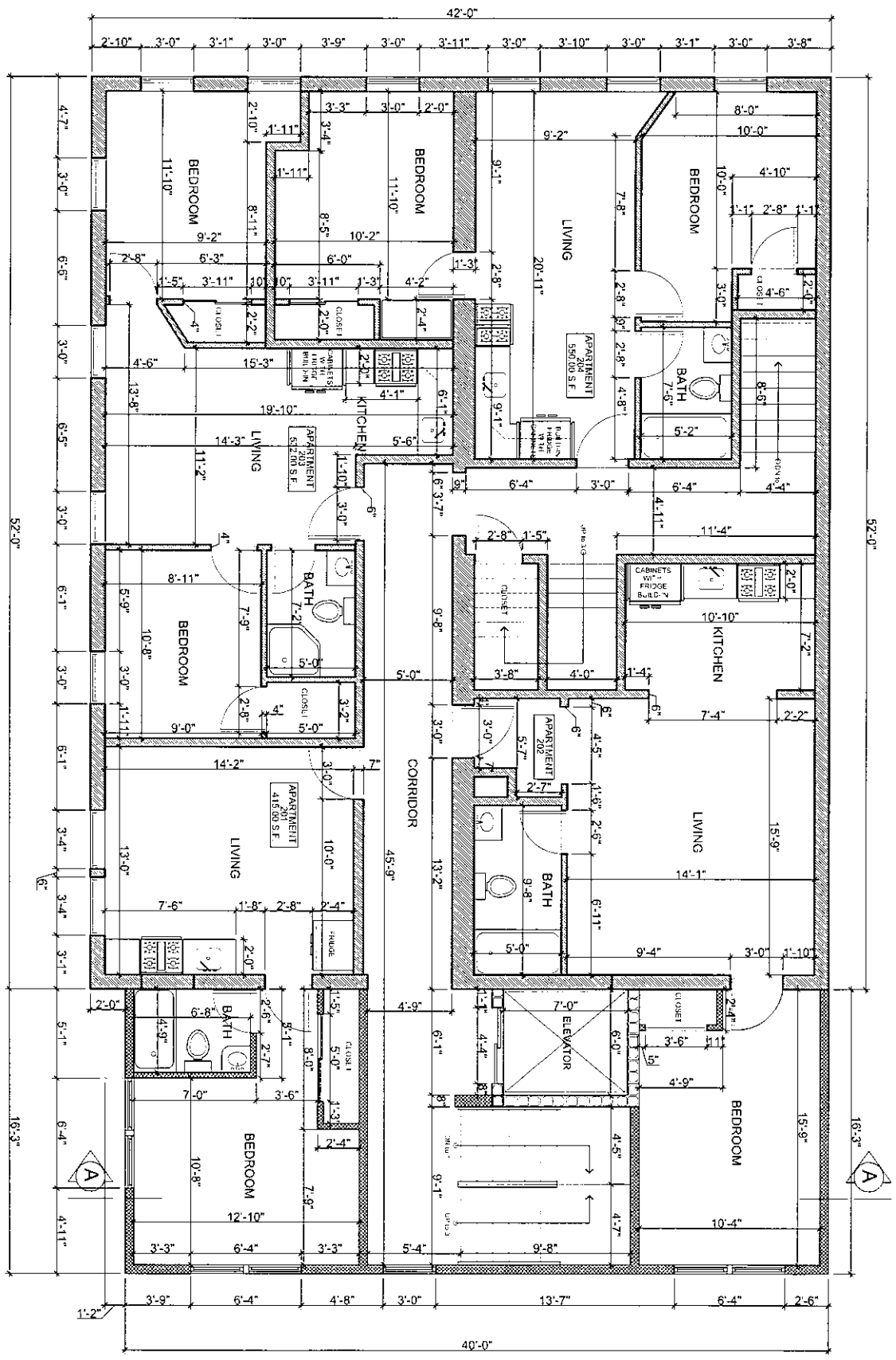
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| OWNER: | DAVINCI MINI APTS-JONY PEREZ |
| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

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| REVISED BY: | |
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| DRAWN BY: | GILBERTO JIMENEZ |
| DATE: | 7/28/2025 |

FLOOR PLAN

SHEET 1 / 22 / 41




(DIMENSIONED)
# PROPOSED SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"

INTERIOR AREA= 2,500 S.F.


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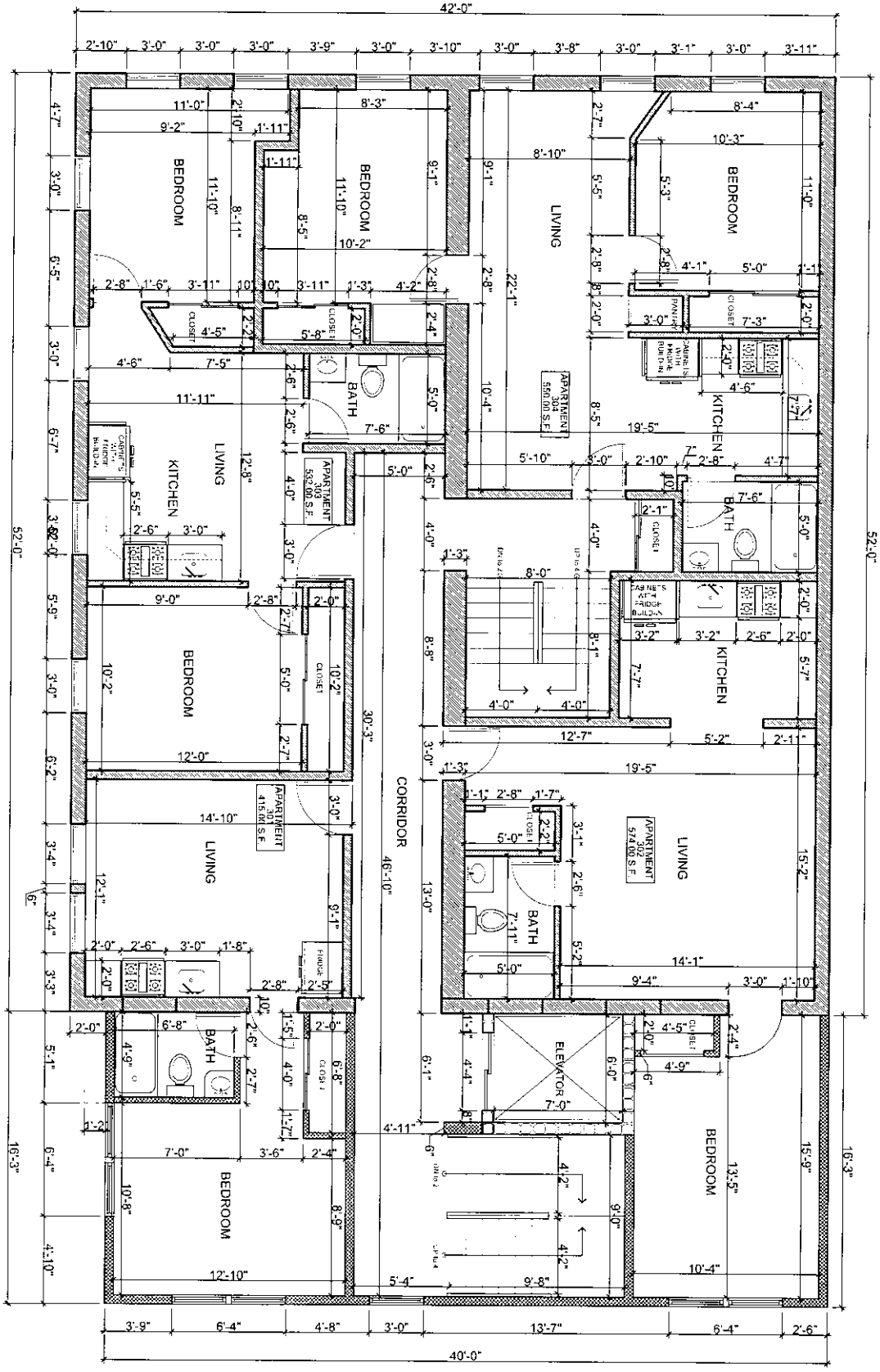
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| OWNER: | DAVINCI MINI APTS-JONY PEREZ |
| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

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|---|---|
| REVISED BY: | |
| APPROVED BY: | |
| DRAWN BY: | GILBERTO JIMENEZ |
| DATE: | 7/28/2025 |

FLOOR PLAN

SHEET 1 — 23/41




# PROPOSED THIRD FLOOR PLAN (DIMENSIONED)

SCALE: 1/4"=1'-0"

INTERIOR AREA= 2,500 S.F.


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Professional Designer

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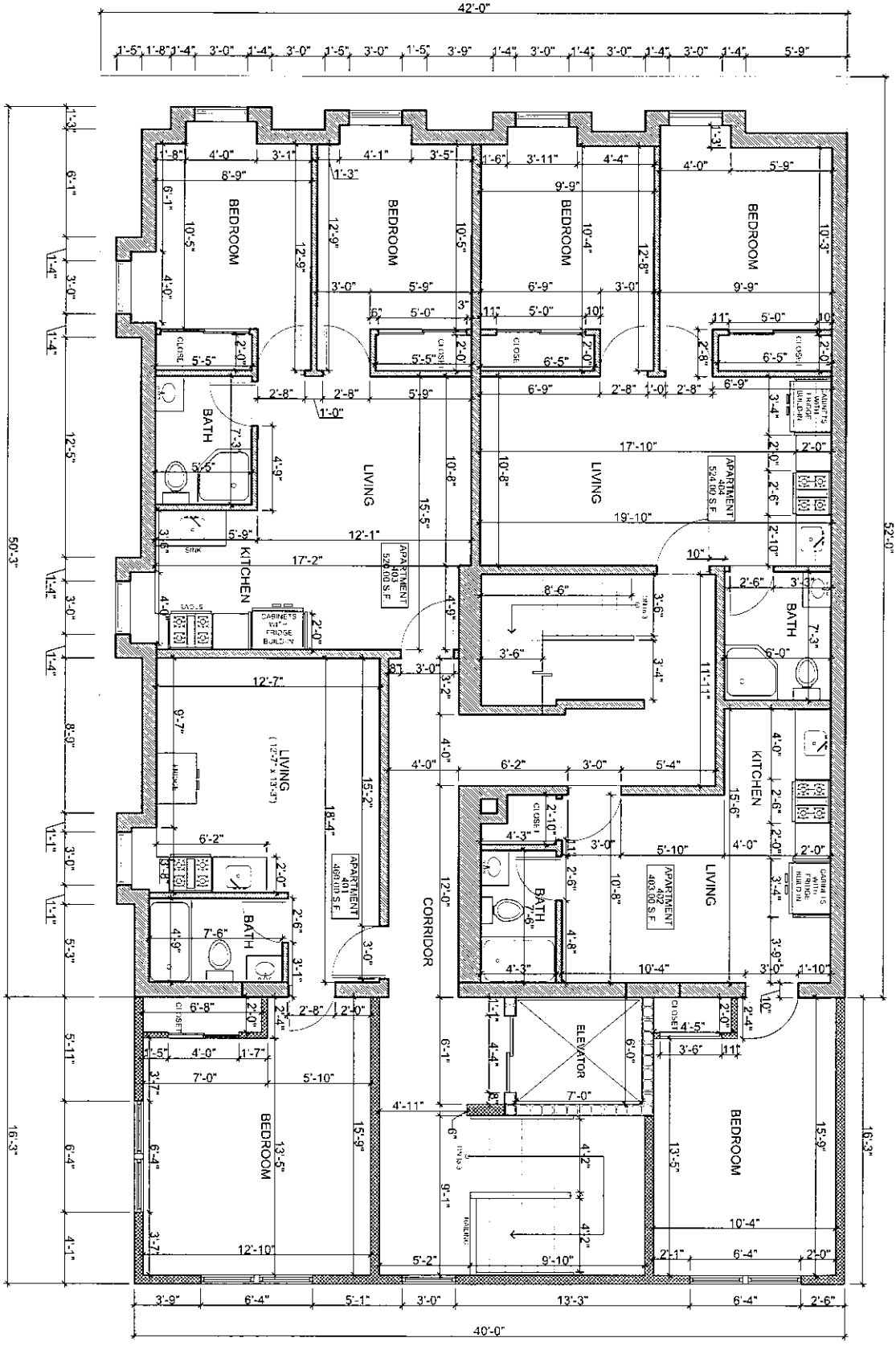
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| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

| | |
|---|---|
| REVISED BY: | |
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| DRAWN BY: | GILBERTO JIMENEZ |
| DATE: | 7/28/2025 |

FLOOR PLAN

SHEET 1 of 24 41




(DIMENSIONED)
# PROPOSED FOURTH FLOOR PLAN

SCALE: 1/4"=1'-0"

INTERIOR AREA= 2,500 S.F.


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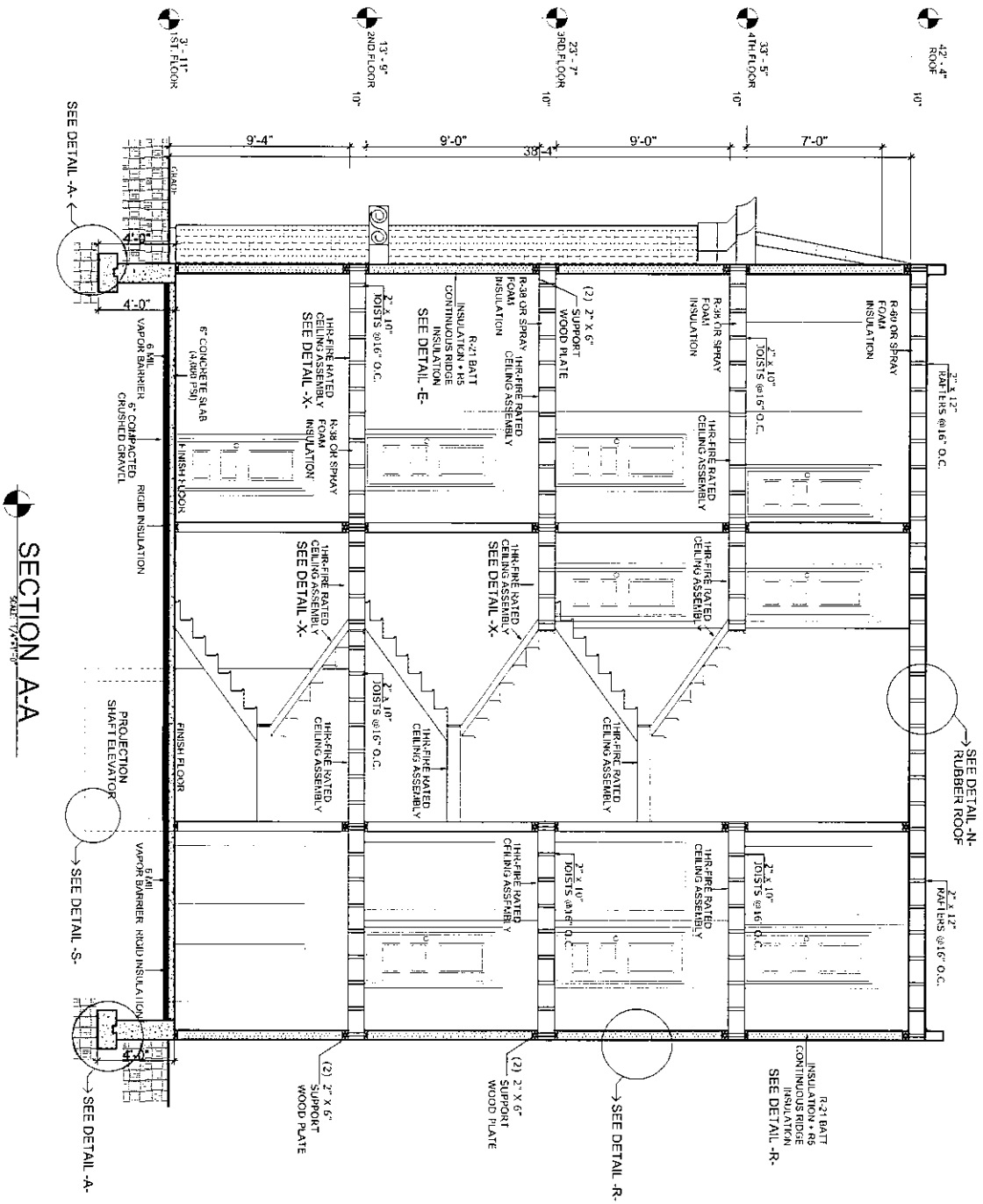
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| OWNER: | DAVINCI MINI APTS-JONY PEREZ |
| PETITIONER: | DAVINCI MINI APTS-JONY PEREZ |

| | |
|---|---|
| REVISED BY: | |
| APPROVED BY: | |
| DRAWN BY: | GILBERTO JIMENEZ |
| DATE: | 7/28/2025 |

FLOOR PLAN

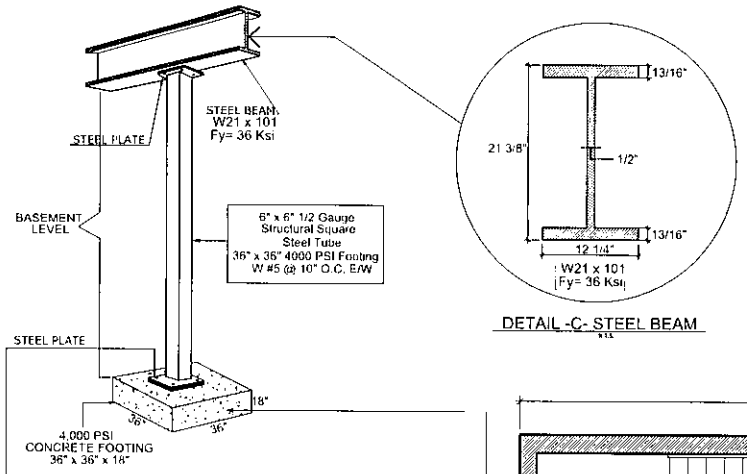
SHEET 1 / 25 / 41



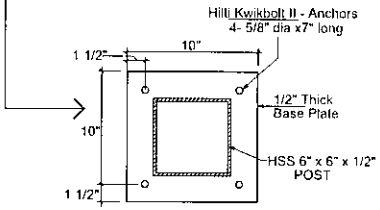

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FLOOR PLAN

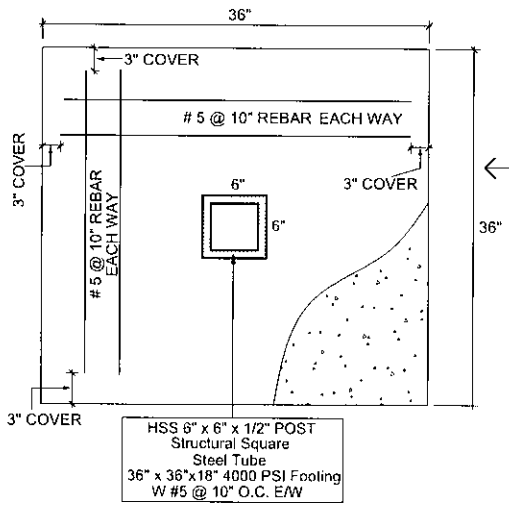
SHEET 1 / 26 / 41




DETAIL -C-
N.T.S



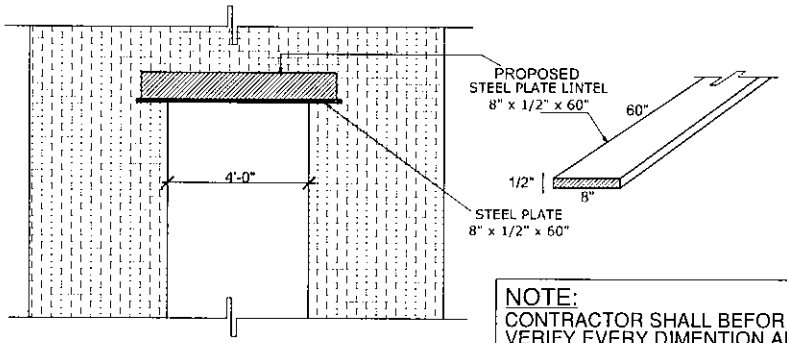

BASE PLATE




COLUMN FOOTING
DETAIL -C-
N.T.S.

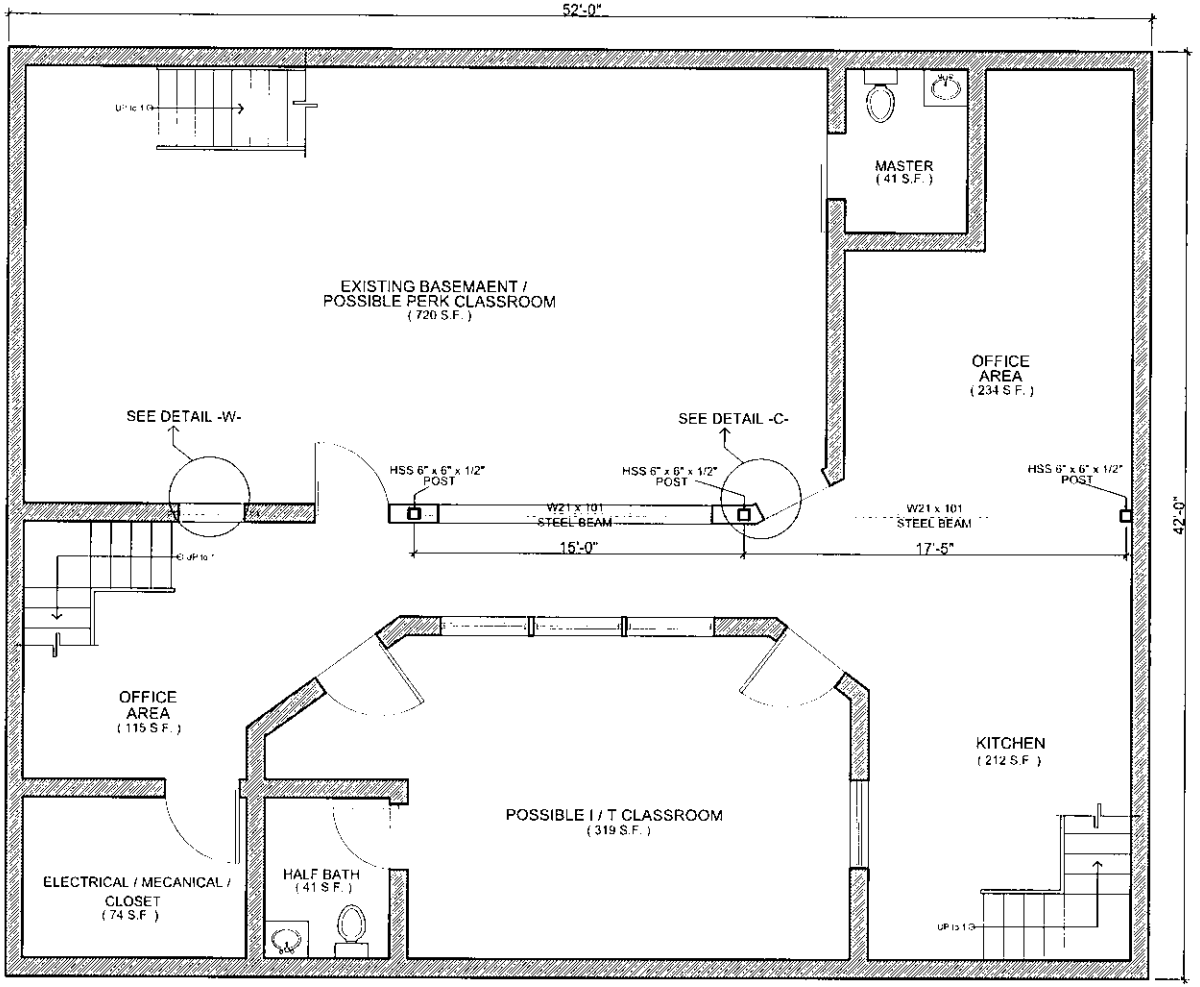



DETAIL -C- STEEL BEAM
N.T.S




LINTEL DETAIL -W-
N.T.S.

NOTE:
CONTRACTOR SHALL BEFORE START WORK, VERIFY EVERY DIMENTION AND HEIGHT




(STRUCTURAL)
BASEMENT FLOOR PLAN
SCALE: 1/4"=1'-0"

FLOOR PLAN
SHEET 27 / 41

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ

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G J DESIGN GROUP LLC
Assoc. AIA
Professional Designer

## GENERAL NOTES :

1-CONTRACTOR SHALL PERFORM ALL WORKS IN COMPLIANCE WITH THE COMMONWEALTH OF MASSACHUSETTS (10 TH EDITION OF THE MBSC, 780 CMR) AND THE CITY OF HAVERHILL ORDINANCES.

2-CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, AND PROCEDURES.

3-CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASPECTS DURING BUILDING CONSTRUCTION AND SHALL PROVIDE ADEQUATE SHORING AND BRACING TO ENSURE SAFETY.

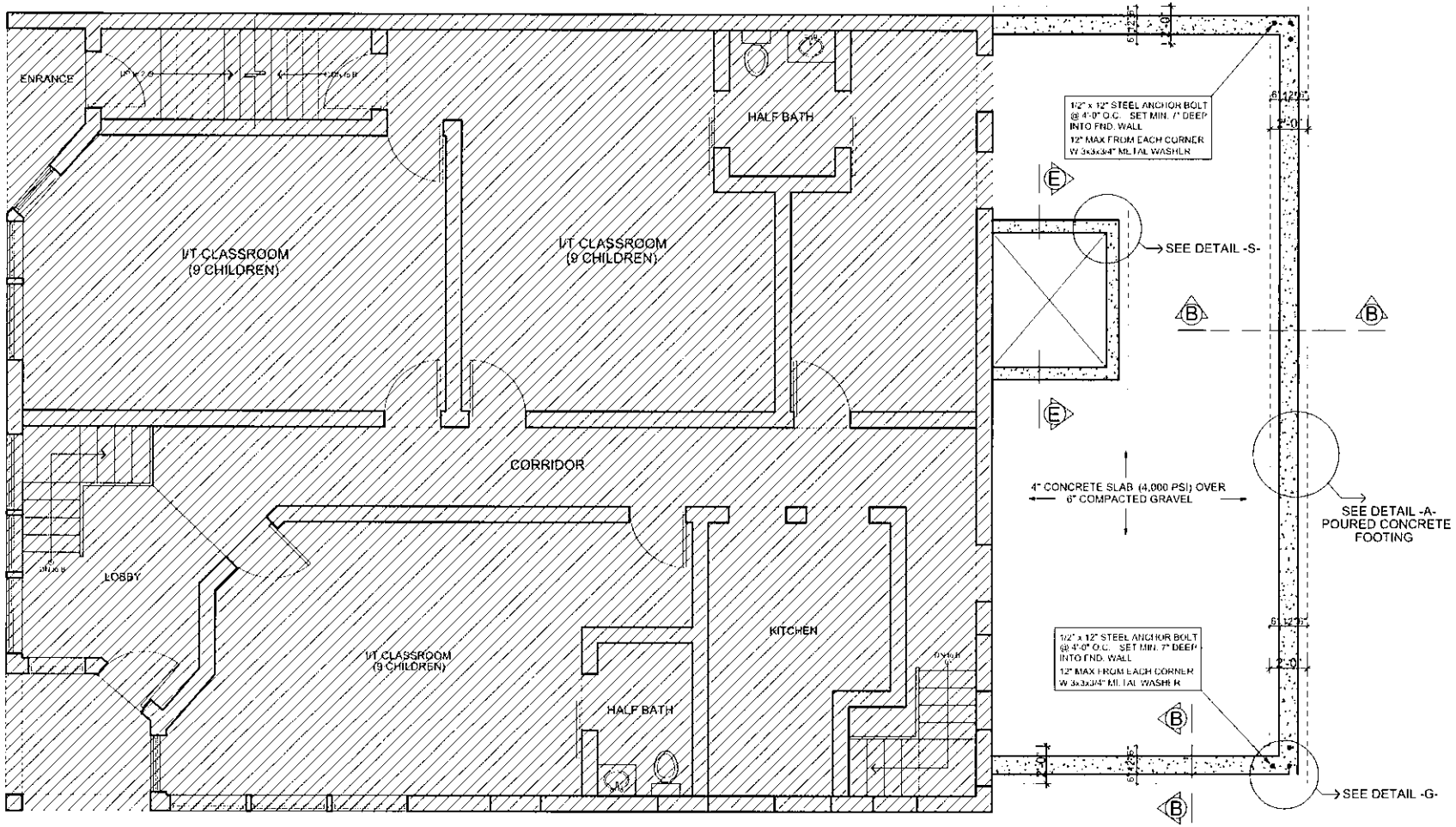
4-ALL DIMENSIONS AND SITE CONDITIONS SHALL BE FIELD VERIFIED AND SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR NOTIFY THE OWNER OR DESIGNER OF ANY DISCREPANCY BEFORE STARTING WORK.

5-IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTORTO LOCATE ALL EXISTING UTILITIES AND TO PROTECTTHEM FROM DAMAGE.

6- ALL DETAILS, SECTIONS, NOTES, OR REFERENCE TOOTHER DRAWINGS ARE INTENDED TO BE TYPICAL.

7-DURING CONSTRUCTION AND BEFORE ANY CHANGES, REVISIONS, MODIFICATIONS OR DEVIATION FROM THE CONSTRUCTION DOCUMENT, CONTRACTOR SHALLBRING TO THE ATTENTION OF THE OWNER OR DESIGNER AND OBTAIN APPROVAL FROM THE BUILDINGINSPECTORBEFORE PROCEEDING WITH THE WORK.

8-SPECIFIC NOTES AND DETAILS ON THE DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS. WHERE THE DRAWINGS DO NOT SHOW DETAILS. CONSTRUCTION SHALL CONFORM TO SIMILAR WORK ON THE PROJECT.




NOTE:
CONTRACTOR SHALL BEFORE START WORK VERIFY EVERY DIMENTION AND HEIGHT

FOUNDATION PLAN
SCALE: 1/4"=1'-0"

NOTE:
CONTRACTOR MUST CALL DIG SAFE BEFORE PERFORMING ANY EXCAVATION

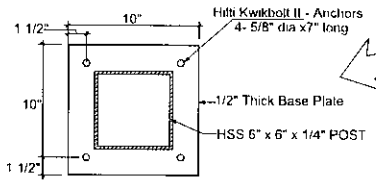
FOUNDATION PLAN
SHEET 1 28 41

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

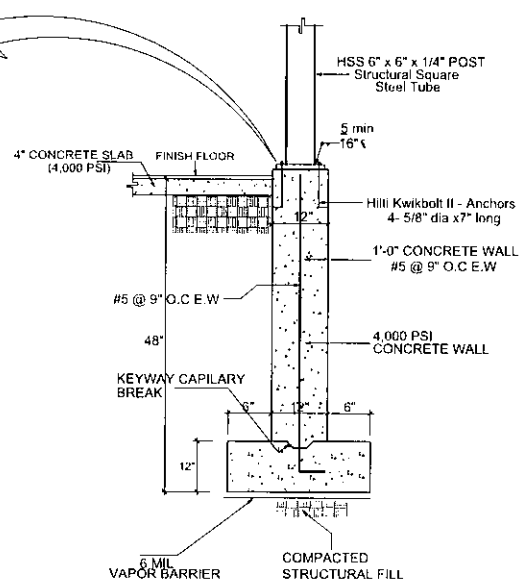
PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ


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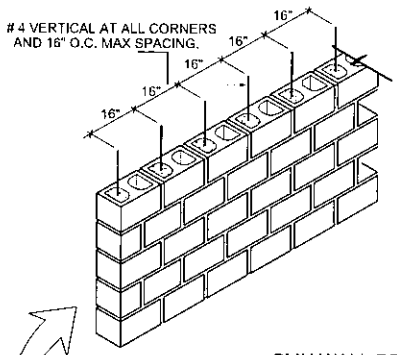

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Assoc. AIA
Professional Designer




BASE PLATE




DETAIL -G-
COLUMN FOOTING
N.T.S.




CMU WALL DETAIL
N.T.S.

## CONCRETE NOTES

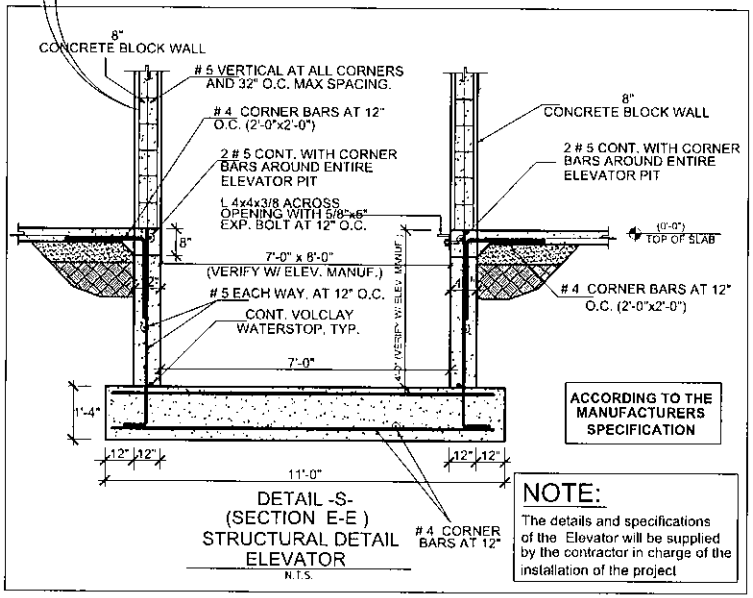
1. ALL CONCRETE TO BE 4,000 PSI @ 28 DAYS AND PLACED IN ACCORDANCE WITH INDUSTRY STANDARDS. DO NOT STRIF FORMS FOR 72 HOURS.
2. FOOTINGS TO BE PLACED ON UNDISTURBED NATIVE SOILS. NOTIFY ARCHITECT IN THE EVENT OF ANY OVER-EXCAVATION BEFORE PROCEEDING WITH WORK.
3. ALL STEEL REINFORCING TO BE NEW AND PLACED IN ACCORDANCE WITH INDUSTR STANDARDS, AND FREE OF RUST, SCALE, DIRT OR OTHER DEBRIS.
4. CONCRETE CONTRACTOR TO VERIFY LOCATIONS OF ALL HOLD-DOWNS WITH FRAMING CONTRACTOR.
5. COORDINATE LOCATION OF ALL BONDOUTS FOR WATER, SEWER, ELECTRICAL AND OTHER UNDERGROUND UTILITIES.
6. IN AREAS WHERE FOUNDATION WALLS ARE TO BE LEFT EXPOSED TO VIEW. GRIND SMOOTH ALL FORM JOINTS AND FILL ALL THE HOLES BEFORE APPLYING PARGING.

**FOUNDATION WALL TYPICAL NOTE:**

- 12" POURED CONCRETE WALL WITH 2'-0" X 1'-0" FOOTING

**COLUMN FOOTING/THICKENED SLAB SCHEDULE:**

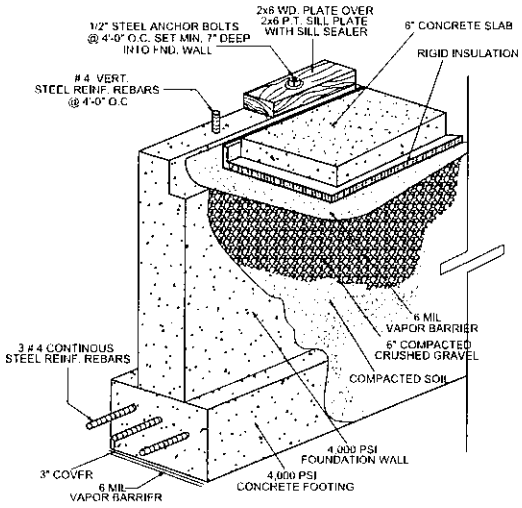
- OVER FOUNDATION CONCRETE WALL



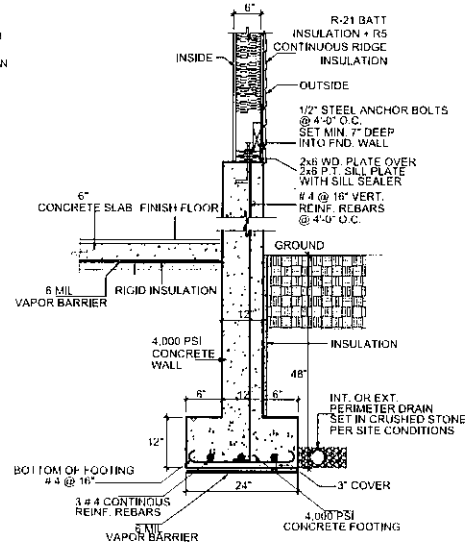

DETAIL -S-
(SECTION E-E )
STRUCTURAL DETAIL
ELEVATOR
N.T.S.

**ACCORDING TO THE MANUFACTURERS SPECIFICATION**

**NOTE:**
The details and specifications of the Elevator will be supplied by the contractor in charge of the installation of the project




WALL DETAIL-A-
POURED CONCRETE FOOTING (Section B-B)
N.T.S.




WALL DETAIL -A-
POURED CONCRETE FOOTING (Section B-B)
N.T.S.

# STRUCTURAL DETAILS
N.T.S.

STRUCTURAL DETAILS
SHEET 29 / 41

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ


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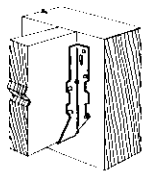


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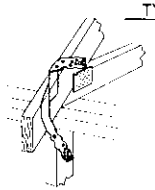


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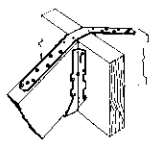
## TYPICAL METAL CONNECTIONS



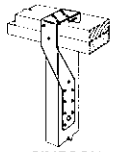
SIMPSON STRONG-TIE LUS28
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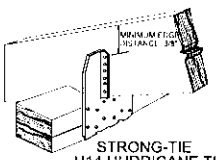
SIMPSON STRONG-TIE H7Z
N.T.S.



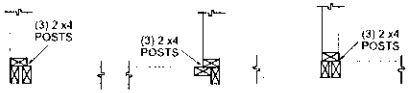
SIMPSON STRONG-TIE LSTA
N.T.S.



SIMPSON STRONG-TIE H6
N.T.S.



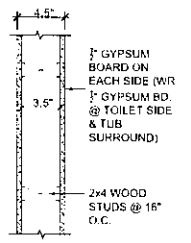

STRONG-TIE H14 HURRICANE TIE G90 Galvanized
N.T.S.



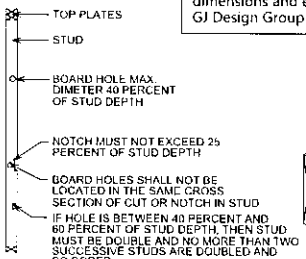

CORNER AND PARTITION POSTS
N.T.S.

## NOTE

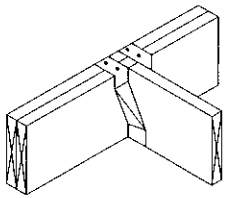
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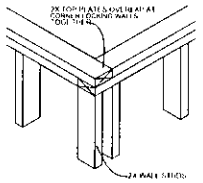

DETAIL -E- INTERIOR WALL
N.T.S.



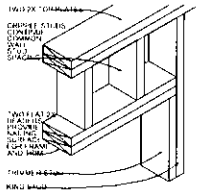

SECTION Z
N.T.S.



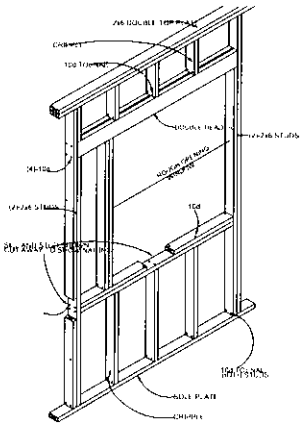
JOIST SUPPORTED ON WOOD GIRDERS
N.T.S.



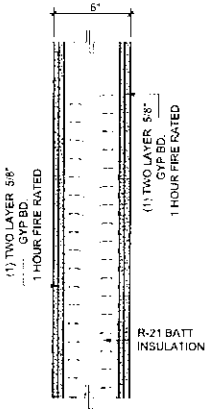

TOP PLATE FRAMING DETAIL
N.T.S.



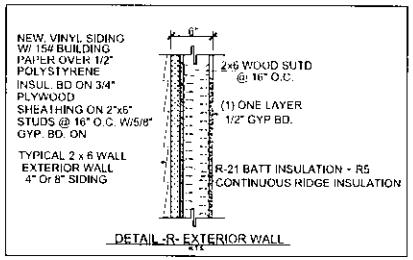
2x PARTITION WALL HEADER DETAIL
N.T.S.



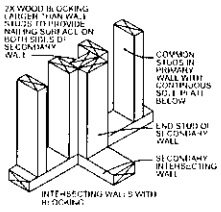
WINDOW OPENING DETAIL
N.T.S.



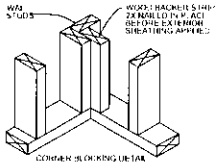

DETAIL -H- FIRE RATED WALL
N.T.S.



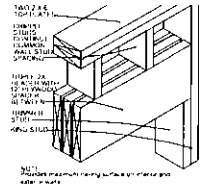

DETAIL -R- EXTERIOR WALL
N.T.S.



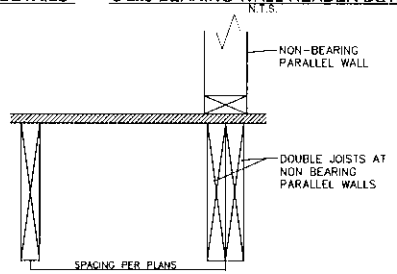

1 INSULATED WALL DETAILS
N.T.S.



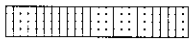

2 INSULATED WALL DETAILS
N.T.S.




3 2x6 BEARING WALL HEADER DETAIL
N.T.S.




DOUBLE JOIST AT PARALLEL WALLS
N.T.S.



NOTE:

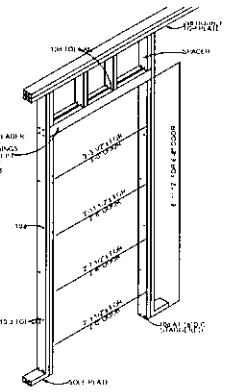
1- WITH SPRINKLER SYSTEM

2"x6" STUDS @ 16" O.C. w/ ONE LAYER 5/8" SHEETROCK FIRE-CODE EACH SIDE. (1 HR. FIRE-RATED).

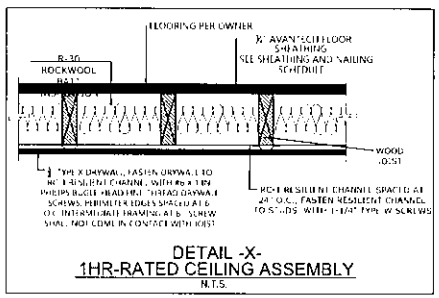
2- WITH OUT SPRINKLER SYSTEM

2"x6" STUDS @ 16" O.C. w/ TWO LAYER 5/8" SHEETROCK FIRE-CODE EACH SIDE. (2 HR. FIRE-RATED).

# TYPICAL DETAILS
N.T.S.




DOOR OPENING DETAIL
N.T.S.




DETAIL -X-
1HR-RATED CEILING ASSEMBLY
N.T.S.

STRUCTURAL DETAILS
SHEET 30 / 41

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ

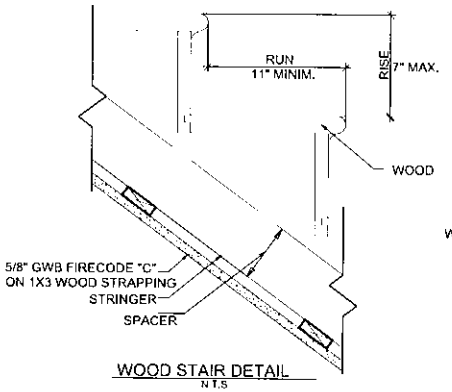
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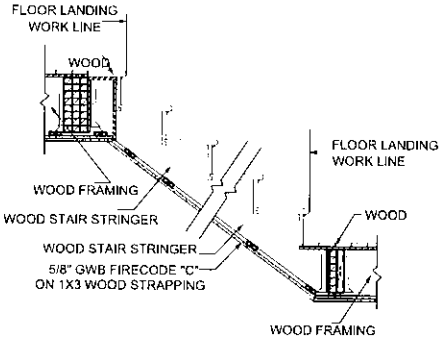
GJ DESIGN GROUP LLC
Assoc. AIA
Professional Designer

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NOTE:
CONTRACTOR/INSTALLER TO COORDINATE HANDRAIL ATTACHMENT & BLOCKING WITH RESILENT CHANNELS ON DEMISING WALL

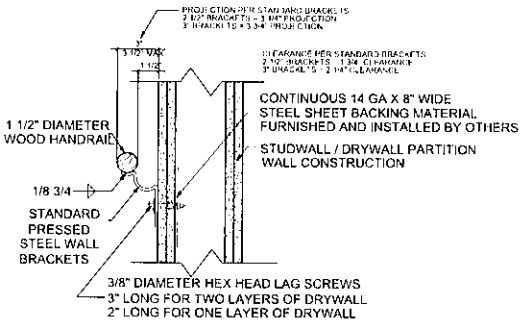



WOOD STAIR DETAIL
N.T.S

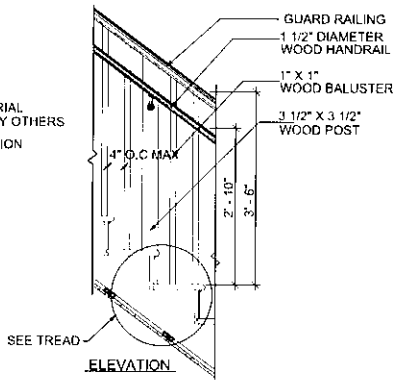



TYPICAL STAIR SECTION
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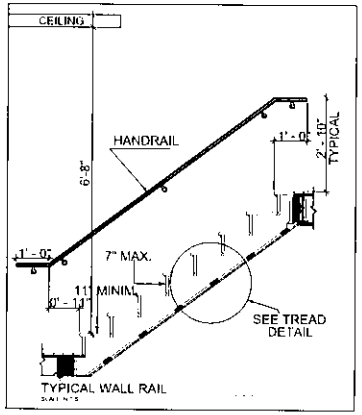
DETAILS STAIR
N.T.S.



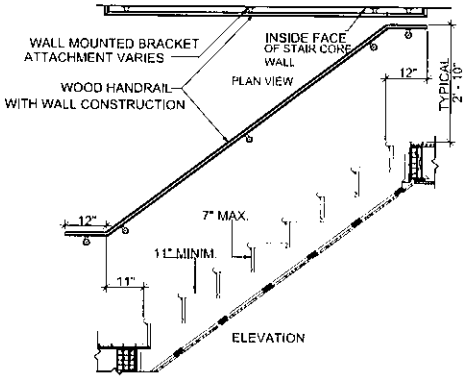

WALL HANDRAIL BRACKET MOUNTING DETAIL
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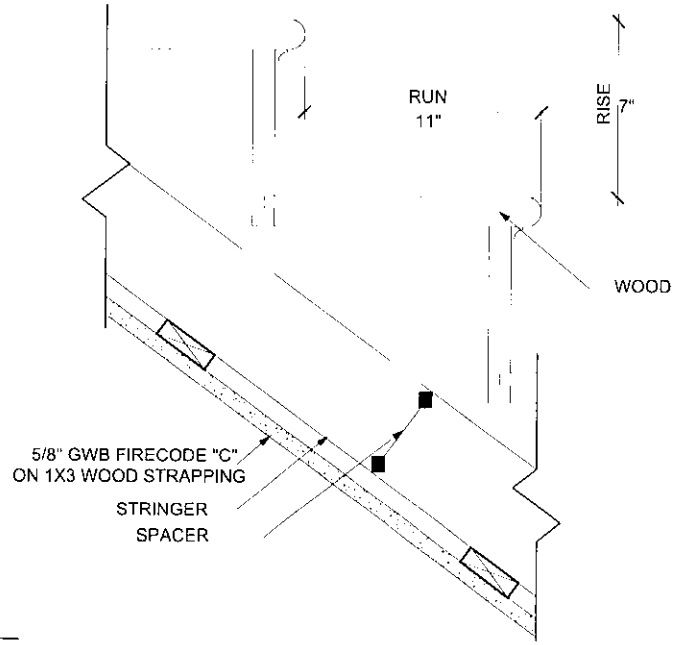

PICKET RAIL INTERMEDIATE POST
N.T.S.




DETAIL STAIR
N.T.S




TYPICAL WALL RAIL
N.T.S.




TYPICAL DETAILS STAIR
N.T.S.


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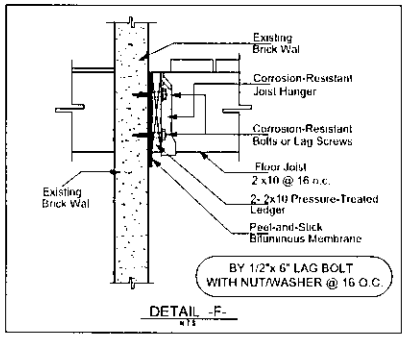

**G.J DESIGN GROUP LLC**
Assoc. AIA
Professional Designer

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ADDRESS: 125 MERRIMACK ST HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

TYPICAL DETAILS
SHEET 31 / 41

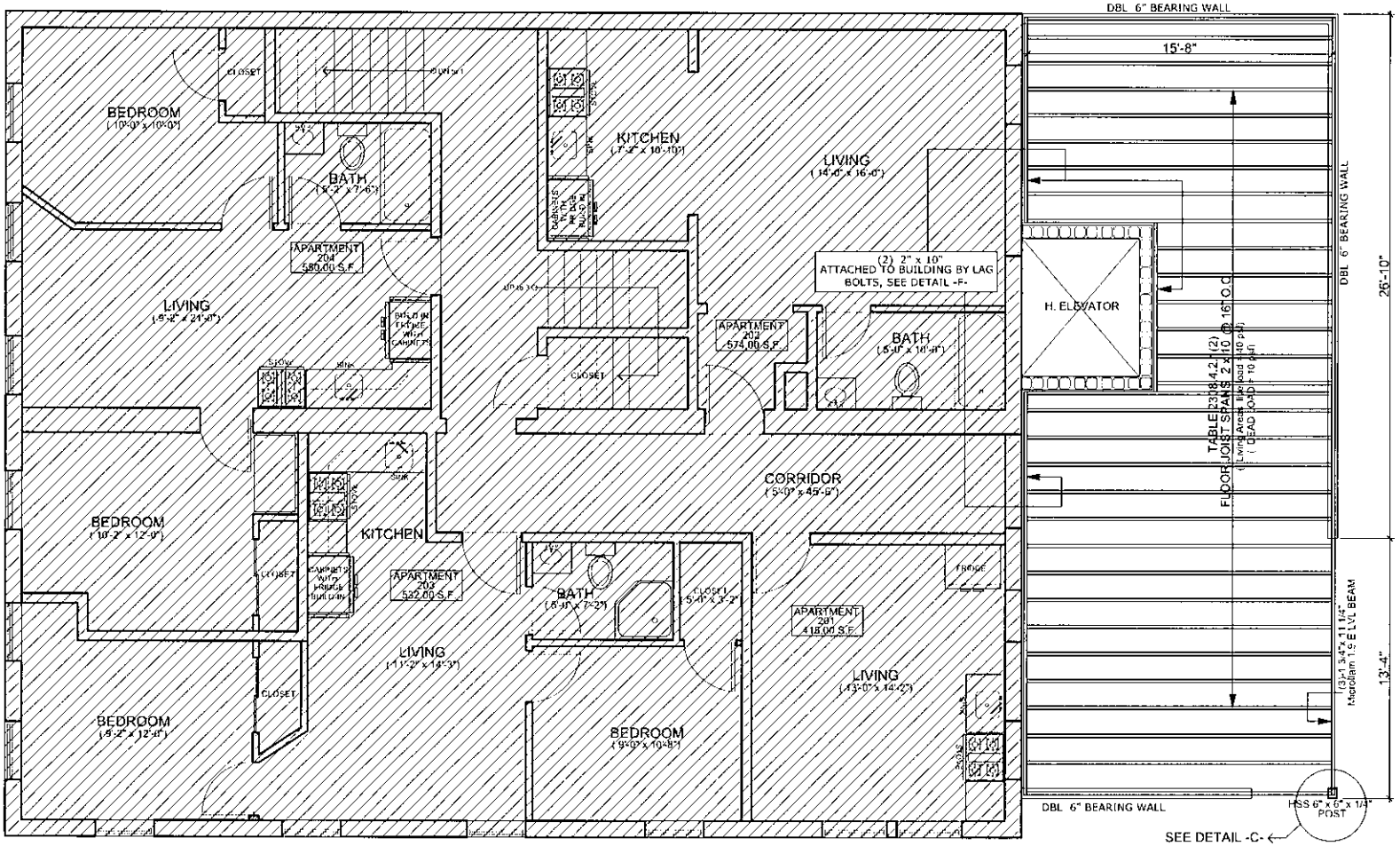
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DETAIL -F-

NOTE:
CONTRACTOR SHALL BEFORE START WORK VERIFY EVERY DIMENTION AND HEIGHT

FRAMING NOTES:
1.ALL HANGERS ARE BY SIMPSON STRONG TIE
2. FASTEN RAFTERS TO EXTERIOR WALL DOUBLE TOP PLATE WITH SIMPSON STRONG H2.5A HURRICANE TIES.
3.HOT DIP & GALVANIZE HANGERS EXPOSED TO WEATHER
4.SCREWS AND NAILS TO BE STAINLESS WHEN EXPOSED TO WEATHER.
5.FOR A SINGLE 2x6 OR 2x8 USE LUS26, FOR DOUBLE 2x6 OR DOUBLE 2x8 USE LUS26-2FOR A SINGLE 2x10 USE LUS28, FOR A DOUBLE 2x10 USE LUS28-2.




1ST. FLOOR FRAMING PLAN
SCALE: 1/4" = 1'-0"


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REVISED BY:
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DRAWN BY: GILBERTO JIMENEZ
DATE: 7/26/2025

FRAMING PLAN
SHEET 1 32/41

## NOTE

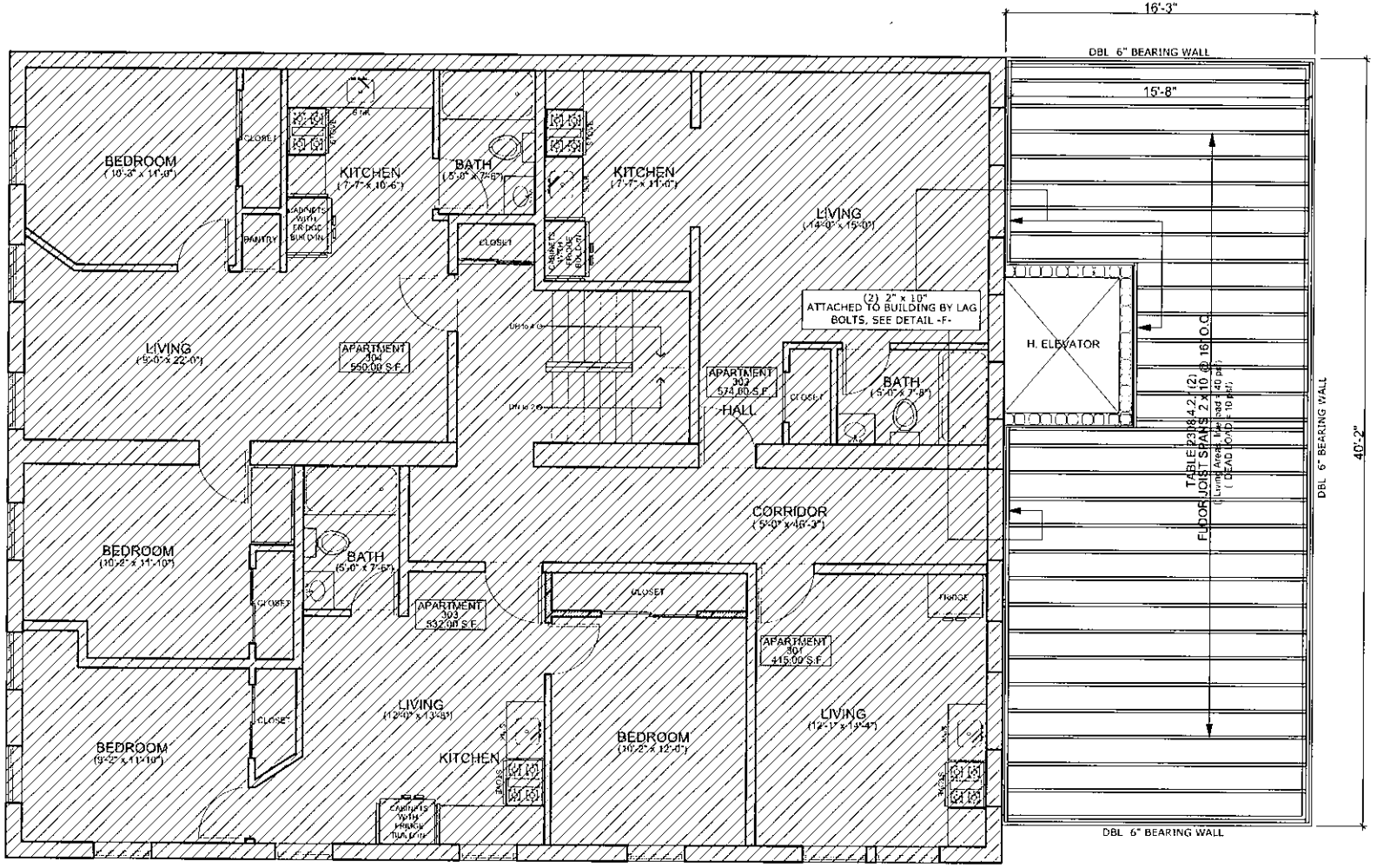
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NOTE:

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FRAMING NOTES:

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2. FASTEN RAFTERS TO EXTERIOR WALL DOUBLE TOP PLATE WITH SIMPSON STRONG H2.5A HURRICANE TIES.
3.HOT DIP & GALVANIZE HANGERS EXPOSED TO WEATHER
4.SCREWS AND NAILS TO BE STAINLESS WHEN EXPOSED TO WEATHER.
5.FOR A SINGLE 2x6 OR 2x8 USE LUS26, FOR DOUBLE 2x6 OR DOUBLE 2x8 USE LUS26-2FOR A SINGLE 2x10 USE LUS28, FOR A DOUBLE 2x10 USE LUS28-2.




## 2ND. FLOOR FRAMING PLAN

SCALE: 1/4"=1'-0"


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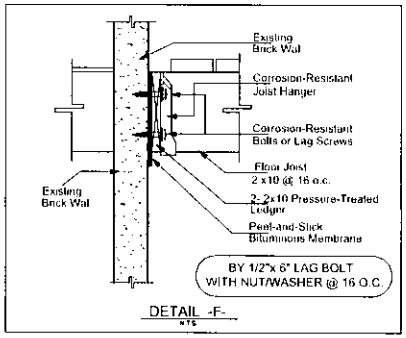
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DATE: 7/28/2025

FRAMING PLAN

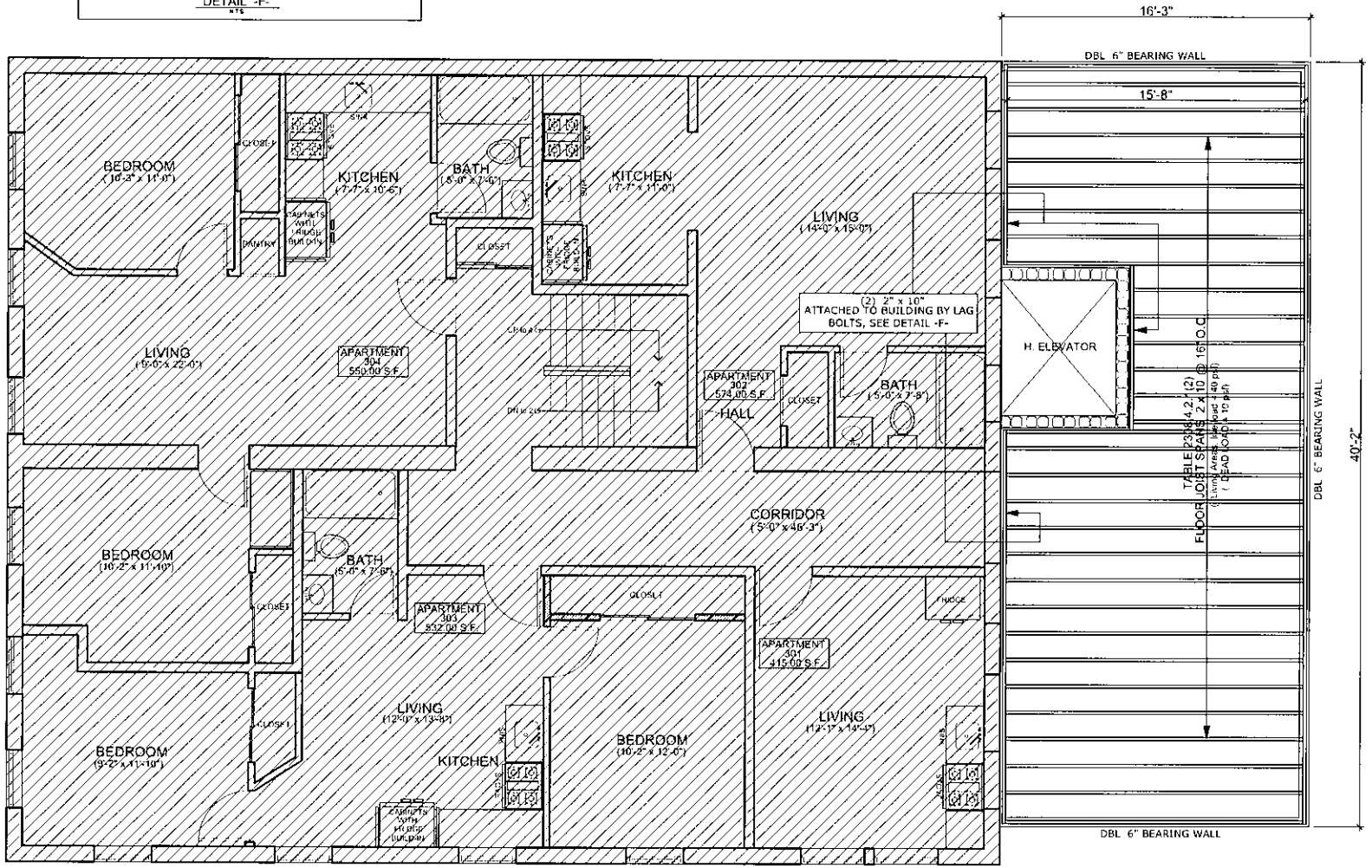
SHEET 33 / 41




DETAIL -F-
NTS

NOTE:
CONTRACTOR SHALL BEFORE START WORK
VERIFY EVERY DIMENTION AND HEIGHT

FRAMING NOTES:
1.ALL HANGERS ARE BY SIMPSON STRONG TIE
2. FASTEN RAFTERS TO EXTERIOR WALL DOUBLE TOP PLATE WITH SIMPSON STRONG H2.5A HURRICANE TIES.
3.HOT DIP & GALVANIZE HANGERS EXPOSED TO WEATHER
4.SCREWS AND NAILS TO BE STAINLESS WHEN EXPOSED TO WEATHER.
5.FOR A SINGLE 2x6 OR 2x8 USE LUS26, FOR DOUBLE 2x6 OR DOUBLE 2x8 USE LUS26-2FOR A SINGLE 2x10 USE LUS28, FOR A DOUBLE 2x10 USE LUS28-2.




## 3RD. FLOOR FRAMING PLAN

SCALE: 1/4"=1'-0"

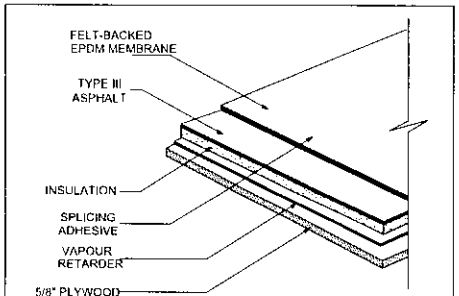
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APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
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PETITIONER: DAVINCI MINI APTS-JONY PEREZ

FRAMING PLAN
SHEET 34 / 41

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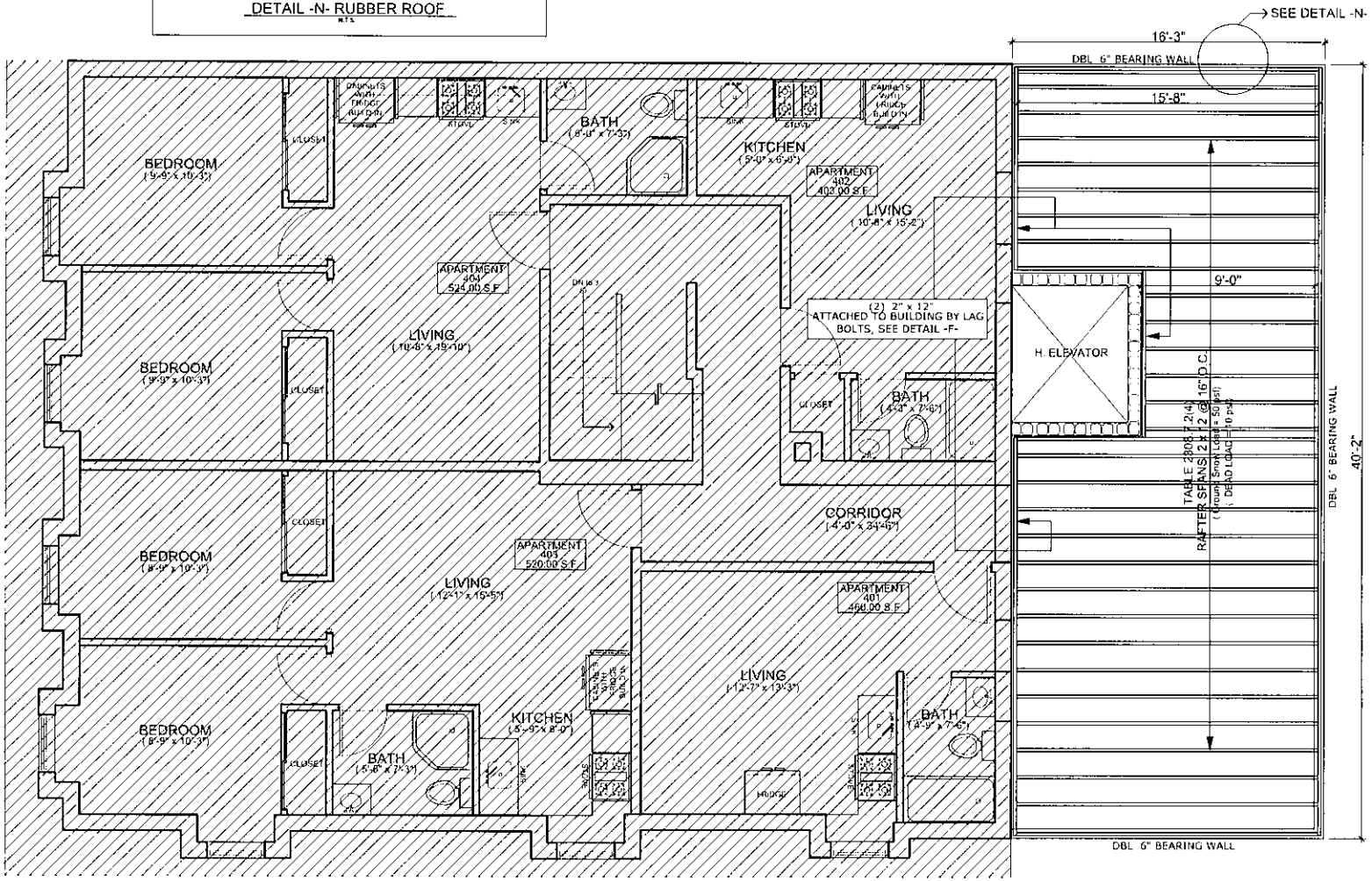



DETAIL -N- RUBBER ROOF

NOTE:

CONTRACTOR SHALL BEFORE START WORK
VERIFY EVERY DIMENTION AND HEIGHT

FRAMING NOTES:
1.ALL HANGERS ARE BY SIMPSON STRONG TIE
2. FASTEN RAFTERS TO EXTERIOR WALL DOUBLE TOP PLATE WITH SIMPSON STRONG H2.5A HURRICANE TIES.
3.HOT DIP & GALVANIZE HANGERS EXPOSED TO WEATHER
4.SCREWS AND NAILS TO BE STAINLESS WHEN EXPOSED TO WEATHER.
5.FOR A SINGLE 2x6 OR 2x8 USE LUS26. FOR DOUBLE 2x6 OR DOUBLE 2x8 USE LUS26-2FOR A SINGLE 2x10 USE LUS28. FOR A DOUBLE 2x10 USE LUS28-2.




ROOF FRAMING PLAN
SCALE: 1/4"=1'-0"


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PETITIONER: DAVINCI MINI APTS-JONY PEREZ

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

FRAMING PLAN

SHEET 1 35/41


GJ DESIGN GROUP LLC
Assoc. AIA
Professional Designer

| JOIST HANGER SCHEDULE | | | | |
|---|---|---|---|---|
| JOISTS | HANGER | FACE NAILS | TOP FLANGE NAILS | JOIST NAILS |
| (SINGLE) 2x6 OR 2x8 | LUS26 | (4)10d | N/A | (4) 10d |
| (DOUBLE) 2x6 OR 2x8 | LUS26-2 | (4)16d | N/A | (4)16d |
| (SINGLE) 2x10 OR 2x12 | LUS210 | (8)10d | N/A | (4)10d |
| (DOUBLE) 2x10 OR 2x12 | LUS210-2 | (8)16dx3½" | N/A | (6)16dx3½" |
| RAFTERS 2x10 | LSSR210Z | (14)10dx2½" | N/A | (10)10dx2½" |
| RAFTERS 2x12 | LSSR210Z | (14)10dx2½" | N/A | (10)10dx2½" |
| (2)1¾"x11⅞" LVL | MGU3.63-SDS | (24)¼x2½"SDS | N/A | (16)¼x2½"SDS |

| SHEATHING/NAILING SCHEDULE | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| LOCATION | APA RATED ICBO APPROVED SHEATHING | MIN. PLYWOOD THICKNESS | BLOCKD PANEL EDGES REQ. | COMMON NAIL SIZE | NAIL SPACING | | | NOTES |
| | | | | | PERIMETER PANEL EDGES & DIAPHRAM BOUNDARIES | OTHER PANEL EDGES | INTERMEDIATE FRAMING MEMBER | |
| FLOOR | AVANTECH SHEATHING | ¾" | NO | 8 | 6"O.C. | N/A | 12"O.C. | |
| SHEAR WALL | ZIP SYSTEM SHEATHING | ½" | YES | 8 | 6" O.C. | N/A | 12" O.C. | |
| ROOF | ZIP SYSTEM ROOF SHEATHING | ⅜" | NO | 8 | 6" O.C. | N/A | 12" O.C. | |

STRUCTURAL NOTES:

GENERAL NOTES:

1. ALL WORK SHALL CONFORM TO THE FOLLOWING STANDARDS:
   - MASSACHUSETTS COMMERCIAL CODE 780 CMR
   - MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES - ASCE 7-10.
   - NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION - AF&PA NDS-2005.

2. ALL CONTRACTORS SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, COORDINATION OF OTHER TRADES, AND THE TECHNIQUES TO PRODUCE A SOUND AND QUALITY PROJECT. SHORING IS THE RESPONSIBILITY OF THE CONTRACTOR.

3. ALL CONTRACTORS SHALL VERIFY AND COORDINATE ALL DIMENSIONS AND DETAILS RELATED TO THIS PROJECT. CONTRACTORS MUST INFORM ALL DISCREPANCIES BEFORE PROCEEDING.

4. ALL DETAILS AND NOTES SHOWN ON THE CONTRACT DOCUMENTS ARE TYPICAL FOR ALL SIMILAR CONDITIONS EXCEPT WHERE SPECIFICALLY REQUIRED OTHERWISE.

5. NO MAIN FRAMING OR STRUCTURAL MEMBERS ARE TO BE MODIFIED, ALTERED, OR CUT WITHOUT THE APPROVAL.

6. ALL CONTRACTORS SHALL BE RESPONSIBLE FOR ALL JOB SAFETY DURING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO SHEETING, SHORING, AND GUYING STRUCTURES, BARRIERS, AND SIGNAGE.

STRUCTURAL LOADS:

-PER "MASSACHUSETTS STATE BUILDING CODE," 10TH EDITION
DESIGN LOADS FOR BUILDING AND OTHER STRUCTURES - ASCE 7-05
-EXPOSURE ..... B
-GROUND SNOW LOAD ..... 50 PSF
-UNBALANCED SNOW LOAD ..... 50 PSD
(ADDITIONAL ALLOWANCES FOR DRIFTING AND SLIDING SNOW)
LIVE LOADS-LIVING SPACE- ..... 40 PSF

- FORMWORK" - ACI 347-05.
- SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS ACI 301-05
- COLD WEATHER CONCRETING ACI-306
- DETAILING REINFORCING STEEL ACI 315-05
- BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE ACI 318-11.
- BUILDING CODE REQUIREMENTS FOR PLAIN CONCRETE ACI 322-05.

WOOD FRAMING

1. ALL WOOD FRAMING SHALL CONFORM TO THE FOLLOWINGSTANDARDS:
   - MASSACHUSETTS COMMERCIAL CODE 780 CMR
   - INTERNATIONAL BUILDING CODE - 2021 EDITION.
   - NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION AFPA NDS-2005
2. ALL FRAMING MEMBERS SHALL BE NO. 1 / NO.2 OR BETTERWITH AL MAXIMUM MOISTURE CONTENT OF 19% UNLESS NOTED OTHERWISE.
   -DESIGN VALUES SHALL BE
   Fb = 875PSI, Fv= 70 PSI, E= 1,400,000PSI
3. ENGINEERED LUMBER PRODUCTS SHALL HAVE THE FOLLOWING DESIGN VALUES OR BETTER.
   - COLUMNS GRADE 3100 Fb SP, Fb=3,100 PSI, Fc11=3,000 PSI, E=1,800,000PSI
   - BEAMS GRADE 3100 Fb SPFb=3,100 PSI, Fv = 285 PSI, E = 2,000,000PSI
4. ALL LUMBER AND PLYWOOD SHALL BE GRADE-STAMPED BY THE APPROPRIATE MANUFACTURE'S ASSOCIATION FOR THE APPROPRIATE USE.
   -ROOF 19/32" SQUARE EDGE PLYWOOD WITH FRAMING CLIPS
   -FLOORS, 23/32" TONGUE & GROOVE PLYWOOD
   -WALLS, 15/32" PLYWOOD
5. ROOF AND WALL SHEATHING SHALL COMPLY WITH THE FOLLOWING:
   -APA RATED SHEATHING, EXPOSURE 1 OR 2
   -ROOF SHEATHING SHALL HAVE A 40/20 SPAN RATING
   -ROOF SHEATHING SHALL HAVE ONE PANEL EDGE CLIP BETWEEN EACH SUPPORT
   -LEAVE A 1/8" EXPANSION GAP BETWEEN ALL PANELS AS REQUIRED BY APA
   -INSTALL SHEETS WITH FACE GRAIN PERPENDICULAR TO SUPPORTING MEMBERS
6. ALL WOOD THAT CONTACTS CONCRETE, MASONRY, OR EARTH SHALL BE PRESSURE TREATED (PT) WITH A CCA-C 0.40 PROCESS.SEE MANUFACTURER'S RECOMMENDATIONS FOR FASTENING TO PT WOOD.
7. ALL FRAMING SHALL BE PLUMB, TRUE, AND ADEQUATELY BRACED SUCH THAT THE STRUCTURE IS RIGID AND BEARS FULLY WITHOUT THE USE OF SHIMS.

8. BUILD UP ALL FRAMING MEMBERS WITH 16D NAILS AT 16" O. C. MAXIMUM UNLESS NOTED OTHERWISE. PROVIDE PLYWOOD FILLERS BETWEEN MEMBERS TO MATCH WALL THICKNESS.

9. PROVIDE SOLID BLOCKING UNDER ALL CONCENTRATED LOADS. PROVIDE CONTINUITY TO TOP OF FOUNDATION OR FOOTING.
10. PROVIDE A DOUBLE TOP PLATE FOR ALL EXTERIOR WALLS W/SPLICES STAGGERED BY 4 FEET MIN.
11. FASTENERS SHALL COMPLY WITH THE FOLLOWING.
   -NAILS SHALL BE COMMON WIRE NAILS, GALVANIZED @ EXPOSED FRAMING
   -BOLTS, NUTS, AND WASHER SHALL BE ASTM A-307, HOT DIP GALVANIZED ATEXTERIOR EXPOSED FRAMING CONFORMING TO ASTM A153.
   -METAL CONNECTORS SHALL BE MANUFACTURED BY SIMPSON OR APPROVED EQUAL.
   -ALL WOOD MEMBERS TO BE NAILED PER THE MASSACHUSETTS RESIDENTIAL CODE 780 CMR 51.00.
12. PLYWOOD SHALL BE NAILED AT 6" O.C. AT ALL JOINTS AND EDGES & AT 10" O.C. AT OTHER SUPPORTS. GLUE PLYWOOD SUB-FLOORS TO JOISTS BEFORE NAILING WITH CONSTRUCTION ADHESIVE.

13. PROVIDE DOUBLE JOISTS UNDER PARALLEL PARTITION WALLS AT ALL FLOORS UNLESS OTHERWISE NOTED.

## STRUCTURAL NOTES

STRUCTURAL NOTES | SHEET 1 | 36 | 41

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ

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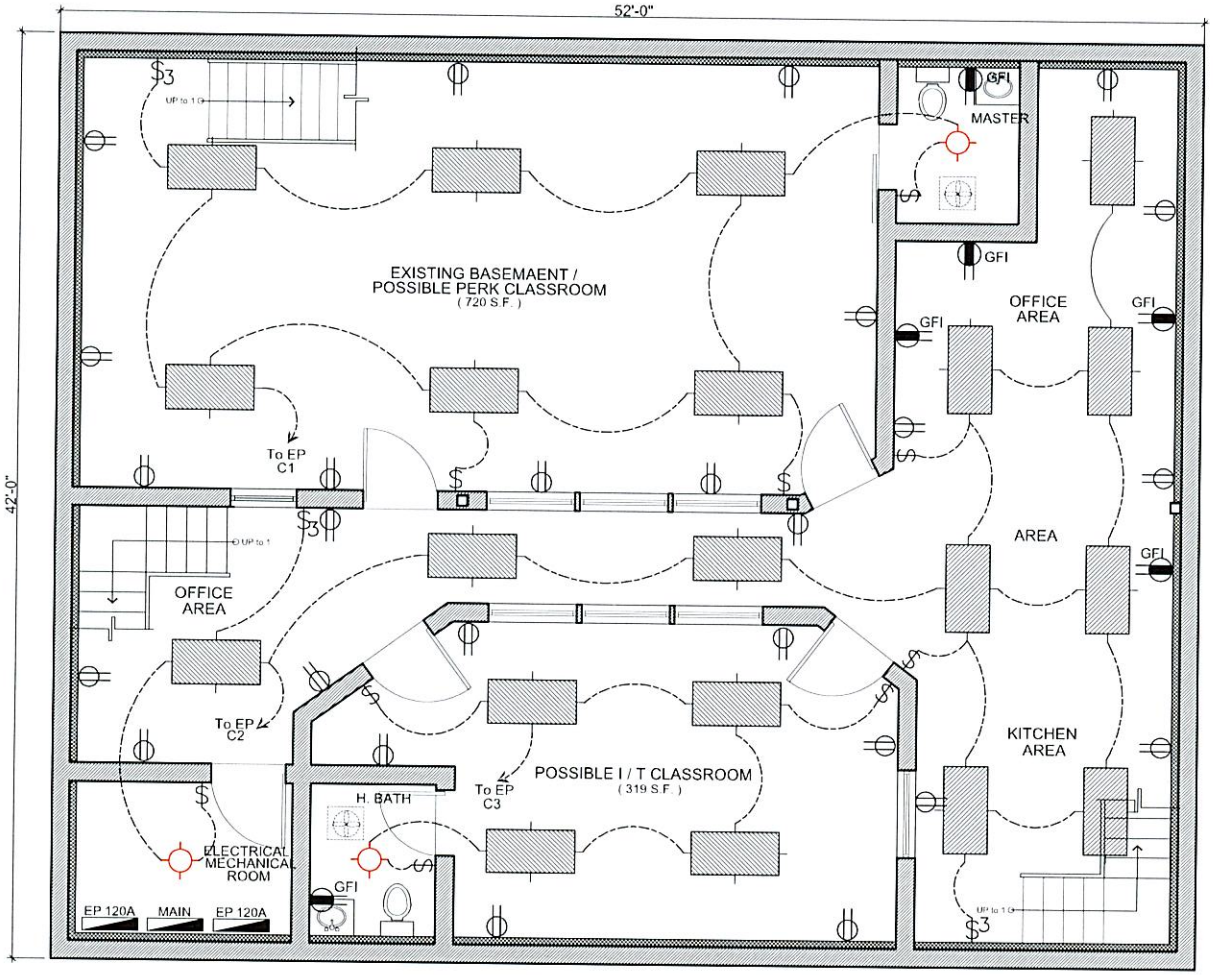
GJ DESIGN GROUP LLC
Assoc. AIA
Professional Designer

## ELECTRICAL SPECIFICATIONS:

1. THE ESTIMATE FOR THE ELECTRICAL WILL NOT INCLUDE ANY CHARGES FROM THE UTILITY COMPANY RELATED TO THE INSTALLATION OF THE MAIN ELECTRICAL SERVICE. ( THE MAIN ELECTRICAL SERVICE WILL BE A 400 AMP, THREE-PHASE, FOUR-WIRE OVERHEAD SERVICE RUNNING TO THE BUILDING.)
2. ALL BRANCH CIRCUITS, SUB-PANELS, FEEDERS TO SUB-PANELS, ETC. WILL BE SIZED ACCORDING TO LOAD CALCULATIONS AS SPECIFIED BY THE NATIONAL ELECTRICAL CODE (NEC).
3. SUB-FEEDERS AS WELL AS MAIN FEEDER WIRE WILL BE ALUMINUM AND SIZED ACCORDING TO NEC STANDARDS.
4. WE WILL PROVIDE THE POWER WIRING ONLY FOR THE HVCA EQUIPMENT (CONTROL WIRING THE RESPONSIBILITY OF OTHERS).
5. THE FINAL FIRE ALARM COST WILL BE DETERMINED ONCE THE PLANS ARE APPROVED BY THE HAVERHILL FIRE DEPARTMENT.
6. ALL LIGHTING FIXTURES USED WILL BE THE RESPONSIBILITY OF THE OWNER.
7. WE WILL SUBMIT A SET OF FINAL ELECTRICAL PLANS OUTLINING WHAT WE WILL DO IN COMPLETING THE ELECTRICAL WORK FOR THE PROJECT.

## LEGEND:

| | | | |
|---|---|---|---|
| | DUPLEX RECEPTACLE | EP | ELECTRICAL BREAKER PANEL |
| | DEDICATED RECEPTACLE | | CEILING OUTLET LIGHTING |
| | GFI DUPLEX RECEPTACLE | | |
| | 240V RECEPTACLE | | 2' x 4' LAMP OUTLET LIGHTING |
| | SAFETY DISCONNECT SWITCH | | WALL MOUNTED LIGHTS |
| $ | LIGHTING SWITCH @ 48" | | |
| $3 | 3WAY LIGHTING SWITCH @ 48" | | BATHROOM EXHAUST FAN 7 1/4 x 7 1/2 x 3 5/8 50 CFM 0.90 AMPS CEILING/WALL MOUNTED |
| SD | SMOKE DETECTOR | | |
| S/C | COMBO MONOXIDE/CARBON DETECTOR | CO | MONOXIDE DETECTOR |




(ELECTRICAL)

## PROPOSED BASEMENT FLOOR PLAN

SCALE: 1/4"=1'-0"

ELECTRICAL PLAN
SHEET 1 37/41

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ


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**G J DESIGN GROUP LLC**
Assoc AIA
Professional Designer

## GENERAL NOTES :

1- ALL WORK SHALL COMPLY WITH STATE AND LOCAL BUILDING CODES AND REGULATIONS.

2- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, AND PROCEDURES.

3- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASPECTS DURING BUILDING CONSTRUCTION AND SHALL PROVIDE ADEQUATE SHORING AND BRACING TO ENSURE SUCH SAFETY.

4- ALL DIMENSIONS AND SITE CONDITIONS SHALL BE FIELD VERIFIED AND SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. NOTIFY THE OWNER OR DESIGNER OF ANY DISCREPANCY PRIOR TO COMMENCEMENT OF WORK.

5- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, AND TO PROTECT THEM FROM DAMAGE.

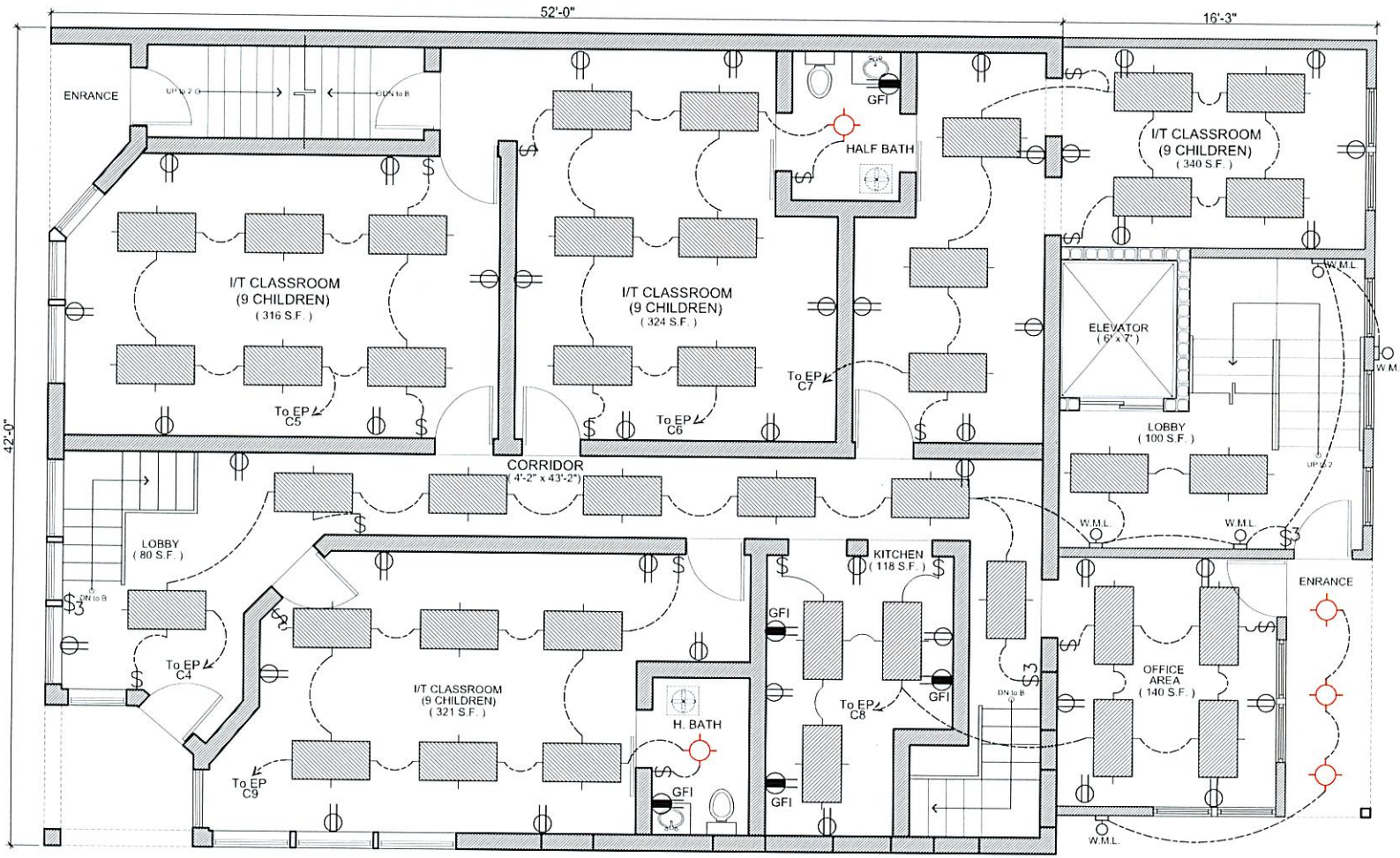
6- ALL DETAILS, SECTIONS, NOTES, OR REFERENCE TO OTHER DRAWINGS ARE INTENDED TO BE TYPICAL.

7- DURING CONSTRUCTION, AND PRIOR TO THE INCORPORATION OF ANY CHANGES, REVISIONS, MODIFICATIONS OR DEVIATION FROM THE CONSTRUCTION DOCUMENT, CONTRACTOR SHALL BRING TO THE ATTENTION OF THE OWNER OR DESIGNER AND OBTAIN APPROVAL FROM THE BUILDING INSPECTOR BEFORE PROCEEDING WITH THE WORK.

8- SPECIFIC NOTES AND DETAILS ON THE DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS. WHERE NO DETAILS ARE SHOWN, CONSTRUCTION SHALL CONFORM TO SIMILAR WORK ON THE PROJECT.

9- GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO STARTING CONSTRUCTION.

10- CONTRACTOR SHALL PERFORM ALL WORKS IN COMPLIANCE WITH THE COMMONWEALTH OF MASSACHUSETTS ( 10TH EDITION OF THE MBSC,780 CMR ) (2021 IBC AND THE COMMONWEALTH OF MASSACHUSETTS AMENDMENT TO THE INTERNATIONAL COMMERCIAL CODE 2021) AND THE CITY OF HAVERHILL ORDINANCES.




(ELECTRICAL)

## PROPOSED FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"


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PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

ELECTRICAL PLAN

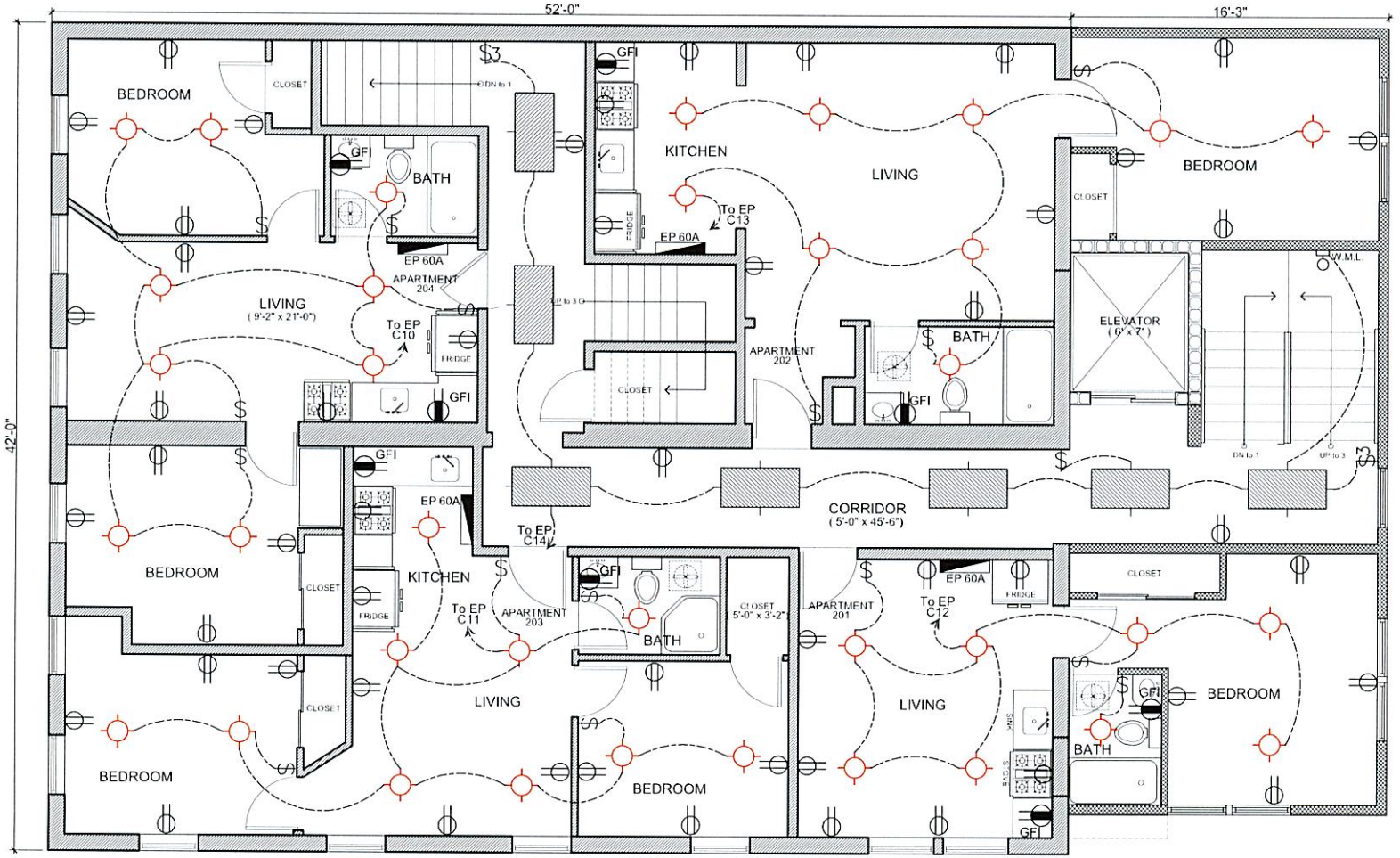
SHEET 38 / 41

## ELECTRICAL SPECIFICATIONS:

1. THE ESTIMATE FOR THE ELECTRICAL WILL NOT INCLUDE ANY CHARGES FROM THE UTILITY COMPANY RELATED TO THE INSTALLATION OF THE MAIN ELECTRICAL SERVICE. ( THE MAIN ELECTRICAL SERVICE WILL BE A 400 AMP, THREE-PHASE, FOUR-WIRE OVERHEAD SERVICE RUNNING TO THE BUILDING.)
2. ALL BRANCH CIRCUITS, SUB-PANELS, FEEDERS TO SUB-PANELS, ETC. WILL BE SIZED ACCORDING TO LOAD CALCULATIONS AS SPECIFIED BY THE NATIONAL ELECTRICAL CODE (NEC).
3. SUB-FEEDERS AS WELL AS MAIN FEEDER WIRE WILL BE ALUMINUM AND SIZED ACCORDING TO NEC STANDARDS.
4. WE WILL PROVIDE THE POWER WIRING ONLY FOR THE HVCA EQUIPMENT (CONTROL WIRING THE RESPONSIBILITY OF OTHERS).
5. THE FINAL FIRE ALARM COST WILL BE DETERMINED ONCE THE PLANS ARE APPROVED BY THE HAVERHILL FIRE DEPARTMENT.
6. ALL LIGHTING FIXTURES USED WILL BE THE RESPONSIBILITY OF THE OWNER.
7. WE WILL SUBMIT A SET OF FINAL ELECTRICAL PLANS OUTLINING WHAT WE WILL DO IN COMPLETING THE ELECTRICAL WORK FOR THE PROJECT.

## ELECTRICAL NOTES:

1. CONTRACTOR SHALL FURNISH ALL LABOR MATERIALS AND EQUIPMENT FOR COMPLETE ELECTRICAL INSTALLATION IN ACCORDANCE WITH THESE DRAWINGS.
2. COMPLY WITH THE NEC. AND THE MASSACHUSETTS BUILDING CODE
3. OBTAIN ALL PERMITS FOR WORK UNDER THIS CONTACT.
4. NO APPLIANCES OUTLES SHALL BE INSTALLED BELOW BASE FLOOD ELEV..
5. COORDINATE ALL OUTLET LOCATIONS WITH BUILDING ARCHITECTURAL FEATURES.
6. CONTRACTOR SHALL VISIT THE SITE TO FAMILIARIZE HIMSELF WITH ALL EXISTING CONDITIONS.
7. A/C COMPRESSOR SHALL BE INSTALLED ABOVE BASE FLOOD ELEV..
8. OUTDOOR CONDUITS SHALL BE SCHEDULE 40 PVC. MINIMUM COVER SHALL BE 24".
9. ALL MOUNTING HARDWARE SHALL BE BY CONTRACTOR.
10. ELECTRICAL OUTLETS BELOW BASE ELEV. SHALL BE INSTALLED AT THE HIGHEST PERMITTED ELEV AND SHALL BE INSTALLED (SEPARATE) AS INDEPENDANT CIRCUITS FROM THOSE IN THE HABITABLE AREAS.
11. MAIN CIRCUIT BRK PANELS SHALL BE LOCATED ABOVE BASE FLOOD ELEV.




(ELECTRICAL)
## PROPOSED SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"


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DESIGN GROUP LLC
Assoc. AIA
Professional Designer

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

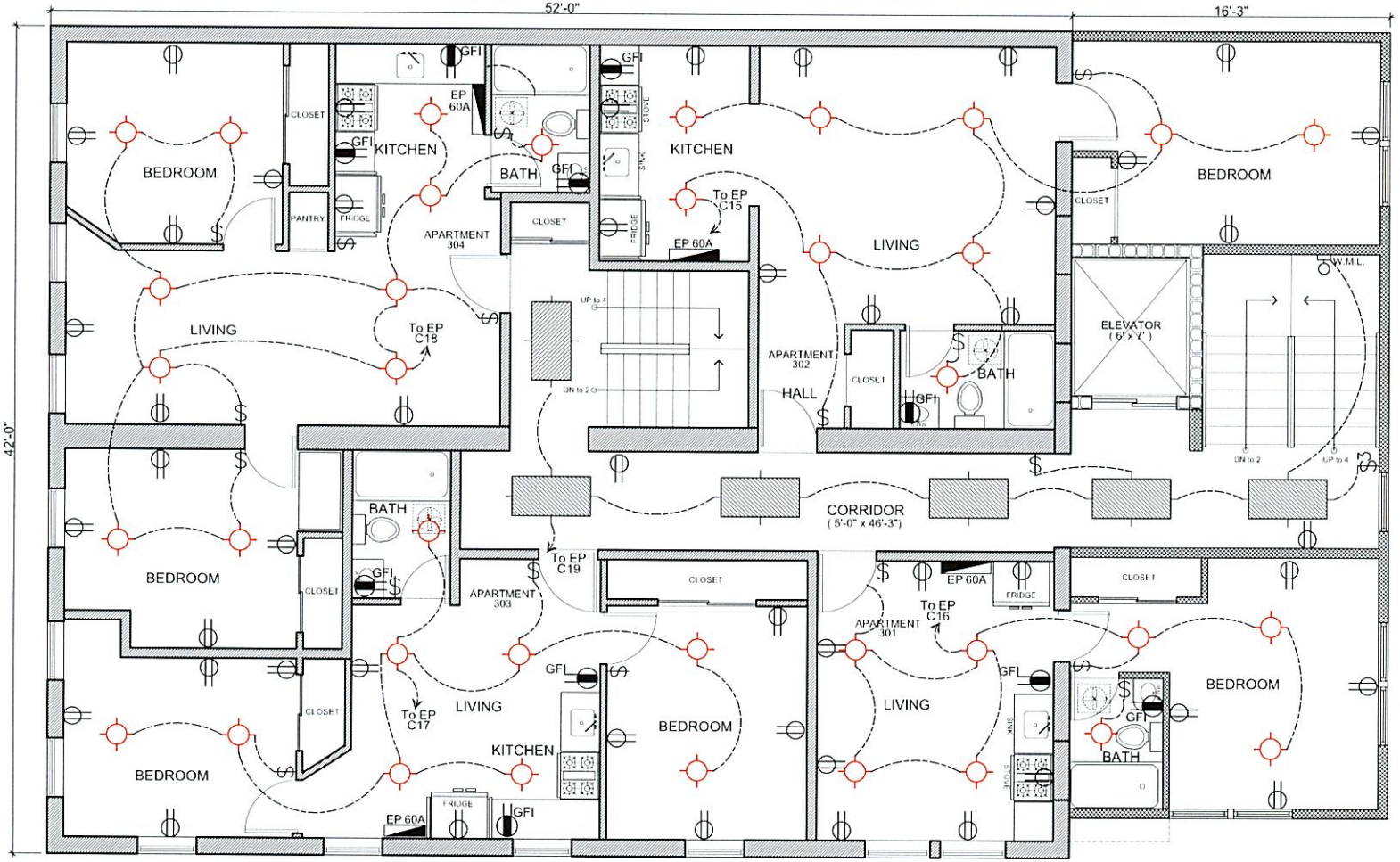
ELECTRICAL PLAN
SHEET 39 / 41

## ELECTRICAL SPECIFICATIONS:

1. THE ESTIMATE FOR THE ELECTRICAL WILL NOT INCLUDE ANY CHARGES FROM THE UTILITY COMPANY RELATED TO THE INSTALLATION OF THE MAIN ELECTRICAL SERVICE. ( THE MAIN ELECTRICAL SERVICE WILL BE A 400 AMP, THREE-PHASE, FOUR-WIRE OVERHEAD SERVICE RUNNING TO THE BUILDING.)
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3. SUB-FEEDERS AS WELL AS MAIN FEEDER WIRE WILL BE ALUMINUM AND SIZED ACCORDING TO NEC STANDARDS.
4. WE WILL PROVIDE THE POWER WIRING ONLY FOR THE HVCA EQUIPMENT (CONTROL WIRING THE RESPONSIBILITY OF OTHERS).
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6. ALL LIGHTING FIXTURES USED WILL BE THE RESPONSIBILITY OF THE OWNER.
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## LEGEND:

| | | | |
|---|---|---|---|
| | DUPLEX RECEPTACLE | EP | ELECTRICAL BREAKER PANEL |
| | DEDICATED RECEPTACLE | | CEILING OUTLET LIGHTING |
| | GFI DUPLEX RECEPTACLE | | |
| | 240V RECEPTACLE | | 2' x 4' LAMP OUTLET LIGHTING |
| | SAFETY DISCONNECT SWITCH | | WALL MOUNTED LIGHTS |
| $ | LIGHTING SWITCH @ 48" | | |
| $3 | 3WAY LIGHTING SWITCH @ 48" | | BATHROOM EXHAUST FAN 7 1/4 x 7 1/2 x 3 5/8 50 CFM 0.90 AMPS CEILING/WALL MOUNTED |
| SD | SMOKE DETECTOR | | |
| S/C | COMBO MONOXIDE/CARBON DETECTOR | CO | MONOXIDE DETECTOR |




(ELECTRICAL)
## PROPOSED THIRD FLOOR PLAN
SCALE: 1/4"=1'-0"


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**GJ DESIGN GROUP LLC**
Assoc. AIA
Professional Designer

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

ELECTRICAL PLAN
SHEET 40 / 41

## GENERAL NOTES :

1- ALL WORK SHALL COMPLY WITH STATE AND LOCAL BUILDING CODES AND REGULATIONS.

2- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, AND PROCEDURES.

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5- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, AND TO PROTECT THEM FROM DAMAGE.

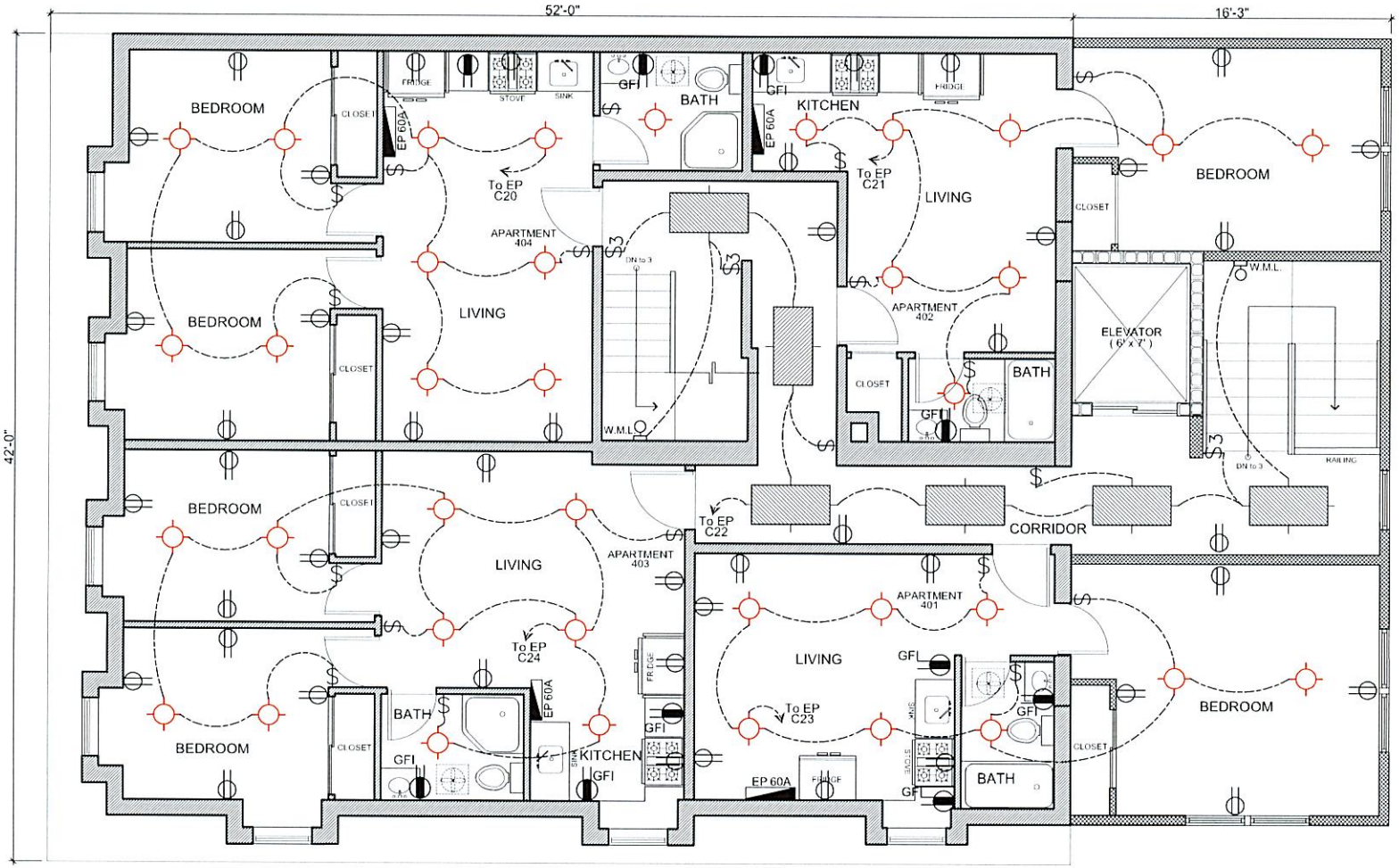
6- ALL DETAILS, SECTIONS, NOTES, OR REFERENCE TO OTHER DRAWINGS ARE INTENDED TO BE TYPICAL.

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8- SPECIFIC NOTES AND DETAILS ON THE DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS. WHERE NO DETAILS ARE SHOWN, CONSTRUCTION SHALL CONFORM TO SIMILAR WORK ON THE PROJECT.

9- GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO STARTING CONSTRUCTION.

10- CONTRACTOR SHALL PERFORM ALL WORKS IN COMPLIANCE WITH THE COMMONWEALTH OF MASSACHUSETTS ( 10TH EDITION OF THE MBSC,780 CMR ) (2021 IBC AND THE COMMONWEALTH OF MASSACHUSETTS AMENDMENT TO THE INTERNATIONAL COMMERCIAL CODE 2021) AND THE CITY OF HAVERHILL ORDINANCES.




(ELECTRICAL)

## PROPOSED FOURTH FLOOR PLAN

SCALE: 1/4"=1'-0"

ELECTRICAL PLAN

SHEET 41 / 41

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 7/28/2025

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
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GJ DESIGN GROUP LLC
Assoc. AIA
Professional Designer

Jony M Perez, MBA
Chief Executive, Davinci Mini Apts
125 Merrimack Street
Haverhill, MA 01830
Tel.: (978) 375 – 0639
EMAIL.: jony_perez@hotmail.com

January 28, 2026

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

**Special Permit Application**
**119-125 Merrimack Street, Haverhill, MA**
**City Council Rules and Regulations for Special Permits Information Required**

**General Criteria: General Special Permit Criteria**

1. As required by the Special Permit criteria section of the Zoning Ordinance (Section 10.4.2), in order to grant a Special Permit, a Special Permit Granting Authority must make a written determination "that the proposed use or structure(s) shall not cause substantial detriment to the neighborhood or the City, taking into account the characteristics of the site and of the proposal in relation to that site." Under Section 10.4.2, "[i]n addition to any specific factors that may be set forth in th[e] [zoning] chapter, such determination shall include consideration of each of the following:
2. Community needs served by the proposal.
3. Traffic and pedestrian flow and safety, including parking and loading.
4. Adequacy of utilities and other public services
5. Neighborhood character and social structures
6. Impacts on the natural environment, and
7. Potential fiscal impact, including impact on City services, tax base, and employment.

**Specific Findings Under Zoning Ordinance Section 10.4.2**

*8: Community needs served by the proposal.*

9: We are redeveloping a vacant brick building in downtown Haverhill. Previous use was a dentist office on the first floor; stories above have been vacant for many decades.

| | |
|---|---|
| Zoning District: | Waterfront District C (WD-C) District |
| Permitted Uses: | Mixed-use development is permitted with residential above and first floor commercial |

Redevelopment of apartments units, modernizations and upgrades. The proposal is to increase the footprint of the building by ~600 square feet, add common space, add an elevator, and develop the following:

**Bottom Floors**: Davinci Child Center - 56 children EEC licensed high quality childcare program. The children served consists of 36 slots for infants and toddlers (from birth to 2.9 years old) and a PreK classroom of up to 20 children (from 2.9 to 5 years old). This new facility will employ 18-20 fulltime teachers, cooks, maintenance and administrative personnel.

**Top 3 Floors**: 12 - Units Lofts-Apartments (6x 2 Bedrooms, 6x 1 Bedroom). This will be high end, energy efficient spaces.

*10: Traffic and pedestrian flow and Safety, including parking and loading.*

11: Careful attention has been given to traffic flow and pedestrian safety in this development plan. The Haverhill Police Department has outlined several concerns typical with this type of institution, specifically during children drop-off and pick-up. We have modified the original plans to satisfy their concerns. This arrangement will also satisfy the requirement of no parking on How Street. Currently the site plans include parking for 10 vehicles: 5 parking spaces are allocated to drop-off and pickup of children and the other 5 parking spaces for tenants. These details of assigned parking spaces are outlined in the provided site plan filed with this Application.

To meet the parking requirements set by the city of ordinance our institution will have a contract to lease 7-10 parking spaces from the parking garage located on the corner of Merrimack and Main Streets. The mentioned garage is within 700 feet walking distance.

*12: Adequacy of utilities and other public services.*

13: The existing building is already connected to domestic water, fire service, and city sanitary systems, so no major utility extensions are required for this project. The proposed site plan fully complies with Section 6.3.3(8) concerning utilities, security, and emergency systems, ensuring all new connections meet city standards without the need for special approvals. City Departments have raised no concerns about utility availability currently. The project team will continue to collaborate closely with development services to confirm that all utility connections align with the city's expectations and requirements.

*14: Neighborhood character and social structures.*

15: The building will look amazing once it is cleaned up and the project is completed. The proposed addition is consistent with neighborhood character and social structures, as it will match the existing building in materials. The new annex addition will marginally increase the percentage of footprint on the site.

The children's playground will remove asphalt and replace it with grass and landscaping will improve sightlines of existing site. The dilapidated chain link fence will be replaced with a new black aluminum fence. Unsightly elements such as dumpsters will be shielded to the interior of the site and not visible from the street.

*16: Impact on natural environment.*

17: There are no expected impacts to the natural environment because of this project. The new annex addition will marginally increase the percentage of footprint on the site and the replacement of asphalt with grass and landscaping will increase permeable areas, allowing for improved natural rainwater infiltration.

*18: Potential fiscal impact, including impact on City services, tax base, and employment.*

19: This project will have no impact on city services. It is believed that this project will increase the tax base. No impact on schools. This project will create 18-20 fulltime employment opportunities for both teachers and non-teaching staff.

**Specific Criteria: Specific Findings Under Zoning Ordinance Section 6.3.3**

*20. [These standards apply to special permit applications for development review under*

21. Section 10.1.4 for multifamily, nonresidential or mixed use - omit this section if not applicable]

22. Zoning Ordinance Section 6.3.4 provides exemptions for the following: (a) emergency responses performed by a private entity or a public agency and fire or burglar alarms; (b) municipal uses and structures, including schools; and (c) parades, fairs, or outdoor entertainment between the hours of 7:00 a.m. and 11:00 p.m. so long as the City Council has granted a permit for not more than 10 days. Here, the proposed use [is/is not] exempt for the following reasons:

23. The City Council makes the following findings with respect to the standards set forth in Zoning Ordinance

Section 6.3.3 regarding lighting, noise, landscaping, stormwater management, site development standards, pedestrian and vehicular access, traffic management, aesthetics, utilities, and the City's general standards:

**Lighting:** The proposed lighting for this project will comply with city standard 6.3.3(1). The existing lot lighting will remain largely unchanged. The exterior of the building will include up-down lights to accentuate the brick façade, and the parking lot will have a light installed for safety and security.

**Noise:** The project will comply with city standard 6.3.3(2) as it pertains to noise. Construction will abide by the restrictions set forth in Chapter 182 of the Haverhill Code and 310 CMR 7.10 of the Department of Environmental Protection's regulations.

**Landscaping:** 6.3.3 (3) The children's playground will remove asphalt and replace it with grass and landscaping will improve sightlines of existing site. The dilapidated chain link fence will be replaced with a new 4' black aluminum fence. Four evergreen plants will be planted along the fence.

**Stormwater Management:** The existing on-site storm line will accommodate the new addition while maintaining its current outfall to the city sewer beneath How Street as per city standard 6.3.3(4). Additionally, the replacement of asphalt with grass and landscaping will increase permeable areas, allowing for improved natural rainwater infiltration.

**Site Development Standards:** The proposed development plan complies with all site development standards outlined in Section 6.3.3(5). The area of disturbance has been carefully minimized to accommodate the building addition, ensuring the new footprint aligns seamlessly with the existing building.

**Pedestrian and Vehicular Access/Traffic Management:** Careful attention has been given to traffic flow and pedestrian safety in this development plan ensuring adherence to Section 6.3.3(6). Pedestrian entrances are available in the building's front entrance and the back entrance to the parking lot area. The Haverhill Police Department has outlined several concerns typical with this type of institution, specifically during children drop-off and pick-up. We have modified the original plans to satisfy their concerns. This arrangement will also satisfy the local requirement of no parking on How Street. Currently the site plans include parking for 10 vehicles: 5 parking spaces are allocated to drop-off and pickup of children and the other 5 parking spaces for tenants. This arrangement of designated drop-off solves all issues traffic issues and provides a more secured interaction during drop-off and pickup.

**Aesthetics:** The proposed design of the building addition complies with the neighborhood compatibility requirement outlined in Section 6.3.3(7). The building addition will closely match the front façade of the existing building.

**Utilities/Security/Emergency Systems:** The existing building is already connected to domestic water, fire service, and city sanitary systems, so no utility extensions are required for this project. City development services have raised no concerns about utility availability currently. The project team will continue to collaborate closely with development services to confirm that all utility connections align with the city's expectations and requirements.

**Other General Standards:** The proposed project will cause no substantive change in the current facility's compliance with Section 6.3.3(9). The expansion will not be conducted in a manner as to emit any dangerous, noxious, injurious or otherwise objectionable fire, explosion, radioactive or other hazard; noise or vibration, smoke, dust, odor or other form of environmental pollution; electrical or other disturbance; glare; liquid or solid, refuse or wastes; conditions conducive to the breeding of insects, rodents or other substance, conditions or element in an amount as to affect adversely the surrounding environment. All operations shall be conducted in such a manner to comply with the laws of the Commonwealth of Massachusetts regulating air pollution.

Based upon all the above as well as all the plans and other documents filed with this Application, we believe this Petition meets all the following requirements under Chapter 255 Section 10.4.2 for a Special Permit:

A. The proposed addition will enhance downtown Haverhill's offerings. The project does not cause substantial detriment to the neighborhood or the City. The Site has an existing structure/use, and the additional will enhance the neighborhood. No objections to this project were received during Pre-development Review.
B. Community needs for additional affordable apartments and high-quality childcare center are served by this proposal.
C. Traffic and pedestrian flow and safety have been addressed and the required additional parking for the project is being contracted to the nearby garage.

D. Adequate utilities and other public services are all supplied for this project. Property is on city water and sewer.
E. The neighborhood character and structures have been addressed in the architectural designs of this project. The addition fits this lot and will fit in the neighborhood.
F. There will be no impact to natural environment.
G. The project will increase the city's tax base, create 18-20 fulltime jobs, provide 12 beautiful apartments and has no adverse impact on City services or City Schools.

Wherefore, the Petitioner would request that the Council approve this Special Permit.

Respectfully submitted.



Jony M Perez, MBA
Chief Executive, Davinci Mini Apts

# 119-125 Merrimack Street
# Haverhill, MA



## PROJECT EXECUTIVE SUMMARY

**Project Name:** 125 Lofts Merrimack Street

**Location:** 119-125 Merrimack Street, Haverhill, MA 01830

**Property Type:** Vacant brick building in downtown Haverhill. Previous use was a dentist office (until summer of 2025) on the first floor; stories above have been vacant for many decades.

| | |
|---|---|
| Zoning District: | Waterfront District C (WD-C) District |
| Permitted Uses: | Mixed-use development is permitted with residential above and first floor commercial |

**Construction Overview:** Significant value-add through redevelopment of apartments units, modernizations and upgrades. The proposal is to increase the footprint of the building by ~ 600 square feet, add common space, add an elevator, and build the following:

| | |
|---|---|
| First Floor: | Davinci Child Center - 56 children EEC licensed high quality childcare program. The children served consists of 36 slots for |

infants and toddlers (from birth to 2.9 years old) and a PreK classroom of up to 20 children (from 2.9 to 5 years old). This new facility will employ 18-20 fulltime teachers, cooks, maintenance and administrative personnel.

Top 3 Floors: 12 - Units Lofts-Apartments (6x 2 Bedrooms, 6x 1 Bedroom). This will be high end, energy efficient spaces and prices will be influenced by local trends. Also, our team will work to provide 25% of units to low-moderate income through Haverhill's housing authority clients.

In addition, the site plan allows for a children playground of 1000 sq. feet and parking for 10-vehicles (12-vehicles parking is required per city ordinance. The additional 2 parking spaces will be leased from existing city parking lot nearby.)

**Project Plan:**

1. **Phase 1 (Months 1-8):** Complete all Plans, Permitting and Interior Walls-In Demo.
2. **Phase 2 (Months 8-11):** Complete all rough construction and inspections as per City of Haverhill building code.
3. **Phase 3 (Months 11-13):** Complete all construction, finishes, and permitting.

**Key Strengths:**

- Strong submarket fundamentals (job growth, low vacancy).
- Proven value-add strategy with strong track record.
- Experienced management team.

**Management Team:**

Jony M Perez, MBA
CEO of Davinci Mini Apartments LLC and Davinci Child Center LLC
(978) 375 – 0639; jony_perez@hotmail.com

Cesar D. Perez, MM
Site Project Manager Davinci Mini Apartments LLC
(978) 420 – 8674; cesardavidpz@yahoo.com

**Construction Funding:** $500K from Jony Perez and secured $1.5M debt from Reading Cooperative Bank.

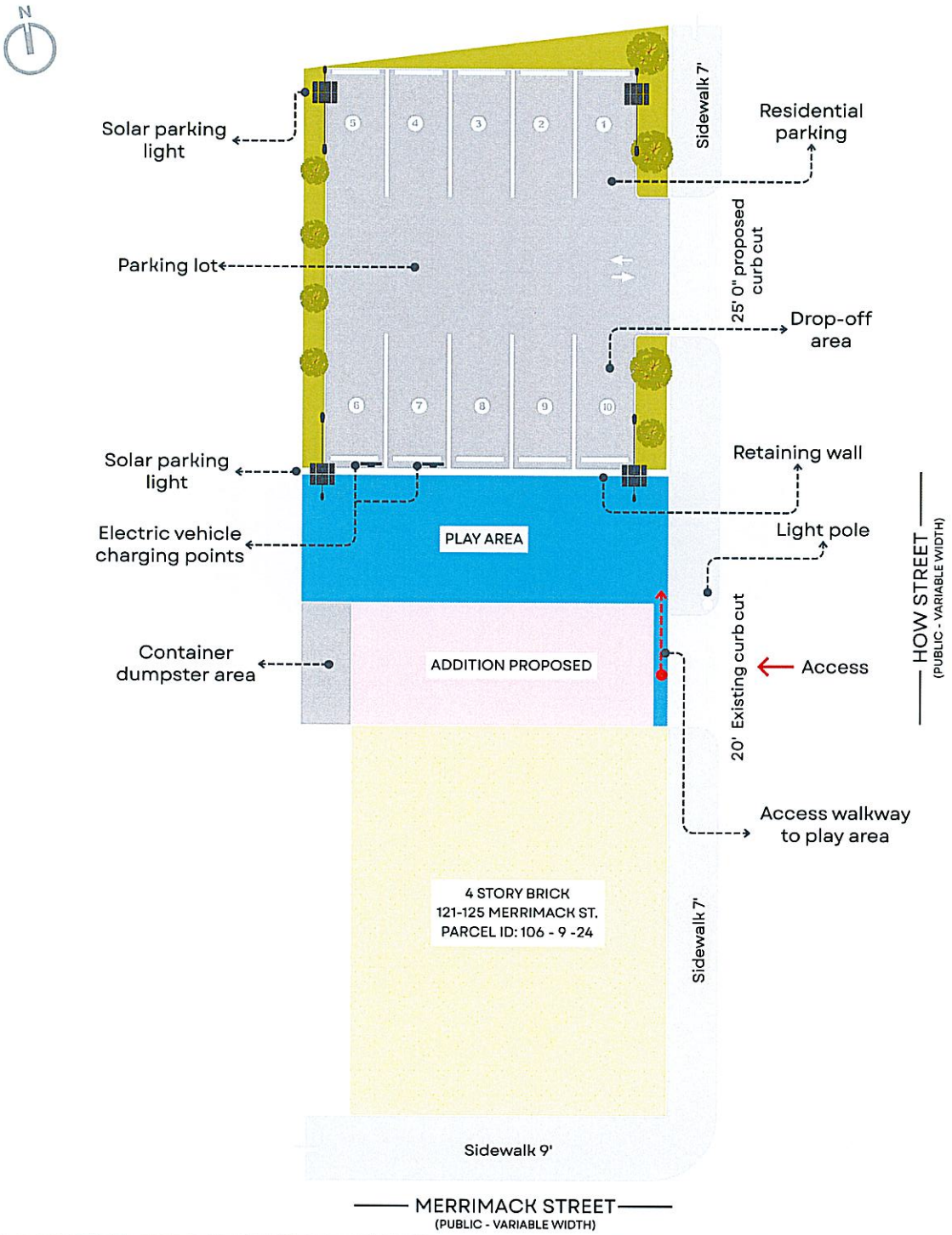
## DAVINCI CHILD CENTER, LLC

Davinci Child Center was founded in 2005 by Jony Perez. Davinci Child Center has developed and operates 2 programs in Lawrence, Massachusetts: Parkside Children Academy on Jackson Street and Davinci Child Center on Avon Street. Our programs work with EEC's vouchers to provide high quality childcare to low-income families and is now serving ~200 children with ~50 full-time employees.

Davinci Child Center provides high-quality early childhood education and development programs that focus on health, safety and development of the whole child. Our administration, teachers, and assistants are dedicated to the growth and welfare of your child. We are committed to making our center the best choice for your child.

## DAVINCI MINI APARTMENTS, LLC

Davinci Mini Apartments was started in 2014 to develop beautiful, energy efficient, and cost-effective environments where Davinci Child Center can operate. Davinci Mini Apartments has developed two building that were slated for demolition in Lawrence. Currently, these buildings provide the city of Lawrence with beautiful environments. Our company finances and provides maintenance to these facilities.




FLOOR PLAN

SHEET 1 9 9

REVISED BY:
APPROVED BY:
DRAWN BY: GILBERTO JIMENEZ
DATE: 1/30/2026

PROJECT: COMMERCIAL RESIDENTIAL BUILDING
ADDRESS: 125 MERRIMACK ST. HAVERHILL MA 01830
OWNER: DAVINCI MINI APTS-JONY PEREZ
PETITIONER: DAVINCI MINI APTS-JONY PEREZ

118 WOODLAND ST LAWRENCE MA 01841
978-601-2844 FAX 978-208-1335
E. MAIL: lach.o7812@gmail.com

NOTE: THIS DESIGN IS THE INTELLECTUAL PROPERTY OF G. BERTO JIMENEZ GROUP, THEREFORE IT IS PROHIBITED COPY PARTIALLY OR COMPLETELY THIS DESIGN WITHOUT THE AUTHORIZATION OF THE AUTHOR.

G J DESIGN GROUP LLC
Assoc. AIA
Professional Designer

Jony M Perez, MBA
Chief Executive, Davinci Mini Apts
121 Merrimack Street
Haverhill, MA 01830
Tel.: (978) 375 – 0639
EMAIL.: jony_perez@hotmail.com

February 20, 2026

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

**Special Permit Application**
**Children Drop-Off and Pick-up Operations**

The following document will address concerns regarding the proposed drop-off and pick-up operations for this facility as per the police department and will answer the following concerns:

*The applicant is requested to provide a detailed written traffic management plan addressing the following:*

1. *How vehicle flow will be managed during peak drop-off and pick-up times.*
2. *How the facility will ensure that vehicles do not queue or line up on How Street.*
3. *What contingency measures will be implemented if vehicle stacking or congestion occurs.*
4. *How staff parking will be accommodated so as not to interfere with parent drop-off and pick-up operations.*

*Additionally, with upcoming construction anticipated in the area, there is concern that roadway limitations and temporary disruptions may further complicate traffic flow. The applicant should address how construction impacts will be mitigated within the proposed traffic management plan.*

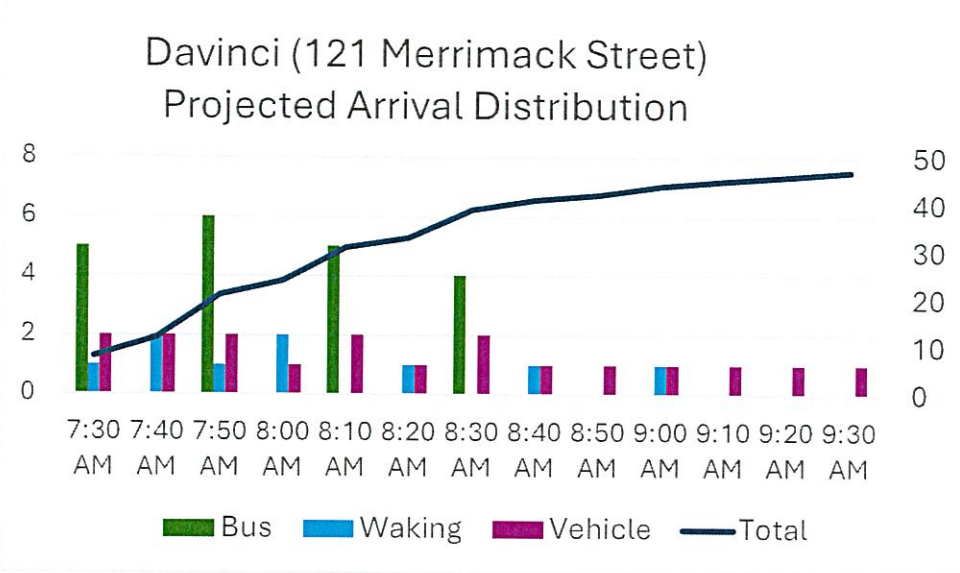
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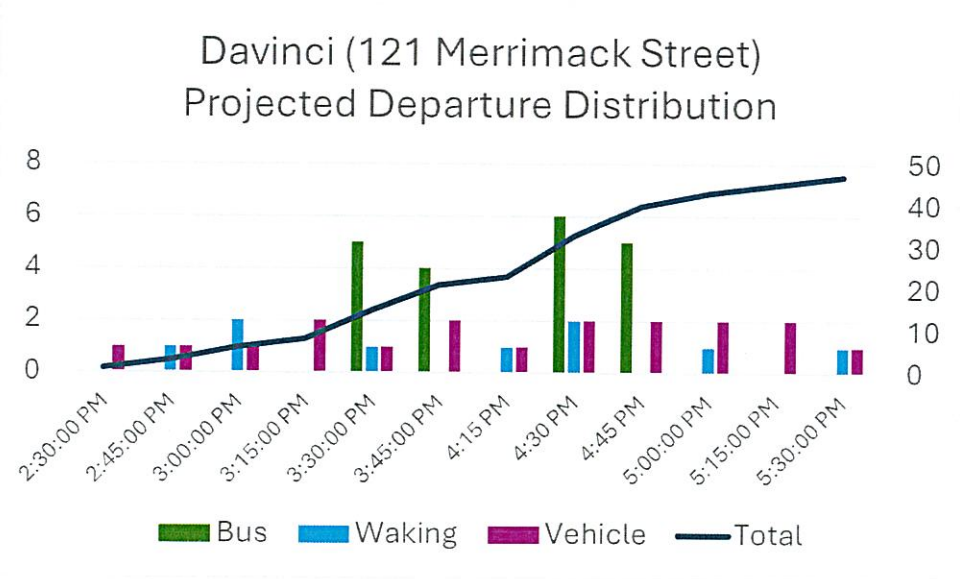
To ensure that our program has smooth children's arrivals and departures and to address concerns by the police department, we have put together a plan for arrival and departures for the proposed childcare program.

The following graphs have a projected arrival and departure schedule based on data from other programs. Note, that the asked capacity for the program is 56 children's slots, however, we anticipate that 80% of children attend on a given day on average.

There are three methods of children arriving to the program:

- Buses (~50 %), 3-4 trips of 7D buses
- Walking (~15 %, we anticipate this number to increase in Downtown Haverhill)
- Vehicle (~35 %)




We do not anticipate issues given the projected distribution arrivals and departures. First, one or two 7D buses will service the childcare program. The buses are scheduled

so that there is at least a :15 minutes time difference between arrivals. This ensures that only one parking slot is used for the buses. There are 4 designated parking spaces for buses and vehicles for the daycare program. So, the other three available spaces are available to parents that arrive by vehicles.

An administrative staff member is on duty working the arrivals and departures of children. And together with at least another teacher, this arrangement assists in a smoother and quicker transition and has proven invaluable in our other programs. Loading and unloading a 7D school bus genreally is done in less than 5 minutes. Parent drop-off are also done in less than five minutes. Parents that want to meet the teachers and discuss children's progress are asked to come at a different time than drop-off or pickups.

In addition, our program will monitor the drop-off and pick-up times to ensure that in case were an inconvenience is noticed in the morning or afternoon the issue is addressed immediately, In case where continued issues are not resolved, our management will petition the City of Haverhill to designate a spot for drop-off and pick-up from 7:30AM to 9:30AM and from 2:30PM to 5:30PM in front of the building on Merrimack Street.

When fully operational, we anticipate that 5-7 parking spaces will be required for staff parking. These staff parking spaces are another issue that we are addressing by providing a long-term lease with the parking garage located on Merrimack Street.

Another concern is the EV charging stations for the tenants on the top three floors of the facility. These 2 charging stations will be in parking spaces designated for tenants only and will not be part of the drop-off spaces.

*As with the upcoming construction anticipated in the area, there is concern that roadway limitations and temporary disruptions may further complicate traffic flow.*

- In case where Merrimack Street is closed and not accessible, parents will be notified and asked to only use the How Street entrance. An administrative staff member and least another teacher will assist parents to minimize drop-off delays.

- In case were How Street is closed and not accessible, parents will be asked to properly park on Merrimack Street and hand off the children to our staff at the door to minimize traffic issues.

- In case both Merrimack and How Streets are closed to all traffic, parents will be notified that only walking's will be allowed for the duration of the street closures.

This Arrival and Departure plan not only addresses the concerns by the police department but also ensures that drop-off and pick-up times are quick and smooth.

Please advise if any additional concerns need addressing.

Respectfully submitted.



Jony M Perez, MBA
Chief Executive, Davinci Mini Apts

# Storm Water Review

Record No.CCSP-26-1

**Status** Active

**Became Active** February 2, 2026

**Type** Approval

**Due Date** None

**Assignee** Robert Moore

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

# Messages

**Robert Moore** February 2, 2026 at 4:14 pm

1. Please provide civil site plan for actual proposed conditions.

2. The Plan of Land prepared by MES shows a CB in the parking lot, just off the NW building corner is connected to the Sanitary Sewer in How Street. Site plan must show the disconnection of this system from the sanitary.

3. Show new parking lot drainage system. New system must meet today's BMP design standards.

4. Design should include stormwater management improvements, such as the collection and recharge of roof runoff through an infiltration gallery. Standard is to design the system to accommodate the 1/2" rain event, with overflow then connecting to the drain main.

5. Site plan must include erosion and sediment control measures for any land disturbance that might be needed, i.e. protection of drainage system during any necessary parking lot reconstruction.

6. Submittal includes a general landscape plan (by G J Design Group, 1-30-26). Additional detail should be added to this sheet to demonstrate compliance with the landscaping requirements under C. 255-6.3. Please add such items as plant species, sizes, seed mixes, playground surface treatment...

@Shaun Burrier

**Jony Perez** February 20, 2026 at 12:05 pm

Hi Robert, We are updating the site plan to address these concerns. New site plan should be uploaded next week. Thank you!

**Kaitlin Wright** 🔒 Internal March 18, 2026 at 10:33 am

@Robert Moore please provide any updates to your review by close of business tomorrow 3/19 as this is coming before council next week.

**Robert Moore** March 18, 2026 at 5:12 pm

@Kaitlin Wright @Shaun Burrier I understand this matter is slated for hearing at the March 24th Council meeting. We have not yet received the revised plan that Jony mentions on February 20th. The plan should not only address the departmental comments within this record, but should also demonstrate how the project will comply with the Performance Standards found within the Zoning Code under C. 255, s. 6.3. Should the Council look to move on this application Tuesday night, I would request any motion to

approve be conditioned to require the applicant to address all departmental comments to the satisfaction of the individual departments during the Development Review procedure.

**Kaitlin Wright** March 19, 2026 at 8:49 am

@Robert Moore Would you recommend the matter be continued until the applicant provides the requested documents? It would seem that the application is not complete based off the requirements to draft another plan from the in person meeting. @Jacki Byerley can you weigh in?

**Jacki Byerley** March 20, 2026 at 10:08 am

I would recommend the Council open the hearing and continue it to a later date until they file for the Site Plan of Section 10.8 and satisfy the comments received.

# DPW Review

Record No.**CCSP-26-1**

**Status** Active

**Became Active** February 2, 2026

**Type** Approval

**Due Date** None

**Assignee** Robert Ward

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Kaitlin Wright** March 18, 2026 at 10:32 am

@Robert Ward @Robert Kimball Please review as this is coming before Council on March 24th.

# Police Department Review

Record No.CCSP-26-1

**Status** Active **Became Active** February 2, 2026

**Type** Approval **Due Date** None

**Assignee** Kevin Lynch

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

# Messages

**Kevin Lynch** February 16, 2026 at 12:57 am

The Police Department has concerns regarding the proposed drop-off and pick-up operations for this facility.

The applicant has indicated plans to operate 36 slots for infants and toddlers (birth to 2.9 years old) and one Pre-K classroom serving up to 20 children (2.9 to 5 years old). The facility will employ approximately 18–20 full-time staff members. Based on these numbers, there is concern that the available on-site parking will be insufficient to accommodate the anticipated traffic volume.

The current site plan reflects five designated parking spaces for drop-off and pick-up. However, it appears that the EV charging stations may be located within the same designated drop-off/pick-up area, which could further reduce usable short-term parking availability.

How Street is currently posted "No Parking," and Merrimack Street reflects only one handicap parking space in front of the building. This area is already heavily congested. The Department is concerned about the potential for excessive vehicle stacking and traffic congestion on How Street during peak drop-off (7:45 AM – 8:45 AM) and pick-up hours (4:30 PM – 6:00 PM).

The applicant is requested to provide a detailed written traffic management plan addressing the following:

1. How vehicle flow will be managed during peak drop-off and pick-up times.
2. How the facility will ensure that vehicles do not queue or line up on How Street.
3. What contingency measures will be implemented if vehicle stacking or congestion occurs.
4. How staff parking will be accommodated so as not to interfere with parent drop-off and pick-up operations.

Additionally, with upcoming construction anticipated in the area, there is concern that roadway limitations and temporary disruptions may further complicate traffic flow. The applicant should address how construction impacts will be mitigated within the proposed traffic management plan.

**Jony Perez** February 20, 2026 at 11:59 am

Hi Kevin, we just uploaded a plan to address the concerns by the police department. Please advice. Thank you!

**Kaitlin Wright** 🔒 **Internal** March 18, 2026 at 10:32 am

@Kevin Lynch please provide any updates to your review by close of business tomorrow 3/19 as this is coming before council next weeek.

# Water/Wastewater Review

Record No.CCSP-26-1

**Status** Active

**Type** Approval

**Assignee** Shaun Burrier

**Became Active** February 2, 2026

**Due Date** None

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Shaun Burrier** February 3, 2026 at 8:17 am

Please provide updated civil site plan showing sewer connection details including location, size of connection, materials, and slope.

Please submit water service application to include all fixture counts and any and all fire suppression requirements.

**Jony Perez** February 20, 2026 at 12:05 pm

Hi Shaun, We are updating the site plan to address these concerns. New site plan should be uploaded next week. Thank you!

**Kaitlin Wright** 🔒 Internal March 18, 2026 at 10:33 am

@Shaun Burrier please provide any updates to your review by close of business tomorrow 3/19 as this is coming before council next weeek.

# Building Inspector Review

Record No.CCSP-26-1

**Status** Active

**Type** Approval

**Assignee** Tom Bridgewater

**Became Active** February 2, 2026

**Due Date** None

## Record No: CCSP-26-1

City Council Special Permit

Status: Active

Submitted On: 1/9/2026

### Applicant

Jony Perez
978-375-0639
@ jony_perez@hotmail.com
121 Merrimack Street
Haverhill, MA 01830

## Messages

**Kaitlin Wright** March 18, 2026 at 10:33 am

@Tom Bridgewater @Richard MacDonald Please review as this is coming before Council on March 24th.

# Document # 21-B

Ordinance: re: Amend Chapter 255 Zoning Ordinance and Zoning Map – Battery Energy Storage Systems Overlay District (BESS)– by inserting a new section 7.9 Battery Energy Storage Systems, amending section 3.1.3 Table of Use and Parking regulations by allowing a Tier 1, Tier 2 and Tier 3 BESS and amending the Zoning Map to include the BESS Overlay District. The overlay district will be creating regulations for the installation and use of free-standing battery energy storage systems ("BESS"), adding to the table the overlay district with the allowed Tiers and updating the zoning map to include the BESS Overlay District, or take any other action related to

**IN CITY COUNCIL: March 24, 2026**

**File for 14 Days + Council hearing for May 19th**

9 **YEAS, 0 NAYS, 1 ABSENT,** 1 ABSTENTATION

Attest: Kaitlin M. Wright

Kaitlin M. Wright, CMC
City Clerk

10.3

Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950

978.463.7700
www.mtclawyers.com

March 16, 2026

MAR 20 AM9:10
HAVCITYCLERK

By Electronic Delivery

Tim Jordan
City Council President
Haverhill City Council
4 Summer Street,
Room 204
Haverhill, MA 01830

Re: Zoning Amendment / Battery Energy Storage Systems ("BESS")

Dear Mr. Jordan:

Reference is made to the above captioned matter. In that connection, on January 7, 2025 the former Economic Development Director submitted a Battery Energy Storage System Ordinance to the Council for your consideration. Since that time, the Mayor's office along with the Planning Director and myself have revised the 2025 submission. Additionally, the Department of Energy Resources has further issued guidance on BESS Zoning Ordinances. Finally, the Mayor has received comments from a potential developer of a BESS facility in the City.

I have attached for your advertisement and consideration a revised BESS Zoning Ordinance. I would ask that you table indefinitely the January 2025 Ordinance at the opening of the public hearing on this revised Ordinance, Further, I ask that the Council refer this Ordinance to the Planning Board for a public hearing and thereafter schedule a public hearing for the Council as well.

The Planning Director and I look forward to addressing questions you might have at the time of the public hearing.

Sincerely,

Atty. Lisa Mead, City Solicitor

Enclosure(s)

cc: Melinda E. Barrett, Mayor
Jacki Byerly, Planning Director

**New Bedford Office**
227 Union Street
New Bedford, MA 02740
Phone 774.206.6857

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

10.3.1

**MUNICIPAL ORDINANCE CHAPTER 255 Zoning**

**AN ORDINANCE RELATING TO AMENDING CHAPTER 255, ZONING BY ADDING A NEW SECTION 7.9 BATTERY ENTERGY 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. Establishment of the BESS Overlay District
The BESS Overlay District is an overlay district superimposed over the underlying district set forth in this Zoning Ordinance. Within the BESS, the requirements of the underlying district continue to apply, except when the following uses are proposed then the following provisions of this section 7.9 shall apply:

Tier 1 BESS

Tier 2 BESS and

Tier 3 BESS

§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:

- 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 redundance capacity of 100 MW shall be treated as a 100 MW system.

1. Tier 1 BESS have an aggregate energy capacity less than or equal to 500 kWh, 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 500kWh and less than 10 MWh, but no greater than 10 MWh;

    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 energy capacity greater than 10 MWh, but no greater than 350MWh;

    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 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 or subsequent standard.

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

§ 7.9.5. Permitting Requirements for Tier 1 BESS

Tier 1 BESS are allowed by right in all zoning districts, including the BESS Overlay District, 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 2 and Tier 3 BESS shall be permitted by Special Permit in the BESS Overlay District in accordance with the requirements below.

§ 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 the BESS Overlay District 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 3BESS:

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 150 feet from all side, rear, and front lot lines; except that Tier 2 and Tier 3 BESS shall be set back a minimum of 300 feet 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. The Special Permit Granting Authority may waive these setback requirements so long as the approved setbacks protect the health and safety of nearby abutters.

G. Emergency Access: There shall be a 60-foot-wide paved emergency access road around the 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 accomodate 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.

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. Stormwater Management. The applicant shall submit a stormwater management plan consistent with the Massachusetts Stormwater Management Policy.

R. 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.

S. Decommissioning Fund. The owner and/or operator of the energy storage system, shall 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.

T. 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 certified verification that there is a fully executed Interconnection Services Agreement ("ISA") with the local utility distribution company. Said certification shall include the cover and signature pages of the ISA.

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 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 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.

   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

AGGREGATE ENERGY CAPACITY: Total amount of energy stored that can be stored in all batteries that are a part of the BESS measured in kilowatt-hours (kWh) or megawatt-hours (MWh).

BATTERY or BATTERIES: A single cell or group of cells connected electrically in series, in parallel, or combination of both, which can charge, discharge and store energy electrochemically. For the purpose of this Ordinance, batteries utilized in consumer products are excluded from these requirements.

BATTERY ENERGY STORAGE SYSTEM ("BESS") – A system containing one of more battery modules for storing electrical energy, any equipment needed to support the safe and proper function or usage of the battery modules, and one or moe physical container(s) providing secondary containment to any of the above. It may be a primary use or an Accessory Use to a solar generating facility, power generation facility, electrical substation, or other similar uses. 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.

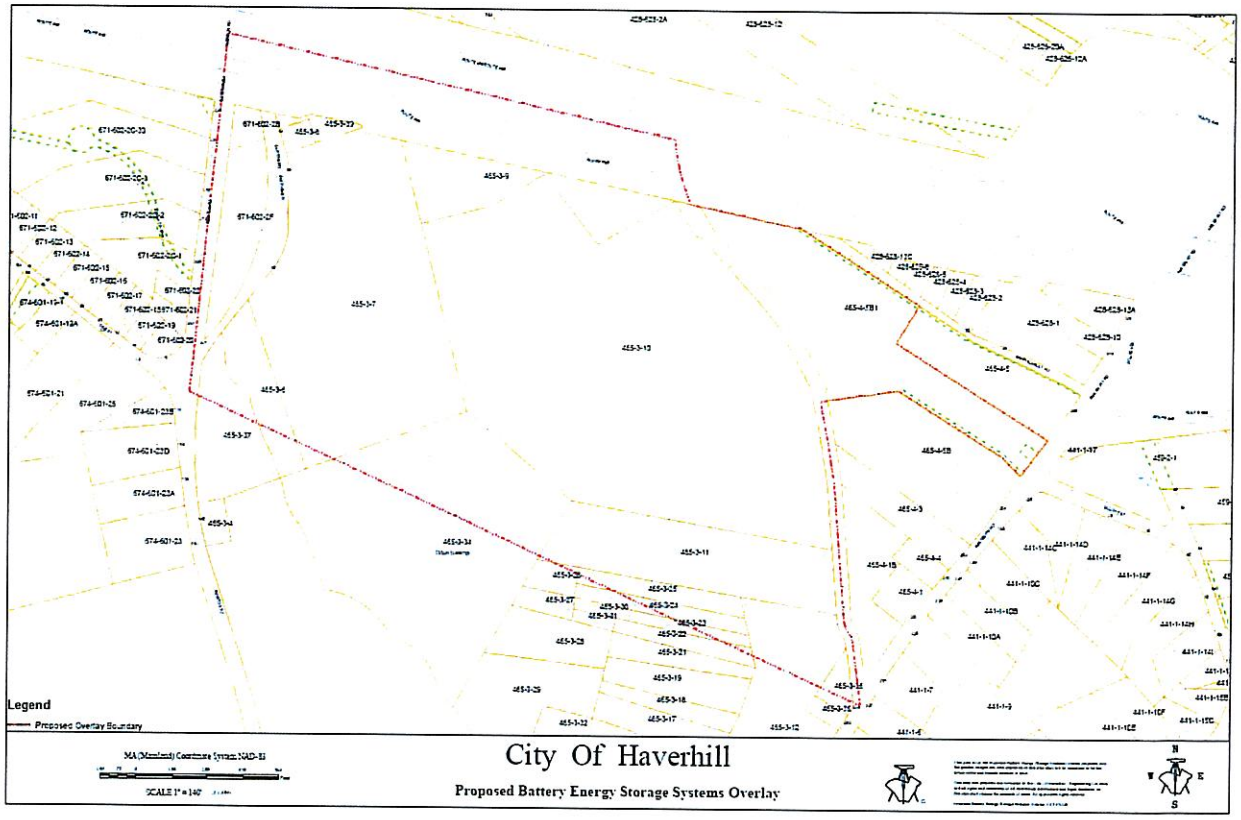
**And further to amend section 3.1.3, Table of Use and Parking regulations by allowing Tier 1, Tier 2 and Tier 3 BESS in the districts as follows:**

BESS Overlay District - OD

| | RS | RR | RL | RM | RH | RU | CN | CH | CG | CC | CM | OP | BG | BP | BESS OD | 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** | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N | Y | Y | Y | None |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 25. Battery Energy Storage Systems: Tier 2 | N | N | N | N | N | N | N | N | N | N | N | N | N | N | CC | None |
| 26. Battery Energy Storage Systems: Tier 3 | N | N | N | N | N | N | N | N | N | N | N | N | N | N | CC | None |

**And further to amend the City of Haverhill Zoning Map to include the BESS Overlay District as set forth below:**



DOCUMENT

# CITY OF HAVERHILL

In Municipal Council

ORDERED:

Municipal Ordinance Chapter 255

An Ordinance Relating to Amend Chapter 255 Zoning Ordinance and Zoning Map

Ordinance: re: Amend Chapter 255 Zoning Ordinance and Zoning Map – Battery Energy Storage Systems Overlay District (BESS)– by inserting a new section 7.9 Battery Energy Storage Systems, amending section 3.1.3 Table of Use and Parking regulations by allowing a Tier 1, Tier 2 and Tier 3 BESS and amending the Zoning Map to include the BESS Overlay District. The overlay district will be creating regulations for the installation and use of free-standing battery energy storage systems ("BESS"), adding to the table the overlay district with the allowed Tiers and updating the zoning map to include the BESS Overlay District, or take any other action related to.

Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin, placed on file in the City Clerk's Office, and posted on the municipal bulletin in City Hall.

PLACED ON FILE for at least 14 days

Advertise in Gazette:
Thursday April 16th and Thursday April 23rd

Attest:

Kaitlin M. Wright, CMC
City Clerk

## Kaitlin Wright

**From:** North of Boston <noreply@wave2adportal.com>
**Sent:** Monday, March 23, 2026 10:49 AM
**To:** CityClerk
**Cc:** cmacdonald@northofboston.com; Kaitlin Wright; Natalia Hernandez
**Subject:** Thank you for placing your order with us.

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

## THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

### Job Details

Order Number:
**W0142797**
Business Type:
All Other Public Notices
Notice Size:
Public Notices
Notice Estimate:
$196.16
Referral Code:
**Amend Chapter 255 Zoning Ord**

### Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA □ 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

### Schedule for notice number W01427970

**Thu Apr 16, 2026**
**Haverhill Gazette Public Notices**
*All Zones*

**Thu Apr 23, 2026**
**Haverhill Gazette Public Notices**
*All Zones*

**CITY OF HAVERHILL**
**In Municipal Council**
**ORDERED:**
**Municipal Ordinance Chapter 255**
An Ordinance Relating to Amend Chapter 255 Zoning Ordinance and Zoning Map

Ordinance: re: Amend Chapter 255 Zoning Ordinance and Zoning Map - Battery Energy Storage Systems Overlay District (BESS)-by inserting anew section 7.9 Battery Energy Storage Systems, amending section 3.1.3 Table of Use and Parking regulations by allowing a Tier 1, Tier 2 and Tier 3 BESS and amending the Zoning Map to include the BESS Overlay District. The overlay district will be creating regulations for the installation and use of free-standing battery energy storage systems ("BESS"), adding to the table the overlay district with the allowed Tiers and updating the zoning map to include the BESS Overlay District, or take any other action related to.

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PLACED ON FILE for at least 14 days

Attest: Kaitlin M. Wright, CMC
City Clerk
HG - Publication Dates

*The North of Boston Media Group is not responsible for any false, inaccurate or omitted notices.*

10.3.1

**MUNICIPAL ORDINANCE CHAPTER 255 Zoning**

**AN ORDINANCE RELATING TO AMENDING CHAPTER 255, ZONING BY ADDING A NEW SECTION 7.9 BATTERY ENTERGY 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. Establishment of the BESS Overlay District
The BESS Overlay District is an overlay district superimposed over the underlying district set forth in this Zoning Ordinance. Within the BESS, the requirements of the underlying district continue to apply, except when the following uses are proposed then the following provisions of this section 7.9 shall apply:

Tier 1 BESS

Tier 2 BESS and

Tier 3 BESS

§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:

- 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 redundance capacity of 100 MW shall be treated as a 100 MW system.

1. Tier 1 BESS have an aggregate energy capacity less than or equal to 500 kWh, 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 500kWh and less than 10 MWh, but no greater than 10 MWh;

    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 energy capacity greater than 10 MWh, but no greater than 350MWh;

    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 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 or subsequent standard.

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

§ 7.9.5. Permitting Requirements for Tier 1 BESS

Tier 1 BESS are allowed by right in all zoning districts, including the BESS Overlay District, 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 2 and Tier 3 BESS shall be permitted by Special Permit in the BESS Overlay District in accordance with the requirements below.

§ 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 the BESS Overlay District 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 3BESS:

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 150 feet from all side, rear, and front lot lines; except that Tier 2 and Tier 3 BESS shall be set back a minimum of 300 feet 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. The Special Permit Granting Authority may waive these setback requirements so long as the approved setbacks protect the health and safety of nearby abutters.

G. Emergency Access: There shall be a 60-foot-wide paved emergency access road around the 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 accomodate 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.

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. Stormwater Management. The applicant shall submit a stormwater management plan consistent with the Massachusetts Stormwater Management Policy.

R. 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.

S. Decommissioning Fund. The owner and/or operator of the energy storage system, shall 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.

T. 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 certified verification that there is a fully executed Interconnection Services Agreement ("ISA") with the local utility distribution company. Said certification shall include the cover and signature pages of the ISA.

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 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 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.

   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

AGGREGATE ENERGY CAPACITY: Total amount of energy stored that can be stored in all batteries that are a part of the BESS measured in kilowatt-hours (kWh) or megawatt-hours (MWh).

BATTERY or BATTERIES: A single cell or group of cells connected electrically in series, in parallel, or combination of both, which can charge, discharge and store energy electrochemically. For the purpose of this Ordinance, batteries utilized in consumer products are excluded from these requirements.

BATTERY ENERGY STORAGE SYSTEM ("BESS") – A system containing one of more battery modules for storing electrical energy, any equipment needed to support the safe and proper function or usage of the battery modules, and one or moe physical container(s) providing secondary containment to any of the above. It may be a primary use or an Accessory Use to a solar generating facility, power generation facility, electrical substation, or other similar uses. 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.

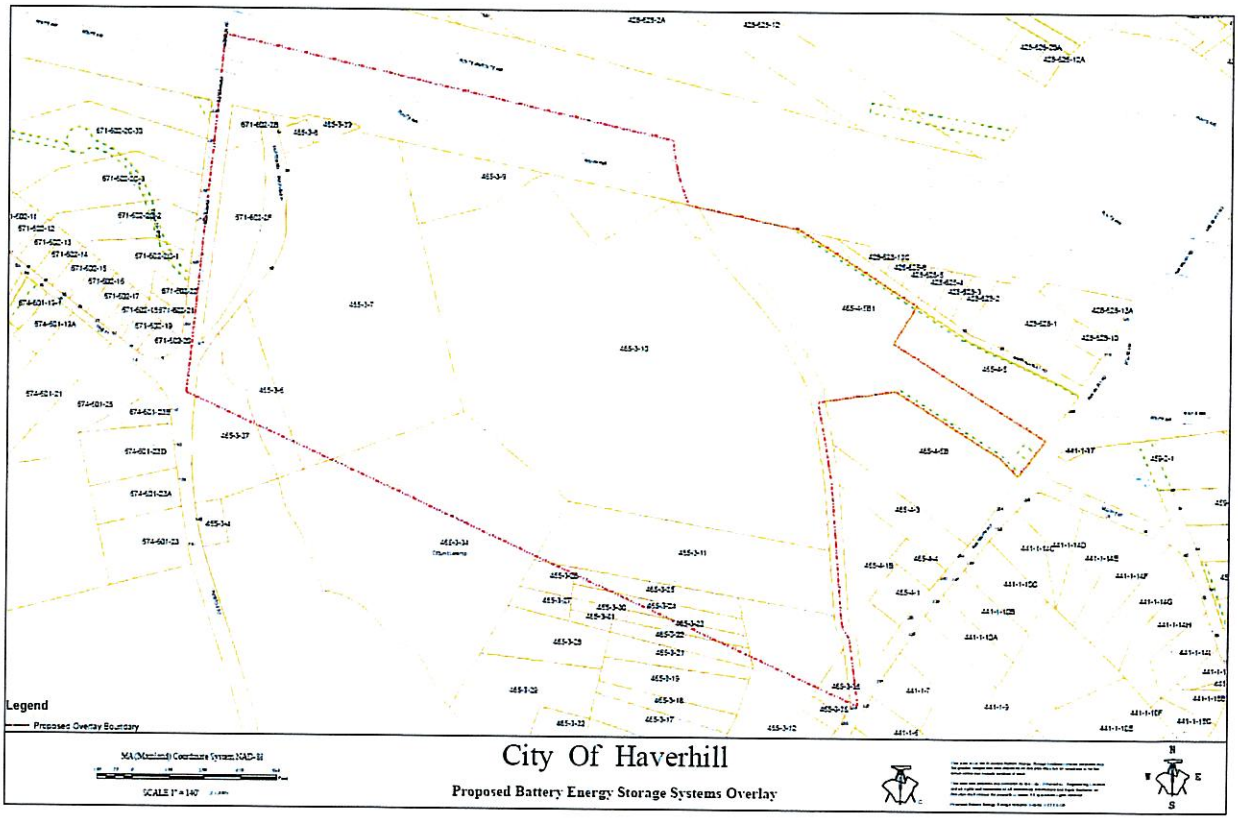
**And further to amend section 3.1.3, Table of Use and Parking regulations by allowing Tier 1, Tier 2 and Tier 3 BESS in the districts as follows:**

BESS Overlay District - OD

| | RS | RR | RL | RM | RH | RU | CN | CH | CG | CC | CM | OP | BG | BP | BESS OD | 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** | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N | Y | Y | Y | None |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 25. Battery Energy Storage Systems: Tier 2 | N | N | N | N | N | N | N | N | N | N | N | N | N | N | CC | None |
| 26. Battery Energy Storage Systems: Tier 3 | N | N | N | N | N | N | N | N | N | N | N | N | N | N | CC | None |

**And further to amend the City of Haverhill Zoning Map to include the BESS Overlay District as set forth below:**



DOCUMENT

# CITY OF HAVERHILL

In Municipal Council

ORDERED:

Municipal Ordinance Chapter 116

An Ordinance Relating to Amendment to Chapter 116 of the Haverhill City Ordinances

Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin, placed on file in the City Clerk's Office, and posted on the municipal bulletin in City Hall.

PLACED ON FILE for at least 10 days

Advertise in Gazette:
Thursday March 26, 2026

Attest:

Kaitlin M. Wright, CMC
**City Clerk**

## Kaitlin Wright

**From:** North of Boston <noreply@wave2adportal.com>
**Sent:** Monday, March 23, 2026 10:53 AM
**To:** CityClerk
**Cc:** cmacdonald@northofboston.com; Kaitlin Wright; Natalia Hernandez
**Subject:** Thank you for placing your order with us.

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

# THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

## Job Details

Order Number:
**W0142798**
Business Type:
All Other Public Notices
Notice Size:
Public Notices
Notice Estimate:
$51.92
Referral Code:
**Amend Ch. 116 Ord.**

## Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

## Schedule for notice number W01427980

**Thu Mar 26, 2026**
**Haverhill Gazette Public Notices**
*All Zones*

**CITY OF HAVERHILL**
**In Municipal Council**
**ORDERED:**

Municipal Ordinance Chapter 116
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PLACED ON FILE for at least 10 days
Kaitlin M. Wright, CMC
City Clerk
HG - Publication Dates

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# Haverhill

Economic Development and Planning
Jacki Byerley, Planning Director
jbyerley@haverhillma.gov
Phone: 978-374-2330

MAY 14 AM9:24
HAVCITYCLERK

To: City Council

From: Jacki Byerley, AICP, Planning Director JB

Re: Zoning Ordinance and Map amendment - Battery Energy Storage Systems

Date: May 14, 2026

Following review of the proposed amendment to Chapter 255 of the City of Haverhill Zoning Ordinance to add a new Section 7.9 entitled "Battery Energy Storage Systems" ("BESS"), the Planning Board forwards a favorable recommendation to the City Council for adoption of the ordinance as drafted.

The proposed ordinance establishes a comprehensive local regulatory framework governing the siting, permitting, construction, operation, maintenance, and decommissioning of Battery Energy Storage System facilities within the City. The ordinance is intended to address emerging energy infrastructure technologies while ensuring that appropriate public safety, environmental and land use protections are in place.

The ordinance appropriately distinguishes between small-scale accessory systems and larger utility-scale facilities through the establishment of Tier 1, Tier 2, and Tier 3 classifications based on system capacity and operational characteristics. Smaller Tier 1 systems are permitted by right subject to Site Plan Review and applicable code requirements, while larger Tier 2 and Tier 3 facilities require a Special Permit and are limited to the proposed BESS Overlay District.

The Planning Board finds that the ordinance incorporates significant public safety standards consistent with current industry practices and guidance issued by the Massachusetts Department of Energy Resources ("DOER"). The ordinance requires compliance with all applicable building, fire and electrical codes.

The ordinance further provides the City Council, acting as the Special Permit Granting Authority, with the ability to review larger-scale proposals on a case-by-case basis through the Special Permit and Development Review process to ensure that impacts to surrounding properties and neighborhoods are appropriately addressed.

Accordingly, the Planning Board respectfully recommends that the City Council vote to adopt the proposed Battery Energy Storage Systems Ordinance and Overlay District as drafted.

Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

www.mtclawyers.com

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

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

TO: Pres. Jordan and Members of the Council
FR: Lisa L. Mead, City Solicitor
CC: Mayor Barrett
Jacki Byerly, Planning Director
RE: BESS Zoning amendment
DA: May 12, 2026

MAY 14 PM2:19
HAVCITYCLERK

Reference is made to the above captioned matter. In that connection, the Council has before it 2 proposed amendments to the Zoning Ordinance related to Battery Energy Storage Systems ("BESS"). I request that you receive and file the proposed ordinance from January 2025. I request that the Council act on the Ordinance filed last month. The Planning Board has held their public hearing and voted to recommend that the Council adopt the Ordinance.

**Why a BESS Zoning Ordinance?**

The City currently has no Zoning Ordinance regulating the location and use of a BESS facility or any size. In the case of Duxbury Energy Storage, LLC v. the Town of Duxbury Zoning Board of Appeals, Land Court Misc. 000643 (2025) the Land Court decided that the exemption set forth in G. L. c. 40A sec. 3 par. 9 for solar facilities applied to BESS as well. Noting that the Supreme Judicial Court in the case of Tracer Lane II Realty, LLC v. Waltham, 489 Mass 781 determined that Waltham's zoning code violates the Solar Energy Provision, concluding that "[a]n outright ban ... restricts rather than promotes the legislative goal of promoting solar energy. In the absence of a reasonable basis grounded in public health, safety, or welfare, such a prohibition is impermissible under the provision." *Id.* at 782. Further the Court in Duxbury provided that "...evaluating a bylaw's validity under G.L. c. 40A, § 3 requires balancing "the interest that the ordinance or bylaw advances and the impact on the protected use." *Id.* at 781. This requires assessing whether a restriction genuinely furthers a legitimate municipal interest and is rationally related to it, or if it impermissibly restricts the establishment of uses protected by the provision, and so is unreasonable. *Id.*, citing *Rogers v. Norfolk*, 432 Mass. 374, 379 (2000).(at 15). It is with this background that the Duxbury court determined that the exemption under G.L. c. 40A sec. 3 par. 9 applies to BESS facilities. Specifically, they said;

> The Solar Energy Provision specifically protects "***the building of structures*** that facilitate the collection of solar energy" (emphasis added). This means any aspects of a project that involve building qualifying structures gain the statute's protection.13 This interpretation aligns with how appellate courts have construed other provisions of the Dover Amendment. For instance, in *Watros v. Greater Lynn Mental Health & Retardation Assoc., Inc.*, 421 Mass. 106, 114 (1995), the Supreme Judicial Court held that where G.L. c. 40A, § 3, second par. explicitly exempted "land or structures" from certain zoning regulations, an accessory structure intended for

> educational use qualified for protection, even though it shared a lot with other unprotected residential structures. Thus, even if only the battery cabinets are considered structures – a point the Board 19 concedes and cannot reasonably dispute – building such structures at the Project site would be protected from prohibition or unreasonable regulation, provided they "facilitate the collection of solar energy. Id 18-19.

As a result and based upon the determination in Tracer Lane and its application to BESS facilities in Duxbury, the City should have an Ordinance reasonably regulating BESS facilities on a reasonable amount of land area. Otherwise the City would be at the will of someone who wants to locate one of these facilities anywhere in the City it so choses given the uses exemption under G.L. c. 40A sec. 3 par. 9.

Further, over the past year, the Department of Energy Resource ("DOER") has promulgated new consolidated permitting regulations related to Solar and BESS facilities, among other energy generating facilities, with which the City must comply by October of this year. The intent of the Act is to streamline and expedite the permitting of such facilities by allowing permit applicants to submit a single, Consolidated Local Permit Application. Municipalities will still handle all local permitting required for "small" projects, which are generally generation projects up to 25MW, battery storage projects up to 100 MWh, transmission or distribution infrastructure in existing rights of way less than 10 miles in length, or a new right of way of less than 1 mile. The state Energy Facilities Siting Board will handle all state and local permitting needed for "large" projects which exceed these thresholds.

Municipal implementation of the consolidated permitting program is anticipated to begin on July 1, 2026, and municipalities must accept consolidated permitting applications by **October 1, 2026**. Under the proposed framework, Applicants will initiate the consolidated permitting process by filing a Notice of Intent with the designated local government representative, identifying basic project features and describing community outreach efforts. The process includes meetings with municipal officials to review project details, identify required permits, and discuss stakeholder engagement. Applicants will conduct a preliminary site suitability assessment to be reviewed and approved by DOER, submit the same for review and feedback from the municipality on potential project modifications prior and as a requirement of filing a complete application. This process must be completed not more than 60 days prior to filing with the municipality, or the application shall be denied without prejudice. Applicants will file a pre-filing checklist with the municipality which must be reviewed by the municipality within 10 days of submission for completeness. If the prefiling requirements are not complete, the applicant will have an additional 30 days to complete the required items on the checklist, subject to an additional 30-day extension by the municipality. A determination that the pre-filing requirements has not been completed may be contested by the applicant. A single consolidated application will be used statewide and will encompass all approvals required for small clean energy facility projects. Municipalities will designate a permitting authority or coordinating official responsible for serving as a gatekeeper and managing the review process and ensuring coordination among local boards and departments. The municipality must issue a determination regarding completeness within 30 days of receiving an application or within 30 days of receiving any additional materials provided in response to a determination that the application is incomplete.

Notwithstanding the consolidated application process, municipal boards and departments will continue to apply existing state statutes and local bylaws, including but not limited to zoning, wetlands protection, historic preservation, and health regulations. Decisions of individual boards

under any such locally administered processes will be incorporated into a single consolidated local permit decision issued by the municipality.

Under the DOER framework, upon determination by the municipality's designated gatekeeper, that the application is complete, the municipality must issue a final decision under any local permitting scheme within twelve (12) months, absent extensions authorized by statute or regulation, or as may be agreed to by the Applicant. The Planning Director and I will be providing to the Council in the near future, any changes required to the Ordinance to reflect the requirements of the consolidated permitting required by DOER.

**Proposed Zoning Ordinance**

As a result of the foregoing, without yet providing the Council with a proposed Ordinance related to the Consolidated Permitting, but in light of the fact that there is a developer of BESS examining the possibility of coming into Haverhill, we proposed the attached Ordinance. It should be noted that the Mayor, City staff, Fire, Building, Health, Conservation, Planning, and many more have been intimately involved in the development of this ordinance.

Overall, the proposed ordinance establishes a comprehensive local regulatory framework governing the siting, permitting, construction, operation, maintenance, and decommissioning of Battery Energy Storage System facilities within the City, as noted in the Planning Board report. The ordinance provides for a permitting framework for various sizes of BESS facilities, Tier 1, Tier 2, and Tier 3 classifications, which are defined based upon the size or capacity of the system. Importantly, and in compliance with Tracer Lane as well as the litany of cases governing the exemptions under G.L. c. 40A sec. 3, smaller Tier 1 systems are permitted by right subject to Site Plan Review and applicable code requirements, while larger Tier 2 and Tier 3 facilities require a Special Permit and are limited to the proposed BESS Overlay District.

There is a noted change in the permitting process, different from that which the Council has followed in the past. In the proposed ordinance, an Applicant must file with the Council for a Special Permit after it has been determined that a complete application has been filed. The Council will then schedule and open its public hearing. Following an overview of the application, the public hearing will be continued and the application referred to the Development Review Committee which must thereafter provide to the Council its recommendations on the Applications within 90 days of referral to the Committee. By incorporating the Development Review Committee process into the Special Permit process, any conditions or changes recommended by the Committee will then, if the Council determines they are appropriate or desired, be included in the final decision.

All Tier 2 and Tier 3 BESS are subject to both Special Permit and Major Site Plan Review. The Applicants are required to comply with the Ordinance general special permit criteria as well as the specific Special Permit criteria of the BESS section.

It should be noted that the design requirements, lighting, vegetation, setbacks, emergency access, lot size and other dimensional requirements, fencing and screening, safety requirements and the like were all well vetted by the Fire, Police, Building, Electrical and other code professionals. The decommissioning plan, fund and insurance were modeled after previously approved and enacted ordinances and bylaws and best practices as well.

I look forward to discussing this with you next week.

10.3

# Document # 5-B OF 2025

Bill Pillsbury, Economic Development and Planning Director, requests Zoning Amendment – Battery Energy Storage System

***Continued from December 2, 2025***

**IN CITY COUNCIL:** January 13, 2026

**CONTINUED TO:** January 27, 2026

## 10 YEAS, 0 NAYS, 1 ABSENT, 1 ABSTENTATION

Attest: Kaitlin M. Wright

Kaitlin M. Wright, CMC
City Clerk

IN CITY COUNCIL: JANUARY 27,2026
CONTINUED TO: FEBRUARY 24, 2026 7 YEAS, 0 NAYS, 4 ABSENT

ATTEST: Kaitlin M. Wright
CITY CLERK

IN CITY COUNCIL: FEBRUARY 24,2026
CONTINUED TO: MARCH 17, 2026

ATTEST: Kaitlin M. Wright
CITY CLERK

IN CITY COUNCIL: MARCH 17 2026 10 YEAS, 0 NAYS, 1 ABSTENATION
CON'T TO APRIL 7 2026

ATTEST: Kaitlin M. Wright
KAITLIN M. WRIGHT, CMC
CITY CLERK

IN CITY COUNCIL: APRIL 7, 2026
CONT'D TO MAY 19, 2026
8 YEAS, 0 NAYS, 3 ABSENT

ATTEST: Kaitlin M. Wright
KAITLIN M.WRIGHT, CMC
CITY CLERK

## Kaitlin Wright

**From:** Lisa Mead <lisa@mtclawyers.com>
**Sent:** Friday, March 13, 2026 9:53 AM
**To:** Kaitlin Wright; Jacki Byerley; Tim Jordan
**Cc:** Lori Robertson; Natalia Hernandez
**Subject:** Re: BESS Zoning Hearing

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

Kaitlin
This is a zoning ordinance which requires the 14 day advertising. So I suspect the later April date.
Lisa

Lisa L. Mead
[she/her/hers]
Mead, Talerman & Costa LLC
30 Green St
Newburyport MA 01950
978 463 7700 ext 101
978 463 7747 (fax)
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**From:** Kaitlin Wright <kwright@haverhillma.gov>
**Sent:** Friday, March 13, 2026 9:51:23 AM
**To:** Lisa Mead <lisa@mtclawyers.com>; Jacki Byerley <JByerley@HaverhillMa.gov>; Tim Jordan <tjordan@haverhillma.gov>
**Cc:** Lori Robertson <lrobertson@haverhillma.gov>; Natalia Hernandez <NHernandez@HaverhillMa.gov>
**Subject:** RE: BESS Zoning Hearing

Thank you, Lisa. I am seeking an additional clarification. Are you trying to schedule for A or B?

**Kaitlin Wright**

**From:** Jacki Byerley
**Sent:** Friday, January 23, 2026 11:06 AM
**To:** Kaitlin Wright; Lisa Mead; Tim Jordan
**Cc:** Mayor; Lori Robertson; Christine Lindberg; Natalia Hernandez
**Subject:** RE: BESS Zoning Hearing

Hi Kaitlin, these regulations are still being reviewed and won't be ready for January 27th Council meeting. Can you please continue this to the February 24th meeting?

Thank you,
Jacki

**From:** Kaitlin Wright <kwright@haverhillma.gov>
**Sent:** Thursday, January 22, 2026 3:30 PM
**To:** Lisa Mead <lisa@mtclawyers.com>; Tim Jordan <tjordan@haverhillma.gov>
**Cc:** Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>; Christine Lindberg <clindberg@haverhillma.gov>; Natalia Hernandez <NHernandez@HaverhillMa.gov>; Jacki Byerley <JByerley@HaverhillMa.gov>
**Subject:** RE: BESS Zoning Hearing

Hi Lisa,

We are preparing the Council agenda for the January 27th meeting.

Wondering if the Battery Energy Storage System is ready to be heard on the 27th or if you think it will be continued again? If it needs to be continued, I will include that in the agenda packet.

All my best,

Kaitlin

**Kaitlin M. Wright, CMC**
*City Clerk*
4 Summer Street, Room 118
Office: (978) 374-2312
Fax: (978) 373-8490
kwright@haverhillma.gov

10 3

**Document # 5 - B**

William Pillsbury, *Economic Development and Planning Director*, requests Zoning Amendment - Battery Energy Storage Systems

Continued from August 5, 2025

IN CITY COUNCIL: SEPTEMBER 30, 2025

**COUNCIL VOTED TO CONTINUED TO DECEMBER 2, 2025 MEETING**

**10 YEAS, 0 NAYS, 1 ABSENT, 0 ABSTENTATION**

Attest: Kaitlin M. Wright

Kaitlin M. Wright, CMC
City Clerk

IN CITY COUNCIL: DECEMBER 2, 2025
VOTED TO CONTINUE TO JANUARY 13, 2026

ATTEST: Kaitlin M. Wright
CITY CLERK

10.1

**Kaitlin Wright**

**From:** Lisa Mead <lisa@mtclawyers.com>
**Sent:** Wednesday, November 19, 2025 1:51 PM
**To:** Kaitlin Wright; Thomas J Sullivan, Esq.; Thomas J. Sullivan
**Cc:** William Pillsbury; Mayor; Lori Robertson; Christine Lindberg; Natalia Hernandez; Jacki Byerley
**Subject:** RE: BESS Zoning Hearing

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The ~~14th~~ 13th please

Lisa L. Mead

[she/her/hers]

Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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**From:** Kaitlin Wright <kwright@haverhillma.gov>
**Sent:** Wednesday, November 19, 2025 12:53 PM
**To:** Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>; Lisa Mead <lisa@mtclawyers.com>; Thomas J. Sullivan <tsullivan@haverhillma.gov>
**Cc:** William Pillsbury <wpillsbury@haverhillma.gov>; Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>; Christine Lindberg <clindberg@haverhillma.gov>; Natalia Hernandez

Hearing March 18, 2025

# Haverhill

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

5

JAN 2 PM3:41
HAVCITYCLERK

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 hering 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: Kaitlin M. Wright City Clerk

IN CITY COUNCIL: March 18 2025
HEARING CONTINUED TO APRIL 29 2025
Attest: Kaitlin M. Wright City Clerk

IN CITY COUNCIL: April 29 2025
HEARING CONTINUED TO JUNE 3 2025
Attest: Kaitlin M. Wright City Clerk

IN CITY COUNCIL: JUne 3 2025
REQUEST TO CONTINUE BY CITY SOLICITOR TO JULY 8 2025
Attest: Kaitlin M. Wright City Clerk

IN CITY COUNCIL: July 8 2025
REQUEST TO CONTINUE TO AUGUST 5 2025
Attest: Kaitlin M Wright City Clerk

IN CITY COUNCIL: August 5 2025
CONTINUE TO SEPTEMBER 30, 2025
Attest: Kaitlin M Wright City Clerk

**Kaitlin Wright**

**From:** Lisa Mead <lisa@mtclawyers.com>
**Sent:** Wednesday, September 24, 2025 4:56 PM
**To:** Kaitlin Wright; Thomas J Sullivan, Esq.
**Cc:** William Pillsbury; Mayor; Lori Robertson
**Subject:** RE: BESS Zoning Hearing

Warning! External Email. Exercise caution when opening attachments or clicking on any links.
This will need to be continued to the first meeting in December. I believe that is what we discussed Mayor, correct?

Lisa

Lisa L. Mead

[she/her/hers]

Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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**From:** Kaitlin Wright <kwright@haverhillma.gov>
**Sent:** Wednesday, September 24, 2025 4:39 PM
**To:** Lisa Mead <lisa@mtclawyers.com>; Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>
**Cc:** William Pillsbury <wpillsbury@haverhillma.gov>; Mayor <mayor@haverhillma.gov>; Lori Robertson

**Kaitlin Wright**

**From:** Lisa Mead <lisa@mtclawyers.com>
**Sent:** Thursday, July 31, 2025 4:48 PM
**To:** Thomas J Sullivan, Esq.
**Cc:** Kaitlin Wright; William Pillsbury; Mayor; Lori Robertson
**Subject:** RE: BESS Zoning Hearing

Warning! External Email. Exercise caution when opening attachments or clicking on any links.
Go to the last meeting in September.

Lisa L. Mead

[she/her/hers]

Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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**From:** Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>
**Sent:** Thursday, July 31, 2025 4:31 PM
**To:** Lisa Mead <lisa@mtclawyers.com>
**Cc:** Kaitlin Wright <kwright@haverhillma.gov>; William Pillsbury <wpillsbury@haverhillma.gov>; Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>
**Subject:** Re: BESS Zoning Hearing

**Kaitlin Wright**

10.2

**From:** Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>
**Sent:** Thursday, July 3, 2025 11:29 AM
**To:** Lisa Mead; Kaitlin Wright; William Pillsbury
**Cc:** Mayor; Lori Robertson
**Subject:** RE: BESS Zoning Hearing

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Hi,

Let's continue until the first meeting in August please.

TY! August 5, 2025

Tom

Thomas J. Sullivan, Esq.
Downey Law Group, LLC
tsullivan@dlgclosing.com

Main Office and Mailing Address:
462 Boston Street
Topsfield, MA 01983
Phone: (978) 887-1000
Fax: (978) 887-1021

DLG Closing
Downey Law Group, LLC

Satellite Office:
345 Main Street
Haverhill, MA 01830
Phone: 978-373-2200

---

**From:** Lisa Mead <lisa@mtclawyers.com>
**Sent:** Thursday, July 3, 2025 11:25 AM
**To:** Kaitlin Wright <kwright@haverhillma.gov>; Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>; William Pillsbury <wpillsbury@haverhillma.gov>
**Cc:** Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>
**Subject:** RE: BESS Zoning Hearing

Please continue it again, we are waiting to hear from the developer. I would take it out a month.

Lisa L. Mead

[she/her/hers]

## Kaitlin Wright

**From:** Lisa Mead <lisa@mtclawyers.com>
**Sent:** Sunday, June 1, 2025 7:22 PM
**To:** Thomas J Sullivan, Esq.; Thomas J. Sullivan; Kaitlin Wright
**Cc:** William Pillsbury; Mayor
**Subject:** BESS Zoning

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Tom,

Please continue this public hearing to your first meeting in July. We are waiting to hear back from the developers.

Thank you,

Lisa

JUN 2 AM9:57
HAVCITYCLERK

Lisa L. Mead

[she/her/hers]

MTC

Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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## Kaitlin Wright

**From:** William Pillsbury
**Sent:** Monday, April 28, 2025 11:30 AM
**To:** Kaitlin Wright
**Cc:** Mayor; Lori Robertson; Lisa Mead
**Subject:** Request to postone Zoning hearing on Battery Storage

HI Kaitlin: At the request of City Solicitor Lisa Mead after discussion with President Sullivan, please accept this request to postpone the hearing on the Battery Energy Storage Systems (BESS) to the meeting of June 3rd . Thanks for your attention to this matter.

William Pillsbury
Economic Development and Planning Director

APR 28 AM 11:31
HAVCITYCLERK

#4

**Maria Bevilacqua** 10,2,1,4

**To:** HGLegals@hgazette.com
**Cc:** Kaitlin Wright
**Subject:** Hearing - Zoning Amendment-add new section 7.9 Battery Energy Storage Systems
**Attachments:** Hearing Zoning 2025 - Add new section 7.9 Battery Energy Storage Systems-Gazette Feb 20 & 27 2025.docx

Afternoon:

Please run this Hearing ad 2 times in the Gazette – Feb 20 & 27, 2025. Hearing Zoning Amendment – add a new section 7.9 Battery Energy Storage Systems.

Questions - please contact me at 978-420-3624.

Thank you!

Maria Bevilacqua

City Clerk's Office
Room 118
4 Summer st
Haverhill, MA 01830

# Haverhill

City Clerk's Office, Room 118
Phone: 978-420-3623 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

January 7, 2025

HYBRID HEARING
City Council Chambers, City Hall, Room 202, 4 Summer st

Notice is hereby given that a hearing will be held for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, March 18, 2025 at 7:00 pm on a request from Economic Development and Planning Director, William Pillsbury, for a Zoning Amendment – add a new section 7.9 Battery Energy Storage Systems
REFER TO PLANNING BOARD AND
COUNCIL HEARING MARCH 18, 2025

***(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website)***

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

**Advertise: February 20 & February 27, 2025**
**Haverhill Gazette**

Kaitlin M. Wright

Kaitlin M Wright
City Clerk

DOCUMENT 5-B

1012

# CITY OF HAVERHILL

In Municipal Council January 7 2025

~~ORDERED~~XXX MUNICIPAL ORDINANCE CHAPTER

An Ordinance re: Zoning - Add new section 7.9 Battery Storage Systems

Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin placed on file in the City Clerk's Office and posted on the municipal bulletin in City Hall.

5-13

PLACED ON FILE for at least 10 days

Attest;

Kaitlin M Wright City Clerk

## Maria Bevilacqua

Hearing

**From:** North of Boston <noreply@wave2adportal.com>
**Sent:** Friday, January 10, 2025 4:16 PM
**To:** Maria Bevilacqua; Maria Bevilacqua
**Subject:** Thank you for placing your order with us.
**Attachments:** W01296210.pdf

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# THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

## Job Details

Order Number:
**W0129621**
Business Type:
All Other Public Notices
Notice Size:
Public Notices
Notice Estimate:
$184.62
Referral Code: Hearing
**7.9 Battery Energy Storage**

## Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

## Schedule for notice number W01296210

**Thu Feb 20, 2025**
**Haverhill Gazette Public Notices**
*All Zones*

**Thu Feb 27, 2025**
**Haverhill Gazette Public Notices**
*All Zones*

**HYBRID HEARING**
**City Council Chambers, City Hall, Room 202, 4 Summer st**

Notice is hereby given that a hearing will be held for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, March 18, 2025 at 7:00 pm on a request from Economic Development and Planning Director, William Pillsbury, for a Zoning Amendment – Mixed Use

REFER TO PLANNING BOARD AND
COUNCIL HEARING MARCH 18, 2025

***(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website)***

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

Kaitlin M Wright
City Clerk

HG - Publication Dates

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## Maria Bevilacqua

**From:** CMacDonald@salemnews.com on behalf of HGLegals@hgazette.com
**Sent:** Friday, January 10, 2025 4:15 PM
**To:** Maria Bevilacqua
**Cc:** Maria Bevilacqua
**Subject:** Re: Hearing - Zoning Amendment-add new section 7.9 Battery Energy Storage Systems

[redacted]

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The confirmation has been emailed to you with the proof copy, print date, and cost.
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Cordially,
Christa MacDonald
Haverhill Gazette
North of Boston Media Group
978-946-2157
100 Turnpike St.
North Andover, MA 01845

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•To our pre-pay customers -- payment will be required before publication.

From: "Maria Bevilacqua" <maria@haverhillma.gov>
To: "HGLegals@hgazette.com" <HGLegals@hgazette.com>
Cc: "Kaitlin Wright" <kwright@haverhillma.gov>
Date: 01/07/2025 03:14 PM
Subject: Hearing - Zoning Amendment-add new section 7.9 Battery Energy Storage Systems

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Afternoon:

Please run this Hearing ad 2 times in the Gazette – Feb 20 & 27, 2025. Hearing Zoning Amendment – add a new section 7.9 Battery Energy Storage Systems.

Questions - please contact me at 978-420-3624.

Thank you!

## Maria Bevilacqua

Ordinance

**From:** North of Boston <noreply@wave2adportal.com>
**Sent:** Friday, January 10, 2025 3:59 PM
**To:** Maria Bevilacqua; Kaitlin Wright
**Subject:** Thank you for placing your order with us.
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## Job Details

Order Number:
**W0129615**
Business Type:
All Other Public Notices
Notice Size:
Public Notices
Notice Estimate:
$46.15
Referral Code:
**Zoning Ordinance Battery Storage Systems**

## Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

## Schedule for notice number W01296150

**Thu Feb 20, 2025**
**Haverhill Gazette Public Notices**
*All Zones*

**CITY OF HAVERHILL**
**In Municipal Council**
**Municipal Ordinance Chapter**

An Ordinance re: Zoning - Add new section 7.9 Battery Storage Systems

Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin placed on file in the City Clerk's. Office and posted on the municipal bulletin in City Hall.

PLACED ON FILE for at least 10 days

Attest; Kaitlin M Wright City Clerk
HG - February 20 2025

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Maria Bevilacqua

City Clerk's Office
Room 118
4 Summer st
Haverhill, MA 01830[attachment "Hearing Zoning 2025 - Add new section 7.9 Battery Energy Storage Systems-Gazette Feb 20 & 27 2025.docx" deleted by Christa MacDonald/NOB]

16.3

**Document # 5-B**

Ordinance re: Zoning - Add a new section 7.9 Battery Energy Storage Systems

filed January 9, 2025

IN CITY COUNCIL: SEPTEMBER 30, 2025

**CONTINUED TO DEC 2, 2025**

**9 YEAS, 0 NAYS, 1 ABSENT, 1 ABSTENTATION**

Attest: Kaitlin M. Wright

Kaitlin M. Wright, CMC
City Clerk

Approved: Melinda E. Barrett

Melinda E. Barrett, Mayor

Filed
8 Octavo pages

5-B

**MUNICIPAL ORDINANCE CHAPTER 255 Zoning**

**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:

5.B

10.21.5

- 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 redundance 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

10.2.1.5

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 3BESS:

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.

5.B

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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

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 accomodate 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.

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

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

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

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.

10.2.15

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.

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

10,2,1,

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** | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N | Y | Y | None |
| **25. Battery Energy Storage Systems: Tier 2** | N | N | N | N | N | N | N | N | N | N | N | N | N | CC | None |

5-B

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 26. Battery Energy Storage Systems: Tier 3 | N | N | N | N | N | N | N | N | N | N | N | N | N | CC | None |

IN CITY COUNCIL: January 7 2025
PLACED ON FILE for at least 10 days
Attest:
_____City Clerk

IN CITY COUNCIL: March 18 2025
CONTINUED TO APRIL 29 2025 (with Hearing)
Attest:
_____City Clerk

IN CITY COUNCIL: April 29 2025
HEARING CONTINUED TO JUNE 3 2025
Attest:
_____City Clerk

IN CITY COUNCIL: June 3 2025
REQUEST BY CITY SOLICITOR TO COTINUE TO JULY 8 2025
Attest:
_____City Clerk

IN CITY COUNCIL: July 8 2025
CONTINUED TO AUGUST 5, 2025
Attest:
_____City Clerk

IN CITY COUNCIL: August 5 2025
CONTINUE TO SEPTEMBER 30, 2025
Attest:
_____City Clerk

5-B

Filed
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HAVERHILL CLERK

**MUNICIPAL ORDINANCE CHAPTER 255 Zoning**

**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";**

For hearing March 18, 2025

§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:

- 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 redundance 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

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 3BESS:

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

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 accomodate 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.

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

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

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

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.

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

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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:

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| 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** | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N | Y | Y | None |
| **25. Battery Energy Storage Systems: Tier 2** | N | N | N | N | N | N | N | N | N | N | N | N | N | CC | None |

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 26. Battery Energy Storage Systems: Tier 3 | N | N | N | N | N | N | N | N | N | N | N | N | N | CC | None |

10.2

## Kaitlin Wright

**From:** Lisa Mead <lisa@mtclawyers.com>
**Sent:** Thursday, February 19, 2026 12:20 PM
**To:** Kaitlin Wright; Jacki Byerley; Tim Jordan
**Cc:** Mayor; Lori Robertson; Christine Lindberg; Natalia Hernandez
**Subject:** RE: BESS Zoning Hearing

Warning! External Email. Exercise caution when opening attachments or clicking on any links.
Katlin,

Can you continue it until Mid-March. I am hopeful to have a new ordinance for you in the next week, which will be filed and that will be withdrawn. Thank you

Lisa

Lisa L. Mead

[she/her/hers]

M T C

Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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If you have received the above transmittal in error, please delete the message and any attachment(s) hereto from your e-mail system and notify us immediately.*Please consider the environment before printing this email.*

Think before you print.

FEB 19 PM3:52
HAVCITYCLERK

**From:** Kaitlin Wright <kwright@haverhillma.gov>
**Sent:** Thursday, February 19, 2026 11:17 AM

11.2.1

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.HAVERHILLMA.GOV

MAY 15 AM8:23
HAVCITYCLERK

May 14, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Melinda E. Barrett

**RE: License Commission Reappointment – Linda Koutoulas**

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

Please be advised that I hereby reappoint Linda Koutoulas, 358 Gile Street, Haverhill, to the Haverhill License Commission. This is a non-confirming appointment which takes effect immediately and expires on May 31, 2029.

Sincerely,

**Melinda E. Barrett**
Mayor

MEB/em

Cc: City Clerk Kaitlin Wright

12.2.1

City of Haverhill, MA

May 11, 2026

## Record No: EVNT-26-14

Event Permit

Status: Active

Submitted On: 4/22/2026

### Primary Location

665 HILLDALE AVE
Haverhill, MA 01832

### Owner

DUSTON-DUSTIN
GARRISON HSE C/O JOSIAH
MORROW
RUTHERFORD AVE 24
HAVERHILL, MA 01830

### Applicant

Linda Koutoulas
508-451-9354
linda.koutoulas@gmail.com
358 Gile st
Haverhill, MA 01830

## Organization Information

MAY 11 AM10:47
HAVCITYCLERK

**Organization***

Duston Dustin Garrison House

**Organization Phone***

5084519354

**Organization Address***

665 Hilldale Ave

**Organization City***

Haverhill

**Organization State***

MA

**Organization Zip***

01830

**Is the Organization Tax Exempt?***

Yes

**Is the Organization Non-Profit?***

Yes

**Is the Organization a House of Worship?***

No

## Contact Information

**Contact Name***

Linda Koutoulas

**Contact Title***

Director

**Contact Phone***

5084519354

**Contact Email***

linda.koutoulas@gmail.com

**Contact Address***

358 Gile St

**Contact City***

Haverhill

**Contact State***

MA

**Contact Zip***

01830

## Property Owner Information

**Property Owner Name***

Duston Dustin Garrison House

**Property Owner Phone***

9785551212

**Property Owner Address***

665 Hilldale ave

**Property Owner City***

Haverhill

**Property Owner State***

MA

**Property Owner Zip***

01830

**Is the Applicant the Property Owner?**

No

## Event Information

**Description of event***

Annual Muster- militia reenactors, period demonstrations,craftspeople

**Type of Event***

Exhibit

**Event Date***

06/20/2026

**Event Location***

665 Hilldale Ave

**is the Event on Bradford Common?***

No

**Is the Event on City Property?***

No

**Event Venue***

Outdoor

**Number of Anticipated Attendees***

50

**Do attendees need to purchase a ticket to attend?**

No

**Is this event open to the public? Or private?**

Public

**Are You Requesting Additional Fees Be Waived? (APPLICATION FEE IS NOT WAIVABLE)***

Yes

**Event Start Time***

10AM

**Event End Time***

3PM

**Will Food Be Served/Sold at the Event?***

No

**Are you planning to serve alcohol?***

No

**Any Helpful Comments about Food**

**Special Considerations (i.e. fireworks)***

no food, no alcohol-We are requesting permission to park on Hilldale Ave and also for a detail police officer to facilitate this request.

## Parking Information

**Number of Parking Spaces Onsite***

20

**Have Off-site Parking Arrangements Been Made?***

No

**Are There Charges/Fees for Parking?***

No

## Sanitation Information

**Number of Public Restrooms Available***

1

**Type of Toilets***

Portable

**Please Describe Plans for Solid Waste Disposal & Recycling***

self managed

**IF PORTABLE TOILETS, Who is the Vendor?***

the throne depot

## General Release & Indemnity Agreement

**Yes***

☑

## Terms of Understanding

**Yes***

☑

# City Clerk Approval

Record No.**EVNT-26-14**

**Status** Completed

**Type** Approval

**Assignee** Kaitlin Wright

**Became Active** April 22, 2026

**Due Date** None

## Record No: EVNT-26-14

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Linda Koutoulas
508-451-9354
linda.koutoulas@gmail.com
358 Gile st
Haverhill, MA 01830

# Messages

**Kaitlin Wright** April 22, 2026 at 3:55 pm

Hi Linda, Could you please provide the cover page for your certificate of insurance that lists the City of Haverhill as additionally insured? I only need that page, not the whole policy. Also, could please provide a letter from the property owner allowing use of the space for the event? Thank you!

**Kaitlin Wright** April 30, 2026 at 12:23 pm

Following up - Hi Linda, Could you please provide the cover page for your certificate of insurance that lists the City of Haverhill as additionally insured? I only need that page, not the whole policy. Also, could please provide a letter from the property owner allowing use of the space for the event? Thank you!

# Building Inspector Approval

Record No.**EVNT-26-14**

**Status** Completed

**Type** Approval

**Assignee** Tom Bridgewater

**Became Active** May 5, 2026

**Due Date** None

## Record No: EVNT-26-14

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Linda Koutoulas
508-451-9354
linda.koutoulas@gmail.com
358 Gile st
Haverhill, MA 01830

## Messages

No comments yet.

# Fire Inspector Approval

Record No.**EVNT-26-14**

**Status** Completed

**Type** Approval

**Assignee** Justin Borden

**Became Active** May 5, 2026

**Due Date** None

## Record No: EVNT-26-14

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Linda Koutoulas
508-451-9354
linda.koutoulas@gmail.com
358 Gile st
Haverhill, MA 01830

## Messages

No comments yet.

# Health Inspector Approval

Record No.**EVNT-26-14**

**Status** Completed
**Became Active** May 5, 2026
**Type** Approval
**Due Date** None
**Assignee** Mark Tolman

## Record No: EVNT-26-14

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Linda Koutoulas
508-451-9354
linda.koutoulas@gmail.com
358 Gile st
Haverhill, MA 01830

## Messages

**Mark Tolman** May 11, 2026 at 9:03 am

No food permits, porta potties and rubbish storage and disposal required.

**Linda Koutoulas** May 11, 2026 at 10:10 am

We will have a portapotty and will handle any rubbish - thank you Mark!

City of Haverhill, MA

May 11, 2026

# Police Department Approval

Record No.**EVNT-26-14**

**Status** Completed

**Became Active** May 5, 2026

**Type** Approval

**Due Date** None

**Assignee** Kevin Lynch

## Record No: EVNT-26-14

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant


Linda Koutoulas

508-451-9354

linda.koutoulas@gmail.com

358 Gile st

Haverhill, MA 01830

# Messages

**Kaitlin Wright** May 5, 2026 at 12:40 pm

Hi Kevin, Linda asked me to share the following with you:

"There will be a demo of the flintlock and they will
be using black powder with no projectiles. They have done this in the past and need permission from police."

**Kaitlin Wright** May 5, 2026 at 12:41 pm

@Kevin Lynch See above.

# Public Works Director Approval

Record No.**EVNT-26-14**

**Status** Completed

**Type** Approval

**Assignee** Robert Kimball

**Became Active** May 5, 2026

**Due Date** None

## Record No: EVNT-26-14

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Linda Koutoulas
508-451-9354
linda.koutoulas@gmail.com
358 Gile st
Haverhill, MA 01830

## Messages

No comments yet.

April 22, 2026 at 3:13 PM

No leases, agreements or contracts

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 05/07/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| PRODUCER | CONTACT NAME: Stefanie Cowan | |
|---|---|---|
| Duffy Insurance Agency<br>191 Pawtucket Blvd<br>Lowell MA 01854 | PHONE (A/C, No, Ext): (351) 203-0912 | FAX (A/C, No): (978) 937-0745 |
| | E-MAIL ADDRESS: scowan@duffyins.com | |

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A : Nautilus | |
| INSURER B : | |
| INSURER C : | |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

INSURED: Duston-Dustin Garrison House Association, 665 Hilldale Avenue, Haverhill MA 01832

**COVERAGES** **CERTIFICATE NUMBER:** CL265721852 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | COMMERCIAL GENERAL LIABILITY<br>☐ CLAIMS-MADE ☐ OCCUR<br>Event policy<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>☐ POLICY ☐ PRO-JECT ☐ LOC<br>☐ OTHER: | | | NN1986817 | 06/20/2026 | 06/21/2026 | EACH OCCURRENCE<br>DAMAGE TO RENTED PREMISES (Ea occurrence)<br>MED EXP (Any one person)<br>PERSONAL & ADV INJURY<br>GENERAL AGGREGATE<br>PRODUCTS - COMP/OP AGG | $ 1,000,000<br>$ 100,000<br>$ 5,000<br>$ 1,000,000<br>$ 2,000,000<br>$ Included |
| | AUTOMOBILE LIABILITY<br>☐ ANY AUTO<br>☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS<br>☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY | | | | | | COMBINED SINGLE LIMIT (Ea accident)<br>BODILY INJURY (Per person)<br>BODILY INJURY (Per accident)<br>PROPERTY DAMAGE (Per accident) | $<br>$<br>$<br>$ |
| | ☐ UMBRELLA LIAB ☐ OCCUR<br>☐ EXCESS LIAB ☐ CLAIMS-MADE<br>☐ DED ☐ RETENTION $ | | | | | | EACH OCCURRENCE<br>AGGREGATE | $<br>$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N ☐ N/A<br>If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | ☐ PER STATUTE ☐ OTH-ER<br>E.L. EACH ACCIDENT<br>E.L. DISEASE - EA EMPLOYEE<br>E.L. DISEASE - POLICY LIMIT | <br>$<br>$<br>$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Haverhill is listed as additional insured as required by written contract.

This certificate is for illustration purposes only and should not be relied upon to determine coverage. If there is a contradiction between the language on this certificate and the language within the referenced policy, the policy terms and conditions will apply to any loss or damage in all cases.

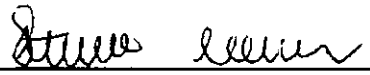
**CERTIFICATE HOLDER**

CITY OF HAVERHILL
4 SUMMER STREET
HAVERHILL MA 01830

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

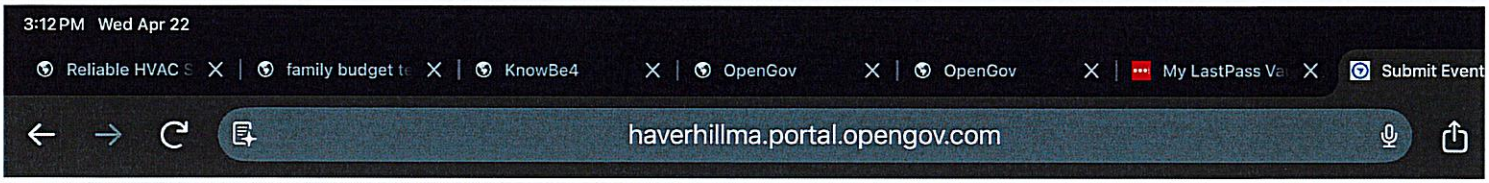
AUTHORIZED REPRESENTATIVE



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City of Haverhill, MA

My Account Search Linda

Have a project #?

Step 9 of 11 ·

Save Draft and Exit

Event Permit

## General Release & Indemnity Agreement

In consideration of a permit granted by the Haverhill City Council as requested herein, hereby remises, releases and forever discharges the City of Haverhill, its respective employees, agents and attorneys from all manner of actions, causes of actions, debts, dues, claims and demands both in law and in equity, more especially any and all claims as a result of the issuance of this permit or use of any City Property, including, but not limited to, property damages and personal injuries resulting from the same.

Yes *

☑

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City of Haverhill, MA

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# Office of the Massachusetts Attorney General

Charity Registration Details
DUSTON-DUSTIN GARRISON HOUSE ASSOCIATION

| AG Account Nu… | Primary Contact Phone | Primary Contact … | Primary Contact Email Address |
|---|---|---|---|
| 002805 | 978-821-5002 (tel… | Josiah Morrow | morrow92201@gmail.co… |

## Charity Information

Charity Name
DUSTON-DUSTIN GARRISON HOUSE ASSOCIATION

Address
134 Brickett Hill Cir

Phone
978-821-5002

City/Town
Haverhill

Fax

State
Massachusetts

Website
https://dustondustingarrisonhouse.org (https://dustondustingarrisonhouse.org)

Country
United states

Zip
01830

## Contact Information

DUSTON-DUSTIN
GARRISON
HOUSE

To Whom it May Concern:

The Duston-Duston Garrison House Association is hosting its fourth annual muster on Saturday, June 20, at the Duston-Dustin Garrison House, which is owned by the association. Therefore, the association grants itself permission to host an event on its property.

Regards,

Josiah E. Morrow
President
Duston-Dustin Garrison House Association

12.2.2

**Event Permit**

# EVNT-26-12

Submitted On: Apr 22, 2026

**Applicant**

Erin Padilla
5034764339
@ erin.cogswellarts@gmail.com

**Primary Location**

0 WASHINGTON ST
Haverhill, MA 01832

## Organization Information

**Organization**
Creative Haverhill

**Organization Phone**
5034764339

**Organization Address**
PO Box 205

**Organization City**
Haverhill

**Organization State**
MA

**Organization Zip**
01831

**Is the Organization Tax Exempt?**
Yes

**Is the Organization Non-Profit?**
Yes

**Is the Organization a House of Worship?**
No

MAY 18 AM10:29
HAVCITYCLERK

## Contact Information

**Contact Name**
Hailey Pearson

**Contact Title**
Haverhill Art Walk Director

**Contact Phone**
8457507941

**Contact Email**
haverhillartwalk@gmail.com

**Contact Address**
PO Box 205

**Contact City**
Haverhill

**Contact State**
MA

**Contact Zip**
01831

## Property Owner Information

**Property Owner Name**
N/A

**Property Owner Phone**
N/A

**Property Owner Address**
N/A

**Property Owner City**
N/A

**Property Owner State**
N/A

**Property Owner Zip**
N/A

**Is the Applicant the Property Owner?**
No

## Event Information

**Description of event**

Haverhill Art Walk - June

The Haverhill Art Walk is an outdoor and indoor community event in June and September throughout downtown Haverhill. Art Walk highlights local businesses, forgotten alleyways, and underutilized spaces with an artist market, Plein air painting, poetry, exhibitions, demonstrations, and music performances.

**Type of Event**

Festival

**Event Date**

06/06/2026

**Event Location**

Haverhill Riverfront Cultural District

**is the Event on Bradford Common?**

No

**Is the Event on City Property?**

Yes

**Event Venue**

Outdoor

**Number of Anticipated Attendees**

500

**Do attendees need to purchase a ticket to attend?**

No

**Is this event open to the public? Or private?**

Public

**Are You Requesting Additional Fees Be Waived? (APPLICATION FEE IS NOT WAIVABLE)**

Yes

**Event Start Time**

2:00 PM

**Event End Time**

6:00 PM

**Will Food Be Served/Sold at the Event?**

No

**Are you planning to serve alcohol?**

No

**Any Helpful Comments about Food**

N/A

**Special Considerations (i.e. fireworks)**

We would like to close the small parking area by the Wingate Street parking lot (the entrance area from Washington Street) directly outside of the Her Voice Carries mural by 43 Washington Street, so that we can host music performances in that lot as opposed to Washington Square this year. We think the mural would be a beautiful backdrop to live music, and that this location is a better fit for some of our live performances for Art Walk. Please advise what we may need to do to do this.

## Parking Information

**Number of Parking Spaces Onsite**

0

**Have Off-site Parking Arrangements Been Made?**

Yes

**IF YES, Please Provide Details of Offsite Arrangements**

City parking throughout downtown, and the MEVA parking garage

**Are There Charges/Fees for Parking?**

Yes

**IF YES, Please Specify the Type of Fees and the Amount(s).**

City of Haverhill parking fees – unless they are waived for the day.

## Sanitation Information

**Number of Public Restrooms Available**

0

**Type of Toilets**

Permanent

**Please Describe Plans for Solid Waste Disposal & Recycling**

Participants and attendees use the business bathrooms as needed, and the bathrooms at Creative Haverhill's 43 Washington Street location are offered to art walk performers and vendors. We clean up and remove any garbage our program and participants bring in.

## General Release & Indemnity Agreement

**Yes**

true

## Terms of Understanding

**Yes**

true

# City Clerk Approval

Record No.**EVNT-26-12**

**Status** Completed

**Type** Approval

**Assignee** Kaitlin Wright

**Became Active** April 22, 2026

**Due Date** None

## Record No: EVNT-26-12

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

No comments yet.

# Building Inspector Approval

Record No.**EVNT-26-12**

**Status** Completed

**Type** Approval

**Assignee** Tom Bridgewater

**Became Active** April 22, 2026

**Due Date** None

## Record No: EVNT-26-12

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

No comments yet.

# Fire Inspector Approval

Record No.**EVNT-26-12**

**Status** Completed
**Became Active** April 22, 2026
**Type** Approval
**Due Date** None
**Assignee** Justin Borden

## Record No: EVNT-26-12

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

# Messages

**Justin Borden** May 1, 2026 at 10:03 am

Are there going to be tents set up, and if so, are they open or closed sides?

Public gathering permit is required from the Fire
Department. (Free of charge) Any vendor using propane/cooking must have a fire
extinguisher. Any vendor carrying more than 42lbs of propane must obtain a permit from the Fire Department. Any questions please contact the office at 978-373-8460.

Events over 400 attendees require
a paid fire detail.

Please contact the office at
978-373-8460 to coordinate ordering of detail.

# Police Department Approval

Record No.**EVNT-26-12**

**Status** Completed

**Type** Approval

**Assignee** Kevin Lynch

**Became Active** April 22, 2026

**Due Date** None

## Record No: EVNT-26-12

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

**Kevin Lynch** April 23, 2026 at 12:02 am

You will need to relocate the total number of handicap parking spots in that area during the time of the closure.

**Kevin Lynch** April 23, 2026 at 12:03 am

You will also need an Event Permit for the Sept event.

# Public Works Director Approval

Record No.**EVNT-26-12**

**Status** Completed

**Type** Approval

**Assignee** Robert Kimball

**Became Active** April 22, 2026

**Due Date** None

## Record No: EVNT-26-12

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

**Kaitlin Wright** May 8, 2026 at 8:33 am

@Robert Kimball Please approve, I need to get this on the Council agenda for May 19th at the latest!!!

# Recreation Department Approval

Record No.**EVNT-26-12**

**Status** Completed

**Type** Approval

**Assignee** Ben Delaware

**Became Active** April 22, 2026

**Due Date** None

## Record No: EVNT-26-12

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

No comments yet.

# Mayor Approval for Use of City Property

Record No.EVNT-26-12

**Status** Completed

**Became Active** April 22, 2026

**Type** Approval

**Due Date** None

**Assignee** Effie Miscowski

## Record No: EVNT-26-12

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

No comments yet.

creative haverhill

## General Release & Indemnity Agreement

In consideration of a permit granted by the Haverhill City Council as requested herein, hereby remises, releases and forever discharges the City of Haverhill, its respective employees, agents and attorneys from all manner of actions, causes of actions, debts, dues, claims and demands both in law and in equity, more especially any and all claims as a result of the issuance of this permit or use of any City Property, including, but not limited to, property damages and personal injuries resulting from the same.

Yes *

☑

## Terms of Understanding

As licensee, I understand that it is my sole responsibility for the cost of any damage that occurs to public property or extraordinary expense necessary for the public safety as a result of the public event, exhibition, show or amusement. As Licensee, I also understand the I am responsible for the cost of any police or fire official(s) required by the Haverhill City Council to be in attendance at the event.

Yes *

☑

April 22nd, 2026

To whom it may concern,

As the Executive Director for Creative Haverhill, I agree to the statements above on behalf of myself, program contractors, and volunteers.

Sincerely,

E. Padilla

Erin Padilla
Executive Director | Creative Haverhill
Erin.cogswellarts@gmail.com
503-476-4339

Internal Revenue Service

Department of the Treasury
P. O. Box.2508
Cincinnati, OH 45201

Date: April 18, 2007

GREATER HAVERHILL CHAMBER OF
COMMERCE COMMUNITY ARTS
87 WINTER ST
HAVERHILL MA 01830-5759 877

Person to Contact:
John C. Crawford 31-08872
Customer Service Representative
Toll Free Telephone Number:
877-829-5500
Federal Identification Number:
22-2539427

Dear Sir or Madam:

This is in response to your request of April 18, 2007, regarding your organization's tax-exempt status.

In May 1987 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a public charity under sections 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,

Michele M. Sullivan

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations 1

# The Commonwealth of Massachusetts
## William Francis Galvin

Minimum Fee: $15.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Special Filing Instructions

**Articles of Amendment**
(General Laws, Chapter 180, Section 7)

**Identification Number:** 222539427

**We,** DANIELLE SMIDA **X President** **__ Vice President,**

**and** TIM JORDAN **X Clerk** **__ Assistant Clerk ,**

of GREATER HAVERHILL CHAMBER OF COMMERCE COMMUNITY ARTS AND EDUCATION FOUNDATION, INC.
located at: 80 MERRIMACK ST 2ND FLOOR HAVERHILL , MA 01830 USA

**do hereby certify that these Articles of Amendment affecting articles numbered:**

X Article 1 __ Article 2 __ Article 3 __ Article 4

*(Select those articles 1, 2, 3, and/or 4 that are being amended)*

of the Articles of Organization were duly adopted at a meeting held on 6/30/2015 , by vote of: 0 members, 6 directors, or 0 shareholders,
being at least two-thirds of its members/directors legally qualified to vote in meetings of the corporation (or, in the case of a corporation having capital stock, by the holders of at least two thirds of the capital stock having the right to vote therein):

**ARTICLE I**

The exact name of the corporation, *as amended*, is:
*(Do not state Article I if it has not been amended.)*

CREATIVE HAVERHILL, INCORPORATED

**ARTICLE II**

The purpose of the corporation, ***as amended***, is to engage in the following business activities:
*(Do not state Article II if it has not been amended.)*

**ARTICLE III**

A corporation may have one or more classes of members. ***As amended,*** the designation of such classes, the manner of election or appointments, the duration of membership and the qualifications and rights, including voting rights, of the members of each class, may be set forth in the by-laws of the corporation or may be set forth below:

**ARTICLE IV**

corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the business entity, or of its directors or members, or of any class of members, are as follows:
*(If there are no provisions state "NONE")*

The foregoing amendment(s) will become effective when these Articles of Amendment are filed in accordance with General Laws, Chapter 180, Section 7 unless these articles specify, in accordance with the vote adopting the amendment, a *later* effective date not more than *thirty days* after such filing, in which event the amendment will become effective on such later date.

**Later Effective Date:**

**Signed under the penalties of perjury, this 17 Day of July, 2015, DANIELLE SMIDA , its , President / Vice President,**
**TIM JORDAN , Clerk / Assistant Clerk.**

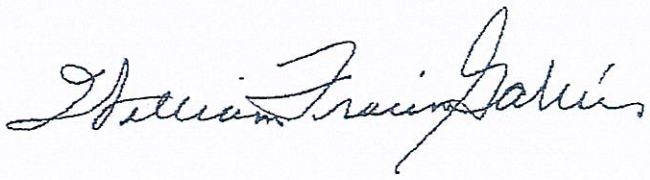
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MA SOC Filing Number: 201539153650 Date: 7/17/2015 3:23:00 PM

# THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

July 17, 2015 03:23 PM



WILLIAM FRANCIS GALVIN

*Secretary of the Commonwealth*

creative haverhill

April 22nd, 2026

To whom it may concern,

As the Executive Director for Creative Haverhill, I can confirm that no written consent is needed for this application.

Sincerely,

Erin Padilla
Executive Director | Creative Haverhill
Erin.cogswellarts@gmail.com
503-476-4339

ACORD

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/22/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
James Page Insurance Agency, Inc.
191 Merrimack St, Suite 306
Haverhill, MA 01830
License #: 1780398

CONTACT NAME: James Traver
PHONE (A/C, No, Ext): (978)373-3893 FAX (A/C, No): 9789127902
E-MAIL ADDRESS: jtraver@jamespageins.com

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A : Philadelphia Insurance | |
| INSURER B : | |
| INSURER C : | |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

INSURED
Creative Haverhill, Inc
PO Box 205
Haverhill, MA 01831-0205

**COVERAGES** **CERTIFICATE NUMBER:** 00066156-260422141007 **REVISION NUMBER:** 1

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. *LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. LIMITS SHOWN ARE INCLUSIVE OF AMOUNTS REQUESTED BY THE CERTIFICATE HOLDER AND MAY NOT REFLECT POLICY LIMIT AMOUNTS IN EXCESS OF THOSE REQUESTED. ***Not Applicable in WY**

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | X COMMERCIAL GENERAL LIABILITY | | | PPK2737989-000 | 04/01/2026 | 04/01/2027 | EACH OCCURRENCE | $ 1,000,000 |
| | CLAIMS-MADE X OCCUR | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | $ 100,000 |
| | | | | | | | MED EXP (Any one person) | $ 5,000 |
| | | | | | | | PERSONAL & ADV INJURY | $ 1,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERAL AGGREGATE | $ 2,000,000 |
| | POLICY PRO-JECT LOC | | | | | | PRODUCTS - COMP/OP AGG | $ 1,000,000 |
| | OTHER: | | | | | | | $ |
| | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) | $ |
| | ANY AUTO | | | | | | BODILY INJURY (Per person) | $ |
| | OWNED AUTOS ONLY / SCHEDULED AUTOS | | | | | | BODILY INJURY (Per accident) | $ |
| | HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY | | | | | | PROPERTY DAMAGE (Per accident) | $ |
| | | | | | | | | $ |
| | UMBRELLA LIAB OCCUR | | | | | | EACH OCCURRENCE | $ |
| | EXCESS LIAB CLAIMS-MADE | | | | | | AGGREGATE | $ |
| | DED RETENTION $ | | | | | | | $ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | | | PER STATUTE / OTH-ER | |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N N/A (Mandatory in NH) | | | | | | E.L. EACH ACCIDENT | $ |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. DISEASE - EA EMPLOYEE | $ |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | $ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER**

City of Haverhill
4 Summer St
Haverhill, MA 01830

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

(JPT)


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12.2.3

**Event Permit**

# EVNT-26-13

Submitted On: Apr 22, 2026

**Applicant**

Erin Padilla
5034764339
@ erin.cogswellarts@gmail.com

**Primary Location**

0 WASHINGTON ST
Haverhill, MA 01832

## Organization Information

**Organization**
Creative Haverhill

**Organization Phone**
5034764339

**Organization Address**
PO Box 205

**Organization City**
Haverhill

**Organization State**
MA

**Organization Zip**
01831

**Is the Organization Tax Exempt?**
Yes

**Is the Organization Non-Profit?**
Yes

**Is the Organization a House of Worship?**
No

MAY 13 AM10:29
HAVCITYCLERK

## Contact Information

**Contact Name**
Hailey Pearson

**Contact Title**
Haverhill Art Walk Director

**Contact Phone**
8457507941

**Contact Email**
haverhillartwalk@gmail.com

**Contact Address**
PO Box 205

**Contact City**
Haverhill

**Contact State**
MA

**Contact Zip**
01831

## Property Owner Information

**Property Owner Name**
N/A

**Property Owner Phone**
N/A

**Property Owner Address**
N/A

**Property Owner City**
N/A

**Property Owner State**
N/A

**Property Owner Zip**
N/A

**Is the Applicant the Property Owner?**
No

## Event Information

**Description of event**

Haverhill Art Walk - September

The Haverhill Art Walk is an outdoor and indoor community event in June and September throughout downtown Haverhill. Art Walk highlights local businesses, forgotten alleyways, and underutilized spaces with an artist market, Plein air painting, poetry, exhibitions, demonstrations, and music performances.

**Type of Event**

Festival

**Event Date**

09/26/2026

**Event Location**

Haverhill Riverfront Cultural District

**is the Event on Bradford Common?**

No

**Is the Event on City Property?**

Yes

**Event Venue**

Outdoor

**Number of Anticipated Attendees**

500

**Do attendees need to purchase a ticket to attend?**

No

**Is this event open to the public? Or private?**

Public

**Are You Requesting Additional Fees Be Waived? (APPLICATION FEE IS NOT WAIVABLE)**

Yes

**Event Start Time**

2:00 PM

**Event End Time**

6:00 PM

**Will Food Be Served/Sold at the Event?**

No

**Are you planning to serve alcohol?**

No

**Any Helpful Comments about Food**

N/A

**Special Considerations (i.e. fireworks)**

We would like to close the small parking area by the Wingate Street parking lot (the entrance area from Washington Street) directly outside of the Her Voice Carries mural by 43 Washington Street, so that we can host music performances in that lot as opposed to Washington Square this year. We think the mural would be a beautiful backdrop to live music, and that this location is a better fit for some of our live performances for Art Walk. Please advise what we may need to do to do this.

## Parking Information

**Number of Parking Spaces Onsite**

0

**Have Off-site Parking Arrangements Been Made?**

Yes

**IF YES, Please Provide Details of Offsite Arrangements**

City parking throughout downtown, and the MEVA parking garage

**Are There Charges/Fees for Parking?**

Yes

**IF YES, Please Specify the Type of Fees and the Amount(s).**

City of Haverhill parking fees – unless they are waived for the day.

## Sanitation Information

**Number of Public Restrooms Available**

0

**Type of Toilets**

Permanent

**Please Describe Plans for Solid Waste Disposal & Recycling**

Participants and attendees use the business bathrooms as needed, and the bathrooms at Creative Haverhill's 43 Washington Street location are offered to art walk performers and vendors. We clean up and remove any garbage our program and participants bring in.

## General Release & Indemnity Agreement

**Yes**

true

## Terms of Understanding

**Yes**

true

# City Clerk Approval

Record No.**EVNT-26-13**

**Status** Completed
**Became Active** April 22, 2026
**Type** Approval
**Due Date** None
**Assignee** Kaitlin Wright

## Record No: EVNT-26-13

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

No comments yet.

# Fire Inspector Approval

Record No.**EVNT-26-13**

**Status** Completed
**Became Active** April 27, 2026
**Type** Approval
**Due Date** None
**Assignee** Justin Borden

## Record No: EVNT-26-13

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

# Messages

**Justin Borden** May 1, 2026 at 10:05 am

Are there going to be tents set up, and if so, are they open or closed sides?

Public gathering permit is required from the Fire
Department. (Free of charge) Any vendor using propane/cooking must have a fire
extinguisher. Any vendor carrying more than 42lbs of propane must obtain a permit from the Fire Department. Any questions please contact the office at 978-373-8460.

Events over 400 attendees require
a paid fire detail.

Please contact the office at
978-373-8460 to coordinate ordering of detail.

# Police Department Approval

Record No.**EVNT-26-13**

**Status** Completed
**Became Active** April 27, 2026
**Type** Approval
**Due Date** None
**Assignee** Kevin Lynch

## Record No: EVNT-26-13

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

**Kevin Lynch** April 30, 2026 at 1:48 am

Please contact the Highway Department to post no parking in the area you are requesting.

# Public Works Director Approval

Record No.**EVNT-26-13**

**Status** Completed

**Type** Approval

**Assignee** Robert Kimball

**Became Active** April 27, 2026

**Due Date** None

## Record No: EVNT-26-13

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

No comments yet.

# Recreation Department Approval

Record No.**EVNT-26-13**

**Status** Completed
**Became Active** April 27, 2026
**Type** Approval
**Due Date** None
**Assignee** Ben Delaware

## Record No: EVNT-26-13

Event Permit

Status: Active

Submitted On: 4/22/2026

### Applicant

Erin Padilla
503-476-4339
erin.cogswellarts@gmail.com
50 S Riverview St
Haverhill, MA 01835

## Messages

No comments yet.

12. 2. 4

**Event Permit**

# EVNT-26-16

Submitted On: May 12, 2026

**Applicant**

Paul Safy
716-432-9597
@ paulsafyjr@gmail.com

**Primary Location**

2 MERRIMACK ST
Haverhill, MA 01830

## Organization Information

**Organization**
Golden Hill Community Playground

**Organization Phone**
7164329597

**Organization Address**
140 Boardman St

**Organization City**
Haveerhill

**Organization State**
MA

**Organization Zip**
01830

**Is the Organization Tax Exempt?**
Yes

**Is the Organization Non-Profit?**
Yes

**Is the Organization a House of Worship?**
No

MAY 15 AM9:37
HAVCITYCLERK

## Contact Information

**Contact Name**
Paul Safy

**Contact Title**
commitee co-lead

**Contact Phone**
7164329597

**Contact Email**
paulsafyjr@gmail.com

**Contact Address**
64 Riverview St

**Contact City**
Haverhill

**Contact State**
MA

**Contact Zip**
01830

## Property Owner Information

**Property Owner Name**
Merrimack Street Ventures

**Property Owner Phone**
6173508885

**Property Owner Address**
84 State Street Suite 600

**Property Owner City**
Boston

**Property Owner State**
MA

**Property Owner Zip**
02109

**Is the Applicant the Property Owner?**
No

## Event Information

**Description of event**

Fundraiser for The Haverhill Community PLayground Project at Golden Hill

**Type of Event**

Other

**IF OTHER, Please Specify**

Fundraiser

**Event Date**

05/28/2026

**Event Location**

2 Merrimack Street

**is the Event on Bradford Common?**

No

**Is the Event on City Property?**

No

**Event Venue**

Indoor

**Number of Anticipated Attendees**

120

**Do attendees need to purchase a ticket to attend?**

Yes

**Is this event open to the public? Or private?**

Public

**Are You Requesting Additional Fees Be Waived? (APPLICATION FEE IS NOT WAIVABLE)**

Yes

**Event Start Time**

6pm

**Event End Time**

9pm

**Will Food Be Served/Sold at the Event?**

Yes

**IF YES TO FOOD, By What Means?**

Caterer

**IF YES To FOOD, How Will it be Cooked?**

Prepared Off-site

**Are you planning to serve alcohol?**

Yes

**Any Helpful Comments about Food**

--

**Special Considerations (i.e. fireworks)**

none

## Parking Information

**Number of Parking Spaces Onsite**

0

**Have Off-site Parking Arrangements Been Made?**

Yes

**IF YES, Please Provide Details of Offsite Arrangements**

Street/public parking/uber

**Are There Charges/Fees for Parking?**

No

## Sanitation Information

**Number of Public Restrooms Available**

2

**Type of Toilets**

Permanent

**Please Describe Plans for Solid Waste Disposal & Recycling**

taken care of by building

## General Release & Indemnity Agreement

**Yes**

true

## Terms of Understanding

**Yes**

true

# City Clerk Approval

Record No.**EVNT-26-16**

**Status** Completed **Became Active** May 12, 2026

**Type** Approval **Due Date** None

**Assignee** Kaitlin Wright

## Record No: EVNT-26-16

Event Permit

Status: Active

Submitted On: 5/12/2026

## Messages

**Kaitlin Wright** May 12, 2026 at 9:57 am

Applicant is obtaining letter from property owner.

City of Haverhill, MA May 15, 2026

# License Commission Notification

Record No.EVNT-26-16

**Status** Completed **Became Active** May 12, 2026

**Type** Approval **Due Date** None

**Assignee** Nicholas Flynn

## Record No: EVNT-26-16

Event Permit

Status: Active

Submitted On: 5/12/2026

## Messages

**Nicholas Flynn** 🔒 **Internal** May 12, 2026 at 9:54 am

LCDL-26-6 pending this permit

# Building Inspector Approval

Record No.**EVNT-26-16**

**Status** Completed

**Type** Approval

**Assignee** Tom Bridgewater

**Became Active** May 12, 2026

**Due Date** None

## Record No: EVNT-26-16

Event Permit

Status: Active

Submitted On: 5/12/2026

## Messages

No comments yet.

# Fire Inspector Approval

Record No.**EVNT-26-16**

**Status** Completed

**Type** Approval

**Assignee** Justin Borden

**Became Active** May 12, 2026

**Due Date** None

## Record No: EVNT-26-16

Event Permit

Status: Active

Submitted On: 5/12/2026

## Messages

No comments yet.

# Health Inspector Approval

Record No.EVNT-26-16

**Status** Completed **Became Active** May 12, 2026

**Type** Approval **Due Date** None

**Assignee** Mark Tolman

## Record No: EVNT-26-16

Event Permit

Status: Active

Submitted On: 5/12/2026

## Messages

**Kaitlin Wright** May 14, 2026 at 9:10 am

@Mark Tolman please review ASAP by close of business today, event is being held May 28th and the final date for Council approval is this Tuesday's meeting on the 19th.

**Mark Tolman** May 14, 2026 at 9:35 am

Event will be indoors in a controlled environment.

Have caterer pull a temporary food permit for the event.

**Kaitlin Wright** May 14, 2026 at 9:38 am

@Mark Tolman thank you, Mark!

# Police Department Approval

Record No.EVNT-26-16

**Status** Completed **Became Active** May 12, 2026

**Type** Approval **Due Date** None

**Assignee** Kevin Lynch

## Record No: EVNT-26-16

Event Permit

Status: Active

Submitted On: 5/12/2026

## Messages

**Kaitlin Wright** May 14, 2026 at 9:10 am

@Kevin Lynch please review ASAP by close of business today, event is being held May 28th and the final date for Council approval is this Tuesday's meeting on the 19th.

# Public Works Director Approval

Record No.EVNT-26-16

**Status** Skipped

**Type** Approval

**Assignee** Robert Kimball

**Became Active** May 12, 2026

**Due Date** None

## Record No: EVNT-26-16

Event Permit

Status: Active

Submitted On: 5/12/2026

## Messages

**Kaitlin Wright** May 14, 2026 at 9:10 am

@Robert Kimball please review ASAP by close of business today, event is being held May 28th and the final date for Council approval is this Tuesday's meeting on the 19th.

**Kaitlin Wright** 🔒 **Internal** May 15, 2026 at 9:14 am

This step was skipped due to not receiving a response in time for the agenda and the time sensitive nature of application.

As discussed, space, entertainment, and food are all being sponsored or donated. Due to that, there are no current "contracts" in place.

I, Paul Safy, as the licensee, take responsibility for any issues that may arise from this event and release the City of Haverhill from said responsibility.

5/07/2026

Paul Safy Jr.

Form **W-9**
(Rev. March 2024)
Department of the Treasury
Internal Revenue Service

# Request for Taxpayer Identification Number and Certification

**Go to *www.irs.gov/FormW9* for instructions and the latest information.**

**Give form to the requester. Do not send to the IRS.**

**Before you begin.** For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See *Specific Instructions* on page 3.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)
Golden Hill Parent Teacher Organization - PTO

2 Business name/disregarded entity name, if different from above.

3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate

☐ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) . . . . .

**Note:** Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.

☒ Other (see instructions) nonprofit organization

3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions . . . . . ☐

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any)

*(Applies to accounts maintained outside the United States.)*

5 Address (number, street, and apt. or suite no.). See instructions.
140 Boardman St.

Requester's name and address (optional)

6 City, state, and ZIP code
Haverhill, MA 01830

7 List account number(s) here (optional)

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

**Social security number**
[ ][ ][ ] - [ ][ ] - [ ][ ][ ][ ]

**or**

**Employer identification number**
1 4 - 1 9 6 0 2 7 3

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign Here** Signature of U.S. person Danielle Hanagan Date 1/8/26

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

### What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

New England INVENTS
A 501(c)(3) Non-Profit Organization

Pinnacle at Harbor Place
2 Merrimack St. Suite 342
Haverhill, MA 01830

City of Haverhill
City Clerk
Licensing Board
May 14, 2026

To Whom it may concern

This is to confirm that the Haverhill Community Playground group will hold their event at Pinnacle at Harbor Place, 3rd floor, on Thursday May 28, 2026.

Thank you

George Peters

George Peters
CEO and President
New England Invents, Inc
978-337-0131
george@neinvents.org

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 05/07/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**

Insurance Canopy.
P.O. Box 34833
North Chesterfield VA 23234

**CONTACT NAME:** Insurance Canopy Program Support
**PHONE (A/C, No, Ext):** (844)-520-6993 **FAX (A/C, No):**
**E-MAIL ADDRESS:** info@insurancecanopy.com

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A : Certain Underwrtiers at Lloyds of London | |
| INSURER B : | |
| INSURER C : | |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

**INSURED**

Pinnacle at Harbor Place
2 Merrimack St
Haverhill MA 01830

**COVERAGES** **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | | |
|---|---|---|---|---|---|---|---|---|---|
| A | GENERAL LIABILITY<br>X COMMERCIAL GENERAL LIABILITY<br>CLAIMS-MADE X OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>X POLICY PRO-JECT LOC | X | | PK810226-GLLE264231 | 05/28/2026 | 05/30/2026 | EACH OCCURRENCE<br>DAMAGE TO RENTED PREMISES (Ea occurrence)<br>MED EXP (Any one person)<br>PERSONAL & ADV INJURY<br>GENERAL AGGREGATE<br>PRODUCTS - COMP/OP AGG<br>ANIMAL BAILEE | $<br>$<br>$<br>$<br>$<br>$<br>$ | 1,000,000<br>300,000<br>5,000<br>1,000,000<br>2,000,000<br>2,000,000 |
| | AUTOMOBILE LIABILITY<br>ANY AUTO<br>ALL OWNED AUTOS<br>SCHEDULED AUTOS<br>HIRED AUTOS<br>NON-OWNED AUTOS | | | | | | COMBINED SINGLE LIMIT (Ea accident)<br>BODILY INJURY (Per person)<br>BODILY INJURY (Per accident)<br>PROPERTY DAMAGE (Per accident) | $<br>$<br>$<br>$ | |
| | UMBRELLA LIAB OCCUR<br>EXCESS LIAB CLAIMS-MADE<br>DED RETENTION $ | | | | | | EACH OCCURRENCE<br>AGGREGATE | $<br>$ | |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICE/MEMBER EXCLUDED? Y / N<br>(Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below | N / A | | | | | WC STATU-TORY LIMITS OTH-ER<br>E.L. EACH ACCIDENT<br>E.L. DISEASE - EA EMPLOYEE<br>E.L. DISEASE - POLICY LIMIT | $<br>$<br>$ | |
| A | LIQUOR LIABILITY<br>☒ CLAIMS-MADE ☐ OCCUR | X | | PK810226-GLLE264231 | 05/28/2026 | 05/30/2026 | | | |

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)**

Certificate holder had been added as additional insured regarding the above mentioned policy per attached Additional Insured - Designated Person or Organization (CG 20 26, ED. 04 13)

**CERTIFICATE HOLDER**

City of Haverhill
4 Summer St
Haverhill, MA 01830

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**Schedule**

**Name of Additional Insured Person(s) or Organization(s):**

City of Haverhill

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

**A.** **SECTION II - WHO IS AN INSURED** is amended to include as an Additional Insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. in the performance of your ongoing operations; or

2. in connection with your premises owned by or rented to you.

However:

1. the insurance afforded to such additional insured only applies to the extent permitted by law; and

2. if coverage provided to the Additional Insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

**B.** With respect to the insurance afforded to these Additional Insureds, the following is added to **SECTION III – LIMITS OF INSURANCE:**

If coverage provided to the Additional Insured is required by a contract or agreement, the most we will pay on behalf of the Additional Insured is the amount of insurance:

1. required by the contract or agreement; or

2. available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

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13.1

Document

CITY OF HAVERHILL

In Municipal Council

**Ordered:**

That $175,749.86 will be transferred from fiscal 2025 certified free cash to fund the implementation costs of new tax collector software.

MAY 15 AM 10:26
HAVCITYCLERK

# Statement of Work

City of Haverhill, MA

Creation Date: 12/18/2025
SoW Expiration Date: 5/15/2026
Document Number: PS-10484.2
Created by: Emily Scheckel

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# OpenGov Statement of Work

## 1. Project Scope and Understanding

This Statement of Work ("SOW") outlines the Professional Services OpenGov will provide to City of Haverhill, MA ("Customer") under the applicable Order Form. Professional Services or technical requirements not listed in this SOW are out of scope.

## 2. Exhibits

The following exhibits are incorporated by reference and are part of this SOW:

2.1. Exhibit 1: Implementation Activities

2.1.1. Tax & Revenue Collection

## 3. OpenGov Responsibilities

OpenGov will provide a framework for planning, communication, progress tracking, and coordination for activities in Exhibit 1. In collaboration with Customer, OpenGov will develop and maintain the Project Plan. The "Project Plan" is a detailed, living document that defines how the project will be executed, including tasks, timelines, milestones, and team assignments. OpenGov will monitor progress against the Project Plan, coordinate adjustments to tasks and schedules as needed, and conduct status meetings as agreed to by the parties. OpenGov will provide weekly status reports, a Project Charter, and a RAID register (Risks, Actions, Issues, and Decisions). The "Project Charter" is a high-level document outlining the project's purpose, goals, key stakeholders, success criteria, and major milestones.

## 4. Customer Responsibilities

The Customer will appoint a primary point of contact with authority to make binding decisions ("Customer's Project Manager"). This person will coordinate internal resources, assign subject matter experts ("SMEs"), and oversee implementation. Responsibilities include attending status meetings, making timely decisions, providing requested information, escalating issues internally, and collaborating on the Project Plan and Change Order process, if applicable.

Customer acknowledges that the success of this project is contingent on its full participation. Customer must provide data within ten (10) business days of a request, maintain consistent data formats and access throughout the project, and allocate the necessary Customer resources and time to support deliverables and meet agreed-upon timelines.

Any failure by Customer to meet its responsibilities under this SOW (each, a "Customer Delay") will automatically suspend the affected obligations of OpenGov for the duration of the Customer Delay and for a reasonable restart period thereafter. All affected milestones, delivery dates, and service-level commitments

will be extended on a day-for-day basis (or as otherwise reasonably necessary) to account for the Customer Delay, and may result in an adjustment of the fees if OpenGov incurs additional time, materials, or other costs as a result. Under no circumstances will any consequence of a Customer Delay constitute a breach by OpenGov of this SOW or of the Agreement, nor will OpenGov be liable for any failure to meet a performance obligation that is caused, in whole or in part, by a Customer Delay.

## 5. Project Delivery

OpenGov will perform services under this SOW remotely. OpenGov may use a combination of OpenGov personnel and OpenGov-trained implementation partners to deliver the services described in this SOW.

## 6. Estimated Schedule

The estimated duration of this work is 4 months. The specific timeline, including order of delivery of the suite(s), will be determined during the project planning activities in the Initiate Phase. Services are estimated to begin within two (2) weeks and no later than four (4) weeks from contract signature. OpenGov reserves the right to adjust the schedule based on the availability of Customer or OpenGov resources, and the timeliness of deliverables provided by the Customer.

## 7. Acceptance Procedure

OpenGov will submit completed deliverables to the Customer's Project Manager for review. Within five (5) business days of receipt, the Customer's Project Manager will either provide written acceptance or a list of requested revisions. In the event there are requested revisions, the subsequent review period for acceptance will follow the same timeline until final acceptance. If Customer does not respond within this period, the deliverable will be deemed accepted. Once a deliverable is accepted, any requested changes will require a paid Change Order.

Acceptance milestones and review timelines will be tracked in the Project Plan. Both parties acknowledge that delays in task completion or unresolved issues may impact the project timeline. If OpenGov determines in good faith that Customer is not fulfilling its responsibilities under this SOW, OpenGov may place services on hold following a minimum of five (5) business days' written notice. The notice will specify the actions needed to progress the project. During the hold period, OpenGov may reallocate resources without penalty and will not be responsible for resulting delays.

## 8. Modifications

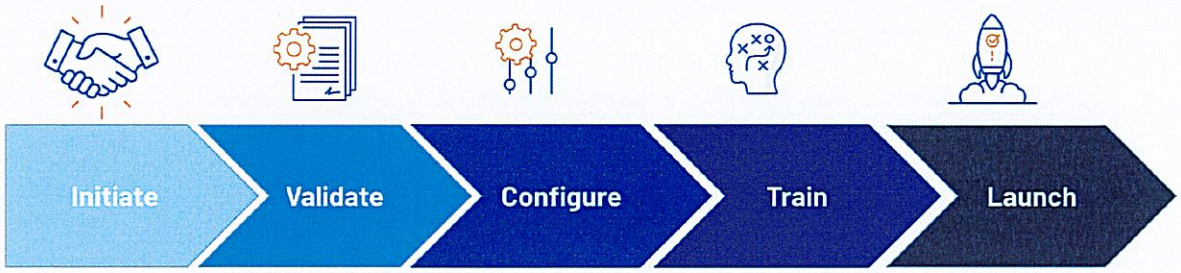
The fees and estimated timeline are based on the scope and assumptions in this SOW. If either party determines that a change to the scope is necessary, the parties will collaborate to define the required modification, which may result in fee adjustments based on OpenGov's standard rates. All modifications must be documented in a written Change Order and signed by both parties ("Change Order"). Examples of changes include revisions to the project timeline, deliverables, or resource allocation.

## 9. Communication and Escalation Procedure

OpenGov and Customer agree to maintain regular communication in alignment with the Project Plan to ensure progress, resolve questions promptly, and minimize risk. Both parties will raise any issues or concerns in a timely manner. If challenges are not resolved through standard project discussions, Customer and OpenGov Project Managers will escalate to their respective executive leadership teams to jointly determine a resolution and align on a path to successful implementation.

# Exhibit 1: Implementation Activities

OpenGov Implementation Methodology Overview




Every OpenGov implementation follows a five-phase hybrid methodology designed to ensure a structured and collaborative deployment. The phases are:

1. Initiate – OpenGov provisions access and performs initial system setup.
2. Validate – OpenGov works with the Customer to confirm requirements and review initial configurations.
3. Configure – OpenGov completes system configuration as outlined in this SOW.
4. Train – OpenGov provides training to system administrators and/or end users, as applicable.
5. Launch – OpenGov provides post-go-live support and transitions the Customer to OpenGov's Customer Success Team.

Each implementation is structured around these phases. Deliverables, sign-offs, and completion criteria are aligned to the relevant phase.

## Tax & Revenue Collection:

Use cases for Tax & Revenue:

- Real Estate Tax
- Personal Property Tax
- Motor Vehicle Tax
- Farm Animal and Equipment Excise Tax
- Miscellaneous Tax
- Boat Excise Tax

## Initiate

### Provisioning Tax & Revenue Website Instance

OpenGov will:

- Create the Tax & Revenue site
- Create the admin user account
- Review the getting started menu items with the customer

Customer will:

- Validate the Admin user can log in to the site
- Setup system users and confirm each user can log in
- Complete the online training as assigned for each section of the implementation.

Completion Criteria:

- The customer verifies access to the site.
- The customer confirms completing the online training.
- All users have logged into the site successfully.
- The customer acknowledges the ability to download the data import templates

# Validate

## Technical Project Review

OpenGov will:

- Provide up to one (1) one-hour working session at the beginning of the project to:
    - Review deliverables
    - Review the available Payment Providers:
        - Forte
        - Municipay
        - Certified Payments
        - Invoice Cloud
        - Allpaid
        - MSB
        - Cybersource
        - iPayment
        - Government Window
    - Provide documentation on requirements and processes

OpenGov Assumptions:

- Sample bills, forms, and letters will be provided within two (2) weeks immediately following the kick-off meeting.
- Interface layout samples will be provided within two (2) weeks immediately following the kick-off meeting.
- Sample data for the import templates will be provided within two (2) weeks of the kick-off meeting.

Customer will:

- Identify relevant participants for attendance.
- Provide contact information for all parties involved in the implementation, including any 3rd parties for interfaces.
- Confirm deliverables.

- Gather and provide relevant data for the project including import data, forms and interface requirements.

Completion Criteria:

- Customer sign-off on the project plan.

# Configure

## Organization

OpenGov will:

- Assist the Customer admin with the configuration
    - Provide basic feedback, if requested, on Customer's final setup with regard to best practices and efficiency.

OpenGov Assumptions:

- Admin is the decision maker for the configuration

Customer will:

- Configure the organizational setup area of the site

## Users and Security

OpenGov will:

- Assist the admin with adding the user, relating roles, and selecting a security level

OpenGov Assumptions:

- Admin is the decision-maker for users, roles, and security

Customer will:

- Admin will add users and related roles and select the security level. All users should log in to confirm proper access and update their password as needed.

## Payment Types and Providers

OpenGov will:

- Review how the customer's selected payment provider will be used in the tool.
- Review the customer's selected payment provider and how it is set up in the Tax & Revenue system.

OpenGov Assumptions:

- Admin is the decision-maker for payment types and providers

Customer will:

- Admin will define payment types and payment providers.
- Complete all 3rd party payment Sign up paperwork
- Customer and OpenGov will fill in the payment provider sandbox and/or go live values.
- Bear all monetary costs towards the provision of test and/or production platform instances by the selected payment provider.

## Notification Groups

OpenGov will:
- Define the use case for notification groups to determine if the function will be used.
- Assist the admin with adding notification groups

OpenGov Assumptions:
- Admin is the decision-maker for notification groups

Customer will:
- Admin will assign employees to notification groups where applicable

## Event Types

OpenGov will:
- Define the use case for event types
- Assist the admin with adding event types

OpenGov Assumptions:
- Admin is the decision-maker for event types

Customer will:
- Admin will add event types where applicable and delete unwanted default event types.

## Mortgage Companies

OpenGov will:
- Define the use case for mortgage companies with a property tax software
- Assist the admin with adding mortgage companies such as Core Logic.

OpenGov Assumptions:
- Admin is the decision-maker for mortgage companies

Customer will:
- Admin will add mortgage companies where applicable

## Groups

OpenGov will:
- Define the use case for groups
- Assist the admin with adding groups

OpenGov Assumptions:
- Admin is the decision-maker for groups

Customer will:
- Admin will add groups where applicable

## Revenue Types

OpenGov will:
- Provide up to four (4) configuration sessions per Revenue Type with the Customer's subject matter experts to configure the following Revenue Types:

    - Real Estate Tax
    - Personal Property Tax
    - Motor Vehicle Tax
    - Farm Animal and Equipment Excise Tax
    - Miscellaneous Tax
    - Boat Excise Tax
- Assist the admin with setting up revenue types

OpenGov Assumptions:

- Admin is the decision-maker as to revenue type use cases

Customer will:

- Attend working sessions to validate, review, and iterate upon Revenue Type configuration.
- Admin identify and design revenue types
- Admin will setup the revenue types

## Rate Code and Schedules

OpenGov will:

- Assist the admin with setting up rate codes and schedules

OpenGov Assumptions:

- Admin is the decision-maker as to rate codes and schedules
- Admin has understanding of the appropriate general ledger account numbers
- Rate Code set up includes up to fifteen (15) Rate Codes per Revenue Type.

Customer will:

- Admin sets up rate codes and schedules

## Business Filings

OpenGov will:

- Assist the admin in identifying business taxes to be collected and the Filing code category setup for each type.

OpenGov Assumptions:

- Admin is the decision-maker to identify and create business tax filing codes.

Customer will:

- Setup all needed Filing codes and select the behavior options per filing code.
- Setup includes filing codes, linking to rate codes, cycle setup, license template selection and filing template setup.

## Data Import

OpenGov will:

- Instruct the admin on the location of the import templates
- Explain the process of importing data
- Determine what data is capable of being converted through import.
- Provide instructions for customer validation of data conversion.
- Review templates for data import for error checking.

OpenGov Assumptions:

- Customer is responsible for extraction of data from existing system and delivering to OpenGov for conversion and import.
- Property Record Data will be in .csv or Excel format.
- Customer is responsible formatting data to meet OpenGov specifications.

Customer will:

- Provide the data at the appropriate time during the project
- Provide Property Record data.
- Validate the formatted data provided by OpenGov prior to import.
- Validate the imported data
- Sign off on the data load.

## Bill Template Creation

OpenGov will:

- Provide a list of existing bill templates for the customer to choose from.
- Assist Customer in setting up bill template default values to appear on billing statement.

OpenGov Assumptions:

- Customer will use an OpenGov template for billing needs.

Customer will:

- Select which bill templates will be used.
- Setup bill template default values in the bill template area.

## Custom Bill Template Creation

OpenGov will:

- Create a Custom Bill Template (Municipal Lien Certificate) based on a sample format provided by the customer.
- Assist Customer in setting up bill template default values to appear on billing statement.

OpenGov Assumptions:

- Customer will provide the format requirements for the template.

Customer will:

- Provide the format requirements for the template.
- Setup bill template default values in the bill template area.

## Public Portal

OpenGov will:

- Assist the admin with the configuration
    - Provide basic feedback, if requested, on Customer's final setup with regard to best practices and efficiency.

OpenGov Assumptions:

- Admin is the decision maker for the configuration

Customer will:

- Configure the public portal

# Train

## Administrative Training

OpenGov will:

- Provide up to four (4) hours of training intended for Administrative Users on system functionality. Topics will include, but not be limited to:
    - System Navigation
    - Revenue Types
    - Rate Schedules and Rate Codes
    - Creating New Records
    - Cases
    - Balancing Exceptions Thresholds
    - Adjustment Types
    - Template Setup
    - Payments
    - Balancing
    - Voids / Returns
    - Credit Memos
    - Adjustments
    - Refunds

Customer will:

- Attend training sessions as scheduled by the Project Manager and agreed to in the Project Plan.

## Revenue Training

OpenGov will:

- Provide up to seven (7) hours of training intended for Administrative Users on system functionality. Topics will include, but not be limited to:
    - Property Tax Billing Process:
        - Assessment import
        - Assessment corrections
        - Adjustments
        - Applying bulk charges
        - Bill creation and delivery
        - Payments and balancing.
    - Filing Based Business Tax Process:
        - Filing Code setup
        - Business record filing service assignment
        - Applying bulk and single filings
        - Filing notifications
        - Filing a return

1602 Village Market Blvd SE, Suite 320
Leesburg, VA20175 USA

**Cage Code:** 7QV38
**UEI Number** Y7D5MXRU2839
**DUNS#** 080431574
**Federal Tax ID:** 81-3911287
**Business Size:** Small Business

**Date:** 5/11/2026, 3:19 PM

**Phone:** 571 707-4130
**Fax:** 571-291-4119
**Email:** opengov@vertosoft.com

**Vertosoft Contact:** Carly Moore
**Phone:** (540) 998-8361
**Email**: carly.moore@vertosoft.com

# Vertosoft Quote for OpenGov - City of Haverhill, MA

**Contract:** Sourcewell: 060624-VTO

**Quote #:** Q-23317
**Expires On:** 5/29/2026

**Ship To**
City of Haverhill, MA
,Doug Russell
drussell@haverhillma.gov

**Quote For**:
**Name:**
**Company:** City of Haverhill, MA
**Email**:
**Phone:**

| PAYMENT TERMS | DELIVERY METHOD | PAYMENT METHOD | VERTOSOFT CUST ID | SUPPLIER REF |
|---|---|---|---|---|
| Net 30 | Electronic | Check/ACH/Credit Card | | |

Overall POP Start Date: 6/1/2026
Overall POP End Date: 6/30/2029

Term 1 6/1/2026 - 6/30/2026

| PART # | DESCRIPTION | QTY | UNIT PRICE | EXTENDED |
|---|---|---|---|---|
| OG-TWDB-B150200M-AR-3Y | OpenGov Tax and Revenue - Between $150-200 Million - 3Y | 1.00 | $1,295.23 | $1,295.23 |
| OG-TWDC-B150200M-AR-3Y | Tax and Revenue: Real/Personal Property Tax - Between $150-200 Million - 3Y | 1.00 | $3,985.74 | $3,985.74 |
| OG-TWDD-B150200M-AR-3Y | Tax and Revenue: Vehicle Property Tax - Between $150-200 Million - 3Y | 2.00 | $498.21 | $996.42 |
| OG-PSBG-B150200M-OT-0Y | Professional Services Deployment - Prepaid - Between $150-200 Million - 0Y | 429.00 | $210.67 | $90,377.43 |
| | | | **Term 1 TOTAL:** | $96,654.82 |

Term 2 7/1/2026 - 6/30/2027

| PART # | DESCRIPTION | QTY | UNIT PRICE | EXTENDED |
|---|---|---|---|---|
| OG-TWDB-B150200M-AR-3Y | OpenGov Tax and Revenue - Between $150-200 Million - 3Y | 1.00 | $16,319.88 | $16,319.88 |
| OG-TWDC-B150200M-AR-3Y | Tax and Revenue: Real/Personal Property Tax - Between $150-200 Million - 3Y | 1.00 | $50,220.28 | $50,220.28 |
| OG-TWDD-B150200M-AR-3Y | Tax and Revenue: Vehicle Property Tax - Between $150-200 Million - 3Y | 2.00 | $6,277.44 | $12,554.88 |
| | | | **Term 2 TOTAL:** | $79,095.04 |

Term 3 7/1/2027 - 6/30/2028

| PART # | DESCRIPTION | QTY | UNIT PRICE | EXTENDED |
|---|---|---|---|---|
| OG-TWDB-B150200M-AR-3Y | OpenGov Tax and Revenue - Between $150-200 Million - 3Y | 1.00 | $17,135.87 | $17,135.87 |
| OG-TWDC-B150200M-AR-3Y | Tax and Revenue: Real/Personal Property Tax - Between $150-200 Million - 3Y | 1.00 | $52,731.29 | $52,731.29 |
| OG-TWDD-B150200M-AR-3Y | Tax and Revenue: Vehicle Property Tax - Between $150-200 Million - 3Y | 2.00 | $6,591.32 | $13,182.64 |
| | | | **Term 3 TOTAL:** | $83,049.80 |

Term 4 7/1/2028 - 6/30/2029

| PART # | DESCRIPTION | QTY | UNIT PRICE | EXTENDED |
|---|---|---|---|---|
| OG-TWDB-B150200M-AR-3Y | OpenGov Tax and Revenue - Between $150-200 Million - 3Y | 1.00 | $17,992.67 | $17,992.67 |
| OG-TWDC-B150200M-AR-3Y | Tax and Revenue: Real/Personal Property Tax - Between $150-200 Million - 3Y | 1.00 | $55,367.86 | $55,367.86 |
| OG-TWDD-B150200M-AR-3Y | Tax and Revenue: Vehicle Property Tax - Between $150-200 Million - 3Y | 2.00 | $6,920.88 | $13,841.76 |
| | | | **Term 4 TOTAL:** | $87,202.29 |

**Grand Total:** $346,001.95

Annual invoices will be delivered by the start of each consecutive annual period. Payment of invoices shall be annually in advance. Any Professional Services shall be performed pursuant to the attached Statement of Work, if any.

Quote Terms

By purchasing the products and services described in this order form, the Customer is expressly agreeing to the End User Agreement published at https://www.vertosoft.com/terms-and-conditions-opengov

Taxes: Sales tax shall be added at the time of an invoice, unless a copy of a valid tax exemption or resale certificate is provided.
Credit Card Orders: Additional fees may apply if paying by credit card.

All Purchase Orders must include: End User Name, Phone Number, Email Address, Purchase Order Number, Government Contract Number or Our Quote Number, Bill-To and Ship-To Address (Cannot ship to a PO Box), Period of Performance (if applicable), and a Signature of a duly Authorized Representative.

Form **W-9**
(Rev. March 2024)
Department of the Treasury
Internal Revenue Service

# Request for Taxpayer Identification Number and Certification

**Go to *www.irs.gov/FormW9* for instructions and the latest information.**

**Give form to the requester. Do not send to the IRS.**

**Before you begin.** For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See *Specific Instructions* on page 3.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)

Vertosoft LLC

2 Business name/disregarded entity name, if different from above.

3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate

☑ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) . . . . S

**Note:** Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.

☐ Other (see instructions)

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any)

*(Applies to accounts maintained outside the United States.)*

3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions . . . . . ☐

5 Address (number, street, and apt. or suite no.). See instructions.

1602 Village Market Blvd STE 320

6 City, state, and ZIP code

Leesburg, VA 20175

Requester's name and address (optional)

7 List account number(s) here (optional)

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

**Social security number**

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | – | | | – | | | | |

**or**

**Employer identification number**

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 8 | 1 | – | 3 | 9 | 1 | 1 | 2 | 8 | 7 |

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign Here** | **Signature of U.S. person** H. Jay Colavita | **Date** 01/01/2026

# General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

## What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

must obtain your correct taxpayer identification number (TIN), which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid).
- Form 1099-DIV (dividends, including those from stocks or mutual funds).
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds).
- Form 1099-NEC (nonemployee compensation).
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers).
- Form 1099-S (proceeds from real estate transactions).
- Form 1099-K (merchant card and third-party network transactions).
- Form 1098 (home mortgage interest), 1098-E (student loan interest), and 1098-T (tuition).
- Form 1099-C (canceled debt).
- Form 1099-A (acquisition or abandonment of secured property).

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

**Caution:** If you don't return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

**By signing the filled-out form,** you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued);
2. Certify that you are not subject to backup withholding; or
3. Claim exemption from backup withholding if you are a U.S. exempt payee; and
4. Certify to your non-foreign status for purposes of withholding under chapter 3 or 4 of the Code (if applicable); and
5. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting is correct. See *What Is FATCA Reporting*, later, for further information.

**Note:** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding.** Payments made to foreign persons, including certain distributions, allocations of income, or transfers of sales proceeds, may be subject to withholding under chapter 3 or chapter 4 of the Code (sections 1441–1474). Under those rules, if a Form W-9 or other certification of non-foreign status has not been received, a withholding agent, transferee, or partnership (payor) generally applies presumption rules that may require the payor to withhold applicable tax from the recipient, owner, transferor, or partner (payee). See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

The following persons must provide Form W-9 to the payor for purposes of establishing its non-foreign status.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the disregarded entity.
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the grantor trust.
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust and not the beneficiaries of the trust.

See Pub. 515 for more information on providing a Form W-9 or a certification of non-foreign status to avoid withholding.

**Foreign person.** If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person (under Regulations section 1.1441-1(b)(2)(iv) or other applicable section for chapter 3 or 4 purposes), do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515). If you are a qualified foreign pension fund under Regulations section 1.897(l)-1(d), or a partnership that is wholly owned by qualified foreign pension funds, that is treated as a non-foreign person for purposes of section 1445 withholding, do not use Form W-9. Instead, use Form W-8EXP (or other certification of non-foreign status).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a saving clause. Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

***Example.*** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if their stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first Protocol) and is relying on this exception to claim an exemption from tax on their scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

## Backup Withholding

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include, but are not limited to, interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third-party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

**Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester;
2. You do not certify your TIN when required (see the instructions for Part II for details);
3. The IRS tells the requester that you furnished an incorrect TIN;
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only); or
5. You do not certify to the requester that you are not subject to backup withholding, as described in item 4 under "*By signing the filled-out form*" above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

See also *Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding*, earlier.

## What Is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all U.S. account holders that are specified U.S. persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

## Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you are no longer tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

## Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

# Specific Instructions

### Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

• **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

**Note for ITIN applicant:** Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040 you filed with your application.

• **Sole proprietor.** Enter your individual name as shown on your Form 1040 on line 1. Enter your business, trade, or "doing business as" (DBA) name on line 2.

• **Partnership, C corporation, S corporation, or LLC, other than a disregarded entity.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

• **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. Enter any business, trade, or DBA name on line 2.

• **Disregarded entity.** In general, a business entity that has a single owner, including an LLC, and is not a corporation, is disregarded as an entity separate from its owner (a disregarded entity). See Regulations section 301.7701-2(c)(2). A disregarded entity should check the appropriate box for the tax classification of its owner. Enter the owner's name on line 1. The name of the owner entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2. If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

### Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, enter it on line 2.

### Line 3a

Check the appropriate box on line 3a for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3a.

| IF the entity/individual on line 1 is a(n) . . . | THEN check the box for . . . |
|---|---|
| • Corporation | Corporation. |
| • Individual or<br>• Sole proprietorship | Individual/sole proprietor. |
| • LLC classified as a partnership for U.S. federal tax purposes or<br>• LLC that has filed Form 8832 or 2553 electing to be taxed as a corporation | Limited liability company and enter the appropriate tax classification:<br>P = Partnership,<br>C = C corporation, or<br>S = S corporation. |
| • Partnership | Partnership. |
| • Trust/estate | Trust/estate. |

### Line 3b

Check this box if you are a partnership (including an LLC classified as a partnership for U.S. federal tax purposes), trust, or estate that has any foreign partners, owners, or beneficiaries, and you are providing this form to a partnership, trust, or estate, in which you have an ownership interest. You must check the box on line 3b if you receive a Form W-8 (or documentary evidence) from any partner, owner, or beneficiary establishing foreign status or if you receive a Form W-9 from any partner, owner, or beneficiary that has checked the box on line 3b.

**Note:** A partnership that provides a Form W-9 and checks box 3b may be required to complete Schedules K-2 and K-3 (Form 1065). For more information, see the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

If you are required to complete line 3b but fail to do so, you may not receive the information necessary to file a correct information return with the IRS or furnish a correct payee statement to your partners or beneficiaries. See, for example, sections 6698, 6722, and 6724 for penalties that may apply.

### Line 4 Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

**Exempt payee code.**

• Generally, individuals (including sole proprietors) are not exempt from backup withholding.

• Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.

• Corporations are not exempt from backup withholding for payments made in settlement of payment card or third-party network transactions.

• Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space on line 4.

1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2).

2—The United States or any of its agencies or instrumentalities.

3—A state, the District of Columbia, a U.S. commonwealth or territory, or any of their political subdivisions or instrumentalities.

4—A foreign government or any of its political subdivisions, agencies, or instrumentalities.

5—A corporation.

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or territory.

7—A futures commission merchant registered with the Commodity Futures Trading Commission.

8—A real estate investment trust.

9—An entity registered at all times during the tax year under the Investment Company Act of 1940.

10—A common trust fund operated by a bank under section 584(a).

11—A financial institution as defined under section 581.

12—A middleman known in the investment community as a nominee or custodian.

13—A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

| IF the payment is for . . . | THEN the payment is exempt for . . . |
|---|---|
| • Interest and dividend payments | All exempt payees except for 7. |
| • Broker transactions | Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012. |
| • Barter exchange transactions and patronage dividends | Exempt payees 1 through 4. |
| • Payments over $600 required to be reported and direct sales over $5,000[1] | Generally, exempt payees 1 through 5.[2] |
| • Payments made in settlement of payment card or third-party network transactions | Exempt payees 1 through 4. |

[1] See Form 1099-MISC, Miscellaneous Information, and its instructions.

[2] However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

**Exemption from FATCA reporting code.** The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) entered on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37).

B—The United States or any of its agencies or instrumentalities.

C—A state, the District of Columbia, a U.S. commonwealth or territory, or any of their political subdivisions or instrumentalities.

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i).

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i).

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state.

G—A real estate investment trust.

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940.

I—A common trust fund as defined in section 584(a).

J—A bank as defined in section 581.

K—A broker.

L—A trust exempt from tax under section 664 or described in section 4947(a)(1).

M—A tax-exempt trust under a section 403(b) plan or section 457(g) plan.

**Note:** You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

### Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, enter "NEW" at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

### Line 6

Enter your city, state, and ZIP code.

## Part I. Taxpayer Identification Number (TIN)

**Enter your TIN in the appropriate box.** If you are a resident alien and you do not have, and are not eligible to get, an SSN, your TIN is your IRS ITIN. Enter it in the entry space for the Social security number. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). If the LLC is classified as a corporation or partnership, enter the entity's EIN.

**Note:** See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at *www.SSA.gov*. You may also get this form by calling 800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at *www.irs.gov/EIN*. Go to *www.irs.gov/Forms* to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to *www.irs.gov/OrderForms* to place an order and have Form W-7 and/or Form SS-4 mailed to you within 15 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and enter "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, you will generally have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note:** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon. See also *Establishing U.S. status for purposes of chapter 3 and chapter 4 withholding*, earlier, for when you may instead be subject to withholding under chapter 3 or 4 of the Code.

**Caution:** A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

## Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

**Signature requirements.** Complete the certification as indicated in items 1 through 5 below.

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third-party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

## What Name and Number To Give the Requester

| For this type of account: | Give name and SSN of: |
|---|---|
| 1. Individual | The individual |
| 2. Two or more individuals (joint account) other than an account maintained by an FFI | The actual owner of the account or, if combined funds, the first individual on the account[1] |
| 3. Two or more U.S. persons (joint account maintained by an FFI) | Each holder of the account |
| 4. Custodial account of a minor (Uniform Gift to Minors Act) | The minor[2] |
| 5. a. The usual revocable savings trust (grantor is also trustee) | The grantor-trustee[1] |
| b. So-called trust account that is not a legal or valid trust under state law | The actual owner[1] |
| 6. Sole proprietorship or disregarded entity owned by an individual | The owner[3] |
| 7. Grantor trust filing under Optional Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))** | The grantor* |
| 8. Disregarded entity not owned by an individual | The owner |
| 9. A valid trust, estate, or pension trust | Legal entity[4] |
| 10. Corporation or LLC electing corporate status on Form 8832 or Form 2553 | The corporation |
| 11. Association, club, religious, charitable, educational, or other tax-exempt organization | The organization |
| 12. Partnership or multi-member LLC | The partnership |
| 13. A broker or registered nominee | The broker or nominee |
| 14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments | The public entity |
| 15. Grantor trust filing Form 1041 or under the Optional Filing Method 2, requiring Form 1099 (see Regulations section 1.671-4(b)(2)(i)(B))** | The trust |

[1] List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

[2] Circle the minor's name and furnish the minor's SSN.

[3] You must show your individual name on line 1, and enter your business or DBA name, if any, on line 2. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

[4] List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

* **Note:** The grantor must also provide a Form W-9 to the trustee of the trust.

** For more information on optional filing methods for grantor trusts, see the Instructions for Form 1041.

**Note:** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

## Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information, such as your name, SSN, or other identifying information, without your permission to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax return preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity, or a questionable credit report, contact the IRS Identity Theft Hotline at 800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 877-777-4778 or TTY/TDD 800-829-4059.

**Protect yourself from suspicious emails or phishing schemes.** Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to *phishing@irs.gov*. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 800-366-4484. You can forward suspicious emails to the Federal Trade Commission at *spam@uce.gov* or report them at *www.ftc.gov/complaint*. You can contact the FTC at *www.ftc.gov/idtheft* or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see *www.IdentityTheft.gov* and Pub. 5027.

Go to *www.irs.gov/IdentityTheft* to learn more about identity theft and how to reduce your risk.

## Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and territories for use in administering their laws. The information may also be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payors must generally withhold a percentage of taxable interest, dividends, and certain other payments to a payee who does not give a TIN to the payor. Certain penalties may also apply for providing false or fraudulent information.

13.2

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.HAVERHILLMA.GOV

May 14, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

**RE: FY25 Bills**

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

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

| Vendor | Amount | Account |
|---|---|---|
| City Hall Systems | $ 0.25 | Treasurer/Collector |
| City Hall Systems | $ 0.50 | Treasurer/Collector |
| City Hall Systems | $ 0.50 | Treasurer/Collector |
| City Hall Systems | $ 7.25 | Treasurer/Collector |
| City Hall Systems | $ 4.50 | Treasurer/Collector |

Total: $ 13.00

I recommend approval.

Sincerely,

Melinda E. Barrett

**Melinda E. Barrett**
Mayor
MEB/em

Document

CITY OF HAVERHILL

In Municipal Council

JAN 15 AM 8:24
CITY CLERK

Ordered:

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

| Vendor | Amount | Account |
|---|---|---|
| City Hall Systems | $0.25 | Treasurer/Collector |
| City Hall Systems | $0.50 | Treasurer/Collector |
| City Hall Systems | $0.50 | Treasurer/Collector |
| City Hall Systems | $7.25 | Treasurer/Collector |
| City Hall Systems | $4.50 | Treasurer/Collector |
| | $13.00 | |

**City Hall Systems**
3 Rosenfeld Drive
Hopedale, MA 01747 US
+18002392155
www.cityhallsystems.com

# INVOICE:

**BILL TO**
City of Haverhill
Treasurer/Collector
City Hall, Room 114
4 Summer Street
Haverhill, MA 01830

**INVOICE: #** 21265
**DATE** 06/11/2025
**DUE DATE** 07/11/2025

| DATE | ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|---|---|---|---|---|---|
| | **Haverhill ACH** | ACH Online Fees - May 2025 | 1 | 0.25 | 0.25 |

Make payments to :
City Hall Systems, Inc.
3 Rosenfeld Drive
Hopedale, MA 01747

| | |
|---|---|
| SUBTOTAL | 0.25 |
| TAX | 0.00 |
| TOTAL | 0.25 |
| BALANCE DUE | **$0.25** |

Please direct questions regarding this invoice to Becky at (508) 381-5430, rdonaher@cityhallsystems.com or our Billing Department at (508) 381-5454, billing@cityhallsystems.com.

**City Hall Systems**
3 Rosenfeld Drive
Hopedale, MA 01747 US
+18002392155
www.cityhallsystems.com

# INVOICE:

**BILL TO**
City of Haverhill
Treasurer/Collector
City Hall, Room 114
4 Summer Street
Haverhill, MA 01830

**INVOICE: #** 21185
**DATE** 05/10/2025
**DUE DATE** 06/09/2025

| DATE | ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|---|---|---|---|---|---|
| | **Haverhill ACH** | ACH Online Fees - April 2025 | 2 | 0.25 | 0.50 |

Make payments to :
City Hall Systems, Inc.
3 Rosenfeld Drive
Hopedale, MA 01747

| | |
|---|---|
| SUBTOTAL | 0.50 |
| TAX | 0.00 |
| TOTAL | 0.50 |
| BALANCE DUE | **$0.50** |

Please direct questions regarding this invoice to Becky at (508) 381-5430, rdonaher@cityhallsystems.com or our Billing Department at (508) 381-5454, billing@cityhallsystems.com.

**City Hall Systems**
3 Rosenfeld Drive
Hopedale, MA 01747 US
+18002392155
www.cityhallsystems.com

# INVOICE:

**BILL TO**
City of Haverhill
Treasurer/Collector
City Hall, Room 114
4 Summer Street
Haverhill, MA 01830

**INVOICE: #** 21105
**DATE** 04/11/2025
**DUE DATE** 05/11/2025

| DATE | ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|---|---|---|---|---|---|
| | **Haverhill ACH** | ACH Online Fees - March 2025 | 2 | 0.25 | 0.50 |

Make payments to :
City Hall Systems, Inc.
3 Rosenfeld Drive
Hopedale, MA 01747

| | |
|---|---|
| SUBTOTAL | 0.50 |
| TAX | 0.00 |
| TOTAL | 0.50 |
| BALANCE DUE | **$0.50** |

Please direct questions regarding this invoice to Becky at (508) 381-5430, rdonaher@cityhallsystems.com or our Billing Department at (508) 381-5454, billing@cityhallsystems.com.

**City Hall Systems**
3 Rosenfeld Drive
Hopedale, MA 01747 US
+18002392155
www.cityhallsystems.com

# INVOICE:

**BILL TO**
City of Haverhill
Alicia T McOsker,
Treasurer/Collector
City Hall, Room 114
4 Summer Street
Haverhill, MA 01830

**INVOICE: #** 20328
**DATE** 06/07/2024
**DUE DATE** 07/07/2024

| DATE | ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|---|---|---|---|---|---|
| | **Haverhill ACH** | ACH Online Fees Police Detail-Fiscal Year 2024 | 29 | 0.25 | 7.25 |

| | |
|---|---|
| SUBTOTAL | 7.25 |
| TAX | 0.00 |
| TOTAL | 7.25 |
| BALANCE DUE | **$7.25** |

Please direct questions regarding this invoice to Becky at (508) 381-5430, rdonaher@cityhallsystems.com or our Billing Department at (508) 381-5454, billing@cityhallsystems.com.

**City Hall Systems**
3 Rosenfeld Drive
Hopedale, MA 01747 US
+18002392155
www.cityhallsystems.com

# INVOICE:

**BILL TO**
City of Haverhill
Alicia T McOsker,
Treasurer/Collector
City Hall, Room 114
4 Summer Street
Haverhill, MA 01830

**INVOICE: #** 18612
**DATE** 06/30/2022
**DUE DATE** 07/30/2022

| DATE | ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|---|---|---|---|---|---|
| | **Haverhill ACH** | ACH Online Fees Police Detail-Fiscal Year 2022 | 18 | 0.25 | 4.50 |

| | |
|---|---|
| SUBTOTAL | 4.50 |
| TAX | 0.00 |
| TOTAL | 4.50 |
| BALANCE DUE | **$4.50** |

Please direct questions regarding this invoice to Becky at (508) 381-5430, rdonaher@cityhallsystems.com or our Billing Department at (508) 381-5454, billing@cityhallsystems.com.

16.1

# Document 26-B

Order- That $9,500,000 is appropriated for the purpose of financing the engineering and construction of the Little River Dam Removal and River Restoration project, including the removal of the Little River Dam and the restoration of the channel and floodplain through the Little River Dam impoundment

***This vote requires a two -third majority vote**

**IN CITY COUNCIL: May 5, 2026**

**File 10 Days**

**10 YEAS, 0 NAYS, 1 ABSENT**

Attest: Kaitlin M. Wright

Kaitlin M. Wright, CMC
City Clerk

5.2

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.HAVERHILLMA.GOV

May 1, 2026

**To:** City Council President Timothy J. Jordan and Members of the Haverhill City Council

**From:** Mayor Melinda E. Barrett

**Re:** Loan Order – Little River Dam Removal and River Restoration Project

Dear Mr. President and Members of the City Council:

I respectfully submit the attached Loan Order for the Little River Dam Removal and River Restoration Project.

I recommend approval.

Very truly yours,

Melinda E. Barrett

**Melinda E. Barrett**
Mayor

# Haverhill

Robert E. Ward, DPW Director
Phone: 978-374-2382 Fax: 978-521-4083
rward@haverhillma.gov


Date : April 30, 2026

To: The Honorable Melinda E. Barrett
Mayor of Haverhill

From: Robert E. Ward
DPW Director

Subject: Proposed Loan Order - Little River Dam Removal and River Restoration Project

Attached is a proposed loan order for the Little River Dam Removal and River Restoration Project for your review and consideration, and for such action as you and the City Council deem appropriate. As required by bond counsel, the loan order amount is $9.5 million, the full value of the estimated cost of the base bid. As discussed below, the City has $5 million in grant funds that will reduce the actual amount to be borrowed to $4.5 million.

The project includes the removal of the existing Little River Dam and the restoration of the river channel and adjacent floodplain through the former impoundment area. Major work elements include excavation and off-site disposal of impacted soils, reuse of suitable materials, construction of a naturalized stream channel using bioengineering techniques, installation of rock weirs to support fish passage, stabilization of banks and infrastructure through retaining walls and scour protection, and full site restoration with native seed and plantings.

The removal of the dam will restore a free-flowing river system, reconnect aquatic habitat, improve water quality, and reduce long-term maintenance and public safety concerns associated with the aging dam structure. The project will also create opportunities for future public access and recreational use along the river corridor. Attached is a plan showing the project location and a rendering of the future conditions.

The project bid documents also include Add Alternates for the construction of several public amenities for improved river access, including a canoe/kayak launch, fishing platform, and access trails within Cashman Park, and a pocket park/overlook at Winter Street, as well as a pedestrian bridge across the river at Cashman Park and associated trail connecting the park to Stevens Street. The additional cost for these amenities is $2.8 million.

This Add Alternatives approach allows the City to move forward with the core environmental restoration work (base bid) while maintaining flexibility to incorporate some or all the alternates depending on the bids received, and available funding.

The estimated construction cost for the base bid of the project is approximately $9.5 million. To date, the City has secured approximately $5 million in grant funding toward this effort. Of that amount, $4 million is time-sensitive funding. Three million dollars must be expended by June 30, 2027, and $1 million by December 31, 2026. Failure to meet these requirements would place the City at risk of forfeiting a substantial portion of the awarded grant funds, which would significantly impact the financial feasibility of the project.

In addition, the City has applied for approximately $4 million in additional grant funding to support the project; however, award decisions are not expected for two to three months and are not guaranteed.

The estimated debt payments, assuming level debt service, on $4.5 million over 20 years is $332,000 per year and will be funded by the City's General Fund.

The project is currently being advanced toward construction, with construction bids due May 13, 2026, and dam removal anticipated to begin in summer 2026 and extend through fall 2027, followed by final restoration and stabilization activities. This schedule is closely tied to the grant funding deadlines noted above and underscores the importance of securing timely authorization to proceed. As noted in the attached Bid Advertisement, the award of the construction contract is contingent on funding and the city obtaining ownership or control of the dam.

Given the funding deadlines, the competitive bidding environment, and the environmental and public benefits of the project, timely consideration of this loan order is critical to maintaining project momentum and preserving the City's eligibility for existing grant funding.

Please let me know if you have any questions or would like any additional information.

Attachments

- Loan order – For City Council approval
- Map and project rendering
- Bid Advertisement
- Opinion of Construction Cost
- Estimated debt service

Cc: Christine Lindberg, Chief of Staff, clindberg@haverhillma.gov
Josselyn Deleon-Estrada, Deputy Chief of Staff, jdeleon-estrada@haverhillma.gov
Angel Perkins, Chief Financial Officer, aperkins@haverhillma.gov
Lisa Mead, Mead, Talerman & Costa LLC, lisa@mtclawyers.com
Robert E. Moore, Environmental Health Technician, rmoore@haverhillma.gov
Julianna Busa, Senior Resilience Scientist, julianne.busa@fando.com

DOCUMENT

# CITY OF HAVERHILL

In Municipal Council

MAY 1 AM9:25
HAVCITYCLERK

ORDERED:

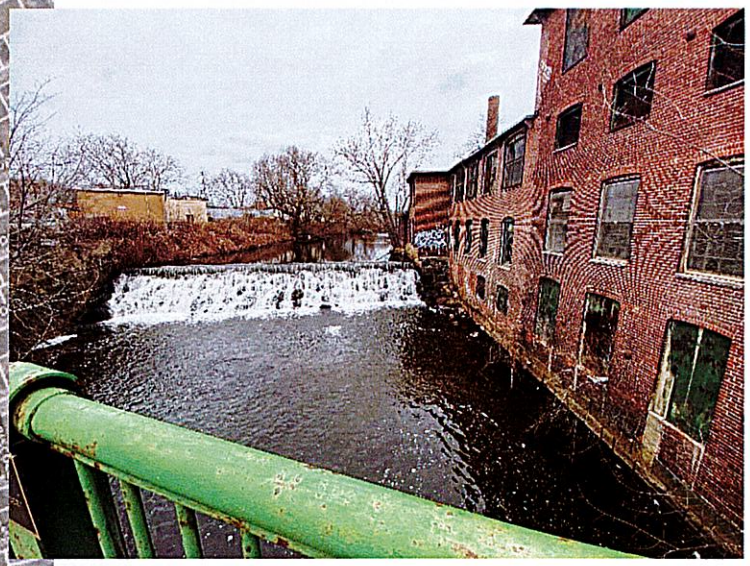
**$9,500,000 Dam Removal and River Restoration Bonds**

Ordered: That Nine Million Five Hundred Thousand Dollars ($9,500,000) is appropriated for the purpose of financing the engineering and construction of the Little River Dam Removal and River Restoration project, including the removal of the Little River Dam and the restoration of the channel and floodplain through the Littler River Dam impoundment, including the payment of all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount pursuant to Chapter 44, Section 8(24) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor is authorized to apply for and accept any and all grants that may be available to pay the costs of this project, and the total borrowing authorized by this order shall be reduced to the extent of any such grants received by the City for this project.

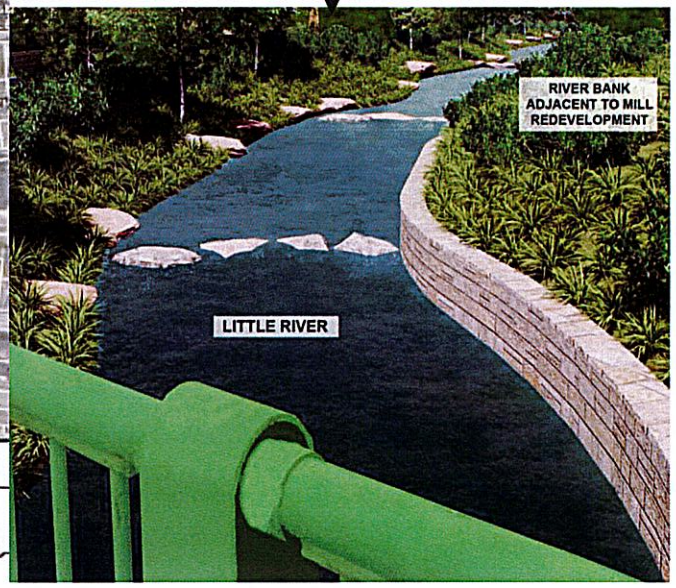
Further Ordered: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

# Little River Dam Removal and River Restoration Project



Existing Conditions




Rendering of Future Conditions: Dam Removal

## SECTION 00 11 13 - ADVERTISEMENT FOR BIDS

The City of Haverhill is requesting Bids for the construction of the following Project:

Little River Dam Removal and River Restoration

Bids for the project will be received electronically at www.projectdog.com (Project Code #873965) not later than **3:00 PM** local time on **May 13, 2026** at which time the bids will be opened publicly online. It is the sole responsibility of the bidder to ensure that the bid is submitted online prior to the bid opening time.

The project consists of removing the Little River Dam and restoring channel and floodplain through the former Little River Dam impoundment. Work items include excavation and off-site disposal of contaminated soil, excavation and on-site reuse of soil, excavation and off-site disposal of other soil, construction of channel bed and banks using bioengineering techniques, construction of rock weirs for fish passage, installation of bridge scour protection and stormwater outfall scour protection, construction of a retaining wall on the channel side of the former Stevens Mill building at the corner of Stevens Street and Winter Street, replacement and extension of an existing retaining wall, and restoration of the site with native seed and plantings. The project also includes as Add Alternates construction of several public amenities for improved river access, including a canoe/kayak launch, fishing platform, and access trails within Cashman Park, and a pocket park/overlook at Winter Street, as well as a pedestrian bridge across the river at Cashman Park and associated trail connecting the park to Stevens Street. All work under the contract is subject to the environmental permits issued for the project.

Bids will be received for a single prime Contract. Bids shall be on a unit price basis as indicated in the Bid Form and shall include both a Base Bid and Alternates as outlined in the Bid Form.

Bid Forms and Contract Documents shall be available online at www.projectdog.com at project code #873965 Please see the attached Projectdog E-Bidding Instructions to Bidders for additional details. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including Addenda if any, obtained from sources other than Projectdog, Inc.

All questions shall be directed in writing to the Engineer, Fuss & O'Neill, by email by **4:00 PM** local time on **April 30, 2026**. Questions should be sent to Claire Nauman: Claire.Nauman@fando.com.

A mandatory pre-bid conference will be held at **11:00 AM** local time on April 27, 2026. Bidders should meet at Cashman Park, 175 Hilldale Ave, Haverhill, MA, 01830.

This Project is subject to appropriation and availability of funds. Award of the Contract is contingent upon the City of Haverhill securing all necessary funding, including approval of a loan order and any required financing. The City reserves the right to reject any and all bids if sufficient funding is not obtained.

The project is subject to the City of Haverhill obtaining ownership or control of the dam associated with this project and securing the necessary permanent and temporary easements. Award of the Contract is contingent upon the City obtaining ownership or control of the dam and securing a permanent easement related to the proposed retaining wall and temporary easements for construction. The City reserves the right to reject any and all bids if the City does not own the dam and obtain the necessary easements.

Bid security shall be furnished in conformance with the Instructions to Bidders.

Minimum wage rates, as determined by the Executive Office of Labor and Workforce Development, Department of Labor Standards (DLS) under the provisions of M.G.L., Chapter 149, Section 26 to 27D, as amended, and/or the Davis-Bacon Act, apply to this project. It is the responsibility of the contractor, before bid opening, to request if necessary, any additional information on Prevailing Wage/Davis Bacon Wage Rates for those tradespeople who may be employed for the proposed work under this contract.

**END OF SECTION**

**FUSS & O'NEILL, INC.**
1550 MAIN STREET, SUITE 400
SPRINGFIELD, MASSACHUSETTS

| OPINION OF CONSTRUCTION COST | | DATE PREPARED : | 2/5/2026 |
|---|---|---|---|
| Type: | Bid | | |
| PROJECT : | Little River Dam Removal and River Restoration | Basis: RSMeans, product manufacturers, and bid results from recent construction projects. | |
| LOCATION : | Haverhill, Massachusetts | | |
| DESCRIPTION: | Dam Removal and River Improvements | | |
| DRAWING NO. : | 20170390.U40 | ESTIMATOR : GW/DW/CN/JD | CHECKED BY : CC/JB |

**OPINION OF CONSTRUCTION COST - BID PHASE** An opinion of cost made based on detailed engineering data and comparison with similar projects. Industry cost estimating guidance by AACE suggests an expected accuracy range of within plus 15% or minus 10% for costs developed at bid phase (i.e., 85% to 100% completion). Because Fuss & O'Neill has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor(s)' methods of determining prices, or over competitive bidding or market conditions, Fuss & O'Neill's opinion of probable Total Project Costs and Construction Costs are made on the basis of Fuss & O'Neill's experience and qualifications and represent Fuss & O'Neill's best judgment as an experienced and qualified professional engineer, familiar with the construction industry. Fuss & O'Neill cannot and does not guarantee that proposals, bids or actual Total Project or Construction Costs will not vary from opinions of probable cost prepared by Fuss & O'Neill. If prior to the bidding or negotiating phase the Owner wishes greater assurance as to Total Project or Construction Costs, the Owner shall employ an independent cost estimator.

| ITEM NO. | ITEM | UNIT MEAS. | NO. UNITS | PER UNIT | TOTAL COST |
|---|---|---|---|---|---|
| **SITE ACCESS AND SITE PREPARATION WORK** | | | | | |
| 1 | Mobilization | L.S. | 1 | $192,580.00 | $192,580.00 |
| 2 | General Requirements | L.S. | 1 | $320,970.00 | $320,970.00 |
| 3 | Demobilization | L.S. | 1 | $192,580.00 | $192,580.00 |
| 4 | Traffic Control and Protection of Public | L.S. | 1 | $50,000.00 | $50,000.00 |
| 5 | Site Clearing | AC. | 3 | $20,000.00 | $60,000.00 |
| **WATER CONTROL & SEDIMENT AND EROSION CONTROL MEASURES** | | | | | |
| 6 | Temporary Erosion and Sediment Control | L.S. | 1 | $75,000.00 | $75,000.00 |
| 7 | Control of Water | L.S. | 1 | $500,000.00 | $500,000.00 |
| **DEMOLITION** | | | | | |
| 8 | Demolition | L.S. | 1 | $150,000.00 | $150,000.00 |
| **EARTHWORK AND BIOENGINEERING** | | | | | |
| 9 | Excavation and Off-site Disposal of Contaminated Soils as Hazardous Waste | C.Y. | 1,160 | $315.00 | $365,400.00 |
| 10 | Excavation and Off-site Disposal of Contaminated Soils as Regulated Waste | C.Y. | 1,920 | $90.00 | $172,800.00 |
| 11 | Excavation and Reuse of Satisfactory Soils | C.Y. | 5,750 | $65.00 | $373,750.00 |
| 12 | Excavation and Off-site Disposal of Other Soils | C.Y. | 11,130 | $90.00 | $1,001,700.00 |
| 13 | Riprap Type A | TON | 650 | $75.00 | $48,750.00 |
| 14 | Riprap Type B | TON | 1,612 | $75.00 | $120,900.00 |
| 15 | Riprap Type C | TON | 179 | $75.00 | $13,425.00 |
| 16 | Riprap Type D | TON | 271 | $75.00 | $20,325.00 |
| 17 | Streambed Material Type A | TON | 9,660 | $125.00 | $1,207,500.00 |
| 18 | Streambed Material Type B | TON | 80 | $125.00 | $10,000.00 |
| 19 | Weir Boulders | EA. | 220 | $500.00 | $110,000.00 |
| 20 | Habitat Boulders | EA. | 15 | $500.00 | $7,500.00 |
| 21 | Fabric Encapsulated Soil (FES) Lifts | F.F | 8,990 | $65.00 | $584,350.00 |
| 22 | Surface Fabric Treatment | S.Y. | 5,580 | $5.00 | $27,900.00 |
| 23 | Logs with Rootwads | EA. | 50 | $1,500.00 | $75,000.00 |
| 24 | Logs | EA. | 38 | $1,500.00 | $57,000.00 |
| 25 | Logs for Timber Piles | EA. | 38 | $1,500.00 | $57,000.00 |
| **RETAINING WALL A** | | | | | |
| 26 | Temporary Support of Excavation | S.F. | 2,890 | $75.00 | $216,750.00 |
| | Cast-in-Place Concrete | C.Y. | 281 | $1,250.00 | $351,250.00 |
| | Reinforcing Steel | LBS. | 18,588 | $2.00 | $37,176.00 |
| | Bituminous Dampproofing | S.Y. | 226 | $97.00 | $21,922.00 |
| | Formliner | S.F. | 1,289 | $25.00 | $32,225.00 |
| | Gravel Borrow | C.Y. | 142 | $60.00 | $8,520.00 |
| | Gravel Borrow for Backfilling Structures and Pipes | C.Y. | 587 | $63.00 | $36,981.00 |
| 27 | Decorative Metal Fence (5' ht.) | L.F. | 6 | $120.00 | $720.00 |
| 28 | Decorative Metal Fence (4' ht.) | L.F. | 73 | $100.00 | $7,300.00 |
| 29 | Black Vinyl Coated Chain Link Fence (6' ht.) | L.F. | 152 | $35.00 | $5,320.00 |
| 30 | Guardrail Type TL-2 | L.F. | 109 | $40.00 | $4,360.00 |
| | Rounded Terminal End Section for W-Beam | EA. | 2 | $500.00 | $1,000.00 |
| **RETAINING WALL B** | | | | | |
| 31 | Temporary Excavation | C.Y. | 116 | $65.00 | $7,511.11 |
| | Cast-in-Place Concrete | C.Y. | 43 | $1,250.00 | $53,750.00 |
| | Reinforcing Steel | LBS. | 8,143 | $2.00 | $16,286.49 |
| | Bituminous Dampproofing | S.Y. | 77 | $97.00 | $7,469.00 |
| | 3/4 Inch Crushed Stone | TON | 50 | $75.00 | $3,750.00 |
| 32 | Black Vinyl Coated Chain Link Fence (6' ht.) | L.F. | 84 | $35.00 | $2,940.00 |
| 33 | 24 Inch Reinforced Concrete Pipe | L.F. | 11 | $200.00 | $2,200.00 |
| 34 | 24 Inch Reinforced Concrete Pipe Flared End | EA. | 1 | $2,000.00 | $2,000.00 |
| **PLANTING AND SEEDING** | | | | | |
| 35 | Conservation Grade Trees | EA. | 438 | $65.00 | $28,470.00 |
| 36 | Conservation Grade Shrubs | EA. | 840 | $45.00 | $37,800.00 |
| 37 | Tubelings | EA. | 84,460 | $4.00 | $337,840.00 |
| 38 | Conservation Seed Mix | AC. | 8.0 | $22,000.00 | $176,000.00 |
| 39 | Upland/Park Seed Mix | AC. | 0.6 | $15,250.00 | $9,150.00 |
| **MISCELLANEOUS** | | | | | |
| 40 | Floating Safety Boom | EA. | 1 | $19,250.00 | $19,250.00 |
| | Boom Anchors | EA. | 2 | $3,500.00 | $7,000.00 |
| 41 | Danger Sign | EA. | 1 | $1,000.00 | $1,000.00 |
| | Interpretive Sign | EA. | 1 | $5,000.00 | $5,000.00 |
| **BASE CONSTRUCTION TOTALS** | | | | | |
| | SUBTOTAL | | | | $7,235,370.60 |
| | CONTINGENCY (10%) | | | | $723,537.06 |
| | TOTAL BASE CONSTRUCTION COST | | | | $7,958,907.66 |
| **ADD ALTERNATE ITEMS - SCOUR PROTECTION** | | | | | |
| A1 | Scour Protection Riprap Type A (MBTA Bridge) | TON | 394 | $75.00 | $29,550.00 |
| **ADD ALTERNATE A TOTAL** | | | | | |
| | SUBTOTAL | | | | $29,550.00 |

**FUSS & O'NEILL, INC.**
1550 MAIN STREET, SUITE 400
SPRINGFIELD, MASSACHUSETTS

| OPINION OF CONSTRUCTION COST | | DATE PREPARED : | 2/5/2026 |
|---|---|---|---|
| Type: | Bid | | |
| PROJECT : | Little River Dam Removal and River Restoration | Basis: RSMeans, product manufacturers, and bid results from recent construction projects. | |
| LOCATION : | Haverhill, Massachusetts | | |
| DESCRIPTION: | Dam Removal and River Improvements | | |
| DRAWING NO. : | 20170390.U40 | ESTIMATOR : GW/DW/CN/JD | CHECKED BY : CC/JB |

**OPINION OF CONSTRUCTION COST - BID PHASE**. An opinion of cost made based on detailed engineering data and comparison with similar projects, industry cost estimating guidance by AACE suggests an expected accuracy range of within plus 15% or minus 10% for costs developed at bid phase (i.e., 65% to 100% completion). Because Fuss & O'Neill has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor(s)' methods of determining prices, or over competitive bidding or market conditions, Fuss & O'Neill's opinion of probable Total Project Costs and Construction Costs are made on the basis of Fuss & O'Neill's experience and qualifications and represent Fuss & O'Neill's best judgment as an experienced and qualified professional engineer, familiar with the construction industry. Fuss & O'Neill cannot and does not guarantee that proposals, bids or actual Total Project or Construction Costs will not vary from opinions of probable cost prepared by Fuss & O'Neill. If prior to the bidding or negotiating phase the Owner wishes greater assurance as to Total Project or Construction Costs, the Owner shall employ an independent cost estimator.

| ITEM NO. | ITEM | UNIT MEAS. | NO. UNITS | PER UNIT | TOTAL COST |
|---|---|---|---|---|---|
| **ADD ALTERNATE ITEMS - PEDESTRIAN BRIDGE, WALKWAY RETAINING STRUCTURE, AND ASPHALT WALKING TRAIL** | | | | | |
| B1 | Excavation and Off-site Disposal of Other Soils | C.Y. | 748 | $90.00 | $67,320.00 |
| | Temporary Support of Excavation | S.F. | 1,036 | $75.00 | $77,700.00 |
| | Cast-in-Place Concrete | C.Y. | 92 | $1,250.00 | $115,000.00 |
| | Reinforcing Steel | LBS. | 12,172 | $2.00 | $24,344.00 |
| | Gravel Borrow | C.Y. | 37 | $60.00 | $2,220.00 |
| | Gravel Borrow for Backfilling Structures and Pipes | C.Y. | 343 | $63.00 | $21,609.00 |
| | Bituminous Dampproofing | S.Y. | 85 | $97.00 | $8,245.00 |
| | Formliner | S.F. | 596 | $25.00 | $14,900.00 |
| | Trench Drain | L.F. | 16 | $150.00 | $2,400.00 |
| | Superpave Surface Course - 12.5 Polymer | TON | 12 | $165.00 | $1,980.00 |
| B2 | Pedestrian Bridge | L.S. | 1 | $335,000.00 | $335,000.00 |
| | Micropiles | EA. | 20 | $9,000.00 | $180,000.00 |
| | Verification Test for Micropiles | EA. | 2 | $23,680.00 | $47,360.00 |
| | Proof Test for Micropiles | EA. | 2 | $6,640.00 | $13,280.00 |
| | Micropile Length Adjustment | L.F. | 70 | $153.00 | $10,710.00 |
| | Excavation and Off-site Disposal of Other Soils | C.Y. | 143 | $100.00 | $14,300.00 |
| | Cast-in-Place Concrete | C.Y. | 51 | $1,250.00 | $63,750.00 |
| | Reinforcing Steel | LBS. | 6,747 | $2.00 | $13,494.00 |
| | Gravel Borrow | C.Y. | 26 | $60.00 | $1,560.00 |
| | Gravel Borrow for Backfilling Structures and Pipes | C.Y. | 72 | $63.00 | $4,536.00 |
| | Bituminous Dampproofing | S.Y. | 36 | $97.00 | $3,492.00 |
| B3 | Clearing and Grubbing (Walkway and Trail) | AC. | 0.55 | $20,000.00 | $11,000.00 |
| | Asphalt (Asphalt Walking Trail) | S.F. | 9,860 | $6.00 | $59,160.00 |
| | Silt Sock | L.F. | 1,307 | $7.00 | $9,149.00 |
| B4 | Concrete Block Retaining Wall | F.F. | 6,047 | $100.00 | $604,734.50 |
| | 2" Clean Washed Crushed Stone (Concrete Block Retaining Wall) | C.Y. | 233 | $60.00 | $14,000.44 |
| B5 | Riprap Type C | TON | 43 | $75.00 | $3,209.43 |
| B6 | Decorative Metal Fence (3.5' ht) | L.F. | 100 | $100.00 | $10,000.00 |
| B7 | Black Vinyl Coated Chain Link Fence (6' ht.) | L.F. | 1,724 | $35.00 | $60,340.00 |
| B8 | Trail Crossing for Stormwater Outfall | L.S. | 1 | $25,000.00 | $25,000.00 |
| B9 | Semi-Shade Seed Mix | AC. | 0.4 | $43,600.00 | $16,464.75 |
| **ADD ALTERNATE B TOTAL** | | | | | |
| | SUBTOTAL | | | | $1,836,258.13 |
| **ADD ALTERNATE ITEMS - OVERLOOK** | | | | | |
| C1 | Permeable Pavers | S.F. | 308 | $40.00 | $12,320.00 |
| | Salvaged Boulders | EA. | 13 | $300.00 | $3,900.00 |
| | Monolithic Granite Stone Benches | EA. | 3 | $2,500.00 | $7,500.00 |
| | Engraved Granite Monument Stone | EA. | 1 | $3,000.00 | $3,000.00 |
| | Salvaged Stone Wall | F.F. | 40 | $100.00 | $4,000.00 |
| C2 | Cement Concrete Sidewalk | S.F. | 452 | $15.00 | $6,780.00 |
| | Granite Curb | L.F. | 117 | $60.00 | $7,020.00 |
| | Granite Curb Corner | EA. | 1 | $500.00 | $500.00 |
| C3 | Timber Post Guardrail Type TL-2 | L.F. | 62 | $50.00 | $3,100.00 |
| | Rounded Terminal End Section for W-Beam | EA. | 3 | $500.00 | $1,500.00 |
| | Guardrail Trailing Anchorage, TL-2 | EA. | 1 | $3,000.00 | $3,000.00 |
| C4 | Shade Tree 2-2.5" cal. | EA. | 2 | $1,500.00 | $3,000.00 |
| C5 | Ornamental Tree 1-1.5" cal. | EA. | 8 | $1,000.00 | $8,000.00 |
| C6 | Shrubs 3 gal. | EA. | 53 | $125.00 | $6,625.00 |
| C7 | Perennials | EA. | 147 | $20.00 | $2,940.00 |
| C8 | Wood Guardrail | L.F. | 70 | $120.00 | $8,400.00 |
| **ADD ALTERNATE C TOTAL** | | | | | |
| | SUBTOTAL | | | | $73,185.00 |
| **ADD ALTERNATE ITEMS - CASHMAN PARK** | | | | | |
| D1 | Kayak/Canoe Access Path | S.F. | 1,776 | $10.00 | $17,760.00 |
| | Exposed Aggregate Kayak Launch | C.Y. | 211 | $850.00 | $179,350.00 |
| | Timber Handrail | L.F. | 284 | $100.00 | $28,400.00 |
| | Boulder Placement for Retainage | EA. | 134 | $500.00 | $67,000.00 |
| | Gravel Borrow for Backfilling Structures and Pipes | C.Y. | 41 | $63.00 | $2,593.92 |
| D2 | Reinforced Gravel Walkway | S.F. | 1,795 | $20.00 | $35,900.00 |
| D3 | Reinforced Gravel Gathering Area | S.F. | 365 | $20.00 | $7,300.00 |
| | Cast-in-Place Concrete | C.Y. | 8 | $1,250.00 | $10,247.88 |
| | Stacked Stone Blocks | TON | 12 | $125.00 | $1,500.00 |
| | Granite Steps | S.F. | 114 | $750.00 | $85,500.00 |
| | Stone Platform | S.F. | 290 | $550.00 | $159,500.00 |
| | Salvaged Boulders | EA. | 7 | $300.00 | $2,100.00 |
| | 2" Clean Washed Crushed Stone | C.Y. | 19 | $60.00 | $1,140.00 |
| D4 | Shade Tree 2-2.5" cal. | EA. | 25 | $1,500.00 | $37,500.00 |
| D5 | Ornamental Tree 1-1.5" cal. | EA. | 28 | $1,000.00 | $28,000.00 |
| D6 | Shrubs 3 gal. | EA. | 47 | $125.00 | $5,875.00 |
| D7 | Perennials | EA. | 64 | $20.00 | $1,280.00 |
| D8 | Showy Wildflower Seed Mix | AC. | 0.1 | $43,600.00 | $4,360.00 |
| D9 | Semi-Shade Seed Mix | AC. | 0.1 | $43,600.00 | $4,360.00 |
| **ADD ALTERNATE D TOTAL** | | | | | |
| | SUBTOTAL | | | | $579,666.80 |
| **CONSTRUCTION TOTALS** | | | | | |
| | SUBTOTAL | | | | $10,577,567.58 |
| | CONTINGENCY ON ADD ALTERNATES (10%) | | | | $187,889.34 |
| | TOTAL CONSTRUCTION COST | | | | **$10,765,456.92** |
| **TOTAL -10% TO +15% (ROUNDED TO NEAREST $10,000)** | | | **$9,689,000** | **TO** | **$12,380,000** |

BOND DEBT SERVICE

City of Haverhill, Massachusetts
General Obligation Little River Dam Bonds dated May 1, 2027
Assumes Level Debt - 20 Years
Interest Estimated, Subject to Change

| Period Ending | Principal | Coupon | Interest | Debt Service | Annual Debt Service |
|---|---|---|---|---|---|
| 11/01/2027 | - | - | 90,000 | 90,000 | - |
| 05/01/2028 | 150,000 | 4.000% | 90,000 | 240,000 | - |
| 06/30/2028 | - | - | - | - | 330,000 |
| 11/01/2028 | - | - | 87,000 | 87,000 | - |
| 05/01/2029 | 160,000 | 4.000% | 87,000 | 247,000 | - |
| 06/30/2029 | - | - | - | - | 334,000 |
| 11/01/2029 | - | - | 83,800 | 83,800 | - |
| 05/01/2030 | 165,000 | 4.000% | 83,800 | 248,800 | - |
| 06/30/2030 | - | - | - | - | 332,600 |
| 11/01/2030 | - | - | 80,500 | 80,500 | - |
| 05/01/2031 | 170,000 | 4.000% | 80,500 | 250,500 | - |
| 06/30/2031 | - | - | - | - | 331,000 |
| 11/01/2031 | - | - | 77,100 | 77,100 | - |
| 05/01/2032 | 175,000 | 4.000% | 77,100 | 252,100 | - |
| 06/30/2032 | - | - | - | - | 329,200 |
| 11/01/2032 | - | - | 73,600 | 73,600 | - |
| 05/01/2033 | 185,000 | 4.000% | 73,600 | 258,600 | - |
| 06/30/2033 | - | - | - | - | 332,200 |
| 11/01/2033 | - | - | 69,900 | 69,900 | - |
| 05/01/2034 | 190,000 | 4.000% | 69,900 | 259,900 | - |
| 06/30/2034 | - | - | - | - | 329,800 |
| 11/01/2034 | - | - | 66,100 | 66,100 | - |
| 05/01/2035 | 200,000 | 4.000% | 66,100 | 266,100 | - |
| 06/30/2035 | - | - | - | - | 332,200 |
| 11/01/2035 | - | - | 62,100 | 62,100 | - |
| 05/01/2036 | 205,000 | 4.000% | 62,100 | 267,100 | - |
| 06/30/2036 | - | - | - | - | 329,200 |
| 11/01/2036 | - | - | 58,000 | 58,000 | - |
| 05/01/2037 | 215,000 | 4.000% | 58,000 | 273,000 | - |
| 06/30/2037 | - | - | - | - | 331,000 |
| 11/01/2037 | - | - | 53,700 | 53,700 | - |
| 05/01/2038 | 225,000 | 4.000% | 53,700 | 278,700 | - |
| 06/30/2038 | - | - | - | - | 332,400 |
| 11/01/2038 | - | - | 49,200 | 49,200 | - |
| 05/01/2039 | 235,000 | 4.000% | 49,200 | 284,200 | - |
| 06/30/2039 | - | - | - | - | 333,400 |
| 11/01/2039 | - | - | 44,500 | 44,500 | - |
| 05/01/2040 | 240,000 | 4.000% | 44,500 | 284,500 | - |
| 06/30/2040 | - | - | - | - | 329,000 |
| 11/01/2040 | - | - | 39,700 | 39,700 | - |
| 05/01/2041 | 250,000 | 4.000% | 39,700 | 289,700 | - |
| 06/30/2041 | - | - | - | - | 329,400 |
| 11/01/2041 | - | - | 34,700 | 34,700 | - |
| 05/01/2042 | 260,000 | 4.000% | 34,700 | 294,700 | - |
| 06/30/2042 | - | - | - | - | 329,400 |
| 11/01/2042 | - | - | 29,500 | 29,500 | - |
| 05/01/2043 | 270,000 | 4.000% | 29,500 | 299,500 | - |
| 06/30/2043 | - | - | - | - | 329,000 |
| 11/01/2043 | - | - | 24,100 | 24,100 | - |
| 05/01/2044 | 285,000 | 4.000% | 24,100 | 309,100 | - |
| 06/30/2044 | - | - | - | - | 333,200 |
| 11/01/2044 | - | - | 18,400 | 18,400 | - |
| 05/01/2045 | 295,000 | 4.000% | 18,400 | 313,400 | - |
| 06/30/2045 | - | - | - | - | 331,800 |
| 11/01/2045 | - | - | 12,500 | 12,500 | - |
| 05/01/2046 | 305,000 | 4.000% | 12,500 | 317,500 | - |
| 06/30/2046 | - | - | - | - | 330,000 |
| 11/01/2046 | - | - | 6,400 | 6,400 | - |
| 05/01/2047 | 320,000 | 4.000% | 6,400 | 326,400 | - |
| 06/30/2047 | - | - | - | - | 332,800 |
| | 4,500,000 | | 2,121,600 | 6,621,600 | 6,621,600 |

**Kaitlin Wright**

**From:** Kaitlin Wright
**Sent:** Wednesday, May 6, 2026 8:28 AM
**To:** hglegals@hgazette.com; Natalia Hernandez
**Cc:** Kaitlin Wright
**Subject:** Ad - Loan Order Haverhill
**Attachments:** Ad - Loan Order $9,500,000 Dam Removal and River Restoration Bonds.pdf

**Importance:** High

Good morning,

Please run this legal ad for a loan order one time in the Tribune on Friday May 8th.

Thank you! Any questions, I am available at (978) 420-3622.

All my best,

Kaitlin

**Kaitlin M. Wright, CMC**
*City Clerk*
4 Summer Street, Room 118
Office: (978) 374-2312
Fax: (978) 373-8490
kwright@haverhillma.gov

**VERIFY YOUR VOTER STATUS HERE: https://www.sec.state.ma.us/ovr/**

| STATE PRIMARY ELECTION | VOTER REGISTRATION DEADLINE | EARLY VOTING PERIOD | LAST DAY TO REQUEST VOTE BY MAIL BALLOT |
|---|---|---|---|
| September 1, 2026 | August 22, 2026 | August 22 – August 28, 2026 | August 25, 2026 |

## Kaitlin Wright

**From:** North of Boston <noreply@wave2adportal.com>
**Sent:** Wednesday, May 6, 2026 9:51 AM
**To:** CityClerk
**Cc:** cmacdonald@northofboston.com; Kaitlin Wright; Natalia Hernandez
**Subject:** Thank you for placing your order with us.

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

## THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

### Job Details

Order Number:
**W0144112**
Business Type:
All Other Public Notices
Notice Size:
Public Notices
Notice Estimate:
$343.00
Referral Code:
**Loan Order $9,500,500**

### Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

### Schedule for notice number W01441120

**Fri May 8, 2026**

**The Eagle-Tribune Public Notices**

*All Zones*

**CITY OF HAVERHILL**
**In Municipal Council**
**ORDERED:**
**$9,500,000 Dam Removal and River Restoration Bonds**

Ordered: That Nine Million Five Hundred Thousand Dollars ($9,500,000) is appropriated for the purpose of financing the engineering and construction of the Little River Dam Removal and River Restoration project, including the removal of the Little River Dam and the restoration of the channel and floodplain through the Littler River Dam impoundment, including the payment of all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount pursuant to Chapter 44, Section 8(24) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor is authorized to apply for and accept any and all grants that may be available to pay the costs of this project, and the total borrowing authorized by this order shall be reduced to the extent of any such grants received by the City for this project.

Further Ordered: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

ET - Publication Dates

**CITY COUNCIL**
**Timthoy J. Jordan,** *President*
**John A. Michitson,** *Vice President*
**Thomas J. Sullivan**
**Colin F. LePage**
**Melissa J. Lewandowski**
**Catherine P. Rogers**
**Shaun P. Toohey**
**Michael S. McGonagle**
**Daniel R. Diodati**
**Devan Ferreira**
**Ralph T. Basiliere**

CITY HALL, ROOM 204
4 SUMMER STREET
TELEPHONE: 978-374-2328
FACSIMILE: 978-374-2329
WWW.CITYOFHAVERHILL.GOV
CITYCOUNCIL@HAVERHILLMA.GOV

# CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

## DOCUMENTS REFERRED TO COMMITTEE STUDY

| Document Number | Motion Details | Committee | Date Sent |
|---|---|---|---|
| 103-HH | Motion by Councilor Michitson to send the Home Rule Petition – *An Act Establishing Guidelines for the Installation and Use of Electric Vehicle Charging Stations in the City of Haverhill* to committee in order to coordinate with condominium 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-S | Motion by Councilor Ferreira to send the City's Swimming Ordinance (Chapter 193, Article III) and related items at Lake Saltonstall (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 to the Public Health & Safety Committee. | Public Health & Safety | 3/11/25 |
| 33-L | Motion by Councilor Lewandowski to send Bill 3360 (vacancy tax on residential properties) for review, along with further review of the Massachusetts Vacant Storefront Program (MVSP). | Planning & Development | 6/24/25 |
| 33-P | Motion by Councilor Ferreira to send for review the City's local strategies regarding traffic and safety, including evaluation of intersections at Amesbury Line Road and Merrimac Road for public safety improvements. | Public Health & Safety | 9/16/25 |
| 94-B | Motion by Councilor Ferreira to review and update standards of Chapter 250, Article VI of the Haverhill Zoning Code regarding water use restrictions established in 2016. | Planning & Development | 9/16/25 |
| 33-T | Motion by Councilor Lewandowski to establish a working group, as previously discussed, to implement a control management plan for vegetation in Riverside Park / Edible Avenue along the river. | NRPP | 9/30/25 |
| 85-E | Motion by Councilor Michitson to send Judi Barrett's progress report on the fiscal impact analysis prepared for the Council for further discussion. | Planning & Development | 12/9/25 |
| 1-F | Motion by Councilor Lewandowski to send for discussion the establishment or formalization of an ordinance regarding a water conservation program. | Planning & Development | 1/27/26 |
| 1-Q / 1-QQ | Motion by Councilor Lewandowski to send for further discussion amendments to Chapter 216 – Snow and Ice Removal, including changes to Sections 1-16, Article 1, Chapter 1 (General Provisions), to increase fines for violations. | Public Health & Safety | 3/17/26 |

Updated: March 19, 2026

MAR 20 AM8:41
HAVCITYCLERK